

## Protection of Nesting Birds

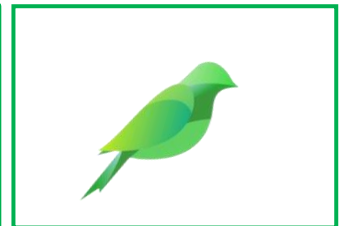
As spring arrives, the frost retreats, the days turn brighter, birds return to their familiar nesting grounds. These can be woodlands, open fields, in the eaves of buildings and can also spot them in quieter, rural areas which is often where our construction sites are located. They begin gathering twigs, leaves, and feathers to build their nests in preparation for the new season.

Both legislation and the RSPB state that bird nesting season is from 1<sup>st</sup> March to 31<sup>st</sup> August BUT birds can also nest outside of this period – which is why, from our experience, we now say up to 31<sup>st</sup> September. If work has to be carried out during the bird nesting season, the affected area must be thoroughly searched to ensure that no nesting birds will be disturbed. It is recommended that a qualified ecologist is used to establish whether there are nests present. If there are no nests present work has to start within 48 hours of the survey.

### The Law :

Under the **Wildlife and Countryside Act (1981)** it is a crime to:

- Intentionally kill, injure or take wild birds
- Intentionally take, damage or destroy a wild bird's nest while it's being used or built
- Intentionally take or destroy a wild bird's egg
- Possess, control or transport live or dead wild birds, or parts of them, or their eggs
- Sell wild birds or put them on display for sale
- Use prohibited methods to kill or take wild birds
- Intentionally or recklessly disturb any wild bird listed on Schedule 1 of the Act while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird
- Disturb them while they're nesting, building a nest, in or near a nest that contains their young
- Disturb their dependent young



**If found guilty you could receive an unlimited fine and up to 6 months in prison for each offence.**



Disturbance to nesting birds and their eggs can delay works, but not necessarily. Work with your Environmental Advisor to establish the risk and what measures can be carried out to ensure protection of the nest and to continue work on site. Once the nest is discovered, works in this area must be a suitable distance away from the nesting birds (roughly 3m) and prevent disturbance to the birds. Where possible, noise and vibration should be eliminated / reduced to prevent disturbance and site personnel in the area should remain vigilant to the presence of nesting birds.

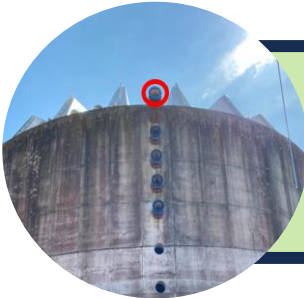
Whilst it is illegal to disturb or prevent birds from building their nests, incidents can be avoided by keeping up with good housekeeping practices. Keep areas clear of unnecessary materials, and unused site equipment. Cable ducting and pipes, should be properly sealed or isolated prior to nesting season and any pipes should be stored with stoppers.

**Please consult your Environment Advisor, if you have any questions.**

**Refer to guidance [EVGD01-38 Nesting Birds](#).**

## Protection of Nesting Birds

On site, complete the [Toolbox Talk \(EVTT01-38\)](#) and share examples below of where nesting birds have been found.



**Location:** Bird nesting in the pipework at the top of sludge tanks

**Actions:** Restricted works, maintain safe distance away from birds and the eggs in the pipework. Noise and vibration eliminated / reduced to prevent disturbance.

**Location:** In the New completed Structures - PST pump

**Actions:** Area isolated, shut down the equipment (pump) and Environment Advisor contacted.

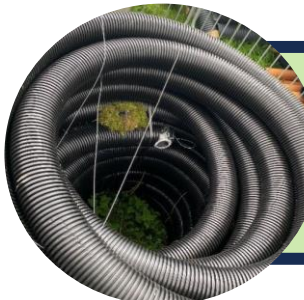


**Location:** Inside of delivery crate (previously opened to check contents)

**Actions:** Crate immediately closed. Exclusion zone set up and site Environmental Advisor contacted. Ecologist contacted for further advice.

**Location:** Parked up Roller

**Actions:** Disturbance to the nesting birds and the eggs in the Environment advisor informed. Roller Isolated and fenced off.



**Location:** Inside of cable ducting in storage area.

**Actions:** Exclusion zone set up with signage, and ducting left in place for duration of nesting period. Ecologist contacted for further advice.

**Location:** On top of material stockpile.

**Actions:** Works in area stopped, exclusion zone implemented, and Ecologist contacted for further advice.

