



NORTH EAST GATEWAY CYCLEWAY BRIDGE

Ashton Canal, New Islington

Bat Survey Report

Date: June 2021

By: Dominic Rigby MCIEEM

Ref: JE 7372-21 / MCC 210098H

Client: Manchester City Council

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Any future readers should note that both the physical state of the site and the relevant environmental legislation may have changed since this report.

Revision Schedule				
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June, 2021

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1. SUMMARY

In 2021 Conservations Contracts Northwest Ltd. (CCNW) were contracted by Manchester City Council to undertake a preliminary ecological assessment of land to be impacted by the construction of a new pedestrian and cycle bridge over the Ashton Canal at New Islington, Ancoats, Manchester.

The appraisal identified the need for a bat emergence survey around the existing lock/footbridge structure. Bats *and* their roosts are fully protected in UK and European law and the proposed bridge works could affect any roosts present.

The site composed a wooden lock gate and a metal footbridge with metal reinforcement and fixings, set in a deep, stone- and brick-faced lock.

The structure was assessed as having low, but not negligible, roost-potential for bats. This triggered the need for at least one bat emergence or re-entry survey.

The bat activity emergence survey was conducted in June. It recorded no bats using the structure and only occasional bat passes around the lock area. No further surveys were required.

There were lit buildings overlooking the structure and street lighting along the tow path and both sides of the existing footbridge. No additional pole lighting was proposed.

It was concluded that the structure was not being used by bats. The proposed works would not destroy any roosts or interrupt any habitat continuity relating to bats and thus not cause an offence regarding disturbance to bats.

2. INTRODUCTION

2.1 Principal Author

This report was compiled by Dominic Rigby MCIEEM, Senior Ecologist at CCNW. He had over 30 years' professional experience in the ecology sector and held a current level-two licence to survey for bats. He had the knowledge, skills and experience required to survey, disturb, handle or to carry out research works for bats in a professional capacity, as set out in the CIEEM Technical Guidance Series (CIEEM, 2013).

2.2 Guidelines

The Report followed the Bat Conservation Trust guidelines for writing bat reports (Collins, 2016) and considered the format and guidelines on Ecological Report Writing (CIEEM, 2017; Dean, 2021) for ecological surveys.

2.3 Client

Highways Services, Manchester City Council,
Northern/Eastern Gateway Cycle Scheme Project 10098H

2.4 Site Location and Description

2.4.1 Location

The survey site was an approximately 140m² covering the likely construction imprint of a new bridge over the current footbridge along the Ashton Canal at New Islington, SJ85479830, by Ashton Canal Lock 2.

City: Manchester

Ward: Ancoats and Beswick

Local Area: New Islington

Figures One and Two (pages 7, 12) mapped the location.

2.4.2 Landscape Description

The site was a city canal, with a lit tow path, bridge, adjacent lock and pockets of grass and tall herb vegetation, with a recently planted hedgerow with fruit trees on the south-eastern side. Beyond the canal, the north-western side was dominated by buildings and the southeast side by amenity grassland. The latter leading to New Islington tram stop.

2.4.3 Ownership

Site owners: The potential construction imprint included land owned by Manchester City Council and Canal and River Trust.

2.5 Purpose of Report

2.5.1 Purpose of a Bat Survey Report

This report was compiled to inform the client of any legal or policy procedures necessary regarding protected species: bats. This would inform the client regarding any mitigation and licensing that may be necessary following the survey.

This Report compiled the results of the surveys and set out any consequent recommendations. This was to aid any composition of ecological planning conditions and inform the completion of any potential mitigation licences required, regarding impacts of the new bridge in relation to the existing structure.

2.5.2 Constraints and Deviations from PEA Guidelines

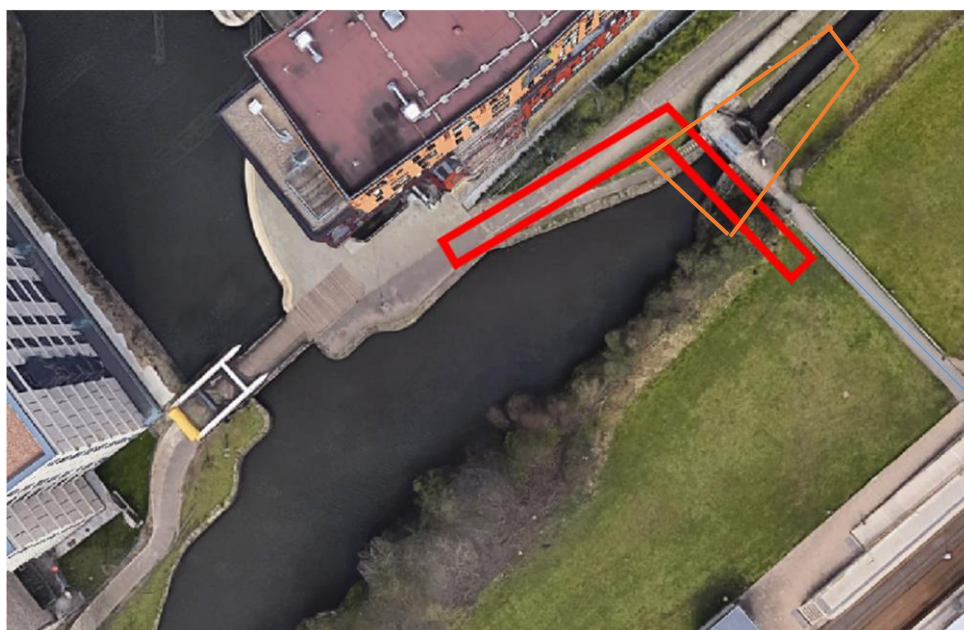
- COVID-19

The PEA took place before a full relaxation of restrictions and concerns over Covid-19. However, this did not affect the undertaking of the survey.

2.6 Project Background

The canal crossing (Figure One, below) had been identified by MCC as a missing link in the proposed continuous east-west walking and cycling route, linking neighbourhoods in the north and east of the city centre fringe. A PEA was undertaken (CCNW, 2021) and had assessed the existing structure as having (low) bat roost potential, thus triggering the requirement for a minimum of one bat emergence or re-entry survey.

Figure One: Location of new bridge (red), adjacent to existing structure (orange)



3. LEGISLATION AND POLICY

3.1 Legislation

The following pieces of legislation and guidance may have been relevant to the site, with respect to bats that could be present. Consequently, any works to the site would need to adhere to the legislation and consider any guidance.

The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019

Formerly The Conservation of Habitats and Species Regulations 2017, these provide safeguards for European Protected Sites and Species (as listed in the Habitats Directive). This has recently been amended by the Conservation of Habitats and Species Regulations (Amendment) (EU Exit) Regulations 2019 which continue the same provision for European protected species, licensing requirements, and protected areas after Brexit.

These regulations provide legal protection for European Protected Species (those listed under Annex IV of the EU Habitats Directive - Council Directive 92/43/EEC). With regards to European Protected Species, this makes it an offence to:

Deliberately capture, injure or kill an EPS.

Deliberately disturb an EPS in a way that would affect its ability to survive, breed or rear young, hibernate or significantly affect the local distribution or abundance of the species.

Damage or destroy a roost/resting place [this is an 'absolute' offence and need not be deliberate or intentional].

Possess, control, transport, sell, exchange or offer for sale/exchange any live or dead, or any part of an EPS

During the Brexit implementation period the 2017 Regulations continued to be in force unamended. At the end of the implementation period the 2017 Regulations continued to be in force but amended to make certain areas of the 2017 Regulations operate.

- *On this site potential EPS were: all bat species.*

The Wildlife & Countryside Act 1981 (as amended)

The following parts of this Act could have been relevant to this site:

Section 9 (Protected Species):

“9 (1) Subject to the provisions of this Part, if any person intentionally kills, injures or takes any wild animal included in Schedule 5, he shall be guilty of an offence. [No longer applies to EPS – see below]

9 (2) Subject to the provisions of this Part, if any person has in his possession or control any live or dead wild animal included in Schedule 5 or any part of, or anything derived from, such an animal, he shall be guilty of an offence. [No longer applies to EPS – see below]

9 (4) Subject to the provisions of this Part, a person is guilty of an offence if intentionally or recklessly—

(a) he damages or destroys any structure or place which any wild animal specified in Schedule 5 uses for shelter or protection; [No longer applies to EPS – see below]

(b) he disturbs any such animal while it is occupying a structure or place which it uses for shelter or protection; or

(c) he obstructs access to any structure or place which any such animal uses for shelter or protection.”

“9 (5) Subject to the provisions of this Part, if any person—

(a) sells, offers or exposes for sale, or has in his possession or transports for the purpose of sale, any live or dead wild animal included in Schedule 5, or any part of, or anything derived from, such an animal; or

(b) publishes or causes to be published any advertisement likely to be understood as conveying that he buys or sells, or intends to buy or sell, any of those things,

he shall be guilty of an offence.”

Former (post-Brexit) EPS are covered by 9 (4) b, c, and 5 only.

Schedule 5 covered the following species potentially relevant to this site:

- *all bats*

- **The Natural Environment and Rural Communities Act 2006**

Section 40 of this Act required that local and regional authorities had regard to the conservation of biodiversity in England, when carrying out their normal functions.

3.2 Policy

3.2.1 Manchester City Council Manchester Core Strategy 2012 to 2027

The Manchester Core Strategy was the local planning policy document relevant to the project area at the time of the survey.

Objective 6: Environment, Green Infrastructure and Environmental Protection contained the relevant policies: Policy EN 9 Green Infrastructure and Policy EN 15 Biodiversity and Geological Conservation.

Of relevance to this project was Policy EN15. Here the Strategy stated:

“The Council will seek to maintain or enhance sites of biodiversity and geological value throughout the City. Particular consideration will be given to: protected and priority species, as listed in the Manchester Biodiversity Strategy and included in the Greater Manchester Biodiversity Action Plan.....

The Strategy detailed further that:

“Any adverse impacts on biodiversity will need to be justified against the wider benefits of the proposal, assessed against other LDF policies. Where adverse impacts are unavoidable, developers will be required to provide appropriate mitigation and/or compensation.

Developers will need to demonstrate how they have assessed and taken full account of the potential effect of their proposed development on biodiversity or geodiversity. When considering the potential impact of a development, the construction phase should be included in this consideration. It is important to recognise that brownfield sites often contain diverse and valuable biodiversity.

In addition to the priority species protected through European or national legislation, local priority species are identified by the Greater Manchester Biodiversity Action Plan (GM BAP); the Manchester Biodiversity Strategy lists those that occur in the City of Manchester, including, pipistrelle bats.

3.2.2 Greater Manchester Spatial Framework

The Greater Manchester Spatial Framework was due to be adopted in 2022. Should this project be delayed until after this date it may need to align to any changes to planning policy driven by that document.

3.2.3 National Planning Policy Framework

The National Planning Policy Framework (Gov.uk, 2019) section: Conserving and enhancing the natural environment (2/2019 revision) set out the framework for planning decisions regarding ecological considerations.

3.2.4 Spring Statement, 2019; Environment Bill, 2020

Biodiversity Net Gain

In the 2019 Spring Statement the Chancellor delivered the following statement: “to ensure that wildlife isn’t compromised in delivering necessary infrastructure and housing, the government will Mandate net gains for biodiversity on new developments in England to deliver an overall increase in biodiversity”. This concept of biodiversity net gain was then incorporated into the Environment Bill, which was chosen for ascent in the 2021 Government programme.

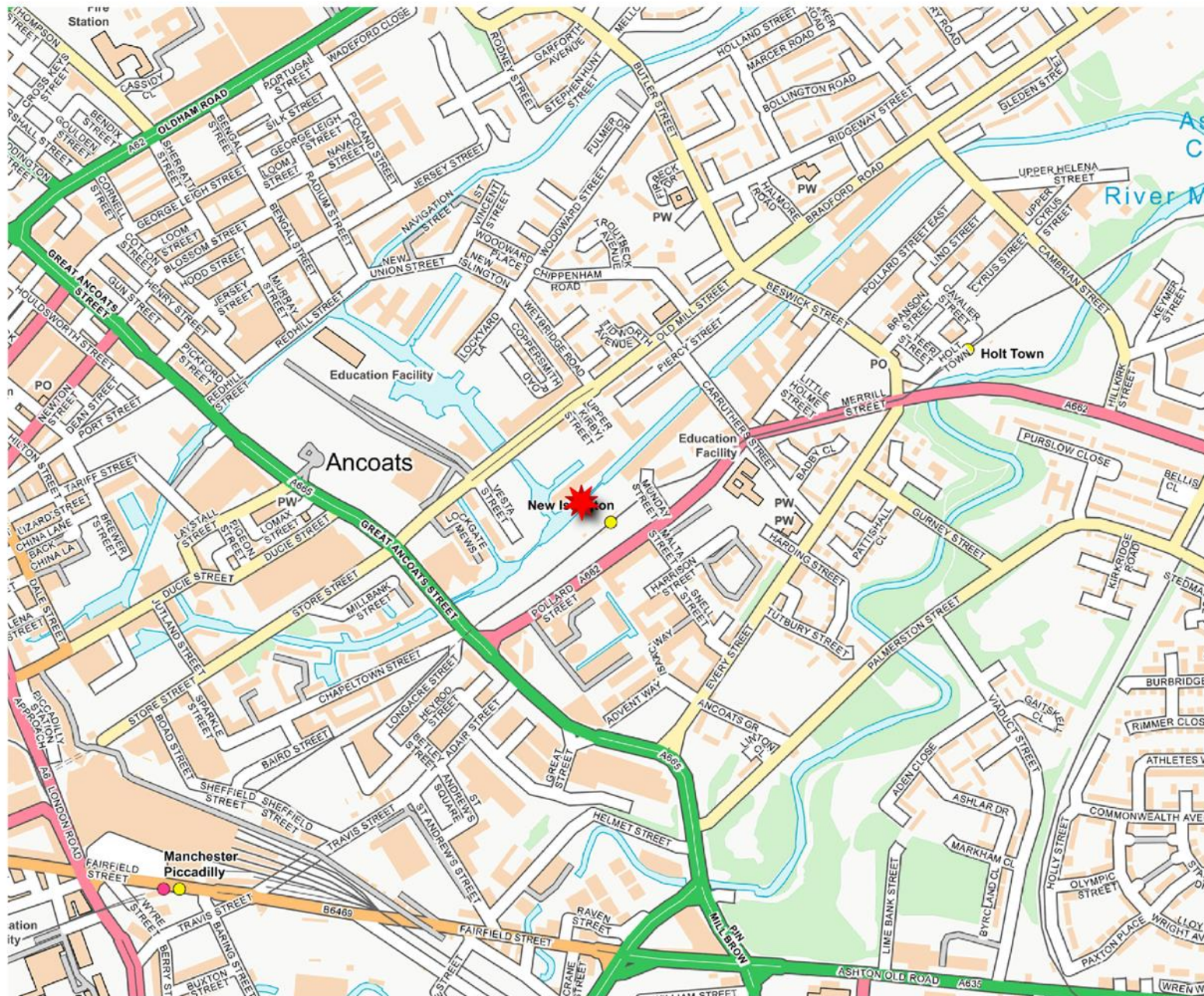


Figure Two:
Location Map of
Proposed Canal
Crossing



North



Bridge Crossing

ccnw
conservation contracts northwest

Map created DR,
17/05/2021

0 100 200 m

Contains OS data © Crown copyright [and database right] [2021].

4. METHODOLOGY

4.1 Preliminary Roost Assessments

A detailed assessment of suitability for roosting bats was undertaken as part of the PEA (CCNW, 2021). This comprised of searching for suitable roosting areas, particularly for crevice dwelling bats, this included fissures/cracks in the lock timbers, gaps between timbers and metal work and among the brickwork and pointing. Further searches included looking for evidence such as bat droppings, urine splashes and stained, smoothed timbers.

4.2 Desk Study

The Manchester City Council Planning Portal was interrogated to check for recent (last three years) ecological surveys and species reviews within 250m of the project site. The following were relevant:

- In 2020 a PEA and bat surveys were undertaken on land bounded by Ashton Canal, Great Ancoats Street, Munday Street and Pollard Street Manchester M4 7DS, with reference to Planning Application 128191/FO/2020;
- In 2020 bat surveys were undertaken at Wellington Mill, Pollard Street, East Manchester M40 7FS, with reference to 127505/FO/2020; and,
- In 2020 bat and bird surveys were undertaken at Ancoats Dispensary, Old Mill Street, Manchester M4 6EB, with reference to 130356/FO/2021.

The latter survey was conducted outside the Guidelines criteria and absence of bat roost c

The Greater Manchester Local Records Centre data sets were searched within a 1km radius (species/habitats) and 5km radius (designated sites).

Natural England's mapping services were referenced to check for protected species licences granted within 1km of the site.

4.3 Field Surveys

4.3.1 Survey Design

An emergence survey was undertaken following industry guidelines (Collins *et al*, 2016).

The existing lock/bridge structure had been assessed as having low bat roost suitability and thus required a minimum of one emergence or re-entry survey. This was based on the preliminary survey, desk study and the quality of the surrounding landscape.

The survey was undertaken on 8 June 2021, by two surveyors (see 4.3.3). Figure Three showed the position of the surveys in relation to the structure.

Figure Three: Surveyor Positions



4.3.2 Survey Metrics

Table One: Emergence Survey Metrics June 8 2021

Sunset Time	Surveyors	Start and end times	Equipment used	Weather
21:30	- Dominic Rigby - Hannah Murphy	21:12-23:00	- Anabat Scout - Anabat Scout	- 16.9°C (start temp) - 16.0°C (end temp) - Dry, sunny at start (cloud 1/8) - 2-3 (Beaufort wind scale), - (3-4 from 2150-2210)

4.3.3 Survey Personnel

The survey was conducted by Dominic Rigby MCIEEM, Senior Ecologist at CCNW; class two bat licence holder: 2017-31756-CLS-CLS; he was accompanied by Hannah Murphy, a bat survey assistant who had accompanied him on two previous bat surveys that spring.

5. RESULTS

5.1 Preliminary Roost Assessment

Potential roost features were noted (see Photographs One to Three, below). The locks, the coping-stone capped stone retaining walls and the brick retaining walls all provided suitable roosting areas for crevice-dwelling bats. These features were at a low level and would be subject to slight water level fluctuations. The structures were assessed as having low, but not negligible, bat roost potential.

Photographs One to Three: Potential bat-roost features in cracks, cervices and joins



Where the metal footbridge attached to the stone lock, there were potential cavities for crevice-dwelling bats, such as common pipistrelle.

5.2 Desk Study

Bat activity surveys in 2020, on the land abutting to the south (as part of planning application 128191/FO/2020) reported several bats using the canal section.

The bat reports relating to the other neighbouring applications (see section 4.2, p13) all recorded bats, most of which were favouring the canal; but no roosts. However, the 2020 bat surveys undertaken at Ancoats Dispensary, Old Mill Street, Manchester M4 6EB, (130356/FO/2021) fell outside the BCT Guidelines (a single survey in September) and the absence of a roost at that site could not be relied upon.

The closest granted European Protected Species (EPS) licence application (from Natural England) for bats was approximately 450m east of the site; the licence was granted for the destruction of a small common pipistrelle roost. Four other EPS licenses were within 1km, all for bat species.

5.3 Field Survey

No bats were seen emerging from the structure. The first bat pass was at 2218, flying SW along the hedgerow, coming from further NE of the survey site. Street lighting was apparent along the tow path from 2140, casting light onto much, though not all, of the structure for the remainder of the survey.

Table Two: Emergence Survey Results, 8 June 2021

Sunset Time	Start and end times	Emergence	First Bat	Total bat passes
2130	2112 2300	None	2218 (48 mins after sunset)	Three

6. DISCUSSION AND ANALYSIS

No bat roosts were implied from the presence/absence survey. The landscape was suitable for bat foraging, but the structure provided little opportunity.

6.1 Suitability of the structure for bats

The well-maintained state and constant use of the lock bridge reduced its suitability for roosting bats: during the PEA the lock gates were closed, but on the night of the emergence survey one gate was open.

Much of the structure was subject to considerable light spill from streetlamps off the tow path and to a lesser extent from the path leading to the tram stop.

A wall immediately SW of the lock/bridge was assessed as having bat roost potential at the time of the PEA (7 May 2021) (Photograph Four, below) but was cloaked by bracken (*Pteridium aquilinum*) by the time of the emergence survey, reducing its bat roost potential considerably.

Photograph Four: Exposed wall (May) which masked by bracken by June



6.1.2 Bat Activity

The survey recorded no bats roosting in the structures and no obvious commuting routes or foraging area around the structure.

6.1.3 Interpretation of Bat Activity

No roost evidence was discovered during the structure inspection and no bats were recorded emerging from the structure during the dusk survey.

7. CONCLUSIONS

No bat roosts were present. No offence in law relating to bats would be committed in the construction of an additional structure immediately adjacent to it.

The existing lighting, volume of disturbance from public and regular usage of the lock gates made the adoption of the structure by bats unlikely and thus the erection of bat boxes would not be beneficial for the mammal.

8. RECOMMENDATIONS

There were no bat-specific recommendations arising from the conclusions from this Report.

8. References

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