

Reasonable Avoidance Measures Statement (RAMs) and Method Outline for Great Crested Newts

**Mulsford Lane, Worthenbury
January 2021**

As a precautionary approach, a RAMs will be adopted in order to avoid/minimise any unforeseen disturbance/ impacts on potential Great Crested Newt (GCN) populations.

Background & Rationale

This evaluation and methods statement is required to support a planning application for a partial change of land use for a dog day care business, Mulsford Lane, Worthenbury (Planning reference: P/2020/0794). The proposed development (approx. 0.17 acres) sits within an (approx.) 11 acre site. Since 2012, the majority of the 11 acre field has undergone significant conservation and promotion of ecological rewilding, including the planting of 6000 native broad-leaved trees and maintenance of open and wild grassland. The current proposed application is situated in the North East boundary of the 11 acre site, which is currently un-used, short grassland. It is expected that the proposed development will take approximately 2 weeks to complete. The proposed development utilises existing track access from Mulsford Lane, with the building works consisting of the erection of a moveable field stable and fenced area, in an open clearing with no trees or vegetation. As such, there will be no vegetation and/or soil stripping to prepare the land; it will be left entirely natural as grassland.

The timber moveable field stable (10.8 x 3.6m) is built on timber skids for mobility and will be placed directly onto the unimproved grass with no excavations or significant groundwork taking place. The fencing consists of 2.5mm intermediate stay wires, spaced at 15cm vertical gaps, attached to fence posts spaced at 4m intervals.

Legislation

Some species including GCN are designated and protected as European Protected Species (EPS). EPS receive protection under The Conservation of Habitats and Species Regulations 2017. Under the Habitats Regulations, it is an offence if you:

- Deliberately capture, injure or kill any wild animal of an EPS

- Deliberately disturb wild animals of any such species
- Deliberately take or destroy the eggs of such an animal, or
- Damage or destroy a breeding site or resting place of such an animal

Disturbance includes, but is not limited to, any disturbance which is likely to:

- impair their ability to survive, to breed or reproduce, or to rear or nurture their young, or in the case of animals of a hibernating or migratory species, to hibernate or migrate;
- To affect significantly the local distribution or abundance of the species to which they belong

There are other offences relating to possession, transport and sale.

Under the Wildlife and Countryside Act 1981(as amended) (W&CA) it is illegal to:-

Intentionally or recklessly disturb any GCN while it is occupying a structure or place which it uses for shelter or protection, 9(4)(b)

Intentionally or recklessly obstructs access to any structure or place used by a GCN for shelter or protection, 9(4)(c)

Sell, offer or expose for sale any great crested newt, 9(5)

It is, however, legal for you to tend a disabled GCN with the intention of releasing it, or to kill a GCN that cannot recover, as long as the injury was not a result of your unlawful act (Habitat Regulations 44(2); W&CA 10(3)(a)(b)).

Method Statement Objectives

The objectives of this method statement are to:

- 1) Avoid committing an offence under the above legislation.
- 2) Ensure the conservation status of the GCN is maintained and promote favourable habitats for GCN.

The method statement must be adhered to at all times, to ensure that these objectives are achieved.

Method Statement

This method statement will be followed for all works during the site development, approximately two weeks in duration.

Timeframe:

- All works will avoid the GCN hibernation period; November through February. Works will only be undertaken from March – onwards, to avoid the migration period. The peak courtship and egg-laying period which occurs in/ around an aquatic habitat is from Mid-March – Mid-May. Given the small-scale development and short time-frame needed for the site development, works will be completed during this time period.

Pre- Development:

- There are a number of operations which can affect great crested newts prior to the start of development proper. These include general site clearance, topsoiling, regrading and drainage works, which can seriously degrade habitats or kill GCN. As outlined in the *background and rationale* section above, no soil stripping, vegetation removal, or excavations will occur within the proposed development site, thus promoting and maintaining a natural, undisturbed environment. The only pond on the 11 acre site is >100m from the proposed location of the moveable field stable and so will not be disturbed.

Building Materials:

- The plans include the placement of a moveable timber stable on skids directly onto the grassland, and erection of a permeable wire fence (15cm holes). As such, no excavations will be undertaken.
- Building materials will be delivered to the existing raised aggregate access track and brought to the development site only when necessary.
- Building materials will only be stored above ground level using pallets/ or skids to remove any refuge potential for GCN. This is a precautionary measure only, and the chance of significant numbers of GCN moving to shelter under stored materials is considered to be very low. The potential is further reduced, given the short proposed development time.

Works protocol:

- During the works period, the applicant/ and or contractors on site will inspect the site each morning to check that GCN presence is not detected. If GCN are found during the search (or at any other point) work must cease immediately and an experienced, licensed ecologist must be contacted for advice.
- No piles of rubbish or waste should be allowed to remain on site as this could create a potential shelter for amphibians which could then be disturbed in their removal.

Habitat creation and land management:

- The proposed development is located within a larger (approx. 11 acre) site which during the current ownership (since 2012) has seen significant promotion of a mixed native woodland and wild shrubland as part of a privately owned rewilding project. This has created substantial new natural habitats and enhanced refuge sites for local wildlife and will continue to be implemented to meet conservation objectives.
- Over the past few years more than 6000 native trees have been planted to enhance the ecosystem, and support the ongoing conservation and promotion of wildlife.

- Part of the proposed business plan involves reinvesting revenue into the continued re-wilding programme currently ongoing on this land to increase the number of hedgerow trees, restoring and maintaining pondlife for amphibians, wild fowl and the wider biosphere. This will involve the creation of more natural habitats by continuing to plant native trees, and enhancing the biodiversity within the local site.
- No trees or vegetation will be removed by the proposed business
- A minimum of 500 new native broadleaved trees will be planted between the months of November 2021 – March 2022.

Biosecurity:

- Given the extensive ecological enhancement of the land, the prevention and maintenance of a healthy habitat is important. As such, adhering to strict biosecurity guidelines will reduce any risks of habitat damage and limit potential spread of disease (e.g. ash dieback).
- Specifically, operating procedures for the proposed business will include:
 - o Cleaning all dogs down, including wiping of their paws before leaving the land.
 - o Removing any mud, leaves or vegetation from the applicant's footwear or outerwear. Clean footwear will be worn every morning.
 - o No vegetation, including leaves, plants or wood will be removed from the land.
 - o The business van will be regularly cleaned, specifically ensuring the wheels and wheel arches are maintained free from mud and organic debris. This risk is reduced, given the van parking location which is on a maintained raised existing access track.
 - o When dogs are not within the fenced area, they will be kept strictly to the footpaths, and not be allowed in the aquatic environment.
- Although the proposed business is not a high risk development and extensive planning and design has ensured minimal ecological impact, these procedures will ensure the protection and enhancement of the biosecurity in the 11 acre site.

REFERENCES

Natural Resource Wales (2021) *Great Crested Newt Licensing*.

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Natural Resource Wales (2021) *Biosecurity Risk Assessment for Woodland Managers*.

<https://naturalresources.wales/guidance-and-advice/business-sectors/forestry/tree-health-and-biosecurity/biosecurity-risk-assessment-for-woodland-managers/?lang=en#:~:text=The%20main%20purpose%20of%20a,the%20level%20of%20identified%20risk.>

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Natural England (2015) *Template for Method Statement to support application for licence under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 (as amended) in respect of great crested newts Triturus cristatus*. Form WML-A14-2 (Version December 2015)