



Preliminary Roost Assessment

Little Mulberry, Upton lane, Stoke Golding, Leicestershire, CV13 6EU

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Industry Guidelines and Standards

This report has been written with due consideration to:

- Chartered Institute of Ecology and Environmental Management (2017). Guidelines for Preliminary Ecological Appraisal. 2nd edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Version 1.1. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2017). Guidelines on Ecological Report Writing. Chartered Institute of Ecology and Environmental Management, Winchester.
- Chartered Institute of Ecology and Environmental Management (2020). Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK. 2nd Edition. Chartered Institute of Ecology and Environmental Management, Winchester.
- British Standard 42020 (2013). Biodiversity – Code of Practice for Planning and Development.
- British Standard 8683:2021 (2021). Process for Designing and Implementing Biodiversity Net Gain.

Proportionality

The work involved in preparing and implementing all ecological surveys, impact assessments and measures for avoidance, mitigation, compensation and enhancement should be proportionate to the predicted degree of risk to biodiversity and to the nature and scale of the proposed development. Consequently, the decision-maker should only request supporting information and conservation measures that are relevant, necessary and material to the application in question. Similarly, the decision-maker and their consultees should ensure that any comments and advice made over an application are also proportionate.

The desk studies and field surveys undertaken to provide a Preliminary Ecological Appraisal (PEA) might in some cases be all that is necessary.

(BS 42020, 2013)

Executive Summary

Arbtech Consulting Limited was instructed by Sarah Hurley to undertake a Preliminary Roost Assessment (PRA) at Little Mulberry, Upton lane, Stoke Golding, Leicestershire, CV13 6EU (hereafter referred to as “the site”). The survey was required to inform a planning application for the conversion of an agricultural barn into a residential dwelling, (hereafter referred to as “the proposed development”).

The following is work you will need to commission to comply with planning policy and legislation. Further information, along with opportunities for biodiversity enhancement, are outlined in Table 7 of this report.

Feature	Survey Results Summary	Impact Assessment	Recommendations
Roosting bats (B1)	B1 has negligible value for roosting bats in line with Good Practice Guidelines (Collins, J. (Ed) 2023), due to a lack of potential roost features.	Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on roosting bats as a result of the conversion of this building.	In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice.
Foraging and commuting bats	Hedgerows could be used by local bat populations for foraging and commuting. These could also be used by bats dispersing from nearby roosts outside of the site. The site has moderate value for foraging and commuting bats.	The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats. The proposed development will include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas.	A low impact lighting strategy will be adopted within the proposed development. This should be designed in accordance with Guidance Note GN08/23 Bats and Artificial Lighting at Night (Institution of Lighting Professionals, 2023). Avoidance of light spill on to key habitats or features which bats may use for roosting, foraging or commuting, via an appropriately sized buffer insofar as possible. A luminaire specification which reduces the effects of light spill on bats should be chosen where feasible. The installation of physical screening features, glazing treatments and the use of dimming or part night lighting could also be considered, where appropriate.
Nesting birds (B1)	The building contains evidence of nesting birds, as two nests were located in the flat roof section of B1. One appears to be from a swallow, the other nest is mossy and appears to be from a smaller passerine bird. B1 does not provide any suitability for barn owl.	The proposed development could result in the destruction or the disturbance and subsequent abandonment of active bird nests.	The conversion of B1 should be undertaken outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the building should be undertaken immediately, by qualified ecologist, prior to the commencement of work. All active nests will need to be retained until the young have fledged.

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1.0 Introduction and Context

1.1 Background

Arbtech Consulting Limited was instructed by Sarah Hurley to undertake a Preliminary Roost Assessment (PRA) at Little Mulberry, Upton lane, Stoke Golding, Leicestershire, CV13 6EU (hereafter referred to as “the site”). The survey was required to inform a planning application for the conversion of an agricultural barn into a residential dwelling (hereafter referred to as “the proposed development”). A plan showing the proposed development will be provided in Appendix 1 when available.

The aim of the PRA was to determine the presence or evaluate the likelihood of the presence of roosting bats, and to gain an understanding of how bats could use the site for roosting, foraging or commuting. This has been undertaken with due consideration to the “Bat Surveys for Professional Ecologists —Good Practice Guidelines” publication (Collins, 2023).

To the author’s knowledge, no previous ecology reports have been produced for this site.

1.2 Site Location and Landscape Context

The site is located at National Grid Reference SP 39165 97194 and has an area of approximately 0.12ha comprising of the agricultural barn, arable fields and hedgerows. It is surrounded by arable fields with the town of Stoke Golding to the east and Ashby-de-la-Zouch Canal to the north. The wider landscape comprises of predominantly arable fields with small residential areas. The arable fields are lined with hedgerows and there are scattered trees to the east and west of the site. The canal, trees and hedgerows all could provide foraging and commuting habitat for bats. A site location plan is provided in Appendix 2.

1.3 Scope of the Report

This report provides a description of all features suitable for roosting, foraging and commuting bats and evaluates those features in the context of the site and wider environment. It further documents any physical evidence collected or recorded during the site survey that establishes the presence of roosting bats. It provides information on possible constraints to the proposed development as a result of bats and summarises the requirements for any further surveys to inform subsequent mitigation proposals, achieve planning or other statutory consent and to comply with wildlife legislation. To achieve this, the following steps have been taken:

- A desk study has been carried out.
- A Day-time Bat Walkover (DBW) survey, including an inspection of built structures, to determine the presence or the suitability of any features which bats could use for roosting and to assess the suitability of the site’s bat foraging and commuting habitat.

- An outline of potential impacts on any confirmed or unidentified roosts has been provided, based on the proposed development.
- Recommendations for further surveys and mitigation have been made, along with advice on the requirements for a European Protected Species Licence (EPSL) application if appropriate.
- Opportunities for the enhancement of the site for roosting, foraging and commuting bats have been set out.

2.0 Methodology

2.1 Desk Study

The desk study included a 2km radius review of statutory designated sites with bat qualifying interests and granted EPSL records for bats held on magic.gov.uk database. An assessment of the surrounding landscape structure was also completed using aerial images from Google Earth and OS maps.

2.2 Field Survey

The survey was undertaken by Sally Hall BSc (Hons), (accredited on Natural England class 2 bat licence 2022-10404-CL18-BAT) on 8th November 2023.

The PRA focussed on one built structure which will be affected by the proposed development as well as providing an overview of the wider site and the surrounding landscape for bat roosting, foraging and commuting habitat.

For any surveyed buildings

A DBW survey was undertaken, comprising a non-intrusive visual appraisal was undertaken from the ground, using binoculars to inspect the external features of the building for features which bats could use for roosting, including access or egress points and for signs of bat use including droppings, scratch marks, insect remains and urine smear marks. An internal inspection of the building was also made, including the living areas and any accessible roof spaces, using a torch and ladders. The surveyor paid particular attention to the floor and flat surfaces, window shutters and frames, lintels above doors and windows, and carried out a detailed search of numerous features within the roof space.

2.3 Breeding Birds and Other Incidental Observations

The surveyor also made note of any other ecological constraints observed during the survey, notably the likelihood of presence or signs of breeding birds, and the suitability of the site for barn owls.

2.4 Suitability Assessment

Habitats were categorised in accordance with Tables 4.1, 4.2 and 6.2 of the “Bat Surveys for Professional Ecologists—Good Practice Guidelines” publication (Collins, 2023), which are replicated in Tables 1 and 2 below.

Table 1: Guidelines for assessing the potential suitability of a built structure for bats

Potential Suitability	Roosting Habitats in Structures
Negligible	No obvious habitat features on site likely to be used by roosting bats; however, a small element of uncertainty remains as bats can use small and apparently unsuitable features on occasion.
Low	A structure with one or more potential roost sites that could be used by individual bats opportunistically at any time of the year. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (i.e. unlikely to be suitable for maternity and not a classic cool/stable hibernation site, but could be used by individual hibernating bats).
Moderate	A structure 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 (with respect to roost type only, such as maternity and hibernation – the categorisation described in this table is made irrespective of species conservation status, which is established after presence is confirmed).
High	A structure 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. These structures have the potential to support high conservation status roosts e.g. maternity or classic cool/stable hibernation site.

Table 2: Guidelines for assessing the potential suitability of a site for bats

Potential Suitability	Potential Flight-Paths and Foraging Habitats
Negligible	No obvious habitat features on site likely to be used as flight-paths or by foraging bats; however, a small element of uncertainty remains in order to account for non-standard bat behaviour.
Low	Habitat that could be used by small numbers of bats as flight-paths 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	Continuous habitat connected to the wider landscape that could be used by bats for flight-paths 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	Continuous, high-quality habitat that is well connected to the wider landscape that is likely to be used regularly by bats for flight-paths 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 to and connected to known roosts.

2.5 Limitations

It should be noted that whilst every effort has been made to describe the features on site in the context of their suitability for roosting bats, this does not provide a complete characterisation of the site. This survey provides a preliminary view of the likelihood of bats being present. This is based on suitability of the habitats on site and in the local

area, the ecology and biology of bats as currently understood, and the known distribution of bats as recovered during the desk study. Bats are highly mobile creatures that switch roosts regularly and therefore the usage of a site by bats can change over a short period of time.

A search for historical bat records has not been undertaken. However, given the location of the site, the nature of the habitats present and the assessed suitability of the site for bats, it is not anticipated that the purchase of historical records data will add any significant weight or alter the conclusions and recommendations outlined in this report.

These limitations have been taken into account during the evaluation of the site and requirement for further surveys and mitigation.

3.0 Results and Evaluation

3.1 Designated Sites

Details of any statutory designated sites with bat qualifying interests within a 2km radius of the site, including their reasons for notification, are provided in Table 3 below.

Table 3: Statutory designated sites with bat qualifying interests within 2km radius of the site

Designated site name	Distance from site	Reasons for notification from Natural England
Kendal's Meadow Site of Special Scientific Interest (SSSI)	850m north	A traditionally managed hay meadow with a diversity and richness of plant life unmatched in the south west of the County, an area otherwise sparse in interest. It is probably the best representative of this grassland community type in the central English Midlands. Biology More than a dozen grass species have been found on this meadow which lies partly on alluvium and partly on boulder clay. The sward is dominated by common bent <i>Agrostis capillaris</i> , red fescue <i>Festuca rubra</i> , crested dog's tail <i>Cynosurus cristatus</i> and yellow oat grass <i>Trisetum flavescens</i> . Notably abundant herbs are yellow rattle <i>Rhinanthus minor</i> , great burnet <i>Sanguisorba officinalis</i> and cat's ear <i>Hypochoeris radicata</i> . Well over fifty plant species have so far been recorded, including quaking grass <i>Briza media</i> , saw-wort <i>Serratula tinctoria</i> and green-winged orchid <i>Orchis morio</i> . This site is likely to provide foraging habitat for bats.

3.2 Historical Records

A search of the magic.gov.uk database for granted EPSLs within a 2km radius of the site has been completed. Displaced bats from licensed sites <2km away from the survey site will find alternative habitat either within the mitigation measures implemented as part of the licence or will relocate to other known roosts sites in close proximity to the licensed site. EPSL records for bats are summarised in Table 4.

Table 4: Granted EPSLs for bats within 2km of the site

EPSL reference	Bat species affected	Impacts allowed by licence
EPSM2011-3911	Common pipistrelle and brown long-eared bat	Destruction of a resting place

3.3 Field Survey Results

The weather conditions recorded at the time of the survey are shown in Table 5. The results of the field survey are detailed in Table 6 and illustrated in Appendix 3.

Table 5: Weather conditions during the survey

Date:	08/11/2023
Temperature	11°C

Humidity	95%
Cloud Cover	100%
Wind	12mph
Rain	None

Table 6: PRA Results

Feature	Description	Photographs
Bat foraging and commuting habitat	There is well connected foraging and commuting habitat in the wider landscape as there are hedgerows and pockets of woodland surrounding the site boundary. A review of aerial imagery shows a cluster of fishing ponds to the west that are surrounded by trees, and a canal following along the eastern boundary of the field. Both of these habitats would provide foraging and commuting habitat for bats as invertebrates generally will increase in number near to waterbodies, therefore increasing foraging opportunities.	
B1 - overview	B1 is a single-storey detached, agricultural building currently used for hay storage, with a curved Dutch barn-style roof and a mono-pitch flat roof, all clad in corrugated metal sheeting. The roof appears to be in poor condition as there are large gaps and missing panels within the roof. A large bush is growing on the northern elevation and on the roof. The Dutch barn walls are constructed of corrugated metal sheeting which appear to be in poor condition as several panels are missing on the southern elevation, and the western elevation is consistently open. There are two doorways that are permanently open in the brick walls on the southern and eastern elevations. The flat roof walls are constructed of brick and appear to be in fair condition as there are no missing bricks or mortar in the walls, and there are no gaps or cracks around the permanently open doorways.	

B1 – southern elevation <i>Figure 1</i>	There are no suitable roosting features on the southern elevation. The brickwork is well sealed, and there are no gaps suitable for crevice dwelling bats.	
B1 – eastern elevation <i>Figure 2</i>	There are no suitable roosting features on the eastern elevation. There are gaps underneath the corrugated roof ripples, however the roof is not lined and the roof would fluctuate in temperature due to the metal material.	

Figure 3 B1 – northern elevation Figure 4	There are no suitable roosting features on the northern elevation. The northern gable end is densely covered in a shrub species which is unlikely to be obscuring suitable roosting features for bats, due to the metal material of the roof which would fluctuate in temperature, creating an unstable roosting environment. The branches are unlikely to be a roosting feature as the branches are too thin and not intertwined enough to create a roosting feature suitable for bats.	 
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B1 – western elevation Figure 5	There are no suitable roosting features on the western elevation.	
Figure 6 B1 – interior	The interior of B1 consists of three rooms; one in the Dutch barn and two in the flat roof section with an internal brick wall dividing the two. All three rooms are constructed in a similar fashion, all of which comprise of metal beams and the roof is not lined, exposing the underside of the exterior metal roof. The walls are constructed of single-walled brick and corrugated metal sheeting. The walls and floor are not insulated. The western elevation is completely open, and there are permanently open doorways on the southern and eastern elevations within the brick walls, therefore allowing consistent daylight and draughty conditions into all three internal rooms. The internal temperature was 11.9°C and the humidity was 89.5%, both of which are similar conditions to the external temperatures during the survey. Although there is access for void dwelling bats to enter the building, as the rooms are consistently exposed to draughts and bright conditions, it is unlikely that bats would roost here. The metal beams and roof would also fluctuate in temperature and therefore would be an unstable temperature, which is unsuitable for roosting bats. There are no gaps or crevices for bats to roost in internally.	

Figure 7	This is an example of the interior of the mono-pitch roof section, demonstrating that the roof is not lined.	
B1 – Nesting birds Figure 8	Two nests were located within the barn, both of which were located in the flat roof section of B1. This nest is built using moss with a small entry hole at the top of the nest which is likely to be a passerine birds’ nest.	

Figure 9	This nest appears to be from a swallow due to the material used and structure of the nest.	
B1 – suitability assessment	B1 is deemed negligible for roosting bats. The building is consistently open and exposed to bright and draughty conditions, and the metal beams and roof would cause internal temperature fluctuations. There are no gaps or cracks suitable for crevice dwelling bats, therefore the conditions would be unsuitable for all roosting bats. No evidence of roosting bats was identified internally or externally during the survey.	

4.0 Conclusions, Impacts and Recommendations

Taking the desk study and field survey results into account, Table 7 presents an evaluation of the value of the site for bats and also details any other ecological constraints identified such as nesting birds in relation to the proposed development.

Table 7: Evaluation of the site for bats and any other ecological constraints

Feature	Survey Results Summary	Impact Assessment	Recommendations	Biodiversity Enhancement Opportunities ¹
Roosting bats (B1)	B1 has negligible value for roosting bats in line with Good Practice Guidelines (Collins, J. (Ed) 2023), due to a lack of potential roost features.	Bats are very unlikely to be roosting within this building and as such, there are not anticipated to be any impacts on roosting bats as a result of the conversion of this building.	In the unlikely event that a bat or evidence of bats is discovered during the development all work must stop and a bat licensed ecologist contacted for further advice.	The installation of two bat boxes at the site will provide additional roosting habitat for bats. The bat boxes will be installed on the building once converted, on mature trees around the boundary or on a pole near to the boundary hedgerows. Bat boxes should be positioned 3-5m above ground level facing in a south or south-westerly direction with a clear flight path to and from the entrance, away from artificial light. The bat boxes will be a specification suitable for crevice dwelling species such as Beaumaris Bat Box, Vivara Pro Woodstone Bat Box or a similar alternative brand.
Foraging and	Hedgerows could be used by local bat populations for	The proposed development will not result in the removal of any habitats which could be used by foraging or commuting bats.	A low impact lighting strategy will be adopted within the proposed development. This should be designed in accordance with Guidance Note	The following habitat creation and enhancement opportunities could be

¹ The Local Planning Authority has a duty to ask for enhancements under the NPPF (2021).

commuting bats	foraging and commuting. These could also be used by bats dispersing from nearby roosts outside of the site. The site has moderate value for foraging and commuting bats.	The proposed development will include the use of lighting which could spill on to bat roosting, foraging or commuting habitat and deter bats from using these areas.	GN08/23 Bats and Artificial Lighting at Night (Institution of Lighting Professionals, 2023). Avoidance of light spill on to key habitats or features which bats may use for roosting, foraging or commuting, via an appropriately sized buffer insofar as possible. A luminaire specification which reduces the effects of light spill on bats should be chosen where feasible. The installation of physical screening features, glazing treatments and the use of dimming or part night lighting could also be considered, where appropriate.	incorporated into the proposed development which would be beneficial for foraging bats: Planting of native tree, shrub and hedgerows to increase foraging opportunities.
Nesting birds (B1)	The building contains evidence of nesting birds, as two nests were located in the flat roof section of B1. One appears to be from a swallow, the other nest is mossy and appears to be from a smaller passerine bird. Barn owl B1 does not provide any suitability for barn owl.	The proposed development could result in the destruction or the disturbance and subsequent abandonment of active bird nests.	The conversion of B1 should be undertaken outside the period 1st March to 31st August. If this timeframe cannot be avoided, a close inspection of the building should be undertaken immediately, by qualified ecologist, prior to the commencement of work. All active nests will need to be retained until the young have fledged.	The installation of a minimum of two bird boxes on mature trees around the site boundaries or on retained buildings will provide additional nesting habitat for birds e.g. Vivara Pro Estella House Sparrow Nest Box (buildings) Vivara Pro Madrid Swift Nest Box (buildings) Or similar alternative brand. Swift and sparrow boxes should be positioned close together as swifts prefer to nest gregariously. The boxes should be placed at least 5m above ground level under the eaves of a building, on a north or east elevation, where they will be sheltered from prevailing wind, rain and strong sunlight. Tree boxes could include Schwegler 1B Nest Boxes (trees)

				Schwegler 2H Robin Boxes (trees) Woodstone Nest Box (buildings or trees) Or a similar alternative brand. Tree boxes should be positioned approximately 3m above ground level where they will be sheltered from prevailing wind, rain and strong sunlight. Small-hole boxes are best placed approximately 1-3m above ground on an area of the tree trunk where foliage will not obscure the entrance hole.
Other ecological constraints	None identified.	N/A	N/A	N/A

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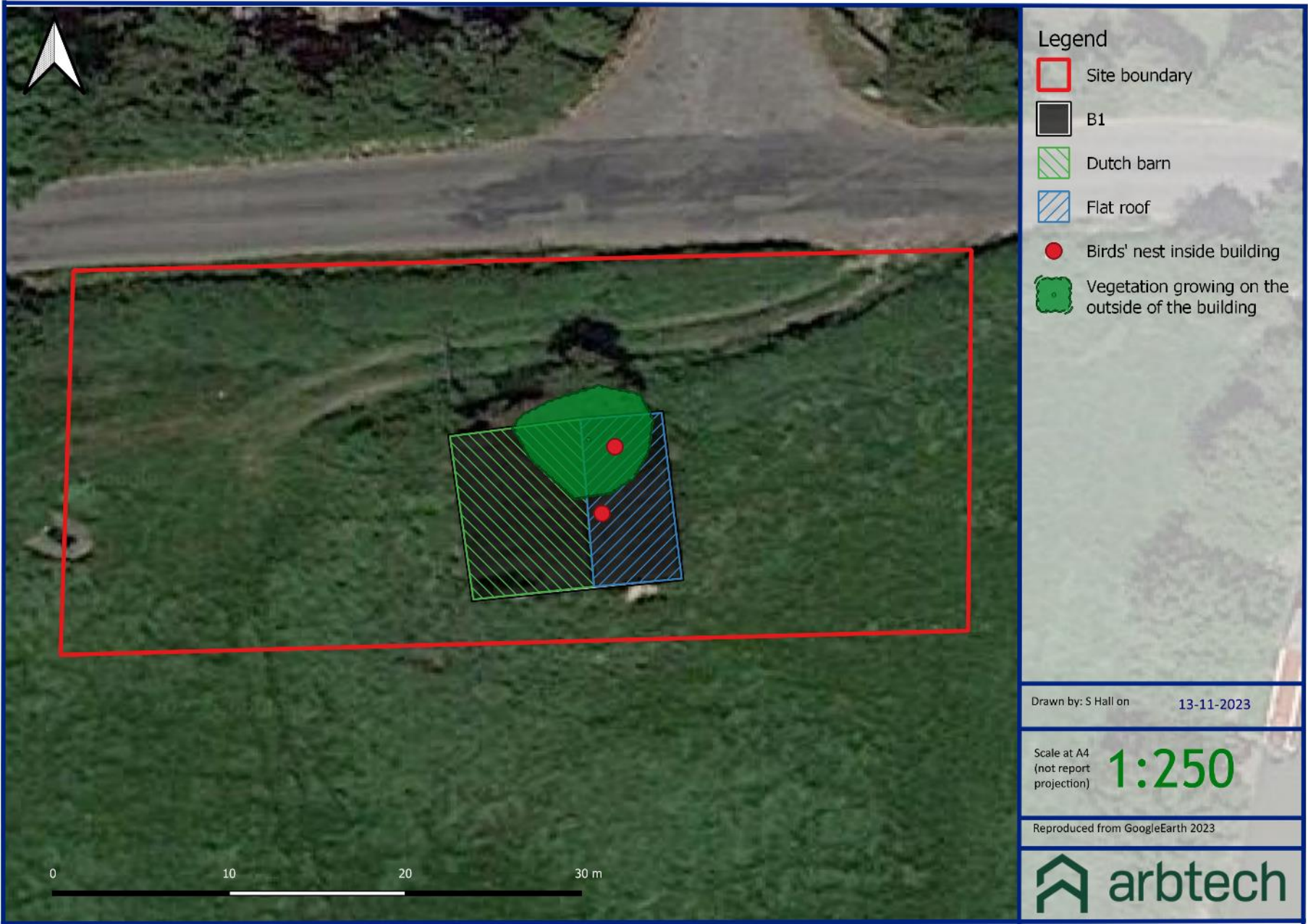
Appendix 1: Proposed Development Plan

Not available at the time of writing this report.

Appendix 2: Site Location Plan



Appendix 3: PRA Plan



Appendix 4: Legislation and Planning Policy Related to Bats

LEGAL PROTECTION

All species of bat are fully protected under *The Conservation of Habitats and Species Regulations 2017* (as amended) through their inclusion on Schedule 2.

Regulation 43: Protection of certain wild animals - offences

(1) A person is guilty of an offence if they:

- (a) Deliberately captures, injures or kills any wild animal of a European protected species,
- (b) Deliberately disturbs wild animals of any such species,
- (c) Deliberately takes or destroys the eggs of such an animal, or
- (d) Damages or destroys a breeding site or resting place of such an animal,

(2) For the purposes of paragraph (1) (b), 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 a 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.

Bats are also protected under the *Wildlife and Countryside Act 1981* (as amended) through their inclusion on Schedule 5. Under this Act, they are additionally protected from:

- Intentional or reckless disturbance (at any level)
- Intentional or reckless obstruction of access to any place of shelter or protection
- Selling, offering or exposing for sale, possession or transporting for purpose of sale

NATIONAL PLANNING POLICY

National Planning Policy Framework 2021

The National Planning Policy Framework promotes sustainable development. The Framework specifies the need for protection of designated sites and priority habitats and species. An emphasis is also made on the need for ecological infrastructure through protection, restoration and re-creation. The protection and recovery of priority species (considered likely to be those listed as species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006) is also listed as a requirement of planning policy.

In determining a planning application, planning authorities should aim to conserve and enhance biodiversity by ensuring that: designated sites are protected from harm; there is appropriate mitigation or compensation where significant harm cannot be avoided; measurable gains in biodiversity in and around developments are incorporated; and planning permission is refused for development resulting in the loss or deterioration of irreplaceable habitats including aged or veteran trees and also ancient woodland.

The Natural Environment and Rural Communities Act 2006 and the Biodiversity Duty

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, requires all public bodies to have regard to biodiversity conservation when carrying out their functions. This is commonly referred to as the 'biodiversity duty'.

Section 41 of the Act requires the Secretary of State to publish a list of habitats and species which are of 'principal importance for the conservation of biodiversity'. This list is intended to assist decision makers such as public bodies in implementing their duty under Section 40 of the Act. Under the Act these habitats and species are regarded as a material consideration in determining planning applications. A developer must show that their protection has been adequately addressed within a development proposal.

LOCAL PLANNING POLICY

The Leicester Core Strategy (adopted 2014)

The Leicester Core Strategy can be viewed here: <https://www.leicester.gov.uk/media/179023/core-strategy-adopted-july-2014.pdf>

The following planning policies have implications in relation to biodiversity and the proposed development:

- CS13 – Council will maintain and protect greenspace that are of value to local green network for residents and biodiversity
- CS17 – maintain and strengthen connections for wildlife with habitats and corridors, and that new buildings and urban areas can provide habitat for wildlife

Space for Wildlife 2016 - 2026

The Space for Wildlife can be viewed here: <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2022/10/7/LLR-biodiversity-action-plan-space-for-wildlife-2016-26.pdf>

All bat species are included in the plan.

EFFECT OF LEGISLATION AND POLICY ON DEVELOPMENT WORKS

A European Protected Species Licence (EPSL) issued by Natural England will be required for works likely to affect a bat roost or for operations likely to result in a level of disturbance which might impair their ability to undertake those activities mentioned above (e.g. survive, breed, rear young and hibernate). The licence is to allow derogation from the relevant legislation but also to enable appropriate mitigation measures to be put in place and their efficiency/success to be monitored. The legislation may also be

interpreted such that, in certain circumstances, important foraging areas and/or commuting routes can be regarded as being afforded *de facto* protection, for example, where it can be proven that the continued usage of such areas is crucial to maintaining the integrity and long-term viability of a bat roost (Garland & Markham, 2008).

There are 17 species of bat breeding in England and Natural England issues licences under Regulation 55 of the Habitats Regulations to allow you to work within the law.

Licences are issued for specific purposes stated in the Regulations, if the following three tests are met:

- The purpose of the work meets one of those listed in the Habitats Regulations (see below);
- That there is no satisfactory alternative;
- That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range

The Habitats Regulations permits licences to be issued for a specific set of purposes including:

1. include preserving public health or public safety or other imperative reasons of over-riding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment;
2. scientific and educational purposes;
3. ringing or marking; and,
4. conserving wild animals.

Development works fall under the first purpose and Natural England issues bat mitigation licences for developments.

EUROPEAN PROTECTED SPECIES POLICIES

In December 2016 Natural England officially introduced the four licensing policies throughout England. The four policies seek to achieve better outcomes for European Protected Species (EPS) and reduce unnecessary costs, delays and uncertainty that can be inherent in the current standard EPS licensing system. The policies are summarised as follows:

- Policy 1; provides greater flexibility in exclusion and relocation activities, where there is investment in habitat provision;
- Policy 2; provides greater flexibility in the location of compensatory habitat;
- Policy 3; provides greater flexibility on exclusion measures where this will allow EPS to use temporary habitat; and,
- Policy 4; provides a reduced survey effort in circumstances where the impacts of development can be confidently predicted.

The four policies have been designed to have a net benefit for EPS by improving populations overall and not just protecting individuals within development sites. Most notably Natural England now recognises that the Habitats Regulations legal framework now applies to 'local populations' of EPS and not individuals/site populations.