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BADGER SETT / FORAGING AREA SURVEY – June 2025

**Kirkby Valley Golf Course, Ingoe Lane, Kirkby, L32
4SS**

Grid ref: SJ 396 976

June 2025

Produced by EBS on behalf of L32 Trading Ltd

Issued: 30th June 2025



Summary

Planning permission has been granted for a development on land of Kirkby Valley Golf Course, Ingoe Lane, Lirkby, L32 4SS (Grid Ref: SJ 396 976). As a condition of the planning permission, a badger presence survey is requested immediately prior to works commencing .

EBS were therefore commissioned in May 2025 to survey the entire site and immediate adjacent area to ensure that no harm to badgers or setts occurs.

Section 3(e) of the Protection of Badgers Act 1992 makes it an offence for a person to interfere with a badger sett by disturbing a badger that is occupying the sett. There are two elements to this offence;

- 1) There must be an action capable of disturbing a badger, which amounts to an interference with a sett; and
- 2) A badger must be occupying the sett at the time of the disturbance.

Environmental Business Solutions (EBS) surveyed the area during the weekend of the 28th / 29th June 2025 and found no active setts, vacant setts or signs of badger foraging within the site or within the immediate area.

From the evidence of the surveys conducted, it is proposed that a Natural England temporary disturbance licence is not required and only basic Reasonable Avoidance Measures need applying.

If any evidence of badger is discovered at any time of the operation then works will discontinue immediately, EBS will be informed and will re- assess the situation at once, possible application for a Natural England disturbance licence may then be required.

Bill Gaudie
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Ecological Consultant- Environmental Business Solutions

1. Introduction

- 1.1 Planning permission has been granted for a development on land at Kirkby Valley Golf Course, Ingoe Lane, Kirkby, L32 4SS (Grid Ref: SJ 396 976).. As a condition of the planning permission, a badger presence survey is requested immediately prior to works commencing as per recommendations set out in previous Preliminary Ecology Assessment reports.
- 12 EBS were therefore commissioned in May 2025 to survey the entire site and immediate adjacent area to ensure that no harm to badgers or setts occurs.
- 13 The site is located at National Grid Reference SJ 396 976 and comprises a total area of approximately 18ha (see Figure 1).

Fig 1. Redline boundary — and approximate area surveyed —



2. Legislation

- 2.1 Badgers receive protection in the U.K. under the Protection of Badgers Act 1992.
- 2.2 Section 3(e) of the above Act - Interfering with badger setts, states;
A person is guilty of an offence if, except as permitted by or under this Act, he interferes with a badger sett by doing any of the following things;-
- (a) damaging a badger sett or any part of it;
 - (b) destroying a badger sett;
 - (c) obstructing access to, or any entrance of, a badger sett;
 - (d) causing a dog to enter a badger sett; or
 - (e) disturbing a badger when it is occupying a badger sett,
Intending to do any of those things or being reckless as to whether his actions would have any of those consequences

3. Surveys 28th / 29th June 2025

3.1 Daytime Survey.

3.1.1 Dates. See table 1.

3.1.2 Surveyors. Mr W Gaudie, BSc hons Wildlife Conservation, MCIEEM.

3.1.3 Conditions. See table 1.

3.1.4 Area surveyed. Entire site and whole of boundary was walked with extra attention put on any gaps in hedges, walls or fences likely to be used for entry. Nearby woods and possible foraging areas were also searched where possible (See Fig 1).

3.1.5 Methods.

3.1.5.1 Site was searched for signs of badger setts, latrines, footprints, desire lines, hairs, snuffle holes and scratch poles.

3.1.5.2 Equipment. Ridgid SeeSnake Inspection Camera Endoscope, field books, magnifying glass, Cluson Smartlite 1,000,000 candlepower torch.

3.1.6 Results.

3.1.6.1 No signs of active or disused badger setts, latrines, footprints, desire lines, hairs, snuffle holes or scratch poles were noted during search of site and wider area.

Table 1. Conditions at the Drift Golf Club

Date	Min/max Temperature	Wind Max	Cloud Cover	Visibility	Rain
09.03.19	9.0 – 19.0 °C	10.0m/s	80 - 100%	Good	One short
10.03.19	8.0 - 20.0°C	11m/s	100%	Good	Morning Shower

3.2 Survey Conclusions.

- 3.2.1 It is considered from these findings that the site is not currently used by badgers for foraging and no setts are found within the immediate area. No further survey work is required.

4. Reasonable Avoidance Measurements.

4.1 General.

- 4.1.1 All contractors on site should be made aware of guidelines outlined in; Badgers and Development, English Nature 2002. ISBN 1 85716 6140. IN7.5
- 4.1.2 All contractors to be made aware of possible effect of higher traffic volume on badgers.
- 4.1.3 Any holes or trenches left open overnight to have means of escape provided such as a ramp or wide plank.
- 4.1.4 All materials (especially those containing lime) to be securely stored out of access of badgers
- 4.1.5 Any fires to be lit away from wooded areas.
- 4.1.6 Any signs of badger presence should be reported to EBS immediately and all work on site stopped until otherwise advised by a suitably qualified ecologist at EBS.

5. Conclusions.

No signs of badger activity or setts were noted during surveys conducted by Environmental Business Solutions 28th / 29th June 2025. It is therefore the opinion of EBS that the site is not currently used by badgers for breeding or foraging and that it is highly unlikely that any badgers or their habitat will be disturbed during the development. Although not legally required, the above Reasonable Avoidance Measures should be implemented as good practice and to ensure that no offence under Section 3(e) of the Protection of Badgers Act 1992. will be committed.

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