

SUSSEX NOTABLE BIRD REPORT



The Sussex Notable Bird Report is based on a list of birds that are particularly scarce or vulnerable to development in Sussex. This report has been created with ecological consultants in mind, to help sort the more sensitive bird species from the more common. These records are only available to ecological consultants due to the sensitivity of the data. The Sussex Ornithological Society (SOS) has kindly shared this data with us, with the view that better planning decisions can be made with the availability of this data.

Please note that you will not need to contact the SOS for further information.

Please see the appended list of species included in this report and the date ranges/criteria for each species' inclusion. The information below provides explanations to the icons used in the list.

Birds, their statuses and the law

Wildlife and Countryside Act

All British birds, their nests and eggs are protected by UK Law. It is an offence to take, kill or injure any wild bird or to take, damage, destroy any nest or egg of any wild bird under Part 1 of the Wildlife and Countryside Act 1981. Details of Schedule 2 and Schedule 3 can be found on:

www.rspb.org.uk/ourwork/policy/wildbirdslaw/birdsandlaw/wca/schedules.asp

! Schedule 1 birds

Schedule 1 of the Wildlife and Countryside Act 1981 provides an additional tier of protection so that rare species are specially protected by increased penalties and cannot be intentionally or recklessly disturbed when nesting. **Schedule 1 status also infers a right of arrest** by a police officer if someone is suspected of committing certain offences against one of these species.

Nesting birds

It is an offence under Section 1 of the Wildlife and Countryside Act of 1981 to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built.

Hedgerow removal and birds

It is advisable not to trim, cut or remove hedgerows during the bird nesting season. You will be violating the Wildlife and Countryside Act if there are birds nesting within it due to the disturbance or destruction of their habitat whilst nesting (see **nesting birds** section above). The Hedgerows Regulations were introduced in 1997 to protect important hedgerows in the countryside. The regulations state that it is a criminal offence, unless an exception applies, to deliberately remove or otherwise destroy a hedgerow without permission. Please apply to your local planning authority for a Hedgerow Removal Application. Domestic hedges are not included in this regulation, however it is still illegal to cut or remove any hedges if birds are suspected to be nesting in it.

Birds in roofs

There are various species that may nest in roofs. Unless they are causing a health hazard, the nests, eggs and chicks are protected by law. The parent birds must not be prevented from gaining access to their nest. Many of the birds that use roof spaces are now species of conservation concern because of their population decline over the past 25 years. Starlings and House Sparrows are Red listed, and Barn Owls, House Martins and Swallows are Amber listed (see overleaf for details). Roofs are also important for Swifts.

For further information about birds and the law contact the RSPB: www.rspb.org.uk or phone 01767 680551.

Environmental Stewardship Target Species

Farmland birds are one of the key targets of which a landowner can be awarded points through the Higher Level Stewardship scheme. Each Joint Character Area (e.g. High Weald, South Downs, South Coast Plain etc.) has specific key bird species whose populations must be maintained or enhanced to gain points as part of the land owner's 'Farm Environment Plan'. This can be done through a combination of management practices which should provide year round habitat requirements, in locations where these birds are known to be present or within 2km of such sites. If a key farmland bird species appears in your report, it will show to which Joint Character Area it is linked.

For more information about agri-environment schemes visit:

www.defra.gov.uk/erdp/schemes/es or www.rspb.org.uk/ourwork/farming/policy/index.asp

BAP Biodiversity Action Plan Species (UK BAP)

Twenty-six species of bird are identified as Priority Species in the UK Biodiversity Action Plan (UK BAP), each the subject of a dedicated action plan which seeks to reverse their declines and protect vulnerable populations. Any Priority Species recorded within your enquiry area will be indicated in the species information of the bird report. Visit www.ukbap.org.uk for more information.

Sussex Biodiversity Action Plan Species

Barn Owl is the only bird to have a Sussex Biodiversity Action Plan, however Skylark, Song Thrush and Swift each have a Species Statement for Sussex. These can be viewed on the Sussex Biodiversity Partnership website:

www.biodiversitysussex.org

N Natural Environment & Rural Communities (NERC) Act

There are 49 bird species on the England Biodiversity List which was drawn up to meet the requirements of Section 41 of the Act. Further details of the NERC Act can be found at: www.opsi.gov.uk/acts/acts2006/ukpga_20060016_en_1

Birds of Conservation Concern 3 (2009)

Every five years the leading governmental and non-governmental conservation organisations in the UK review the population status of the 247 species of bird that are regularly found in the UK. There are three lists – Red, Green and Amber into which each of the species has been placed. Forty species are Red-listed, 121 are Amber-listed and 86 are Green-listed. You will see an icon next to a species within the bird report indicating which category it is in. The status decisions are based on several factors which include: the species' global and European conservation status; recent and historical decline; whether it is a rare breeder; if it is only confined to a few sites in the UK; and if the species is of international importance (if we get over 20% of a European species' population breeding in the UK for example).

R Red List species are those that are **Globally Threatened** according to IUCN criteria; those whose population or range has decline rapidly in recent years; and those that have declined historically and not shown a substantial recent recovery.

A Amber List species are those with **Unfavourable Conservation Status** in Europe; those whose population or range has declined moderately in recent years; those whose population has declined historically but made a substantial recent recovery; rare breeders; and those with internationally important or localised populations.

Green List species are those that do not fulfil any of the above criteria. Some of these species are however protected by law and the list includes some Schedule 1 species which have the highest level of protection. Please see the Schedule 1 birds section on page 1. A green icon will not appear in our reports but the status will be listed with any bird records.

This information has been obtained from '**Birds of Conservation Concern 3' (BoCC3)** which can be downloaded from the RSPB website: www.rspb.org.uk/wildlife/birdguide/status_explained.asp

EU Birds Directive

The Birds Directive addresses the conservation of all wild birds throughout the European Union, including marine areas, and covers their protection, management, control and exploitation. It applies to the birds, their eggs, nests and habitats. It places a broad requirement on Member States to take necessary measures to maintain the populations of all wild birds at levels determined by ecological, scientific and cultural needs. In doing so, Member States must also consider economic and recreational needs. For more information about the EU Birds Directive and its annexes please visit: www.birdlife.org/action/awareness/eu_birds_directive/what

The Directive divides into two main parts: **habitat conservation** and **species protection**. In summary, it requires Member States to preserve, maintain and re-establish sufficient diversity and area of habitats for all wild birds.

Annex 1:

Species listed in Annex 1 of the Birds Directive are the subject of special conservation measures concerning their habitat to ensure their survival and reproduction. This includes the designation of areas as Special Protection Areas (SPAs).

Annex 2:

Annex 2 of the Birds Directive lists birds that can be hunted under the legislation of the Member States. The Directive bans certain non-selective methods of hunting and defines the limits within which Member States can set the hunting season.

IUCN Red List

The World Conservation Union (IUCN) has been assessing the conservation status of species, subspecies, varieties and even selected sub-populations on a global scale in order to highlight taxa threatened with extinction, and therefore promote their conservation. The IUCN Red List (different from the previously mentioned Red List) is the world's most comprehensive inventory of the global conservation status of plant and animal species. It uses a set of criteria to evaluate the extinction risk of thousands of species and subspecies. These criteria are relevant to all species and all regions of the world. With its strong scientific base, the IUCN Red List is recognized as the most authoritative guide to the status of biological diversity.

For more information about the Red List visit: www.redlist.org