

# Ivy House, Castle Caereinion Bat Report

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**Prepared for Chrysalis Architectural Design**

**November 2023**

**Revision 01**

**TURNSTONE ECOLOGY LIMITED**


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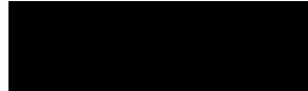
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## ***SURVEY AND REPORT VALIDITY***

It is important that planning decisions are based on up-to-date ecological reports and survey data. However, it is difficult to set a specific timeframe over which reports or survey data should be considered valid, as this will vary in different circumstances. In some cases there will be specific guidance on this (such as for the age of data which may be used to support an EPS licence application) but in circumstances where such advice does not already exist, the Chartered Institute of Ecology and Environmental Management (CIEEM) has provided the general advice set out below.

<b><i>Age of Data / Survey / Report</i></b>	<b><i>Validity</i></b>
<b>Less than 12 months</b>	Likely to be valid in most cases.
<b>12-18 months</b>	Likely to be valid in most cases with the following exceptions:  Where a site may offer existing or new features which could be utilised by a mobile species within a short timeframe;  Where a mobile species is present on site or in the wider area, and can create new features of relevance to the assessment;  Where country-specific or species-specific guidance dictates otherwise.
<b>18 months to 3 years</b>	A professional ecologist will need to undertake a site visit and then review the validity of the report.  Some or all of the other ecological surveys updated.
<b>Protected Species Licensing</b>	Licence applications usually only possible using data less than 2 years old

The likelihood of surveys needing to be updated increases with time and is greater for mobile species or in circumstances where the habitat or its management has changed significantly since the surveys were undertaken. Factors to be considered include (but are not limited to):

Whether the site supports, or may support, a mobile species which could have moved on to site, or changed its distribution within a site;

Whether there have been significant changes to the habitats present (and/or the ecological conditions/functions/ecosystem functioning upon which they are dependent) since the surveys were undertaken, including through changes to site management;

Whether the local distribution of a species in the wider area around a site has changed (or knowledge of it increased), increasing the likelihood of its presence.

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## 1 INTRODUCTION

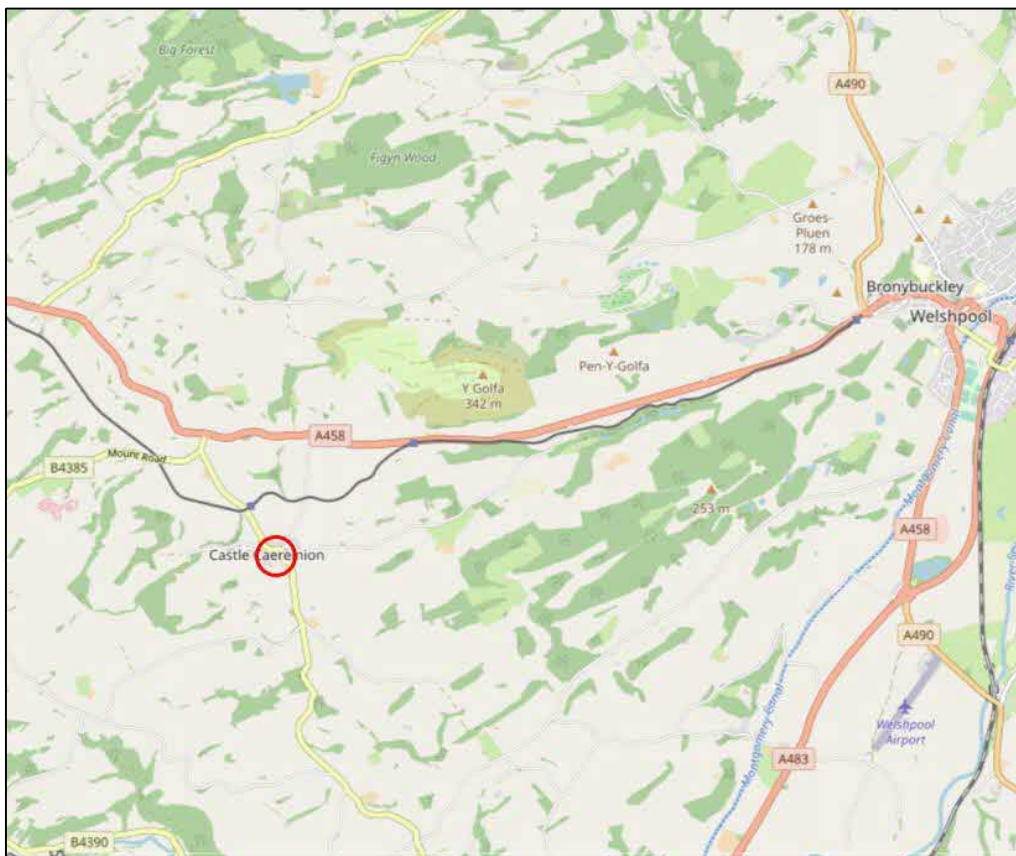
### 1.1 Purpose of Report

This report has been completed in connection with the proposed extension of a residential dwelling at Ivy House, Castle Caereinion, Welshpool, SY21 9AL (OS Grid Location SJ 16301 05481). The location of the proposed development site is shown in *Figure 1* and the proposed development plans are fully detailed in *Section 4*.

A Preliminary Roost Assessment was completed on 30<sup>th</sup> March 2023 and bat activity surveys were completed between May and July 2023. All surveys were completed by experienced staff from Turnstone Ecology Ltd.

This report details survey and assessment methodology along with the results of a desk-based study and on-site surveys. It also provides an assessment of potential impacts and appropriate mitigation to offset any impacts associated with the proposal.

*Figure 1. Location of proposed development*



## 1.2 Ecological Context

The proposed development site is located in Castle Caereinion, approximately 5 km south-west of Welshpool (*Figure 1*). The site comprises a detached two-storey Farmhouse, detached brick barn and associated gardens and driveway (*Figure 2*). The proposals involve the replacement of the existing conservatory with a single-storey aluminium-framed extension along the south-eastern extension, the construction of a single-storey aluminium-framed extension along the south-western elevation, re-roofing of the Farmhouse, installation of two dormer windows and a Velux window along the north-eastern elevation, installation of a first-floor window along the south-western elevation and conversion of the attic into bedrooms.

The proposed development site is immediately bordered by residential dwellings and associated gardens to the north, south and west and a minor road to the east with St Garmon's Church beyond. The Sylfaen Brook is located approximately 185m south-east of site.

The wider landscape is dominated by scattered residential dwellings and farms, agricultural fields and woodlands.

*Figure 2. Proposed development site (affected building outlined in red, ownership boundary outlined in blue) (www.bing.com/maps accessed 12.09.2023)*



## 2 METHODS

### 2.1 Desk-based Study

Information relating to designated sites, and historic records of protected species within 2 km of the proposed development site were obtained from Magic ([www.magic.gov.uk](http://www.magic.gov.uk)) and other freely available information on the internet, such as planning portals.

A data request through the local environmental records centre was not undertaken as the site is small, the habitats that will be impacted are limited and it is very unlikely that the records obtained would impact the site assessment and mitigation proposed.

Any species-specific historic records are detailed within the relevant species accounts in the *Results* section.

### 2.2 Preliminary Roost Assessment

The building was assessed for potential to support bat roosts. The assessment involves a consideration of various factors including;

- Light levels;
- Temperature regime and protection from weather;
- Access to the interior of the building or to other suitable roost sites;
- Potential roost sites;
- Building construction;
- Tree structure; and
- Habitat context.

Based on these factors, an assessment was made of whether the building affected by the proposals might support bats and the type and number of roosts that might be present.

A detailed inspection was made of the exterior and, where possible, the interior of the building within the proposed development boundary for any evidence of bat use, such as live or dead bats, droppings, scratch marks, staining and prey remains, and in some cases the absence of cobwebs. Large quantities of cobwebs in roof voids or at access points tend to be suggestive of no bat use, although this evidence is not conclusive.

Features identified as possible bat access points or potential roosting locations were thoroughly searched where possible, using powerful torches and binoculars to facilitate the process. An endoscope and ladders were also used to enable more detailed inspection of cracks and crevices as far as access allowed.

The survey was undertaken in good light conditions. This type of survey can be completed at any time of year though the optimal time period for completion is at times when bats are most likely to be present



in buildings (April-October). That said evidence of bats, if present in sheltered locations, is likely to persist well beyond this time period.

Buildings and trees are categorised according to their suitability for roosting bats as follows (taken from Bat Survey Guidelines, 3<sup>rd</sup> Edition):

*Negligible* – Negligible habitat features on site likely to be used by roosting bats

*Low* – A structure with one or more potential roost sites that could be used by individual bats opportunistically. However, these potential roost sites do not provide enough space, shelter, protection, appropriate conditions and/or suitable surrounding habitat to be used on a regular basis or by larger numbers of bats (*i.e.* unlikely to be suitable for maternity or hibernation). Or a tree of sufficient size and age to contain potential roost features but with none seen from the ground, or features seen with only very limited roosting potential.

*Moderate* – A structure or tree with one or more potential roost sites that could be used by bats due to their size, shelter, protection, conditions and surrounding habitat but unlikely to support a roost of high conservation status (with respect to roost type only).

*High* – A structure or tree with one or more potential roost sites that are obviously suitable for use by larger numbers of bats on a more regular basis and potentially for longer periods of time due to their size, shelter, protection, conditions and surrounding habitat. They could be suitable for maternity roosts or hibernation sites.

*Confirmed* – Roosting bats confirmed as being present, either by the discovery of live or dead bats, droppings, prey remains, scratching or fur-staining.

Habitats were also assessed for their suitability for use by foraging or commuting bats. Areas of particular interest vary between species, but generally include sheltered areas and those habitats with good numbers of insects, such as woodland, scrub, hedges, watercourses, ponds, lakes and more species-rich or rough grassland.

### **2.3 Bat Activity Surveys**

Based on the results of the Preliminary Roost Assessment, two Dusk Emergence Surveys were completed on 15<sup>th</sup> May and 15<sup>th</sup> June 2023 and a Dawn Re-entry Survey was completed on 20<sup>th</sup> July 2023, with survey timings and conditions shown in *Table 1* below. Evening emergence and dawn re-entry surveys are the primary methods for locating roosts in trees, buildings or built structures, as bats are not always found by internal and external inspection surveys (*e.g.* if the bats roost in areas that cannot be searched and/or leave little or no visible trace). These surveys can also give a reasonable estimate of the number of bats present.



Table 1. Survey timings and conditions

	Dusk Survey 15/05/2023		Dusk Survey 15/06/2023		Dawn Survey 20/07/2023	
	Start	End	Start	End	Start	End
<b>Time</b>	20:40	22:33	21:25	23:02	03:45	05:30
<b>Temp (°C)</b>	11	7	21	18	12	11
<b>Wind (Bft)</b>	0	1	0	0	0	0
<b>Cloud (Octas)</b>	0	1	3	3	7	7
<b>Precipitation</b>	Dry		Dry		Dry	
<b>Sunset/rise</b>	21:03		21:38		05:15	

The surveyors used Echo Meter Touch 2 Bat Detectors and noted information on time, species and behaviour on to survey forms. Bat calls were continually recorded for the duration of the surveys to ensure all bat activity was saved. Audio tracks were downloaded and assessed using the appropriate software to confirm the identity of bats noted during the survey.

Surveyors were able to position themselves so any activity could be clearly observed and general activity around the site could also be recorded from the surveyor's location. Three surveyors were used which allowed for all parts of the building to be surveyed (*Figure 3*).

Figure 3. Surveyor locations (yellow stars) and affected building outlined in blue ([www.bing.com/maps](http://www.bing.com/maps) accessed 30.08.2023)



## 2.4 Nesting birds

Habitat that might be used by nesting birds was identified and actively nesting birds or evidence of nesting birds noted where present.

## 2.5 Constraints

All surveys were carried out at a suitable time of year and during appropriate weather conditions and access was sufficient to successfully complete the surveys.

### 3 RESULTS

#### 3.1 Desk Study

##### 3.1.1 Designated Sites

Coed Byrwydd Site of Special Scientific Interest (SSSI) is located approximately 1.3 km south-south-west of the proposed development site. The site is a good example of oak-ash woodland with a well-developed shrub layer and a good diversity of flowering plant species.

##### 3.1.2 Background records

There are records of Lesser Horseshoe Bat (*Rhinolophus hipposideros*) at a site approximately 1.3 km south-west of the proposed development site (Anon, 2020; NBN).

#### 3.2 Preliminary Roost Assessment

##### 3.2.1 General

The proposed development site comprises a two-storey detached Farmhouse, with a patio and amenity grassland located to the north-west, west and south-west, further amenity grassland located to the north and east and a driveway located to the south. A minor road is located to the east. A detached barn is located south-east of the Farmhouse and will not be affected by the proposals. The existing layout of the site is shown in *Figure 4* and existing elevations and floorplans are shown in *Figures 5 and 6*.

*Figure 4. Existing site boundary (outlined in blue) and affected building (outlined in red)*



Figure 5. Existing elevations



Figure 6. Existing floorplans



### 3.2.2 External building description

The affected building comprises a two-storey, detached stone and brick Farmhouse with a two-storey extension adjoining the south-western elevation and a lean-to conservatory adjoining the south-eastern elevation. The Farmhouse has a pitched, slate tiled roof with a Velux window and two solar panels on the south-western aspect and a Velux window on the north-eastern aspect. Brick chimneys are located at the northern and southern extents of the roof.

The two-storey extension has stone walls and a pitched, slate tiled roof with a Velux window and metal flue along the north-western aspect and uPVC windows along the south-western and north-western elevations. The conservatory adjoins the south-eastern elevation of the farmhouse and two-storey extension and has a brick, rendered base with uPVC windows along the north-eastern, south-eastern and south-western elevations. The roof is formed by gently sloping plastic roof sheets. A porch is located at the centre of the north-eastern elevation of the Farmhouse and has a pitched, slate roof with wrap-around uPVC windows (*Plates 1 to 4*).

*Plate 1. North-eastern elevation (looking south-west)*



*Plate 2. North-eastern and north-western elevations (looking south)*



*Plate 3. North-western and south-western elevations (looking south-east)*





*Plate 4. South-eastern elevation (looking north)*



### **3.2.3 Internal building description**

The ground and first floor of the Farmhouse comprise light and well-sealed living accommodation. The attic on the second floor comprises two rooms and a landing area currently used for storage. The roof has exposed timber frame and is lined with a plastic liner (*Plates 5 to 7*). A single Velux window is located in the roof of each of the rooms.

*Plate 5. Attic room at northern end of second floor*





*Plate 6. Landing area on second floor*



*Plate 7. Attic room at southern end of second floor*



### **3.2.4 Suitable roosting features and evidence**

Evidence of roosting bats was recorded within the attic with approximately thirty small bat droppings (characteristic of a *Pipistrelle* species) noted on the floor around a doorframe (*Plate 8*). Gaps are present above the door frame and around the timber roof frame where bats are likely to roost, with internal access likely gained through gaps around the chimney and ridge tiles (*Plate 9*).

Suitable roosting access features around the Farmhouse include gaps at wall tops (*Plates 10 and 11*), gaps under ridge tiles (*Plate 12*), gaps around the chimneys (*Plate 12*) and gaps into the soffits (*Plate 13*). The mortar is in good condition, with no cracks or holes visible.

Based on the evidence recorded, roosting features in and around the Farmhouse and surrounding habitats, the Farmhouse was considered to have a *High* potential for roosting bats with a *Confirmed* roost within the attic.

*Plate 8. Bat droppings around door frame in attic*



*Plate 9. Gaps around door frame in attic*



*Plate 10. Gaps at wall tops*



*Plate 11. Gaps into wall top*



*Plate 12. Gaps under ridge tile and around chimney*



*Plate 13. Holes into soffit*



### **3.3 Bat Activity Surveys**

A total of three surveys (two dusk emergence surveys and a single dawn re-entry survey) were completed on site in suitable weather conditions between May and July 2023. A summary of the results of these surveys is shown below.



*Dusk emergence survey – 15<sup>th</sup> May, sunset at 21:03*

- 21:25 Individual Common Pipistrelle (*Pipistrellus pipistrellus*) emerged from gap in soffit on the south-eastern elevation (*Plate 14*).
- 21:32 Individual Common Pipistrelle emerged from gable end of barn to south of Farmhouse (*Plate 15*).
- 22:20 Individual Brown Long-eared Bat (*Plecotus auritus*) possible emergence from south-western elevation of barn to south of Farmhouse (*Plate 15*).

*Dusk emergence survey – 15<sup>th</sup> June, sunset at 21:38*

- No bats emerged.

*Dawn return survey – 20<sup>th</sup> July, sunrise at 05:15*

- 04:28 Individual Common Pipistrelle re-entered into roof verge/lead flashing of chimney on south-eastern gable end (*Plate 16*).

*Plate 14. Location of emerging individual Common Pipistrelle from gap in soffit during May dusk survey (red circle)*



Plate 15. Emergence location of individual Common Pipistrelle (red circle) on north-western gable end of barn and possible emergence location of Brown Long-eared Bat (blue circle) on south-western elevation of barn



Plate 16. Location of individual re-entering Common Pipistrelle during July dawn survey (red circle)



Foraging Common Pipistrelle, Natterer's Bat (*Myotis nattereri*) Soprano Pipistrelle (*Pipistrellus pygmaeus*), Whiskered Bat (*Myotis mystacinus*) and high passes of Noctule (*Nyctalus noctula*) were recorded over site during the surveys.

### 3.4 Nesting Birds

No evidence of nesting birds was recorded in and around the building during the surveys. The Farmhouse is of limited suitability for nesting birds with features limited to wall tops below the eaves for species such as House Martin (*Delichon urbicum*).

The habitats that will be impacted by the construction of the proposed extensions of the building are limited to hardstanding and amenity grassland. Therefore, no removal of suitable habitats for nesting birds will be required as part of the proposals.



## 4 EVALUATION

### 4.1 Summary of Proposals

The proposals involve the replacement of the existing conservatory with a single-storey aluminium-framed extension along the south-eastern extension, the construction of a single-storey aluminium-framed extension along the south-western elevation, re-roofing of the Farmhouse, installation of two dormer windows and a Velux window along the north-eastern elevation, installation of a first-floor window along the south-western elevation and conversion of the attic into bedrooms (Figures 7 and 8).

Figure 7. Proposed elevations



Figure 8. Proposed floor plans



## 4.2 Summary of Results

### 4.2.1 Preliminary Roost Assessment

Evidence of roosting bats was recorded within the attic, with approximately 30 small bat droppings (characteristic of a *Pipistrelle* species). Suitable roosting access features in and around the Farmhouse include gaps around a doorframe and the timber roof frame in the attic, external gaps at wall tops, gaps under ridge tiles, gaps around the chimneys and gaps into the soffits. The Farmhouse was therefore considered to have a *High* potential for roosting bats with a *Confirmed* roost within the attic.

### 4.2.2 Activity Surveys

Bat Activity Surveys were completed and found the following roosts:

- An individual Common Pipistrelle roosting in the soffit on the south-eastern elevation;

- An individual Common Pipistrelle roosting in a gap at the roof verge on the south-eastern gable end. This roost location is considered likely to provide internal access to the attic and be associated with the droppings recorded within the attic.

In addition, the following roosts were noted within the barn to the south of the Farmhouse:

- An individual Common Pipistrelle roosting in a gap at the wall top of the north-western gable end of the barn;

- An individual Brown Long-eared Bat possibly roosting in a gap at the wall top of the south-western elevation of the barn.

Foraging Common Pipistrelle, Natterer's Bat (*Myotis nattereri*) Soprano Pipistrelle, Whiskered Bat (*Myotis mystacinus*) and high passes of Noctule (*Nyctalus noctula*) were recorded over site during the surveys.

## 4.3 Evaluation and Impacts

Based on the results of the Preliminary Roost Assessment and Bat Activity Surveys, the Farmhouse was found to support two day roosts of individual Common Pipistrelle.

In addition, incidental recordings of an individual Common Pipistrelle and a probable roost of an individual Brown Long-eared Bat were noted within the barn to the south of the Farmhouse although these roosts will not be directly impacted by the works.

The proposed extension and re-roofing of the Farmhouse would cause the possible injuring/killing of two Common Pipistrelle as well as the long-term loss of two Common Pipistrelle day roosts.

Based on the type of features suitable for roosting bats, evidence found during the preliminary survey and the results of the Bat Activity Surveys, it is considered that the Farmhouse is only likely to be used

by individuals/small numbers of common bat species. The destruction of the two Common Pipistrelle day roosts would be a *High* impact at site level, a *Negligible* impact at a local and regional level.

Common Pipistrelle are common bats in the United Kingdom with approximately 2,430,000 individuals estimated to be present<sup>1</sup>. For the purpose of this project this species is considered to be common on a regional scale (with the scale stretching through common, rarer to rarest species). In accordance with the Bat Mitigation Guidelines the requirement for mitigation for roosts of individual and low numbers of Common Pipistrelle includes;

- Flexibility over provision of bat boxes, access to new buildings *etc.*; and
- No conditions about timing or monitoring.

#### 4.4 Mitigation and Enhancement

Destruction of bat roosts can only occur under a Protected Species Licence. All agreed methods will be included in the licence application and appropriate mitigation and safe working methods can only be confirmed upon agreement of the licence. The methods (which may be updated upon confirmation of an accepted Licence application) are likely to include;

Works to commence following receipt of a Protected Species Licence from Natural Resources Wales.

Timing of works on known roosting locations to be completed when bats are usually active and when overnight temperatures consistently above 9°C.

Prior to the start of works a suitably qualified ecologist will deliver a tool box talk to contractors and staff on site, informing them of the likelihood of encountering bats, what to do if they find bats and give a brief overview of the licence documents.

Provision of roosting locations for the duration of works with two Schwegler 2F bat boxes, or equivalent, erected on the barn at the south-eastern end of site (*Figure 9*). These boxes will be retained and maintained for the lifetime of the development.

A woodcrete hole-fronted bird box will be placed adjacent to the bat boxes to help ensure the bat box remains open for use by bats.

Pre-works check by a licenced ecologist of all known and potential roosting locations around the building will take place.

If the entirety of a feature can be searched and found to be empty these will be blocked. If the feature cannot be fully searched it will be excluded using folded acetate or similar to allow bats to leave the feature but not re-enter. If exclusions are used, they will be left in place for a minimum of 5 nights in suitable weather conditions. Following this they will be permanently filled.

Roof stripping will be completed under the watching brief of a licenced ecologist, with the roof tiles and soffit boxes being removed carefully by hand.

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<sup>1</sup> Harris S., Morris, P., Wray, S. & Yalden, D. (1995) *A review of British mammals: population estimates and conservation status of British mammals other than cetaceans*. JNCC, Peterborough.

If bats are found during works, they will be caught by a licensed ecologist who will be wearing suitable gloves. The bat will be placed into a cloth bag and carefully placed into the previously erected bat boxes.

One Beaumaris Maxi Bat Box (or equivalent) will be erected on the south-eastern elevation of the Farmhouse (*Figure 12*).

Three lifted ridge tiles will be incorporated into the south-western aspect of the Farmhouse roof with gaps in/under the roof battens to allow bats to move up and down the roof (*Figures 11 and 12*);

A gap will be created into the replacement soffit along the south-western elevation at the same location as the existing Common Pipistrelle day roost (*Figure 11*);

A gap will be re-created into the verge along the north-western elevation to allow access for crevice roosting bats at the same location as the existing Common Pipistrelle day roost (*Figure 13*). The slit should have minimum dimension of 150mm x 15mm and be free from internal obstructions (i.e. felt/rafters) to enable the bats to access the area above the gable end wall beneath the slates.

Breathable roofing membranes (BRM) and/or dry ridge systems must **not be used** in the construction of the new roofs where roosting features could be created due to issues with bat entanglement and reduced membrane performance if used in areas of bat use. 1F bitumastic felt should be used instead.

No lighting directed on potential or newly created bat roost access points and roosting features in the extended Farmhouse or barn to the south and only movement activated timed security lighting used outside of potential roosting locations.

*Figure 9. Proposed bat and bird box locations on barn (green star =Schwegler 2F, or equivalent and hole-fronted nest box)*



Figure 10. Proposed bat and bird box locations on south-eastern aspect of Farmhouse (red box = *Beaumaris maxi* bat box, or equivalent; blue box = Sparrow terrace box)



Figure 11. Proposed roost features on extended Farmhouse (green rectangle = lifted ridge tile; blue rectangle = gap recreated into soffit at same location as existing *Common Pipistrelle* day roost)

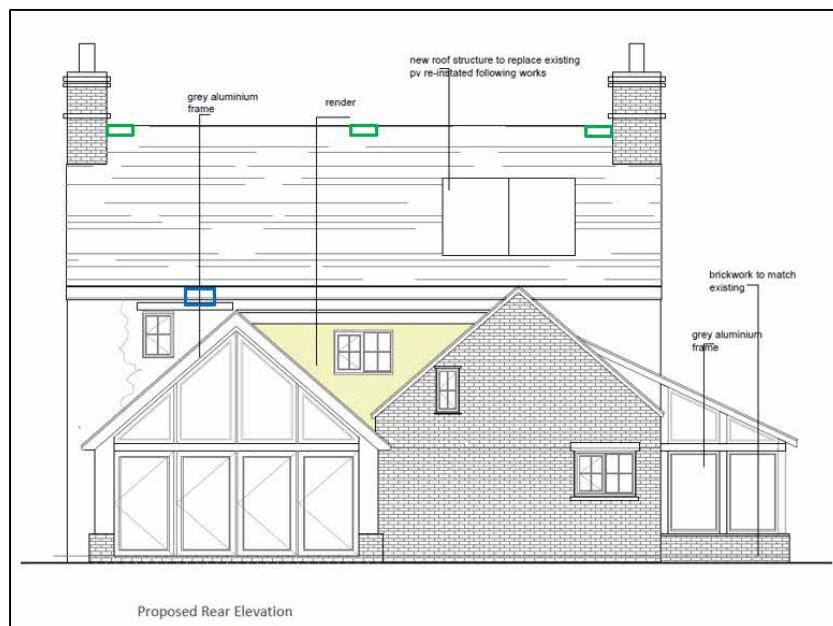


Figure 12. Creation of access and roosting opportunities under lifted ridge tiles in new roof

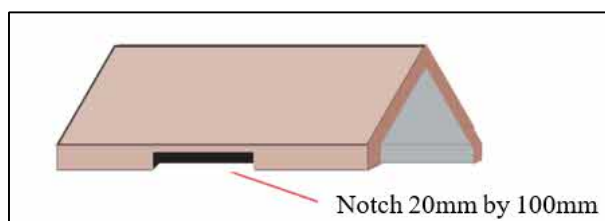


Figure 13. Location of re-created bat access gap at verge on north-western gable end



#### 4.5 Nesting Birds

No evidence of nesting birds was recorded and the Farmhouse is of limited suitability for nesting birds with features limited to wall tops below the eaves for species such as House Martin.

Works affecting suitable bird nesting habitat associated with the Farmhouse should ideally be completed outside the breeding bird season (March – August inclusive). If this is not possible then a pre-construction bird survey will need to be completed by a suitably qualified ecologist and depending on the presence and location of nesting birds, breeding effort may have to be allowed to finish before works commence.

Two hole-fronted nest boxes will be erected adjacent to the pre-works bat boxes (*Figure 9*) and one three-hole House Sparrow nest box will be erected on the south-eastern elevation (*Figure 10*).

## 5 LEGAL PROTECTION

This section briefly describes the legal protection afforded to the protected species referred to in this report. It is for information only and is not intended to be comprehensive or to replace specialised legal advice. It is not intended to replace the text of the legislation but summarises the salient points.

### 5.1 Bats

All species of British bat are protected by *The Wildlife and Countryside Act 1981* (as amended) extended by the *Countryside and Rights of Way Act 2000*. This legislation makes it an offence to:

- intentionally kill, injure or take a bat;
- possess or control a bat;
- intentionally or recklessly damage, destroy or obstruct access to a bat roost; and
- intentionally or recklessly disturb a bat whilst it occupies a bat roost.

Bats are also European Protected Species listed on *Schedule 2* of the *Conservation of Habitats and Species Regulations 2010* (SI 2010/490) under *Regulation 41*. This legislation makes it an offence to:

- deliberately capture, injure or kill a bat;
- deliberately disturb bats in such a way as to be likely to (a) impair their ability to: (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; and
- damage or destroy a breeding site or resting place of a bat; and
- possess, control, transport, sell, exchange a bat, or offer a bat for sale or exchange.

All bat roosting sites receive legal protection even when bats are not present.

Where it is necessary to carry out an action that could result in an offence under the *Conservation of Habitats and Species Regulations 2017* it is possible to apply for a Protected Species Mitigation Licence from Natural Resources Wales (NRW). Three tests must be satisfied before this licence (to permit otherwise prohibited acts) can be issued:

Regulation 53(2)(e) states that licences may be granted to “preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment.”

Regulation 53(9)(a) states that a licence may not be granted unless “there is no satisfactory alternative”.

Regulation 53(9) (b) states that a licence cannot be issued unless the action proposed “will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”.



## 5.2 Nesting Birds

All species of bird are protected under *Section 1* of the *Wildlife and Countryside Act 1981* (as amended). The protection was extended by the CRow Act.

The legislation makes it an offence to intentionally:

- kill, injure or take any wild bird;
- take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
- take or destroy an egg of any wild bird.

Certain species of bird are listed on *Schedule 1* of the *Wildlife and Countryside Act 1981* (as amended) and receive protection under *Sections 1(4)* and *1(5)* of the Act. The protection was extended by the CRow Act. The legislation confers special penalties where the above-mentioned offences are committed for any such bird and also make it an offence to intentionally or recklessly:

- disturb any such bird, whilst building its nest or it is in or near a nest containing dependant young; or
- disturb the dependant young of such a bird.