

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) which indicates that it is an offence to intentionally or recklessly kill, injure or take any wild animal included in Schedule 5 of this Order, which includes the common lizard. It is also an offence to intentionally or recklessly: damage or destroy, or obstruct access to, any structure or place which common lizards use for shelter or protection; damage or destroy anything which conceals or protects any such structure; disturb a common lizard while it is occupying a structure or place which it uses for shelter or protection.

To ensure your development proposals comply with the Wildlife Order, The Northern Ireland Environment Agency (NIEA) has asked you to carry out an appropriate common lizard survey. You should follow these guidelines:

- The surveyor contracted to undertake this work must have relevant experience which is deemed acceptable to the Department, for example an ecological consultant with experience of, and/or qualifications in, reptile surveying.
- The survey must combine two techniques: **Visual search**; and **Artificial refugia** (this requires a licence).
- The date and time of the survey and the qualifications of the surveyor must be included in the survey report.
- Surveys must be carried out within one year of submission to the Department.
- There must be a minimum of three visits carried out on the site.
- 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.
- Survey timing: 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 a written report and include a large scale map showing 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 development. Mitigation measures should cover all phases of the development - before, during and after construction.
- 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.

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

For more guidance and information please refer to the following publications and websites:

National Amphibian and Reptile Recording Scheme (NARRS)

http://www.narrs.org.uk/Documents/nrsdocuments/Reptile_survey_methods_guide.pdf

Froglife Advice Sheet 10 Reptile Survey

<http://www.froglife.org/documents/FroglifeAdviceSheet10.pdf>

Wildlife Management and Licensing web page

http://www.doeni.gov.uk/niea/biodiversity/wildlife_management_and_licensing.htm

NIEA Development Management Advice and Information

http://www.doeni.gov.uk/niea/land-home/plan/advice_and_information.htm