



BADCOG NEWS.

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A Plant for Every Situation

By Francis Milliken

Whether in the wild or in the garden and coming into flower at this time of year, the *Hypericum* is a very adaptable species.

H. androsaemum or tutsan as it is known grows in shady woods and hedgerows. Its shiny black berry-like fruits are favoured by birds. Coming from the French 'toute saine' meaning 'all heal' indicating that it was once used in herbal medicine. The Rose of Sharon or *H. calycinum* introduced to Britain from Turkey in the 17th century is, perhaps, best known and unfortunately quite often despised because of its use in mass urban planting.

The word *Hypericum* is likely to come from 'hyper' meaning above and 'eikon' meaning image because the Greeks believed that some species gave protection against evil spirits. Bunches of *H. perforatum* were hung over the door entrances of homes particularly on mid-summers eve when the spirits were said to be the most active. This pagan celebration became the Feast of St. John the Baptist on 24th June giving the plant its common name of St. Johns wort.

The species name *perforatum* refers to the numerous translucent dots seen on the leaves. The five petalled flowers are edged with black dots and when rubbed the crushed cells release a substance called hypericin which turns red on contact with the air. It was a remedy for treating deep wounds suffered by the knights of St. John during the Crusades and is used nowadays as a salve for healing burns and treating nerve pain. St. Johns wort remains the emblematic flower of the St. John Ambulance Brigade.

Other species include *H. hirsutum*, hairy with paler yellow flowers, sometimes red veined, found in woods, scrub and shady places especially on limy soils. *H. tetrapterum*, square stemmed with pale yellow flowers found in marshland and alongside water and *H. pulchrum* which has delicate stems with red-tinged deeper yellow flowers. This occurs in dry grassy places and heaths mostly on acid soils.

H. humifusum is a trailing St. Johns wort which can be grown in a gravel garden whilst *H. polyphyllum* is suitable for a rock garden at 6 inches tall ranging to the 6 foot garden shrub 'Hidcote'.

Various moths are attracted to the flowers of the *hypericum* and its species are the only known food plants of the treble-bar moth caterpillar. In places where *H. perforatum* has become invasive, various beetles have been used as a bio-control due to the lack of natural pests.

Donald Trump's Golf Course, the Beautiful Scottish Coast and a Case of Ministerial Impropriety

By Lee Coby

The following is a continuation from an article started in the last issue of the News Letter.

SSSI designation was first introduced by the National Parks and Countryside Act 1949. The law protecting SSSIs has changed over the past 60 years, with significant alterations brought about via the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000. Alongside these changes, devolution has led to a different constitutional arrangement throughout the UK and environment and planning matters have been devolved in Scotland (as well as Wales and Northern Ireland). The Nature Conservation (Scotland) Act 2004, in particular Part 2 of the Act, now provides the principle legislation for the management of SSSIs in Scotland. Each SSSI has a list of Operations Requiring Consent (ORC) that detail exactly what operations an owner or occupier of land designated as a SSSI cannot carry out without the permission of Scottish Natural Heritage (Scottish Natural Heritage are the public body charged by the government with overseeing SSSI management).

On the whole, ORCs are permitted by Scottish Natural Heritage either without restriction or, in some cases, with qualifications attached, reasonably protecting the sanctity of a site and the reason for the notification in the first place. Unsurprisingly, constructing a monumental golf course part way across Foveran Links was an ORC. However, as per s.17 of the 2004 Act, Scottish Natural Heritage's permission is not required in relation to the carrying out of an ORC which has been authorised by a planning permission that has been granted on an application under Part III of the Town and Country Planning (Scotland) Act 1997. Therefore, where planning permission is granted by a planning authority to develop on a SSSI, an offence is not committed when an ORC is carried out despite no express permission from SNH. The planning authority, as per the 1997 Act, is the local authority: in this case Aberdeenshire Council.

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As per s.15 of the 2004 Act, prior to permitting an ORC, Aberdeenshire Council had to notify SNH of the proposal to carry out the operation and they must have regard to any advice received from SNH in deciding whether to give permission and what (if any) conditions are to be attached to its permission. Following statutory consultation SNH objected to the principle location of the TIGLS golf course. The Royal Society for the Protection of Birds and the Scottish Wildlife Trust did the same. It was reported in Scottish regional newspaper *The Press and Journal* that TIGLS were not interested in SNH's finding that the SSSI would be seriously damaged by the proposed development nor that a single course that did not transgress the SSSI was preferred. It also reported in July 2007 that Alex Johnstone MSP was supporting Trump and that he felt SHN were regularly 'interfering unnecessarily' in planning that was economically significant.

As per Aberdeenshire Council's procedures, the application went firstly to their Formantine Area Committee who voted in favour of the application 7 to 4. The application then made its way to the Infrastructure Services Committee who voted 7 to 7. It was an extremely close vote, but the Chairman carried the decision and he had voted to refuse the application. Therefore, the application for development was turned down. The Chairman, Cllr Martin A Ford reports that there were two reasons that councillors were unhappy with the application, namely the anticipated loss to the SSSI should the development go ahead and also, contrary to the development plan, Trump proposed to build houses that would be sold on the open market and this was an inappropriate location. Ultimately the choice to be made was discussed as being between either protecting the SSSI or making a gain for the economy.

Following the decision of the Infrastructure Services Committee there was pandemonium. A reaction like none before occurred. In the press, in public and in politics the mood was frantic. The build up to the decision had been covered extensively in the papers and, following the decision of the Infrastructure Services Committee, those that voted against the development were vilified by some outlets. Their pictures were even printed on the front of one newspaper and the headline attached read 'Traitors'. There were calls for reconsideration and the Council had to obtain a legal opinion on the matter to confirm it was, indeed, impossible and that TIGLS would either have to appeal or reapply (the same as any other applicant in this situation). Alex Salmond MSP, the First Minister for Scotland spoke to the leader of Aberdeenshire Council, Alan Campbell. As well as being the First Minister Salmond was also the local MSP for the Menie Estate. Meanwhile, the Cabinet Secretary for Finance and Sustainable Growth John Swinney MSP spoke with the Scottish Government's Chief Planner Jim Mackinnon. TIGLS requested a private meeting with Alex Salmond - which he attended. At the end of this meeting Salmond telephoned Mackinnon, passed the phone to the TIGLS representatives and a meeting was arranged for the next day between the two. It was at this point that TIGLS began considering an unprecedented move; they wanted the application to be 'called in'.

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Section 46 of the Town and Country Planning (Scotland) Act 1997 states, 'The Secretary of State may give directions requiring any such applications as are mentioned in section 34(2) to be referred to him instead of being dealt with by planning authorities.' As the decision had yet to be notified in writing the application was technically still open and this was a possibility (it is typical for a decision to take a week or so to be formalised in writing). A planning decision had never been called in by a minister before, save for where a Minister had intervened to reject an application for reasons of national importance. TIGLS met with Mackinnon and the appeals process and the call in process were explained. TIGLS informed that they would not be appealing, continuing the all-or-nothing line. Mackinnon then spoke to Swinney and it was agreed that the application would be called in. This was done, by fax, that same afternoon. Concerns were immediately raised over Salmond's involvement as First Minister. Given his position, he was subject to the Ministerial Code.

Sometime later in December 2008, following on from the calling in of the application, outline planning permission was granted for both the housing and the golf resort. Trump had succeeded in getting what he wanted and all within the remit of the law. Yet, a shadow of dishonesty hangs over the calling in of the application. A report by the Local Government Communities Committee on the Planning Application Processes at the Menie Estate was published in March 2008 that considered whether there was any wrongdoing during the planning application. It noted of the Ministerial Code that it is 'up to individual Ministers to decide how to act in any particular situation. Enforcement is for the First Minister' i.e. Alex Salmond. Most fascinating here are the quotes taken directly from the section in the Code relating to ministerial involvement in planning cases.

Ministers are free to make their electorate's views about constituency matters known to the responsible Minister by correspondence, by leading deputations or by personal interview, provided they make it clear that they are acting as their electorate's representative and not as a Minister [...] It is particularly important to bear in mind that any attempt to influence the Minister taking a decision on a planning case, other than through the proper channels, could imperil the decision [...] One of the basic tenets of the planning system is that, in the interests of natural justice, decisions are based on open and fair consideration of all relevant planning matters with the same information being available to all interested parties. Accordingly, Ministers and in particular the Planning Minister, must do nothing which might be seen as prejudicial to that process, particularly in advance of the decision being taken. Action that might be viewed as prejudicial includes (i) taking a decision, or being part of the decision making process, in respect of an application which falls within the Minister's constituency; (ii) expressing an opinion publicly on a particular case which is, or may subsequently come, before the Minister for a decision (iii) meeting the developer or objectors to discuss the proposal, but not meeting all parties with an interest in the decision; or (iv) commenting on decisions once they have been issued, other than in terms of what has appeared in the decision letter or, in the case of structure plan approvals, any accompanying explanatory annexes'

Note: The final part of this essay by Lee will be in the next issue of the News Letter

The Tree Bumblebee *Bombus hypnorum*

The 'Tree Bumblebee' (*Bombus hypnorum*) is a recent addition to the UK fauna. Despite this it will already be familiar to many householders as "there's a bee swarm in my bird box !"

B. hypnorum has a natural distribution in Mainland Europe, through Asia and up to the Arctic Circle. It was first found in the UK in 2001, in Wiltshire but it must have arrived from Mainland Europe. It has spread rapidly and is now present in most of England and much of Wales, where it can be very common in late spring to early summer. In 2013 it reached southern Scotland. Much of its rapid spread is probably due to its habit of setting up home in bird boxes, which abound in the UK.

Recognition

The common bumblebees can be identified from the colour patterns (banding) of their fur. *B. hypnorum*'s banding is unique amongst the UK species. The thorax is tawny to reddish brown, the abdomen is black and the tail is white . Queens, workers and males (drones) all have a similar colour pattern. Drones are chunky, about twice the size of a honey bee, have blunter ends to their abdomens and longer antennae. Fresh drones have a patch of yellowish facial fur, but this wears off with time. Queens vary significantly in size, with a range similar to that of the White-tailed bumblebee, *B. lucorum*. Workers are quite small. Thorax colour is the biggest variable; there are many dark *B. hypnorum* bees, but they always have a white tail.

Life cycle

This one of the first bumblebee species to be seen in the spring. In nature it is a 'Woodland Edge' species but is frequently associated with man-made structures. Like all bumblebees the Queens do "nest searching flights", looking for somewhere snug to set up home. With this species the flights are usually in March and April and are often along vertical surfaces , unusual amongst bumblebees, such as fences, house walls at gutter level, around the eaves and at bird box entrances.

The species is most likely to be seen from March until July and they are busy pollinators.

The queens of this species can be very enterprising in where they choose to set up home. Colonies are usually located well above ground level. Bird-boxes, containing old bird nests are commonly used. Nest-searching queens are even capable of evicting Blue Tits from a nest box then re-using their nest. Once the colony has grown strong, the front of the nest box can sometimes become coated with yellow splodges of bee faeces. Other locations they choose to nest are holes in trees and places high up in buildings, such as soffit boxes, vent pipes, under roof tiles and at house eaves. In such places the bees will use an existing hole to gain access, then walk inside the roof to get to their nest. Continues over page.....

Once a queen has established her nest, it will be around six weeks before the workers take over the foraging. The smaller workers stay at home and become 'House Bees', the larger ones forage for the colony. It can be four to five months for the colony to go full-cycle and die out. A really strong colony can build up to 300 - 400 bees, maybe more, but most colonies are likely to be smaller. Colonies often die out early as a result of attack by caterpillars of *Aphomia sociella* Wax Moth. Strong colonies will rear 'reproductives' which are virgin queens and/or drones. Drones leave the colony and never return, living a self-sufficient life for many weeks while foraging for themselves and looking for opportunities to mate. Virgin queens will mate, build up in-body food reserves, then find somewhere to hibernate until the following year. A few queens start second cycle colonies which continue into the autumn.

Bumblebee nest flight activity is very different from honey bees. In the early stages you get a queen foraging a few times a day. Once workers are active one forager flight every few minutes is hardly noticeable. So, it might be two months before bee-flights become noticed. Once drones are about their "nest surveillance flights" greatly increase the apparent activity at a colony.

Nest Surveillance Flights. This looks like a cloud of bees doing an 'aerial dance' close to the nest's flight point. To an untutored eye it looks like honey bee colony flight but honey bees wouldn't choose a bird-box and the bees look too big. The behaviour, known technically as 'Nest Surveillance' is a mating-preparation unique to *B. hypnorum*. The 'cloud' bees are drones, about twice the size of honey bees, noticeably furry and they have white tails. This activity happens mainly in May / June / July. It can occur over most daylight hours and may last several weeks. Warm temperatures and sunshine increase the number of bees. It stops at dusk and starts a bit after dawn. When such 'dancing' is going on, a few bees fly directly to or from the colony straight through the cloud - these are workers and are usually smaller than the drones. The drones are waiting for the colony to produce virgin queens. When these fly, drones attempt to mate. It looks like fighting. Paired bees fall to the ground, where they can remain coupled for a considerable time.

Defensive behaviour due to nest vibration.

This occurs with colonies in bird boxes when the box is fixed on a surface subject to vibration and the colony is strong enough to defend itself. The bees react strongly to the vibration and can sting people nearby whenever the vibration occurs such as the slamming of a door of a shed used as a workshop, where carpentry or re-potting is done. In bad cases worker bees can 'boil out of the nest' which is highly intimidating - especially if you hadn't realised the colony was there! . Beware, you might get stung, but bumblebee stings are un-barbed, so you only get a small dose of venom.

Moving Colonies in a Nest-box.

It is important to emphasise that it is best not to move bumblebee nests. It should only be done where there is a strong case for doing so. Ideally consult a bee keeper. The moving process is carried when the bees are in the box, late dusk. They fly noticeably later than honey bees. The hole is plugged with porous material, the box relocated and the plug removed early next day possibly with a piece of attached string.

David Pilch

***Pachymeta robusta* Aurivillius (Lasiocampidae), the Msasa Moth.**

Photographed on their host plant, the Msasa tree (*Brachystegia spiciformis*) are larvae of the Msasa moth (*Pachymeta robusta*) which we encountered in Zimbabwe. The larvae feed at night and cluster by day. The larvae are large (approx. 12cm) and brightly coloured). They are commonly known as the Msasa worm.

The interesting thing with them is how some birds, undeterred by the warning colouration, turn them inside out to avoid the spines. You find the inside-out skins on the ground once the birds have eaten the insides.
DP



WORK PARTY DATES

ALL START AT 10.30 UNLESS STATED

13th July—Blofield Church

16th July—Blofield Church with Green Gym @ 1.30pm

20th July—Howes Meadow

3rd August -Walsham Fen

17th August—Jary's Meadow

31st August—Howes Meadow

7th September—Town Pit Pond, Blofield Heath (1st Work party)

14th September—Town Pit Pond (2nd Work party)

28th September—Buckenham Woods

Any short notice changes will be published on the BADCOG website @ www.badcog.co.uk

Main work party reports.

Apr 27 - Walsham Fen - Boardwalk repairs carried out - 16 damaged slats removed and new ones fitted. One complete boardwalk section that had dropped off its support posts raised and secured to its correct level. Sallow branches at north west end of path overhanging and obstructing boardwalk cut down. Overhanging Holly on track opposite hide cut back. Reed cut down around the King Cups north of path near oak tree with owl box.

May 11 - Jary's Meadow - Hedge along the track to main gate trimmed back. Bramble cut down by gate to improve access. Some poplar suckers in east meadow removed. Some bracken at south west corner of site scythed raked and cleared. West meadow fire site burnt.

Jun 01 - Buckenham Woods - Steps area raked and cleared to fire site. Brush cut steps, area around entrance gate and many sycamore amongst the St John's Wort. Raked and cleared the cut vegetation including bramble re-growth. All left tidy.

Jun 15 - Lingwood Church - Conservation area mown on 08 Jun raked and cleared. Cut vegetation taken in trailer to Mrs Dickinson's in Lingwood for horses.

Peter's Wood/Permissive Path/Footpath FP3- checked newly planted oaks and fitted new support canes where necessary.

Additional work party reports

May 30 - Buckenham Woods - Area around steps mown.

Jun 04 - Peter's Wood - Church Rd roadside bank -Scythed round newly planted oaks.

Jun 06 - Peters Wood Permissive Path/Footpath FP3 - Scythed round newly planted oaks.

Jun 08 - Lingwood Church - Conservation area mown. Some flowering areas left for a future cut.

Jun 15 - Walsham Fen - Fallen hazel branches obstructing the Hide cleared. Fallen oak branches obstructing the boardwalk, left path from hide, removed.

GLOW-WORM WALK

SOUTH WALSHAM FEN

Tuesday 20th August at 8pm

Meet at South Walsham Fen Hide

Due to the limited car parking at the site please, if possible car share!