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BAT INSPECTION SURVEY OF BUILDING 1 – MILLTOWN FOOTBRIDGE AREA, BURY

Background

Penny Anderson Associates Ltd (PAA) was commissioned by Wilde Consultants to carry out a building inspection for bats near the Milltown Footbridge Area, Bury. The building was previously identified as requiring this type of survey during the Preliminary Ecological Appraisal (PEA, PAA 2021[1]).

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 2017, and this legislation is applicable to England and Wales. Regulations state that 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.

The survey methods, a description of the findings and recommendations for the development are presented below.

Methods

An inspection of the building for evidence and potential roost features (PRF) for bats was carried out on 31st March 2022. The survey was carried out by Senior Ecologist Rob Lamb ACIEEM[2] (Natural England Bat Survey Class 1 Licence 2020-44441-CLS-CLS) following standard methodologies. Endoscope use was carried out as an accredited agent of Dr Sarah Ross (Natural England Bat Survey Class 2 Licence 2015-12600-CLS-CLS).

The survey followed accepted best practice guidance, i.e. Collins 2016[3]. To summarise, a systematic search was made of the exterior of the building from the ground to identify potential or actual bat access points and roosting places. Where identified and accessible, potential features were investigated more closely using ladder and torch.

Internal access was requested but the structure was locked and inaccessible on the day of the visit. No other survey limitations were noted. Weather conditions were dry and suitable for this type of survey.

A review of previously obtained bat record centre data was also undertaken to provide more context on the use of the wider landscape by bats.

Results

The building is a small, single-storey red brick-built outbuilding (Photographs 1 and 2). Brickwork and mortar were in solid condition.

The roof structure was pitched and featured numerous PRF created by dilapidating features. This included access points on the underside of eaves into the roof of the structure, gaps between fascia boards and overhanging roof tiles, as well as good sized gaps between the top bricks and fascia board around the majority of the structure.

There were also numerous potential external crevice features on the roof, including gaps under ridge tiles and gaps in raised roof tiles. All external features and access points were inspected as closely as possible. No bats or evidence of their presence was located during inspections.

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[1] *PAA, 2021. Milltown Street Footbridge Replacement – Extended Phase 1 Habitat Survey. Report produced for Wilde Consulting.*

[2] *Associate member of the Chartered Institute of Ecology and Environmental Management.*

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

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Overall, the structure was assessed to have Low potential to support roosting bats, and, therefore, there are recommendations for further survey below.

Photograph 1 The structure from the south

Photograph 2 The structure from the north-east

The surrounding area was assessed to have Moderate to High foraging habitat suitability for bats. The structure is in proximity to the River Irwell and waste sites, both of which are likely to support good invertebrate populations as prey for bats. There are also continuous wooded corridors associated with the Irwell which likely provide good habitat connectivity with the wider landscape.

A review of desk study data obtained in 2021 (reported in PAA 2021) revealed breeding sites/resting places for common pipistrelle (*Pipistrellus pipistrellus*) as close as 300m from the site. Numerous other record types were obtained for at least four species of bat, including five for Daubenton's bat (*Myotis daubentonii*) (closest 236m north of the site), 30 for common pipistrelle (370m north-east), one for soprano pipistrelle (*Pipistrellus pygmaeus*) (937m north-east), four for noctule bat (*Myotis noctula*) (238m north) and one for an unidentified *Myotis* species (982m north).

Recommendations

The structure was surveyed externally for evidence and suitability for roosting bats and assessed as having Low potential to support roosting bats. Therefore, as per best practice guidelines (Collins 2016), one activity survey is recommended to ascertain presence/absence of roosting bats on the structure. Bat activity surveys are completed during the active survey season (typically May to August inclusive) under suitable weather conditions.

The findings of this report are valid for two years from the date of survey.

I hope that this report is clear and suitable for your requirements. Please contact me if you have any further queries.

Yours sincerely
For and on Behalf of
PENNY ANDERSON ASSOCIATES LTD

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Encl. Summary of the Legislation Relating to Bats

SUMMARY OF THE 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. 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 2017 (amended).

The Conservation of Habitats and Species Regulations 2017 (amended) 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, seven native British bat species, including the soprano pipistrelle (*Pipistrellus pygmaeus*) and the brown long-eared bat (*Plecotus auritus*), are listed as 'species of principal importance' for the conservation of biodiversity in England under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 (amended). In Wales, Section 7 of the Environment (Wales) Act 2016 provide a list of organisms of 'principal importance for maintaining and enhancing biodiversity' and lists several species of bat including the common pipistrelle (*Pipistrellus pipistrellus*) which is absent from England's S41 list.

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