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COED DARCY

**OVERARCHING GREAT CRESTED NEWT MITIGATION STRATEGY
(OGCNMS)**

Prepared for: **St Modwen Developments**

Date: **May 2024**

Report Reference: **JN00657/D01**

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Date	May 2024
Checked	RS
Approved	MK / RS

Amendment History					
Version	Date	Modified by	Check / Approved	Reason(s) issue	Status

1. INTRODUCTION

Background

- 1.1 SK Environmental Solutions was commissioned by St Modwen Developments to prepare a site wide great crested newt (GCN) mitigation strategy for the Coed Darcy development site at Llandarcy, South Wales. The site has been the subject of various elements of historical ecological work, undertaken by a number of different consultants, since the site was granted outline planning permission in 2008.
- 1.2 SKE have also been commissioned to prepare a review of all the historical work that has been undertaken over the last c. sixteen years in order to produce a comprehensive record of all licences that have been granted in relation to GCN at the site and all documents that have been submitted in association with these licences. Appendix 4 shows a list of all EPS licences granted by both Welsh Government and NRW since 2008
- 1.3 In order to obtain this information, given the passage of time, the changes in consultants and the changes in client staff relating to the project, it is considered to most appropriate way of securing all the required information is to make an Environmental Information Request (EIR) request to Natural Resource Wales (NRW). This request will be made through Savills in the coming weeks and will follow on as an addendum to his report.

Aims and Objectives

- 1.4 This document is considered to be a live document which will be updated on a regular basis (at least every 6 months). The purpose of this first draft of this mitigation strategy is to:
- Define the current state of the GCN population at the Coed Darcy site (hereafter referred to as 'the site');
 - Demonstrate how an overarching strategy to safeguard the remaining GCN population within the site throughout the proposed remediation works to the tip area and the North Site Reservoir, as well as the proposed construction of circa 1800 residential properties, would be implemented;

- Define the mechanisms for the implementation of the required mitigation measures needed to accomplish the robust strategy outlined within this document;
- Identify how the required funding stream will be secured in order to guarantee long term management of the site by an appropriate body; and
- Outline how the long-term leasehold transfer of the defined mitigation corridor will be implemented to ensure control over the area is ensured.

1.5 There are currently three applications submitted to Neath Port Talbot local planning authority, these are:

- A full application for the remediation of the Tip area;
- A full application for the remediation of the North Site Reservoir, prior to handover back to the landowner; and
- An outline application for the construction of circa 1800 houses, with associated infrastructure, green space / landscaping and drainage etc.

1.6 Furthermore, a separate application is currently being reviewed by NRW for an Impoundment Licence relating to the decommissioning of the North Site Reservoir (PAN-022906).

1.7 All of these applications have received comments from NRW / NPT ecologists (as well as the water resources permitting officer from NRW in relation to the impoundment licence) regarding the need for the production of an overarching great crested newt mitigation strategy to deal with GCN site wide and provide a robust, long term, funded management plan.

Definition of Terms

1.8 The term the 'Tip' area refers to the parcel of land highlighted in yellow on Figure 1, below. The term the 'North Site Reservoir' (NSR) refers to the parcel of land highlighted in green on Figure 1 below and the term the residential site refers to the parcel of land outlined in red on Figure 1, below.



Figure 1 – The ‘Tip’ area (yellow), the North Site Reservoir (green) and the Residential Scheme (red) Site Boundaries.

Current and Forthcoming Planning Applications

Full planning Application for Remediation Works to the Tip Area

- 1.9 A full planning application is currently being reviewed by NPT local planning authority for remediation works to the Tip area to the west of the Coed Darcy site. The rationale for the application to remediate the Tip area is as follows:

‘The Crymlyn Tip (hereafter referred to as the ‘Tip’) is an historic legacy of the previous use of the site as an oil refinery. Prior to the introduction of more stringent environmental regulations a large amount of waste material from the operation of the refinery was accumulated and stored on site. Whilst environmental mitigation measures have been operational for a number of years which capture and transport the free phase hydrocarbons off-site for disposal, this is not a sustainable long-term solution as it requires continuous management and regular vehicular movements. The proposals contained in this planning application provide a long-term solution

which will prevent future leaching and eliminate the need to capture and dispose of material off-site.

The proposed works to the Tip contained in the application are an important but discrete component of the over-arching remediation strategy for the former oil refinery. They have also been known about for many years. Indeed, the proposals in this application are consistent with the remedial action plan works as enshrined in the previously approved outline application and Section 106 Agreement (LPA ref: P2005/0393) as well as carrying through to the current outline application (LPA ref: P2021/1193) which is yet to be determined.

Bringing forward the works to the Tip under a separate full planning application will expedite the works to the Tip and in doing so will bring forward the delivery of this key environmental objective. The environmental benefits of the scheme extend beyond the delivery of a long-term solution which overcomes the need for the capturing and transporting of oil elsewhere, to include enhanced landscaping of the site and implementation of a mitigation strategy'.¹

Full planning application for the decommissioning of the North Site Reservoir

- 1.10 A separate full planning application is currently being reviewed by NPT local planning authority for decommissioning of the North Site Reservoir, to the north of the site. The rationale for the application to decommission the North Site Reservoir is as follows:

'This Statement has been prepared in support of the planning application submitted by Savills on behalf of St. Modwen Developments Ltd (hereafter referred to as 'the applicant'). The application is for the discontinuance of the North Site Reservoir (NSR) (hereafter referred to as 'the Project').

Land owned by Coombe Tennant Estate was leased to British Petroleum (BP) to enable the NSR to be formed. During operation of the Llandarcy Oil Refinery, the

¹ Cover Letter Crymlyn Tip, Coed Darcy – Full Planning Application December 2023

NSR is believed to have been used for storing process water and fire-fighting water. Since the refinery closed in 1998, the NSR has become redundant. St. Modwen acquired Llandarcy Oil Refinery from BP in 2008 and took over the tenancy agreement for the NSR.

The requirement to discontinue the reservoir is twofold. First, the reservoir has recently been classified as a 'Category B' reservoir. As a consequence, Natural Resource Wales (NRW) has set a series of improvement works that need to be undertaken by the applicant to the reservoir. There is a pressing need therefore to undertake works which would address the requirements of NRW.

Second, the applicant's lease agreement with the freehold landowner, Coombe Tennant Estate, has now expired. In handing the land back to the landowner, a requirement of the lease is to revert the land back to its original condition prior to the creation of the reservoir. It would be unnecessary and wasteful for St. Modwen Developments to undertake improvement works to the reservoir given their contractual obligation with the landowner. This is something that NRW understands and has accepted in agreeing to a programme of works for discontinuance of the reservoir as an alternative to the implementation of the improvement works.

It is proposed to return the land to the landowner in a similar condition prior to the construction of the NSR. The original landform is understood to have comprised open grassland with a stream flowing along the base of a shallow valley.

The works, which form the basis for the planning application, entail removing the earth embankment, re-forming the shallow valley and reinstating a central stream which will ultimately drain to Crymlyn Bog to the west of the Project. Once the programme of works has been undertaken, the re-profiled landform will be returned to grassland.²

² Planning Statement – Llandarcy North Site Reservoir, May 2023

An outline application for the construction of circa 1800 residential properties

- 1.11 A separate outline planning application is also currently being reviewed by NPT local planning authority for construction of circa 1800 residential properties with associated infrastructure, drainage and landscaping. The rational for the application for the residential development is as follows:

When the former BP Llandarcy Oil Refinery finally ceased production for the last time in 1998, the land and buildings that remained presented not only a challenge to its owners and the local authority, but a major opportunity for a new developer partner. Located to the west of Neath, south of Skewen and only a short distance to the east of Swansea, the land on which the vast former oil refinery sat was exceptionally well placed to be recycled and repurposed.

The proposals developed between the then owners – BP – and the local authority – Neath Port Talbot CBC – Welsh Government (then Welsh Assembly Government) and the Princes Foundation and involved the creation of a new ‘Urban Village’. This hugely ambitious project would see the considerable buildings at the refinery demolished, the land remediated, and in their place the construction of a new urban village and community with around 4,000 homes, employment, education facilities etc.

This vision was captured at that time in the Unitary Development Plan, where the land was allocated for development; and shortly after outline planning permission was granted for the development. This was the catalyst for the preparation of further detailed information and strategies to discharge conditions; demolition and remediation works to prepare the site for development; and the construction of new infrastructure which would facilitate development.

The first phase of development comprising just under 300 homes was completed in 2018, however, since then no further construction has taken place. The reason for this is quite simple. Despite numerous attempts to adapt the extant planning permission and to change the phasing of infrastructure, it has simply not been possible to make the development viable. The cost of delivering the development

(and associated infrastructure, remediation and servicing) exceeded the revenue that would have been generated from the sale of the new homes; and as such the development stalled.

Whilst the site remains an exceptional opportunity to deliver a high-quality new community, it not possible to achieve this through the current outline planning permission. The decision was therefore taken by St. Modwen Developments Ltd to progress a new outline planning application which was submitted in November 2021 and including for a suite of supporting ecological and technical information proving the plans are viable and capable of delivering the regeneration of this important brownfield site to create a thriving new community.

This Statement has been prepared in support of the new outline planning application submitted by Savills on behalf of St. Modwen Developments Ltd (hereafter referred to as 'the applicant'). The application is for a smaller, more manageable and less infrastructure-heavy scale of development than the previous permission, comprising up to 2,000 residential dwellings, land for a primary school, retail, public open space, employment space and supporting infrastructure. It has been prepared with very careful attention not only to the infrastructure required to support a new community in this location but also with a thorough understanding of viability to ensure that the development is deliverable and the difficulties that the site faced in the past are not repeated.'³

³ Planning Statement – Coed Darcy, Former Llandarcy Oil Refinery, Neath, January 2022

2. SURVEY WORKS UNDERTAKEN DURING 2021 - 2023

Recent Survey Results

- 2.1 Survey work has been undertaken by Ecology Solutions Limited during the survey seasons of 201 - 2023. The results of which can be seen in Appendix 1.
- 2.2 These surveys have not been undertaken site wide but have rather been targeted toward the areas associated with the Tip and the Reservoir sites.
- 2.3 SKE surveyors visited the site in February 2024, in order to ground truth the location of all ponds on site (see Drawing JN00657 DW11). It was noted during this visit that vegetation growth, particularly gorse, had made accessing a number of the ponds almost impossible. This was also evident at the original receptor site pond's location from the translocation undertaken by Atkins.
- 2.4 No survey results for the original receptors site ponds were provided to SKE during the handover of data from Ecology Solutions, who are no longer employed by St Modwen on this scheme. It is unclear what long-term monitoring of these receptor ponds, occurred during this time and this will be picked up by the EIR request discussed above
- 2.5 SKE have been in discussion with ARC with regard to the requirement for undertaking site wide surveys this year to support a licence application for translocation works in the coming years. It has been agreed between SKE and ARC that a dispensation should be sought from NRW to avoid undertaking any further survey work at this site, primarily for Health and Safety reasons. Instead, it should simply be accepted that every pond that is likely to be affected by any of the three planning applications should be expected to support GCN and as such a large population site wide should also be assumed when considering mitigation / trapping etc under an EPSM licence. ARC have written a letter in support of this argument which can be seen in Appendix 2.

3. LEGISLATION

- 3.1 GCN are listed as a European Protected Species under the provisions of Regulation 43 and Schedule 2 of the Conservation of Habitats and Species Regulations 2019 (as amended) [the Habitats Regulations] . The species is also partially protected under the provisions of Section 9 (4) (b) and 9 (4) (c) and Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) (WCA).
- 3.2 In summary, this makes it illegal to:
- (i) Deliberately capture, kill or injure a GCN or take or destroy their eggs;
 - (ii) Deliberately disturb individuals including impairing their ability to survive, hibernate, breed or migrate;
 - (iii) Intentionally or recklessly cause disturbance to an individual whilst occupying a place of shelter;
 - (iv) Intentionally or recklessly obstructs access to a place of shelter; and
 - (v) Damage or destroy their breeding sites or resting places.⁴
- 3.3 The provisions of both the Wildlife and Countryside Act (1981) and Regulation 43 of the Conservation of Habitats and Species Regulations (2017) apply to all life stages of the protected species i.e., eggs, juveniles and adults.
- 3.4 Great crested newts are also listed on Section 7 of the Environment (Wales) Act 2016 as a species of principal importance for maintaining and enhancing biodiversity in Wales.

⁴ Habitat Regulations : (i) (ii) and (v) WCA: (iii) - 9 (4) (b); (iv) 9 (4) (c)

4. OVERARCHING STRATEGY

Phased Provision of Dedicated Conservation Areas

First Phase

- 4.1 SKE have designed an outline mitigation strategy which closely links four phases of habitat creation to the three distinct planning applications. Figure 2 below shows the four phases of habitat creation that are considered to be paramount to the success of the mitigation strategy. Please note that the locations as identified below are broadly indicative at this stage and could be subject to amendment following ground truthing to determine land suitability.



Figure 2 – Four phased management corridors

- 4.2 The first phase (see green corridor on Figure 3 below) is to be undertaken in autumn of 2024. This first phase is not linked to any of the current applications but rather is a means for creating ponds upfront and allowing them to mature (along with their associated terrestrial habitats) prior to any translocation works taking place. This will guarantee that seven mature ponds will be ready to receive GCN during the first phase of any subsequent translocation. This area has been walked over and ground truthed as to the proposed locations of the ponds and associated management corridor by Pete Hill (representing ARC) Barry Stewart (on behalf of SKE) and Barney Irlam (on behalf of PJA / St Modwen) and a broad agreement for the location of the ponds and the management has been reached. This will also include a terrestrial habitat element primarily designed as hibernacula / refugia (see green hatched area on Figure 3, below).



Figure 3 – Agreed, ground truthed first phase to be constructed in September – December 2024

- 4.3 ARC have been consulted on this and an agreement in principle is in place that St Modwen will pay ARC to construct these ponds / management corridors in September - December 2024. Vegetation clearance along a 20m wide management corridor will be undertaken concurrently with the pond and habitat creation. This will be organised and supervised by ARC, with funding from St Modwen. Once this initial management corridor

has been created and ponds have been excavated, each of the ponds will be encircled with Temporary Amphibian Fencing to prevent ingress by amphibians into these ponds before they are ready to accept GCN through translocation. Furthermore, the first stage of the erection of permanent, 45° amphibian fencing will be completed. This permanent 45° fencing will eventually follow the entire management corridor and will ensure that once amphibians are translocated into the management corridor, that they will be unable to return into the active parts of the wider Coed Darcy site.

Subsequent Phases

- 4.4 Three further subsequent phases of the construction of the management corridor will be required in order to complete the linkage between the ponds created in the first phase and the ponds which will be created in association with the planning permission for the North Site Reservoir.
- 4.5 Each of the subsequent three phases will be linked with the planning application with which they are most closely associated with (see JN00657 DW01, DW03 & DW04 and JN00657 DW06 – 09 for more detail). From north to south these phases are:
- Pink management corridor associated with the full application for the North Site Reservoir;
 - Blue management corridor associated with outline application for the residential scheme; and
 - Yellow management corridor associated with the full application for the Tip.
- 4.6 Each of the applications, when granted will have a pre commencement condition placed upon them for the creation of these management corridors. Each conditioned section will comprise:
- the clearance of vegetation required for access and to establish the management corridor;
 - the creation of the relevant ponds;
 - encircling of the ponds in TAF; and

- the erection of the necessary length of permanent 45° amphibian fencing in order to complete the length of each section.

4.7 Each length of permanent amphibian fencing must be capable of neatly linking up with those north and / or south of it.

4.8 **N.B.** The fundamental principal to understand here is that as each area is granted permission, the habitat and pond creation works associated with the conditions are to facilitate the next section of works. This means that each time ponds / habitat is created via condition, then the ponds created will be ring fenced and not used in the phase which triggered their creation, but in the subsequent phase. In this way the ponds, being ring fenced, can mature in terms of vegetation etc, but can be safeguarded as mitigation ponds as the TAF surrounding them will preclude any amphibians from colonising the ponds before they are ready to be used.

Provision of Bespoke Terrestrial Habitats For Refugia and Hibernacula

4.9 Designated areas linked to the west of the management corridors will be provided as areas specifically for the provision of suitable terrestrial habitat including hibernacula and refugia, that can be managed in the long term by ARC. These areas are indicative at this stage but can be seen on Drawing JN00657 DW10. The design of these areas will be agreed with ARC and form part of any subsequent EPSM licence application for the translocation of GCN.

4.10 A total of 21.72 hectares of terrestrial habitat for the dedicated purposes of GCN conservation, will be handed over to ARC as part of the leasehold agreement.

4.11 The dedicated GCN management corridor itself measures a total of 8.29 hectares, as such the total area of land offered for GCN compensation stands at 30.01 hectares.

4.12 The lease provisions to be agreed between the landowner and ARC will be detailed on heads of terms but will need to include the rights for the landowner to undertake necessary engineering / remediation works as required, provided the works are agreed with, and supervised by ARC, and the land is reinstated to amphibian habitats afterwards.

Avoidance Measures for Disturbance / Harm to GCN During Construction

- 4.13 Works for the construction of these four distinct management corridors will be preceded by an EPSM licence application produced by ARC in order to safeguard GCN and other potential ecological receptors during the works.
- 4.14 ARC will agree this strategy with NRW and the funding for the works will be provided as part of the overall development funding for the respective phase.

Mitigation Measures to Avoid Harm to GCN throughout the Works to the Tip, NSR and Residential Scheme

- 4.15 It will be necessary to apply to NRW for an EPSM licence to translocate the GCN from each of the three areas (the Tip, NSR and the residential site) prior to any works occurring which may cause harm to GCN or amphibians. A total of twenty derogation licences have been granted since 2009 by both the Welsh Government and NRW. As such, it is felt that the tests for Imperative Reasons of Overriding Public Interest (IROPI) and land reclamation / contamination remediation have been met numerous times and that a precedent has been set.
- 4.16 As such, this EPSM licence would be sought for the site as a whole and the translocation works undertaken on a phased basis depending upon which application is granted in what order. The licence application would be hinged upon which of the full planning permission were granted first.
- 4.17 It is considered that the most appropriate method for applying for a EPSM licence for translocation of GCN and the subsequent destruction of the ponds in each area would be to apply for an overarching EPSM licence which covers all four areas, but which is triggered by the need to undertake the works in each area and as such by the granting of each individual permission. The works in each distinct area would have an impact upon different ponds, at different times. As such, only when the impact is likely to occur on each of the phases will the trigger for fencing to be installed and a trapping process undertaken, based on the assumption of a large population being present and each pond likely used by GCN.

- 4.18 As an EPSM development licence requires a granted, full planning permission upon which to be pinned, it is considered prudent that whichever full permission is granted first, then the EPSM licence be pinned to this, but will be structured in such a way that it covers all three areas of likely disturbance.
- 4.19 The details of the EPSM licence, the method statement for the fencing and trapping of the GCN from each area will be designed and agreed at a later stage. However, no translocation works will be allowed until the first phase management corridor with ponds and terrestrial habitats have been constructed and allowed to mature for no less than six months.

Consideration of GCN within the Drainage Strategy

- 4.20 The drainage strategy for the residential scheme will need to take into account the usage of the site and potentially SuDS infrastructure. A comprehensive drainage strategy for the scheme has not been produced at this stage, however it would be considered prudent to give consideration to the use of mitigation measures such as wildlife kerbs (Figure 3, below) where possible / appropriate.



Figure 4 – Example of wildlife kerb

- 4.21 Survey work monitoring any created ponds undertaken by ARC, should incorporate surveys of all SuDS ponds within the scheme in order to identify if these are being used by GCN and if so, what implications that may have on timing of management of these features.

5. LONG TERM MANAGEMENT AND MONITORING PROPOSALS

Tenure and Changes to Tenure

- 5.1 It is proposed that the management corridors (and their associated terrestrial habitat areas), once created, would be transferred to ARC on a long-term leasehold, with Heads of Terms agreed. As part of the Heads of Terms, access routes would be agreed for ARC to ensure that access was viable at any stage.

Site Management and Monitoring

- 5.2 Post-construction monitoring and record dissemination will continue for a period of not less than 25 years. Monitoring shall include annual GCN abundance counts and Habitat Suitability Index (HSI) assessments. All ponds (including SuDS waterbodies) will be added to the Wales GCN Monitoring Scheme, with ARC being responsible for monitoring and reporting works.
- 5.3 The current numbering system for all existing ponds is very confusing and as such ARC will look to create a more practical numbering system and will extend this numbering system to the newly created ponds within the management corridor. Posts with ponds numbers will be placed next to all ponds (both retained and created) and the numbering system on the Wales GCN Monitoring Database will be updated accordingly.
- 5.4 As each distinct linear section of the management corridor is created it will be managed by ARC in perpetuity. The funding mechanism for this monitoring will be secured firstly through the payment of a commuted sum (to be agreed between ARC and St Modwen or any subsequent owners). This will cover the first three (to be confirmed) years until the new residential development is commenced.
- 5.5 Once the new residential scheme is commenced, the funding stream for the long-term monitoring and management would be generated through the provision of an index linked, ground rent charge to each of the property owners, including also for those property owners living on the existing first phase of the development. This sum will be paid through the Management Company (ManCo), which would be appointed to look after the residential issues such as landscape maintenance etc. The ManCo would then

have an agreement in place with Arc and would pay this sum direct to ARC, who would use the funds to manage and monitor the created habitats in the long term.

- 5.6 The total costs of the commuted sum and the index linked, ground rent contribution would be agreed as part of the Heads of Terms for the agreement with ARC.
- 5.7 Adherence to the continuation of this funding mechanism in perpetuity will be secured through the inclusion of the details above within a Section 106 agreement, to be put in place as part of the conditions for the permissions.

Monitoring and Maintenance of GCN Fencing

- 5.8 Weekly inspections will be undertaken of both TAF surrounding the created ponds and the permanent 45° exclusion fencing along the boundary of the management corridor, with the results recorded in a log that can be shared at any point with NPT and NRW.
- 5.9 The inspection and recording process will be overseen by ARC. Vegetation along the fence line will be cut or treated with herbicide twice per year, during the growing season in May and July. Care will be taken to ensure that vegetation does not bridge the fence. If vegetation is cut, this will be undertaken using a brush cutter fitted with a steel blade or a low ground pressure self-propelled flail. If herbicide is to be used, it will be a Glyphosate based product. Stockpiled material will be maintained at a minimum of 1m from the fence.
- 5.10 Any loose material which rolls onto the fence will be carefully removed using a toothless bucket on an excavator. The presence of the GCN fencing and the reasons for maintaining it intact will be included within all future site inductions (i.e., for the Tip, the NSR and / or the residential scheme), to ensure all personnel are aware of the imperative to maintain it intact.
- 5.11 Any damage to the fencing will be repaired as soon as practical by a member of ARC named on the EPSM licence.

Compliance Auditing

- 5.12 Once established, there will be a requirement for compliance auditing to be undertaken by a third party to ensure that:

- Fencelines remain intact;
- Ponds are fit for purpose;
- Vegetation management is being undertaken regularly; and
- Invasive species (see Biosecurity below) are being controlled.

5.13 These compliance auditing visits would be undertaken annually by an agreed third party (between ARC and St Modwen) and would be funded as per the finding mechanisms set out above. As this is a live document, this section will be updated at the appropriate time period.

5.14 Appendix 5 details the GCN Ecological Compliance Audit – Key Performance Indicators Template to be agreed between St Modwen and ARC and these will be included within any EPSM licence application and within any Section 106 agreement.

Reporting and Feedback

5.15 This mitigation strategy will be maintained as a live document that will require updating every six months, or more frequently if progress occurs that needs to be documented. At each six-monthly interval, progress reports will be appended to the updated mitigation strategy report and all documentation sent through to NPT local authority ecologists and NRW in order to keep a detailed record of all activities under the EPSM licences.

5.16 Regular meetings, both on site and via telecommunications should be held every 6-12 months between St Modwen (and their incumbent ecological consultant), ARC, NPT ecologists and NRW to keep the wider team up to date and ensure any concerns raised by stakeholders can be dealt with expediently and appropriately via consultation between the wider team.

Provision of Dedicated Compensation Areas for Other Ecological Receptors

5.17 Coed Darcy is known to support a substantive population of GCN. However, survey work over the years has identified other ecological receptors such as ground nesting birds and invertebrates as having a fidelity to the wider site. As such, several potential, indicative mitigation areas have been identified within this mitigation strategy (see Drawing

JN00657 DW05) that could be used as compensation for the potential loss of habitats for other receptors.

- 5.18 Details of the creation, usage and management of these areas should be secured through separate planning condition relating to the reserved matters application as part of the outline residential scheme.
- 5.19 A total area of 7.31 hectares of land dedicated to other ecological receptors has been provided as part of this mitigation strategy.

Biosecurity

- 5.20 To prevent the spread of pathogens and invasive species during the works, all equipment including footwear and clothing that has come into contact with amphibians or fresh water will be disinfected, and disinfection procedures will be repeated between sites. All debris, plant fragments and mud will first be scrubbed off and rinsed with water. Disinfection will comprise soaking in a bleach solution (1 measure of household bleach to 9 measures water) for 15 minutes; or Virkon solution (1 mg/ml) for 1 minute, or fabrics can be washed on a 40 C cycle (with detergent, ensuring sufficient rinsing).
- 5.21 Nets (if used) will be boiled for 10 minutes or disinfected with spray bleach and rinsed thoroughly with clean water. Field gear (traps, net frames, etc) will be kept inside plastic bags during transit and storage to reduce the likelihood of transmitting disease. All used disinfectant will be disposed of appropriately.
- 5.22 If any invasive plant species are discovered within any of the management corridor areas (such as Himalayan balsam or Japanese knotweed), works at this location will cease and the project ecologist will be contacted immediately for specialist advice in order to prevent the accidental spread of such species. The potential presence of invasive non-native species will be addressed as part of the induction toolbox talk delivered to all site-based operatives immediately prior to the commencement of site works.

6. CONCLUSION

- 6.1 The Coed Darcy site (formerly the Llandarcy Oil Refinery) has been the subject of numerous surveys and licences associated with great crested newts over the previous years – a summary of the licences issued, and reports provided in support of these licences is currently being prepared and an EiR will be submitted to Natural Resource Wales to secure this information.
- 6.2 A translocation exercise was undertaken between 2009 and 2016 by Atkins, which resulted in the movement of substantive numbers of newts – the exact numbers of which are still the subject of ongoing debate.
- 6.3 Currently, three planning applications are being considered by NPT local planning authority. Two full applications relating to the Tip and North Site Reservoir areas and an outline application for the construction of circa 1800 residential properties.
- 6.4 Feedback from NRW and NPT ecologists have recommended that none of these applications should be allowed to proceed without an overarching great crested newt mitigation strategy and long-term management proposal being produced and agreed with NPT and NRW.
- 6.5 This live document sets out the fundamental principles of the strategy and the mechanism through which the successful implementation of this strategy can be secured.
- 6.6 An agreement in principal has been reached between the Amphibian and Reptile Conservation Group (ARC) and St Modwen where the former will undertake the required habitat creation, monitoring and long term management (for a period of no less than 25 years) of the site on the others behalf, whilst the latter will provide funding through the provision of a commuted lump sum and the subsequent payment of annual installments (figures to be agreed) through an index linked, ground rent subsidy paid to a Management Company (ManCo) for the period following the exhaustion of the commuted sum, to a total of 25 years.

- 6.7 Regular monitoring of fence lines and ponds will be undertaken by ARC (with auditing visits being undertaken annually by a third party – likely to be the incumbent ecological consultant retained for the lifetime of the project).
- 6.8 This OGCNMS is created to be a live document that is updated at least every six months (with progress reports appended and sent to NPT and NRW). Regular liaison with NPT and NRW will be maintained, and feedback loops maintained to ensure any concerns held by any of the key stakeholders are understood and dealt with in good time in an appropriate manner.

7. KEY MILESTONES TIMETABLE

7.1 For full details of the drawings below at a more appropriate scale please see JN00657 DW06 – JN00657 DW09.

Table 1 – Indicative Timeline for Key Milestones to Achieved

Key Milestone	Date to Be Achieved	Key Team Member to Deliver Milestone	Points to Consider	Location (or indicative location) of works
Creation of agreed pond management corridor which has been assessed on the ground as being viable by ARC and PJA to support ponds in the long term and be capable of having active management in perpetuity. Agreed location for these ponds is illustrated across.	September – December 2024	This work will be undertaken by ARC under the supervision of Pete Hill with input from PJA.	The works will need to be completed under an NRW licence which will be applied for by ARC. Key points to consider are agreeing costs for the creation of the ponds and mechanism for the long-term management of the area as part of the wider GCN mitigation strategy for the site. All ponds created will be encircled in temporary amphibian fencing to ensure that they do not become populated with amphibians prior to their use as mitigation ponds. Once the ponds and management corridor have been created a section of permanent 45° amphibian fencing will be installed to form part of the overarching barrier that will eventually traverse the entire length of the GCN corridor.	

Creation of ponds and management corridor associated with the granting of outline planning for the residential scheme. Indicative locations for these ponds are shown across.	September – November 2025	This element of work would be undertaken by ARC under the supervision of Pete Hill with input from PJA.	The works will need to be undertaken under an NRW licence which will be applied for by ARC. This element of the proposed strategy will be secured via condition attached to the outline planning permission for the residential scheme. This area has not been ground truthed by PJA / ARC at this stage and as such this corridor is only considered to be indicative as to the location of the ponds / corridor and would be refined. The works will need to be undertaken under an NRW licence which will be applied for by ARC. Key points to consider are agreeing costs for the creation of the ponds and mechanism for the long-term management of the area as part of the wider GCN mitigation strategy for the site. All ponds created will be encircled in temporary amphibian fencing to ensure that they do not become populated with amphibians prior to their use as mitigation ponds. Once pond and management corridor has been created a section of permanent 45° amphibian fencing will be installed to form part of the overarching barrier that will eventually traverse the entire length of the GCN corridor. Section 106 agreement will be conditioned as part of the outline planning application. This will comprise, amongst other elements, the provision of a commuted sum for early-stage management and habitat creation as well as a mechanism to provision an agreement for the future tenants to contribute an agreed amount per year toward the maintenance, upkeep, surveying and reporting as per the EPSM licence. This index linked, ground rent contribution will be secured in perpetuity through the Section 106 agreement. A further condition will be included in the outline permission which will detail no works commencing on site until the ponds have been created and an EPSM licence based upon this strategy has been approved and issued by NRW for the translocation of the GCN from within any ponds affected by the residential proposals. A total of 17 ponds will have been created by this stage, which is considered to be sufficient to deal with the likely numbers to be found during the translation of the waterbodies associated with the habitat losses to facilitate the residential scheme. As such, the EPSM could be applied for at this stage – it depends upon when the permissions for the tip and the reservoir are likely to come forward and the programme for the delivery of the housing scheme.	
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Heads of Terms and a commuted sum agreed for the management of the created habitats and the long-term leasehold transfer of the two areas created above in order for ARC to be able to control the management of the area.	February 2026	Agreement to be settled between ARC and St Modwen	As per the conditions of planning and the Section 106 agreement, the commuted sum, provision for ongoing management for 25 years after the completion of the translocation and the long-term leasehold transfer of the management corridor land to ARC for the ongoing management.	
Creation of ponds and management corridor associated with the planning application for the tip area. Indicative locations for these ponds are shown across.	TBC – likely September – November 2026 running concurrently with works to the reservoir area.	This element of work would be undertaken by ARC under the supervision of Pete Hill with input from PJA.	The works will need to be undertaken under an NRW licence which will be applied for by ARC. Key points to consider are agreeing costs for the creation of the ponds and mechanism for the long-term management of the area as part of the wider GCN mitigation strategy for the site. This area has not been ground truthed by PJA / ARC at this stage and as such this corridor is only considered to be indicative as to the location of the ponds / corridor and would be refined. All ponds created will be encircled in temporary amphibian fencing to ensure that they do not become populated with amphibians prior to their use as mitigation ponds. Once pond and management corridor has been created a section of permanent 45° amphibian fencing will be installed to form part of the overarching barrier that will eventually traverse the entire length of the GCN corridor. As per the conditions of planning and the Section 106 agreement, the commuted sum, provision for ongoing management for 25 years after the completion of the translocation and the long-term leasehold transfer of the management corridor land to ARC for the ongoing management.	

Creation of final area of ponds and management corridor associated with the planning application for the North Site Reservoir.	TBC – likely September – November 2026 running concurrently with the works for the North Site Reservoir.	This element of work would be undertaken by ARC under the supervision of Pete Hill with input from PJA.	The works will need to be undertaken under an NRW licence which will be applied for by ARC. Key points to consider are agreeing costs for the creation of the ponds and mechanism for the long-term management of the area as part of the wider GCN mitigation strategy for the site. This area has not been ground truthed by PJA / ARC at this stage and as such this corridor is only considered to be indicative as to the location of the ponds / corridor and would be refined. All ponds created will be encircled in temporary amphibian fencing to ensure that they do not become populated with amphibians prior to their use as mitigation ponds. Once pond and management corridor has been created a section of permanent 45° amphibian fencing will be installed to form part of the overarching barrier that will eventually traverse the entire length of the GCN corridor. As per the conditions of planning and the Section 106 agreement, the commuted sum, provision for ongoing management for 25 years after the completion of the translocation and the long-term leasehold transfer of the management corridor land to ARC for the ongoing management.	
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DRAWINGS



DRAWING TITLE: Proposed Overarching Pond Design Including Ground Truthed and Indicative Pond Locations and Management Corridor

KEY:

-  Permanent Fencing
 -  Ground Truthed Pond Locations for Construction in 2024
 -  Agreed Pond Management Corridor for Construction in 2024
 -  Indicative Site Wide Pond Locations
 -  Reservoir Area
 -  Residential Area
 -  Tip Area
- Indicative pond management corridor to be secured via condition for each application

SITE: Coed Darcy
CLIENT: St Modwen Developments
JOB NUMBER: JN00657
DRAWING NUMBER: JN00657 DW01
DATE: April 2024
DRAWN/CHECKED: MK / JW
SCALE: NTS



DRAWING TITLE: Proposed Overarching Pond Design Including Ground Truthed and Indicative Pond Locations and Management Corridor on Illustrative Masterplan

KEY:

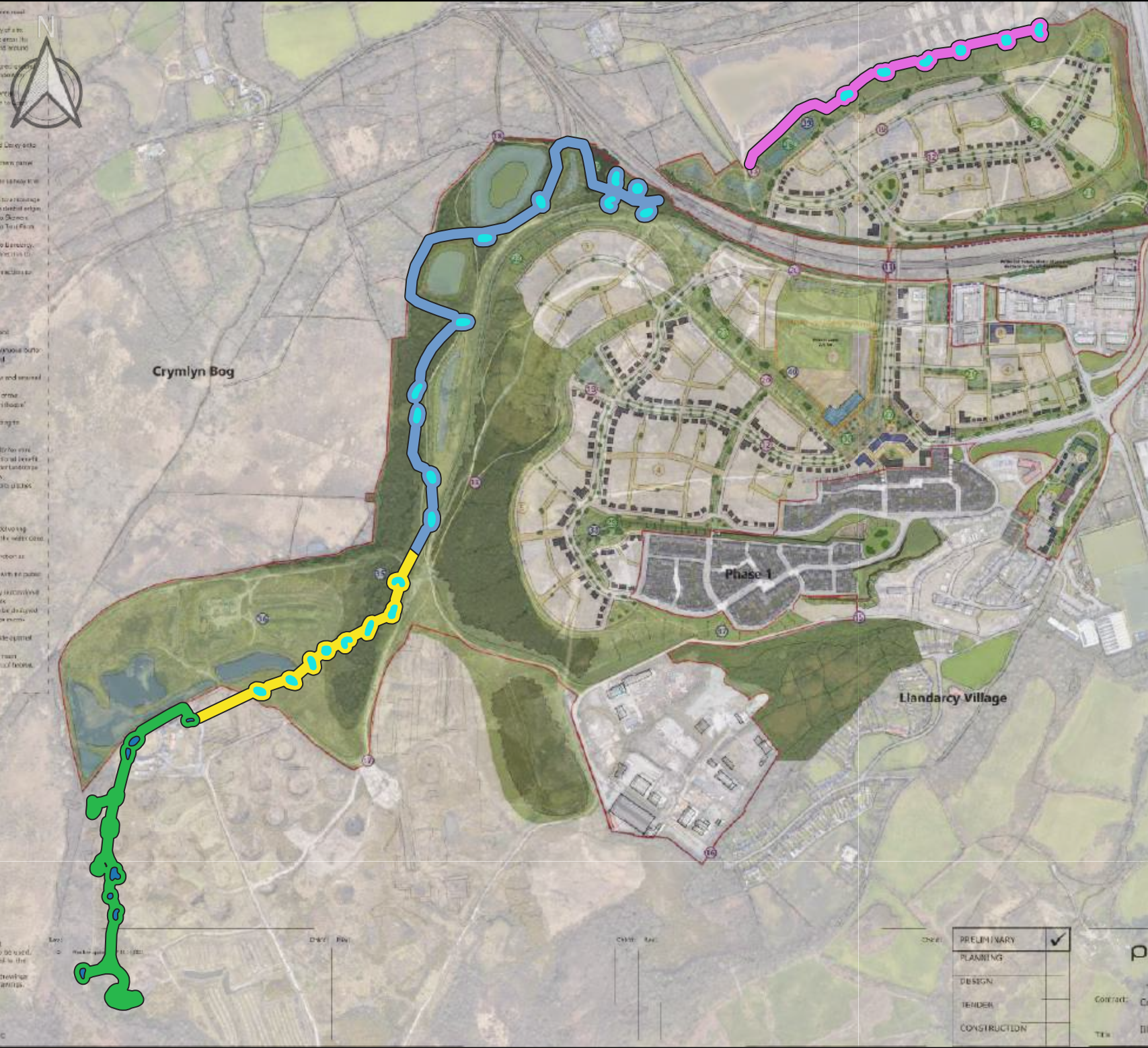
- Permanent Fencing
- Ground Truthed Pond Locations for Construction in 2024
- Agreed Pond Management Corridor for Construction in 2024
- Indicative Site Wide Pond Locations

Indicative pond management corridor to be secured via condition for each application

- Reservoir Area
- Residential Area
- Tip Area

SITE: Coed Darcy
CLIENT: St Modwen Developments
JOB NUMBER: JN00657
DRAWING NUMBER: JN00657 DW02
DATE: April 2024
DRAWN/CHECKED: MK / JW
SCALE: NTS





DRAWING TITLE: Indicative pond management corridors to be secured via condition for each application

- KEY:**
- Ground Truthed Pond Locations for Construction in 2024
 - Agreed Pond Management Corridor for Construction in 2024
 - Indicative Site Wide Pond Locations
- Indicative pond management corridors to be secured via condition for each application
- To be secured via condition for the Reservoir Area
 - To be secured via condition for the Residential Area
 - To be secured via condition for the Tip Area

SITE: Coed Darcy
CLIENT: St Modwen Developments
JOB NUMBER: JN00657
DRAWING NUMBER: JN00657 DW03
DATE: April 2024
DRAWN/CHECKED: MK / JW
SCALE: NTS



environmental
solutions ltd

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PRELIMINARY	✓
PLANNING	
DESIGN	
TENDER	
CONSTRUCTION	

Contract: Co
Title: III



- KEY:**
-  Ground Truthed Pond Locations for Construction in 2024
 -  Agreed Pond Management Corridor for Construction in 2024
 -  Indicative Site Wide Pond Locations
 -  Permanent Fencing
- Indicative pond management corridor to be secured via condition for each application
-  Reservoir Area
 -  Residential Area
 -  Tip Area

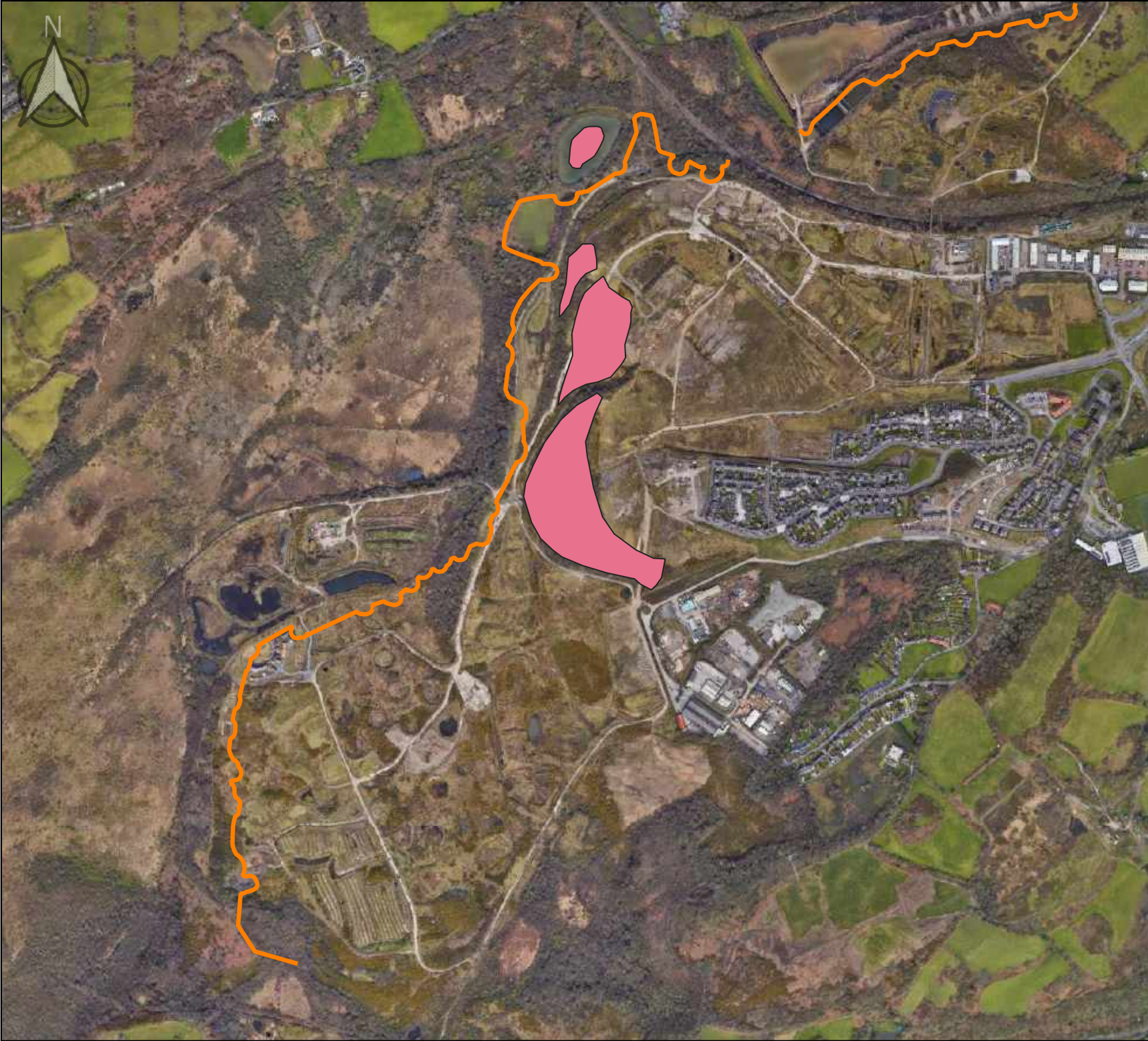
SITE: Coed Darcy
CLIENT: St Modwen Developments
JOB NUMBER: JN00657
DRAWING NUMBER: JN00657 DW04
DATE: April 2024
DRAWN/CHECKED: MK / JW
SCALE: NTS



**DRAWING TITLE: Terrestrial Habitats
as Compensation for Other
Ecological Receptors**

KEY:

-  Potential Mitigation Areas for Other Ecological Receptors
-  Permanent Fencing



SITE: Coed Darcy
CLIENT: St Modwen Developments
JOB NUMBER: JN00657
DRAWING NUMBER: JN00657 DW05
DATE: April 2024
DRAWN/CHECKED: MK / JW
SCALE: NTS



KEY:

- Permanent Fencing (Residential Area)
- Indicative Site Wide Pond Locations
- Indicative pond management corridor to be secured via condition for each application (Residential Area)

SITE: Coed Darcy
CLIENT: St Modwen Developments
JOB NUMBER: JN00657
DRAWING NUMBER: JN00657 DW06
DATE: April 2024
DRAWN/CHECKED: MK / JW
SCALE: NTS



DRAWING TITLE: Agreed Upfront Mitigation Area

KEY:

-  Permanent Fencing (Agreed Corridor)
-  Ground Truthed Pond Locations for Construction in 2024
-  Agreed Pond Management Corridor for Construction in 2024

SITE: Coed Darcy
CLIENT: St Modwen Developments
JOB NUMBER: JN00657
DRAWING NUMBER: JN00657 DW07
DATE: April 2024
DRAWN/CHECKED: MK / JW
SCALE: NTS

KEY:

- Permanent Fencing (Reservoir Area)
- Indicative Site Wide Pond Locations
- Indicative pond management corridor to be secured via condition for each application (Reservoir Area)

SITE: Coed Darcy
CLIENT: St Modwen Developments
JOB NUMBER: JN00657
DRAWING NUMBER: JN00657 DW08
DATE: April 2024
DRAWN/CHECKED: MK / JW
SCALE: NTS



DRAWING TITLE: Tip Mitigation Area

KEY:

- Permanent Fencing (Tip Area)
- Indicative Site Wide Pond Locations
- Indicative pond management corridor to be secured via condition for each application (Tip Area)

SITE: Coed Darcy
CLIENT: St Modwen Developments
JOB NUMBER: JN00657
DRAWING NUMBER: JN00657 DW09
DATE: April 2024
DRAWN/CHECKED: MK / JW
SCALE: NTS





KEY:

Ground Truthed Pond Locations
for Construction in 2024

Agreed Pond Management Corridor
for Construction in 2024

Indicative Site Wide Pond Locations

Indicative Designated GCN Terrestrial
Habitat Zones

Potential Mitigation Areas for Other
Ecological Receptors

Permanent Fencing

Indicative pond management corridor
to be secured via condition for each
application

Reservoir Area

Residential Area

Tip Area

SITE: Coed Darcy

CLIENT: St Modwen Developments

JOB NUMBER: JN00657

DRAWING NUMBER: JN00657 DW10

DATE: May 2024

DRAWN/CHECKED: MK / JW

SCALE: NTS

APPENDICES

APPENDIX 1

APPENDIX 1 – GCN Survey Results 2020 - 2023

2020 GCN Summary Results						
Pond Ref	Adult GCN Count per Date					
	06/05/2020	14/05/2020	18/05/2020	28/05/2020	02/06/2020	11/06/2020
Pond 1	1	0	0	1	1	0
Pond 2	0	0	0	3	7	6
Pond 3	0	0	1	0	0	0
Pond 4	0	0	0	0	1	0
Additional pond	5	3	1	1	1	0
TOTALS	6	3	2	5	10	6

2021 GCN Summary Results (North Site)						
Pond Ref	Adult GCN Count per Date					
	27/04/2021	05/05/2021	11/05/2021	20/05/2021	03/06/2021	07/06/2021
P9	1	6	0	1	4	0
P10	4	9	0	1	0	0
P14	0	3	0	0	0	1
P16	0	0	0	0	0	1
P20	0	0	0	0	1	0
TOTALS	5	18	0	2	5	2

2021 GCN Summary Results (South Site)						
Pond Ref	Adult GCN Count per Date					
	26/04/2021	06/05/2021	10/05/2021	19/05/2021	02/06/2021	08/06/2021
P1	20	2	4	2	1	4
P2	11	1	15	5	0	1

APPENDIX 1 – GCN Survey Results 2020 - 2023

2021 GCN Summary Results (South Site)						
Pond Ref	Adult GCN Count per Date					
	26/04/2021	06/05/2021	10/05/2021	19/05/2021	02/06/2021	08/06/2021
P3	1	0	1	2	0	0
P4	0	0	5	5	1	0
Waterbody B	2	10	1	10	0	1
Waterbody B.2	0	2	1	0	0	1
Waterbody C	0	0	0	2	0	1
West Margin 1	3	2	2	0	0	1
West Margin 4	3	0	0	0	0	0
TOTALS	40	17	29	26	2	9
Pond Ref	10/05/2021	19/05/2021	20/05/2021	02/06/2021	03/06/2021	08/06/2021
Pond B	21	35	2	7	15	6

2022 GCN Summary Results						
Pond Ref	Adult GCN Count per Date					
	21/03/2022	30/03/2022	13/04/2022	20/04/2022	28/04/2022	24/05/2022
West Margin 1	1	0	3	3	2	2
West Margin 4	0	1	1	0	0	1
Pond B	5	19	26	21	20	15
WB B	2	1	2	2	5	0
WB B2	1	1	6	3	2	0
WB C	0	0	0	0	0	1
P4	0	1	0	4	2	0

APPENDIX 1 – GCN Survey Results 2020 - 2023

2022 GCN Summary Results						
Pond Ref	Adult GCN Count per Date					
	21/03/2022	30/03/2022	13/04/2022	20/04/2022	28/04/2022	24/05/2022
P3	0	1	3	0	0	0
P2	5	1	9	30	0	2
P1	0	1	19	0	0	2
TOTALS	14	26	69	63	31	23

2023 GCN Summary Results (Receptors)						
Pond Ref	Adult GCN Count per Date					
	20/03/2023	27/03/2023	03/04/2023	17/04/2023	24/04/2023	26/04/2023
West Margin 1	1	1	3	1	0	2
West Margin 4	0	0	3	0	1	2
Pond B	15	2	5	0	4	1
WB B	14	2	1	1	0	1
WB B2	0	4	0	4	0	0
P4	1	0	0	1	0	0
P3	0	0	0	0	1	0
P2	12	27	1	9	3	3
P1	2	5	0	15	7	8
WB E	0	0	0	0	0	0
Proto 1	0	0	0	3	0	0
Proto 2	0	0	5	2	0	0
TOTALS	35	41	18	36	16	17

APPENDIX 1 – GCN Survey Results 2020 - 2023

2023 GCN Summary Results (North Site)						
Pond Ref	Adult GCN Count per Date					
	21/03/2023	28/03/2023	04/04/2023	18/04/2023	25/04/2023	27/04/2023
South Site Reservoir	0	0	1	0	0	0
Drain 1	0	0	0	0	0	1
P8	0	0	1	0	0	0
P9	0	0	0	0	7	11
P10	8	12	10	1	2	1
P11	0	2	4	0	0	0
P12	0	1	0	0	0	0
P17	0	0	0	0	1	0
P20	3	2	2	2	0	2
TOTALS	11	17	18	3	10	15

APPENDIX 2

Mick

From: Peter Hill <peter.hill@arc-trust.org>
Sent: 01 May 2024 12:58
To: Mick
Subject: Coed darcy surveys

Hi Mick,

As you know, I have been employed by Amphibian and Reptile Conservation (ARC) for the past 12 years, and a large part of that role has been creating and restoring habitat to increase connectivity for great crested newt in South Wales.

I am writing in support of your pragmatic stance in dealing with the ongoing situation at Coed Darcy.

In my considered opinion, further surveys at Coed Darcy would be superfluous, and a significant waste of resources which would be more appropriately channeled toward the necessary and long overdue habitat creation that is required to mitigate the planned development.

We know that gcn are present throughout the site. The majority of ponds at the site are inaccessible, and habitat works to make the ponds safely accessible would be seasonally inappropriate currently, and costly.

As a life-long and proactive herpetologist, I am of the considered opinion that yet further surveys undertaken now would not be able to be undertaken effectively without significant vegetation clearance at a completely inappropriate time of year and would not provide any clearer understanding than we already have. I strongly suggest that a license is applied for, to enable the creation of breeding habitat as part of a connectivity corridor, and that the work is undertaken this September/October/December, whilst assuming the presence of gcn and employing appropriate avoidance measures, and that the considerable costs that would be spent on yet more surveys, are instead directed toward what really needs doing, i.e. beginning work on creating a connectivity corridor for gcn as part of an appropriate mitigation strategy.

Please do not hesitate to contact me if I can be of any further assistance.

Kind regards,

Peter Hill

Peter Hill
South Wales Habitat Creation Officer
Amphibian and Reptile Conservation

Peter.Hill@arc-trust.org
www.arc-trust.org

APPENDIX 3

	HSI Score	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Crymlyn Bog Lagoon East	0.73								0													0
Crymlyn Bog Lagoon West	0.32								0													0
Freemans Bund (receptor)	0.69																0					0
Individual scrapes (receptor)	0.66																7					
North Site Reservoir																						0
Oil interceptor																						
P01 (receptor)	0.7																10		5			20
P02 (receptor)	0.83																27		14			11
P03 (receptor)	0.7																8		5			1
P04 (receptor)	0.76																27		13			0
P1																						
P-new02																						
P-new03																						
P-new04									0													
P-new05									0													
P-new08									0													
P-new09									4													
P-new13																						
P-new13																						
P-new15																						
P-new16									15													
P-new17									3													
P-new18																						
P-new19									2													
P-new20									2													
P-new21									0													
P-new22																						
P-new23									0													
P-new30																						
P-new37																						
P-new39																						
P-W1	0.49																					
P-W10	0.34																					
P-W11	0.53																					
P-W12	0.64								0													
P-W13	0.44																					
P-W14	0.62																					
P-W15	0.66																					
P-W16	0.58																					
P-W17	0.65																					
P-W18	0.57																					
P-W19	0.61																					
P-W2	0.57																					
P-W20																						
P-W21	0.26																					
P-W22	0.25																					
P-W23 (Oil trench)																						
P-W24 (oil trench offset)																						
P-W25 (Oil storage)																						
P-W26 (Oil pond)																						
P-W27 (Peripheral trench)																						
P-W28																						0
P-W29																						0
P-W3	0.58																					
P-W30																						3
P-W31																						0
P-W32																						0

[illegible]

APPENDIX 4

Appendix 4 - Historic GCN Licences Granted via Welsh Government / NRW

No	Licence Number	Grid Ref	Licensing Body	Activity	Issued date	Expiry Date
1	1726	SS70609510	WG	Land reclamation and decontamination	30/10/2009	30/11/2011
2	S085677/5	SS 7060095100	NRW	Reclamation works	17/01/2022	31/01/2020
3	?	SS 7060095100	NRW	Reclamation works	25/03/2019	31/01/2020
4	1931	SS70609510	WG	Land reclamation and decontamination	20/07/2010	30/11/2012
5	?	SS70609510	NRW	Reclamation works	11/11/2016	30/04/2018
6	2698	SS70609510	WG	Land reclamation and decontamination	17/10/2012	30/11/2012
7	?	SS70609510	NRW	Reclamation works	28/09/2016	30/04/2017
8	?	SS70609510	NRW	Reclamation works	29/07/2016	31/03/2017
9	1888	SS70609510	WG	Land reclamation and decontamination	30/04/2010	30/11/2011
10	?	SS70609510	NRW	Reclamation works	27/10/2016	30/04/2017
11	?	SS 7060095100	NRW	Reclamation works	01/02/2019	30/06/2019
12	1578	SS70609510	WG	Land reclamation and decontamination	01/07/2009	30/11/2011
13	?	SS 7060095100	NRW	Reclamation works	02/04/2019	31/01/2020
14	2312	SS70609510	WG	Land reclamation and decontamination	03/11/2011	30/11/2012
15	?	SS 7060095100	NRW	Reclamation works	28/02/2019	31/01/2020
16	2132	SS70609510	WG	Land reclamation and decontamination	03/11/2011	30/11/2012
17	1696	SS70609510	WG	Land reclamation and decontamination	08/10/2009	30/11/2011
18	?	SS70609510	NRW	Reclamation works	11/11/2016	30/04/2017
19	?	SS70609510	NRW	Reclamation works	28/08/2016	30/04/2017
20	68385	SS70609510	NRW	Reclamation works	15/01/2016	31/03/2017

APPENDIX 5

Cyfoeth Naturiol Cymru
Natural Resources Wales

Ecological Compliance Audit

Species: Great Crested Newt

A. Licensing

Natural Resources Wales licence reference number:		Site name:	
		Site grid reference:	
Name of licence holder:		Name of developer if different from licence holder:	
Name of Licence Ecologist and Organization:		Planning Permission Condition	Yes/No If yes: Application No:

Name and Organization of Ecological Compliance Auditor		Type Of Audit	☐ Internal ☐ External ☐ Combination of Internal and External ===== ☐ Ecological Clerk of Works
Name and Organization of Ecological Compliance Auditor	☐ Not Applicable ☐ Name and Address:	Type of Verification	☐ Internal ☐ External
Number of Ecological Compliance Audits (ECA')		Intervals between Audits	☐ 3 Months ☐ 4 Months ☐ 6 Months ☐ Other
Date licence issued (dd/mm/yy):	Date licence expired:	Licence implemented between (dd/mm/yy)	
		From:	To:

Amendment 1			
Amendment 2			

B. Schedule of Ecological Compliance Audit Completion and Dissemination

Audit Number	Date Completed	Date Issued to Licence Holder	Date Issued to NRW/Other
1			
2			
3			
4			

C. Performance Indicators

The audit to be conducted in accordance with NRW compliance audit guidelines.

No	Performance Indicator	Evidence required - this list should be adapted to reflect the agreed method statement	Pass (Yes/No), comments. State if photographic evidence has been used	What action is required as a result of findings?
1	Before starting work the licensee will advise NRW Species Officer of the date the works will start.	Written or electronic documentation of notification of start of works.	☐ Yes ☐ No	
2	A suitably experienced licensed ecologist will be appointed and retained during the life time of this licence to provide on-site advice.	Letter, contract or other document outlining the appointment of an Ecologist for the lifetime of the project. This to be supplied.	☐ Yes ☐ No	
3	Prior to the start and throughout the duration of any works on site, all site workers will be inducted by the Project Ecologist. This induction will cover the legal status of the species, the method of working, and action to be taken if protected species are encountered.	Copy of documents from ecological induction, showing content of induction. List of induction attendees will be provided.	☐ Yes ☐ No	
4	Preparation and implementation of a bio-security risk assessment	Bio-security risk assessment is available for inspection.	☒ Yes ☐ No	

	as detailed in E.5 of the method statement	Log of implementation of bio security measures is available for inspection and shows that they have been implemented. Field observations shows that physical evidence of biosecurity measures are available, eg footwashes		
5	Licence available for inspection by any police constable or employee of Natural Resources Wales	Licence is available for inspection on site	☐ Yes ☐ No	
6	No agent of the licensee shall act under licence unless they are in possession of a letter signed by the licensee appointing them by name as the duly accredited agent of the licensee for the purposes of this licence, and shall carry with them the said letter and a copy of this licence and shall produce them to any police constable or employee of the Natural Resources Wales or other authorised person on demand	All relevant accredited agents have copies of licence holder's letter of authorization. Licence holder's letter is available for inspection.	☐ Yes ☐ No	
	E.1 GCN capture and exclusion			

7	Different species of newt and other amphibians to be held and transported in separate containers	Log of activities, including use of containers is available for inspection Log shows that amphibians have been transported within separate containers Containers are available for inspection	☐ Yes ☐ No	
8	Netting to be used only when all other methods	Log of activities, including use of netting, is available for inspection Log shows that netting was onmly use		
9	Design and installation of amphibian fencing to the specifications provided in the CCW guidance sheets/ EN (2001) and as detailed in the method statement:		☒ Yes ☐ No	
10	Amphibian fencing has been subject to inspection and maintenance according to CCW guidance sheets/ EN (2001) and as detailed in the method statement throughout the		☒ Yes ☐ No	

	translocation and construction periods.			
11	Works within amphibian habitats will not commence until working areas are confirmed to be clear of amphibians by the licensed ecologist.	Log of activities, including clearance activities, is available for inspection recording captures.	☒ Yes ☐ No	
12	Any works outside the amphibian fence are to be in accordance with a methodology as approved by NRW supervised by a licensed person.	Log of works undertaken, including evidence of licensed person on site, available for inspection. The log book will be kept at; A log book will be kept available that demonstrates all works done under licence and in accordance with the method statement that has been agreed.	☒ Yes ☐ No	
	E.2/E3 GCN habitat modification and creation for mitigation and compensation			
13	All mitigation and compensation measures have been implemented as per section E2 and E.3 of the Method Statement:	Log of works demonstrates habitat creation /enhancement implementation which is provided in the sites ecological management plan.	☒ Yes ☐ No	

14	The habitat conservation areas on site has been subject to appropriate management during construction as specified in section E.2.1 of the Method Statement	Log and field observation show that appropriate management activities have been implemented.	☒ Yes ☐ No	
15	The implementation of measures or procedures to evidence development and associated works, including any mitigation and or compensation, are being carried out in compliance with licence condition and provisions of the method statement.	Log and/or other recording systems that evidences procedures and other measures document compliant implementation of the method statement. This may include log maintained by the licensed ecologist to provide a record of all measures implemented to ensure compliance with the relevant parts of E.2/ E.3.	☒ Yes ☐ No	
	F and H: Long Term Site proposals			
16	Implementation of <u>habitat/site management and maintenance</u> and, <u>habitat monitoring</u> as detailed in F.1 and F.2 of the method statement	If audit undertaken <u>during development phase</u>: - Habitat management plan demonstrates measures are in place to ensure ongoing ecological land management are	☒ Yes ☐ No	

		in line with the ecological management plan which has been produced for the site.		
17	Implementation of <u>population monitoring</u> as detailed in F.2 of the method statement	If audit undertaken <u>during development phase</u>: - monitoring plan demonstrates measures are in place to undertake GCN population monitoring post-development. If audit undertaken <u>post-development</u>: - log or report demonstrate monitoring plan has been implemented log or report demonstrate results passed to local record centre including upload of data into the online Wales GCN Monitoring Scheme	☒ Yes ☐ No	
18	Implementation of long term site safeguard proposals as detailed in F.4, H.1 and H.2 of the method statement	Log of works demonstrates implementation eg: (i) land transfer or other legal interest proposal (ii) mitigation/compensation site been listed as a local land charge (iii) proposed legal agreements and contracts been completed (iv) wardening requirements implemented to proposed timescales and	☒ Yes ☐ No	

Name	Organization	Date

Draft Oct 2019