



THE
ENVIRONMENT
PARTNERSHIP



NET WORLD SPORTS, BRYN LANE WREXHAM ECOLOGICAL METHOD STATEMENT

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1.0 Introduction

1.1 The Environment Partnership (TEP) was commissioned by C4 Projects, on behalf of Overlord Ltd (hereinafter referred to as the "client") to produce an Ecological Management Plan and Ecological Method Statement for the site known as Bryn Lane, Wrexham (hereinafter referred to as the "site").

1.2 Outline planning consent for the extension of an existing planning consent on site by 5 years was granted by Wrexham County Borough Council (WCBC) on 10th August 2020. The outline planning consent lists a number of conditions, two of which are covered within this report. Condition 19 states that:

As part of the reserved matters application a long term Ecological Management Plan and Ecological Method Statement shall be submitted to and approved in writing by the local planning authority. This information shall demonstrate how existing features of ecological/wildlife interest will be protected, identify any areas of compensation and demonstrate management in the long term. The recommendations as approved shall be fully implemented in accordance with timescales to be agreed in writing before any part of the development commences on site.

1.3 Condition 20 states that:

The access road and footways shall be progressively constructed to base coat standards from Bryn Lane. Details of wildlife friendly kerb stones and gully pots to safeguard amphibians from harm through incidental capture as part of these works shall be submitted to and approved in writing by the local planning authority prior to their installation. Such works shall be completed prior to the first occupation of the building hereby approved.

1.4 Condition 19 comprises two parts and the Ecological Management Plan, demonstrating long term management of the site, is available as a separate document, TEP ref. 8304.01.001 Landscape and Ecological Management Plan. This Ecological Method Statement should be reviewed in conjunction with the Landscape and Ecological Management Plan for the site.

1.5 This document details the measures to be implemented with regard to protected species during the proposed construction works. Information relating to nesting birds has also been provided in the event that works commence during the nesting bird season.

1.6 A Biosecurity Risk Assessment has been produced for the site (TEP Report ref. 8304.004) and this is provided as Appendix A.

Background

1.7 The Bryn Lane site has outline planning consent (P/2011/0891) for the development of a single commercial unit. Previous surveys and ongoing monitoring within Wrexham Industrial Estate confirms the presence of a medium metapopulation of GCN on site. To facilitate the proposed commercial scheme, both terrestrial and aquatic habitat will be lost.

- 1.8 The outline development footprint will impact predominantly upon arable and improved grassland, this is low quality GCN habitat which offers no hibernation potential.
- 1.9 There will be removal of internal hedgerows and some scattered broad-leaved trees. These offer some suitable hibernation and foraging opportunities. To accommodate the scheme, there will be the loss of one GCN breeding pond. Two replacement ponds are required to mitigate for the loss of this one pond (in addition to providing terrestrial compensation measures). These were created in 2019 and are fully established.

Site Description

- 1.10 The site incorporates three fields (arable and improved grassland), divided by hedgerows, with a strip of woodland along the whole southern boundary (bordering a watercourse) and a small area of poor semi-improved grassland/ tall ruderal/ scrub mosaic within the southeastern part of the site.
- 1.11 The site lies north east of Wrexham Industrial Estate. Ridley Wood Lane sits north of the site, where access onto the arable field can be gained off this B-road. The site, shown in Figure 1, is centred on grid reference SJ 3917 5077.

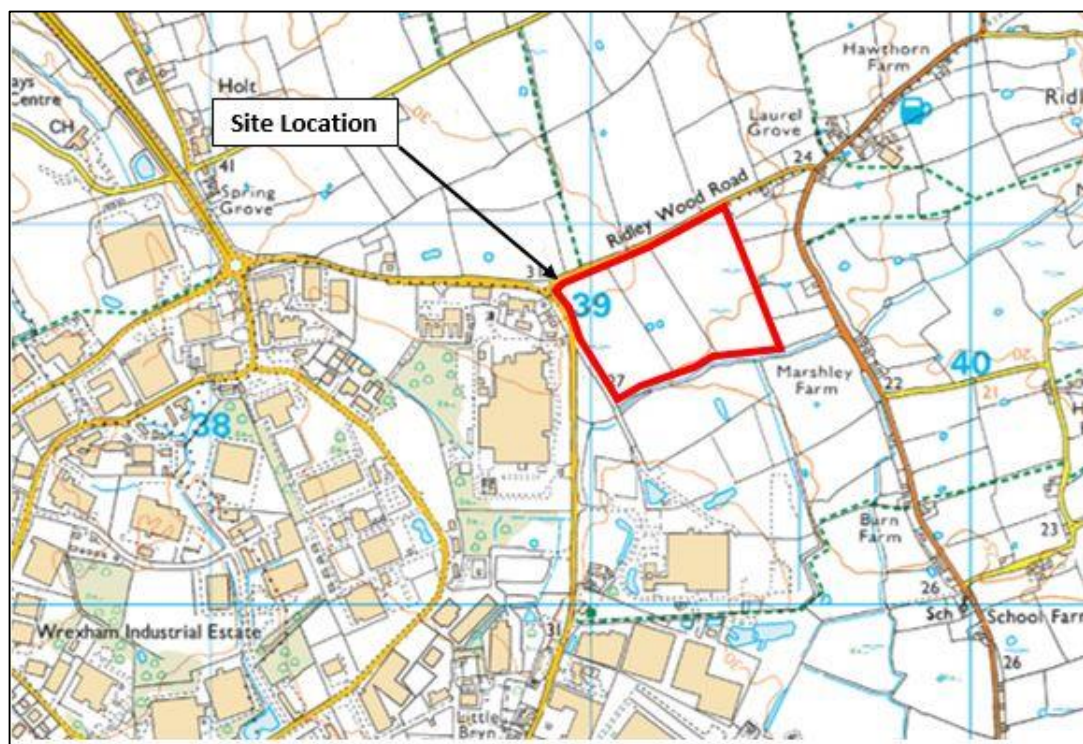


Figure 1: Site Location

Key Contacts

- 1.12 Any contractors requiring advice with regard to this EMS are welcome to contact any of the following for further information:
- TEP - Head Office (01925 844004)

- Lee Greenhough, Principal Ecologist, TEP (01925 844004 (Ext. 244) or 07918 741083)
- Kerry Stead, Senior Ecologist, TEP (01925 844004 (Ext. 265) or 07767 167508)

2.0 Amphibians

- 2.1 There are three ponds on site and additional seven waterbodies within 250 m of the site. Two additional ponds have also been created as mitigation for the pond in the centre of the site which is due to be lost to facilitate development.
- 2.2 A Natural Resource Wales (NRW) GCN mitigation licence is in place for the works on site, S088525/1, granted on 10th September 2020. A copy of the licence is provided in Appendix B and must be displayed on site at all times. GCN fencing was erected in September 2020 and the site trapped and cleared of GCN by November 2020. In addition to clearance of GCN, common amphibians were also translocated from within the site boundaries into the designated mitigation area.

Potential Impacts

- 2.3 In the absence of mitigation and licensing, development of the site would have a significant impact upon the local GCN and common amphibian population.

Relevant Legislation

- 2.4 GCN and their habitat (aquatic and terrestrial) are afforded full protection by Wildlife and Countryside Act 1981 (Section 9, Schedule 5). This Act is the domestic implementation of the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention) and was amended by the Countryside and Rights of Way Act 2000.
- 2.5 Great crested newts are also listed on Annex II and Annex IV of the Conservation of Natural Habitats and Wild Fauna and Flora (the Habitats [and species] Directive). This is transposed into UK law by the Conservation of Habitats and Species Regulations 2010. The great crested newt is a Section 7 (S7) priority species (Environment [Wales] Act 2016) and is listed on the Wrexham Biodiversity Action Plan (LBAP).

Precautionary Working Methods Statement

- 2.6 The site has been trapped and cleared of GCN under licence, with the pond on site cleared of vegetation and deemed to be clear of GCN.
- 2.7 All works on site must adhere to the terms of the GCN mitigation licence. A GCN exclusion fence is in place around the site boundaries and this must remain present and undamaged until the completion of construction works on site. The exclusion fence must be inspected daily by the contractor on site as part of their daily site walkover.
- 2.8 A Fence Inspection Checklist is provided in Appendix C of this report. Any damage to the exclusion fencing must be reported to the ecologist on the day this is discovered. Leaving damaged fencing unreported may lead to the construction activities being suspended and a retrapping programme required.

- 2.9 Bases of hedgerows and root systems will be destructively searched prior to clearance. Where these refuge features are too large for hand clearance, they will be cleared with the aid of machines under supervision of a NRW licenced ecologist. Where potential refuge features can be safely dismantled by hand this shall be done or shall be directly supervised by a NRW licensed ecologist. Where possible, suitable refugia components (e.g. logs) will be retained and reused in the mitigation area to create additional amphibian refuge features.
- 2.10 The pond on site which will be lost to the development was cleared of vegetation and drained down in November 2020, however, the pond could not be fully drained and will since have refilled. Prior to infilling of this feature it will be necessary to drain down and net the pond under supervision of an NRW licensed ecologist.
- 2.11 Screens with a fine (<1.5mm) mesh will be fitted to any pumps used for draining down, to prevent any remaining newts (or other wildlife) from being drawn through the pump.

Wildlife Friendly Road Features

- 2.12 Condition 20 of the outline planning consent requires detail providing the provision of wildlife friendly road features on site. Traditional road construction with gully pots sitting flush with a high kerb can result in significant amphibian mortality.
- 2.13 This occurs because many amphibians naturally proceed along any vertical barrier that bars their way. In a road situation this is a kerb line where it meets the road surface. When they encounter a gully pot, where there is no gap between it and the vertical kerb face, they often fall in.
- 2.14 The ACO Wildlife Kerb is designed to counter this problem by providing a bypass recess set into the kerb. When installed it is positioned so that the gully is in the middle of the Wildlife Kerb. Then when an amphibian arrives at the bypass recess it naturally moves into the kerb and passes the gully safely.
- 2.15 An amphibian Wildlife Kerb is required at each road gully location. Details of the wildlife kerbs are presented in Appendix D.

3.0 Badgers

- 3.1 There are records of badger *Meles meles*, including setts, within 1km of the site. Evidence of foraging was noted within the scrub/ wood strip adjacent to Bryn Lane during a badger survey undertaken in August 2018. No setts were found during the survey and there was no field evidence within the site.
- 3.2 The hedgerow bases on site provide suitable habitat for sett excavation and commuting badger. The improved grassland habitat within the site also provides suitable foraging habitat for badgers and is in range of further suitable habitat for badgers in the wider landscape.

Potential Impacts

- 3.3 The development of the site is anticipated to have a limited impact upon the local badger population. However vegetation clearance and construction activities could result in the damage of badger setts and/or disturbance of badger, if setts are found to be present within 30 m of the proposed work areas.

Relevant Legislation

- 3.4 Badgers are protected and so are the setts they live in. Under the Protection of Badgers Act 1992 it is an offence to:
- Willfully kill, injure or take a badger (or attempt to do so);
 - Cruelly ill-treat a badger;
 - Dig for a badger;
 - Intentionally or recklessly damage or destroy a badger sett, or obstruct access to it;
 - Cause a dog to enter a badger sett; and
 - Disturb a badger when it is occupying a sett.
- 3.5 The legislation does allow for works to be undertaken that would arise from an otherwise lawful operation. These works could include damage, disturbance or destruction to a badger sett. A licence from Natural Resources Wales (NRW) would be required to permit these works. Under licence, works that will cause damage, disturbance or destruction to a badger sett can only be undertaken between the months of July and November.

Precautionary Working Methods Statement

- 3.6 A pre-commencement badger survey will be undertaken prior to works commencing on site to ensure no badgers have moved into site since the last badger survey was completed. If any setts are identified, a 30 m exclusion zone will be established by the ecologist within which no works can take place until a licence has been obtained from NRW. If no setts are found, works will be allowed to proceed.
- 3.7 A toolbox talk will be delivered to all contractors before any clearance works and commencement of construction activities. All staff on site should be made aware of the potential for presence of badger on site and their status as UK protected species.

- 3.8 The tool box talk will include identification of badger, details of the legislative protection afforded to badger, details of this EMS and what to do in the eventuality that badger are found during the clearance works or construction phase. This will also outline the importance of staying within the working areas of the site to avoid any potential disturbance of badgers and will highlight that if any signs of badger are observed on site, works must stop and TEP must be contacted for advice.
- 3.9 Any open trenches should be covered overnight using plyboard and sand bags to fully seal any gaps. If this is not possible, a plank of wood placed at an angle no steeper than 40° should be left within the excavations so any mammals which fall into the trenches are able to escape.
- 3.10 Any pipes with a minimum diameter of 200 mm that are required on site should be capped or, if caps are not available, stored vertically to prevent entrapment.
- 3.11 Any chemicals should be stored on pallets above ground. Any soil bunds should be compacted to prevent badgers using them for sett construction.
- 3.12 In the event that contractors encounter any badgers or badger setts during the construction of the site, works must cease immediately and advice from an ecologist must be sought.

4.0 Barn Owl

- 4.1 Barn owl *Tyto alba* have been recorded on the edge of the site and the bird survey assessment identified a number of trees along the southern boundary which have roosting potential for barn owl. Evidence of presence (pellets) were noted at the base of one of these trees during 2018 surveys.
- 4.2 Barn owl boxes are evident on trees T35 and T15. T35 is at the location where previous barn owl activity was noted, although 2021 bird surveys did not reveal any evidence of barn owl at this location.
- 4.3 A barn owl was, however, observed exiting the barn owl box at T15 during the breeding bird survey undertaken on 10th June 2021.

Potential Impacts

- 4.4 The development is anticipated to have a limited impact upon the local barn owl population. Both trees with barn owl boxes are being retained. Precautionary Working Methods must, however, be adhered to, to ensure legal compliance and best practice working methods are implemented during these works.

Relevant Legislation

- 4.5 Barn owls are afforded protection against killing, injury or capture under the Wildlife and Countryside Act (1981), under Schedule 1 of which, offenders are liable to special penalties. Their nests and eggs are also protected.
- 4.6 Under Schedule 1 of the same Act (as amended) breeding barn owls are also afforded protection against reckless disturbance while at or near the nest and, for as long as they are dependent on the adults, recently fledged young are protected against reckless disturbance at all times wherever they are.
- 4.7 At any potential barn owl nest site where a potentially disturbing activity is planned, anyone who could reasonably be expected to know that barn owls might be nesting and who fails to check may be deemed reckless, and thereby guilty of an offence. The disturbance of barn owls is not necessarily related to noise, lighting, movement, vibration or the close proximity of a person. What disturbs barn owls is the unexpected (Barn Owl Trust, 2012).
- 4.8 There is no fixed distance within which a licence is needed to cause unavoidable disturbance, as every situation is different. To avoid committing an offence or requiring a licence during nest occupation, it is normal practice to avoid working in the same building or keeping 30m buffer from a tree nest. Within the 30m buffer zone potentially disturbing activities are avoided or minimised. If this is not possible, then a licence from NRW may be required to enable disturbance to take place in a controlled manner, safeguarding the birds.
- 4.9 A breeding or roosting site has no legal protection in itself but is protected from being disturbed while it is being prepared for nesting, while it contains breeding adults or dependent young.

Precautionary Working Methods Statement

- 4.10 The barn owl nest box on T15 has been confirmed as in use during 2021. Evidence of nesting activity was recorded around the box on T35 during surveys in 2018. No trees were recorded as providing suitable barn owl nesting habitat.
- 4.11 A 30m buffer must be applied around both barn owl nest boxes during the breeding season to ensure the birds are not disturbed. No works are proposed within 30m of the barn owl boxes, however, it should be ensured that no soil stockpiling or movement of heavy vehicles occurs within these zones to minimise disturbance to barn owls.
- 4.12 Should encroachment within the 30m buffer zone be required, a suitably experienced barn owl ecologist must attend site to review the proposals and advise further regarding works that can be carried out minimising disturbance to barn owls.

5.0 Bats

- 5.1 Bat activity surveys and a Ground Level Tree Assessment (GLTA) for roosting bats were completed in 2020 and details are provided in TEP Report ref. 8304.006. This report was updated in June 2021 once tree removal plans were provided.
- 5.2 A number of trees on and adjacent to the site were categorised as having low to high bat roost suitability.
- 5.3 The hedgerows, ponds and woodland edge habitats on site provide valuable resources for foraging and commuting bats including for common, soprano and Nathusius' pipistrelle, noctule, brown long-eared, whiskered, Natterer's, Brandt's and Daubenton's bat.
- 5.4 The site is of Local importance for commuting and foraging bats.

Potential Impacts

- 5.5 The development is anticipated to have a limited impact upon the local bat population. There is some loss of hedgerow and mature trees. Precautionary Working Methods must be adhered to, to ensure legal compliance and best practice working methods are implemented during these works.

Relevant Legislation

- 5.6 All bat species and their roosts are legally protected in the UK. All bats are listed as European Protected Species (EPS) in Conservation of Natural Habitats and of Wild Fauna and Flora, better known as the Habitats Directive. There is also protection for bats and roosts in England and Wales under the Wildlife & Countryside Act 1981 (as amended).
- 5.7 It is a criminal offence if any persons:
- deliberately capture, injure or kill a bat;
 - intentionally or recklessly disturb a bat in its roost or deliberately disturb a group of bats;
 - damage or destroy a bat roosting place (even if bats are not occupying the roost at the time);
 - possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat; or
 - intentionally or recklessly obstruct access to a bat roost.

Precautionary Working Methods Statement

- 5.8 The GLTA has been reviewed alongside the Tree Removal Plan, produced by TEP. Trees with bat potential highlighted for removal have been reinspected in May 2021 by TEP ecologist John Crowder.
- 5.9 In terms of trees that will be removed and have bat suitability trees T43, two trees in group G5 and T45 all have low bat roosting potential. Tree T10 has high bat roosting potential.

- 5.10 Further discussions revealed that tree T10 is being removed purely due to its condition. It has since been recommended, and accepted, to retain tree T10 and therefore there are no requirements for nocturnal bat surveys prior to the removal of any trees.
- 5.11 All trees with low bat roosting potential must be felled under the supervision of a licensed bat ecologist.

6.0 Nesting Birds

Baseline Ecology Information

- 6.1 The open grassland, scrub and hedgerow habitats on site, as well as the scattered broad-leaved trees, provide suitable nesting opportunities for a range of common and widespread bird species, including ground nesting birds.

Potential Impacts

- 6.2 Vegetation clearance, the use of machinery and any future construction works could result in the death, injury or disturbance of nesting birds, if present on site.
- 6.3 The proposed works are anticipated to have a limited impact upon the local bird population. Precautionary Working Methods must be adhered to, to ensure legal compliance and best practice working methods are implemented during these works.

Relevant Legislation

- 6.4 All wild birds and their nests and eggs are protected under the Wildlife and Countryside Act 1981, as amended. It is an offense, with certain exceptions, to:
- intentionally kill, injure or take any wild bird;
 - intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built;
 - intentionally take or destroy the egg of any wild bird;
 - intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs of young, or disturb the dependent young of such a bird.

Precautionary Working Methods Statement

- 6.5 Where possible, all vegetation clearance will be undertaken outside of the nesting bird season, to avoid impacts on nesting birds. The nesting bird season is generally accepted to be from March to August inclusive, although nesting in several species (passerine species) can take place outside this period.
- 6.6 If clearance works are unavoidable within the breeding bird season, or at any time when bird nesting is suspected, a nesting bird check of the affected area by an experienced ecologist should be undertaken. The nesting bird check should take place no more than 24 hours prior to the clearance works.
- 6.7 In the event that an active nest is found, the ecologist will provide advice to establish a suitable exclusion zone around the nest until the young have fledged. The extent of the exclusion zone will depend upon the bird species concerned, its situation and surrounding habitats.
- 6.8 If an active nest is identified, works can only proceed within the exclusion zone once the ecologist has confirmed the young have fledged.

- 6.9 Where breeding bird activity cannot be established within structurally complex areas of vegetation, bow saws and loppers may potentially be used to carefully cut away small sections of the vegetation, ensuring disturbance is localised. This should be done under the supervision of an ecologist, who will continually check for nesting activities. If nests are uncovered then works shall cease immediately until the status of the nest has been determined by the ecologist.
- 6.10 Any arisings from the work i.e. brash, trunks, grass cuttings, must be removed from site on the same day as the work takes place. This is to avoid providing nesting opportunities for birds, which would then have to be checked by a suitably qualified ecologist prior to their removal at a later date.

APPENDIX A: Biosecurity Risk Assessment



THE
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BRYN LANE WREXHAM BIOSECURITY RISK ASSESSMENT

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1.0 Introduction

- 1.1 Good biosecurity practice refers to a way of working that minimises the risk of contamination and spread of animal and plant pests and diseases and non-native species.
- 1.2 One of the most significant threats to amphibian conservation is the Chytridiomycosis disease caused by the fungus *Batrachochytrium dendrobatidis*. This disease may have been responsible for an 80% reduction in amphibian numbers world-wide. Chytrid (as it is colloquially known), has been detected in the UK, although we do not yet fully understand the risk posed to our native amphibians. Bio-security measures must be practised to avoid further spreading this potentially lethal disease beyond that caused by natural vectors.
- 1.3 No invasive non-native plant species have been recorded on site. It is an offence to cause, or allow, the spread of any species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) in the wild.
- 1.4 The main biosecurity risk to the site is posed by boots, vehicles and equipment brought in from other sites where amphibians may be present.

2.0 Biosecurity Procedures for Site Contractors

- 2.1 In order to prevent the spread of Chytrid and invasive plant species between sites the following procedures should be carried out by any contractors working on site:
- Clean footwear between visits by removing leaves, soil and other organic material;
 - When appropriate spray clean footwear with disinfectant until it runs off;
 - Remove mud and organic debris from tyres, wheels and wheel arches;
 - Clean and disinfect tyres and wheels; and
 - Clean and disinfect any equipment before leaving the site.
- 2.2 A dedicated area for cleaning of contractor's footwear should be provided on site and be clearly signposted. Boots must be cleaned on arrival and departure. Wheel washing facilities for machinery should also be provided. All plant and equipment brought on to site should be brought in clean and washed down prior to removal.
- 2.3 It is proposed that carpet/carpet tiles are placed at the site entrance and that these are soaked with a Virkon solution. All machinery entering/exiting the site will then drive over this matting which will disinfect the wheels on a daily basis. Machinery will then be washed down thoroughly once a week with Virkon solution.
- 2.4 In addition to the above, a shallow metal tray will be placed at the site entrance also containing a Virkon solution. All contractors will be required to walk through this when entering and exiting the site to ensure their footwear is thoroughly disinfected. This solution will be topped up as and when required.
- 2.5 All staff working on the site must be made aware of the biosecurity issues relating to the spread of Chytrid and invasive plant species. This Biosecurity Method Statement should be displayed prominently on site and all contractors made aware of the procedures. Any subconsultants used on site should also be made fully aware of the biosecurity issues and a copy of this method statement supplied to them.
- 2.6 Below are some images of the Schedule 9 invasive plant species you may encounter, if observed within the development site the presence of these plants should be raised to TEP as a matter of urgency:



Figure 1: Japanese knotweed



Figure 2: Himalayan balsam

3.0 Activity Risk Assessment

- 3.1 An activity risk assessment specific to the site is attached.

	Activity	Risk (High, Medium or Low)	Control measures needed	Risk after control measure implemented	Control measure in place	
					No	Yes
1	Geotechnical investigations.	Low	Boots and other equipment to be sterilized before going on site and when leaving site each day.	Low		TBC
2	Cut and fill/levelling operations.	Medium	1. Ensure all contractors are aware of bio-security control measures associated with invasive species. 2. Disinfect and sterilize all equipment including footwear before and after each visit. 3. All debris, plant fragments and mud should first be scrubbed off and rinsed with water. Disinfection should comprise spraying with Virkon solution (1 mg/ml) for 1 minute; 4. All used disinfectants should be disposed of appropriately – aim to make up the amount required so no disposal needed. Virkon, once made up into solution is effective for 5-7 days, is biodegradable and is a DEFRA approved disinfectant.	Low		TBC

	Activity	Risk (High, Medium or Low)	Control measures needed	Risk after control measure implemented	Control measure in place	
					No	Yes
3	Use of excavator, other plant and associated equipment e.g. tarpaulin	Medium	Ensure excavator sticks to designated access routes. Sterilize wheels, bucket and tarpaulin before going on site and when leaving site each day.	Low		TBC



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APPENDIX B: NRW GCN Mitigation Licence

Caroline Loven
Overlord c/o Net World Sports Ltd
Bryn Lane
Wrexham Industrial Estate
Wrexham
LL13 9UT

Licence No: **S088525/1**

Valid From: **10th September 2020**

Expiry: **31st December 2023**

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

Licence to capture and transport, disturb, and to damage or destroy a breeding site or resting place for preserving public health or public safety, or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.

This licence, granted under Regulation 55(2) (e) of the Conservation of Habitats and Species Regulations 2017, by the Natural Resource Body for Wales otherwise known as Natural Resources Wales, hereby authorises the person named above, hereinafter referred to as the "licensee", their nominated ecologist Kerry Stead, their duly accredited agents Angela McEwan, Stephanie Griffiths, David Houghton, Anthony Carr, Annabel Holmes, Danielle Langton, Lee Greenhough, and their assistants to:

capture and transport,
disturb,
damage or destroy a breeding site or resting place of

Great Crested Newts (*Triturus cristatus*)

in accordance with the method statement referred to in Condition 3. whilst constructing a warehouse with surrounding mitigation at **Land South of Ridleywood Lane and East of Bryn Lane, Wrexham, LL13 9XW.** Grid Reference: **SJ 3919 5076.**

The works noted above are licensed for the period **as stated above** and are granted subject to compliance with the conditions as specified. Activities required for monitoring purposes are granted subject to compliance with the conditions and period as specified in Condition 13. Anything done otherwise than in accordance with the terms of the licence may constitute an offence.

When undertaking any activity under this licence the most up to date guidance provided by the Welsh Government in relation to Covid-19 must be adhered to (see advice note in the notes section).



Signed for and on behalf of
Natural Resources Wales

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www.cyfoethnaturiolcymru.gov.uk www.naturalresourceswales.gov.uk

Cyfoeth Naturiol Cymru / Natural Resources Wales, Maes y Ffynnon, Penrhos Garnedd, Bangor, Gwynedd, LL57 2DW

Croesewir gohebiaeth yn y Gymraeg a'r Saesneg

Correspondence welcomed in Welsh and English

CONDITIONS

Definitions

'NRW' is an abbreviation of the Natural Resources Body for Wales otherwise known as Natural Resources Wales

'EPS' is an abbreviation of European protected species

'Licence application' refers to the application form, method statement and any other supporting documents (where applicable).

2. Nothing shall be carried out under this licence on a National Nature Reserve or Site of Special Scientific Interest (SSSI) except with the prior written permission from NRW's Regional Office in the area in which the National Nature Reserve or SSSI is situated.
3. All the work carried out under this licence will be undertaken in accordance with:
 - **the method statement:** EPS Development License Method Statement – Version 8304.003 V1.0 – dated 18th August 2020,
 - **the licence application:** dated 18th August 2020 and,
 - **associated documents and drawings.**
4. A suitably experienced licensed ecologist will be appointed and retained during the lifetime of this licence to provide on-site advice.
5. Prior to the start and throughout the duration of any works on site, all site workers will be inducted by the amphibian specialist. This induction will cover the legal status of amphibians, the method of working, and action to be taken if one or more amphibians are encountered.
7. If evidence of protected species **not** listed on this licence is found, all work will cease and will not recommence until the ecologist named on the licence application (or NRW if the ecologist is not available) has advised that the work may continue under the existing licence, or if an amended licence is required, until the licensee applies for and receives an amended licence.
10. Prior to the start of works a biosecurity risk assessment containing appropriate measures will be submitted to and approved by NRW. Implementation shall be in accordance with the approved scheme.
11. Within four weeks after the expiry of this licence the Licensee shall submit to NRW details of the activities and operations undertaken by virtue of this licence on the official report form. Evidence to demonstrate how the work has complied with the method statement, including photographs of mitigation, will be included in the end of licence report form.
13. Monitoring using the methodology identified in Section F.2 of the method statements shall be carried out annually until 2048. Monitoring reports shall be completed on the official NRW Monitoring Report Form and submitted to NRW by **31st October 2028, 31st October 2033, 31st October 2038, 31st October 2043 and 31st October 2048**. A monitoring review shall be submitted to the satisfaction of NRW by **31st December 2045**. Surveillance shall be in accordance with the methodologies contained within the online Wales GCN Monitoring Scheme.
18. Liaison meetings will be held between the licensee and your local NRW species officer at 12 monthly intervals commencing December 2020, unless otherwise agreed.
24. A copy of all ecological compliance audits shall be submitted to NRW by **31st December 2023**.
51. Pitfall traps may only be used on nights when the dusk air temperature exceeds 5°C and must remain sealed when the dusk air temperature is below **5°C**. Pitfall traps must contain moss or hay to provide shelter for caught animals. Traps left set overnight must be emptied by 10 a.m. the following morning, every day during the trapping programme.
52. Any pitfall traps left open during the day must incorporate measures to avoid distressing any species caught. Traps must be emptied at least once every 24 hours.
53. All newts will be released within 1 hour of removal from traps.

54. A daily log of all newts caught must be kept and made available to NRW at 48 hours notice.
55. Should any newts be removed, different species of newts and different age bands of newts must be transported in separate containers.
58. Unless otherwise agreed, amphibian fencing must be inspected every 24 hours and any repairs completed within 24 hours. A fence inspection log must be kept and made available to NRW at 48 hours' notice.
100. A scheme shall be submitted to the satisfaction of NRW that identifies measures that will enable regulatory bodies, or individuals or bodies authorised by relevant regulatory bodies, to, in the event of lack of or inappropriate surveillance and/or management, to carry out any remediation management works and/ or surveillance at no reasonable cost to the public body by **31st December 2023**.
101. A copy of the management agreement specified in Section F.4.1 of the submitted method statement shall be submitted to NRW by **31st December 2023**.
200. While engaged in activities under this licence the Licensee, their nominated ecologist or any accredited agents shall carry a copy of the licence and must produce it to any police constable or employee of NRW, or other person authorised in writing by NRW, on demand.
201. If during the course of the works it becomes necessary to change the methodology from that submitted to the NRW as part of the licence application, all work will stop until the changes have been agreed with NRW and/or an amended licence has been received.
202. The activities hereby licensed are restricted to the Licensee, nominated ecologist, accredited agents and assistants as specified on this licence (see Condition 206).
203. No accredited agent of the Licensee or nominated ecologist shall act under this licence unless they are in possession of a letter appointing them as the duly accredited agent of the licensee for the purpose of this licence. The accredited agent shall carry with them the said letter and a copy of this licence and shall produce them to any police constable or employee of NRW, or other person authorised in writing by the NRW, on demand.
204. Any assistants employed under this licence, whether employed to operate machinery or give advice, shall remain under the personal supervision of the Licensee, nominated ecologist or any accredited agent at all times.
205. The nominated ecologist must assume full responsibility for the conduct of any assistants and accredited agents employed under this licence.
206. The activities and operations hereby covered are restricted to only those specified on this licence.
207. Any disturbance to animals shall be kept to the absolute minimum required, so animals are not prevented from normal feeding or rest, nor disturbed during breeding or hibernation; unless permission has been granted by NRW to do otherwise. All reasonable steps must be taken to prevent accidental injury to any protected species. Equipment must be of a kind and used in a way which will avoid distress or injury.
208. Unless specified otherwise this licence does not authorise the intentional killing, taking or injuring of any protected species.
209. Possession of this licence confers no rights of entry onto land. This includes open access land, where permission is required to undertake any activity under this licence. Permission to enter land or premises must be obtained from the owner or occupier. Failure to seek permission will invalidate your licence and may result in offences being committed. NRW will not accept responsibility for failure or omission by Licensees to fulfil this obligation and will consider

immediate revocation of a licence if complaints from owners or occupiers on these grounds are received.

210. If any European protected species (EPS) are incidentally captured or killed as a result of exercising this licence then NRW's Species Licensing team will be immediately advised on specieslicence@naturalresourceswales.gov.uk.
211. The Licensee shall advise NRW if there are any changes in their circumstances where such changes could invalidate this licence.
212. In all cases, any conditions listed above override or supersede the provisions of the submitted method statement.

NOTES

Advice Note – Impact of Covid-19

NRW recognises that the Covid 19 pandemic may affect project implementation including timescales and milestone dates. Please inform the Species Permitting Team at specieslicence@naturalresourceswales.gov.uk of any changes to the programme of works or if you require amended timescales to discharge conditions. In addition, NRW licences are being extended when there is assurance this will not impact on the favourable conservation status of the species concerned. This is because of the current government restrictions on working practices due to the covid-19 pandemic. Additional conditions may have been added to this licence to enable works to continue without the need for administrative amendments to this licence when restrictions are removed.

- N1. This licence authorises acts that would otherwise be an offence under The Conservation of Habitats and Species Regulations 2017. Failure to act within the purposes of this licence or failure to comply with the terms and conditions may mean that the licence cannot be relied upon and an offence is committed. Furthermore, under regulation 60 of the Conservation of Habitats and Species Regulations 2017 it is an offence to contravene or fail to comply with any condition of a licence issued on or after 21 August 2007. The maximum penalty upon summary conviction for an offence under the Regulations is a level 5 fine (£5000) and/or a six-month custodial sentence.
- N3. This licence may be modified or revoked at any time by NRW.
- N4. Nothing in this licence confers any exemption from any legal provision contained in any Act, other than the Act(s) under which this licence is issued. Where appropriate a licence should be obtained from the Home Office to fulfil the requirements of the Animals (Scientific Procedures) Act 1986.
- N5. The Licensee may be accompanied by the owner or occupier of the land on which this licence is exercised. In such circumstances, it will be the responsibility of the Licensee to ensure that no additional disturbance is caused.
- N6. The personal information on this licence will be kept and used by us in accordance with the General Data Protection Regulation (GDPR). We may discuss licence content with selected third parties. Other than stated above, we will not make the personal data on this licence available to third parties unless there is an overriding public interest. The GDPR gives you the right to know what data we hold about you, how we use it, to which third parties it is disclosed, and that it is accurate. To exercise this right please contact the Data Protection Officer at NRW.
- N7. You agree to complete a licence report with details of required biodiversity records collected in association with this licence. We have your permission to store, copy, use, and release or publish any biodiversity records associated with the issue of this licence. Where our policy on public access to data states that the information is sensitive, publication and access will be restricted in

accordance with both the Environmental Information Regulations (2004) and our guidance on access to data on sensitive biodiversity features. We may share the biodiversity records supplied with conservation organisations selected by us. Where our policy on public access to data states that the information is sensitive any such release will be under restrictive licence conditions in accordance with our guidance on access to data on sensitive biodiversity features. Please note that an inadequate return will prejudice future licence applications.

- N8. Biodiversity records associated with the issue of this licence must be as reliable and accurate possible and collected with all necessary permissions.
- N9. We acknowledge that biological records collected in relation to this licence, unless collected under a contract (with alternate provisions relating to Intellectual Property Rights) for us or a Third Party, remain the intellectual property of the licence holder. In all cases we will seek to acknowledge intellectual property and not use any biological records collected under licence beyond the purposes stated above.
- N10. **A biosecurity risk assessment should be prepared to evaluate potential risks at each site and relevant biosecurity precautions should be addressed according to the habitats and species present. The following notes should help to inform your working procedure and links to further information can be found below.**

On sites with freshwater, the transfer of amphibian and fish diseases as well as invasive non-native species should be minimised by undertaking cleaning and disinfection of equipment. All debris, plant fragments and mud should first be scrubbed off footwear and rinsed with water. Disinfection should comprise soaking in a bleach solution (1 measure of household bleach to 9 measures of water) for 15 minutes or using Virkon solution (1mg/ml) for 1 minute. Fabrics can be washed on a 40° C cycle (with detergent, ensuring sufficient rinsing). Nets should be boiled for 10 minutes or, if the fabric allows, disinfected with spray bleach and rinsed thoroughly. Rinse with clean water and if possible, allow drying before next use. Keep field gear (e.g. traps, net frames, buckets) inside plastic bags during transit and storage to reduce the likelihood of transmitting diseases. All used disinfectants should be disposed of appropriately. Sites considered to be 'infected' should be surveyed/visited last during any programme of work.

To minimise the risk of spreading *Phytophthora* when visiting heathland or woodland sites, scrub all visible soil and debris from footwear using water, spray with Propeller and leave until it has evaporated. Vehicle access along tracks should be kept to a minimum and mud should be cleaned from car wheels, wheel arches and foot wells of cars. This should be repeated at each site visited.

Phytophthora disease control sites should be avoided if at all possible. Propeller can be obtained from Evans Chemical Supplies, 18B Barncoose Industrial Estate, Pool, Redruth, Cornwall, Tel. 01209 213643.

Biosecurity advice on ash dieback disease, *Chalara*, can be found at

<http://www.forestry.gov.uk/forestry/infod-6abl5v>

More information on *Phytophthora* can be found at

<http://www.fera.defra.gov.uk/plants/plantHealth/pestsDiseases/phytophthora/>

Amphibian workers should read the ARG-UK advice note 4: amphibian disease precautions – a guide for UK field workers (<http://www.arguk.org/advice-and-guidance/view-category>)

Information and advice on invasive non native species can be found at

<https://secure.fera.defra.gov.uk/nonnativespecies/home/index.cfm>

- N11. These derogations are granted on the basis that NRW are satisfied that:
- the proposed actions are for a purpose specified in regulation 55(2)(e) of The Conservation of Habitats and Species Regulations 2017;
 - there is no satisfactory alternative;
 - the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

APPENDIX C: Fence Inspection Checklist

AMPHIBIAN EXCLUSION FENCE

WEEKLY INSPECTION RECORD:
BRYN LANE, WREXHAM



Date:	
Name of surveyor (PRINT):	Signature:
Time inspection started:	Time inspection completed:
Condition of site:	
Condition of amphibian exclusion fence:	
GOOD – no defects, gaps, tears, missing posts, vandalism etc? ☐	
DAMAGED? ☐	
If damaged, describe below:	
Repairs made:	
Report sent to Licensee (Caroline Loven)	☐
Report sent to Named Ecologist (Kerry Stead 07767 167508)	☐
Incidental observations/consultations/liaisons (<i>e.g. amphibian sightings/public interaction</i>):	

APPENDIX D: Amphibian ACO Kerb Specification



Product description

ACO Wildlife Kerb (40090)

Replacement kerb system to protect amphibians from falling into road gullies

Traditional road kerbing can often prove fatal for amphibians as it causes them to fall into gully pots and become trapped. With no escape route the result is usually starvation.

This situation occurs because many amphibians naturally proceed along any vertical barrier that bars their way. In a road situation this is a kerb line where it meets the road surface. When they encounter a gully pot, where there is no gap between it and the vertical kerb face, they often fall in.

ACO Wildlife Kerb is designed to counter this problem by providing a bypass recess set into the kerb. When installed it is positioned so that the gully is in the middle of the Wildlife Kerb. Then when an amphibian arrives at the bypass recess it naturally moves into the kerb and passes the gully safely.

The kerb itself is 915mm long to match traditional BS kerb and fits into normal kerbing with minimum disruption to existing layouts. It matches the standard HB2 kerb profile. The rear face of the kerb is deeply pocketed to give a good key with backfilled concrete haunching.



Technical data

Dimensions

Installed length = 915mm

Installed width = 125mm

Installed depth = 255mm

Weight

The standard component unit weighs 43kg and due regard should be paid to the risks outlined in the HSE Manual Handling Operations Regulations when handling.

Material

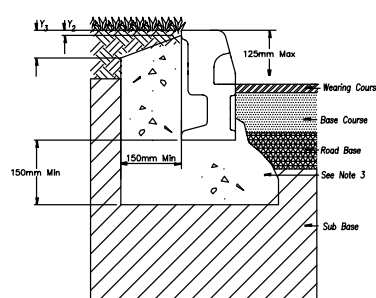
Polymer concrete containing Viente®, ACO's high strength recycled material, characterised by

- high compressive strength and flexural strength
- high chemical resistance
- water penetration depth = 0mm
- no reinforcement

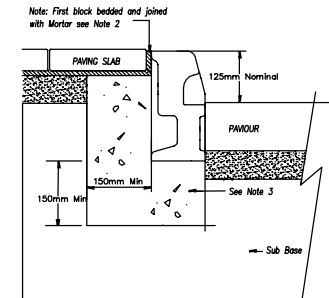
Installation

1. ACO Wildlife Kerb units are installed in a run of conventional kerb at the location of the road gullies, such that the gully is central to the kerb unit and the recessed channel for the amphibians extends beyond both sides of the gully grating.
2. ACO Wildlife Kerb units are to be installed generally in accordance with best practice methods for the installation of conventional kerbs.
3. ACO Wildlife Kerb units are to be bedded to the correct line and level on concrete (minimum 150mm depth) and then concrete backing placed behind the kerbs (minimum 150mm thickness). In order to provide resistance against side impacts, the backing is to extend up to within 35mm (maximum) of the top of the kerb as shown on the recommended installation drawings.
4. Where the rear of the kerb is to be paved with slabs or blocks, the first slab or block adjacent to the ACO Wildlife Kerb unit is to be bedded onto the concrete backing with a strong mortar such as Ronafix Pre-packed Bedding Mortar or equivalent, to ensure that the first block cannot move and will provide the required support to the top of the ACO Wildlife Kerb unit.
5. The finished road surface is to be at the level of the base of the recessed channel for the amphibians.

Grass verge and asphalt road (asphalt footpath similar).



Paving slab or paving blocks.



1.0 Ground Conditions: The customer should ensure that the minimum dimensions shown are suitable for the existing ground conditions. Engineering advice may be necessary.

2.0 Block Pavements: The kerb must be supported laterally and therefore blocks must be restrained from movement by bedding securely, e.g. by using an Epoxy or Polymer Modified Mortar for bed and perpendicular joints (for example Ronafix Pre-packed Bedding Mortar or similar: from Ronacrete, Tel: 01279 638700).

Engineering advice may be required.

3.0 Concrete bed and haunch minimum performance as mix ST1 to BS8500-1.

4.0 Asphalt Pavement: Top of concrete haunch

Y2 = 35mm maximum.

Y3 = 60mm maximum.



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