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GLADMAN DEVELOPMENTS LTD

LAND OFF HEMPSTED LANE, GLOUCESTER

PRECAUTIONARY WORKING METHOD STATEMENT: GREAT CRESTED NEWT

JULY 2022

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[redacted]

CONTENTS

APPENDICES

1 INTRODUCTION

1.1 Scope

1.1.1 Wardell Armstrong LLP (WA) was instructed by Gladman Developments Limited to produce a great crested newt *Triturus cristatus* (GCN) Precautionary Working Method Statement (PWMS) for a proposed residential development at land off Hempsted Lane, Gloucester, centred on approximate National Grid Reference SO814165. (Hereafter referred to as 'the Site').

1.1.2 During the eDNA survey in May 2022 undertaken by Wardell Armstrong, Pond 6 was dry and considered to be unsuitable as a breeding pond for Great Crested Newt *Triturus cristatus* (GCN). The pond is considered to hold water during the wetter months of the year. There are 21 waterbodies within 500m of the site, of which 12 of the ponds provide poor to excellent suitability for GCN. Therefore, suitable breeding habitat for these species and other common amphibians is present within close proximity to the site (see GM10710-003 Waterbody Location Plan in Appendix 2). The closest record for GCN was identified approximately 150m northwest of the site boundary. This record was for a female juvenile which indicates breeding within close proximity to the site There is limited suitability within the habitats (field margins and hedgerows) on site for terrestrial use by GCN and common amphibians and therefore, there is potential to impact these species during the works.

1.1.3 This aims of this report are to identify:

- Ecological risks associated with potentially damaging construction activities;
- Location and extent of "biodiversity protection zones;
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- Location and timing of sensitive works to avoid harm to biodiversity features;
- Construction periods when an Ecological Clerk of Works (ECoW) needs to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of the ECoW, Site Manager and Site Operatives; and
- Appropriate use of exclusion barriers and warning signs.

1.1.4 This report is based on information collected during ecological surveys undertaken by Wardell Armstrong between 2019 and 2022.

1.2 Site Context

1.2.1 The survey area is approximately 12.6 hectares and comprises of three arable fields with a south facing gradient that are bordered by hedgerows, treelines, dry ditches, and scrub. A pond is located in the south of the site which was dry at the time of the eDNA survey in May 2022. The survey area is bordered by a stream, nature reserves, a bridleway, residential dwellings, Rea Lane and the A430.

2 PROPOSED WORKS AND POTENTIAL IMPACTS

2.1 Machinery and Vehicle Access

- Vehicle access will be required throughout the site during the proposed works.

2.2 Vegetation Clearance

- Vegetation clearance will be required throughout the site, including removal of hedgerows and clearance of field margins deemed suitable terrestrial habitat for GCN and other amphibians.

2.3 Potential Impacts

2.3.1 There are records of GCN and common frog within 2km of the site. In addition, 21 ponds have been identified within 500m of the survey site. Suitable terrestrial habitat is present within the site for GCN and common amphibians. Therefore, the proposed works carry a risk of injuring or killing GCN and common amphibians if present.

3 STATUS OF GREAT CRESTED NEWT

3.1 Legal Protection

3.1.1 Great crested newt is fully protected under the Conservation of Habitats and Species Regulations 2017 (various amendments), and partially protected under the Wildlife and Countryside Act 1981 (as amended). The legislation means it is an offence to:

- Intentionally or deliberately kill, injure or capture GCN;
- Damage or destroy a breeding site or resting place used by GCN;
- Disturb GCN while it is using a place of shelter and protection; or
- Obstruct access to a breeding site or resting place.

3.2 Local Status

3.2.1 The desk study returned six records of GCN within 2km of the site, including one record for a juvenile female located approximately 150m to the northwest of the site at Chartwell Close.

3.2.2 Records for other amphibians within 2km of the site comprise:

- 16 records of common frog *Rana temporaria*.
- 13 records of common toad *Bufo bufo*.
- 4 records of palmate newt *Lissotriton helveticus*.
- 9 records of smooth newt *Lissotriton vulgaris*.

3.3 Justification for PWMS

3.3.1 PWMS is acceptable in this instance rather than survey and exclusion as the proposed works:

- will not result in the damage, destruction, or disturbance of any breeding ponds;
- will take place in habitats that are sub-optimal; and
- will not result in the fragmentation of GCN habitats.

3.3.2 For these reasons, the risk of impacts, and therefore the risk of an offence, are deemed to be low enough to warrant the use of a PWMS. A Rapid Risk Assessment of the proposed works was undertaken using the tool in Natural England's GCN Mitigation Method Statement. The results are shown in Figure 2.

Component	Likely effect (select one for each component; select the most harmful option if more than one is likely; lists are in order of harm, top to bottom)	Notional offence probability
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	0.01 - 0.1 ha lost or damaged	0
Land 100-250m from any breeding pond(s)	0.5 - 1 ha lost or damaged	0
Land >250m from any breeding pond(s)	No effect	0
Individual great crested newts	No effect	0
	Maximum:	0
Rapid risk assessment result:	GREEN: OFFENCE HIGHLY UNLIKELY	

Figure 2. Rapid risk assessment from Natural England's GCN mitigation Method Statement.

3.3.3 Should GCN be killed, injured or intentionally/recklessly disturbed then an offence would be committed.

4 PRECAUTIONARY WORKING METHODS

4.1 Timing of Works

4.1.1 If the works are anticipated to commence between November and February, at this time of year GCN are likely to be hibernating (or dormant) and will be sheltering in places such as:

- Within or under piles of debris/logs/stones/dense leaf litter;
- Within tussocks / dense vegetation / tree roots; and
- In cracks/fissures/burrows below ground.

4.1.2 The majority of GCN are likely to be within 250m (up to 500m) from the nearest breeding pond. The habitat on site is sub-optimal and limited, the risk of encountering GCN is considered low.

4.2 Toolbox Talk

4.2.1 Prior to tracking machinery and vegetation clearance, the Ecological Clerk of Works (ECoW) will provide a toolbox talk to contractors to ensure they are aware of the potential presence of GCN, how to identify GCN, where GCN may be found and what to do should they encounter GCN. Contractors will be asked to sign the declaration to confirm they have understood and will adhere to the PWMS. The toolbox talk and declaration are provided in Appendix 1.

4.3 Access

4.3.1 All vehicles will use existing access tracks where possible. If this is not possible, the ECoW will advise on the most appropriate new routes to minimise disturbance of vegetation.

4.4 Vegetation Clearance

4.4.1 Vegetation clearance and earthwork locations will be inspected and, if appropriate, searched by hand by the ECoW prior to any vegetation clearance and earthworks. Should any GCN be identified the location will be moved to avoid disturbance and the risk of an offence being committed.

4.4.2 If vegetation is above 15cm in height at the time of the works, the vegetation will be cleared in a phased manner. Firstly the vegetation will be cut to 15cm above ground level under ECoW supervision. The arising will be removed and a period of 48 hours between the first and second phase within suitable weather conditions will be left to

allow any amphibians if present to move away from the working area and into other suitable habitat. Following the 48hour period the ECoW will undertake a fingertip search of the working area and if any amphibians are found present they will be allowed to move away from the working area and works will not commence until the area is deemed clear of amphibians. Once the working area is deemed clear of amphibians the vegetation will be cut to ground level under ECoW supervision.

4.4.3 Where hedgerow removal will be undertaken the ECoW will inspect the roots for suitable cracks, crevises where amphibians could shelter prior to removal.

4.4.4 Where trees will be felled, the drop zones will be fingertip searched by the ECoW to ensure no amphibians are present.

4.5 Supervision

4.5.1 Depending on the level of risk assessed by the ECoW, Vegetation clearance and earthwork may proceed in accordance with the PWMS without supervision once locations and access routes have been agreed and searched. However, if a significant residual risk is assessed, the ECoW will remain on site during the duration of the works to minimise the risk of impacts to GCN and other amphibians to ensure no offence is committed.

4.6 Procedure if GCN are Encountered During Works

4.6.1 Any GCN found during the Vegetation clearance and earthwork works will not be handled or disturbed unless they are at immediate risk of harm. In this instance they would be moved to a suitable safe location by the ECoW. It would be an offence to move GCN in the absence of a protected species licence (PSL) unless there is an immediate risk of harm.

5 ROLES AND RESPONSIBILITIES

5.1 Ecological Clerk of Works

5.1.1 The ECoW is responsible for briefing the site operatives on the risks and precautionary working methods detailed in this report. The ECoW will undertake checks for protected and notable species identified within this report prior to works affecting suitable habitats.

5.1.2 Should the ECoW identify any ecological constraints, e.g. the presence of amphibians they will liaise with the Site Manager to communicate the issues and advise on how to proceed. The ECoW will maintain a log of any site visits undertaken, the results of any checks or surveys and any advice provided.

5.2 Site Manager

5.2.1 The Site Manager is responsible for ensuring that construction activities are carried out in accordance with the precautionary working methods detailed within this report. The Site Manager will inform the ECoW of any issues of concern relating to wildlife such as observations of animals or nests on site. The Site Manager will maintain a record of any such communications.

5.3 Site Operatives

5.3.1 The Site Operatives are responsible for undertaking their work in accordance with the precautionary working methods detailed within this report. Site Operatives will receive a toolbox talk from the ECoW prior to commencing work and will sign to confirm they have understood and agree to abide by the precautionary working methods. Should Site Operatives identify any ecological issue during work, e.g. amphibians, they will stop works in that area and report to the Site Manager, who will liaise with the ECoW.

Role	Name	Phone	Email
ECoW Lead	Tosha Allen	[redacted]	[redacted]
Site Manager	TBC	TBC	TBC

6 REFERENCES

MAGIC (Undated) Site Check Report. www.magic.gov.uk [accessed January 2021].

Natural England (Undated) Method Statement Template for Great Crested Newt Mitigation Licence https://www.gov.uk/government/publications/great-crested-newts-apply-for-a-mitigation-licence [accessed January 2021].

Wardell Armstrong (2019) Land off Hempsted Lane, Gloucester Preliminary Ecological Appraisal.

Wardell Armstrong (2022) Land off Hempsted Lane, Gloucester Ecological Impact Assessment.

Appendix 1

Toolbox Talk and Declaration

ECOLOGY
TOOLBOX TALK

Amphibians (common)

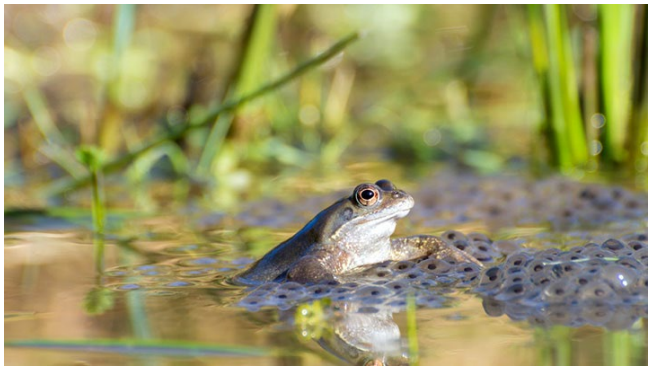
General Information

There are 4 species of common amphibian within the UK; common toad *Bufo Bufo*, common frog *Rana temporaria*, smooth newt *Lissotriton vulgaris* and palmate newt *Lissotriton helvetica*. They are often found living side-by-side the fully protected GCN and found across a range of rural, urban and suburban locations.

Background Ecology

They are generally found in and around waterbodies (including temporary pools). On land, they are found in frass, scrub and woodland habitats as well as under logs and stones within 500 m of a waterbody.

Frog spawn can be identified as clumps of eggs within a pond and toad spawn is laid in strings, whereas smooth and palmate newts' eggs are laid individually on plant leaves. Young amphibians remain in the water as tadpoles or larvae until they are large enough to move onto land.



Waterbodies have the highest numbers of amphibians in the spring, when they are used for breeding, but can contain lower numbers throughout the year. The habitats surrounding the waterbodies have the highest numbers during summer and autumn where they often move between ponds and find suitable places for hibernation during winter.

How to Identify

Common Toad – generally dark brown, grey to olive green. Females are often reddish or have reddish warts. They have broad, squat bodies with warty skin that appears 'dry'. Tend to walk or crawl rather than hop.

Common Frog – vary enormously in colour, but are usually olive-green or brown, but can be red or yellow. Has smooth skin and long legs that it uses to hop. They have dark patches on the back and behind the eye. They also have distinctive dark striping on the back legs.

Smooth Newt – up to 10cm long and shades of grey or brown, with a yellow or orange belly, usually with black spots. Males have a wavy crest along their back

Amphibians (common)

and can sometimes have a faint silver stripe along their tail. Females have a spotted throat.

Palmate Newt – up to 9cm long and shades of brown, grey or green, with a peachy yellow belly with a few spots. Breeding males have distinctively black webbed rear feet. Females do not have a spotted throat. Palmate newts

What to do if found?

In England, Wales and Scotland, disturbance to these species does not require a licence, but all are of conservation concern.

However, in Northern Ireland, the common frog receives protection against sale and the smooth newt receives the same full protection as GCN does within England, Wales and Scotland.

If any amphibians are found during works, you must protect them and remove them from the working area. You can simply move them to a safe location away from the works, ideally to a cool, damp, sheltered location, or to a designated mitigation area. Immature and juveniles are particularly hard to spot when supervising works compared to adults.

Any sheltering places, such as log or rocks piles, must be dismantled by hand and any amphibians moved, before any works can proceed. This must be done with particular care during winter when amphibians are most vulnerable.

Protection and Legislation

All common amphibian species within the UK are protected under the Wildlife and Countryside Act 1981 (as amended).

As a result, it is an illegal offence to:

- Intentionally or recklessly kill and injure
- Trade i.e., sale, barter, exchange, transport for sale or advertise for sale or to buy

Common toad are also listed as a Priority Species of Principal Importance, under Section 41 of the Natural Environment and Rural Communities Act 2006 (England), Section 7 of the Environment (Wales) Act 2016, Section 2(4) of the Nature Conservation (Scotland) Act 2004, and Section 3(1) of the Wildlife and Natural Environment Act (Northern Ireland) 2011.

This designates them to be of 'principal importance for the purpose of conserving biodiversity' as those that are most threated, in the greatest decline or where the UK holds a significant portion of the world's total population.

ECOLOGY
TOOLBOX TALK

Common Amphibians

Site	Job Number	Date

The briefing was provided by:

Name	Signature	Company
		Wardell Armstrong

Personnel who received the briefing:

Name	Signature	Company

ECOLOGY
TOOLBOX TALK

Great crested newt *Triturus cristatus*

Great crested newt ecology

What are they and how are they recognised?

Adult great crested newts (GCN) are amphibians measuring 110-170 mm long (about twice as big as other newts) and are black or dark brown. During spring and summer, males have a jagged crest along the back and the tail has a silver stripe along it. The females do not have the crest or silver tail stripe but have a bright orange stripe along the bottom of their tail. Both males and females have bright orange bellies with black spots.

Where are they found?

GCN occur in rural, urban and suburban sites. GCN usually prefer medium to large ponds in which to breed but can be found in any body of water on site including temporary pools. GCN spend most of their time on land – they can be found in grass, scrub and woodland and under logs and stones within 500m of the breeding pond.

When are they found?

GCN are typically nocturnal. They are found in ponds between March and June but can be found on land at any time of year.

What else may be seen?

If GCN are found in a pond, smooth and/or palmate newts may also be found. Smooth and palmate newts do not receive the same protection as GCN except in Northern Ireland where the smooth newt is fully protected. Adults of the species are about the same size as young GCN but are a lighter colour

ECOLOGY TOOLBOX TALK

Great crested newt *Triturus cristatus*

Legal Protection

GCN are fully protected against killing, capture, injury and disturbance, and the places they use for shelter or protection are protected against damage, destruction or obstruction.

Great crested newts are listed on Appendix II of the Bern Convention and on Annexes II and IV of the EU Natural Habitats Directive. In England and Wales, the great crested newt is protected under Schedule 2 of the Conservation of Habitats and Species Regulations 2019 and under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

What is an offence?

It is illegal offence to:

- Intentionally or deliberately capture, kill, or injure GCN;
- Intentionally or recklessly damage, destroy, and disturb GCN in a place used for shelter or protection, or obstruct access to such areas;
- Damage or destroy a GCN breeding site or resting place;
- Possess a GCN, or any part of it, unless acquired lawfully; and
- Sell, barter, exchange, transport, or offer for sale GCN or parts of them.

Activities that can harm great crested newts

- Destruction of breeding ponds
- Ground disturbance near GCN ponds
- Disturbance of vegetation near GCN ponds
- Disturbance of hibernacula (i.e. natural or artificial refuges) used by GCN

What should be done if a GCN is found?

GCN are fully protected against killing, capture, injury and disturbance, and the places they use for shelter or protection are protected against damage, destruction or obstruction.

If a GCN (adult, juvenile or eft) is found (or suspected) on site after works have started, and no Natural England licence for impacting works has been granted, all works in the area must stop immediately and expert advice must be sought.

Breaking the law can result in unlimited fines and/or imprisonment.

ECOLOGY
TOOLBOX TALK

Great crested newt *Triturus cristatus*

Site	Job Number	Date

The briefing was provided by:

Name	Signature	Company
		Wardell Armstrong

Personnel who received the briefing:

Name	Signature	Company

Appendix 2

GM10710-003 Waterbody Location Plan

KEY

- Site Boundary
- 500m Search Area
- Waterbody

REVISION	DETAILS	DATE	DRAWN	CHK'D	APP'D
.	.	.	.	.	.

CLIENT

GLADMAN DEVELOPMENTS LTD

PROJECT

HEMPSTED LANE, GLOUCESTER

DRAWING TITLE

WATERBODY LOCATION PLAN

DRG No.	REV
GM10710-003	A

DRG SIZE	SCALE	DATE
A3	1:6,000	12/09/2019

DRAWN BY	CHECKED BY	APPROVED BY
EF	KW	AB

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