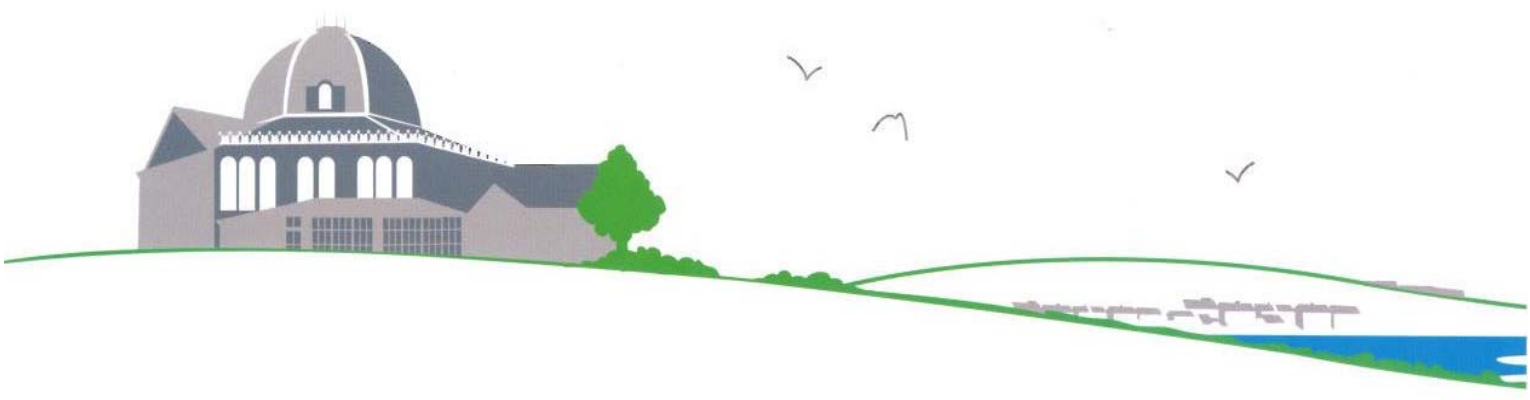
Penny Anderson Associates Ltd
CONSULTANT ECOLOGISTS

MR KEVIN MILLER

NORTH VIEW, CHAPEL-EN-LE-FRITH

INSPECTION OF BUILDINGS FOR BATS AND BAT ACTIVITY SURVEYS



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INSPECTION OF BUILDINGS FOR BATS AND BAT ACTIVITY SURVEYS

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This project has been undertaken in accordance with PAA policies and procedures on quality assurance.

Signed:_____

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1. INTRODUCTION

1.1 Penny Anderson Associates Ltd (PAA) was commissioned in August 2013 by Mr Kevin Miller of North View, Chapel-en-le-Frith, to conduct a suite of bat activity surveys following a building inspection of a workshop and its adjoining buildings. The workshop is the subject of a planning proposal that would see the building and its two associated storage areas, which adjoin directly to the south, converted into a holiday home.

1.2 The initial building inspection took place on 14th August 2013 and resulted in the recommendation of two bat activity surveys in accordance to Hundt (2012). This report presents the findings of both the initial building inspection and the activity surveys that followed.

Background

1.3 The site comprises a single row of buildings built in a line travelling north to south and consisting of a workshop at the northern end, a store followed by an implement store, and two stables at the southern end.

1.4 Immediate surroundings are almost entirely rural, with pockets of woodland and reservoirs to the west, a railway line to the north of the site and known bat roosts within immediate proximity (i.e. neighbouring properties) of the site itself.

Bat Biology

1.5 There are 18 species of bat known to be resident (i.e. breed) in the British Isles. British bats feed entirely on insects and have developed a complex sonar system known as echolocation that enables them to find prey and navigate around their environment at night.

1.6 Habitat requirements vary widely, both on an individual and species level, although certain features, such as woodland, parkland, traditional pasture, marshes and areas of freshwater are often focal points for foraging, as insects are plentiful in these areas (Mitchell-Jones 2004). Bats use linear features such as rivers, hedgerows, roads and woodland edges as landmarks in order to commute from one location to another (Schofield and Mitchell-Jones 2003).

1.7 Bats utilise different roosts at different times of the year. Between late October and March, bats hibernate; this requires an unexposed roost with a stable temperature, typically a cave, cellar or tunnel. Around March, the bats emerge and gradually move to their summer roosts, typically within man-made structures or suitable crevices in trees. During the spring and summer period, female bats gather together at maternity roosts to give birth and rear their young. Most births occur between late-June and mid-July, with the young able to fly within three to five weeks (Altringham 2003; Waters and Warren 2003). By the end of August most of the young bats are independent and the colony begins to break up (Schofield and Mitchell-Jones 2003). Mating takes place between August and December, either at the winter hibernation site or at autumn breeding sites. The numbers of bats utilising these roosts can vary from single bats to hundreds of bats in a nursery colony or hibernation site (Altringham 2003).

Legislative and Policy Context

1.8 All bats and their roosts are strictly protected under a range of UK legislation. In addition there is guidance on how bats and their roosts should be assessed in terms of the planning process. A summary of this legislative and policy guidance is presented in Appendix I.

1.9 All British bat species are protected under a range of both domestic and international legislation, including the Wildlife and Countryside Act (1981) and the Habitats Directive Annex IV. Classified as European Protected Species, all bats and their roosting sites are protected under The Conservation of Habitats and Species Regulations 2010. As such and due to the legislation surrounding British bats, the workshop and adjoining buildings at North View were initially inspected with the aim of assessing the potential for the structures to host roosting bats, or indeed to find any evidence of such use, in accordance to the Bat Survey Good Practice Guidelines (Hundt 2012).

2. METHODS

Desk Study

2.1 Derbyshire Bat Conservation Group (DBCG) was commissioned to carry out a search of local bat records within a 2km search radius of the site. This was to enable the proposed development site to be placed within the wider ecological context with respect to local bat populations.

2.2 It is important to note that the desk study results provide an indication of the bat species present in and around the site and do not confirm current presence or absence of any particular species.

Building Inspections

2.3 Inspections of the workshop at North View and its adjoining buildings were conducted by Helen Staton (Natural England Licence Number 20122706), assisted by Tim Body, on the afternoon of 14th August 2013.

2.4 The inspection involved the detailed observation and assessment of features such as gaps beneath the eaves and beneath ridge tiles, roofing slates, fascia boards and lead flashing (Table 1). This was in order to identify any signs of use by bats and to ascertain any potential that these features may hold in terms of roosting, or providing access to other parts of the building that may also be used for roosting e.g. roof voids. The buildings' interiors and exteriors were searched systematically for such features and for evidence such as droppings and staining. In addition, detailed notes were made throughout the inspection, and a series of photographs taken to highlight the buildings' character and any features of particular interest. Some of these photographs have been included in Plates 1 to 4.

2.5 The inspection results, which can be seen in Table 2, revealed that the stable interior had previously been used by bats, as indicated by the presence of a single, very old dropping on the dividing wall between the two stables. A further dropping was discovered on a dustbin lid (see Figure 1), directly outside the store and beneath a fascia board, behind which was an un-cobwebbed gap.

Table 1 Building Assessment Criteria for Bat Roosts

Roost Potential Category	Category Description	Indicator
Confirmed Roost	Building with evidence of current use by bats i.e. confirmed roost.	• Sighting/hearing of bats (including emergence). • Presence of fresh droppings/staining.
	Building with evidence of recent use by bats.	• Small numbers of old droppings/old staining, smoothing and lack of cobwebs. • Roosts identified by personal communication from reliable source (e.g. property owner).
High	Building has high potential to support bat roost(s).	• Buildings of early or pre 20th century origin with numerous access points for bats e.g. gaps under eaves, loose lead flashing and/or roof tiles. • Agricultural buildings of traditional, stone or timber construction and/or with exposed large wooden beams (>200mm thick) and mortise joints, cracks and holes. • Large and complicated roof voids, with unobstructed flying spaces. • Roof warmed by the sun, especially south facing roofs, free of strong draughts. • Undisturbed roof spaces. • Weatherboarding and/or hanging tiles with gaps. • Buildings in proximity to each other providing a variety of roosting opportunities. • Within 200m of good foraging habitat, particularly trees, parkland, woodland or waterbodies. • Well connected to wider landscape through presence of continuous linear features such as hedgerows, watercourses, farm-tracks etc.
Medium	Building has moderate potential to support bat roost(s)	• Buildings with some of the above features but are considered to be less suitable on account of their age, location and disturbance levels.
Low	Building has low potential to support bat roost(s)	• Modern well maintained buildings with few or no access points for bats. • Small cluttered roof space. • Buildings comprised predominantly of prefabricated steel and sheet materials. • Roof sections with a dense cover of cobwebs and no sections of clean ridge board. • High levels of regular disturbance • Buildings with exposed roosting features which are open to the elements. • Location with few or no mature trees, parkland, woodland or water features and isolated due to a lack of commuting routes.
None	Building has no potential to supports bat roost(s)	• Buildings with no features that could be utilised by bats for roosting.

Tree Inspections for Bats

2.6 No trees of value to bats (e.g. large enough to support roosting individuals), were identified within the red line boundary during the building inspections. Features of note would normally include cracks, crevices, flaking bark, holes and rot holes.

Limitations

2.7 Whilst the presence of a bat dropping on a dustbin shows some activity on the site, this is dependent on where the bin was placed at the time the bat was passing over, and may not indicate roosting at the location noted during the building inspections, even if the bin had remained in-situ for some time.

2.8 Overall, no significant limitations were encountered during the surveys.

3. RESULTS

Desk Study

3.1 Data was obtained from DBCG pertaining to any bat records, including roosting sites, within a 2km radius of the proposed development site (grid ref: 406783, 379376). The results of this search are detailed below:

3.2 A total of two bat records were returned from within the search radius, one from 2004 and one from 2005. The first record identifies a suspected bat maternity roost of unknown species located 1.2km North West of the site, and the second a Pipistrelle bat recording located 1.15km north of the site. As both these records are located over 1km away, it is anticipated that the proposed development will not have an impact on these identified roosts. These records do however provide an insight into the local areas bat populations (although please note that this list is by no means exhaustive).

Building Inspections

3.3 Table 2, below, and Plates 1 to 4 summarise the results of the building inspections.

Table 2 Building Inspection Results

Building Number	External Description	Internal Description	Roost Potential Classification
1 (Workshop)	Constructed of brick cavity walls, with a northern gable end of re-constructed stone, double-glazed windows and a fairly modern and well-maintained pitched, tiled roof with no substantial gaps. Some damage to brickwork at the rear of the workshop where roof beams had been inserted, revealed gaps, although cobwebbing was observed across some of these, indicating a lack of regular use by bats.	Inside the open-plan workshop, the pitched roof was lined with modern, black, breathable felt, all of which was intact. Holes were observed around the wall plate, allowing access for bats from the outside. Some further gaps were noted around the apex of a gable end, although the majority of these appeared heavily cobwebbed. No evidence of bat use was found within the workshop.	Low
2 (Store)	Built of re-constructed stone, again with a pitched, tiled roof and double glazed windows. A single metal door is left open during the summer to allow access for nesting swallows. Two ridge tiles were missing and one	Inside the adjoining store, black bitumen felt lining had been used for the roof, some sections of which were damaged, revealing the roof tiles. Gaps were also noted on the gable ends, where timbers were inserted	Moderate

Building Number	External Description	Internal Description	Roost Potential Classification
	area of fascia board was noted as having warped (see Plate 3), creating a gap beneath with no cobwebbing apparent. Beneath this gap, a single bat dropping was found on the lid of a dustbin below.	into the walls. Three swallow nests were observed, although no evidence of bat use was found.	
3 (Implement Store and adjoining Stables)	Built from re-constructed stone and again covered with a well-maintained, pitched, tiled roof. Fascia boards were also intact, although holes were found beneath the overhang that runs along the western aspect of the stable block.	Internally, the implement store was interconnected with the stable block via a roof space created by a ceiling over the implement store. This roof space was felted and heavily cobwebbed, although a number of gaps were present between the sections of felt. The ridge board was heavily cobwebbed also, indicating a lack of regular use by perching bats. However, at least one old bat dropping was found on the dividing wall between the two stables, and as the floors appeared to be swept regularly, the likelihood of finding any possible further droppings was reduced. An old swallow nest was also noted.	Moderate

3.4 Features such as a warped fascia board and a missing ridge tile, along with the rural setting of the site (and therefore immediate proximity of good quality foraging habitat for bats) resulted in a 'moderate potential' classification for the workshop and its associated structures.

3.5 Although evidence of past use of the stables' interior was found in the form of a bat dropping, this was considered to be very old and by no means an indication of a regularly used structure, either for roosting or feeding.

3.6 Nevertheless, evidence of bat use in and around the buildings at North View, although minimal in quantity, suggested that the site was already utilised by bats to some extent. Consequently, further survey effort in accordance to current guidance, was required to determine what the nature and indeed extent of the use was.

Activity Surveys

3.7 As sub-optimal temperatures were experienced at dawn around the date of the proposed surveys at North View, it was considered most appropriate to conduct two dusk emergence activity surveys, rather than a dusk and a dawn survey. Therefore, it was decided that two surveys conducted under suitable temperatures and weather conditions would provide a more robust and meaningful dataset. Furthermore, a static Anabat SD1 detector was placed within Building 3, and recorded throughout the night for five nights, thus gathering additional data from the dawn period.

3.8 The activity surveys were conducted at Buildings 1 to 3 on 28th August and 4th September, 2013, and led by Kelly MacGillivray (NE Licence 20123445), assisted by Tim Body.

3.9 Each surveyor used a Batbox Duet bat detector, whilst an Anabat SD1 detector was used to record the calls. A digital thermometer (hygro-thermometer 810-190 www.etiltd.com) was used to get an accurate temperature reading for the activity surveys.

3.10 Surveys followed guidance within Hundt (2012) and surveyors were positioned to observe primarily the western, southern and eastern elevations of the building in accordance with the locations of features such as fascia boards and the missing ridge tile. Both activity surveys commenced 15 to 30 minutes prior to sunset and continued for approximately 1.5hrs after sunset.

3.11 Surveyors watched for any emerging or entering bats at the buildings, making a note of time, number of bats, species and point or emergence/entry of any such records. Notes were also made of any other bat activity observed, such as commuting past or foraging around the area. For these records the species, the direction of flight, the bat's behaviour and the time of the pass was noted.

3.12 In addition to the activity surveys, an Anabat SD1 detector was placed on the dividing wall between the two stables' interiors, where the old bat dropping had been found during the building inspections. This aimed to supplement the activity survey data by way of recording throughout the night for five nights (from 4th - 9th September) and to help assess whether or not bats may currently be using the stables for foraging, feeding or roosting.

3.13 Tables 3 and 4 (below) provide a summary of the timings, weather conditions and results of the dusk activity surveys completed on site.

Table 3 Weather Conditions for the Activity Surveys

Date	Sunrise/ Sunset	Start Time	End Time	Weather
28/08/2013	20:07	19:50	21:35	Dry, with a light breeze that increased slightly at times. Humidity fell from 75% at the survey start to 80% by the end, whilst temperatures fell from 14 ºC to 12.3 ºC, starting to feel very cool as the survey progressed. Cloud cover decreased from 60% to 5%. Plenty of flying insects were seen, and swallows were observed feeding around the courtyard.
04/09/2013	19:51	19:45	21:20	Dry with a light breeze. Humidity increased slightly from 71% to 75% by the end of the survey, whilst temperature fell slightly from 18 ºC to 16.6 ºC. A thin layer of cloud remained at about 80% coverage throughout the survey.

3.14 The surveys were conducted under optimum weather conditions and temperatures, with no constraining aspects to either survey.

Table 4 Activity Survey Results

Date	Surveyor Location	Sunset Time	Species	No. of Passes	Notes
28.08.13	Facing western aspect	20:07	Common pipistrelle (*Pipistrellus pipistrellus*)	More than 60 in total	All bats recorded between 20:39 and 21:26, with many of the passes verified by an Anabat SD1 detector. Some social calling recorded, though the majority of passes were those of foraging bats. Predominant direction of flight was north to south over the courtyard. For all flight paths observed during both surveys, see Figure 2.
	South-east corner of building, watching southern and eastern aspects	20:07	Common pipistrelle	10	The bats were recorded between 20:48 and 21:23, with only one bat seen (foraging from south to north over buildings).

Date	Surveyor Location	Sunset Time	Species	No. of Passes	Notes
04.09.13	Facing western aspect	19:51	Common pipistrelle	21	The bats were recorded between 20:34 and 21:18 and predominantly heard foraging. The Anabat also detected two instances of social calling. Two of the bats were seen on separate occasions foraging and flying respectively over the courtyard, one disappearing south, and the other north.
	South-east corner of building, watching southern and eastern aspects	19:51	Noctule *(Nyctalus noctula*)	3	Three bats were recorded between 20:24 and 21:18, the first of which was heard feeding and the second and third only detected by an Anabat SD1 recorder.
			Common pipistrelle	45	The majority of passes were those of foraging bats, some sounded quite distant. The only bats seen seemed to circle generally from west to east and back, towards the rear of the row of buildings.
			Pipistrelle sp. (*Pipistrellus* sp.)	1	Very brief and faint pass heard at 20:32, but not recorded by Anabat.
			Myotis sp. (*Myotis* sp.)	2	Two passes made at 21:14, with only one recorded by the Anabat. Likely foraging nearby, but not seen.
04.09.13 until 09.09.13	The Anabat SD1 detector, positioned on the dividing wall between the two stables, recorded no bats across the five nights it was in place. The Anabat's CF card was programmed to turn the detector on a minimum of 15 minutes before sunset each night, switching it off at sunrise at the earliest each morning.				

3.15 All bats, their roosts and resting places are protected under UK legislation, however, some roosts are considered to have a greater role in maintaining the local populations of bats than others. For example, maternity roosts of rare species are considered to have the highest value, while feeding perches or non-breeding roosts of one or two common bats are considered to have lower value (Mitchell-Jones 2004). Following the initial building inspections, two dusk activity surveys and the positioning of a static detector for five nights in Building 3, it is considered that, while the workshop and its associated buildings offer some limited potential for use by bats, none of the buildings currently contains a bat roost.

3.16 The surrounding habitat and neighbouring bat roosts mean that whilst the area is obviously ideal for bats, there will likely be no shortage of roosting opportunities within immediate proximity of the site, particularly for day roosting bats. Across Buildings 1 to 3, the roof is in generally good condition which, in addition to the activity survey results, offers no indication of regular use by crevice-dwelling bats.

3.17 The static detector results similarly suggest that whilst evidence of past bat use was found during the initial building inspections, this may have been from a single exploratory bat. No evidence of recent use was either found or recorded.

Limitations

3.18 Due to the small size of the site and therefore relatively close proximity of the two surveyors on both activity survey visits, the amount of passes recorded will be a maximum figure, as some records will overlap. The passes may also have been made by a smaller number of bats than it would seem, if the same few bats returned to the site throughout the surveys.

3.19 The optimum survey season for bats runs from May to August inclusive, although their active period extends from April to September inclusive. As such, whilst the second activity survey was conducted on 4th September, this is considered to be only a minor constraint in the overall methodology used, particularly as weather conditions were optimal.

4. CONCLUSIONS AND RECOMMENDATIONS

4.1 Activity at the site during the dusk surveys was generally quite good, with up to four species of bats recorded during the visits. However, no bats were seen to emerge from, or utilise, any of the buildings on site.

4.2 No conclusive evidence of roosting bats was present on the site – a single dropping found on a dustbin, beneath a fascia board could very possibly have been incidental and from a bat in flight, given the activity levels experienced during the surveys. However, the following precautionary measures should be undertaken when removing the fascia board:

- The fascia should be removed during the winter period (October to March inclusive) when bats are highly unlikely to be present (the workshop and its adjoining buildings offer no hibernation potential for bats). If this timing is not possible, a suitably licensed bat ecologist should be present for the removal.

- In the unlikely event that a bat is found, all works should cease and the advice of an ecologist be sought.

4.3 With regard to nesting birds and their eggs and chicks, protection is afforded under the Wildlife and Countryside Act 1981. Evidence of nesting birds was also noted in the form of several swallow nests. It is recommended that any renovation work is undertaken at a time that minimises the risks of destroying active nests, i.e. between September and March (inclusive). If this is not possible, it is recommended that a suitably experienced ecologist attends site, preferably no more than 48 hours before works are planned to commence, to ensure that there are no active bird nests. If active nests are found, all work would need to be delayed until the young birds have fledged.

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FIGURES

406770 406772 406774 406776 406778 406780 406782 406784 406786 406788 406790 406792 406794 406796

379384 379382 379380 379378 379376 379374 379372 379370 379368 379366 379364 379362

Gully

Building 1

Building 2

Building 3



Legend

Location of bat dropping found

British National Grid
Projection: Transverse Mercator
False Easting: 400000.000000
False Northing: -100000.000000
Central Meridian: -2.000000
Scale Factor: 0.999601
Latitude Of Origin: 49.000000

N

ISO A3

0 0.5 1 2 3 Metres

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Project Name: North View, Chapel-en-le-Frith

Discipline: Ecology

Title: BUILDING INSPECTIONS FOR BATS

Scale	Drawing No.	
1:85	Figure 1	
Drawn By: DH	Originator: KMG	Date: 23/08/2013
PAA Ref. G:\Tenders_2013\TR11553_North_View_Chapel	Revision: 1.0	

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406750 406760 406770 406780 406790 406800

379400 379390 379380 379370 379360

Building 1

Building 2

Building 3



Legend

- Surveyor position

Pipistrellus pipistrellus flight

- Visit 1 - Dusk, 28/08/2013
- Visit 2 - Dusk, 04/09/2013

British National Grid
Projection: Transverse Mercator
False Easting: 400000.000000
False Northing: -100000.000000
Central Meridian: -2.000000
Scale Factor: 0.999601
Latitude Of Origin: 49.000000

N

ISO A3

Metres

0 1 2 4 6

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Discipline: Ecology

Title:

BAT ACTIVITY SURVEY 2013 RESULTS

Scale	Drawing No.	
1:180	Figure 2	
Drawn By: CC	Originator: KMG	Date: 20/09/2013
PAA Ref.: G:\KEMI01_North_View_2013\Maps		Revision: 1.0

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PLATES



Plate 1: The western aspect of the workshop (Building 1)



Plate 2: The western aspect of Building 2, the store adjoining Building 1



Plate 3: The gap beneath a fascia board on the western aspect of Building 2



Plate 4: The western aspect of Building 3, the store and stable block adjoining Building 2

APPENDIX I

Summary of Relevant Legislation

APPENDIX I: SUMMARY OF RELEVANT LEGISLATION

Legislation Relating to Bats

All wild species of bat are protected under the Wildlife and Countryside Act (WCA) 1981, which has also been amended by later legislation, including the Countryside and Rights of Way (CRoW) Act 2000 and the Conservation of Habitats and Species Regulations 2010, and this legislation is applicable to England and Wales. Bats are listed on Schedule 5 of the WCA and are therefore subject to some the provisions of Section 9 which, with the amendments, make it an offence to:

- Intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection (S9:4b).
- Intentionally or recklessly obstruct access to any structure or place used for shelter or protection by a bat (S9:4c).

There are additional offences in relation to buying and selling (S9:5) any live or dead animal of this species or anything derived from them.

Bat species are also listed under Annexes IIa and IVa of the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora, also known as the 'Habitats Directive'. Inclusion on Annex IVa means they are consequently identified as European Protected Species (EPS) and protected under the Conservation of Habitats and Species Regulations 2010.

The Conservation of Habitats and Species Regulations 2010 state that a person commits an offence if they:

(a) deliberately capture, injure or kill any wild animal of a European protected species,

(b) deliberately disturb wild animals of any such species, in such a way as –

  (i) to impair their ability to survive, to breed or reproduce, or to rear their young, or

  (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate, or

  (iii) to affect significantly the local distribution or abundance of the species to which they belong;

(c) deliberately take or destroy the eggs of such an animal, or

(d) damage or destroy a breeding site or resting place of such an animal.

Under these Regulations it is an offence to damage or destroy a breeding site or resting place whether the animal is in occupation or not, and protection extends to all life stages of the animal in question. There are additional offences relating to possession, control and sale of a live or dead bat or part of such an animal.

In addition, under the UK Biodiversity Action Plan (UKBAP), seven native British bat species, including the soprano pipistrelle (*Pipistrellus pygmaeus*) and the brown long-eared bat (*Plecotus auritus*), that are frequently found in buildings, are listed as a 'Priority Species'. UKBAP Priority Species are also referred to as 'species of principal importance' for the conservation of biodiversity in England and Wales within Section 74 of the CRoW Act 2000, and Sections 41 (England) and 42 (Wales) of the Natural Environment and Rural Communities (NERC) Act 2006. Section 11 of the National Planning Policy Framework (NPPF) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF also includes the requirement to contribute to the Government's commitment to halt the overall decline in biodiversity and to promote the reservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets. Reference is made to Circular 06/2005 *Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System* in respect of statutory obligations for biodiversity and geodiversity conservation.

Local authorities in England are required to ensure that where significant harm resulting from development cannot be avoided (through locating on alternative sites with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, planning permission is refused. The commitment to preserving, restoring or enhancing biodiversity is further emphasised for England and Wales in Section 40 of the NERC Act 2006.

Please note: the above text provides a brief summary of the legislation in relation to bats in England and Wales and the original Acts, Regulations and any amendments should be referred to for the precise wording.

Legislation Relating to Breeding Birds

All wild species of breeding birds and their nests are protected under Part 1 of the Wildlife and Countryside Act (WCA) 1981, as amended by later legislation including the Countryside and Rights of Way (CRoW) Act 2000. This legislation applies in England and Wales.

Part 1 (Section 1:1) of the WCA states that:

'If any person intentionally,

(a) kills, injures or takes any wild bird;

(b) takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or

(c) takes or destroys an egg of any wild bird,

he shall be guilty of an offence.'

Part 1 (Section 1:5) of the WCA (amended by the CRoW Act 2000) refers to specific birds listed on Schedule 1 of the WCA, and states that:

'If any person intentionally or recklessly,

(a) disturbs any wild bird included in Schedule 1 while it is building a nest or is in, on or near a nest containing eggs or young; or

(b) disturbs dependent young of such a bird,

he shall be guilty of an offence and liable to a special penalty.'

Schedule 1 includes birds such as barn owl (*Tyto alba*), black redstart (*Phoenicurus ochruros*), wood lark (*Lullula arborea*) and Cetti's warbler (*Cettia cetti*). Please refer to the WCA for a complete list of Schedule 1 species.

Some provisions are made to allow the killing and taking of certain species under certain circumstances, as follows:

- Birds listed on Schedule 2 (Part 1) of the Act may be taken or killed outside of the 'close season' for each individual species (the 'close season' is defined by the Act). This includes various wild duck and geese species.
- Birds listed on Schedule 2 (Part 2) of the Act may be killed or taken by authorised persons at all times. This includes species such as carrion crow (*Corvus corone*), black-billed magpie (*Pica pica*), feral pigeon (*Columba livia*) and greater Canada goose (*Branta candadensis*). An 'authorised person' is defined as a person who has written authorisation to undertake the act from the relevant statutory authority. The written authority is in the form of a licence, either a

general licence which covers a number of the more typical ‘pest’ species, or an individual licence for other individual species. In England these licences are issued by Natural England and in Wales by the Welsh Assembly Government.

Please note: the above text provides a brief summary of the legislation in relation to breeding birds in England and Wales and the original Act and any amendments should be referred to for the precise wording.

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