

PROTECTED SPECIES ADVICE FOR DEVELOPERS



REPTILES: ADDER, SLOW WORM & COMMON LIZARD

Legal protection for reptiles

There are three terrestrial species of reptile commonly found in Scotland; adder, slow worm and common lizard (also known as viviparous lizard). All are protected by the Wildlife and Countryside Act 1981 (as amended) and by the Nature Conservation Act 2004. Offences relevant to development works include:

- to intentionally or recklessly kill or injure an adder, slow worm or common lizard.

This means that if adders, slow worms or common lizards could be killed or injured by your development, and you take no action to prevent it, you run the risk of committing an offence. **There is no licensing provision to allow the killing or injuring of reptiles and so measures must be put in place to minimise the risk of this happening.**

When a development might affect reptiles

All three species can be found in most parts of Scotland, but are notably absent from Orkney and Shetland. Slow worm is the only species found in the Western Isles. They occur in a range of different habitats, including grassland, woodland/scrub, heaths and dunes, as well as brownfield sites in more urban settings. For an up to date map of the distribution of each species see the [National Biodiversity Network Atlas](#). The NBN Atlas maps indicate the broad pattern of distributions across Scotland but cannot provide detailed information for individual development sites. Local Record Centres may have additional information that can help determine if reptiles are likely to be present on your development site.

The main potential impacts from development proposals are the risk of individual reptiles being killed or injured during construction work (eg. site clearance, excavation works, vehicle movements and stockpiling of construction materials) and any resulting loss or damage of suitable reptile habitat. If reptiles could be found within or close to your development site, you should have a survey undertaken.

Carrying out a reptile survey

When

Reptile surveys can be carried out from April to September, though the best months are April, May and September when reptiles are most active above ground. Reptiles hibernate from October to March, when they lie dormant amongst dense vegetation or tree roots, and under logs or rocks.

How

Surveys of adders and common lizards involve a careful search of the development site for individuals basking in the open. Searches are best carried out in the morning or late afternoon on warm, dry, still days. Slow worms rarely bask and so must be looked for under logs and stones. Reptiles can be difficult to find and so surveys should be carried out by experienced individuals. To make reptiles easier to find (especially slow worms), artificial refuges (such as corrugated iron sheets, carpet tiles or similar), can be put out in advance of the survey, for them to bask on or hide under. Several visits are likely to be required to confirm the presence or absence of reptiles across a development site, depending on the size of areas needing to be surveyed.

Further details regarding planning, conducting and interpreting reptile surveys can be found in [Froglife's Advice Sheet 10](#) and [Survey protocols for the British herpetofauna](#) (Sewell et al. 2013).

Your survey report should include:

- details of any information gathered from the NBN, Local Record Centres or other sources;
- names and experience of surveyors;
- details of survey methods, including survey area, date, time and weather conditions;
- descriptions of the habitat surveyed and any limitations to the survey, such as access;
- maps showing the location of any sightings of reptiles and the extent of suitable habitat likely to be affected by the development.

Preparing a reptile protection plan

If your survey finds reptiles that could be affected by your proposal, you will need to prepare a species protection plan.

The protection plan should include:

- details of how the development is likely to affect reptiles;
- mitigation measures to be employed to avoid any offence and minimise impacts on reptiles;
- summary of any residual impacts once mitigation measures have been taken into account.

Typical mitigation measures are:

- careful design of development and location of infrastructure to avoid loss or damage of reptile habitat and maintaining connectivity between blocks of habitat;
- timing works to avoid the period when reptiles may be hibernating (October-March);
- use of fencing to prevent reptiles moving into areas where they could be killed or injured;
- altering habitat to displace reptiles from areas where they could be killed or injured (eg. careful strimming of grassland to a short sward) - provided there is a suitable safe area nearby that they can easily move to;
- if none of the above are possible, reptiles can be caught and translocated to suitable habitat that won't be affected by the development. Translocation is a difficult and time consuming operation and should be treated as a last resort. Translocations should be to sites nearby – small numbers of individuals may be added to habitat with existing populations of a species, but if large numbers of individuals are involved they should be released into new, or improved habitat where they won't be competing with an existing population.

Annotated maps and photographs are a useful way of showing the location of the mitigation measures proposed, and how they relate to survey information and construction works.

Further information and more detailed advice on mitigation measures can be found on the [UK Government website](#).