Sites of Special Scientific Interest (SSSIs)

England’s special wildlife and geological sites

www.naturalengland.org.uk
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There are over 4,000 Sites of Special Scientific Interest (SSSIs) in England, covering about 7% of England’s land area. Over half of them, by area, are internationally important for their wildlife, and designated as Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites. Many SSSIs are also National Nature Reserves (NNRs) or Local Nature Reserves (LNRs).
If you are a new owner or occupier of an SSSI and you are reading this booklet for the first time, we would like to welcome you. If you are a long-standing owner or occupier, we hope you will find this booklet a helpful guide to the SSSI legislation. Our local advisors look forward to working with you, and will be pleased to offer practical advice about managing the plants, animals and geological features on your SSSI.

SSSIs are the country’s very best wildlife and geological sites, often standing out as the last remaining areas of natural habitat in our modern countryside. They include some of our most spectacular and beautiful habitats – large wetlands teeming with waders and waterfowl, winding chalk rivers, gorse and heather-clad heathlands, flower-rich meadows, windswept shingle beaches and remote upland moorland and peat bog.

It is vital that the natural heritage that we have left is saved for future generations. Wildlife and geological features are under pressure from development, pollution, climate change and unsympathetic land management. SSSIs support plants and animals, which find it more and more difficult to survive in the wider countryside. Protecting and managing SSSIs is a shared responsibility, and an investment for the benefit of future generations.

Most of these habitats have grown and developed over hundreds of years through management practices such as grazing or forestry. The unique and varied habitats of SSSIs, and the wildlife that they support, need active management to maintain their interest. We work with over 32,000 owners and land managers, who work hard to conserve these special sites. We believe that maintaining goodwill and building upon the enthusiasm, knowledge and interest of owners is vital to successfully manage these nationally important sites.
Notification of SSSIs

Notification as an SSSI gives legal protection to the best sites for wildlife or geology in England. The first SSSIs were identified shortly after the Second World War in 1949, when the Nature Conservancy was given a duty to notify local planning authorities of SSSIs, so that the wildlife and geological interest could be taken into account during the planning process. We now have the responsibility of identifying and protecting SSSIs in England under the Wildlife and Countryside Act 1981 (as amended).

By law, we must notify all owners and occupiers of any land that we consider to be of special interest because of any of its flora, fauna or geological or physiographical features. We must also let the local planning authority, Secretary of State for Environment, Food and Rural Affairs and certain public bodies, such as the Environment Agency, water and sewerage companies and internal drainage boards know about SSSIs. We send copies of notifications to other public bodies if their activities could affect SSSIs. You can find details about SSSI notifications on our website (www.naturalengland.org.uk).

We may consider sites for notification after biological or geological surveys are carried out. Sites may be identified for survey when someone contacts us to tell us about their nature conservation interest. We will always speak to you before carrying out surveys, so we can get access permission. We will let you know about the results of any survey.

We will assess the information we gather against guidelines for selecting biological and geological sites. Our Executive Board then decides whether a site should be notified as an SSSI. The site is legally protected as soon as we have sent you the notification papers.

When we notify you, we will send you a map, a ‘citation’ that explains the features of special interest, a list of operations which need our consent before you may carry them out, and a statement of our views on how the site should be managed. You may find that this statement closely reflects the current management on the site, especially if this has contributed to developing its wildlife value.

You have four months in which to make objections and representations in writing about the notification of a new SSSI. You should make any objections to your local Natural England office. We can usually sort out any worries over the implications of the SSSI notification through discussion at this stage.
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 our staff and the Executive Board. As a result, they will use their own personal and expert judgment on the issue. The Board carefully considers all concerns and objections, which have been raised and have not yet been settled. You have an opportunity to speak to the Board in person to explain your objection. If we confirm a notification, we must do so in writing within nine months of the notification.

If the special scientific interest of an SSSI changes, we may change the details of the notification. We may also extend the SSSI if land nearby is found to be of scientific interest. We treat proposals to vary or extend SSISIs in the same way as new notifications. If SSISIs, or parts of SSISIs, lose their features of special interest and there is no prospect of the interest being restored, we may withdraw the SSSI designation. We call this process ‘de-notification’. We only do this in exceptional cases. We would not denotify sites which had been illegally damaged, or had suffered from neglect.

**The process for notifying SSISIs**

1. **Identify potential SSSI**
   - Site information is assessed against published criteria and initial discussions take place with owners and occupiers. If the site needs surveying, permission of the owners / occupiers will be sought.

2. **Notification considered by Executive Board**

3. **Local office issues notification**
   - Four months for objections and representations to be made.

4. **Local office negotiates to resolve objections**
   - Many objections and representatives are resolved at this stage. Unresolved objections are considered by the Natural England Board.

5. **Confirmation considered by Natural England Board**
   - Objectors may attend Board meetings to present their points in person.

6. **Inform those notified of decision (confirm or withdraw)**
   - The notification ceases to have effect if not confirmed within nine months of notification.

*Scar Close is one of the finest examples of limestone pavement in England. Peter Wakely/Natural England*
Your responsibilities

You must give us written notice before you begin any of the operations listed in the notification, or you allow someone else to carry out these activities. None of the listed operations may go ahead without our consent. Our local advisors can provide advice on appropriate management and the process for giving notice of any operations you want to carry out. They will also be able to advise on what sources of funding may be available. See page 7 How to give notice of operations listed in the notification.

Our local advisors will always try to agree or negotiate a practical and realistic approach to your proposals. In many cases, you may be able to carry out the operation without damaging the site. We may attach conditions or time limits to the consent. If you want to carry out an operation in a way that would damage the special interest features of an SSSI, we may refuse to give consent, and that operation can not legally go ahead. We may also review existing consents, and withdraw or modify them if we consider that they are damaging to the SSSI.

If we have refused consent, or you are unhappy with the conditions or modifications we have made to a consent, you can appeal to the Secretary of State.

You do not need our permission if you:

- carry out emergency work and let us know as soon as reasonably possible afterwards; or
- have planning permission granted for the operation on a specific application under the Town and Country Planning Act 1990 (this does not apply to operations under Permitted Development Orders); or
- have statutory permission, authorisation or a licence from another public body to carry out specific operations, and that public body has consulted us.
A notice of a proposed operation must specify the nature of the operation and the land on which it is proposed to be carried out.

We will respond to notices of proposed operations within 10 working days, or tell you if our decision is more complicated and likely to take longer. However, if we do not respond within four months, you can assume we have refused consent, and you have a right to appeal. If you would like advice about an operation before giving us written notice, please contact your local office where our advisors will be happy to help.

If the operation will not damage the special interest, we will be able to give our consent to it. We may attach conditions or time limits to make sure that the operation does not damage the SSSI. If an operation will damage an SSSI, we will refuse consent. We will always explain our decisions over consents, and try to sort out any disagreements over conditions or time limits.

If disputes over conditions, time limits or our refusal cannot be sorted out, you can appeal to the Secretary of State for Environment, Food and Rural Affairs.

What to do if you are not satisfied with our response
There are procedures set out by law that you can use, and complaint procedures available for sorting out any disagreements. We are committed to sorting out disputes through independent experts or mediation. The team manager of the relevant local office will be able to let you know about dispute resolution procedures, which form part of our informal process for sorting out disagreements.

If you are not satisfied with our decision about a proposed operation on an SSSI, and cannot sort the matter out with our advisor, please contact the relevant team manager. He or she will investigate the issue thoroughly, and will reply to you within 10 working days.

If you are not satisfied with the outcome, you should ask for the disagreement to be investigated by the regional director. You can obtain the names of the team manager...
and regional director by contacting the local office with which you have been dealing. There is a time limit for making formal appeals to the Secretary of State, under section 28F of the Wildlife and Countryside Act 1981 (as amended). You must appeal to the Secretary of State within two months of our letter refusing consent, or setting conditions or time limits. You may continue to look at other ways of sorting out your disagreement with us. We can only extend the time limit for lodging formal appeals with the Secretary of State if you and we agree.

**Making an appeal to the Secretary of State**

If we have refused you consent to carry out an operation on an SSSI, or you disagree with a condition or time limit attached to the consent or modification made to a consent, you can appeal formally to the Secretary of State under section 28F of the Wildlife and Countryside Act 1981 (as amended).

You must write to the Secretary of State at:

**European Wildlife Division**  
Department for Environment, Food and Rural Affairs  
1st Floor  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6EB.

The appeal should give the name of the person making the appeal, and a contact address and phone number. It should also give the name of the SSSI. You should give the reasons why you want to appeal. You should also enclose a copy of the consent or refusal letter against which the appeal is being made.

The Secretary of State must have received your appeal within two months of the date of our letter which refuses consent, or sets conditions or a time limit. You must also send a copy of the appeal to us.

The appeal may be dealt with by exchanging written statements, or by a hearing. Please tell the Secretary of State which you prefer.

Written statements can include maps, plans or photographs, along with information about the site and the operations involved. Written statements are likely to be a quicker and cheaper method for deciding an appeal than a hearing. A hearing gives you and us the chance to state our cases before an Inspector (an ‘appointed person’ under the Wildlife and Countryside Act 1981). The Inspector will make a report to the Secretary of State, recommending a decision.

In both a hearing and an exchange of written statements, the appeal will be decided using the evidence put forward. If you make an appeal, the Secretary of State will write to you to explain the procedures in more detail.
Enforcing the law relating to SSSIs

We are responsible for enforcing the nature conservation provisions of the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way (CROW) Act 2000 and the Natural Environment and Rural Communities (NERC) Act 2006. This information note explains what will happen when the law is broken. It is not a detailed guide to the law.

We aim to conserve SSSIs for the benefit of present and future generations, through positive partnerships with the people who manage and own those sites. You should make sure that your SSSI is managed in line with the provisions of the Wildlife and Countryside Act 1981 (as amended). If you own or manage an SSSI that is being damaged by other people, our local advisors will be pleased to let you know how to deal with the situation.

What response can you expect from us?
We will give a firm response so that the law protecting SSSIs is respected. We will investigate reports of damage (from whatever source) objectively and promptly. Our response will be fair and in proportion to the alleged offence.

Professional investigation officers will carry out interviews and will provide a detailed report. We will give a fair hearing to anyone suspected of an offence.

A proportionate response means that we will consider the nature of the offence. For less serious offences we may issue warning letters. For more serious offences we will consider prosecution. Any decisions to prosecute are taken by our legal advisor and Director - Regulatory Services and Access.

Working with other enforcement agencies
Some alleged offences in relation to SSSIs may be illegal under other legislation, and we may involve other enforcement agencies or the police in the investigation. We will help other authorities by providing advice and information and will make sure we use public resources efficiently.
Types of offence

Owners and occupiers
- Carrying out operations likely to damage without consent.
- Failing to keep to a management notice.
- Failing to let us know about a change in ownership or occupation.

Public bodies
- Carrying out damaging operations without meeting the requirements to notify us.
- Failing to minimise any damage to an SSSI and if there is any damage, failing to restore it to its former state so far as is reasonably practical.
- Authorising damaging operations without meeting the requirements to notify us.

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.

Emergencies and operations permitted by other public bodies
The law allows operations listed in the notification documents to be carried out in emergencies, as long as we are told as soon as possible after the works are carried out or permission was given. Operations that are authorised or licensed by another public body may also be carried out without needing separate permission from us. If you are in any doubt, contact your local office for advice.

Penalties
Those convicted of carrying out work without permission, or of damaging an SSSI, may be fined up to £20,000 by a Magistrates Court or an unlimited amount by a Crown Court. The courts can also order the site to be restored at the expense of the offender.

The penalty for not keeping to a management notice is £5,000 in the Magistrates Court or an unlimited amount in the Crown Court. Obstructing one of our officers or failing to let us know about a change in ownership or occupancy of an SSSI can mean a fine of up to £200. Removing or damaging an SSSI sign or notice can result in a fine of up to £2,500.

You should refer to the relevant legislation directly, and if necessary, get legal advice. You can find details of the Wildlife and Countryside Act 1981, the CROW Act and the NERC Act on the Office of Public Sector Information website (www.opsi.gov.uk).
Your responsibilities

We will advise and help you to make sure that sites are appropriately managed. Appropriate management is very important to conserve the special wildlife and geological features of SSSIs. Grazing animals at particular times of the year, coppicing, controlling water levels and clearing scrub are examples of the type of management which may be needed. Many owners and occupiers already carry out suitable management, which has contributed to the special interest of the land. We may give you financial help to carry out the necessary management.

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. These include management schemes and management notices. We may also offer to buy land voluntarily and, in exceptional circumstances, use compulsory purchase powers. We will only use these stronger powers for the very small number of instances where all options to work with you have failed to maintain the special interest of the SSSI.
Public bodies

Public bodies such as local authorities, statutory undertakers and public authorities own about 20% of land designated as SSSIs.

Public bodies are defined as follows:
- Any statutory undertaker (as defined in section 262(1), (3) and (6) of the Town and Country Planning Act 1990). These include privatised utilities, such as water or electricity companies.
- A person holding an office under the Crown (including government departments, agencies and local authorities).
- Organisations created or continued under a public general Act of Parliament.
- Any other public body of any description.

The SSSI legislation places a general duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which an SSSI has been notified.

Public bodies must consult us before carrying out any operations which may damage an SSSI. This applies whether the operations are to take place within the SSSI boundary or outside it. They must take our advice into account before carrying out any operations. If they go ahead with an operation they must reduce, as far as possible, any damage caused and restore the site to its former condition.

Public bodies must also consult us before permitting anyone else to carry out an operation within or outside the SSSI boundary that may damage an SSSI.

Public bodies must show how they have taken account of our advice if they plan to go ahead with an operation, or issue a permission, against our advice. We may refer the issue to Ministers or aim to get a judicial review of the decision. We would only take this action in those cases in which we have serious concerns about the nature of the damage.

It is an offence for public bodies to carry out work on SSSIs or permit work on SSSIs without first consulting us. You can get more information on the duties of public bodies, including statutory timescales that must be followed, from our local offices. Also see page 13 Obligations of public bodies.

After a public body has consulted us and you have received permission for an operation, you do not need to get a separate consent from us to carry out the operation. This exemption only applies if the public body gives some form of formal authorisation. We will work closely with public bodies to make sure that the consultation process is as smooth as possible for owners and occupiers of SSSIs.

We expect planning authorities to make sure that they meet all conditions attached to planning permissions for nature conservation reasons, and to take appropriate enforcement action where necessary.
Obligations of public bodies

You can find more information and guidance on these requirements in Defra’s Code of Guidance ‘Sites of Special Scientific Interest: Encouraging positive partnerships’ available from the Defra website (www.defra.gov.uk/wildlife-countryside/ewd/sssi/sssi-code.pdf).

Public bodies carrying out operations

Public bodies must give us notice under section 28H of the Wildlife and Countryside Act 1981 (as amended) before carrying out any operations which are likely to damage any of the features of interest of an SSSI. This requirement applies to operations within an SSSI, and to operations outside the SSSI which may affect the features of interest. We have 28 days to reply.

We may reply either by giving assent (with or without conditions), or by refusing to assent. If we agree to the proposals, the work may be carried out without waiting 28 days. If a public body wants to carry out the operations without our approval, or without keeping to our recommended conditions, it must not go ahead unless it has given us a further 28 days notice that it plans to carry out the operations. This further notice must include the proposed start date, and explain how our advice has been taken into account. During this further 28-day period, we may refer the case to the Secretary of State to consider.

There are provisions for work to be carried out in an emergency as long as we are told as soon as possible afterwards.

Breaking these requirements is a criminal offence which may carry a fine of up to £20,000 (unlimited in the Crown Court) and a restoration order.

Public bodies will find it helpful to discuss proposals with us before they give us formal notice to carry out an operation under section 28H of the Wildlife and Countryside Act 1981 (as amended).
Public bodies authorising operations

Public bodies must give us notice under section 28I of the Wildlife and Countryside Act 1981 (as amended) when giving others permission to carry out an operation likely to damage any of the features of interest of an SSSI. This requirement applies to operations within an SSSI, and to operations outside the SSSI which may affect the features of interest. We have 28 days to reply.

The public body must consider our advice when deciding whether or not to issue a permission and what (if any) conditions should be attached to it. If we advise that the operations will not affect the SSSI, the permission or licence may be granted without waiting for the end of the 28 days. If the public body wants to grant permission against our advice, it must let us know, giving full details of the proposed permission and a statement explaining how our advice has been taken into account. The permission must not allow the operations to begin until the end of a further 21 days. During this further 21-day period, we may refer the case to the Secretary of State to consider.

Permission may be given for work to be carried out in an emergency as long as we are told as soon as possible afterwards.

Breaking these requirements is a criminal offence which may carry a fine of up to £20,000 (unlimited in the Crown Court).

You can find more information and guidance on these requirements in Defra’s Code of Guidance ‘Sites of Special Scientific Interest: Encouraging positive partnerships’ available from the Defra website (www.defra.gov.uk/wildlife-countryside/ewd/sssi/sssi-code.pdf).
SSSIs are everyone’s responsibility

Everyone needs to consider the effect their activities have on the nature conservation interests of SSSIs. It is an offence for anyone to intentionally or recklessly destroy or damage the special interest features of an SSSI, or to intentionally or recklessly disturb any animal which is notified as being of special interest. We may make bye-laws on any SSSI to control activities that may damage the site.

There are exceptions for emergency operations and operations that have planning permission, or permission from a public body.

Access to SSSIs

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

Our staff will always request your permission before visiting your SSSI. In certain circumstances we have powers to enter land to carry out our functions in relation to SSSIs. We will only use these after you have denied us access and we have given you notice, unless we believe there is damage to the SSSI.

We hope that you have found this information booklet helpful. We look forward to working with you to conserve and manage these wonderful places, and the wildlife which they support, for the benefit of present and future generations.

Contacting us

A list of local office addresses is available from our website. If you have any questions about SSSIs in your area, please contact the relevant local office.

For more information on Natural England visit our website at www.naturalengland.org.uk or ring our Enquiry Service on 0845 600 3078.
Some technical terms explained

We will always try to explain ourselves in straightforward terms. We may occasionally have to use specific terms for legal or technical reasons. This information note explains the main phrases and terms we may use when we talk to you, or send you letters, about your SSSI. If you are not sure about the meaning of what we say, please ask us to explain.

Assent
Our approval under section 28H of the Wildlife and Countryside Act 1981 (as amended) of an operation which another public authority is proposing. (This is different to the consent given to owners and occupiers of SSSIs).

Bye-laws
Legal constraints we impose on a particular site to prevent operations likely to damage. We may use these when we cannot stop damaging activities in other ways.

Citation
A document explaining the special interest of an SSSI. The citation is one of the legal documents that forms part of the notification package.

Compulsory purchase
We have the ability to buy the freehold interest of a piece of land (whether you want us to or not). We will only consider this in exceptional circumstances, when buying the land is essential to maintain the special interest. We will first explore all other practical options, including voluntary purchase or management agreements.

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

Consent
Our formal written authorisation for you to carry out an operation listed in the notification.

De-notification
A legal power to remove statutory protection from a site we have previously confirmed as an SSSI. The procedures mirror those for notification and confirmation.

There are opportunities for you to make representations which we will consider. The land will continue to be protected as an SSSI until we have confirmed that we have removed the notification.

Notification
Our duty to let the Secretary of State, all owners and occupiers and local planning authorities know about any land that we consider to be of special scientific interest (an SSSI). Notification documents include a map, citation, management statement, and a list of operations which need our consent. We can vary notifications, or change the area of SSSIs, once they are confirmed. However, we can only make these changes after a full statutory consultation with you. See also Confirmation.

Operations which need our Consent
If you want to carry out operations which are listed in the notification as likely to damage the special interest, you must give us written notice. In most cases we will be able to give our consent, sometimes with conditions and time limits.

Powers of entry
People we have authorised may enter land for a number of different purposes, such as:
- to assess whether the land should be notified as an SSSI;
- to prepare a scheme for managing the land in a way which would conserve its special features;
- to assess the condition of the features on the site;
- to see whether an offence has been committed; and
- to erect an SSSI notice or sign.

We will use these powers only after giving you at least 24 hours notice, unless an SSSI is being damaged.
Prosecutions
We are responsible for enforcing the law protecting SSSIs. We do this in line with our SSSI enforcement policy. Prosecutions may not be taken by anyone else without the permission of the Director of Public Prosecutions.

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.

Section 28G authority
A public body, as 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.

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.

Terms relating to managing SSSIs

Agri-environment scheme
A scheme meeting environmental aims through using agricultural practices, sometimes with financial aid provided by government.

Management statement
A formal statement of our views on the management needed to maintain the special interest for which the SSSI has been notified.

Management agreement
A voluntary legal agreement (sometimes accompanied by payment) between us and you to secure appropriate management of the land. We may offer agreements on land next to SSSIs.

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. Not all sites will need a management scheme.

Management notice
An enforceable notice that we serve stating that a site must be managed according to a management scheme. We may only do this if we have issued a management scheme and it has not been put into practice, and you have refused a management agreement offering you payment for the necessary work.
Keeping in touch

We are always pleased to hear from owners and managers of SSSIs. Our staff can advise on managing SSSIs or offer suitable advice. If you want to speak to us about any aspect of a particular SSSI, please contact your local Natural England office. Details of these can be found on our website at the address below. Your local office will give you the name of the advisor who is responsible for your SSSI.

General enquiries

For general advice or queries about SSSIs, or any other aspect of our work, you can contact our Enquiry Service:

Enquiry Service,
Natural England,
Northminster House,
Peterborough, PE1 1UA.
Phone: 0845 600 3078,
Fax: 01733 455103
E-mail: enquiries@naturalengland.org.uk

You can find more information about Natural England, and about SSSIs, on our website: www.naturalengland.org.uk.
Natural England works for people, places and nature to conserve and enhance biodiversity, landscapes and wildlife in rural, urban, coastal and marine areas.

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