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Land off Oakhurst Rise, Charlton Kings, GL52 6NR  
**Reptile Precautionary Method  
Statement**

November 2017

**Notice to readers:**

This report has been prepared by All Ecology with all reasonable skill, care and diligence, within the terms of the contract with the client. The actions of the surveyor on site, and during the production of the report were undertaken in accordance with the Code of Professional Conduct for the Chartered Institute of Ecology and Environmental Management ([www.cieem.org.uk](http://www.cieem.org.uk)).

Reference to sections or particular paragraphs of this document taken out of context may lead to misrepresentation.

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# 1.0 Introduction

## Background

- 1.1 All Ecology was commissioned to produce a method statement detailing measures for the precautionary methods of working for small areas of potential reptile habitat on a site known as Land off Oakhurst Rise, Charlton Kings, GL52 6NR. The site is the subject of a planning application for a new housing development of approximately 100 new dwellings with associated gardens, driveways and a new access road, which would require the clearance of large portions of the site and the potential loss the small areas of reptile habitat.
- 1.2 No previous surveys of the site have been carried out with regards to reptiles. An Ecological Appraisal of the site in September 2016 found the majority of the site was short grassland and poor habitat for reptiles. The hedges, scrub and tall ruderal habitats provide cover for reptiles but their association with the poor grassland habitat limits their potential for use. While it is nearly always possible that small numbers of reptiles are present in such habitats, the site's isolation from any areas of obvious off site reptile habitat and the limited nature of the habitats on site made it poor for these species.
- 1.3 The grassland on site became overgrown over the summer of 2017 but it lacks the structure typically associated with these species and has since been cut. No reptiles were recorded over the summer of 2017 during numerous visits to the site but it is understood that a member of the public reported seeing a reptile on site and it was therefore deemed appropriate to produce this method statement detailing reasonable avoidance measures and precautionary methods of working to ensure that any risk of harm to reptiles is minimised.

## Site Location



## 2.0 Legislation and Status

- 2.1 The Smooth Snake and Sand Lizard are fully protected under Schedule 5 of The Wildlife and Countryside Act (1981). As such they receive full protection under Section 9 of this Act. This Act has been amended several times, most recently by the Countryside and Rights of Way Act 2000 which added 'or recklessly' to Section 9(4) (a) and (b). They also are protected under Regulations 41/42 of The Conservation of Habitats and Species Regulations 2010. Collectively these pieces of legislation mean that it is an offence to;
- intentionally kill, injure, disturb or take any individual of these species
  - intentionally take or destroy the eggs of any individual of these species
  - intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by any individual of these species
  - intentionally or recklessly disturb any individual of these species while it is occupying a structure which it uses for that purpose
  - keep, transport, sell or exchange or offer for sale any individual of these species or anything derived from these species.
- 2.2 The likelihood of these species being present is negligible.
- 2.3 The other native species of reptiles (Common or Viviparous Lizard, Adder, Grass Snake and Slow Worm) are partially protected under Schedule 5 of The Wildlife and Countryside Act (1981), under part of Section 9(1) and all of Section 9(5). As such it is an offence to;
- intentionally kill or injure an individual of these species
  - transport for sale or exchange, or offer for sale or exchange a live or dead an individual or any part of an individual of these species.
- 2.4 The Conservation of Habitats and Species Regulations 2010 mean it is not a defence to show that the killing, capture or disturbance of a species covered by the Regulations or the destruction or damage of their breeding sites or resting places was the incidental and unavoidable result of a lawful activity.
- 2.5 All native reptile species are NERC Priority Species (JNCC, 2017).

## 3.0 Mitigation

### *Summary of Mitigation Strategy*

- 3.1 The habitats on site to be potentially lost that could harbour reptiles are small areas of scrub along parts of the north and west boundary of the site. The aim of the mitigation strategy on site is to clear these areas, if required, and carry out the construction works using precautionary methods of working to avoid causing harm to any reptiles present and moving any reptiles found out of harm's way. The areas of potential habitat are small and is not deemed important for local reptile populations and so no habitat creation, restoration or enhancement is deemed necessary. However, retained areas of vegetation, as well as newly created areas of green infrastructure could provide habitat. No post-development monitoring is required.

### *Habitat Clearance*

- 3.2 All vegetation clearance works will be undertaken when common reptiles are likely to be fully active i.e. during the April to September/early October period to avoid any chance of disturbing reptiles during the sensitive hibernation period.
- 3.3 Clearance of taller vegetation would be undertaken using a strimmer or brush cutter in two passes, the first to 0.2 m, the second close to the ground, with all cuttings raked and removed the same day.

### *Care and Vigilance During Works*

- 3.4 Should any common reptiles be discovered during clearance or construction, which are likely to be affected by the development, clearance or works will cease immediately. The owner/site manager will then seek the advice of a suitably qualified and experienced ecologist and works will only proceed in accordance with the advice they provide.
- 3.5 Any reptiles found will be relocated by a suitably qualified and experienced ecologist to an area of retained habitat on the perimeter of the site.
- 3.6 Any trenches left overnight will be covered or provided with ramps to prevent common reptiles and other animals being trapped.
- 3.7 Any building materials such as bricks, stone etc. that are to be stored around the north and west edges of the site, will be stored on pallets to discourage reptiles from using them as shelter.

## 4.0 References

*The Conservation of Habitats and Species Regulations 2010*, SI 2010/490

*Countryside and Rights of Way Act 2000*, (c.37), London: HMSO.

Joint Nature Conservation Committee (2017). *UK BAP Priority Species*. [Online]. Available at: <http://jncc.defra.gov.uk/page-5717> [accessed on 6<sup>th</sup> September 2017]

*Wildlife and Countryside Act 1981 (and amendments)*, (c.69), London: HMS