



Title	Proposed Extension and Vehicular Exit at Rowan Foods Ltd, Ash Road South, Wrexham Industrial Estate, Wrexham – Great Crested Newt Reasonable Avoidance Measures Method Statement
Client	Cox Freeman Ltd
Date of Method Statement	22nd January 2020
Author	Tom Knight

1 Introduction

Method Statement

- 1.1 Marches Ecology was commissioned by Cox Freeman Ltd to produce a Reasonable Avoidance Measures (RAMs) Method Statement to avoid any impacts on Great Crested Newts (*Triturus cristatus*) due to a proposed extension at Rowan Foods Ltd, Ash Road South, Wrexham Industrial Estate, Wrexham (Approximate OS Grid Ref. SJ 377 502). This RAMs Method Statement provides supporting information for the planning application.
- 1.2 Non-licensed Reasonable Avoidance Measures (RAMs) are often implemented at sites where the risk to individual Great Crested Newts/ their habitat has been assessed as low or negligible. This document briefly assesses the habitat both within the proposed development site and immediately surrounding area for its potential value to Great Crested Newts. The proposed non-licensed RAMs are outlined which are to be implemented prior to and during the construction period. The RAMs will ensure as far as is reasonably possible that impacts on Great Crested Newts are minimised/ avoided.
- 1.3 It should be noted that following the RAMs outlined in this Method Statement does not waive or derogate any of the offences under the *Habitat Regulations* should an offence be committed. The aim of this Method Statement is to reduce the risk of an offence occurring to an 'acceptable' level by the implementation of reasonable steps.

Project Background

- 1.4 The proposed development briefly concerns an extension to the existing Rowan Foods Ltd premises, associated car parking and a new road exit point for HGVs onto Ash Road South. The extension would be located on the west-northwest elevation and would largely comprise an extension to the existing cold store. The proposed extension is presented on a Cox Freeman Ltd plan entitled '*Proposed Site Plan*' Dwg. no. ROW01-CFL-00-00-AP-A-0501 rev. P02, dated 16 January 2020. Further information is provided in the Design and Access Statement¹.

¹ Cox Freeman Ltd (2020). *Design and Access Statement – Proposed Cold Store Extension Including 1 no. Additional Dock and First Floor Office Space, New Site Exit Access Junction onto Ash Road South for HGVs*,

- 1.5 The extension would largely be constructed using a steel portal frame with corrugated metal sheet cladding similar to the existing building. It would provide a further 1860 m² of (ground) floor space. The existing car park would be re-configured to provide 37 car parking spaces with access from the service yard. It is likely that the new car park would be surfaced with limestone similar to the existing although this is yet to be confirmed.
- 1.6 There are two existing flights of steps to fire escapes/ access doors on the first floor on this elevation. Both would be re-positioned; one on the west-northwest elevation and the second on the north-northeast elevation.
- 1.7 A new HGV exit road from the existing service yard to Ash Road South is proposed. This would be constructed with concrete.
- 1.8 It is anticipated that the construction phase would be approximately 40 weeks.

2 Risk Assessment

Introduction

- 2.1 A walkover survey was completed at the site on 21st January 2020 by Tom Knight of Marches Ecology. The weather was 100% grey cloud with a light breeze. The site visit focussed on land within the proposed development footprint and immediately adjacent land where access was provided. The results of the walkover survey are further described below.
- 2.2 The proposed extension would be located largely on areas of existing hardcore (hard-standing) and partly on small areas of managed and unmanaged grassland. Immediately adjacent areas of managed grassland may be impacted during the construction phase.

Summary Evaluation of Risk to Great Crested Newts

Habitat Assessment

- 2.3 The existing building is immediately bordered by a 5 m-wide strip of unconsolidated but compacted small diameter limestone hardcore. This hardcore is sparsely vegetated with scattered low-growing ruderals. The western elevation is part of the extension built in 2018/ 2019. The concrete slab/ footings are well sealed.

Additional 37 no. Car Parking Spaces to the West Elevation and External Infill Extension to the North Elevation, Rowan Foods, Wrexham. Ref. ROW01-CFL-ZZ-XX-RP-A-0720.



A view of the western elevation of the existing building.

- 2.4 There are two flights of steps on this building elevation associated with fire escapes on the first floor. There are also two fire escape doors on the ground floor. Both the steps and the ground floor fire escapes have small areas laid to paving slabs and or concrete. Gaps around/ beneath these features could provide potential refugia/ hibernacula for Great Crested Newts.



Example of the concrete plinth and paving slabs associated with the fire escapes.

- 2.5 Following the construction of the extension in 2018/ 2019 there is very little remaining grassland to the west-northwest of the existing building. Most of this area is now characterised by car parking laid to unconsolidated small diameter limestone hardcore. The west-northwest edge of the car park is bordered by a low earth bund. The strip of grassland on the bund is approximately 1-2 m wide and the sward attains a height of approximately 1 m. The moderately species-rich grassland on this bund is currently unmanaged and is to

some extent tussocky. This bund may provide potential refugia/ hibernacula for Great Crested Newts.



The car parking that characterises much of the area within which the proposed extension would be constructed.



The low earth bund with currently unmanaged grassland on the edge of the car park.

- 2.6 Between the car park and the hard-standing adjacent to the existing building there is an approximate 30° slope to 2.5 m high. This slope supports disturbed, infrequently managed grassland. At the time of the survey the vegetation had a height of approximately 0.1-0.2 m. It contains abundant *Agrostis stolonifera* (Creeping Bent), frequent *Ranunculus repens* (Creeping Buttercup), occasional *Ranunculus acris* (Meadow Buttercup), *Dactylis glomerata* (Cock's-foot), *Leucanthemum vulgare* (Oxeye Daisy), *Poa compressa* (Flattened Meadow-

grass) and a range of other grasses and forbs. It generally provides little or no cover or other features of potential value for Great Crested Newts.



The slope of disturbed vegetation by the building.

- 2.7 To the north and north-northeast of the existing car park there is a small area of currently unmanaged grassland. This grassland is also located adjacent to an area of scrub and further unmanaged grassland in the northern corner of the wider Rowan Foods site. The proposed extension would impact part of this grassland. It contains frequent *Holcus lanatus* (Yorkshire-fog), *Rumex obtusifolius* (Broad-leaved Dock), locally frequent Cock's-foot, *Helminthotheca echioides* (Bristly Oxtongue), occasional *Elytrigia repens* (Common Couch), *Centaurea nigra* (Common Knapweed) and *Rubus fruticosus* agg. (Bramble). While this area has been greatly disturbed in the past by daily operations the grassland does give greater potential cover for Great Crested Newts.



The currently unmanaged grassland to the north of the existing car park.

- 2.8 Elsewhere within the proposed development footprint and likely working area grassland is generally represented by small fragments around the edges of the car park. The remaining grassland within the proposed development footprint is connected to a wider area of grassland, largely frequently managed, with some areas of less frequently managed grassland. It is also connected to terrestrial habitat that is potentially suitable for Great Crested Newts outside the Rowan Foods Ltd site, including areas of scrub and woodland.

Status of Great Crested Newts in the Area

- 2.9 There is no aquatic habitat within the Rowan Foods Ltd site. An initial review of the OS map 1:25, 000 scale and relevant internet-based mapping including aerial photography² indicates that there may be three waterbodies (not including ditches and streams) within approximately 500 m of the site. There is a pond shown on OS mapping within part of Erlas Black Wood (Approximate OS Grid Ref. SJ 378 498). It is located approximately 332 m to the south of the proposed extension (referred to as Pond 2 henceforth). A report (Enfys 2015³) compiled for the proposed Village Bakery development to the south of, and on the opposite side of Ash Road South, to Rowan Foods Ltd, indicates that there are three waterbodies located within Erlas Black Wood. The closest of these to the proposed development site is approximately 288 m to the south (Approximate OS Grid Ref. SJ 377 499) (referred to as Pond 1). The third waterbody is approximately 420 m to the southeast of the proposed development (Approximate OS Grid Ref. SJ 379 498) (referred to as Pond 3).
- 2.10 Enfys (*op cit.*) confirms that Great Crested Newts were recorded from Ponds 2 and 3 during detailed surveys conducted in 2015 but were not recorded at Pond 1. Pond 2 supports a small⁴ population (Maximum count of 7) while Pond 3 supports a medium population (Maximum count of 28).
- 2.11 It is understood that Great Crested Newts have been translocated from the proposed Village Bakery site in accordance with a Natural Resources Wales (NRW) licence. As part of these licensed works the existing ponds have been the subject of improvement works for the benefit of Great Crested Newts and a new pond has been created between Ponds 2 and 3.
- 2.12 It should be noted that no pond scoping exercise has been undertaken to confirm the presence/ absence of waterbodies.

Summary

- 2.13 The potential presence of Great Crested Newts in terrestrial habitat is governed more by the proximity of a suitable breeding waterbody than by the quality of the terrestrial habitat. There are no known waterbodies within 250 m of any part of the proposed development. There are at least three waterbodies within 500 m of the proposed development two of which support populations of Great Crested Newts. Due to the presence of known breeding ponds nearby that support a medium population it is possible that Great Crested Newts may

² <https://www.google.co.uk/maps/place/Wrexham+Industrial+Estate,+Wrexham/@53.0436578,-2.9392467,15z/data=!3m1!4b1!4m5!3m4!1s0x487ac101edfa6ee3:0x7abb47f3e7649959!8m2!3d53.0407097!4d-2.933489>

³ Enfys (2015). *Proposed New Village Bakery Site, Ash Road South, Wrexham Industrial Estate: Ecology Surveys*. Produced on behalf of Village Bakery.

⁴ In accordance with English Nature (2001). *Great Crested Newt Mitigation Guidelines*. English Nature, Peterborough. A maximum count of up to 10 is classed as 'small', while a maximum count of between 11 and 100 is classed as 'medium'.

disperse across some part of the proposed development site and could possibly seek refuge beneath features such as paving slabs or grass tussocks.

2.14 However, both known breeding ponds are over 300 m away from the proposed development and on the opposite side of Ash Road South. There is no particular reason why individuals would traverse the Rowan Foods Ltd site. There are no waterbodies on the opposite side of the site and no particular habitat linkages.

2.15 The terrestrial habitat within and adjacent to the proposed development site is largely considered to be of low or negligible value for Great Crested Newts although there are small fragments of high potential value. During the implementation of RAMs in 2013 and 2018 at this site no amphibians of any species were found. While the potential for disturbance or killing of animals during any proposed development at this site remains the risk accorded by the proposal is considered to be low/ negligible at the present time. As such this RAMs Method Statement details a precautionary approach to avoid any impacts on [individual] Great Crested Newts. Subject to appropriate implementation of this RAMs scheme no impacts due to the proposal on the Favourable Conservation Status of the local Great Crested Newt population are envisaged.

3 Great Crested Newt Legislation

3.1 This sub-section provides a brief summary of key legislation relevant to Great Crested Newts and is current at 22nd January 2020. It should not be considered a comprehensive review and is not meant to be so. It is provided here for information only and is not intended to replace specialised legal advice. It does not replace the text of the legislation but summarises the salient points.

3.2 Great Crested Newts are listed on *Schedule 5* of the *Wildlife and Countryside Act 1981* (as amended)⁵, and receive full protection under *Section 9*. The 1981 Act was amended by the *Countryside and Rights of Way Act 2000*⁶ which further extends the protection. It is also listed on *Annexes II* and *IV* of the European Union Directive on Natural Habitats and Wild Fauna and Flora (*Council Directive 92/43/EEC*), which is implemented in the UK by *The Conservation of Habitats and Species Regulations 2017*⁷. It is included on *Schedule 2* of the Habitats Regulations which gives it full protection under *Regulation 42(1)*. The Great Crested Newt is therefore a so-called European Protected Species. The legislation applies to all life stages of the Great Crested Newt, including eggs, larvae, juveniles and adults.

3.3 Under the above legislation it is an offence to intentionally or recklessly:

- kill, injure or take an individual of such a species;
- possess any part of such species either alive or dead;
- damage, destroy or obstruct access to any place or structure used by such species for shelter, rest, protection or breeding;
- disturb such a species whilst using any place of shelter or protection; or
- sell or attempt to sell any such species.

3.4 The Great Crested Newt is included on *Section 7* of the *Environment Act 2016*⁸.

⁵ HMSO (1981). *The Wildlife and Countryside Act 1981*. HMSO, London.

⁶ HMSO (2000). *The Countryside and Rights of Way Act 2000*. HMSO, London.

⁷ HMSO (2017). *The Conservation of Habitats and Species Regulations 2017*. HMSO, London.

⁸ HMSO (2016). *The Environment Act (Wales) 2016*. HMSO, London.

4 Great Crested Newt Identification

4.1 This sub-section of the document is provided for reference in the event that any amphibians are found on site during the proposed development and while the ecologist is not present. It will be discussed with all site personnel prior to the start of work. Identification of any newts that may be found is likely to require the confirmation of a suitably qualified ecologist.

4.2 Great Crested Newts are the largest of the three British species of newt; adult males can reach 15 cm in length, with females slightly larger at 18 cm. The upper surface and flanks are dark brown/ black and distinctly warty, with a row of white/ silver dots present along the side of the head and body. Males develop a characteristic jagged dorsal crest (which has a marked break where the tail joins the body) during the breeding season (although this lies flat when on dry land). The belly is dark orange or yellow with a distinct pattern of black blotches. The throat is whitish and thickly spotted with brown/ black.



Male Great Crested Newt on land (above) and female (below).



4.3 The Great Crested Newt may be confused with the Smooth Newt (*Lissotriton vulgaris*), although adults of this species are generally smaller (at 10-11 cm). Although the male Smooth Newt develops a dorsal crest, this is unbroken from head to tail and is also undulating, as opposed to jagged. The male has brown/ olive green or tan skin with black spots and the female a light brown colouration with darker spots or speckles. The belly of both the male and female is creamy yellow or orange, and the throat slightly lighter, both with dark spots or speckles.



Male Smooth Newts on land.

- 4.4 The third species of British newt is the Palmate Newt (*Lissotriton helveticus*). It is slightly smaller than the Smooth Newt at 7-11 cm in length, although it is superficially similar. The two species can be difficult to distinguish, particularly females. The male Palmate Newt has a much less developed dorsal crest (which is also straight edged as opposed to undulating) than a male Smooth Newt. The male Palmate has a 4-7 mm tail filament and black frills / well developed webbing on the hind feet. Typically, the throat of males and females is pure white/ pinkish and very rarely spotted (in contrast to Smooth Newts).

5 Great Crested Newt Ecology

- 5.1 This sub-section of the document is provided as a brief introduction to the ecology of Great Crested Newts. It is not a substitute for detailed knowledge and experience of working with the species.
- 5.2 Great Crested Newts live both in water (aquatic habitat) and on land (terrestrial habitat). Aquatic habitat is required for breeding and feeding. Terrestrial habitat is required for foraging (for food) and for hibernation during the winter. They can be present in their breeding waterbody between spring and autumn but individuals often spend less time than that in aquatic habitat. The remainder of the year is spent on land. Some adults will migrate back to their breeding waterbody as early as late January but most move later, in March. Adult newts generally leave the waterbody from late May onwards.
- 5.3 Adult females lay eggs individually on submerged plants and can lay 200 eggs in a season. Larvae hatch after about three weeks and take another two to three months to complete their development. While some juveniles leave the waterbody (usually from August onwards) in this first year (and hibernate on land) some will over-winter in the waterbody.
- 5.4 Great Crested Newts hibernate during the winter often underground amongst tree roots, in mammal burrows, down the side of walls/ house foundations, in cellars, and beneath piles of stones/ logs, etc. Hibernation may last from October to February. While on land and outside the hibernation period, Great Crested Newts require refuge from extremes of weather. During the day they will rest in dense vegetation, under refuges (logs, etc), or underground. They will emerge from these refuges at night to forage and or migrate.

6 Method Statement

Preparatory

- 6.1 This RAMs Method Statement will be discussed in detail with all personnel/ contractors involved with the proposed development before any works are carried out. This will take the form of a toolbox talk/ site meeting to be presented by the ecologist and will incorporate advice with regard to the identification features of Great Crested Newts and the procedure that should be followed if a Great Crested Newt is discovered during any works. This information will be incorporated into all subsequent site inductions for new personnel/ contractors.
- 6.2 Before any works commence a copy of this method statement will be issued to all site personnel/ contractors and a signed copy will be retained by the ecologist. The contact details of the ecologist responsible for implementing this RAMs Method Statement will be provided to all site personnel before the start of work. This method statement must be strictly adhered to by all site personnel/ contractors involved with the proposed development.
- 6.3 Should a Great Crested Newt be located during implementation of the RAMs then it would be moved away from the immediate work area by the ecologist and relocated for welfare reasons only to a suitable receptor site (likely to be the stream corridor on the northeast boundary of the Rowan Foods Ltd site). All work would then be suspended until further notice and NRW consulted. It is possible that in this instance or if a Great Crested Newt is found at any other time during the work, an NRW 'development' licence may be required in order to lawfully proceed. Other amphibians that may be found during the implementation of the RAMs scheme would also be moved to the 'receptor' site.

Working Protocol

Removal of Paving Slabs and Concrete Footings

- 6.4 A suitably licensed ecologist⁹ will undertake a hand/ visual-search prior to the removal of any paving slabs or concrete footings (e.g. Those associated with the flights of steps). These searches will concentrate on features where newts may have taken refuge, e.g. crevices down the side of the concrete or beneath the slabs. Subsequent to these searches the ecologist will remain on site to supervise the careful removal (by hand where possible) of these features. Further hand-searches may be undertaken as the work proceeds as necessary.

Vegetation Clearance

- 6.5 Before the start of the proposed development the grassland to be impacted will be managed as it has been previously with the sward generally being maintained at less than 10 cm in height. Should this not be the case then prior to the start of any work associated with the proposed development the vegetation within all work areas will be cut/ removed. This work will be supervised by a suitably licensed ecologist where deemed necessary and hand-searches of particular habitat features will be undertaken. Grass should be cut no lower than 10-15 cm above ground level. The grass should be cut using a mower with a reciprocating blade only (or similar) and not a rotary blade. Cut material should be raked up and all arisings from this clearance work should be removed from the proposed development site within the same day.

⁹ The ecologist should hold a current Natural Resources Wales 'survey/ disturbance' licence.

- 6.6 Further to the vegetation being cut down to approximately 10-15 cm above ground level a suitably licensed ecologist will then undertake a visual-/ hand-search. This search will concentrate in particular on any potential refugia. Any potential surface refugia that can be easily moved (such as rocks, wood, etc) will also be removed from the area. Further to this, any remaining vegetation will be cut to ground level, again using hand-held tools and raked up (using a spring-tined rake). This will ensure, as far as is reasonably practical, that the surface of the work area is unsuitable for Great Crested Newts.
- 6.7 Should the grassland be maintained at a height of less than 10 cm (prior to the development) then this vegetation clearance would be unnecessary. The ecologist would then undertake a general visual-/ hand-search of the proposed development site as briefly detailed above.
- 6.8 Following cutting of the grass and the associated visual/ hand-searches all vegetation should be mechanically stripped on the same day. The vegetation will be stripped in a systematic manner in one direction.
- 6.9 Stripped vegetation/ soil should be immediately removed from site. If this is not possible and the material would be stored on site then soil mounds should be subject to compaction on creation. This will ensure, as far as is practicable, that the creation of potential refugia associated with the mounds is limited; this will be subject to review by the ecologist. If the footprint of the soil mound has not previously been subject to a vegetation/ soil strip, a visual/ hand-search will be undertaken by a suitably licensed ecologist prior to installation of the soil mound. The ecologist would also need to supervise the eventual removal of the soil mound.
- 6.10 Vegetation clearance/ stripping and the associated visual/ hand-searches should only commence when the preceding and following night-time temperature does not fall below 5°C and should ideally be completed on the same day.

Removal of the Bund Adjacent to the Car Park

- 6.11 Prior to the removal of the low earth bund adjacent to the car park the ecologist will undertake a visual-/ hand-search. The procedure for clearance of vegetation as detailed above would subsequently be followed.

Temporary Protective Fencing

- 6.12 It is considered that the greatest risk to Great Crested Newts would occur should the less frequently managed grassland/ patch of scrub to the north and north-northeast of the proposed development be impacted. It is suggested that this area of grassland/ scrub be separated from the construction site with suitable temporary protective fencing, e.g. heras. This fencing should be installed prior to the commencement of any works. The alignment/ installation of the fence will be reviewed by the ecologist. Site construction personnel would be made aware of the importance of this fence during the toolbox talk and that no access would be allowed beyond it. The less frequently managed grassland/ scrub should be retained undisturbed; excess soil should not be spread in this area.
- 6.13 The area of frequently managed grassland impacted during the construction phase should be minimised as far as is possible. A temporary protective fence should be installed around the work site to prevent inadvertent entry into areas of adjacent grassland.

General

- 6.14 A suitably licensed ecologist will undertake a visual/ hand-search prior to the initiation of any work at the start of the construction period. It may be possible to undertake this search at the same time as the vegetation/ soil stripping. It will focus on the footprint of the proposed extension as well as any immediately adjacent areas that may be used for storage of materials, vehicles or machinery.
- 6.15 At times when there is less/ no risk to Great Crested Newts the ecologist will remain on stand-by (off-site) for the duration of the work; site contractors will be responsible for implementing a watching-brief. This will entail a brief visual search of the site each day prior to any works being initiated. When stored materials are moved, particular attention will be paid to determine if any amphibians are located underneath.
- 6.16 Should a newt be found during the work (and the ecologist is not present at the site) on-site contractors will halt all activity immediately, contact the ecologist and wait until the ecologist arrives to remove the newt to an appropriate location. If any newt is found during the work the ecologist should be called to confirm identification before any action is taken. If other amphibians such as Common Frog (*Rana temporaria*) or Common Toad (*Bufo bufo*) are found during work, and confidently identified, then on-site contractors can move it to an appropriate location, such as the receptor site detailed above (firstly making sure their hands are damp).
- 6.17 In addition to that outlined above, the following measures will be undertaken:
- The contractor's compound including all machinery, materials and other associated paraphernalia will be located on areas of existing hard-standing at all times;
 - No machinery/ vehicles will access any area outside that which has been subject to vegetation/ soil stripping to undertake work associated with the proposed development unless under supervision by the ecologist where necessary;
 - Prior to leaving the site at the end of each day, all tools and other materials will be stored securely either off-site or located on hard-standing/ within secure facilities;
 - Any spoil or other loose material that may be stored on site overnight must be placed on plastic sheeting on top of a pallet (or similar) so that it is raised off the ground, or in a skip. Where this is not possible it must either be removed from site or be located on hard-standing where possible and be compacted;
 - Should any holes/ excavations be left on site overnight a suitable ramp (e.g. plank of wood) will be placed, with a slope of no more than 45°, so as to provide newts with a means of escape. The hole would be subject to a visual search (for amphibians) in the morning by site personnel;
 - Machinery and vehicles will be located on hard-standing overnight;
 - Any servicing or repair of machinery or vehicles will be carried out on areas of hard-standing; and
 - Refuelling of machinery or vehicles will also be carried out in accordance with the appropriate Environment Agency Guidance for Pollution Prevention and all other relevant pollution guidance.

- 6.18 The ecologist overseeing this project is Tom Knight (Marches Ecology) who can be reached on 07928 212545. In the event that the ecologist cannot be contacted, please contact Max Ellson on 07950 220188.

7 Signatories

I have read and understand the requirements of this method statement.

[illegible]