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1. Introduction

1.1 Purpose of the Report

- 1.1.1 A report is required at **Maitland Park**, **Hampstead** in order to investigate whether any built structure, trees or vegetation on site is currently being used by nesting birds.
- 1.1.2 This is required as tree works and vegetation clearance are scheduled to commence within the breeding bird period (March to August).

1.2 Terms of Reference

1.2.1 I am instructed by **London Borough of Camden** to visit the site and prepare my findings in a report. For this purpose I have been supplied with a site map, (drawing **CCL 09056/TRP**).

1.3 Site Description

- 1.3.1 Maitland Park is situated approximately 5km north of London city centre, at grid reference TQ279847.
- 1.3.2 The site is surrounded predominantly by residential properties.

2. Nesting Bird Legislation

- 2.1.1 In the UK all birds, their nests and eggs are protected under the Wildlife and Countryside Act, and it is thus an offence (with certain exceptions) to:
 - intentionally kill, injure or take any wild bird
 - intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built
 - intentionally take or destroy the egg of any wild bird
 - have in one's possession or control any wild bird, dead or alive, or any part of a wild bird, which has been taken in contravention of the Act or the Protection of Birds Act 1954
 - have in one's possession or control any egg or part of an egg which has been taken in contravention of the Act or the Protection of Birds Act 1954
 - use traps or similar items to kill, injure or take wild birds
 - have in one's possession or control any bird of a species occurring on Schedule 4 of the Act unless registered, and in most cases ringed, in accordance with the Secretary of State's regulations (see Schedules)
 - intentionally or recklessly disturb any wild bird listed on Schedule 1 while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.
- 2.1.2 Committing an offence under the Wildlife and Countryside Act (in respect of a single bird, nest or egg) can result in a fine of up to £5,000, and/or six months' imprisonment.

3. Site Investigation

3.1 Methodology

- 3.1.1 A detailed nesting bird survey was undertaken on the 19th May 2016 by Josie Collier, *BSc (Hons)*.
- 3.1.2 During the site visit, the surveyor walked at a slow and constant pace around the site listening and looking for any signs of nesting birds. The surveyor was equipped with a pair of Hawke Sport Optics binoculars to observe bird behaviour from distance. Any significant vegetation that has the potential to support nesting birds was observed for signs of nesting activity. Where possible, vegetation was carefully searched for signs of current nests.
- 3.1.3 A site plan has been provided, identifying those trees scheduled for works. The trees identified for removal are **T12-13**, **T46**, **T49**, **T53-54**, **T57-60**, **T63**, **T65**, **T86-98** and a small Norway maple sapling to the east of the site.
- 3.1.4 Signs of birds breeding on site include; birds being observed in suitable habitat, singing males, territories being defended, agitated behaviour and recently fledged young observed.
- 3.1.5 Confirmed nesting includes finding a newly built nest, observing nest building, adult birds carrying food for young, finding a nest with a brooding adult and a nest with eggs/young.
- 3.1.6 <u>Limitations:</u> Two areas of the site were inaccessible. An area to the north of the site was surrounded by a locked fence; however the trees here could be observed from outside this fence. At the time of the survey, an area to the west of the site was surrounded by a police line and could not be entered. Several trees here could not be fully observed from a distance.

3.2 Results

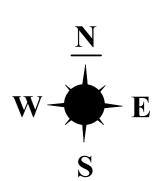
- 3.2.1 A plan detailing the trees present on site, as well as the location of any nests found can be seen in **Appendix 1**.
- 3.2.2 No birds were observed visiting the following trees and the canopies of these trees did not contain any evidence of bird nesting: **T12**, **T13**, **T46**, **T49**, **T53**, **T54**, **T59**, **T60**, **T63**, **T65**, **T86**, **T87**, **T88**, **T89** and the Norway Maple Sapling to the east.
- 3.2.3 **T57** is an Ash tree located to the northeast of the site. A bird's nest is situated within the canopy of this tree; however, after careful observation of this nest it can be determined that this nest is now redundant and works to this tree will not pose any harm on nesting birds.

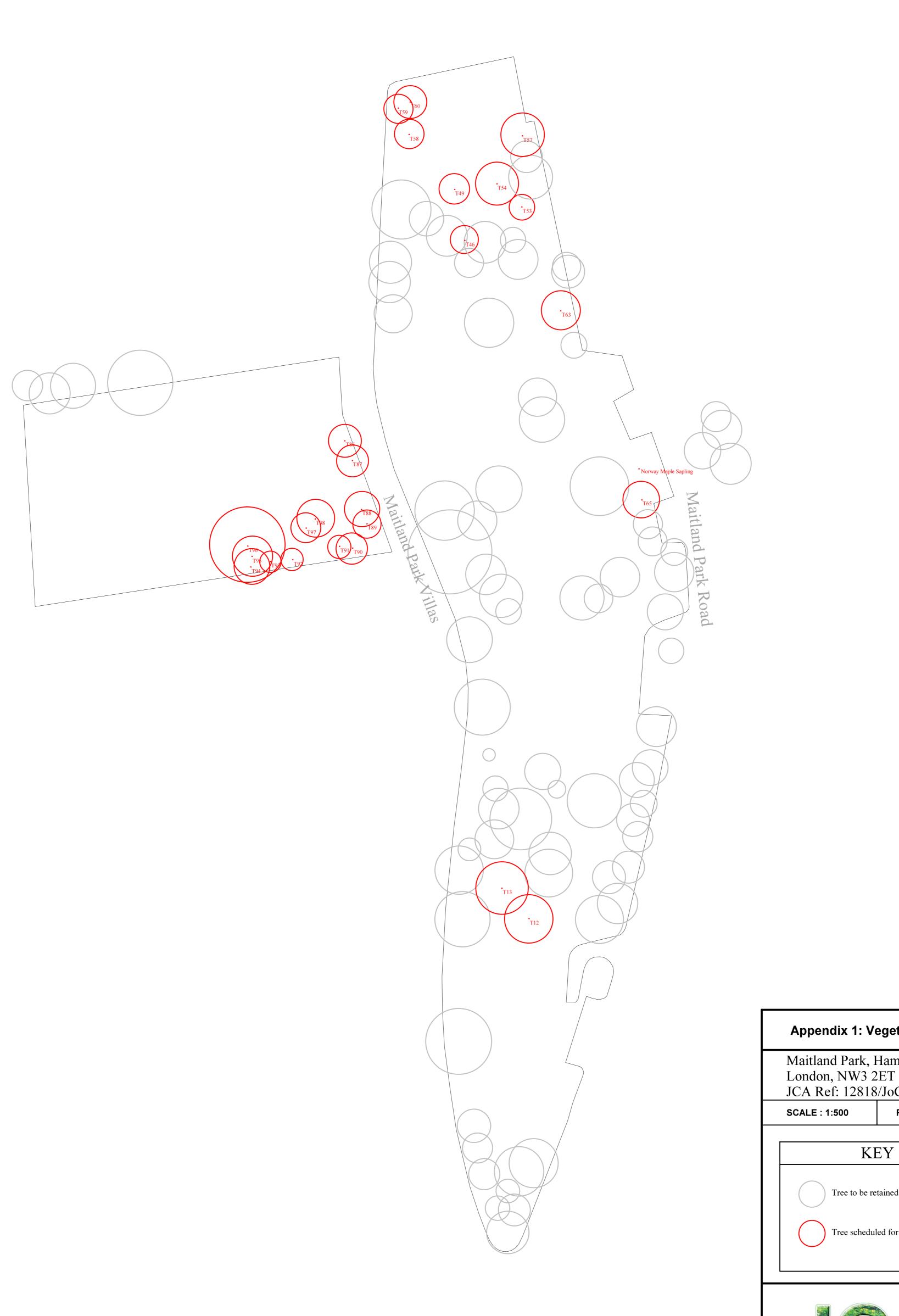
- 3.2.4 **T58** is a Lime tree located towards the northwest of the site. The foliage of this tree is very dense so a full inspection of the branches could not be carried out. A mistle thrush (*Turdus viscivorus*) was seen entering and leaving this tree.
- 3.2.5 **T90-98** could not be fully inspected at the time of the survey due to the presence of police tape around this area. This means that the area could currently be in use by nesting birds, although no birds were seen flying in or out of these trees from a point outside the police line.
- 3.2.6 Feral pigeons (*Columba livia domestica*) were seen flying in and around the site at the time of the survey. No birds exhibited nesting behaviours.

4. Conclusions & Recommendations

- 4.1 A comprehensive nesting bird survey was conducted at **Maitland Park** on 19th May 2016 by Josie Collier, *Bsc (Hons)*.
- A large number of the trees within the site did not show any signs of nesting activity and were not visited by any birds during the site survey. Works on these trees should therefore go ahead with care and vigilance. These trees are **T12**, **T13**, **T46**, **T49**, **T53**, **T54**, **T59**, **T60**, **T63**, **T65**, **T86**, **T87**, **T88**, **T89** and the Norway Maple Sapling to the east.
- 4.3 **T57** contains a redundant bird's nest and is no longer being used by nesting birds, therefore works on this tree should also commence.
- 4.4 A mistle thrush (*Turdus viscivorus*) was seen entering **T58.** The foliage of this tree is very dense and prevents a full observation of the branches; therefore nesting activity may be occurring. It is in best interest for this tree to remain until the end of the breeding bird season.
- 4.5 At the time of the survey, access to **T90-98** was prohibited by the presence of a police line. No birds were seen flying in or out of these trees; however a full inspection of the trees branches could not be carried out. As nesting activity may be occurring in these trees, a suitable arboriculturalist should inspect the canopies of these trees for nests before the works take place. Alternatively, works should be put on hold until the end of the breeding bird season (September).
- 4.6 Should any nests be discovered during the tree works (other than the redundant nest in **T57**) works must stop immediately and JCA Ltd. or Natural England must be contacted. Works cannot continue until it is confirmed that the nest is no longer in use and that any young have fledged.

Appendices





Appendix 1: Vegetation Map

Maitland Park, Hampstead London, NW3 2ET JCA Ref: 12818/JoC

PAPER SIZE : A1

Tree to be retained

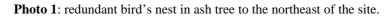
Tree scheduled for removal

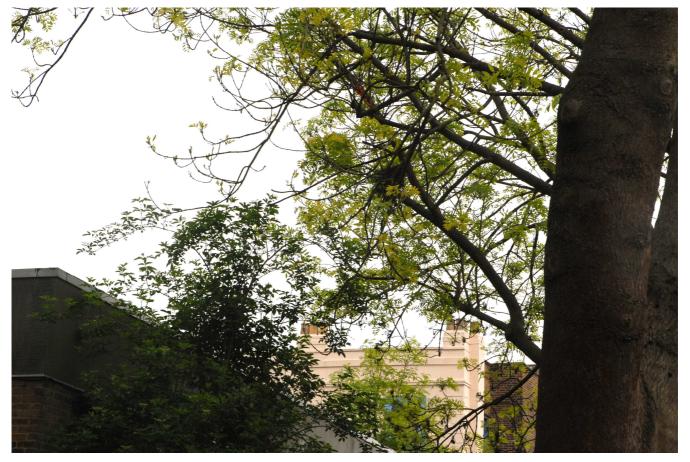


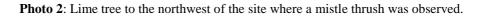
Arboricultural & Forestry Consultants

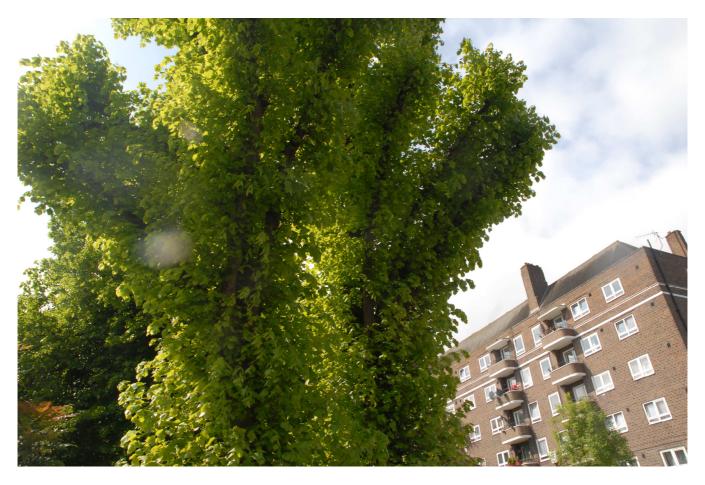
Appendix 2: Photographic Evidence

Due to the presence of the police line within the site, a full photographic record of the site was prohibited. If further photographs are required, a second site visit should be carried out.









I hope that this report provides all the necessary information, but should any further advice be needed please do not hesitate to contact the author.

Signed

Josie Collier, BSc (Hons) Ecology.

20th May 2016

For and on behalf of JCA Ltd

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