



ECOLOGY FILE NOTE

Contract	Client	Site Address
Ecological Walkover Survey	Erith Contractors Limited Contact: Scott Hutson	Bradford Rd Gasholder, Bradford Road, Manchester M40 7AS
Document Title	Job Number	Survey Date / Surveyor
Ecology File Note	23 0009 / R12456	18/04/23 Kerry Rhodes MCIEEM

Background

Erith Contractors Limited were instructed to undertake specialist demolition works at the former gas works at the above address in Manchester.

A Preliminary Ecological Appraisal (PEA) report (Atkins, June 2022)¹ was written for the site in 2022. The following was concluded (in summary):

- There were no anticipated impacts on bats, with no further surveys recommended.
- A nesting bird check was recommended prior to works.
- Invasive plant species Japanese knotweed *Reynoutria japonica* syn. *Fallopia japonica* and Himalayan balsam *Impatiens glandulifera* were identified on the site.
- Wild strawberry *Fragaria vesca* plants were identified on the site and were recommended for translocation.

Walkover Survey – 2023

A walkover survey by Kerry Rhodes of Iceni Ecology Limited was undertaken on 18th April, 2023 to assess if any changes had occurred at the site since the Atkins report and to undertake a nesting bird check.

Results

Bat and bird habitat assessment of structures (see Figure 1 for site layout)

Structure S1 – A single skin corrugated metal building with a pitched roof covered in the same corrugated metal (Plates 1–2). No suitable roosting opportunities for bats externally nor internally, with poor thermal stability. No evidence of previous or current bat use: Bat Roost Potential 'Negligible'. No suitable habitat for nesting birds although white splash was found on the north-east facing wall, likely indicative of birds perching on the building.

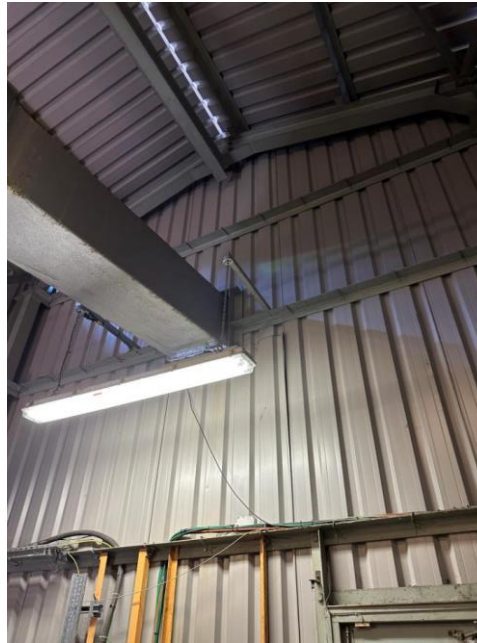
¹ Atkins (June, 2022). Bradford Road Gasholder, Preliminary Ecological Appraisal Report, National Grid.



Plate 1 – S1 exterior



Plate 2 – S1 interior



Structure S2 – Overhead pipe network (Plate 3). No crevices suitable for roosting bats and no evidence of current or previous use by bats. Bat Roost Potential: 'Negligible'. May have potential to support nesting birds but no evidence of nests noted at the time of the survey.

Plate 3 – Pipework structure





Structure S3 – An area of hardstanding (Plate 4) from previous building demolition. No potential for bats/birds.

Plate 4 - hardstanding



Structure S4 –Metal chimney (Plate 5). No bat roost potential due to the lack of any conducive features. No signs of bird nesting material on chimney.

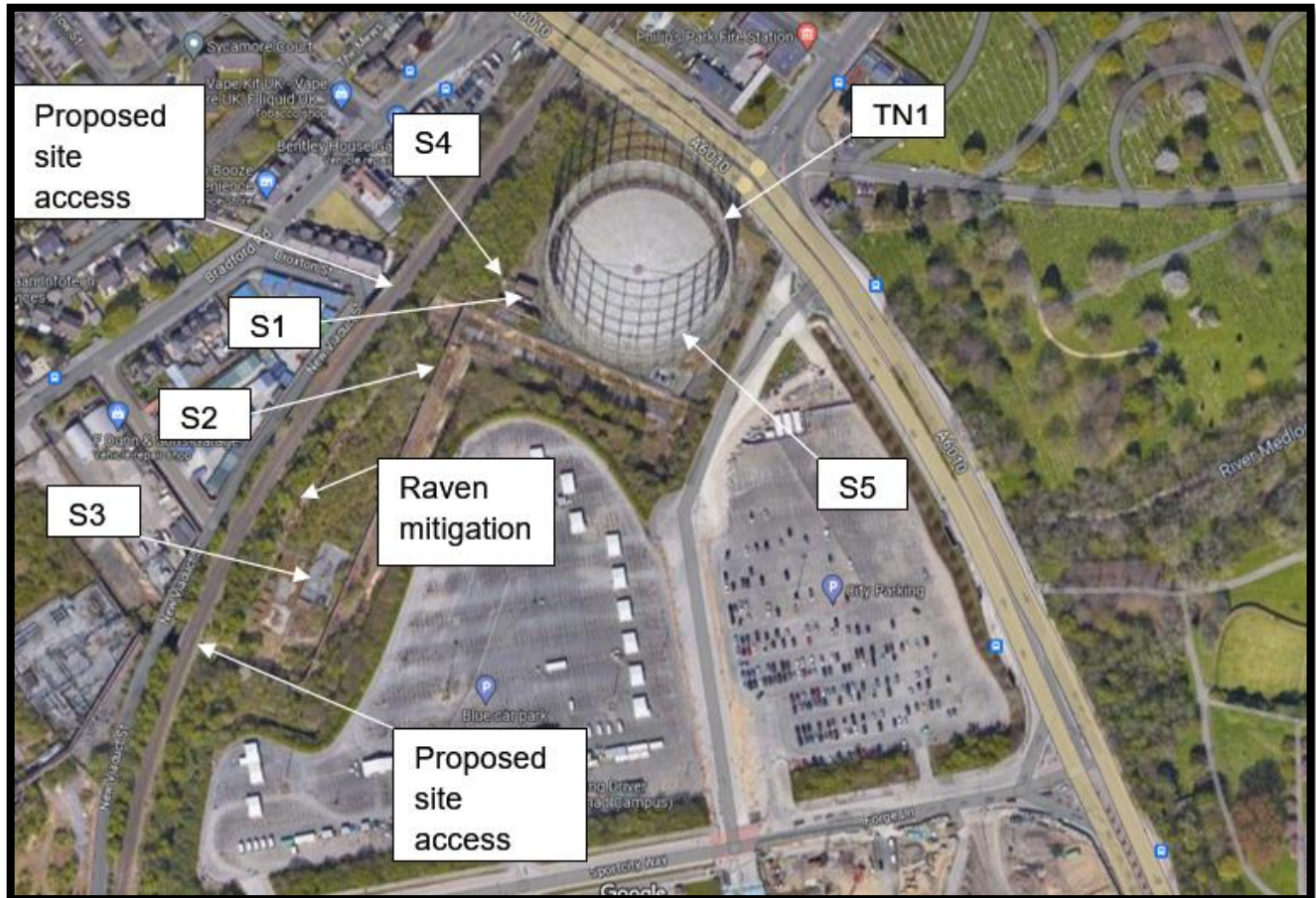
Plate 5 - chimney





S5 - Gas holder. No bat roost potential due to the lack of any conducive features. Two ravens *Corvus corax* were observed actively nesting on this structure (location TN1, Figure 1). No evidence of any other bird species nesting on the structure.

Figure 1 – Site Layout



Invasive plant species

Japanese knotweed was not identified during the site visit, although the Atkins report appeared to locate it on the other side of the boundary palisade fencing. The proposed pedestrian route will be within approximately 2/3m of the location of the Japanese knotweed and will require some vegetation removal but is unlikely to disturb the knotweed unless roots extend 2-3m.

Himalayan balsam saplings were noted in all areas identified by Atkins and in no additional areas.

Wild strawberry

Wild strawberry plants were identified in the north-western corner of site as indicated by the Atkins report.



Recommendations

Nesting birds

The removal of the gas holder must be undertaken outside of the nesting bird season or after confirmation that the raven chicks have fledged the nest and no new nesting activity is identified.

Invasive plant species

The removal of invasive plant species should be undertaken by an approved specialist.

Wild strawberry

It is not recommended to translocated wild strawberry plants due to the presence of invasive plant species on the site.



Legislation

Birds

All wild birds whilst actively nesting are afforded legal protection under the Wildlife & Countryside Act 1981 (as amended)² (WCA). Special protection is also afforded to birds listed on Schedule 1 of the WCA which makes it an offence to disturb these species at nest or the dependent young.

In England and Wales, all birds, their nests and eggs are protected by law and it is an offence, with certain exceptions, to:

- a) intentionally kill, injure or take any wild bird;
- b) intentionally take, damage or destroy the nest of any wild bird while it is in use or being built;
- c) intentionally take or destroy the egg of any wild bird;
- d) have in one's possession or control any wild bird (dead or alive), part of a wild bird or egg of a wild bird;
- e) intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building or is in, on or near a nest with eggs or young; or disturb the dependent young of such a bird; and
- f) have in one's possession or control any birds of a species listed on Schedule 4 of the Act unless registered in accordance with the Secretary of State's regulations.

Bats

Certain habitats and species are protected under legislation. The principal legislation relevant to the proposed development is as follows:

- The Conservation of Habitats and Species Regulations 2017 (as amended)³ ['The Habitats Regulations']. The Habitats Regulations implement The Habitats Directive 1992 [92/43/EEC] into English Law.
- Wildlife & Countryside Act 1981 (as amended) (WCA).
- The Natural Environment & Rural Communities Act 2006 (NERC).
- The European Union (Withdrawal) Act 2018.

With respect to bats, under The Habitats Regulations it is an offence to:

- Deliberately capture, injure or kill a bat.
- Deliberately disturb a bat in a way that would affect its ability to survive, breed or rear young (or hibernate or migrate) or significantly affect the local distribution or abundance of the species.
- Damage or destroy a roost. This is an 'absolute' offence and need not be deliberate or intentional.
- Possess, control, transport, sell, exchange or offer for sale/exchange any live or dead bat or any part of a bat.

With respect to bats under the WCA, it is an offence to:

- Intentionally or recklessly disturb a bat at a roost.
- Intentionally or recklessly obstruct access to a roost.
- Sell and advertise.

² Amended by the Countryside & Rights of Way Act (2000).

³ Amended by the Conservation of Habitats and Species (Amendment) Regulations 2012 S.I. 2012/1927.



Invasive plant species

- Section 14 WCA, Schedule 9.
- Section 33 Environmental Protection Act, 1990.

Section 14 prohibits the release to the wild of animals and plants listed in Part II of Schedule 9 or otherwise causing them to grow there. Negligent or reckless behaviour such as inappropriate disposal, resulting in the plant becoming established in the wild also constitutes an offence.

Depositing unauthorised 'controlled waste' (such as Japanese knotweed) is also likely to be a breach of Section 33 of the Environmental Protection Act, 1990.

In the recent Court of Appeal decision in the case of *Network Rail Infrastructure Limited v Williams and Another* [2018], a landowner/occupier can be liable for failing to act reasonably to remove any Japanese knotweed after becoming aware of it and where it is foreseeable that it would damage neighbouring land.

Written by:

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