



Sites of Special Scientific Interest:

A brief guide for land owners and occupiers

www.naturalengland.org.uk



Contents

The purpose of SSSIs 4

The role of Natural England 5

Your crucial role in protecting SSSIs 6

Applying the Wildlife and
Countryside Act 10

Notification of SSSIs 11

Access to SSSIs 12

Glossary of terms 13

Where to get more information 15

How to contact us 15





If you are a new owner or occupier of a Site of Special Scientific Interest, I'd like to welcome you to England's biggest network of protected natural sites. If you are a long-standing owner or occupier, I hope this booklet will add to your understanding of the value of SSSIs and how Natural England can help you look after your site.

For more than 60 years, SSSIs have safeguarded our most important areas of natural heritage. These include ancient woodlands and species-rich grasslands, our iconic heathlands and extensive areas of coastal marshes and mudflats. These habitats provide a home for many of England's rarest plants and animals. Additionally, more than a thousand SSSIs protect unique geological formations – places where valuable records of Earth's history are revealed.

The responsibility for protecting SSSIs is shared by many, but as an owner or occupier you play the most important role in shaping the condition of your site. At Natural England we understand that the land you own or manage fulfils a range of needs beyond its value for nature conservation. Our network of Land Management Advisers understand your wider needs and have a wealth of expertise that can help you look after the natural features of your site within its everyday working context.

The Land Management Adviser responsible for your site is likely to have introduced themselves when giving you this booklet. You can find details of how to get in touch on page 15. This booklet provides an overview of SSSIs and the main issues and procedures relating to their management, but if you need to know anything in more detail, your adviser is there to help.

Thanks to your management SSSIs are a welcome success story for conservation. Their condition has steadily improved over the past decade, and today their value is recognised more than ever before. The support and enthusiasm land managers have shown in protecting the features that make sites special is the foundation of this success, and I am confident it will enable the SSSI network to continue to flourish.

A handwritten signature in black ink that reads "Ian Fugler".

Ian Fugler
Land Management Director
Natural England

The purpose of SSSIs

England's first Sites of Special Scientific Interest were established in 1949, with a purpose to protect the best of England's natural habitats, wildlife and geological heritage for the benefit of present and future generations. Today, over 4,000 sites exist covering more than a million hectares or 8.1 per cent of the land surface of England. They represent the entire range of habitat and geology types found in the country and vary as much in size as they do in character. The smallest, Sylvan House Barn in Gloucestershire is a space of just 4.5 square metres and home to 200 lesser horseshoe bats. Amongst the largest, and possibly the busiest, is the Humber Estuary. It drains a fifth of the country's freshwater and contains the largest breeding colony of grey seals in the UK.

The majority of land designated as an SSSI is either privately owned or managed as part of a tenanted farm or sporting estate. The remaining area is owned by conservation organisations, local authorities, government agencies and public utilities.

During the past decade considerable improvements were achieved in the overall condition of SSSIs, as well as in the way they were monitored. As a result, more than 95% of SSSIs by area were assessed to be in a favourable or recovering condition at the end of 2010. Today, the network provides a foundation for the government's strategy for the natural environment, 'Biodiversity 2020'. This sets out an ambition to increase the proportion of sites in favourable condition to at least 50% by 2020 – an increase of 17% from 2010. A significant number of SSSIs are also included in European or internationally protected sites designated as Special Areas of Conservation, Special Protection Areas and Ramsar sites.

The survival of the silver-studded blue is heavily dependent on lowland heath SSSIs such as the New Forest



© Natural England / Michael Hammett

The role of Natural England

As the Government's adviser for nature conservation, one of Natural England's primary roles is to support the improvement of SSSIs. We do this through our network of Land Management Advisers who undertake site visits, provide owners and occupiers with advice on management practices and sources of funding, and explain the legislative measures designed to prevent damage to sites. Our responsibilities in relation to SSSIs are set out in the Wildlife and Countryside Act 1981 as amended by subsequent legislation. This legislation also sets out the responsibilities of owners and occupiers of SSSIs (see **Where to get more information** on page 15).

Advisers will visit SSSIs to assess their condition approximately every seven years. Assessments may take place more or less frequently than this, depending on the nature of the site and the range of factors that influence its condition. Advisers will always make contact with site owners or occupiers before visiting SSSIs, and provide feedback once the assessment is complete. Their assessment is based on national guidelines for the condition of the features of special interest that are described on the citation for your site. Many SSSIs are divided into units for assessment purposes.



Natural England advisers assess grassland at Pewsey Downs SSSI

Advisers maintain a database which contains detailed information on each site, including the notification documents, maps, and up-to-date condition assessments. Much of this information is available publicly via our website at www.naturalengland.org.uk/sssi. From this database Natural England also generates statistics that are used to measure the overall condition of SSSIs. These are produced for individual sites, for specific regions, and for the whole country.

They can also describe the condition of habitats and species across a range of SSSIs. These statistics are used in the monitoring of national trends in biodiversity and geodiversity and for reporting against objectives agreed with the Department for Environment, Food and Rural Affairs (Defra).

SSSI condition categories

- Favourable
- Unfavourable recovering
- Unfavourable no change
- Unfavourable declining
- Part destroyed
- Destroyed

Visit www.naturalengland.org.uk/sssi for more information about condition categories.

The government's wildlife strategy, Biodiversity 2020, seeks to ensure that 50% of sites reach favourable condition, while maintaining a combined level of at least 95% of sites in either favourable or unfavourable recovering condition.

Your crucial role in protecting SSSIs

Managing sites to protect their special features

When an SSSI is notified, a citation is produced which describes the site and the particular natural features for which it is considered special. You can find out what makes your site special at www.naturalengland.org.uk/sssi. The objective of the long term management and monitoring of the site is to ensure these special features are conserved in the best possible condition. The notification documents for each SSSI also include a summary of our views about what management arrangements can best maintain its special features.



England's moors managed for red grouse represent an important part of the world's remaining heather moorland and extensive areas are designated as SSSIs

Many owners and occupiers carry out suitable management, and this may have contributed to the reasons for which the SSSI was designated. Sometimes, new approaches and techniques may be helpful to improve the condition of a site. Your adviser can help you to design the most appropriate management regime which could look at, for example, grazing patterns, woodland management, the control of water levels and the clearance of scrub from rock surfaces. In all instances our approach is to develop solutions through discussions with owners or occupiers that produce the right results, both for the natural features of a site, as well as for the wider uses of the land.



© Adam Lawrenson

Simon Henderson's farm covers part of the Till River Banks SSSI in Northumberland

Natural England can provide financial help for certain types of management, or we may be able to help you apply for funding through programmes such as Environmental Stewardship, Conservation Enhancement Schemes or the English Woodland Grant Scheme. Advisers can also help put you in touch with local conservation partnerships.

If SSSIs are suffering as a result of inappropriate management or neglect, and a voluntary solution cannot be reached, we may use more formal legal methods such as issuing a Management Scheme. These are outlined in the section '**Applying the Wildlife and Countryside Act**' on page 10.

Understanding your legal obligations

The notification documents for each SSSI contain a list of operations that could damage its special features and for which prior consent is required. If you are not sure what operations are listed for your site, please get in touch with your adviser. Alternatively, a list of potentially damaging operations can be found within each site description on our website.

You are required to give written notice to Natural England before you begin any of the operations listed in the notification, or before you allow someone else to carry out these activities. It is recommended that you contact your adviser before giving formal notice as they will be able to guide you through the process and discuss the operations you wish to carry out. They will always try to agree or negotiate a practical and realistic approach to your proposals. Some consents can be complicated so owners or occupiers are advised to contact Natural England as soon as possible when considering operations that may cause damage to a site. You can expect Natural England to provide an initial response to a notice within 10 days. We will aim to provide a final decision on the consent within 28 days, although in exceptional circumstances it may take up to a maximum of four months, although this deadline can be extended by mutual agreement.

In many cases, you will be able to carry out the operation without damaging the site. Where the operation needs to be carried out in a certain way to avoid damage to the site conditions or time limits to the consent may be attached.



Careful management of ditches and drains is important to maintain sites of species-rich wet grassland, such as at Derwent Ings SSSI in Yorkshire

In some instances, where certain operations would damage the special interest features of an SSSI consent will be refused. Such operations cannot then legally go ahead. Existing consents may be reviewed and withdrawn or modified if, on the basis of new information or new circumstances, the operations are damaging to the SSSI.

In instances where Natural England is unable to give consent, or where conditions are attached, the reasons will be given to you in writing. You can appeal against these decisions to the Secretary of State and the process to do that will be made clear.

In some instances you do not need our permission to carry out operations even though they are listed in the notification. These include:

- Where emergency work is required, for example after a flood or storm (though you must inform Natural England as soon as reasonably possible afterwards).
- Where planning permission has been granted for the operation (this does not apply to operations under Permitted Development Orders).
- In certain instances where you have statutory permission, authorisation or a licence from another public body to carry out specific operations, and that public body has consulted us.

Check list for obtaining consent for operations

Here's what you need to include if you write to Natural England to give notice of operations that could damage a site:

- The name of the SSSI.
- Your name and address.
- Location of works – preferably with an annotated map of the area.
- Approximate start and end dates of the proposed operation.
- Description of the proposed operations, including means of access and the storage and disposal of materials.

It may also be relevant to include the following information:

- Avoidance of certain weather conditions.
- Precise routing of operations and vehicles.
- Frequency of access.
- The provenance and chemical nature of imported materials.
- Ground-pressure of vehicles.
- Presence of dogs.



Always contact your Land Management Adviser at the earliest possible stage when you are considering operations that require our consent.

Informing Natural England of changes in ownership or occupation

If you own an SSSI, you must let us know about any changes in ownership or occupation of the site, including leases, easements and rights. You have a legal duty to inform Natural England within 28 days of such changes. Please write to or email the adviser for your SSSI (see **How to contact Natural England** on page 15).

Every SSSI in England is registered as a local land charge. This means that anyone buying land will be able to discover whether it is notified as an SSSI by examining the register through standard conveyance procedures. New owners must comply with all relevant legislation. Our Land Management Advisers welcome contact from new owners and occupiers to discuss the interest of the SSSI and its management.



Bluebells grow in a woodland of standard oak and hazel coppice

Procedures for public bodies

Public bodies have a general duty to conserve SSSIs, and are required to cause as little damage as is practicable when carrying out operations, and to restore sites to their former condition. A public body must give notice to Natural England before carrying out any operation that may damage the special features of a site. This applies whether the operations are to take place within the SSSI boundary or outside it. We may give our assent for the works, in some cases with conditions, or we may refuse assent. If a public body decides to go ahead with operations for which assent is refused, or without adherence to conditions it must give a further 28 days notice before commencing. During this period the issue may be referred to the Secretary of State or judicially reviewed. We would only take this action in those cases in which we have serious concerns about the extent of the damage.

A similar process is followed when public bodies want to permit anyone else to carry out an operation within or outside the SSSI boundary that may damage its special features. Public bodies must take our advice into account before issuing a permit or licence for such operations.

The advice contained here is a summary of the detailed procedures set out in law that govern the consent/assent and appeals process. Your Natural England Adviser will be able to provide you with further details or you may wish to contact your legal adviser.

Applying the Wildlife and Countryside Act

On occasions SSSIs are damaged as a result of actions by owners and occupiers, by public bodies or by third parties. While Natural England takes all measures possible to resolve issues through advice and voluntary agreement, at times we may have to use powers within the Wildlife and Countryside Act (1981) to enforce measures to protect a site or prosecute offenders.

Civil sanctions

Natural England has the power to impose civil sanctions in some instances where SSSIs have been damaged. A civil sanction provides a means of addressing an issue without resorting to the courts and can take the form of monetary penalties, restoration notices, compliance notices, stop notices or enforcement undertakings.

Management Schemes and Management Notices

If an SSSI is suffering as a result of inappropriate management or neglect we may draw up a Management Scheme setting out how the SSSI should be managed. The Scheme will have a consultation period and will be accompanied by an offer of payment through a Management Agreement. If the Scheme is not implemented and the Agreement refused, Natural England can issue a Management Notice, requiring specified works. Failure to comply with a Management Notice is an offence. In addition, Natural England, or its contractors, may enter a site to undertake work identified within the Notice and recover the costs from the person upon whom the Notice was served.

Modification of Consent

Natural England may be required to modify or revoke an existing consent. Where this cannot be resolved by mutual agreement, Natural England has the powers to do so. In some cases this may involve compensation to an owner/occupier.

A range of other actions could lead to prosecutions. These include:

For owners and occupiers

- Carrying out operations likely to damage without obtaining consent.
- Failing to let us know about a change in ownership or occupation.

For public bodies

- Carrying out, or authorising, damaging operations without notifying us.
- Failing to minimise any damage to an SSSI and failing to restore it to its former state, so far as is reasonably practical.

Any person

- Intentionally or recklessly damaging or destroying any of the features of special interest of an SSSI, or disturbing wildlife for which the site was notified.
- Intentionally obstructing a person exercising Natural England's powers of entry.
- Intentionally or recklessly taking down, damaging or obscuring an SSSI notice or sign.
- Failure to comply with a Restoration Order.



SSSIs protect much of the unique limestone landscape of the Yorkshire Dales

Courts may impose fines on anyone found guilty of an offence under the Wildlife and Countryside Act. The level of fine will vary depending on the offence. Courts can also impose a Restoration Order, instructing a site to be restored at the expense of the offender. If you want to find out more about the Wildlife and Countryside Act and other legislation that relates to SSSIs, please refer to the section **Where to get more information** on page 15.

Notification of new SSSIs

From time to time Natural England collects information that leads us to consider the designation of additional areas of land as SSSIs. This can include the extension or modification of existing sites. We will always contact owners and occupiers before undertaking surveys of a site, in order to get permission for access, and we will let them know the results of such surveys. In such cases a rigorous process of consultation and scrutiny is followed before any new site is confirmed.

Natural England must notify all land owners and occupiers of any land that we consider to be an SSSI. We must also notify the relevant local planning authority, the Secretary of State for Environment, Food and Rural Affairs, and certain public bodies that may be affected. Once Natural England has issued the notification of an SSSI, the site is legally protected. Following notification, owners and occupiers have four months in which to make representations or objections about our decision.

The Natural England Board decides whether or not to confirm the notification. Members of the Board are appointed by the Secretary of State, and are independent of its staff. Any person making an objection has an opportunity to speak to the Board in person. If the Board agree with the notification, we must confirm this to owners and occupiers in writing within nine months of the original notification.

In Summary

Owners and occupiers: What you need to consider

- Obtain consent for undertaking operations that may damage the site
- Notify Natural England if you sell or lease your land
- Make sure you know where the boundary of the SSSI lies
- Manage the site in a way that maintains its natural features
- Contact your adviser for support

Natural England: What you can expect from us

- A dedicated adviser for each site
- A prompt and clear response to your enquiries
- A practical approach to resolving management issues
- An opportunity to appeal if you are unsatisfied with the decision on consent

Access to SSSIs

Notification as an SSSI does not give the general public a right of access. If public access already exists on the site, we will discuss with you whether any changes are needed to protect the wildlife and geological features.

Our staff will always request permission from land owners or occupiers before visiting an SSSI, unless we believe there is damage to the site. In certain circumstances we have Powers of Entry in order to carry out our functions in relation to SSSIs. We will only use these powers if access has been denied to us and we have issued a notice.

The introduction of traditional cattle breeds can help maintain the diversity of many grassland sites



Glossary of common terms

We will always try to explain ourselves in plain English, though we may occasionally have to use specific terms for legal or technical reasons. If you are not sure about the meaning of what we say, please ask us to explain.

Assent

Approval under section 28H of the Wildlife and Countryside Act 1981 (as amended) of an operation which another public authority is proposing.

Bye-laws

Legal constraints imposed on a particular site to prevent operations likely to damage. These may be used when damaging activities cannot be stopped in other ways.

Conservation Enhancement Scheme

A grant scheme administered by Natural England aimed at providing support for certain types of SSSI where Environmental Stewardship is generally not applicable.

Citation

A document explaining the special interest of an SSSI. This will include a list of its special features.

Civil Sanction

The power Natural England has to impose penalties and orders to deal with offences, as an alternative to Court action.

Compulsory purchase

The ability to buy the freehold interest of a piece of land, irrespective of the wishes of the owner. This will only be considered in exceptional circumstances, when buying the land is essential to maintain the special interest.

Confirmation

The power to confirm, within nine months, the notification of an SSSI after the Natural England Board has considered representations and objections.

Consent

Formal written authorisation for site owners or occupiers to carry out an operation listed in the notification.

De-notification

A legal power to remove statutory protection from a site previously confirmed as an SSSI.

English Woodland Grant Scheme

A programme administered by the Forestry Commission aimed at creating new woodland or improving woodland management.

Environmental Stewardship

A form of agri-environment scheme providing financial support for agricultural practices that achieve particular environmental objectives. There are different levels of grant, including Entry Level Stewardship and Higher Level Stewardship Agreements.

Management agreement

A voluntary legal agreement (sometimes accompanied by payment) between Natural England and a site owner to secure appropriate management of the land. Agreements may also be offered on land next to SSSIs.

Management notice

An enforceable notice stating that a site must be managed according to a management scheme. This may occur if a management scheme is issued and it is not put into practice, and an owner has refused a management agreement offering payment for the necessary work.

Management scheme

A formal statement of measures needed for a site to be managed in a positive way. A management scheme may be drawn up where the ownership or management of a site is particularly complicated, or if a site is neglected and we cannot arrange appropriate management through voluntary partnerships, supported by a management agreement.

Notification

The duty to let the Secretary of State, all owners and occupiers and local planning authorities know about any land that is considered to be of special scientific interest (an SSSI). Notification documents include a map, citation, a statement of our views about management of the site, and a list of operations which need our consent. Notifications can be varied, or the area of SSSIs changed once they are confirmed.

Operations requiring our consent

If you want to carry out operations which are listed in the notification as likely to damage the special interest of a site, you must give us written notice. In most cases consent will be given, sometimes with conditions and time limits.

Permitted Development Orders

A provision within planning legislation that allows certain minor developments to go ahead without the need to submit a planning application.

Powers of Entry

Authorised individuals may enter land for a number of different purposes, for example to assess the condition of the features on the site. These powers will only be used after giving you at least 24 hours notice, unless an SSSI is being damaged.

Powers of Modification

A legal power to modify or revoke an existing consent.

Public Body (Section 28G authority)

A public body is defined under section 28G of the Wildlife and Countryside Act 1981 (as amended). These organisations have a duty to conserve and improve SSSIs and to consult us before carrying out or permitting operations that damage SSSIs.

Restoration Order

The courts may make an order saying the land must be restored to its former condition where someone is found guilty of an offence of damaging an SSSI.

Statutory Undertaker

A statutory undertaker is defined under section 262(1), (3) and (6) of the Town and Country Planning Act 1990 as people authorised to carry out any railway, light railway, tramway, road transport, water transport, canal, inland, navigation, dock, harbour, pier or lighthouse work.

Views about management of an SSSI

A statement of views on the management needed to maintain the special interest for which the SSSI has been notified. This is included as part of the notification documents.

The management of deer populations is a significant issue for many woodland and parkland SSSIs



Where to get more information

www.naturalengland.org.uk/sssi

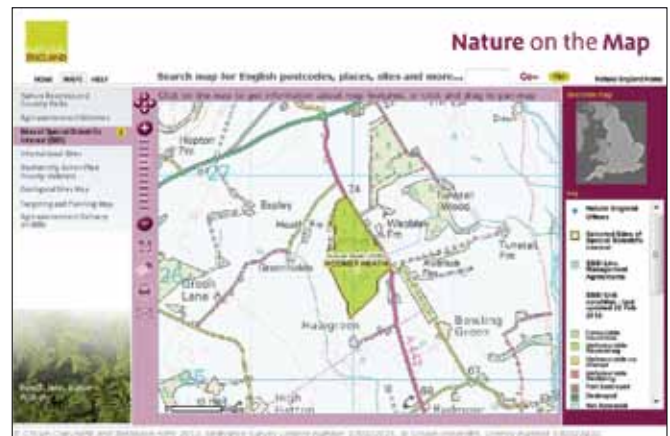
Visit Natural England's website to obtain information on SSSI management and for detailed information on any specific site.

www.defra.gov.uk

The website of the Department for Environment, Food and Rural Affairs (Defra) provides a range of information and guidance on SSSIs, including details of how to make an appeal to the Secretary of State.

www.opsi.gov.uk

The website of the Office of Public Sector Information provides details of legislation relating to SSSIs, including the Wildlife and Countryside Act 1981.



How to contact Natural England

To find out the details of your Land Management Adviser, or to request any information relating to SSSIs, please call our national enquiry service on:

0845 600 3078 (local rate)

or email:

enquiries@naturalengland.org.uk

The enquiry service is open from 8.30–17:00 Monday–Friday.



Front cover:

A view across the SSSIs of South and North Dartmoor from Bench Tor

© Natural England / Paul Glendell



Natural England is here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

ISBN 978-1-84754-226-7

Catalogue Code: NE322

www.naturalengland.org.uk

Natural England publications are available as accessible pdfs from: www.naturalengland.org.uk/publications

Should an alternative format of this publication be required, please contact our enquiries line for more information: 0845 600 3078 or email enquiries@naturalengland.org.uk

Printed on stock comprising 75% recycled fibre.

This publication is published by Natural England under the Open Government Licence for public sector information. You are encouraged to use, and reuse, information subject to certain conditions.

For details of the licence visit www.naturalengland.org.uk/copyright

Natural England photographs are only available for non-commercial purposes. If any other information, such as maps or data, cannot be used commercially this will be made clear within the publication.

© Natural England 2012