



**OTAGO LANE
GLASGOW**

HABITAT AND PROTECTED SPECIES ASSESSMENT

30 April 2009

For

MONTAGUE EVANS

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SUMMARY

A habitat and protected species assessment was undertaken at a site adjacent to Otago Lane, Glasgow. The surveys and assessment were carried out over several visits, on 20 January, 11 March, 20 April, and 28 April 2009.

No plants of note were recorded at the site apart from the non-native, invasive species giant hogweed (*Heracleum mantegazzianum*), which is very well established across the whole site and in particular within the wooded areas. This plant should be eradicated from the site using approved methods.

No clear evidence of otter presence was recorded within or close too the site although otters are known to be present on the River Kelvin.

Pipistrelle bats, of the species *Pipistrellus pygmaeus* (the 55kHz pipistrelle), were recorded foraging within the site. No roosts were recorded at the time of survey.

Given limited opportunity for good roost sites for bats within the survey area, it is considered likely that the felling of trees and demolition of structures within the site will be an overall low risk event. However, a bat method statement including pre-impact checks of trees and built structures needs to be followed in relation to felling and demolition to minimise the risk to a bat that could use the site at any time, and to inform personnel on how they should respond if they find a bat during that process.

1.0 INTRODUCTION

This report was commissioned by Montague Evans with regard to a habitat and protected species assessment of land adjacent to Otago Lane, Glasgow.

Following an initial site visit (20/01/09) it was determined that there were three main ecological aims:

- Firstly, to assess the habitat(s) at the site and survey for notable plant species.
- Secondly, to survey the site and surrounding area (including up and down river) for any evidence of use by riparian mammals – in particular otters (*Lutra lutra*).
- Thirdly, to establish whether bats were present within the site area and to determine whether there was potential for bats to roost within the trees and/or the structures within the survey area. However, given that opportunities exist for nesting birds it was clear that they should also be considered.

The assessment for otters and bats has been prepared to comply with the current requirements of the planning process, where a European Protected Species (EPS) is known to, or may have the potential to, inhabit that area.

2.0 SITE LOCATION AND DESCRIPTION

The site is bounded by Otago Street to the west, by Otago Lane to the south, by the River Kelvin to the east, and by buildings, gardens and the river to the north. A central grid reference for the site is NS 573 668.

A number of built structures are located within the site:

1. A row of brick-built flats face on to Otago Street – the rear area has been partially hard landscaped to accommodate car parking spaces and service amenities for local residents.
2. Several brick and wood-built waste bin depositories, with tiled roofs (service amenities).
3. A brick/concrete built electrical sub-station.
4. A retaining brick-built wall to the bank above the River Kelvin.

The rest of the site is largely covered by trees and shrubs, both planted as part of a designed landscape and self-seeded along the banks of the river.

3.0 PROTECTED SPECIES LEGISLATION

3.1 European Protected Species

European Protected Species are covered in the UK by The Conservation Regulations 1994. The Regulations make provision for implementing Council Directive 92/43/EEC, and provides for the conservation of natural habitats and habitats of species, provision for notification of “European Sites”, and provides for the protection of certain wild animals and plants.

It is an offence, except as permitted under the Regulations, to deliberately or recklessly:

- Capture, injure, or kill a wild animal of a European Protected Species;
- Harass an animal or group of animals;
- Disturb such an animal while it is rearing or otherwise caring for its young;
- Obstruct access to a breeding site or resting place, or otherwise deny the animal use of the breeding site or resting place;
- Disturb such an animal while it is occupying a structure or place used for shelter or protection;
- Disturb such an animal in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species to which it belongs; or
- Disturb such an animal in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed, or reproduce, or rear or otherwise care for its young;
- Take or destroy the eggs of such an animal;
- Damage, or destroy a breeding site or resting place of such an animal.

Licences for disturbance are at the discretion of the Scottish Government and with advice from Scottish Natural Heritage.

3.2 Breeding Birds

The Wildlife & Countryside Act 1981 (as amended) protects both plants and animals. Special penalties apply to infringement of the act for species that are deemed to be under particular threat i.e., Schedule 1 birds, Schedule 5 animals, and Schedule 8 plants. General protection is given to all wild birds, their nests and eggs. It is an offence, except as permitted by the Act to intentionally or recklessly,

- kill, injure, or take any wild bird
- take, damage, destroy, or otherwise interfere with the nest of any wild bird while that nest is in use or being built
- at any other time take, damage, destroy or otherwise interfere with any nest habitually used by any wild bird included in Schedule 1
- obstruct or prevent any wild bird from using its nest
- take or destroy the eggs of any wild bird

3.3 Non-native Aggressive Plant Species

Japanese Knotweed (*Fallopia Japonica*) and Giant Hogweed (*Heracleum mantegazzianum*) are listed on Schedule 9 of the Wildlife & Countryside Act 1981. Under Section 14 of the Act it is an offence to “plant or otherwise cause to grow in the wild any plant which is included in Part II of Schedule 9...”.

4.0 SURVEY METHODOLOGIES

The habitats and buildings within the survey area were assessed on 11 March 2009, followed by a survey of the banks of the River Kelvin upstream and downstream of the site for potential use by riparian mammals. Surveys for bats were carried out over two nights on 20 and 28 April 2009.

The site was walked throughout and all plants were recorded.

For otters, the site and its margins were checked for any signs of otters. The survey was then continued upstream of the site to the Belmont Street bridge (approximately 500m) and downstream (to the bridge

within Kelvingrove Park, linking to Kelvin Way – approximately 350m). Signs of otter use of the area, in particular holts or couches (lying up places), were searched for.

For bats, the trees and structures within the site were inspected during daylight hours to fully assess their potential to house roost sites for bats. Checks were made for gaps, holes, cracks, crevices, broken branches, flaking bark and ivy cover. Dusk survey was then undertaken using observation and heterodyne detection equipment to determine any emergence from trees or built structures, and record general commuting and foraging use of the site.

An assessment was made of the opportunities for nesting birds.

There were no restrictions to general access within the site or the surrounding area. The retaining wall alongside the River Kelvin was viewed with binoculars from the opposite bank but could not be accessed at the time of survey for health and safety reason. All other structures were easily assessed.

5.0 RESULTS

5.1 Habitats

The vegetated parts of the site are largely comprised of a designed landscape of trees and shrubs, adjacent to the car parking at the rear of the existing flats or of unmanaged land alongside the river which has been both planted with, and self-seeded/colonised by, trees and shrubs. Some small areas of mown grassland area present within the designed landscape. A basic Phase 1 Habitat Map is given at the end of this report to illustrate the habitat types.



Photo 1: Scrubby trees and landscaped area.

Land alongside the river in the southern part of the site is predominantly wooded on a steep bank to the water's edge and is dominated by alder (*Alnus* sp(p)) and poplar (*Populus* sp(p)). Butterfly-bush (*Buddleja davidii*), ash (*Fraxinus excelsior*), elder (*Sambucus nigra*), sycamore (*Acer pseudoplatanus*) and birch (*Betula* sp(p)) were also recorded along with creeping buttercup (*Ranunculus repens*), ribwort plantain (*Plantago lanceolata*), broadleaved dock (*Rumex obtusifolius*), dandelion (*Taraxacum officinale*), wavy bittercress (*Cardamine flexuosa*), common ragwort (*Senecio jacobaea*), daisy (*Bellis perennis*), bramble (*Rubus fruticosus*), broadleaved willowherb (*Epilobium montanum*), red fescue (*Festuca rubra*), perennial rye-grass (*Lolium perenne*) and the moss *Rhytidiadelphus squarrosus*, which was particularly dominant over the open area of cut grass on top of the bank.

The land to the north (above and west of the brick retaining wall) has been landscaped as part of the previous development of the site. Trees and shrubs (ash, elder, alder, willow (*Salix* spp), rowan (*Sorbus aucuparia*), whitebeam (*Sorbus* sp), hornbeam (*Carpinus betulus*), bird cherry (*Prunus padus*), cherry (*Prunus* sp), sycamore (*Acer pseudoplatanus*), Norway maple (*Acer platanoides*), cotoneasters (*Cotoneaster* sp(p)) and rose (*Rosa* sp(p)), including exotics, have been planted in groups, with access paths leading around and through the scrubby habitat to the fence overlooking the river. The shaded conditions created by the scrubby woodland have resulted in a poor ground flora. However, a number of the species recorded to the south are also found within this section of the site.



Photo 2: The retaining wall at the river's edge.



Photo 3: Edge of the site.

Giant hogweed (*Heracleum mantegazzianum*) was recorded throughout the site, where it has an opportunity to root and in some areas it forms the dominant plant below the tree/shrub canopy.



Photo 4: Giant Hogweed.

5.2 Otters

Potential otter tracks were recorded upstream of the site (south of Belmont Bridge) but no additional evidence (spraints, paths/slides) of otters was recorded. The tracks were indistinct but were in a position where a dog is unlikely to have been, and were too broad for fox. The approximate grid reference for the prints is NS 575 671 (west bank) of the river, about 400m from the site (upstream).

The banks of the River Kelvin are largely walled both upstream and downstream of the site and although there are areas where an otter can easily exit the river, the conditions overall are likely to be unfavourable to an otter lying-up. No potential subterranean holts were recorded and although an animal may find good cover above ground during the summer period, the influence (noise/disturbance) of dog walkers, pedestrians and cyclists is more likely to see them move to other parts of the river.

5.3 Bats

No roosts were located during visual inspection or dusk survey. The trees within the site lack suitable roost opportunities, in terms of holes, cracks, crevices, broken branches and flaking bark.

Of the built-structures within the site (apart from the main flatted properties), the bin depositories would appear to offer the best potential. The roofs of the structures are tiled and gaps are present within the tiles which would allow for potential for roosting bats, although it is likely that the possible use is limited. The walls of the bin depositories have a cover of ivy (*Hedera* sp.) which may also provide some roosting opportunity. However, there were no signs of a roost either being or having been present, and no emergence at the time of surveys.

Soprano Pipistrelles (*Pipistrellus pygmaeus* – 55kHz) were recorded foraging over the site. Three foraging bats were the most recorded at any one time. The detections were all related to the river corridor as given in Table 1.

The bats arrived at the site later than would indicate a roost within the site at this time of year. It is likely that the bats are roosting in more mature trees and/or buildings elsewhere and are utilising the site purely for foraging purposes.

Table 1: Otago Lane, Glasgow – Bat Survey

Time	Number of Bats	Observed Activity
Survey visit 20/04/09. Conditions: dry, clear sky, still, mild. On site 19.50. Left site 22.51		
21.09	1	Foraging along the landscaped edge to the River Kelvin
21.11	2	Foraging in the same area as above
21.31	3	Foraging, with some social interaction, in the same area as previous records
21.49	2	At least two bats were recorded in the same area until 21.49
22.13 – 22.24	1	Foraging along the riverside
Survey visit 28/04/09. Conditions: dry, dense cloud cover, light/mid-breeze, cool/cold. On site 20.48. Left site 22.20		
21.31	1	Flew straight though along river edge – top of bank. Did not return
21.47	1	Picked up over river – possibly over island – brief recording
21.55	1	Bat flying low through gap (path) in scrubby woodland

5.4 Birds

There are opportunities for a range of species to be found nesting within the trees and shrubs around the site, including species such as robin, blackbird, dunnock, chaffinch and wren, but it is unlikely that any Annex 1 or Schedule 1 species would be present (and breeding). However, few birds were recorded during the course of the surveys (wood pigeon, mallard and blackbird) and no nests were recorded. The core nesting season runs from April to July with earlier and later nests possible. While no nests were recorded in April, there is time for nests to be constructed within this current nesting season.

Nesting birds will need to be considered during any felling operations. Where felling or demolition cannot be undertaken outside the nesting period, nest checks will be needed before impact, and if active nests or those under construction are found they will need to be avoided until fledging is complete or a nest is confirmed as no longer in use. There is not provision in the legislation to licence disturbance for development purposes.

6.0 CONCLUSIONS

6.1 Habitats

The quality of the habitat is relatively poor in ecological terms, i.e. it is not a significant woodland habitat as such. However, it does present opportunities for some local wildlife in terms of cover and as part of a wider wildlife corridor along the River Kelvin.

The only 'notable' plant species recorded at the site was giant hogweed, which is very well established across the whole site and in particular within the wooded areas.

It is an offence under the Wildlife and Countryside Act 1981 knowingly to 'plant or otherwise cause Giant Hogweed to grow' in the wild. This includes spreading the species or transferring polluted ground material from one area to another. This plant spreads by seed.

Giant Hogweed contains sap that can have a severe affect on the skin, making it sensitive to ultra violet light. This results in sunlight causing the skin to blister and potentially leading to longer term skin problems (Phytophotodermatitis). The problem is caused by contact with bristles on the plant stem or with the sap from broken leaves and stems. Cutting through the plant with a mower or strimmer can lead to the sap and plant fragments being projected around a wider area with potential for contact to the eyes or skin.

For reasons of health and safety and in terms of landscape and ecological values it is always recommended that the plant should be removed from sites using approved methods. SEPA should be consulted on removal and the requirement for any licence given proximity of the site to the River Kelvin.

6.2 Otters

While otters are present on the River Kelvin, there are no holts or couches located near the site, nor opportunities for foraging, and given that development would not prevent commuting of otters along the river, it is suggested that otters would not be disturbed by development of the site in a manner considered to contravene the legislation. However, Scottish Natural Heritage and the Scottish Government should be consulted in relation to the need for a European Protected Species Licence. It is suggested that this is not necessary for this site.

6.3 Bats

It is clear from the surveys that bats are active locally. However, the small number of bats recorded at the time of survey and the relatively late appearance of the bats at the site given the time of year suggests as previously discussed that the bats are commuting along the river from roosts elsewhere, and using the site purely for foraging purposes.

However, while roosting opportunities are restricted on the site, bats do move roosts on an annual cycle and a single bat or small number of bats could use the trees or built structures at almost any time of the year. The absence of any signs or potential indication of roosting during this survey does not mean that bats are permanently absent from roosting in the trees or built structures at the site and a Bat Method Statement should be used during any approved development of this site to minimise the risk of harm to any bats that could be found.

Maternity roosts generally contain larger numbers of bats, with Pipistrelle bats forming roosts that can number many hundreds. These roosts tend to require either large crevices or hollow tree trunks, or suitable areas within buildings, bridges etc. It is unlikely that the site would support a maternity roost.

6.4 Birds

Opportunities exist within the trees and shrubs for nesting birds, although signs of nesting were not present during the April surveys.

As nests and eggs are protected as well as wild birds, the felling and vegetation clearance programme should consider either avoiding the nesting season, or undertaking nest checks prior to impact within that season.

7.0 RECOMMENDATIONS

1. Eradicate Giant Hogweed from the site using approved methods. SEPA will need to be consulted with regard to removal given proximity to the River Kelvin. Removal should begin this season as soon as possible.
2. Consult with Scottish Natural Heritage and the Scottish Government with regard to the potential need for a European Protected Species licence to work within proximity of otters. It is suggested that this is not necessary for this site.
3. The trees and built structures should be checked for any bat presence prior to impact. A sample Bat Method Statement is attached.
4. Undertake bird nest checks from March to September if site clearance is not complete during the winter months. A sample Bird Method Statement is attached.

Ends

Phase 1 Habitat Map



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Key:	A1.1.1	Semi-natural broadleaved woodland
	A1.1.2	Broadleaved plantation woodland
	J1.2	Amenity Grassland
	J3.6	Built Areas

BAT & BIRD METHOD STATEMENTS

PROCEDURES TO ENSURE A BEST PRACTICE APPROACH WHEN DEALING WITH ROOSTING BATS AND NESTING BIRDS

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BAT METHOD STATEMENT

1.0 Legislation

Bats are European Protected Species as listed in The Habitats Directive (Directive 92/43/EEC: Conservation of Natural Habitats and of Wild Flora and Fauna). Both bats and their roosts are protected by the Conservation (Natural Habitats, &c.) Regulations 1994, which transpose the Habitats Directive into UK law and by the Wildlife & Countryside Act 1981 (as amended).

It is an offence, except as permitted under the Regulations, to deliberately or recklessly:

- Capture, injure, or kill a wild animal of a European Protected Species;
- Harass an animal or group of animals;
- Disturb such an animal while it is rearing or otherwise caring for its young;
- Obstruct access to a breeding site or resting place, or otherwise deny the animal use of the breeding site or resting place;
- Disturb such an animal while it is occupying a structure or place used for shelter or protection;
- Disturb such an animal in a manner that is, or in circumstances which are, likely to significantly affect the local distribution or abundance of the species to which it belongs; or
- Disturb such an animal in a manner that is, or in circumstances which are, likely to impair its ability to survive, breed, or reproduce, or rear or otherwise care for its young;
- Take or destroy the eggs of such an animal;
- Damage, or destroy a breeding site or resting place of such an animal.

Licences for disturbance are at the discretion of the Scottish Government with advice from Scottish Natural Heritage.

2.0 Bat Calendar

Month	Bat Activity	Development Activity	Licence Required
January	Hibernation	Tree felling following inspection. Demolition following inspection.	SNH advice. Licence for known roost sites or where bats are found
February	Hibernation	As above	As above
March	Emerging hibernation from	As above. Bat survey required if weather has been warm. Exclusion of roosts (not hibernaculum) possible.	As above
April	Transitory roosts	Bat surveys required for any development that may affect a potential roost site. Exclusion of roosts possible. Tree felling and demolition can proceed if surveys are clear.	As above

May	Transitional roosts, and maternity roosts begin to form, potential for early births	Bat surveys required. If maternity roosts are located then development may need to be postponed or the roost area avoided. Exclusion of roosts is not likely to be permitted after mid May.	SNH advice. Licenses resisted for disturbance to a maternity roost
June	Maternity roosts, birth of young, male bats roosts separately	As above No exclusion of maternity roosts.	As above
July	Maternity roosts, young still dependant, male bats roost separately	As above	As above
August	Young becoming independent, maternity roosts begin to disperse about mid August	As above. If the roost has dispersed licence can be obtained to disturb the roost. If bats are still present at end August exclusion may be permitted.	SNH advice Exclusion licenses may be permitted
September	Young may still be dispersing from maternity roosts, most bats in transitional roosts	Bat surveys required. Development within a maternity roost area may be permitted providing the roost has dispersed and licence is obtained if the roost is to be disturbed.	As above
October	Transitional and mating roosts	Bat surveys required. Exclusions possible.	As above
November	Bats begin to move towards hibernation sites, warm weather can still mean plenty of activity	Bat surveys required. Exclusions possible.	As above
December	Bats generally in hibernation	Tree felling following inspection. Demolition following inspection.	SNH advice. Licence for roost sites or where bats are found

3.0 Bats and Trees

Bats move hibernation sites throughout the winter and also move during spring, summer and autumn. Bats could arrive at the site at any time.

3.1 Arboricultural Works

- 1 Any tree felling between the months of April and November inclusive must take place only after consultation between the tree contractor and a bat worker and, if appropriate, after a dusk survey of the trees has been undertaken.
- 2 If bats are found using a tree for roosting, refer to "Finding Bats" below.
- 3 If bats are not found using the trees during dusk survey, then trees suitable for bats should be checked again as far as is possible before works begin on the tree. Suitable trees are generally >0.5m DBH and exhibit gaps, cracks, rot holes, hollows, wounds etc. Heavy ivy cover can obscure these features and make detection difficult until the ivy can be cleared.
- 3 Checking will include access by ladder and/or rope and harness to gaps, holes or other suitable features that could contain bats. In conjunction with the tree contractor, JDC (or other experienced bat contractor) will check all trees to be felled and any trees that could contain bats. Where a presence of bats cannot be confirmed, the tree should be brought down in a careful manner, sectioned if necessary and possible (with consideration given to cutting above and below potential hollows to avoid harming bats), and further checks made for bats once the tree is on the ground. It is preferable to leave trees that are suitable for bats on the ground for 24 hours before limbing.

- 4 Ivy-covered trees should be left on the ground for 24 hours after felling before limbing and removing ivy. This allows any bats in the tree to move on that night.
- 5 Removing the weight of a branch where a crack is held open by the weight may cause the crack to close on any bats present. Cracks must be checked before removing the limb.

3.2 Finding Bats

- 1 If bats are found during dusk survey then SNH will be advised immediately. No work will take place on any tree found to contain a bat until SNH advice has been obtained. If the roost is not a maternity roost then licence may be given to exclude the roost provided that the tests with regard to European Protected Species are met.

The licencing authority will be the Scottish Government. Licences usually take approximately 6 weeks to process but can take longer.

If the roost is a maternity roost then no works to that tree will be undertaken until the roost has dispersed (usually by late August).

- 2 If no bats are found during dusk survey but bats arrive at the site following that survey and are found during tree inspection, then all work in that area must stop until advice has been sought from SNH, except where the bat or bats welfare is immediately at risk. In this event the bats can be removed to a bat box and further advice sought as noted below.
- 3 Any bats that are discovered in a tree that has not been felled must be left alone and advice sought from SNH and the Scottish Government with regard to potential licence requirements, or the requirement to leave the tree until the bats are out of hibernation or have dispersed from the roost. A tree of this status cannot be felled or otherwise treated until such advice has been sought.
- 4 If any bats are found in a felled tree, the roost is still intact and the bats are not injured, then either:
 - a temporary seal will be applied to the roost to protect the bats, and advice sought from SNH, and the bat contractor will also be able to advise, or other appropriate authority, or
 - if help is not readily available (ie SNH or bat contractor are not contactable) the roost will be positioned off the ground out of direct sunlight, to allow the bats to move off, and help obtained as soon as possible.

In either case SNH must be contacted when the roost is discovered.

- 5 If the roost has been exposed and/or bats injured, the bats can be gently removed to a box and the box closed (with air holes) and placed in a suitable cool, dry location prior to help arriving. SNH and the bat contractor should be informed immediately.

Moving the bats in this manner is only permitted by an unlicensed person for reasons of the bat's welfare. SNH should be immediately informed that this action has taken place (SNH – 0141 951 4488).

- 6 Should bats then be found they must be left in situ, undisturbed, until a licensed person can attend the site, except as noted above for the bat's welfare. Hibernation licences must be held by the bat contractor for investigation of any discovered hibernaculum.
- 7 *During the winter months bats are in hibernation. They are typically cold and still. They are not dead. The bats should be placed in a box and SNH and the bat contractor notified.*
- 8 *All bats, if trapped for any length of time either in an enclosed space or by being grounded, where they become either cold or begin to die from lack of water or food, or in the case of young bats, by being separated from their mothers and the warmth of the roost, will drop into a state of torpor (similar to hibernation). They are not dead. The bats should be placed in a box and SNH and the bat contractor notified.*

4.0 HEALTH & SAFETY

The following information is taken from advice notes produced by Scottish Natural Heritage (SNH), and from the on-site experience of JDC Ecology personnel. JDC Ecology accepts no liability for any incident that occurs as a result of site personnel coming into contact with bats.

It is illegal to disturb a bat or its roost without an appropriate licence. Bats should therefore only be handled by licensed bat contractors. Persons other than licensed bat contractors may handle bats for reasons only of the bat's welfare or to remove them from the living space of a building.

Workers at the site should be made aware of the following procedures should they locate or disturb a bat.

- 1 Work should be stopped in that area immediately and the site manager/agent made aware of the incident. No person should touch a bat or bats except for reasons of site safety or the bat's welfare. Any contact with a bat should follow SNH guidelines as noted in (2) below.

It is recommended that if a bat is found during development construction, then an appropriate licensed bat contractor is contacted. Scottish Natural Heritage **must** be contacted (Clydebank Office – 0141 951 4488).

- 2 If it is necessary for reasons of site safety or bat welfare to move the bat before either a bat contractor or SNH can attend the site, the following should be noted.

Bats can carry European Bat Lyssavirus, a virus related to classical rabies. The cases of bats being found to carry these viruses are rare. However sensible precautions should be taken. Scottish Natural Heritage advises in their leaflet "Bats and Human Health" that the virus can only be spread by contact with a bat, not by being near a bat. **Site staff should be made aware that no-one should handle a bat unless wearing bite-proof gloves as advised in the SNH leaflet (not kitchen or stretch gloves).** Still wearing gloves, the bat can be moved by placing a small box over it and sliding a piece of card beneath the box, or using a small cloth, and carrying the bat outside to a sheltered high place such as a tree branch or windowsill.

Alternatively the bat can be kept in the box until a bat contractor arrives. The box should allow the bat to breathe but needs to be shut. A few holes punched in the side would suffice. It should be recognised that a bat can escape through a hole smaller than the end of a small matchbox. **Do not** place the box on top of heat sources such as radiators or in direct sunlight. A cool, dry room or shed is the best option in most cases.

A bat found from December to March is likely to be hibernating and requires to be kept in a cool place until advice is sought. Causing the bat to come out of hibernation by inadvertently warming it in hands or in a warm room may ultimately threaten the bat's winter survival. It should be kept in a box in a cool room until a Scottish Natural Heritage area officer or bat contractor arrives.

The leaflet "**Bats and Human Health**" can be obtained from Scottish Natural Heritage Publications Dept, Battleby, Redgorton, Perth, PH1 3EW, Tel: 01738 444177 or on their website <http://www.snh.org.uk>.

Also of use are:

"Natural Heritage and the Law: Bats and People", also from SNH Publications Department

"Bats and Trees: A Guide to the Management of Trees" from the Bat Conservation Trust, London. 020 7627 2629. <http://www.bats.org.uk>

BIRD METHOD STATEMENT

1.0 Legislation

All wild birds, their nests, and eggs are protected by the *Wildlife & Countryside Act 1981 (as amended)*.

Schedule 1 birds are priority species for which special penalties apply to infringement of the Act either against the bird, its nest, or eggs. Additionally under the Act, all wild birds, their nests and eggs are protected. It is an offence, except as permitted by the Act to intentionally or recklessly,

- kill, injure, or take any wild bird
- take, damage, destroy, or otherwise interfere with the nest of any wild bird while that nest is in use or being built
- at any other time take, damage, destroy or otherwise interfere with any nest habitually used by any wild bird included in Schedule 1
- obstruct or prevent any wild bird from using its nest
- take or destroy the eggs of any wild bird

2.0 Bird Calendar

Month	Bird Activity	Development Activity	Licence Required
January	Birds in winter roosting and foraging	All development activities	n/a
February	As above	As above	n/a
March	Birds begin to exhibit territorial behaviour. Possible early nests	As above	n/a
April	Nesting and breeding behaviour underway	Nesting checks required of trees and buildings prior to felling or building works	SNH advice if nests are located.
May	As above	As above	As above
June	As above	As above	As above
July	As above. Most young will have fledged or are fledging. Second broods possible for some species	As above	As above
August	As above	As above	As above
September	Second broods fledged	Last nest checks possibly required	As above
October	Birds moving for winter roosting and foraging sites	All development activities	n/a
November	Winter foraging and roosting	All development activities	n/a
December	As above	As above	n/a

3.0 Birds and Trees

Birds can begin nesting from March. Some birds will begin nesting later if they do not acquire mates or find empty territories immediately. For that reason absence of nests in March or April does not mean that nests will not occur later in the season.

- 1 Any tree felling or scrub clearance between the months of April and July inclusive must take place only after inspection of the trees for active nests or nests in the process of being built. Ivy cover should be carefully inspected as this can obscure nests of small birds.
- 2 Removing the weight of a branch where a crack is held open by the weight may cause the crack to close on a small nest. Cracks must be checked before removing the limb.
- 3 If a nest is found and is active, i.e. is in the process of being built or contains eggs or young, then SNH will be advised immediately. There is no licence available to permit disturbance to nests for the purposes of development. Therefore an appropriate protection zone will be erected around the discovered nest (minimum of 5m) until the nest has fledged, in order to avoid disturbance and consequent contravention of the Act.

Ends