



Network Space

Precautionary Working Method Statement

Land off Faraday Road, Knowsley





Network Space

Precautionary Working Method Statement

Land off Faraday Road, Knowsley

Type of document (version) Public

Project no. 70105889

Date: May 2023

WSP

Level 2

100 Wharfside Street

Birmingham

B1 1RT

Phone: +44 121 352 4700

WSP.com

Quality control

Issue/revision	First issue	Revision 1	Revision 2	Revision 3
Remarks	Final			
Date	May 2023			
Prepared by	Emma Hatchett			
Signature	Hatchett, Emma (UKEJH005) Digitally signed by Hatchett, Emma (UKEJH005) DN: cn=Hatchett, Emma (UKEJH005), ou=Active, email=Emma.Hatchett@wsp.com Date: 2023.05.22 13:23:52 +01'00'			
Checked by	Mark Hampton			
Signature				
Authorised by	Emma Hatchett			
Signature	Hatchett, Emma (UKEJH005) Digitally signed by Hatchett, Emma (UKEJH005) DN: cn=Hatchett, Emma (UKEJH005), ou=Active, email=Emma.Hatchett@wsp.com Date: 2023.05.22 13:24:15 +01'00'			
Project number	70073657			
Report number	007			
File reference				

Contents

1	Background and Relevant Legislation	1
1.1	Background	1
1.2	Ecological Background	1
1.3	Relevant Legislation	2
2	Mitigation	5
2.1	General Measures	5
2.2	Great Crested Newts	6
2.3	Reptiles	6
2.4	Breeding Birds	7
2.5	Roosting Bats	8
2.6	Japanese Knotweed	9
2.7	Other ecological features	10
2.8	Personnel	10

1 Background and Relevant Legislation

1.1 Background

WSP UK Ltd (WSP) was commissioned to undertake an ecological assessment of a site off Faraday Road, Knowsley (the Site) proposed for development of a facility for storage of operational vehicles (Proposed Development). The works will comprise resurfacing, ancillary parking, and ancillary infrastructure within the approximately 2.4 hectares Site located at central OS Grid Reference: SJ 42904 97169. The Site is illustrated in Figure 1, below.



Figure 1-1 - Site Plan

1.2 Ecological Background

A Preliminary Ecological Appraisal (PEA), comprising a desk study and extended Phase 1 habitat survey, was previously undertaken by WSP on 13 July 2020¹ with an update survey undertaken in 2022² to focus on a smaller site area (as shown on Figure 1, above).

Otis Meadow LWS is located approximately 80m west of the Site and due to its proximity to the site may be affected by potential construction phase pollution events. To minimise this,

¹ WSP (2020), Land off Faraday Road - Preliminary Ecological Appraisal

² WSP (2023), Land off Faraday Road – Phase 1 Validation Update

use of best environmental practice is required. Further detail is provided within this Precautionary Working Method Statement.

The Survey Area supported a variety of habitats including scrub, surface water and bare ground. As identified in the PEA (referenced above), there were habitats on Site that have the potential to support protected/notable species including:

- Great crested newt *Triturus cristatus* (GCN);
- Common species of reptile – slow worm *Anguis fragilis*, common lizard *Zootoca vivipara* and grass snake *Natrix helvetica*;
- Nesting birds; and
- Roosting bats.

In addition, an area of Japanese knotweed *Reynoutria japonica* was noted within the 2020 site boundary but outside of the revised 2023 site boundary. It was noted during the 2023 survey that the area of Japanese knotweed showed evidence of recent/ongoing herbicide treatment.

1.3 Relevant Legislation

The legislation of relevance to the proposed development is as follows.

1.3.1 Amphibians

All GCN, their breeding and resting sites are protected under the Wildlife and Countryside Act 1981 (as amended)³, the Conservation of Habitats and Species Regulations 2017 (as amended)⁴ and the Countryside and Rights of Way Act 2000 (as amended)⁵. The legal protection of GCN can be summarised as follows:

It is an offence to:

- Intentionally or deliberately* capture or kill, or intentionally injure great crested newts;
- Deliberately* disturb great crested newts or intentionally or recklessly* disturb them in a place used for shelter or protection;
- Damaging or destroy a breeding or resting place;
- Intentionally or recklessly damage, destroy or obstruct access to a place used for shelter or protection;
- Possess a great crested newt, or any part of it, unless acquired lawfully;

³ HMSO (1981). Wildlife and Countryside Act (as amended). HMSO, London.

⁴ Her Majesty's Stationary Office (HMSO). (2017). Conservation of Habitats and Species Regulations (as amended). HMSO, London.

⁵ HMSO (2000). Countryside and Rights of Way Act 2000. HMSO, London.

- Sell, barter, exchange or transport or offer for sale great crested newts or parts of them;
- Possessing, selling, controlling or transporting live or dead newts, or parts of them; and,
- Taking great crested newt eggs.

*a 'deliberate' action is likely to be interpreted as an action which, did not capture/injure or kill a GCN intentionally, but was sufficiently informed and the relevant people(s) aware of the consequences that the actions will most likely have.

*a 'reckless' action is likely to be interpreted as an action which, a person deliberately and unjustifiably pursues a course of action while consciously disregarding any risks flowing from such action).

GCN and common toad are also listed as a Species of Principal Importance (SPI) for the Conservation of Biodiversity in England in accordance with Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006⁶. Under Section 40 of the NERC Act 2006, public bodies (including local planning authorities) have a duty to have regard for the conservation of SPI when carrying out their functions, including determining planning applications.

1.3.2 Reptiles

Native, widespread reptile species are partially protected under Schedule 5 of the WCA 1981 (as amended). Under part of Section 9(1) and all of Section 9(5), it is an offence to:

- Intentionally or recklessly kill, injure or take any wild animal included in Schedule 5; or
- Sell, offer or expose for sale, or have in possession or transport for the purpose of sale, any live or dead wild animal included in Schedule 5, or any part of, or anything derived from, such an animal.

All native reptile species are also listed as SPI in accordance with Section 41 of the NERC Act 2006. Public bodies have an obligation under Section 40 to have regard for these species when carrying out their functions.

1.3.3 Birds

Under the Wildlife and Countryside Act 1981 (as amended) all wild birds are protected from killing and injury, and their nests and eggs protected from taking, damage and destruction whilst in use. Additional protection is extended to species listed under Schedule 1 of the Act, meaning it is also an offence to disturb these species at or near the nest, or whilst they have dependent young.

1.3.4 Bats

All UK bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended) and under the Conservation of Habitats and Species Regulations 2017 (as amended). The legal protection for bats and their roosts may be summarised as follows:

It is an offence to:

⁶ HMSO (2006). *Natural Environment and Rural Communities Act*. HMSO, London.

- Deliberately* capture, injure or kill a bat;
- Intentionally or recklessly* disturb a bat in its roost or deliberately* disturb a group of bats;
- Damage or destroy a bat roosting place (even if bats are not occupying the roost at the time);
- Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat; or
- Intentionally or recklessly obstruct access to a bat roost.

1.3.5 Japanese Knotweed

Invasive species listed under Schedule 9 are prohibited from release into the wild and the Wildlife and Countryside Act 1981 (as amended) prohibits planting or “causing to grow” in the wild of any plant species listed in Schedule 9.

2 Mitigation

2.1 General Measures

During the construction phase of the development, general environmental protection measures must be implemented. Such measures include best environmental practice guidance outlined in Construction Industry Research and Information Association Guidance (CIRIA, 2015)⁷. The following minimum standards must be adhered to in order to prevent ecological impacts beyond the Site boundary:

- Measures must be taken to prevent dust and other emissions from construction affecting land beyond the Site.
- Measures must be taken to ensure aquatic pollution is avoided. Chemicals and fuels must be stored in secure containers located away from watercourses or waterbodies. Spill kits must be available. In general, environmental protection measures must be implemented during the construction phase of the Proposed Development. Best practice will be employed to protect any nearby waterbodies, watercourses and drainage systems. As of the 17 December 2015, all Pollution Prevention Guidelines (PPG) documents published by the UK environment agencies were withdrawn. However, a new series of Environment Agency Guidance on Pollution Prevention (GPP) is in development, which provides updated good practice guidance to the UK. Whilst this is not regulatory guidance in England where the UK government website outlines regulatory requirements, it remains a useful resource for best practice. These can be considered alongside those outlined by the Construction Industry Research and Information Association guidance. Best practice measures are included within CIRIA documents. The Contractor will follow appropriate advice and recommendations within the CIRIA document C741, Environmental Good Practice on Site guide, and C532, Control of Water Pollution from Construction Sites.
- A pre-commencement walkover of the site will be undertaken to check for the presence of protected/notable species including badger and hedgehog. In the unlikely event that evidence of protected/notable species is recorded during the pre-works walkover, the measures set out in this PWMS should be adhered to with additional measures agreed as appropriate to the findings.
- Excavations must be covered or securely fenced (with no potential access points beneath fencing) when the Site is closed (e.g. overnight) to prevent entrapment of animals. Where excavations cannot be adequately covered or fenced, a ramp should be provided as a means of escape.
- Any pipework exposed as a result of site clearance and construction works should be capped/covered to prevent entrapment of animals.

⁷ CIRIA (2015) Environmental good practice on site (fourth edition) (C741) Charles, P., Edwards, P (eds). CIRIA, London.

- Retained trees must be protected in accordance with BS5837⁸;
- Noise and vibration must be controlled and kept to the minimum necessary.
- Lighting used for construction must be switched-off when not in use and positioned so as not to spill on to adjacent land or retained vegetation within the Site.
- Storage of materials should be in line with best practice to ensure that these stockpiles are not utilised by animals.

2.2 Great Crested Newts

There are ponds located in the vicinity of the site, none of which could be surveyed as part of the assessment of the site due to access constraints. As a result, a precautionary approach should be taken to the presence of great crested newts on site. The habitats are generally assessed as being of poor suitability with limited connectivity to any suitable habitats in the wider environs and therefore, there is low likelihood that this species will be present within the site but measures to avoid harm in the unlikely event that a great crested newt was found on site should be put into action during the construction phase of the development. Works must proceed in accordance with the following precautionary measures:

- A toolbox talk on GCN shall be given prior to the commencement of works to make contractors aware of the potential for this species being on site;
- A visual check of the site and equipment for GCN must be undertaken each morning prior to works commencing by the Ecological Clerk of Works (ECoW). This will be the case solely for the period during which site clearance is required;
- Any habitat clearance of land will be undertaken under ecological supervision for great crested newts by the ECoW, if determined to be necessary by the ECoW.
- Storage of arisings from vegetation clearance and rubble materials should be above ground and preferably in a skip or similar container; and
- If a GCN are found during works, works must cease, and the advice of a suitably qualified, experienced and licenced ecologist must be sought immediately. The ecologist will advise if any immediate actions are required to ensure the safety of the GCN, such as the provision of any cover until the GCN can escape of its own accord.

2.3 Reptiles

Suitable habitat to support common species of reptiles was also present within the Site. It is therefore required that any vegetation clearance within the Site be carried out under a PWMS produced by a suitably experienced ecologist. The following measures should be put in place:

⁸ British Standards Institution (2012) BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations. BSI, London.

- A toolbox talk on reptiles shall be given prior to the commencement of works to make contractors aware of the potential for reptiles being on site.
- A visual check of the site and equipment for reptiles must be undertaken each morning prior to works commencing by the ECoW.
- Any habitat clearance of land will be undertaken under ecological supervision for reptiles by the ECoW, if determined to be necessary by the ECoW.
- If a reptile is found during works, works must cease, and the advice of a suitably experienced ecologist must be sought immediately. The ECoW for the work site should also be contacted. The ECoW will advise if any immediate actions are required to ensure the safety of the reptile, such as the provision of any cover until the reptile can escape of its own accord.

2.4 Breeding Birds

Suitable habitat for nesting birds was present on Site. Therefore, where possible any vegetation clearance is undertaken outside the breeding bird season (March to August, inclusive), however if this does not fit with the construction programme, a pre-clearance check for the presence of nests and nesting birds will be undertaken. This should be undertaken by a suitably experienced ecologist. If nesting birds are discovered, works should cease within that immediate area and a buffer placed around the active nest (the size of which would be determined by the species of bird and at the discretion of the suitably experienced ecologist). Only once the nest/nesting activity has come to a natural conclusion (eggs hatched and chicks fledged the nest or nest attempt fails) can the exclusion buffer be removed and works recommence.

In order to provide alternative nesting provision through the operational phase of proposals, nest boxes suitable for supporting a common assemblage of nesting birds will be included within the finished development as per the details provided in Figure 2, below.



Figure 2-1 - Bird Box Location Plan

2.5 Roosting Bats

All trees on Site were assessed as negligible for roosting bat potential, however suitable foraging and commuting habitat is present within the Site.

In line with the operational lighting scheme (Ref. P.000002-RED-XX-XX-DR-E-2300), the lighting of the Proposed Development (during construction and operation) has been designed in consideration of nocturnal species, for example bats potentially local to the Site, and has reduced light spill outside of the development area. Should light spill be considered unacceptable during operation, additional features such as hoods or louvres will be added to further reduce light spill onto retained vegetation likely to be used by foraging and commuting bats. In addition, narrow spectrum light sources have been specified to lower the range of species affected by lighting, specifically avoiding shorter wavelength blue light, using instead warm/neutral colour temperature <4,200 kelvin lighting (Bat Conservation Trust (BCT), 2018⁹).

⁹ Bat Conservation Trust (2018) Bats and Artificial Lighting in the UK. Bats and the Built Environment Series. Guidance Note 08/18.

As a minimum, the following measures will be put in place to maintain the favourable conservation status of bats in the local area:

- Any lighting during the construction phase and external lighting incorporated as part of the Proposed Development will be kept to a minimum.
- Where required, lighting will be directional, avoiding UV content, and instead utilising warmer spectrums.
- Lighting will be used only when required and not illuminate adjacent habitats or features that may support protected and/or notable species, e.g. broadleaved plantation woodland, and scrub habitats.
- Retained habitats will not be directly illuminated during the operational phase of the Proposed Development.

2.6 Japanese Knotweed

Japanese knotweed is located outside of the site boundary and is actively being treated with herbicide by the landowner of that site. However, there is still a low risk of Japanese knotweed being spread as a result of construction activities. To reduce the likelihood of an offence under the Wildlife and Countryside Act, 1981 (as amended), this Biosecurity Plan should be strictly adhered to under the supervision of the site ECoW.

2.6.1 Biosecurity

Biosecurity is a set of precautions to prevent the introduction and spread of harmful organisms, including invasive species. The GB Invasive Non-native Species Strategy (Defra 2022¹⁰) and EU Regulation 1143/2014 on Invasive Alien Species (entered into force on 1 January 2015) direct landowners and managers to adopt a proactive biosecurity driven approach to Invasive Non-Native Species (INNS) management. The Environment Agency, Natural England and the Forestry Commission advocate this proactive approach. In order of priority, emphasis is placed on:

- Prevention (including reducing the probability of accidental spread and identifying spread pathways);
- Early detection and rapid response; and
- Control of established populations.

General Measures

Prior to the start of any works at the site, an update site walkover will be undertaken to identify and mark out any additional stands of Japanese knotweed that may have emerged since previous survey work. For Japanese knotweed, the standard buffer from each stand will be 7m.

¹⁰ <https://www.gov.uk/government/publications/the-great-britain-invasive-non-native-species-strategy>

A toolbox talk on Japanese knotweed will be given prior to commencement of works to make contractors aware of the potential for this species to be present on site.

Precautions must be taken to minimise the transfer of plant species including:

- All equipment, clothing and footwear should be checked and cleaned of soil, seeds and plant material on a regular basis and after working in close proximity of the off-site Japanese knotweed and any subsequent buffer zones.
- No personnel access will be allowed within the known area of Japanese knotweed (off-site) and any subsequent buffer zones.

2.7 Other ecological features

No other ecological receptors will be impacted by the proposed development. In the event of unexpected discoveries or issues, for example confirmation of additional protected species or Invasive Non-Native Species within the site, works must cease until further advice sought from the project team and this PWMS is updated.

2.8 Personnel

All communication will be undertaken through the lead ecologist for the project, Emma Hatchett from WSP. The ECoW may change throughout the works dependent on staff availability and contact details will be provided as applicable to the works being undertaken.



Level 2
100 Wharfside Street
Birmingham
B1 1RT

wsp.com

WSP UK Limited makes no warranties or guarantees, actual or implied, in relation to this report, or the ultimate commercial, technical, economic, or financial effect on the project to which it relates, and bears no responsibility or liability related to its use other than as set out in the contract under which it was supplied.