

**Scottish Hydro Electric Transmission plc**  
**Beaully-Denny Overhead Line Diversion**  
**Environmental Appraisal**  
**Technical Appendices**

**Appendix B – Species Protection Plan (SPP) - Bird**

**July 2025**



TG-NET-ENV-505	Bird Species Protection Plan		Applies to
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	Name	Title
Author	James Elliott	Consents and Environment Manager
Checked by	Callum Petrie	Senior Consents and Environment Manager
Approved by	Simon Hall	Lead Consents and Environment Manager

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## 1 Introduction

Construction works have the potential to negatively impact on breeding birds as a result of either direct destruction of nests or disturbance which may result in breeding failure and/ or a reduction in the bird's physiological condition. In addition, it is an offence to disturb some particularly sensitive species both within *and* outwith the breeding season. These species are discussed in Section 4. The bird breeding season runs from March to August (primarily), though the precise timing within this period varies from species to species, and some species start breeding earlier or finish later than this.

This SPP outlines the procedures that must be followed where there is a potential for breeding birds to be affected. It explains the responsibilities of Scottish Hydro Electric Transmission (SHE Transmission) and its *Contractors*, the legislative protection for birds, and the measures required to minimise impacts on birds and thereby the risk of criminal offences being committed.

## 2 References

The documents detailed in Table 2.1 – Miscellaneous Documents, should be used in conjunction with this document.

Table 2.1 – Miscellaneous Documents

Title
Wildlife and Countryside Act 1981 (as amended in Scotland)
NatureScot Licencing <a href="https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/licensing/species-licensing-z-guide/">https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/licensing/species-licensing-z-guide/</a>
NatureScot (2022) Disturbance Distances in selected Scottish Bird Species

## 3 Responsibilities

It is the *Contractor's* responsibility to comply with all the requirements of this plan and it is both the *Contractor's* and SHE Transmission's responsibility to monitor compliance with the plan.

## 4 Legislation

### 4.1 All Wild Birds

All wild birds are protected by law under the Wildlife and Countryside Act 1981 (as amended).

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It is an offence to intentionally or recklessly<sup>1</sup>:

- kill, injure or take a bird
- take, damage, destroy or interfere with a nest of any bird while it is in use or being built
- obstruct or prevent any bird from using its nest
- take or destroy an egg of any bird

## 4.2 Schedule 1 birds

Additional protection is given to rare breeding birds listed under Schedule 1 of the WCA. It is an offence to disturb;

- any bird while it is building a nest
- any bird while is in, on, or near a nest containing eggs or young
- any bird while lekking
- the dependent young of any bird

## 4.3 Schedule 1A and A1 birds

Further protection is given to birds listed on Schedule 1A and A1 of the Act, making it an offence at **any time of year** to:

- Intentionally or recklessly harass a white-tailed eagle, golden eagle, hen harrier or red kite(1A); and
- Damage, destroy or interfere a nest habitually used by a white-tailed eagle or golden eagle (A1).

At present, it is not possible to obtain a derogation to disturb Schedule 1 breeding birds or destroy nests of any wild breeding birds for the purposes of development. However, the control of certain species is licensable in a restricted number of circumstances, such as for reasons of public health and safety. A licensing system is also in place for surveying protected species if a disturbance offence is possible.

Further advice is available on the NatureScot website: <https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/licensing/species-licensing-z-guide/birds-and-licensing>.

<sup>1</sup> Reckless acts would include disregard of mitigation aimed at protecting birds, resulting in killing, injury, and/or disturbance of birds or their nests.

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## 5 Protection Plan

In advance of construction at any location where breeding birds may be present, it is **essential** that this plan is followed.

### 5.1 Pre-construction Surveys and Data Collation

1. Pre-construction surveys for breeding birds will be completed a maximum of 3 months prior to start of any works in a particular area, and at an appropriate time of year, to ensure availability of up-to-date information to inform any mitigation measures required.
2. Surveys will be carried out by suitably experienced ecologists / ornithologists using methods agreed with NatureScot under Survey Licences where required.
3. Pre-construction surveys will:
  - include up to 1000 m either side of Limits of Deviation (LOD's) / boundaries for substation construction areas and access tracks; and
  - where appropriate, be undertaken in accordance with NatureScot's Guidance on Assessing the Impact of Overhead Power Line Proposals on Birds for overhead lines.
4. Relevant local recorders/monitoring organisations, e.g. local Raptor Study Groups, will be contacted at the pre-construction phase for recent records of sensitive species that might be affected<sup>2</sup>.

### 5.2 Review of Works and Impact Assessment

1. The Ecological Clerk of Works (ECoW)/Environmental Adviser will review whether construction activities are likely to affect breeding birds and, if so, what mitigation options are available. A hierarchical approach to mitigation will be applied to any occupied bird habitat that may be affected under the Project works, as detailed in the "General mitigation" section below. Priority will be given to assessing and mitigating impacts to species listed on Schedule 1.
2. Construction teams will be advised by the ECoW/ Environmental Adviser of existing / new constraints together with mitigation options.
3. Project Geo-databases and / or relevant site documentation, e.g. Construction Environmental Management Plans (CEMP's), will be updated with new and amended information as it is produced, with changes communicated to appropriate staff as required.

<sup>2</sup> The Scottish Raptor Study Group is a network of experts who monitor and record raptor species across Scotland. For a fee, they will provide data on breeding raptors within a particular area. Visit [www.scottishraptorstudygroup.org/contact/](http://www.scottishraptorstudygroup.org/contact/)

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### 5.3 General Mitigation

1. This SPP is designed to provide the Contractor and Ecological Clerk of Works (ECoW) with an approved methodology for protecting breeding birds.
2. The ECoW will attend site and check for signs of nesting on a regular basis throughout the construction period to ensure all environmental mitigation relevant to breeding birds is delivered. Note that new nests can quickly become established, so regular inspection of the working areas is crucial during the bird breeding season (within 48 hrs prior to construction works due to occur).
3. A hierarchical approach to mitigation following Programme / Avoid / Risk Assess, will be applied to any birds that may be affected under the Project works.
  - Where practicable, works will be programmed outwith breeding season - see <https://www.nature.scot/bird-breeding-season-dates-scotland> for information on breeding seasons for areas likely to contain breeding sites .
  - For specially protected or sensitive species, appropriate buffer zones (see table in Appendix A) will be established upon confirmation of nest building / breeding taking place<sup>3</sup>. Buffer zones will be set out by a suitably qualified ECoW for all breeding birds and those species whose roost sites are also protected i.e. red kite and hen harrier. No works will be carried out within these zones whilst birds are:
    - building or using their nest,
    - still dependent on the nest site, or
    - present at roost sites. The ECoW will advise when it is safe for works to be carried out.
4. Where programme critical works must be carried out within the buffer zones, the ECoW will carry out a Protected Species Risk Assessment (Appendix B) to assess whether disturbance can be avoided during the works. Considerations will include the species involved, local topography, natural screening, type of works, time of year, time of day and existing levels of human activity, e.g. farming, forestry and habitation. NatureScot should be contacted to determine whether a formal consultation is required.

<sup>3</sup> NatureScot guidance provides a suggested buffer zone range for specially protected or sensitive species (see table in Appendix A). The upper limit of the disturbance buffer should be used unless it can be demonstrated that a lower buffer is sufficient. This is intended to provide a precautionary approach, however it is noted that in certain circumstances lower buffers will be appropriate. Factors influencing whether a lower buffer would be considered sufficient include, but are not limited to; type of disturbing activity, duration, topography and known levels of habituation. NatureScot also recognise the importance of incorporating site-specific factors into consideration when applying buffers. The disturbance buffer may then be reduced if it can be demonstrated and agreed (in writing) by a Specialist Adviser and / or NatureScot as required, that works will not cause disturbance.

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5. Monitoring will be undertaken by the ECoW or Specialist Adviser, where appropriate, to ensure no disturbance is caused<sup>4</sup>. An emergency procedure will be implemented by site workers if breeding birds are unexpectedly encountered within the footprint of construction works. All work within 50 m (non-scheduled species) or the relevant maximum protection distance for species listed in Appendix A will immediately cease, and the ECoW will inspect the site and ensure that works do not affect any nest, bird, eggs or young at this location, through micro-siting or re-programming of works as per the general mitigation outlined in this SPP.
6. In exceptional cases, standard mitigation measures (as outlined above) may be insufficient. In such scenarios, mitigation will be determined on a case-specific basis. No construction works shall be undertaken within the buffer zone until mitigation has been agreed (in consultation with NatureScot if required).

## 5.4 Specific Mitigation

### 5.4.1 Dissuasion Techniques

Dissuasion techniques may be used to make areas less attractive to nesting birds or birds returning back to a previous nesting location (dissuasion will not be carried out where there is potential to harass Schedule 1A species, or interfere with / damage a Schedule A1 nest). Dissuasion may include Scrub clearance / felling / strimming prior to the breeding season commencing. The placement of bird scarers / frightening devices may also be used as a dissuasion technique where appropriate. See details below:

- **Habitat management**
  - a) Scrub clearance / felling / strimming may be used to discourage birds nesting prior to the start of the breeding season in suitable areas. This method has a dual purpose in also dissuading reptiles / small mammals. For strimming, a sward is cut to a height of 2-5cm depending upon vegetation type and ground conditions and this can be achieved by hand trimmers or mechanical means depending upon the ground conditions. The advantage of this method is that the vegetation can be cleared in advance of the works and in slow growing areas, i.e. heath, there is a potential for the site to remain free of constraints for a longer period of time. The ECoW will advise on the potential for other ground nesting species to occupy these areas; in such instances, bird scarers may be appropriate in conjunction with the management of sward height.
  - b) Clearance of habitat will be undertaken outwith the breeding season. Weekly walkover checks by a suitably licenced and experienced ecologist shall then be undertaken to ensure that the mitigation measures are being effective. If clearance of habitat needs to be undertaken within the bird breeding season, a pre-works check should be undertaken by a suitably qualified ecologist within 48hrs of the clearance works.

<sup>4</sup> It is important to note that bird heart rate may be increased by exposure to human disturbance before alert behaviour or flight initiation responses are evident. Increased heart rate and increased levels of stress hormones have physiological costs and so disturbance may have subtle impacts even on birds that are not clearly showing behavioural responses to disturbance.

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- **Active dissuasion / disturbance**
  - a) At sites where there will be a high level of human activity, the noise and possible vibration from construction activities should dissuade some nesting activities.
  - b) Areas identified to be at risk of nesting birds will be identified and disturbance levels at these locations will be increased. Sites will be visited regularly to dissuade birds from nesting (this may include tower climbing on overhead line projects).
  - c) Several types of bird scarer/ frightening device can be used, and are detailed below. The use of each should be determined by the ECoW.
  - d) Hawkeyes are probably the most effective of the bird scarers that have been used on the previous projects. A small number of these have been effective in deterring birds from nesting within construction areas. These will be deployed prior to the start of the breeding season and moved around the compound to stop the birds becoming accustomed to them.
  - e) Ticker tape can be used in more sheltered areas and can work well, however they can be difficult to attach to poles/canes and work best on fencing such as that for the compounds.
  - f) Scarecrows can be constructed using old PPE and are a cheap way to supplement the Hawkeyes.
  - g) Scarers will be placed no later than 10 days before construction commences. Once deployed, scarers will be kept on site for a period sufficient to minimize the risk of birds settling on site during the works.
  - h) As construction commences, suitable nesting sites within the construction footprint will normally be reduced. The frequency of ongoing checks will then be decided by the ECoW on a site-by-site basis.

#### 5.4.2 Removing Disused Bird Nests

The objective of this mitigation is to provide specific guidelines for the protection of birds and their nesting places before and during construction works, but also to facilitate the removal of old or disused nests where required for construction or maintenance works, such as:

- a) in substations where birds have nested on equipment causing a fire risk;
  - b) in order to allow dismantling of redundant towers; or
  - c) where the presence of a disused nest interferes with construction, maintenance or upgrading of overhead transmission lines.
- **Not specially protected birds**
  - a) It is an offence to remove a bird nest while it is being built or in use and it is an offence to take, destroy or possess the egg of a wild bird.
  - b) If a bird nest is to be removed, then it must be shown to be disused. It is therefore recommended that the nest is removed outwith the bird breeding season.



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- c) Before a nest of any species is removed, where there is any doubt as to whether the nest is in use or not, it will be monitored by the ECoW over a period of a week. Direct observations of nests will be made on the 1st, 3rd and 5th days as well as monitoring from suitable vantage points and where necessary with camera traps. The nest will be removed only when there is clear evidence that the nest is disused and no eggs are present.
- d) Should eggs be found, the nest will not be moved until a licence has been obtained from NatureScot for the taking of the eggs.

- **Schedule 1 species**

- a) For white-tailed eagle and golden eagle (Schedule A1) it is an offence to remove or damage a nest at any time, regardless of whether it is currently in use.
- b) The disused nests of any other Schedule 1 species needing to be removed will be subject to an assessment and agreed in writing with NatureScot. The assessment will detail the needs case for removal, bird species involved, monitoring, information about the nest and clarification of whether it is in habitual use, habitat and any further nests within the area associated with that bird. Nest monitoring will be undertaken by a suitably licensed and experienced ecologist and / or Specialist Adviser.

#### 5.4.3 Drone and Aerial Surveys

NatureScot's guidance on disturbance distances are not differentiated in terms of the source of the disturbance, meaning that the same suggested buffer zones apply to drones as to any other source of disturbance. The following actions must be taken to satisfy compliance with the Wildlife and Countryside Act 1981 and specifically - Schedule 1 protected species:

- a) Any surveys involving the use of drones to be discussed with SSEN Consents & Environment Manager (CEM) in advance of any surveys to ensure relevant data sharing and pertinent information can be provided regarding potential environmental constraints/considerations, to inform the drone survey method.
- b) Drone Survey RAMS are to be provided to the SSEN CEM for review and approval at least one week before the survey is due to be undertaken.

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## 6 Revision History

No	Overview of Amendments	Previous Document	Revision	Authorisation
01	Transfer to new template and Nomenclature	TG-PS-LT-718 (Rev 1.00)	1.00	Richard Baldwin
02	Weblinks updated	TG-NET-ENV-505 (Rev 1.00)	1.01	Richard Baldwin
03	Weblinks checked and updated where required.	TG-NET-ENV-505 (Rev 1.01)	2.00	Richard Baldwin
04	Changed SNH Name to new operating name NatureScot Updated to incorporate NatureScot Guidance - Disturbance Distances in selected Scottish Bird Species	TG-NET-ENV-505 (Rev 2.00)	3.00	Simon Hall
05				

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## Appendix A Summary Guidance on Species Specific Disturbance Distances

Note: the protection zone distances given here are indicative - specific distances will vary depending on individual sites and will require expert advice informed by information provided in Ruddock & Whitfield (2007).

Table A.1

Species	Buffer zone (m) suggestions during the breeding (BR) and non-breeding (NBR) seasons	Overall likely sensitivity to disturbance
Whooper swan, <i>Cygnus cygnus</i>	NBR = 200-600m	Medium
White-fronted goose, <i>Anser albifrons</i>	NBR = 200-600m	Medium
Bean goose, <i>Anser fabalis</i>	NBR = 200-600m	Medium
Pink-footed goose, <i>Anser brachyrhynchus</i>	BR ≤1000m NBR = 200-600m	Medium
Greylag goose, <i>Anser anser</i>	BR and NBR = 200-600m	Medium
Barnacle goose, <i>Branta leucopsis</i>	BR = 50-200m NBR = 200-600m	Medium
Common shelduck, <i>Tadorna tadorna</i>	BR and NBR = 100-400m	High
Mallard, <i>Anas platyrhynchos</i>	BR = 50-100m NBR ≥ 100m	Low/Medium
Gadwall, <i>Anas strepera</i>	BR and NBR = 100-200m	Medium
Pintail, <i>Anas acuta</i>	BR and NBR = 100-200m	Medium
Shoveler, <i>Anas clypeata</i>	BR and NBR = 100-200m	Medium
Eurasian wigeon, <i>Anas penelope</i>	BR = 100-200m NBR = 200-500m	High
Greater scaup, <i>Aythya marila</i>	NBR = 150-450m	High
Common eider, <i>Somateria mollissima</i>	BR = 100-200m NBR = 200-500m	Medium/High
Common scoter, <i>Melanitta nigra</i>	BR = 300-500m	High
Common goldeneye, <i>Bucephala clangula</i> §	BR = 100-150m NBR = 150-800m	High
Capercaillie, <i>Tetrao urogallus</i> †, §	BR (nesting females) and NBR = 100-150m BR (lekking males) = 1000m NBR = 100m	Medium/High
Black grouse, <i>Tetrao tetrix</i>	BR (nesting females) and NBR = 100-150m BR (lekking males) = 500- 750m NBR = 100m	Medium
Red-throated diver, <i>Gavia stellata</i>	BR = 500-750m NBR = ≤1000m	High
Black-throated diver, <i>Gavia arctica</i>	BR = 500-750m NBR = ≤1000m	High
Great northern diver, <i>Gavia immer</i>	NBR = 100-350m	Medium/High
Slavonian grebe, <i>Podiceps auritus</i> §	BR and NBR = 150-350m	Medium
White-tailed eagle, <i>Haliaeetus albicilla</i> *, †, §	BR and NBR = 250-500m	High
Osprey, <i>Pandion haliaetus</i> §	BR = 350-750m	Medium/High

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Species	Buffer zone (m) suggestions during the breeding (BR) and non-breeding (NBR) seasons	Overall likely sensitivity to disturbance
Golden eagle, <i>Aquila chrysaetos</i> *	BR = 750-1000m NBR = 250-500m	High
Red kite, <i>Milvus milvus</i> *	BR and NBR = 150-300m	Medium
Marsh harrier, <i>Circus aeruginosus</i>	BR and NBR = 300-500m	Medium
Hen harrier, <i>Circus cyaneus</i> *, §	BR and NBR = 300-750m	Medium
Common buzzard, <i>Buteo Buteo</i>	BR and NBR = 100-200m	Low/Medium
Honey buzzard, <i>Pernis apivorus</i>	BR = 100-200m	Medium
Northern goshawk, <i>Accipiter gentilis</i>	BR = 300-500m	Medium
Kestrel, <i>Falco tinnunculus</i>	BR = 100-200m NBR = ≤50m	Low/Medium
Eurasian hobby, <i>Falco subbuteo</i>	BR = 200-450m	Medium
Peregrine falcon, <i>Falco peregrinus</i>	BR = 500-750m NBR = ≤200m	Medium
Merlin, <i>Falco columbarius</i>	BR = 300-500m NBR = ≤200m	Medium
Eurasian oystercatcher, <i>Haematopus ostralegus</i>	BR = 50-100m NBR = 150-300m	Medium
Ringed plover, <i>Charadrius hiaticula</i>	BR = 100-200m NBR = 100-300m	High
Grey plover, <i>Pluvialis squatarola</i>	NBR = 150-300m	Medium
Golden plover, <i>Pluvialis apricaria</i>	BR and NBR = 200-500m	Medium
Dunlin, <i>Calidris alpina</i>	BR = 100-200m NBR = 150-300m	Medium
Red knot, <i>Calidris canutus</i>	NBR = 100-300m	Medium
Purple sandpiper, <i>Calidris maritima</i>	BR and NBR <300m	Low/Medium
Wood sandpiper, <i>Tringa glareola</i>	BR = 150-300m	Medium
Common redshank, <i>Tringa totanus</i>	BR = 100-200m NBR = 200-300m	Medium
Greenshank, <i>Tringa nebularia</i>	BR and NBR = 300-500m	Medium/High
Black-tailed godwit, <i>Limosa limosa</i>	BR and NBR = 100-200m	Medium
Bar-tailed godwit, <i>Limosa lapponica</i>	NBR = 200-300m	Medium
Eurasian curlew, <i>Numenius arquata</i>	BR = 200-300m NBR = 200-650m	High
Whimbrel, <i>Numenius phaeopus</i>	BR and NBR = 100-300m	Medium
Red-necked phalarope, <i>Phalaropus lobatus</i>	BR <50m	Low
Little tern, <i>Sternula albifrons</i>	BR = 100-300m	Medium
Sandwich tern, <i>Thalasseus sandvicensis</i>	BR ≥200m	High
Common tern, <i>Sterna hirundo</i>	BR = 200-400m	Medium/High
Arctic tern, <i>Sterna paradisaea</i>	BR ≥200m	Medium
Roseate tern, <i>Sterna dougallii</i>	BR ≥200m	High
Snowy owl, <i>Bubo scandiacus</i>	NBR = 150-500m	Medium
Long-eared owl, <i>Asio otus</i> §	BR and NBR = 100-300m	Medium
Short-eared owl, <i>Asio flammeus</i>	BR and NBR = 300-500m	Medium/High
Tawny owl, <i>Strix aluco</i>	BR = 50-200m NBR ≥50m	Low/Medium

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Species	Buffer zone (m) suggestions during the breeding (BR) and non-breeding (NBR) seasons	Overall likely sensitivity to disturbance
Barn owl, Tyto alba	BR = 50-100m NBR ≥50m	Low
Corncrake, Crex Crex	BR ≥100m	Medium
European nightjar, Caprimulgus europaeus §	BR = 150-500m	Medium/High
Kingfisher, Alcedo atthis	BR and NBR = 50-100m	Low/Medium
Crested tit, Lophophanes cristatus §	BR and NBR = 10-50m	Low
Crossbill species, Loxia spp §	BR and NBR = 50-200m	Low

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## Appendix B Protected Species Risk Assessment Template

**<Project name> : Protected Species Risk Assessment**

<Title including record ID and location>

### Scope of Work

This method statement is applicable for <insert details of works to be undertaken>. The work comprises of:

### Location and Access/Egress

<Insert details including map / plan>

### Description of species, distance from planned works and ground conditions

Reference Number	BNGR letters	OS Grid reference	Place	Description	Distance from project works	Predicted project impact

<Insert details>

### Programme of Works

The following works are planned within the buffer distance:

<Insert details including timing and duration>

### Planned Equipment and Manpower

The operation will be carried out by the following personnel and using the following equipment:

<Insert details>

### Risk Assessment/ Supervision of Work

<Insert details of baseline conditions including topography, proximity to works, existing disturbance levels, mitigation measures and operational controls, likely levels of disturbance from works and summary of risk rating (Low / Medium / High)>