



WILL YOU HELP US WITH THE PROBLEM OF BATS IN CHURCHES?



St. Andrew's is a small village church in Norfolk. Like so many, we have a serious problem with bats and are determined to do something about it, **within the law.**

Our campaign, which is described below, has the support of 78 other parishes in the Norwich Diocese. Being aware that we shall not succeed without widespread support, we are now bringing our campaign to parishes everywhere.

Our aim is to bring about a change in the law, giving places of worship the same status as dwelling houses.

Our situation is hardly unique - there will be many in a similar, or worse, condition. But it may be helpful to set out our problem, what we have done so far, and why we have decided to adopt this course of action.



The problem with bats in our church is a long standing one, but we are now at a point where we are no longer willing, and are increasingly unable, to go on coping with the mess and cleaning. All the fixtures in the church are extensively marked with bats' urine, the smell of which, during the season, pervades the building. Lampshades, especially those near entry and exit points, become caked with droppings. We have to clear droppings from the pews before we sit down. At the end of each service we have to cover the altar, tables, lectern, stall and aisle with plastic or cloth sheets, all of which have to be regularly washed or replaced as they become soiled with urine and droppings. Handling these covers, both before and after a service, is unpleasant and requires hands to be washed. We do what we can to clean the church on a Friday or Saturday, but still need to shake the sheets outside on a Sunday morning as they will contain droppings, and occasionally dead bats.

We are also concerned about health and safety implications, especially when it comes to small children and serving refreshments. We have been lucky so far to have escaped any

significant damage to our organ, though we are told by an expert that this can be serious, not to mention his concern for his staff who have to work in such conditions.

We have taken advice from our insurers and the Health and Safety Executive. As with both English Nature and Defra, they stress the relative absence of any health risk, with (so far) just four cases of bats' rabies in the UK. This may well be so, but it is the thoroughly disagreeable and burdensome matter of cleaning and damage which concerns us, and which they tend to ignore. We have written to English Nature about the latter aspect, and it seems that "consideration might be given to a national approach to the recognition of the additional costs of maintaining the church fabric when bats are present." Any such help would be welcome, though it would do little to affect the day-to-day cleaning problem.

At our invitation, our church has been visited by a local representative of English Nature. Her report detailed the relevant provisions of the law, and the regulations governing the issue by Defra of licences of exemption, viz:

Bats were given full protection under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). Under this act it is illegal to intentionally or recklessly kill, injure or otherwise disturb them. Their roosts are also protected from being damaged, destroyed or obstructed, even if bats are apparently absent, since bats are often faithful to their roosts and will normally return each year if conditions remain suitable.

*There are a number of legal defences that cover acts that can be shown to be the incidental result of an otherwise lawful operation and could not have been reasonably avoided. **It is not an offence to deliberately disturb a bat or damage or destroy a breeding site or resting place in a dwelling house if English Nature have been notified of the proposed action or operation and allowed a reasonable time to advise as to whether and how it should be carried out. Consultation with English Nature is not required for any such action within the living area of a dwelling house.***

Regulation 44(2)(e) states that licences may be granted by Defra for preserving 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.

Even then, there are two further requirements before a licence can be granted:

- *Regulation 44(3)(a) states that a licence may not be granted unless Defra is satisfied that there is no satisfactory alternative to granting a licence;*
- *Regulation 44(3)(b) states that a licence may not be granted unless Defra is satisfied that 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.*

The report from English Nature also suggested the possibility of the use of shelves or deflector boards to shield the worst areas, though it admitted that: their design would need to be in keeping with the church; they would (in a listed building) need the approval of English Heritage; they would be costly; and that we would need to find a practical method of erecting such structures. There was no mention of the work involved in keeping them clean.

Our investigations into applying for a licence showed this to be a major and complex undertaking that would require us to engage the services of a suitably qualified ecologist. We therefore invited such a person to carry out an initial survey. Her report stated that the preliminary work to gather data concerning species, numbers, pattern and rate of deposition of droppings and urine, roost locations, entry and exit points, and seasonal patterns of use necessary for the first of a three stage examination, would cost us £4550.00. The report also stated that there was no certainty the criteria for being granted a

licence would be met, and that even if a licence was obtained, long-term monitoring would be required which would incur further expense.

Perhaps not surprisingly, we came to the conclusion that we were not in a position to spend several thousand pounds pursuing a licence we were unlikely to receive. We therefore decided instead to seek a change in the law, giving places of worship the same status as dwelling houses.

We are well aware of the difficulties we face in trying to get a change in the law. Defra's standard response is that a licence should be sought. This may or may not be a sincere invitation, but in our view is wholly impractical. Even if Defra was prepared to fund the cost of all such applications(!) it would not address the fact that scores, possibly hundreds of congregations have to go on, week after week, putting up with conditions that would be unacceptable in any other circumstances.

Finally, we would like to make it clear that we neither wish nor intend to harm any bats. We simply wish to be able, within the law, to encourage our bats to leave, and to prevent their return.

If your Parochial Church Council would like to support our campaign, would you please print this page, complete the slip below and return it to the stated address.

Expressions of individual support are also very welcome, to the address below please.

With the thanks of Holme Hale PCC.

To:

Holme Hale PCC
c/o Paddock Farm
Lower Road,
Holme Hale,
Norfolk
IP25 7EB

We, the PCC of the Parish of in the
Diocese of support a change in the law
concerning the protection of bats, so as to grant to places of worship the
same status as dwelling houses.

Signature, name and office held:

.....

Date.....

Please use capital letters where appropriate.