

**Whitcher Wildlife Ltd.
Ecological Consultants.**



MARKET BOSWORTH SCHOOL.

OS REF: SK 40179 03240

**PRECAUTIONARY WORKING METHOD
STATEMENT.**

Ref No: 250130/PWMS.

Date: 13th January 2024.

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1. INTRODUCTION.

1.1. Market Bosworth School have plans to improve recreational facilities within the school grounds, which will include the creation of a new Multi-use Games Area (MUGA), playing field and increased parking.

1.2. Works are due to start in February 2025 and further clarification has been requested by the Local Planning Authority (LPA) as to how both badgers and great crested newts will be protected from harm during the development.

1.3. Whitcher Wildlife Ltd has therefore been commissioned to prepare a Precautionary Working Method Statement (PWMS) to detail what measures are to be implemented to ensure that there is no harm to these species.

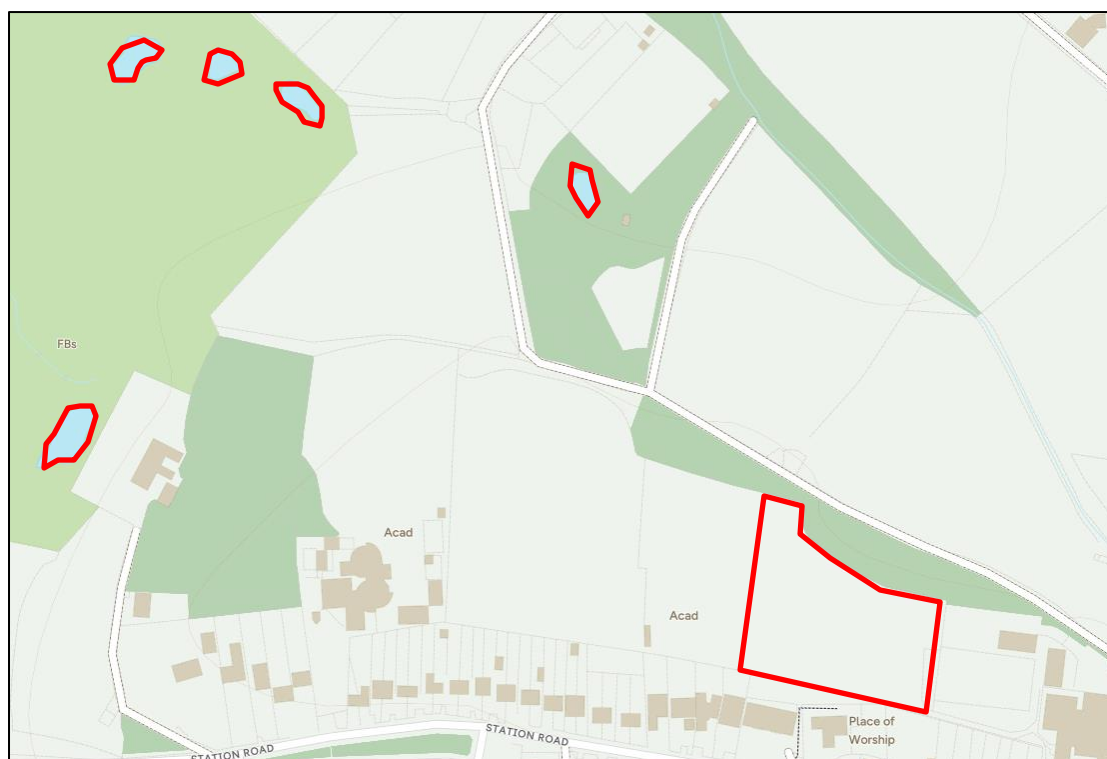
1.4. Toolbox Talks on great crested newts and badgers are included at the end of this report.

2. METHOD STATEMENT – GREAT CRESTED NEWTS.

2.1. Survey data on great crested newts within the local area is sparse, but they are known to be present, including within Market Bosworth, Kyngs Golf Course Ponds candidate Local Wildlife Site (cLWS), with the closest pond within that site lying approximately 370m northwest of the development site boundary. A further publicly available record is provided from 1 Back Lane, which lies approximately 180m from the red line boundary, but close to the school itself.

2.2. The site itself comprises an existing amenity grassland field, with very poor suitable terrestrial habitat for great crested newts. It is used frequently by school children and is mown on a frequent basis. However, the woodland to the immediate north of the survey provides much better suitable terrestrial habitat.

2.3. The below map shows all ponds which are shown on Ordnance Survey (OS) Maps within a 500m radius of the works area, with the closest lying within a parcel of woodland, approximately 210m northwest of the works area.



Red Line Boundary is intended as a rough indication and is not precise.

2.4. Given the known presence of great crested newts within the further surroundings of the site and suitable habitats close to the site, but unsuitable habitat within the site

itself, precautionary measures are to be implemented to ensure no harm comes to great crested newts during the works.

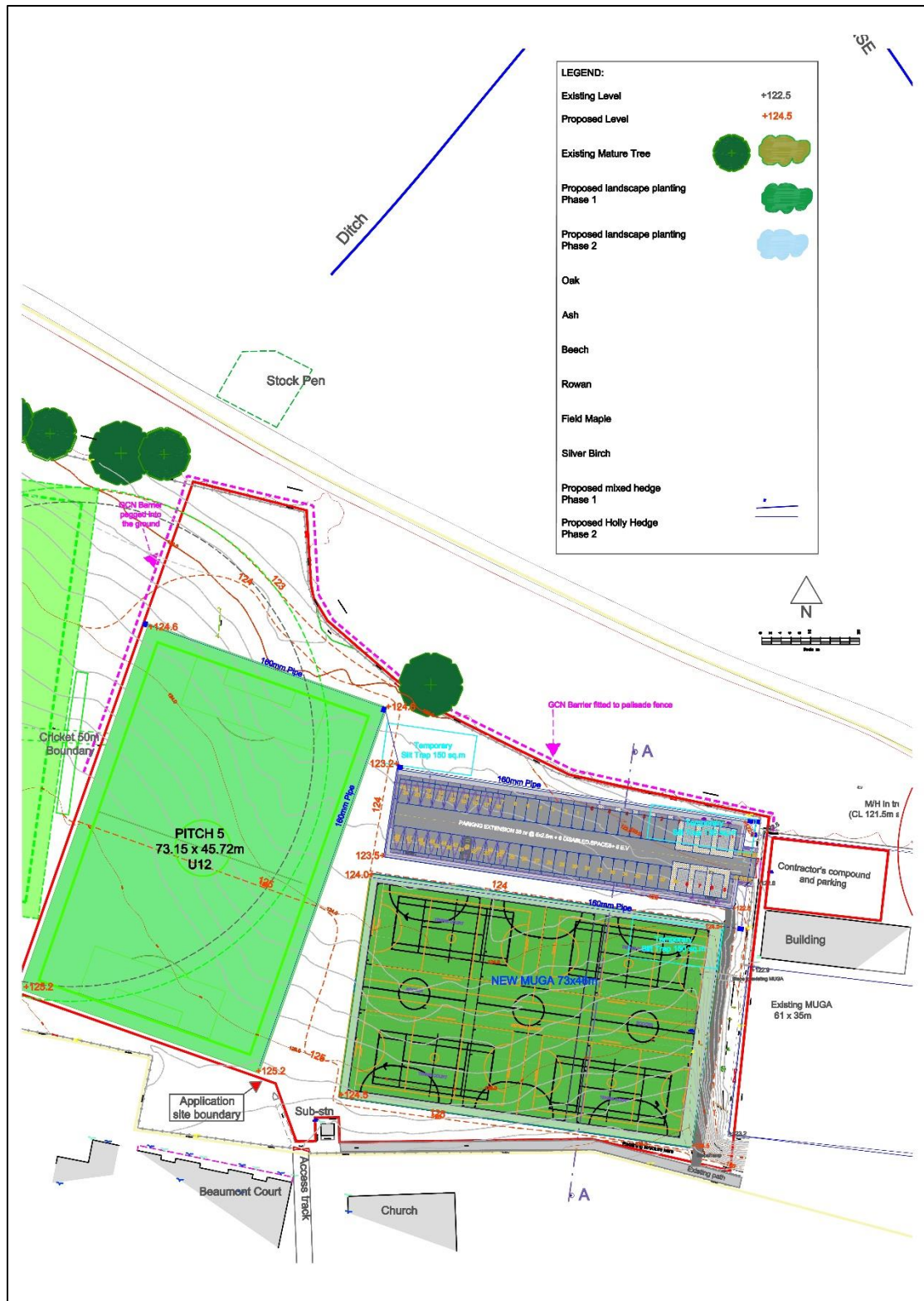
2.5. Prior to any works starting, the site manager will be given a copy of this document. They will be responsible for ensuring that the measures within are completed in accordance with this document.

2.6. The site itself is unsuitable terrestrial habitat and offers no potential for great crested newts during either hibernation or migration to and from ponds, but it is appreciated that once materials are moved onto site, this may provide refugia opportunities for great crested newts, enticing them into the survey area. To prevent this, a section of Temporary Amphibian Fencing (TAF) is to be erected around the perimeter of the red line boundary of the site, but not within, or enveloping, any areas of suitable habitat..

2.7. Once erected, this fence will be inspected weekly by on-site personnel to ensure it remains in good condition, with no defects which could allow access onto the site by great crested newts.

2.8. At no point during the works will any areas of suitable terrestrial habitat outside of the red line boundary be impacted. All works will be confined to the work site and no materials will be stored on site until after the fence has been erected.

2.9. The extent of the fencing can be seen in the drawing below and on the drawing in Appendix I of this document via the pink dashed line, although a clearer copy will be provided as a standalone document



2.10. In the unlikely event that a great crested newt is found in the work site during the works, then works will stop immediately and professional ecological advice will be sought prior to any further works proceeding.

3. METHOD STATEMENT – BADGER.

3.1. Concern has been raised regarding the existence of a potential badger sett within land to the north of the school. Records of badger appear to support this, with a sett recorded in this location in 2017.

3.2. A recent report by Arbtech confirmed the presence of numerous field signs within the immediate surrounding area but could not confirm the presence of the sett due to density of vegetation. However, for the purpose of this report, it is assumed to be present and will be referred to as ‘the sett’.

3.3. The sett is located to the northeast of the existing car park at approximately SK 40341 03248, which is approximately 65m east of the proposed red line boundary of the development. Therefore, it is assumed that there will be no significant increase in disturbance to badgers with the only change to the nearby habitats to the sett being a slight increase in traffic through the existing car park.

3.4. Natural England’s guidance note titled ‘Interpretation of ‘Disturbance’ in relation to badgers occupying a sett’ states the following in the list of activities which they do not believe justify the requirement for a badger disturbance licence...

“Development, or other activities occurring close to badger setts (use of hand tools and/or machinery), where there is no reason to believe that the ‘disturbance’ will be greater than that which badgers commonly tolerate, and therefore any badger(s) occupying the sett are unlikely to be disturbed”

As there is no reason to believe that the development will create any level of disturbance greater than they currently tolerate, there is no reason to believe that a licence is necessary. The works do not pose any threat of impacting directly on the sett or within a 30m radius.

3.5. Regardless, measures should still be implemented to ensure any indirect impacts on badgers are minimised. These include a need to reduce artificial light infringement on areas of natural habitat outside of daylight hours. The badgers clearly tolerate the current light levels, but care will be taken to ensure this is not increased either directly within the car park or within the woodland belt which runs along the north of the site. This will protect the integrity of the woodland corridor.

3.6. No groundworks, including the installation of the proposed newt fencing, will be carried out within a 30m radius of the sett.

3.7. No open holes will be left overnight during construction without an escape ramp being positioned within. Similarly, no open pipes will be left overnight without being capped. This will ensure no badgers become trapped during the night when the site is closed.

3.8. As previously mentioned in regard to great crested newts, no impact will be permitted on areas of suitable terrestrial habitat, primarily the woodland belt to the north of the site.

3.9. If at any point during the works further mammal holes are identified, works will cease in that location and professional ecological advice will be sought prior to proceeding.

3.10. The site itself is a recreational playing field providing poor quality foraging opportunities to badgers. They may utilise the site to some limited extent but would largely be expected to rely on the woodland and the higher quality habitats to the north, all of which will remain unimpacted by the development.

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Appendix I. PROPOSED DEVELOPMENT PLAN (SHOWING AMPHIBIAN FENCING).



Toolbox Talk: Great Crested Newts

The great crested newt population has suffered a major decline in Britain over the last century. Numerous ponds have been lost, unmanaged ponds have become silted up and over-shaded, development has destroyed ponds and associated terrestrial habitat and caused fragmentation of populations. The loss of grassland, scrub and woodland has resulted in fewer opportunities for foraging, dispersal and hibernation.

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Identification: Great Crested Newts.

Great crested newts are dark, nearly black in colour with a speckled belly, distinctly orange in colour and with orange stripes across their toes. Great crested newts can grow up to 15cm in length.



Identification: Smooth and Palmate Newts.

Smooth newts are predominantly lighter in colour although their colour may vary from sandy coloured to very dark. Smooth newts also have a speckled orange belly, but the orange colour fades to pale.



Palmate newts are similar to smooth newts but with a pinker belly and webbed feet.

Habitat.

Great crested newts live predominantly on land but breed in ponds between March and June.

Great crested newts may be found on land almost all year round. They spend the daytime under rocks or logs, in cracks, crevices or holes, or anywhere that is moist and cool and emerge at night to forage. During the winter months great crested newts hibernate deep down away from frost.

When disturbed in terrestrial habitats newts will usually be very sluggish and will take time to move away.

Legislation.

The great crested newt is listed on Schedule 5 of the Wildlife and Countryside Act 1981, recently modified by the Countryside Rights of Way Act 2000. The great crested newt is therefore subject to the provisions of Schedule 9, which make it an offence to:

- Intentionally kill, injure or take a great crested newt.
- Possess or control any live or dead specimen or anything derived from a great crested newt.
- Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a great crested newt.
- Intentionally or recklessly disturb a great crested newt while it is occupying a structure or place which it uses for that purpose.

The great crested newt is also listed on Annex II and Annex IV of The Conservation (Natural Habitats & C) Regulations 1994. Regulation 39 makes it an offence to:

- Deliberately capture or kill a great crested newt.
- Deliberately disturb a great crested newt.
- Deliberately take or destroy the eggs of a great crested newt.
- Damage or destroy a breeding site or resting place of a great crested newt.

The legislation applies to all life stages of great crested newts.

The maximum fine on conviction of offences under Section 9 and Regulation 39 currently stands at £5,000. The CroW Act 2000 amendment also allows for a custodial sentence of up to six months instead of, or in addition to, a fine. In addition, items, which may constitute evidence of the commission of an offence, may be seized and detained.

If great crested newts are identified during works, stop all works and contact Whitcher Wildlife Ltd directly on 01226 753271 or at info@whitcher-wildlife.co.uk

Identification: Great Crested Newts

If newts are identified during works the following document can be used to identify whether the newts are likely to be Great Crested Newts.

The newts should also be photographed and professional advice should be sought on the way forward.

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Great crested newts can grow up to 15cm in length. They are dark, nearly black in colour with a speckled belly which is distinctly orange in colour and with orange stripes across their toes.

Great crested newts and other amphibians will often be found underneath refugia such as logs, stones and other rubbish on the ground. They will also often be found in railway ballast and in cable troughs.



If great crested newts are identified during works, stop all works and contact Whitcher Wildlife Ltd directly on 01226 753271 or at info@whitcher-wildlife.co.uk

Toolbox Talk: Badgers

Identification.

Badgers are a nocturnal mammal that has a silvery grey back with distinct black and white stripes running from their shoulders to their nose. They are short stocky animals and can grow to approximately 80cm from head to tail.



Badgers are rarely seen during the day therefore the presence of badgers is usually identified from field signs such as setts, prints, paths or dung pits.

Badger prints are very distinctive and will often be found in soft areas of mud. The print has five toes which are almost in a straight line. Where the ground is very soft the print will display claws, but these may not always be visible.

Badgers are animals of habit and therefore they follow set paths throughout their territory leaving the paths very well worn in some areas. Well-worn badger paths may look like public footpaths when very well worn although they may lead under dense areas of vegetation and fences.



Another common badger field sign is the presence of shallow holes scraped in the ground containing dung. These are known as dung pits or, where found in large numbers, as a territorial marking, latrines.

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Habitat.

Badgers live in a series of underground tunnels called a "sett". A badger sett may be anything from a single entrance with a small spoil heap to an extensive area of entrances and large spoil heaps.



Badgers may also use existing features as setts such as culverts, caves, mines or any underground structure that will provide them with shelter.

Legislation.

Badgers and their setts are protected by the Protection of Badgers Act 1992. Under the Act it is illegal to:

- Wilfully kill, injure or take a badger or attempt to do so.
- Cruelly ill-treat a badger.
- Interfere with a sett by doing any of the following:
 - Damaging a badger sett or any part of it.
 - Destroying a badger sett.
 - Obstructing access to a badger sett.
 - Causing a dog to enter a sett.
 - Disturbing a badger while it is occupying a sett.

Penalties for offences under the Act are up to six months in prison and a fine of £5,000 for each offence.

Disturbance to a badger in a sett can be caused by working close to a sett.

If badgers or badger field signs are identified during works, stop all works and contact Whitcher Wildlife Ltd directly on 01226 753271 or at info@whitcher-wildlife.co.uk