

THE INSTITUTION OF ENVIRONMENTAL SCIENCES

Sites of Special Scientific Interest Better Protection and Management

A Consultation document for England and Wales.

A response by the Institution of Environmental Sciences - December 1998

The Institution of Environmental Sciences (IES) welcomes this detailed and thorough analysis of the protection of natural sites within England and Wales. It endorses the recognition of the problems facing the conservation agencies, notably the degradation of scientific interest resulting from laissez faire land management and deliberate damage to SSSIs.

With exception of Proposal 31, the IES supports all the proposals from 1 through to 38. IES supports the proposals as they call for a clearer defined regulatory system and an emphasis on positive land management rather than proscription of land management activities.

Below, some comments have been made on individual issues arising from the consultation draft.

- B:9 If all SSSIs are recorded with HM Land Registry as suggested, then agencies should be encouraged to apply their powers rigorously as suggested in E:9
- B:12 IES recognise the need to have clearly defined procedures and criteria for denotifying SSSIs. It detracts from the whole protection structure if unworthy sites continue to receive protection. Denotification should be made on scientific criteria and not influenced by political opinion.
- C:38 discusses applying the principle of "despoiler pays" to SSSIs; denotification should not take place until remedial action to make good damage has been assessed.
- B:13 *Triple SI* trips of the tongue and is a well known acronym. It may be useful for the agencies to give a lead in labelling of second tier sites of regional and county significance, as there is a profusion of conflicting names.
- Prop 7 IES supports the retention of the name SSSI.
- Prop 9 IES supports the involvement of local authorities in recognition and management of local sites. The mechanisms to encourage this need to be set out.
- C:10 The use of statements of intent or memoranda of understanding with developers could further strengthen 106 agreements.

- C:12 Many IES members work as consultants advising developers on ecological impacts and mitigation. Practitioners would welcome guidance resulting from research into habitat creation and restoration; its methods and success rates.
- C:15 The presence of PDRs should not influence the notification of SSSIs, as may have happened in the past.
- C:18 IES concur with the view that a transport scheme should not go ahead unless clear overriding benefits are demonstrated. Developing criteria to set ecological impacts against other environmental, economic or social benefits would aid decision-making.
- C:31 Local initiatives that involve local wildlife groups could provide a means of alerting the conservation agencies to damaging activities before excessive impairment is caused.
- C:32 IES support further legislation to protect limestone pavement.
- C:35 Will custodial sentences result in damage to fewer SSSIs? IES do not believe this will be so.
- Prop 19 IES support harsher penalties for deliberate damage to SSSIs, but not the imposition of custodial sentences.
- Prop 20 IES agree that the conservation agencies should have the power to enter land.
- C:38 IES supports the principle that the *despoiler pays*. However, restoring a damaged ecosystem is not analogous to a pollution clean-up and the way in which the principle applies to natural sites needs to be clearly thought out.
- Prop 21 Environmental practitioners represented by IES would welcome further guidance on the protecting local sites.
- Prop 31 IES are not persuaded that the resolution of disputes by the Council of English Nature will have the support of land managers. The Appoint Persons Procedure is likely to have wider support.
- E:5 IES consider that the duplication of guidance can lead to confusion as differing interpretations may be placed on each set of guidance. Where guidance becomes out-of-date and is not revised its usefulness must be questioned. IES do not believe there is any purpose in retaining the requirement for Ministers to issue Codes of Guidance.
- E:7 IES support the agencies entering into statements of intent or memoranda of understanding with other organisations including major developers.

Prop 16 IES support the move to a more proactive stance by the conservation agencies in taking enforcement action against those who deliberately damage SSSIs.