

Petition to the European Commission regarding breach of the Habitats Directive by Bath & North East Somerset Council, 2008.

Appendix A: The importance of the connecting route through the Radstock site between SACs

The importance of the connecting route between SACs has not been established, but there is some evidence of certain individuals having been found in both. English Nature research report number 403, *Radio-tracking study of greater horseshoe bats at Mells, near Frome, Somerset, by Geoff Billington*, notes that two of the bats tagged had previously been recorded at Coombe Down, Bath. The Radstock site appears to be a connecting route between the two SACs and may be facilitating the occurrence of the mixing of the two populations at the Ammerdown Ice House, which is a very important roost because of this mixing. It is interesting that despite the apparent occasional use of the Radstock site by greater horseshoe bats, English Nature, in its response to the original outline planning application recommended that mitigation measures to safeguard the value of the site for the species were secured. English Nature's submission regarding the planning application was made at an early stage, before further information under Regulation 19 was provided, due to the disbanding of the organisation at that time. There was no further submission from Natural England.

Information about the Mells and Bath and Bradford-on-Avon Bat SAC is interesting with reference to the role that this site may play regarding migration. The site is considered to be used for Autumn migration in the ES accompanying the planning application. Unfortunately, the surveys done in 2006 to establish the use of the site by greater horseshoe bat and other bats was woefully inadequate and did not comply with the survey prescription in Natural England's Bat Mitigation Guidelines. It was not possible, therefore, to confirm any Autumn migration using the site that year.

Mells Valley SAC information provided by the JNCC points out that only a proportion of the notable population hibernates there. The JNCC information on the Bath and Bradford-on-Avon Bats SAC points out the substantial use of that site as a hibernation site. Although it would be improper to extrapolate that Mells Valley bats were hibernating in the Bath and Bradford-on-Avon SAC, it is certainly a possibility that some of them do. The Radstock site appears to be well connected with the known areas of use by bats from the Mells Valley SAC at Ammerdown (a relatively short distance away from the Radstock site) and sits within the feeding range of Greater Horseshoe bats from both the Bath and Bradford on Avon SAC and the Mells Valley SAC, as English Nature has pointed out. Geoff Billington has radio-tracked greater horseshoe bats from the Bath and Bradford-on-Avon SAC to the off-site compensation area on the Radstock to Shoscombe arm of National cycle route 24, which is connected with the site through the Wellow Brook corridor and a green link over to the site.

The Mells Valley SAC

We note that the JNCC reports that the Mells Valley SAC is selected on the basis of the size of its exceptional breeding population of **greater horseshoe bat** *Rhinolophus ferrumequinum* and that it contains the maternity site associated with a population comprising about 12% of the UK population. It states that only a proportion of the population hibernates at the site and that the other hibernation sites remain unknown. We note that there is no comprehensive management plan for the Mells Valley SAC listed in the Second Report by the UK under Article 17 on the implementation of the Directive from January 2001 to December 2006. The JNCC site does not mention one.

The Bath and Bradford-on-Avon Bats SAC

We note that the Bath and Bradford-on-Avon Bats SAC includes the hibernation sites associated with 15% of the UK **greater horseshoe bat** population and is selected on the basis of the importance of this exceptionally large overwintering population. We also note that Small numbers of **Bechstein's bats** *Myotis bechsteinii* have been recorded hibernating in abandoned mines in this area, though maternity sites remain unknown, and that **Lesser horseshoe bat** *Rhinolophus hipposideros* is present as a qualifying feature, but not a primary reason for site selection.

Lesser Horseshoe bat has been recorded in a pill box near to the development site in question and is considered by Jacquie Warren, licenced bat worker and bat consultant in consultancy with Geoff Billington, to be very likely to be using the site. Although Bechstein's bat has not been recorded at the Radstock site, it cannot be ruled out (see Appendix D, *Comments on 2006 bat report*).

It is conceivable that the development could have an adverse effect on the dual use of the Ammerdown Ice House by bats from both SACs due to the impact upon this connecting route.

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