

Reasonable Avoidance Measures with Respect to  
Great Crested Newts at  
Kingfisher House,  
Lightwood Green,  
Overton, Wrexham,  
LL13 0HT  
GR SJ 3861 4063

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## Introduction

The proposed works will take place within 10m of one pond and within 500m of several others, some of which may be suitable for use by GCN. The nearest pond however is not considered suitable as a breeding pond for GCN due to the presence of fish and significant use by ducks. There is very little ground to be lost or disturbed (approximately 80m<sup>2</sup>). There is not considered to be any threat to the conservation status of GCN.

It is considered that the risk of harm to individual GCN may be reduced to an acceptable level if reasonable avoidance measures are taken as given on page 4.

It is a criminal offence to harm a great crested newt.

Great crested newts spend most of their time on land, returning to still water only to breed once they are mature at about 3-4 years of age.

They may travel more than kilometre from their breeding pond.

They move about mostly at night, and by day creep underground or beneath shelter such as stones or logs. They hibernate during the winter, which is generally from the beginning of November until late March, depending on the weather. Hibernation is underground in burrows made by other small animals or beneath substantial cover such as large stones or piles of logs.

## Legislation Relating to Great Crested Newts

The GCN is protected under the Conservation of Habitats and Species Regulations 2017 (as amended), known as the 'Habitats Regulations', because it has declined throughout Europe in recent decades.

Under the Habitats Regulations, it is an offence if you:

1. Deliberately capture, injure or kill any wild animal of an EPS,
2. Deliberately disturb wild animals of any such species,
3. Deliberately take or destroy the eggs of such an animal, or
4. Damage or destroy a breeding site or resting place of such an animal

Disturbance is defined as that which is likely:

1. 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; or
2. to affect significantly the local distribution or abundance of the species to which they belong.

Defra and the Welsh Government will publish a joint guidance document on the interpretation of the offences relating to disturbance, and to damage and destruction of breeding sites and resting places.

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:-

1. Intentionally or recklessly disturb any great crested newt while it is occupying a structure or place which it uses for shelter or protection
2. Intentionally or recklessly obstructs access to any structure or place used by a great crested newts for shelter or protection
3. Sell, offer or expose for sale any great crested newt

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.

Natural Resources Wales (NRW) issues licences under the Habitats Regulations to allow you to work within the law. You might need a licence to undertake pond management, scrub clearance or a development, for example.

## **Reasonable Avoidance Measures with Regard to Great Crested Newts**

1. Surrounding vegetation should be kept as short as possible.
2. An artificial hibernaculum should be constructed near the site, location to be agreed. Suggested design given on page 9.
3. An inspection of the area to be affected and immediately surrounding area should be undertaken by a suitably licensed GCN worker.
4. If any potential refuges such as piles of rubble or logs need to be moved before work starts, care must be taken when moving them. This should be done by hand. This includes the large stones of the rockery which should be removed under supervision of a licensed GCN worker.
5. A tool box talk should be given to all contractors before work starts, including identification, legislation and ecological importance of GCN.
6. If any trenches cannot be filled the same day they will need a ramp of earth at the ends of the trenches, to the full depth of each trench, so that newts can climb out. It is not sufficient to leave a piece of wood against the sides, which would allow small mammals to escape, but not newts, which are not good climbers. The trenches must be inspected carefully before infilling, and any animals carefully removed and released into the surrounding hedgerows (but see paragraph 7 below).
7. Building materials should be stored clear of the ground (say, on pallets) so as to avoid crushing any animals which might seek refuge under them, when the materials are lifted. Any such storage must be on the drive or other hard surface, and not on a lawn or other soft surface.
8. Bulk materials should be used on the same day as delivery where possible to reduce the likelihood of GCN taking shelter underneath.
9. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.
10. Any excavated material which is not replaced on the same day must either be removed from the site or stored on a hard surface and covered with an impermeable membrane, such as a plastic sheet or tarpaulin, and the edges of the sheet secured so that no amphibians can gain access.
11. If any great crested newt is discovered in the area of the work, then work in that area must stop and a licensed great crested newt worker contacted immediately for advice.
12. A copy of these measures should be displayed on site for the duration of the work.

## Bibliography

English Nature (2001) *Great Crested Newt Mitigation Guidelines* Peterborough: English Nature

Gent A.H, Gibson S.D (eds) (1998) *Herpetofauna Workers' Manual*. Peterborough: Joint Nature Conservation Committee

Google Maps available at: <https://maps.google.com/maps>

*Great crested newts: surveys and mitigation for development projects* available at:  
<https://www.gov.uk/great-crested-newts-surveys-and-mitigation-for-development-projects>

Langton, T., Beckett, C., Foster, J. (2001) *Great Crested Newt Conservation Handbook*. Halesworth: Froglife

Magic Maps available at: <http://magic.defra.gov.uk>

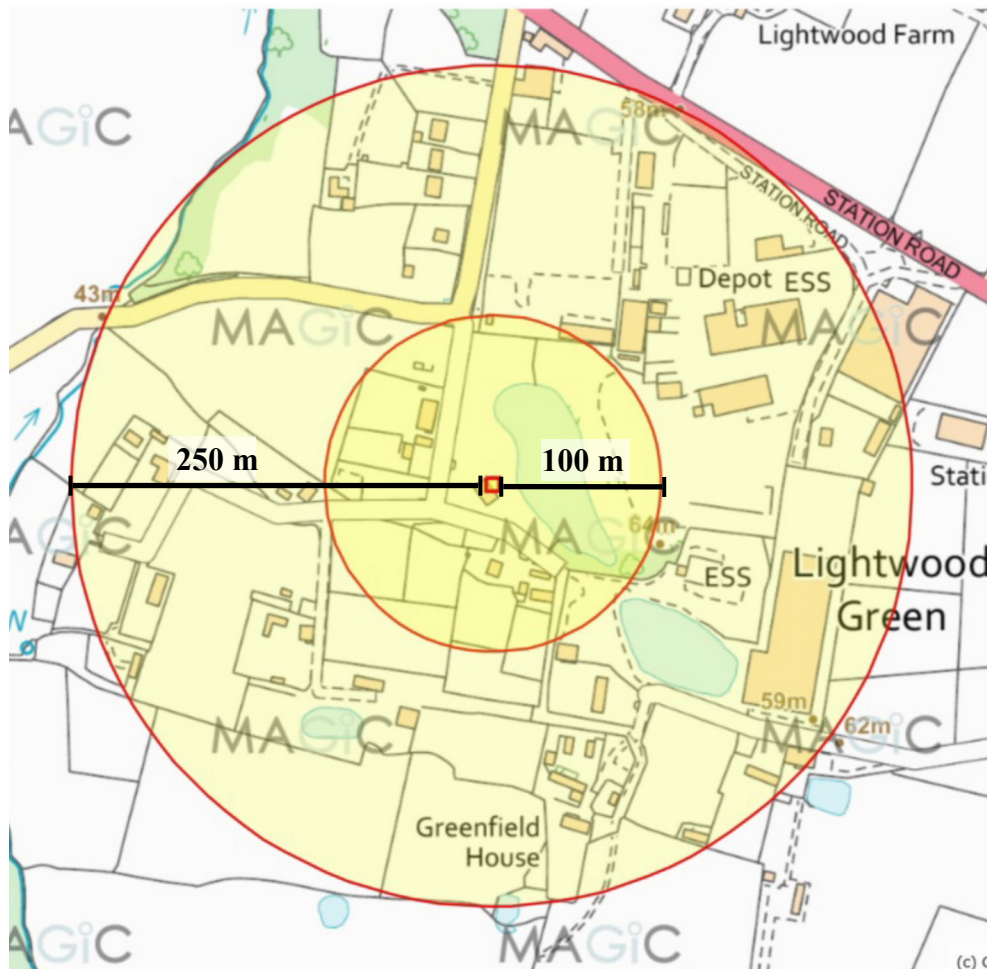
Natural Resources Wales available at: <https://naturalresources.wales/?lang=en>

## Author

Susan Worsfold BSc (Hons) ACIEEM is an experienced wildlife surveyor, licensed bat worker and voluntary bat roost visitor. Registration number CLS0895 2015-12555-CLS-CLS (CL15 Bat Roost Visitor Level 1) and registration number CLS 0895 2015-12556-CLS-CLS (CL18 Bat Survey Level 2 ) (Natural England) and S086005/1 (Natural Resources Wales);

Licensed great crested newt worker, registration number 2015-8194-CLS-CLS (NE) and S086057/1 (NRW)

## Zones of Influence



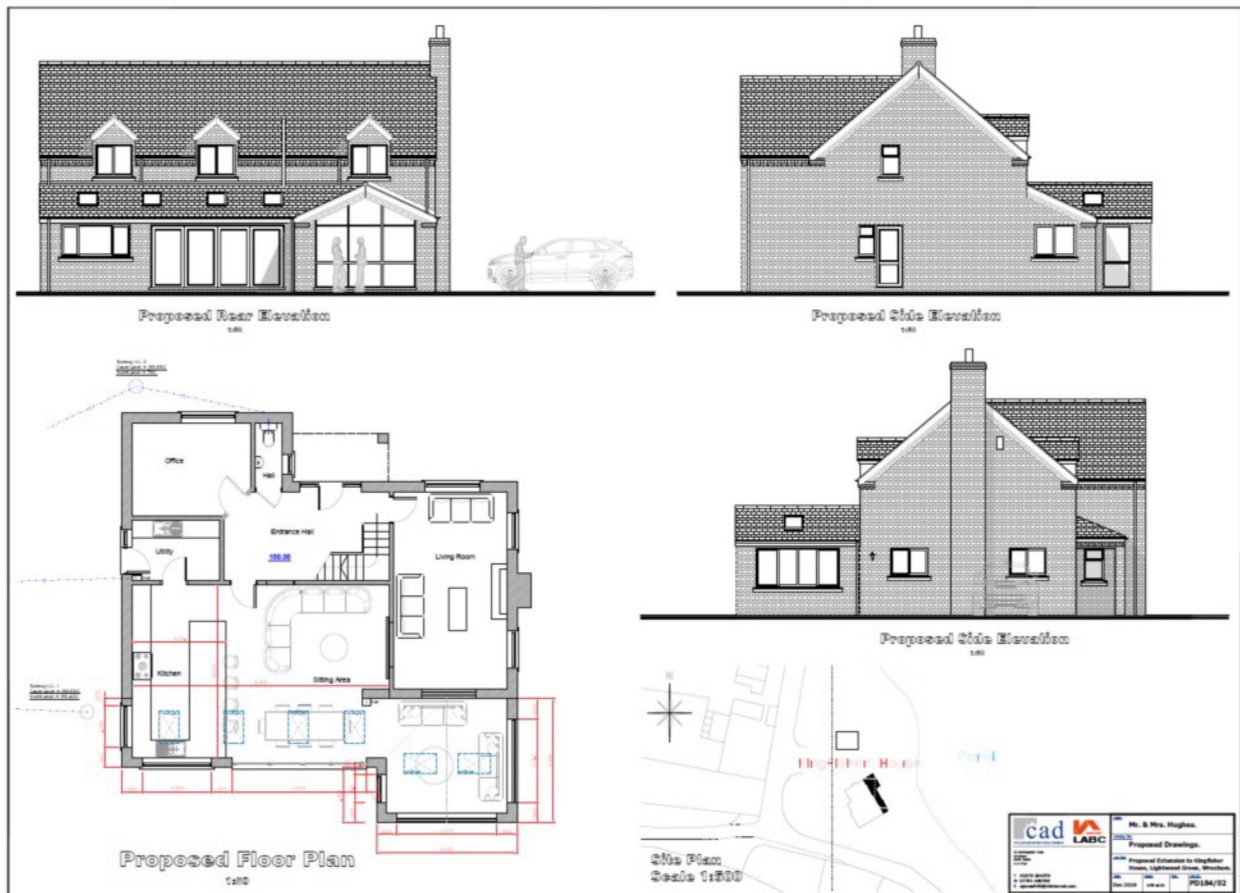
## Aerial Photograph



## Plans as Existing



## Plans as Proposed



## Photographs of the Area



### Suggested Hibernaculum Design (*Natural England 2001*)

This design mimics artificial and natural conditions in which great crested newts have frequently been found overwintering.

Dimensions should not be below 2m length x 1m width x 1m height. The illustrated design would be suitable for locating on an impermeable substrate. On free-draining substrates, the design is largely similar but the bulk of the fill is sited in an excavated depression in the ground.

