



Lady Margaret's Park
Chirk, Wrexham

Great Crested Newt Non-Licensed Method Statement

Prepared by
CSA Environmental

on behalf of
The Caravan and Motorhome
Club

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CONTENTS

Page

1.0	Summary	1
2.0	Introduction	2
	Great Crested Newt status on the Existing Site	3
3.0	Impact Assessment	4
4.0	Legal and Procedural Background	5
	Likelihood of offences	5
	Rationale for use of Non Licensed Method Statement	5
	Net effects of the Existing Site development and the Non-licensed Method Statement	6
5.0	Non-Licensed Method Statement Delivery	8
	Avoidance measures and precautions	8
	Working practices	10
6.0	Contingencies	11
	Delays in construction works	11
	Procedure on discovery of Great Crested Newts	11

1.0 Summary

- 1.1 The proposal involves the redevelopment of Lady Margaret's Park Caravan Site through conversion of grass caravan pitches to five new all-weather pitches and nine serviced pitches, with a further 17 existing hardstanding caravan pitches being converted to serviced and premium pitches and one all-weather pitch. The existing toilet block will be demolished and rebuilt to be fit for purpose for current demands, with additions made to site warden's facilities. Great crested newts *Triturus cristatus* are known to be breeding in a pond within the grounds of Chirk Castle c.110m to the west of the site. There is a possibility that small numbers of great crested newts may use the site occasionally for non-directed dispersal.
- 1.2 Key habitats of potential value to great crested newts will be protected and retained alongside the development, such as the wooded boundaries. No breeding sites will be affected. The final design of the development will retain green corridors and opens spaces to avoid restricting any occasional non-directed dispersal that may occur by great crested newts and will not result in any appreciable effect on the conservation status of the known population within the grounds of Chirk Castle.
- 1.3 The risk of harm to individual newts is low without mitigation and will be reduced to a negligible level through the precautions and mitigation measures outlined in this Non-licensed Method Statement. A mitigation licence is not deemed appropriate given the negligible risk of offences and the fact that favourable outcomes can be achieved through non-licensable avoidance measures. This approach follows Natural Resources Wales (NRW's) guidance on mitigation for European Protected Species.

2.0 Introduction

- 2.1 Lady Margaret's Park Caravan and Motorhome Club Site is located to the west of Chirk town, Wrexham in North Wales; close to the boundary of the recently extended Clwydian Range and Dee Valley Area of Natural Outstanding Beauty (AONB). The existing Lady Margaret's Park is being redeveloped and renovated to convert existing grass caravan pitches to five new all-weather pitches and nine serviced pitches, with a further 17 existing hardstanding caravan pitches converted to serviced and premium pitches and one all-weather pitch. The existing toilet block will be demolished and rebuilt to be fit for purpose for current demands, with additions made to site warden's facilities.
- 2.2 The Site comprises largely of short mown amenity grassland with associated access roads, grass and hardstanding/gravel pitches, groups of widely spaced trees and an existing toilet block in the centre, and reception building at the entrance. The site is bordered on all sides by woodland, some of which is designated as ancient woodland. The redevelopment proposals involve changes within existing mown amenity areas in the south-east of the Site and demolition and rebuild of the toilet block and redesigning the immediate open space around it in the centre of the Site.

Great Crested Newt status on the Existing Site

- 2.3 Full great crested newt surveys have not been carried out by CSA Environmental to investigate the possibility of legally protected amphibians and reptiles using the existing Site, however it is assumed that there is a limited possibility that great crested newts may use the Site occasionally, in low numbers. This conclusion was reached on the basis that:
- (a) There is a breeding pond with a good population of great crested newts approximately 110m from edge of the existing Lady Margaret's Park Site, with key impact areas between 200-330m from the pond,
 - (b) The Site is surrounded by habitat types over which great crested newts commonly disperse, and;
 - (c) The Site is within typical dispersal range for this species (0-500m), and there are no substantial barriers to prevent great crested newts entering.

- 2.4 It is possible that a small number of great crested newts cross the Site occasionally as they disperse from the breeding pond in the grounds of Chirk Castle. Newts would most likely move through boundary woodland and around perimeter grassland habitats at night. These habitats can be commonly used by newts when dispersing or foraging during their terrestrial phase.
- 2.5 It is possible that some newts may take refuge in the edge habitats, such as the woodland and scrub, and it is possible that some newts overwinter/shelter here, in undergrowth (scrub/tall ruderal) or inside burrows or voids or tree roots around the Site. Given the following observations, it is unlikely there would be any directed migration across the Site (i.e. regular, predictable movements to, or from, particular areas).
- The regularly maintained short mown grassland, access roads and managed tree areas within the construction area themselves provide no suitable resting place habitat, being free of voids, above-ground debris or dense vegetation.
 - The habitats described above are considered negligible or of low value to great crested newts and would not support prey of value to newts, compared to the substantial mature wooded areas around the breeding site.
 - The Site does not currently support breeding habitat such as water bodies.
- 2.6 In summary, the most likely use of the existing Lady Margaret's Park Site is occasional non-directed dispersal activity and possible hibernation/shelter in the adjacent woodland, scrub and tall ruderal vegetation around the immediate perimeter of the Site.

3.0 IMPACT ASSESSMENT

- 3.1 Impacts on both individual animals and on potential habitat are shown in Table 1. For each, pre-construction, mid-construction and post-construction phases impacts are considered in the absence of any specific avoidance measures or other mitigation.

Table 1: Potential impacts on great crested newts and their habitats as a consequence of development at the Site (in the absence of mitigation)

	Individual great crested newts	Potential habitat for great crested newts
Pre- and mid-construction	• Capture within trenches and other hazards created during construction • Harm from removal of topsoil and disruption to site edge habitats • Harm from movement of stored materials • Harm from vehicle movements • Disturbance	• Loss of dispersal habitat • Loss of resting places (refuge habitat) • Creation of dispersal barriers
Post-construction	• Disturbance • Increased mortality risk from traffic movements	• Reduced amount of dispersal habitat • Reduced amount and quality of resting place habitat • Increase in dispersal barriers (walls, fences, buildings, kerbs, etc)

- 3.2 In terms of possible impact on conservation status, the development would remove a relatively small amount of low suitability terrestrial habitat used for occasional dispersal with retained suitable hibernation/shelter habitat around the perimeter of the Site. Without mitigation measures, there is potential for a small number of great crested newts to be lost from the population via direct mortality during construction activities. Only a minimal proportion of the population (if any) would be affected in this way. Taken together, the development would have a low to negligible negative impact on the conservation status of the population, in the absence of mitigation measures.
- 3.3 This low to negligible potential impact will be reduced further through specific precautionary avoidance working methods and other mitigation measures, as described in the following sections.

4.0 LEGAL AND PROCEDURAL BACKGROUND

Likelihood of offences

4.1 It follows from the above impact assessment that the following offences in relation to great crested newts could potentially occur:

- Intentionally or recklessly disturb while occupying a structure or place used for shelter or protection [Wildlife & Countryside Act 1981, S9(4)(b)]
- Intentionally or recklessly obstruct access to a structure or place used for shelter or protection [Wildlife & Countryside Act 1981, S9(4)(c)]
- Deliberately capture, injure or kill [Conservation of Habitats & Species Regulations 2017, Reg 43(1)(a)]
- Deliberately disturb, in particular affecting breeding etc, or abundance or distribution [Conservation of Habitats & Species Regulations 2017, Reg 43(1)(b)]
- Damage or destroy a breeding site or resting place [Conservation of Habitats & Species Regulations 2017, Reg 43(1)(d)]

4.2 However, given the habitat survey conclusions and the proposed caravan site development plans, on balance it is unlikely that any of these would occur. In order to reduce this likelihood even further to a negligible level, mitigation measures are described below.

Rationale for use of Non-licensed Method Statement

4.3 When there is a reasonable risk of committing an offence affecting European Protected Species (EPS) such as the great crested newts, the conventional approach is to either amend plans to reduce that risk to an acceptably low level, or to apply for a “mitigation” licence from NRW. For development at the existing Lady Margaret’s Park Site, it is considered that the risk of committing an offence is already low, and can be reduced further via simple mitigation measures. This low risk of committing an offence, combined with a negligible impact on conservation status, means that it would be disproportionate to seek a mitigation licence for the redevelopment works. Instead, a Non-licensed Method Statement can be used and this approach is considered further below.

4.4 A Non-licensed Method Statement sets out simple precautions and mitigation measures that seek to avoid offences. These actions and ways of working do not require any licensable activities. This approach is favourable when there is a minimal risk of harm to European Protected Species, since it results in a favourable outcome for the species, and - compared to following a typical licence application route – it places

minimal burden on the developer, and reduces regulation for the licensing authority.

Net effects of Existing Site development and the Non-licensed Method Statement

- 4.5 The Non-licensed Method Statement provided below will achieve two key objectives:
- (1) It substantially reduces the risk of committing an offence, such that no licence is required;
 - (2) It remedies possible negative impacts on conservation status of great crested newts, meaning that the population will not be imperilled to any tangible extent through the Site construction and operation.
- 4.6 If the measures outlined below in section 5 are undertaken, then the revised likelihood of an offence occurring is shown in Table 2:

Table 2: Likelihood of offence after taking into account Non-licensed Method Statement

Offence	Likelihood	Comment
Intentionally or recklessly disturb while occupying a structure or place used for shelter or protection [Wildlife & Countryside Act 1981, S9(4)(b)]	Negligible	The only possible places used for shelter/protection on the Site are to be protected from direct construction activities and retained in the final development. The creation of temporary shelter during construction is to be limited by careful timing and construction methods. Actual disturbance is highly unlikely as works will be undertaken during daylight hours.
Intentionally or recklessly obstruct access to a structure or place used for shelter or protection [Wildlife & Countryside Act 1981, S9(4)(c)]	Negligible	See above. Construction activities will be deployed in a way that avoids obstruction of access, and the final development design allows for great crested newts to cross the site with minimal resistance.
Deliberately capture, injure or kill [Conservation of Habitats & Species Regulations 2017, Reg 43(1)(a)]	Negligible	No harmful works will occur during night, the time when great crested newts might possibly use the site. Incidental captures are reduced through careful timing and methods of construction works.
Deliberately disturb, in particular affecting breeding etc, or abundance or distribution [Conservation of Habitats	Negligible	See above: disturbance is extremely unlikely due to the location and timing of works. If any disturbance did occur it would not reach the threshold in

& Species Regulations 2017, Reg 431(1)(b)]		Reg 41(2) (i.e. impairing ability to breed, etc).
Damage or destroy a breeding site or resting place [Conservation of Habitats & Species Regulations 2017, Reg 43(1)(d)]	Negligible	No breeding sites or resting places are confirmed on site. There is a minute possibility that some areas are used for resting, but these are protected from construction activities and retained in the final development.

4.7 Table 2 demonstrates that by following this Non-licensed Method Statement, the development will run a negligible risk of committing an offence. Some key points worthy of highlighting here are:

- The majority of construction activities are in open grassland habitats and existing hard standing areas. This would avoid damage to potential suspected hibernation/sheltering sites
- No breeding sites will be damaged or destroyed by the development.
- In the highly unlikely event that any great crested newts are killed, captured or injured, it should be noted that such actions must be shown to be deliberate for an offence to be caused. Following this Non-licensed Method Statement will demonstrate that substantial precautions were taken to avoid those actions, and so any such killing etc would not be deliberate.
- The development itself will not have any appreciable effect on the great crested newt population, as they will continue to be able to use the Site on an occasional basis following construction.

5.0 NON-LICENSED METHOD STATEMENT DELIVERY

Avoidance measures and precautions

5.1 This section sets out measures to avoid committing an offence.

Table 3: Likelihood of offence after taking into account Non-licensed Method Statement

Avoidance measure/ precaution	Rationale
Preparation works to be undertaken to avoid disturbance to nesting birds: vegetation clearance in the winter period Minimal scrub/hedge clearance is required in the centre of the site next to the toilet block. Cut down to ground level prior to grubbing out and topsoil clearance using hand held implements with an ecologist present under a watching brief. Any arising materials should be carefully removed from site. The base of cut hedges will be carefully searched by hand and supervised during grubbing out.	Remove vegetation prior to the bird nesting season (March onwards) and supervise small area of vegetation clearance in the centre of the Site in the highly unlikely event newts dispersed across mown grassland and hardstanding to shelter in hedge bases, given there is optimal habitat in close proximity to the breeding pond.
General avoidance measure: Time of year of site preparation and main construction works Work involving impacts to grassland habitats conducted in the winter period when GCN are hibernating, or in the ponds and not dispersing at night near to the construction area.	The risk of harm to individual great crested newts is highest when they would be moving across the grassland habitats on the Site. This is most likely in late summer, and all activity would be at night. Over the winter period great crested newts will not be active on the site, and therefore not at risk from groundworks affecting the amenity grassland.
Potential resting places in edge habitats Edge habitats where there is exposed soil/dense vegetation to be protected from construction activities, and retained through the redevelopment. A fixed fence e.g. fixed Heras fencing should be used to demarcate such areas and protect root protection areas of trees, and this will only be removed once construction is entirely completed.	There is a very low risk that great crested newts could occupy burrows in dense vegetation at the site edge, which is all managed as well maintained, flat ground for occupiers of the Site and their vehicles.
Storage of construction materials For any storage of materials, the following procedure will be adopted: - Wherever practical, materials due to be stored on the ground will instead be stored in skips, on lorries, on pallets or raised off the ground via another method. - Where off-ground storage is not feasible (e.g. because of large volumes), materials will be stored on site for the minimum amount of time possible; wherever possible/practical, materials will also be placed on sheeting (e.g. geotextile, tarpaulin, plastic or hessian) with an overlap along the margins	Great crested newts may be at risk from movement of stored materials. This is only a risk when the newts would be actively moving across the site at night, which in the winter hibernation period is unlikely when GCN are inactive
Topsoiling and bunding Topsoiling and bunding to be undertaken with the following precautions:	Great crested newts may be at risk if topsoiling and bunding create potential refuges, in which they could then take shelter and be subsequently

• All transport of topsoil, spreading of topsoil and bunding to be done during daylight hours only. • All materials used in topsoiling and bunding (soil, aggregate, etc) to be landscaped to final state as soon as possible after spreading (i.e. reducing the exposure of voids or loose material that would later be filled, compacted, turfed and/or re-surfaced). • As far as possible, minimise the creation potential refuges in the area being worked.	harmd if the area is re-worked. This risk is simply minimised by (a) reducing the incidental creation of potential refuges, and (b) reducing the period during which the works will take place.
Excavations and ground-level built structures For any excavation or ground-level built structures created, the following procedure will be adopted: • Trenches or any other hole in the ground with the capacity to trap great crested newts will be (a) back-filled before darkness, or (b) covered before darkness, or (c) created with a gently sloping edge or ramp to allow newts to climb out. • Building of structures at ground level will aim to ensure that during construction there are minimal gaps where great crested newts could enter and become trapped; such structures will be completed as soon as feasible.	Great crested newts may become trapped in excavations (e.g. trenches) or in/under partially built structures. This is only a risk when the newts would be actively moving across the site at night. This measure applies mainly to footings and service trenches with vertical sides, since they have been known to trap amphibians at other sites. This is unlikely in the winter hibernation period when GCN are inactive.



Figure 1: Potentially sensitive GCN areas (indicated in blue) at boundaries with limited potential as great crested newt resting places, where adjacent construction works will take place. The red areas are to be removed to facilitate the new central layout, including a short section of hedge and some small widely space tree groups with mown amenity grassland underneath.

Working practices

5.2 The following points should be noted and will need to be incorporated into the construction program.

- Before works commence, the works manager and key construction staff & contractors will be given a brief presentation by CSA on great crested newts, how to identify them, and the implications for works at the Site. Key information will be provided to construction staff and contractors in their induction.
- Before works commence, the site manager and/or other appropriate staff will read and sign a copy of this Non-licensed Method Statement to indicate that they will comply with its recommendations.
- A copy of this Non-licensed Method Statement will be kept in the site office until works are complete.
- CSA Environmental's contact details will be held at the site office, for use in the highly unlikely event that any great crested newts are discovered during the works (see recommended procedure below).
- Waste materials arising from construction works are to be removed from site or stored above ground as soon as possible.
- When transporting materials, they are to be lifted rather than dragged during the period when great crested newt activity/hibernation is feasible (before 15 March or after 15 June).
- During the period when great crested newts might be active on the Site, all construction activities carrying a risk of harm will be done during daylight hours only.
- If there is unseasonably warm, wet weather, the chances of great crested newts using the site will increase, and so extra precautions may be necessary.

Design principles to eliminate or reduce post-construction impacts

5.3 Table 4 below displays the design principles which is to be incorporated and implemented to eliminate or reduce impacts to great crested newts post-construction

Table 4: Design principles to eliminate or reduce post-construction impacts

Design principle	Rationale
Avoid where possible any vertical kerbs, walls and fences that form a hard barrier flush with ground level. Where these structures must exist, they will be designed to allow great crested newt movement as follows: • Any single structure that presents a hard barrier to dispersal must comprise only a short (<50m) length, to minimise the chance of great crested newts becoming stranded on site. • Where walls or fences must be included, they will be designed to allow great	To ensure that great crested newt dispersal is not unduly hindered.

crested newt movement by: incorporating gaps of at least 50mm x 50mm at ground level to allow great crested newts to pass through.	
Any paths, tracks and caravan/motorvan pitches not to incorporate edging boards, or if using edging boards, to ensure that they are approximately level with the surrounding ground level.	To ensure that great crested newt dispersal is not unduly hindered.
The layout will avoid large built structures. The longest dimension will be <50m.	To ensure that great crested newt dispersal is not unduly hindered.
Main ground surfaces on completion will be hardstanding, tarmac, tree/scrub planting and amenity grassland.	All surfaces allow newt dispersal.
Fencing bordering the retained edge habitats will be standard stock-proof fence, which great crested newts can pass through.	Great crested newts will continue to have unhindered access to edge habitats.
In operational phase, the speed limit for the caravan park will be 5 miles per hour. Only low traffic volume will be expected after dark.	Slow vehicle speeds and low traffic volume will limit the chance of road mortality.

6.0 CONTINGENCIES

Delays in construction works

- 6.1 If there are delays such that construction activities could happen after 15 June, there will need to be fresh consideration of avoidance measures, to check whether this Non-licensed Method Statement were still appropriate. It is likely that the measures outlined above should prove sufficient with minor changes for short delays.

Procedure on discovery of great crested newts

- 6.2 Although it is extremely unlikely that great crested newts will be discovered during the works, it is prudent to be prepared. If any such reports are made, the following steps should be followed:
- The site manager, in consultation with CSA, should verify that the report of a great crested newt is credible, through a description, photo or (ideally) visual inspection. This is important as smooth and palmate newts may occur in the Site surroundings, and are active during a similar activity period. Any reports from construction staff, contractors or members of the public must therefore be subject to verification before assuming that great crested newts are present. CSA will provide photographs of all three species with a description of diagnostic features which must be kept along with a copy of this document in the site office.

- If a great crested newt is confirmed, the next step is to decide whether any offence would be committed were works to continue as planned. CSA must be asked to advise on this as soon as possible after the discovery. It should be noted that it is accepted that this species may use the Site, and that in itself is not a cause for concern. The key issue is whether subsequent to the discovery, site works would endanger individual great crested newts or their resting places. This assessment would need to be based on the circumstances at the particular time.
- In most cases, it is likely that works can continue using the avoidance measures outlined above without causing an offence. However, if it is judged that the works would lead to an offence (e.g. if great crested newts are found trapped in a partially built structure and cannot escape of their own accord), then CSA will discuss with the client either (a) amending plans so that no offence would be committed, or (b) applying for a mitigation licence from NRW.