

ECOLOGICAL METHOD STATEMENT FOR THE DEVELOPMENT OF WHITBURN LODGE

DATE:	February 2024
CLIENT:	Whitburn Lodge
PROJECT NUMBER:	6939
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POSITION:	Ecologist
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This statement must be copied to the site owner, designer, clerk of works, and to those contractors (including those involved in all elements of the development site detailed above) whose work may affect badger, hedgehogs, amphibians and reptiles. A signed copy should be kept at the site offices. The site owner and subsequent manager is responsible for implementing this method statement.

This statement is for use during de-vegetation, demolition, site clearance and construction works.

This method statement contains information regarding:

- Protected species' legal status
- Protected species' ecology
- Site working methods

	Print Name	Signature	Date
Supervisor:			
Operative:			
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Operative:			

We have read and fully understood this method statement and all key aspects have been explained to the site operatives.

SUMMARY

An Ecological Impact Assessment was undertaken by E3 Ecology Ltd in August 2023 for the Whitburn Lodge site, South Tyneside (see Figure 1 below). The site was considered of up to local value for birds, badgers, hedgehog, bats and common toad with other protected and priority species likely to be absent.

No badger setts or bat roosts were recorded at the site and great crested newts are considered likely to be absent from the site. This method statement has been produced as a precaution to avoid and/or reduce the impacts to protected and/or notable species as a result of the development

DEVELOPMENT TIMEFRAME AND PHASES

The entire site (Figure 1) is to be cleared of all vegetation (trees, hedges etc.) prior to construction to enable full site enabling works to take place.

Vegetation clearance and demolition will be carried out during February 2024, prior to 1st March to avoid the nesting bird season. Site works are proposed to start during May 2024.

ECOLOGICAL SUPERVISION

A pre-commencement badger checking survey will be undertaken by a suitably qualified ecologist prior to site clearance works proposed in February 2024. The provisional date for this check is 14th February 2024. A pre-works badger check will additionally be undertaken immediately before works commence on site. Site works are proposed to start during May 2024.

If vegetation clearance or demolition is undertaken between March and August inclusive, a pre-commencement check for nesting birds will be undertaken by a suitably experienced ornithologist.

Ecological supervision for other stages of works or relating to other species is not currently anticipated. However, this would need to be reviewed if the presence of species detailed herein or evidence of these species is discovered during the works.



Figure 1: Site Boundary
(Reproduced under licence from Google Earth Pro.)

BADGER

Legal Protection

Badgers are a high profile species and fully protected by law. Under the Protection of Badgers Act 1992, the law offers considerable protection to both badgers and badger setts. It is an offence to kill or take badgers or cause a dog to enter an occupied sett and also to intentionally or recklessly:

- Damage a badger sett or any part of it;
- Destroy a badger sett;
- Obstruct access to any entrance of a badger sett;
- Disturb a badger whilst it is occupying a badger sett.

In addition, the Wild Mammals (Protection) Act 1996 makes it illegal to subject badgers to any wilful act of cruelty or abuse.

Badger Sett - Definition

A badger sett is defined in the legislation as “any structure or place, which displays signs indicating current use by a badger” and this is taken to include seasonally used setts. An offence can result from both reckless and deliberate damage, disturbance or destruction.

Penalties can be up to £5,000 plus 6 months imprisonment for each case of sett interference.

In order to minimise the risk of breaking the law it is essential to work with care to avoid harming badgers, to be aware of the procedures to be followed if badgers are found during works, and to commission surveys and expert advice as required to minimise the risk of reckless harm to badgers.

Ecology

Badger are one of the larger British mammals, weighing around 10kg. Although comparatively common, its distribution is uneven, with about one third of the national population being found in the south-west of England. They are rarely seen due to their nocturnal lifestyle.

Badgers rely upon a variety of types of habitat for food and shelter. The majority of setts are found within woodland, though they can occur within scrub, on hedgebanks, or other areas with well-drained soils, a lack of disturbance and suitable foraging areas in the vicinity. Typical badger habitat is in the lowlands (below 1,000ft) including old woodland on sloping ground, a network of pastures and hedgerows and other food sources such as arable fields and old orchards. Permanent pasture is particularly important, as it supports high earthworm populations, one of their key food sources. Other food sources are small mammals, insects, fruits, nuts and crops.

In addition to a main sett which is used continuously there are:

- Annexe setts, usually within 150m of the main sett with strong connections;
- Subsidiary setts at some distance from the main sett, with several entrances and not always in use;
- Outlier setts, with just one or two holes, no clear path connections to other setts which are rarely used.

Field Signs

Badger holes are usually at least 250mm in diameter and entrances form a semi-circular shape with a flattening base and dome shaped roof and sides. Entrances commonly have large spoil heaps outside the entrance of earth and old bedding and there may be hairs in the

soil that can be identified as badger. Other field signs include the presence of dung pits and latrines, broad well-flattened trails and footprints.

If the entrance hole is only partially used it is likely to have debris such as leaves or twigs in the entrance and have vegetation growing around the entrance. The remains of old spoil heaps may be covered by moss or plants.



Working Methods

- The project ecologist will undertake a pre-commencement badger checking survey within 3 months prior to the commencement of development and a pre-works check immediately before works commence on site.
- The project ecologist will be available to provide information and advice regarding the works at all times.
- Dense scrub scheduled for removal will be sensitively cut back using brush cutters, with operatives taking care to search for any possible mammal holes as the vegetation is cut back. If suspected badger sett entrances are found, **works are to temporarily cease in the vicinity of the suspected sett and the project ecologist is to be contacted for advice.**
- **If potential setts/holes suitable for badger are discovered at any time during the works, works will cease and the project ecologist will be contacted immediately (01434 230982). Works will only commence in that area once the issue is addressed (i.e., working methods and impacts reviewed).**
- No fires will be permitted as part of the works.
- Wherever possible, works within each trench will be completed and the hole refilled within one day, to minimise the risk of badger, or other animals, falling into any open trenches.
- Any excavations that are left overnight will include a ramp of at least 300mm in width and angled no greater than 45° on one face to allow badgers and other wildlife to climb out should they fall into the excavation.
- Piles of stored material to be left on site will be covered overnight.

HEDGEHOG

Legal Protection

Hedgehogs are listed as Priority Species on the NERC Act (2006). They are also listed under the Wild Mammals Protection Act (1996), which prohibits cruel treatment of hedgehogs and on schedule 6 of the Wildlife and Countryside Act (1981) which makes it illegal to kill or capture wild hedgehogs, with certain methods listed.

Ecology

Though declining, they are widespread species and can be found in both urban and rural locations. They are easily recognised, with their backs and sides covered in spines. They will nest/shelter under sheds, hedges/shrubs, timber piles etc and hibernate between November and early March.

Working Methods

- Any piles or areas of rocks, rubble, rubbish or timber that have been present and undisturbed for over three months and require clearing are to be searched by hand before the start of works in that area for sheltering wildlife, taking care not to crush any animals beneath. In some cases, large piles may be present on site, in which case only the first metre or so at the edge may need to be searched, up to where animals would be able to access.
- If hedgehogs are found on site during the clearance operations, they will be moved to adjacent areas of suitable habitat such as boundaries that are not affected by the works. **Hibernating hedgehog (from October/November through to March/April) must not be disturbed and E³ Ecology Ltd (01434 230982) must be contacted.**
- Any chemical storage or hazardous materials (e.g. barbed wire) will be stored in such a way that they cannot be accessed by hedgehog. Any pipes to be stored on site over 100mm diameter will be capped or stored in such a way that wildlife cannot shelter within.
- Any excavations that are left overnight will include a ramp of at least 300mm in width and angled no greater than 45° on one face to allow hedgehog and other wildlife to climb out should they fall into the excavation.

AMPHIBIANS AND REPTILES

REPTILES

Legal Protection

There are six native species of reptile; adder, grass snake, smooth snake, common lizard, sand lizard and slow worm. All native reptiles are protected under the Wildlife and Countryside Act 1981 and its subsequent amendments and listed on Schedule 5. It is an offence to:

- Intentionally kill, injure or sell (or advertise to sell) any of the 6 native species.

In addition smooth snake and sand lizard receive further protection. It is also an offence to:

- Intentionally or recklessly disturb individuals that are occupying a place of rest or shelter or obstruct access to such a place.

Approaches which minimise the risk of protected species being killed and which help to maintain their conservation status in the local area should be adopted. Where disturbance or harm cannot be avoided, a mitigation licence must be applied for.

Ecology

The favoured habitats for most reptile species are heathland, scrub, rough grassland, coastal dunes and moorland. Typically, snakes have a large home range, sometimes covering several kilometres in a year, while lizards will only range over 10s of metres giving a home range of below 1,000m².

Particularly high-risk areas of habitat within this site are:

- Areas of dense scrub and adjacent coarse grassland
- Rubble and loose rock

Between October and March, reptiles hibernate below ground, often in large mammal burrows or other refuges both natural and man-made. Most species emerge from hibernation from early March and remain active through until September, during which period reptiles are most

		
Adder	Common lizard	Slow worm

commonly seen basking in the open when temperatures are between 8-16°C. Most species will avoid extremes of temperature by taking refuge underground, both at night and when temperatures become too high during the day. Young are born/hatch between July and September

GREAT CRESTED NEWTS (GCN)

Legal Protection

GCN are protected under the Wildlife and Countryside Act 1981 (as amended), and the Habitat Regulations (2010). As a result it is illegal to kill, injure or disturb a GCN or damage, destroy or obstruct access to its place of rest or shelter. **Prosecution could result in imprisonment, fines of £5,000 per animal affected and confiscation of vehicles and equipment used.**

Ecology

Adult GCN are present in ponds during the spring period, generally February to June, where they lay their eggs. Larvae hatch out and emerge as small newts in the summer. Most of the year is spent on the land, generally in areas that provide good cover and an invertebrate food source such as woodland, hedges, marshy grassland and coarse grassland. The majority of newts will stay within 150m of the breeding pond, but some may be present up to 500m from a pond and can certainly move over greater distances than this. GCN are up to 170mm long, larger than smooth or palmate newts, which are rarely longer than 100mm and have a coarse, dark (almost black) granular skin with very fine white spots on the lower flank and a brightly coloured orange-yellow belly, with dark spots. Smooth newts are delicate and often yellow-brown in colour (see photographs below).

Newts are mainly active at night, particularly in warm and wet conditions, and are most likely to be found under stones and logs, discarded rubbish or within piles of rock, bricks and the like.

		
Great Crested Newt	Great Crested Newt	
		
Smooth Newt (spots under the chin)	Smooth Newt	Palmate Newt (pearlescence under the chin)

COMMON TOAD AND FROG

Legal Protection

Common toad are listed as Priority Species on the NERC Act (2006).

Ecology

The common toad is a widespread amphibian found throughout Britain although absent from Ireland. It can be found in almost any habitat and is common in gardens. It prefers larger water bodies in which to breed and, because toxins are also present in the skin of the tadpoles, they are able to breed in ponds and lakes containing fish which learn to avoid them. Common toads congregate at breeding ponds in early April but for the rest of the year will wander well away from water as they are far more tolerant of dry conditions than the common frog.

	
Common Toad	Common Frog

Working Methods for Amphibians and Reptiles

- **If GCN are discovered at anytime during the works, works will cease and the project ecologist will be contacted immediately (01434 230982). Works will only commence once the issue is addressed (i.e., working methods and impacts reviewed).**
- Any areas of rocks, brick rubble, rubbish or fallen timber that have been present within the area to be cleared for over 3 months are to be searched by hand before the start of works in that area.
- Vegetation should be cleared progressively using hand tools to provide animals with an opportunity to move out of the area. Areas of tall grassland should be strimmed, and scrub cut down to ground level and removed.
- Following vegetation clearance the area should be left for several days to allow any animals to move out of the area before any excavation commences.
- Areas of standing water will not be allowed to persist for more than a week during the construction period.
- If reptiles or amphibians (excluding GCN) are found during the clearance operations they should be moved to adjacent areas of suitable habitat that are not affected by development.
- The use of insecticides/herbicides in areas where reptiles or amphibians may be present should be minimised.