

Common or Viviparous Lizard Surveys NIEA Specific Requirements

In Northern Ireland the common or viviparous lizard (*Lacerta vivipara*) is protected under Article 10 of the Wildlife (Northern Ireland) Order 1985 (as amended). It is an offence to:

- intentionally or recklessly kill, injure or take a lizard, or
- intentionally or recklessly damage or destroy, or obstruct access to, any structure or place that lizards use for shelter or protection.

On assessing your planning application NIEA considers that there is reasonable likelihood of lizards being present on the site and affected by the proposed development. To ensure your development proposal complies with legislation and planning policy, NIEA has recommended to the Planning Authority that an appropriate lizard survey should be carried out prior to the determination of your application.

Please note NIEA reserve the right to determine whether the survey is adequate or when additional information is required.

In order to ensure an adequate assessment the following specifications must be followed:

- NIEA recommends that all works comply with British Standard 42020:2013, *Biodiversity - Code of practice for planning and development*. This provides recommendations and guidance for those engaged in planning and development, whose work might affect or have implications for conservation, or the enhancement of biodiversity.
- The applicant must ensure that the commissioned surveyor(s) has the necessary experience and qualifications to carry out this work. The qualifications and experience of all surveyors must be included in the survey report. NIEA recommends that the surveyor(s) is a member of the Chartered Institute of Ecology and Environmental Management (CIEEM).
- The survey information must be presented in a written report and must include appropriately scaled maps.
- Survey dates and times must be recorded in the written report.
- There must be a minimum of three visits carried out on the site.
- The survey must combine two techniques: a **visual search** and a search of **artificial refugia**.
- Common lizard surveys should be carried out between **March and October**. The best time for surveys to be undertaken is generally April-May and in September.
- Consideration should be given to the time of year. Early in the year reptiles are often encountered closer to midday when the temperature is at its warmest. Conversely, in very hot conditions in midsummer, reptiles may be found increasingly earlier in the morning and later in the afternoon.
- The weather conditions must also be included in the report. It is generally better to search when the air temperature is between 9 and 18°C, with bright sunshine. Rainy or windy conditions are unsuitable for a survey.

- The site and surrounding area should be surveyed initially to identify potential basking spots. These must be included in the report.
- Existing refugia as well as artificial refugia must be surveyed. Artificial refugia should be in place a few weeks before the survey commences. Materials for artificial refugia include corrugated iron, corrugated bitumen-based roofing material; shed felt, rubber car mats or carpet. They should be placed close to the ground, in vegetation or at the edge of vegetation, and must be in a sunny location.
- The information from the visual and refugia surveys must be presented in the written report and the large scale map must show the locations of existing refugia and artificial refugia. Numbers of lizards observed and an estimate of population must be included.
- If necessary, the report should recommend the most appropriate ways in which lizards can be protected from adverse impacts caused by the proposed development. Mitigation measures should cover all phases of the development - before, during and after construction.
- Surveys should be submitted to the Planning Authority within one year of being carried out.
- In the event that the planning application goes to appeal or public inquiry the person(s) contracted to carry out survey work may be required to appear at, or give evidence to, the inquiry.
- A protected species licence to survey for lizards must be obtained from the NIEA Wildlife Team before commencement of the survey.
- All common lizard records should be reported to the Centre for Environmental Data and Recording (CEDaR)*
- For more guidance and information please refer to the following publications and websites:

NIEA Development Management website

<https://www.daera-ni.gov.uk/articles/development-management>

Wildlife Management and Licensing web page

<https://www.daera-ni.gov.uk/topics/biodiversity/wildlife-licensing-and-management>

National Amphibian and Reptile Recording Scheme (NARRS) website

<http://narrs.org.uk/index.php>

Froglife website

<http://www.froglife.org/>

*** Centre for Environmental Data and Recording (CEDaR)**

<http://www.nmni.com/cedar>

Chartered Institute of Ecology and Environmental Management

www.cieem.net