

Title	Proposed Replacement of Refrigeration Units and Other Refurbishments at the Co-op Store, Ruabon Road, Johnstown, Wrexham – Great Crested Newt Reasonable Avoidance Measures Method Statement
Client	Wellsfield Associates
Date of Method Statement	13th April 2017
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1 Introduction

Method Statement

- 1.1 Marches Ecology was commissioned by Wellsfield Associates to produce a Reasonable Avoidance Measures (RAMs) Method Statement to avoid any impacts on Great Crested Newts (*Triturus cristatus*) due to the proposed replacement of refrigeration units and other small-scale refurbishments at the Co-op Store, Ruabon Road, Johnstown, Wrexham (OS Grid Ref. SJ 300 457). Further to submission of a planning application (Ref. P/2017/0073) Wrexham County Borough Council (WCBC) requested the provision of further information as follows:

'...because the site lies close to a Special Area of Conservation (Johnstown Newts Site), we would normally require a scheme of reasonable avoidance measures in respect of Great Crested Newts to be submitted and implemented. This is something we could impose a condition to secure but it is something you could also submit prior to determination'¹.

This RAMs Method Statement has been produced to satisfy this request for further information.

- 1.2 This document briefly assesses the habitat both within the proposed work site and immediately surrounding area for its potential value to Great Crested Newts. The proposed non-licensed Reasonable Avoidance Measures (RAMs) are outlined which are to be implemented prior to and during the period of works. The RAMs will ensure as far as is reasonably possible that impacts on Great Crested Newts are minimised/ avoided.

Project Background

- 1.3 The proposed work includes various internal and external refurbishments at the existing store. The works are scheduled for completion over a period of six weeks commencing in July 2017 (subject to planning consent). Proposed external works that may have implications with regards individual Great Crested Newts include the removal of an existing set of steps, replacement of some gulley-pots and to a lesser extent the replacement of the refrigeration plant units. The removal of the steps would take approximately 1-2 days, the gulley replacement is likely to be completed within a day and the replacement of the refrigeration plant units would take one day for installation and seven days to commission.
- 1.4 The only plant/ machinery that would be used would be Hi-ab lorries for delivery of large items, in particular the refrigeration plant units. All vehicle access would be via existing surfaced roads. All vehicles, machinery and materials would either be stored within the building or on areas of existing hard-standing.

¹ Email from Matthew Phillips (Planning Control Lead) to David Reade dated 07/03/17.

2 Risk Assessment

Introduction

- 2.1 No site visit has been undertaken by Marches Ecology to inform this Method Statement. The assessment of the habitat and therefore the potential risk to Great Crested Newts is based entirely on aerial photography² available on the internet along with existing knowledge of the area and site.
- 2.2 All of the proposed external works would be located almost entirely on areas of existing hard-standing/ hard infrastructure. Immediately adjacent areas of amenity grassland may be impacted during the removal of the steps.

Summary Evaluation of Risk to Great Crested Newts

Habitat Assessment

- 2.3 The existing areas of hard-standing and amenity grassland generally provide no cover or other features of potential value for Great Crested Newts. The only features that may provide potential refugia for Great Crested Newts within the proposed work areas are possible crevices down the side of, and underneath, the steps, and possibly where there are crevices/ voids around the existing refrigeration plant units. Existing gully-pots, where these have an open grate, may inadvertently trap newts.

Status of Great Crested Newts in the Area

- 2.4 There are a small number of waterbodies within 500 m of the site. The closest such waterbody is approximately 65 m to the northwest of the site. All of these waterbodies are associated with the Johnstown Newt Sites Special Area of Conservation (SAC)/ Stryt Las a'r Hafod Site of Special Scientific Interest (SSSI). Great Crested Newt (*Triturus cristatus*) is the *Annex II* species that is the primary reason for selection of the site as an SAC. This protected site supports a Great Crested Newt meta-population that may be assessed as at least medium and often large (as defined in English Nature 2001³).

Summary

- 2.5 Data included in Wrexham Countryside Service (2006)⁴ indicates that Great Crested Newts regularly disperse across the roads around Stryt Las Park. Great Crested Newts commonly move between ponds that are within 250 m of each other, and have been recorded travelling over 1 km (English Nature *op. cit.*). Due to the presence of known breeding ponds nearby that support a medium/ large population it is possible that Great Crested Newts may disperse across some part of the proposed works site and could possibly seek refuge beneath features such as the steps.
- 2.6 However the terrestrial habitat within and adjacent to the work site is considered to be of low or negligible value for Great Crested Newts. While the potential for disturbance or killing of animals during any works at this site remains the risk accorded by the proposal is considered to be very low/ negligible at the present time. As such this RAMs Method Statement details a precautionary approach to avoid any impacts on [individual] Great

² <https://www.google.co.uk/maps/place/Johnstown,+Wrexham/@53.0045588,-3.0461934,351m/data=!3m1!1e3!4m5!3m4!1s0x487ac7f616f04713:0xb56ea3741ff724e4!8m2!3d53.010368!4d-3.044433>

³ English Nature (2001). *Great Crested Newt Mitigation Guidelines – Version: August 2001*. English Nature, Peterborough.

⁴ Wrexham Countryside Service (2006). *Stryt Las Park Gully Pot Results 2006*. Unpublished report.

Crested Newts. Subject to appropriate implementation of this RAMs scheme no impacts due to the proposed work 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. 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 2010* (as amended)⁷. It is included on *Schedule 2* of the Habitats Regulations which gives it full protection under *Regulation 40(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.

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 works 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 newts are 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.

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 (2010). *The Conservation of Habitats and Species Regulations 2010*. HMSO, London.

HMSO (2012). *The Conservation of Habitats and Species (Amendment) Regulations 2012*. HMSO, London.

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



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 Method Statement

Preparatory

- 5.1 This RAMs Method Statement will be discussed in detail with all personnel/ contractors involved with the proposed external works 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.
- 5.2 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 works.
- 5.3 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 (possibly the line of scrub adjacent to Stryt Las or within Stryt Las Park subject to permission from WCBC). All work would then be suspended and Natural Resources Wales (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 the Steps and Existing Refrigeration Plant Units

- 5.4 A suitably licensed ecologist will undertake a hand/ visual-search prior to the removal of the steps and the existing refrigeration plant units. These searches will concentrate on features where newts may have taken refuge, e.g. crevices down the side of the steps. Subsequent to these searches the ecologist will remain on site to supervise the careful removal of these features. Further hand-searches may be undertaken as the work proceeds as necessary.

Removal of Gulley-pots

- 5.5 If any gulley-pots are to be removed these will be inspected by a suitably licensed ecologist prior to the start of these works. These gulley-pots will be checked for any inadvertently trapped amphibians.

General

- 5.6 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 external works being initiated. When stored materials are moved, particular attention will be paid to determine if any amphibians are located underneath.
- 5.7 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 scrub by Stryt Las (firstly making sure their hands are damp).

5.8 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 vegetated areas will be accessed;
- 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 (e.g. from the steps) 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. 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 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 away from waterbodies and in accordance with the appropriate Environment Agency Pollution Prevention Guidelines and all other relevant pollution guidance.

5.9 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.

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

[illegible]