



Frampton Cotterell Parish Council Nesting Bird Policy

1. Introduction

1.1 Hedge cutting and tree pruning needs to be undertaken with care to avoid disturbing nesting birds.

1.2 This policy explains the procedure for hedge cutting and tree works, in keeping with the Wildlife & Countryside Act.

2. Wildlife & Countryside Act

2.1 Under the 1981 Wildlife and Countryside Act, a wild bird is defined as any bird of a species which is resident in or is a visitor to the European Territory of any member state in a wild state.

2.2 The Wildlife & Countryside Act states that all birds, their nests and eggs are protected by law and it is thus an offence to:

- Intentionally or recklessly kill, injure or take any wild bird.
- take, damage or destroy the nest of a wild bird.
- take, damage, or destroy the nest of any wild bird listed in schedule 1 while that nest is in use or being built.
- take or destroy an egg of any wild bird.
- possess any live or dead wild bird or any part of, or anything derived from, such a bird; or an egg of a wild bird or any part of such an egg.
- disturb any wild bird included in Schedule 1 (appendix 2) while it is building a nest or is in, on or near a nest containing eggs or young or disturb dependent young of such a bird.
- Use traps or similar items to kill, injure or take wild birds.

2.3 If any of the above acts take place, an unlimited fine can be imposed for criminal offences and up to 6 months imprisonment.

2.4 Game birds are not protected by the Wildlife and Countryside Act but are protected by the Game Act 1831 which protect game birds from being taken or killed during the close season.

3. Conditions for Hedge and Tree cutting works.

3.1 Hedge cutting and tree cutting shall not be undertaken during the bird breeding season between 1st March – 31st August.

3.1 As the breeding season can be dependent on weather, birds may nest outside of the above dates. Therefore, observations must be made throughout the year before any hedge or tree work is undertaken.

3.3 If overgrowth or damage to vegetation poses a health and safety risk to the public, tree and hedge works may be undertaken during the breeding season providing no evidence of nesting birds is found upon inspection. In this instance, the habitat and species inspection sheet must be followed before any hedge or tree work is undertaken by employees, volunteers, or contractors of the Parish Council (appendix 1).

3.4 The proposed area requiring works during the breeding season must be monitored for a minimum of 30 minutes before work can begin. Nest building behaviour (carrying sticks to hedge/tree), physical nests, chicks, chick feeding behaviour and evidence of eggs must be assessed and noted on the inspection sheet. If any evidence is noted, work must not proceed, and findings reported to the Clerk.

4. Considerations for Ground Nesting Birds

4.1 Ground nesting birds shall be considered before mowing takes place in areas with long grass and where appropriate, such as the Centenary Field hay meadow, to allow areas of grass to grow throughout the breeding season to provide habitat for ground nesting birds. Where long grass is required to be cut during the breeding season, the nesting bird inspection sheet must be adhered to and a walkover of the site undertaken to check for evidence of nesting.

4.2 When work needs to be undertaken by the River Frome, to consider birds nesting nearby and consider conservation work to enhance the possibility for nesting birds.

4.3 Communication with members of the public, farmland owners and dog owners shall also be encouraged to raise awareness of ground nesting birds and to encourage responsible dog ownership during the breeding season.

Approved by Climate and Nature Committee on 20th July 2021.

Nesting Bird Inspection Sheet

All nesting bird inspections are to be carried out before hedge, long grass meadow, or tree works commence in keeping with the Wildlife and Countryside Act 1981 and Frampton Cotterell Parish Council's Nesting Bird Policy.

Site Location:

Date:

Description of Works:

Reason for Works / HS:

Start Time of Inspection

Upon a minimum of 30 minutes inspection, has evidence of nesting birds, including nest building behaviours, nests, eggs, feeding young or chicks been found? (if evidence is found then works are to cease and reported to the Clerk):

Signed Inspection:

Options to defer works or deduction in impacts?

Completed Works Undertaken:

Operations Start time: finish time:

Signed Operative:

Schedule 1 – Species List

Birds and their young, for which it is an offence to disturb at intentionally or recklessly, on or near an 'active' nest:

- Avocet
- Bee-eater
- Bittern
- Bittern, little
- Bluethroat
- Brambling
- Bunting, cirl
- Bunting, Lapland
- Bunting, snow
- Buzzard, honey
- Capercaillie (Scotland only)
- Chough
- Corncrake
- Crake, spotted
- Crossbills (all species)
- Divers (all species)
- Dotterel
- Duck, long-tailed
- Eagle, golden
- Eagle, white-tailed
- Falcon, gyr
- Fieldfare
- Firecrest
- Garganey

Godwit, black-tailed

Goshawk

Grebe, black-necked

Grebe, Slavonian

Greenshank

Gull, little

Gull, Mediterranean

Harriers (all species)

Heron, purple

Hobby

Hoopoe

Kingfisher

Kite, red

Merlin

Oriole, golden

Osprey

Owl, barn

Owl, snowy

Peregrine

Petrel, Leach's

Phalarope, red-necked

Plover, Kentish

Plover, little ringed

Quail, common

Redstart, black

Redwing

Rosefinch, scarlet

Ruff

Sandpiper, green

Sandpiper, purple

Sandpiper, wood

Scaup

Scoter, common
Scoter, velvet
Serin
Shorelark
Shrike, red-backed
Spoonbill
Stilt, black-winged
Stint, Temminck's
Stone-curlew
Swan, Bewick's
Swan, whooper
Tern, black
Tern, little
Tern, roseate
Tit, bearded
Tit, crested
Treecreeper, short-toed
Warbler, Cetti's
Warbler, Dartford
Warbler, marsh
Warbler, Savi's
Whimbrel
Woodlark
Wryneck