

Matthew Stafford
Planning and Development – Technical Manager
W A Fairhurst & Partners
11 Floor, Portland Tower,
Portland Street
Manchester,
M1 3LF

4th July 2008

Our Ref: L67-C13641_1_PA/JC

Dear Matthew,

RE: Nesting Birds Survey, Former Tessengerlo Site, Widnes.

ENVIRON were commissioned by WA Fairhurst & Partners, on behalf of Stobart Group Ltd. (the client) to undertake a visual inspection of the land in the vicinity of the former Sports Field area on the former Tessengerlo site in Widnes and a brief visual assessment of the Reclamation mound area. The national grid reference of the former sports field is 350840 383980 and is directly north of Vicker's Lane (see Annex A Figure 1)

The purpose of the inspection was to identify the presence of any nesting birds at the site prior to groundworks commencing in this area. The client proposes to fell a number of trees and clear scrub on the western edge of the former sports ground in order to create access for machinery to the sports ground area.

All species of wild bird are protected under the Wildlife and Countryside Act 1981 and it is an offence to intentionally or recklessly kill, injure, or take any species of wild bird and to take, damage or destroy their nests or eggs.

The site was formerly occupied by the Tessengerlo Chemical Works which has since been demolished. The sports ground area is located in the south-east of the wider Tessengerlo site and occupies an area of approximately 3ha (7.4 acres). The sports ground is currently occupied by semi-improved grassland with a number of tall grasses, ruderal and common perennial plants, although two spikes of Bee Orchid were observed within this area. It is likely that the community of flora currently present is a result of natural succession due to lack of management of the sports field. Around the edges of the sports field are well established trees and scrub, mainly willow species (*Salix alba*, *Salix fragilis*, and hybridised *Salix x rubens*) and white poplar (*Populus alba*) to heights of over 10m. The understory is characterised by immature willow and white poplar, occasional hawthorn (*Crataegus monogyna*) and Elder (*Sambucus nigra*), with infrequent Dog Rose (*Rosa canina*). Ground flora includes stinging nettle (*Urtica dioica*) which is dominant, with frequent bramble (*Rubus sp.*), and occasional Herb Robert (*Geranium robertianum*), Cleavers (*Galium aparine*) and Broadleaf Dock (*Rumex obtusifolius*).

The reclamation mound area is to the west of the Former Tessengerlo Factory site. At the time of the survey the mound had already been stripped of vegetation and earthworks had been commenced.

Paul Andrews of ENVIRON visited the site on 2nd July 2008 to carry out a visual inspection of the areas which may be affected by the proposed works to identify any nesting birds. The inspection included a thorough visual search of scrub and vegetation around the boundaries of the sports field area, a visual inspection of all the trees within the area from the ground with the aid of binoculars and with the naked eye, and a walk over of the entire grassland area of the sports field to ascertain the presence of any ground nesting birds. In addition observation of birds and bird behaviour on-site was recorded during the survey to identify any behavioural characteristics which may indicate breeding or nesting at the site.

Behaviour indicative of breeding includes:

- presence of nest, eggs and/or chicks;
- alarm call indicative of nesting, young or territory;
- display or song flight;
- distraction display or feign of injury;
- aggressive defence of territory; and
- birds seen carrying food to nest or young.

A brief visual assessment was made of the reclamation mound area. This area was observed to be bare ground with no evidence of nesting birds present and only Lesser Black-backed Gulls observed flying overhead whilst in the mound area. Earth moving machinery was in operation on the mound and as such the likelihood of birds nesting on the bare ground is minimal due to the continual disturbance.

The visual search of scrub and trees found evidence of only one nest. The nest was located in the north-eastern area of scrub/trees and was observed to have been built within a discarded paint can (See Annex A Figure 2 and Annex B photographs) within a tree on the northern-eastern boundary of the sports field. The can was filled with nest material consisting mainly of dried grasses and rock wool/stuffing material, however no eggs, chicks or parents were observed within the nest.

The grassland area was walked over twice in a grid pattern so as to ensure all areas were observed, particular attention was given to large tufts of grass and depressions as well as the presence of birds and behaviour. No evidence of ground nesting birds was observed during the inspection, no nests, nesting materials or observation of birds exhibiting indicative behaviour was made. In addition, no ground nesting species were observed at the site during the visit and none were recorded on a previous visit made by ENVIRON on 12th June 2008.

Birds observed on-site included:

7 No. sightings House Martin (*Delichon urbicum*) observed to be foraging over the grassland area of the sports field.

1 No. sighting of Mistle Thrush (*Turdus viscivorus*) observed perched within White Poplar tree in south-eastern part of the sports field area before flying south-west off-site.

1 No. sighting of Wren (*Troglodytes troglodytes*) observed foraging within dead leaf material in the south-eastern scrub and trees of the sports field area.

5 No. sightings of Common Blackbird (*Turdus merula*) observed around the site. 2 individuals observed flying over. 1 individual (male) issuing alarm call within scrub in the eastern part of the site. 2 individuals observed foraging within dead leaf material in the northern scrub and trees on site.

1 No. sighting of Greenfinch (*Carduelis chloris*) observed in the north-eastern area of the site at the top of a Willow singing. Likely to be holding territory, however this may be indicative of breeding behaviour. It was noted that the greenfinch was observed in the vicinity of the unoccupied nest.

2 No. sightings of House Sparrow (*Passer domesticus*) within trees and scrub along the western part of the sports ground.

2 No. sightings of Lesser Black-backed Gull (*Larus fuscus*) observed flying over the southern part of the site in a circular manner.

4 No. sightings of Feral Pigeon (*Columba livia*) observed flying over the sports ground area.

1 No. sighting of Carrion Crow (*Corvus corone*) observed flying over the northern part of the sports ground area.

1 No. sighting of a single male European Goldfinch (*Carduelis carduelis*) observed perched and singing in at the top of a Willow in the south-eastern part of the site. Likely to be holding territory, however this may be indicative breeding behaviour.

Chiffchaff (*Phylloscopus collybita*) was heard singing in the western and eastern areas of trees and scrub around the sports ground but not observed whilst on-site.

When the site was previously visited on 12th June 2008 Chaffinch, Blue tit and Robin were also observed in the vicinity of the sports ground.

NB. A sighting does not necessarily indicate a single individual but may indicate a flock or number of birds together.

Summary

ENVIRON undertook a visual inspection of the reclamation mound and sports ground area to identify the presence of or potential for nesting birds within trees, scrub and on the ground.

The reclamation mound had been stripped and was bare ground, no evidence of ground nesting or other nesting birds was observed.

No evidence of currently nesting birds was identified at the site; however a single unoccupied nest was identified on the north-eastern boundary of the sports ground area.

The scrub and trees around the site are used by a number of birds, particularly passerine species, which have the potential to nest within the trees and scrub, however no evidence of nesting was observed and only two cases of potential indicative breeding behaviour (greenfinch and goldfinch) were observed.

No evidence of ground nesting birds was observed during the inspection.

Although all care and reasonable effort was exercised during the survey areas of dense scrub and vegetation are difficult to survey and there is the possibility that nests may be present within these areas. If works which are likely to disturb nesting birds (e.g. tree felling, scrub clearance etc.) are to be undertaken contractors should be made aware of the potential for nesting birds to be present. If nesting birds are discovered during works, the works should cease immediately and the nest should be protected so as not to be disturbed; only when the nest is unoccupied and any chicks have fledged and left the nest should works commence.

It should also be noted that the site is located approximately 30m north of the Mersey Estuary which is designated as a Special Protection Area (SPA), RAMSAR site, Special Site of Scientific Interest (SSSI), and an Important Bird area, designated for coastal habitats and internationally and nationally important numbers of wetland birds that use the estuary (primarily during the winter). SPA and RAMSAR sites are afforded protection under the Habitats Regulations, and any works which may effect these site may be subject to a Habitats Regulations Assessment (also known as an Appropriate Assessment). Confirmation should be sought from the Local Planning Authority and Natural England will confirm whether an Appropriate Assessment will be required for any future works at the site.

Please do not hesitate to contact ENVIRON if there any further issues or if we can be of any further assistance.

Kind Regards



Paul Andrews
Consultant
For ENVIRON UK Ltd.

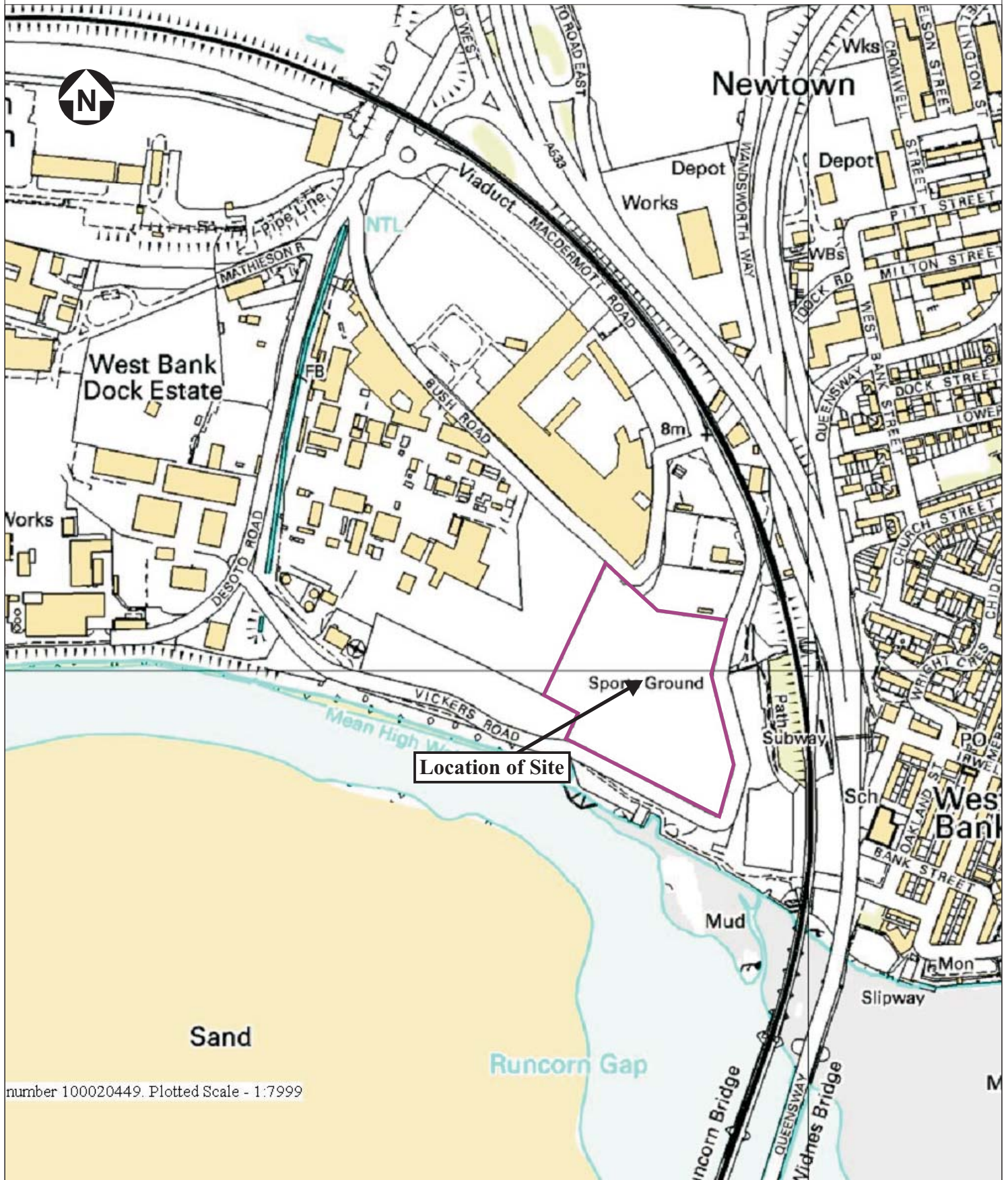


Jeremy Cork
Senior Manager
For ENVIRON UK Ltd.

ANNEX A

Figures

Figure 1
Site Location Plan
Sports Ground Area, Former Tessengerlo Site, Widnes



Reproduced from the Ordnance Survey with the permission of the controller HMSO Crown Copyright Reserved. Licence No. ES 100012174

ENVIRON
 ENVIRON UK Limited

Sterling House,
 The Bourse, Boar Lane,
 Leeds. LS1 5EQ
 Tel. +44(0)113 245 7552
 Fax.+44(0)113 245 7495

Client **Stobart Group Ltd**

Scale **Not to scale** Date **July 2008**

Project No **67-C13641** Drawn by **DM**

Figure 2
Site Layout and Features of Note
Sports Ground Area, Former Tessengerlo Site, Widnes



Legend

① Photograph Orientation

● Feature of Note

ANNEX B

Selected Photographs



Photo 1: Sports Ground



Photo 2: Sports Ground

Title:	Selected Photographs	Approved:	Project-No.: 67C13641	Date: 04/07/08
Site:	Sports Ground, Former Tessenderlo Site			
Client:	Stobart Group Ltd.	ENVIRON		Annex B



Photo 3: House Martin (upper left)



Photo 4: Scrub and Trees, Sports Ground

Title:	Selected Photographs	Approved:	Project-No.: 67C13641	Date: 04/07/08
Site:	Sports Ground, Former Tessenderlo Site			
Client:	Stobart Group Ltd.	ENVIRON		Annex B



Photo 5: Unoccupied nest in paint can



Photo 6: Unoccupied nest in paint can

Title: Selected Photographs	Approved:	Project-No.: 67C13641	Date: 04/07/08
Site: Sports Ground, Former Tessengerlo Site			
Client: Stobart Group Ltd.	ENVIRON		Annex B



Photo 7: Willow and White Poplar



Photo 8: Bramble Scrub

Title: Selected Photographs	Approved:	Project-No.: 67C13641	Date: 04/07/08
Site: Sports Ground, Former Tessengerlo Site			
Client: Stobart Group Ltd.	ENVIRON		Annex B



Photo 9: Willow trees



Photo 10: White Poplar and Nettle ground flora

Title: Selected Photographs	Approved:	Project-No.: 67C13641	Date: 04/07/08
Site: Sports Ground, Former Tessengerlo Site			
Client: Stobart Group Ltd.	ENVIRON		Annex B