



27th October 2015

Tasha Hunter & Yvonne Kelleher
London Borough of Richmond upon Thames
Civic Centre,
44 York Street,
Twickenham,
Middlesex,
TW1 3BZ

Dear Tasha and Yvonne,

Badger Monitoring Memo – ‘No Man’s Land’ at The Stoop

Background:

FOA Ecology was commissioned to undertake an eco walkover survey of the western-most strip of LBRuT’s waste transfer depot, which abuts the footpath along the Duke of Northumberland river. The western strip of the depot, is informally known as ‘no man’s land’.

During this walkover survey, as detailed in my email memo in June 2015, numerous animal burrows were identified. Several of the burrows were of a size consistent with rat, though the majority were consistent in size and shape with fox (and direct evidence of fox was noted for some entrances, e.g. fox scent, fox hair, and dead fox). Those holes which were not blind ended and of sufficient size as a minimum for fox are depicted in the plan in Appendix 1.

More particularly, a minority of the burrows (2 burrows – denoted as B1 and B2, as shown in Appendix 1) were of a sufficient size and suitable shape to potentially pertain to badger, being on the 'borderline' in size and shape between fox and badger.

It was therefore strongly recommended that a programme of camera trapping of those relatively large animal burrows be conducted, to confirm whether or not these relatively larger burrows are being used by fox or in the worst case badger.

Although no direct evidence of badger was identified during the walkover, it should be cautioned that badger outlier setts by their very nature are only used sporadically and so direct badger evidence may be limited or lacking.

Additionally, the proximity of the railway line is considered to positively influence the likelihood of badger at least frequenting on occasion the survey area.

Accordingly FOA Ecology was commissioned to undertake the recommended camera trapping of the two holes (B1 and B2) which were of sufficient size to potentially be used by badger.

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This letter report provides the methods, results, conclusions and recommendations of the badger monitoring work.

Executive Summary

Main Findings

No badger activity was encountered at either of the 2 monitored animal holes during the camera / video trapping monitoring period, it can be concluded that these 2 animal holes were not 'in use' by badger at the time of the monitoring period.

Instead the monitoring has determined that at the time of the camera trapping (summer 2015), both animal hole B1 and B2 were in use by fox.

Main Recommendations:

Given the absence of any badger activity being encountered during the monitoring period, no further badger monitoring is deemed necessary.

However, given the use of both animal holes by fox, it is strongly advised that the clearance of vegetation from this area is conducted sensitively to avoid committing any offences (asphyxiation / suffocation) pertaining to destruction of any active fox earths.

A full description of the survey methodology, results, conclusions and recommendations are provided as follows:

Legislation

Badgers are afforded protection in relation to ill-treatment under the Protection of Badgers Act 1992. This Act also makes it an offence to:

- Wilfully kill, take, possess or cruelly ill-treat a badger, or attempt to do so;
- Interfere with a sett by damaging or destroying it;
- Obstruct access to, or any entrance of, a badger sett; and,
- Disturb a badger when it is occupying a sett.

It is noteworthy that an animal hole in current use by badger is legally defined as a sett and is accordingly legally protected by UK legislation and disturbance to any badger or badgers whilst occupying this sett would also be unlawful.

For information, badger tunnels can extend for many metres and can be as shallow as 20 cm and as deep as several metres. It is therefore possible that the subterranean tunnel may extend beneath the proposed re-development area.

In terms of wild mammals in general, including fox, all wild mammals are currently given limited protection under the Wild Mammals (Protection) Act 1996. This makes it an offence to intentionally cause this species

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unnecessary suffering by certain methods, including crushing and asphyxiation. The hedgehog, as of 2007, has been added to the National BAP priority species list, on account of its rapid decline.

Methodology – 21-day monitoring of animal hole

A Bushnell motion-sensor night-vision video / camera trap was deployed at animal hole B1 and B2 on 12th June 2015.

The traps were inspected on 23rd June 2015, to check that both cameras were functioning correctly. During this inspection, both cameras were noted to be functioning correctly.

Upon retrieval of the camera traps on 8th July 2015 at the end of the 21 day monitoring period, however, the camera at animal hole B2 was noted to have not been working correctly. Therefore, a camera trap was re-deployed at animal hole B2 and was finally removed on 6th August 2015.

Following the monitoring at both animal holes, the video / camera footage was subsequently reviewed to check for any evidence of badger activity alongside any other wild mammal activity at animal holes B1 and B2.

Results

No badger activity was identified associated with either B1 or B2 during the monitoring period. Instead the camera / video monitoring has confirmed that, at the time of the monitoring animal hole B1 was determined to be in use by fox, with footage of juvenile foxes being occasionally captured. For example, on one occasion 2 juveniles were captured playing for over 10 minutes on the afternoon of 22nd June 2015, with these individuals seen to enter B1 and then to exit again shortly afterwards.

In terms of animal hole B2, the monitoring has determined that this hole was similarly found to be used by fox during the monitoring period with a maximum of 1 juvenile fox being captured at any one time.

Several other faunal species were incidentally captured on the footage at B1 and B2, namely mouse, grey squirrel and several species of bird (dunnock, robin, great tit, blackbird and wood pigeon).

Conclusion

No badger activity was encountered at either of the 2 monitored animal holes during the camera / video trapping monitoring period, it can be concluded that these 2 animal holes were not ‘in use’ by badger at the time of the monitoring period.

Instead the monitoring has determined that at the time of the camera trapping (summer 2015), both animal hole B1 and B2 were in use by fox.

Recommendations

Given the absence of any badger activity being encountered during the monitoring period, no further badger monitoring is deemed necessary.

However, given the use of both animal holes by fox, it is strongly advised that the clearance of vegetation

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from this area is conducted sensitively to avoid committing any offences (asphyxiation / suffocation) pertaining to destruction of any active fox earths.

This precautionary approach would encompass sensitive excavation of any animal holes using hand-held tools adopting a progressive approach (i.e. starting at the entrance and progressing along each tunnel or their respective termini). This approach is advised guard against harm to wild mammals such as any sheltering fox and / or hedgehog, which receive some protection under the Wild Mammals Act.

References

Natural England Badgers and development: a guide to good practice -
<http://publications.naturalengland.org.uk/publication/73034?category=19010>

Natural England Standing Advice Species Sheet: Badgers

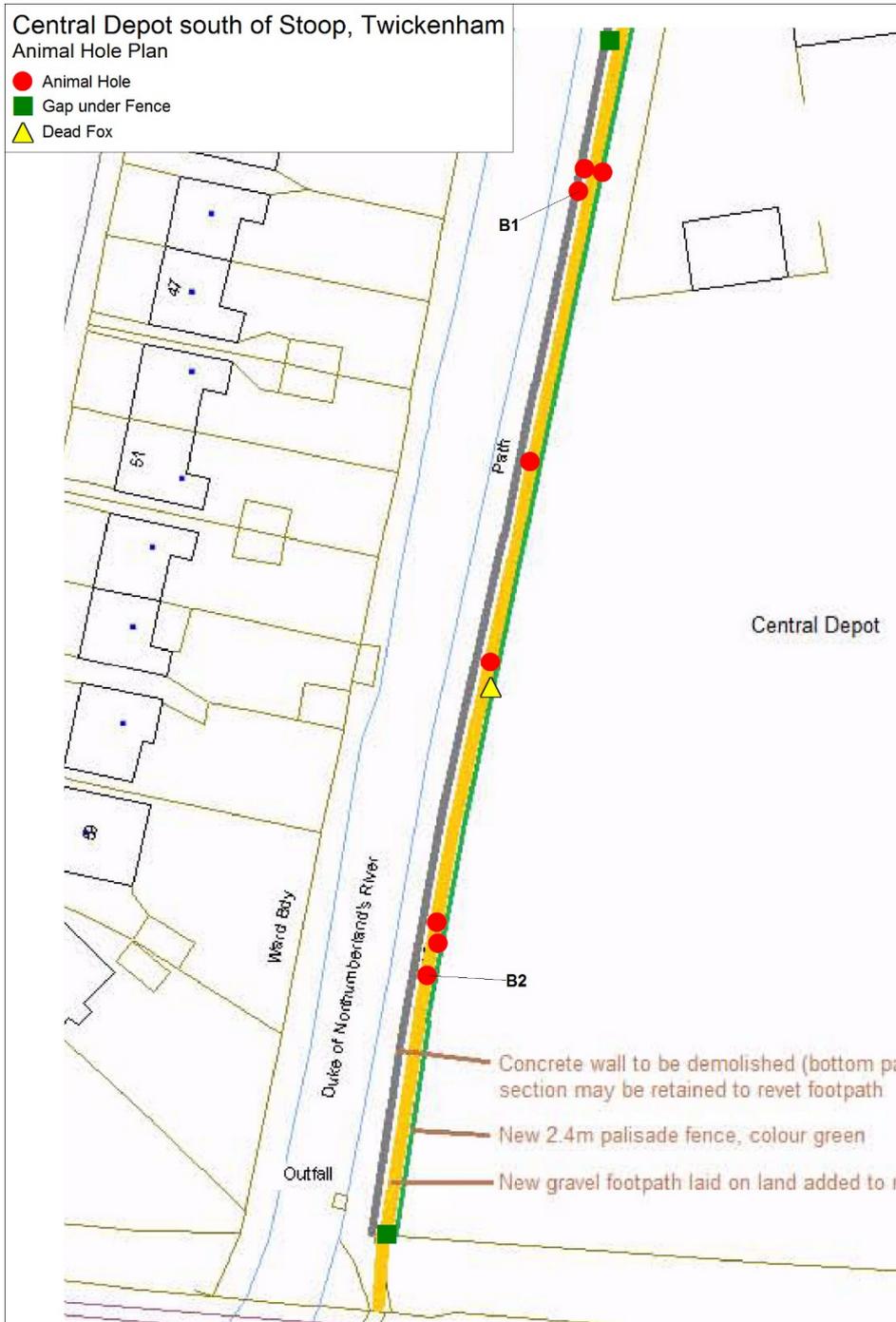
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Appendix 1 – Plan showing Location of Animals Holes including B1 and B2



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