



Sites of Special Scientific Interest: A brief guide for land owners and occupiers

www.gov.uk/natural-england



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© Kev Joynes: Dartford warbler



©Natural England/Peter Roworth: Bluebells growing in a woodland of standard oak and hazel

Welcome

Welcome to England's biggest network of protected natural sites – Sites of Special Scientific Interest (SSSIs). If you are a long-standing SSSI owner or occupier, we hope this leaflet will build on your understanding of the value of these sites and how Natural England can help you look after them. The responsibility for protecting SSSIs is shared by many and, as an owner or occupier, you play an important role in shaping the condition of your site.

SSSIs have safeguarded our most important areas of natural heritage for decades. 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.

SSSIs are a welcome success story for conservation and their value is now 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.

This leaflet provides an overview of SSSIs and the main issues and procedures relating to their management. If you need to know anything in more detail please contact Natural England (see page 15).



© Natural England/Peter Roworth:
Magnesium limestone flora at Bishop
Middleham Quarry SSSI, Durham

The purpose of SSSIs

England's first SSSIs were established in 1949 to protect the best of England's natural habitats, wildlife, and geological heritage for present and future generations. Today, over 4,100 sites exist covering more than a million hectares, or 8.4% 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 SSSI in Gloucestershire, is a space of just 50m² and home to 200 lesser horseshoe bats. Amongst the largest, and possibly the busiest, is the Humber Estuary SSSI, which drains a fifth of the country's freshwater and contains the largest breeding colony of grey seals in the UK.

Most of the land designated as a 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.

SSSIs are an important part of the government's strategy for the natural world: 'A Green Future – Our 25 Year Plan to Improve the Environment'. This plan sets out an ambition to restore 75% of our 1 million hectares of terrestrial and freshwater protected sites to favourable condition. 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 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 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.



Natural England will aim to visit SSSIs to assess their condition approximately every seven years, though assessments may take place more or less frequently than this. We will always contact site owners or occupiers before visiting SSSIs and provide feedback once the assessment is complete. This assessment is based on national guidelines for the condition of the features of special interest that are described in the Citation for your site. Many SSSIs are divided into management units for assessment purposes.

Natural England maintains a database that contains detailed information on each site, including their legal notification documents. Much of this information is available publicly via our website (<https://designatedsites.naturalengland.org.uk>). The information includes:

- A Citation detailing the special interest of the site.
- A statement of Natural England's Views about Management (VAM).
- A list of operations requiring Natural England's consent (ORNEC).
- A map identifying the land subject to the notification.
- Information on the condition of the site.

The database allows Natural England to report on the condition of habitats and species across a range of SSSIs. It is 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).

This table shows the different condition categories.

SSSI Condition categories	
<ul style="list-style-type: none"> • Favourable • Unfavourable recovering • Unfavourable no change 	<ul style="list-style-type: none"> • Unfavourable declining • Part destroyed • Destroyed

Visit www.gov.uk/guidance/protected-areas-sites-of-special-scientific-interest for more information about Condition categories.

Your crucial role in protecting SSSIs: Managing sites to protect their special features

When a SSSI is notified a Citation is produced which describes the site and the special features of interest, such as habitats, species or geological features. You can find out what makes your site special at <https://designatedsites.naturalengland.org.uk>.

The objective of the long-term management and monitoring of a site is to ensure that these features are conserved and enhanced to be in the best possible condition. The notification documents for each SSSI also include a summary of our views about what type of management can best conserve and enhance the special features.

Many owners and occupiers already carry out beneficial management, and this may have contributed to the SSSI being designated in the first place. However, sometimes new approaches and techniques can help to improve the condition of a site. Natural England can help you to design the most appropriate management regime for your SSSI looking at, for example, changes to grazing patterns, woodland management, the control of water levels or the clearance of scrub from rock surfaces.

Natural England can sometimes provide financial help for certain types of management, or signpost you to funding through schemes and grants. We can also put you in touch with local conservation partnerships.

If an SSSI is suffering because of inappropriate management or neglect, and a voluntary solution cannot be reached, we may use formal legal routes such as issuing a Management Scheme to address this. These routes are outlined below.

Your legal obligations¹

The notification documents for each SSSI contain a list of Operations Requiring Natural England's Consent (ORNEC) because these could damage the site's special features. This list can be found for each site on <https://designatedsites.naturalengland.org.uk>. If you are unable to access this list please get in touch with Natural England (see page 15).

You are required to give written notice to Natural England and obtain our consent before you begin any of the operations on the ORNEC list for your site or before you allow someone else to carry out these activities. To give notice, please write to or email Natural England (see page 15). Failure to give notice and obtain our permission is an offence under the Wildlife and Countryside Act.

It is recommended that you contact Natural England before giving your formal notice as we will be able to guide you through the process and discuss the operations you wish to carry out. We will always try to agree 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 might cause damage to a site. We aim to provide a final decision on the consent within 28 days, although in some circumstances it may take a maximum of the statutory period of four months.

In many cases Natural England may agree that an operation can be carried out without damaging the site. However, where the operation needs to be carried out in a certain way or within a certain timeframe to avoid damage or disturbance, Natural England's consent may have conditions attached.

For complex cases, you may wish to request extra paid-for pre-notice advice from Natural England under the Discretionary Advice Service. Several options are available including standard advice, fast-track advice and a quick check service. More information can be found at: www.gov.uk/guidance/protected-areas-sites-of-special-scientific-interest.



¹ Please note that the advice contained here is a summary of the detailed procedures set out in law that govern the consent, assent and advice process. Natural England will be able to provide you with further details on request or you may wish to contact your legal adviser.

In instances where operations would damage the special interest features of an SSSI and attaching conditions would not avoid the damage, consent will be refused. Such operations cannot then lawfully go ahead.

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

In some instances, you do not need our consent to carry out operations even though they are in the ORNEC list. These include:

- Emergency work, for example to protect livestock during a flood, though to avoid committing an offence you must inform Natural England as soon as possible afterwards, giving particulars of the work required and details of the emergency.
- Where planning permission under Part III of the Town and Country Planning Act 1990 has been granted for the operation (this does not apply to operations carried out under Permitted Development Rights).
- In certain instances where you have a statutory permission, authorisation or licence from another public body to carry out specific operations, and that public body has consulted us in accordance with the Wildlife and Countryside Act.
- The operation is carried out in accordance with the terms of an agreement under section 16 of the National Parks and Access to the Countryside Act 1949 [section 7 of the Natural Environment and Rural Communities Act 2006 or section 16 of the Environment (Wales) Act 2016].
- The operation is carried out in accordance with a management scheme under section 28J or a management notice under section 28K of the Wildlife and Countryside Act 1981.



Checklist for obtaining consent for operations

Here's what you need to include if you write to Natural England to give notice to carry out an operation listed on the ORNEC list:

- The name of the SSSI.
- Your name and address.
- **Where** you wish to undertake the operation. Preferably with an annotated map of the area and grid references.
- **When** you wish to undertake the operation. The start and end dates of the proposed operation.
- **What** operation you wish to undertake and exactly **how** you wish to undertake it. A description of the proposed operations, including means of access and the storage and disposal of materials.

It may also be relevant to include information on the following:

- 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.

If consent is granted, before undertaking or permitting the operations specified in a consent, you may also need to get additional permissions from Natural England or other authorities. For example, the consented operations might also require planning permission from the Local Planning Authority, a permit from the Environment Agency or a licence from the Forestry Commission or Natural England. It is your responsibility, as the grantee of the consent, to ensure that no other permissions or consents, whether of a public or a private nature, are needed and, if any are needed, to acquire them before you exercise the consent. If you do not obtain all the permissions you require, and carry out the work anyway, you may face enforcement action from other authorities or parties. As the grantee of the consent, you will be responsible for carrying out the consented operation(s) safely and in all ways according to the law.

Modification of consent

There may be occasions where Natural England chooses to modify or revoke an existing consent. In some cases this may involve compensation to an owner/occupier.

Management Schemes and Management Notices

If an SSSI is suffering because 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 specific 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.

Procedures for public bodies

Public bodies (referred to as S28G bodies under the Wildlife and Countryside Act 1981) have a general duty to take reasonable steps, consistent with the proper exercise of the authority's function, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest.

Public bodies must give notice to Natural England, under section 28H (assent), if they wish to undertake an operation, or section 28I (advice), if they wish to permit anyone else to undertake an operation that is likely to damage the special features of a site. Failure to give notice is an offence under the Wildlife and Countryside Act. This applies whether the operations are to take place within an SSSI boundary or outside of it.

If the SSSI is also a European Site, the public body, as a competent authority, should include confirmation of the decision-making process they undertook under regulation 63 of the Habitats Regulations with their notice of proposal.

Natural England will respond to the notice within the statutory deadline of 28 days of receipt of the notice.

Natural England may give advice to grant permission under section 28I or assent to the operation under section 28H. In some instances we may advise against, or refuse, assent if the proposal would be damaging to the special interest features of the SSSI. Or we may apply conditions to our assent or advice if this will ensure that an otherwise damaging proposal is harmless.

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. If a public body decides to go ahead with operations for which Natural England has advised against, or advised that conditions should be attached, they must notify Natural England and their permission must be deferred for a further 21 days before operations may commence. In both cases they should clearly describe the rationale for going against Natural England's advice. Failure to give further notice is an offence under the Wildlife and Countryside Act.

More information on the responsibilities of public bodies can be found at:
www.gov.uk/guidance/sites-of-special-scientific-interest-public-body-responsibilities.

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. Natural England follows established principles for good regulation and use of our enforcement powers will be consistent, proportionate, transparent, targeted and accountable. Where appropriate Natural England will try to resolve such incidents through advice and voluntary agreement. However, at times we may have to consider formal enforcement sanctions; both civil and criminal.

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.

Prosecution is a last resort, but when this takes place, Courts may impose fines on anyone found guilty of an offence under the Wildlife and Countryside Act. The level of a fine will vary depending on the offence. More information about Natural England's SSSI compliance and enforcement work can be found at: www.gov.uk/guidance/enforcement-laws-advice-on-protecting-the-natural-environment-in-england.

Actions which could lead to enforcement action

A range of actions could lead to enforcement actions. These are listed in the table below.

	For owners and occupiers	For public bodies	For any person
Action that could lead to enforcement actions	<ul style="list-style-type: none"> Carrying out operations likely to damage without obtaining consent. Failing to let us know about a change in ownership or occupation. 	<ul style="list-style-type: none"> 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, when assent has been refused by Natural England. 	<ul style="list-style-type: none"> Intentionally or recklessly damaging or destroying any of the features of special interest of an SSSI. Disturbing wildlife for which the site was notified. Intentionally obstructing a person exercising Natural England's powers of entry.

Notification of new SSSIs

Natural England collects information, including survey data, that allows us to consider if areas of land are of special scientific interest. The notification of an SSSI can be of a wholly new site, or the extension of, or addition to, existing sites. We will always make every effort to contact owners and occupiers before undertaking surveys of a site in order to seek permission for access and 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 landowners and occupiers of any land where we are of the opinion that it is an SSSI. We must also notify:

- The relevant local planning authority.
- The Secretary of State for Environment, Food and Rural Affairs.
- 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 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.



© Natural England / Michael Hammett: The survival of the silver-studded blue is heavily dependent on lowland heath SSSIs such as The New Forest

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 site's wildlife and geological features.

Our staff will always request permission from land owners or occupiers before visiting an SSSI unless we believe an offence is being committed. We have Powers of Entry in order to carry out our functions in relation to SSSIs, but we will only use these powers if access has been denied to us or we cannot make contact with the land owner or occupier. Our use of Powers of Entry will always comply with the Home Office Code of Practice.

Informing Natural England of changes in ownership or occupation

If you own an SSSI you must let us know about any changes in the ownership or occupation of the site, including sales, exchanges or leases, easements and rights or other privileges. You have a legal duty to inform Natural England within 28 days of such changes². Please write to or email Natural England (see 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 and occupiers must comply with all relevant legislation.



© Shutterstock: SSSIs protect much of the unique limestone landscape of the Yorkshire Dales

² If as the SSSI owner you dispose of your interest in the land, notice must be given within 28 days of the date on which you disposed of your interest. For changes in occupation, SSSI owners must give notice within 28 days of becoming aware of the change in occupation.

In Summary

Owners and occupiers	Natural England
<p>What you need to consider:</p> <ul style="list-style-type: none"> • Obtain consent for operations on the site's ORNEC list. • Notify Natural England if you sell or lease SSSI land. • Make sure you know where the SSSI boundary lies. • Manage the SSSI in a way that maintains its natural features, seeking consent where required. • Contact Natural England for support. 	<p>What you can expect from us:</p> <ul style="list-style-type: none"> • A prompt and clear response to your enquiries. • A practical approach to resolving management issues.

Glossary of terms

Assent

Approval under section 28H of the Wildlife and Countryside Act 1981 (as amended) of an operation which a Public Body is proposing.

Citation

A document explaining the special interest of an SSSI, including 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.

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 ORNEC.

Management Notice

An enforceable notice stating that a site must be managed according to that notice. 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 that Natural England is of the opinion that an area of land is 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 Requiring Natural England's Consent.

Notifications can be varied, or the area of SSSIs changed, once they are confirmed.

ORNEC (Operations Requiring Natural England's Consent)

Operations which are listed in the Notification as likely to damage the special interest of a site and that you must give Natural England written notice of before carrying out.

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 offence is taking place.

Powers of Modification

A legal power to modify or revoke an existing consent.

Restoration Order

Where someone is found guilty of an offence of damaging an SSSI, the Courts may make an order requiring the taking of steps to restore the land.

VAM (Views About Management)

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

Where to get more information

www.gov.uk/government/organisations/natural-england

Visit Natural England's website to obtain information on SSSIs and their management.

www.gov.uk/government/organisations/department-for-environment-food-rural-affairs

The website of the Department for Environment, Food and Rural Affairs (Defra) provides a range of information and guidance on SSSIs.

<https://designatedsites.naturalengland.org.uk/>

Natural England's 'Designated Sites View' website allows you to see detailed information about sites designated for their wildlife and/or geological interest.

<https://magic.defra.gov.uk/>

The 'Magic' website presents an interactive map which provides authoritative geographic information about the natural environment from across government.

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

Address: Natural England, County Hall, Spetchley Road, Worcester, WR5 2NP, United Kingdom

To contact Natural England's enquiry service:

email: enquiries@naturalengland.org.uk, or

telephone: 0300 060 3900

The enquiry service is open from 8:30 to 17:00 Monday to Friday.

For enquiries relating to SSSIs or to submit a notice by email contact:

ProtectedSites@naturalengland.org.uk

Or use the above address and telephone number.



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.

Please note: Natural England photographs are only available for non-commercial purposes. For information regarding the use of maps or data visit www.gov.uk/how-to-access-natural-englands-maps-and-data.

Front/back cover:

© Natural England / Paul Glendell: A view across the SSSIs of South and North Dartmoor from Bench Tor