



Ecological Consultants  
Environmental and Rural Chartered Surveyors

## Reasonable Avoidance Measures for Amphibians

Proposed Sand Paddock, Land between 77 and 89 Mains Lane,  
Poulton le Fylde



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## ACCURACY OF REPORT

This report has been compiled based on the methodology as detailed and the professional experience of the surveyor. Whilst the report reflects the situation found as accurately as possible, all of the protected species this survey covers are wild and can move freely from site to site. Their presence or absence detailed in this report does not entirely preclude the possibility of a different past, current or future use of the site surveyed.

We would ask all clients acting upon the contents of this report to show due diligence when undertaking work on their site and/or in their interaction with protected species. If protected species are found during a work programme, and continuing the work programme could result in their disturbance, injury or death, either directly or indirectly an offence may be committed.

If in doubt, stop work and seek further professional advice.

## Quality and Environmental Assurance

This report has been printed on recycled paper as part of our commitment to achieving both the ISO 9001 Quality Assurance and ISO 14001 Environmental Assurance standards. Envirotech have been awarded the Gold standard by the Cumbria Business Environmental Network for its Environmental management systems.

Author	Andrew Gardner	Date	29/06/2021
Checked by	Andrew Gardner	Date	01/07/2021
Report Version	2		
Field data entered	<input type="checkbox"/>		
Report Reference	6721		

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# 1. POTENTIAL IMPACTS

eDNA testing of a pond on the site boundary in 2016 by Highways England detected eDNA for Great crested newts.

Full presence/ absence surveys comprising 6 visits were undertaken in 2017 with a NEGATIVE survey result.

Habitat Suitability Assessments in 2016 found the pond to be “good”. Assessments by Envirotech in 2021 found it to be poor, this may be a function of the change of land use adjacent the pond.

The core development area is dominated by short grazed improved grassland which has negligible-very low potential for use by great crested newts. There are no areas with log, rubble piles or compost heaps which would be particularly favourable to amphibians.

The peripheral hedgerow is intensively managed and gappy at the base; it also offers only very limited opportunities for amphibians.

The proposed development is only small scale and will not result in the permanent loss of or a substantial negative effect on any waterbodies or foraging areas linked to them. Boundary areas which may provide foraging or refuge sites are to be retained.

Common toad (*Bufo bufo*) are UK BAP species, whilst these are not known to occur in the ponds locally, the potential presence of this or other species of amphibian should be considered. As such precautionary mitigation would be appropriate in respect of construction activities.

Potential impacts are summarised in Table 1

	Individual amphibians	Potential habitat for amphibians
Pre- and mid-construction	Capture within trenches and other hazards created during construction Harm from removal of topsoil and disruption to site habitats Harm from movement of stored materials Harm from vehicle movements Obstruction of dispersal within, to or from site	Loss of dispersal habitat Loss of resting places (refuge habitat) Creation of dispersal barriers

Post- construction	<p>Capture within drains etc</p> <p>Reduced dispersal ability via barriers, possibly resulting in "stranding" away from core habitat</p> <p>Disturbance</p>	<p>Reduced amount and quality of dispersal habitat</p> <p>Reduced amount and quality of resting place habitat</p> <p>Increase in dispersal barriers (walls, fences, buildings, kerbs, etc)</p>
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Table 1- Potential impacts

## 2. REASONABLE AVOIDANCE MEASURES

Avoidance/ mitigation measures are summarised in Table 2. Avoidance measures should be "reasonable" in that they are easy to implement and do not compromise development of the site but provide adequate protection to amphibians.

Avoidance measure/ precaution	Rationale
<p><b>General avoidance measure: Time of year of site preparation and main construction works</b></p> <p>Outside this period a check of the site should be undertaken prior to ground works commencing. Any amphibians found to be moved to the site boundary and released.</p> <p>Should great crested newts be found, work will cease and a licence will be obtained.</p>	<p>The risk of harm to individual amphibians is highest when they would be moving across the terrestrial habitat.</p> <p>This is most likely in summer, and all activity would be at night.</p> <p>Over the hibernation period (typically October to March), amphibians will be less active on the site, and therefore not at risk from groundworks affecting the grassland.</p>
<p><b>Potential resting places in habitats</b></p> <p>Habitats where there is long vegetation not to be developed to be protected from construction activities, and retained through the development.</p> <p>Where long vegetation is to be developed, vegetation to be strimmed to a height of 4inches, arising's removed then strimmed to ground level after 7 days.</p>	<p>There is a very low risk that amphibians would occupy areas of short vegetation</p>

<p><b>Storage of construction materials</b></p> <p>Wherever practical, materials due to be stored on the ground will instead be stored in skips, on lorries, on pallets or raised off the ground via another method.</p> <p>Where off-ground storage is not feasible (e.g. because of large volumes), materials will be stored on site for the minimum amount of time possible; wherever possible/practical, materials will also be placed on sheeting (e.g. geotextile, tarpaulin, plastic or hessian) with an overlap along the margins</p>	<p>Amphibians may be at risk from movement of stored materials. This is only a risk when the amphibians would be actively moving across the site at night.</p>
<p><b>Topsoiling and bunding</b></p> <p>All transport of topsoil, spreading of topsoil and bunding to be done during daylight hours only</p> <p>All materials used in topsoiling and bunding (soil, aggregate, etc) to be landscaped to final state as soon as possible after spreading (i.e. reducing the exposure of voids or loose material that would later be filled, compacted, turfed and/or re-surfaced).</p> <p>As far as possible, minimise the creation of potential refuges in the area being worked.</p>	<p>Amphibians may be at risk if topsoiling and bunding create potential refuges, in which they could then take shelter and be subsequently harmed if the area is re-worked. This risk is simply minimised by (a) reducing the incidental creation of potential refuges, and (b) reducing the period during which the works will take place.</p>
<p><b>Excavations and ground-level built structures</b></p> <p>Trenches or any other hole in the ground with the capacity to trap amphibians will be (a) back-filled before darkness, or (b) covered before darkness, or (c) created with a gently sloping edge or ramp to allow amphibians to climb out.</p> <p>Building of structures at ground level will aim to ensure that during construction there are minimal gaps where amphibians could enter and become trapped; such structures will be completed as soon as feasible.</p>	<p>Amphibians may become trapped in excavations (e.g. trenches) or in/under partially built structures. This is only a risk when the amphibians would be actively moving across the site at night.</p> <p>This measure applies mainly to footings and service trenches with vertical sides, since they have been known to trap amphibians at other sites.</p>

*Table 2- Avoidance/ Mitigation of Potential impacts*

## **Working practices**

The following points should be noted and will need to be incorporated into the construction program.

- Before works commence, the works manager and key construction staff & contractors will be given a brief presentation on how to identify amphibians, and the implications for works at the site.
- Key information will be provided to construction staff and contractors in their induction.

- Before works commence, the site manager and/or other appropriate staff will read and sign a copy of this Method Statement to indicate that they will comply with its recommendations.
- A copy of this Method Statement will be kept in the site office until works are complete.
- Envirotechs contact details will be held at the site office, for use in the highly unlikely event that any amphibians are discovered during the works (see recommended procedure below).
- Waste materials arising from construction works are to be removed from site or stored above ground as soon as possible.
- When transporting materials, they are to be lifted rather than dragged during the period when amphibian activity is feasible (before 1<sup>st</sup> October or after 15<sup>th</sup> March).
- During the period when amphibians might be active on the Site, all construction activities carrying a risk of harm will be done during daylight hours only.
- If there is unseasonably warm, wet weather, the chances of amphibians using the site will increase, and so extra precautions may be necessary.

### 3. DESIGN PRINCIPLES TO ELIMINATE OR REDUCE POST-CONSTRUCTION IMPACTS

Table 3 below displays the design principles which are to be incorporated and implemented to avoid/ mitigate potential impacts.

Design principle	Rationale
<p>Avoid where possible any vertical kerbs, walls and fences that form a hard barrier flush with ground level. Where these structures must exist, they will be designed to allow amphibian movement as follows:</p> <ul style="list-style-type: none"> <li>• Any single structure that presents a hard barrier to dispersal must comprise only a short (&lt;50m) length, to minimise the chance of amphibians becoming stranded on site other than kerbs which are subject to highways regulations specification.</li> <li>• Where walls or fences must be included, they will be designed to allow amphibian movement by: incorporating gaps of at least 50mm x 50mm at ground level to allow amphibians to pass through.</li> </ul>	<p>To ensure that amphibian dispersal is not unduly hindered.</p>
<p>Any paths/ tracks not to incorporate edging boards, or if using edging boards, to ensure that they are approximately level with the surrounding ground level.</p>	<p>To ensure that amphibian dispersal is not unduly hindered.</p>

*Table 3- Design principals to avoid/ mitigate potential impacts*



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## Toolbox talk: protected species

### Amphibians

#### What are they and how are they recognised?

There are seven native amphibian species in the UK:

- 1 Common toad.
- 2 Common frog.
- 3 Common newt.
- 4 Palmate newt.
- 5 Great crested newt (GCN).
- 6 Natterjack toad.
- 7 Pool frog.

In England, Wales and Scotland the first four species are fairly widespread. In Northern Ireland only the common frog and common newt are found. These widespread species may be found living side-by-side with the fully protected GCN or (less commonly) the natterjack toad.

The pool frog, which was recently re-introduced to a single site in East Anglia, is strictly protected.

#### Where are they found?

The four widespread amphibian species are frequently encountered on construction sites, both in or around water (including temporary pools) and on land among grass, scrub, woodland and under logs and rocks.

#### When are they found?

Ponds have the highest numbers of amphibians in the spring, when they are used for breeding, but are still likely to contain lower numbers throughout the year.

Young amphibians remain in the water as tadpoles or larvae until they change into tiny, miniature adults and then move on to land. They can be found on land from April onwards.

Adults and juveniles can also be found on land at any time. Most amphibians hibernate on land during the winter months, though the common frog can also hibernate in mud at the bottom of ponds.

#### What should be done if one is found?

In England, Wales and Scotland, disturbance of the common frog, common toad, common or palmate newt does not require a licence, but all four species are of conservation concern and they are all protected against cruelty and against sale or trade.

In Northern Ireland the common frog receives protection only against sale etc but the common newt is fully protected. When conducting works the following should be adhered to where possible:

- Protect and remove individuals from danger. Captured animals are legally protected against cruelty
- Amphibians, particularly when very young or hibernating, are likely to be injured during vegetation clearance using strimmers etc. Where possible this should be undertaken in autumn when animals are active, but not breeding. Leave grass height at 10 cm where possible.
- When clearing sites dismantle all sheltering places, such as rock piles and logs etc, by hand and place any animals in a cool, damp, sheltered place away from danger.
- Take particular care in winter – animals may be hibernating within rock-piles and vegetation and are highly vulnerable to killing and injury.

#### What else may be seen?

In England, Wales and Scotland, any of these species can be found in ponds with the GCN or, occasionally, the natterjack toad. Both these species are fully protected. It is illegal to capture, injure, kill or disturb GCN or natterjack toads, or damage or obstruct their habitat.

GCNs are almost twice the size of the smaller species,



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reaching up to 19 cm. Natterjack toads have a distinctive yellow stripe running along the length of their back.

### *"Alien" species*

Many non-native amphibians have been introduced into the UK, sometimes as unwanted pets. In some cases, such as the bull frog, introduced species cause great damage to British wildlife and are considered pests.

If a species is found that is not recognised, put them in a cool damp container with some shelter. Seek expert advice from the Royal Society for the Prevention of Cruelty to Animals (RSPCA), an ecologist, a wildlife crime officer, the local reptile and amphibian group or a local zoo. Alien species are not native to the UK and should not be released once captured. All animals are protected against cruelty.

# Toolbox talk 7: protected species

## Great crested newt

### What are they and how are they recognised?

Newts are amphibians – they can live both in water and on land. Adult great crested newts (GCN) are 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, 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 250 m to 500 m of the breeding pond.

### When are they found?

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

### 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 tadpole) is found (or suspected) on site after works have started, all works in the area must stop immediately and expert advice must be sought.

If there is any doubt of the newt species that has been found, stop work and consult an expert.



### What else may be seen?

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

#### Penalties

Breaking the law can lead to fines of up to £5000 per offence and, potentially, prison sentences of up to six months. Any vehicle used to commit the offence may be held liable.