

Important note: If at any point you are uncertain as to how to proceed with planning or actual works that could impact on suspected Schedule 1 birds, **STOP** and seek advice from Legal Services and/or an ecologist

1 Purpose

Wild birds, their nests, young and eggs are protected to varying degrees by legislation particularly the Wildlife and Countryside Act 1981 (as amended) (hereafter “the 1981 Act”). Some of the increased levels of protection are for species known as Schedule 1 species, of which there are over 80 listed in the 1981 Act. This guidance seeks to provide information on how locations where these birds may be found during the planning of works phase such that their presence can be taken in to account when scheduling work dates.

2 The legislation

The 1981 Act makes it an offence, subject to certain clauses, to intentionally:

- kill, injure or take any wild bird;
- take, damage or destroy [or otherwise interfere with (Scotland only)] the nest of golden eagle, white-tailed eagle or osprey at anytime;
- take, damage or destroy [or otherwise interfere with (Scotland only)] the nest of any wild bird while that nest is in use or being built;
- take or destroy an egg of any wild bird; or
- obstruct or prevent any wild bird from using its nest [Scotland only]

The 1981 Act affords a higher level of protection on certain bird species where it is an offence, subject to certain clauses, to intentionally or recklessly:

- disturb any wild bird in a given list (known as Schedule 1 list) 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.



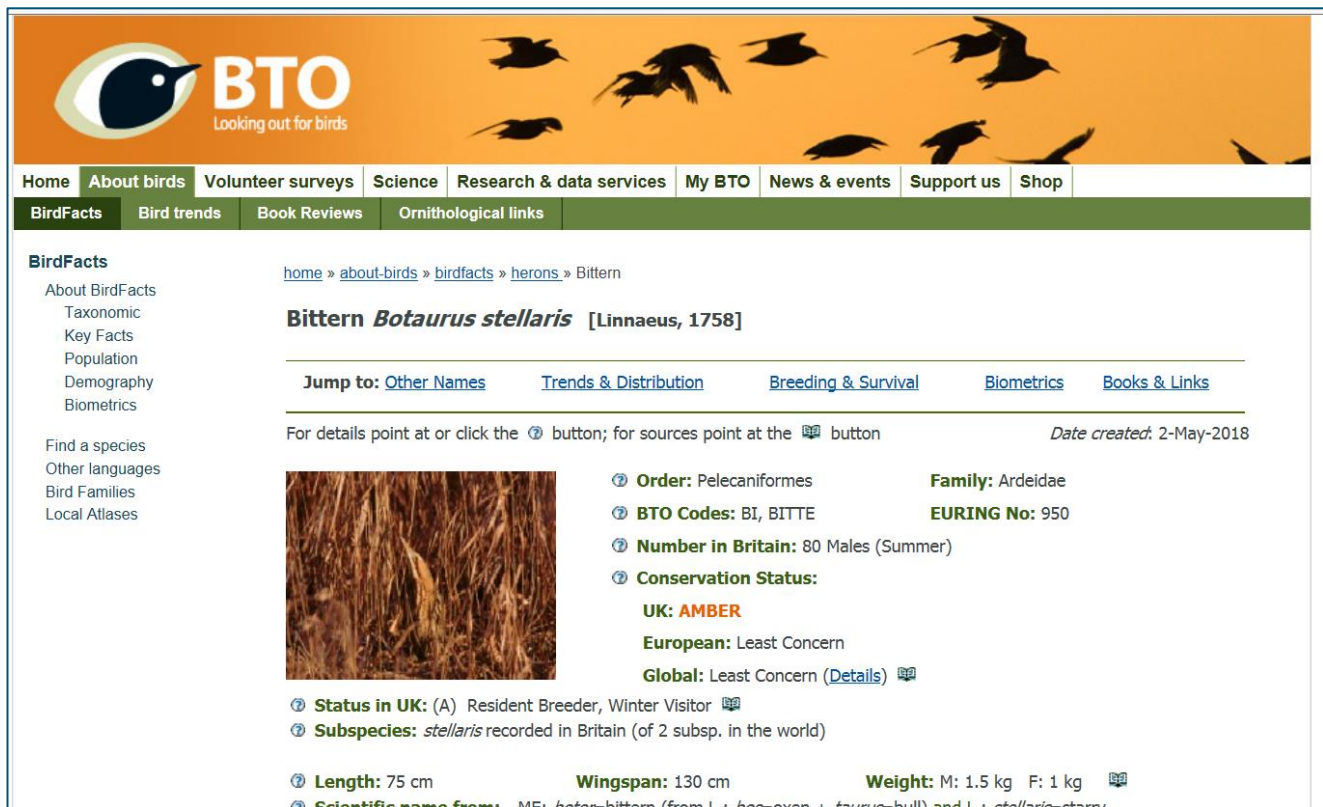
3 The guidance

The list of Schedule 1 birds has been divided in to two groups following consultation with the Royal Society for the Protection of Birds:

1. likely impact species – those which could occur on railway sites; and
2. other species – those which are unlikely to be impacted by NR operations.

3.1 Information

Local knowledge, discussions with local groups and stakeholders alongside any environmental checks carried out internally will identify the potential presence of Schedule 1 bird species. Using the link in Table 1 for 'Info', the likelihood of that species being present can be determined given species range and conservation status (Figure 1).



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Bittern *Botaurus stellaris* [Linnaeus, 1758]

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For details point at or click the ⓘ button; for sources point at the ⓘ button Date created: 2-May-2018

Order: Pelecaniformes **Family:** Ardeidae
BTO Codes: BI, BITTE **EURING No:** 950
Number in Britain: 80 Males (Summer)
Conservation Status:
UK: AMBER
European: Least Concern
Global: Least Concern ([Details](#)) ⓘ

ⓘ **Status in UK:** (A) Resident Breeder, Winter Visitor ⓘ
 ⓘ **Subspecies:** *stellaris* recorded in Britain (of 2 subsp. in the world)

ⓘ **Length:** 75 cm **Wingspan:** 130 cm **Weight:** M: 1.5 kg F: 1 kg ⓘ

ⓘ **Scientific name from:** ME: *botas*=bittern (from L: *botas*=oxen + *taurus*=bull) and L: *stellaris*=starry

Figure 1: Information as provided by the British trust for Ornithology website

3.2 Map

In addition to technical data, the 'Map' link in Table 1 will enable further confirmation of likelihood of presence in a given locale using breeding distribution maps (Figure 2).



Figure 2: Typical map detail

3.3 Detail

If it is suspected, either through observation or the information and maps above, that Schedule 1 birds may be present, further detail can be obtained from the National Biodiversity Network atlas [datasets](#) (Figure 3). This enables data with up to 100m resolution to be viewed and assist with identification of potential impact of works.

Once presence of Schedule 1 bird species is suspected, expert advice **must** be sought.

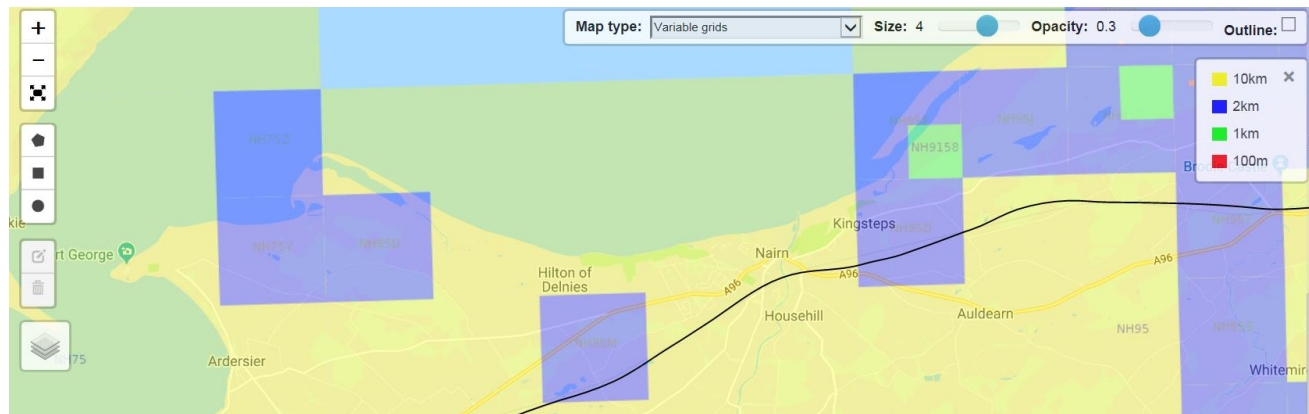


Figure 3: Typical National Biodiversity Network dataset mapping showing the different data resolution

4 The birds

4.1 Likely impact species

A			H			P		
Avocet	Info	Map	Harrier, hen	Info	Map	Peregrine	Info	Map
B			Harrier, marsh	Info	Map	R		
Bittern	Info	Map	Harrier, Montagu's	Info	Map	Redstart, black	Info	Map
Bunting, ciril	Info	Map	Hobby	Info	Map	T		
Buzzard, honey	Info	Map	K			Tit, bearded	Info	Map
C			Kingfisher	Info	Map	Tit, crested	Info	Map
Chough	Info	Map	Kite, red	Info	Map	W		
Crossbill (all species)		Map	M			Warbler, Cetti's	Info	Map
Crossbill, common	Info	Map	Merlin	Info	Map	Warbler, Dartford	Info	Map
Crossbill, parrot	Info	Map	O			Woodlark	Info	Map
Crossbill, Scottish	Info	Map	Oriole, golden	Info	Map	Once large scale maps have identified potential, search species here for local detail		
F			Osprey	Info	Map			
Firecrest	Info	Map	Owl, barn	Info	Map			
G								
Goshawk	Info	Map						

Table 1: Likely impact species of Schedule 1 birds

4.2 Other species

Further information if any of these other species are suspected can be checked at these links – [Info](#), [Maps](#) and [Detail](#).

B	G	R	T
Bee-eater	Garganey	Redwing	Tern, black
Bittern, little	Godwit, black-tailed	Rosefinch, scarlet	Tern, little
Bluethroat	Grebe, black-necked	Ruff	Tern, roseate
Brambling	Grebe, Slavonian	S	Treecreeper, short-toed
Bunting, Lapland	Greenshank	Sandpiper, green	W
Bunting, snow	Gull, little	Sandpiper, purple	Warbler, marsh
C	Gull, Mediterranean	Sandpiper, wood	Warbler, Savi's
Capercaillie	H	Scaup	Whimbrel
Corncrake	Heron, purple	Scoter, common	Wryneck
Crake, spotted	Hoopoe	Scoter, velvet	
D	O	Serin	
Divers (all species)	Owl, snowy	Shorelark	
Dotterel	P	Shrike, red-backed	
Duck, long-tailed	Petrel, Leach's	Spoonbill	
E	Phalarope, red-necked	Stilt, black-winged	
Eagle, golden	Plover, Kentish	Stint, Temminck's	
Eagle, white-tailed	Plover, little ringed	Stone-curlew	
F	Q	Swan, Bewick's	
Falcon, gyr	Quail, common	Swan, whooper	
Fieldfare			

Table 2: Other species of Schedule 1 birds

