

Citizen Participation and Public Petitions Committee
Wednesday 19 March 2025
5th Meeting, 2025 (Session 6)

PE2134: Introduce legislation to make it a requirement for swift bricks to be installed in all new developments in Scotland, and include swifts in building surveys

Introduction

Petitioner Cally Smith on behalf of Huntly Swift Group-NES Swifts

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to help reverse the decline in swift populations by introducing legislation that would make swift nesting bricks a requirement for all new build developments in Scotland, as well as making it mandatory to include swifts in all ecological building surveys.

Webpage <https://petitions.parliament.scot/petitions/PE2134>

1. This is a new petition that was lodged on 6 January 2025.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition can collect signatures while it remains under consideration. At the time of writing, 969 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received submissions from the Petitioner and the Scottish Government, which are set out in **Annexe C** of this paper.

Action

7. The Committee is invited to consider what action it wishes to take on this petition.

Clerks to the Committee
March 2025

Annexe A: Summary of petition

PE2134: Introduce legislation to make it a requirement for swift bricks to be installed in all new developments in Scotland, and include swifts in building surveys

Petitioner

Cally Smith on behalf of Huntly Swift Group-NES Swifts

Date Lodged

6 January 2025

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to help reverse the decline in swift populations by introducing legislation that would make swift nesting bricks a requirement for all new build developments in Scotland, as well as making it mandatory to include swifts in all ecological building surveys.

Background information

The common swift are migratory birds, returning from Africa to the same nest site each year, and are solely reliant on buildings for their breeding success.

Added to the UK Red List for conservation status in 2021, [nest site loss is a factor in UK swift decline of 62% since 1998](#).

Nest sites are unseen and lost at an alarming rate due to unsympathetic building upgrades, inadequate nest protection, and no requirement to survey within the planning process.

To reverse the decline, we must provide nesting opportunities in their thousands and retain existing key swift colonies.

Swift bricks are building compliant, BSI standardised, inexpensive, incorporate into all build types, maintenance free, and will also serve other building reliant species.

Including swifts in all building surveys would significantly reduce the loss of existing nesting colonies and would make a huge impact. A mandatory approach is the ONLY way to achieve this.

Annexe B: SPICe briefing on petition PE2134



Brief overview of issues raised by the petition

Swifts: Swifts are mid-sized, migratory visitors to the UK usually resident between April and September across England, Wales, Northern Ireland, southern and central Scotland, plus coastal areas of northern Scotland. The current UK population size is estimated as 59,000 breeding pairs. Swifts spend winters in Africa.

Swifts typically nest in houses, churches, and other buildings, squeezing through gaps in the building fabric to build nests inside roof spaces. However, building renovations are reducing the number of available nesting sites, while new buildings do not normally provide opportunities for Swift nesting. [The fall in nesting sites is likely one of the key drivers behind declining UK Swift populations \(falling by 66% between 1995 and 2021\) and their resultant addition to the 'red list' of birds of conservation concern in 2021.](#) Other possible causes of falling numbers include poor summer weather and a decline in insect numbers, their main food source, affecting juvenile survival rates.

Swift bricks: Swift bricks are effectively hollow house bricks, with a small hole in their front face, that provide a nesting space for Swifts, and other birds that nest in similar locations, in new build properties and conversions.

Planning and building regulations: There are currently no Scottish building standards or planning requirements for Swift bricks to be used in Scottish building projects.

Building surveys: It is an offence to take, damage, destroy or interfere with the nest of any bird while it is in use or being built. It is also an offence to obstruct or prevent any bird from using its nest. Swifts are not designated as a protected species, which would offer additional protection to nesting sites, under the Wildlife and Countryside Act 1981, as amended.

Surveyors and developers should identify where Swift nests are occupied and act accordingly. However, there is no protection offered to Swift nests during the period that they are unoccupied – typically September to April.

NatureScot provides advice to planning authorities, developers and building industry professionals on the protection of wild birds and their nests in its [Standing Advice for Planning Consultations - Birds](#).

Alan Rehfish
Senior Researcher

28 February 2025

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot. Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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Annexe C: Written submissions

Petitioner written submission, 28 January 2025

PE2134/A: Introduce legislation to make it a requirement for swift bricks to be installed in all new developments in Scotland, and include swifts in building surveys

Why the submission?

I contacted the Citizen Participation and Public Petitions Committee (CPPPC) clerking team recently, seeking advice as I realised a relevant word had been omitted within the text of my petition. When my petition was first submitted and reworded, I had happily agreed to the suggested edits offered by the clerks but not noticed that the word 'suitable' had been omitted - entirely my fault and done in haste. As amendments are not allowed after the petition has been published, I have taken the kind advice of the CPPPC clerks and written this submission to accompany my petition. My petition ask is in two parts as the title shows but I hope this will suffice to clarify the detail within the first ask of my petition.

The published petition title with 'suitable' inserted:

Introduce legislation to make it a requirement for swift bricks to be installed in all **suitable** new developments in Scotland, and include swifts in building surveys.

The published petition summary with 'suitable' inserted:

Calling on the Scottish Parliament to urge the Scottish Government to help reverse the decline in swift populations by introducing legislation that would make swift nesting bricks a requirement for all **suitable** new build developments in Scotland, as well as making it mandatory to include swifts in all ecological building surveys.

My reasons for the word **suitable being included and taken into account when considering this petition:**

Swift bricks ARE building compliant¹, inexpensive, can be incorporated into all build types, maintenance free, and will also serve other building reliant species. Almost every build and construction type will accept a swift brick of some kind, but a '**suitable**' build means that the swift brick must be installed according to some guidelines which are:

1. A swift brick should be installed at a height of at least 4 metres above ground and not positioned above a lower storey or extension as a swift 'drops' from its nest site and requires a clear flyway on entry and exit.
2. A generalised and not unacceptable suggested swift brick placement ratio would be 1:1, i.e. one swift brick per suitable unit (if multiple unit

¹ [BS 42021:2022 Integral nest boxes. Selection and installation for new developments.](#)

development). However, it is preferable to consider a small grouping of swift bricks per unit due to swifts being colonial nesters (they prefer being near other nesting pairs rather than in isolation) so an example could be 2 bricks in every other unit or 3 bricks in every third house. Maybe 2 to 4 bricks on a large house or 10-15 across a small block of flats, a hospital or business unit for example. The guidance of a swift group/expert or ecologist with swift experience is recommended to ensure compliance but it is not a complicated provision and with basic guidance such as this any builders can competently install.

Further guidance:

1. Swift bricks, being an **internal** provision, can be incorporated on any aspect including southerly, unlike some **external swift boxes** which can overheat on a southerly aspect unless shaded by overhang.
2. A minimum gap between houses of 1 - 2 metres is sufficient for swift brick installation on a gable end.
3. Swift Brick entrance holes ideally 60cm - 1 metre apart.
4. Swifts are very clean birds and don't leave the pile of droppings that some other birds do.

Please don't hesitate to make contact if there are other areas that need explanation including my second 'ask' the need for ecological surveys to prevent historical colony loss. Thank you for your consideration.

Scottish Government written submission, 7 February 2025

PE2134/B: Introduce legislation to make it a requirement for swift bricks to be installed in all new developments in Scotland, and include swifts in building surveys

I am writing to provide the Scottish Government's response to the above petition, which calls on the Scottish Parliament to urge the Scottish Government to help reverse the decline in swift populations by introducing legislation that would make swift nesting bricks a requirement for all new build developments in Scotland, as well as making it mandatory to include swifts in all ecological building surveys.

It is important that, when considering proposals for new build development and its potential impact on biodiversity, the focus is not just on rare and vulnerable species such as swifts, but a holistic view is taken of the effects on wildlife and the habitats which support them.

National Planning Framework 4 (NPF4) was adopted and published by the Scottish Ministers on 13 February 2023. NPF4 signals a turning point for planning, placing climate and nature at the centre of our planning system.

Improving biodiversity is a cross-cutting outcome within NPF4, and our strategy and policies support development that helps to secure positive effects for biodiversity. Policy 1 gives significant weight to both the nature crisis and the climate emergency to ensure that these are each recognised as a priority in all plans and decisions. Most significantly, Policy 3 plays a critical role in ensuring that development will secure positive effects for biodiversity. Development proposals for national, major and Environmental Impact Assessment (EIA) development will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity, including nature networks, so they are in a demonstrably better state than without intervention. Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity.

We worked with NatureScot to finalise its 'Developing With Nature' guidance. This was published alongside NPF4 on 13 February 2023. This guidance supports the implementation and delivery of policy 3 as it applies to relevant local development proposals. The guidance describes a number of measures that development can incorporate to conserve, restore and enhance nature. This is not intended to be an exhaustive list of measures, but rather provides detail of many common actions widely applicable across a range of settings, in many types of development. The guidance sets out at measure 13 - 'Homes for small birds' that bird boxes/bird bricks can increase nesting opportunities for a range of bird species, introducing new niches for breeding that can support the species survival and wider dispersal. Swifts are in rapid decline and where conditions are suitable, new nesting areas (including swift bricks and boxes) are highlighted as one possible measure that may be included as part of a development proposal.

Where survey work associated with new development highlights the presence of rare and vulnerable species, we would expect provisions, such as swift nesting bricks, to be made in development to protect and where possible enhance the local populations.

In light of the existing policy position within NPF4 which sets out to secure positive effects for biodiversity and the references to homes for birds within the guidance supporting Policy 3, we do not consider that it is necessary to mandate the use of swift-bricks or other individual measures explicitly or exclusively, although we recognise that they may be an important and helpful intervention in some developments.

Within building regulations sustainable development is promoted through standard 7.1, including advice on how biodiversity can be well served as a topic in new school developments. It is our intent to review this standard to consider further opportunities for building regulations to make a positive contribution to biodiversity within all new developments. However, as this standard sets out additional voluntary actions a developer may adopt, it would promote but not require mandated prescriptive provisions, such as the use of swift bricks, in new buildings.

Scotland's new biodiversity strategy sets out our ambition to halt the loss of nature by 2030 and make significant progress to restoring nature by 2045. The strategy is supported by a series of 6 year rolling delivery plans. The first plan includes ambitious actions to ensure we are on track to halting biodiversity loss by 2030.

Building Standards Division

Petitioner written submission, 24 February 2025

PE2134/C: Introduce legislation to make it a requirement for swift bricks to be installed in all new developments in Scotland, and include swifts in building surveys

As petitioner for petition PE2134, I would like to make a brief submission in response to [the Scottish Government's own response \(PE2134/B\) on 7th February 2025](#).

I would like to make clear that the Swift Brick is a 'Universal' provision meaning it will serve a variety of cavity nesting bird species including other Red Listed species, such as Sparrow, House Martin and Starling, all in severe decline in part due to nest site loss in the built environment. Being a multi-use provision means the swift bricks do not need to be installed in an area known to have swifts, and in large numbers, would be a huge tick in the box for improved biodiversity enhancement.

I appreciate fully the 'Developing with Nature Guidance' document referred to in the Government response but in real terms the enhancements are rarely being made. [A recent report by Wild Justice, albeit across England, reported that only half of the biodiversity enhancements called for were being implemented.](#)

In addition, I noted the statement in paragraph 6 of the Scottish Government response:

"Where survey work associated with new development highlights the presence of rare and vulnerable species, we would expect provisions, such as swift nesting bricks, to be made in development to protect and where possible enhance the local populations."

The system is not working. Firstly, an ecological survey rarely includes swift and if it does then there is currently no requirement for swift mitigation or provision to be conditioned. This applies to ecological surveys conducted on a particular building (e.g. in relation to a planning application) and those conducted on a specified area for development. The swift breeding season spans May to early September. Swifts are difficult to survey at any time outwith the peak surveying months of June and July, this is because finding swifts depends on time spent around buildings watching their communication behaviour i.e. the Screaming Party, which leads to the location of established nesting colonies. All too often a swift survey, if carried out at all, is not within this time frame giving a nil or poor record of swift activity, and it is expected swifts can be located at the same time as a bat survey which is mostly inconclusive. My explanation addresses the above statement and refers to my second petition 'ask' – to have swifts included in ecological surveys, which wasn't included in the Scottish Government's response of 7th February.

Swift Conservation groups across the UK are struggling to impress on builders, developers, architects, and local authorities the urgent need to provide this inexpensive and simple solution. It is an enormous task, and we politely ask for positive support and follow through to see results or a way forward.

CPPP/S6/25/5/11

The UK swift brick petition, supported by the RSPB received over 109,000 signatures in 2023, the Welsh petition collected almost 11,000 signatures, this shows the strength of feeling for swifts in the UK. Thank you for considering my submission.