

1. PURPOSE

This procedure has been produced to assist project teams in the identification of any potential problems that may arise as a result of the existence of protected sites/species adjacent to or in close proximity to a work site.

Where possible these areas must be identified before work commences in order to avoid costly delays at a later stage in the project, which may arise as a result of inadequate planning. By identifying potential impacts on designated sites during the planning stage instead of during the construction phase, measures can be implemented to reduce the adverse impacts on them. This will also reduce the risk of VolkerRail (VR) being prosecuted as a result of damaged being caused to a site or to a particular species of flora and/or fauna.

2. SCOPE

This procedure covers all works that may have an adverse impact on the environmental designations in the vicinity of a worksite including Special Areas of Conservation (SAC), Site of Special Scientific Importance, SSSIs, Ramsar Site, Local Nature Reserves, (LNRs), Site of Biological Interest (SBI), National Nature Reserves (NNRs), Tree Preservation Orders (TPOs) as well as any internationally, nationally or locally designated areas. This procedure is to be followed by project teams working in all business streams of VR.

Compliance with the contents of this procedure is necessary to ensure the company is able to demonstrate its on-going commitment to protecting the surrounding environment during its activities. In addition, compliance with the contents of this procedure should prevent any individual and the company from committing offences under various environmental legislation.

3. REFERENCES (INPUTS) / RELATED DOCUMENTS

- ENV04 - Project Management & the Environment
- E01-01 - Environmental Aspects and Impacts Register
- NR/L2/ENV/015 – Environment & Social Minimum Requirements for Projects – Design and Construction
- NR/GN/ESD05 – Planning and Managing Biodiversity
- RSPB Guidance Wild Birds and the Law
- Network Rail Hazard Directory
- www.jncc.gov.uk

For a list of current environmental legislation relating to protected sites and species please refer to the VR Legal Register on the IMS (via InSite), from the **Head of Environment & Sustainability, Environment & Sustainability Manager** and/or **Environmental Manager / Advisor**.

4. ABBREVIATIONS AND DEFINITION OF TERMS

Definition	Meaning
CROW	Countryside and Rights of Way (CROW) Act 2000
Designated Site	Includes any sites nominated as having protection status, e.g. SSSI's, SPA's, SAC's Ramsar sites, TPO's, NNR's and LNR's
Fauna	Species of Mammal, Bird or Reptile
Flora	Species of Plant, Flowers, Mosses etc.
Hazard Directory	Identifies all potential hazards that may occur in particular areas/zones of land (Network Rail Infrastructure) including engineering, health, safety and environmental hazards.
Incident	Includes all events that cause to or have the potential to cause damage to protected sites and/or species of flora or fauna.
Interested Party	Includes any party who may have an interest in ensuring protected species are not harmed or damaged and include Environment and Local Authority and the client.

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Definition	Meaning
Natural England (NE)	This is the organisation in England responsible for the protected designated sites and/or species of flora/fauna. Counterparts in Scotland and Wales are Scottish Natural Heritage (SNH) and the Countryside Council for Wales (CCW)
National Nature Reserves (NNR)	National Nature Reserves (NNRs) are places where wildlife comes first. They were established to protect the most important areas of wildlife habitat and geological formations in Britain, and as places for scientific research. Nearly every type of vegetation is found in NNRs, from coastal salt-marshes, dunes and cliffs to downlands, meadows and the subtle variations of our native woodlands. Scarce and threatened habitats such as chalk downs, lowland heaths and bogs and estuaries are conserved in NNRs.
PECR	Project Environmental Checklist & Report
PEMP	Project Environmental Management Plan
Phase 1 Survey	<p>A specific survey to assess the habitats and vegetation types within an area of land and classify them in accordance with national guidelines, published by the Joint Nature Conservation Committee (JNCC). Habitats are assigned according to a specified list of vegetation categories, and maps produced using standard colours and symbols.</p> <p>An extended Phase 1 Survey includes the above, but is extended to collect additional information on habitats beyond what is needed to assign them to JNCC categories; and assess the suitability of the various habitats, and other landscape features, to support certain types of wildlife (normally protected or other notable species). The species being considered within the extended remit should be defined.</p>
Potentially Damaging Operation (PDO)	These are activities that are restricted depending on the protection status of the site. SSSIs have lists of PDOs which are restricted on or near sites and which require special consent from Natural England. Details of the PDOs can be obtained from VR's Intranet (HSQE/Other Environmental Information/SSSI Information) or from Network Rail.
Precautionary Method of Working	Is a method statement produced by a competent ecologist to minimise the risk to protected species or habitats? If the methods of working outlined in the statement are implemented in full, the work activities should not result in a breach of the environmental legislation and no further mitigation is required to proceed. A PMW is not always appropriate, and Protected Species Mitigation Licence may be required.
Preliminary Ecological Appraisal	A rapid assessment of the habitats and ecological features, present or potentially present, within a site and within the wider zone of influence of a project or work site. A PEA normally comprises a desktop study and a site walkover survey such as an Extended Phase 1 Habitat Survey. The PEA will determine the need for further Phase 2 surveys. PEAs need to be conducted in accordance with the most current edition of Chartered Institute of Ecology and Environmental Management (CIEEM) Guidelines for Preliminary Ecological Appraisal.
Protected Species	Species of Mammal, Bird, Reptile or Plant that are protected by UK Law due to them being either rare or classed as a threatened species. European Protected Species have the highest level of protection and include bats, great crested newts, hazel or common dormice, otters, Natterjack toads, reptiles, protected plants, large blue butterfly, sturgeon. Other UK protected species include badgers, water voles, wild birds, ancient woodland and veteran trees, white-clawed crayfish, freshwater pearl mussels. Further details on the exact lists of protected species can be found on the Joint Nature Conservation Committee website at www.jncc.gov.uk

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Definition	Meaning
Ramsar Site	A wetland area, which has been designated as part of the Ramsar Convention.
Site of Special Scientific interest (SSSI)	Designated as a result of species of flora and fauna that can be found there or because of geological faces and / or surface or groundwork quality.
Special Area of Conservation (SAC)	An international designation.
Special Protection Area (SPA)	An international designation.
Tree Preservation Order (TPO)	This order places protection on certain trees in the UK that must not be cut down or damaged. Designated by the Local Authority.
Site of Biological Importance	This order places protection on certain areas which have populations of locally rare species in the UK. Designated by the Local Authority.
WCA	Wildlife and Countryside Act (WCA) 1981 Part II.

5. PROCESS

5.1 Introduction

There are many species of flora and fauna in the UK that are protected by law from any disturbance and/or damage. These include reptiles, mammals and birds and it is important that any species that may be encountered on a work site is identified prior to the commencement of work in order that controls can be implemented to minimise the adverse environmental impact on them.

The sites and species are protected and designated by Natural England (NE) the governing body in England, Country Council for Wales (CCW) and Scottish Natural Heritage (SNH) the governing body in Scotland, to afford protection to sensitive areas and species. They have the power to prosecute any offending company or individual that causes damage to a designated site and/or habitat. They are also available for advice and can be contacted prior to work commencing to obtain any information on affected protected sites, for example, sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR's).

Some individual species are protected by legislation that has been introduced to protect them specifically, for example, badgers.

It is also important to involve the Local Authority (LA) during the planning stages of the work as they retain records of any Tree Preservation Orders (TPO's) and Local Nature Reserves (LNR's).

There are also some international designations of protected sites that can be found in the UK, for example, Special Protection Areas (SPA's), Special Areas of Conservation (SAC's) and RAMSAR sites. The latter are otherwise known as wetland areas, which were designated as protected sites during a convention held in the city of Ramsar in the Middle East during the 1990's.

Some of the above areas are identified on the Network Rail Hazard Directory and others can be identified by contacting the regulatory body directly to obtain information prior to work commencing.

5.2 General Responsibilities

It is the responsibility of the **Project Manager**, in liaison with the HSQES department and in particular with the **Head of Environment & Sustainability / Environmental Manager/Advisor**, to identify any protected areas of land and/or species of flora and fauna in the vicinity of the proposed work either during site walkouts, as a result of external communications, information from the client, ecology surveys or by using the Hazard Directory and to ensure that appropriate methods are used to minimise the adverse impacts on them.

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Protected sites/species can be identified through use of the Network Rail Hazard Directory or by liaising with NE, the CCW, SNH and/or Network Rail. The **Project Manager** must also ensure that any necessary consent(s) to work are obtained from NE in advance of the work. Consent(s) may be required if the work is within or adjacent to a protected site or habitat of protected species.

Lists of potentially damaging operations (PDOs) for protected sites (e.g. SSSIs) should be consulted by the **Project Manager** prior to work in order to determine that the planned work is not restricted. Work must be altered if it involves a PDO or consent must be obtained from EN.

Prior to work commencing the **Project Manager** must also ensure that all site personnel are briefed on the location and types of protected species they may encounter during the work and on the control methods that must be implemented to minimise the impact on the protected species.

In addition, if any consents or alternative methods of work are in place as a result of the PDO list, this information must also be briefed to staff and subcontractors. All personnel must be fully aware of the actions to be taken in the event of the discovery of a protected species.

5.3 Pre-work Site Assessments/Environmental Management Plans

The **Project Manager** must ensure that a pre-work site assessment is carried out before any work can commence on-site. As a minimum this shall include a Preliminary Ecological Appraisal (PEA) to inform decision making and work planning. The PEA shall identify the need for further surveys, must be undertaken by a competent ecologist in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) 'Guidelines for Preliminary Ecological Appraisal'.

All survey requirements and any subsequent controls to have a Precautionary Method of Working, Ecological Clerk of Works present, Protected Species Licence or Assent (see Sections 5.8 & 5.9) in place must be incorporated within the P6 Programme for the works.

5.4 Project Documentation

The **Project Manager** must ensure that a PEA is included within the project documentation and an inventory of ecological risks (as a map or table) must be produced taking cognisance of the location, nature and scale of the work activities.

The Work Package Plan/Method Statement and Task Briefing Sheet must incorporate the ecological risks, controls and resources to manage them. Where an Ecological Clerk of Works is required to be present on site (or on call) the individual must be listed as a critical resource and their activities included in the task's methodology. If they are unable to attend site – it is strictly prohibited to commence works and an environmental close-call should be raised.

Advice on incorporating ecological risks and controls within project documentation can be sought from the **Head of Environment & Sustainability / Environmental Manager/Advisor**.

5.5 Contact with Natural England / Local Authority

If the '?' box is ticked on the Project Environmental Checklist and Report (PECR), the **Head of Environment & Sustainability / Environmental Manager/Advisor** can be contacted for advice. In addition, the **Project Manager** can contact the client, EN, CCW, SNH or the Local Authority for further information on the area in which work will take place. This is particularly relevant when working outside the limits of The Town and Country Planning (General Permitted Development) Order, when planning permission is required. It is increasingly common for planning consent, such as that required for temporary compounds outside the railway corridor, to include commitments to enhancing biodiversity.

Contact must be made as soon as possible in advance of the work to enable any avoidance, mitigation or enhancement measures required to be planned and implemented before work commences. The relevant contact numbers can be obtained from the **Head of Environment & Sustainability / Environmental Manager/Advisor and/or H&S Manager/Advisor**.

5.6 Surveys

In the event of protected species being potentially affected by the work, then it may be necessary to undertake more specific surveys of the site(s), usually after the PEA, to confirm the presence or likely absence of a protected species (bats, great crested newts, badgers, reptiles, etc.) or detailed botanical surveys of potentially important habitats. When this is necessary the **Project Manager** shall liaise with the **Head of Environment & Sustainability**

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/ **Environmental Manager/Advisor and/or H&S Manager/Advisor** to engage a qualified ecologist to undertake the survey.

The need for Phase 2 surveys will vary depending on the location, nature and scale of the proposed works, the habitats present, species likely or potentially present, and the likely impacts. These types of surveys need to be conducted at certain times of the year to optimise the chances of finding evidence and making informed decisions. Appendix A includes a seasonal survey and mitigation calendar, though the advice of an ecologist should be sought at the project planning stage.

5.7 Tree Felling

It is an offence to fell trees without a licence if an exemption does not apply. An exemption applies to trees felled by Statutory Undertakers, including Network Rail, on land in their occupation and where trees are obstructing the construction of works for which they are responsible, or where trees interfere with the maintenance or operations of any works for which they are responsible. The exemption may not apply to construction projects or land out with permitted development rights. The **Project Manager** is responsible for ensuring that vegetation management, including tree felling, is undertaken in accordance with a licence, exemption and other client standards that may apply such as NR/L2/OTK/5201 "Lineside vegetation management manual". Refer to the Forestry Commission 'Tree Felling Getting Permission' Guidance.

Tree Preservation Orders (TPO) is made by the local planning authority to protect specific trees and areas of woodland from deliberate damage and destruction. If a TPO is in place this should be identified by the **Environment Manager/Advisor** through the PEA or desk-based searches to inform the Environmental Management Plan. An Order prohibits the cutting down, topping, lopping, uprooting, willful damage and destruction of trees. The **Project Manager** is responsible for ensuring that an application is made to the local planning authority to carry out work on a tree protected by TPO, an applicable exemption is adhered to or root protection zones are established in accordance with BS 5387.

The **Project Manager** must ensure that any authorised felling of trees is recorded using the appended form ENV09F02 as detailed in Section 5.8 below.

5.8 Nesting Bird Checks

All nesting birds are protected against destruction of the nest during the bird breeding season, which falls between March and August, inclusive. VolkerRail's activities can have a significant interaction with wild birds including, but not exclusive to:

- Disturbance, trimming or removal of all types of vegetation
- Disturbance, maintenance/repair, or demolition of buildings or civil engineering structures
- Disturbance or movement of earthworks (open ground used by ground nesting birds)

If any of the activities listed above are required during the Bird Nesting season, then a Breeding Bird and Nest Survey must be undertaken before works commence and recorded using the appended form ENV09F03. Nesting Bird Checks may only be undertaken by an **Ecologist** (mandatory if the ecological desk-study highlights there is a risk of encountering Schedule 1 birds in the area), **Environmental Advisor/Manager or competent person** who has completed the VR Nesting Bird Check Course.

If the survey confirms the absence of a nest or breeding bird activity, the **Environmental Advisor/Manager or competent person** (as above) will then issue a Nesting Bird Permit on form ENV09F01 to the Project Manager detailing if any clearance is allowed, if so when, where and any restrictions that may be necessary. This permit will be valid for use within 48 hours of issue. If clearance is required after this then another survey must be undertaken, and permit issued. A record of devegetation must be recorded using the appended form ENV09F02.

Where a nest is found, a 4m exclusion zone extending to adjacent habitats, must physically be put in place and clearly labelled. An **Ecologist** must be contacted to provide advice and guidance on the necessary controls to prevent disturbance or damage or, where that cannot be secured, to define the requirements to postpone works, monitor and re-survey.

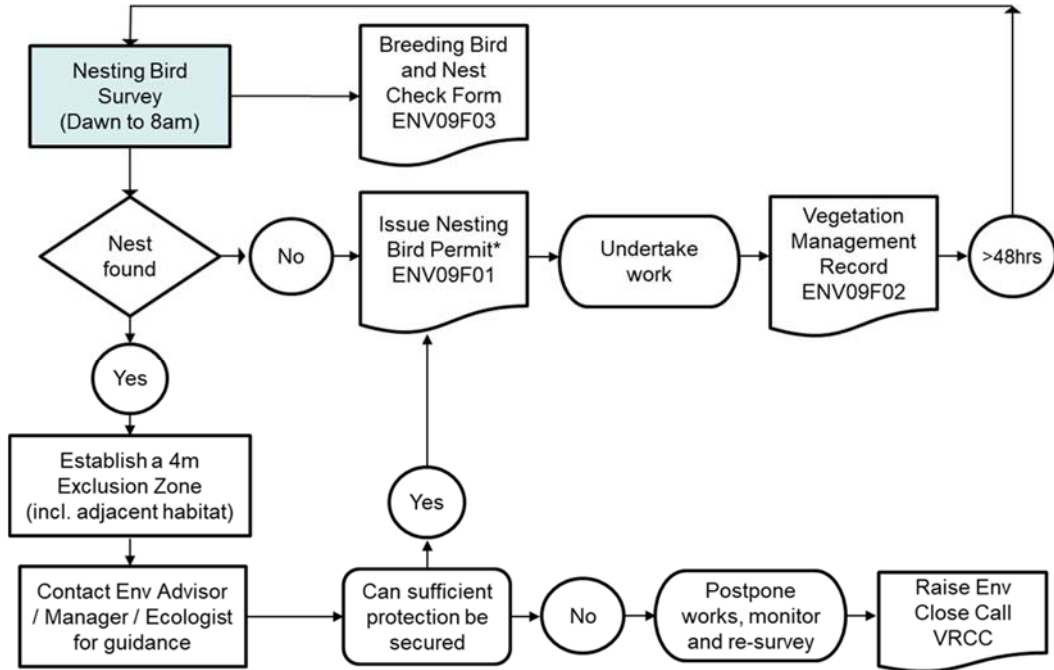
The flowchart below outlines the process to be followed to protect wild birds and ensure legal compliance.

The **Project Manager** is responsible for ensuring that breeding bird and nest checks are undertaken, that all works during March to August, inclusive, are undertaken in accordance with a Nesting Bird Permit and a record of

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vegetation clearance made. All completed forms ENV09F01, ENV09F02 and ENV09F03 must be retained on project files for two years.

These requirements equally apply to any sub-contracted vegetation clearance or other sub-contractor activity where there is a risk of encountering breeding birds and nests.



* Permit Reference: VR Project Number_Client Project Number_11.9.4_date of survey_surveyor's initials

5.9 Obtaining a Mitigation Licence for Protected Species

The client or the **Project Manager** must determine if the project or works will affect a protected species or its habitat, and if a licence is required in order to comply with legislation and minimise the risk of delays to work at a later stage. This includes work adjacent to watercourses which may contain protected species. The **Environmental Manager/Advisor**, and ecologist where engaged, can provide support to manage the process. The relevant regulatory body must be contacted as far in advance of the work as possible in order that consent can be obtained prior to work commencing. Allow up to 30 working days for a licensing decision to be made.

The mitigation hierarchy should always be applied to avoid, mitigate, compensate and enhance; particularly in the design stage where the greatest opportunity exists to embed the principals into the project. Everything possible to avoid disturbing protected species must first be considered.

Where the presence of a European protected species has been confirmed from surveys a European protected species disturbance/mitigation licence must be obtained from the relevant statutory nature conservation organization i.e. NE, before any work can be undertaken that might have an impact upon the species that would otherwise be illegal, such as:

- Capturing, killing, disturbing or injuring them (on purpose, or by not taking enough care)
- Damaging or destroying their breeding or resting places (even accidentally)
- Obstructing access to their resting or sheltering places (on purpose, or by not taking enough care)

A competent ecologist should apply for the consents/licence on behalf of VR. An application for a disturbance/mitigation licence must be applied contain a reasoned statement to show that there are no satisfactory alternatives, a method statement to show what will be done to reduce the impacts, and a prescribed forms of evidence to show that the ecological consultant has the necessary experience to apply for the licence.

Where protected species licence is granted it will likely have conditions attached that must be fulfilled throughout the execution of the works, and sometimes beyond. The **Project Manager** must ensure that a register of all licenses, with a detailed plan listing the conditions that are to be managed during the works, is managed during the

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works. Where conditions persist after completion of the works, the **Project Manager** must make arrangements to transfer the licence holder's name and duties to the client's representative.

5.10 Obtaining Consent for Working in or adjacent to Protected Sites

When work is required within, adjacent to, or up to 2km from the boundary of a European designated site (Sites of Special Scientific Interest (SSSIs), Special Protection Areas (SPAs), Special Areas of Conservation (SACs), or Ramsar wetlands), the **Project Manager** must ensure that the impact of the proposed activity has been assessed. Consulting the 'impact risk zone' of a protected site on Magic map will help to assess the potential impact that the project or works may have on it.

A Habitat Regulation Assessment (HRA) is a specialist assessment. Every European designated site has qualifying features (biological or geological) which have legal protection. Each designated site has a Site Management Statement that sets out guidance on how the qualifying features should be protected, conserved or enhanced. When working within the vicinity of a designated site it is important to assess whether the proposed activity is considered approved works within the SMS.

There are certain activities that **must not** be done in a designated site without first consulting and obtaining consent from Natural England (NE). Each SSSI site has a list of 'operations requiring Natural England's consent'. If the proposed work involves one or more activities on this list, consent to work may be required from NE and written consent for the work to take place must be obtained in advance. The **Project Manager** must ensure that the application process, referred to as a 28H assent, is managed to minimise the risk of delays to work at a later date and that sufficient resources are available to manage all stages of the process. An assent decision will be provided within 28 working days but can take up to 4 calendar months is necessary.

Where assent is granted, it will have conditions attached that must be fulfilled throughout the execution of the works, and sometimes beyond. The **Project Manager** must ensure that a register of licenses is managed as in section 5.9 above.

Specific requirements apply for projects or works that may affect ancient woodland, ancient trees or veteran trees. The **Project Manager**, with support from the **Environment Manager/Advisor**, should review the NE and Forestry Commission 'standing advice' to conserve, enhance biodiversity and reduce the level of impact proposed from the project or works. Any loss or deterioration will only be permitted in wholly exceptional situations. Ecological or Arboricultural specialist support may be required including undertaking a tree survey to BS 5837 'Trees in relation to demolition, design and development' and establish exclusion zones.

5.11 Invasive Non-Native Species (INNS)

The most commonly found invasive, non-native plants include Japanese knotweed, Giant hogweed, Himalayan balsam and Rhododendron. It is an offence to allow Invasive Non-Native Species to spread in the wild or onto anyone else's property, including moving contaminated soil or plant cuttings. Confirmation of the presence of INNS will be provided through the PEA and will be recorded on the Network Rail Hazard Directory. The **Project Manager** is responsible for ensuring that, where a project or works is affected by INNS, that an INNS Management Plan is produced, approved by the **Head of Environment & Sustainability**, implemented through the worksite project documentation and briefed to staff.

The INNS Management Plan can be a standalone document or an incorporate appendix to the Project Environmental and Social Management Plan and should be produced by a specialist INNS approved supplier or produced internally in consultation with a specialist. The scope should be agreed with the client's representative to agree if INNS management is to stop the spread or remove the source. Treatment may include spraying with chemicals, burying plants, burning plants or disposing of plants off site as controlled waste to a suitably licensed facility. Maximum tonnage, minimum competences, construction design and regulatory approval is required depending on the treatment option selected. Composting of most INNS is not permitted. The plan must also detail the biosecurity measures to be adopted to prevent the spread on tools, vehicles, footwear and clothing.

The **Environment Manager/Advisor** will support the development and implementation of the INNS Management Plan to ensure it is compliant with the UK Government's Guidance to 'Stop invasive non-native plants from spreading', their Regulatory Position Statement 178 on the 'Treatment and disposal of invasive non-native plants' and Network Rail's Lineside Vegetation Management Manual NR/L2/OTK/5201.

Network Rail also considers other railway 'problem plants' not specifically listed in The Weeds Act 1959 and Wildlife and Countryside Act 1981 (amended) including horsetail and buddleia. Where required by the client's representative, the INNS Management Plan should cover these 'problem plants'.

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5.12 Contact with the Client(s)

The **Project Manager** must inform the client if NE or the Local Authority has identified areas under protection. The client must be made aware of any special requirements that have been enforced by the regulatory body.

5.13 Use of Fences and Signs

Any protected sites/habitats/areas must be clearly indicated for all site personnel including sub-contractors. This can be done by erecting temporary fences which can be constructed from a material of the **Project Manager's** choice e.g. blue netlon fencing can be used.

A sign/notice if not already provided, informing site staff of the protected site/habitats/areas should, where possible, also be displayed in front of/next to the fence to prevent staff accessing the area. If a more permanent fence is required, then the **Project Manager** should consult with the client and arrange for an ecology consultant/subcontractor to advise on the correct method of fencing structure e.g. Amphibian Fencing for areas with Newts present.

5.14 Site Briefing

The **Project Manager** must ensure that all staff entering the worksite, who may potentially affect the protected area/habitat, including sub-contractors, receive a briefing which includes details on the presence of such areas/habitats/species, precautionary method of working or license requirements. Where ecological constraints are significant, the briefing should be conducted by the Environment Manager/Advisor or appointed Ecological Clerk of Works.

Actions to be taken in the event of an accident/incident associated with the protected site/species must also be fully communicated in a site briefing and a briefing sheet must be signed by all those who have received the brief. This sheet must be retained by the **Project Manager**.

5.15 Reporting Incidents and Informing Regulators

If a protected species is discovered unexpectedly **STOP** work immediately. **VRCC** must be immediately notified and advice sought from the **Head of Environment & Sustainability / Environmental Manager/Advisor or H&S On-Call** on the most practicable course of action. Site supervision must ensure that staff on site do not enter or disturb the identified area until action has been taken to protect the area.

VRCC must notify the client and the relevant regulatory body e.g. EN or the Local Authority and their advice must be followed, where applicable. **VRCC** must keep the **Head of Environment & Sustainability** informed of the clients/regulatory body response. Details of this process are held within VR procedure ENV08 – Management of Environmental Incidents.

Natural England (NE) must be notified as follows:

- If a SSSI or other nationally protected site is damaged
- If a protected species of animal or plant is damaged
- If previously unidentified sites or species are discovered whilst work is underway.

NE operates in a number of regions and so when they are notified, the location of the work must be provided in order that the operator can either transfer the caller to the correct area of NE or provide the contact details for the relevant area. They can also be contacted via their website:

www.naturalengland.org.uk

The **Local Authority (LA)** must be notified by **VRCC** as follows:

- If a local site becomes damaged e.g. local nature reserve
- If a tree with TPO status becomes damaged
- If locally protected species become damaged.

The LA telephone number should be provided in the Work Package Plan/Method Statement for the work. Every LA will have an environmental section.

Further details of when interested parties must be notified are held by **VRCC**, when an incident relating to protected sites and species are logged with **VRCC** they will refer to their guidance on notification of interested parties.

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5.16 Biodiversity Accounting

Where specified by the client, the principle of biodiversity accounting should be adopted to measure the impact that infrastructure projects and maintenance works have on biodiversity. The Defra Biodiversity Metric 2.0 should be used to calculate the habitat losses, degradation and gains as a result of the project or works.

Use of the calculator is mandatory for all Network Rail works valued at more than £20,000 or where the total worksite footprint is greater than 1500m². The calculator requires information on the area of each habitat and its condition and distinctiveness. This information can be collected during the Preliminary Ecological Appraisal if specified at the time. The pre-project baseline biodiversity units, post-project biodiversity units and calculated balance of units should be documented in a report and included in the site Environmental and Social Management Plan.

Where a client has specified that a project should deliver a 'no net loss' or 'net gain' biodiversity outcome, a competent ecologist should be required to develop a Biodiversity Offsetting Scheme to specify compensation measures at the same location (i.e. reinstatement) or off-setting arrangements elsewhere within the project boundary or through third parties. The use of a landscape specialist may be required depending on the scope of the scheme and statutory authorities may also need to be consulted. The cost to deliver the off-setting scheme, aftercare maintenance or re-planting of failed vegetation must be agreed in advance with the client. Third party legal agreements may also be required.

5.17 Monitoring

The **Head of Environment & Sustainability** will ensure the performance against the criteria detailed in this procedure is monitored on a regular basis.

5.18 Retention of Records

Record	Retained By	Retention Period
Communication with regulatory bodies and interested parties	Project Manager, Project Files, Site Files	Duration of the contract
Ecological survey reports and Biodiversity Calculations	Project Manager, Project Files, Site Files. Files should be issued to the client for their records.	Duration of the contract
Any consent/licence to work that have been obtained as well as any location maps	Project Manager, Project Files, Site Files	Duration of the contract
Any Breeding Bird and Nest Check form, Nesting Bird Permit and Vegetation Management Record	Project Manage, Project Files, Site Files	Two years
Waste Transfer Notes for the movement of INNS plant waste or contaminated soils off site for disposal (only)	Project Manage, Project Files, Site Files	Two years

6. INFORMATION AND GUIDANCE

- Appendix A – Ecological Survey and Mitigation Calendar

7. DOCUMENTATION (OUTPUTS)

- ENF09F01 – Nesting Bird permit
- ENG09F02 – Vegetation Management record
- ENG09F03 – Breeding Bird and Nest Check
- Non-Native Invasive Species Management Plan

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8. ISSUE RECORD

Issue	Date	Comments
1	01/06/2014	Formerly issued as SQE/83 which has been withdrawn upon this issue. Initial issue as ENV09. Changes have been made to reflect current company structure and processes. Change of English Nature to Natural England. (Throughout the document) Inclusion of Sites of Biological Importance (SBI) to section 4 Definitions Addition of the requirement to issue a Nesting Bird Permit before vegetation clearance in the bird nesting season (Form ENV09F01).
2	14/06/2018	Addition of the requirement of a vegetation management record (Form ENV09F02).
3	10/03/2020	Expanded abbreviations and definitions of terms. Clarification on the minimum ecological survey requirements, including new Appendix A to show survey and mitigation calendar. Clarification on how ecological risks should be managed through project documentation. Addition of guidance on tree felling, Invasive Non-Native Species of plant. Addition of breeding bird and nest check sheet (Form ENV09F03). Addition of a specific section to provide added clarity on who, what, when and how nesting birds will be protected during the breeding season. Clarification on approach to apply for consent or habitat regulation assessment, and requirements for managing compliance. Addition of new requirements for biodiversity accounting.

9. WHAT HAS CHANGED IN THIS LATEST ISSUE AND WHY

Issue of new breeding bird and nest check sheet (form ENF09F03) with flowchart to explain the process.

The revised Network Rail Environment & Social Minimum Requirements for Projects (NR/L2/ENV/015) issued in March 2019 (compliance from 31st December 2019) requires Principal Contractors to undertake a minimum level of ecological survey prior to commencing works on site and to measure the impact that infrastructure projects and maintenance works has on biodiversity. This version of procedure provides guidance on how to comply.

Guidance is now provided on the management of Non-Native Invasive Species.

10. BRIEFING REQUIREMENTS

All new employees will receive an introduction to the Integrated Management System (IMS) at induction, according to the nature of the role.

All employees with an email address receive the 'Record of Revisions' each month, which details changes to the IMS. All Line Managers retain the responsibility to ensure their staff are briefed on changes as appropriate.

The following table defines how revised issues of this document are briefed to existing employees according to related specific responsibilities.

This is determined using the 'RACI' principle. Those roles identified as 'Responsible' and 'Accountable' should receive a formal awareness briefing facilitated by the Document Owner.

Discipline	Role	RACI	Type of briefing
HSQE	Environment & Sustainability Manager	Accountable	Detailed

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Discipline	Role	RACI	Type of briefing
HSQE	Environmental Manager / Advisor	Responsible	Detailed
HSQE	H&S Manager / Advisor	Responsible	Detailed
HSQE	VRCC Duty Manager	Responsible	Detailed
Project Management	Project Manager	Accountable	Detailed
Project Management	Construction Manager	Responsible	Detailed
Project Management	Site Supervisor	Responsible	Detailed
Engineering	CEM / CRE	Responsible	Detailed
All	All staff	Informed	Awareness

11. IMS AUTHORISATION

Document owner approval:

Katherine Haigh, Head of Environment and Sustainability, 31/03/2020

Approval for IMS:

Paula Roberts, IMS Coordinator, 31/03/2020

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APPENDIX A: ECOLOGICAL SURVEY AND MITIGATION CALENDAR

ENV09

		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Bats	Survey:	Inspection of hibernation roosts			Ltd Activity Survey	Emergence surveys for summer roosts and activity surveys					Ltd Activity Survey	Inspection of hibernation roosts	
	Mitigation:	Hibernation period. No closure of hibernation roosts		Optimum period for roost closure		Roost closure possible. No closure of maternity roosts					Opt. period for roost closure	Hibernation period. No closure of hibernation roosts	
Badgers	Survey:	Sett survey and bait marking				Limited sett survey and bait marking						Sett survey and bait marking	
	Mitigation:	Breeding season – no sett closure or disturbance						Sett closure under licence					Breeding Season
Nesting Birds	Survey:	Wintering birds survey		Breeding birds survey - optimal				Limited breeding birds survey	Migrant birds survey		Wintering birds survey		
	Mitigation:	Vegetation clearance		Vegetation clearance will a Breeding Bird and Nest Check (ENV09/F03) and any nests found will need to be left undisturbed (see Section 5.7)					Vegetation clearance				
Otters	Survey:	Activity surveys											
	Mitigation:	Site specific mitigation											
Great Crested Newts	Survey:	Habitat assessment only		Surveys of ponds (two of the surveys must be undertaken between mid-April and mid-May)				Habitat assessment only					
	Mitigation:	Hibernation		Undertake mitigation and work under precautionary method of working						Hibernation			
Water voles	Survey:	Habitat assessment only		Ltd activity survey	Activity surveys			Limited activity survey	Activity surveys		Habitat assessment only		
	Mitigation:	Site specific mitigation											
Reptiles	Survey:	Habitat assessment only		Activity survey						Ltd activity survey	Habitat assessment only		
	Mitigation:	Hibernation		Undertake mitigation and work under precautionary method of working						Hibernation			
Dormouse	Survey:	Habitat assessment only			Activity surveys						Habitat assessment only		
	Mitigation:	Hibernation			Mitigation		Breeding season – no mitigation			Mitigation	Hibernation		
White clawed crayfish	Survey:	Habitat assessment only			Torch survey only			Activity surveys				Habitat assessment only	
	Mitigation:	Overwintering			Breeding season			Mitigation				Overwintering	

Issue no:	1	Date:	10/03/2020	Parent document:	IMS Section Number 9.34							
Approved for IMS:	IMS Coordinator			Document owner:	Head of Environment & Sustainability				Workspace file:	N/A	Page 1 of 1	