

# Red Squirrel Species Protection Plan



TG-NET-ENV-504	Red Squirrel Species Protection Plan		Applies to
			Transmission ✓
Revision: 2.00	Classification: Internal	Issue Date: October 2022	Review Date: October 2030

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## 1 Introduction

Red squirrel (*Scirius vulgaris*) is afforded a high level of protection in Scotland. This Protection Plan provides guidance and agreed procedures, for the protection of red squirrels and their shelters, during construction works on Scottish Hydro Electric Transmission (SHE Transmission) projects. The Plan contains two parts and details the procedures that must be followed where there is potential for red squirrel to be present (Part 1), and where a Project Licence for red squirrel has been issued by NatureScot Licensing Team to cover the project (Part 2).

### 1.1 Part 1: General Protection Plan

This Part applies to all projects where red squirrel may be present. Part 1 outlines the responsibilities of SHE Transmission and the Contractor regarding protection of red squirrel. It also details relevant legislation, survey requirements, general mitigation measures and the requirement for licensing.

### 1.2 Part 2: Project Licence Protection Plan

This Part applies to all projects where red squirrel may be present. Part 1 outlines the responsibilities of SHE Transmission and the Contractor regarding protection of red squirrel. It also details relevant legislation, survey requirements, general mitigation measures and the requirement for licensing.

## 2 References

The documents detailed in Table 2.1 – Miscellaneous Documents, should be used in conjunction with this document.

Table 2.1 – Miscellaneous Documents

Title
<a href="#">Wildlife and Countryside Act 1981 (legislation.gov.uk)</a>
<a href="#">NatureScot Licensing</a>

## 3 Part 1: General Protection Plan

### 3.1 Background

Red squirrels are rodents with a widespread distribution in Scotland, although as they are predominately woodland animals they are largely absent from the Scottish islands (with the exception of Arran) and the far North West. They are currently under pressure, particularly in southern areas, due to a number of factors including competition from the non-native grey squirrel (*Scirius carolinensis*), disease (squirrel pox virus – SQPV), and habitat loss and fragmentation. Grey squirrels are not protected by law, and it is an offence to release them into the wild if caught.

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Red squirrels are largely solitary, not strictly territorial, and generally arboreal, spending up to 70% of the time in the tree canopy. Densities generally vary from 1 per hectare, to 1 per 10 hectares of suitable habitat. They obtain most of their food from seeds or fruits from trees, although they are opportunistic. They build dense spherical nest structures called dreys, which are generally about 30cm in diameter and consist of an outer layer of twigs often with leaves still attached with an inner layer of softer materials such as moss and/or leaves. Dreys tend to be in the forks or against the trunks of trees such as spruce (*Picea abies*), Scots pine (*Pinus sylvestris*) or oak (*Quercus* spp.). Squirrels can also use holes in trees, nest boxes and other cavities as dreys. Several dreys may be in used at the same time, and it can take less than a day for a new drey to be built.

Red squirrels have two peak breeding seasons, the first litters being born between February and April with a second litter from May to August. The exact timing is however dependent on food availability and weather. In winter red squirrels do not hibernate, but are less active particularly in bad weather (high winds, heavy rain and cold). In summer they have two periods of peak activity; one in the early morning and one in the evening, whereas in winter this shifts to one main activity peak earlier in the day.

Signs of red squirrel:

- Feeding signs – stripped cones or cleanly split nuts often in piles on tree stumps
- Squirrel prints and tracks – characteristic squirrel tracks show the hind feet (with five toes) in front of the forefeet (four toes), in hops of less than 1 meter. Hind feet are 35mm wide and 40mm long
- Squirrel shelters - dreys

It is not possible to distinguish between field signs of red and grey squirrels in the field therefore visual surveys, cameras and/or hair tubes (with appropriate biosecurity measures in place), may be required in areas where the two species are present. Red squirrels can vary in colour and there can be confusion with grey squirrels; adult grey squirrels are much larger and lack ear tufts.

## 3.2 Responsibilities

It is the *Contractor's* responsibility to comply with all the requirements of this Species Protection Plan where red squirrel may be present, and it is both the *Contractor's* and SHE Transmission's responsibility to monitor compliance with this Species Protection Plan. The responsibility for applying for any licence, including a project wide licence, may vary from project to project, but all applications and mitigation works will adhere to this plan.

## 3.3 Legislation

Red squirrel is afforded full protection under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended in Scotland). This makes it an offence to kill, injure or take a red squirrel or to intentionally

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or recklessly<sup>1</sup> damage, destroy or obstruct access to any place used for shelter or for breeding. Disturbance to this species in its drey also constitutes an offence.

NatureScot can grant licences to enable certain activities that would otherwise be an offence, to be carried out in relation to red squirrels and their dreys, subject to the following:

- A. That undertaking the conduct authorised by the licence will give rise to, or contribute towards the achievement of, a significant social, economic or environmental benefit; and;
- B. That there is no other satisfactory solution.

**In granting a licence NatureScot has to take into account the consequences for red squirrels at a local population level, to assist this assessment NatureScot will need to see maps of the area of operations and also surrounding areas of suitable red squirrel habitat.**

### 3.4 Surveying for Red Squirrel

1. Surveys for red squirrel must be undertaken in all works areas containing suitable red squirrel habitat, a maximum of 12 months<sup>2</sup> prior to works commencing, (this includes site investigations). As squirrels can rapidly build new dreys, pre-felling surveys a maximum of 3 weeks prior to works commencing, must also be undertaken to ensure the availability of up-to-date information on squirrel drey locations.
2. Surveys must extend for a minimum of 50 m beyond working areas, including access tracks.
3. All drey trees must be marked to permit easy identification.
4. All dreys found must be assumed to be red squirrel, unless definitive evidence exists that they are grey squirrel only.
5. Surveys must be carried out by suitably qualified and experienced Ecologists and must identify whether any squirrel dreys are likely to be affected by the works.

If works during the breeding season (February to September inclusive) cannot be avoided, and dreys may be disturbed by works, it may also be important to establish if dreys are being used for breeding. The non-invasive method must be used in the first instance: Visual observation and camera surveillance from the ground, for a period of three days used to establish if the drey is in regular use. If regular use is established the drey must be assumed to be being used for breeding purposes. Where this type of drey monitoring is not practical for example in situations of poor visibility it is recognised that more invasive methods may be required, if this situation arises NatureScot Licensing Team must be contacted for advice on whether a survey licence will be required: [licensing@naturescot.gov.uk](mailto:licensing@naturescot.gov.uk).

#### 1.1

<sup>1</sup> Reckless acts would include disregard of mitigation aimed at protecting red squirrels, resulting in killing, injuring and/or disturbance of any red squirrel or red squirrel resting place.

<sup>2</sup> Note: Information from any previous surveys (e.g., surveys carried out to provide data for EIA or other Assessments) can be a useful guide to red squirrel activity in an area, particularly if dreys were recorded. However, surveys will always require to be updated if carried out more than 12 months prior to works commencing. Pre-felling surveys a maximum of 3 weeks prior to works are recommended.

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### 3.5 Review of Red Squirrel Survey

Once a red squirrel survey has been carried out, the Ecologist / ECoW must review the survey results, apply the mitigation hierarchy outlined below and decide if a licence is required from NatureScot (either Individual or Project) for the works.

If required, licences (individual or project), must be obtained by NatureScot prior to any works commencing.

Construction teams should be advised of existing / new constraints, together with mitigation / compensation, and licensing requirements by the Ecologist / ECoW.

Relevant site documentation and project information sources should be updated with new and amended information on red squirrel constraints as it is produced, with changes communicated to appropriate staff immediately.

### 3.6 Mitigation Hierarchy

There should be a general presumption against works being carried out which will disturb red squirrels in their drey, or which will require the destruction of any red squirrel drey. A hierarchical approach to minimise the works impact on red squirrel should be established as follows:

#### Avoidance

This is the preferred option. Appropriately sized protection zones must be marked and signed on the ground by the Ecologist / ECoW, with appropriate material, around all squirrel dreys identified during the pre-works surveys. The breeding season (February to September inclusive) is the most sensitive time for disturbance, during this time a 50m radius protection zone must be established around all squirrel dreys. Out with the breeding season, a protection zone of one tree from the drey tree (or 5 metres radius - whichever is lesser) must be established. For high noise / vibration activities (pile driving or blasting) a 100m radius protection zone around drey trees must be established at any time of year.

All works personnel, machinery, vehicles and storage of materials must be restricted from entering protection zones. Protection zones must be maintained until all works are completed. Site staff must be briefed of their purpose through a Toolbox Talk by the Ecologist / ECoW. If red squirrel disturbance can be avoided in this way, there is no need to obtain a licence from NatureScot for the works.

#### Disturbance

If works within protection zones boundaries cannot be avoided, a licence for disturbance from NatureScot will be required. For small scale projects the licence may be specific to the site, for larger scale works a Project Licence may be appropriate.

Individual licence applications for disturbance must be accompanied by a Mitigation Plan which outlines how the disturbance will be minimised, and dreys protected from damage, for example through screening of works and modifying protection zones.

If a Project Licence is in place, and a drey being used in the breeding season will be disturbed, a Method Statement must be submitted to NatureScot for written approval in accordance with Part 2

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of this document, prior to any works commencing. The Method Statement must state how works will be carried out in a way which ensures no abandonment of young.

### **Destruction**

Destruction of dreys must only be undertaken as a last resort and requires a Licence from NatureScot. Individual Licence applications to NatureScot must be accompanied by a Mitigation / Compensation Plan which outlines how disturbance will be minimised and individual squirrels protected from injury, and may include provision for the creation of an artificial drey if appropriate. If destruction of a drey during the breeding season is required, the plan should include details of non-invasive monitoring which will take place to ensure breeding is not taking place prior to any drey destruction.

Any drey subject to works under Licence must be monitored during and after those works.

## **3.7 Mitigation Measures**

### **3.7.1 General Mitigation**

1. An emergency procedure will be implemented by site workers if squirrel dreys are encountered. All work within 5 m (non-breeding season) or 50 m (breeding season) will cease, and the ECoW will inspect the site and define mitigation (if required) in line with this SPP.
2. An exceptional circumstance procedure will be implemented should mitigation options not prove satisfactory in a particular case. Works will be halted whilst mitigation is determined (under consultation with NatureScot Licensing Team if required).

### **3.7.2 Monitoring and Reporting**

1. The Ecologist / ECoW will attend site on a regular basis throughout the construction period to ensure all environmental mitigation relevant to red squirrel is delivered.
2. Reports will be submitted to NatureScot as required by the relevant Licence

## **3.8 Licensing requirements**

Licence applications must be sent into NatureScot Licensing Team sufficiently in advance of the project start date (approximately 40 days) to ensure the licence is in place prior to any work commencing.

## **3.9 Project Licence**

A NatureScot Project Licence is likely to be the most appropriate form of licence for any large scale and / or long running project, in red squirrel areas. For example, where multiple instances of disturbance to a number of red squirrel dreys is anticipated over several months / years. A Project Licence can be used to standardise protected species mitigation / compensation, creating consistency across the project area and throughout the Project's lifespan. Project Licences do not negate the need for thorough pre-construction survey within 12 months and three weeks of the planned project start date.



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Any Project Licence application will need to be accompanied by a red squirrel survey carried out within 12 months of the proposed works start date, and procedures for red squirrel included in Parts 1 and 2 of this SPP.

### 3.10 Individual Licence

For small scale projects expected to be completed over relatively short timescales, which will result in a low number of unavoidable red squirrel offences an Individual NatureScot Licence is most likely to be appropriate. All licence applications must be accompanied by a red squirrel survey carried out within 12 months of the proposed works start date, and a mitigation / compensation plan.

Further guidance and details of how to apply for a red squirrel Licence can be found on the NatureScot website <https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/licensing/species-licensing-z-guide/red-squirrels-and-licensing>.



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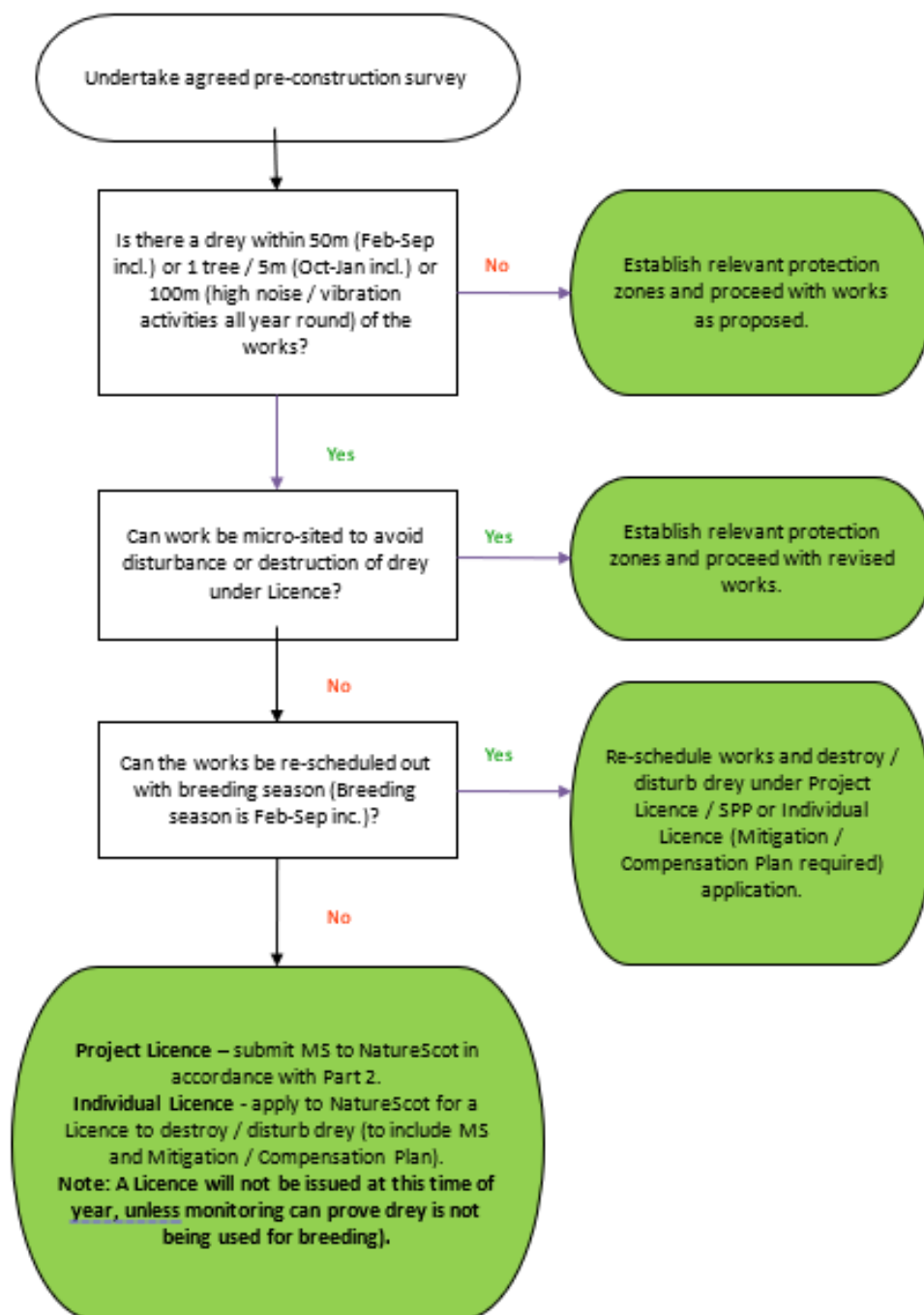


Figure 3.1 - Project Licence

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## 4 Part 2 Project Licence Protection Plan

The following sections of this plan are to be read in conjunction with the Project Licence (**insert Licence number**) and its conditions.

Mitigation activities permitted under Project Licence are included in this Part of the SPP (section A). More disruptive activities, listed in Section B below, will require a specific Method Statement to be submitted to NatureScot Licensing Team for approval, prior to works commencing (see Appendix A). It is the *Contractor's* responsibility to submit these Method Statements to both SHE Transmission and NatureScot for written approval. No works shall proceed without this written approval.

**Sufficient time should be allowed for in the programme to carry out any consultation work and obtain necessary approvals.**

The Project Licence will specify reporting requirements detailing all disturbance and destruction works carried out.

In advance of, and during construction at any location where there is the potential for red squirrel to be present, it is **essential** that this plan is followed.

### 4.1 Works Allowed under this SSP

The following works may be carried out under this SPP without further approval from NatureScot, using the prescribed methodologies:

1. Disturbance to red squirrel dreys out with the breeding season (October to January inclusive)

Red squirrel dreys must not be damaged or destroyed, but protected from potential damage by setting up a modified protection zone (size determined by the site Ecologist / ECoW). Protection zones must be clearly marked on the ground and signed, and must exclude all works personnel, machinery, vehicle and storage. The protection zone must be maintained until all works are finished.

A licence return must be sent to NatureScot Licensing Team detailing all disturbance works under the Project Licence.

2. Destruction of red squirrel dreys out with the breeding season (October to January inclusive)

Destruction of squirrel dreys must only be undertaken as a last resort. Prior to a drey being destroyed, the Ecologist / ECoW must satisfy themselves that no squirrel is present within the structure. Dreys must be destroyed in a controlled manner to ensure no injury or killing of animals. All works must be overseen by an experienced Ecologist / ECoW.

A licence return must be sent to NatureScot Licensing team detailing all drey destruction works carried out under the Survey Licence.

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## 4.2 Activities requiring a NatureScot approved Method Statement

The following activities require a formal Method Statement to be submitted and approved in writing by NatureScot Licensing Team prior to any works commencing:

- a. Disturbance or destruction of a drey during the breeding season.
- b. Any exceptional circumstances not covered in this SPP.

The Method Statement template in Appendix A has been developed in conjunction with NatureScot and should be used by the *Contractor / Named Agent* for all submissions. The methodology used should be based on the following:

- A. Destruction or disturbance to a drey within the breeding season (February to September inclusive)**
  - A. There must be a presumption against disturbance or destruction of a squirrel drey during the breeding season, if unavoidable this work requires that a detailed Method Statement is agreed in writing with NatureScot Licensing Team prior to works commencing.
  - B. Non-invasive survey methods must be used to establish if the drey is in regular use. An experienced and qualified Ecologist / ECoW must use visual observation and video surveillance from the ground for a period of three days of daytime observations, to establish if the squirrel drey is in regular use. If the drey is in regular use it must be assumed that it is being used for breeding purposes.
  - C. If the survey establishes that there is no regular use by squirrel, destruction of the shelter can be carried out as for during the non-breeding season.
  - D. Dreys being used for breeding must not be destroyed or disturbed and no works carried out within 50 m of the structure, until the site Ecologist / ECoW has confirmed that dependent young are no longer present. The young begin leaving the drey at c. 7 weeks and are weaned at 8-10 weeks old.
  - E. Once completion of breeding has been confirmed through monitoring, and the site Ecologist / ECoW has satisfied themselves that no squirrel are present within the structure, the drey can be destroyed in a controlled manner to ensure no injury or killing of animals.
  - F. A licence return must be sent to NatureScot Licensing Team detailing all drey destruction works carried out under the Project Licence.

## 4.3 NatureScot Survey Licence

The Ecologist / ECoW must obtain a survey licence from NatureScot Licensing Team prior to using the following invasive survey methods:

- a. Where squirrel dreys are not clearly visible from the ground, and the Ecologist / ECoW needs to establish whether they are being used for breeding (i.e., non-invasive methods as described above cannot be used), camera traps mounted on adjacent trees may be employed (under survey licence from NatureScot) as an alternative in suitable weather conditions. Camera survey must be carried out for at least three consecutive days. The ECoW / Ecologist must be confident that this method is appropriate for detecting use at the given location.

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- b. Where the above survey methods are inappropriate, inspection of squirrel dreys may be undertaken by tree climbing or cherry picker and endoscopic inspection (under survey Licence from NatureScot) to confirm the presence/absence of young squirrels.

## 5 Revision History

No	Overview of Amendment	Previous Document	Revision	Authorisation
01	Transfer to new template and Nomenclature	TG-PS-LT-710 (Rev1.00)	1.00	Richard Baldwin
02	Author change, typos corrected, and web links updated	TG-PS-LT-710 (Rev1.00)	1.01	Richard Baldwin
03	Links checked author details updated. Transfer to New Template. Updates relating to NatureScot and simplification of legislation.	TG-NET-ENV-504 (Rev1.01)	2.00	Richard Baldwin
04				

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## Appendix A Project Licence Method Statement Template

<PROJECT TITLE>

METHOD STATEMENT FOR WORKS UNDER (insert licence details)

<insert species record reference>

<insert date>

### Introduction

This document, prepared on behalf of SHE Transmission provides a Method Statement for <insert details of works> to be completed under <insert licence details>. These works are required in order to facilitate the delivery of the <insert Project details> (the Project).

Condition <insert No.> of the above Licence states that a <insert species> Protection Method Statement be submitted to NatureScot Licensing Team for written approval, under specific circumstances, prior to commencement of works which could affect <insert species>. Therefore, no works which would <insert licensed activity> <insert species> shall take place without written confirmation of NatureScot approval of this method statement.

This Method Statement makes reference to the following documents:

<insert licence details>, NatureScot

Species Protection Plan (SPP): <insert SPP No. and title> Rev. X <insert date>

Further information is provided in Table 1: Summary of Data.

### Licensable Works

#### Introduction

<Insert details>

#### Baseline Description

<Insert description, including photographs / location plan>

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Table 1: Summary of Data

Reference	Easting	Northing	Date recorded	Description	Date works exclusion zone demarcated & distance

## Survey Summary

<Insert details>

## Description of the Proposed Licensable Works

<Insert details>

## Works Duration

<Insert details>

## Consideration of Alternatives

<Insert details>

## Impact Assessment

<Insert details>

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## Method Statement Site Briefing (to be delivered to relevant staff prior to works)

**Site:** <insert description>

**Reference number:** <insert species record reference>

**Client:** SHE Transmission

**Task:** <insert description of works>

**Prepared by:** <insert individual or Company name>

**Licensed Agent:** <insert name>

**Method statement for** <insert works description>

### Before works commence:

All relevant personnel will be made aware of the presence and location of the constraint and mitigation.

<insert details of methodology>

### During works:

<insert details of methodology>

<Insert Contractor's name>

I, the undersigned, confirm receipt of this method statement and fully understand and agree to work to the conditions therein.

Signature of Contractor's Representative:..... Date   ../   /

Print name in full: .....