

Protected Species Policy



A group of four independent statutory Land Drainage, water levels and Flood Risk Management Authorities working collectively under a partnership agreement in accordance with section 11(5) of the Land Drainage Act (1991).

Four Independent Boards:

- *Witham First District Internal Drainage Boards*
- *Witham Third District Internal Drainage Boards*
- *Upper Witham Internal Drainage Boards*
- *North East Lindsey Internal Drainage Boards*

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Policy Owner: Director of Engineering & Technical Services

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1.0 - Introduction

This Policy sets out all the 4 Boards' stance on protected species which require additional consideration when maintaining the Boards' adopted and scheduled watercourses.

1.1 – Aim of the Policy:

The aim of this policy is to ensure that the Boards' actions to protected species is documented and made available.

This policy includes:

- Water Voles
- Badgers

1.2 – Equality, Diversity and Inclusion (EDI):

This policy aims to meet the requirements of the Equality Act 2010 and ensure that no employee receives less favourable treatment on the grounds of gender, sexual orientation, transgender, civil partnership/marital status, appearance, race, nationality, ethnic or national origins, religion/belief or no religion/belief, disability, age, carer, pregnancy or maternity, social status or trade union membership.

The Policy is written in line with environmental requirements for the protected species detailed in section 1.1.

2.0 – Protected Species Policy

2.1 – Water Vole Policy (*Arvicola terrestris*) Policy

This policy has been drawn up to help protect and enhance the water vole habitats and population associated within all Boards' land and the drainage channels.

2.1.1 - The policy enables the Boards to:

- Carry out all essential or emergency work as required under current legislation with special reference to the Wildlife and Countryside Act 1981, and future updates or amendments.
- Follow the Natural Environment and Rural Communities (NERC) Act 2006 when undertaking all works, ensuring that all works have regard to the purpose of conserving and enhancing biodiversity.
- Follow the National Guidance for Internal Drainage Boards “Mitigating Measures For Water Voles” and The Water Vole Mitigation Handbook.
- Promote the enhancement of the channel environment where practical and cost effective to benefit water vole.

2.1.2 - Avoid or reduce impact on Water Vole by taking reasonable and practical steps in the planning and implementation of maintenance and re-profiling work as follows:

- Wherever possible, carrying out work to coincide with water voles at less sensitive times of year.
- Carrying out periodic surveys, by a competent person or body, prior to proposed re-profiling works to determine best practice for each individual channel.
- Working from one bank unless essential for bank stability or other vital channel management.
- Restricting channel works to less than two months duration at any one time unless unavoidable.
- Only using mitigating measures such as trapping or habitat recreation after other options have been fully investigated and it is the only practical solution.
- Avoiding the use of hard revetment along the toe of the banks but, where essential, incorporate access holes and / or berms to provide water vole niches.
- Avoid the reduction in habitat through losses and fragmentation caused by unnecessary culverting.
- Encourage the Boards' staff to report water vole activity, and along with other data, and to make this available to the Lincolnshire Records Centre (part of the Greater Lincolnshire Nature Partnership) via the recording app iRecord.
- Ensure that all Boards' staff and contractors are aware of, and prepared to work to, this policy.
- Carry out post work surveys to determine the longer-term effects on water voles.

2.2 – Badger Policy (Meles Meles)

This policy has been drawn up to protect badger habitat and populations associated with the Boards' districts. Unlike other Environmental policies, Badger protection is unique in that the Badger Act Exists to protect badgers from cruelty rather than for conserving and enhancing the environment.

2.2.1 - This policy enables the Boards to:

- Carry out all essential or emergency work where required under the Protection of Badgers Act 1992
- Specifically, the works by the Boards are in place to avoid damage, destroy, or block access to a badger sett & to avoid disturbing badgers in their sett.
- Where works cannot be carried out within the parameters of the Act the utilises the Badger Class License (CL27 - Licence to interfere with badger setts for watercourse and drainage purposes).
- Follow the ADA advice note on the CL27 license (September 2021) as well as referring to the Environmental Good Governance Guide 2022 pg. 99.

2.2.2 - Avoid or reduce impact on Badgers by taking reasonable and practical steps in the planning and implementation of maintenance, re-profiling and de-silting works as follows:

- Wherever possible, carrying out work to coincide with active badger setts at less sensitive times of the year (February – April)
- Reporting uses of the CL27 to Natural England before 31st January each year
- Carrying out periodic surveys, by a competent persons or body, prior to proposed re-profiling or de-silting works to determine best practice for each individual channel.
- Working from the opposite bank to an active Badger Sett where possible
- Restricting channel works to as short a time frame as practicable when close to an active badger sett
- Preserve the Badger Sett to as full as extent as possible and avoid sett destruction where possible when planning works.
- Avoid the reduction in habitat through losses and fragmentation caused by unnecessary culverting
- Encourage the Boards’ staff to report potential badger setts (both active and inactive) and send this information to the Lincolnshire records centre
- Ensure that the Boards’ staff and contractors are aware of and prepared to work to this policy.
- Carry out post work surveys to determine the longer-term effects on Badgers

3.0 – Protected Species Policy Statement

The Boards recognise the importance of protecting and being considerate to the habitats of protected species. Both legally and morally.

The Boards ensure they comply with national policy by:

- Following this Policy
- Environment Officer informing, guiding and advising on works
- Provide pre-season sessions for the requirements of the Policy and the associated legal requirements
- Complete the relevant paperwork to ensure that works are undertaken in line with the requirements of the Policy.
- Ensure that works are completed in line with the policy to protect species.
- Update and review the policy as there are changes in legislation, or good practice.

4.0 - Glossary / Definitions

Word/ term	Definition
EDI	Equality, Diversity and Inclusion

5.0 – Legislation & other partner organisation documents

- Wildlife and Countryside Act 1981
- Natural Environment and Rural Communities (NERC) Act 2006
- National Guidance for Internal Drainage Boards “Mitigating Measures for Water Voles”
- The Water Vole Mitigation Handbook
- Protection of Badgers Act 1992
- ADA advice note on the CL27 license (September 2021) as well as referring to the Environmental Good Governance Guide 2022 pg. 99
- The Equalities Act 2010
- Local Policy in line with ADA Lincolnshire Branch White Book.

6.0 – Roles and Responsibilities

6.1 Arrangements for roles and reporting lines

The arrangements and organisational responsibilities for implementing the policy are detailed in this section.

6.1.1 – Board Members

- Review and approve the Policy at periodic intervals
- Support SMT in the enactment of the Policy

6.1.2 – Chief Executive Officer (CEO) and Senior Management Team (SMT)

- Comply with this policy and lead by example.
- Cascade this policy and ensure it is available to all staff members.
- Respond to any queries raised by employees over the application of this policy.

6.1.3 – Line Managers / Supervisors / Foremen

- Support the CEO & SMT to cascade the policy, and lead by example.
- Request the support of the Environment Officer where the site requires
- Ensure the policy is followed by all team members.

6.1.4 – Environment Officer

- As required, hold the appropriate license to arrange, manage and monitor works.
- Provide up to date training, advice, guidance to operatives.
- Undertake and document site visits as completed.
- Raise queries, concerns and or changes to ensure the Board and Senior Management remain abreast of the current legislation and any changes or forthcoming changes.

6.1.5 – All Staff members

- Employees will follow this policy
- Raise any issues of concern and complete all required documentation.

7.0 - Document review:

Version	Date	Reviewed by	Changes	Approved by/ date
V1	July 2020	Environmental Officer	Review and update	JSC 2020
2.00	November 2024	Environment Officer & Risk Manager	Periodic Review and new template Addition of Badgers to the protected species policy	JSC December 2024

This policy is due for review at 5 yearly intervals, unless a review is required before e.g. change to management, process or anything which may affect the contents of this policy.

8.0 - Supporting documents and forms (Annex)

No additional or supporting documents.