Construction Environmental Management Plan (CEMP): Biodiversity

EXTENSION TO EXISTING FP MCCANN OPERATIONS AT CADEBY BY INTRODUCING A PLASTIC PIPE MANUFACTURING FACILITY

at

Cadeby Pipe Factory, Leicestershire

on behalf of

by

October 2026

CONTENTS

CONTENTS ..... **II**

TABLES ..... **III**

1 INTRODUCTION **1**

1.1 Scope of works 1

2 ECOLOGICAL CONSTRAINTS **3**

2.1 Site Location and Proposals 3

2.2 Ecological Context 3

2.3 Designated Sites 4

2.4 Habitats 5

2.5 Protected and Notable Species 5

3 CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN: BIODIVERSITY **7**

3.1 Risk Assessment of Potentially Damaging Operations Activities 7

3.2 Biodiversity Protection Zones 13

3.3 Responsible Persons 13

4 REFERENCES **15**

5 DRAWING 1 – UK HABITAT CLASSIFICATION PLAN **16**

6 APPENDICES **18**

6.1 Appendix A - Site Photographs 18

6.2 Appendix B - Wildlife Legislation 19

TABLES

Table 2.1. Summary of Designated Sites (Heatons, 2025 and MAGIC, 2026). 4
Table 2.2. Summary of protected and notable species. See PEA report (Heatons, 2025). 5
Table 2.3: Summary of relevant legislation. 6
Table 3.1: Timings of Sensitive Works. 7
Table 3.2: Recommended Precautionary Methods. 8
Table 3.3: Key Responsibilities. 13

Heatons is the trading name of Heaton Planning Ltd

Heatons Document Management

Revision	Author	Checked by	Date
V1	IT	RM	October 2026

1 INTRODUCTION

1.1 Scope of works

1.1.1 This Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) has been prepared by Heatons on behalf of FP McCann following grant of permission for the proposed operations to the south of the existing Cadeby quarry works at Cadeby, Leicestershire. The proposed works involve the development of the following; plastic pipe manufacturing facility, external storage, access modifications and a biodiversity enhancement area (1.22ha).

1.1.2 *Full planning permission (REF: 25/00306/FUL) was granted on 2nd of July 2026. A Construction Environmental Management Plan (CEMP) for Biodiversity is required to be prepared and submitted to the local planning authority for approval, as per condition 14 of the permission, below:*

1.1.3 *Prior to the commencement of development, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.*

1.1.4 *The CEMP (Biodiversity) shall include the following:*

a) Risk assessment of potentially damaging construction activities.

b) Identification of biodiversity protection zones.

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

d) The location and timing of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

1.1.5 *The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Reason: To conserve*

protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

1.1.6 This CEMP: Biodiversity shall be retained in the site office and will be made available on request.

2 ECOLOGICAL CONSTRAINTS

2.1 Site Location and Proposals

2.1.1 The site is located to the east of Cadeby, Leicestershire and south of the existing Cadeby quarry works, found at OS grid reference SK 43130 02187. The site is situated within a predominantly arable and industrial landscape with a solar farm to the north as well as blocks of woodland and waterbodies in the wider landscape.

2.1.2 The proposed works involve the development of the following; plastic pipe manufacturing facility, external storage, access modifications and a biodiversity enhancement area (1.22ha).

2.2 Ecological Context

2.2.1 Ecological information was informed through the review of information provided by:

- Full Decision Notice (Hinckley and Bosworth Borough Council);
- Planning Design & Access Statement (Heatons, 2025);
- The Preliminary Ecological Appraisal (PEA) & BNG Reports (Heatons, 2025); and
- Multi-Agency Geographic Information for the Countryside (MAGIC).

2.3 Designated Sites

Table 2.1. Summary of Designated Sites (Heatons, 2025 and MAGIC, 2026).

Site Name and Distance from Site Boundary	Designation and Citation
A447 Verge and Brascote Lane Hedgerows & Trees potential Local Wildlife Site (pLWS) Adjacent to the western boundary	Site that is likely to meet LWS criteria. Mesotrophic grassland. Species-rich hedgerow (x4). Mature tree (x4) – English oak Quercus robur, ash Fraxinus excelsior (x2) and horse chestnut Aesculus hippocastanum.
Naneby Hall Farm, Wet Woodland and Pools Historic LWS 20m north	No citation received.
Cadeby Churchyard pLWS 90m west	Site that is likely to meet LWS criteria. Mesotrophic grassland – amenity grassland with fine sward, herbs frequent throughout.

2.3.1 No international statutory designated sites for nature conservation were returned within 10km of the site boundary.

2.3.2 No national statutory designated sites for nature conservation were returned within 2km of the site boundary.

2.3.3 52 non-statutory designated sites within 2km of the site boundary. The closest being the A447 Verge and Brascote Lane Hedgerows & Trees pLWS, located adjacent to the western boundary of site (side which will be used for ecological gains only). It is considered direct and indirect impacts to the pLWS are not anticipated. However, if significant impacts are indicated at any time during works on site, mitigation measures will be required.

2.3.4 Naneby Hall Farm, Wet Woodland and Pools historic LWS was located approximately 20m to the north of the site boundary, adjacent to existing works to the north/west. Indirect impacts to the historic LWS could arise due to the proximity of the site and the development proposals.

2.3.5 Due to significant barriers between the site boundary and the other non-statutory designated sites, an adverse impact is not anticipated.

2.4 Habitats

2.4.1 The habitats present within the site boundary include:

- Modified grassland
- Other neutral grassland
- Fens, marsh and swamp
- Mixed scrub
- Bramble scrub
- Bare ground
- Native hedgerow
- Native hedgerow with trees
- Native hedgerow, associated with bank or ditch
- Native hedgerow with trees, associated with bank or ditch
- Line of trees
- Ditch
- Scattered trees

2.5 Protected and Notable Species

2.5.1 The initial Preliminary Ecological Appraisal (Heatons, 2025) states that the habitats on the site have the potential to support:

- Roosting, commuting and foraging bats;
- Badgers;
- Breeding birds;
- Reptiles; and
- Amphibians

Table 2.2. Summary of protected and notable species. See PEA report (Heatons, 2025).

Species	Baseline Information
Great Crested Newts (GCN)	GCN eDNA surveys were completed in 2025, these have confirmed this species is likely absent from site. Therefore, no further measures are required. However, a PWMS should be followed but no ecological supervision is required for this species.
Reptiles	Whilst there is some suitable habitat on site, the majority of the works will be taking place on sub-optimal habitat due to the grassland management. However, a PWMS could be followed during any works to reduce or remove vegetation and for any topsoil stripping activities, but this is not required.
Bats (Roosting and commuting and foraging)	The trees within the site were assessed for their suitability to support roosting bats. T17 and T01 were identified as providing potential roosting features. Under the current proposals, direct impacts are not anticipated however, indirect impacts in the form of lighting, noise, vibration, and air pollution are anticipated. If the proposals cannot avoid significant indirect impacts to T17 or T01 or works will occur within 30m of T17 and/or 10m of T01, an aerial inspection is recommended. A PWMS or licencing may be required depending on the above.

	With regard to foraging and commuting, the majority of the suitable habitats are to be retained, however it is recommended that a lighting scheme is produced for both the construction and operational phases to ensure lighting does not impact foraging and commuting bats.
Badgers and Other Mammals	No evidence of badger setts was identified onsite or within 30m during the habitat survey (November 2024), however there were mammal trails present indicative of other mammals. Badgers are highly transient in nature, and suitable commuting and foraging habitats are present within the site. To minimise the risk to badgers and other mammals that may be present at any point, a PWMS should be adhered to throughout the works on site.
Birds	The habitats on site, including the grassland were considered to provide suitable nesting and foraging opportunities for birds. A total of 15 bird species were recorded during the 2025 breeding bird survey, four of which were 'notable'. The birds were noted utilising the hedgerows and trees across the site, with an old jackdaw nest in T17. No ground nesting birds were noted. Due to the site being subject to intensive management/grazing it is considered that the grassland is unlikely to support important populations of birds. However, if works are to take place within breeding season, a nesting check and/or breeding bird survey within the 24-hour period immediately prior to works will be required.
Invasive Species	Cotoneaster has been located on the site. Under current proposals is it indicated that all areas of cotoneaster are set to be retained. However, potential control methods should be adhered to if removal of the species is required.

Table 2.3: Summary of relevant legislation.

Receptor / Species of Concern	**Legislation**
Amphibians	All amphibian species receive a degree of protection under the Wildlife and Countryside Act 1981 (as amended). GCN are also protected as a European Protected Species under the Conservation of Habitats and Species Regulations 2017 (as amended).
Reptiles	All reptiles are protected under Wildlife and Countryside Act 1981 (as amended) and Natural Environment and Rural Communities Act 2006 (as amended).
Bats	All bat species are legally protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).
Badgers	Badgers are their setts are legally protected under the Protection of Badgers Act 1992.
Birds	All breeding birds, their eggs, nests and young are protected under the Wildlife and Countryside Act 1981 (as amended).

3 CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN: BIODIVERSITY

3.1 Risk Assessment of Potentially Damaging Operations Activities

3.1.1 The operation activities associated with the development proposals include:

- Delivery of construction materials to site.
- Stripping of soils and ground preparation for factory building and hardstanding.
- Erection of the factory building and installation of hardstanding.
- Removal of hedgerow.
- Landscaping, habitat creation, and drainage works.

3.1.2 The ecological risk of each activity is assessed and measures for reducing the impact are detailed below. The timings of sensitive works to avoid harm to the main biodiversity features of concern can be found in Table 3.1 below. The requirements for the presence of Ecological Clerk of Works (ECoW) are also identified.

Table 3.1: Timings of Sensitive Works.

Receptor / species of concern	Timing of works	ECoW presence required
Badgers – clearance of suitable habitat	Prior to any works.	ECoW required
Roosting bats – clearance works within 30m of T01 and T17 (if no roosts are identified from aerial inspection surveys).	Between mid-April and October (No works undertaken during hibernation season and no works undertaken during maternity season within close proximity to T17).	ECoW required
Birds – Clearance of suitable bird nesting habitat	Between September and February	No ECoW required
	Between March and August	ECoW required

3.1.3 Additional precautionary methods to reduce the impact on biodiversity features can be found in Table 3.2 below.

Table 3.2: Recommended Precautionary Methods.

Receptor / species of concern	Timing of works	Recommended precautionary methods
Amphibians / Reptiles	Over winter period – November to February / or when temperatures drop below 5 degrees at night and 10 degrees in the day (for at least 5 consecutive days immediately prior to works).	• No construction works, avoid hibernation season.
	Over the summer period (March to October) – any construction works undertaken over 5 degrees at night and 10 degrees in the day (for at least 5 consecutive days immediately prior to works).	• Timing: Works will be undertaken during daylight hours only as GCN are most active at night. • Vegetation cut first to 150mm above ground then 24hours a further cut to ground level following a walkover to check for any species present. • Directional cutting and soil stripping to ensure any animals present are directed away from works; • Removal of brush piles and/or compost heaps must be undertaken carefully and by hand. Must be undertaken when temperatures are over 5°C overnight and above 10°C during the day. • Any building materials, such as bricks, stone, etc. will be stored on pallets to discourage reptiles and amphibians from using them. Any materials will be stored in skips or similar containers rather than in piles on the ground. • If at any time GCN/reptiles are found during works, the works should stop immediately, and further advice sought for the Heatons ecology team. • Other amphibians are not protected under the same legal protection as GCN; however, it is good practice to avoid causing harm to these species.
Roosting bats	Between mid-April and October (No construction works undertaken during hibernation season and no works undertaken during maternity season within close proximity to T17).	• Implementation and retention of a highly visible physical barrier to demarcate a 10m buffer from T01 and 30m from T17 (due to the features present), will act as a 'no work zone'. This will be maintained through the installation of a fence). • On the initial day of the works, a Suitably Qualified Ecologist (SQE) will be onsite to ensure the fence is correctly distanced from the trees as well as to oversee the first 2-3 hours of the

		works (or more if required) when located within 20m of T01 and T17. • Light levels – the light should be as low as Health & Safety permits, especially within or adjacent to habitats of value to bats. Any lighting used must be directional and positioned sympathetically to minimise light spill onto trees, hedgerows and woodland habitats. If lighting is not absolutely necessary, then it shouldn't be used. It is recommended that a lighting scheme is implemented, with input from a SQE. • It must detail the types of machinery / plant allowed and what mitigation measures are necessary for each including no use of vibration rollers or dozers within 20m of the trees, directional use of diggers etc. • If a bat is found at any time on site, works must cease, the bat should not be touched and should be observed from a distance to ensure its location is known at all times and advice sought from Heatons ecology team as soon as it is safe to do so. • On the initial day of the works, a bat licenced ecologist should perform an aerial inspection of any features deemed to be FAR (or PRF-M) on trees within 20m of works. • An ECoW should be on site on day one (can be the same bat licenced ecologist doing the aerial inspections) to provide a toolbox talk and discuss/approve work activities and / or methods. • A Root Protection Area (RPA) equated to a circle, using the tree as the centre point, with a radius that is twelve times the tree's Diameter at Breast Height (DBH) for a single stemmed tree, from all retained trees should be implemented in line with BS5837:2012.
Foraging/commuting bats	Throughout construction works and operational phases	• A 2m dark buffer from any suitable bat habitats should be maintained throughout the works. • LED luminaries should be used, where possible. • A warm white spectrum should be adopted to reduce the blue light component. • All lighting should be cowled and directional to the areas of works only.
Badgers / Other Mammals	Throughout the construction works	• Ramps in any open excavations to avoid badger entrapment (minimum a 45-degree angle and in place every 20-30m); • Reduced speed limits; • Appropriate storage methods for potentially harmful chemicals; • Cap any exposed pipes overnight and when contractors are off site;

		• Any stockpiled soil must be checked for evidence of badgers each day prior to any movement onto or off the stockpile; and • In the unlikely event that a badger does become entrapped, or any setts are found during works, Heatons ecology team should be contacted for further advice as soon as possible. No attempt should be made to catch the animal/s and all staff should move away from the area to avoid stressing the animal further.
Birds	Between September and February	• If not possible, a nesting bird check will be required 24 – 48 hours prior to vegetation removal. Where nesting birds are present, a 'no work' buffer will be implemented, and the nest monitored until all chicks have fledged. No attempt should be made to move the nest or birds / eggs and all staff should move away from the area to avoid stressing the bird further.
	Between March and August	• No removal of suitable habitat (including woodland) to avoid nesting bird season. • If not possible, a nesting bird check will be required 24 – 48 hours prior to vegetation removal. Where nesting birds are present, a 'no work' buffer will be implemented, and the nest monitored until all chicks have fledged. No attempt should be made to move the nest or birds / eggs and all staff should move away from the area to avoid stressing the bird further.
Invasive Species	All year round	• Use of control measures to remove invasive non-native species from the site (see Invasive Species Method Statement for more information (Heatons, 2025)). • Care & vigilance is required if using mechanical control as birds may be nesting. Any nest found, contact the ECoW or Heatons ecology team.

Vegetation Clearance

Potential Impacts

3.1.4 To facilitate the proposed re-profiling works, areas of modified grassland, other neutral grassland and small areas of hedgerow will be removed. This has the potential to impact bats, breeding birds, amphibians, reptiles and badgers.

Measures to Minimise Impacts

3.1.5 The contractor shall carefully set out / agree the areas of vegetation clearance with ECoW in advance of commencing the works.

3.1.6 To minimise the risk to breeding birds, sensitive timing of works and / or required ECoW presence will be adhered to during the vegetation clearance and removal of sand banks. Refer to table 3.1 for the timings of sensitive works.

3.1.7 To minimise the risk to foraging / commuting bats, precautionary measures will be adhered to during the works. Refer to table 3.2 for details.

3.1.8 To minimise the risk to badgers, required ECoW presence, through an updated badger survey, will be adhered to prior to the commencement of works. Additionally, precautionary measures will be adhered to during the works. Refer to table 3.2 for details.

3.1.9 All waste / arisings from the vegetation clearance shall be carefully disposed of. Where possible green waste will be composted / recycled either on or off-site.

General Construction Processes (Earthworks and Landscape)

Potential Impacts

3.1.10 Direct and indirect impacts to both protected / notable species and habitats can arise from general construction processes, such as pollution, dust, noise and lighting.

Measures to Minimise Impacts

3.1.11 Good site management, as described below, will minimise the risk of general construction activities to both protected / notable species and habitats.

3.1.12 This will include careful handling and storage of materials to minimise potential pollution, for example:

- Ensuring that chemicals and fuels are sorted in suitable containers;
- Access routes and temporary lay down areas will be carefully agreed in advance to avoid more sensitive parts of the site;
- Refuelling, only on hardstanding or other approved areas, away from watercourses and drains; and
- Ensuring that vehicles and plant are secure from leakage and spillage. If spillage occurs, take appropriate action.

3.1.13 Plant and machinery will be properly maintained, with quiet settings / silencers and switched off when not in use. Dust suppression will be carried out as necessary, for example use of water bowser on haul routes during dry periods.

3.1.14 All aspects of works will be conducted in such a manner to minimise the generation and spread of dust and sand into the surrounding area, including the following:

- Stockpiled material will be kept away from the woodland;

- Stockpiled materials which are susceptible to wind erosion will be dampened down to ensure satisfactory dust control; and
- Airbourne dust will be kept to a minimum by the regular use of a water spray system and wetting down access roads.

3.1.15 Construction works will be limited to daytime works only with operational hours noted as 24 hours a day Monday to Saturday, however the normal operational times are 2am to 7pm Mon-Fri (machinery starting at 4am) and 2am to 12.30pm on Saturdays (machinery starting at 4am). If external lighting is required, the following recommendations must be implemented:

- A minimum 5m dark buffer is retained adjacent to any trees, hedgerows and woodland/scrub;
- All luminaires should lack UV elements when manufactured. Metal halide and compact fluorescent sources should not be used;
- LED luminaires should be used where possible;
- A warm white light source (2700kelvin or lower) should be adopted to reduce the blue light component;
- Light source should feature peak wavelength higher than 550nm;
- Internal luminaires should be recessed where installed in proximity to windows;
- Waymarking inground markers to delineate path edges;
- Column height should be carefully considered to minimise light spill and glare visibility;
- Only luminaires with a negligible or zero upward light ratio and with good optical control should be considered;
- Luminaires should always be mounted horizontally, with no light output above 90 and/or no upward tilt;
- Where appropriate, external security lighting should be set on motion sensors and set to as short a timer as possible;
- Only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where is needed.

3.1.16 All waste will be managed appropriately, and rubbish and debris removed regularly to keep the site and works clean and tidy. All surplus hazardous materials and their containers regularly removed for disposal off-site in a safe and competent manner and in accordance with relevant regulations.

3.2 Biodiversity Protection Zones

Bats

3.2.1 As detailed below, the retained areas of trees will be protected with protection zone / fencing in accordance with BS 5837:2021 which will help to reduce disturbance to any roots.

Badgers

3.2.2 To ensure that badgers are not impacted during the construction phase of the works, the requirement for a minimum 30m protection zone in accordance to Scottish Badgers (2018) reviewed and adhered to during the works. If works encroach on this protection zone, a licence from Natural England will be required (Natural England, 2015).

Trees / Hedgerow

3.2.3 To ensure that retained trees and hedgerows are not impacted during the construction phase of the works, the requirement for protection zones / fencing in accordance with BS 5837: 2012 will be reviewed and adhered to during works.

3.3 Responsible Persons

3.3.1 The key responsibilities and personnel (where known) are set out in Table 3.3 below, including Project Manager, Site Manager and ECoW.

Table 3.3: Key Responsibilities.

Name	Responsibility	Role / Comments
TBC	Project Manager	Overall responsibility for the site
TBC	Site Manager	Day to day responsibility for construction and implementation of construction-related ecological measures
TBC	ECoW	Day to day responsibility for ecological advice and supervision

3.3.2 An initial pre-commencement meeting will be arranged between the Project Manager, Site Manager and ECoW to discuss the detailed proposals and programme. Any setting out of exclusion areas or fencing, parking, access and storage areas will be agreed prior to construction works commencing. In

addition, depending on timings, the need for any update surveys will be reviewed.

3.3.3 Ecological supervision will then be undertaken during the construction works in accordance with this document. The ECoW will maintain regular contact with the Site Manager via telephone and email. The ECoW will be on call to attend site where unscheduled / unexpected ecological issues arise, where possible.

4 REFERENCES

- Heatons (2025). Planning Design & Access Statement. [Online]. Available at: https://publicdocuments.hinckleybosworth.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=2C10EC69BEBF4A45A12516693375EA9F
- Heatons (2025). Preliminary Ecological Appraisal. [Online]. Available at: https://publicdocuments.hinckleybosworth.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=2C10EC69BEBF4A45A12516693375EAA1
- Heatons (2026). Decision Notice. [Online]. Available at: https://publicdocuments.hinckleybosworth.gov.uk/PublicAccess_LIVE/Document/ViewDocument?id=88E17DE302D040E2B3C8524C7D9BD2C5
- Multi-Agency Geographic information for the Countryside (MAGIC) (2022). [Online]. Available at: https://magic.defra.gov.uk/home.htm
- Natural England (2015). Badgers: Protection and Licences. [Online]. Available at: https://www.gov.uk/guidance/badgers-protection-surveys-and-licences
- Scottish Badgers (2018). Protecting Badgers – Guidance for Local Planning Authorities. [Online]. Available at: https://www.scottishbadgers.org.uk/wp-content/uploads/2021/01/Protecting-Badgers-Guidance-for-Local-Planning-Authorities_Final-7366698.pdf

5 DRAWING 1 – UK HABITAT CLASSIFICATION PLAN

----------Page left blank intentionally----------

6 APPENDICES

6.1 Appendix A - Site Photographs



Fens, marsh and swamp at the southeast of site (non-priority habitat).



Modified grassland at the centre of site.



Modified grassland at the northwest of site.

6.2 Appendix B - Wildlife Legislation

Badgers (*Meles meles*)

In the UK the relevant legislation pertaining to Badgers is the Protection of Badgers Act 1992 and the Wildlife and Countryside Act, 1981 (as amended). Under the Protection of Badgers Act it is an offence to:

- Wilfully kill, injure, take possess or cruelly ill-treat* a Badger, or attempt to do so;
- To intentionally or recklessly interfere with a sett# (this includes disturbing Badgers whilst they are occupying a sett, as well as damaging or destroying a sett or obstructing access to it).

  * the intentional elimination of sufficient foraging area to support a known social group of badgers may, in certain circumstances, be construed as an offence by constituting 'cruel ill treatment' of a Badger.

  # a sett is defined as 'any structure or place which displays signs indicating current use by a Badger', with 'current use' defined by Natural England under interim guidance as over the preceding few months prior to a likely interference/disturbance event.

Licences can be obtained from the SNCO for development activities that would otherwise be unlawful under the legislation.

Bats

All British bats are European protected species and therefore receive protection under the Conservation of Habitats and Species Regulations 2017 (as amended), making it an offence to:

- Deliberately kill, injure or capture a bat;
- Deliberately disturb bats, including in particular any disturbance which is likely to:
  - impair their ability to survive, reproduce or to rear or nurture their young;
  - impair their ability to hibernate or migrate; or
  - significantly affect their local distribution or abundance.
- Damage or destroy a breeding site or resting place of a bat;
- Possess or control any live or dead specimen or anything derived from a bat;
- Sell, offer for sale, possess or transport a bat (live or dead, part or derivative) for the purpose of sale or advertise for buying or selling.

In addition, all British bats are listed under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended), which contains further provisions making it an offence to intentionally or recklessly:

- Damage, destroy or obstruct access to any structure or place which any bat uses for shelteror protection; or
- Disturb any bat while occupying a structure or place which it uses for that purpose.

Licences can be obtained from the Statutory Nature Conservation Organisation (SNCO) for development activities that would otherwise be unlawful under the legislation.

Amphibians

All British amphibian species receive a degree of protection under the Wildlife & Countryside Act 1981 (as amended). The level of protection varies from protection from sale or trade only, as is thecase with species such as Common Toad (*Bufo bufo*) and Smooth Newt (*Lissotriton vulgaris*), to fullprotection afforded to species such as Great Crested Newt (*Triturus cristatus*).

Great Crested Newt is a European protected species and as such receives full protection under theConservation of Habitats and Species Regulations 2017 (as amended), making it an offence to:

- Deliberately capture, injure or kill a Great Crested Newt;
- Deliberately disturb Great Crested Newts, including in particular any disturbance which islikely to:
    - impair their ability to survive, reproduce or to rear or nurture their young;
    - impair their ability to hibernate or migrate; or
    - significantly affect their local distribution or abundance.
- Deliberately take or destroy eggs of Great Crested Newts;
- Damage or destroy a breeding site or resting place of Great Crested Newts;
- Possess or control any live or dead specimen or anything derived from a Great CrestedNewt;
- Sell, offer for sale, possess or transport a Great Crested Newt (live or dead, part orderivative) for the purpose of sale or advertise for buying or selling.

Reptiles

All reptile species are listed under the Priority Species under the UK Post-201 Biodiversity Framework and receive protection under the Wildlife & Countryside Act 1981 (as amended), makingit illegal to;

- Intentionally kill or injure reptiles;
- Sell, offer for sale, possess or transport reptiles (live or dead, part or derivative) for thepurpose of sale or advertise for buying or selling.

In addition, due to their status as scarce species both Smooth Snake (*Coronella austriaca*) and Sand Lizard (*Lacerta agilis*) are European protected species, protected under the Conservation of Habitatsand Species Regulations, 2017 (as amended). This affords them additional protection, making it illegal to:

- Deliberately capture Smooth Snakes or Sand Lizards;
- Deliberately disturb Smooth Snakes or Sand Lizards, including in particular any disturbancewhich is likely to:
    - impair their ability to survive, reproduce or to rear or nurture their young;
    - impair their ability to hibernate or migrate; or
    - significantly affect their local distribution or abundance.
- Damage or destroy a breeding site or resting place of Smooth Snakes and Sand Lizards.
- Possess or control any live or dead specimen or anything derived from a Smooth Snake orSand Lizard.

<u>Birds</u>

All wild birds, their nests and eggs are protected throughout the breeding season (typically late February to late August inclusive) under the Wildlife and Countryside Act, 1981 (as amended). Thislegislation makes it an offence to (with certain limited exceptions and in the absence of a licence) intentionally:

- Kill or injure any wild bird;
- Take, damage or destroy the nest of any wild bird whilst it is in use or being built;
- Take or destroy the egg of any wild bird;
- It is also an offence to possess any live or dead wild bird or egg, or anything derived from abird or egg;
- Restrictions on trade and advertising also apply.

Schedule 1 of the Wildlife & Countryside Act 1981 is a list of the nationally rare and uncommon breeding birds for which all offences carry special (i.e. greater) penalties. These species also benefitfrom additional protection whilst breeding, as it is an offence to disturb adults or their dependent young when at a nest.

The RSPB categorise British bird species in terms of conservation importance based on a number of criteria including the level of threat to a species population status. Species are listed as Green, Amber or Red. Red Listed species are considered to be of the highest conservation concern, being either globally threatened and / or experiencing a high level of population decline (e.g. a reduction in breeding population size greater than or equal to 50% over the past 25 years or since 1969, whenthe first species assessment was made).

In addition, Birds are listed under Protection of Birds Act 1954 (as amended), which contains similarprotection to Wildlife and Countryside Act 1981 (as amended).