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Impact of fencing on wildlife

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HS2 Implementation Advisory Group
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Was the impact on wildlife unexpected?

- HS2 construction has divided the countryside with miles of continuous fencing
- deer casualties began to appear in unexpected places



The Times, Sept 2011



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Extensive knowledge/ experience/ mitigation

Entanglement and impalement are two deadly effects of inappropriate fence design or placement. Habitat fragmentation, however, can have a greater impact on wildlife populations (Van Riper and Ockenfels 1998).

- Public reports - e.g. *Wildlife compatible fencing* Arizona Game and Fish Dept August 2011



Figure 4. Birds of prey may not see wires when in pursuit.



Figure 1. A deadly fence design for ungulates. Woven wire mesh topped by 2 closely spaced strands of barbed wire.

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Some animals get lucky



Just drove by and seen this deer stuck in a fence



His back leg was entangled

- extensive video evidence now readily available

Credit: Epoch Times Oct 2020

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Some don't

- muntjac trapped by lethal HS2 fencing



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HS2 Environmental Statement

- only "protected and/or notable species" considered
 - bats, badger, otter
- no consideration of wider issues of biodiversity
- methods of mitigation acknowledged
 - corridors, green bridges, clear spans, culverts
- no declaration of serious adverse severance effect from fencing

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Legal responsibility

- "the duty to perform an assessment of impact, and possible mitigation and modification measures under Schedule 17, has been imposed by Parliament squarely and exclusively upon the local authority" Hillingdon judgment Para 10

Schedule 17

- "carried out in accordance with plans and specifications for the time being approved by the relevant planning authority"
- "design .. ought to be modified—to preserve the local environment or ... to preserve a site of nature conservation value"

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Solihull Local Plan Policy

- P10 Natural Environment
- "The Council will seek to conserve, enhance and restore biodiversity"
- "Where development is likely to have significant harmful effects on the natural environment ... , developers must demonstrate that all possible alternatives that would result in less harm have been considered"

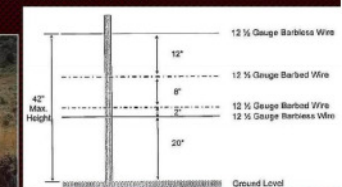
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Well-established mitigation

- separate assessment of the need at each location
- fencing can contain stock but not harm wildlife
- various types



Credit: Reuters



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Wildlife injury and habitat severance

- recognition of issue pre-dates HS2
- harm to non-"protected" species ignored by HS2 Ltd
- standard mitigation methods well-established

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Responsibility

- Solihull MBC is the Local Planning Authority
- fully aware of threat to biodiversity from fencing
- committed by Policy to protect biodiversity
- remedies and mitigation well-known
- Natural Environment and Rural Communities Act 2006 - section 40: Duty to conserve biodiversity
- apparent inaction can look like consent

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Thank you