

Arborweald Environmental Planning Consultancy

LANDSCAPE, ARBORICULTURE & ECOLOGY
SURVEYS* PLANS* ASSESSMENTS* MITIGATION* SOLUTIONS &
METHODOLOGY*

Woodland Enterprise Centre, Hastings Road, Flimwell, East Sussex TN5 7PR

Telephone: (01580) 879 221 Mobile 07530326017

E-mail: david.arborweald@outlook.com Website: www.tree-planning.co.uk



Professional Woodland, Ecological & Arboricultural Services

**Ecology and Working Methodology Statement for
Notable and Statutorily Protected Species within Woodland at
British Gypsum, Mountfield Site, East Sussex
Grid Ref: TQ 727 195**

Working Document Relevant to Woodland Management Plan, DKS/349

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Company Principal: D K-Spall BSc (Hons) Ecol., FDSoc Arb., MArborA.

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1.0. Introduction

Arborweald Environmental Planning Consultancy (AEPC) has been commissioned by Akita Fencing on behalf of British Gypsum, to review ecological assessments conducted within the woodland areas defined in Arborweald Woodland Management Plan (DKS/349, 2017) and where appropriate provide Ecological Method Statements for woodland works taking appropriate account of the potential for notable and statutorily protected species presence. This method statement takes full account of the findings of the most recent assessment referred to (Section 1.2.) and should be read in conjunction with 'Woodland Management Plan' (DKS/349, 2017).

AEPC is a multidisciplinary environmental planning consultancy qualified to provide a professional service in the fields of arboriculture, ecology and the natural landscape. It is led by its founder; David Kavanagh-Spall who is a trained Arboriculturist and Ecologist, a higher education lecturer in Arboriculture and associated subject matter, and a professional member of the Arboricultural Association. David has over 18 years' industry experience. Arborweald Environmental Planning Consultancy provides a licensed service for statutorily protected species as required.

1.1. Legislation

Statutory protection is afforded to certain species, largely as a consequence of declines in populations caused by habitat loss and/or degradation resulting in both direct and indirect impacts and due to persecution. The various statutes which provide this protection with relevance to the woodland areas (DKS/349 Woodland Management Plan April, 2017) include the following:

- Wildlife and Countryside Act (WaCA, 1981 as amended);
- Protection of Badgers Act (PoBA, 1992);
- Countryside and Rights of Way Act (CROWA, 2000);
- Natural Environment and Rural Communities Act (NERCA, 2006); and
- The Conservation of Habitats and Species Regulations (CHSR, 2010).

The WaCA (1981) has been amended by the CROWA (2000) and the CHSR (2010). These statutes in general require the protection of listed species, their breeding sites and resting places and the conservation and where possible enhancement of their habitat. The NERCA (2006) places an obligation on all authorities to conserve and enhance biodiversity in the carrying out of their duties. The PoBA (1992) makes it an offence to willfully take, injure and kill badgers, destroy or disturb their setts, sell or possess badgers, and mark and ring badgers.

The work to be carried out in accordance with the Arborweald Woodland Management Plan (DKS/349, 2017) will work to methodologies that take necessary precautions to avoid harm and disturbance to notable and protected species. Woodland Management Plan work will also result in creating/restoring an enhanced biodiverse habitat to the benefit of biodiversity in general and will conserve and

enhance habitat for protected species. Monitoring of habitat and species will provide data of habitat and species conservation and enhancement, and provide the guidance to amend management where necessary to help ensure a more favourable status.

Whilst every effort will be made to avoid harming and disturbing notable and protected species, habitat management carried out within a Forestry Commission Approved Woodland Management Plan could result in unintended harm, disturbance and destruction. Such unintended consequences are recognised by the European Commission (EC *Guidance Note*, 2007), which acknowledges that the protection of all individuals of a species cannot be guaranteed however, actions should take full account of species/populations needs (EC, 2007). Having appropriate working methodology which accords with codes of conduct as set out by the relevant authorities (Forestry Commission and/or Natural England) should protect woodland management operatives/companies from prosecution where unintended harm/disturbance/destruction occurs (EC, 2007). Maintaining or restoring optimum habitats for populations is seen as more important than the unintentional loss or disturbance of individuals that might occur as result of ongoing activities (EC, 2007). Usual everyday protection measures for species not referenced, such as those for nesting birds should be implemented.

1.2. Relevant Plans and Documents

Golder Associates, Title *Phase 2 Ecology Surveys*, Reference 14514140310.502/B.0, Dated December 2015; and Arborweald Environmental Planning Consultancy, Title *Woodland Management Plan*, Reference DKS/394, Dated 14/04/2017.

2.0. Ecology

The Golder Associates phase 2 ecological surveys assessed the same woodland areas as covered in the Arborweald Woodland Management Plan (DKS/394, April 2017) and found the following notable and statutorily protected species present:

- Low populations of grass snake and common lizard (notable);
- Bat activity recorded but no roosts identified (European Protected Species [EPS]);
- Dormouse, presence attributed to one disused nest (EPS); and
- 3 in-use Badger setts (PoBA, 1992).

No herpetiles were recorded present and no otter. The Arborweald surveys (DKS/394) also found that it was likely that herpetiles including great crested newt were absent particularly due to fish stock within in-range ponds. Also, that there were no indicators of otter presence and historic recordings of otter within the Darwell woodland are >200m distant and therefore likely to be out of range for otter to utilise

the woodland areas under our survey. However, neither species can be totally ruled out from being present.

The woodland and its relationship with adjacent grassland and waterbody features has good invertebrate potential, including notable *Lepidoptera*, *Odonata*, *Coleoptera* and *Diptera* particularly in dead and dying wood habitat for the *Coleoptera* and *Diptera*. The management of the woodland in accordance with the Woodland Management Plan (DKS/349, 2017) would be of significant benefit to these species. Management would result in an increase of herbaceous plants and general habitat heterogeneity, significantly benefitting biodiversity but of particular benefit to bats and dormice (EPS), and notable reptiles recorded on site.

3.0. Method Statements

In the carrying out of any woodland management operations the physical protection of referred to species, their breeding sites and resting places will be appropriately taken into account to avoid foreseeable damage and all work will be carried out in accordance with the appropriate methodology stated and any other necessary documentation utilised at the time of works. Forestry operation associated materials such as fuel, oil, chemicals and other potential harmful materials should be stored and used safely away from hibernacula and niche habitat; where appropriate environmentally sensitive materials such as vegetable based oil should be used to avoid pollution. Appendix 1 provides a plan of woodland areas, compartments, sub compartments and, species recorded presence and habitat areas. Appendix 2 provides a list of published documents regarding species and woodland management that will be provided to Akita along with this working document.

Basic ecological training will be provided to the forestry operating company (Akita), covering species identification, lifecycle, resting place identification and habitat niches. The operating team(s) should nominate a person(s) as 'wildlife species champion'; who ensures that work is being carried out to the correct methodology and determines when a competent ecologist should be called in to advise/supervise.

3.1. Reptiles

Work within 30 metres (m) of identified reptile presence areas (foci) to be carried out by hand tools where possible. Where reptiles are identified in new areas the 30m hand working zone should be implemented. Where possible carry out forestry operations during the hibernation period (November – February inclusive). Reptiles utilise all types of refugia including; log piles, laying timber, spoil, mammal burrows etc. for hibernation and refuge. Therefore, fell stems away from such refugia where possible.

3.2. Bats

Good practice results in setting aside areas amounting to >5 hectares as natural reserves for bats, with other species also benefitting (Forestry Commission, 2005).

However, the nature of the site does not lend itself to intense forestry operations and the entire site can be viewed as a natural reserve. There are no clear fell areas, selective thinning will retain functional commuting and foraging belts/areas and the timing of coppicing will also ensure good commuting/foraging areas are retained.

Nominated wildlife champions must conduct walkover surveys prior to compartment operations, number tagging trees and logging (dated logging form retained) them for retention due to bat feature potential and number tagging at least 5 early mature – mature trees of marketable size per hectare to be retained as future bat roost trees (dated log sheet retained). Prior forestry operation walkover surveys should be carried out in the winter when bat roost features are more easily identified due to not being obscured by foliage. Marketable sized trees to be retained for future bat roost trees are best selected from common ash, common beech and English oak due to them producing good bat roost features over time. Younger edge trees where there are sufficient light levels could be pollarded to create potential future veterans. Summer roost and activity surveys utilising ultrasonic bat detectors can be carried out as part of the wider wildlife monitoring (DKS/349, 2017) of the woodland areas.

Forestry operations should follow the following methodology:

- Carry out a winter pre-forestry operations walkover survey, recording in a log and number tagging current and future bat potential trees;
- During felling operations, retain bat and future bat potential trees;
- Appropriately manage identified veteran trees ensuring roosts are protected and that appropriate commuting and foraging connectivity is retained; and
- Where possible avoid heavy mechanized forestry operations at the most vulnerable time of year during maternity roosting and nursing (May to August inclusive).

3.2.1. Veteran Trees

Veteran trees have been recorded in compartments 1, 2 and 6 (Appendix 1). These should be surveyed for bat roost potential with veteran tree management plans taking appropriate account of potential roosts. Halo pruning of surrounding trees may be required to provide necessary light levels to veterans however, sufficient connective bat habitat and bat species required microclimates must be retained. A suitably qualified and competent arboricultural ecologist should be utilised to carry out the survey and provide management plan recommendations.

3.2.2. Competency of Surveying

Training and appropriate published documentation (Appendix 2) will be available to forestry operatives. Where the nominated Wildlife Champion is beyond his/her knowledge limitations regarding the potential impact upon bats, planned forestry operations should not commence until a competent ecologist has assessed the situation and advised accordingly.

3.3. Dormouse

In general the habitat for dormouse is suboptimal. This is due to a relatively poor diversity of flowering species particularly in the herb and shrub layer; necessary to ensure food resources throughout the active season. The presence of sweet chestnut (summer flowers and late summer/autumn nuts) in woodland compartments, in conjunction with woodland edges with sufficient light levels and a broadleaf species mix provides habitat where the dormice are most likely to be present. This relates best to woodland compartments 3 – 6 (inclusive) (Appendix 1). Indeed compartment 4 (Appendix 1) is where the disused nest was found (Golder Associates, 2015). Nominated wildlife champions must conduct walkover surveys prior to compartment operations. The low intensity nature of the Woodland Management Plan work (DKS/349, 2017) would result in a negligible impact on dormouse habitat, with significant short term enhancements right across the managed woodland areas. Nevertheless the following methodology should be put in place at least for woodland compartments 3, 4, 5 and 6 to avoid harm and disturbance:

- Prior forestry operation walkover surveys should be carried out in the winter for all woodland area compartments recording potential nests, feeding signs and other presence indicators;
- Where disused nests are recorded which are outside of the woodland compartments already assessed as containing likely dormouse presence (compartments 3 – 6 inclusive, DKS/349, 2017), work methodology must also apply to them;
- Where active nests are found, work must cease or not commence until a competent ecologist is contacted to advise/supervise before work can continue or commence;
- Tree felling operations where possible should take place between April and May (inclusive) and from September to the end of the second week in October unless weather becomes unseasonably cold at an earlier stage, in which case felling should stop at that time. This is to avoid the sensitive breeding and hibernation periods. Operations should avoid felling on to other trees, vegetation and log piles as these are all potential nesting sites;
- Coppicing is best carried out in the winter and hibernation nest checks should be carried out at coppice bases prior to the commencement of operations. However, where coppicing is conducted outside of the winter period it should follow the tree felling time periods. Operations should avoid felling poles on to other trees, vegetation and log piles as these are all potential nesting sites;
- Where possible harvesting should take place between April and May (inclusive) and from September to the end of the second week in October unless weather becomes unseasonably cold at an earlier stage, in which case harvesting should stop at that time;
- Where possible extraction should utilise forwarders and avoid skidding;

- Ride and scrub cutting should where possible avoid the breeding season (June – August inclusive) and where carried out in the winter ensure sufficient ground cover is retained for nesting;
- Avoid burning arisings where possible; and
- Where possible avoid the breeding season when constructing tracks.

3.3.1. Competency of Surveying

Training and appropriate published documentation (Appendix 2) will be available to forestry operatives. Where the nominated Wildlife Champion is beyond his/her knowledge limitations regarding the potential impact upon dormice, planned forestry operations should not commence until a competent ecologist has assessed the situation and advised accordingly.

3.4. Badger

Badgers will utilise the entire woodland areas and surrounding countryside. The management of the woodland will result in a more heterogeneous habitat but in general will have no significant impact on badger habitat. On-going monitoring (DKS/349, 2017) should assess how badgers continue to use the woodland assessing not only for setts but other indicators of use such as established runs, scratching posts and latrines. Management operations must ensure that identified setts are not inappropriately disturbed, obstructed and that badgers and their setts are not harmed. Setts have been identified in woodland compartments 2, 3 and 5 (Appendix 1). Nominated wildlife champions must conduct walkover surveys prior to compartment operations to assess whether new setts have been established and to familiarise themselves with where the already identified setts are located.

In order to ensure no inappropriate disturbance, obstruction and harm occurs, forestry operations should follow the following methodology at least in woodland compartments 2, 3 and 5, and where other setts are identified and recorded:

- Prior forestry operation walkover surveys should be carried out in the winter for all woodland area compartments recording potential setts;
- Tree felling operations where possible should take place between July to November (inclusive) to avoid disturbing the breeding season however, this may conflict with other species work methodology (dormouse), therefore everything should be done to avoid the most sensitive time of January and February;
- Where tree felling work cannot be avoided during the breeding season (inclusively December to June) a 30m exclusion zone should be marked off and with the exception of light working with hand tools, no work should be conducted within the exclusion zone;
- No work at all should be conducted within 50m of a known sett during the breeding season between the hours of dusk and dawn;
- Where possible trees should be felled in a direction away from sett entrances and timber/roundwood/arisings must not be left blocking sett entrances;

- Winter coppicing where possible should avoid January and February, with coppice poles felled away from sett entrances. Where possible winter coppicing should be carried out with hand tools, with chainsaws only utilised where absolutely necessary. Within the 30m exclusion zone only hand tools should be utilised;
- Timber and roundwood within the exclusion zone should be preferably lifted out by timber crane mounted on a unit positioned outside of the exclusion zone. Alternatively ground skidding with a winch may be used with great care but limited where possible to the lighter pole wood sizes;
- Remove all lop and top away from setts, main runs and latrines immediately at the time of cutting;
- Other than harvesting (as stated) no clearance activities including stump removal and burning of arisings should take place within the exclusion zone;
- Any crop protection fence erection which obstructs an identified badger run should set badger gates into the fence; and
- Tracks should be constructed avoiding the breeding season and at least 20m from sett entrances.

3.4.1. Competency of Surveying

Training particularly in the identification of different types of setts utilised by badgers and the provision of appropriate published documentation (Appendix 2) will be available to forestry operatives. Where the nominated Wildlife Champion is beyond his/her knowledge limitations regarding the potential impact upon badgers, planned forestry operations should not commence until a competent ecologist has assessed the situation and advised accordingly.

4.0. Great Crested Newt and Otter

Surveying (Golder Associates, 2015; and DKS/349, 2017), revealed a likely absence of great crested newt (GCN) and otter. However, in order to ensure that any presence now or in the future is noted and the appropriate working methodology employed, training to identify species and indicators of species presence will be available to forestry operatives. Also, the continued monitoring of the site (DKS/349, April 2017) would be able to identify potential species presence and advise the forestry operations company accordingly.

5.0. Conclusion

Working in accordance with this method statement will help to ensure that no statutorily protected and notable species are harmed, disturbed or obstructed through purposeful or negligent acts.



Appendix 2: Referenced Available Documents

AEPC. (2017). Woodland Management Plan DKS/349, AEPC.

Birds and Woodland Management. (2017). Advice available on DEFRA and FC websites.

European Commission (EC). (2007). Guidance document on the strict protection of animal species of Community interest under the Habitats Directive 92/43/EEC, EC

Forestry Commission (FC). (1995). Forest Operations and Badger Setts, FC

FC. (2005). Woodland management for Bats, FC

FC. (2013). Guidance on managing woodlands with bats in England, FC

FC. (2013). Guidance on managing woodlands with otters in England, FC

FC. (2014). European Protected Species in Woodlands A Field Guide, FC

FC. (2016). Guidance on managing woodlands with great crested newts in England, FC

Golder Associates (GA). (2015). Phase 2 Ecology Surveys 14514140310.502/B.0, GA

Natural England (NE). (2007). Guidance on managing woodlands with dormice in England, NE