

# Porthleven harbour owner accused of 'wildlife crime' over bat cave

## The owner of Porthleven Harbour has been reported to the police

By Olivier Vergnault Senior Reporter 13 APR 2022



**The contruction work taking place by the Trevor Osborne Property Group in Porthleven on the site of the former Fish Warehouse where the group wants to build the new Porthleven Arts Hotel. The Porthleven Environment Group has accused the TOPG of breaking the law and disturbing rare bats and destroying a roost too and blocking a cave where rare greater and lesser horseshoe bats have been nesting (Image: Porthleven Environment Group)**

A developer has been reported for environmental crimes after allegedly demolishing a bats' roost and covering up a cave where extremely rare protected species of bats have been found. The Trevor Osborne Property Group, which owns large swathes of Porthleven including its famous picturesque harbour, is in the process of redeveloping the Fish Warehouse and the adjacent land into a new Porthleven Arts Hotel. The company said the work on Breageside Quay is due to start in September this year.

The group applied for planning permission for the scheme four years ago. Because of the location of the proposed development in front of an old excavated cave where bats may be roosting, Cornwall Council asked for an environmental impact bat survey to be carried out. The survey revealed the presence of Greater and Lesser Horseshoe Bats which are not only protected, but have priority status and are also designated European Protected Species.

One of the conditions for the work to proceed at the harbourside in Porthleven would have involved the company and its contractors being granted a special licence from Natural England and an agreed programme of work from an ecologist to ensure the bats are not disturbed. The Porthleven Environment Group claims the developers have broken all the rules and committed a wildlife crime - something the TOPG denies.

"You can't just go in with a bulldozer," Trevor Toms the chairman of the group said. "That's exactly what the Trevor Osborne Property Group and their contractors have done. They used heavy machinery to demolish the workshop which led to the destruction of a Pipistrelle roost which is one of our more common species of bats but protected nonetheless. They rock drilled anchor points into the cliff face to put in meshing and covered the bat cave with industrial steel netting which is blatant obstruction of a nesting area.

"We alerted them to what they had done and they quickly cut a hole in the netting. And it was certainly very quick because they realised that although they hadn't breached any planning conditions they had definitely broken the law. All these points, the roost destruction, disturbance and obstruction are in contravention of the Wildlife and Countryside Act 1981."



**The site of the future Porthleven Arts Hotel. The Porthleven Environment Group has accused developer Trevor Osborne Property Group of wildlife crimes for allegedly disturbing rare bats, covering a nesting tunnel with cliff mesh and 'quickly' unblocking it afterwards and destroying a bats roost (Image: Porthleven Environment Group)**

Mr Toms said the PEG has since reported the Trevor Osborne Property Group and its contractors to Devon and Cornwall Police's wildlife crime unit. A spokeswoman for the police confirmed as much saying that an investigation had been launched: "Police have been made aware of reports of a disturbance to a bat habitat in Porthleven. The wildlife crime officers have been made aware and enquiries remain ongoing."

Mr Toms said that the environmental group's complaint was not about the merits of the Porthleven Arts Hotel and associated development or whether it should be there at all, but about doing things legally so protected species can remain so.

He added: "We are entirely concerned with a developer's blatant disregard for the endangered species he is trampling on for the sake of money. This wildlife crime must not be swept under the carpet. If the police don't prosecute then it gives a shocking example to other developers, many of whom do things properly and lawfully. If other developers go through ecologist surveys and play by the rules, why can't the Trevor Osborne Property Group do the same."

A spokesman for the Trevor Osborne Property Group said that over the past few months the firm has been preparing for the main contract by completing enabling works which have involved the demolition of a shed on site and the stabilisation of the cliff face behind the site.

He added: "The works have excluded any interface with the cave to the rear of the site where bat activity has previously been reported and have included no works that are deemed to obstruct this cave. We would point out that the cave is currently less obstructed than at any other point in its recent history. Furthermore our contractor has confirmed that they have not covered or obstructed the cave during their works."



**The cave entrance on Breageside Quay in Porthleven where developers are working on behalf of the Trevor Osborne Property Group on a future Porthleven Arts Hotel. The Porthleven Environment Group has accused the TOPG of breaking the law and disturbing rare bats and destroying a roost too and blocking the cave and unblocking it in a hurry too where rare greater and lesser horseshoe bats have been nesting (Image: Porthleven Environment Group)**

This is the contentious point that the PEG says is not true, claiming that the entrance of the cave was uncovered after it alerted the contractors that they could not put a metallic mesh in front of the cave opening.

The TOPG spokesman added: "As part of our development works our ecologist has highlighted the need to obtain a licence from Natural England prior to the tunnel being obstructed and we can confirm that this requirement will be adhered to in advance of the relevant works commencing. Furthermore the agreed construction of a new bat roost in the roof of the Fish Warehouse is planned to be constructed at the very beginning of the main contract programme. We have passed the concerns of the Porthleven Environment Group onto our ecologist and will comply with any further requirements that they deem to be necessary."