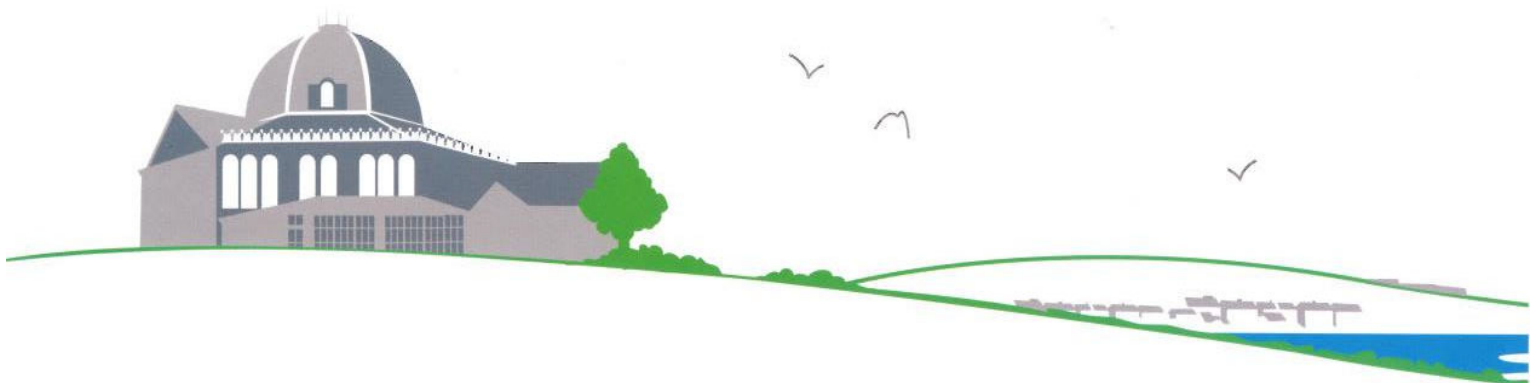




EPIC (NO 1) LTD EDISTON
PLAS COCH RETAIL PARK WREXHAM
BUILDING INSPECTION FOR BATS AND
BREEDING BIRDS



EPIC (NO 1) LTD EDISTON

PLAS COCH RETAIL PARK WREXHAM

INSPECTION OF BUILDING FOR BATS AND BREEDING BIRDS

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March 2022

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

Signed: 

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1. INTRODUCTION

- 1.1 Penny Anderson Associates Ltd (PAA) was commissioned by EPIC (No 1) Ltd Ediston to carry out a building inspection of the former Frankie & Benny's building situated within Plas Coch Retail Park, Wrexham (hereafter referred to as the 'Site') located at grid reference SJ 3261 5168. The survey has been undertaken at the requested of Wrexham County Council's Ecology Officer in connection with a planning application (ref. P/2022/0102) to demolish the building and replace with customer parking.
- 1.2 This report describes the methods and results of a buildings inspection carried out in March 2022 and a review of desk study data obtained in March 2022 from Cofnod, the Local Environmental Records Centre for North Wales. The survey focused specifically on the potential for the building to support roosting bats and breeding birds and was requested by the Council Ecologist. The purpose for the desk study was to collect records of bats and birds within in a 1km radius of the site. This is to place the site within a wider ecological context and to foster a better understanding of the bat and bird species recorded in the vicinity.
- 1.3 Recommendations for any further survey work and outline mitigation measures are provided where relevant.

Site Location and Building Description

- 1.4 The building inspected was previously a restaurant but is now closed. It is located in Plas Coch Retail Park situated between a large gym (Unit H) and a similarly sized retail outlet (Unit E and F). The surrounding area is hardstanding, with a customer car park at the front and staff parking at the rear (see Figure 1).
- 1.5 It is square in planform, built of brick with a steeply shelving slate roof on the second floor behind which is a flat roof (Photographs 1 and 2, Appendix 1). The roof overhangs the buildings on all sides with a soffit approximately 1m wide (Photograph 3). There are uPVC windows at the front and side, looking out to the customer car park and a hung ceiling in the interior of the ground floor.

Bat Biology

- 1.6 There are 17 species of native bats known to be resident (i.e. breed) in the British Isles. British bats feed entirely on insects and have developed a complex sonar system, known as echolocation, which enables them to find prey and navigate around their environment at night.
- 1.7 Habitat requirements vary widely, both on an individual and species level, although certain features, such as woodland, parkland, traditional pasture, marshes and areas of freshwater, are often focal points for foraging, as insects are plentiful in these areas (Mitchell-Jones 2004). Bats use linear features, such as rivers, hedgerows, smaller roads and woodland edges, as landmarks in order to commute from one location to another (Schofield and Mitchell-Jones 2003).
- 1.8 Bats utilise different roosts at different times of the year. Between late October and March, bats hibernate; this requires an unexposed roost with a stable temperature, typically a cave, cellar or tunnel. Around March, the bats emerge and gradually move to their summer roosts, typically within man-made structures or suitable crevices in trees. During the spring and summer female bats gather together at maternity roosts to give birth and rear their young. Most births occur between late June and mid-July, with the young able to fly within three to five weeks (Altringham 2003; Waters and Warren 2003). By the end of August, most of the young bats are independent and the colony begins to break up (Schofield and Mitchell-Jones 2003). Mating takes place between August and December, either at the winter hibernation site or at autumn breeding sites. The numbers of bats utilising these roosts can vary from single bats to hundreds in a nursery colony or hibernation site (Altringham 2003).

Legislative Context

- 1.9 The National Planning Policy Framework (NPPF 2021) provides guidance for local authorities on the content of the Local Plans and is a material consideration in determining planning applications. Briefly, with an overall focus on sustainable development, the NPPF states that developments should aim to engender positive outcomes for habitats and biodiversity, with a particular focus on the maintenance and creation of ecological networks.
- 1.10 The NPPF identifies the following principals that should be applied by local planning authorities when determining planning applications:
- a. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b. Development on land within or outside a Site of Special Scientific Interest (SSSI), and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSI;
 - c. Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
 - d. Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.
- 1.11 The NPPF states that the planning system should contribute to and enhance the natural environment through a range of actions, including:
- Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;
 - Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services; and
 - Minimising impacts on biodiversity and providing net gains for biodiversity including establishing coherent ecological networks that are more resilient to current and future pressures.
- 1.12 To protect and enhance biodiversity and geodiversity, plans should:
- Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
 - Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
- 1.13 Relevant protected species legislation summaries are presented as Appendix 2.

2. METHODS

Desk Study

- 2.1 A request was made to Cofnod for details of recorded bat and bird species within 1km of the site to, with data returned in March 2022.
- 2.2 It is important to note that the desk study results provide an indication of the species present in and around the site, and do not confirm current presence or absence of any species. Protected species are often under-recorded in county wildlife databases.

Site Survey

- 2.3 A site inspection was undertaken by Principal Environmental Scientist Gerard Hawley (MCIEEM¹) on 4th March 2022 working under the bat licence of Sarah Ross (Licence Registration No. S088922/1). Gerard has the necessary experience of surveys for protected species, including bats, and is appropriately qualified to carry out this work based on the CIEEM competencies for survey (CIEEM 2013).

Bat Building Inspection

- 2.4 The building was subject to a detailed inspection to assess its potential to support roosting bats. This entailed using a high-powered torch and binoculars, making detailed notes, taking photographs (Appendix 1) and following survey guidance (Collins 2016).
- 2.5 During the inspection, the exterior of the building was walked around and examined for features suitable for roosting bats. Potential Roost Features (PRF) of interest include gaps around door frames, beneath felt/lead flashing, at the wall plates and eaves of pitched roofs, and any crevices beneath fascia boards, barge boards, within soffits or created by missing mortar within any brickwork.
- 2.6 The bat inspection assigned an overall roost potential category for the building, based on the suitability for supporting roosting bats and any evidence found, using criteria in Table 1 adapted from the *Bat Mitigation Guidelines* (Mitchell-Jones 2004) and *Bat Surveys Good Practice Guidelines* (Collins 2016).
- 2.7 During the survey any evidence of the building being used by nesting birds (e.g. old nest material) was also noted.

¹ Full member of Chartered Institute of Ecology and Environmental Management (CIEEM)

Table 1 Building Assessment Criteria

Suitability	Description of Roosting Habitats
Negligible	No features 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, but does 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. suitable for occasional day roosting but unsuitable for maternity or hibernation roost.)
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 type of high conservation significance (i.e. suitable for day roosting but unsuitable for maternity or hibernation roost).
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. (i.e. suitable for maternity and/or hibernation roost.)
Confirmed Roost	A structure or tree with evidence of bat presence, i.e. droppings, feeding remains, audible bat calls heard during daytime survey or sightings of the animals themselves, existing (reliable) record of bats roosting at the location.

2.8 The habitats within the site and immediately adjacent areas were also considered for their general suitability for commuting and foraging bats, to place the site in the context of its surroundings, as this can have a bearing on the likelihood of a roost being present. The assessment of suitability was based on the broad criteria outlined in Table 2 (after Collins 2016), combined with the professional judgement and experience of the surveyor in recognising suitable habitat features and field signs of bats.

Table 2 Bat Habitat Suitability Assessment Criteria

Suitability	Description of Commuting / Foraging Habitats
Negligible	No habitat features likely to be used by commuting or foraging bats.
Low	Habitat that could be used by small numbers of commuting bats such as intermittent 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 commuting 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.

Suitability	Description of Commuting / Foraging Habitats
High	Continuous, high quality habitat that is well connected to the wider landscape that is likely to be used regularly by commuting bats 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 known roosts.

Limitations

- 2.9 The building inspection survey for bats and breeding birds was undertaken under suitable weather conditions. Access was available to the building and the surrounding area.

3. RESULTS

Desk Study

Bats

- 3.1 The data search returned records for four species of bat. The species and approximate distance of the closest record from the site are listed in Table 3.

Table 3 Bat Records

Common Name	Scientific Name	No. of Records	Closest Record (approximate distance and direction from site boundary)
Common pipistrelle	<i>Pipistrellus pipistrellus</i>	5	218m S
Brown long-eared bat	<i>Plecotus auritus</i>	2	823m N
Soprano pipistrelle	<i>Pipistrellus pygmaeus</i>	3	1200m NE
Serotine	<i>Eptesicus serotinus</i>	1	1200 NE

- 3.2 The closest of these records is a record for a common pipistrelle (*Pipistrellus pipistrellus*), located 218m south of the site and dated 1999.
- 3.3 Those recorded are generally relatively common bat species found throughout the UK. However, the serotine (*Eptesicus serotinus*) is a less-common species, occurring mainly south of a line drawn from the Wash to parts of South Wales, which makes a record as far north as Wrexham unusual. The serotine is one of Britain's largest bat species. This species has declined in numbers, which is likely due to loss of feeding habitat where large insects such as chafers can be found. As the serotine roosts almost entirely in buildings, it is subject to the effects of building work and the use of toxic chemicals in remedial timber treatment (Bat Conservation Trust 2010).

Birds

- 3.4 All nesting birds, their nests and eggs are protected from harm under the Wildlife and Countryside Act (WCA), 1981 (as amended). In addition, species listed under Schedule 1 of the WCA are further protected further against disturbance when breeding.
- 3.5 A number of bird species are listed under Section 41, in the Natural Environment and Rural Communities (NERC) Act (2006) as species 'of principal importance for the purpose of conserving biodiversity'. These species are often known as the 'S41 species'. There is a legal requirement for a public body to 'have regard to' these species in relation to maintaining biodiversity. The S41 list overlaps somewhat with the UK Biodiversity Action Plan species, with national or local targets to maintain and enhance populations.
- 3.6 Furthermore, the Birds of Conservation Concern (BoCC) report lists those bird species that are classed as being of High (Red listed) and Medium (Amber Listed) conservation concern based on population monitoring (Stanbury *et al.* 2021). This Red and Amber classification helps guide the assessment of bird species of conservation interest on or near to a site, alongside legislative and policy requirements.
- 3.7 All protected and notable bird species recorded within the 1km search area are listed in Table 4, along with their conservation status

Table 4 Bird Records

Common Name	Scientific Name	No. of Records	Amber	Red	Section 41	Schedule 1
Blue tit	<i>Cyanistes caeruleus</i>	12				
Collared dove	<i>Streptopelia decaocto</i>	8				
Great tit	<i>Parus major</i>	15				
Herring gull	<i>Larus argentatus</i>	8		x	x	
House martin	<i>Delichon urbicum</i>	1		x	x	
House sparrow	<i>Passer domesticus</i>	18		x	x	
Jackdaw	<i>Corvus monedula</i>	5				
Kestrel	<i>Falco tinnunculus</i>	3	x		x	
Lesser black-backed gull	<i>Larus fuscus</i>	4	x		x	
Little owl	<i>Athene noctua</i>	1				
Peregrine falcon	<i>Falco peregrinus</i>	1				x
Spotted flycatcher	<i>Muscicapa striata</i>	2		x	x	
Starling	<i>Sturnus vulgaris</i>	15		x	x	
Swallow	<i>Hirundo rustica</i>	2				
Swift	<i>Apus apus</i>	8		x	x	

- 3.8 Some of the records are for common and widespread species such as blue tit (*Cyanistes caeruleus*), great tit (*Parus major*) and jackdaw (*Corvus monedula*). Other species are less common, and a number are red listed as a result of significant population decline.
- 3.9 Of the species recorded, some can be discounted because they do not nest in buildings. This includes collared dove (*Streptopelia decaocta*), herring gull (*Larus argentatus*), lesser black-backed gull (*Larus fuscus*), little owl (*Athene noctua*) and spotted flycatcher (*Muscicapa striata*). It is very unlikely that *Falco peregrinus* breeds in buildings.

Bat Building Inspection

Habitat Suitability

- | | |
|------|--|
| 3.10 | The immediate surrounding habitat around the site was assessed as having Low suitability for bats. Most of the immediate area is highly urbanised with well-lit roads and hardstanding and little vegetation to support invertebrates, the food source for bats. |
| 3.11 | Behind the building there is a palisade fence and a line of trees behind, at the edge of a school ground. Linear features such as these can be used by bats for foraging and as commuting corridors. This provides some connectivity with other wooded corridors across the retail site. To the west of the retail park there are open fields although the site is separated from these by the busy A483 dual carriageway, which would act as a barrier and deterrent to commuting bats. |
| 3.12 | Despite the overall poorly vegetated aspect of the site and its immediate surroundings, as well as the presence of street and security lighting, bats, in particular pipistrelle species, are often recorded using the urban landscape within town centres. |

- 3.13 However, overall, the habitat within the site boundary has been assessed as being of Low suitability for commuting and foraging bats.

Building

- 3.14 Externally the building is well-lit with security and street lighting. The brickwork was intact and there were no gaps in the mortar suitable for bats. The windows were uPVC, with no gaps around the frames. The wooden soffit and small gable over the doorway were also in good condition, with no gaps to allow access to the interior of the building.
- 3.15 The roof, however, consisted of slate roof tiles and, although largely in good condition, some of the slates were slightly raised, which would allow potential access for crevice-dwelling bat species such as common pipistrelle (Photograph 4).
- 3.16 Internally, the ground floor has a hanging ceiling and upper-level aspects of the building could not be observed closely. However, the ceiling was intact and there are no gaps externally that would give access to the roof interior.

Overall Assessment

- 3.17 In summary, a small number of PRF have been identified where roofing slates are raised that are assessed as having Low potential to support roosting bats. With the findings of this assessment, and following good practice guidelines (Collins 2016), a single bat activity survey is recommended.
- 3.18 If works have not been undertaken within two years of the date of this survey, then the site should be reassessed for bats to ensure that any decisions or actions taken at that time are based on up-to-date survey data.
- 3.19 As there is no clear evidence of use by roosting bats, a licence application to Natural England is not thought necessary at the present time. Should evidence of use by roosting bats be identified at a later stage then further advice should be sought on the need for a licence.

Birds

- 3.20 No active bird nests or evidence of former nesting activity were observed in the building. The line of trees at the rear provide potential nesting sites for some species and a number of pigeon (*Columba livia domestica*) nests were observed and a magpie (*Pica pica*) nest was under construction at the time of the survey (Photograph 6). No further surveys for birds are considered necessary.
- 3.21 The nests and eggs of breeding birds are protected. Therefore, works should, if possible, occur outside of the key nesting period of March to August inclusive. If site clearance occurs during March to August, then a suitably experienced and qualified Ecologist should undertake an inspection of the building no more than 48 hours prior to works starting, to confirm the absence of active nests.

Biodiversity Enhancement Opportunities

- 3.22 The site is currently of limited ecological value and development presents an opportunity to increase biodiversity. Potential enhancement measures to support bats and breeding birds could be considered:
- Use of native and wildlife-friendly tree, shrub and herbaceous species in any landscape planting, for example, inclusion of species which provide nectar for invertebrates or berries to provide a food source for birds; and
 - Limiting exterior lighting to maintain links to the wider area for local bat populations.

- 3.23 The lighting design for the scheme should seek to minimise illumination. The following general points should be considered for the lighting specifications:
- Lighting columns should be as low as is reasonable for their intended purpose. Shorter columns typically have less ecological impact by directing light below where bats would be flying;
 - Lamps should be hooded and directed to shine into the site to minimise unnecessary light spillage at the boundaries;
 - The use of bollard style lighting should be considered where practical to provide illumination where required, whilst also maintaining relative darkness above at the typical flight level of bats; and
 - Use of timers and motion sensors should be considered to restrict illumination to periods when it is actually required.
- 3.24 Further guidance on lighting specifications is provided in publications available via the Bat Conservation Trust website, such as the impacts of different types of lighting (RCEP 2009) and effects of artificial lighting on bat behaviour and guidelines for mitigation (ILP/BCT 2018).

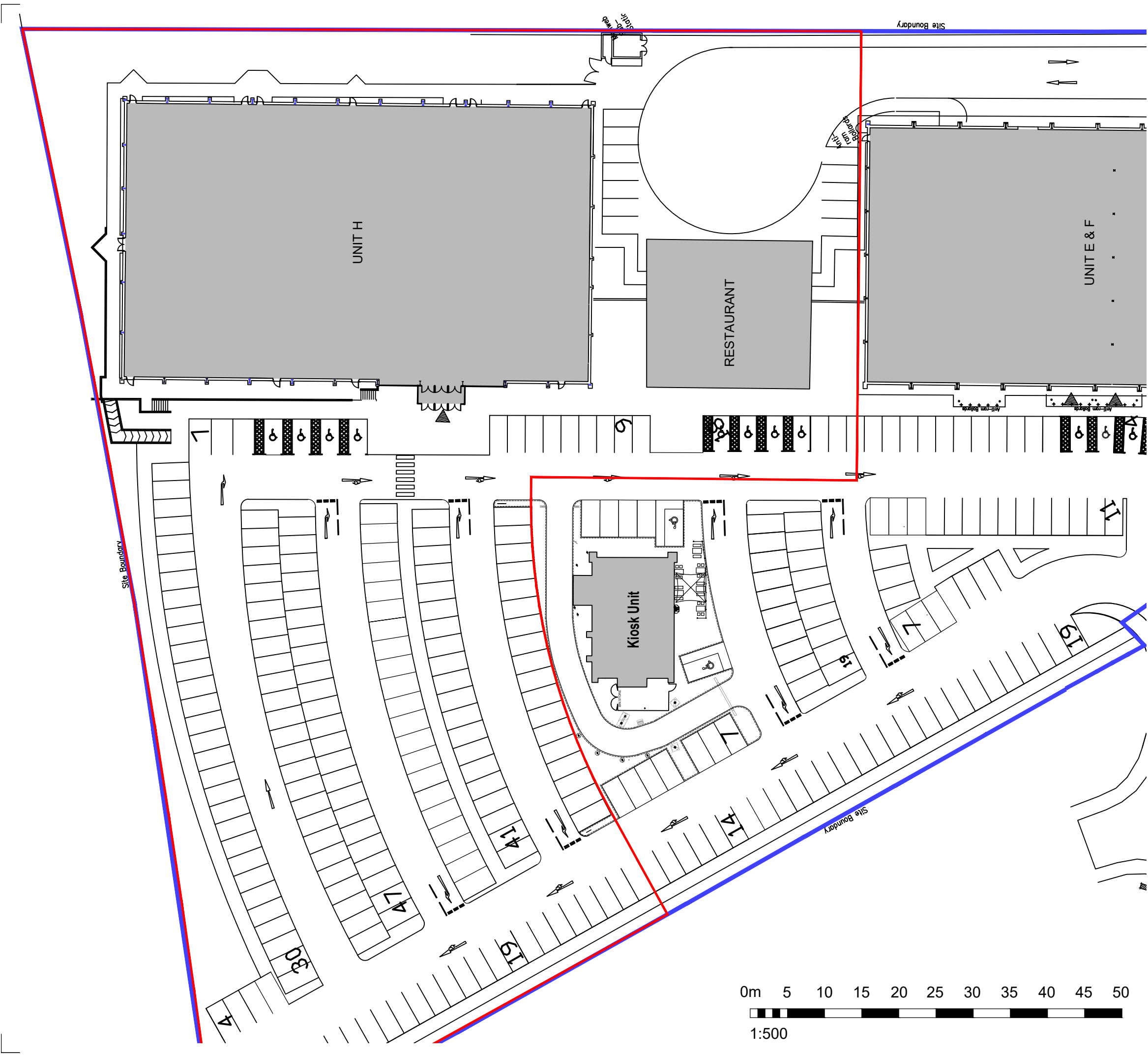
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5. ABBREVIATIONS

BOCC	Birds of Conservation Concern
CIEEM	Chartered Institute of Ecology and Environmental Management
NERC	Natural Environment and Rural Communities
NPPF	National Planning Policy Framework
PAA	Penny Anderson Associates
PRF	Potential Roost Features
SSSI	Site of Special Scientific Interest
WCA	Wildlife and Countryside Act

FIGURE



1. Do not scale this drawing - if in doubt ask.
2. All sizes to be checked on site prior to construction.
3. This drawing is the copyright of the author.

Ownership Boundary
(8.45 Acres / 3.42 Hectares)

Application Boundary
(2.68 Acres / 1.08 Hectares)

Ordnance Survey (c) Crown Copyright 2017. All rights reserved. Licence number 100035409



Figure 1

smith design associates
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Chartered Architects
16 Lynedoch Crescent, Glasgow G3 6EQ
0141 353 3501

client Ediston Real Estate

project Proposed Alterations to Unit H
Plas Coch Retail Park, WREXHAM

drawing Existing Site Plan original size A3

scale 1:500 drawn SMC

date 13.08.2021 checked -

status PLANNING passed -

job no. G2983 drawing no. AL(0)002 revision -

APPENDICES

APPENDIX 1

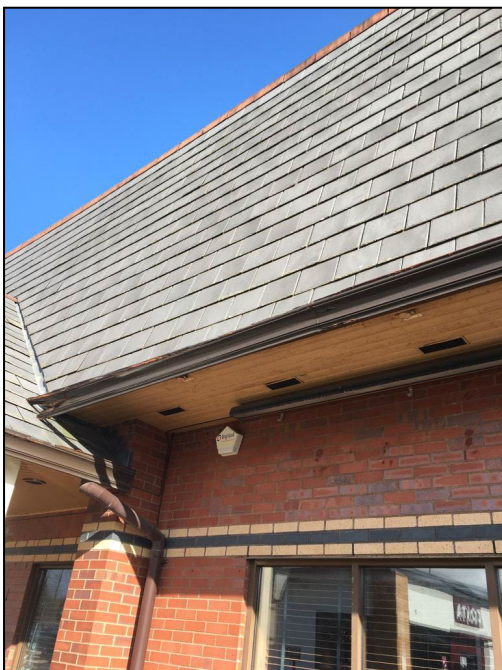
Photographs



Photograph 1
Site view - rear of building



Photograph 2
ite view – front of building

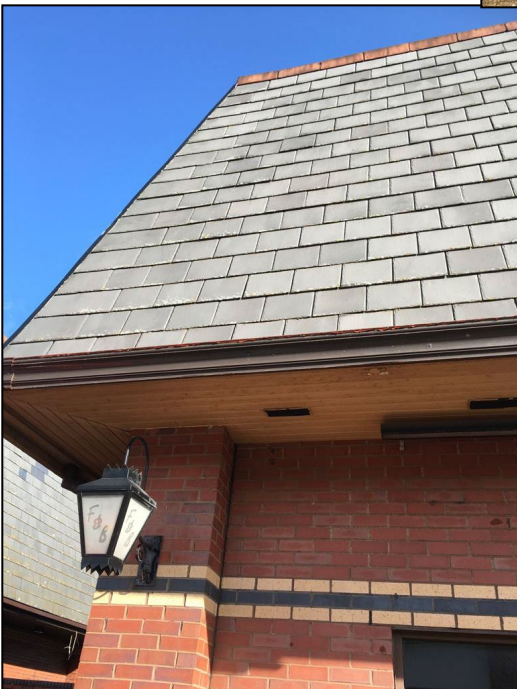


Photograph 3
Intact soffit at front of building



Photograph 4
Roof – showing area of raised slates

Photograph 5
Hedgerow H2



Photograph 6
Boundary fence at rear of building and line of trees

APPENDIX 2

Relevant Protected Species Legislation Summaries

SUMMARY OF THE LEGISLATION RELATING TO BATS (WALES)

All wild species of bat are protected under the Wildlife and Countryside Act (WCA) 1981 (amended), which has also been amended by later legislation including the Countryside and Rights of Way (CROW) Act 2000 and the Conservation of Habitats and Species Regulations 2017 (amended), and this legislation is applicable to England and Wales. Bats are listed on Schedule 5 of the WCA and are therefore subject to some of the provisions of Section 9 which, with the amendments, make it an offence to:

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

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

Bats species are also listed under Annexes IIa and IVa of EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora, also known as the 'Habitats Directive'. Inclusion on Annex IVa means they are consequently identified as European Protected Species (EPS) and protected under the Conservation of Habitats and Species Regulations 2017.

The Conservation of Habitats and Species Regulations 2017 (amended) states that a person commits an offence if they:

- (a) deliberately capture, injure or kill any wild animal of a European protected species,
- (b) deliberately disturb wild animals of any such species, in such a way as –
 - (i) to impair their ability to survive, to breed or reproduce, or to rear their young, or
 - (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate, or
 - (iii) to affect significantly the local distribution or abundance of the species to which they belong;
- (c) deliberately take or destroy the eggs of such an animal, or
- (d) damage or destroy a breeding site or resting place of such an animal.

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

In addition, seven native British bat species, including the soprano pipistrelle (*Pipistrellus pygmaeus*) and the brown long-eared bat (*Plecotus auritus*), that are frequently found in buildings, are listed as 'Priority Species' under the 2012 UK Post-2010 UK Biodiversity Framework¹. These Priority Species are also referred to as 'species of principal importance' for the conservation of biodiversity in Wales within Section 7 of the Environment (Wales) Act 2016. More broadly, the Environment Act (Wales) Part 1 sets out Wales' approach to planning and managing natural resources at a national and local level with a general purpose linked to statutory 'principles of sustainable management of natural resources' defined within the Act. Section 6 of the Act places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. The duty replaces the section 40 duty in the Natural Environment and Rural Communities Act 2006 (NERC Act 2006), in relation to Wales, and applies to

¹ <http://jncc.defra.gov.uk/page-5170>

those authorities that fell within the previous duty. Section 7 replaces the duty in section 42 of the NERC Act 2006. The Welsh Ministers will publish, review and revise lists of living organisms and types of habitat in Wales, which they consider are of key significance to sustain and improve biodiversity in relation to Wales.

The Nature Recovery Plan for Wales aims to address the underlying causes of biodiversity loss by:

- putting nature at the heart of our decision-making;
- increasing the resilience of our natural environment; and
- taking specific action for habitats and species.

It sets out how Wales will deliver the commitments of the UN Convention on Biological Diversity and the EU Biodiversity Strategy to halt the decline in biodiversity by 2020 and then reverse that decline.

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

SUMMARY OF THE LEGISLATION RELATING TO BREEDING BIRDS

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

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

'If any person intentionally,

- (a) kills, injures or takes any wild bird;
- (b) takes, damages or destroys the nest of any wild bird while that nest is in use or being built; or
- (c) takes or destroys an egg of any wild bird,

he shall be guilty of an offence.'

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

'If any person intentionally or recklessly,

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

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

Schedule 1 includes birds such as Western barn owl (*Tyto alba*), black redstart (*Phoenicurus ochruros*), woodlark (*Lullula arborea*) and Cetti's warbler (*Cettia cetti*). Please refer to the WCA for a complete list of Schedule 1 species¹.

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

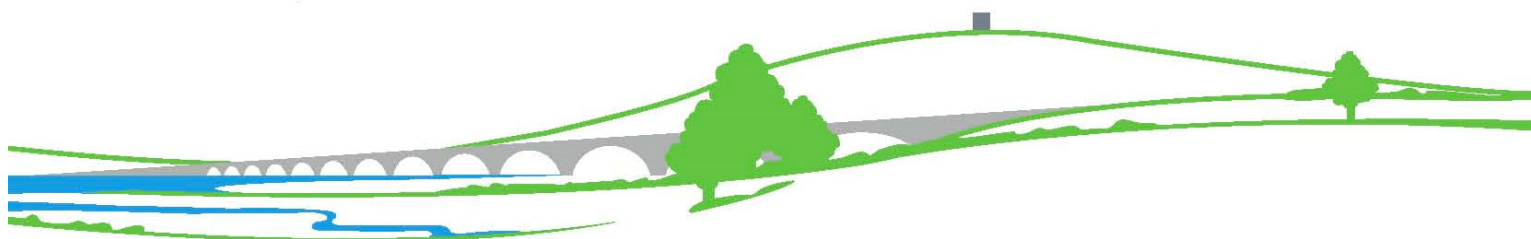
- Birds listed on Schedule 2 (Part 1) of the Act may be taken or killed outside of the 'close season' for each individual species (the 'close season' is defined by the Act). This includes various wild duck and geese species.
- Birds listed on Schedule 2 (Part 2) of the Act may be killed or taken by authorised persons at all times. This includes species such as carrion crow (*Corvus corone*), Eurasian magpie (*Pica pica*), feral pigeon² (*Columba livia*) and greater Canada goose (*Branta canadensis*). An 'authorised person' is defined as a person who has written authorisation to undertake the act from the relevant statutory authority. The written authority is in the form of a licence, either a general licence which covers a number of the more typical 'pest' species, or an individual licence for other individual species. In England these licences are issued by Natural England and in Wales by the Welsh Assembly Government.

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

¹ <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1>

² Also known as rock dove

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