

Guidance on Engaging Ecologists

If the work you wish to undertake may have an impact on a protected species, it is strongly recommended that you engage the services of a consultant ecologist for professional advice. When doing so, it is important that you have confidence that the survey work and advice you are paying for will be appropriate and of a suitable standard. If the ecological work is not undertaken properly, it may need to be repeated, resulting in delays to your proposed works and extra costs.

The purpose of employing an ecologist is to ensure that your plan or project takes the protected species into account and complies with relevant protected species legislation. Ecological information should be obtained as early as possible and will usually be required for a planning application and for a protected species licence (if needed). Finding out the issues and designing solutions at an early stage reduces the likelihood of delays later and can save money in the long run.

If you are not sure whether you need to employ a professional ecologist, Natural Resources Wales (NRW) may be able to advise you. Some local authorities have lists of ecologists working in their areas; and details of some ecologists can be obtained from the Chartered Institute of Ecology and Environmental Management (CIEEM) or the Institute of Environmental Management and Assessment (IEMA).

This guidance note has been produced to assist you with the key questions to consider when selecting a consultant ecologist. However, please note that due to the variety of potential situations where the services of an ecologist may be required, it is not possible to give a definitive list of all the issues you will need to consider.

In providing you with advice on the likely impact of your proposed works, there will be a series of tasks that your ecologist will be required to undertake:

- A survey will be needed to identify whether protected species use the site and if so, the status of the population of each species. The ecologist should provide details of the results in a clearly written report.
- If your ecologist confirms the presence of a protected species, it is essential that they also assess the impacts of your proposals on that species. They should provide you with advice on the likely impacts and where necessary how those impacts can be avoided; or if this is not possible, how they will be mitigated. This may have implications for the design of the development and the mitigation or compensation measures should be set out clearly by the ecologist.
- Your ecologist may need to advise your architect or project manager to make sure that the ecological works are incorporated correctly into your project

- If a European Protected Species licence is required for you to undertake your proposed work, you will need to complete and submit a licence application (allowing sufficient time for your application to be processed) once you have received planning permission. The licence application should be supported by a Method Statement prepared by the ecologist. The Method Statement should provide details of the works that are being proposed to help minimise effects on the protected species, including materials to be used and timing of the works. For further guidance, see 'Information to be provided in a European Protected Species licence application'.
- A method statement and licence may require post works monitoring to assess the success of the proposed mitigation or compensation. Your ecologist should state whether this additional monitoring is included in his/her proposal. **If the required monitoring is not included you should be aware that this will incur additional costs post development.**

Please note, to avoid unnecessary delays, it is essential that all the required information is obtained as soon as possible and submitted with the planning application. This includes both protected species survey information and information regarding any impacts of the proposed works together with proposed mitigation. Mitigation, including avoidance and compensation, may require modifications of designs or timetables, so it is best to consider these at an early stage.

Also note that if the proposed works are being undertaken under a grant or are subject to other time constraints, you will need to ensure that there is sufficient time within the project timetable to allow protected species surveys to be undertaken at the right time of year and any mitigation works to be completed as required. In some cases, mitigation works need to be completed in advance of other works to provide alternative habitats for species that would be affected by the works.

It is important to note that the survey effort and mitigation proposals should all be proportionate to the scale of the work and the likely impact on the conservation status of protected species, i.e. typically a lot more work will be required for large scale projects with potentially large impacts than for small projects that will only have limited effects.

Further guidance on licence applications can be found in the "Apply for a permit" section of our website.

Glossary of terms

Avoidance – changing the proposals or methodology in such a way as to avoid committing any offences.

Mitigation – modifying proposals to reduce adverse impacts on protected species.

Compensation – providing a new roost or habitat to replace one that is being lost in the course of a development.

Matters to consider when engaging an ecologist

1) Does your proposed consultant ecologist have the required skills and competencies? Are they familiar with your type of situation, the scale of the project and the approaches which may be necessary?

- Ask to see a CV detailing their experience and expertise.
- Ask to speak with, or see a reference from previous clients.
- Ask the ecologist to provide a copy of one of their reports.
- Does the ecologist hold a licence to survey the relevant protected species? Whilst it is possible to complete some survey work without a licence to disturb that species, it is sensible for the surveyor to hold a survey licence so that all potential survey work can be completed. This is particularly relevant for bats where counts of bats leaving a roost can be undertaken without a survey licence, but a licence would be needed to enter the bat roost and gather information on the nature of the roost. *NB The possession of a survey licence is not an indication of a person's ability to undertake ecological consultancy work.*
- Identify whether the ecologist has experience of similar situations before and successfully completed development licence applications.
- Does the ecologist have particular specialist expertise, e.g. bat survey and mitigation?
- Is the ecologist familiar with the range of species found in the area where the work is proposed?

2) How would the ecologist go about the survey and how long would they expect the survey to take? If there is a need to provide a mitigation scheme, what issues does the ecologist anticipate?

- Ask for details of how they will undertake the protected species survey to ensure it is appropriate to your particular situation. The ecologist should explain their approach and identify any avoidance, mitigation or compensation issues that they consider may arise.
- The timescale for the ecological survey work will depend on the species involved and the complexity of the site or the project.
- At certain times of year it may only be possible to carry out an initial assessment of a site (eg bat surveys during winter would be unable to identify the presence of a breeding roost) and further information would have to be obtained during the main survey season. The ecologist should make you aware of any limitations of the survey they can carry out when you make the request and advise you of any further work that will be required.

3) What methodologies and guidance would the ecologist use?

Guidance is available on survey and mitigation for the more commonly encountered protected species:

- **Badgers** – see “Badgers – A Guide for Developers”.
- **Bats** - ‘Bat surveys – Good Practice Guidelines’ are available on the Bat Conservation Trust (BCT) website along with a range of BCT leaflets for the public and professionals. The Natural England ‘Bat Mitigation Guidelines’ are available from the official gov.uk website. See also “Bats” and “Bats in Roofs (a guide for building professionals)”. The “Lesser Horseshoe Bat Conservation Handbook” is available from the Vincent Wildlife Trust

- **Dormice** - see 'The dormouse conservation handbook' (2nd edition) available from the People's Trust for Endangered Species (PTES).
- **Great Crested Newts** - see the English Nature "Great Crested Newt Mitigation Guidelines" available from the official gov.uk website See also 'Great Crested Newt Conservation Handbook' available from Froglife and "Great Crested Newts: a guide for developers".
- **Otters** – see "Otters: Guidelines for Developers".
- **Reptiles** – see "Reptiles in Wales".
- **Water Vole** – "The Water Vole Conservation Handbook" 2nd edition (published by WildCRU) is available to buy from on-line ecology book suppliers.

NB All NRW publications are available to order from NRW enquiries team on enquiries@cyfoethnaturiolcymru.gov.uk 0300 065 3000 (Mon-Fri, 8am - 6pm)

4) How will the ecological consultant calculate their costs?

- You should be given a breakdown of how costs are calculated. This should include completing surveys, reports and the preparation of a method statement for the works.
- The ecologist may also be able to advise on costs of implementing mitigation schemes, applying for a licence (if required) and any postdevelopment monitoring that might be needed.
- Ask for quotes from other ecologists to compare costs and approaches.
Remember the cheapest option is not always the best.

5) Does the ecologist have professional indemnity insurance?

- It would be expected that a professional ecologist working in a commercial capacity should have such insurance protection to an appropriate level.

6) Is the ecologist a member of a professional institute?

- Given the nature and breadth of ecological skills that may be required, it is hard to specify one organisation of which an ecologist should be a member. Membership does not test skill levels or competencies with respect to certain protected species. However membership generally requires adherence to codes of conduct or codes of practice, whereby members undertake surveys in a professional manner and make clear any limitations to their work.

7) Can you complain if the service or work provided work is substandard?

- If you believe the service or work being provided by the ecologist is substandard you have the right to complain. In the first instance try to resolve the matter with the ecologist before pursuing further. If no agreement can be reached you can seek redress via your Local Authority Trading Standard Department. Alternatively you can complain to the professional body to which the consultant is registered. CIEEM for example have a complaints procedure and publish disciplinary decisions on their web site. Please ensure the species licensing section in NRW are copied into any complaint.