



PLAS GRONO, ERDDIG;

REASONABLE AVOIDANCE METHOD STATEMENT FOR GREAT CRESTED NEWTS

DATE	ECOLOGIST	APPROVED	VERSION	COMMENTS
17/01/2022	Keymar Wake	Tim Yardley	V1	

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1.0 Introduction

- 1.1 Enfys Ecology Limited were commissioned by homeowner Paul Gray, to produce an ecological assessment and method statement with regards to Great Crested Newts (GCN) (*Triturus cristatus*) with regards to proposed works at Plas Grono Farm, Erddig, LL13 0YR; Grid ref SJ 31541 48048.
- 1.2 This document includes an ecological risk assessment to assess the potential for disturbance or harming GCN during the works, and a suitable Method Statement (MS) to be implemented during the works to mitigate for any potential harm identified.
- 1.3 The proposed works comprise constructing a new building to host a swimming pool on an area of grassland within the site. The works will require the strimming and removal of vegetation and excavating an area of ground to accommodate the new building. Machinery and construction workers will need to access the site via an area of amenity grassland and materials will be stored within the site.
- 1.4 A site visit was carried out by Enfys Ecology in December 2021, as well a desk study examining local ecological records held for the area by Cofnod. The habitats within the proposed works area were considered suitable for GCN but due to the location and size of the works area within the surrounding habitat, there is a lower risk of GCN populations being impacted by the works. There is a higher risk of individuals and other amphibian species being present however, therefore works will be carried out under a Reasonable Avoidance Method Statement (RAMS) for amphibians, including GCN; this document sets out suitable procedures to be followed during the works.

2.0 Legislation

- 2.1 GCNs and their habitat are fully protected under both United Kingdom and European Union legislation, including the Wildlife and Countryside Act (WCA) 1981 (as amended), the Countryside and Rights of Way Act (CROW) 2000 and The Conservation of Habitats and Species Regulations 2018 (as amended).
- 2.2 It is an offence to kill, injure or disturb GCNs, or to destroy any place used for rest or shelter by a newt. The GCN is listed on Appendix II of the Bern Convention on the Conservation of European Wildlife and Natural Habitats, and is also listed on Annexe II and Annexe IV of the EC Habitats Directive.
- 2.3 Common amphibian species (including common frog, common toad, and smooth and palmate newts) have lesser legal protection, under Schedule 5, Section 9 (5) of the WCA 1981 (as amended) and the CROW Act 2000, these animals are protected from sale, or transportation for sale.

3.0 Ecological Risk Assessment

- 3.1. A site visit was carried out by Enfys Ecology on 3rd December 2021, by Keymar Wake (accredited agent on licence S087736/1) to assess the habitats and suitability of the site for amphibians, including GCN.
- 3.2 *Site Description*
- 3.2.1 The area proposed for works was located to the south of the farm yard; it was surrounded by pastoral and arable farm fields with scattered hedge lines and further farms and industrial buildings (Figure 3.1). The works area for the proposed new build comprised unmanaged grassland of a long sward (>30cm in areas), which was overgrown with tall ruderal species such as dock and nettles in large areas (Photo 3.1a+b). There were scrub, hedge and tree species around the boundary of the works area, primarily hawthorn and bramble, and there were several brash and wood piles within the grassland (Photos 3.2a+b). The area of the proposed access route was primarily short amenity grassland that forms the rear garden of the main house (Photo 3.3).



FIGURE 3.1: LOCATION OF WORKS AREA (RED). BASE IMAGE ©GOOGLE EARTH 2022



PHOTOS 3.1: UNMANAGED GRASSLAND WITH AREAS OF TALL RUDERAL; A) NE CORNER; B) AREA TO THE WEST



PHOTOS 3.2: A) SCRUB, HEDGE AND TREE BOUNDARY; B) EXAMPLE OF BRASH PILE



PHOTO 3.3: ACCESS ROUTE THROUGH THE GARDEN

- 3.2.2 There was one pond within the site itself, approx. 10m from the proposed works area. The homeowner reported that the pond is seasonal and largely dry during the summer months; it contained the treated water from the septic tank as well as rain water. At the time of the site visit, the pond was estimated to be approx. 20 – 30cm deep but was completely covered in duckweed so the bottom of the pond was not visible. There were three further ponds within 500m of the works area; one approximately 118m south east, one approx. 490m south and the third approx. 485m south west; that had limited connectivity to the works area with scattered hedge and tree lines through exposed pastoral and arable fields. The pond to the south west was on the opposite side of a dual carriageway to the works area.



PHOTO 3.4: POND WITHIN THE SITE

3.3 *Designated sites, data search and previous surveys*

- 3.3.1 There was one designated site for GCN within 1km of the proposed works area. The Johnstown Newt Sites Special Area of Conservation (SAC) was approx. 930m south of the works area (Figure 3.2). The site comprises two post-industrial sites for coal and clay and hosts one of the largest GCN populations in the UK.
- 3.3.2 The Cofnod Data Search showed no records of GCN (or any other amphibians) within the site itself, but there were many GCN records within 1km of the site (Figure 3.2). The closest records were from the three ponds surrounding the site, recorded during surveys carried out in 2019. The numbers of GCN recorded (between 2 and 14 individuals) suggested a small population of GCN using these ponds; the highest count was recorded within the pond to the south west, over the dual carriageway, on the same side as the SAC. The two ponds north of the dual carriageway had a maximum count of three individual GCN. There were several records from further ponds to the south of the dual carriageway and within the SAC; it is considered the dual carriageway would act as a barrier between the SAC and the proposed works area.



FIGURE 3.2: WORKS AREA (BLACK AND WHITE SQUARE) IN RELATION TO THE SAC (BLUE OVERLAY) AND DISTRIBUTION OF GCN RECORDS (BROWN CIRCLES)
IMAGE ©COFNOD

3.4 *Proposed Works*

- 3.4.1 The proposed works involve clearing an area of grassland and scrub to allow construction of a new building to the south of the existing farm buildings. The works area will be approx. 230m², to accommodate the new build. The access route to the works area will enter from the driveway to the north of the farm buildings and around the eastern gable of the farm building, over short amenity grassland of the rear garden of the farmhouse. No vegetation within the access route will need to be cleared prior to works; the pond within the site will not be directly affected by the works. The proposed plans also include some additional planting of native hedge and scrub species around the boundaries of the site and around the existing pond. There is no current start date for the works and it will be dependent on the granting of planning permission. The proposed plan of the site is shown in Figure 3.3.

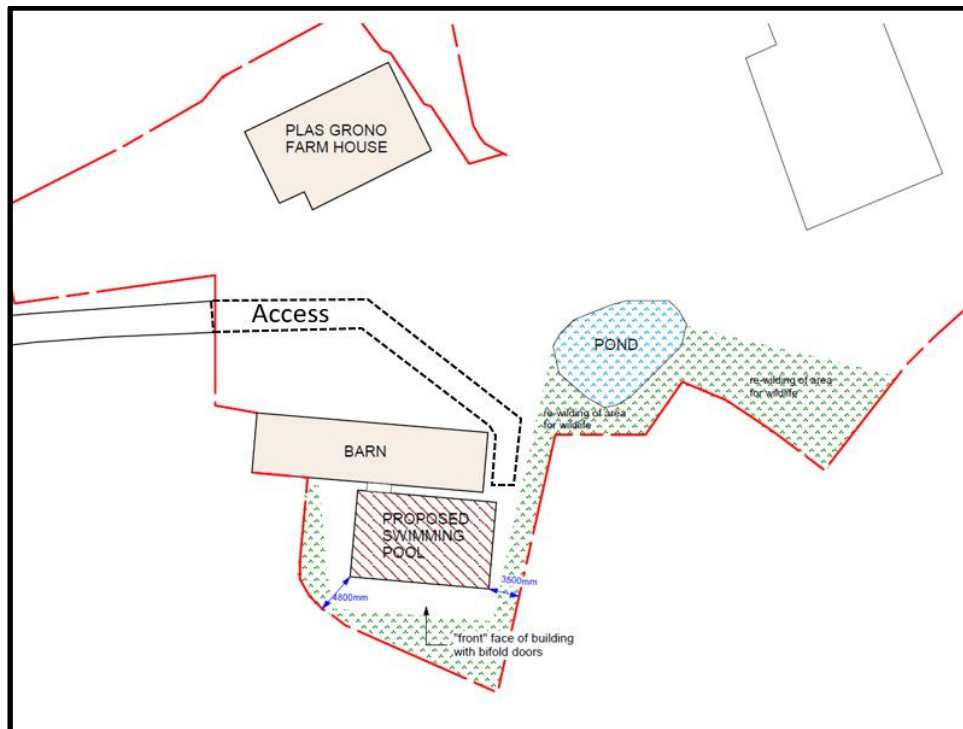


FIGURE 3.3: LOCATION OF PROPOSED NEW SWIMMING POOL BUILDING, ACCESS ROUTE (BLACK DASH) AND PROPOSED PLANTING AREAS (GREEN HATCH)
©JNL DESIGN

3.5 Risk Assessment

- 3.5.1 Due to the small size of the works area in relation to the area of surrounding habitat, the distance from the SAC, and the low numbers of GCN recorded within the vicinity of the site, the works are not likely to negatively impact GCN and common amphibian populations within the designated site or affect the favourable conservation status of these species.
- 3.5.2 The habitats within the works area are suitable for amphibians, including GCN, to shelter and forage within; the areas of hedgerows, scrub and brash piles could provide suitable areas for hibernating amphibians. The proximity of ponds, coupled with known GCN record locations suggest it is likely that GCN and common amphibians will visit and be present within and around the proposed area. The pond within the site was not considered highly suitable for GCN as it is treated water, covered in duck weed, and reportedly largely dry during the breeding season, but it cannot be discounted that small numbers of amphibians would use the pond during wet periods in the summer months. Therefore, the risk to individual GCN and common amphibians from the intended vegetation clearance and excavation works is considered **high without mitigation**. It is concluded that to minimise risk to GCN and common amphibian species, a Reasonable Avoidance Method Statement (RAMS) must be followed at all times by all staff and contractors on site for the duration of the works period. By following these procedures, the risk of harming GCN and common amphibians during the works will be minimised. **If, at any point, GCN are discovered during the works, all works**

must stop and may only resume under EPS derogation license issued by NRW under Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended).

- 3.6 As GCN and common amphibians are potentially present on the site, works should be restricted to the time of year which is least likely to have an impact on the species: All amphibians hibernate over winter, and so no vegetation removal, ground breaking or destructive works can be carried out during this time period as any amphibians present will be in a state of torpor and are unlikely to survive disturbance, or move away from danger by themselves. Overnight temperatures must be above 5°C for 5 nights prior to the work and forecast to remain so for 5 nights after (Froglife, 2001). If any newts are found at a time when overnight temperatures being above 5°C, they are likely to be active. In order to avoid both the nesting bird season and hibernating amphibians, the initial vegetation removal would ideally be carried out at the end of February/ beginning of March, or in October, as the temperatures should be agreeable during this period (though some monitoring of temperatures may need to be carried out between February and March).

4.0 Reasonable Avoidance Method Statement

4.1 *Prior to works*

- 4.1.1 Before works commence a tool box talk (TBT) will be given to all contractors involved in the works; this will outline the species of concern, how to identify them and how to proceed if they are found. It will also outline the working method that is detailed in this document. A log will be signed by all contractors who attend the TBT.
- 4.1.2 The proposed access route follows the driveway and over an area of amenity grassland within the garden. This area is considered unsuitable for GCN and common amphibians due to the short sward and lack of vegetation cover, so no specific working method is required for this area, **as long as the sward is maintained at a short level**; general Reasonable Avoidance Measures (Section 5) should be followed at all times however.

4.2 *Vegetation Clearance*

- 4.2.1 The initial vegetation clearance will be carried out either towards the end of February/ beginning of March, or October, in order to avoid the nesting bird season. The works area (including areas for material storage and equipment) will be strimmed to facilitate the works. It is possible that amphibians, including GCN, will be hibernating at this time of year and therefore not active; however, if overnight temperatures remain over 5°C it cannot be discounted that amphibians may be active on site. If it is necessary to clear the vegetation between March – October, a nesting bird check will be required by a qualified ecologist no more than 48 hours before works commence. If birds are found nesting within the vegetation to be cleared then all works must be postponed until the chicks have fledged.

- 4.2.2 To prevent risk to active amphibians on site, the vegetation to be cleared will be searched as much as possible prior to strimming by a licenced ecologist. If common amphibians are present and active they will be moved to safety, away from the works area, before strimming commences. If GCN are found the works will be postponed until a licence has been obtained from NRW.
- 4.2.3 To prevent risk to any hibernating or active amphibians the vegetation will be strimmed with hand held tools and initially only down to a minimum length of 15cm. No ground will be broken and no root systems will be removed. All vegetation strimming will be carried out under the supervision of a licenced ecologist, and arisings will be removed from the works zone immediately after strimming; these will be raked and collected up by hand. The ecologist on site will determine if the arisings need to be searched before raking, dependant on how thoroughly the search prior to strimming could be carried out.
- 4.2.4 The strimmed vegetation within the works area and access route will be left for a minimum of 24 hours if between April – October; or five days, where overnight temperatures are above 5°C – if work is carried out Feb/ March; any amphibians, including GCN, that may have been present or hibernating within this area would then be active and encouraged to leave of their own accord.
- 4.2.5 After the appropriate period of agreeable temperatures, the vegetation should then be strimmed to ground level to discourage any amphibians from returning to the works area. This should be carried out following a visual and fingertip search, and under supervision of the ecologist.
- 4.2.6 The brash and wood piles within the works area will be removed by hand within the same time period as the vegetation strimming (i.e. not during the winter months), and under the supervision of the ecologist.
- 4.2.7 Any vegetation to be uprooted will be done so once the vegetation has been strimmed to ground level and under the supervision of the ecologist. All arisings will be removed from site immediately.
- 4.3 *Excavation*
- 4.3.1 Any excavation or breaking of ground required for the new build will be carried out only after the vegetation has been strimmed to ground level, left for a minimum of 48 hours, and following a walkover check of the area by an ecologist, as a precaution due to the proximity of the pond and previous GCN records. If any common amphibians are found then works will cease until the animal has been moved to safety. If GCN are found then works will stop until a licence from NRW has been obtained. The excavation can then be carried out without supervision once the walkover confirms no GCN or amphibians are within the works area.
- 4.3.2 Only the proposed access route over the garden will be used by any machinery; machinery will not be driven over any other areas or habitats within the site.

- 4.3.3 All grass, turf and spoil that is excavated will be removed from site immediately or stored in skips to prevent any amphibians taking refuge within the spoil piles.
- 4.3.4 Should it be necessary to have any excavation left open, these excavations should be securely covered overnight. These excavations must be thoroughly checked prior to back filling, or if leaving them open is unavoidable, a suitable ramp (such as a plank or batter) must be provided to allow animals to escape. All excavations will be inspected by the ecologist on site, or a competent person, at the start of each day to ensure no animals are trapped with them. Common amphibians can be moved to safety with gloves; if a GCN is found all works must stop and the ecologist called.
- 4.4 *Storage of Materials*
- 4.4.1 All arising from vegetation clearance and spoil from any excavations should be removed from the works area immediately. If these materials have to be retained on site overnight they will be stored in skips to prevent amphibians using any piles for refuge.
- 4.4.2 Any materials for the construction of the new build will be stored on hard standing outside of the works area; or on raised pallets, off the ground.
- 4.4.3 All materials, skips and pallets will be only situated on hard standing, the amenity grassland in the rear garden, or within the works area where the vegetation has been strimmed to ground level; no materials will be stored on the periphery of the works area if the vegetation has not been removed prior.

5.0 General Reasonable Avoidance Measures

- 5.1 General RAMs are to be followed at all stages of the works in addition to the site specific method statements included in this report.
- A tool box talk will be carried out to all construction workers involved, prior to works commencing. A log of attendance will be kept.
 - Working areas should be kept to the minimum required.
 - Works should be avoided within 1 hour of dawn and dusk where possible to avoid disturbance to nocturnal animals. If works outside this time are needed, all lighting should be directional and be directed away from the woodland edge, trees and hedgerows.
 - Should it be necessary to have any excavation left open, these excavations should be securely covered overnight. These excavations must be thoroughly checked prior to

back filling, or if leaving them open is unavoidable, a suitable ramp (such as a plank or batter) must be provided to allow animals to escape.

- Trenches must be checked each morning (by site operatives) prior to works commencing to ensure that small mammals/reptiles etc. are not present.
- Storage of fuel must follow best practice. Potential pollutants should be restricted to site compounds and hardstanding areas. A waste management plan will be followed to prevent any run off of pollutants into any nearby water courses or the pond.
- All materials brought onto site are to be stored on hard standing, or the amenity grassland. Materials will be stored on raised pallets or bagged, to prevent amphibians (or other wildlife) from taking refuge beneath them.
- If at any point in the works an amphibian or reptile is found within the works area all works in the vicinity of the sighting must immediately cease. Common amphibians should be moved from the working area by site workers (wearing gloves) and placed in a nearby hedgerow. Reptiles will usually retreat to a safe area of their own accord.
- Any terrestrial mammals seen must be allowed to leave the area on their own. If this is not possible e.g. the animal is injured or trapped then an ecologist must be called.

5.2 *If GCN are discovered during works*

If at any point in the works GCNs are encountered on site, **all works must immediately cease**. If the ecologist is not already present they should be called immediately.

6.0 Biosecurity Procedures

- 6.1 The following points are a summary of the biosecurity procedures, which must be followed at all times by all workers who visit the sites.
- 6.2 Prior to accessing the site, and before leaving:
- All footwear and outerwear must be cleaned to remove any organic material, for example leaves and soil, when entering and prior to leaving the site. Clean brushes are to be carried for this purpose.
 - Following the removal of organic material all footwear must be sprayed or dipped in disinfectant (Virkon) until it runs off. See disinfection procedure, below.

- Mud and other organic material to be cleaned from vehicle tires, tracks, wheels and wheel arches prior to entering and leaving the site. This is especially important when working near water courses or accessing wet/marshy habitats.
- Vehicles will keep to established tracks. All vehicles not specifically required for the works – (i.e. any vehicle other than the 3-tonne machines) must be restricted to hardstanding areas of the site at all times.
- Storage of fuel must follow best working practise and machinery provided with drip trays, especially when refuelling. Refuelling and storage of potential pollutants should be restricted to the nearby roads and hardstanding areas, well away from the ditches and field drains, so that runoff can be prevented from entering the watercourse.
- Clean and disinfect tools and equipment before accessing site.

6.3 Disinfection Procedure:

1. Brush off all debris, plant fragments, and all organic material e.g. soil.
2. Rinse with water.
3. Disinfect by spraying with a solution of Virkon disinfectant, (10mg/ml or as printed instructions, if for example using tablets) until the spray runs off. Boots should be stood in a bucket or other container of solution, especially prior to entering and leaving the site. Wheel arches, tyres and tracks to be cleaned and sprayed. Ensure as much mud as possible is removed and good coverage obtained.
4. Spraying should take place away from vegetation.
5. Leave for at least 1 minute
6. Rinse with clean water, brought to site for this purpose.

- 6.4 Virkon solution should ideally be kept and flushed into a sink, or drain with water. If on site disposal is required the solution should be disposed of on a large hardstanding area away from vegetation.

7.0 References

Amphibian and Reptile conservation UK (ARG-UK) (2008). Amphibian Disease Precautions: a guide for UK fieldworkers. Version 1. February 2008. Amphibian and Reptile Conservation UK, See publications section of www.arguk.org.

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