



# LIVING WITH... NESTING BIRDS

**There is a great deal of variation in the types and location of nests created by the birds resident in, or visiting, Britain. Some birds build no structure at all!**

'Nests' can be shallow scrapes prepared in the ground by waders – such as the curlew, very simple platforms of twigs used by woodpigeons and collared doves, or the cup-shaped nests constructed by most garden birds to hide their eggs from view. Starlings and tits may also use holes in trees or other cavities for more protection and to reduce the risk of eggs or young falling out. Puffins even use disused rabbit burrows on cliff-top nesting sites.

For some species, nests can also provide important sites to roost in at other times of the year. For example, over a dozen wrens might congregate in a nest for shelter on a winter's night.

There are more than 500 species of wild birds that visit or reside in the British Isles – of these about 200 breed regularly. Some bird populations – such as house sparrows and starlings in urban areas – are declining, partly as a result of the loss of nest sites. Bird-friendly buildings and gardens – providing appropriate food, water, nesting material and preferred nesting sites – can therefore be important for the different birds in the area.

Unfortunately, modern houses provide fewer nesting sites than pre-20th Century building and are therefore used relatively infrequently by nesting birds – particularly in urban areas.

Most birds lay their eggs and rear their young through the spring and summer months – just as people start gardening and undertaking repairs to their properties! Birds, their nests and eggs are legally protected, but mitigating against the adverse impacts of building work and gardening on nesting birds is also important to help sustain their populations.



*Black redstart*

Wherever possible, construction work, building repairs, pruning, tree-felling or hedge-cutting should be avoided in spring and summer, so as not to disturb nesting birds or destroy their nests while in use. Advance planning before starting any work can reduce the risks of damage or falling foul of the law.

## Are birds and their nests protected?

Yes, all wild birds in England, Scotland and Wales are protected under the **Wildlife & Countryside Act 1981** (as amended). Under the Act it is an offence, subject to certain exceptions (such as the control of a species for permitted reasons under licence) – to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy an egg of any wild bird or to kill, injure or take them.

Special protection is also provided for over 80 species of rarer birds (such as barn owls, bitterns, corn crakes and goshawks) listed in **Schedule 1** of the Act where it is an offence to intentionally or recklessly disturb a wild bird while it is building a nest or when it is in or near a nest with eggs or young; or disturb their dependent young.

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## Can bird nests be moved or destroyed by building contractors or tree surgeons when 'in the way'?

Nests cannot be moved or destroyed by anyone while they are being built or are still in use – apart from exceptions to allow the control of certain birds for specific reasons under licence. **Birds are at their most vulnerable when nesting** – they are at risk of either being killed or disturbed so much that they abandon the nest and eggs.

Building contractors are often unaware of the legal protection nesting birds, their eggs and young have and what action they can legally take. However, reckless building work, tree-felling or hedge-cutting at the height of the nesting season can leave local authority contractors, developers or individuals facing prosecution. In England and Wales, anyone found guilty of an offence is liable to a maximum penalty of six months' imprisonment or a level 5 (£5,000) fine, which can be imposed in respect of each bird, nest or egg affected.

Before starting any building work or cutting back any vegetation it is important to forward-plan and take precautionary measures to avoid having an impact on any nesting birds (and other protected animals – such as roosting bats). **Ensure that work only proceeds after nests are no longer in use.**



Fledgling crows



Moorhen nest

Spring is also a bad time to cut back trees and bushes, as many plants are vulnerable to pest and disease attack if cut back while the sap is rising to distribute nutrients to the stems.

## When do birds breed and use their nest?

In the UK, birds usually breed in the spring and summer. Several factors affect when a bird starts preparing a nest and when the last brood of the season leaves the nest. These factors include the climate, the location of the nest site, availability of food, timing of the moult, level of disturbance, loss of eggs and young to predation and division of labour by the parent birds to collect food and feed their dependent young. It is not uncommon for garden birds to lay more than one clutch of eggs during the breeding season – with the parent birds starting their autumn moult of feathers just after the last brood have fledged the nest. Summer visitors, such as swallows and house martins, moult later and may even desert their last brood to begin their autumn migration southwards.

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## I have found a young bird out of its nest, should I put it back?

**No - do not attempt to return a bird to the nest** as this could disturb other young or any foliage that was providing valuable camouflage; it may also be illegal.

**If the bird is found in the open and is not fully feathered (a nestling that should still be in the nest)** – either take it to your local vet or contact the RSPCA on the number below.

Anyone finding a fully feathered bird (**fledgling**) on the ground should leave it alone. If the bird is injured or sick then contact the RSPCA or take the bird straight to a local vet. Otherwise, the golden rule, as with all wildlife, is to withdraw and observe. Consider the situation carefully before taking any action. If the fledgling is in danger move it to a safe place a short distance away. Retreat from the area and return an hour or so later to see if the bird is still there. Its parents are probably nearby waiting for you to go and will continue feeding it once you have left.

Most birds found in gardens leave their nest at about two weeks and will then spend some time on the ground being fed by the parent birds as they gradually learn to fly and fend for themselves. Each year between April and July as many as 20,000 fledglings are picked up and passed on to the RSPCA by people who think the bird has been abandoned or orphaned.

## What should I do if I accidentally dislodge a nest whilst gardening?

If, during the spring or summer, an empty nest is knocked down by accident it should be left alone. Do not attempt to place the nest into a nearby tree or hedge – it will probably be abandoned if the site is not in an appropriate location or adequately sheltered. The nest will already have been damaged and if replaced and reoccupied it might be easily dislodged by the wind – smashing any eggs or killing any young inside. **If the dislodged nest has young inside contact the RSPCA on the number below.** If there are unhatched eggs in the dislodged nest, the developing young are likely to have already died following a period of not being incubated. But as the young have died before hatching, the adult birds are more likely to have time to prepare another nest for a new clutch of eggs.



*Fledgling tawny owl*

**To report an injured or sick bird to the RSPCA please ring the 24-hour cruelty and advice line on 0300 1234 999**

**If you see a dead garden bird please report it to [www.gardenwildlifehealth.org](http://www.gardenwildlifehealth.org)**

