



NESTING BIRDS

What are nesting birds?

Any bird that is actively constructing a nest or occupying a completed nest, that may contain eggs (viable and non-viable), be occupied by dependent (flightless) young or brooding adults.



Why should we be concerned?

All wild birds, their nests and eggs are protected by law
IT IS A CRIMINAL OFFENCE TO

- Deliberately take, damage or destroy any active nest or egg of any wild bird
- Disturb any wild bird whilst nesting unless under licence

The maximum penalty can be (in respect to a single bird, nest or egg) a fine of up to £5,000 and/or six month's imprisonment.

What do the nests look like?

Nests come in various shapes and sizes and can be extremely difficult to find;

- a cup made of dried grass, moss, mud etc
- a shallow scrape or tunnel made in the ground
- a pile of rotting vegetation, twigs or litter



Where can you find them?

- Nests can be discrete, out of sight within a tree cavity, built structure or dense vegetation
- Vegetation such as scrub/brambles
- Trees
- Hedgerows
- On the ground in grass or bare land
- Buildings – inc. bridges and locks
- Boats/operational craft and machinery
- Steep banks
- Reed fringes and beds

IT IS ILLEGAL FOR ANYONE (INC. BOAT OWNER'S) TO MOVE A BIRD'S NEST THAT HAS BEEN MADE ON ANY PART OF A BOAT – EVEN IF IT IS OBSTRUCTING THE BOAT OWNERS NORMAL USE OF THE CRAFT.

When do birds nest?

Usually from **EARLY MARCH – LATE SEPTEMBER** but some species nest year round.

Seasonal and local variations in weather patterns can lead to birds nesting earlier in the year and extending their breeding season, continuing to occupy nests later in the year.

What can you do about it?

Planning works:

Avoid vegetation management and other activities that are likely to result in disturbance to nesting birds between March and September. Schedule works in the winter period and if needed plan/carry out the vegetation management well in advance of projects to prevent delays and concerns when you get to site. Consider modifying the specification of the works to avoid disturbance.

If works **must** take place during nesting season consult your local ecologist.

A nesting bird survey will always be required and site specific actions to check for nest building will result. Depending on how dense the nesting habitat is, even with an experienced ecologist carefully checking areas of dense bramble etc, it is often near impossible to spot active birds nests and thus there is still a risk of disturbance and the need to stop works if an active nest is found.

If a tree or structure poses imminent and demonstratable health & safety risk and has nesting birds consult your local ecologist. Under licence, with strict conditions, some birds may be disturbed to ensure a safe environment is maintained. However, be prepared to consider alternative methods of making the tree or structure safe to protect the nesting bird if the species falls outside the licence.



NO MEMBER OF STAFF SHOULD SIGN OFF A CONTRACTOR'S BIRD NESTING FORM – THIS IS CONTRACTORS LIABILITY AND IF YOU DO SIGN IT THEN YOU ARE TAKING PERSONAL RESPONSIBILITY FOR THEIR ACTION.

During works:

On no account disturb a nest or eggs even if appearing old or disused.

If you encounter a nesting bird, eggs in a nest (whether appearing active or not) or an active nest **STOP WORKS! DO NOT TAKE OR MOVE ANY BIRDS, NESTS OR EGGS**

Report and seek advice from your local Ecologist. Record the incident, take photos if possible.

If an animal is in danger, injured or dead refer to [How To Handle Wildlife Tool Box Talk](#) & [Waste Carcasses](#).

Accusations and Allegations:

Report, to your local ecologist, any approach by a neighbour or regulator (Local Authority, Environment Agency, Forestry Commission etc) making informal claims that we may have disturbed a nest. They will raise a ZT notification and speak with the Legal team.

Report, as soon as possible to our Legal team, any approach by the Police, whether they are making claims, investigating or even just asking questions regarding allegation or an incident.. You should be helpful, but if in any doubt about an answer you should politely decline to answer until you have sought specific details. Bear in mind that any verbal comments you make, however informal, can be used in an investigation.

Report, as soon as possible to our legal team any formal written notices from a regulator (Local Authority, Environment Agency, Forestry Commission etc).

For more information:

Natural England. 'Wild birds: surveys and mitigation for development projects'. <https://www.gov.uk/guidance/wild-birds-surveys-and-mitigation-for-development-projects>

RSPCA. 'Living with nesting birds'.

<https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwiggsri0ezRAhXiLMAKHbXQCbMQFggaMAA&url=https%3A%2F%2Fwww.rspca.org.uk%2FImageLocator%2FLocateAsset%3Fasset%3Ddocument%26assetId%3D1232737645189%26mode%3Dprd&usq=AFQjCNHuOF8RuDGEn3QmifXPmeUCqdh1wQ&sig2=w-Q3lGBBPqztYP5XRkyhQ&bvm=bv.145822982.d.d24>