



Stretton Baskerville Solar Farm (Hinkley #2)
Elms Farm, Watling Street, Hinckley

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN: BIODIVERSITY

For the discharge of Planning Condition 21 (21/00732/FUL – Hinkley
& Bosworth Borough Council)

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www.viaem.co.uk

Tel: 0115 804 2100



Client	DWD Ltd
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	Name	Position	Date
Author	SW	Ecology Manager	24/07/2023
Review	BH	Graduate Ecologist	24/07/2023
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Table of Contents

1. Introduction and Terms of Reference	1
1.1. Planning Condition 21	1
1.2. Aims and Objectives	1
1.3. Definition of Construction Works	1
1.4. Key Roles and Responsibilities	1
1.5. Contractor Induction	2
1.6. Access to the CEMP-B	2
2. Key Ecological Constraints and Impacts	3
2.1. Ecological Constraints	3
2.2. Risk Assessment of Key Impacts.....	4
3. Designated Sites and Habitats - Mitigation Measures	6
3.1. Construction Method Statement - Biodiversity Protection Zones.....	6
3.2. Construction Method Statement - Ashby Canal pLWS	7
3.3. Construction Method Statement - Lime Kiln Meadow pLWS	7
3.4. Arboricultural Method Statement and Tree Protection Plan	7
4. Badgers – Mitigation Measures	8
4.1. Legislation	8
4.2. Current Site Evidence	8
4.3. Assessment of Risk from Construction Impacts.....	8
4.4. Pre-Construction Badger Surveys.....	8
4.5. Potential Presence of New Badger Setts.....	9
4.6. Construction Method Statement – Badgers	9
5. Nesting Birds – Mitigation Measures	10
5.1. Legislation	10
5.2. Current Site Evidence	10
5.3. Assessment of Risk from Construction Impacts.....	10
5.4. Construction Method Statement – Nesting Birds	10
6. Reptiles – Mitigation Measures	12
6.1. Legislation	12
6.2. Current Site Evidence	12
6.3. Construction Method Statement – Reptiles	12

7. Hedgehog & Brown Hare – Mitigation Measures	14
7.1. Legislation	14
7.2. Current Baseline	14
7.3. Assessment of Risk from Construction Impacts.....	14
7.4. Method Statement – Hedgehog and Brown Hare	14
8. Summary of Ecological Protection Measures.....	15

Appendix 1 – Biodiversity Protection Zones

1. Introduction and Terms of Reference

1.1. Planning Condition 21

- 1.1.1 Via EM Ltd was commissioned to produce a Construction Environmental Management Plan – Biodiversity (CEMP-B) for a consented solar photovoltaic farm and associated infrastructure (the ‘solar scheme’), at Elms Farm, Watling Street, Hinckley (the ‘Site’).
- 1.1.2 The CEMP-B is required to discharge Planning Condition 21 of full planning consent 21/00732/FUL for the solar scheme. Condition 21 states:

‘The development hereby permitted shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition, the Local Planning Authority expect to see details concerning pre-commencement checks for badgers, otters, reptiles and breeding birds and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Ecological Management Plan shall thereafter be implemented in full’.

- 1.1.3 The solar scheme comprises a cross-boundary planning application. Most of the Site lies within the jurisdiction of Rugby Borough Council, with a linear strip along the northern Site boundary located within the jurisdiction of Hinkley and Bosworth Borough Council.
- 1.1.4 This CEMP-B is submitted as a document for the solar scheme in its entirety, to ensure a site-wide approach for the implementation of mitigation measures.

1.2. Aims and Objectives

- 1.2.1 The CEMP-B outlines appropriate **mitigation measures** and methods of working to be undertaken throughout the Construction Phase of the solar scheme to negate adverse impacts to habitats and species, to ensure compliance with relevant statutory legislation and industry Best Practice. The CEMP-B will be adhered to and implemented by the Principal Contractor throughout the Construction Phase, in accordance with the mitigation measures outlined.

1.3. Definition of Construction Works

- 1.3.1 For the purposes of this CEMP-B, ‘construction works’ include site preparation and vegetation clearance, setting out, the installation of site fencing, access roads, High Voltage (HV) cable routes and battery units, the construction of sub-stations and buildings, the installation of photovoltaic panels and any other associated infrastructure.

1.4. Key Roles and Responsibilities

Ecological Clerk of Works (ECoW)

- 1.4.1 When present on-site during the Construction Phase, an Ecological Clerk of Works (ECoW) will oversee and direct mitigation measures, where specified within this CEMP-B. The ECoW will also determine where additional mitigation measures may be required, should Site conditions or construction requirements change. For the purposes of the CEMP-B, the ECoW will also provide appropriately qualified or licenced ecologists, to assist in overseeing and directing mitigation measures.
- 1.4.2 The ECoW will report directly to the appointed Site Manager for the Principal Contractor, as well as the Applicant and their Agent as appropriate. The ECoW may also provide advice to the Principal Contractor when not on-site, wherever this is feasible.

Principal Contractor

- 1.4.3 The Principal Contractor will be responsible for ensuring that mitigation measures are implemented during the Construction Phase, requesting advice, direction, and oversight from the ECoW at the appropriate stages outlined within this CEMP-B.
- 1.4.4 The Principal Contractor will be also responsible for ensuring the ECoW has the appropriate machinery, qualified operators, ground workers and materials needed to implement the mitigation measures outlined within this CEMP-B.
- 1.4.5 The Principal Contractor will ensure that any changes to works operations which may affect the timing or implementation of the mitigation measures outlined within this CEMP-B, will be discussed with the ECoW before being carried out.
- 1.4.6 The Principal Contractor will also ensure the continuation of mitigation measures when the ECoW is not present on-site; and will also report immediately to the ECoW where deviation may be required from the implemented measures.

1.5. Contractor Induction

- 1.5.1 The key requirements for all mitigation measures and associated methods of working during the Construction Phase, as outlined within this CEMP-B, will be included within formal contractor inductions undertaken by the Principal Contractor.
- 1.5.2 Where appropriate and as specified within this CEMP-B, the ECoW will undertake 'toolbox' talks with contractors, prior to works which require ecological oversight and direction, or as requested by the Principal Contractor.

1.6. Access to the CEMP-B

- 1.6.1 The Principal Contractor will ensure a copy of this CEMP-B is always available in the Site Offices, with the full contact details for the ECoW also displayed.

2. Key Ecological Constraints and Impacts

2.1. Ecological Constraints

Existing Reports

- 2.1.1 The following existing Site report has been utilised to determine ecological constraints, impacts and mitigation measures for the Construction Phase of the solar scheme:

- AECOM (May 2021), Preliminary Ecological Appraisal Report, Stretton Baskerville Solar Farm (the 'AECOM report').

Designated Sites

- 2.1.2 The AECOM report identifies no Designated Sites within the Site boundaries.
- 2.1.3 Ashby de la Zouch Canal potential Local Wildlife Site (pLWS) runs north to south through the centre of the Site, adjacent to, but not within, the application boundary. The canal is designated as a pLWS for supporting water vole and as a wildlife refuge in a landscape predominated by arable land.
- 2.1.4 Lime Kiln Meadow pLWS is located directly to the north of the Site, adjacent to, but not within, the application boundary. The meadow is designated for its rich semi-improved grassland.
- 2.1.5 Sketchley Meadows Pond pLWS is located 22m to the north of the Site although is segregated from the application boundary by the A5 trunk road. The pLWS is designated as standing water.
- 2.1.6 The defined development zones of the solar scheme consented at planning will result in construction works being largely distal to the identified pLWS (see Appendix 1), therefore, direct impacts to pLWS are not predicted during the Construction Phase. However, there may be the potential for indirect impacts to pLWS such as disturbance to species and degradation of habitats, specifically in the north-eastern part of the Site, where construction works will be proximal to pLWS.

Pre-Construction Site Habitats

- 2.1.7 The AECOM report identifies that the Site comprises approximately 85 hectares of predominantly improved pasture grassland and managed arable land. Fields are bound by managed species-poor hedgerows, with minor elements of species-rich hedgerow. Hedgerow trees are infrequent. One pond occurs within the Site, a further three ponds occur just outside of the application boundary. Other habitats occur within the Site although are only minor in extent and occurrence, such as scrub, tall ruderal vegetation, and poor semi-improved grassland.
- 2.1.8 The improved pasture and arable habitats which dominate the Site are of low ecological value. Notable habitats are boundary hedgerows, ponds and field margins. The solar scheme will largely avoid notable habitats, predominately affecting pasture and arable land. Solar infrastructure has been offset from notable habitats such as hedgerows and ponds by a minimum of 5m. Mitigation measures are set out within this CEMP-B to further afford protection to notable habitats.

Protected Species

- 2.1.9 Preliminary and targeted protected species surveys were undertaken by AECOM in 2021. A summary of the findings within the AECOM report is presented below:

- No evidence of badger setts was identified within the Site, although an active sett was identified to the north of the Site outside of the application boundary. As the solar scheme will be located 30m from the off-site badger sett, no direct impacts to the sett were predicted.
- Ponds within and adjacent to the Site were, following Habitat Suitability Index surveys, determined to be of below average to poor suitability for great crested newts (GCN). As a result, the ponds were determined to be of limited to no potential to support GCN.
- Habitats across the Site including hedgerows, trees, scrub, arable and pasture fields were identified as being suitable nesting bird habitat, with the potential for direct and indirect impacts should clearance and construction works be undertaken within the bird nesting season.
- Habitats within the Site such as ponds, field boundaries and species-poor grassland were identified as potentially suitable reptile habitat, however, these features would not be directly impacted by the solar scheme. The potential for indirect impacts to reptile habitat was however identified.
- The Ashby Canal pLWS, located through the Site but outside the application boundary, was identified as having the potential to support water vole and otter. Potential disturbance impacts to the canal and water vole/otter were not predicted, however, the potential for other indirect impacts such as pollution events were identified.
- Site habitats were determined to have potential to support brown hares and hedgehogs, with the potential for direct and indirect impacts to these species during clearance and construction works.
- No bat roosting habitat was identified within the Site which would be directly or indirectly impacted by the solar scheme.
- The Site was determined to be of limited value for dormice, due to this species' restricted distribution within Warwickshire and lack of suitable habitats within the Site.

2.2. Risk Assessment of Key Impacts

- 2.2.1 The main site infrastructure of the solar scheme such as the photovoltaic panels, site fencing, internal access roads and associated site infrastructure will be installed over the existing managed arable and pasture fields.
- 2.2.2 Impacts to ecological receptors because of the Construction Phase will be temporary, short-term, and low in impact magnitude. Due to the nature of solar scheme installation extensive disturbance to Site soils such as site stripping and cut and fill operations will not be required.
- 2.2.3 The key objectives of the proposed Landscaping Scheme (Planning Condition 18) and Landscape and Ecological Management Plan (Planning Condition 22) are to enhance biodiversity during the Operational Period of the solar scheme.
- 2.2.4 The key risks to ecological receptors during the Construction Phase of the solar scheme and in the absence of mitigation measures are:
- Direct and indirect impacts to nesting birds, where clearance and construction works are undertaken during the nesting season.
 - Direct and indirect impacts to badger setts, should new setts have been built within the Site after the 2021 AECOM field surveys.
 - Indirect impacts to Designated Sites, notable habitats and associated protected species, such as from the accidental movement of construction vehicles into sensitive habitats, the improper storage of construction materials and pollution

events.

2.2.5 Protected species which have the potential to be adversely affected during the Construction Phase of the solar scheme are defined below, with mitigation measures provided in the relevant Sections of this CEMP-B.

- Badgers
- Nesting birds
- Reptiles
- Brown Hares
- Hedgehogs
- Water vole and otter (in respect of indirect impacts to Ashby Canal pLWS only)

3. Designated Sites and Habitats - Mitigation Measures

3.1. Construction Method Statement - Biodiversity Protection Zones

Overview

3.1.1 **Appendix 1** outlines designated Biodiversity Protection Zones (BPZs) for Designated Sites and notable habitats, comprising:

- Ashby Canal pLWS.
- Lime Kiln Meadow pLWS.
- Hedgerows

3.1.2 BPZs are defined only where Designated Sites and hedgerows are adjacent to defined development zones (see Appendix 1). It is assumed for the purposes of this CEMP-B that fields outside of defined development zones will not be utilised during the Construction Phase.

3.1.3 It is not considered appropriate or proportionate to define a BPZ in respect of Sketchley Meadows Pond pLWS, as this is located on the opposite side of the A5 trunk road.

Prohibited Works with BPZs

3.1.4 The BPZs will be treated as areas in which no construction works or access by construction plant, materials or contractors shall take place.

3.1.5 The exceptions for this will be where mitigation measures are provided and agreed by the ECoW. The identified mitigation measures will be adhered to when undertaking works within/adjacent to BPZs.

3.1.6 Where mitigation measures are not prescribed, any form of construction, ground works or access must not be undertaken within the BPZs without agreement and mitigation measures from the ECoW.

BPZ Demarcation

3.1.7 Construction works for the solar scheme will be temporary, short-term and low in impact magnitude. The proposed site security fencing bounding the solar panels will be installed before the installation of the panels and associated solar infrastructure.

3.1.8 Given the above factors, it is not considered proportionate, appropriate or furthermore workable to install additional protection fencing, i.e., Heras or similar, to demark proposed BPZs where site security fencing has already been installed.

3.1.9 Where BPZs are required and no security fencing is proposed, weather-proof signage will be installed every 50m stating 'Biodiversity Protection Zone – Keep Out' or similar.

Contractor Induction

3.1.10 The location and extent of the BPZs and the requirements for avoidance and protection will be included within formal contractor inductions undertaken by the Principal Contractor.

3.1.11 The Principal Contractor will ensure that Appendix 1, which illustrates the BPZs and is attached to this CEMP-B, is always displayed within the Site Offices.

3.2. Construction Method Statement - Ashby Canal pLWS

- 3.2.1 The defined development zones of the solar scheme consented at planning will result in construction works being largely distal to the canal. A BPZ is defined in the north-eastern area of the Site, where construction works will be proximal to the canal. These measures would prevent direct construction impacts to sensitive aquatic habitats within the canal corridor.
- 3.2.2 Appropriate precautionary mitigation measures are outlined below, to negate indirect construction impacts to sensitive aquatic habitats and associated species such as water vole and otter within the canal corridor. The mitigation measures will be implemented by the Principal Contractor.

Channel Re-Grading, Ground Level Changes and Water Run-Off

- Deposition of silts into the canal will be avoided through planned and controlled working measures by contractors and machinery drivers.
- Waste silt and soils will not be stored within 20m of the canal.
- Where deemed appropriate by the ECoW and Principal Contractor, specialist protective fencing or bunding will be used to prevent over silting and water run-off to the canal.

Fuels and Chemicals

- All fuels/chemicals will be bunded, appropriately labelled and stored on impermeable surfaces within the identified construction compound.
- Bunded fuels/chemicals will not be located within 20m of the canal.
- There will be no storage, re-fuelling or servicing of plant or machinery within 20m of the canal.

Handling and Movement

- The mixing and use of any materials (i.e., concrete) which have the potential to cause spillages will not be undertaken within 20m of the canal.
- Cleaning of plant and machinery will not be undertaken within 20m of the canal.
- Spillage kits will be made available in appropriate signed locations, particularly near the canal corridor.
- Any spillage or leaks of fuels/oils/chemicals will be reported immediately to the Construction Manager and remedial works immediately undertaken.

Treatment of Waste

- Waste materials will not be stored within 20m of the canal.
- All waste will be controlled, contained, recycled, and removed from the Site in accordance with Industry Best Practice.

3.3. Construction Method Statement - Lime Kiln Meadow pLWS

- 3.3.1 The outlined Method Statement and mitigation measures for Ashby Canal pLWS shall also be implemented for Lime Kiln Meadow pLWS. The mitigation measures will be implemented by the Principal Contractor.

3.4. Arboricultural Method Statement and Tree Protection Plan

- 3.4.1 In addition to the prescribed BPZs, construction works shall follow the control measures prescribed in the Site Arboricultural Method Statement and Tree Protection Plan.

4. Badgers – Mitigation Measures

4.1. Legislation

- 4.1.1 Badgers are primarily protected by The Protection of Badgers Act 1992, under which it is an offence to wilfully kill, injure, take, possess, or cruelly ill-treat a badger, or to attempt to do so and to interfere with a sett intentionally or recklessly. Sett interference includes disturbing badgers whilst they are occupying a sett as well as damaging or destroying a sett or obstructing access to it.

4.2. Current Site Evidence

- 4.2.1 The AECOM report identified no evidence of badger setts within the Site, although an active sett was identified to the north of the Site outside of the application boundary.

4.3. Assessment of Risk from Construction Impacts

- 4.3.1 As the solar scheme will be located 30m from the off-site badger sett, no direct impacts to the sett have been predicted within the AECOM report.
- 4.3.2 Badgers will however readily dig new setts and there is the potential for such setts to be present within or in proximity to work areas prior to the start of or during the Construction Phase.
- 4.3.3 There is, therefore, the potential for new badger setts if present within the Site to be damaged or destroyed as part of construction works, in the absence of mitigation. Badger setts have the potential to be present within any area of the Site but are most likely to occur along or near to field boundary features.

4.4. Pre-Construction Badger Surveys

Survey Overview

- 4.4.1 Given the dynamic nature of badger groups, pre-construction surveys for potential new badger activity and badger setts will be undertaken by the ECoW, prior to the start of the Construction Phase, including ground clearance and preparation works.
- 4.4.2 The surveys will confirm and identify any additional construction impacts to badgers that may have arisen as the result of potential further sett building activity within and adjacent to the Site.

Survey Scope

- 4.4.3 Pre-construction badger surveys must be undertaken within the footprint of the Site and where possible within 30m of the boundaries, as well as for any associated infrastructure which may run beyond this footprint.

Survey Timings

- 4.4.4 The pre-construction badger surveys will be undertaken as a minimum three months in advance of the start date of the Construction Phase. However, given that Natural England will only authorise sett removal or disturbance under licence from July to November inclusive (outside of the breeding season), surveys should be suitably planned to allow for potential licensable actions in accordance with construction timeframes.
- 4.4.5 As an additional precautionary measure, walkover surveys should be undertaken prior to the

start of specific work stages during the Construction Phase as deemed appropriate by the ECoW.

Survey Methods

- 4.4.6 The pre-construction badger surveys and walkovers will follow the methodology set out in the Mammal Society's best practice guidelines (Harris et al, 1989 and Woods, 1995), in which any evidence of badger activity such as setts, latrines, trails and footprints are recorded and mapped.

4.5. Potential Presence of New Badger Setts

- 4.5.1 If badger setts are identified following the prescribed pre-construction surveys and walkovers, detailed Mitigation Strategies or standard Method Statements will be produced by the ECoW to ensure compliance with the Badgers Act 1992 and industry Best Practice. The Mitigation Strategies or Method Statements will subsequently be implemented in full by the Principal Contractor during the Construction Phase. Mitigation Strategies will be submitted to the LPA for consideration were deemed proportionate by the ECoW.
- 4.5.2 A derogation licence will be secured from Natural England by the ECoW where sett closure, removal or disturbance is required to facilitate construction works. Potential sett closure or removal will only be undertaken during July to November inclusive, outside of the badger breeding season, in accordance with Natural England licencing requirements.

4.6. Construction Method Statement – Badgers

- 4.6.1 The following standard control measures will be implemented by the Principal Contractor during the Construction Phase to protect badgers from potential injury or trapping:
- Fuels and materials will be stored within designated site compounds only.
 - Standard good practise methodology will be observed to ensure the proper storage and sealing of chemicals to prevent poisoning.
 - Any trenches left open overnight will be rendered escapable by the insertion of a plank, ramp or 1:2 slope that badgers could climb.
 - Pipes 200mm+ in diameter will be capped overnight to prevent badgers potentially becoming trapped.
 - Artificial lighting of boundary features will be avoided and will be focused on work areas only.

5. Nesting Birds – Mitigation Measures

5.1. Legislation

- 5.1.1 Under the Wildlife and Countryside Act 1981, as amended, it is an offence to intentionally kill, injure or take any wild bird; to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built; and to intentionally take or destroy the egg of any wild bird.

5.2. Current Site Evidence

- 5.2.1 The AECOM report identified that habitats across the Site such as hedgerows, trees, scrub, arable and pasture fields have the potential to support nesting birds.

5.3. Assessment of Risk from Construction Impacts

- 5.3.1 The nesting season for birds is between March to August inclusive. There is often variability in nesting behaviour during the early spring and latter autumn months, depending on the prevailing weather conditions. The peak nesting season is generally between April to mid-July inclusive, particularly for ground nesting birds. Vegetation utilised by nesting birds includes trees, shrubs, bramble, tall and short vegetation as well as arable crops and arable stubble.
- 5.3.2 Tree, hedgerow, and shrub removal within the Construction Phase will be limited. The installation of solar infrastructure will mainly affect arable and pastureland, which would have the potential to support ground nesting birds.
- 5.3.3 Where clearance and construction works are likely to place within the bird nesting season (as defined above), it is recommended suitable nesting habitat such as arable land is maintained as bare ground (not stubble) and pastureland regularly mown or continually grazed to maintain a short sward, prior to the start of the Construction Phase. These measures will reduce the potential for presence of ground nesting birds.

5.4. Construction Method Statement – Nesting Birds

- 5.4.1 A Construction Method Statement in respect of nesting birds is provided below, where clearance of vegetation must be undertaken within the bird nesting season (as defined above).

Works outside of the Nesting Season

- 5.4.2 Where clearance and construction works are targeted outside of the bird nesting season, **September to February inclusive**, works can proceed without survey or constraint.

Works during the Nesting Season

- 5.4.3 Where clearance and construction works are targeted during the bird nesting season, **March to August inclusive**, pre-works nesting bird surveys will be carried out by the ECoW.

Where NO Active Nests are Identified

- 5.4.4 If no active nests are identified within the construction works areas, clearance works will be conducted on the day of survey, under the oversight and direction of the ECoW as appropriate, to render construction works areas unsuitable for nesting birds. Birds have the potential to begin nesting in previously surveyed habitats within a few days or even hours.

- 5.4.5 Other than brash stacked for ecological enhancement outside of the construction works areas, any brash will be removed or will be chipped to ensure that birds do not create nests in material that will need to be removed later.
- 5.4.6 Construction works will then proceed in the surveyed areas without constraint following approval by the ECoW.

Where Active Nests ARE Identified

- 5.4.7 Active nests will be left undisturbed until the young have fledged. Fencing or barrier tape will be erected around the nest sites, with suitable buffer zones to ensure that works will not encroach on the nests and cause disturbance. The extent of the buffer zone will be dictated and set out by the ECoW and will consider the site-specific conditions.
- 5.4.8 The nests will be monitored by the ECoW at a frequency determined by the ECoW depending on the bird species affected and the site-specific conditions. Clearance and construction work will not proceed in the identified nesting areas until the ECoW confirms that fledglings have left the nests, and that works can proceed without causing disturbance to nesting birds.
- 5.4.9 In the unlikely event that any further active nests are noted within the construction works areas, all immediate works within those areas will cease and the ECoW contacted for further advice by the Principal Contractor.

6. Reptiles – Mitigation Measures

6.1. Legislation

- 6.1.1 Widespread species of native reptiles occurring within England and Wales such as grass snakes, common lizards and slow worms are partly protected under the Wildlife and Countryside Act 1981 (as amended). It is, therefore, an offence to intentionally kill or injure such species under this legislation.

6.2. Current Site Evidence

- 6.2.1 Dedicated surveys for reptiles have not been undertaken within the Site to date. The AECOM report identified that reptiles are likely to be limited to arable and pasture margins and other boundary features.
- 6.2.2 Impacts to reptiles are therefore only likely to occur where arable and pasture margins will be affected. Mitigation measures to protect these habitat features have been set out in Section 3.
- 6.2.3 A Construction Method Statement in respect of reptiles is provided below, where clearance and construction work must be undertaken within suitable boundary habitats for reptile species.

6.3. Construction Method Statement – Reptiles

Overview

- 6.3.1 This Construction Method Statement provides a suitable methodology for controlled ground clearance and habitat modification measures where reptile populations may occur and where a precautionary approach is required.
- 6.3.2 The aims of the measures are to dissuade potential reptiles from construction works areas, by rendering habitats unsuitable or sub-optimal. The controlled ground clearance and habitat modification methodologies also provide precautionary measures against adverse impacts to faunal species in general.

Scope of Measures

- 6.3.3 Prior to the start of the Construction Phase, the ECoW will undertake a walkover of the Site as well as any associated solar infrastructure which will run beyond the Site. The aim of the walkover would be to identify potential areas of reptile habitat within construction works areas which will require controlled ground clearance and habitat modification measures.
- 6.3.4 Identified areas of potential reptile habitat will be mapped by the ECoW and the information passed to the Principal Contractor.

Contractor Tool-Box Talk

- 6.3.5 Contractors undertaking controlled ground clearance and habitat modification measures will be briefed by the ECoW and/or through formal site inductions regarding the potential for reptiles to be present within the Site, including habitats where they are likely to be present; their likely status and activity levels with regards to the season; and their legal obligations with regards avoidance of killing or injuring.

Timing of Measures

- 6.3.6 Controlled ground clearance and habitat modification measures can be undertaken at any time of the year. Measures should be maintained so potential reptile habitat remains sub-optimal for the duration of the Construction Phase.
- 6.3.7 Works affecting areas of potential good quality reptile hibernation habitat, such as substantial log and brash piles, will not be undertaken within the hibernation period of November to March inclusive. Such areas will be identified and mapped by the ECoW and the information passed to the Principle Contractor. Such areas of good quality reptile habitat will be protected by BPZ's as identified in Appendix 1 to the satisfaction of the ECoW.

Controlled Ground Clearance and Habitat Modification Methodology

Habitat Modification

- 6.3.8 Any suitable reptile habitat within construction works areas, as identified by the ECoW, will be cut to approximately 10cm above ground level in a careful and deliberate manner, by contractors supplied by the Principal Contractor, to render the areas unsuitable or sub-optimal for reptiles. The ECoW will direct and oversee these works, as deemed appropriate. The construction works areas would be left for at least 24 hours before further operations take place.
- 6.3.9 Allowing cut habitats to regrow will increase the potential to harbour reptiles. Such habitats must therefore be maintained as short-sward prior to and during the Construction Phase to render habitats sub-optimal for reptiles.

Presence of Refugia Piles

- 6.3.10 Any refugia piles present within the footprint of construction works areas, such as logs, brash and rocks, will be carefully dismantled and searched by the ECoW, with mechanical assistance by the Principal Contractor where required.

Capture of Reptiles

- 6.3.11 If reptiles are identified during the implementation of ground clearance and habitat modification measures, individual animals will be captured where possible by the ECoW only, using a gloved hand. Animals will be immediately moved within a cloth bag to a safe area of refuge away from construction works areas, by the ECoW only.

ECoW Sign-Off

- 6.3.12 The ECoW will direct and oversee controlled ground clearance and habitat modification measures were deemed to be appropriate in terms of magnitude of potential risk to reptiles.
- 6.3.13 Once the above measures have been completed, the ECoW will conduct a walkover of the worked areas and will, as appropriate, provide the sign-off to the Principal Contractor for further construction works to progress, following due diligence measures as detailed below.

Due-Diligence Measures

- 6.3.14 If reptiles are identified by contractors during the Construction Phase, or there is concern that reptiles may be present, the Principal Contractor will cease works in the immediate area and contact the ECoW for information and advice on how to proceed.

7. Hedgehog & Brown Hare – Mitigation Measures

7.1. Legislation

- 7.1.1 Hedgehog and brown hare are protected by under Schedule 6 of the Wildlife and Countryside Act 1981, making it illegal to kill or capture them using certain methods. They are also protected in Britain under the Wild Mammals Protection Act (1996), prohibiting cruelty and mistreatment.

7.2. Current Baseline

- 7.2.1 The AECOM report has identified that hedgehogs have the potential to be present within boundary habitats and brown hare within pasture and arable fields and margins.

7.3. Assessment of Risk from Construction Impacts

- 7.3.1 In the absence of mitigation, the Construction Phase could result in the killing and injuring of individual hedgehogs and brown hares during installation of solar infrastructure.
- 7.3.2 For hedgehogs, this impact will largely be restricted to construction works close to the more unmanaged boundary habitats.
- 7.3.3 Brown hares have the potential to be present within arable and pasture fields and margins. Whilst brown hares will generally move away from a perceived threat, there is potential for startled individuals to become trapped against natural or artificial barriers to movement and thus become stressed.

7.4. Method Statement – Hedgehog and Brown Hare

- 7.4.1 The Biodiversity Protection Zones (Appendix 1) and mitigation measures as detailed in Section 5. (nesting birds) and 6. (reptiles), will provide sufficient disturbance to allow any potential hedgehogs and brown hares present to leave most construction works areas. Mammal Gates may also be installed in the perimeter deer fencing, which will avoid hedgehogs and brown hares from becoming trapped in construction work areas.
- 7.4.2 In respect of boundary habitats such as arable and pasture margins, the following measures will be enacted under the advice of the ECoW:
- A thorough search to be undertaken of all vegetation and hibernacula immediately prior to removal for presence of hedgehogs (particularly where leaf litter, brash log piles and small burrows may be present).
 - Removal of all vegetation and hibernacula offsite.
 - Any hedgehogs if found to be moved with a gloved hand to a suitable refuge offsite.
 - Any brown hares if encountered or appearing stressed will be allowed to move away of their own accord.
 - Vegetation removal to be ideally removed using hand tools.
 - Trenches or excavations to be secured overnight with a suitable means of escape provided for mammals.
 - Pipes over 200mm in diameter to be capped overnight to prevent mammals from becoming trapped.

8. Summary of Ecological Protection Measures

PROTECTION MEASURES	RESPONSIBILITY	TIMINGS	REQUIREMENTS
Pre-construction badger surveys.	ECoW	Minimum three months prior to start of Construction Phase, including immediately prior to and during critical work stages.	Survey all construction works areas for potential presence of new badger setts. If new setts identified, ECoW to amend Mitigation Strategy and determine potential need for Natural England derogation licence (closure process for setts can only be undertaken from July to November inclusive).
ECoW and Principal Contractor site walkover.	ECoW & Principal Contractor	During the initial site-set up of the Construction Phase.	Walkover to determine to discuss and agree CEMP-B mitigation measures, resolve challenges and refine measures.
Creation, identification and protection of Biodiversity Protection Zones (BPZs).	Principal Contractor	Prior to and throughout the Construction Phase.	BPZs created through the installation of perimeter deer fencing early in the Construction Phase. Principal Contractor to brief all contractors on the location of Biodiversity Protection Zones and the mitigation measures required for avoidance and protection. Principal Contractor to ensure Biodiversity Protection Zones are not breached during construction.
Contractor induction.	Principal Contractor	Prior to and throughout the Construction Phase.	All contractors to be briefed in respect to ecological controls for the Site, specifically the protection of Biodiversity Protection Zones and other retained boundary habitats to avoid.
Appropriate storage of works materials.	Principal Contractor	Throughout the Construction Phase.	To prevent trapping and harm to wildlife, particularly badgers and other small mammals.
Controlled ground clearance and habitat manipulation.	Principal Contractor	Prior to and throughout the Construction Phase.	Appropriate maintenance of Site habitats within construction work areas to render sub-optimal nesting birds, brown hare, hedgehog and reptiles. ECoW to identify areas to be subject to measures. May require toolbox talks and oversight by ECoW, as appropriate.
Nesting bird surveys	ECoW & Principal Contractor	Only where vegetation clearance works are required between March to August inclusive.	Prior to the clearance of hedgerows, trees, and shrubs, as well any tall vegetation and arable crops, nesting bird surveys to be undertaken by the ECoW. Any identified nests must be protected until the chicks have fledged or the nest abandoned.
Ongoing site inspections by the ECoW.	ECoW & Principal Contractor	As deemed appropriate by the ECoW, to include a final inspection immediately after completion of the Construction Phase.	The requirement for any additional mitigation measures to be reported to the Principal Contractor.
Changes to the construction programme which would require deviation from the approved CEMP-B.	ECoW & Principal Contractor	As issues arise.	Principal Contractor to inform the ECoW of changes – mitigation measures to be modified by the ECoW as appropriate.

