

Great Crested Newt (GCN) Surveys

July 2025

Project Reference: PR-0246-24

Millennium Centre
Court Hey Park
Roby Road
Huyton
L16 3NA

National Grid Reference: SJ 4183 9002



Millennium Centre, Court Hey Park, Roby Road, Huyton, L16 3NA
Great Crested Newt (GCN) Surveys

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1.0 Background & Introduction

- 1.1 As part of an ongoing planning application with Knowsley Council (Application Reference: 25/00093/DEMCON¹) concerning the former Millennium Centre (hereafter referred to as 'the site'), Tyrer Ecological Consultants carried out a Preliminary Ecological Appraisal (PEA) in August 2024 (see **Appendix I**).
- 1.2 The PEA was commissioned by Knowsley Council; proposals are understood to involve the demolition of the former Millennium Centre along with associated clearance of waste piles and materials within the site boundary.
- 1.3 As part of the PEA, an assessment of a number of ponds within 250m of the site was carried out (see **Figure 1.1** below). The PEA recommended that further surveys be carried out at the site in relation to Great Crested Newt (GCN).

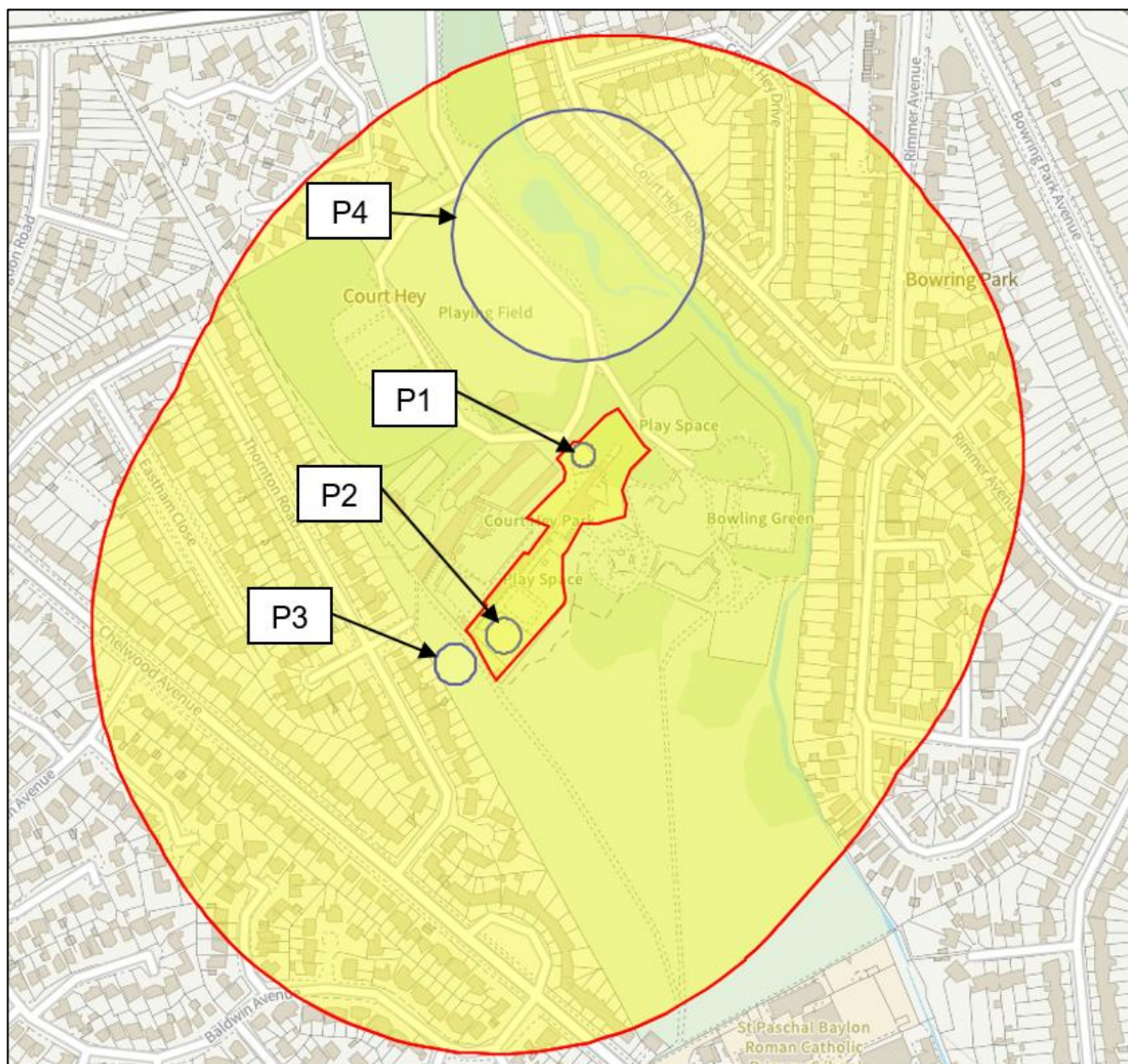


Figure 1.1 – Location of ponds within a 250m buffer © MAGiC Maps 2024

¹ See: <https://planapp.knowsley.gov.uk/online-applications/caseDetails.do?keyVal=SRKLI5IX0MX00&caseType=Application>

- 1.4 Based on the above PEA, Tyrer Ecological Consultants Ltd were commissioned by Knowsley Council to undertake a suite of GCN surveys of all ponds within a 250m radius (**Ponds 1 – 4**), during an optimum time of year. The recommended survey effort included traditional presence / absence surveys (which can be undertaken between mid-March – June 30th), as well as an Environmental DNA (eDNA) survey (eDNA surveys can be undertaken without temporal limitations at any point between April 15th – June 30th).
- 1.5 This report details the methodology used in accordance with best practice, will outline the survey results and present conclusions derived from the survey efforts. This report will present any further recommendations, including any avoidance, mitigation or intervention measures required to protect the favourable conservation status of great crested newts, where applicable, and will include suitable information to inform a licence application to Natural England, if necessary.
- 1.6 The GCN survey effort aims to determine presence or reasonably conclude absence of great crested newts at the ponds.
- 1.7 If GCN were detected during the survey and / or may be affected by the development proposals, then a Mitigation Licence may be required to proceed with the development.
- 1.8 This report should be read, understood and presented to the local authority in conjunction with **Appendix I** (see contents page).

2.0 GCN – Legislation & Policy

2.1 GCN are fully protected in all life stages by Schedule 2 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579) and the Wildlife and Countryside Act (1981) (as amended). They are listed a priority species under section 41 (s.41) of the Natural Environment Rural Communities Act 2006 (NERC Act), with the legislation making it a punishable offence to:

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

2.2 GCN are also protected by the Protection of Animals Act (1911), which prohibits any acts of cruelty or mistreatment.

2.3 In summary, GCN are protected from disturbance, killing, injuring or possession at any life stage, whilst confirmed breeding ponds and resting places are afforded the same protection once identified. Habitat for this species is protected when within certain range of a breeding pond. This places an obligation on local authorities to fully assess the impacts of development on this species prior to determining a planning application.

2.4 GCN populations have declined within the UK over recent years due to destruction and fragmentation of breeding ponds and terrestrial habitat. They spend a high percentage of their adult life in terrestrial habitat such as woodland, and shelter in environments with piles of rubble, log piles, tree roots, miscellaneous other for safety, refuge and hibernation. In Merseyside, records of GCN are typically sparse in urban and sub-urban areas, though there are local hotspots such as the Sefton Coast, where favourable terrestrial habitat coincides with connectivity to breeding pools.

NB: *Research presented by Natural England provides evidence that GCN are most likely to use terrestrial habitat within 100 metres of their breeding ponds, whilst the Great Crested Newt Method Statement for EPSML (Natural England) describes terrestrial habitat zones - the 50 metres range of any GCN pond is the 'Core' habitat zone and the area most likely to support newts in a lifetime; the area between 51-250m is the 'Intermediate' zone and 250m+ is the 'Distant' zone; impacts to these zones, from individual ponds, are considered by the ecologist; both permanent and temporary impacts are taken into account.*

2.5 More common British amphibians, such as common frog (*Rana temporaria*), common toad (*Bufo bufo*), smooth newt (*Lissotriton vulgaris*) and palmate newt (*Lissotriton helveticus*) are protected only by Section 9(5) of the Wildlife and Countryside Act 1981 (as amended). This section prohibits sale, barter, exchange, transporting for sale and advertising to sell or to buy.

2.6 The named species are also listed as UK Species of Conservation Concern. Due to general declines in most British amphibian species in recent years, many local authorities require amphibian surveys as a planning condition, or as part of environmental information submitted as part of a planning application, even where the presence of GCN is ruled out. Water bodies that support all five (more common) species of British amphibians in high numbers, may be afforded protection in local plans, as Sites of Importance for Nature Conservation (SINC), or a similar equivalent, for sites of local importance.

Policy

- 2.7 Guidance for Local Authorities: Extract from Office of the Deputy Prime Minister – Circular 06/2005:

“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision”.

- 2.8 Paragraph 193 of the National Policy Planning Framework (as revised in December 2024) states:

“When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons² and a suitable compensation strategy exists; and

d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

- 2.9 The Knowsley Local Plan Core Strategy (2016) Policy CS8, tile Green Infrastructure, stipulates:

“1) Knowsley's existing Green Infrastructure and its beneficial functions will be protected, managed and/or enhanced, primarily to:

a) Ensure more attractive and cleaner residential neighbourhoods;

b) Sustain and promote biodiversity (including designated sites, priority habitats and protected and endangered species) in accordance with importance and contribution to ecological networks”:

² For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat

3.0 GCN Survey Methodology

eDNA survey

- 3.1 An eDNA survey was undertaken at **Pond 2** on 24th June 2025, in accordance with the recommendations in the original PEA at the site.
- 3.2 To carry out the eDNA survey, a total of 20 water samples were taken from each of the surveyed ponds to form the basis of a DNA sample. The samples were taken using a sterile ladle and emptied into a sterile self-supporting Whirl-Pak bag. All samples were taken from locations around the margins of each pond in areas which could be utilised by GCN for egg laying or displaying. Once all 20 samples were collected, the sterile self-supporting bag was shaken to mix any DNA across the whole pond sample. A sterile plastic pipette was used to transfer approximately 15.0 ml of the mixed pond sample water into a sterile conical tube. This was undertaken for each of the six sterile conical tubes in the kits. Each sterile conical tube(s) contained 35.0 ml of ethanol to preserve any DNA within the samples. The boxes of six sterile conical tubes were returned within 48 hours at ambient air temperature to the ADAS eDNA testing service for laboratory analysis. eDNA analysis by ADAS was carried out in accordance with the stipulated methodology found in the Technical Advice Note (WC1067 Appendix 5 Technical Advice Note) published by DEFRA and adopted by Natural England.

Presence / absence surveys

- 3.3 A minimum of three survey methods are typically adopted during traditional GCN surveying; the following techniques were adopted:
- **Torchlight Survey:** This technique involves a visual search for individual newts inhabiting each water body. High-powered torches (e.g. Clu-lite Deluxe CB2) were used to search the waterbodies after nightfall. Pond perimeters were walked carefully and methodically taking care to count all animals seen. To maximise the reliability of this technique, all torch surveys were conducted on evenings where the air temperature exceeded 5°C, when newts are generally considered being most active.
 - **Egg Search:** GCN eggs were searched for amongst submerged, floating and other aquatic vegetation where present. When laying their eggs, female GCN fold leaves of aquatic/semi-aquatic plants around the egg, although dead leaves and a variety of artificial materials are also known to be used. This behaviour is exploited by the surveyor to demonstrate that GCN are breeding in a particular waterbody, however egg numbers cannot be used to estimate population size due to predation and high mortality rates, therefore, in order to limit disturbance and avoid any unnecessary impacts, this method is ceased as soon as any eggs have been positively identified in aquatic habitat.
 - **Refuge Search:** GCN rest under refuge areas such as rocks, logs, bark, tyres, cones, debris, itemised rubble etc. Where refuge is sparse artificial refuge can be laid out such as plywood, felt and carpet tiles to increase the chance of finding newts. This technique is typically applied only to supplement other techniques.
 - **Bottle Trapping:** Plastic bottle traps were set around the margins of Pond 4 during one of the surveys, with a maximum of 20 traps able to be deployed given the access and situational constraints. The traps were left in-situ overnight and checked & removed the following morning between 6.00am – 8.00am with set traps not left any longer than 12 hours. The surveys were undertaken when the predicted air temperature overnight exceeded 5°C, when GCN are generally considered most active.

Survey Limitations

- 3.4 Across all six of the survey visits, water depth was noted to be incredibly low following a period of drought across the UK. This meant that several of the ponds were dry during part / all of the survey effort, which limited the usage of certain survey techniques. Notably, the water level was too low at Ponds 1, 2 & 3 across all of the survey dates to utilise bottle traps and were only able to be deployed at Pond 4 for surveys 4, 5 & 6. Pond 3 was dry across all six of the surveys, and Pond 1 was dry during Surveys 3, 4, 5 & 6; as such, an eDNA survey was not possible at these ponds. Whilst the above is accepted as a constraint, three methods were used where was feasible, and the combination of the six survey efforts supplemented by an eDNA survey is considered to provide enough evidence on which to form a robust impact assessment and mitigation proposal.

4.0 GCN Survey Results

4.1 See **Table 4.1** below for surveyor credentials, **Table 4.2** for climatic conditions on the dates of survey, and **Table 4.3** for combined survey results and any constraints encountered during the survey effort. **Figure 4.1** shows the eDNA results following assessment of **P2**. The raw data returned by ADAS is also provided as **Appendix II**.

Table 4.1 – Surveyor name / credentials for eDNA survey

Name	Description of most relevant credentials
Mrs. K. Wilding ACIEEM	- Principal-level Ecologist and Company Director of Tyrer Ecological Consultants Ltd with 16 years experience, - Meets the requirements of CIEEM's Competency Framework Section S (Surveying) to Capable or higher level.
Mr. D. Burrows Qualifying CIEEM	- Senior Ecologist with 6 years training and experience, - BSc in Wildlife Conservation and MSc in Conservation & Biodiversity, - Holder of a Natural England Class 1 great crested newt licence (2022-10604-CL08-GCN), - Meets the requirements of CIEEM's Competency Framework Section S (Surveying) to Capable or higher level.
Mr. B. Richards ACIEEM	- Senior Ecologist with 3 years training and experience, - MBiolSci in Biological Sciences (Zoology), - Accredited agent on the Natural England Great Crested Newt: CL08 Class 1 licence (2022-10653-CL08-GCN) of Mr. J. Pescod ACIEEM, - Meets the requirements of CIEEM's Competency Framework Section S (Surveying) to Capable or higher level.
Mr. H. Mulligan Qualifying CIEEM	- Consultant Ecologist with 3 years training and experience, - MBiolSci in Biological Sciences (Zoology), - Accredited agent on the Natural England Great Crested Newt: CL08 Class 1 licence (2022-10604-CL08-GCN) of Mr. D. Burrows Qualifying CIEEM, - Meets the requirements of CIEEM's Competency Framework Section S (Surveying) to Capable or higher level.
Miss. J. Collins	- Junior Ecologist with 1 year of training and experience, - BSc in Wildlife Conservation and MSc in Wildlife Conservation and Drone Applications, - Meets the requirements of CIEEM's Competency Framework Section S (Surveying) to Capable or higher level.
Miss. H. McGlynn Qualifying CIEEM	- Junior Ecologist with 1 year of training and experience, - BSc (Hons) in Ecology and Conservation and MSc in Conservation Management, - Meets the requirements of CIEEM's Competency Framework Section S (Surveying) to Capable or higher level.
Mr. T. Lefebure	- Junior Ecologist with 1 year of training and experience, - MSc in Environmental Assessment and Management,

Name	Description of most relevant credentials
	Meets the requirements of CIEEM's Competency Framework Section S (Surveying) to Capable or higher level.
Miss. T. Hesketh	- Experienced Seasonal Ecologist with 5 years training and experience, - BSc (Hons.) Biology and MSc Conservation Management, - Meets the requirements of CIEEM's Competency Framework Section S (Surveying) to Capable or higher level.

Table 4.2 – Survey dates, times and weather conditions

Survey Number	Date	Weather Conditions
Survey 1 Ponds 1 – 4	17/04/2025	Survey time: 2015 – 2230: Dry, Light air, 40% cloud cover Start temp: 14.0 ° C End temp: 11.0 ° C
Survey 2 Ponds 1 – 4	15/05/2025	Survey time: 2045 – 2245: Dry, Light air, 60% cloud cover Start temp: 13.0 ° C End temp: 12.0 ° C
Survey 3 Ponds 1 – 4	29/05/2025	Survey time: 2130 – 2300: Dry, Light breeze, 70% cloud cover Start temp: 15.0 ° C End temp: 14.0 ° C
Survey 4 Ponds 1 – 4	10/06/2025	Survey time: 2130 – 2300: Dry, Light air, 100% cloud cover Start temp: 15.0 ° C End temp: 14.0 ° C
Survey 5 Ponds 1 – 4	18/06/2025	Survey time: 2130 – 2300: Dry, Calm, 10% cloud cover Start temp: 15.0 ° C End temp: 14.0 ° C
Survey 6 Ponds 1 – 4	24/06/2025	Survey time: 2130 – 2300: Dry, Light air, 10% cloud cover Start temp: 19.0 ° C End temp: 18.0 ° C

Table 4.3 – Combined summary data from the surveys with constraints

Pond 1 (P1)							
Results							
Great Crested Newt (GCN)	Smooth Newt (SN)	Palmate Newt (PN)	SN / PN Female / Juvenile	GCN Egg(s)	Common Toad (CT)	Common Frog (CF)	GCN eDNA Present / Absent
0	5	0	2	0	0	0	N/A

Constraints / Incidental Observations							
Maximum 80% pond margin access; water level too low for bottle trapping during survey 1 & 2, very high turbidity. Litter present in waterbody, alongside moderate diversity of invertebrates.							
Pond was dry for survey 3, 4, 5 & 6 so no torchlight, bottle trapping or eDNA able to be used.							
Pond 2							
Results							
Great Crested Newt (GCN)	Smooth Newt (SN)	Palmate Newt (PN)	SN / PN Female / Juvenile	GCN Egg(s)	Common Toad (CT)	Common Frog (CF)	GCN eDNA Present / Absent
0	0	0	0	0	0	0	Absent
Constraints / Incidental Observations							
30% pond margin access; water was incredibly shallow and turbid across all six surveys so no bottle traps were able to be used. Dense marsh marigold was growing through the water making torching effort unviable.							
Pond 3							
Results							
Great Crested Newt (GCN)	Smooth Newt (SN)	Palmate Newt (PN)	SN / PN Female / Juvenile	GCN Egg(s)	Common Toad (CT)	Common Frog (CF)	GCN eDNA Present / Absent
0	1	0	0	0	0	0	N/A
Constraints / Incidental Observations							
100% pond margin access; pond was entirely dry across all six surveys so no torching, bottle trapping or eDNA able to be carried out.							
Pond 4							
Results							
Great Crested Newt (GCN)	Smooth Newt (SN)	Palmate Newt (PN)	SN / PN Female / Juvenile	GCN Egg(s)	Common Toad (CT)	Common Frog (CF)	GCN eDNA Present / Absent
1	40	0	91	0	1	2, spawn	N/A
Constraints / Incidental Observations							
100% pond margin access; water relatively turbid. Water was too shallow on surveys 1 – 3, however a maximum of 20 bottle traps were able to be deployed for surveys 4, 5 & 6.							
An alpine newt (<i>Ichthyosaura alpestris</i>) was located in a bottle trap in this pond during the 5 th survey.							

Sample ID: ADAS-H			
Client Identifier: Court Hey Pond		Grid references/coordinates: Not Supplied	
Description: pond water samples in preservative		Condition on Receipt: Medium Sediment	
Date of Receipt : 30/06/2025		Volume: Passed	
Determinant	Result	Method	Date of Analysis
Inhibition Control [†]	2 of 2	Real Time PCR	03/07/2025
Degradation Control [§]	Within limits	Real Time PCR	03/07/2025
Great Crested Newt*	0 of 12 (negative)	Real Time PCR	03/07/2025
Negative PCR Control (Nuclease Free Water)	0 of 4	Real Time PCR	As above for GCN
Positive PCR Control (GCN DNA 10 ⁻⁴ ng/μL) [#]	4 of 4	Real Time PCR	As above for GCN
Report Prepared by:	Dr Helen Rees	Report Issued by:	Dr Ben Maddison
Signed:		Signed:	
Position:	Director: Biotechnology	Position:	MD: Biotechnology
Date of preparation:	08/07/2025	Date of issue:	08/07/2025
<i>eDNA analysis was carried out in accordance with the stipulated methodology found in the Technical Advice Note (WC1067 Appendix 5 Technical Advice Note) published by DEFRA and adopted by Natural England.</i> <i>* If all PCR controls and extraction blanks give the expected results a sample is considered: negative for GCN if all of the replicates are negative; positive for GCN if one or more of the replicates are positive.</i> <i>[†] Recorded as the number of positive replicate reactions at expected C_t value. If the expected C_t value is not</i> <i>[§] No degradation is expected within time frame of kit preparation, sample collection and analysis.</i> <i>[#] Additional positive controls (10⁻¹, 10⁻², 10⁻³ ng/μL) are also routinely run, results not shown here.</i>			

Figure 4.1 – Pond 2 eDNA results – ‘Negative’

- 4.2 When examining the results of the surveys and forming an impact assessment, the maximum adult count per pond per night gained through torching survey or bottle-trapping is typically quotes. For sites where there is reasonable interchange of animals between ponds (typically, within 250m and with an absence of barriers to dispersal), counts can be summed across ponds (but note that this should only be done for counts obtained on the same visit).
- 4.3 Survey results should then be expressed as peak counts per pond a total site count, if appropriate, to form an overall population size class assessment. However, it is noted that outlined limitations, with respect to the experienced drought conditions, may have influenced the overall activity levels of amphibians resulting in lower activity numbers than seasonal norms. Nonetheless, it is deemed that based on the limited GCN surveys undertaken at Court Hey Park the perceived population constitutes a **small** (1 – 10) GCN population.

- 4.4 The presence of a population of smooth newts was also established through the course of the survey efforts, with an estimated 'Good' sized population (>100) within P4.

5.0 Impact Assessment

- 5.1 The combined results of the traditional survey effort and DNA analysis of **Ponds 1 – 4** within the 250m radial boundary of the Millennium Centre found evidence of GCN at **Pond 4**, with a single GCN recorded during bottle trapping at the pond. See **Figure 5.1** below for the location of the 'GCN Present' pond in relation to the red line boundary.



Figure 5.1 – Location of positive GCN eDNA pond in relation to the proposed works area

- 5.2 **Pond 4** is located approximately 95m from the red line boundary at its nearest point; as such, the site is considered to be located within the 'Intermediate' habitat zone of the positive result at P4. This indicates that the site lies within an area which could feasibly be used by GCN, but which is outside of the 'Core' habitat zone.

NB: *Research presented by Natural England provides evidence that GCN are most likely to use terrestrial habitat within 100 metres of their breeding ponds, whilst the Great Crested Newt Method Statement for EPSML (Natural England) describes terrestrial habitat zones - the 50 metres range of any GCN pond is the 'Core' habitat zone and the area most likely to support newts in a lifetime; the area between 51-250m is the 'Intermediate' zone and 250m+ is the 'Distant' zone; impacts to these zones are considered by the ecologist; both permanent and temporary impacts are taken into account, in relation to individual ponds.*

- 5.3 The proposed planning application involves the demolition of the structure present on site, with associated clearance of a multitude of areas of piled waste and building aggregate. From an analysis of the proposals, the entirety of the site is located within the 'Intermediate' GCN zone. See **Figure 5.2** overleaf for a visual aid indicating the red line boundary in relation to buffer zones from the pond confirmed to host GCN.

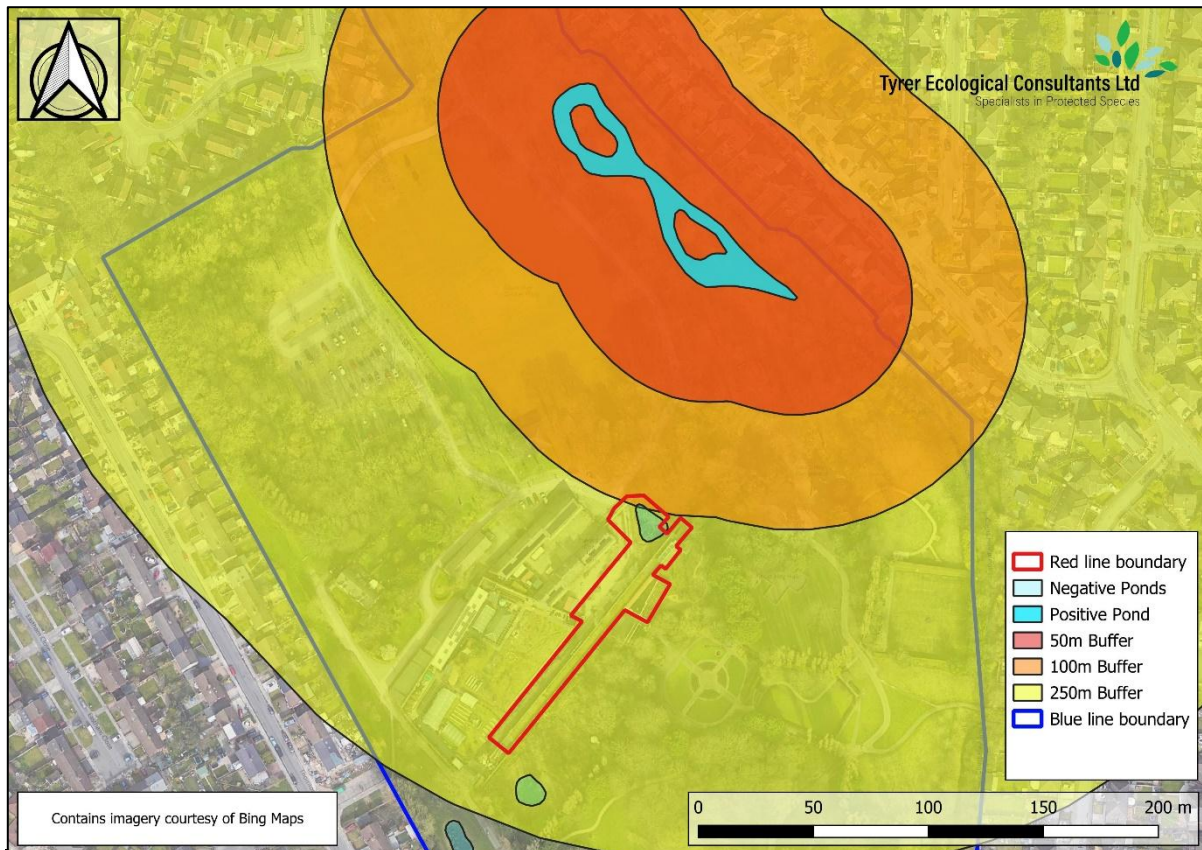


Figure 5.2 – Visual aid indicating the red line boundary in relation to positive eDNA pond buffer zones

- 5.4 Proposals will result in an initial loss of the majority of habitat on site, including the structure itself with an associated concrete slab, as well as the aforementioned piles of tyres, building materials, decking and various other items, all of which could feasibly support GCN when in their terrestrial phase as places of refuge.
- 5.5 Viable commuting routes for GCN are present between P4 and the application site (see **Figure 5.3** overleaf); whilst sections of Court Hey Park are formed of closely cropped amenity grassland which provides minimal terrestrial refuge value for GCN, large areas, including a direct pathway between the confirmed GCN pond and the red line boundary, are formed of mature woodland with associated leaf litter and ground flora which would act as moderate – high value commuting and refuge habitat for GCN. There is also an absence of features which would act as a significant barrier to dispersal between the located GCN and the application site; the roads and pathways present are small in size and stature, and would not prevent access by GCN, reinforced by the fact that they are not busy thoroughfares with traffic and footfall likely to be low in amount and impact. The above indicates that the site-specific features are reasonably likely to facilitate the movement of GCN between areas of suitable aquatic habitat (i.e. Pond 4) and areas of high value terrestrial habitat suitable for refuge and hibernation (i.e. the piles of wastes and aggregate present within the application site).
- 5.6 The viability of the commuting routes above is further reinforced via the recording of a ‘Good’ population of smooth newt, with a maximum count of 131 individuals present during one of the surveys at the site. It is apparent that these amphibians must be able to not only commute between the ponds in proximity to the site but also find suitable terrestrial habitat for both refuge and hibernation over the winter months. This infers that, should GCN be present within the surrounding landscape, as is indicated by the confirmed GCN record at Pond 4, they too could utilise the habitat features as described.



Figure 5.3 – Visual aid indicating commuting pathways in reference to surrounding ponds

- 5.7 Given the combination of viable commuting pathways and the potentially suitable on-site terrestrial habitat located within the intermediate zone of the GCN-positive pond, it is evident that, in the absence of suitable mitigation, impacts to terrestrial habitat within the intermediate zone could pose a risk of injury or death to GCN.
- 5.8 To predict the potential impact of the proposed works on GCN, the Natural England Rapid Risk Assessment tool, as extracted from the Natural England Mitigation Licence Method Statement, has been applied against the proposals to help form a quantitative impact assessment. See **Table 5.1**.

Table 5.1 – NE Rapid Risk Assessment tool

Component	Likely effect	Notional offence probability score
Great crested newt breeding pond(s)	No effect	0
Land within 100m of any breeding pond(s)	No effect	0
Land 100-250m from any breeding pond(s)	0.1 - 0.5 ha lost or damaged	0.1
Land >250m from any breeding pond(s)	No effect	0
Individual great crested newts	Killing or injuring newts	0.8
Maximum:		0.8
Rapid risk assessment result:		RED: OFFENCE HIGHLY LIKELY

- 5.9 The above indicates that, although proposals are limited to building demolition and terrestrial habitat clearance within the 'intermediate' zone, they are of such a type, scale and location that an offence is highly likely. In this case, the GCN Method Statement tool provides the following advice:

"Red: offence highly likely" indicates that the development activities are of such a type, scale and location that an offence is highly likely. In this case, you should attempt to re-design the development location, layout, timing, methods or duration in order to avoid impacts (see Non-licensed avoidance measures tool), and re-run the risk assessment. You may also wish to run a site-specific risk assessment to check that this is a valid conclusion. If you cannot avoid the offences, then a licence should be applied for.

- 5.10 Consideration has been given to the suggestions made in the NE Method Statement guidance as above. In this case, given the nature of the proposed works (demolition), there is no scope to suggest an alternative location or layout at the site which could prevent impacts to individual GCN. The demolition will be permanent, thus there is no way in which impacts could be avoided in this sense or via altering the methods by which demolition will be carried out. Timing measures have been considered, by way of timing site clearance to within the breeding season of GCN at a time when they are in their aquatic phase, though this is not considered to fully negate the risk of GCN presence (and thus direct impact to individual GCN via killing and injuring), as GCN are known to move in and out of ponds based on factors such as weather, temperature etc.
- 5.11 Additionally considered is the local importance of the GCN record; Court Hey Park is locally distinct in that it acts as an isolated area of semi-natural habitat bordered on all sides by dense urban and sub-urban development, and thus the existing GCN population is isolated in nature and any impacts to this population could negatively influence upon the local favourable conservation status of GCN.
- 5.12 Further reinforcing the local significance of the GCN population, the North Merseyside Local Wildlife Site (LWS) Guidelines – Amphibian and Reptiles³ indicate that the LWS citation for Court Hey Park could be amended in line with Guideline A1 (see **Figure 5.4** below):

A1	Any site which regularly supports a population of rare or scarce amphibians, these are great crested newt, natterjack toad and palmate newt.
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Figure 5.4 – NMLWS Guidelines: Amphibian Guidelines A1

- 5.13 Based on the combination of factors above, it is considered that GCN could feasibly exist within the application site, and that the risk to individual GCN from the proposals is not able to be negated by the suggestions within the GCN Method Statement.

³ See: <https://northmerseysidelsp.org.uk/download/nmlsp-amphibian-and-reptile-site-selection-guidelines/#>

6.0 Indicative Mitigation

- 6.1 From the evidence gained during the surveys, the proposed demolition and site clearance associated with Court Hey Park will impact upon terrestrial habitat within the intermediate zone of a small population of GCN; therefore, the proposed mitigation is proportionate to that use.
- 6.2 Notwithstanding that Planning Consent is granted or equally if the work is undertaken outside of the planning system, whereby projects that do not require planning consent may affect GCN or their habitat, including disturbance, it does not absolve the applicant, site owner, developer or any other party involved with the work from ensuring that an application is made for a Natural England development licence, to legally undertake work that will affect GCN(s) or their habitat(s). If work is undertaken without a licence and GCN(s) or their habitat(s) is/are affected, then a breach of current wildlife legislation will occur for which penalties are high.
- 6.3 Under Regulation 53(1) and 56(3)(a) of the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 (SI 2019/579), **a licence, issued by the EPS Licensing Team of Natural England, is required prior to disturbing GCN or destroying / damaging / obstructing any place that is used by GCN as a resting place or breeding site.** This includes both breeding ponds as well as terrestrial refuge areas.
- 6.4 The final mitigation strategy is yet to be determined, with ongoing discussions occurring between Tyrer Ecological Consultants and Knowsley Council (applicant) to ensure any and all options are satisfactory; the mitigation approach will be detailed within any upcoming license application method statement. However, provisional measures are outlined below.
- 6.5 **Toolbox talk:** Once a protected species license is in place, at the pre-commencement stage the Named Ecologist (or accredited agent) is to undertake a site induction 'Toolbox talk' to the licensee and all contractors on possible GCN presence and discuss document features taken from the license, i.e. license, method statement, mitigation figures and work schedule to be kept on site for the duration of the work.
- 6.6 **Pre-commencement check:** Prior to any work being undertaken the presence/ absence of GCN, as far as possible, will be established by the Named Ecologist (or an accredited agent) undertaking a thorough investigation of the areas in which GCN could be present. This will involve a fingertip search exercise, which could be facilitated by a GCN detection dogs, of vegetation, or piled aggregate / waste within the area of impact; the work area will be defined by the contractor to ensure full coverage. Any GCN that are found during this search will be translocated to a suitable receptor site within proximity to the work area.
- 6.7 **Site clearance/rubble removal:** On completion of a fingertip search and confirmation that GCN are likely absent, the contractor will remove any rubble, waste or built aggregate from the work areas using machinery (if needed). Where vegetation is needed to be removed, the contractor will cut the sward down to 20cm length initially, using a motorised strimmer, in order to make the works area unsuitable for the species. The vegetation will be left like this for a period of 5 days, and then will be cut to ground level, following an additional fingertip search to further reduce the impact areas suitability for the species.
- 6.8 **Ecological Clerk of Works (ECoW):** The Named Ecologist (or accredited agent) will supervise all site setup works and works that may pose concern to newts. All works affecting GCN will be undertaken during favourable weather conditions (above 7°C) and ideally outside of the hibernation period (November – February); therefore, any work schedule should aim to have made the site unsuitable for GCN before this time.
- 6.9 **Commuting route retention:** It is important to ensure commuting access is retained through the site and within neighbouring corridors. It is recommended that the site working area is clearly demarcated to ensure adjacent habitat, not subject to impacts, are suitably maintained.

Furthermore, it is recommended that pollution control mechanisms are implemented to ensure habitats in proximity are not indirectly affected by dust or runoff.

- 6.10 **Habitat enhancement:** In order to suitably mitigate for the loss of terrestrial habitat, including potential refuge opportunities, within the application site, an enhancement strategy will need to be devised in order to create better terrestrial value habitat for GCN within the zone of influence of the site. This could entail a bespoke habitat management scheme for the benefit of GCN, in combination with the creation and installation of log pile refugia's within proximity to the site and the surrounding habitat to provide more year-round opportunities for the species.
- 6.11 Potential locations of the proposed refugia's have been supplied within **Appendix III** of this report, with four refugia piles recommended to offset any loss of refuge potential within the application site during the site setup works. All refuge piles will be constructed to NE mitigation guideline with a minimum of 75% inert materials. The design of the hibernacula will follow that set out in the Great Crested Newt Mitigation Guidelines (English Nature, 2001) and will include the use of brick rubble, logs and loose topsoil, with a covering of turf. The hibernacula will each be approximately 2-metres in diameter, 4-metres in length and 1-metre in height. See **Figure 6.1** for visual context.

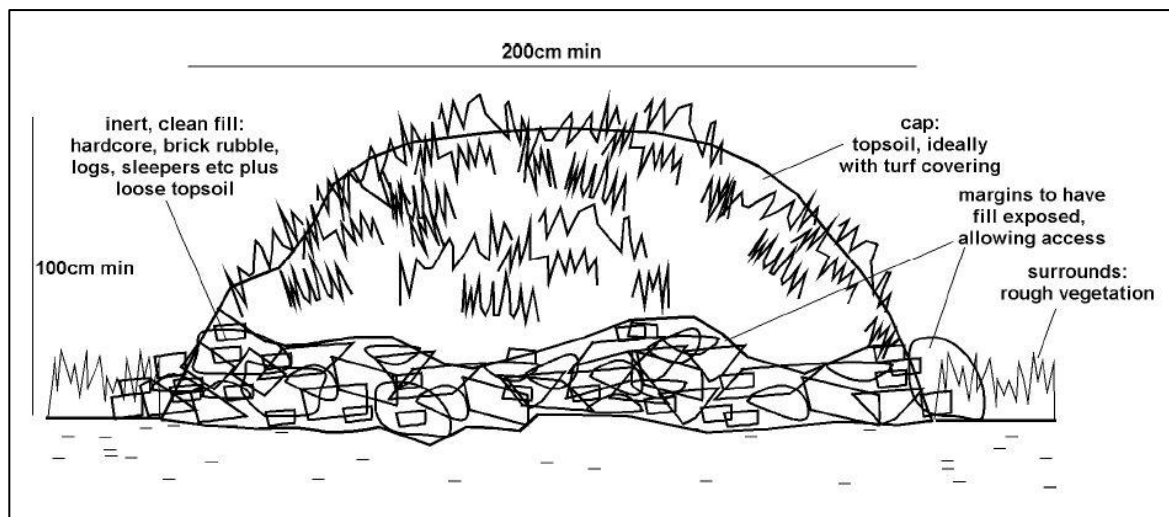


Figure 6.1 – Outline spec of a typical new GCN hibernaculum

- 6.12 **Appendix III** also provides the proposed receptor location for moving any GCN (or other amphibian) to if found during the site searches. The receptor location should be in proximity to the work area and be able to support an increased population load as necessary. The location identified is the terrestrial habitat around P4, which is known to support a small population of GCN. Prior to moving any GCN, the outlined refugia's must be established to ensure suitable refuge is available for them once moved.

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Appendix I: *PR-0246-24 Court Hey Park – Preliminary Ecological Appraisal* (Tyrer
Ecological Consultants Ltd, August 2024)

Appendix II: *Environmental DNA (eDNA) raw data, Sample ID: ADAS-H (ADAS, July 2025)*

