# MILLER FIELD, BRYMBO

# REASONABLE AVOIDANCE METHOD STATEMENT FOR AMPHIBIANS, INCLUDING GREAT CRESTED NEWTS

| DATE | ECOLOGIST | APPROVED | VERSION | COMMENTS |
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## Contents

1.0 Introduction .....3
2.0 Legislation.....4
3.0 Ecological Risk Assessment .....4
4.0 Reasonable avoidance .....7
5.0 General Reasonable Avoidance Measures.....9
6.0 Biosecurity Procedures.....10
7.0 Enhancements and management .....11
8.0 References .....12

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## 1.0 Introduction

1.1 Enfys Ecology were commissioned by Tim Astrop of the Brymbo Heritage Trust to produce an ecological assessment and Reasonable Avoidance Method Statement (RAMS) with regards to amphibians including great crested newts (GCN) (*Triturus cristatus*) for a site at Miller Field, Brymbo. A separate Preliminary Ecological Appraisal (PEA) was produced in September 2024 and should be read in conjunction to this report.

1.2 This document includes an ecological risk assessment to assess the potential for disturbance or harming GCN during the works, and reasonable avoidance measures to be implemented during the works to mitigate for any potential harm identified.

1.3 The proposed works comprise of developing and managing the existing green space to improve it for community recreation and education as part of the Brymbo Heritage Trust, Roots to Shoots programme to enhance ex-industrial landscapes.

1.4 The main area of works, being the proposal of an area of amenity grassland and bike track, will require the removal of the majority of the existing vegetation using a rotary mower and/or tractor and rolled to produce a suitable surface for public use. There are several other habitat enhancements and management on site such as the creation/ management of a wildflower meadow and preserving an area for orchids, as well as the installation of several low impact structures, such as an adventure playground and decked social area. The scheme is a 'no dig' project, and therefore no ground will be excavated as part of the works.

1.5 In June 2024, Enfys Ecology carried out a PEA of the site, and desk-based study reviewing local ecological records held by Cofnod, the North Wales Environmental Information Service. The habitats within the proposed area of works were deemed suitable for amphibians, including great crested newts (GCN). However, no standing water was present on site, and the nearest pond located at Brymbo Steelworks approximately 700 metres away was separated from the site by roads and built-up areas. As such, the site does not offer suitable breeding habitat for amphibians. The area was open and frequently used by the public for walking, dog walking, cycling, and other recreational activities. Given the proximity of the ecological records, the site may serve as a potential foraging or transit area for amphibians, but it is unlikely that there will be significant numbers or resident amphibians within the area of works. Consequently, a licence is not required. However, it cannot be discounted that amphibians could be present during the works. Therefore, all works will be undertaken in accordance with a Reasonable Avoidance Methods Statement (RAMS) for amphibians, including GCN; this document sets out suitable procedures to be followed during the works.

1.6 This document is designed to evaluate the potential for the works to impact on amphibians including GCN which may be using the proposed work area, the nature of the potential harm, and to design procedures and working practices in order to reduce the likelihood and severity of the identified impacts. It contains the following sections:

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- Section 3 assesses the potential for amphibians to be using the site and the potential impact of the proposed works on any amphibians that may be present.

- The reasonable avoidance in Section 4, sets out specific working methods and measures to put in place, to reduce the likelihood of disturbing or harming amphibians and GCNs.

- Section 7 outlines the enhancements and management that will take place on site to provide greater habitat for GCNs.

1.7 It is essential that biosecurity procedures summarised in Section 6 are followed at all times by all workers and visitors to site.

## 2.0 Legislation

2.1 GCNs and their habitat are fully protected under both United Kingdom and European Union legislation, including the Wildlife and Countryside Act (WCA) 1981 (as amended), the Countryside and Rights of Way Act (CRoW) 2000 and The Conservation of Habitats and Species Regulations 2018 (as amended).

2.2 It is an offence to kill, injure or disturb GCNs, or to destroy any place used for rest or shelter by a newt. The GCN is listed on Appendix II of the Bern Convention on the Conservation of European Wildlife and Natural Habitats and is also listed on Annexe II and Annexe IV of the EC Habitats Directive.

2.3 Common amphibian species (including common frog, common toad, and smooth and palmate newts) have lesser legal protection, under Schedule 5, Section 9 (5) of the WCA 1981 (as amended) and the CRoW Act 2000, these animals are protected from sale, or transportation for sale.

## 3.0 Ecological Risk Assessment

3.1. A site visit was carried out by Enfys Ecology on 19th June 2024, by Keymar Wake (licenced agent on S094542/1) to assess the habitats and suitability of the site for amphibians, including GCN.

3.2 *Site Description*

3.2.1 The area of works predominantly consists of open grassland, with the northern section showing signs of recent management and the southern area remaining wetter and more diverse. The area proposed for amenity grassland, where majority of the disruptive works will be carried out, consists of species typical of semi-improved neutral habitats, including sweet vernal grass, crested dog's tail, meadow buttercup, and Yorkshire fog, with locally frequent plants such as yarrow and great willowherb, see photo 3.1 below. Damp conditions in the south of site are indicated by species like soft rush, horsetail and orchids including a common spotted/southern marsh hybrid and bee orchid which are present in the wetter

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zones. Surrounding broadleaved woodland, dominated by goat willow and Salix species, features self-seeded saplings and an understorey of bramble, nettle, and ivy. Eastern woodland slopes down with silver birch and alder, while scattered scrub, mainly goat willow extends into the grassland, marking woodland encroachment. Public footpaths run along the western edge. The nearest pond to site was 700m northwest at Brymbo Steelworks where there is a known population of GCN present. The nearest record was 650m away to the north which was a record of a single adult, see figure 3.1 below.



***PHOTO 3.1: PRIMARY WORK ZONE WITHIN THE AMENITY GRASSLAND AREA***

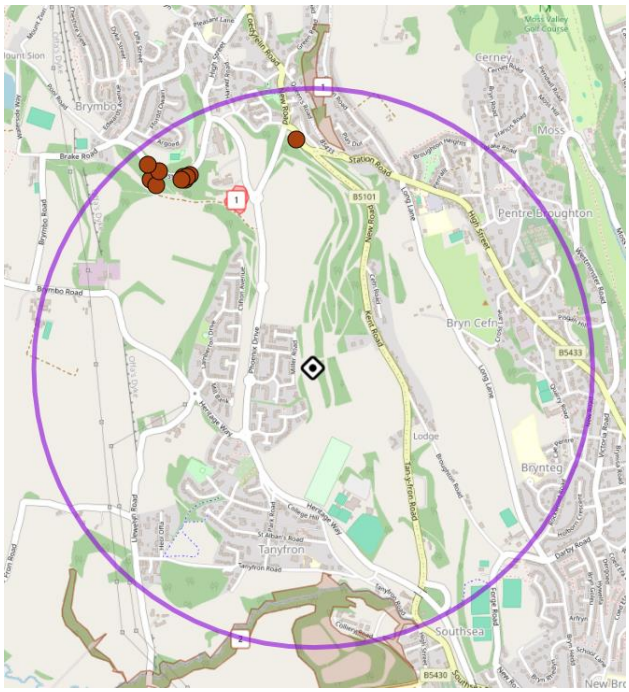



***FIGURE 3.1: WORKS AREA (BLACK AND WHITE SQUARE) IN RELATION TO THE SSSI AND LWS DESIGNATED AREAS (RED OVERLAY) AND DISTRIBUTION OF GCN RECORDS (BROWN CIRCLES) IMAGE ©COFNOD***

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3.3 *Proposed Works*

3.3.1 The proposed works involve developing and managing the existing green space to improve it for the community recreation and education; as part of the Byrmbo Heritage Trust, Roots to Shoots programme, to enhance ex-industrial landscapes. The works will comprise the removal of a large area of the managed neutral semi-improved grassland (and the existing scattered scrub within the centre of it but not along the site boundaries) and converting it to amenity grassland (approximately 0.53ha will be modified, ~40% of the existing habitat). This will be used to create a bike track, playing field, decked social area and adventure playground. Additional paths will also be created in this area for public access. Additional tree planting to act as screening will also be carried out in this area. The works also include the management/retention of a wildflower meadow in the area of currently better quality neutral semi-improved grassland and an orchid preserve in the area currently partially fenced off. There will also be forestry school and activity areas created within the woodland. There will be no arisings or spoil as the whole project is no dig. No holes or scaping should take place on site as the existing underlay strata should not be disturbed. Figure 3.2 shows the current plans for the site.




***FIGURE 3.2: PLAN OF THE PROPOSED WORKS BASE IMAGE © BRYMBO HERITAGE TRUST (2024)***

3.4 *Risk Assessment*

3.4.1 Due to the small size of the works area in relation to the surrounding suitable habitat, the works are not likely to negatively impact GCN and common amphibian populations within the local area or affect the favourable conservation status of these species.

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3.4.2 The habitats within the works area provide some limited suitability for amphibians, including GCN to forage and shelter; however, the grassland is already regularly managed and therefore offers limited foraging and refuge opportunities. An area of this managed grassland will be lost as a result of the proposed works, although no suitable refuge or hibernation features will be affected.

No ponds are present within the site, and the nearest known ponds are approximately 700m from the site and are isolated by main roads and residential development, limiting habitat connectivity and making the presence of a resident GCN population unlikely. As such, the site does not support suitable breeding habitat, and it is considered that GCN are only likely to be present occasionally as transient individuals. Extensive areas of high-quality habitat are present adjacent to and surrounding the site, providing suitable foraging, refuge, and breeding opportunities for local GCN populations.

Given the limited habitat quality within the works area, the absence of breeding or hibernation features, and the availability of extensive suitable habitat nearby, the proposed works are not expected to impact local GCN populations. The risk to individual GCN that may be present within the works area is assessed as moderate without mitigation. To minimise potential impacts, all works must be carried out in accordance with this Reasonable Avoidance Method Statement. Should GCN be encountered during works, all activity must cease immediately and may only recommence under an EPS derogation licence issued by NRW under Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended).

3.4.3 A specified set of measures and procedures designed to eliminate any potential harm for GCN and common amphibians, as well as general RAMs, are set out in section 4 below. This method statement must be followed at all times by all staff and contractors on site for the duration of the works period. By following these procedures, the risk of harming GCN and common amphibians during the works will be minimised.

## 4.0 Reasonable avoidance

4.1 *Prior to works*

4.1.1 Before works commence a tool box talk (TBT) will be given to all contractors involved in the works; this will outline the species of concern, how to identify them and how to proceed if they are found. It will also outline the working method that is detailed in this document. A log will be signed by all contractors who attend the TBT.

4.1.2 Prior to the installation of any structures on site — including the outdoor bushcraft kitchen, decked social area, staging area, and adventure playground — the proposed locations will be checked by an ecologist. All structures will be installed above ground and, where possible, positioned on areas of existing bare ground to avoid habitat loss or disturbance. Should any

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vegetation clearance be required prior to installation, the measures outlined in the following section must be implemented in full.

4.2 *Vegetation Clearance*

4.2.1 The initial vegetation clearance will be carried out in the winter of 2025. The entire works area (including areas for material storage and equipment) and access route will be strimmed to facilitate the works. It is likely that amphibians, including GCN, will be starting to hibernate when the works commence and therefore not active; however, if overnight temperatures remain over 5°C it cannot be discounted that amphibians may be active on site.

4.2.2 To reduce the risk to active amphibians on site, the vegetation to be cleared will be searched prior to strimming by a licenced ecologist. If common amphibians are present and active they will be moved to safety, away from the works area, before strimming commences. **If GCN are found the works will be postponed until a licence has been obtained from NRW.**

4.2.3 The vegetation will be strimmed down to a minimum length of 15cm. Strimming will be done directionally from west to east to encourage any animals out of the area of works into the suitable surrounding habitats. All vegetation strimming will be carried out following a walkover and/or under the supervision of a licenced ecologist, and arisings will be removed from the works zone immediately after strimming; these will be raked and collected up by hand. The ecologist on site will determine if the arisings need to be searched before raking, dependant on how thoroughly the search prior to strimming could be carried out.

4.2.4 The strimmed vegetation within the works area and access route will be left for a minimum of 24 to 48 hours depending on weather, where overnight temperatures are above 5°C; any amphibians, including GCN, that may have been present within this area would then be active and encouraged to leave of their own accord. The vegetation should then be strimmed to ground level to discourage any amphibians from returning to the works area. This should be carried out following a visual and fingertip search, and under supervision of the ecologist. All arisings from the second stage of strimming should be left for 24 hours before removal, to allow any animals to leave the area.

4.2.5 No vegetation will be uprooted, or ground broken, along the access route to the works area.

4.2.6 Any existing areas of rubble and/or brash that require removal from the works area will, where possible, not be cleared during the winter months (December–February inclusive) to avoid disturbance to hibernating animals. If it is necessary to remove potential refuge habitat during this period, the works will be supervised by a licensed ecologist. Should any hibernating amphibians be encountered, works will be postponed until temperatures increase and the animals have naturally emerged from hibernation.

4.2.7 Any scrub/brash that is removed from the works area will be retained elsewhere on site to act as area for refugia.

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4.2.8 Any ground-breaking activities, such as tree planting, within areas of suitable habitat that have not already been strimmed to ground level, will require pre-work checks or fingertip searches conducted by a licensed ecologist prior to commencement.

## 5.0 General Reasonable Avoidance Measures

5.1 General RAMs are to be followed at all stages of the works in addition to the site specific method statements included in this report.

- Working areas should be kept to the minimum required.
- Works should be avoided within 1 hour of dawn and dusk where possible to avoid disturbance to nocturnal animals. If works outside this time are needed, all lighting should be directional and be directed away from the woodland edge, trees and hedgerows.
- Should it be necessary to have any excavation left open, these excavations should be securely covered overnight. These excavations must be thoroughly checked prior to back filling, or if leaving them open is unavoidable, a suitable ramp (such as a plank or batter) must be provided to allow animals to escape.
- Trenches must be checked each morning (by site operatives) prior to works commencing to ensure that small mammals/reptiles *etc*. are not present.
- Storage of fuel must follow best practice. Potential pollutants should be restricted to site compounds and hardstanding areas.
- All materials brought onto site are to be stored on hard standing, bare ground or the amenity grassland. Materials will be stored on raised pallets or bagged, to prevent amphibians (or other wildlife) from taking refuge beneath them.
- If at any point in the works an amphibian or reptile is found within the works area all works in the vicinity of the sighting must immediately cease. Common amphibians should be moved from the working area by site workers (wearing gloves) and placed in a nearby hedgerow. Reptiles will usually retreat to a safe area of their own accord.
- Any terrestrial mammals seen must be allowed to leave the area on their own. If this is not possible e.g. the animal is injured or trapped then an ecologist must be called.

5.2 *If GCN are discovered during works*

If at any point in the works GCNs are encountered on site, **all works must immediately cease**. If the ecologist is not already present they should be called immediately.

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## 6.0 Biosecurity Procedures

6.1 Biosecurity Procedures must be followed at all times throughout the works:

6.2 Prior to accessing the site, and before leaving:

- All footwear and outerwear must be cleaned to remove any organic material, for example leaves and soil, when entering and prior to leaving the site. Clean brushes are to be carried for this purpose.

- Following the removal of organic material all footwear must be sprayed or dipped in disinfectant (Virkon) until it runs off. See disinfection procedure, below.

- Mud and other organic material to be cleaned from vehicle tyres, tracks, wheels and wheel arches prior to entering and leaving the site. This is especially important when working near water courses or accessing wet/marshy habitats.

- Vehicles will keep to established tracks. All vehicles not specifically required for the works – must be restricted to hardstanding areas of the site at all times.

- Storage of fuel must follow best working practise and machinery provided with drip trays, especially when refuelling. Refuelling and storage of potential pollutants should be restricted to the nearby roads and hardstanding areas, well away from the ditches and field drains, so that runoff can be prevented from entering any watercourses.

- Clean and disinfect tools and equipment before accessing site.

6.3 **Disinfection Procedure:**

1. Brush off all debris, plant fragments, and all organic material e.g. soil.
2. Rinse with water.
3. Disinfect by spraying with a solution of Virkon disinfectant, (10mg/ml or as printed instructions, if for example using tablets) until the spray runs off. Boots should be stood in a bucket or other container of solution, especially prior to entering and leaving the site. Wheel arches, tyres and tracks to be cleaned and sprayed. Ensure as much mud as possible is removed and good coverage obtained.
4. Spraying should take place away from vegetation.
5. Leave for at least 1 minute
6. Rinse with clean water, brought to site for this purpose.

6.4 Virkon solution should ideally be kept and flushed into a sink, or drain with water. If on site disposal is required the solution should be disposed of on a large hardstanding area away from vegetation.

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## 7.0 Enhancements and management

7.1 To enhance the site for GCN two above ground hibernacula should be installed to provide shelter. The hibernaculum should be placed along the boundary at the southeast end to provide connectivity into nearby suitable habitat and away from disturbances such as the bike track. The exact location will be determined by the ecologist on site. Materials from site should be used to design the hibernaculum, See image below for an example of a design.

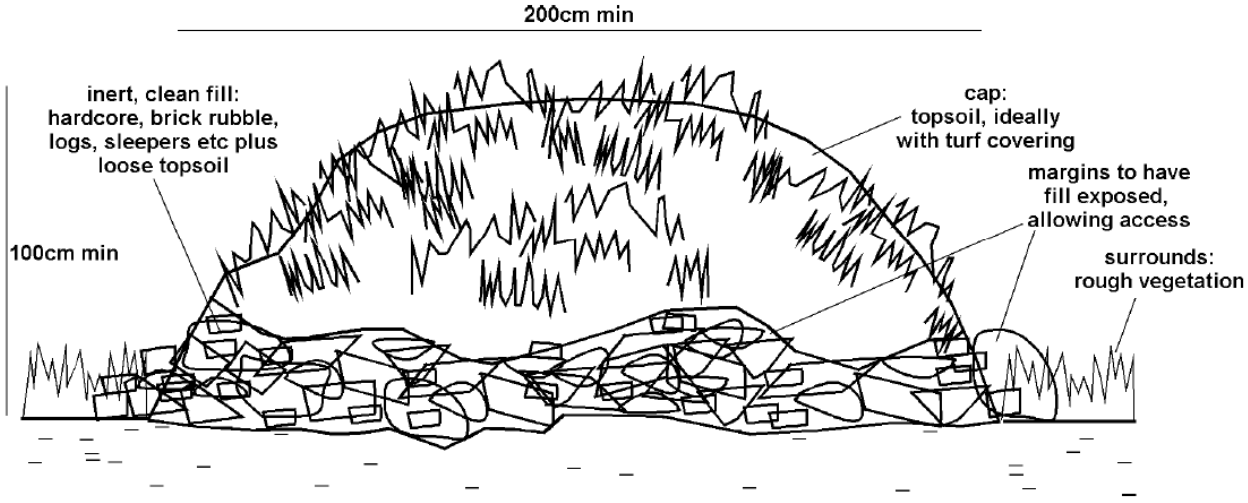



*FIGURE 7.1: HIBERNACULUM DESIGN © ENGLISH NATURE (2001)*

7.2 Refugia piles should also be placed along the eastern boundary. Material from site should be used including brash, trees and shrubs to create the refugia piles. The exact location will be decided by the ecologist on site.

7.3 All existing scrub and trees along the site boundaries will be retained to maintain habitat connectivity between the site and surrounding suitable habitats.

7.4 The amenity grassland area will require long-term management, including regular mowing to maintain short sward height. This ongoing management will discourage the use of the area by amphibians and reptiles.

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## 8.0 References

Amphibian and Reptile conservation UK (ARG-UK) (2008). Amphibian Disease Precautions: a guide for UK fieldworkers. Version 1. February 2008. Amphibian and Reptile Conservation UK, See publications section of www.arguk.org.

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