



## **Wildlife Policy**

Relevant Legislation: The Wildlife and Countryside Act 1981 (as amended), The Countryside Rights of Way Act 2000. Directive 92/43/EEC – The Conservation of Natural Habitats and of Wild Flora and Fauna. Regulations and Habitats Directive. Directive 79/409/EEC – The Conservation of Wild Birds. The Conservation (Natural Habitats & c.) Regulations 1994 (as amended).

Gristwood and Toms Ltd manage and maintain many thousands of trees on behalf of local authorities and commercial organisations throughout the country. These trees are predominately situated within the urban environment where they are valued for their visual amenity and potential to provide a habitat for wildlife.

Gristwood and Toms recognises that just as trees may be protected through Planning legislation i.e. Tree Preservation Orders, the wildlife that may utilise the trees for reasons such as roosting, breeding or sheltering may also be afforded statutory protection; the company is fully aware of its legal obligations and appreciates the potential detrimental impact that its operations could have on wildlife.

### **Objective: To help protect and encourage wildlife within its area of operation**

To achieve this objective, Gristwood and Toms:

- shall collaborate with local authorities, statutory nature conservation organisations and conservation groups to minimise possible risk or harm to wildlife or habitats;
- shall ensure that within the context of arboricultural operations its employees are aware of and work within the legislative framework protecting wildlife and habitats;
- has introduced procedures that so as far as is reasonably practicable aim to prevent its employees from intentionally disturbing, injuring or killing wildlife inhabiting trees they work on;

- has provided guidance on best practice which enables its employees to recognise and quantify potential risks to wildlife and habitats likely to be encountered during the course of their work;
- shall provide training for its employees to raise awareness of relevant wildlife issues and to highlight the importance of seeking specialist advice to ensure that the most sympathetic and appropriate course of action is taken;
- shall where necessary provide guidance to its clients on wildlife issues that may impact on proposed works;
- work with our clients to help rejuvenate or create wildlife habitats;
- shall periodically review and up date its policy as necessary;
- shall investigate and follow up any incidents relating to wildlife and if necessary take action in accordance with its disciplinary procedure in respect of any employee who deliberately or wilfully disregards its Wildlife Policy or instructs or encourages another employee to contravene the policy; this may be in addition to any legal action that may be taken against them.

## **European Protected Species Recorded in the UK**

### **Protection of Species**

The Habitat Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed as European Protected Species. However, these actions can be made lawful through the granting of licenses by the appropriate authorities. Licenses may be granted for a number of purposes (such as science and education, conservation, preserving public health and safety), but only after the appropriate authority is satisfied that there are no satisfactory alternatives and that such actions will have no detrimental effect on wild population of the species concerned.

The following Species are significant in the UK and should be considered when proposing works within or close to their areas of National Distribution.

## **Bats:**

- National distribution
- Summer (maternity) roosts
- Winter (hibernation) roosts
- Utilise trees, buildings and underground structures
- Woodland types used
- How to survey
- Woodland design (e.g. roost isolation, foraging areas)



- Potential roost:
- A habitat feature that the surveyor has identified that could offer opportunities for roosting bats.
- If only a few potential roosts were identified in the wood, they should not be felled and buffer trees left around them.
- Confirmed roost:
- Bats are known to be (or have been) entering/exiting this structure. It therefore has legal protection and should be retained undisturbed, with an appropriate buffer of trees.
- Ensure protection of confirmed roosts and their buffer.
- Where there are few potential roosts, treat as above. Where numerous, a small proportion can be felled in 10yr period.
- Natural reserves/undisturbed areas.
- Encourage insect-rich habitat (understorey, rides, ponds).
- Avoid disturbance of roosts by fire/smoke or excessive noise and vibration.
- Creation / maintenance of infrastructure.

### Otters:

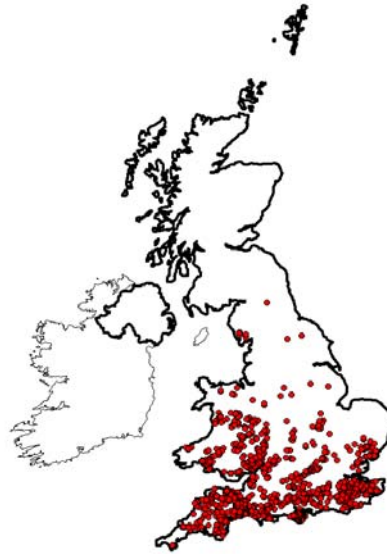
- National distribution
- Catchments & range
- Holts
- Woodland types used
- How to survey
- Foraging area / quality



- Identify and protect likely holt sites. Avoid mechanised activities within 50m of such resting places.
- Riparian corridors - within 50m of a watercourse consider the risks of disturbing otters. Phase felling/thinning operations in this corridor over several years to reduce disturbance.
- Extraction & stacking - where possible, away from riparian corridor.
- Site preparation - brash treatment & fencing.
- Sediment run-off.
- Other possible disturbance - recreation or livestock.

**Dormouse:**

- National distribution
- Summer & winter nests
- Woodland types used
- How to survey



|     |     |     |     |     |     |     |     |      |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|
| Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sept | Oct | Nov | Dec |
|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|



- Avoid woodland management in favourable dormouse habitat from June to mid-August.
- Clear fell - up to 1/3 of dormouse habitat in the wood, leaving remaining areas undisturbed for 5+yrs.
- Thinning - up to 2/3 of dormouse habitat in the wood, leaving remaining areas undisturbed for several yrs.
- Coppice -Up to 25% of habitat in one year.
- Felling/extraction methods.
- Site preparation.
- Mowing, swiping, flailing & scrub cutting.
- Creation / maintenance of infrastructure.

**Great Crested Newt:**

- National distribution
- Challenges of survey
- Breeding ponds
- Terrestrial habitats
- Woodland types used
- Challenges of survey



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- Within 100m of a breeding pond, phases any significant operations such that only 25% of area is disturbed in any one yr.
- Try to avoid stacking within 100m of pond.
- Extraction methods.
- Site preparation.
- Mowing regimes.
- Creation / maintenance of infrastructure.

**Sand Lizard/Smooth Snake:**

- National distribution
- Sand lizard foci / behaviour
- Smooth snake behaviour
- Woodland types used
- How to survey



**Identify and protect foci**

- Avoid felling, extraction and stacking within 30m of foci
- Site preparation - brash treatment, spraying and planting
- Mowing & swiping
- Other disturbance - including grazing or livestock grazing
- Creation / maintenance of infrastructure
- Conservation works.

# PROTECTED WILDLIFE AND HABITATS WITHIN THE CONTEXT OF ARBORICULTURAL OPERATIONS

## BIRD RISK ASSESSMENT

It is an offence under Section 1 (1) of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000 to intentionally or recklessly to:

- Kill, injure or take any wild birds
- Take or destroy any eggs
- Take, damage or destroy any nest while under construction or not in use

This is applicable to trees that are dead and dying as well as healthy trees.

| TIME OF YEAR              | RISK OF ENCOUNTERING NESTING BIRDS | ACTION BY ARBORIST  |
|---------------------------|------------------------------------|---|
| October to early February | <b>LOW</b>                         | Complete site specific risk assessment/job sheet – unlikely that nesting birds will be encountered, however, should this happen work to be stopped on the subject tree and manager to be notified.  |
| February to mid-March     | <b>MODERATE</b>                    | Complete site specific risk assessment/job sheet, work as normal but be aware of increased risk of nesting birds. If encountered, stop all operations on the subject tree and notify manager.   |
| March-September           | <b>HIGH</b>                        | Complete site specific risk assessment/job sheet, it should be anticipated that birds will be nesting during this period, be vigilant during operations and when nesting birds are encountered stop all works on the subject tree and notify manager. Major works in woodlands should not be undertaken during this period. |

# **PROTECTED WILDLIFE AND HABITATS** **WITHIN THE CONTEXT OF ARBORICULTURAL** **OPERATIONS**

## **BAT RISK ASSESSMENT**

It is an offence under Schedule 5 section 9 of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000\* intentionally or recklessly:

- To kill, injure or take a bat
- To sell, hire, barter or exchange a bat, dead or alive
- To be in possession or control of a bat or anything derived from them
- To damage or destroy a tree, or obstruct access to a tree, which a bat uses for shelter or protection
- To disturb a bat while it is occupying a tree which it uses for shelter or protection

This is applicable to trees that are dead and dying as well as healthy trees.

Effective January 2010

| Habitat   | COMMENTS  | %age of Tree Works carried out in these locations | Risk of encountering bats utilising trees | ACTIONS  |   |  |
|---|---|---|---|--|---|--|
|   |   |   |   | MANAGER  | ARBORIST  | SURVEYOR   |
| Heavily urbanised densely populated inner city areas, major highways and busy residential roads                               | Trees regularly inspected and typically maintained on a cyclical basis to decrease risk or hazard. As a result the shape form and condition of trees are not normally conducive to bat habitation. This combined with high levels of disturbance mean that the likelihood of encountering bats will be low in these situations. | <b>80%</b>  | <b>Low</b>                                |  | Fill out site specific risk assessment/job sheet, work as normal but if bat habitation is encountered, stop all operations, notify manager and client.  | Carry out inspections/ visual tree assessments as normal, however, if bat activity is suspected record details and report to client.   |
| Inner city parks / cemeteries. Large suburban garden, school grounds.   | Although subject to regular inspections, pruning regimes less intense than in highways and housing areas. Therefore conditions suitable for bat roosts such as split trunks/branches, rot holes cavities and woodpecker holes more likely to develop.   | <b>15%</b>  | <b>Moderate</b>                           | Ask client when order is issued whether there is any known bat activity. If 'yes' then request bat survey if 'no' proceed as normal. | Fill out site specific risk assessment/job sheet, work as normal but be aware of increased risk of bat habitation. If bat habitation is encountered, stop all operations, notify manager client and SNCO. | Carry out inspections/ visual tree assessments as normal, however, be aware of increased risk of bat activity and where this is suspected record details and report to client. |
| Country Parks, water course edges, wetland areas, mature deciduous woodlands, rural cemetery, golf courses and veteran trees. | Trees tend to be managed with a strong conservation and ecological emphasis in these habitats   | <b>5%</b>   | <b>High</b>                               | Request bat survey from client. Subsequent works to be undertaken as directed by client.   | Works to be undertaken as directed by the client or Statutory Nature Conservation Organisation etc.   | Carry out visual tree assessments, assume high risk bat habitation.  |

# **PROTECTED WILDLIFE AND HABITATS** **WITHIN THE CONTEXT OF ARBORICULTURAL** **OPERATIONS**

## **BAT RISK ASSESSMENT**

### **Action in the event of an emergency**☒

- If a roost is discovered while work is in progress call an immediate halt and contact the area office of English Nature\* or the local bat worker (if known)
- Where the roost has been felled any loose bats should be returned and apertures closed to prevent their escape until they can be examined for injury by the bat worker (However, this should be done as soon as possible and longer term closure of more than an hour or two must be avoided)
- Where a roost remains in the tree individual bats may fly out and should be counted
- Bats that are outside the roost and obviously injured should be carefully placed in a secure well ventilated box pending arrival of the bat worker
- Bats are very fragile and should be handled as little as possible, if handling is essential gloves must be worn (This reduces the chance of being bitten, while also preventing the transfer of grease and scent onto the bat)
- A bat may be picked up without touching by gathering it up in a loose cloth (clean duster or tea-towel), though gloves should still be worn
- Boxes used to contain loose bats must be well ventilated, with a lining of tissue paper (kitchen towel) and cloth hanging over the side (to provide some shelter for the bat to hide behind). A supply of fresh water is essential, as the bat could be dehydrated, this can be placed in a jam jar lid inside the box.

***A bat in deep torpor could be compared to a person who has been anaesthetised, it will not be able to rouse itself readily and may appear dead! If a bat is disturbed during torpor it may take 20-30 minutes to warm up (possibly even longer in cold weather).***

- English Nature local office numbers:\*
- **North Mercia team ( Birmingham area) 01743 282000**
- Hampshire and the Isle of Wight 023 8028 6410
- **London Region 01206 796666 or 020 7340 4870**
- Kent 01233 812525

☐ based on text in Arboricultural Guidance note number 1 Bats and Trees

**LOW RISK**



Busy Residential Road



Densely Populated Housing Area

**MODERATE RISK**



Inner City Cemetery



Inner City Park

**HIGH RISK**



Water Course



Mature Deciduous Woodland

**PROTECTED WILDLIFE AND HABITATS WITHIN THE CONTEXT OF  
ARBORICULTURAL OPERATIONS  
BAT RISK ASSESSMENT**



Large split limbs



Woodpecker holes note staining around hole on right hand side



**PROTECTED WILDLIFE AND HABITATS WITHIN THE CONTEXT OF ARBORICULTURAL  
OPERATIONS  
*BAT RISK ASSESSMENT***



Further examples of bat habitat