



Appendix 10A: Desk Study Keuper Gas Storage Project

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The information and advice contained in this report has been prepared and provided in accordance with the Chartered Institute of Ecology and Environmental Management's Code of Professional Conduct. We confirm that the opinions expressed are our true and professional bona fide opinions.



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1 INTRODUCTION

1.1 Scope of Report

This report has been prepared by Peak Ecology Ltd on behalf of Keuper Gas Storage Limited. It provides the results of a desk-based study carried out in 2025, associated with the Proposed Development.

The purpose of this report is to:

- Present the findings of the desk-based study;
- Highlight any statutory and non-statutory sites for nature conservation;
- Highlight any key protected habitats, and
- Highlight and key protected, priority and/or notable species.

The approach to this report follows best practice published by the Chartered Institute of Ecology and Environmental Management (CIEEM, 2013) and the Biodiversity – Code of Practice for Planning and Development (BSI, 2013). Details of the methodology are provided in Section 2.

1.2 Site Description

The majority of the Site consists of livestock-grazed modified grassland, typical of the surrounding flat, pastoral landscape of the Shropshire, Cheshire and Staffordshire Plain NCA. The site is divided by a network of ditches and mature hedgerows, with numerous mature trees along field boundaries. Ponds are present in large numbers across the site, also typical of the surrounding landscape, and occasional pockets of woodland; mostly associated with ponds or as linear plantations. A single watercourse, Puddinglake Brook, runs through the site.

1.3 Relevant Legislative Context

1.3.1 EU Directives

The EU Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, also known as the Habitats Directive, provides a framework for the conservation and management of natural habitats, wild fauna (except birds) and flora in Europe. Its aim is to maintain or restore approximately 220 natural habitats and 1,000 wild species, listed in the Directive's Annexes, at a favourable conservation status. Annex I covers habitats, Annex II covers species requiring designated of SACs, Annex IX species in need of strict protection, and Annex V species whose taking from the wild can be restricted by European law.

The EU Directive 2009/147/EC on the Conservation of Wild Birds, also known as the Birds Directive, provides for the protection of European wild birds and habitats of certain such species, through the designation of Special Protection Areas (SPA's). The Directive relates to all naturally occurring birds in the wild within the European community, addressing the protection, management and control of these species and lays down rules for their exploitation. The provisions apply to birds, their eggs, nests and habitats.

The species listed in Annex I of the Birds Directive are, according to the Directive, those in danger of extinction, rare, vulnerable to specific changes in their habitat or requiring particular attention for reasons of the specific nature of their habitat. Currently, there are 195 species or sub-species listed on Annex I, many of which are even threatened at global level.

1.3.2 The Conservation of Habitats and Species Regulations 2017

The Conservation of Habitats and Species Regulations 2017 primarily provides measures for the protection of European protected sites and species; transposing the Birds Directive and Habitats Directive into national law. The Regulations also require Local Planning Authorities (LPA) to include policies encouraging the management of features in the landscape of major importance for wild flora and fauna.

1.3.3 The Wildlife and Countryside Act 1981

The Wildlife and Countryside Act is the major legal instrument for wildlife protection in the United Kingdom and was implemented to comply with the European Habitats and Birds Directives. Sites of Special Scientific Interest (SSSI) are notified under Section 28 of the Act. It gives protection to native species (especially those under threat), controls the release and spread of invasive non-native species, enhances the protection of SSSIs and provides comprehensive protection of wild birds and their nests and eggs.

1.3.4 The Hedgerow Regulations 1997

The Hedgerow Regulations 1997 are the main regulations aimed at protecting hedgerows. They are administered by the district councils in England, county councils or county borough councils in Wales, and by National Park Authority and Broads Authority. These regulations, intended to protect important countryside hedges from removal, apply only in England and Wales. It is against the law to remove most hedges without permission, with removal being defined as uprooting or otherwise destroying a hedgerow. Serious damage to the root system or over-maintenance resulting in the death of the hedgerow counts as removal.

1.3.5 The Natural Environment and Rural Communities (NERC) Act 2006

The Natural Environment and Rural Communities Act places a duty on public authorities to conserve wider biodiversity in addition to the statutory protection given to certain sites and species. Section 41 (S41) of the Act requires the Secretary of State to publish a list of habitats and species which are of principal importance for the conservation of biodiversity in England.

A list of habitats and species, identified as being the most threatened and requiring conservation action, was subsequently drawn up to fulfil the requirements of the Act. Under S41, public bodies such as local authorities and utilities companies have a 'duty to conserve' these habitats and species of principal importance. The S41 list supersedes previous lists generated through the UK Biodiversity Action Plan (UKBAP) process.

As a result of devolution, and new country-level and international drivers and requirements, much of the work previously carried out by the UKBAP is now focused at a country-level rather than a UK-level, and the UKBAP was succeeded by the 'UK Post-2010 Biodiversity Framework' in July 2012, and subsequently by a revised UK Biodiversity Framework and the UK's National Biodiversity Strategy and Action Plan.

Local Biodiversity Action Plans (LBAP) are a local response to the UKBAP where local partners identify local priorities for conservation. They have clear measurable targets and funding to identify and carry out work on priority habitats, species and locally important wildlife and sites.

1.3.6 Protection of Badgers Act 1992

The Protection of Badgers Act was created to protect badgers from persecution and cruelty. It makes it an offence to harm, injure or kill a badger or to disturb a badger whilst in a sett. The Act also protects badger setts from damage, destruction and obstruction, and outlaws specific acts of cruelty.

A licence can be obtained which will enable the holder to undertake certain actions which otherwise would be an offence; this could include, disturbance of a badger within a sett and a sett closure.

1.3.7 Birds of Conservation Concern (BoCC)

The Birds of Conservation Concern List (Stanbury *et al*, 2021) does not offer any legal protection; however, it is a useful indictor showing which birds are most at risk. Red List birds are species that are globally threatened according to the International Union for the Conservation of Nature (IUCN) criteria:

- Species with an historical decline in breeding population which have not shown a substantial recent recovery;
- Species that have shown a severe breeding decline over the last 25 years or longer term;
- Species that have shown a severe breeding range decline over the last 25 years or longer term; and/or
- Species whose non-breeding population has declined over the last 25 years or longer term are most at risk of extinction.

1.4 Relevant Designated Sites

1.4.1 Sites of Special Scientific Interest (SSSI)

SSSIs are notified under Section 28 of the Wildlife and Countryside Act 1981. Notification is a statement of scientific value which does not carry prohibitive powers; however, a SSSI is given certain protection against damaging operations, and any such operations should be authorised by the designating body. The status also affords a certain amount of planning protection, depending on the reasons for designation.

The Countryside and Rights of Way (CRoW) Act 2000 made some significant changes to SSSI legislation in England and Wales, such that the law was strengthened giving greater power to the designating body to enter into management agreements, to refuse consent for damaging operations, and to take action where damage is being caused through neglect or inappropriate management. Local Authorities and other public institutions now also have a statutory duty to further the conservation and enhancement of SSSIs both in carrying out their operations, and in exercising their decision-making functions, which includes planning decisions.

1.4.2 **Ramsar**

Ramsar sites are classified under the Convention on Wetlands of International Importance. The mission of the Convention is "the conservation and wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world". While being an international scheme Ramsar sites face the same level of protection in the UK as Special Areas of Conservation.

1.4.3 Special Areas of Conservation (SAC)

SACs are areas that have been designated because of a possible threat to the habitats or species which they contain and to provide increased protection to a variety of animals, plants and habitats of importance to biodiversity, both on a national and international scale.

SACs are protected areas in the UK designated under: the Conservation of Habitats and Species Regulations 2017 (as amended) in England and Wales (including the adjacent territorial sea) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 in the UK offshore area.

Under these Regulations, the UK Government and devolved administrations are required to establish a network of important high-quality conservation sites that will make a significant contribution to conserving the habitats and species identified in Annexes I and II, respectively, of European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, known as the Habitats Directive. The listed habitat types and species are those considered to be most in need of conservation at a European level (excluding birds). Of the Annex I habitat types, 78 are believed to occur in the UK. Of the Annex II species, 43 are native to, and normally resident in, the UK.

1.4.4 Local Nature Reserves (LNR)

LNR are a designation made under Section 21 of the National Parks and Access to the Countryside Act 1949 by principal local authorities.

Parish and Town Councils can also declare LNR but they must have the powers to do so delegated to them by a principal local authority. LNR are places with wildlife or geological features that are of special interest locally. They offer people opportunities to study or learn about nature or simply to enjoy it. They are an impressive natural resource which makes an important contribution to England's biodiversity.

1.4.5 Local Wildlife Sites (LWS)

LWS, despite being non-statutory designations with no legal requirements for protection or management, can cover sites of high biodiversity value. LWS are identified for their substantive nature conservation value using robust, scientifically determined criteria which consider the most important, distinctive and threatened species and habitats within the local, regional and national context.

2 <u>METHODOLOGY</u>

2.1 Desk Study

Data was requested from RECORD (the Local Environmental Records Centre for Cheshire, Halton, Warrington and the Wirral); this included information relating to protected, priority and notable species and habitats within the Site and a 2km buffer. Record Centres, such as RECORD tend to collate records from numerous sources including specialist groups such as bat groups and bird groups. If additional data sets, outside of those held by the RECORD are identified and considered relevant, these will be acquired and presented in any subsequent reporting.

RECORD also provided details of nearby statutory and non-statutory designated sites; details of statutory sites have been included where present within 10km of the Site, and non-statutory sites where present within 2km.

A "Site Check" was also carried out using the online interactive mapping tools on the MAGIC (Multi-Agency Geographic Information for the Countryside) website, to source records of Priority Habitats and protected species licence returns.

2.2 Constraints

The biological records data from RECORD is generated from many sources and quality and accuracy cannot be guaranteed. This is not a definitive data set and a lack of data in any particular area does not necessarily denote an absence of species or habitats. Records tend to be concentrated around residential areas, wildlife sites and popular visitor locations.

The biological records data that has been used within this report is up to 20 years old; older data is available and has not been included; the data used is considered wholly adequate for the purpose of this report.

3 RESULTS

3.1 Designated Sites

Table 1 includes a list of designated sites identified during the desk study, and their reason for designation.

Table 1: Designated sites identified during the desk study

Name	Status	Reason for Designation	Approximate distance & direction from site			
Internationally Designated Sites						

Name	Status	Reason for Designation	Approximate distance & direction from site
Midland Meres & Mosses – Phase 1	RAMSAR	Geographically discrete series of lowland open water and peatland sites; habitats support nationally important flora and fauna.	9 km NE/SE
Midland Meres & Mosses – Phase 2	RAMSAR	Geographically diverse series of lowland open water and peatland sites.	9 km W
West Midland Mosses	SAC	Presence of Annex 1 habitats: Natural dystrophic lakes and ponds, and Transition mires and quaking bogs.	9km west
Nationally Designate	d Sites		
Plumley Lime Beds	SSSI	Lowland calcareous grassland; lowland mixed deciduous woodland; lowland wetland; wet woodland.	4km N
Marshall's Arm Hartford	LNR	Woodland, grassland, and wetland habitats.	4.4km NW
Sandbach Flashes	SSSI	Freshwater and saltmarsh; breeding and winter bird assemblages.	4.6km S
Witton Lime Beds	SSSI	Lowland calcareous grassland.	4.7km NW
Wimboldsley Wood	SSSI	Lowland mixed deciduous woodland; lowland neutral grassland; wet woodland.	5km SW
Tabley Mere	SSSI	Aggregations of breeding birds; eutrophic lakes.	5.8km N
Pettypool Brook Valley		Diverse valley mire system; basin and valley lowland fen; wet woodland; peatland habitats; invertebrate assemblage.	6.7km W
River Dane	SSSI	Fluvial geomorphology.	7km SE
Wettenhall and Darnhall Woods	L SSSL — Llowland neutral grassland: wet — L		7.8km SW
		Open water; basin fen; marshy grassland; carr woodland; butterfly assemblage.	8.5km SE
Tatton Meres SSSI which has the best meres we and well-site also flushed a		Tatton Meres consists of two meres which have been selected as some of the best examples in the county of meres with moderate fertility and a rich and well-developed aquatic flora. The site also includes a large area of fen, flushed acidic grassland and woodland.	9km NE

Name	Status	Reason for Designation	Approximate distance & direction from site	
Abbots Moss	SSSI	Series of nationally important lowland open water and peatland sites, some of international importance; dragonfly assemblage; adder (<i>Vipera berus</i>)	9.3km W	
Holly Banks	SSSI	Woodland on steep-sided valley; variations in soil conditions result in diverse species composition within woodland canopy and ground flora.	9.6km SE	
Gleads Moss	Gleads Moss is an example of a moss which has developed almost completely into fen and alder carr. A		9.9km E	
Locally Protected Sit	es	·		
Drakelow Gorse	LWS	Woodland, ponds and ditches.	Within Site boundary (SJ 7090 6958)	
Boundary Farm Pond LWS Wetlands, vascular plants.		Immediately north of Site boundary (SJ 6988 7084)		
River Dane Middlewich (Dane Valley)	LWS	Marsh, rivers, birds.	0.5km S	
Whatcroft Lane Wetlands	LWS	Neutral grassland, wetlands, ponds, wildlife corridors	0.6km NW	
Whatcroft Hedge	LWS	Veteran trees, wildlife corridors	0.8 km W	
Puddinglake Brook Wood	LWS	Deciduous woodland	0.9km W	
Pear Tree Farm	Traditional orchard, restorable		1km NW	
Ash Trees along Trent and Mersey Canal, Billinge Green	sh Trees along rent and Mersey LWS Veteran trees		1km NW	
Billinge Green Farm Pond	LWS	Restorable grassland, wetlands, wildlife corridors, vascular plants	1.1km NW	
Shakerley Mere	LWS	Deciduous woodland, acid grassland, species-rich grassland, heathland.	1.1km NE	
Trent and Mersey Canal, Whatcroft	LWS	Deciduous woodland, veteran trees, wetlands, wildlife corridors	1.5km W	
Whatcroft Woodland	roft Woodland LWS Deciduous woodland		1.5km W	
Flint Mill Reedbeds	LWS	Wetlands, wildlife corridors	1.6km SW	

Name	Status	Reason for Designation	Approximate distance & direction from site
River Dane Bostock LWS		Deciduous woodland, wet woodland, veteran trees, restorable grassland, wetland, ponds, rivers, wildlife corridors	1.6km W
Rudheath LWS Deciduous woodland, marshy grassland, heathland.		1.8km NE	
Meadow by Earls Wood and River Dane	LWS	Grassland, wildlife corridors	1.9km W
Gadbrook Valley LWS Grassland marsh, wildlife corridors		Grassland marsh, wildlife corridors	1.9km NW
Bull's Wood and Meadow		Deciduous woodland, veteran trees, neutral grassland, wildlife corridors, vascular plants	1.9km SW
Bank Hall Farm Flush	LWS	Veteran trees, neutral grassland, wetland	2km SW

3.2 Habitats

3.2.1 **Priority Habitats**

Deciduous woodland is scarcely present within the Site and surrounding landscape; Drakelow Gorse forms the most notable wooded feature on Site (OSGR: SJ70926956). A Traditional Orchard is recorded immediately north of the Site boundary (OSGR: SJ71267046). Numerous ponds are present on Site and throughout the surrounding landscape.

3.2.2 LCA 4e: Stublach Character Area. Including Lach Dennis, King Street & Byley

This character area extends from Lach Dennis in the north to Byley Hill Farm in the south. Enclosure comprises small to medium (0-8ha) regular, semi-regular and irregular fields, including medieval fields, post-medieval reorganisation and modern adaptation. Boundaries are made up of hedgerows, ditches and standard trees.

Within this area the degree of visual enclosure provided by field boundaries varies greatly. Where the field system has been rationalised the larger scale, more expansive areas provide extensive views towards the Peak District hills. Elsewhere views are limited, being restricted by the lush hedgerows and abundant hedgerow trees associated with the intact field pattern. The woodlands in the vicinity of Rudheath in the adjoining character area appear as a solid block on the eastern boundary of this part of the Cheshire Plain, terminating views in this direction.

This character area has a very low density of settlement, with the exception of the small village of Byley, there are a handful of dispersed hamlets and farms.

Woodland consists of a limited number of small broadleaved copses and coverts. There are a number of drainage features e.g. Puddinglake Brook and Bradshaw Brook.

3.3 Protected / Notable Species

Table 2 below lists records available on MAGIC of granted European Protected Species licences, within a 2km search radius.

Table 2: Summary of granted EPS licences

Reference Species		Licensable activities	Approximate distance & Direction from site
Bats			
EPSM2013-5880	Whiskered (<i>Myotis mystacinus</i>)	Destruction of a resting place	Immediately adjacent to the SW boundary
2016-19828-EPS-MIT	Soprano pipistrelle (<i>Pipistrellus</i> pygmaeus)	Destruction of a breeding site	0.6 km E
2014-3821-EPS-MIT	Brown long-eared (<i>Plecotus</i> auritus); Common pipistrelle (<i>Pipistrellus</i> pipistrellus)	Destruction of a resting place	1.2 km W
2014-4848-EPS-MIT	Soprano pipistrelle	Destruction of a resting place and breeding site	2 km E
EPSM2010-1781	Common pipistrelle; Soprano pipistrelle; Brown long-eared; Whiskered; Brandt's (Myotis brandtii); Daubenton's (Myotis daubentonii); Natterer's (Myotis nattereri)	Destruction of a resting place	2km NE
Great Crested Newts (, ,		l
EPSM2009-546	GCN	Destruction of a resting and breeding place	0.2 km N
2017-27448-EPS-MIT GCN		Destruction of a resting place	0.4 km NW
2014-2106-EPS-MIT	4-2106-EPS-MIT GCN		0.4 km NE
EPSM2010-2676	PSM2010-2676 GCN		0.4 km NE
EPSM2010-21205 GCN		Destruction of a resting place	0.5 km E

Table 3 provides a summary of the species records received from the Local Environmental Records Centre for Cheshire, Halton, Warrington and Wirral (RECORD) that are considered most relevant to the Site and/or Proposed Development. The full dataset is not included here but is available on request.

Table 3: Summary of protected and notable species records relevant to the Site

Species		Closest Record	Most Recent Record	Total No. of Records	Designation
Amphibians		•			
Common toad	Bufo bufo	1.4km S	2019	8	UKBAP
Grass snake	Natrix natrix	1 km SW	2016	2	UKBAP, WCA Sch5
Great crested newt	Triturus cristatus	On Site*	2021	61	UKBAP, LBAP, WCA Sch5
Birds			l		
Barn owl	Tyto alba	0.3 km W	2022	4	BoCC Amber, LBAP, WCA Sch1
Black-headed gull	Chroicocephalus ridibundus	On Site	2016	4	BoCC Amber
Bullfinch	Pyrrhula pyrrhula	On Site	2017	2	BoCC Amber, LBAP
Dunnock	Prunella modularis	On Site	2017	5	BoCC Amber
Fieldfare	Turdus pilaris	On Site	2014	1	BoCC Red, WCA Sch1
Greenfinch	Chloris chloris	2.4 km S	2017	1	BoCC Red
Herring gull	Larus argentatus	On Site	2017	2	BoCC Red
House martin	Delichon urbicum	2.4 km S	2017	3	BoCC Red
House sparrow	Passer domesticus	1.1 km SE	2020	4	BoCC Red, UKBAP, LBAP
Greylag goose	Anser anser	On Site	2019	3	BoCC Amber
Kestrel	Falco tinnunculus	On Site	2017	3	BoCC Amber
Kingfisher	Alcedo atthis	1.9 km W	2017	1	WCA Sch1
Lapwing	Vanellus vanellus	On Site	2014	1	BoCC Red, UKBAP, LBAP
Lesser black- backed gull	Larus fuscus	On Site	2014	1	BoCC Amber
Linnet	Linaria cannabina	On Site	2014	1	BoCC Red
Mallard	Anas platyrhynchos	1.26km NE	2019	10	BoCC Amber
Meadow pipit	Anthus pratensis	On Site	2017	2	BoCC Amber
Moorhen	Gallinula chloropus	1.25km NE	2019	6	BoCC Amber
Redwing	Turdus iliacus	On Site	2014	1	BoCC Amber, WCA Sch1
Rook	Corvus frugilegus	On Site	2014	1	BoCC Amber
Skylark	Alauda arvensis	2.4 km S	2017	3	BoCC Red, LBAP
Snipe	Gallinago gallinago	On Site	2014	2	BoCC Amber
Song thrush	Turdus philomelos	2.4km S	2017	2	BoCC Amber, LBAP
Starling	Sturnus vulgaris	On Site	2017	3	BoCC Red, LBAP
Stock dove	Columba oenas	On Site	2017	2	BoCC Amber
Tree sparrow	Passer montanus	On Site	2014	1	BoCC Red
Wheatear	Oenanthe Oenanthe	2.4km S	2017	1	BoCC Amber
Whitethroat	Sylvia communis	2.4km S	2017	3	BoCC Amber

Species	_	Closest Record	Most Recent Record	Total No. of Records	Designation
Willow warbler	Phylloscopus trochilus	2.4km S	2017	1	BoCC Amber
Wood pigeon	Columba palumbus	On Site	2017	4	BoCC Amber
Wren	Troglodytes troglodytes	On Site	2019	4	BoCC Amber
Yellow wagtail	Motacilla flava	2.4 km S	2017	2	BoCC Red
Yellowhammer	Emberiza citrinella	On Site	2017	1	BoCC Red, UKBAP, LBAP
Flowering Plan	ts	•		•	
Black poplar	Populus nigra	On Site (x 8)	2017	15	LBAP
Japanese knotweed	Fallopia japonica	2 km S	2016	1	WCA Sch9
Giant hogweed	Heracleum mantegazzianum	0.2 km SW	2016	1	WCA Sch9
Himalayan balsam	Impatiens glandulifera	2.2 km S	2017	2	WCA Sch9
Bats		1	•		
Bat species	Chiroptera sp.	1.3 km W	2019	6	WCA Sch5
Brown long- eared bat	Plecotus auritus	On Site	2019	10	WCA Sch5, UKBAP, LBAP
Common pipistrelle	Pipistrellus pipistrellus	On Site	2017	21	WCA Sch5
Myotis bat species	Myotis sp.	1.3 km NW	2019	5	WCA Sch5
Noctule bat	Nyctalus noctula	1.3 km NW	2019	6	WCA Sch5, UKBAP, LBAP
Pipistrelle bat species	Pipistrellus sp.	1.3 km NW	2019	8	WCA Sch5, LBAP
Soprano pipistrelle	Pipistrellus pygmaeus	0.6 km SE	2019	17	WCA Sch5, UKBAP, LBAP
Whiskered bat	Myotis mystacinus	1.3 km NW	2019	6	WCA Sch5, LBAP
Mammals (excl					
American mink	Neovison vison	2.1 km SW	2018	1	WCA Sch9
Brown hare	Lepus europaeus	On site	2011	45	LBAP
Eurasian badger	Meles meles	Within the se	earch area*	•	PBA
European hedgehog	Erinaceus europaeus	0.07km E	2016	7	UKBAP
European otter	Lutra lutra	0.06km SW	2019	4	WCA Sch5, UKBAP, LBAP
Polecat	Mustela putorius	2.06km SW	2007	1	UKBAP, LBAP
Invertebrates	•	•	•	•	•

Species		Closest Record	Most Recent Record	Total No. of Records	Designation
Lesser silver water beetle	Hydrochara caraboides	On Site	2014	4	LBAP

^{*} Exact locations of on-site records of GCN have been provided within the GCN Appendix.

Legislation Key:

WCA Sch5: Wildlife and Countryside Act (1981) Schedule 5 (Protections of wild animals)	WCA Sch1: Wildlife and Countryside Act (1981) Schedule 1 (Wild birds protected from disturbance)
WCA Sch9: Wildlife and Countryside Act (1981) Schedule 9 (Non-native plants and animals)	PBA: The Protection of Badgers Act (1992)
UKBAP: UK Priority Species	LBAP: Local Priority Species
BOCC Red: Birds of Conservation Concern 5th Review Red List	BOCC Amber: Birds of Conservation Concern 5th Review Amber List

^{**} Due to the risk of persecution of this species any records, if present, remain confidential.

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