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# Wroxton Motocross Track

## Ecological Appraisal

Commissioned for:  
Sandra Kerwood  
Manor Farm  
Balscote  
Banbury  
Oxfordshire  
OX15 6JJ

January 2021

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# Contents

<b>1</b>	<b>Introduction</b>	<b>1</b>
1.1	Site Location	1
<b>2</b>	<b>Methodology</b>	<b>2</b>
2.1	Desk Study	2
2.2	Field Survey	2
2.2.1	Habitats	2
2.2.2	Protected species	2
2.3	Limitations	3
2.3.1	Desk Study	3
2.3.2	Field Survey	3
<b>3</b>	<b>Results</b>	<b>4</b>
3.1	Desk based study	4
3.1.1	Statutory sites	4
3.1.2	Non Statutory sites	4
3.1.3	Presence of protected species and other species of note	5
3.2	Field Survey	6
3.2.1	Habitats	6
3.2.2	Presence of protected species and other species of note	8
<b>4</b>	<b>Impact Assessment</b>	<b>9</b>
4.1	Statutory and non-statutory sites	9
4.2	Habitats	9
4.2.1	Watercourse	9
4.2.2	Grassland	10
4.2.3	Hedgerow	10
4.2.4	Trees	10
4.3	Species	10
4.3.1	Bats	10
4.3.2	Badgers	10
4.3.3	Birds	10
4.3.4	Great crested newts	10
<b>5</b>	<b>Recommendations</b>	<b>11</b>
5.1	Hedgerow planting	11
<b>6</b>	<b>References</b>	<b>12</b>
	<b>Appendix I: Target Notes</b>	<b>13</b>
	<b>Appendix II Photographs</b>	<b>15</b>
	<b>Appendix III: Landscaping Plan</b>	<b>20</b>
	<b>Appendix IV: Legislation</b>	<b>21</b>

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### Quality Assurance

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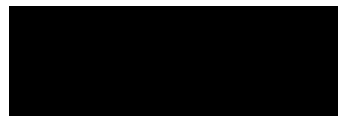
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**Approved:**



**Chris Seabridge**  
**Managing Director**

# 1 Introduction

It is proposed to submit a planning application for continued use of Wroxton Motocross track at Manor Farm, Balscote, Banbury. The site is occupied by both the applicant; Sandra Kerwood and Banbury Motor Cross Club.

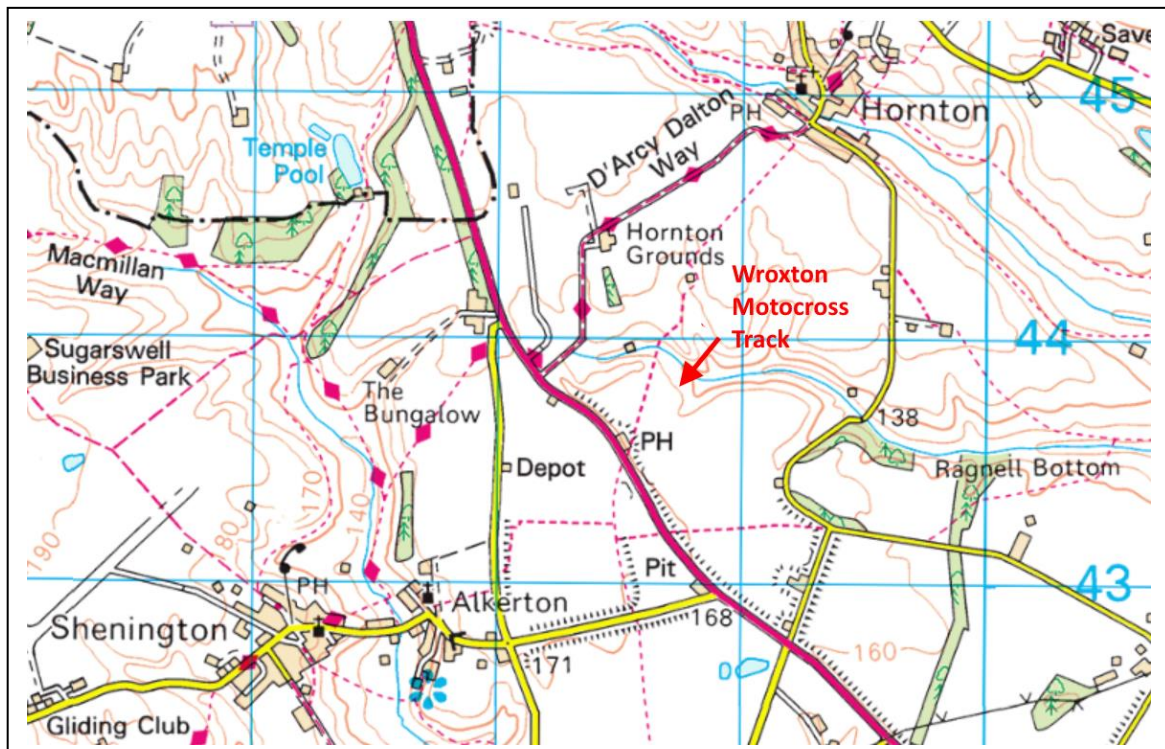
Nigel Baskerville of Chris Seabridge & Associates Ltd. was instructed to undertake an ecological appraisal of the motor cross track to determine its impact on habitats and species and make recommendations for mitigation and enhancement of the site.

The methodology involved conducting a habitat survey of the site and its surroundings to identify habitats and the presence or potential presence of protected species and species of conservation concern.

## 1.1 Site Location

The site of the proposed development site at Wroxton Motocross Track is located between the villages of Shenington and Hornton at Grid Reference SP3872 4377, approximately 3.5 miles west of Banbury. The location of the site is shown in Figure 1 below.

**Figure 1:** Map showing location of Wroxton Motocross Track



## 2 Methodology

### 2.1 Desk Study

Thames Valley Environmental Records Centre (TVERC) provided species/sites records within 2km of the site boundary on 7th January 2021.

The following websites were also accessed to search for habitat and species records within the vicinity of the development site:

- Multi-Agency Geographic Information for the Countryside. [www.magic.gov.uk](http://www.magic.gov.uk)
- National Biodiversity Network Gateway. [www.data.nbn.org.uk](http://www.data.nbn.org.uk)

### 2.2 Field Survey

#### 2.2.1 Habitats

An 'extended' Phase 1 Habitat Survey was carried out on by Nigel Baskerville C.Env MCIEEM on 13<sup>th</sup> January 2021 following the procedure described in the Handbook for Phase 1 Habitat Survey (JNCC, 2010). The survey followed the same general approach as conventional Phase 1 methodology, but with greater emphasis being placed on recording evidence of protected species and species of conservation concern (including Local Biodiversity Action Plan species), as well as identification of features and habitats capable of supporting such species.

Targets Notes comprising of more detailed information on selected features of ecological interest and the potential value to protected species are contained in Appendix I - Targets Notes Table. Associated photographic records are included in the assessment which cross references with the target notes and are shown in Appendix II – Photographic Record.

#### 2.2.2 Protected species

Habitats or features with the potential to support protected or priority species were recorded as a target note (see Appendix II - Targets Notes Table). In addition any of the characteristic field signs of protected species were recorded as shown in Table 1 below.

**Table 1: Key habitats and field signs of protected and priority species**

Species	Indicative habitat	Characteristic field signs
Great crested newts <i>Triturus cristatus</i>	Breeding habitat – ponds. Foraging habitat - rough grassland, scrub and woodland. Resting and hibernation habitat - log and rubble piles, animal burrows.	Eggs on aquatic vegetation (spring).

Species	Indicative habitat	Characteristic field signs
	The Habitat Suitability Score (HSI) was calculated for all ponds within the site boundary (Oldham et al. 2000). A HSI is a numerical index based on ten suitability indices giving a score of between 0 and 1. 0 indicates unsuitable habitat, 1 represents optimal habitat for great crested newts.	
Bats	Roosts – buildings, trees, underground features (caves etc.). Foraging – woodland, ponds, hedgerows, wetland. Commuting routes – linear habitats (hedgerows, watercourses, tree lines).	Droppings, prey residues (such as fly or moth wings) and urine stains at roost sites.
Water vole <i>Arvicola terrestris</i>	Watercourses and water bodies.	Burrows, latrines, footprints, feeding signs in the form of 'grazing lawns'.
Reptiles	Rough grassland, log and rubble piles.	Sloughed skins.
Birds	A variety of habitats.	Nests, tree holes.
Invertebrates	All habitats. Richest sites tend to be semi-natural habitats (i.e. woodland, grassland).	Few specific signs. Solitary bee and wasp burrows.

## 2.3 Limitations

### 2.3.1 Desk Study

The biological records from the desk study are not a comprehensive list of species data and therefore it is possible that protected species not identified in the search may be present within the vicinity of the development site.

### 2.3.2 Field Survey

There were no constraints on access to the site and the full area was surveyed. The survey of flowering plants was conducted outside the optimal survey window, which meant that some flowering plants may not have been apparent at the time of survey.

## 3 Results

### 3.1 Desk based study

#### 3.1.1 Statutory sites

There are no statutory sites within 2km of the development site

#### 3.1.2 Non Statutory sites

There is one Oxfordshire Local Wildlife Sites (LWS) and one proposed LWS within 2km of the site as shown below in Table 2.

**Table 2:** Local Wildlife Sites within 2km of Wroxton Motor Cross Track

Site ID	Name	Reason for selection	Distance from site (m)
34U01	Balscote Quarry LWS	Semi-improved neutral grassland. Birds: Skylark, linnet, grey partridge	880m
34S05	Field north of Shenington (proposed LWS)	Neutral/ slightly acid grassland	1440m

There are also three proposed Cherwell District Wildlife Sites within 2km of the site as shown in Table 3 below:

**Table 3:** Proposed District Wildlife Sites within 2km of Wroxton Motor Cross Track

Site ID	Name	Reason for selection	Distance from site (m)
34W01	Hornton Acid Pasture	Lowland dry acid grassland	300m
34R01	Bank South of Alkerton	Possible lowland calcareous grassland	1560m
34R08	Marsh South of Alkerton	Reedbed	1980m

The northern section of the site lies within the Oxfordshire Northern Valleys Conservation Target area. This is an area identified as an important area for wildlife conservation within a recognised Landscape Description unit where targeted conservation actions will have greatest benefit.

### 3.1.3 Presence of protected species and other species of note

The data search from the desk study showed that several protected species and other species of principal concern have been recorded within 2km of the site. These are shown in Table 4 below.

**Table 4: Protected species and other species of Principal Concern within 2km of the site**

Species	Latin name	Status	Most recent record	No of historic records	Recorded during survey
<b>Bats</b>					
Brown long-eared bat	<i>Plecotus auritus</i>	EPS, UK, PC	2019	6	
Natterers bat	<i>Myotis nattereri</i>	EPS, UK, PC	2019	1	
Noctule bat	<i>Nyctalus noctula</i>	EPS, UK, PC	2019	3	
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	EPS, UK, PC	2019	6	
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	EPS, UK, PC	2019	1	
Serotine	<i>Eptesicus serotinus</i>	EPS, UK, PC	2019	1	
Western Barbestelle	<i>Barbastella barbestellus</i>	EPS, UK, PC	2019	2	
<b>Other mammals</b>					
Brown hare	<i>Lepus europaeus</i>	PC	2018	2	
<b>Amphibians</b>					
Common toad	<i>Bufo bufo</i>	PC	2019	1	
<b>Birds</b>					
Barn owl	<i>Tyto alba</i>	UK	2015	46	
Grey partridge	<i>Perdix perdix</i>	PC (red)	2014	88	
Corn bunting	<i>Emberiza calandra</i>	PC (red)	2014	47	
Yellowhammer	<i>Emberiza citrinella</i>	PC (red)	2015	51	
Reed bunting	<i>Emberiza schoeniclus</i>	PC (amber)	2015	149	
Starling	<i>Sturnus vulgaris</i>	PC (red)	2014	17	
Skylark	<i>Alauda arvensis</i>	PC (red)	2014	35	
Dunnock	<i>Prunella</i>	PC	2010	5	



Species	Latin name	Status	Most recent record	No of historic records	Recorded during survey
	<i>vulgaris</i>	(amber)			
Bullfinch	<i>Pyrrhula pyrrhula</i>	PC (amber)	2014	10	
Linnet	<i>Linaria cannabina</i>	PC (red)	2016	44	Yes
Song thrush	<i>Turdus philomelos</i>	PC (red)	2010	2	
House Sparrow	<i>Passer domesticus</i>	PC (red)	2019	8	
Tree sparrow	<i>Passer montanus</i>	PC (red)	2015	162	
Turtle dove	<i>Streptopelia turtur</i>	PC (red)	2005	3	
Red kite	<i>Milvus milvus</i>	PC UK	2016	64	

EPS: European Protected species    UK: UK Protection.    PC: Species of Principal Concern

Amber: Bird species with an unfavourable conservation status in Europe; those whose population or range has declined moderately in recent years; those whose population has declined historically but made a substantial recent recovery; rare breeders; and those with internationally important or localised populations.

Red: Bird species Globally Threatened according to IUCN criteria; those whose population or range has declined rapidly in recent years; and those that have declined historically and not shown a substantial recent recovery.

## 3.2 Field Survey

### 3.2.1 Habitats

#### ***Semi-natural broad-leaved woodland***

A mixture of mature and plantation broad-leaved woodland forms the northern border of the site. The canopy is dominated by ash (*Fraxinus excelsior*) with occasional oak (*Quercus robur*). Elder (*Sambucus nigra*) dominates the shrub layer with occasional hazel (*Corylus avellana*) and hawthorn (*Crataegus mongyna*). Ground conditions are very wet due to the presence of several springs.

#### ***Trees***

There are three mature ash trees along the north western boundary of the site.

#### ***Hedgerows***

A species-poor hedgerow lies along the southern side of the access track to the site and is dominated by hawthorn with occasional elder. It is trimmed to a height of 2.5m and is generally intact with just several small gaps along its length. It is stock fenced with ivy (*Hedera helix*) and bramble (*Rubus fruticosus*) occurring occasionally at its base.

### **Scrub**

There are scattered young naturally regenerated gorse bushes at the northern end of the site.

### **Improved grassland**

Much of the grassland on the flatter parts at the southern and eastern parts of the site comprise improved grassland dominated by perennial rye-grass (*Lolium perenne*) with occasional white clover (*Trifolium repens*) and common bent (*Agrostis capillaris*) (TN2 & 7)

### **Species poor semi-improved grassland**

This area of this grassland is present on the steeper undisturbed sections of the site (TN3). The sward dominated by common bent, perennial rye-grass, false oat-grass (*Arrhenatherum elatius*) with occasional common cat's-ear (*Hypochaeris radicata*), creeping buttercup (*Ranunculus repens*) and more rarely ribwort plantain (*Plantago lanceolata*) and common sorrel (*Rumex acetosa*) . Gorse (*Ulex europaeus*) is naturally regenerating in places (Appendix II, Plate 3).

### **Ponds**

There are two ponds on the site at the north western section of the site. The larger of the ponds is rectangular shaped with a water area of approximately 360m<sup>2</sup> (TN5). It receives drainage water through an inlet pipe from the pond above (TN6) and the adjacent watercourse which flows into the western end. Emergent vegetation along the margins include flote grass (*Glyceria fluitans*), brooklime (*Veronica beccabunga*) and fool's watercress (*Apium nodiflorum*). Mature gorse scrub lies on steep bank to the south of the pond.

The second pond (TN6) which functions as a silt trap lies approximately 10m to the south west of the first pond. It has a water area of approximately 270m<sup>2</sup> and receives water from an inlet pipe which drains the site above. Aquatic vegetation includes brooklime and fool's water cress around the pond margins.

### **Watercourse**

A stream runs along the northern boundary of the site with its source approximately 350m to the west. It flows eastwards and eventually feeds into Sor Brook to the south of Horley, 3.5km from the site. The channel is approximately 1.5m wide and approximately 20cm deep with a sandy substrate and steep banks approximately 0.5m tall. The 330m length of stream that forms the northern border is shaded by the adjacent woodland with hawthorn, ash, elder, holly (*Ilex aquifolium*) and hazel on the bankside. A wooden sluice has recently been constructed at the eastern end of the channel (TN4) which serves to slow water flow and trap silt (Appendix II, Plate 4).

### **Arable**

Arable crops lie to the south and east of the site and comprise cereal stubbles and patches of wild bird seed cover which are managed under an agri-environment scheme.

### 3.2.2 Presence of protected species and other species of note

#### **Great crested newts**

A Habitat Suitability Index (HSI) score was calculated for the two ponds within the site. The HSI is a quantitative measure of habitat quality (Oldham R.S. et al 2000). The HSI is number between 0 (highly unsuitable) and 1 (highly suitable), derived from an assessment of ten habitat variables known to influence the presence of newts. The HSI is calculated on a single pond basis, but takes into account surrounding terrestrial habitat and local pond density. Although no substitute for a dedicated survey, it gives an indication of whether such a survey is needed.

**Table 5:** Great Crested Newt Habitat Suitability Index for ponds within site boundary

Criteria	TN5	TN6
SI1 - Location	1	1
SI2 - Pond area	0.7	0.5
SI3 - Pond drying	0.9	0.9
SI4 - Water quality	0.67	0.67
SI5 - Shade	1	1
SI6 - Fowl	1	1
SI7 - Fish	0.67	0.67
SI8 - Ponds	0.65	0.65
SI9 – Terrestrial habitat	0.67	0.67
SI10 - Macrophytes	0.50	0.50
<b>HSI</b>	<b>0.79</b>	<b>0.76</b>
<b>Category</b>	<b>Good</b>	<b>Good</b>

The HSI scores indicated that the two ponds were of good suitability for great crested newts (TN5 & TN6).

#### **Bats**

There are historic records of seven species of bat within 2km of the site. Suitable roosting and foraging habitat is present within the vicinity of the site most notably the mature trees within the woodland to the north of the site which have potential roost features in the form of holes and fissures.

## ***Birds***

A variety of farmland and hedgerow birds were recorded during the visit with notable species recorded including woodcock and linnet. Linnet is a red listed species of UK Conservation concern and a flock of 50 birds were seen feeding on the winter bird seed plot adjacent to the eastern site boundary.

## **4 Impact Assessment**

### **4.1 Statutory and non-statutory sites**

It is unlikely for the development to have a significant adverse effect on the non-statutory sites within 2km of the site, which is not linked physically or hydrologically to have an indirect effect.

### **4.2 Habitats**

#### *4.2.1 Watercourse*

Due to the exposed areas of soil on the site, there is potential for run-off and sedimentation of the watercourse that runs along the northern boundary of the site. Work has been carried out to stabilise the slope in the north eastern section of the site using rocks piled at the foot of the slope.

The field survey was carried out following heavy rain, which made surface water run-off very apparent particularly at the north western side of the site where soil erosion and run-off from the slope above the starting line of the circuit was evident (Appendix II – Plates 8 & 9). The run-off followed the hard-core track downhill before entering the watercourse approximately 30m to the east.

Fine particles in suspension that are washed into the watercourse can carry nitrogen, phosphorous and chemicals causing environmental damage. Sediment deposited further downstream can potentially damage spawning grounds of fish.

Measures can be taken to reduce the risk of run-off and soil erosion and subsequent transfer of pollutants into the watercourse and these are described in Section 7 of the Flood Risk Assessment (Lidar Logic 2021).

#### 4.2.2 *Grassland*

The grassland is likely to be subject to damage immediately bordering the motor cross track. Since the improved and species-poor semi-improved grassland is considered to be of low conservation value, any detrimental effect is considered to be minimal. Some localised disturbance may be beneficial to ephemeral and annual plant species that are adapted to such conditions.

#### 4.2.3 *Hedgerow*

The hedgerow that borders the access track will be retained. Maintaining the hedge at a height of at least 2m will continue to provide landscape and biodiversity benefits. Maintaining the sheep netting fence will also help to protect the base of the hedgerow from livestock browsing.

#### 4.2.4 *Trees*

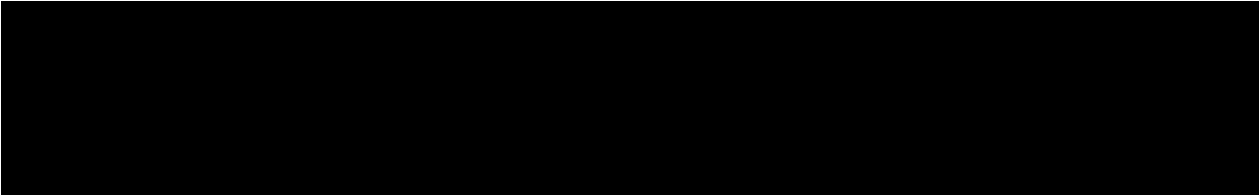
Trees and scrubs should not be affected by the motor cross track activity as the only mature trees on site are the ash trees which lie along the western border of the circuit. The small area of mature gorse scrub on the southern bank of the pond (TN6) should also be unaffected by activity on the course.

### 4.3 **Species**

#### 4.3.1 *Bats*

No mature trees capable of supporting roosting bats are proposed to be removed or will be affected by the motor cross track activity. Since the motor cross circuit will be used during daytime hours and not involve the use of lighting in the evening, disturbance to bat foraging and commuting behaviour is not envisaged.

Proposed works will also not affect the access track hedgerow which might potentially provide foraging/commuting habitat for bats.



#### 4.3.3 *Birds*

Breeding habitat for nesting birds is limited within the site due to the low cover of scrub and trees. The infrequent use of the circuit throughout the year (average of 1-2 meetings per month), means noise disturbance the likely impact on breeding birds is likely to be negligible.

#### 4.3.4 *Great crested newts*

Although the nearest historical record of GCN is approximately 4500m to the west of the site, the two ponds at the northern end of the site score as 'good' habitat suitability for GCN.

If GCN are present, then there is potential for vehicles using the track to kill or disturb newts which would be a legal offence.

It is therefore recommended that further survey work is carried out to determine the presence/absence of GCN within the ponds. One method would be to take water samples and submit for Environment DNA (eDNA) analysis. Samples can be taken between mid April and June during the newt breeding season.

## 5 Recommendations

### 5.1 Hedgerow planting

It is proposed to plant new native hedgerow around the perimeter of the site which will link to the existing hedgerow that runs alongside the access track. The location of the new hedgerows is shown on the Landscape Plan in Appendix III.

Planting of the hedgerows should be carried out in autumn/winter. Shrubs should be planted in two staggered rows 0.5m apart and with plants 30 cm apart in the rows (approximately 6 plants per metre). Shrubs should be protected by canes and spiral guards. Weed control should to be carried out for the first three years after establishment so as to maintain a 1.5m wide weed free strip with the hedge in the centre.

The species mixture for the hedgerows is based on locally native trees and shrub species present in surrounding hedgerows and is shown in the Table 7 below.

**Table 7:** *Planting mixture for new hedgerows*

Species	%	Size
Hawthorn- <i>Crataegus monogyna</i>	50	40-60cm
Hazel - <i>Corylus avellana</i>	10	40-60cm
Crab apple – <i>Malus sylvestris</i>	2.5	40-60cm
Field maple - <i>Acer campestre</i>	15	40-60cm
Dogwood - <i>Cornus sanguinea</i>	5	40-60cm
Dog rose - <i>Rosa canina</i>	2.5	40-60cm
Blackthorn - <i>Prunus spinosa</i>	15	40-60cm

## 6 References

Harris, S., Cresswell, P. & Jefferies, D. (1989). Surveying for badgers. Occasional Publication of the Mammal Society No. 9. Mammal Society, Bristol.

JNCC (2010) Handbook for Phase 1 Habitat Survey – A Technique for Environmental Audit (revised 2016)

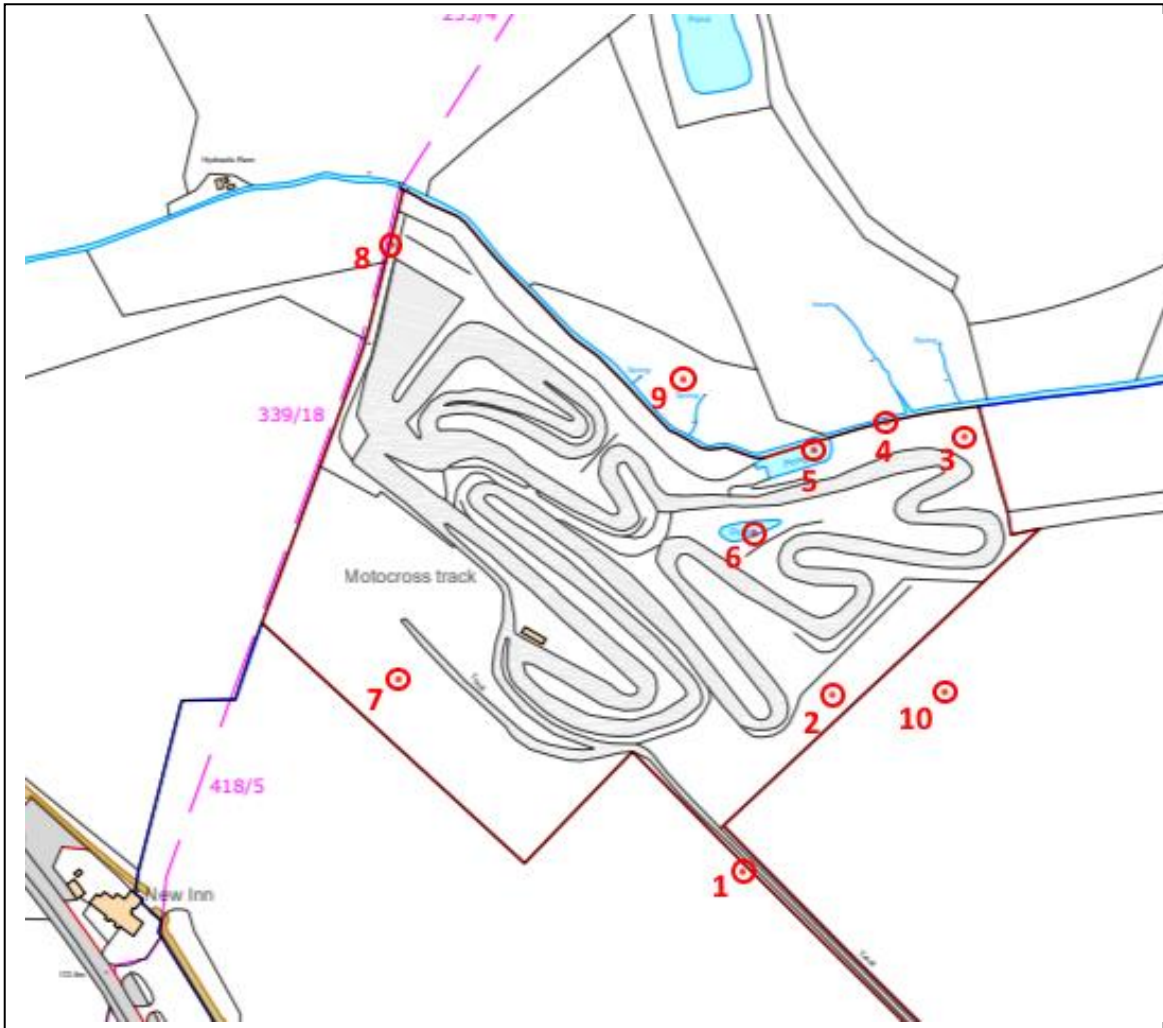
Lidar Logic (2021) Flood Risk Assessment. Wroxton Motocross. Report LL071.

Oldham R.S., Keeble J., Swan M.J.S. & Jeffcote, M. (2000). *Evaluating the suitability of habitat for the Great Crested Newt (Triturus cristatus)*. Herpetological Journal 10 (4), 143-155.

Stace C.A. (1997) New flora of the British Isles. 2nd Edition. Cambridge University Press. Cambridge.

## Appendix I: Target Notes

Figure 3: Location of target notes



Target note	Habitat/ feature	Description	Protected species potential
1	Species-poor intact native hedgerow	Hawthorn dominated hedgerow with occasional elder trimmed to a height of 2.5m. Largely intact with a few small gaps at the south eastern end. Sheep netting along each side.	Nesting birds
2	Improved grassland (GS4 Modified grassland)	Flat area of mown grassland largely dominated by perennial grassland with white clover and occasional common bent	



Target note	Habitat/ feature	Description	Protected species potential
	<i>Cynosurus</i> neutral grassland)	ear, creeping buttercup and more rarely ribwort plantain and common sorrel. Gorse naturally regenerating in places. Badger track in far northern corner of site	
4	Watercourse	Straightened channel 1.5m wide and approximately 20cm deep. Sandy substrate with steep banks approximately 0.5m tall. Shaded by adjacent woodland with hawthorn, ash, elder, holly and hazel on bankside.	
5	Pond	Rectangular shaped pond with a water area of approximately 360m <sup>2</sup> which receives drainage water through an inlet pipe from the pond above (TN6) Emergent vegetation along margins include flote grass, brooklime and fool's watercress. Mature gorse scrub lies on steep bank to the south of the pond.	HSI – 'Good' habitat for great crested newts
6	Pond	Pond with a water area of approximately 270m <sup>2</sup> which receives water through an inlet pipe that drains water to the south. Aquatic vegetation includes brooklime and fool's water cress.	HSI – 'Good' habitat for great crested newts
7	Improved grassland (GS4 Modified grassland)	Flat area of mown grassland largely dominated by perennial grassland with white clover and occasional common bent	
8	Mature boundary trees	Two mature ash trees	Nesting birds
9	Watercourse	Stream 1.5m wide and approximately 20cm deep. Sandy substrate with steep banks approximately 0.5m tall. Shaded by adjacent woodland with hawthorn, ash, elder, holly and hazel on bankside. Silt trap has recently been constructed within the channel.	
10	Arable	Area of winter bird food managed under an agri-environment scheme lying along the south east border of the site	

## Appendix II Photographs



**Plate 1:** Looking east across the centre of the motocross track with the two ponds and woodland on left side.



**Plate 2:** Looking south east along hedgerow that borders the access track to the motor cross track (TN1).



**Plate 3:** Looking west at species-poor semi-improved grassland (TN3) that occupies the slope that runs down to the watercourse.



**Plate 4:** Looking east at the watercourse that forms the northern boundary of the site (TN4)





**Plate 5:** Looking east across pond (TN5) with patch of mature gorse on southern bank on the right.



**Plate 6:** Looking east across pond (TN6) which is used as a silt trap.



**Plate 7:** Looking north at bordering mature woodland to the north of the site.

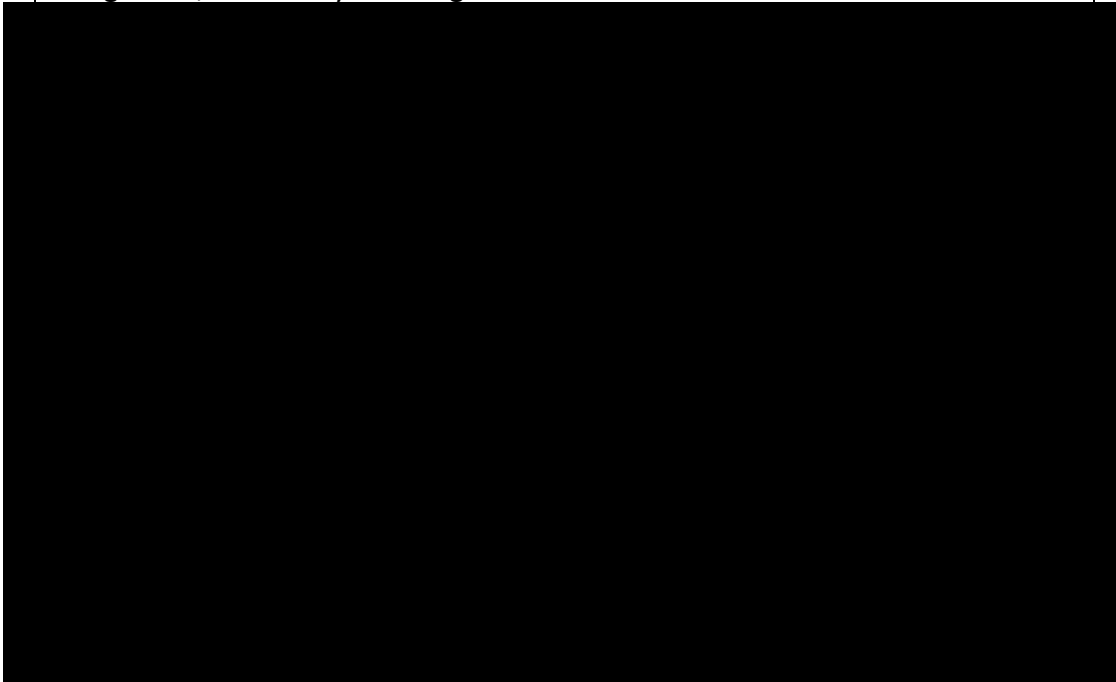


**Plate 8:** Area of bare ground in north west corner of the site showing rills of water running downhill towards the watercourse





**Plate 9:** Looking west at the north west corner of site (circuit starting line) showing rills formed in the exposed soil and run-off following the track in the foreground, eventually entering the watercourse



# Appendix III: Landscaping Plan



## Appendix IV: Legislation

Legal information given below is a summary, and intended only for general guidance. The original legal documents should be consulted for definitive information.

### *Habitat Regulations*

The conservation (Natural Habitats & c.) Regulations 1994, as amended by the Conservation (Natural Habitats & c.) (Amendment) Regulation 2007 and 2009 respectively, transpose Council Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) into English law, making it an offence to deliberately capture, kill or disturb any wild animal protected under the Habitat Regulations. It is also an offence to damage or destroy a breeding site or resting place of such an animal (even if the animal is not present at the time).

### *Wildlife & Countryside Act*

The Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act (CRoW) 2000 and the Natural Environment and Rural Communities Act (NERC) 2006, consolidates and amends existing national legislation to implement the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) and Council Directive 79/409/EEC on the Conservation of Wild Birds (Birds Directive), making it an offence to:

- Intentionally kill, injure or take any wild bird or their eggs or nests (with certain exceptions) and disturb any bird species listed under Schedule 1 to the Act, or its dependent young while it is nesting.
- Intentionally kill, injure or take any wild animal listed under Schedule 5 to the Act; intentionally damage, destroy or obstruct any place used for shelter or protection by any wild animal listed under Schedule 5 to the Act; disturb certain Schedule 5 animal species while they occupy a place used for shelter or protection.
- Pick or uproot any wild plant listed under Schedule 8 of the Act.

### *Protection of Badgers Act*

The Protection of Badgers Act 1992 makes it illegal to kill, injure or take a badger or to intentionally or recklessly interfere with a badger sett. Sett interference includes disturbing badgers whilst they are occupying a sett or obstructing access to it.