

**Transpennine Route Upgrade  
Bradley Junction Compound  
Ecological Impact Assessment  
Appendix B – PMWMS**

**Document Reference: 151667-TSA-00-TRU-REP-W-EN-001645**

**Network Rail**

**November 2024**





## **Bradley Nurseries Reptile PWMS**

Precautionary Working Method Statement in relation to Reptile for Bradley Nurseries (TransPennine Route Upgrade West (W3))

03 October 2024

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## Quality Assurance – Approval Status

This document has been prepared and checked in accordance with Waterman Group's IMS (BS EN ISO 9001: 2015, BS EN ISO 14001: 2015 and BS EN ISO 45001:2018)

| Revision | Status | Date | Prepared by | Checked by  | Approved by   |
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## Comments

| Revision   | Status   |
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## 1. Introduction

### 1.1 Project Overview

- 1.1.1 Waterman Infrastructure & Environment Ltd (Waterman) was commissioned by AtkinsRéalis on behalf of Network Rail to develop a Reptile Precautionary Working Method Statement (PWMS) for the land parcel known as Former Bradley Nurseries at Bradley Junction Business Park, HD2 1TR (hereinafter referred to as the 'Site'). The Site is centred on Ordnance Survey national grid reference (OSNGR) SE 17152 20090 and covers approximately 1.17 hectares.
- 1.1.2 The Site has been identified to provide a construction compound for the Huddersfield to Westtown section of the TransPennine Route Upgrade (TRU). The TRU is a transformative, long-term railway infrastructure programme that will improve connectivity in the North of England. The Huddersfield to Westtown section of the TRU Scheme (which was the subject of the Transport and Works Act Order (The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022), aims to deliver the following improvements:
- Improved journey time;
  - New four-tracking and a grade-separated junction between Huddersfield and Ravensthorpe for reliability and capacity, to help remove delays and prevent them from perpetuating from one side of the Pennines to the other;
  - The ability to run eight passenger trains per hour;
  - Full electrification; and,
  - A contribution to Network Rail's Decarbonisation Strategy and climate policy.
- 1.1.3 Planning Direction for the Huddersfield to Westtown (Dewsbury) section of the TRU was received from the Department for Transport referenced TWA/21/APP/03, dated 13 October 2022. The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022) SI 2022 No. 1067 came into force on 3rd November 2022.
- 1.1.4 The Site has been identified as being required for a new compound to support the Scheme and is subject to its own planning application. This PWMS report is intended sit in an appendix to the Ecological Impact Assessment (EclA) report to accompany the planning application for the Site.

### 1.2 Survey Findings

- 1.2.1 Waterman conducted a Field Survey comprising a UK Habitat Classification survey and scoping for protected species on the Site. This was undertaken on 20th May 2024 by Zinnia Pennington (Consultant ecologist QCIEEM) and Erin Nolan (Ecology apprentice). The survey indicated the habitats on Site have the potential to support a small number of reptiles. Consequently, a recommendation was made for site clearance to implement standard good practice measures sensitive to reptile, to be devised in this PWMS.

### 1.3 Site Description

- 1.3.1 The Site is a former nursery site, within the small town of Bradley. Following demolition of the former nursery to slab level in early 2022 a preliminary ecological appraisal (PEA) survey and report was completed by E3P in March 2023<sup>1</sup>(herein referred to as the 2023 PEA). The recent clearance was evident with predominantly bare ground habitat present on site, with some areas of dense scrub, semi-improved grassland, hardstanding, broadleaved woodland and ephemeral/short perennial.
- 1.3.2 An update PEA survey to inform the planning application was completed by Waterman Group and Infrastructure on the 20<sup>th</sup> May, 2024 which identified the site as being characteristic Open Mosaic Habitat on Previous Developed land (OMHPDL)<sup>2</sup>. The Site contains a mixture of scrub, broadleaved woodland, early successional herb communities interspersed with bare ground and open standing water collectively hosting diverse vegetation and structural complexity conducive to reptile habitats. Additionally, there are southern-facing banks with open ground areas that provide ideal basking opportunities, as depicted in Photograph 1. Other habitats present on site include modified grassland, developed land with sealed surfaces, buildings, built linear features and line of trees. The site was also identified as having potential connectivity to suitable reptile habitats in the wider landscape to the east and south through woodlands and watercourses.

### 1.4 Scoping for Reptiles

- 1.4.1 The potential for a significant reptile population on the Site has been scoped out due to the following rationale:
- The Kirklees Biodiversity Action Plan<sup>3</sup> identifies only common lizard to be present within the borough, noted for having an upland distribution which does not include the Site;
  - The 2023 PEA scoped out reptiles as the habitats on site were, at the time, not considered suitable for reptiles; and
  - A data search in 2019 (carried out to support the TWA Order application) received no records of reptiles, and scoped out reptile surveys but included standard avoidance measures during vegetation clearance. This approach was accepted in the granting of the order.
  - The 2024 data search (undertaken to inform the EclA report returned no records of reptile within 2km of the site).

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<sup>1</sup> E3P (2023). Preliminary Ecological Appraisal Report, Former Bradley Nurseries, Kirklees. Report Ref: 81-181-R1-1

<sup>2</sup> Following further consideration of site conditions and assessment of criteria, site no longer deemed to be characterised as OMHPDL see Appendix G of EclA for further details

<sup>3</sup> Kirklees Council (2007). Kirklees Species of Principal Importance. Available at: <https://www.kirklees.gov.uk/beta/delivering-services/pdf/biodiversity-species.pdf>

- 1.4.2 Whilst the above rational scoped out the requirements for reptile surveys to inform the planning application, the presence of a small number of individuals cannot be discounted. The site hosts connectivity to other suitable habitats for reptiles and the on-site conditions have significantly changed since the 2023 PEA now hosting habitat suitable for reptiles. As such the potential that a small number of individuals have discovered and moved into the site in the past 12-18 months cannot be discounted in the absence of surveys. Whilst this is considered a low risk given the lack of records of reptile in the local area, the implementation of this precautionary working methods through this document is recommended, and is in line with the approach adopted in the TWAO.

## **1.5 Objective**

- 1.5.1 This Method Statement outlines the recommended steps so that de-vegetation activities can avoid the potential killing or injuring of reptiles (if present). This approach will seek to maintain compliance with relevant wildlife protection legislation.

## 2. Introduction to Widespread Species of Reptiles

### 2.1 Overview

- 2.1.1 This section details information on widespread species of reptiles found in England, specifically focussing on species that have the potential to inhabit the site due to geographical context and the habitats present on Site.
- 2.1.2 Understanding the ecology, habitat requirements and activity/hibernation cycles allows for implementing effective precautionary measures during the planned de-vegetation works and other site works proposed.

### 2.2 Widespread Species of Reptiles

- 2.2.1 The following are the widespread species of reptiles found in England:
- Common lizard (*Zootoca vivipara*)
  - Slow worm (*Anguis fragilis*)
  - Grass nake (*Natrix helvetica*)
  - Adder (*Vipera berus*)
- 2.2.2 It should be noted that common lizard is the only of these four species noted to be present in the borough in the Kirklees BAP and therefore the focus of this PWMS. However, for completeness, all four species are described.

### 2.3 Ecology and Habitat Requirements

- 2.3.1 Scoped in species:

#### Common lizard

- **Ecology:** Common lizards are small, agile reptiles that give birth to live young. They are diurnal and rely on basking to regulate their body temperature.
- **Habitat:** Prefer open, sunny areas with plenty of ground cover such as heathlands, moorland, grassland and woodlands.
- **Activity Cycle:** Generally active from February through to November in southern Britain, but for shorter periods from March to October; further North<sup>4</sup>.

- 2.3.2 Other widespread species of reptiles:

#### Slow worm

- **Ecology:** Slow worms are legless lizards that resemble snakes. They are secretive and often found under debris or in compost heaps.
- **Habitat:** Prefer areas with dense ground cover such as tussocky grasslands and woodland edges. These can often be found basking in a sunny patch in these areas.

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<sup>4</sup> Edgar, P., Foster, J. and Baker, J. (2010). Reptile Habitat Management Handbook. Amphibian and Reptile Conservation, Bournemouth

- **Activity Cycle:** Active from March to October; hibernate from late October to early March in burrows, loose soil and dense vegetation<sup>5</sup>.

### Grass snake

- **Ecology:** Grass snakes are non-venomous and are often found near water. They predate on, amphibians, fish, small mammals and birds.
- **Habitat:** Prefer wetlands, ponds, and riversides, but can also be found in grasslands and woodlands.
- **Activity Cycle:** Active from March to October; hibernate from October to March<sup>4</sup>.

### Adder

- **Ecology:** Adders are venomous snakes known for their distinctive zigzag pattern. They are relatively shy and avoid human contact. These species hunt lizards and small mammals, as well as ground nesting birds.
- **Habitat:** Prefer heathlands, moorlands, and woodlands with plenty of cover.
- **Activity Cycle:** Active from March to late October or early November in the south, although the activity period is much shorter in the north of Scotland; hibernate from November to February<sup>4</sup>.

## 2.4 Activity and Hibernation Cycles of Reptiles

### 2.4.1 Active Period: March to October

- During this period, reptiles are active, feeding, and breeding. They require open areas for basking and dense cover for protection and foraging.

### 2.4.2 Hibernation Period: October/November to February

- Reptiles enter hibernation to survive the colder months. They seek out frost-free, sheltered locations such as burrows, compost heaps, or beneath logs and rocks.
- Fluctuation in seasonal weather conditions can result in species entering hibernation sooner/later.
- It should be noted that disturbance to reptiles during the hibernation period can be damaging and result in death of individuals. As such disturbance during the hibernation period should be avoided.

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<sup>5</sup> Edgar, P., Foster, J. and Baker, J. (2010). Reptile Habitat Management Handbook. Amphibian and Reptile Conservation, Bournemouth

### **3. Description of Works**

#### **3.1 Planned Works**

##### De-vegetation Works:

- 3.1.1 As part of the preparation for construction, de-vegetation works will be required. These works involve the removal of existing vegetation to clear the site for development activities. The de-vegetation process is critical to ensure that construction can proceed smoothly and safely.

##### Construction and use of site as a construction compound/working area:

- 3.1.2 The primary activity involves the construction and use of the site as a construction compound/working area. This will include the establishment of temporary facilities, storage areas, and access routes necessary for the construction phase of the Huddersfield to Dewsbury TWA Order. The compound construction is dependent upon receiving the necessary planning approval from Kirklees Council.

#### **3.2 Ecological Considerations**

##### Agreement with Council:

- 3.2.1 The de-vegetation works will be undertaken subject to agreement with Kirklees Council.

##### Timing of Works:

- 3.2.2 It is anticipated that de-vegetation works will take place during October 2024. The timing is chosen to align with the active period of common lizard and avoid the hibernation season for common lizard (November to February in Northern England subject to seasonal variations). This is to allow the implementation of appropriate mitigation measures to minimise disturbance and potential harm of any potential reptile populations present on the Site. Construction activities are due to progress upon receipt of the planning consent, expected to be November/December 2024.

##### Implementation of Precautionary Measures:

- 3.2.3 Precautionary measures will be implemented during de-vegetation to protect any reptiles that may inhabit the Site. These measures will include:
- Supervision by a Suitably Qualified Ecologist (SQE) who will operate as the Ecological Clerk of Works (ECoW) to monitor initial de-vegetation works.
  - Implementation of a two-stage cut for removal of vegetation to encourage reptiles to move away from the area.
  - Directional vegetation clearance to enable reptiles to move into areas of safety that will remain undisturbed (i.e. not flushing reptiles onto roads).

## 4. Precautionary Working Method Statement

### 4.1 Phased and Directional Vegetation Clearance

#### 4.1.1 Timing and Methodology

- Vegetation clearance will be phased and directional to encourage reptiles to move into safer areas see Figure 1.
- Vegetation clearance is planned to occur during the active season of the scoped in species, common lizard, so that any individuals are mobile and able to move out of the way. This is generally taken to be March to October depending on seasonal variations. Caution will be noted (review of weather conditions outlined below) particularly if the vegetation clearance approaches the start of the hibernation season.
- Prior to works progressing each day, the ECoW will determine if the weather conditions are suitable for works to progress. Optimum weather conditions for reptiles would be a warm, dry climate with sunshine to allow their cold-blooded bodies to retain warmth. Favourable conditions include air temperatures approximately between 9-20°C, with bright sunshine being favourable on cooler days, and hazy or intermittent sunshine favourable on warmer days<sup>6</sup>. Rainy or windy conditions provide unsuitable weather for reptiles and will result in less reptile species becoming less active, and therefore less inclined to relocate from any disruptive works (de-vegetation or destructive searches of refugia), putting the species at greater risk from predation. The ECoW will exercise caution should weather conditions be suboptimal, with consideration of the specific areas and characteristics of vegetation that require clearance.
- At the time of writing it is understood that vegetation clearance will be occurring within the end of the active season for common lizard, and within the start of the hibernation season for other reptiles. Disturbance of hibernating reptiles results in a greater risk of injury harm than when reptiles are active. Given the low likelihood of reptile presence on site (as outlined in Section 1.4), progressing with works within this period is considered to be justified to progress, subject to the monitoring of temperatures, supervision of works, and assessment of risk of disturbance of hibernation reptiles by the ECoW.

#### 4.1.2 Ecological Clerk of Works Supervision

- Initial vegetation clearance will be supervised by the ECoW to outline and monitor best practices and legal requirements.
- Prior to the start of activities, the ECoW will provide a Toolbox Talk to contractors undertaking de-vegetation works. This will outline potential risks, highlight the areas requiring direct supervision and explain what to do if reptiles are encountered during works.
- The ECoW will determine the requirement for ongoing presence using professional judgement and with consideration of the low risk of reptiles being present on site and the progress on vegetation clearance following the initial visit.
- In the unlikely situation of reptile(s) being found when the ECoW is not present, works on site are to cease immediately and the ECoW should be called in the first instance.

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<sup>6</sup> Froglife (2016), Surveying for reptiles.

#### 4.1.3 De-Vegetation Process

- Vegetation clearance (that offers reptile potential, in particular scrub and woodland) will commence as a two-stage cut, with initial clearance completed by strimming vegetation to a height of 300mm under the ECoW's supervision.
- After this first cut, any features of particular potential for reptiles which become visible would be subject to destructive search.
- If no reptiles are found, vegetation will be cut to ground level or mulched and removed.
- All habitat management will be undertaken during appropriate weather conditions following confirmation by the ECoW.

#### 4.1.4 Refugia Removal / Destructive Search

- The phased clearance of vegetation is designed to encourage any potential reptiles to move out of areas, providing works are done during appropriate weather conditions avoiding the hibernation season for common lizard.
- Where possible a destructive search should be completed by removing any rubble, log piles or other refugia by hand as reptiles may be found sheltering within these structures. Where this is not possible, removal of a refugia by an excavator with a toother bucket should be used to complete the works, slowly removing small sections/layers from the top down, allowing the ECoW to investigate for potentially exposed reptiles within the refugia between the removal of sections.
- Should exposed reptiles be found, these should be manually handled by the ECoW and moved to the area marked as 'potential receptor site' in Figure 1 comprising woodland with suitable vegetation cover and refugia. Suitability of the potential receptor site shall be verified by the ECoW. In the unlikely event that a hibernating reptile is identified, this should not be moved or disturbed. If the reptile is found underneath or within refugia this should be placed back, making certain not to harm or disturb the reptile in the process. A suitable buffer shall then be established by the ECoW. No works are to commence with this buffer zone until March when the active season for widespread reptiles has begun, or the species has moved from the location.
- Whilst adders are not expected to be present on-site (as outlined in Section 2), in line with Health and Safety protocol this PWMS recommends that venomous adders, should not be handled (unless appropriately trained to do so with correct Personal Protective Equipment (PPE)) and instead encouraged off-site. If the species cannot be encouraged to move, works should be commenced elsewhere in hope that the species moves by its own accord.

## 5. Summary

This document informs the relevant precautionary working method statement in regard to completing de-vegetation works and creation of a compound on the Bradley Nurseries Site. All working method statements as outlined in this report should be strictly followed to avoid a breach of wildlife legislation.

An outline Toolbox Talk has been provided as Appendix C. This provides a briefer version of the information provided within this document which can be explained by the ECoW to personnel on Site prior to works commencing. Workers are then to sign the toolbox talk confirming their agreement to comply with the relevant instructions.

If you agree with this and confirm you have understood and will follow the measures outlined in this report, please sign the following table below.

| I confirm that I have read and understood the precautionary working methods outlined in this report which relate to reptiles, and I agree to follow these methods. |      |           |
|--|------|-----------|
| Date   | Name | Signature |
|  |      |           |
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## Figures

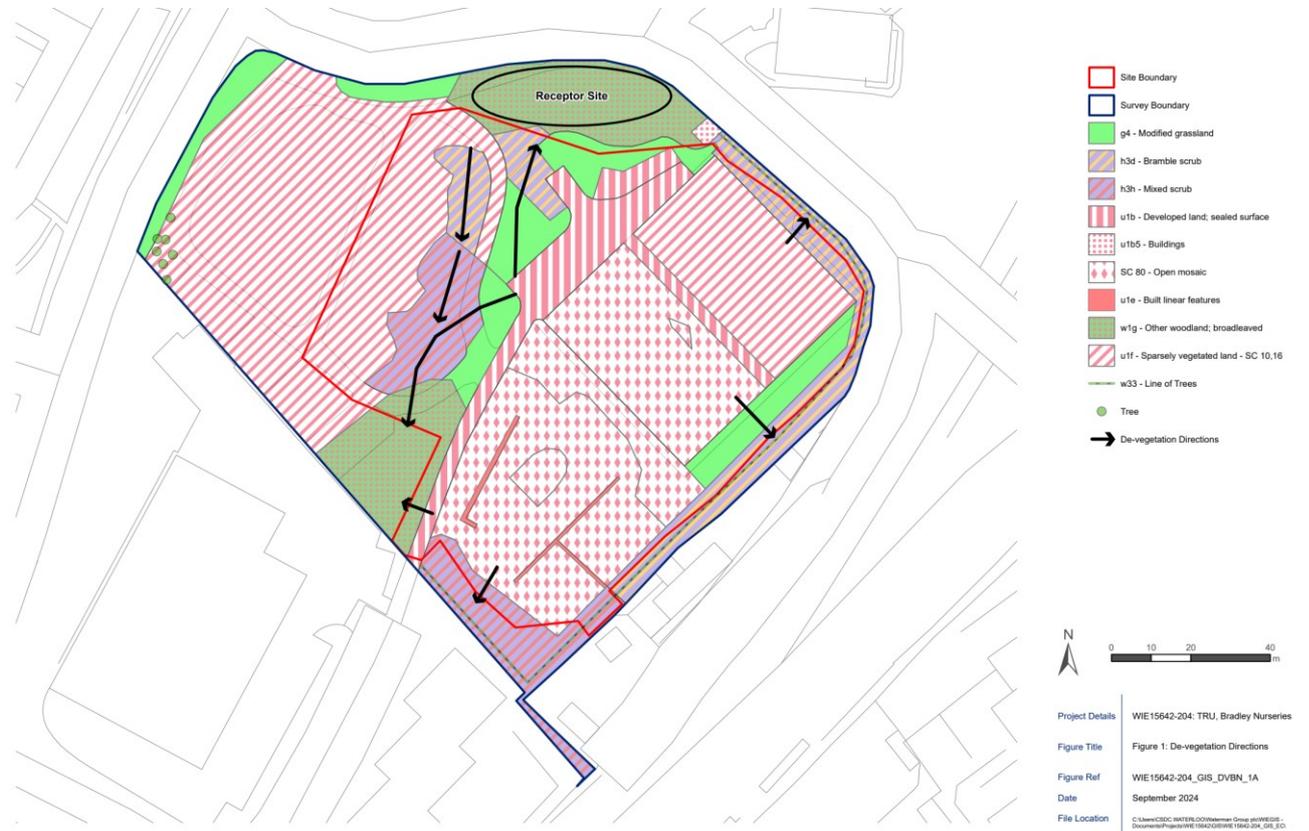


Figure 1. Site map indicating the red-line boundary of the proposed development and habitats within the survey area.. Blue arrows are indicative of the direction of vegetation clearance.

## Appendices

### A. Summarised Legislation and Planning Policy

#### Reptiles

In summary, common lizard, slow-worm, grass snake and adder receive protection under the Wildlife and Countryside Act, 1981 (as amended). It is thus an offence to intentionally or recklessly:

- Kill or injure an animal.
- Sell, offer to sell, possess or transport any animal for the purposes of sale.
- Advertise for buying or selling of any of these animals.
- It is therefore a potential criminal offence to undertake major works on a site that may result in the death or injury of native reptiles where these animals are known to be present.

## B. Photographs



Photograph 1: Image of suitable reptile habitats showing south-westerly facing banks and woodland edge habitats. The woodland is outside the redline boundary, however the edge habitats provide suitable habitat for reptiles.



Photograph 2: Hardstanding areas adjacent to the tree line with scrub habitats, providing suitable basking habitats and cover for reptiles.

## C. Example Toolbox Talk

| <b>Bradley Nurseries, Protected Species Toolbox Talk relating to Reptiles</b>  |   |
|--|---|
| <p>There are six native species of land-dwelling reptile in the UK: Common Lizard, Sand Lizards Slow worms, Adders, Grass snake and Smooth Snakes.</p> <p>Common lizard is the only species which have been scoped in as having potential to be present on this site as the only reptile species identified in the Kirklees Biodiversity Action Plan. However, given the lack of survey other common reptiles including slow worm, grass snake and adders have been included for awareness.,</p> <p>Sand lizards and smooth snakes are rarer and more restricted to few counties and have therefore been scoped out for this toolbox talk. But this does not mean the possibility of their presence is negligible. If any species of reptile is seen immediately contact the ECoW on site.</p>   | <p><b>Where are they found?</b></p> <p>Reptiles can be found throughout the UK including in Urban areas, in vegetation on railway embankments, churchyards and in hedgerows. Reptiles can often be found under logs, rocks and in compost heaps or basking in open sunlight.</p> <p>Grass snakes are likely to be seen in or near water so a special need for checks when working near the watercourse to the eastern side of the site.</p> <p>Reptiles may be seen basking in open areas nearby to the scrub or woodland habitat. On site, the line of trees to the north side provides good edge habitats and provides good cover for reptiles. There is also adjacent south facing banks and hardstanding which provide suitable basking locations for reptiles.</p>   |
| <p><b>Identification of common reptiles:</b></p> <p><b>Common lizard</b></p> <p>Size: Up to 135mm long</p> <p>Colouration: Various shades of brown, with small bars or spots. Younger lizards are black or dark copper.</p> <p>Habitat preferences: Prefer open, sunny areas with plenty of ground cover such as heathlands, moorland, grassland and woodlands.</p> <p><b>Slow worm</b></p> <p>These are legless lizards but look like snakes.</p> <p>Size: Up to 400mm long</p> <p>Colouration: Males are shades of grey or brown. Females are brown or copper with dark brown sides. Young slow worms are light silver or gold with dark stripes on sides and back.</p> <p>Habitat Preferences: Prefer areas with dense ground cover such as tussocky grasslands and woodland edges. These can often be found basking in a sunny patch in these areas.</p> <p><b>Grass snake</b></p> <p>Size: Up to 750mm</p> <p>Colouration: olive-green or grey, with small black lines and spots.</p> <p>Habitat Preferences: Prefer wetlands, ponds, and riversides, but can also be found in grasslands and</p> | <p><b>Legislation:</b></p> <p>All native reptiles are protected by law throughout the UK. In England it is illegal to kill or injure common lizards, slow worms, grass snakes and adders.</p> <p>Works which may impact sand lizards and smooth snakes cannot commence without a developmental licence. If these are found on site, all works must halt, and Natural England should be informed.</p> <p><b>What to do if a reptile is found?</b></p> <p>If any species of reptile is found on site during any stage of development, all works in the areas should stop immediately to avoid breaking the law. During any de-vegetation works where the ECoW may be present on site, contact the ECoW at the first instance. If an ECoW is not present, halt works and consult with an expert.</p> <p><b>Penalties:</b></p> <p>Breaking the law can lead to fines of up to £5,000 per offence and potentially prison sentences of up to six months.</p> <p>Any vehicles used to commit offence may be forfeited.</p> <p>Both the company and/or individuals can be held liable.</p> <p><b>Other species:</b></p> <p>Several non-native reptiles have been introduced into the UK. These include common wall lizard and red-eared terrapin. Introduced species cause damage to UK wildlife and are considered pests. If these species are found, do not let them go again. Release of certain</p> |

### Appendices

| <p>woodlands. Therefore, more likely to be found nearer the watercourse to the east of the Site.</p> <p><b>Adders</b></p> <p>Size: Up to 550mm long</p> <p>Colouration: Dark-coloured zigzag stripe along a grey or sandy coloured body. There is also a melanotic variation where they can be completely black.</p> <p>Habitat Preferences: Prefer heathlands, moorlands, and woodlands with plenty of cover.</p>  | <p>species can result in similar penalties to that of protected species.</p> <p>Put any non-native species in a cool container with some shelter and consult an expert about how to proceed.</p> |           |      |           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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| <p><b>Scope of works:</b></p> <p>This toolbox talk is to provide an understanding to allow works commencement in line with the guidance set out by the Precautionary Work Method Statement as produced by Waterman Group plc.</p> <p>This is to ensure that no reptiles species are harmed during the pre-construction enabling works and during the construction of the compound.</p> <p>Where any vegetation removal works are to happen, supervision by a suitably qualified ecologist is to operate as an Ecological Clerk of Works who will ensure compliance with the Working Method Statements produced.</p>                             |  |           |      |           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| <p><b>Declaration of understanding and compliance:</b></p> <p>I agree that I have fully understood the information provided within this toolbox talk and comply with the rules set out by this document.</p>  |  |           |      |           |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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# We are Waterman, where every project matters

We deliver progressive, sustainability-driven environmental and engineering consultancy services across every sector. We think differently, and we're harnessing our collective expertise to deliver greener, healthier and well-connected communities, networks and built environments.

Based in strategic locations throughout the UK and Ireland, our team of specialists is at the forefront of tackling the climate emergency and forging a path to a Net Zero built environment.

## UK & Ireland Office Locations

