

15th October 2020

Our Ref: 2019-017

To Whom it May Concern

RE: Siting of Storage Containers - Wrexham Solar Park, Tetrapak Road, Wrexham, LL13 0UW

Robert Dunn, a Senior Ecologist at Smart Ecology Ltd. attended Wrexham Solar Park, Tetrapak Road, Wrexham, LL13 0UW on the 13th October 2020 to provide a Toolbox Talk to contractors, check work areas for great crested newts, and supervise preparatory works for the proposed installation of two storage containers on the site. Robert is an experienced ecologist and holds a Natural Resources Wales licence for surveying great crested newts (Licence Reference: S086581/1).

A Method Statement has been produced which provides details of non-licensable Reasonable Avoidance Measures (RAMs) which were implemented to mitigate the risk of causing harm to great crested newts during works (Smart Ecology, 2020). This Method Statement is appended to this letter.

The works involved the following:

- Excavation of an area of approximately 50 m² of short-grazed poor semi-improved grassland to a depth of 150 mm.
- Spreading of arisings from the excavations onto the Solar Park site.

The works were carried out during suitable weather conditions (temperature was approximately 12^oC, and there was no rain during works).

The ecologist provided a Tool box Talk to contractors before works commenced to make contractors aware of the possible presence of great crested newts, their legal protection, how to recognise a great crested newt, where they may be found on the site, the careful working practices required, and what to do in the event that a great crested newt is found at any time during works when the ecologist is not present (i.e. stop works immediately and contact the licensed ecologist). A written record of this Toolbox Talk was made by the ecologist to confirm that it took place in line with the Method Statement.

A fingertip search of the area within the footprint of the works was carried out by the ecologist before works commenced to check for the presence of great crested newts. No great crested newts were present within the work area.

A fingertip search of the area adjacent to the proposed container site where arisings were to be deposited was also carried out by the ecologist before works commenced to check for the presence of great crested newts. No great crested newts were present within this area.

Removal of turf and topsoil was then supervised by the ecologist. No great crested newts were identified during the removal of turf and topsoil.

No great crested newts were harmed or disturbed during the works. As no great crested newts were found during the works, a mitigation licence was not required from Natural Resources Wales.

It is understood that the storage containers will be brought onto site by a vehicle utilising the existing hardstanding trackway. Therefore, no impacts on great crested newts resulting from the installation of the containers are anticipated.

Yours faithfully,



Robert Dunn
Senior Ecologist

Reference

Smart Ecology (2020). *Great Crested Newt Method Statement - Wrexham Solar Park, Tetrapak Road, Wrexham, LL13 0UW.* Smart Ecology Ltd., Woodside.



Great Crested Newt Method Statement

Wrexham Solar Park, Tetrapak Road,
Wrexham, LL13 0UW

Client	Wrexham Solar Park Ltd
Reference	2019-017
Version	1.1
Date	11/08/2020

Quality Assurance

	Name	Position	Date	Signature
Authored	Robert Dunn BSc, MSc, ACIEEM	Director/ Senior Ecologist	24/07/2020	
Reviewed	Rachel Barber BSc, MSc, MCIEEM	Director/ Senior Ecologist	28/07/2020	
Approved	Robert Dunn	Director/ Senior Ecologist	29/07/2020	

Document History

Version	Date	Revision
1	29/07/2020	Issued to the client.
1.1	11/08/2020	Updated to include amended ISO Container Layout and Location Plan. Reissued to the client.

Disclaimer

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The evidence which we have prepared and provided is true, and has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.

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Contents

1 Introduction1

1.1 Background 1

1.2 Site Context 1

1.3 Details of Proposed Works..... 1

1.4 Legislation 2

2 Reasonable Avoidance Measures (RAMs) 3

Appendix 1 – eDNA Survey Result 5

Appendix 2 – ISO Container Layout and Location Plan 6



1 Introduction

1.1 Background

- 1.1.1 Smart Ecology has been commissioned by Wrexham Solar Park Ltd. to produce a Method Statement to provide details of non-licensable Reasonable Avoidance Measures (RAMs) which will be implemented to mitigate the risk of causing harm to great crested newts during proposed small-scale works at Wrexham Solar Park, Tetrapak Road, Wrexham, LL13 0UW.
- 1.1.2 Great crested newts are present in the locality, with the closest population known to be present in a pond located approximately 270 m to the east of the Solar Park site.

1.2 Site Context

- 1.2.1 The Solar Park site is approximately 11.5 ha and is located to the south-east of Wrexham Industrial Estate, approximately 2.5 km south-east of the outskirts of Wrexham.
- 1.2.2 The site comprises a solar PV array with poor semi-improved grassland beneath. The grassland is currently grazed by sheep. Although the poor semi-improved grassland only offers sub-optimal terrestrial habitat for great crested newts there are several tussocky areas which provide some potential foraging habitat. One pond is present on the Solar Park site, approximately 32 m to the east of the location for the proposed installation of the ISO containers; an eDNA water sample taken from this pond in 2018 confirmed that great crested newts were absent from this pond (see Appendix 1).

1.3 Details of Proposed Works

- 1.3.1 A planning application is to be made to Wrexham County Borough Council for the installation of two ISO containers on the site. See Appendix 2 for a plan showing the ISO container layout and location on the site.
- 1.3.2 The works will involve the following:
 - Excavation of an area of approximately 50 m² of poor semi-improved grassland to a depth of 150 mm.
 - Laying 300 mm deep compacted stone to cover the excavated area.
 - Spreading of arisings from the excavations onto the Solar Park site.
- 1.3.3 The identified impacts of the proposed works in the absence of mitigation are:
 - Potential for disturbance of great crested newts when removing grassland turf and soil, and when spreading arisings on the site.
 - Potential for killing or injuring great crested newts when removing grassland turf and soil, and when spreading arisings on the site.
 - Potential for harm to great crested newts if they occupy building material or waste left on the ground.



- 1.3.4 No habitat fragmentation or isolation is anticipated as there will be no loss of linear features. The proposed works will not result in a significant reduction in available terrestrial habitat.
- 1.3.5 Provided that Reasonable Avoidance Measures (RAMs) are implemented during works, it is considered that the risk of causing harm to great crested newts is low, that there would be a negligible impact on great crested newts, and that the development is unlikely to result in an offence being committed.

1.4 Legislation

The Conservation of Habitats and Species Regulations 2017 (as amended)

- 1.4.1 These Regulations transpose the EU Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive) into national law. The Regulations require the designation and protection of European Protected Species (EPS).
- 1.4.2 Great crested newts are designated as a EPS, and the Regulations make it an offence to kill, injure and disturb great crested newts, take or destroy their eggs, and damage or destroy a breeding site or resting place used by this species. Refer to Table 1-1 for a summary of the legal implications of the Regulations with respect to great crested newts.

The Wildlife and Countryside Act 1981 (as amended)

- 1.4.3 This Act provides additional protection to great crested newts, making it an offence to intentionally or recklessly disturb the species whilst using a place of shelter or protection and to obstruct access to a place of shelter or protection. Refer to Table 1-1 for a summary of the legal implications of this Act with respect to great crested newts.

Table 1-1: Legal implications of legislation with regard to great crested newts

Legislation	Legal Implications
The Conservation of Habitats and Species Regulations 2017 (as amended)	It is illegal to: • Deliberately capture, injure or kill great crested newts. • Deliberately disturb¹ great crested newts. • Deliberately take or destroys great crested newt eggs. • Damage or destroy a great crested newt breeding site or resting place.
Wildlife and Countryside Act 1981 (as amended) – sub-sections 9(4) b and c and 9(5) only	It is illegal to: • Intentionally or recklessly disturb great crested newts while they are occupying a structure or place of shelter or protection. • Intentionally or recklessly obstruct access by great crested newts to a structure or place of shelter or protection.

¹ Disturbance under the Conservation of Habitats and Species Regulations 2017 (as amended) is defined as impairing the ability of an animal to survive, breed, reproduce, rear or nurture their young, hibernate or migrate, or to significantly affect the local distribution or abundance of the species.



2 Reasonable Avoidance Measures (RAMs)

- 2.1.1 The following non-licensable measures will be implemented to mitigate the risk of causing harm to great crested newts during the proposed works.

Ecological Clerk of Works (ECoW)

- 2.1.2 An ECoW will be employed by Wrexham Solar Park Ltd. for the duration of the works. The ECoW will provide a Toolbox Talk to contractors, carry out pre-works inspections, and ensure that all elements of the works are carried out in accordance with these RAMs. The ECoW will hold a Natural Resources Wales survey licence for great crested newts, or be an accredited agent to a licensed ecologist.

Timings of Works

- 2.1.3 The works will be undertaken during the amphibian active season (i.e. between April and October inclusive) and in suitable weather (i.e. temperature between 9°C and 18°C, calm, and no precipitation) to ensure that animals are active and could readily move away from work areas.

Toolbox Talk

- 2.1.4 The ECoW will give a Toolbox Talk to contractors before works commence to make contractors aware of the possible presence of great crested newts, their legal protection, how to recognise a great crested newt, where they may be found on the site, the careful working practices required, and what to do in the event that a great crested newt is found. A written record of this Toolbox Talk will be made by the ecologist to confirm that it took place in line with this Method Statement.

Destructive Search

- 2.1.5 The existing habitat within the work areas is short grazed grassland. This will be kept short until the works begin to reduce the potential for great crested newts to be present.
- 2.1.6 The ECoW will undertake a fingertip search of the area within the footprint of the development to search for great crested newts (and other animals). Any animals found (other than great crested newts) will be transported in containers, with a separate container used for each species, and placed in hedgerow vegetation along a section of the solar parks' southern site boundary.
- 2.1.7 If a great crested newt is found by the ecologist during the fingertip search then works will not proceed until Natural Resources Wales have been consulted and a EPS mitigation licence obtained if necessary.
- 2.1.8 Once the grassland has been checked by the ECoW and great crested newts confirmed to be absent then the turf will be removed. Clearance will be undertaken gradually with regular checks by the ECoW to ensure that amphibians are not present. Turf will be carefully stripped to a depth of approximately 150 mm using an excavator with a toothed bucket. Use of a larger bucket is optimal as this will require less scrapes and therefore reduces the risk of injury to amphibians. The turf strip will be supervised by the ECoW and any animals found (other than great crested newts) will be captured and placed in the vegetation along the southern site boundary, as described above.



- 2.1.9 If a great crested newt is found by the ECoW during turf removal then works will immediately stop, and will not proceed until Natural Resources Wales have been consulted and a EPS mitigation licence obtained if necessary.

Spreading of Arisings

- 2.1.10 The ECoW will undertake a fingertip search of the area where the excavated material will be spread to search for great crested newts (and other amphibians). Any animals found (other than great crested newts) will be transported in containers, with a separate container used for each species, and placed in hedgerow vegetation along a section of the solar parks' southern site boundary.
- 2.1.11 The spreading of arisings will only proceed once the ECoW has confirmed that great crested newts are absent from the area to be impacted.

Material Storage

- 2.1.12 All building material on the site will be stored on pallets or hardstanding to deter amphibians from sheltering within or underneath materials.
- 2.1.13 Should it be necessary to store excavated material overnight then pile(s) of material will be smoothed, so that there are no cavities or crevices which could be occupied by great crested newts (and other animals).

Excavation

- 2.1.14 If the excavation is to be left open overnight then earthen ramps with an angle no steeper than 40 degrees will be created in the excavated area to allow great crested newts to climb out, should they enter or fall into the excavations overnight.
- 2.1.15 If the excavation is left open overnight, the excavation will be checked by the ECoW every morning before 10 am until the excavations have been filled, to check for the presence of great crested newts (and other animals).

Encountering Great Crested Newts

- 2.1.16 If a great crested newt is found at any point during works when the ECoW is not present, then works will immediately stop and the ECoW contacted for advice.



Appendix 1 – eDNA Survey Result

Client: Duncan Painter,
Applied Ecology Ltd,
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Email: Helen.Rees@adas.co.uk
www.adas.uk

Sample ID: 2018-0488 Condition on Receipt: Good Volume: Passed
Client Identifier: Williams Solar Farm Description: pond water samples in preservative
Date of Receipt: 17/04/2018 Material Tested: eDNA from pond water samples

Determinant	Result	Method	Date of Analysis
Inhibition Control [†]	2 of 2	Real Time PCR	22/05/2018
Degradation Control [‡]	Within Limits	Real Time PCR	22/05/2018
Great Crested Newt*	0 of 12 (GCN negative)	Real Time PCR	22/05/2018
Negative PCR Control (Nuclease Free Water)	0 of 4	Real Time PCR	As above for GCN
Positive PCR Control (GCN DNA 10 ⁻⁴ ng/μL)*	4 of 4	Real Time PCR	As above for GCN

Report Prepared by: Dr Helen Rees Report Issued by: Dr Ben Maddison

Signed:

Signed:

Position: Director: Biotechnology Position: MD: Biotechnology

Date of preparation: 25/05/2018 Date of issue: 25/05/2018

eDNA analysis was carried out in accordance with the stipulated methodology found in the Technical Advice Note (WC1067 Appendix 5 Technical Advice Note) published by DEFRA and adopted by Natural England.

** If all PCR controls and extraction blanks give the expected results a sample is considered: negative for great crested newt if all of the replicates are negative; positive for great crested newt if one or more of the replicates are positive.*

† Recorded as the number of positive replicate reactions at expected C_t value. If the expected C_t value is not achieved, the sample is considered inhibited and is diluted as per the technical advice note prior to amplification with great crested newt primer and probes.

‡ No degradation is expected within time frame of kit preparation, sample collection and analysis.

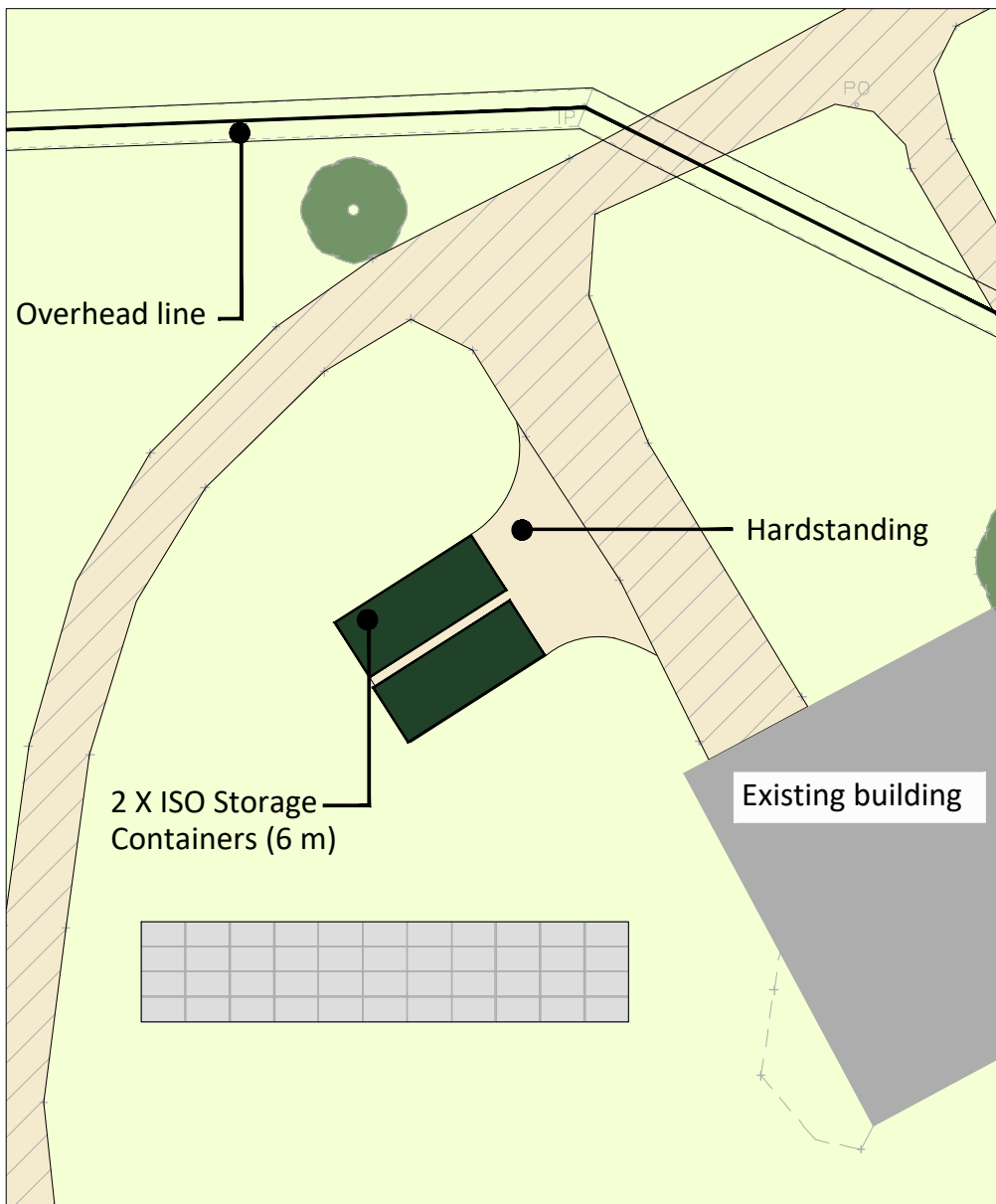
**Additional positive controls (10⁻¹, 10⁻², 10⁻³ ng/μL) are also routinely run, results not shown here.*



Appendix 2 – ISO Container Layout and Location Plan

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Site Layout
Scale 1: 200

Key:

	Application Area		Permeable Crushed Stone
	ISO CONTAINER		Access
	Existing Access Track		



Site Context
Scale 1: 2000

rev: A		date: 20-04-20	update: (JLB) Location updated	
 corylus Planning & Environmental Ltd.			The Old Dairy Yarworth Cheltenham Gloucestershire GL54 3LG tel: 01285 721 072	
client: Wrexham Solar Park Ltd				
project: Wrexham PV ISO Container APP				
title: ISO Container Layout				
scale: As shown	date: 05/05/20	drawn by: JLB	checked by: AW	rev: A3
project ref: 288		draw no: IE/288/01		rev: A