

# Bat Habitats Regulation (No. 2) Bill

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This is a corrected copy and is being issued free of charge to all known recipients of the original publication.

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Make provision to enhance the protection available for bat habitats in the non-built environment and to limit the protection for bat habitats in the built environment where the presence of bats has a significant adverse impact upon the users of buildings.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## **1 Enhancing the protection available for bat habitats in the non-built environment**

- (1) No new building shall be constructed on a previously undeveloped site unless prior to its construction a local bat survey has been conducted and it has been established— 5
  - (a) that no bat habitat is located in the vicinity of the proposed building, or
  - (b) a cost-effective and safe management system can be put in place to remove any such adverse impact.
- (2) Where a survey under subsection (1) concludes that a bat habitat is located in the vicinity of the site of a proposed building, the building shall not be occupied unless or until the developer of that building has provided a bat box or artificial roost for each species of bat located in the vicinity. 10
- (3) No wind turbine for which planning permission is required shall be constructed unless prior to its construction a local bat survey has been conducted and it has been established that no bat habitat is located in the vicinity of the proposed wind turbine. 15

## **2 Limiting the protection for bat habitats in the built environment**

Notwithstanding the European Communities Act 1972, the provisions of the Habitats Regulations and the Wildlife and Countryside Act 1981 shall not apply to bats or bat roosts located inside a building used for public worship unless it has been established that the presence of such bats or bat roosts has no significant adverse impact upon the users of the building. 20

**3 Interpretation**

A “building used for public worship” means a building used for the purposes of religious worship by a congregation or religious group whether or not the building is also used for counselling, social events, instruction or religious training.

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**4 Short title, commencement and extent**

- (1) This Act may be cited as the Bat Habitats Regulation Act 2016.
- (2) This Act shall come into force on the day on which it is passed.
- (3) This Act extends to England and Wales.

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To make provision to enhance the protection available for bat habitats in the non-built environment and to limit the protection for bat habitats in the built environment where the presence of bats has a significant adverse impact upon the users of buildings.

*Presented by Mr Christopher Chope,  
supported by Mr Peter Bone,  
Philip Davies,  
Sir Edward Leigh,  
Mr David Nuttall and  
Mr Philip Hollobone.*

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*Ordered, by The House of Commons,  
to be Printed, 6 July 2015.*

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