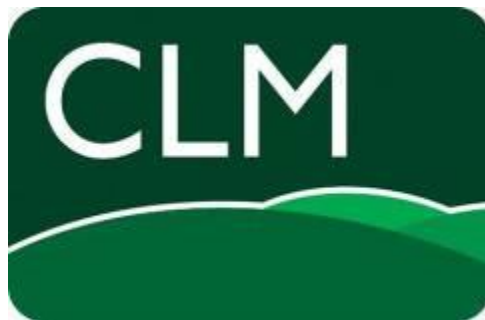


# **Preliminary Ecological Appraisal**

## **Land to the North, High Street, Etchingam**

January 2024



# Preliminary Ecological Appraisal

Land to the North, High Street, Etchingam

06/02/2024

Braemer,  
Land to the North,  
High Street,  
Etchingam,  
TN19 7AD.

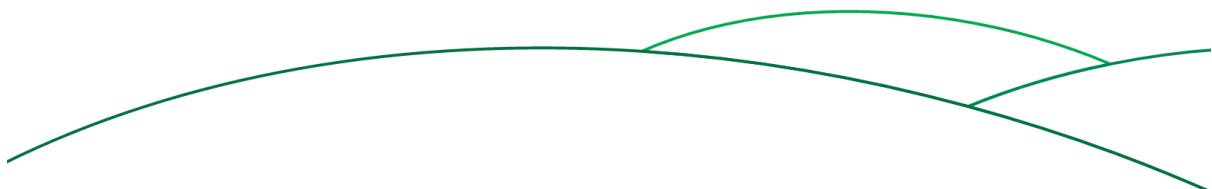
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<b>Version</b>	<b>Written by</b>	<b>Checked by</b>	<b>Director Responsible</b>	<b>Sign off</b>
V1	Neve Clatworthy BSc (Hons) MSc	Alex Macdonald (MCIEEM)	Alex Macdonald (MCIEEM)	Alex Macdonald (MCIEEM)

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## Introduction

In order to assess the future development potential and constraints of land and at Braemer, Land to the North, High Street, Etchingam, TN19 7AD (herein after referred to as “the site”) for which there are currently proposals to erect two houses.

## The Site

The site is located at TQ70712598 and extends to approximately 0.14ha. The site consists of an area of until recently derelict ground with some piles of brash present from cutting.

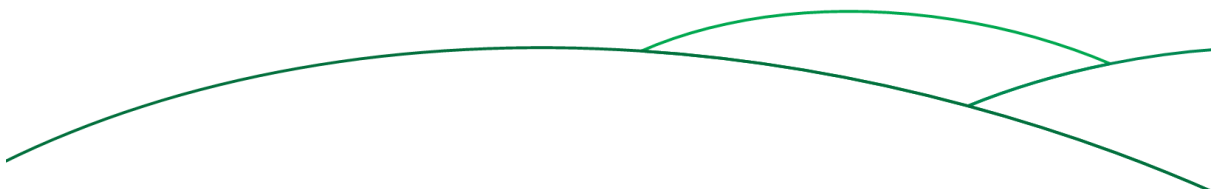
The Northern boundary is defined by a line of trees, which once would have been a historically lain hedgerow, consisting of Oak *Quercus robur*, Ash *Fraxinus excelsior*, Field maple *Acer campestre*, Dog rose *Rosa canina*, Ivy *Hedera helix*, Hawthorn *Crataegus monogyna*. The Eastern boundary is defined by a residential garden fence and a small stand of snowberry *Symphoricarpos albus*. The Southern boundary is defined by a concrete driveway and the ends of two residential gardens, followed by a block of garages. The western boundary is defined by a residential garden and wooden fence.

## Survey and Report Objectives

The purpose of this report is to provide a high-level ecological appraisal to guide the compliance of future development with wildlife legislation.

The key objectives are as follows:

- Identify all relevant statutory and non-statutory designated sites and features of ecological significance within the site and its surroundings.
- Broadly describe the habitats on site.
- Assess the potential of the site to support protected species.
- Recommend further survey work that may be necessary and propose mitigation/ compensation measures.



## Methodology

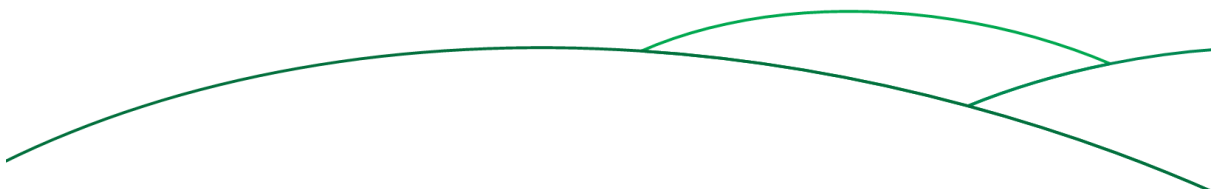
The site was visited on 25<sup>th</sup> January by Alexander Macdonald MCIEEM and Neve Clatworthy BSc (Hons) MSc of CLM. The site survey commenced at 10.00am with a temperature of 8 degrees Celsius, overcast with a gentle breeze.

The terrestrial habitats on the development site were scoped for their potential to support, badgers, bats, dormice, nesting birds, reptiles, and amphibians. A desk-based study was undertaken to identify any ponds within the 500m footprint area, using the 1:25,000 Ordnance Survey map of the area.

A desk based search of historic records for flora and fauna, designated sites, and high conservation value habitats recorded on site and within the surrounding area was undertaken using online resources. These resources included:

- MAGIC Map Application
- National Biodiversity Atlas
- SXBRC Records

Dominant habitat types were mapped following the desk study and field visit. Habitat mapping is for illustrative purposes only. As far as possible the Phase 1 Habitat Survey methodology (JNCC 2010) was followed. Dominant plant species were noted, as were species indicative of habitat types, however there was no attempt to compile exhaustive species lists.



## Results

### Statutory Designations

- High Weald Area of Outstanding Natural Beauty - present on site

### Section 41 Habitats (Formerly Biodiversity Action Plan Priority Habitats)

- Ancient woodland – 100m West of the site
- Coastal and floodplain grazing marsh – 405m North of the site
- Good quality semi improved grassland – 300m West of the site
- Deciduous woodland – 100m North of the site
- Lowland meadows – 1320m North of the site

### Habitats on site (Following UK Habitat Classification v2.0)

- U1b Developed land sealed surface
- NE0015 Bare ground
- U1 Built up areas and gardens
- 612 Built linear features
- W1g6 Line of trees
- 207 Forest brash
- h2b Non-native and ornamental hedgerow

#### u1b Developed land sealed surface

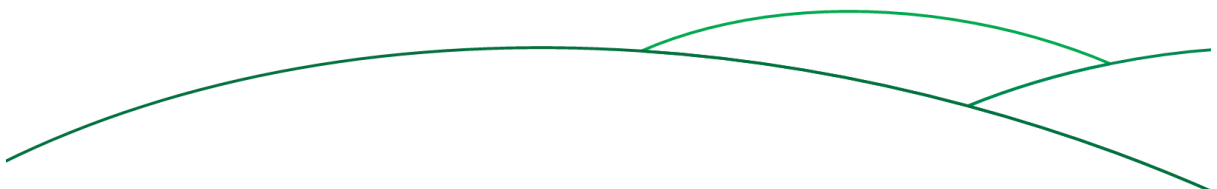
Areas of Developed land sealed surface habitat are present at the access point of the site, running up to the garage block at the southern end of the site.

#### NE0015 Bare ground

Areas of Bare ground habitat are present at the middle of the access track to the site connecting the area of developed land sealed surface and the felled woodland habitat. The bare ground on site has been caused by vehicular access and regular parking in the same spot.

#### U1 Built up areas and gardens

An area of built up areas and gardens makes up the majority of the site, making up the main habitat type. Within this habitat type, when defined using UK Habitat Classification v2.0, the area was defined due to its state of mostly derelict ground with ornamental garden plants taking hold across the site. These



included species such as bamboo *Bambusa vulgaris* on the South East boundary of the site, Hosta francee *Fortunei Albomarginata*, and primrose *primula vulgaris*.

### **612 Built linear features**

Built linear features are present on site along the Eastern and western boundaries in the form of wooden residential fencing.

### **w1g6 Line of trees**

The line of trees habitat is present on the Northern boundary of the site in the form of a line of historically lain hedgerow consisting of species including Oak, Ash, Field maple, Dog rose, Ivy, and Hawthorn.

### **207 Forest brash**

Areas of brash are present on site from the recent clearing of scrub and apple trees on the site. Species found within the piles included Sweet chestnut *Castanea sativa*, Apple spp. Hazel *Corylus avellana*, and Leylandii *Cuprocyparis leylandii*.

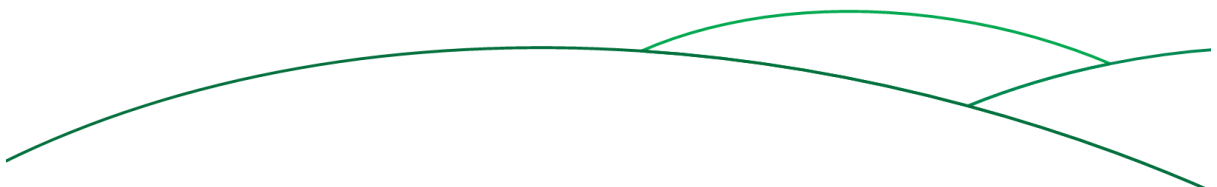
### **h2b Non-native and ornamental hedgerow**

A Non-native and ornamental hedgerow is present on site at the South Western boundary, consisting of Portuguese laurel *Prunus lusitanica* and Privet *Ligustrum ovalifolium*. This has crept into the site from the residential garden to the West of the site.

## **Protected Animal Species**

### **Amphibians**

The areas of Developed land sealed surface, Bare ground, built up areas and gardens, Built linear features, Line of trees, and Non-native and ornamental hedgerow do not offer significant suitable habitat for amphibians, although the areas of Forest brash may offer suitable sheltering, and foraging habitat. According to the 1:25000 OS map of the site and surrounding area there are a total of 10 ponds within 500m of the site. The SXBRC report shows 15 records for great crested newt *Triturus cristatus* (GCN) within 2km of the site. Identified using the NBN Atlas, the closest record being 1790m East of the site in 2015.



## Reptiles

Similarly to amphibians the areas of Developed land sealed surface, Bare ground, built up areas and gardens, Built linear features, Line of trees, and Non-native and ornamental hedgerow on site do not offer significant suitable habitat for reptiles, although the areas of Forest brash may offer suitable sheltering, and foraging habitat. The SXBRC report of within 2km of the site shows 7 records of reptiles within 2km of the site. Identified using the NBN Atlas, the closest record being Slow-worm *Anguis fragilis* at 180m East in 2023, Grass Snake *Natrix Helvetica* at 180m East in 2023, Common Lizard *Zootoca vivipara* at 2500m East.

## Birds

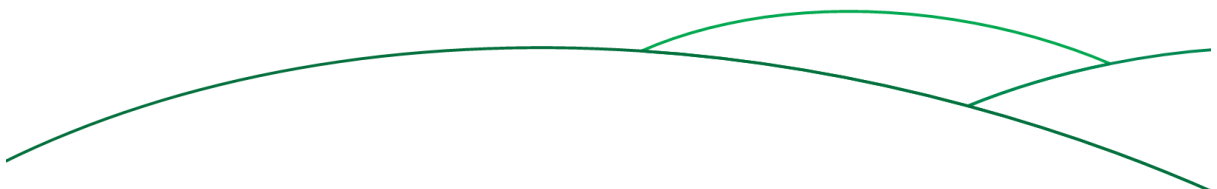
A number of birds typical of mixed farmland and woodland were observed during the survey. These included; Common starling *Sturnus vulgaris*, Common blackbird *Turdus merula*, Eurasian robin *Erithacus rubecula*, and Wood pigeon *Columba palumbus*.

## Badgers

No badger *Meles meles* setts or signs of activity were observed during the site survey although habitats within the wider study area are considered suitable to support this species. The SXBRC report of species within 2km of the site does not show badger records due to their sensitive nature. The NBN atlas shows one record of Badger *Meles meles* within 2km in the last 20 years. The closest being 1950m North of the site in 2012.

## Bats

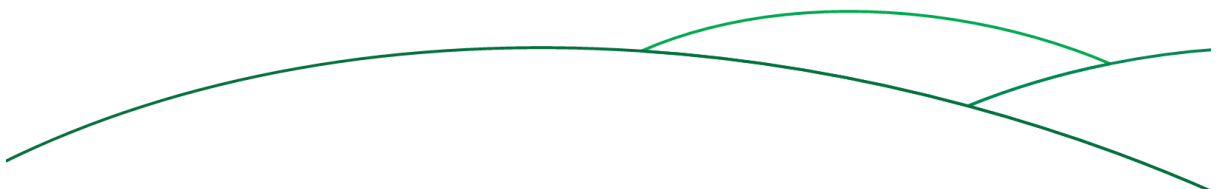
The areas of Developed land sealed surface, Bare ground, built up areas and gardens, Forest brash, Built linear features and Non-native and ornamental hedgerow do not offer significant suitable habitat for bats, although the Line of trees may offer suitable commuting, and foraging habitat. The SXBRC report shows 43 records for 5 bat spp within 2km of the site. The closest being Common pipistrelle *Pipistrellus pipistrelleus*, Soprano pipistrelle *Pipistrellus pygmaeus*, and Brown long-eared bats *Plecotus auritus* at 1830m North in 2021.





## **Dormouse**

No evidence of Hazel dormouse *Muscardinus avellanarius* was found during the site visit. The SXBRC report of within 2km of the site shows 3 records of Hazel dormouse within 2km of the site. The closest record being 700m West of the site in 2012.



## **Evaluation and Recommendations**

### **Statutory Designations**

The site is within the High Weald AONB, an area designated based on landscape characteristics, as an ecological assessment this report cannot comment on the impact that the proposals may or may not have on this designation.

### **Section 41 Habitats (Formerly Biodiversity Action Plan Priority Habitats)**

The site does not contain any Section 41 habitats within its boundaries. It is not considered that the proposed development will have any effect on any surrounding Section 41 habitats within the locality, no further action is proposed.

### **Habitats on site (UK Habs 2.0)**

All UK Habs habitats present on site at the time of the survey are widespread and common throughout much of Great Britain as well as East Sussex and as such none are deemed to be of sufficient significance to warrant mitigation on their own account.

### **Protected Animal Species**

#### **Amphibians**

As Great Crested Newts often move hundreds of metres between areas of favoured habitat as part of their normal life cycle (Bullock et al, 1998) the potential impacts of a development may not be limited to the development site itself but to a wider 'footprint' area, as any animals occurring within this wider area may well frequent the development site during some periods of their life cycle.

The SXBRC report of within 2km of the site includes one record of Great Crested Newt under 2km, at 1790m East, the location of this record is separated from the site by Etchingam railway line.

The site contains limited potentially suitable habitat in the form of areas of Forest brash which may offer suitable commuting, sheltering, and foraging habitat. In 2012 a Phase 2 Amphibian survey found GCN in ponds 2 and 8 during a bottle trapping exercise. The population size for these ponds was outlined as low. In addition Pond 2 was noted as containing Carp by the surveyor, this is noted as having potential 'deleterious effects' as the fish are a known predator to newt



eggs and the vegetation on which they are lain (Lizard Landscape Design, 2012.)

Water bodies within 500m of the site are marked on the plan at Appendix A.

Due to the presence of GCN within two ponds less than 500m from the site, it is deemed necessary to carry out series of Reasonable Avoidance Measures (RAMS) prior to, and throughout, habitat management. If at any point Great Crested Newt *Triturus cristatus* are encountered on Site then any works in progress must stop and an European Protected Species licence application be prepared and submitted to Natural England.

### **Reptiles**

The desk based study reveals that Slow worm, Grass snake and Common lizard have all been recorded within 2km of the site in the last 20 years. The site contains potentially suitable habitat in the form of Forest brash which may offer suitable commuting, sheltering, and foraging habitat. With both Slowworm and Grass snake recorded at 180m from the site, a series of Reasonable Avoidance Measures (RAMs) should be applied prior to, and throughout, habitat management.

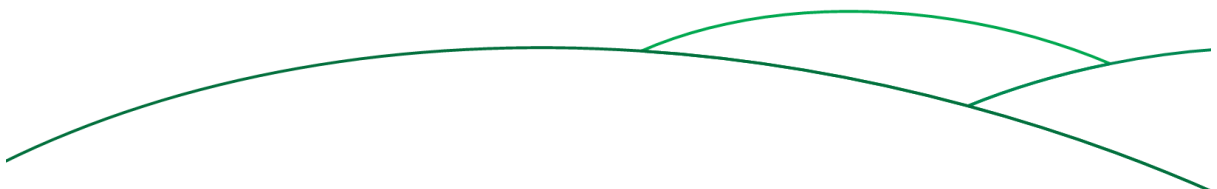
### **Birds**

No evidence of nesting birds was found during the site survey. Any works to trees and hedgerows should be carried out outside of the nesting season (end of February to August) or following a site inspection by an ecologist to determine that there are no nesting birds present on site. No further survey work for these species is recommended.

### **Badgers**

No evidence of badger activity was noted during the site survey.

At this time a badger survey is not considered necessary. Before the commencement of any development works the site and surrounding 30m should be inspected to ensure that a badger sett has not been established. If a sett is found to be present then it will be necessary to follow appropriate mitigation measures which dependent upon location could include applying to Natural England for an EPS licence.



## **Bats**

No evidence of bats was found during the site survey. However, the site as a whole is likely to provide foraging and commuting habitat opportunities for bats. Mature trees within the Line of trees at the North of the site may offer limited potential roosting opportunities for bats. Consideration should be given to the design of any lighting scheme since external lighting can potentially disrupt bats foraging and commuting bats.

If the final proposals include work to any of the mature trees within the Line of trees then a Potential Roost Feature inspection of these trees should be completed by a suitably qualified bat surveyor.

## **Dormouse**

None of the habitats identified on site provide opportunities for this species, the shrub and ground layer species favoured by dormouse are not present and it is therefore considered unlikely that this area constitutes suitable habitat.

It is considered that further work for this species is not necessary.

## **Further mitigation and compensation**

Vegetation clearance work that includes potential nesting habitat should take place outside the nesting season (end February to August).

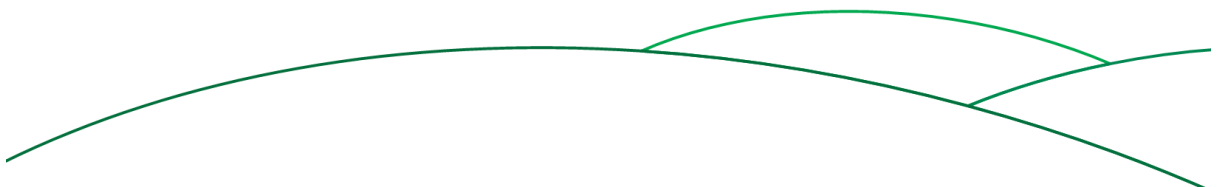
Any clearance of potential nesting habitats that takes place during the nesting season will be overseen by an Ecological Clerk of Works.

## **Provision of 5m Buffer around the site**

It has been proposed to implement a 5 metre buffer strip around the periphery of the site pre-development. Creating a permanent landscape feature of this kind would have multiple benefits for the populations of great crested newt, common toad, slow worm, and grass snake which have been found within 500m of the site.

## **Creation of new hedges**

Two new boundary hedges (for cover, additional structure, and enhancing prey availability) should be provided along the East and West boundaries of the site. Figure 1 gives an illustration of how these features can be created.



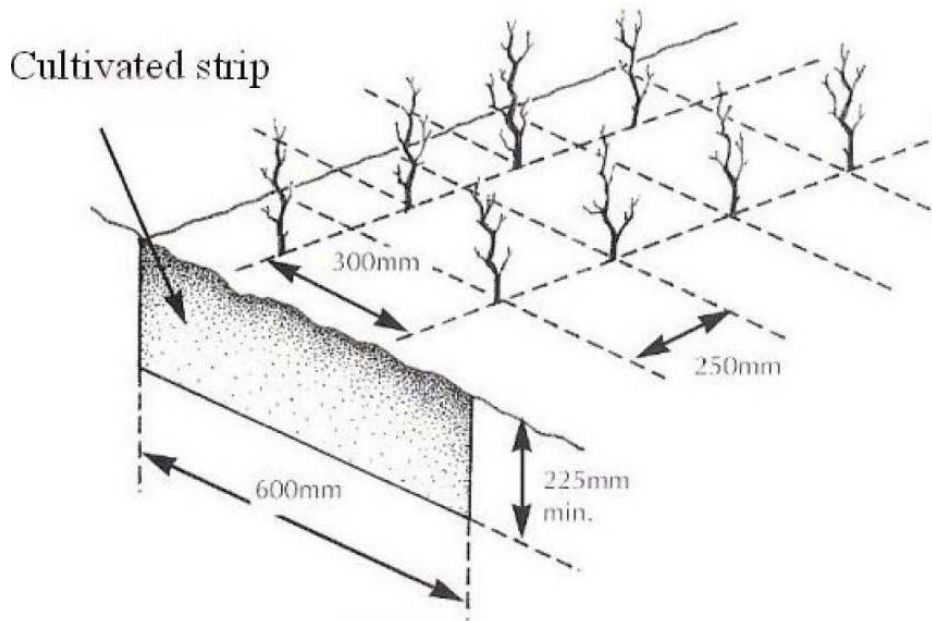
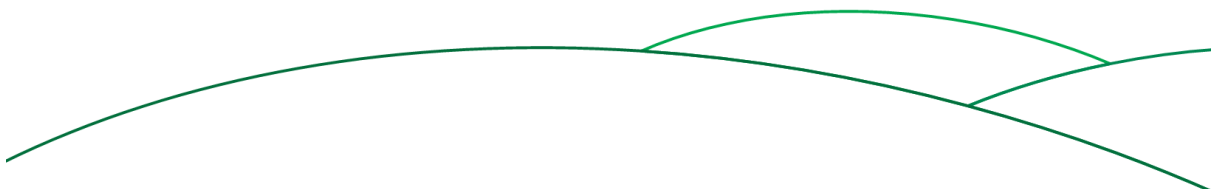


Figure 1. Diagram outlining new boundary hedges to be planted

### Provision of nest boxes

To provide suitable nesting habitat for hole nesting species, and particularly house sparrows, instal two Sparrow Terrace Nest Boxes. They should be installed at least two to four metres off the ground making sure that there is a clear flight path to the nest. If there are no suitable locations within the site boundary they should be installed elsewhere on the wider site.



## RECOMMENDATIONS

### Management Recommendations

Management of the habitats currently present on site includes mechanical cutting of the existing area of Built up areas and gardens to avoid succession taking over the site:

Cutting should start in the centre of the site and then work outwards north and south. The first stage of cutting should reduce the height of the vegetation to no more than 15cm.

The second stage of cutting/ strimming should take place between 2 to 7 days after the first stage has been completed, in the same fashion as the first stage. This stage of the cutting should reduce the height of the vegetation to no more than 5cm.

To prevent any amphibians/reptiles/ mammals falling into them, any trenches/ holes resulting from the works should be covered overnight. If it is not practical to cover any trenches/holes, a suitable means of escape for amphibians/ reptiles/ mammals should be provided (e.g. a graded slope or bank). If left overnight any trenches/holes should be checked for the presence of amphibians/ reptiles/ mammals prior to backfilling.

### Mitigation provisions

The mitigation outlined below includes specific provisions for the key ecological issues and protected species, which are assumed likely to be absent from the site as identified below in addition to the protection of adjacent off Site habitats:

- Amphibian and Reptile species
- Bat species
- Breeding Bird species
- Badgers
- Hazel dormice

### Herptiles – Reasonable Avoidance Measures (RAMs)

In order to avoid risk of injury or death to all reptiles and amphibians incidentally, these species should be excluded from the site prior to the construction works taking place.

Phasing –



Timing of mitigation works is key to ensuring the protection of those protected species referred to above. Where timing of clearance work is sub optimal for protected species a suitably qualified ecologist will need to be present on site.

#### Tree and shrub removal –

Any removal of trees and shrubs (both native and ornamental) will be undertaken outside of the bird nesting season (end of February to August). Where it is necessary to cut or remove any vegetation at times during which birds are likely to be nesting, the area will first be inspected by a suitably qualified ecologist to confirm that no nests are present.

#### Passive displacement (November to February) –

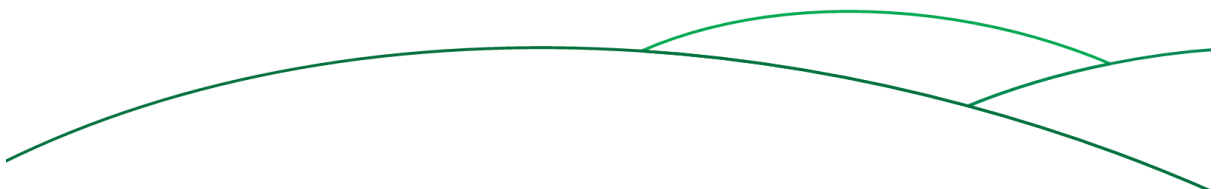
Where there are areas of longer vegetation a suitably qualified ecologist should supervise the directional brush cutting. The areas to be cut will need to include the line of the exclusion fencing that is to be erected. Cutting should start in the centre of the site and then work outwards north and south. The first stage of cutting should reduce the height of the vegetation to no more than 15cm.

The second stage of cutting/ strimming should take place between 2 to 7 days after the first stage has been completed, in the same fashion as the first stage. This stage of the cutting should reduce the height of the vegetation to no more than 5cm.

All cuttings will need to be removed from the site, to prevent areas of refugia being created that could be utilised by herptiles moving across the site or by nesting birds.

#### Destructive search of select features -

Where reasonable all vegetation, and suitable habitat for Great Crested Newts (GCN) should be retained. Where removal of suitable habitats is required this should be completed prior to the start of works and in a phased/ controlled manner. Any potential hibernation sites such as rubble, piles of previously cut scrub or woody material present within the site shall be removed by hand under



the supervision of a suitably qualified ecologist following the completion of the second stage of cutting/ strimming. A destructive search of any tree stumps should be completed at the same time again under the supervision of a suitably qualified ecologist.

Any amphibians or reptiles encountered while carrying out the destructive search of select features should be moved to an area of suitable habitat immediately off site.

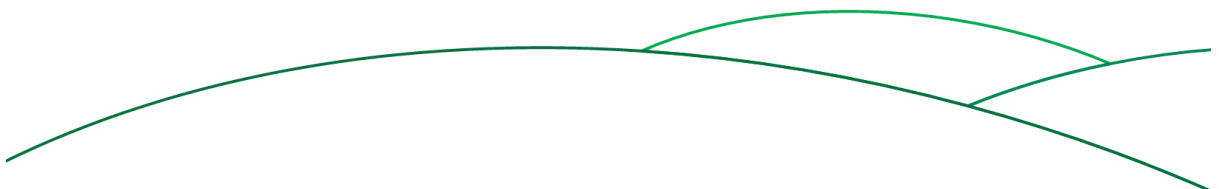
Trenches/ holes -

To prevent any amphibians/reptiles/ mammals falling into them, any trenches/ holes resulting from the works should be covered overnight. If it is not practical to cover any trenches/holes, a suitable means of escape for amphibians/ reptiles/ mammals should be provided (e.g. a graded slope or bank). If left overnight any trenches/holes should be checked for the presence of amphibians/ reptiles/ mammals prior to backfilling.

Any/ all building materials required for the development should be stored above the ground and in/ on pallets or a suitable metal container.

In the unlikely event that one or more Great Crested Newts are found during the proposed works, all works should stop and either Natural England or the appointed ecologist should be consulted on the appropriate manner in which to proceed.

If left completely unmanaged, colonisation by tree species within the area of Built up areas and gardens would occur rapidly.





## SUMMARY

It is considered that the proposed development of the site, if contained within the site boundary indicated in Appendix B, will have negligible ecological impact.

It is deemed necessary to carry out series of Reasonable Avoidance Measures (RAMS) prior to, and throughout, habitat management for herptiles.

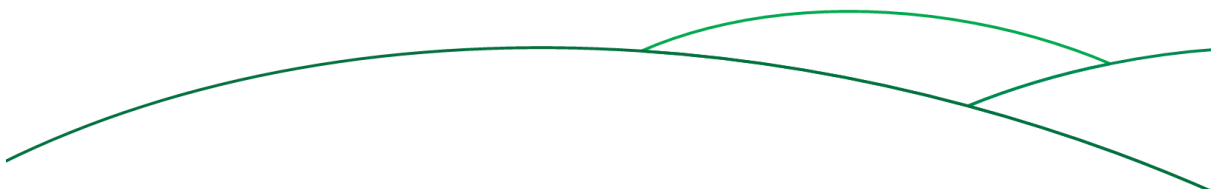
Any clearance work taking place should be completed outside of the bird breeding season (end of February to August) or following a site inspection by an ecologist to determine no birds are present.

If at any point Great Crested Newts are encountered on Site then any works in progress must stop and an European Protected Species licence application be prepared and submitted to Natural England.

If upon undertaking works badger activity is noted within 30m of the site then a badger survey should be undertaken to ensure no setts are located within 30m of the development.

No further survey work for any other species is recommended.

Further mitigation and compensation measures to be applied include new boundary hedge planting, bird boxes, and creation of a 5 metre buffer zone.



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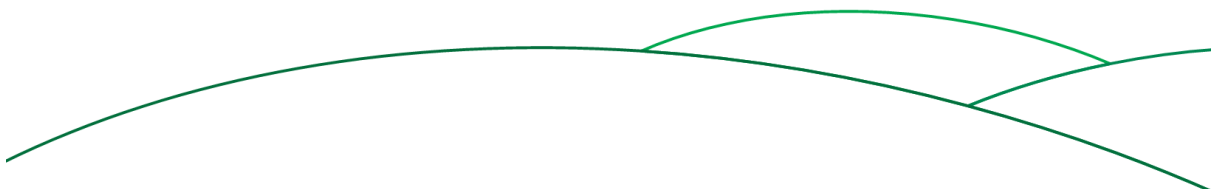
Natural England Standing Advice Species Sheet: Bats

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<https://kenttreeandpondpartnership.wordpress.com/2021/11/11/hedgerow-planting/>

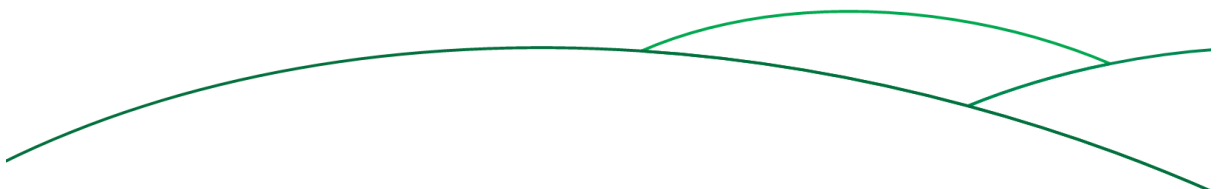
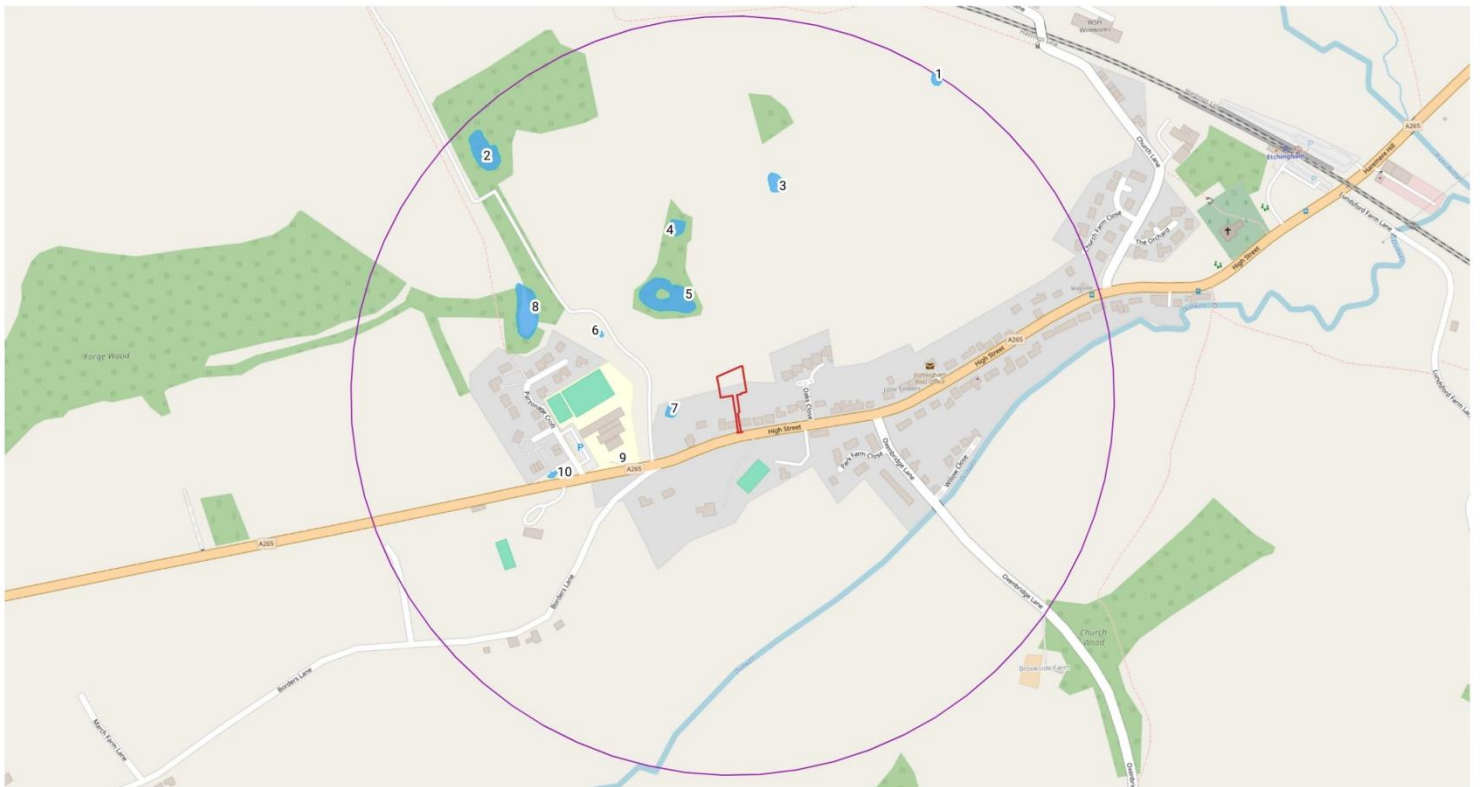


# APPENDIX A

## Map of Ponds within 500m of the Site



Ponds within 500m of the Site

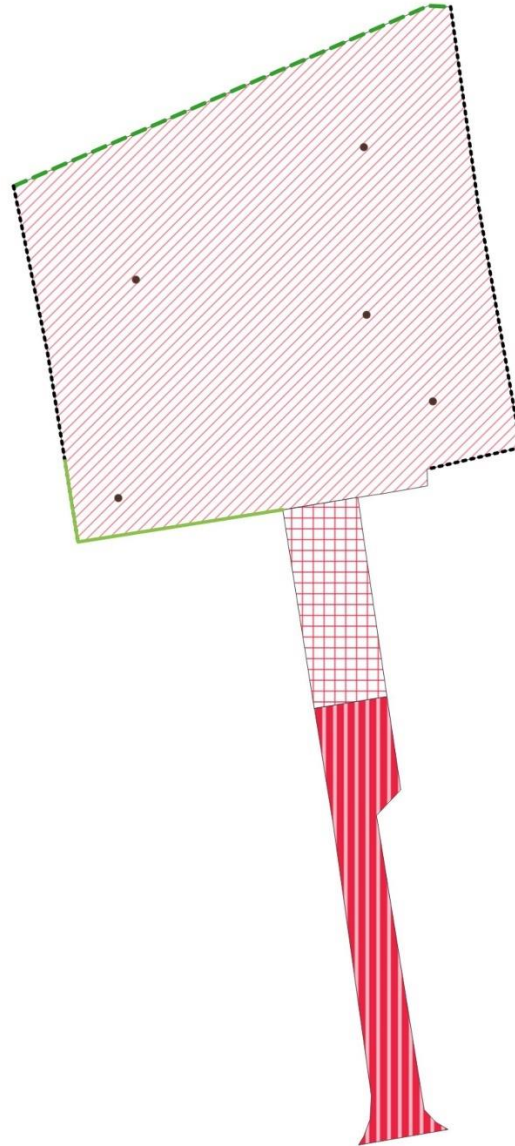


# APPENDIX B

## Map of habitats on site (Following UK Habs V2.0 survey guidelines)



- u1b Developed land; sealed surface
- ▨ u1 built up areas and gardens
- ▩ NE0015 Bare ground
- w1g6 Line of trees
- 612: Built linear features - fence
- h2b Non-native and ornamental hedgerow
- 207 Forest brash





## APPENDIX D

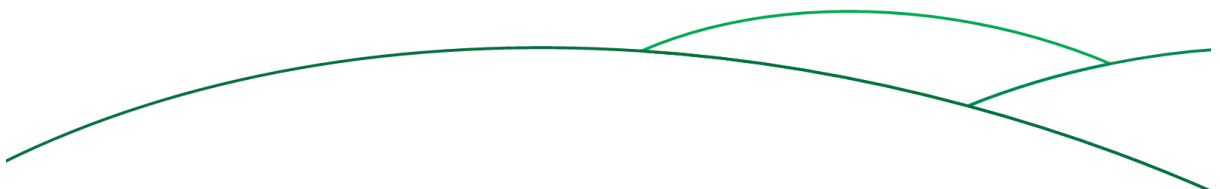
### Site photographs



Site entrance looking North



Site entrance looking South



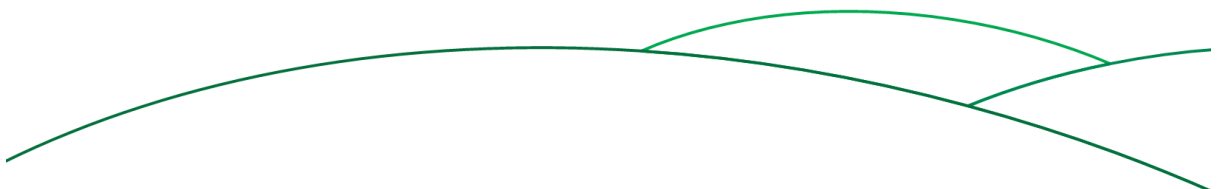




View of site from the south looking North



View of site from the North looking South



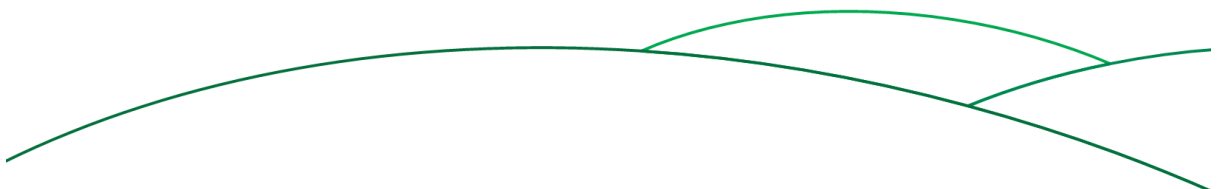




View of site from the East looking West



View of site from the West looking East



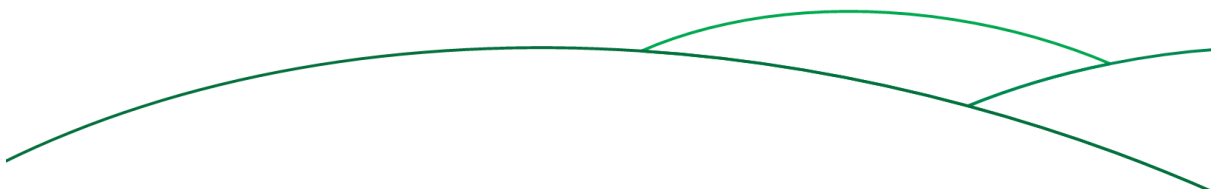




Log pile at West of the site



Log pile at centre of site



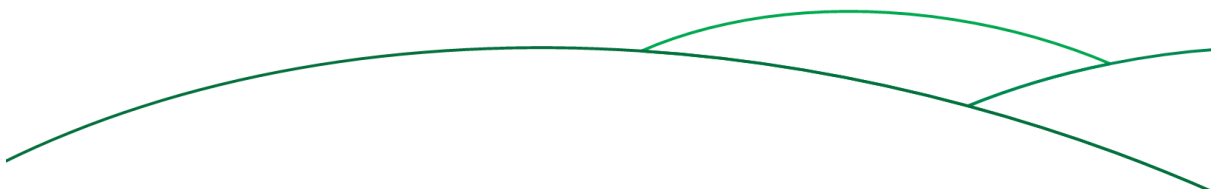




Historic hedgerow now forming a line of trees along the Northern boundary



Historic hedgerow now forming a line of trees along the Northern boundary



## APPENDIX E

### Protected Species Legislation

#### Legal protection of great crested newt and other amphibians in Britain

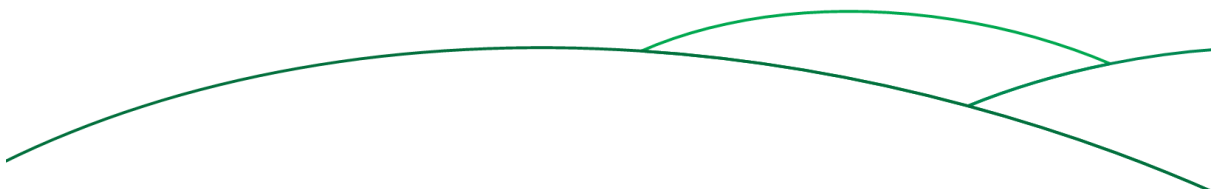
Fully protected species (include)

Great crested newt *Triturus cristatus*

Great crested newts are a European Protected Species and receive full and stringent protection under The Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act (1981) (as amended). This legislation taken together prohibits the following on any of these species:

- Deliberately, intentionally or recklessly, injuring, killing and capturing
- Deliberately, intentionally or recklessly disturbing
- Deliberately, intentionally or recklessly taking or destroying eggs
- Deliberately, intentionally or recklessly destroying a breeding site or resting place or damaging or obstructing a resting place used for shelter or protection
- Keeping, transporting, selling or exchanging; offering for sale or advertising.

Consequently not only are the animals themselves protected, but so is their habitat, and activities that damage or impede the use of this habitat are prohibited.

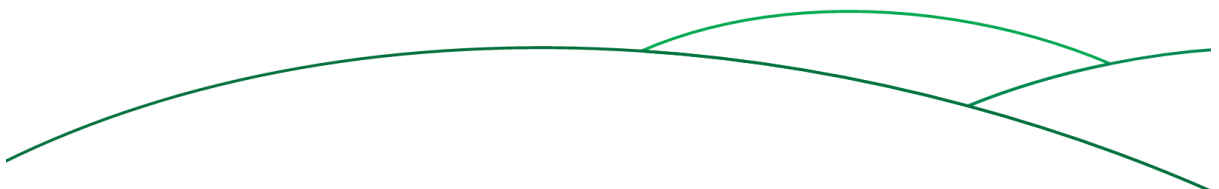


### **Partially protected species**

Protected under the 1981 Wildlife and Countryside Act against sale only

- Smooth newt *Lissotriton vulgaris* prev. *Triturus vulgaris*
- Palmate newt *Lissotriton helveticus* prev. *Triturus helveticus*
- Common frog *Rana temporaria*
- Common toad *Bufo bufo*

Please see the Primary Legislation for a complete explanation of the current law.





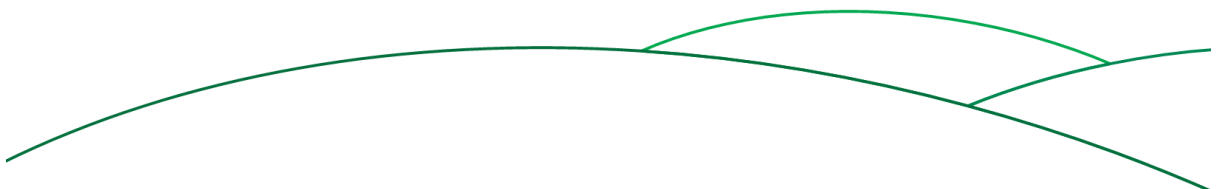
## **Legal status of bats in the UK**

In England and Wales, the relevant legislation is the Wildlife and Countryside Act (1981) (as amended); the Countryside and Rights of Way Act, 2000; the Natural Environment and Rural Communities Act (NERC, 2006); and the Conservation of Habitats and Species Regulations (2010). Within this legislation all bats are listed as being 'European Protected Species'.

Under legislation it is an offence for any person to:

- Intentionally kill, injure or take a bat.
- Possess or control a live or dead bat, any part of a bat, or anything derived from a bat.
- Intentionally or recklessly damage, destroy or obstruct access to any place that a bat uses for shelter or protection.
- Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection.
- Sell, offer or expose for sale, or possess or transport for the purpose of sale, any live or dead bat, any part of a bat, or anything derived from a bat. It is also an offence to publish, or cause to be published, any advertisement likely to be understood as conveying that they buy or sell, or intend to buy or sell, any live or dead bat, part of a bat or anything derived from a bat. Sale includes hire, barter and exchange.
- Set and use articles capable of catching, injuring or killing a bat (for example a trap or poison), or knowingly cause or permit such an action. This includes sticky traps intended for animals other than bats.

Please see the Primary Legislation for a complete explanation of the current law.

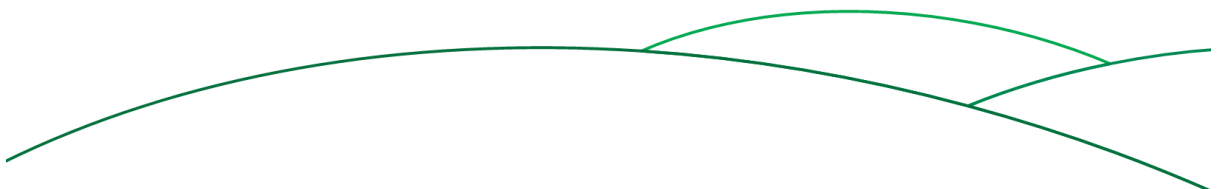


### **Legal protection of reptiles in Britain**

The smooth snake *Coronella austriaca* and sand lizard *Lacerta agilis* are fully protected under the Conservation (Natural Habitats & c.) Regulations 1994 and the Wildlife and Countryside Act 1981, as amended. The adder *Vipera berus*, grass snake *Natrix natrix*, common/viviparous lizard *Zootoca vivipara* and slow-worm *Anguis fragilis* are protected under the 1981 Wildlife and Countryside Act against killing, injuring and sale etc.

Threats to reptile populations include loss of habitat and habitat fragmentation.

Please see the Primary Legislation for a complete explanation of the current law.



### **Legal protection of dormouse in Britain**

Dormice are covered by the same legislation as bats and great crested newts being listed on Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and within Annex IV of the Habitats Directive. The 1981 Act was recently amended by the Countryside and Rights of Way (CROW) Act 2000 and the more recent Habitats Regulations amendments (2007). Subject to the provisions of Section 9 of the WCA, it is an offence to:

- Intentionally kill, injure or take a dormouse [Section 9(1)];
- Possess or control any live or dead specimen or anything derived from a dormouse [Section 9(2)]
- Intentionally or recklessly disturb a dormouse while it is occupying a structure or place which it uses for shelter or protection [Section 9(4)(b)];
- Intentionally or recklessly obstructs access to any structure or place which a dormouse uses for shelter or protection [Section 9(4)(c)]
- Sell, offer for sale, possess or transport for the purpose of sale or publish advertisements to buy or sell a dormouse [section 9(5)]

Dormice are also included on Annex IV of Council Directive 92/43/EEC of 21 May 1992 on the Conservation of Natural Habitats and of Wild Fauna and Flora (known as the Habitats Directive). As a result of the UK ratifying this directive, dormice are protected under The Conservation Regulations 1994 (the Habitat Regulations) (as amended 2007). Annex IV of the Habitats Directive requires member states to construct a system of protection as outlined in Article 12, this is done through Schedule 2 of the Regulations whereby Regulation 39 makes it an offence to:

- Deliberately capture or kill a dormouse [Regulation 39(1)(a)];
- Deliberately disturb a dormouse in such a way as to be likely to significantly affect i) the ability of any significant group of animals of that species to survive, breed or rear or nurture their young, OR ii) the local distribution of that species. [Regulation 39(1)(b)];
- Damage or destroy a breeding site or resting place of a dormouse [Regulation 39(1)(d)].

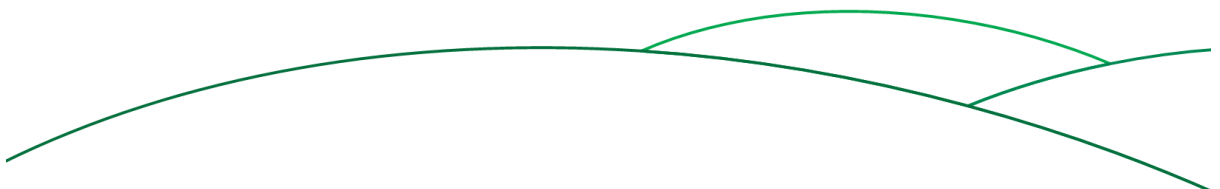
Please see the Primary Legislation for a complete explanation of the current law.

### **Legal protection of badgers in Britain**

Badgers are protected by the Protection of Badgers Act 1992. All the following are criminal offences:

- to willfully kill, injure, take, possess or cruelly ill-treat a badger;
- to attempt to do so; or
- to intentionally or recklessly interfere with a sett.

Please see the Primary Legislation for a complete explanation of the current law.





## **Legal protection of birds in Britain**

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

Game birds however are not included in this definition (except for limited parts of the Act). They are covered by the Game Acts, which fully protect them during the close season.

All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions (see 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.

Please see the Primary Legislation for a complete explanation of the current law.

