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Ecological Report

Preliminary Ecological Appraisal

Land at:

Land at Windy Ridge, Bouldnor Rd, Yarmouth

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Date: 6th April 2023

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1. INTRODUCTION

I am instructed to carry out a Preliminary Ecological Appraisal on land at Windy Ridge, Bouldnor Road, Yarmouth. The survey was carried out by Andrew Southcott BSc (Hons) ACIEEM on 23rd March 2023. The weather at the time of the survey was changeable with an approximate temperature of 10°C. Andrew is a qualified and experienced ecologist with over 15 years experience of surveying and working with a wide range of protected species and habitats, and is an associate member of the Chartered Institute of Ecology and Environmental Management.

- 1.1 Site Description: The site is located at OS grid reference SZ 36247 89727, with the survey area measuring approximately 0.18ha as shown in Figure 1. The site is part of an existing residential curtilage accessed from the same domestic driveway off Bouldnor Road. The land consists predominantly of domestic lawn garden on lower land to the S, with the frontage on higher ground of the surfaced drive/parking area and carport/store. To the E was a continuation of the curtilage with the dwelling, and to the W was a wooded/scrub area of the garden used informally for recreation and including a timber workshop/shed. The site is bounded by the main road to the N, and linear hedge/scrub vegetation to the S which separates the site from the adjacent Yar estuary wetland habitat.



Figure 1. Aerial view of surveyed area outlined in yellow (Google Earth 2023)

2. METHOD

- 2.1 Data Search: A desktop investigation of environmental information relating to this site was obtained via Google Earth, Magic and the IWLRC.
- 2.2 Habitat Survey: The site was surveyed based on extended Phase 1 survey methodology (Joint Nature Conservation Committee, 2010), as recommended by Natural England, whereby the habitat types present are identified and mapped, together with an assessment of the species composition of each habitat. This technique provides an inventory of the basic habitat types present and allows identification of areas of greater potential which may, depending on impacts to them, require further survey.

2.3 Species Survey: General faunal activity, such as mammals or birds observed visually or by call during the course of the survey was recorded, as well as any signs from searches of features with the potential to act as refugia. Specific attention was also paid to the potential presence of any protected, rare or notable species, and included European Protected Species and local Biodiversity Action Plan species and habitats.

2.4 Limitations:

2.4.1 This survey provides a snapshot of the site at the time the survey was carried out, however features of ecological value can change. Therefore this report is valid for a period of 12 months, and further survey evaluation is sometimes required to provide scientifically robust evidence of species presence/absence. Every effort has been made to provide a detailed survey, however the survey coverage can sometimes be limited by boundaries, dense vegetation and other features on site.

2.4.2 All species that occur in each habitat would not necessarily be detectable at any given time of the year, since different species are apparent at different seasons. This survey took place just outside the optimum period for Preliminary Ecological Appraisals (considered to be April to August inclusive), and this limitation was taken into account, however given the limited range of habitats present the timing was considered adequate to fully assess its value to protected species.

3. RESULTS

3.1 Data Search: There are international, national and locally designated sites in close proximity to this location, as well as several priority habitats. However, none of these features are present within the site itself. A search using data from IWLRC within a 1km radius identified the following summary list of features, as shown in figures 2-5.

SPA – Solent & Southampton Water; Solent & Dorset Coast.

Ramsar – Solent & Southampton Water.

SAC – Solent Maritime.

SSSI - Yar Estuary; Bouldnor & Hamstead Cliffs.

Priority Habitats – Coastal & floodplain grazing marsh; Maritime cliff and slopes;

Reedbeds; Lowland mixed deciduous woodland; Intertidal mudflats; Coastal saltmarsh.

SINC - Mill Copse (C004A); Thorley Meadows (C008A); Bouldnor Copse (C013A); Thorley Copse (C063A).

Ancient Woodland –Thorley Copse (ASNW); Mill Copse (PAWS); Bouldnor Copse (ASNW/PAWS).

3.1.1 The site also falls within the SPA buffer zone; meaning that a development proposal will be required to provide a mitigation payment in line with the Solent Recreation Mitigation Strategy. Furthermore, the scheme would need to show that it can achieve a nitrate neutral status; avoiding a net increase in nutrient additions into the Solent from site drainage arrangements.

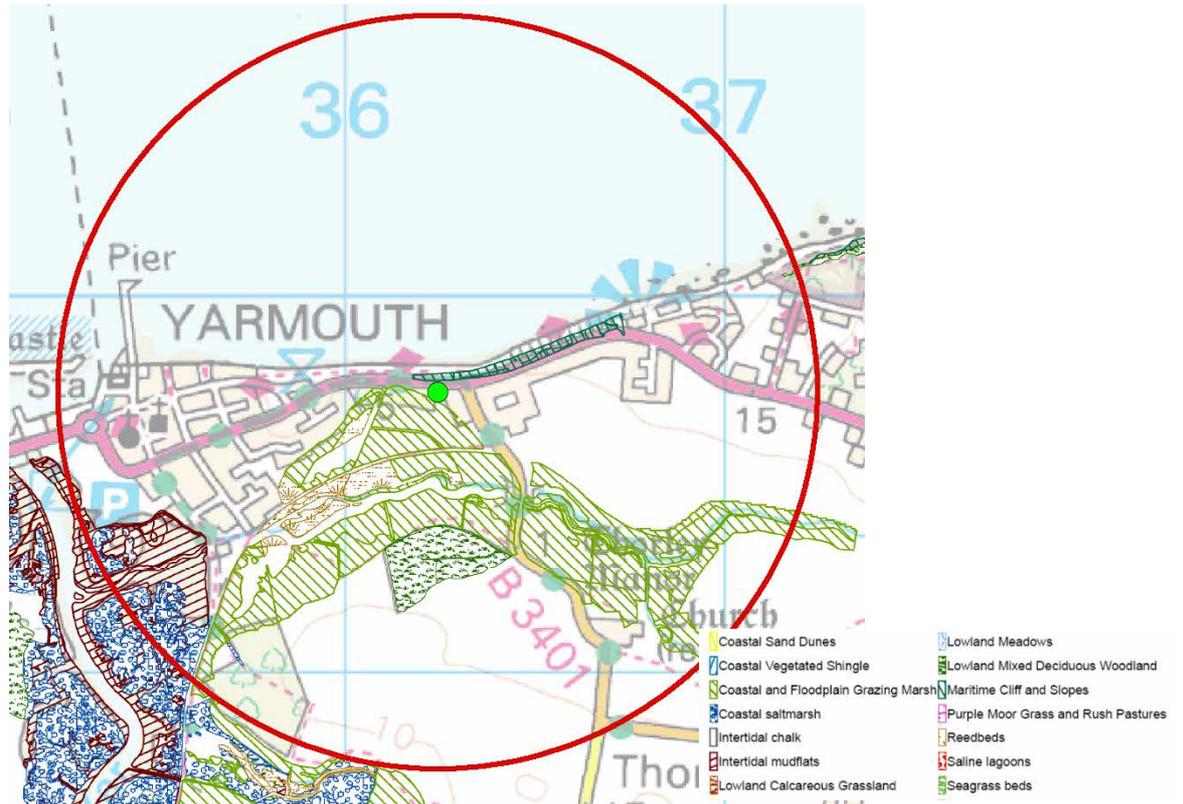


Figure 2. Priority habitats within 1km of site centre (IWLRC 2023)

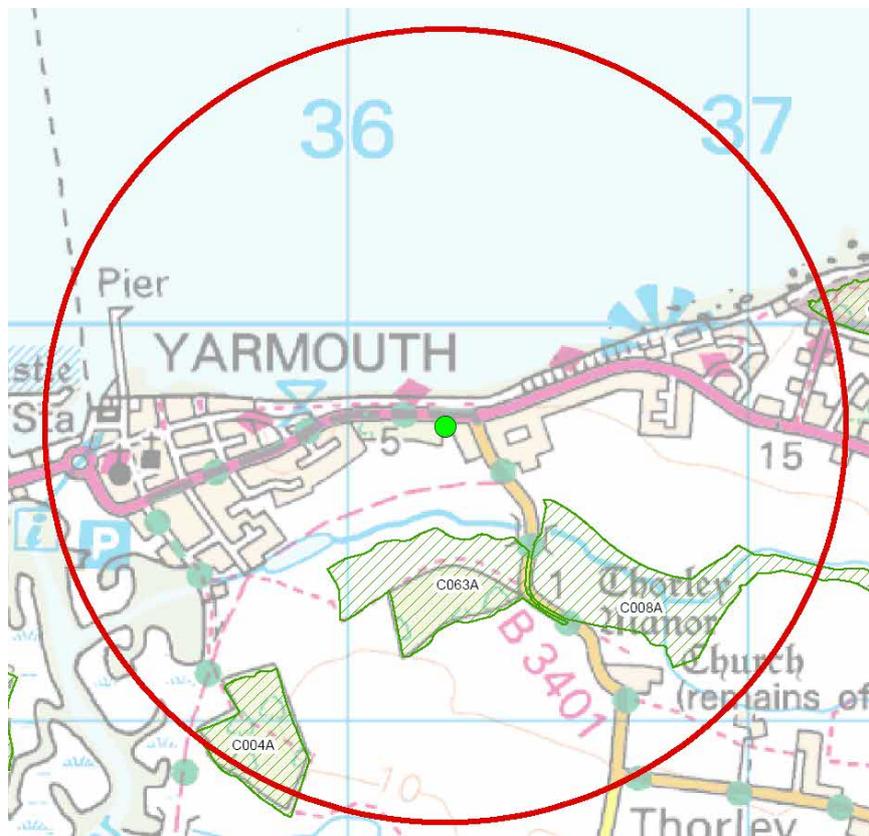


Figure 3. Local nature conservation designations (SINC's) within 1km of site centre (IWLRC 2023)

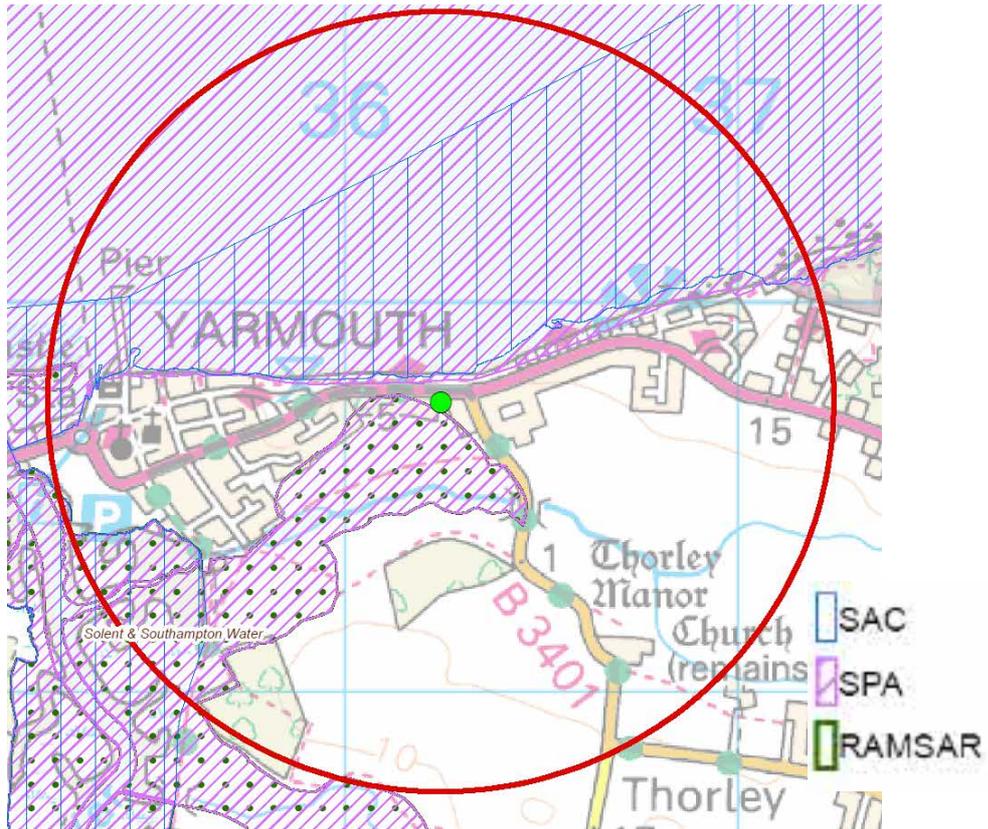


Figure 4. International designations within 1km of site centre (IWLRC 2023)

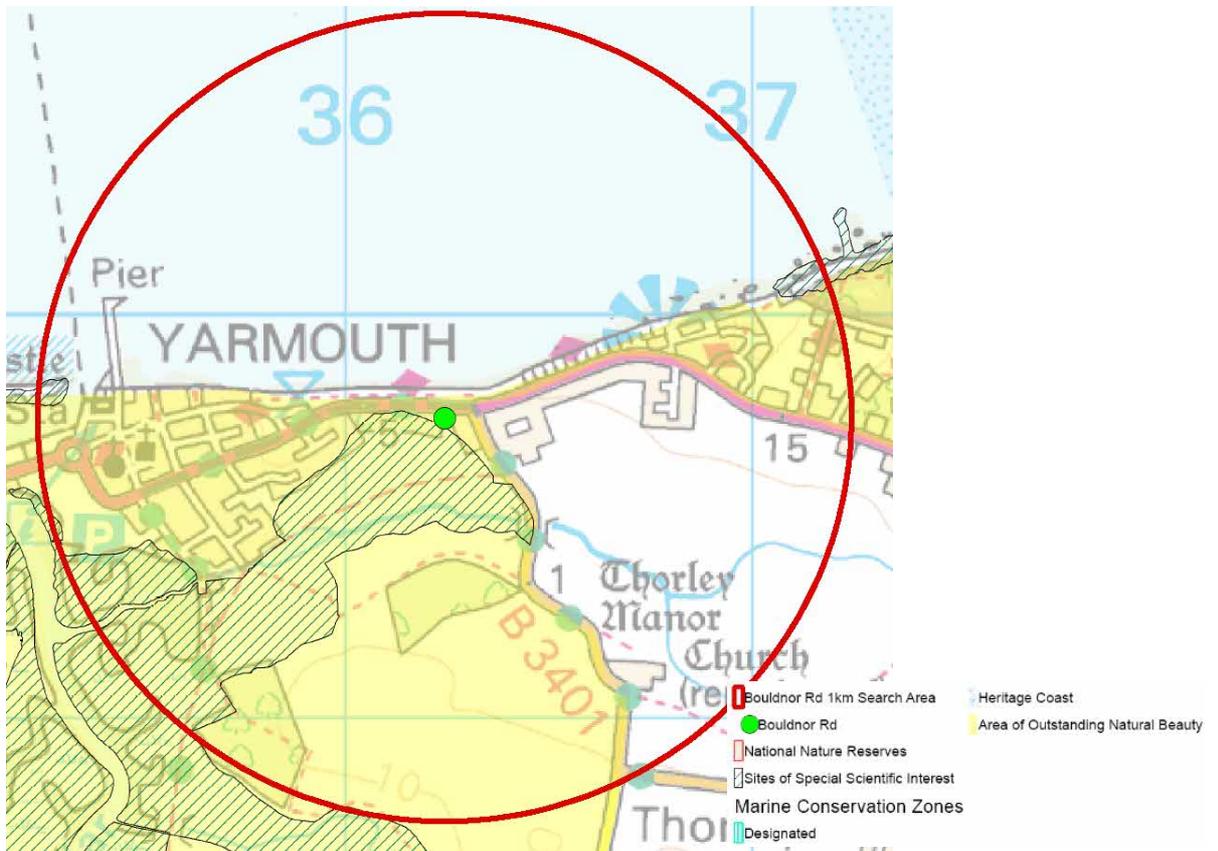


Figure 5. National designations within 1km of site centre (IWLRC 2023)

3.1.2 A data search for priority and protected species revealed records as listed at Appendix 4. To summarise there are limited reptile records (two records for common lizard and a single record for adder, all well away and unconnected to this site). There are no records for great crested newt or slow worm. There are a high number of records for red squirrel, as well as limited records for badger, water vole, hedgehog, dormouse and brown hare. In terms of bats, there are records for Serotine (2 records), Bechstein's (3), Whiskered (2), Natterers (2), and Pipistrelle sp. (6).

3.2 Habitat Survey:

3.2.1 Habitat types:

The following habitat classifications were recorded across the site (with Phase 1 habitat codes in brackets), in order of approximate coverage:

- Amenity grass & pond (J1.2/G1) - 0.09ha
- Buildings/surfacing (J3.6/J5) - 0.04ha
- Scrub / tree cover (A2.2/A3.3) – 0.03ha
- Ruderal/disturbed ground (C3.1) – 0.01ha
- Gappy native hedgerow (J2.2) - <0.01ha

These are mapped on the site plan at Appendix 1, with target notes in Appendix 2. The botanical composition was typical of each habitat, and all species recorded were common and widespread. No rare vascular plants or invasive non-native species were found.

3.2.1.1 Amenity lawn, pond, ruderal & disturbed ground, and hedge (main garden habitats):

The lower lying ground covering the S half of the site was dominated by the existing and long established lawn garden, consisting predominantly of low value mown amenity grass. This was of typical species composition, with a sward height of 0-5cm on average. Herbaceous species were very limited, and included daisy, dock, white clover, creeping buttercup and thistle. Towards the SW corner of the lawn was a small manmade garden pond. This was largely unmanaged and supported little marginal or internal vegetation. This internal habitat is in close proximity to the adjacently designated wetland of the Yar estuary, although the dwelling would be set well back from the boundary, only resulting in partial loss of the lawn area. The design would include a rear patio covering the central portion of the lawn, however the garden pond and grassland nearest the S boundary would be retained intact. The nearest habitat to the designated wetland is linear boundary vegetation, forming a gappy hedge along the S boundary. This is composed predominantly of bramble, blackthorn, ivy and elder, and would be unaffected by the scheme. Further northwards, the lawn becomes sparse and disturbed ground around the base of the higher level parking area and carport. This is composed of scrambling bramble, nettle, ivy, ground elder and scattered logs. This small area would be lost to the development and re-landscaped either side of the dwelling. Figure 6 provides views of this vegetation cover.



Figure 6. Looking N towards central area of proposed dwelling where most impact would occur (left), and looking W along rear boundary hedge with views over estuary beyond (right)

3.2.1.2 Buildings/surfacing, trees & scrub:

There were several small buildings on site. The main carport and associated gravel parking covered most of the N half of the site, with the parking to the side of the carport being on raised ground. The carport was a good quality timber structure in excellent condition, designed to have an open front and sides, although with a built-in store area used for logs/materials. It had a pitched slate roof with membrane beneath, although no other internal voids or lining was present. The second structure was a smaller timber workshop built into surrounding tree cover on lower ground to the W. This had a felt-covered flat roof and was timber-clad, again in very good overall condition and well sealed, with several uPVC windows and a door. Both structures would be removed as part of the scheme.

Woody vegetation cover was predominantly to the W of the proposed development, consisting of self-set sycamore, bay and Holm oak set within an informally wooded area of the garden, having a ground flora dominated by ivy, nettle and bramble, with some arum, privet, dock and cleavers. There was also a separate small cluster of roadside bay and Holm oak, pruned over many years to form a privacy screen from the main road to the site. None of these areas would be impacted, as the proposed dwelling and its parking arrangements would stop short of the existing tree cover to the N & W of the current workshop structure. Figure 7 provides views of structures and tree cover.





Figure 7 (c/wise from top left): Main carport structure to be removed, with gravel frontage access remaining; smaller workshop structure on lower ground to be removed; views looking N from workshop along E edge of wooded area (to remain undisturbed); and close up view of roadside frontage screening to remain intact

3.3 Species Survey:

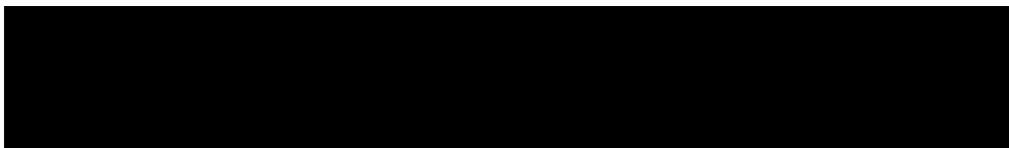
During the course of the survey general faunal activity was noted. Only two bird species were seen – a wren and robin in the wooded area to the W of the proposed development area. There was no other evidence of fauna seen.

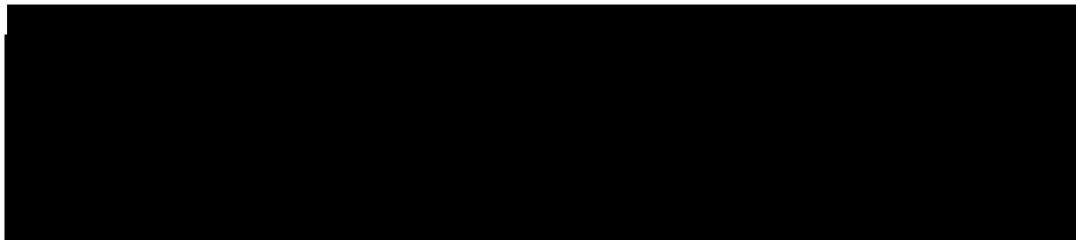
3.3.1 Bats:

Local bat records are limited, although it does include species that are highly likely to forage over the adjacent expanse of wet grassland of the Yar estuary, and will likely also use the established linear corridors including the hedgerow along the S boundary of this garden. However, within this site there is a lack of valuable habitat for foraging due to the predominant expanse of low-value and regularly mown garden lawn. There was an absence of trees of a size to support features of value to roosting bats, and the tree cover that was present would not be impacted.

Structures on site were limited to two small timber outbuildings, although both would be removed for the scheme. Both structures were inspected externally, and also internally for the carport, for signs of bat usage including for evidence of droppings, suitable entry points, scratch marks and oil staining. No signs of bat activity were found, and the buildings were both considered to be of negligible potential for roosting and/or hibernating due to their design, construction and well-sealed exteriors, and a lack of features such as roof voids/linings. Overall it is concluded that the site lacks bat roost potential and the area to be impacted by development is of no value to commuting or foraging bats. It is possible that bats may use the S boundary for commuting and possibly enter the wooded area to the W for foraging, however these areas would not be impacted directly. Recommendations are made below to avoid indirect impacts and to enhance the site within the scheme.

3.3.2





3.3.3 Nesting birds:

Two bird species were observed as noted above; these being Species of Low Conservation Concern (RSPB Green list). Evidence of active nesting was searched for, although due to the survey timing nothing was found. It is possible that nesting may occur within the wooded areas to the W and N of the proposed dwelling, and also along the S boundary hedge during the nesting season, and potentially within the open-sided carport. Little if any vegetation of significance to nesting birds would be affected by the scheme, however if any were to be required, or where the carport is being removed; this work should ideally be avoided or inspected first by an ecologist, during the period 1st March - 31st August inclusive. Recommendations are also made below to enhance the site as part of a scheme.

3.3.4 Reptiles:

There are very limited local records for reptiles, with none being recorded in proximity to, or having connectivity to this site. As discussed, the area to be affected is very small, and although it supports some occasional features of potentially suitable habitat including small log piles; these features are all transient and/or can be relocated elsewhere on site to retain as a wildlife feature. A search was carried out for evidence of reptiles, although no reptiles or any such evidence was found. Nonetheless, it is considered that the combination of an absence of records in close or connected habitat, and the low value nature of this site means that there is low potential for presence of reptiles. Recommendations are made for enhancement as part of the scheme.

3.3.5 Great crested newts (*Triturus cristatus*):

There are no records for GCN within the local search area. A single small artificial pond was present within the lawn garden, however this will be retained and given the absence of local records it is considered extremely unlikely that Great Crested Newts are utilising the terrestrial vegetation within this site. Recommendations are however made to enhance the site for common amphibians.

3.3.6 Dormice (*Muscardinus avellanarius*):

There are two records for dormice in the local search area, however these are located within ancient woodland to the S of the estuary, with only weak linear connectivity to the rear of this site via intermittent roadside hedgerows and garden boundaries. Notwithstanding this, the suitability of habitats on site for dormice were assessed, to include the potential for shelter, nesting, hibernation and feeding. No nests or other evidence of dormouse presence was found, and the area of site to be affected by the scheme was considered unsuitable for this species. The wider site supports some tree/wooded habitat, although this and the rear boundary hedge

would be unaffected by the scheme. Therefore it is concluded that the conservation status of dormice would not be adversely impacted by the proposed scheme, but recommendations for habitat enhancement are made to benefit small mammals including dormice.

3.3.7 Invertebrates:

The area to be affected was dominated by low mown amenity lawn, sparse ruderal/disturbed ground, and existing buildings/surfacing. The vegetated areas included a very limited range of common plant species. Thus overall it was concluded that the area was of low value to invertebrates, in particular UK and/or local Biodiversity Action Plan priority species. Again, recommendations are made to enhance the habitat for pollinators and other invertebrates.

3.3.8 Other species:

No other protected or priority species, or evidence of any, were observed during the site visit. Red squirrel, hedgehog, brown hare and water vole are all recorded locally. There is no suitability for water vole or brown hare on site, although given the strong presence of squirrels in the local area it is likely that they would be present within tree cover to the W of the proposed dwelling. Similarly, vegetation within the tree cover would be of theoretical value to hedgehogs, although there are no records for this declining species in close proximity to the site. Recommendations for enhancement features of value to squirrels and hedgehogs are made in the interests of improving overall site biodiversity value as part of the scheme.

4. CONCLUSIONS AND RECOMMENDATIONS

4.1 Site Evaluation: This small site is part of the wider domestic curtilage, although the area of impact lacks any valuable vegetation cover or other features of habitat value. However, given the very close proximity of this site to a range of important ecological designations, recommendations are made below to avoid potential impacts and to ecologically enhance the site within any future development.

4.2 Recommendations:

Where the potential presence of any protected species within a site may be impacted by a development there are legal obligations to consider, as summarised in Appendix 3. In supporting this primary consideration, the National Planning Policy Framework (NPPF) requires developments to maximise opportunities for biodiversity by mitigating impacts and building in enhancement; thereby making a positive contribution towards the broad objectives of national and local Biodiversity Action Plans (BAPs). In line with these legal and policy guidelines, the following site-specific recommendations are made:

Given the location of this site within the SPA buffer, the scheme would require an agreed level of developer financial contribution in relation to the Solent Recreation Mitigation Strategy. In addition, the design would need to specify how waste will be treated, in order to avoid any additional discharge into the Solent, thus achieving a nitrate neutral development in respect of the Solent SPA.

A notable constraint of this site is its proximity and direct connectivity to the adjacent floodplain grazing marsh priority habitat, which is also designated at international and national level (SPA, Ramsar and SSSI coverage). The site is designated for its complex of wetland habitats and supporting a range of priority flora and overwintering wildfowl and waders. It will therefore be essential that the proposed scheme has no adverse impacts upon the designated habitats, such as through changes to the function or processes on which the habitats of the qualifying features rely. For example, this could be through changes to the existing drainage arrangements on site, or as a result of temporary disturbance during construction. It is recommended that a construction management plan (CEMP) is provided as a condition of approval. This would ensure that necessary precautions are taken to avoid all direct and indirect impacts such as disturbance and pollution affecting retained habitats and priority species, whether within or adjacent to the site. A CEMP would need to include details such as location of site compounds/storage, construction timings to limit activity in sensitive periods to priority species, details of construction lighting (if required), and pollution prevention procedures.

It is considered that the principle of constructing a dwelling on the proposed site would not result in any additional impacts on the adjacent habitats and priority species as long as the scheme is sensitively designed and implemented as recommended above. As a result of this assessment, it was concluded that no valuable relevant habitats to the adjacent designations would be affected, and the location of the proposal is not in any nearer proximity to the designations than other existing nearby properties. However, with regard to the proximity to internationally important species of birds, it is recommended that the proposed dwelling minimises any potential for bird strike by installing tinted or obscured glass for any glazing used in the rear balconies/external staircase as per the proposed plans. Furthermore, the scheme should ensure that new exterior lighting is minimised to avoid additional light-spill, and not directed towards the perimeters. In particular this would be towards tree cover and S boundary hedge for foraging bats, as well as potential disturbance to priority bird species in the wetland beyond the hedge.

This scheme offers good opportunity for net enhancement of biodiversity value within the existing garden area. This could include for example a range of bird, squirrel and bat boxes located within the retained tree cover, as well as creation of wildlife log piles, and installation of a hedgehog house in the wooded area. Other enhancements could be achieved through the agreement of a suitable landscaping scheme. This could include enhancement of the existing garden boundaries with native planting, inclusion of flowering shrubs and fruit trees of value to pollinators, and enhancement planting for the existing pond and within the wooded area. Such measures would improve cover and feeding opportunities for a wide range of species including bats, birds, small mammals and invertebrates.

As noted in section 3.3.3, all in-use bird nests and their contents are protected; therefore where active nesting maybe present, any site clearance works should be undertaken outside the period 1st March to 31st August inclusive. If works are required within this period then a suitably qualified ecologist should be engaged prior to commencement in order to check for nesting birds and advise accordingly.

If excavations are to be undertaken, it should be noted that open trenches could potentially trap wildlife, especially if these fill up with water. If trenches cannot be in-filled immediately then they should either be covered overnight or escape routes should be provided. These should be in the form of rough boards placed at 45° from the bottom of the trench, with their upper ends above ground level.

5. REFERENCES

Bat Conservation Trust (2016) Bat Surveys – Good Practice Guidelines. 3rd edition. Bat Conservation Trust, London.

Bird Aware Solent (2017) Solent Recreation Mitigation Strategy.

English Nature (2004) Reptiles: guidelines for developers. EN, Peterborough.

English Nature (2006) The Dormouse Conservation Handbook, 2nd Edition. EN, Peterborough.

Gent, A.H., and Gibson, S.D., eds (1998) Herpetofauna workers' manual. Joint Nature Conservation Committee, Peterborough.

Joint Nature Conservation Committee (2010) Handbook for Phase 1 Habitat Survey - a Technique for Environmental Audit. Reprinted by JNCC, Peterborough.

Andrew Southcott BSc (Hons) ACIEEM
6th April 2023

Appendix 1 - Phase 1 Habitat Survey Site Plan



Legend			
	Amenity grassland (J1.2)		Gappy native hedgerow (J2.2.2)
	Disturbed ground/ruderal (C3.1)		Scattered scrub (A2.2)
	Site boundary		Scattered mixed trees (A3.3)
	Target note (with number)		Buildings & surfacing (J3.6/J4)

Appendix 2 - Target Notes

Target Number	Notes
1	Site frontage dominated by gravel drive/parking areas, with a small strip of roadside tree/scrub cover that acts as privacy screening. None of this area would be altered as part of the scheme.
2	Wooded area of garden to W of main parking area, dominated by self-set semi-mature sycamore, bay and some Holm oak. Structurally poor growth and would be unaffected by the scheme. The timber workshop on the edge of this area would be removed.
3	Timber carport building, in very good condition with part open and part enclosed design. No evidence of any use by protected species.
4	Narrow strip of rough disturbed ground and patchy bramble and ruderal growth at base of raised parking area and carport. Some scattered logs. This area would be removed for the scheme.
5	Main internal amenity lawn, forming the bulk of vegetation to be affected by the scheme. Short mown sward with very low species richness.
6	Small garden pond within amenity lawn. Very sparse vegetation cover around margins, predominantly of dock and lawn edge. Little current ecological value but could be enhanced, and would be retained within scheme.

Appendix 3 - Legislation

Birds:

In Britain, all wild birds, their nests and eggs are protected under the Wildlife & Countryside Act 1981. There are penalties for:

- Killing, injuring or capturing them, or attempting any of these;
- Taking or damaging the nest whilst in use;
- Taking or destroying the eggs.

Bats:

In England, Scotland and Wales, all bat species are fully protected under the Wildlife and Countryside Act 1981 (WCA) (as amended), through inclusion in Schedule 5. In England and Wales this Act has been amended by the Countryside and Rights of Way Act 2000 (CRoW), which adds an extra offence, makes species offences arrestable, increases the time limits for some prosecutions, and increases penalties.

All bats also receive protection under the Conservation of Habitats and Species Regulations 2010 (as amended), which defines 'European protected species of animals'. It is an offence to:

- Intentionally or deliberately kill, injure or capture (or take) bats;
- Deliberately disturb bats (whether in a roost or not);
- Recklessly disturb roosting bats or obstruct access to their roosts;
- Damage or destroy roosts;
- Possess or transport a bat or any part of a part of a bat, unless acquired legally;
- Sell (or offer for sale) or exchange bats, or parts of bats.

The word 'roost' is not used in the legislation, but is used here for simplicity. The actual wording is 'any structure or place which any wild animal...uses for shelter or protection' (WCA), or 'breeding site or resting place' (Habitats Regulations). As bats generally have both a winter and a summer roost, the legislation is clear that all roosts are protected whether bats are in residence at the time or not.

Badgers:

Badgers are protected in Britain by the Protection of Badgers Act 1992. The purpose of this Act is to protect the animals from deliberate cruelty and from the incidental effects of lawful activities which could cause them harm. Under this legislation it is an offence to:

- Wilfully kill, injure, take, possess or cruelly ill-treat a Badger, or attempt to do so;
- Interfere with a sett by damaging or destroying it;
- Obstruct access to, or any entrance of, a Badger sett;
- Disturb a Badger when it is occupying a sett.

Note that if any of the above resulted from a person being reckless, even if they had no intention of committing the offence, their action would still be considered an offence. A person is not guilty of an offence if it can be shown that the act was 'the incidental result of a lawful operation and could not have been reasonably avoided'; only a court can decide what is 'reasonable' in any set of circumstances.

Penalties for offences under this legislation can be up to six months in prison and a fine of up to £5,000 for each offence.

A Badger sett is defined in the Act as 'any structure or place which displays signs indicating current use by a Badger'. This can include culverts, pipes and holes under sheds, piles of boulders, old mines and quarries, etc.

'Current use' does not simply mean 'current occupation' and for licensing purposes it is defined as 'any sett within an occupied Badger territory regardless of when it may have last been used'. A sett therefore, in an occupied territory, is classified as in current use even if it is only used seasonally or occasionally by Badgers, and is afforded the same protection in law.

Reptiles:

All six species of British reptile are listed under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). The adder, common lizard, grass snake and slow worm are fully protected under this legislation from deliberate killing and injury. Sale and related commercial activities are also proscribed. In addition, the sand lizard and smooth snake also receive a higher level of protection under Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making them European Protected Species.

Amphibians:

All British amphibian species receive a degree of protection under the 1981 Wildlife and Countryside Act (as amended). The level of protection varies from protection from sale or trade only, as is the case with species such as smooth newt and common toad, to the more rigorous protection afforded to the great crested newt.

The UK holds a large percentage of the world population of great crested newt, and as such has an international obligation to conserve the species. It therefore receives full protection under national and European legislation. As a European Protected Species it receives protection under the Conservation of Habitats and Species Regulations 2010 (as amended), making it an offence to:

- Deliberately kill, injure or capture a great crested newt;
- Deliberately disturb, including in particular any disturbance which is likely to impair their ability to survive, to reproduce or to hibernate, or migrate, or which is likely to affect significantly their local distribution or abundance;
- Deliberately take or destroy their eggs;
- Damage or destroy a breeding site or resting place.

Dormice:

Dormice are afforded protection under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 (as amended). Under this legislation, it is an offence to:

- deliberately capture, injure or kill hazel dormice;
- damage or destroy a dormouse resting place or breeding site;
- deliberately or recklessly disturb a hazel dormouse while it's in a structure or place of shelter or protection;
- block access to structures or places of shelter or protection;
- possess, sell, control or transport live or dead hazel dormice, or parts of hazel dormice.

Water voles:

The water vole, although common in many parts of mainland Europe, is at the western edge of their natural range in the UK, and have declined dramatically over the last century, in particular over the last 30 years. As such it is a UK BAP Priority Species and is protected under Schedules 5 of the Wildlife and Countryside Act 1981 (as amended), receiving full protection since 2008. It is an offence to:

- intentionally kill, injure or take (capture);
- Possess a live or dead water vole, or any part thereof;
- intentionally or recklessly damage or destroy any place used for shelter or protection;
- intentionally or recklessly disturb a water vole whilst occupying a structure used for shelter or protection, or obstruct access to its place of shelter or protection;
- Sell, or offer for sale, possess or transport for the purposes of sale, any live or dead water vole, or part of, or advertising any of these for buying or selling.



Appendix 4 - Data search results from IWLRC
(see attached records list dated 06.03.23)