

Method Statement: Great Crested Newt Reasonable Avoidance Measures



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1 INTRODUCTION & RATIONALE

1.1 Overview

1.1.1 This Method Statement has been produced in relation to the proposed residential development of land at Woodlands Farm, Dodds Lane, Gwersyllt, Wrexham on behalf of Wales and West Housing Association. The proposed development comprises the delivery of 23 affordable residential homes with associated parking, landscaping and ancillary works.

1.1.2 Due to the confirmed presence of great crested newts within the wider area surrounding the development site (hereafter referred to as the 'Site'), the development must be constructed adopting Reasonable Avoidance Measures (RAMs) in accordance with Condition 8 of the planning consent (Application Ref.: P/2018/0997).

Condition 8: 'No development shall commence until a scheme of Reasonable Avoidance Measures (RAMs) in respect of Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the scheme as approve.'

Reason: In order to protect statutory protected species in accordance with policy EC6 of the Wrexham Unitary Development Plan.

1.1.3 It is proposed that the adoption of appropriate RAMs and suitable ecological supervision employed as a precautionary approach will ensure compliance with the relevant legislation as summarised in Section 1.2.

1.1.4 Accordingly, this Method Statement sets out the RAMs required for the proposed residential development, with adherence to the RAMs considered to be part of the contractual responsibility for the enactment of such works. All works must be undertaken in accordance with this Method Statement to ensure that they will have no adverse effects on the great crested newt population (or other wildlife) and ensure legislative compliance.

1.1.5 **No works beyond those specified under this Method Statement must be undertaken.**

1.2 Legislation

1.2.1 Great crested newts *Triturus cristatus* (GCN) are European Protected Species (EPS) and they and their habitat are fully protected under national (*Wildlife & Countryside Act 1981* (as amended)) and European law (*The Conservation of Habitats and Species Regulations 2017*). The combined legislation makes it illegal to:

- intentionally or deliberately capture, kill or injure a great crested newt;
- intentionally or recklessly damage, destroy or obstruct access to any place used for shelter and protection including resting and breeding places, whether occupied or not;
- deliberately, intentionally or recklessly disturb a great crested newt when in a place of shelter;
- possess a great crested newt, or any part of it, unless acquired lawfully;
- sell, barter, exchange or transport or offer for sale great crested newts or parts of them.

1.2.2 Anyone carrying out activities which may affect EPS must consider the presence of EPS, their breeding sites and resting places.

1.3 Rationale for Adoption of RAMs

- 1.3.1 The nearest pond is located approximately 225m north of the Site and all other ponds are located at distances over 250m of the Site boundary. Great crested newts disperse over land to forage for food and move between ponds; distances covered during dispersal will depend on habitat quality and availability. It is acknowledged that most adult newts likely stay within around 250m of breeding ponds (English Nature, 2001; Langton *et al.*, 2001). Newts are more likely to travel greater distances if there is high quality foraging and refuge habitat extending beyond this range. In context, the majority of the Site lies beyond 250m from the nearest pond and there is suitable terrestrial habitat for amphibians in proximity to the ponds in the surrounding landscape (i.e. the Site does not offer greater habitat suitability than that found closer to pond), meaning that extended dispersal to the Site is less likely. The Site is also not located on any likely dispersal route between ponds and bounded on two sides by roads and development. As a result, it is considered unlikely that great crested newts would be present on Site.
- 1.3.2 There will be no adverse effects on the local great crested newt population and any potential risks will be limited to individual great crested newts.
- 1.3.3 The risk of an offence is unlikely; however, as a precautionary approach, the adoption of RAMs will ensure that no individual great crested newts (or other wildlife) will be harmed during works.
- 1.3.4 The RAMs include the supervision (by a suitably experienced ecologist, the 'Project Ecologist') of works including but not limited to initial vegetation clearance and demarcation of access routes and vehicular movement on-site. The Project Ecologist will also advise on measures to ensure that retained habitats are protected during the construction.
- 1.3.5 Habitats in the wider area, including ponds and ditches (regardless of whether they hold water) will be protected from pollution and runoff during works via the implementation of standard pollution prevention measures.

2 REASONABLE AVOIDANCE MEASURES

2.1 Objectives

- 2.1.1 The objectives of this Method Statement and Reasonable Avoidance Measures (RAMs) are therefore to:-
- Avoid committing an offence under the above legislation; and,
 - To ensure that the favourable conservation status of the species concerned is maintained.
- 2.1.2 It will be the responsibility of the Site 'Owner/Developer', the Site Manager and all site contractors to ensure that these RAMs are strictly adhered to at all times throughout the works.

2.2 Reasonable Avoidance Measures

- 2.2.1 The following RAMs must be implemented in full (this includes any works associated with the surface water sewer easement):

Role of Project Ecologist

- 2.2.2 Certain activities will require the presence of an experienced licensed ecologist (the Project Ecologist). The role of the Project Ecologist is to ensure that working areas, access and the like are checked as necessary and positioned away from 'higher risk' habitat or habitats where great crested newts and other wildlife are more likely to be present and protecting habitats to be retained (e.g. boundary tree lines).
- 2.2.3 The Project Ecologist will identify areas or features offering potential refuge for amphibians and inform the site team on exclusion areas to be avoided, and advise on any legislative aspects associated with the works. The Project Ecologist will provide a tool box talk to all site staff prior to works commencing on Site. The Project Ecologist will also be present during all works considered to require advice and supervision (to include initial vegetation and topsoil removal and checks of any discrete refugia within the Site).
- 2.2.4 The Project Ecologist will be contactable by the Site Manager at all other times and available to further advise on Site if necessary, as a contingency measure.

Maximum Extent of Permitted Works

- 2.2.5 No works shall take place within 200m of any pond or other waterbody. Measures will be implemented, including installation of fencing to protected trees and boundary vegetation to be retained throughout the construction period. The Site Manager will be responsible for ensuring that any trees or other woody vegetation subject to Tree Preservation Orders (TPOs) are protected throughout the construction phase.
- 2.2.6 Initial ground clearance / vegetation removal may only be undertaken if the Project Ecologist is first satisfied that no animal would be disturbed. This shall be confirmed in advance of any works by visual checks and hand searches by the Project ecologist as necessary.
- 2.2.7 Working areas and agreed access routes and any exclusion areas shall be adhered to at all times, unless agreed in advance with the Project Ecologist (for example approval of minor adjustments to avoid tree roots or services etc.).

Timing of Works

- 2.2.8 The vegetation removal/site clearance works shall be undertaken during daylight hours when amphibians are less likely to be present within the grassland habitats. Such works will avoid the winter hibernation period (November to February) so that mobile species are able to move safely away from areas of activity. Once cleared, the Site is no longer likely to attract or support great crested newts.

Pre-works

- 2.2.9 All Site operatives will be informed by a 'tool box' talk at the start of works on the possible presence of protected species, individual ecological responsibilities, Site-specific requirements and what to look out for during works. An informative leaflet (an example of which is presented in **Appendix 1**) will be available to all site operatives. All staff will sign the Confirmation Sheet (example provided in **Appendix 2**) to show they have received and understood the briefing information on protected species.
- 2.2.10 The Project Ecologist will walk the Site prior to any works commencing to identify possible features that may provide shelter or refuge for amphibians and other wildlife. In the event that such features are found, these will be excluded from the planned work with a minimum 2m stand-off until it is searched and it is confirmed that no great crested newts are present or that no other species is likely to be injured or killed. The working areas, access routes and any excluded areas will be confirmed with the Site Manager and clearly marked.
- 2.2.11 The grassland within the Site will be first strimmed / cut down to height of 150mm to make the Site less favourable as terrestrial habitat and therefore less likely to support amphibians and other wildlife. After a minimum period of two days, the Site will be checked by the Project Ecologist and providing no great crested newts are located, the final ground preparation works will commence and undertaken in the presence of the Project Ecologist.
- 2.2.12 Works will only commence once the licensed ecologist has carried out a careful inspection and is satisfied no great crested newt would be disturbed.
- 2.2.13 If a great crested newt is found at any point during the pre-works stage, works must stop immediately and the advice of the Project Ecologist sought. The Project Ecologist will determine an appropriate course of action (including liaison with NRW, if required).

During Works

- 2.2.14 All work traffic will use the same access route thus minimising disturbance to other areas and will follow the predefined access tracks.
- 2.2.15 Earth stockpiles will be smoothed to remove surface crevices or voids that could potentially shelter amphibians and thereby put them at risk during future removal / re-sue of stored soils. Earth stock piles should not be created within vegetated areas of Site or within or adjacent to retained vegetation such as boundary trees. The stockpiles should either be fenced off to prevent animals accessing them or searched by the Project Ecologist prior to any future removal of the earth.
- 2.2.16 Ponds and ditches will be protected from pollution and runoff via the implementation of standard prevention measures. These will include:
- Stockpiles will be stored in secured away from ponds (at least 100m) and ditches (at least 10m); and,
 - If ground conditions are wet, silt barriers and other runoff management measures as appropriate will be used to prevent sediment entering waterbodies.

- 2.2.17 If a great crested newt is found at any point during the ground investigations, works must stop immediately and the advice of the Project Ecologist sought. The Project Ecologist will determine an appropriate course of action (including liaison with NRW, if required).
- 2.2.18 Should any other animal (e.g. reptile, bird or mammal) be encountered, all works should cease in that area until the animal has vacated the area or has been relocated by the Project Ecologist.

Integration with Roads and Other Hard Landscaping (to minimise accidental capture/killing of great crested newts post construction).

- 2.2.19 In order to prevent great crested newts or other wildlife from becoming trapped on the road surface and to minimise risk associated with entrapment and accidental killing within drainage gully pots a series of measures will be implemented into the design and water management system.
- 2.2.20 Dropped kerbs and / or raised road levels will be used on Site to ensure great crested newts and other wildlife do not become trapped within the internal roads.
- 2.2.21 The drainage strategy will incorporate set back gully pots or wildlife kerbs along roads (an example of set back gully position is shown in the image below compared with comparison of the standard flush design).

	
Correct - Gully pot set back from upright kerb stone	Incorrect- Gully pot flush with upright kerb stone

- 2.2.22 Reasoning - Gully pots flush to kerb stones form effective traps for amphibians. Animals crossing roads reach the kerb and then move along its base, until they fall into a gully pot. Once in the gully pot amphibians cannot climb out.

Figure 1: Site Boundary



Legend

Site boundary

This map was created using the following data:
 Ordnance Survey (OS) data
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 1:50,000 scale map (OS 1:50,000)

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CC	02/06/2020		MR	
Rev	0.00	Change	Yes	App

WOODLANDS FARM

avianecology

AERIAL IMAGE

REV 00

Appendix 1: Example Information Leaflet



Toolbox Talk: Great Crested Newts

LEGISLATION

The great crested newt is protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017. It is illegal to:

- Deliberately, intentionally or recklessly capture, injure or kill a great crested newt;
- Possess or control any live or dead specimen or anything derived from a great crested newt;
- Deliberately, intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt;
- Intentionally or recklessly disturb a great crested newt while it is occupying a structure or place which it uses for that purpose.

WHERE GCN CAN BE FOUND

- Within rough grassland or clumps of vegetation like rush
- Semi-natural/unimproved pasture
- Hibernacula such as log and rubble piles
- Ponds and marginal vegetation;
- Hedgerows
- Ditches / slow flowing streams

DO

If a GCN is discovered during works, **STOP ALL WORKS** in the area, inform your site manager and contact the project ecologist **IMMEDIATELY**.

DON'T

Do not touch or handle a GCN they are very delicate – and it is against the law. Penalties for breaking the law include unlimited fines, imprisonment and seizure of equipment.

DO NOT RISK BREAKING THE LAW



WHAT DO THEY LOOK LIKE

GCN are the largest newt in the UK, growing up to 16cm in length.

- Big and black;
- Rough, warty skin;
- Orange/yellow colouring on belly;
- Irregular black blotches on belly;
- Toes banded with black/orange;
- Female: bottom edge of tail orange;
- Male: large jagged crest on back, separate, smoother crest along tail, white tail stripe, often visible at night.

Appendix 2: Toolbox Talk – Confirmation Sheet

Toolbox Talk - Confirmation Sheet:

Site: Woodlands

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Ecologist:

I confirm that I have attended the 'toolbox' talk presented by Avian Ecology Ltd. and I am aware of the legislation relating to great crested newts, the measures that will be used to protect them and what I should do if I find a great crested newt during construction works.			
Name:		Signed:	
Company / Responsibility:		Date:	
Name:		Signed:	
Company / Responsibility:		Date:	
Name:		Signed:	
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