13 York Street

Bat Survey Report

September 2020

Control sheet

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The information which we have prepared and provided is true, and has been prepared and provided in accordance with the BS42020:2013 and 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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Signed (Author)	Signed (QA)
	

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Executive Summary

This report has been prepared by Bowland Ecology Ltd. on behalf of Branleigh Homes and supports a planning application relating to 13 York Street, Clitheroe (central NGR: SD 74512 42017), for the proposed renovation of the property.

Table 1, below, details the key ecological features, potential impacts, the requirement for further surveys and outline mitigation strategies relating to the property.

Table 1: Summary of ecological features, impacts and outline mitigation measures.

Ecological Feature	Potential Impact	Additional survey required	Outline Mitigation
Roosting bats	Direct and indirect - Disturbance and harm / injury. Loss of roosting habitat.	N	Adherence to Reasonable Avoidance Measures (RAMs). Compensation for loss of potential suitable rooting features.
Foraging and commuting bats	Indirect - Disturbance from additional lighting.	N	Implementation of a sensitive lighting scheme.
Birds	Direct - Disturbance and harm / injury.	N	Pre-works check for the presence of birds.

1. Introduction

1.1 Bowland Ecology Ltd. was commissioned by Branleigh Homes to complete a daytime building inspection for bats, followed by a dusk emergence survey at 13 York Street, Clitheroe, which is subject to renovation.

1.2 13 York street in a Grade II listed terrace house located within Clitheroe. The house is situated within the centre of the town, its immediate surrounding are therefore largely urbanised, with residential and commercial buildings, roads, and small pockets of residential gardens and urban greenspace present (Figure 1). The wider surrounding are however predominantly rural, with an abundance of open grasslands interspersed with areas of woodland, hedgerows and running water.

Figure 1: Location of 13 York Street (red boundary).

1.3 The purpose of the surveys was to: 1) make an assessment of the value of the site for bats and other protected species, with particular reference to legal requirements (Appendix A); and 2) identify potential impacts and provide recommendations pertaining to the proposed works. This report includes a description of survey methods, survey results and outlines recommendations to provide protection, mitigation and enhancements for bats and birds.

2. Methodology

2.1 The building inspection survey, bat surveys and report follow the Guidelines for Preliminary Ecological Appraisal (CIEEM, 2017 a), the Guidelines for Ecological Report Writing (CIEEM, 2017 b) and the Guidelines for Ecological Impact Assessment (CIEEM, 2018), and are in line with the British Standard BS42020:2013 'Biodiversity – Code of practice for planning and development'.

Desk Study

2.2 The aim of the desk study was to identify the presence of statutory and non-statutory wildlife sites that are designated for bats within the area as well as any records for bats or bat roosting sites within the locality.

2.3 The Multi-Agency Geographic Information for the Countryside (MAGIC) website https://magic.defra.gov.uk/magicmap.aspx) was reviewed for information on locally, nationally and internationally designated sites of nature conservation importance (statutory sites only) on or within 1 km of the site boundary which may be of value to bats.

2.4 Ordnance Survey (OS) maps and aerial photographs (http://maps.google.co.uk/maps) were reviewed to help identify any continuous habitat and any other notable habitats suitable for bats within the surrounding area.

Building Inspection Survey

2.5 A daytime internal and external inspection of the building was undertaken on the 22nd September 2020 by Catrin Watkin MRes, BSc (Hons) (Natural England Class Licence No. 2019-39208-CLS-CLS). The weather during the survey was dry, with 8/8 cloud cover, a light breeze (Beaufort Scale F1) and a temperature of 14°C. The inspection survey followed methods stated in the Bat Conservation Trust (BCT) 'Good Practice Guidelines' (Collins, 2016). Using the information collected during the internal and external assessment, a 'roost potential' score was given to the building according to the criteria shown in Appendix B (Collins, 2016).

2.6 The external inspection involved checking for field signs of bats on external features of the buildings with particular attention being paid to windowsills, windowpanes and ledges, walls, doors and the ground around the buildings. An assessment of the potential of the buildings to support bats was also made during the survey i.e. searching for suitable roosting crevices. High power torches (Cluson Clu-lite 500,000 candlepower), and close focus binoculars were used to aid the survey.

2.7 The internal inspection involved a search of available loft voids and internal spaces for field signs such as: bats, bat droppings, urine stains, bat feeding remains (moth wings, insect cases), bat staining, a distinctive smell of bats, scratch marks and smoothing of surfaces, which would indicate a roosting site. Close focus binoculars and high-power torches (Cluson Clu-lite 500,000 candlepower) were used to aid the survey.

2.8 Natural England's Bat Mitigation Guidelines (2004) states that a significant bat roost can normally be determined on a single visit at any time of the year, provided that the entire structure is accessible and that signs of bats have not been removed by others.

2.9 An assessment of the suitability of the surrounding habitats for bats was also undertaken, including the identification of potential foraging and roosting areas, potential flight lines and important commuting corridors.

Bat Emergence Survey

2.10 A dusk emergence survey of the building was completed on the 22nd September 2020 by Catrin Watkin MRes, BSc (Hons) (Natural England Class Licence No. 2019-39208-CLS-CLS) and Sam Robinson BA. The survey methodology followed the guidelines as described in Collins, 2016. Foraging and commuting activity of bats surrounding the building was also recorded during the survey. The survey commenced at 18:53 and ended at 20:38, sunset was at 19:08. Weather during the survey was mostly dry, with a short period (approximately ten minutes) of light rain, with 8/8 cloud cover, a light breeze (Beaufort scale F1) and a temperature of 13°C both at the start and end of the survey. The survey was aided by the use of EchoMeter Touch detectors. The surveyors positioned themselves to get the best coverage of the building and focused in on those areas with the most potential as roosting habitat.

Limitations

2.11 Bat surveys are limited by factors such as poor weather conditions and time of year. Rain experienced during the dusk emergence survey is not considered to have significantly impacted the survey due to it's short duration (approximately ten minutes) and very light nature.

2.12 The internal inspection of the building was limited by the presence of dust and debris on the ground and internal surfaces, thereby inhibiting the identification of bat droppings.

2.13 Access to the loft space was not possible during the internal inspection due to Health and Safely concerns. Numerous gaps within the ceiling of the third storey allowed for vantage points into the loft space; as such this is not considered a major constraint.

3. Results

Desk Study

3.1 13 York Street is located within a Site of Special Scientific Interest Impact Risk Zone. However, the proposed development does not fall into any of the categories which require consultation with Natural England. As such, no further consideration towards the Impact Risk Zone is required.

3.2 There are no statutory designated wildlife sites within 1 km of the site designated for the presence of bats.

3.3 The search of MAGIC identified the following habitats, classified as Habitats of Principal Importance (HPI) under the 2006 NERC Act, within 1 km of the site:

- Sixty one areas of deciduous woodland, the majority f which are located within the grounds of Clitheroe Castle, with the closest area located approximately 330 m south-west;
- An area of wood pasture and parkland located approximately 350 m south-west of the site;
- Two areas of lowland fens, the closest of which is located approximately 720m; and
- Three areas of good quality semi-improved grassland, the closest of which is located approximately 740 m north-east.

3.4 Based on a review of aerial photographs and OS maps, the habitats directly surrounding 13 York Street are largely urbanised, with residential and commercial buildings, roads, and scattered trees and small pockets of urban greenspace present. The wider surrounding are however predominantly rural, with an abundance of open grasslands interspersed with areas of woodland, hedgerows and running water.

3.5 The woodland areas may provide foraging habitat for those species showing preference for more 'closed' habitats, including brown long-eared (*Plecotus auritus*) and Natterer's bats (*Myotis nattereri*). The edges of the woodlands may provide foraging habitat for bat species known to favour 'edge' habitats. Such species include common pipistrelle and whiskered bats (*Myotis mystacinus*), which are flexible in their foraging habitat. The grassland areas may be used by foraging noctule, (*Nyctalus noctula*), which prefer to feed in 'open' habitats.

3.6 The search of MAGIC returned no active bat licences within 1 km of the site.

Building Inspection

3.7 A detailed description of the building is included below, along with building inspection results and photographs.

3.8 13 York Street is a Grade II listed terrace house which is currently vacant. The property is a three storey, stone build building with a single storey extension (Figure 2) located to the rear (north-west). Both the main building and extension have slate-tiled pitched roofs. The front (south-eastern) elevation (Figure 3) is rendered, with no cracks or crevices noted. On this elevation, a single door is present on the ground floor and one wooden sash window is present on each storey; the stone and wooden frames which surround the doors and windows appear well sealed, and offer no features considered suitable for roosting bats. No fascia board or soffit box is present on this elevation, however stone

guttering is present; the stone guttering is flush to the wall plate, with no features considered suitable for roosting bats noted. The lower half of the rear elevation is rendered, however render on the upper half is missing in places. Overall, the brickwork on this elevation appears to be in good condition, however a series of small crevices as a result of missing mortar was noted above both third storey lintels (Figure 4). These features may offer roosting opportunities for small numbers of crevice dwelling bats.

3.9 A single door and two windows are present on the ground floor of this elevation, a single window is present on the second storey and two windows are present on the third. A gap (approximately 10 cm x 30 cm) is present in the stonework adjacent to the door's wooden frame (Figure 5), this feature may allow access for wildlife into the internal space. The stone lintels of the windows are will sealed, with the exception of the two windows on the third storey, here narrow gaps are present between the lintels and the stonework above (Figure 4); these features may offer roosting opportunities for small numbers of crevice dwelling bats. A window on the third storey has been boarded up (Figure 4); any gaps present between the board and the wooden window frame may offer roosting opportunities for small numbers of crevice dwelling bats.

Figure 2: View of the north-western elevation, with a single storey extension.

Figure 3: View of the south-eastern elevation.

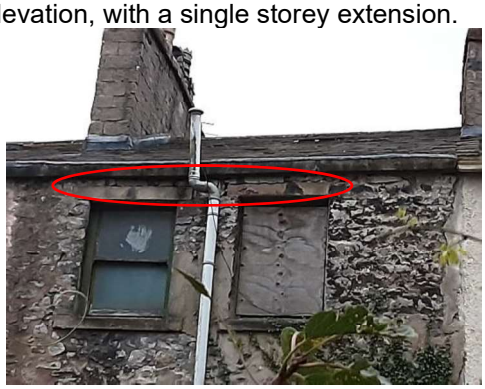


Figure 4: Collection of crevices within the brickwork (circled) and boarded up window on north-western elevation.

Figure 5: Gap adjacent to the rear doorway (circled).

3.10 Both the main building and the rear extension have a pitched slate-tiled roof. Overall, both roofs appear to be in good condition, however occasional lifted tiles were noted throughout. A single missing roof slate was noted on the bottom north-western corner of the rear extension. Overall, the ridge tiles appear to be well sealed, however a small area of missing mortar was noted on the north-western corner of the rear extension. The aforementioned features are considered to provide roosting opportunities for small numbers of crevice dwelling bats as well as potential access to between the roof tiles and the roof membrane. Two chimneys are present on the roof of the property; the

brickwork and lead flashing of both chimneys appear to be in good condition, with no features considered suitable for roosting bats noted.

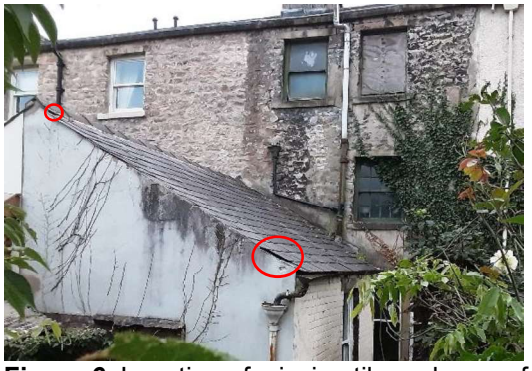


Figure 6: Location of missing tile and area of missing mortar beneath ridge tile on rear extension (circled).

3.11 Internally, the house has been separated into a series of rooms which are currently vacant. Although access into the internal space is possible via a gap in the brickwork adjacent to the rear door (Figure 5) and potentially through gaps behind the wooden board on the third storey (Figure 4), the internal space is considered unsuitable for use by roosting bats due to the absence of suitable roosting features and the bright nature of the rooms. The third storey ceiling is in a poor stare of repair; the ceiling is warped in places and numerous gaps are present (Figure 7), allowing access for wildlife between the internal living space and the loft space. The roof is constructed of timber beams and a roof membrane is present beneath the slate tiles (Figure 7); no gaps were noted within the roof membrane. The presence of a large skylight (Figure 8) within the roof results in a bright loft space; as such, the loft space is considered unsuitable for use by roosting bats.

Figure 7: Gap within ceiling of third storey, through which the lined roof is visible.

Figure 8: Large skylight within the roof visible through gap in ceiling.

Dusk Emergence Surveys

3.12 A dusk emergence and activity survey was undertaken on the 22nd September 2020. Table 2, below, shows the time, species and activity type recorded by each surveyor. No bats were observed to emerge from the building during the survey and bat activity levels were low throughout. Common pipistrelle (*Pipistrellus pipistrellus*) was the only species recorded during the survey. The first bat was detected at 19:16, 8 minutes after sunset. Given the time after sunset, the bat is considered likely to have emerged from a nearby building.

3.13 Brief foraging activity along with commuting paths were recorded to the north-west of the building, above the garden. Numerous bat passes were recorded as faint, brief passes which were heard, and not seen; suggesting that these bats were commuting or foraging in neighbouring land, away from the building. No social calling was recorded during the survey. The surveyor at Location 2 noted that the areas immediately surrounding the south-east of the property, along York Street, was illuminated by street lighting, which is considered likely to deter light sensitive bat species.

Table 2: Dusk Emergence Survey Results

Time	Species	Activity
Catrin Watkin (Location 1 – North-western elevation)		
19:16	Common pipistrelle	Heard, not seen. Couple of brief passes.
19:20	Common pipistrelle	Heard, not seen. Brief pass.
19:26	Common pipistrelle	Commuting from east to north around wall, then back again.
19:26	Common pipistrelle	Foraging and commuting. Flew from the east, foraged above garden briefly, then flew west.
19:31	Common pipistrelle	Heard, not seen. Brief pass.
19:33	Common pipistrelle	Three bats seen commuting from west to east.
19:33	Common pipistrelle	Commuting from east to west.
19:39	Common pipistrelle	Seen, not heard. Commuting high above building from east to west.
19:42	Common pipistrelle	Heard, not seen. Very brief pass.
19:44	Common pipistrelle	Heard, not seen. Brief pass.
19:55	Common pipistrelle	Heard, not seen. Brief foraging pass.
20:11	Common pipistrelle	Heard, not seen. Brief pass.
Sam Robinson (Location 2 – South-eastern elevation)		
Time	**Species**	**Activity**
19:23	Common pipistrelle	Heard, not seen.
19:51	Common pipistrelle	Heard, not seen.

Other Considerations

Nesting birds

3.14 An abundance of old bird droppings was recorded on the wall of the third storey rear bedroom (Figure 9); also noted within this room was a collection of bird skeletons and suspected old nests which had been swept into a corner on the floor (Figure 10). It is considered likely that birds have previously used this room for nesting, likely gaining access from the window which is currently boarded up. Due to the absence of fresh evidence and the presence of a board covering the window, it is considered unlikely that this interior space has recently been used by nesting birds.

3.15 A small area of ivy clad is present on the north-western elevation. Due to the thin nature of the ivy clad, it is considered to provide **negligible** potential to provide nesting opportunities for nesting birds.

Figure 9: Collection of bird droppings within third storey rear bedroom.

Figure 10: Suspected old bird nesting material within third storey rear bedroom (circled).

4. Evaluation and Assessment of Potential Impacts

4.1 An assessment of effects on ecological features has been made using the available design and survey information and the professional judgement of the ecologist. This includes a consideration of the relevant legislation (see Appendix A) and planning guidance. If there are changes to the proposals, such as a change to the proposed development design or to the construction method and programme, the assessment would need to be reviewed.

4.2 Current proposals includes complete renovation of the building, to include re-roofing.

Bats

4.3 No evidence of the presence of roosting bats was noted during the building inspection. However, the following structural features are considered to provide potential roosting opportunities for bats:

- Missing/lifted tiles;
- The timber board covering a window on the third storey; and
- Crevices within the brickwork on the north-western elevation as a result of missing mortar.

4.4 Due to the presence of the aforementioned roosting features which could be used by opportunistic individual bats, the building was assessed as providing **low** potential to support roosting bats.

4.5 No bats were observed emerging from the building and the presence of street lighting is considered likely to deter light sensitive bat species. Despite the absence of bat field signs and lack of emerging bats, the building does provide potential roosting opportunities. As bats are a mobile species and use a variety of roosting sites, occasional use of the building by individual, opportunistic bats cannot be completely discounted. In the absence of appropriate mitigation, there is a **low risk** of causing harm or disturbance to individual bats during renovation works, which would result in an offence (Appendix A). Furthermore, in the absence of roost compensation, the renovations works may also lead to the reduction in available roosting opportunities.

4.6 Overall, the availability and connectivity of foraging and commuting habitat directly surrounding the property is poor, due to the largely urbanised environment dominated by hardstanding and buildings. External lighting is also likely to deter less tolerant species from using available foraging resources. In accordance with Collins (2016), the surrounding area is considered to have **low** suitability for foraging and commuting bats. The emergence survey recorded low activity levels of bats, however occasional commuting and foraging common pipistrelle bats were recorded, particularly to the rear of the property. Any new lighting associated with the renovation has the potential to impact foraging, commuting and roosting bats utilising the building and/or surrounding area, particularly to the rear. An increase in artificial illumination poses a barrier to bat movement and reduces foraging opportunities by depleting invertebrates from unlit areas, thereby reducing food abundance. Unmitigated, potential disturbance to bats could occur through increased lighting of the surrounding area at night, particularly if light spillage occurs onto any adjacent roosting features or linear features which could be used for commuting and foraging.

Other considerations

Nesting birds

4.7 Although evidence of past nesting birds was noted within the third storey rear bedroom, the presence of existing/future nesting birds is considered highly unlikely due to presence of a wooden board blocking the likely access point. As such, the proposed internal renovation works at York Street are considered highly unlikely to cause a negative impact to nesting birds.

5. Conclusions and Recommendations

5.1 This section provides the required measures to mitigate the impacts of the proposed development. A key element of the National Planning Policy Framework is to minimise impacts to biodiversity and provide enhancements. Paragraph 170 states that "*Planning policies and decisions should contribute to and enhance the natural and local environment by … minimising impacts on and providing net gains for biodiversity…"*. Paragraph 175 also states that "*when determining planning applications, local planning authorities should* …" encourage "*opportunities to incorporate biodiversity improvements in and around developments*".

5.2 This section also therefore includes suggested enhancement measures. The following recommendations are designed to comply with legal requirements and national and local planning policy.

Bats

5.1 No bats were observed emerging from the building, however, as bats are a mobile species, the following Reasonable Avoidance Measures (RAMs) will be adhered to during the renovation works:

- A procedure will be in place should bats be found or suspected at any time during the works. If bats are found or suspected, as a legal requirement, works in that area should cease immediately until further advice has been sought from Natural England or the scheme ecologist. The following recommendations should also be adhered to throughout the duration of the project;
- Before any works proceed, all contractors will be made aware of the possible presence of bats, bat field signs to look for and procedure if bats are found or discovered (see Appendix C);
- Careful timing of works relating to potential roosting features is recommended. Works should ideally be scheduled to occur between November and March (inclusive), when bats are highly unlikely to be present within the building due to the lack of suitable hibernation features;
- Removal of the wooden board on the third storey window and any works to the roof structures will be undertaken carefully and systematically, by hand;
- A suitably licensed ecologist must be on-call during the works and this is essential if works are programmed to occur outside of the recommended window between November to March;
- If a bat is encountered or suspected within the working area, as a legal requirement, the bat will be left in situ and all works must **cease immediately** and the on-call ecologist notified, who will attend site;
- The on-call ecologist will remove the bat, check the health of the bat and then place it a suitable bat box/holding box and subsequently release the bat nearby; and
- If a bat is discovered in imminent danger, it should be carefully moved wearing gloves, placed within a suitable container (a covered box such as a shoe box) with air holes, and placed in a safe, dark, quiet location until the on-call ecologist arrives on site.

5.2 Appropriate compensation will be provided for the loss of potential roosting opportunities. This can be achieved by the creation of gaps in the mortar along gable ends and the ridgeline to allow access into the roof void, or between the roof covering and liner. Breathable Roof Membranes (BRMs) should **not be used** in this case. BRM's are known

to cause mortality of bats due to the long continuous fibres in which the bats become entangled. Traditional roof liners (e.g. bitumen liner) should be used instead.

5.3 Bat roost features can also be designed into the new extensions, including:

- Installation of Morris bat slates on the roof pitches to replace lifted tiles and provide access points to the space between the slates and roof liner;
- Timber cladding mounted on 20-30 mm counter battens with bat access at the bottom or sides;
- Access to roof voids via bat bricks, gaps in masonry, soffit gaps, raised lead flashing or purpose-built bat entrances; and
- Access to roof voids over the top of a cavity wall by appropriately constructed gaps.

5.3 To avoid disturbance to foraging, commuting and roosting bats, any new lighting schemes (including during the works and upon completion of the works) will be designed in accordance with the appropriate guidance (BCT/ILP, 2018) to minimise the impacts on foraging bats. Examples of low impact lighting schemes include, but are not limited to;

- Use of low pressure sodium lamps or high pressure sodium instead of mercury or metal halide lamps; and
- Lighting will be directed to where it is needed and light spillage avoided.

Birds

5.4 Contractors must undertake care and due diligence during the works; prior to the commencement of the works, the internal space must first be checked for the presence of any live birds by the contractors. If any live birds are present, all works must stop and the animal allowed to leave the area of its own accord. If nesting birds are present, no works will be carried out within 5 m of an identified nest until the young have fledged and are no longer returning to the nest site. Works will only be undertaken once a scheme ecologist has declared the nest to be no longer in use

Re-survey of the Site

5.5 If no works are undertaken on site within 12 months of this survey or if any changes to the proposals and / or development timescales are made, a further ecological survey may be necessary (because of the mobility of animals and the potential for colonisation of the site).

References

CIEEM (2017a). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2017b). Guidelines for Preliminary Ecological Appraisal 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.

CIEEM (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.

Collins, J. (ed.) (2016) *Bat Surveys for Professional Ecologists: Good Practice Guidelines (*3rd Edition). The Bat Conservation Trust, London.

Institute of Lighting Professionals (2018). Bats and artificial lighting in the UK. The Bat Conservation Trust, London.

Mitchell-Jones, A.J. (2004) Bat Mitigation Guidelines, Natural England.

Appendix A – Legal Information

This report provides guidance of potential offences as part of the impact assessment. This report does not provide detailed legal advice and for full details of potential offences against protected species the relevant acts should be consulted in their original forms i.e. The Wildlife and Countryside Act, 1981, as amended, The Countryside and Rights of Way Act 2000, The Natural Environment and Rural Communities Act, 2006 and The Conservation of Habitats and Species Regulations 2010.

Species	Legislation	Offences	Notes on licensing procedures and further advice
Species that are protected by European and national legislation			
Bats *European protected species*	Conservation of Habitats and Species Regulations 2017 Reg 41	• Deliberately[1] capture, injure or kill a bat; • Deliberate disturbance[2] of bats; • Damage or destroy a breeding site or resting place used by a bat. The protection of bat roosts is considered to apply regardless of whether bats are present.	An NE licence in respect of development is required in England. *European Protected Species: Mitigation Licensing- How to get a licence* (NE 2010) *Bat Mitigation Guidelines* (English Nature 2004) *Bat Workers Manual* (JNCC 2004) *BS8596:2015 Surveying for bats in trees and woodland* (BSI, 2015)
	Wildlife and Countryside Act 1981 (as amended)[4] S.9	Intentionally or recklessly[3] obstruct access to any structure or place used for shelter or protection or disturb a bat in such a place.	Licence from NE is required for surveys (scientific purposes) that would involve disturbance of bats or entering a known or suspected roost site.
Birds	Conservation of Habitats and Species (Amendment) Regulations 2017	• N/A	Authorities are required to take steps to ensure the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in the United Kingdom, including by means of the upkeep, management and creation of such habitat. This includes activites in relation to town and country planning functions.
	Wildlife and Countryside Act 1981 (as amended)[4] S.1	• Intentionally kill, injure or take any wild bird; • Intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built; • Intentionally take or destroy the nest or eggs of any wild bird. **Schedule 1 species** Special penalties are liable for these offences involving birds on Schedule 1 (e.g. most birds of prey, kingfisher, barn owl, black redstart, little ringed plover). Intentionally or recklessly[3] disturb a Schedule 1 species while it is building a nest or is in, on or near a nest containing eggs or young; intentionally or recklessly disturb dependent young of such a species.	No licences are available to disturb any birds in regard to development. Licences are available in certain circumstances to damage or destroy nests, but these only apply to the list of licensable activities in the Act and do not cover development. General licences are available in respect of 'pest species' but only for certain very specific purposes e.g. public health, public safety, air safety. https://www.gov.uk/wild-birds-protection-surveys-and-licences https://www.gov.uk/prevent-wild-birds-damaging-your-land-farm-or-business

[1]Deliberate capture or killing is taken to include "accepting the possibility" of such capture or killing

[2]Deliberate disturbance of animals includes in particular any disturbance which is likely a) to impair their ability (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of hibernating or migratory species, to hibernate or migrate; or b) to affect significantly the local distribution or abundance of the species to which they belong.

Lower levels of disturbance not covered by the Conservation of Habitats and Species Regulations 2010 remain an offence under the Wildlife and Countryside Act 1981 although a defence is available where such actions are the incidental result of a lawful activity that could not reasonably be avoided. Thus deliberate disturbance that does not result in either (a) or (b) above would be classed as a lower level of disturbance.

[3]The term 'reckless' is defined by the case of Regina versus Caldwell 1982. The prosecution has to show that a person deliberately took an unacceptable risk, or failed to notice or consider an obvious risk.

[4] The Wildlife and Countryside Act (1981) has been updated by various amendments, including the Countryside and Rights of Way Act 2000 and the Natural Environment and Rural Communities Act 2006. A full list of amendments can be found at http://jncc.defra.gov.uk/page-1377.

Appendix B – Bat Roost Potential and Habitat Suitability Categories

Guidelines for assessing the potential suitability of proposed development sites for bats, based on the presence of habitat features within the landscape (Collins, 2016).

Suitability	Description of Roosting Habitat	Commuting & Foraging Habitats
Negligible	Negligible habitat features on site likely to be used by roosting bats	Negligible habitat features on site likely to be used by commuting or foraging bats.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitats to be used on a regular basis or by a larger number of bats (i.e. unlikely to be suitable maternity or hibernation). A tree of sufficient size and age to contain potential roosting features but with none seen from the ground, or feature seen with only very limited roosting potential.	Habitat that could be used by small numbers of commuting bats such as a gappy hedgerow or unvegetated stream, but isolated i.e. not very well connected to the surrounding landscape by other habitat. Suitable, but isolated habitat that could be used by small numbers of foraging bats such as a lone tree (not in a parkland situation) or a patch of scrub.
Moderate	A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions, and surrounding habitat but unlikely to support a roost of high conservation status.	Continuous habitat connected to the wider landscape that could be used by bats for commuting, such as lines of trees and scrub or linked back gardens. Habitat that is connected to the wider landscape that could be used by bats for foraging, such as trees, scrub, grassland or water.
High	A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis, and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat.	Continuous high quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats such as river valleys, streams, hedgerows, lines of trees and woodland edge. High quality habitat that is well connected to the wider landscape that is likely to be used regularly by foraging bats, such as broadleaved woodland, tree-lined watercourses and grazed parkland. Site is close and connected to known roosts.

Appendix C – Information Sheet for Contractors on Bats

BATS

Information, legal responsibilities and best practice for the construction industry

bowland ecology

Legal Protection

All UK Bat species are protected by European and UK law, in practical terms this means it is an offence to:

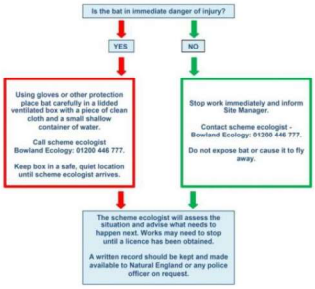
- Deliberately capture, injure or kill a bat;
- Deliberately disturb bats;
- Damage or destroy a breeding site or resting place (even if bats are not occupying the roost at the time);
- Intentionally or recklessly obstruct access to any structure or place used for shelter or protection or disturb a bat in such a place;
- Possess or advertise/sell/exchange a bat (dead or alive) or any part of a bat.

Penalties on conviction: the maximum fine is £5,000 per incident or per bat (some roosts contain several hundred bats), up to six months in prison, and forfeiture of items used to commit the offence, e.g. vehicles, plant, machinery.

Defences include:

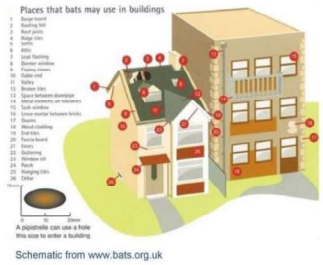
1. Tending/caring for a bat solely for the purpose of restoring it to health and subsequent release.
2. Mercy killing where there is no reasonable hope of recovery (provided that person did not cause the injury in the first place – in which case the illegal act has already taken place).

Found a bat during unsupervised works?



Field signs of bat presence:

- Live or dead bats: the smallest UK bat species, the pipistrelle is only 3.5-4.5cm long.
- Droppings: bat droppings look like mouse droppings but will crumble between your fingers (they are dry and made entirely of insects).
- Feeding remains: piles of butterfly/moth wings are often left below bat feeding perches.



Schematic from www.bats.org.uk

Bats can roost in the following places:

- The top of gable end or dividing wall;
- The top of chimney breasts;
- Ridge and hip beams and other roof beams;
- Mortise and tension joints;
- All beams/ceilings/pipework (free hanging bats);
- The junction of roof timbers, especially where ridge and hip beams meet;
- Behind purlins;
- Between tiles and the roof lining;
- Under flat felt roofs;
- Under barge boards;
- In cavity walls;
- In cracks in stone or concrete;
- Behind peeling paint/wall coverings;
- Gaps behind window and door frames;
- Between window panes and timber boarding.
- In trees (cracks/holes/ivy cladding).

Why wear gloves?

There is a small risk that some bats carry a rabies virus – European Bat Lyssavirus. The purpose of wearing gloves is to reduce the chance of being bitten, as the virus is transmitted via bat saliva. Thick leather gloves are appropriate for removing a bat from imminent danger but these should be clean.

In the event that you are bitten, wash the wound, gently but thoroughly, with soap and water. Speak to a health professional immediately, advising them that you have been bitten by a bat.

References:
Bat Conservation Trust. August 2016. Why wear gloves when handling bats?
BCT Bat Surveys for Professional Ecologists, Good Practice Guidelines, 3rd Edition, 2016

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