

## Nesting birds and bat roosts

This document was prepared as an aid for tree-felling protesters to inform about the various laws pertaining to trees containing birds' nests and bat roosts. Please feel free to share this with your friends and neighbours and use it as a basis for any interactions with felling crews where you believe they may be breaching these laws.

I have tried to keep this information specific to tree felling.

In all instances, good practice prior to tree-felling, in particular in large canopy trees, would be to assess for the likelihood or actual presence of birds' nests or bat roosts. Surveys should be carried out by a qualified ecologist. Trees where there is any likelihood of a bat roost should be soft-felled, where tree limbs are cut and left grounded overnight to allow any bats to make their way out.<sup>1</sup>

**Nesting birds - Bird nesting season is officially from February until August with the busiest times from 1<sup>st</sup> March until 31<sup>st</sup> July<sup>2</sup>**

**In England and Wales, the key legislation is the Wildlife and Countryside Act (1981)**

All birds, their nests and eggs are protected by law and it is thus an offence, with certain exceptions to:

- 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
- intentionally or recklessly disturb any wild bird while it is nest building, or at a nest containing eggs or young, or disturb the dependent young of such a bird.<sup>3</sup>

**Bats - It is recommended that any works are conducted in September/October, to avoid maternity and hibernation seasons when bats are most vulnerable to disturbance**

**In England and Wales, the key legislation is the Wildlife and Countryside Act (1981) (as amended) and the Conservation of Habitats and Species Regulations (2010)**

In the UK, bats and their roosts are protected by law meaning that it is illegal to damage, destroy or disturb bats or their roost sites. A roost is defined as any place that a wild bat uses for shelter or protection, and the roost is protected whether bats are present or not.

Before undertaking works (pruning/felling/crowning etc.), it should be considered whether the tree has any features that could support bats. Confirming the

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1 [www.bats.org.uk/data/files/publications/Bats\\_Trees.pdf](http://www.bats.org.uk/data/files/publications/Bats_Trees.pdf)

2 [www.trees.org.uk/Help-Advice/Public/When-is-the-bird-nest-season](http://www.trees.org.uk/Help-Advice/Public/When-is-the-bird-nest-season)

3 [www.rspb.org.uk/our-work/our-positions-and-campaigns/positions/wildbirdslaw/birdsandlaw/wca/](http://www.rspb.org.uk/our-work/our-positions-and-campaigns/positions/wildbirdslaw/birdsandlaw/wca/)

presence/absence of a roost may require assistance from a specialist with the necessary training and equipment for a full survey.<sup>4</sup>

With regards to bat boxes, once put up, a bat box **cannot** be legally opened without a licence.<sup>5</sup>

Report any threatened tree in which you suspect there to be a nest or bat roost to Streets Ahead at:  
streetsahead@sheffield.gov.uk

Sheffield City Council's website states:

“We employ trained ecologists who check all trees before they are removed. The ecologists will assess the tree before it is surveyed to establish if any birds are nesting in it or if any bats are roosting in the tree. The trees are then checked again on the day the removal is planned. The ecologist will attend site with the arboricultural team and visually inspect the tree as well as carrying out inspections in the canopy of the tree.”<sup>6</sup>

**In instances where you suspect a wildlife crime is/has been committed please report immediately to:**

**The Wildlife Crime Acting Sergeant (Matthew Duffy 07584113614)**

OR

Police on 101 - explain that you think a wildlife crime is being committed. Ensure you get a reference number

For bat-related crime please also inform the Bat Conservation Trust by e-mailing:  
[investigations@bats.org.uk](mailto:investigations@bats.org.uk)

For wild bird-related crime please also inform the RSPB by completing their online form at: <http://www.rspb.org.uk/our-work/our-positions-and-campaigns/positions/wildbirdslaw/reportform.aspx>

For further information:  
The Bat Helpline 03451300228  
The RSPB 01767 693690

All references accessed 22/06/17

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4 [www.bats.org.uk/data/files/publications/Bats\\_Trees.pdf](http://www.bats.org.uk/data/files/publications/Bats_Trees.pdf)

5 [www.bats.org.uk/pages/bat\\_boxes.html](http://www.bats.org.uk/pages/bat_boxes.html)

6 [www.sheffield.gov.uk/home/roads-pavements/managing-trees](http://www.sheffield.gov.uk/home/roads-pavements/managing-trees)

