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Nesting Bird Check

This may be required if actions that could disturb or harm nesting birds would occur during the bird breeding season, which is typically taken as being from the beginning of March to the end of August (although the habitats and likely species on site have to be taken into account - some species nest earlier - Blackbirds for example, can be laying eggs in February, and some can still be nesting later - young Swallows, for example, can still be in the nest in September). In this situation, in order to ensure compliance with the Wildlife and Countryside Act, it is necessary to check whether birds are actively nesting in the area of expected impact and to take impact avoidance measures as appropriate.

The nesting bird check typically involves a visit to the site by a trained and experienced bird surveyor who will carry out both a visual check for bird nests and a survey looking for bird behaviour indicating nesting activity. Following on from this, a report is produced on the findings, the legal implications, and as appropriate suggested precautions and mitigation advice on actions to ensure compliance with The Wildlife and Countryside Act.

Methodology for nesting bird check.

1. A competent ecologist will be appointed prior to the arboricultural works taking place. No arboricultural works on trees and vegetation shall occur without the prior approval of the Ecologist.

2. The Contractor must give sufficient notice of the proposed start date of works to the Ecologist.

3. An initial inspection will be undertaken immediately ahead of the proposed date of arboricultural works to locate any active nests and identify any signs of bird nesting behaviour that may indicate the presence of a nest (e.g. birds carrying food or nesting material to a location).

4. Where possible, features likely to be used for nesting will be removed, or made unsuitable for nesting prior to the beginning of the nesting season, to reduce the potential for active nests to be present during works. This could include removing vegetation, or netting to deter nesting. This would be done under the guidance of the Ecologist and only where the actions did not impact on any already active nests.

5. During the initial inspection, the Ecologist will identify and clearly indicate any active nests, their stage in the breeding process and to which species they belong, on a plan of the site to be provided to the Contractor. Active nests will be marked using an appropriate method (usually marker tape or spray-paint). A minimum buffer area will be placed around the nest,

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made easily visible to indicate the nest protection area, which should not be disturbed. The size of the nest protection area will depend upon which species the nest belongs to, but would be a minimum of 2m.

6. Should a nest of a bird species listed on Schedule 1 of the WCA 1981 (as amended) be discovered during the checks, additional protection measures may need to be put in place, as these species are afforded greater protection during the breeding season. The Ecologist will provide the necessary advice.

7. All active nests will be protected until the young have fledged and dispersed, or the nest is abandoned and is disused. The period of protection will depend on the species involved and the stage of nesting. For example, feral pigeon has an incubation period of around 18 days and a chick rearing period of 36 days.

8. During the initial inspection, if the Ecologist finds no nests, or nests are present but judged to be inactive (i.e. from a previous year), then the nests can be made unsuitable for bird nesting and works can proceed within 24 hours of the Ecologist's check.

9. In some cases it may be possible to commence vegetation or tree removal whilst maintaining nest protection areas around active nests, provided that bird access points are kept open. The Ecologist will liaise with the Contractor on a case-by-case basis to determine whether this is possible and, if so, will work with the Contractor to devise a safe approach.

10. Following the initial inspection, regular checks of the vegetation and trees will be made by the Ecologist to identify any new nests and to check on the progress of previously identified active nests. Nest protection zones will only be removed if the Ecologist has confirmed that the young have dispersed or a nest has been abandoned.

11. Following each checking inspection, the Ecologist will record the progress of all active nests and mark any new nests on a plan to be provided to the contractor immediately following the visit. Once nesting has finished (i.e. birds have fledged or nests have been abandoned) the Ecologist will release it from protection and the vegetation and trees will be removed or made unsuitable for bird nesting within 24 hours.

12. The Ecologist should be consulted, and will subsequently provide advice, on any unplanned work which could potentially cause disturbance to a nesting bird.