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**BAT SURVEY  
UPDATE**

**To 14<sup>th</sup> June, 21<sup>st</sup> and 22<sup>nd</sup> Aug 2014 Surveys**

**AT  
The Moorcock inn  
Waddington  
Clitheroe  
Map ref. SD 720467**

**DATE AND TIME OF VISIT  
29th MAY 2016 9.00pm**

**WEATHER CONDITIONS  
Clear sky, light breeze, 14 C  
Good conditions for foraging bats.**

**REFERENCE NO. 4512**



**Survey carried out by:**

**Lynne Rushworth  
Sunderland Peacock & Associates Ltd.  
Hazelmere  
Pimlico road  
Clitheroe  
BB7 2AG**

**THIS SURVEY HAS BEEN CARRIED OUT BY: LYNNE RUSHWORTH WHO HAS COMPLETED THE BAT CONSERVATION TRUST'S 'BATS AND BAT SURVEYS' FOUNDATION COURSE FOR CONSULTANTS, AND 'PLANNING AND PREPARATION OF BAT SURVEYS' COURSE**

**EMERGENCE SURVEYS ARE CARRIED OUT WITH A SECOND SURVEYOR WITH NINE YEARS EXPERIENCE OF ASSISTING ON EMERGENCE SURVEYS**

### **THE BRIEF**

In conjunction with the submission of an application for planning approval, this survey was commissioned to identify if bats are currently present in the building, to assess if it has been used in the past or if there is any potential for future use of the building.

All British bats and their roosts are legally protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010, the Countryside and Rights of Way Act 2000 and the Natural Environment and Rural Communities Act 2006

### **BAT LEGISLATION - Summary of offences under the law:**

#### **Bats and the Law Wildlife and Countryside Act 1981,**

Principally those relating to powers and penalties, have been amended by the Countryside and Rights of Way Act 2000 (CRoW Act). The CRoW Act only applies to England and Wales.

Section 9(1) It is an offence for any person to intentionally kill, injure or take any wild bat.

Section 9(4)(a) It is an offence to intentionally or recklessly\* damage, destroy or obstruct access to any place that a wild bat uses for shelter or protection. (\*Added by the CRoW Act in England and Wales only) This is taken to mean all bat roosts whether bats are present or not.

Section 9(4)(b) It is an offence to intentionally or recklessly\* disturb any wild bat while it is occupying a structure or place that it uses for shelter or protection. (\*Added by the CRoW Act in England and Wales only)

#### **The Conservation (Natural Habitats, &c.) Regulations 1994**

Section 39(1)

It is an offence to

(a) deliberately to capture or kill any bat

(b) deliberately to disturb any bat

(c) damage or destroy a breeding site or resting place of any bat. The difference between this legislation and the Wildlife and Countryside Act 1981 is the use of the word 'deliberately' rather than 'intentionally'. Also disturbance of bats can be anywhere, not just at a roost. Damage or destruction of a bat roost does not require the offence to be intentional or deliberate.

#### **Countryside and Rights of Way (CRoW) Act (2000) Part III Nature conservation and wildlife protection 74 Conservation of biological diversity**

(1) It is the duty of (a) any Minister of the Crown (within the meaning of the Ministers of the [1975 c. 26.] Crown Act 1975), (b) any Government department, and (c) the National Assembly for Wales, in carrying out his or its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biological diversity in accordance with the Convention.

#### **The Natural Environment and Rural Communities Act (2006) PART 3, (40): Duty to conserve biodiversity**

(1) Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

(2) Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

## LIMITATIONS OF REPORT

***NOTE:*** *The absence of bats is near impossible to prove. The bats' high mobility means it is virtually impossible to rule out bats using any type of structure for roosting or habitat for foraging or on a flight path.*

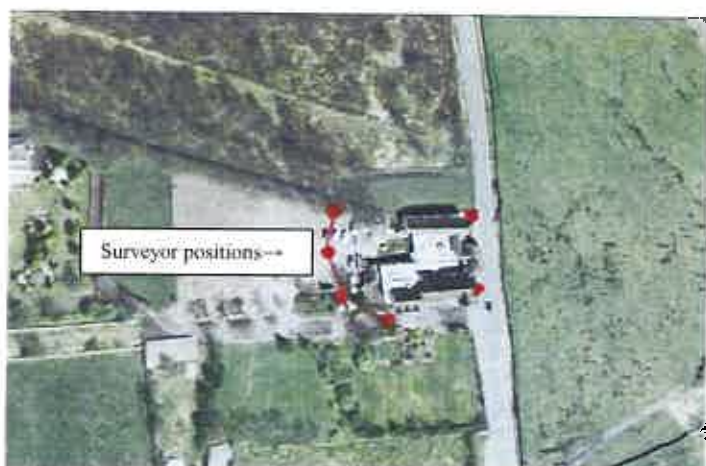
- External walls and internal rooms inspected from ground level.
- Roof spaces, attics and lofts will only be inspected if safe access is possible.
- Winter surveys will provide limited results. However internal inspection should determine if bats have used the building in the previous year.
- Any building whose structure is considered dangerous can only be inspected from a safe distance.

The building structure considered unsafe an evening emergence survey was carried out.

## EQUIPMENT USED ON SURVEY

- 'MAGENTA 5' BAT DETECTOR
- BINOCULARS
- HIGH POWERED TORCH
- LADDERS FOR HIGH LEVEL INSPECTION
- CAMERA

**METHODOLOGY:** - Evening - Two surveyors monitored the building during the course of the survey. Based on previous activity results the survey was concentrated on the west side of the building, the positions and route followed by surveyors is indicated below.



**RESULTS;** The weather conditions were perfect for foraging activity. At 9.15 pm a single bat appeared from the direction of the main road travelling along the front of the building and across the car park towards the trees (see photo below) this foraging activity of a single bat continued back and forth along this route and continued until the survey terminated when it became too dark to see. No other bat activity was recorded there was no emergence /re-entry from the building and no foraging activity took place within the building. The activity recorded differed from the results of the surveys carried out in 2014, See below.



14 /6 /2014 21/8/14

29/5/2016

## CONCLUSION

All activity surveys undertaken at this property did not reveal any bat emergence or re entry. The activity level in this location is historically very low and this survey confirms that this level remains the same.

The demolition of the building is unlikely to cause a disturbance or have a detrimental effect on the local bat population, roosting bats or result in the loss of a maternity roost or hibernacula or result in the death of any protected species.

There was no evidence to indicate that bats have started to use the building during the intervening years since the previous negative results of the 2014 reports. However it is still recommended that due to the condition of the building and the numerous access possibilities is nearly impossible to discount the possibility that the occasional transitory bat may use the building, hence precautionary mitigation as detailed below should be followed.

## MITIGATION

- The demolition should take place in Spring or Autumn when any displaced bats would be able to find alternative roosts and food. September - November or March and April.  
December, January, February should be avoided as bats are usually hibernating and are unable to find alternative roosting sites.
- Extra care must be taken when roof slates, roofing components, barge boards or any timber boarding is removed.
- In the unlikely event of bats being exposed or vulnerable to harm.  
**WORK MUST STOP IN THAT AREA IMMEDIATELY.**  
The exposed bat should be covered for protection and the Bat Conservation Trust should be contacted.  
helpline 0845 1300 228
- All contractors and site managers should be fully aware of their responsibilities to protected species and the legal protection afforded to them.