



National Assembly for **Wales**  
Cynulliad Cenedlaethol **Cymru**

# Environmental Protection Areas in Wales

## Abstract

This paper provides background briefing on the location of environmentally protected areas in Wales and the implications of each designation for land management practices and public access.

The paper explores the legislative origins and current definitions of International, European, National and Local environmental designations and relates these to the Welsh context. Upcoming developments in each designation are also reported and the paper briefly outlines the procedures for designation of new sites.

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# Environmental Protection Areas in Wales

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## Executive Summary

This paper examines the location and extent of environmental protection areas in Wales, and outlines the eligibility criteria and the procedure for designation of new sites. International, European, National and Local environmental designations are examined, in relation to their legislative origin, administering bodies and the level of protection they afford. The implications of each designation for land management and public access rights are also discussed.

### International Designations

International designations are generally governed by international conventions or are overseen by international governing bodies, but are administered at a site level by national governments and even by local authorities. International designations apply to exceptional and globally unique sites and seek to set up global networks of protected areas and to apply common standards across all contracting countries.

### European Designations

European designations relate to environmental protection areas which have a common purpose and definition across European countries. Two main administering bodies are involved: the European Union (EU) and the Council of Europe. European Union policies apply to the 25 EU member states and are controlled by the European Commission through European Directives which must be transposed into national legislation. The Council of Europe is a 41 nation inter-governmental organisation and has introduced one major environmental designation, legislated for by a European nature convention which was signed by national Governments.

### National Designations

National designations aim to conserve features or areas of land which are of national importance and that represent rare, or conversely, typical aspects of the Welsh and UK countryside. Four core national designations were provided for under the *National Parks and Access to the Countryside Act 1949*. They have a common legislative origin but differ in their specificity, spatial extent and level of protection. The four core national designations are also supplemented by a later designation specific to coastal areas.

### Local Designations

Local designations are awarded to sites that are of local or regional, rather than national importance and are identified and administered by local authorities or local volunteer groups. The strong emphasis of locally-based protection areas is on educational access and as such the integrity of the site is not as crucial as for national designations. Locally designated sites may include well-preserved semi-natural landscapes but may also include brown-field sites and recovering industrial areas.



## Contents

<b>1</b>	<b>Introduction</b>	<b>1</b>
<b>2</b>	<b>Background</b>	<b>1</b>
<b>3</b>	<b>International Designations</b>	<b>2</b>
3.1	UNESCO Biosphere Reserves	2
3.2	UNESCO World Heritage Sites	3
3.3	UNESCO World and European Geoparks Network	4
3.4	Wetlands of International Importance: Ramsar Sites	5
<b>4</b>	<b>European Designations</b>	<b>6</b>
4.1	Biogenetic Reserves	6
4.2	Natura 2000 Network: SACs and SPAs	7
4.2.1	<i>Special Protection Areas (SPA)</i>	8
4.2.2	<i>Special Areas of Conservation (SAC)</i>	9
4.2.3	<i>Marine SPAs and SACs</i>	10
4.3	Nitrate Vulnerable Zones (NVZs)	11
<b>5</b>	<b>National Designations</b>	<b>12</b>
5.1	National Parks	12
5.2	Areas of Outstanding Natural Beauty (AONB)	13
5.3	National Nature Reserves (NNR)	15
5.4	Sites of Special Scientific Interest (SSSI)	16
5.5	Heritage Coasts	18
<b>6</b>	<b>Local Designations</b>	<b>18</b>
6.1	Local Nature Reserves (LNRs)	18
6.2	Regionally Important Geological and Geomorphological Sites (RIGS)	19
6.3	Sites of Importance for Nature Conservation (SINC)	20





# Environmental Protection Areas in Wales

## 1 Introduction

This paper examines the location and extent of environmental protection areas in Wales, and outlines the eligibility criteria and the procedure for designation of new sites. International, European, National and Local environmental designations are examined, in relation to their legislative origin, administering bodies and the level of protection they afford. The implications of each designation for land management and public access rights are also discussed.

## 2 Background

Environmental protection areas are parcels of land or water that have defined boundaries and which are subject to protection measures and restrictions on land use (statutory or non-statutory) in recognition of their wildlife or earth science importance and/or their vulnerable status. Protection measures must be introduced by a competent authority, but this can vary from International organisations, such as the United Nations Educational, Scientific and Cultural Organisation (UNESCO) and the European Commission, to the UK national Government, the National Assembly for Wales, the Countryside Council for Wales (CCW) and local authorities. The degree of protection also varies; from a simple assertion of a site's importance, and the acknowledgement of this when planning applications are considered (e.g. Heritage Coasts), to sites with strict restrictions on land use which are owned and controlled by CCW exclusively for nature protection and education (e.g. National Nature Reserves).

In the United Kingdom, environmental protection areas have evolved over many decades in response to local, national, European and International concerns, such as the loss of national heritage and landscapes through intensive farming and the more global concern of species and habitat loss and the need to conserve genetic diversity. Many early environmental protection designations sought to protect sites by exclusive preservation and strict restrictions on land use and management activities, but increasingly, environmental designations are given as a reward for, or an incentive to, develop sustainable use of environmental resources. New designations, such as the UNESCO World Geoparks Network, have eligibility criteria and management guidelines which focus on sustainable development and job creation, while the criteria of some older designations have been reviewed and rewritten to include aspects of sustainability e.g. UNESCO's Biosphere Reserves.

Environmental designations at various scales may be overlapping, not only in terms of their aims but also in terms of spatial location and it is not unusual for one area of land to be designated several times at different levels of importance. Though there is inevitably overlap between designations, especially under national and international authorities, each individual designation will help strengthen the site protection as a whole.

### 3 International Designations

International designations are generally governed by international conventions or are overseen by international governing bodies, but are administered at a site level by national governments and even by local authorities. International designations apply to exceptional and globally unique sites and seek to set up global networks of protected areas and to apply common standards across all contracting countries.

#### 3.1 UNESCO Biosphere Reserves

There is one Welsh Biosphere Reserve; at Dyfi in mid-Wales (status is under review).

Figure 1 Dyfi Biosphere Reserve<sup>1</sup>



A global network of Biosphere Reserves was created under the UNESCO *Man and Biosphere (MAB) programme* which was launched in 1971 and covers over 480 sites in 100 countries<sup>2</sup>. The reserves were formed to represent the main ecosystems of the earth and have three “complementary and mutually reinforcing” functions<sup>3</sup>: (i) the conservation of biodiversity; (ii) sustainable development and community involvement; and (iii) to provide logistical support for research, monitoring and education. UK biosphere reserves were designated in 1976 – 1977 and this included one site at Dyfi in Mid-Wales, which incorporates dune, estuarine and mire habitats.

The present and future status of the Welsh biosphere reserve at Dyfi is uncertain. In 1984 the biosphere reserve concept was expanded and sites were thereafter characterised by sustainable development commitments and not just environmental value. The United Kingdom pulled out of UNESCO in 1985 and UK sites did not implement the 1984 changes and did not participate in the 1995 *International Conference on Biosphere Reserves*, in Seville, at which the current eligibility criteria were developed<sup>4</sup>. These criteria were outlined in the 1995 ‘Seville strategy’<sup>5</sup> which emphasised the sustainable development responsibilities of the reserve and recommended the subdivision of reserves into three physical zones: (i) a core zone; (ii) a buffer zone and (iii) a transition zone. The core zone is envisaged as a central zone of high environmental protection where biodiversity can be conserved and where land use is restricted to low impact activities, principally education, while the buffer zone should adjoin or surround the core zone and should be subject to sympathetic management that does not impact upon the core area. The transition zone may vary in size depending on each activity considered and the

<sup>1</sup> CCW, *Sites of Special Scientific Interest in Wales*, 2005,

[http://www.ccw.gov.uk/Images\\_Client/Reports/report%20final%207.pdf](http://www.ccw.gov.uk/Images_Client/Reports/report%20final%207.pdf)

<sup>2</sup> UNESCO website, *UNESCO's Man and Biosphere Programme (MAB)*, <http://www.unesco.org/mab/mabProg.shtml>

<sup>3</sup> UNESCO website, *What is a Biosphere Reserve?*, [http://www.unesco.org/mab/faq\\_br.shtml](http://www.unesco.org/mab/faq_br.shtml)

<sup>4</sup> National Assembly for Wales website, *UNESCO man and the Biosphere*,

<http://www.wales.gov.uk/subienvironment/content/consultations/biosphere.html>

<sup>5</sup> Vestin, K., 2002. *The Seville Strategy for Biosphere Reserves* <http://www.unesco.org/mab/BRs/pdf/Strategy.pdf>



impact upon the buffer and core zones. Overall, local communities are expected to implement sustainable development best practice in all aspects of their land use.

In 1997 the UK announced its intention to rejoin UNESCO and the then Department of the Environment Transport and Regions (now Department for Environment, Food and Rural Affairs (DEFRA)) commissioned a review of UK biosphere reserves based on the 1995 Seville criteria. As a result of the 1997 review, four UK sites were permanently de-listed in 2002 and the remaining nine were asked to develop site management plans and site boundaries in line with the 1995 criteria. There is no deadline by which the criteria must be met and, to date, only one UK reserve has successfully reapplied to obtain biosphere reserve status under the 1995 criteria (Braunton Burrows in Devon). Dyfi needs to extend the size of the reserve to cover a wider area, and to include a larger population, and needs to implement zoning in the reserve. These changes are not just mapping exercises, however, and the land use and management regime within the reserve and in the individual zones must be consistent with the specific objectives of these areas and can only proceed with public consent.

At present Dyfi is still listed as a biosphere reserve on the official UNESCO list<sup>6</sup>, but is not operating as a coherent biosphere reserve. Protection of the main conservation interest in the area is provided by the national statutory designations of National Nature Reserve and Site of Special Scientific Interest, and also by a RSPB (Royal Society for the Protection of Birds) reserve, but these do not represent all of the biosphere area. The Dyfi Partnership, which includes input from CCW, the Environment Agency, Montgomery Wildlife Trust, and the RSPB, is responsible for securing public support for reactivation of the biosphere reserve under the 1995 criteria. The Dyfi Strategy Group must provide evidence of public and local authority support for extending the biosphere area and must submit their re-application to the National Assembly for Wales which will pass it, via the UK government and the UNESCO UK MAB Committee, to UNESCO. The Dyfi Partnership has decided to pursue biosphere status, with an intended resubmission date of April 2008<sup>7</sup>.

### **3.2 UNESCO World Heritage Sites**

There are currently two World Heritage Sites in Wales: 'the Castles and Town Walls of King Edward in Gwynedd' and the 'Blaenavon Industrial Landscape'.

The Pont-Cysyllte Aqueduct in Denbighshire has been included on the UK 'tentative list' of potential World Heritage sites.

World heritage sites are designated under *The World Heritage Convention* adopted by UNESCO in 1972 and ratified by the UK Government in 1984. The designation recognises sites which are of "outstanding universal value" by virtue of their cultural or natural importance<sup>8</sup>. There are two world heritage sites in Wales, 'the Castles and Town Walls of King Edward in Gwynedd' and the 'Blaenavon Industrial Landscape'. Both Welsh sites were designated for their cultural importance and, as yet, there are no world heritage sites in Wales designated for their natural importance. Natural World Heritage Sites are

<sup>6</sup> UNESCO website, *The World Network of Biosphere Reserves Europe and North America*, 04 July 2005, <http://www.unesco.org/mab/BRs/EurBRlist.shtml>

<sup>7</sup> Andrew Rowland, Ecodyfi, *Pers. Comm.* Ecodyfi is the local regeneration organisation for the Dyfi Valley.

<sup>8</sup> Department for Culture Media and Sport Website, *World Heritage Convention*, [http://www.culture.gov.uk/historic\\_environment/world\\_heritage/](http://www.culture.gov.uk/historic_environment/world_heritage/)



required to have 'a high standard of integrity' and this is difficult to achieve in Wales where most land has been altered by human activity. Instead 'cultural landscapes' designations, such as at Blaenavon, which describe landscapes shaped by human changes may help to further wildlife protection. World Heritage sites in the UK confer no additional legal protection, but do provide enormous prestige which attract visitors and impose international accountability. The Castles and Town walls of King Edward and Gwynedd are managed by Cadw (the Welsh Assembly Government's historic environment division), while the Blaenavon Industrial Landscape is administered by the Blaenavon Partnership (a consortium of local authorities and Cadw).

New World heritage sites are nominated by national governments and submitted to the World Heritage Committee for scrutiny by UNESCO advisors over an 18 month period. The UK Government has developed a list of 'tentative sites' which they intend to consider for nomination in the near future and inclusion on this list is a necessary pre-requisite for nomination to the World Heritage Committee<sup>9</sup>. One site from Wales is on the current list, Pont-Cysyllte Aqueduct in Denbighshire, which again will be a cultural designation. Since 2002, the UK Government may only submit one nomination for World Heritage status per year.

### 3.3 UNESCO World and European Geoparks Network

There is currently one World and European Geopark in Wales: Fforest Fawr, a site within the Brecon Beacons National Park.

The Isle of Anglesey is preparing to apply for Geopark status.

The UNESCO 'Geopark' is a relatively new international designation which aims to promote the sustainable economic development of disadvantaged areas through geotourism. The concept was originally developed in Europe in 2000 by four founding Geoparks, but was expanded in 2004 to become a global UNESCO-backed designation with distinct continental branches<sup>10</sup>. The Geopark network focuses on regions of outstanding local or national importance which cannot be included in the World Heritage list and provides international recognition for locally or regionally important sites. Sites are listed primarily for their earth science interest but many also contain important cultural and wildlife sites. Geoparks must also have a definitive boundary and must be large enough to provide potential for "true territorial economic development"<sup>11</sup>.

The Geopark network has three main aims: (i) to conserve and enhance the conservation value of Geopark sites; (ii) to create employment and promote regional sustainable development through geotourism; and (iii) to provide educational facilities and to encourage public enjoyment of geological heritage. Geopark status is not a statutory designation but parks must produce a comprehensive management plan before being accepted into the network and must also abide by a specific code of conduct. For example, the sale of geological specimens – rocks, crystals or fossils – at Geopark sites is prohibited. This includes specimens taken from within the Geopark and from other

<sup>9</sup> Department for Culture Media and Sport, *World Heritage Sites the tentative list of the United Kingdom of Britain and Ireland*, June 1999 <http://www.culture.gov.uk/NR/rdonlyres/2674AF30-0E3D-4012-9EDF-2E4A1C6E078D/0/WorldHeritageSites1999.pdf>

<sup>10</sup> European Geoparks website, *UNESCO and the European Geoparks*, <http://perso.orange.fr/resgeol/egen.html>

<sup>11</sup> European Geoparks website, *What is a European Geopark?*, <http://perso.orange.fr/resgeol/egen.html>





'Montreux record'. The Montreux record forms a register of Ramsar sites where "changes in ecological character have occurred, are occurring, or are likely to occur as a result of technological developments, pollution or other human interference"<sup>17</sup> and identifies priority sites for positive national and international conservation attention. A contracting party may request that a site be included on the record so as to advertise the need for action and to obtain support. Alternatively, if the Convention Bureau receives information that a site is declining they can contact the contracting party and enquire whether a site should be added to the record. However, a site cannot be placed on the record without the consent of the contracting party and this aspect has attracted much debate. Sites on the Montreux record are eligible for help from the Ramsar Advisory Mission which aims to provide technical assistance to help solve the problems that have led to the ecological decline at the site. Sites will usually receive a visit from an expert team that produce a report outlining their findings and recommendations.

There are 164 Ramsar sites in the UK, ten of which are in Wales and these include lake, mire and estuarine habitats<sup>18</sup>. New Ramsar sites in Wales are identified by CCW, in collaboration with Joint Nature Conservation Committee (JNCC), and are designated by the First Minister. Details of new sites for designation are submitted to the Ramsar secretariat on information sheets which detail general ecological features, noteworthy flora and fauna, any conservation measures already in place, any scientific research undertaken and the provisions for recreation and tourism. Existing sites are administered by CCW with support from a National Ramsar Committee. At present, only one of the ten Welsh Ramsar sites, the Dee estuary, is listed in the Montreux record. The Dee estuary is jointly administered by English Nature (EN) and CCW and has been listed on the record after the development of a power generating plant and oil and gas treatment capabilities alongside the estuary<sup>19</sup>. The Ramsar convention requires that compensatory actions be carried out to help replace the loss of conservation interests caused by development, and the Dee site will not be removed from the Montreux record until mitigation measures have been completed.

## **4 European Designations**

European designations relate to environmental protection areas which have a common purpose and definition across European countries. Two main bodies are involved: the European Union (EU) and the Council of Europe. European Union policies apply to the 25 EU member states and are controlled by the European Commission through European Directives which must be transposed into national legislation. The Council of Europe is a 41 nation inter-governmental organisation and has introduced one major environmental designation, legislated for by the Bern convention.

### **4.1 Biogenetic Reserves**

There is one Biogenetic Reserve in Wales, at Rhinogydd in North Wales.

<sup>17</sup> Ramsar website, *The Montreux Record and the Ramsar Advisory Missions*, 07 May 2003, [http://www.ramsar.org/about/about\\_infopack\\_6e.htm](http://www.ramsar.org/about/about_infopack_6e.htm)

<sup>18</sup> The National Assembly for Wales Statistical Directorate, *Key Environmental Statistics for Wales, 2006*, Statistical Bulletin SB 5/2006, 26 January 2006  
<http://new.wales.gov.uk/docrepos/40382/40382313/403824/env-2006/sb5-2006.pdf?lang=en>

<sup>19</sup> Ramsar website, *Ramsar Advisory Missions Report no. 34 UK 1994*, [http://www.ramsar.org/ram/ram\\_rpt\\_34e.htm](http://www.ramsar.org/ram/ram_rpt_34e.htm)

Figure 2 Rhinogydd Biogenetic Reserve<sup>20</sup>



The Biogenetic Reserve concept was launched at the *European Ministerial Conference on the Environment, 1973*, and came into force under the *Bern Convention on the Conservation of European Wildlife and Natural Habitats* signed by the UK Government in 1982. The *Bern Convention* is administered by the Council of Europe, and was ratified by 45 contracting parties, including member states from Europe and non-member states from northern Africa, though not all states have established reserves. Biogenetic reserves are important in that they place nationally important wildlife sites in a wider context and concentrate on habitats considered scarce in Europe but that may be viewed as common in individual nations.

Biogenetic reserves are viewed as 'living laboratories' and aim to conserve typical, unique, rare or endangered aspects of Europe's genetic heritage<sup>21</sup>. The designation may apply both to habitats and species. Biogenetic Reserves also aim to provide opportunities for research.

There are 18 Biogenetic Reserves in the UK, one of which is in Wales; at Rhinogydd in North Wales. Rhinogydd Biogenetic Reserve covers temperate shrub and heathland habitat and is owned and administered by CCW<sup>22</sup>. Biogenetic Reserve sites in the UK must be already designated as a Site of Special Scientific Interest and enjoy strong legal protection under this designation but their status as Biogenetic Reserves conveys no extra legal protection; management of the Rhinogydd reserve concentrates on measures to prevent degeneration of the habitat as it exists at present. The standing committee that coordinates the Bern convention may send a letter to national governments urging action in failing reserves and may make public recommendations for action, but the only consequence of non-compliance is that the reserve may be withdrawn from the Biogenetic network.

#### 4.2 Natura 2000 Network: SACs and SPAs

There are currently 108 Natura 2000 sites in Wales: 19 Special Protection Areas (SPAs) and 89 Special Areas of Conservation (SACs).

Natura 2000 refers to a large network of protected sites designated under two major European Union Directives:

- *Council Directive 79/409/EEC on the conservation of wild birds*, also known as the Birds Directive.
- *Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora*, more commonly known as the Habitats Directive.

<sup>20</sup> CCW, Sites of Special Scientific Interest in Wales, 2005, <http://www.ccw.gov.uk/Images/Client/Reports/report%20final%207.pdf>

<sup>21</sup> Environmental Information Service website, *The European Network of Biogenetic Reserves*, [http://ims.wcmc.org.uk/IPIECA2/conven/conven\\_biogen.html](http://ims.wcmc.org.uk/IPIECA2/conven/conven_biogen.html)

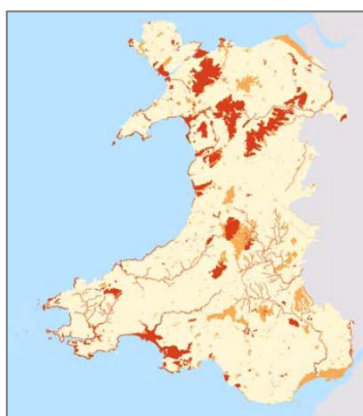
<sup>22</sup> European Nature Information Service website, *Rhinogydd*, 19 December 2005 <http://eunis.finsiel.ro/eunis/sites-factsheet.jsp?tab=1&idsite=UK930014>

These Directives together aim to conserve wildlife and habitat in a coherent manner across the EU and both make provisions for the selection and designation of sites worthy of special conservation based on their European importance and which form the 'Natura 2000 Network'. The Birds Directive was transposed into UK law in the *Wildlife and Countryside Act, 1981* while the obligations of the habitat directive entered into UK law through the *Conservation (Natural Habitats, &c.) Regulations, 1994*.

The Natura 2000 Network consists of two designations of equal status: Special Protection Areas (SPAs), as designated under the Birds Directive, and Special Areas of Conservation (SACs), which were designated under the Habitats Directive. In the UK, both SPAs and SACs were selected based on a network of nationally designated sites termed Sites of Special Scientific Interest (SSSI); these sites are protected from damaging operations under national law and require the formulation of site management plans. The European designation of SAC or SPA on top of existing SSSI recognises the international as well as national importance of the site, but is unlikely to greatly affect management in the UK. One difference, however, is that, once an SPA or SAC has been designated, the local planning authority must review any extant planning permission for the site; these approved operations were considered not to affect the SSSI conservation interest but, if they differ, may impact upon the European conservation interest. The habitat types and species listed under Natura 2000 are those considered most in need of conservation at a European level and Natura 2000 promotes protection similar to that provided by the UK SSSIs across Europe.

#### 4.2.1 Special Protection Areas (SPA)

**Figure 3 Special Protection Areas<sup>23</sup>**



Special Protection Areas are the older of the two Natura 2000 distinctions and are designated under the 1979 Birds Directive which aims to protect all wild birds and their nests, eggs and habitats. Two main types of bird are protected under the Birds Directive: (i) rare or endangered bird species, listed in Annex 1 of the Directive, and (ii) all species of regularly occurring migratory birds. These two types represent species of special concern and require special conservation measures, while the Birds Directive also employs a system of 'reverse listing', and lists birds for which hunting and sale are permitted<sup>24</sup>.

The selection of SPAs from the larger list of UK SSSIs was guided by a two-stage selection process. The first stage identified possible sites which fulfilled at least one of four criteria<sup>25</sup>:

1. An area used regularly by 1% or more of the Great Britain (or in Northern Ireland, the all-Ireland) population of a species listed in Annex I of the Birds Directive (79/409/EEC as amended) in any season

<sup>23</sup> CCW, Sites of Special Scientific Interest in Wales, 2005, [http://www.ccw.gov.uk/Images\\_Client/Reports/report%20final%207.pdf](http://www.ccw.gov.uk/Images_Client/Reports/report%20final%207.pdf)

<sup>24</sup> naturenet website, *Special Protection Area*, <http://www.naturenet.net/status/spa.html>

<sup>25</sup> JNCC website, *Selection guidelines for Special Protection Areas* <http://www.jncc.gov.uk/page-1406>



2. An area used regularly by 1% or more of the biogeographical population of a regularly occurring migratory species (other than those listed in Annex I) in any season
3. An area used regularly by over 20,000 waterfowl (waterfowl as defined by the Ramsar Convention) or 20,000 seabirds in any season
4. An area which meets the requirements of one or more of the Stage 2 guidelines in any season, where the application of Stage 1 guidelines 1, 2 or 3 for a species does not identify an adequate suite of most suitable sites for the conservation of that species

The sites identified under Stage 1 of the selection process were further refined in Stage 2 using criteria relating to: bird population size and density; species range; breeding success; history of occupancy; existence of multi-species areas; the 'naturalness' of the site and whether the site is likely be used by birds as a 'severe weather refuge'.

There are 243 SPAs in the UK; 16 wholly in Wales, and 3 which cover parts of both Wales and England. New land-based Special Protection Areas may still be designated and potential SPAs are identified by CCW in conjunction with JNCC and are designated by the First Minister in Wales. However the main focus now is on the designation of Marine SPAs (see Section 4.2.3). As a network, SPA sites aim to link the chain of bird migration sites to ensure that the absence or destruction of sites in one country does not endanger the whole migratory route and the birds that rely on it.

The full list of Welsh SPAs is available at: <http://www.jncc.gov.uk/page-1403>.

#### 4.2.2 Special Areas of Conservation (SAC)

#### Figure 4 Special Areas of Conservation<sup>26</sup>



Special areas of Conservation are designated under the 1992 Habitats Directive; sites may be designated either on the basis of rare or endangered habitat (Annex 1 of the Directive) or rare or endangered species (Annex 2 of the Directive). 76 of the 189 Annex 1 habitats occur in the UK, along with 43 native species from the 788 species listed in Annex 2<sup>27</sup>. The selection of potential SACs was based on the current national network of UK SSSIs but with the adoption of specific selection criteria to help refine this list.

The selection of SACs was carried out in two stages<sup>28</sup>:

*Stage 1:* The assessment of the relative importance of sites within each Member State

*Stage 2:* A moderation stage involving the assessment of the overall importance of the sites in the context of the relevant 'biogeographical region' and of the EU as a whole.

<sup>26</sup> CCW, Sites of Special Scientific Interest in Wales, 2005, [http://www.ccw.gov.uk/Images\\_Client/Reports/report%20final%207.pdf](http://www.ccw.gov.uk/Images_Client/Reports/report%20final%207.pdf)

<sup>27</sup> JNCC website, *Special Areas of Conservation (SACs)* <http://www.jncc.gov.uk/page-23>

<sup>28</sup> JNCC website, *Site selection criteria and principles in the UK*, <http://www.jncc.gov.uk/page-1473>

The criteria in Stage 1 differ for habitat-based and species-based site selection and are set out below. Sites based on Annex 1 habitats are selected with consideration of:

- the degree of 'representativity'<sup>29</sup>
- the area of the site
- the integrity of habitat structure and functions and possibilities for restoration
- a global assessment of conservation value

Sites based on Annex 2 species are selected based on:

- population size and density
- the integrity of the site habitat features that are important for the species, and possibilities for restoration
- the degree of isolation of the population in relation to the species' natural range
- a global assessment of conservation value

Information on Stage 2 of the SAC selection process is available on the JNCC website at: <http://www.jncc.gov.uk/page-1469>

National lists of candidate SAC sites (cSAC) were submitted by the UK Government to the European Commission in 1995 but were not formally adopted by the Commission until 7 December 2004. The National Assembly for Wales officially designated the Welsh SACs on 13 December 2004. In reflection of their different species emphasis, there are relatively more SACs than SPAs in the UK. There are 608 SACs in the UK, 84 in Wales and 5 cross-border SACs which lie partly in Wales and partly in England<sup>30</sup>. The SAC list is not closed and additions and changes may be included as a result of further scientific work and public consultation.

#### 4.2.3 Marine SPAs and SACs

The applicability of the Habitats Directive to UK offshore waters was not certain when the terrestrial sites were listed. The *Conservation (Natural Habitats &c) Regulations 1994* only provide for implementation of the Habitats Directive inside territorial waters (12 nautical miles (nm) from mean low water mark) and do not provide provision for the designation of marine SPAs or SACs beyond this boundary. All current UK marine SACs concentrate on intertidal areas and estuaries and to date, only one wholly marine SPA has been designated in the UK<sup>31</sup>. The European Commission stated in 1999 that the Habitat Directive only applies automatically to territorial waters, but that if a Member State has declared an Exclusive Economic Zone (EEZ)<sup>32</sup> then the Habitats Directive should also apply within this<sup>33</sup>. The UK has only declared a partial EEZ but the applicability of the Habitats Directive to this zone was clarified in a high court ruling in November 1999 which declared that the Habitats Directive "applies to the UK continental shelf and to the super-adjacent waters up to a limit of 200 nautical miles from the baseline from which the

<sup>29</sup> JNCC website, *The Background to Site Selection*  
[http://www.jncc.gov.uk/pdf/SACselection-background\\_doc.pdf](http://www.jncc.gov.uk/pdf/SACselection-background_doc.pdf)

<sup>30</sup> JNCC website, *UK Ramsar sites*, 31 March 2006  
<http://www.jncc.gov.uk/page-1388>

<sup>31</sup> JNCC website, *Marine Special Protection Areas (SPAs)*  
<http://www.jncc.gov.uk/page-1414>

<sup>32</sup> An EEZ is declared by individual nations under the United Nations third Convention on Law of the Sea (UNCLOS) and recognises exclusive marine resource rights in a zone 200 nautical miles from the coast

<sup>33</sup> World Wildlife Federation (WWF) website, *Implementation of the EU Habitats Directive offshore: Natura 2000 sites for reefs and submerged sandbanks*, June 2001,  
[http://www.ngo.grida.no/wwfneap/Projects/Reports/Reefs\\_Sandbanks\\_Vol1.pdf](http://www.ngo.grida.no/wwfneap/Projects/Reports/Reefs_Sandbanks_Vol1.pdf)

territorial seas is measured"<sup>34</sup>, ie from mean low water mark in the UK. Following this ruling the UK Government stated that it would make provisions for the classification of offshore marine SACs and SPAs.

Administration of marine areas beyond territorial limits is not a devolved matter, and the JNCC is carrying out the work needed to identify marine SPAs and SACs on behalf of the country agencies. Work is underway to identify a suite of marine SPAs and SACs around the UK, overseen by the Marine Natura 2000 Project Group<sup>35</sup>, which aims to prepare: (i) site selection guidelines; and (ii) boundary setting guidelines for the identification of offshore Natura sites; and (iii) a UK list of marine offshore cSPAs and cSACs<sup>36</sup>. SSSIs are not designated beyond mean low tide and this makes site selection in the marine area both important and time consuming.

### 4.3 Nitrate Vulnerable Zones (NVZs)

Nitrate Vulnerable Zones apply to 3% of Wales.

Nitrate Vulnerable Zones (NVZs) are statutory designations necessary under the 1991 EU Council Directive 91/676/EEC Nitrates Directive, which was transposed through the *Action Programme for Nitrate Vulnerable Zones (England and Wales) Regulations 1998 (as amended)*. The first NVZs were designated in England and Wales in 1998 and this was followed by an update and reassessment in 2002. Following the 2002 review, 3% of Wales<sup>37</sup> has been designated as nitrate vulnerable, compared to 55% of England<sup>38</sup>. There are 10 individual Welsh sites, which include 800 farm holdings; 100 in South Wales and 700 in North Wales<sup>39</sup>.

The designation of an NVZ is different to most other environmental designations in that it implies a negative rather than positive environmental status. It relates to agricultural land that drains into surface or subsurface waters that have a high nitrate concentration or are likely to become nitrate polluted in the near future. 'High nitrate concentration' or 'nitrate polluted' waters are defined as having nitrate concentrations greater than 50 mg/l<sup>40</sup>. Designation as an NVZ requires landowners to implement an action programme which requires farmers to follow good agricultural practice guidelines relating to<sup>41</sup>:

- Record keeping: farm records must be kept for a five year period detailing cropping, livestock numbers, crop residues and the application of artificial and organic nitrogen fertilisers.

<sup>34</sup> World Wildlife Federation (WWF) website, Implementation of the EU Habitats Directive offshore: Natura 2000 sites for reefs and submerged sandbanks, June 2001,

[http://www.ngo.grida.no/wwfneap/Projects/Reports/Reefs\\_Sandbanks\\_Vol1.pdf](http://www.ngo.grida.no/wwfneap/Projects/Reports/Reefs_Sandbanks_Vol1.pdf)

<sup>35</sup> A report on Marine SACs by the Marine Natura 2000 Project Group is available at: <http://www.jncc.gov.uk/PDF/JNCC325-full.pdf>

<sup>36</sup> JNCC Marine Natura 2000, *Terms of Reference for the Marine Natura 2000 group*, 25 September 2002,

<http://www.jncc.gov.uk/pdf/projectgroupTOR.pdf>

<sup>37</sup> CCW website, *Nitrate Vulnerable Zones*

<http://www.countryside.wales.gov.uk/fe/master.asp?n1=366&n2=731&n3=206>

<sup>38</sup> DEFRA website, *Nitrate Vulnerable Zones in England*, 16 November 2004,

<http://www.defra.gov.uk/environment/water/quality/nitrate/nvz.htm>

<sup>39</sup> Gwlad, Issue 50, March 2006, *The Practical Implications of Farming in a Nutrient Vulnerable Zone*

[http://www.countryside.wales.gov.uk/fe/fileupload\\_getfile.asp?filePathPrefix=4253&fileLanguage=e.pdf](http://www.countryside.wales.gov.uk/fe/fileupload_getfile.asp?filePathPrefix=4253&fileLanguage=e.pdf)

<sup>40</sup> DEFRA website, *Nitrate Vulnerable Zones in England*, 16 November 2004,

<http://www.defra.gov.uk/environment/water/quality/nitrate/nvz.htm>

<sup>41</sup> Environment Agency (EA) website, *Nutrient Vulnerable Zones in England and Wales*, 27 October 2005

<http://www.netregs.gov.uk/netregs/sectors/1029415/1029681/1035082/?lang=e>

- Crop requirements: the level of artificial fertiliser application must be limited so as to remain in balance with the nutrient requirements of the crop.
- Spreading controls: the application of both artificial and organic manure fertiliser is restricted in terms of proximity to watercourses and the weather conditions under which fertiliser can be applied.
- Closed periods: artificial and organic manure fertilisers must not be used during specific times of the year. These time periods are tailored to soil type.
- Manure loadings: there is a restriction in the amount of organic manure that may be applied to fields. At present limits are stricter for farms designated in 1996, than those designated in 2002, but from December 2006, the 2002 sites must also comply with the stricter limits.

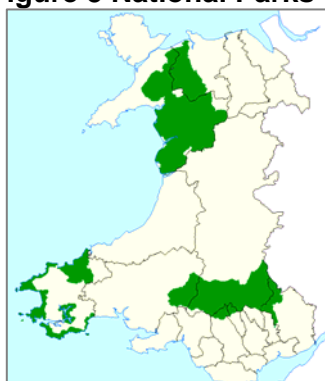
Since January 2005, statutory management requirements for NVZs have been enforced under the cross compliance rules of the single farm payment scheme, while farmers outside NVZs are encouraged to follow voluntary good practice guidelines to prevent the imposition of NVZ regulations in the future. Farmers who believed their land was wrongly designated as nitrate vulnerable could object during the 2002 review period, but the appeals process is no longer open. The number and extent of NVZs is reviewed every four years and 2006 should see the third review of NVZ areas in Wales.

## 5 National Designations

National designations aim to conserve features or areas of land which are of national importance and that represent rare, or conversely, typical aspects of the Welsh and UK countryside. Four national designations were provided for under the *National Parks and Access to the Countryside Act 1949*: (i) National Parks; (ii) Areas of Outstanding Natural Beauty; (iii) National Nature Reserves and (iv) Sites of Special Scientific Interest. These four designations have a common legislative origin but differ in their specificity, spatial extent and level of protection. The four core national designations are also supplemented by 'Heritage Coasts', a coastal protection scheme launched in 1972.

### 5.1 National Parks

Figure 5 National Parks<sup>42</sup>



There are three National Parks in Wales: Snowdonia; the Pembrokeshire Coast; and the Brecon Beacons.

National Parks are large areas of land which generally cover the UK's wildest and most dramatic landscapes and are usually, though not exclusively, of high elevation. There are three National Parks in Wales and each was designated under the *National Parks and Access to the Countryside Act 1949* in the 1950s: Snowdonia (1951); the Pembrokeshire Coast (1952) and the Brecon Beacons (1957). Together the National Parks cover 20% of Wales<sup>43</sup>.

<sup>42</sup> Adapted from NAW website, *National Parks in Wales*, 1999  
<http://www.wales.gov.uk/subicountry/content/national-parks-e.htm>

<sup>43</sup> Members Research Service Research Paper, *National Parks in Wales*, May 2003  
<http://assembly/presidingoffic/mrs/briefings/2003/cbb03059.doc>

The *Environment Act 1995* adjusted the original guidelines from the *National Parks and Access to the Countryside Act* and provided two principle guiding aims<sup>44</sup>:

- to conserve and enhance the natural beauty, wildlife and cultural heritage of the Parks
- to promote public understanding and enjoyment of the special qualities of the Park

Added to this, the *Environment Act* imposed a duty on Park Authorities to:

- seek to foster the economic and social well-being of their local communities in ways which are compatible with their pursuit of National Park purposes and with the need for appropriate economic development

The two primary purposes of the National Parks should guide every decision made within its boundaries and National Park Authorities have strong powers to pursue this. If the two aims are deemed to be in conflict; conservation takes priority. The UK Government has also tasked National Parks to be models of sustainability<sup>45</sup>, with the aim of broadening successful initiatives established within the Parks to a National scale. National Park areas may also incorporate, smaller, more specific environmental designations; for example, there are 17 National Nature Reserves nested within the boundaries of the Snowdonia National Park.

National Parks were originally administered by a consortium of the local County Councils whose authority impinged on the boundaries of the National Park. *The Local Government of Wales Act 1994* established the Welsh National Parks as independent National Park Authorities (NPAs)<sup>46</sup> with equal power and responsibilities to County Councils. The NPAs are the single planning authority in the National Parks and have their own Chief Executive and staff. The former constituent councils retain some influence through National Park Committees of which they have dominant membership. The committees also include representatives appointed by the Welsh Assembly Government Environment, Planning and Countryside Minister, to represent the wider national interest. NPAs are jointly funded by the Welsh Assembly Government, local councils and a National Parks grant and are required to produce several plans for the running of the park, including a management plan, a local development plan and a local biodiversity action plan.

Land in the National Parks is nearly all privately owned and access is provided by means of public footpaths, bridleways, and 'access areas'; access areas are areas of land for which the NPA pays an annual fee to secure public access. The Pembrokeshire Coast has more limited public access than either Snowdonia or the Brecon Beacons.

## 5.2 Areas of Outstanding Natural Beauty (AONB)

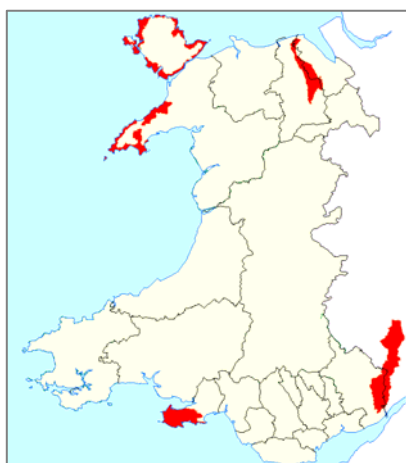
There are five Areas of Outstanding Natural Beauty in Wales, four wholly in Wales: Anglesey; Clwydian Range; Gower; and Llŷn and one joint between England and Wales: Wye Valley.

<sup>44</sup> *ibid*

<sup>45</sup> Members Research Service Research Paper, *National Parks in Wales*, May 2003  
<http://assembly.presidingoffic/mrs/briefings/2003/cbb03059.doc>

<sup>46</sup> *ibid*

Figure 6 Areas of Outstanding Natural Beauty<sup>47</sup>



Areas of Outstanding National Beauty were designated under the same 1949 legislation as National Parks but generally cover more gentle scenery, which is usually of lower elevation<sup>48</sup>. The opportunities for outdoor activities are more limited in the more fragile landscape of AONBs, whereas recreation is one of the principal drivers of National Parks, and this is the main difference between the two designations. CCW is responsible for the designation of any new AONBs in Wales, subject to the approval of the National Assembly for Wales, but have only a supporting role in the management of the sites. AONBs are managed by Joint Advisory Committees made up of a partnership of local authorities, landowners, community groups and local individuals<sup>49</sup>.

There are five AONBs in Wales, four wholly in Wales (Anglesey, Clwydian Range, Gower, and Llŷn AONBs) and one cross-border AONB which lies partly in England (Wye Valley AONB). In the Wye Valley, administration is particularly complicated, given its cross-border status, and involves joint input from both Welsh and English local authorities. AONBs may be designated by virtue of nationally important wildlife, historical and cultural attributes and under the 1949 *National Parks and Access to the Countryside Act*, and have three main objectives:<sup>50</sup>

- to conserve and enhance natural beauty
- to safeguard agriculture, forestry and other rural industries and to take account of the economic and social needs of local communities
- to meet the demands for recreation as far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other users

AONBs do not have any statutory protection, though local authorities are expected to take the designation into account when assessing planning applications and formulating policy<sup>51</sup>. The *Countryside and Rights of Way (CROW) Act 2000* provided further regulatory and protection powers for AONBs, making it necessary for all local authorities to prepare a management plan for the AONB and all public bodies to have a 'duty of regard' for the objectives of the AONB when undertaking their work. In addition, AONBs generally contain several smaller areas of land which operate under more specific and more stringent environmental protection measures, these may include Sites of Special Scientific Interest and Local and National Nature Reserves.

<sup>47</sup> adapted from NAW website, *National Parks in Wales*, 1999

<http://www.wales.gov.uk/subicountry/content/national-parks-e.htm>

<sup>48</sup> Countryside Agency website, *Areas of Outstanding Natural Beauty*,

<http://www.countryside.gov.uk/LAR/Landscape/DL/aonbs/aonbs2.asp>

<sup>49</sup> CCW website, *Areas of Outstanding Natural Beauty*,

<http://www.ccw.gov.uk/generalinfo/index.cfm?Action=ResourceMore&ResourceID=27&Subject=ProtectedSites&lang=en>

<sup>50</sup> Countryside Agency website, *Areas of Outstanding Natural Beauty*,

<http://www.countryside.gov.uk/LAR/Landscape/DL/aonbs/aonbs2.asp>

<sup>51</sup> CCW website, *Areas of Outstanding Natural Beauty*,

<http://www.ccw.gov.uk/generalinfo/index.cfm?Action=ResourceMore&ResourceID=27&Subject=ProtectedSites&lang=en>

### 5.3 National Nature Reserves (NNR)

There are 67 National Nature Reserves in Wales.

Figure 7 National Nature Reserves<sup>52</sup>



National Nature Reserves (NNRs) were also first designated under the 1949 Act but their powers were strengthened by the *Countryside and Wildlife Act 1981*. They cover smaller areas of land than National Parks and AONBs, and there are important differences in the land ownership and level of protection. There are 67 NNRs in Wales, ranging from 5 ha to 20,000 ha in size, and covering a wide variety of habitats, but all aimed at conserving nationally important wildlife habitats and geological formations<sup>53</sup>. NNRs are generally designated for broad geological or habitat value and are not usually connected to a single rare species or specific feature of interest. As well as their primary protection function NNRs also have a major research role and are often used in educational research and in trials of management techniques.

NNRs are designated and administered by CCW and must either be owned or leased by CCW or they must have a formal agreement with the landowners. If an agreement with landowners is not possible CCW has powers to acquire the land compulsorily. Once ownership has been secured, CCW can pass by-laws to protect the site. NNRs are afforded the highest level of environmental protection available under UK legislation. For example, all NNRs have a statutory requirement to formulate a five-year management plan and a programme of work that details how the management plan will be implemented<sup>54</sup> and some sites may have a permanent on-site warden. All NNRs are also designated as Sites of Special Scientific Interest and enjoy strict protection against damaging operations (see Section 5.4). Many NNRs are also covered by European (SAC and SPA) and international protection (Ramsar sites). Any works in the reserve must obtain prior approval from CCW and NNRs can be de-notified if management is not to an appropriate standard. The majority of NNRs have some provisions for public access but access arrangements vary; some sites allow no public access, some require a permit for access and others are major visitor attractions with almost unrestricted access<sup>55</sup>. Access arrangements are determined by the safety of the site, the fragility of the conservation interest and by the requirements of the landowner or tenant.

Marine Nature Reserves (MNR) may also be designated, in coastal areas above mean low tide, but, to date, only three MNRs have been designated in the UK, one of which is in Wales and incorporates Skomer Island and the Marloes Peninsula. The ongoing selection of Marine SPAs and SACs will greatly increase marine protection in Wales (Section 4.2.3),

<sup>52</sup> BBC Wales website, *Nature and Outdoors*, 2002, [http://www.bbc.co.uk/wales/nature/reserves\\_map.shtml](http://www.bbc.co.uk/wales/nature/reserves_map.shtml)

<sup>53</sup> CCW website, National Park in Wales,

<http://www.ccw.gov.uk/generalinfo/index.cfm?Action=ResourceMore&ResourceID=15&Subject=ProtectedSites&lang=en>

<sup>54</sup> DEFRA website, *National Nature Reserves (NNRs)*, <http://www.defra.gov.uk/wildlife-countryside/ewd/ewd08.htm>

<sup>55</sup> naturenet website, *National Nature Reserves*, <http://www.naturenet.net/status/nnr.html>

as will the proposed Marine Bill<sup>56</sup>, for which DEFRA published a consultation document in March 2006.

#### 5.4 Sites of Special Scientific Interest (SSSI)

There are 1,020 Sites of Special Scientific Interest in Wales.

#### Figure 8 Sites of Special Scientific Interest<sup>57</sup>



Sites of Special Scientific Interest were also introduced by the *National Parks and Access to the Countryside Act 1949* and represent the basic unit of UK environmental protection onto which higher designations may be overlain. SSSIs were further protected by the *Countryside and Wildlife Act 1981* and most recently the *Countryside and Rights of Way Act 2000* (CRoW Act). SSSIs differ from NNRs in that they may be designated for either wildlife or earth science interest and can also be more specific than NNRs in that they may be designated to protect a very small site and to protect one rare species or particular feature of interest. There are 1,020 SSSIs in Wales and these cover approximately 12% of the Welsh land area<sup>58</sup>.

SSSIs are designated and administered by CCW, but they need not have a legal interest in the land and many SSSIs are in private hands and are run through a process of 'mutual notification'. CCW must notify landowners of a proposed SSSI designation and must include in the notification (i) the reasons for site designation, (ii) a map showing the location of the SSSI, (iii) a Site Management Statement (SMS) and (iv) a list of 'operations likely to damage'<sup>59</sup>. The operations likely to damage are chosen from a standard list but are specific to each site and may range from drainage works, tree felling and crop spraying to proposed changes in grazing regime.

Landowners are legally obliged to inform CCW of their intention to carry out any of the listed operations and must not proceed without CCW consent. Appeals against the refusal of consent may be made to the First Minister. CCW is also required to publish notifications in the local press and to advise the local planning authority and the First Minister. Landowners have three months within which to voice any objections to CCW regarding an SSSI notification<sup>60</sup>. Under the original 1949 Act and the 1981 Act, notification did not immediately impose legal protection on the site and some landowners used this opportunity to remove the conservation interest and so avoid SSSI designation. This loophole was closed by a 1985 amendment to the 1981 act and now the land is viewed as if already designated during the three month consultation period, and the

<sup>56</sup> DEFRA, *A Marine Bill A consultation document of the Department for environment, Food and Rural Affairs*, March 2006  
<http://www.defra.gov.uk/corporate/consult/marinebill/consult.pdf>

<sup>57</sup> CCW, *Sites of Special Scientific Interest in Wales*, 2005,  
[http://www.ccw.gov.uk/Images\\_Client/Reports/report%20final%207.pdf](http://www.ccw.gov.uk/Images_Client/Reports/report%20final%207.pdf)

<sup>58</sup> Partnership for action against wildlife crime, *joint statement of intent*, 08 October 2005,  
<http://www.englishnature.org.uk/Special/ssi/images/JointStatementIntent.pdf>

<sup>59</sup> CCW, *Sites of Special Scientific Interest A Guide for Landowners*, 2001  
[http://www.ccw.gov.uk/Images\\_Client/Publications/SSSI%20Saesneg%202.pdf](http://www.ccw.gov.uk/Images_Client/Publications/SSSI%20Saesneg%202.pdf)

<sup>60</sup> CCW, *Sites of Special Scientific Interest A Guide for Landowners*, 2001  
[http://www.ccw.gov.uk/Images\\_Client/Publications/SSSI%20Saesneg%202.pdf](http://www.ccw.gov.uk/Images_Client/Publications/SSSI%20Saesneg%202.pdf)





landowner is subject to the legal obligations that accompany an SSSI. An agreement between landowners and CCW must be reached within nine months of the initial notification otherwise the notification will lapse and the SSSI will not be designated. Proposals to vary or extend an existing SSSI must also be conducted in the same way as new notifications. An SSSI designation is registered as a local land charge and this ensures that future landowners are also subject to the laws which protect SSSIs<sup>61</sup>.

CCW has a range of options available to enforce the legal protection of SSSIs, with various levels of punitive strength, ranging from warning letters to formal cautions and prosecutions. Prosecution is viewed as a last resort and is a discretionary power for CCW and not a duty. If a prosecution is brought successfully against a landowner, then they may face a maximum penalty of up to £20,000 (unlimited fine in the crown court) and the details of their prosecution will be publicised to dissuade others. The landowner may also be required to respond to a formal restoration order, under which they are obliged to restore the condition of the SSSI at their own expense. CCW also has powers of compulsory purchase which may be used in extreme cases. Legal protection from 'operations likely to damage' applies not just to the area of the SSSI but also extends to areas close to it.

The CRoW Act 2000 required that CCW produce a Site Management Statement (SMS) to be included with literature for each new SSSI notification and to be developed for each existing SSSI. CCW aims to complete all SMSs by 2007 and to have agreed management plans with all landowners by 2010<sup>62</sup>. SMSs are a statutory requirement for CCW and must establish broad management aims, while management plans are voluntary agreements that set out proposed management activities and initiatives. SMSs and management plans are designed to be complementary and the SMS is usually an abbreviation of the management plan and describes the special features of the site and the management objectives as well as the actions required to attain these objectives. Management plans are a formal agreement with the landlord which require that they manage the land in a way that protects or enhances the conservation interest and for this they receive an annual payment in accordance with financial guidance produced by NAW<sup>63</sup>. Landowners may also be eligible for tax exemptions. If SSSIs are deemed to be neglected to the detriment of the feature of interest a 'management notice' may be imposed by CCW which demands that a management plan is formulated.

DEFRA has a Public Service Agreement target<sup>64</sup> to ensure that 95% of all UK SSSIs (by area) will be in a favourable or recovering position by 2010 and CCW has recently changed the emphasis of its operations from designating new SSSIs to ensuring that existing sites are appropriately managed and safeguarded. In 2004 CCW published the results of a 'rough assessment exercise'<sup>65</sup> in which CCW staff were asked their opinion on the status of individual SSSIs. It was estimated that only 29% of Welsh sites were in a favourable condition, while a more optimistic figure of 47% may be obtained when favourable sites and sites in unfavourable condition, but considered to be recovering, are considered together. 52% of Welsh SSSIs are in an unfavourable and declining condition

<sup>61</sup> *ibid*

<sup>62</sup> CCW, *Sites of Special Scientific Interest (SSSIs) in Wales*, 31 March 2005, [http://www.ccw.gov.uk/Images\\_Client/Reports/report%20final%207.pdf](http://www.ccw.gov.uk/Images_Client/Reports/report%20final%207.pdf)

<sup>63</sup> CCW, *Sites of Special Scientific Interest A Guide for Landowners*, 2001 [http://www.ccw.gov.uk/Images\\_Client/Publications/SSSI%20Saesneg%202.pdf](http://www.ccw.gov.uk/Images_Client/Publications/SSSI%20Saesneg%202.pdf)

<sup>64</sup> Public Service Agreements (PSAs) are three-year agreements negotiated between each of the main Departments and HM Treasury during the Spending Review process. They set out the key improvements that the public can expect from Government expenditure.

<sup>65</sup> CCW, *Sites of Special Scientific Interest (SSSIs) in Wales*, 31 March 2005, [http://www.ccw.gov.uk/Images\\_Client/Reports/report%20final%207.pdf](http://www.ccw.gov.uk/Images_Client/Reports/report%20final%207.pdf)

and 1% have been partially destroyed. General management issues, such as under-grazing, over-grazing, the establishment of non-native invasive species and the lack of remedial management have been identified as the main threats to SSSIs, and CCW aims to address these problems by securing site management plans for each site. Under exceptional circumstances, an existing SSSI may be de-notified if it loses its feature of interest, but sites that lose their conservation interest through illegal damage or neglect will not be de-notified. Two sites in Wales were de-notified by CCW in the period 2004-2005<sup>66</sup>.

## 5.5 Heritage Coasts

There are 14 individual heritage designations on the Welsh coast: Aberffraw Bay; Ceredigion; Dinas Head; Dogmaels and Moylgrove; Glamorgan; Gower; Great Ome; Holyhead Mountain; Llŷn Coast; Marloes and Dale; North Anglesey; St Brides Bay; St David's Peninsula; and South Pembrokeshire.

Heritage coasts were designated in 1972 to protect coastline considered to be of special scenic and environmental value and with an emphasis on recreation and tourism management<sup>67</sup>. There is no legal protection for heritage coasts, and development is not necessarily restricted, but local authorities are required to take the designation into account during the planning process. There are 14 individual heritage designations on the Welsh coast, covering 500 kilometres in total, which amount to one third of the Welsh coastline<sup>68</sup>. Management plans are required for Heritage Coasts and this is normally the responsibility of Heritage Coast officers attached to local authorities. Much of the UK Heritage Coastline is owned by the National Trust, purchased through the Project Neptune appeal, and this affords good public access.

## 6 Local Designations

Local designations are awarded to sites that are of local or regional, rather than national importance, and are identified and administered by local authorities or local volunteer groups. The strong emphasis of locally-based protection areas is on educational access and as such the integrity of the site is not as crucial as for national designations. Locally designated sites may include well-preserved semi-natural landscapes but may also include brown-field sites and recovering industrial areas.

### 6.1 Local Nature Reserves (LNRs)

There are 52 Local Nature Reserves in Wales

Local Nature Reserves (LNRs) were provided for under the *National Parks and Access to the Countryside Act* in 1949 but generally represent sites of local and regional, rather than national, importance. LNRs also have a different governing body, focus and location to the national designations. LNRs are designated by criteria relating both to their natural

<sup>66</sup> *ibid*

<sup>67</sup> Britain Express website, *Heritage Coasts*

<http://www.britainexpress.com/countryside/coast/index.htm>

<sup>68</sup> CCW website, *Heritage Coasts*,

<http://www.ccw.gov.uk/generalinfo/index.cfm?Action=ResourceMore&ResourceID=33&Subject=ProtectedSites&lang=en>



importance (either wildlife or geological importance) and to potential educational use and for public enjoyment. They are often located close to or in urban areas where they provide a focus for environmental education and can play a major role in increasing public awareness of environmental issues. LNRs can be designated for disturbed land such as former quarries, canals, old land-fill sites and railway sidings. There are 52 LNRs in Wales covering 11,000 acres of land<sup>69</sup>.

LNRs are established by local authorities in consultation with CCW. As with NNRs there is a requirement that the local authorities have a 'legal interest' in the land, either through ownership or lease or through a formal nature reserve agreement with landowners. If a formal agreement cannot be reached with landowners the local authority has the power to purchase the land compulsorily. Most LNRs are owned by the designating local authority and are managed by them or by local wildlife trusts and 'friends of' organisations (voluntary bodies with an interest in the site). There is no legal requirement for the reserves to have management plans but the local authority must ensure the special interest of the site is conserved<sup>70</sup> and management plans are recommended by CCW. There is no national legal protection specifically for LNRs but local authorities are able to strengthen the protection available for LNRs by including regulations in their Local Plan and by passing by-laws<sup>71</sup>. In this way an LNR may be protected against damaging operations and development in and around the reserve may be restricted. LNRs may sometimes be designated as SSSIs, which affords greater protection, but not as NNRs.

Public access rights and facilities in LNRs are usually very extensive and they are especially valuable for school field visits. LNRs are also viewed as a useful planning tool and a useful means by which to meet targets set under Local Agenda 21 (LA21) and Local Biodiversity Action Plans (LBAP)<sup>72</sup>.

## 6.2 Regionally Important Geological and Geomorphological Sites

Regionally Important Geological and Geomorphological Sites (RIGS) afford non-statutory protection to regionally and locally important earth science sites. This designation was initiated by the then Nature Conservancy Council (from October 2006, Natural England) in 1990 as part of its strategy on 'earth science conservation in Great Britain', and was initially conceived as a way of continuing protection for former SSSIs that were de-notified after the Geological Conservation Review (1977 – 1990)<sup>73</sup>. RIGS are identified by regional volunteer RIGS groups, of which there are four in Wales. Three of the Welsh RIGS groups were recently formed whereas the North East Wales RIGS (NEWRIGS) is more established and the relative number of designations in each region reflects this. Once a RIGS site has been identified it is added to a RIGS register which should be consulted by local authorities in the event that a planning application is made regarding the site<sup>74</sup>. RIGS groups are financed by the aggregates levy and the sustainable fund for Wales and are administered by the National Assembly for Wales<sup>75</sup>. RIGS groups also receive

<sup>69</sup> CCW web site, *Treasures on your door step*, 2005

<http://www.ccw.gov.uk/News/index.cfm?Action=News&NewsArticleID=395>

<sup>70</sup> English Nature website, *How are Local Nature Reserves Managed?*,

[http://www.englishnature.gov.uk/special/lnr/lnr\\_manage.htm](http://www.englishnature.gov.uk/special/lnr/lnr_manage.htm)

<sup>71</sup> Naturenet website, *Local Nature Reserve*, <http://www.naturenet.net/status/lnr.html>

<sup>72</sup> English Nature website, *What are Local Nature Reserves*, [http://www.english-nature.org.uk/special/lnr/lnr\\_why.htm](http://www.english-nature.org.uk/special/lnr/lnr_why.htm)

<sup>73</sup> naturenet website, *Regionally Important Geological and Geomorphological sites (RIGS)*,

<http://www.naturenet.net/status/rigs.htm>

<sup>74</sup> *ibid*

<sup>75</sup> Central Wales RIGS Group website, *Our Objectives*

<http://www.geologywales.co.uk/central-wales-rigs/>

substantial support from CCW. RIGS designation has no implications for public access rights at the site.

### **6.3 Sites of Importance for Nature Conservation (SINC)**

Sites of Importance for Nature Conservation are analogous to RIGS in that they highlight sites of regional or local interest, but are designated in recognition of their wildlife rather than earth science value and are often identified by local wildlife trusts. Though the SINC designation conveys no statutory protection they may receive protection under local plans and can help to highlight the wildlife credentials of a site in the event of a planning application<sup>76</sup>. SINC designation has no implications for public access to the site. SINC are usually identified by local authorities in partnership with local interest groups.

## **A Annex A: List of Acronyms**

<b>Acronym</b>	<b>Denotes</b>
<b>AONB</b>	Area of Outstanding Natural Beauty
<b>CCW</b>	Countryside Council for Wales
<b>CRoW Act</b>	Countryside and Rights of Way Act, 2000
<b>cSAC</b>	Candidate Special Area of Conservation
<b>DEFRA</b>	Department for Environment, Food and Rural Affairs
<b>EA</b>	Environment Agency of England and Wales

<sup>76</sup> naturenet website, *Local Designation*  
<http://www.naturenet.net/status/sinc.html>

<b>EC</b>	European Commission
<b>EN</b>	English Nature
<b>EU</b>	European Union
<b>JNCC</b>	Joint Nature Conservation Committee
<b>LA 21</b>	Local Agenda 21
<b>LBAP</b>	Local Biodiversity Action Plan
<b>LNR</b>	Local Nature Reserve
<b>MAB</b>	UNESCO Man and Biosphere Programme
<b>NAW</b>	National Assembly for Wales
<b>NNR</b>	National Nature Reserve
<b>NPA</b>	National Park Authority
<b>NVZ</b>	Nitrate Vulnerable Zone
<b>PSA</b>	Public Service Agreement
<b>RIGS</b>	Regionally Important Geological and Geomorphological Site
<b>RSPB</b>	Royal Society for the Protection of Birds
<b>SAC</b>	Special Area of Conservation
<b>SINC</b>	Site of Importance for Nature Conservation
<b>SMS</b>	Site Management Statement (for an SSSI)
<b>SPA</b>	Special Protection Area
<b>SSSI</b>	Site of Special Scientific Interest
<b>UNESCO</b>	United Nations Scientific and Cultural Organisation



**B Annex B Environmental protection areas in Wales**

Environmental Protection Area	No. of Sites	Spatial Coverage	% Cover	List of Sites
UNESCO Biosphere Reserves <sup>a</sup>	1	1, 589 ha	0.08	Dyfi Biosphere Reserve
UNESCO World Heritage Sites <sup>b</sup>	2	3,290 ha (Blaenavon only)	0.16	'The Castles and Town Walls of King Edward in Gwynedd' and 'Blaenavon Industrial Landscape'
UNESCO World and European Geoparks Network	1	-	-	Fforest Fawr Geopark
Ramsar <sup>c</sup>	10	26,000 ha	1.25	Burry Inlet; Cors Caron; Cors Fachno and Dyfi; Anglesey and Llŷn fens; Crymlyn Bog; Llyn Idwal and Lyn Tegid; Midland Meres and Mosses; the Dee Estuary; and the Severn Estuary
Biogenetic Reserves <sup>d</sup>	1	598 ha	0.03	Rhinogydd
Special Protection Areas (SPAs) <sup>e</sup>	19	137,000 ha	6.60	A list of Welsh SPAs is available at: <a href="http://www.jncc.gov.uk/page-1403">http://www.jncc.gov.uk/page-1403</a>
Special Areas of Conservation (SACs)	90	-	-	A list of Welsh SACs is available at: <a href="http://www.jncc.gov.uk/page-1392">http://www.jncc.gov.uk/page-1392</a>
Nitrate Vulnerable Zones (NVZs) <sup>f</sup>	10	~ 62, 000	3.0	-
National Parks <sup>g</sup>	3	410,000 ha	19.73	Snowdonia; the Pembrokeshire Coast; and the Brecon Beacons
Areas of Outstanding Natural Beauty (AONBs) <sup>h</sup>	10	83, 000 ha	3.99	Gower; Llŷn; Anglesey; Wye Valley and Clwydian Range
National Nature Reserves (NNRs) <sup>i</sup>	67	24, 006 ha	1.16	A list of Welsh NNRs is available at: <a href="http://www.answers.com/topic/national-nature-reserves-in-wales">http://www.answers.com/topic/national-nature-reserves-in-wales</a>
Sites of Special Scientific Interest (SSSIs) <sup>j</sup>	1,020	264,000 ha	12.71	A list of Welsh SSSIs is available at: <a href="http://www.ccw.gov.uk/protected_sites/">http://www.ccw.gov.uk/protected_sites/</a>
Heritage Coasts <sup>k</sup>	14	500 km of coastline	-	Aberffraw Bay; Ceredigion; Dinas Head; Dogmaels and Moylgrove; Glamorgan; Gower; Great Ome; Holyhead Mountain; Llŷn Coast; Marloes and Dale; North Anglesey; St Brides Bay; St David's Peninsula; and South Pembrokeshire
Local Nature Reserves <sup>l</sup>	52	11,000	0.53	Each local authority should have a list of Local Nature Reserves in their jurisdiction
Regionally Important Geological and Geomorphological Sites (RIGS)	-	-	-	Each local authority should hold a RIGS list
Sites of Importance for Nature Conservation	-	-	-	Each local authority should hold a SINC list
Total land area of Wales <sup>m</sup>	-	2,077,888 ha	-	-

Sources overleaf.

## Annex B: Environmental protection areas in Wales, list of sources

<sup>a</sup> UNESCO website, *Biosphere Reserve Information United Kingdom*, 1 November 2002  
<http://www2.unesco.org/mab/br/brdir/directory/biores.asp?mode=all&code=UKM+05>

<sup>b</sup> Blaenavon Industrial landscape website, *World Heritage Site Information*, 2005, <http://www.world-heritage-blaenavon.org.uk/whs-info/nomination/site/site.htm>

<sup>c</sup> The National Assembly for Wales Statistical Directorate, *Key Environmental Statistics for Wales*, 2006, Statistical Bulletin SB 5/2006, 26 January 2006  
<http://new.wales.gov.uk/docrepos/40382/40382313/403824/env-2006/sb5-2006.pdf?lang=en>

<sup>d</sup> Europa website, *Rhinogydd*, 19 December 2005, <http://eunis.eea.europa.eu/sites-factsheet.jsp?idsite=UK930014>

<sup>e</sup> The National Assembly for Wales Statistical Directorate, *Key Environmental Statistics for Wales*, 2006, Statistical Bulletin SB 5/2006, 26 January 2006  
<http://new.wales.gov.uk/docrepos/40382/40382313/403824/env-2006/sb5-2006.pdf?lang=en>

<sup>f</sup> CCW website, *Nitrate Vulnerable Zones*, <http://www.countryside.wales.gov.uk/fe/master.asp?n1=366&n2=731&n3=206>

<sup>g</sup> The National Assembly for Wales Statistical Directorate, *Key Environmental Statistics for Wales*, 2006, Statistical Bulletin SB 5/2006, 26 January 2006  
<http://new.wales.gov.uk/docrepos/40382/40382313/403824/env-2006/sb5-2006.pdf?lang=en>

<sup>h</sup> *ibid*

<sup>i</sup> *ibid*

<sup>j</sup> *ibid*

<sup>k</sup> CCW website, *protected sites*, [http://www.ccw.gov.uk/protected\\_sites/](http://www.ccw.gov.uk/protected_sites/)

<sup>l</sup> CCW website, *Treasures on your door step*, 2005 <http://www.ccw.gov.uk/News/index.cfm?Action=News&NewsArticleID=395>

<sup>m</sup> Plantlife website, *Annex B Data for Wales*, <http://www.plantlife.org.uk/uk/assets/saving-species/saving-species-global/plantlife-saving-species-global-pdc2006/target-6-annex-B.pdf>

**C Annex C: Main purpose of environmental protection areas**

<b>Environmental Protection Area</b>	<b>Legislative origin</b>	<b>Administrator</b>	<b>Main Purpose</b>
UNESCO Biosphere Reserves	UNESCO Man and Biosphere Programme, 1971	UNESCO Dyfi Strategy Group	Conservation Sustainable development Research, monitoring and education
UNESCO World Heritage Sites	Convention Concerning the Protection of the World Cultural and Natural Heritage, Paris, 1972	UNESCO Cadw Blaenavon Partnership	Conservation Interpretation International accountability
UNESCO World and European Geoparks Network	The Madonie Declaration 2004	UNESCO local authorities	Conservation Create employment and sustainable development through geotourism Education
Ramsar	The Convention on Wetlands of International Importance especially as Waterfowl Habitat, Ramsar, 1971	The Ramsar Secretariat Welsh Assembly Government	Conservation and wise use of wetlands Preservation of sites along bird migration routes
Biogenetic Reserves	The Convention on the Conservation of Wildlife and Natural Habitats, Bern, 1979	Council of Europe Welsh Assembly Government	Conservation Research – 'living laboratories'
Special Protection Areas (SPAs)	Council Directive 79/409/EEC on the Conservation of Wild Birds, 1979 The Wildlife and Countryside Act, 1981	European Commission Joint Nature Conservation Committee Countryside Council for Wales	Protection of bird species and their habitat across European Countries
Special Areas of Conservation (SACs)	Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora, 1992 The Conservation (Natural Habitats &c) Regulations, 1994	European Commission Joint Nature Conservation Committee Countryside Council for Wales	Conservation of listed species – flora and fauna – and listed habitats
Nitrate Vulnerable Zones (NVZs)	Council Directive 91/876/EEC Nitrates Directive, 1991 The Action Programme for Nitrate Vulnerable Zones (England and Wales)	Welsh Assembly Government	To reduce the nitrate concentration of 'nitrate polluted' water bodies





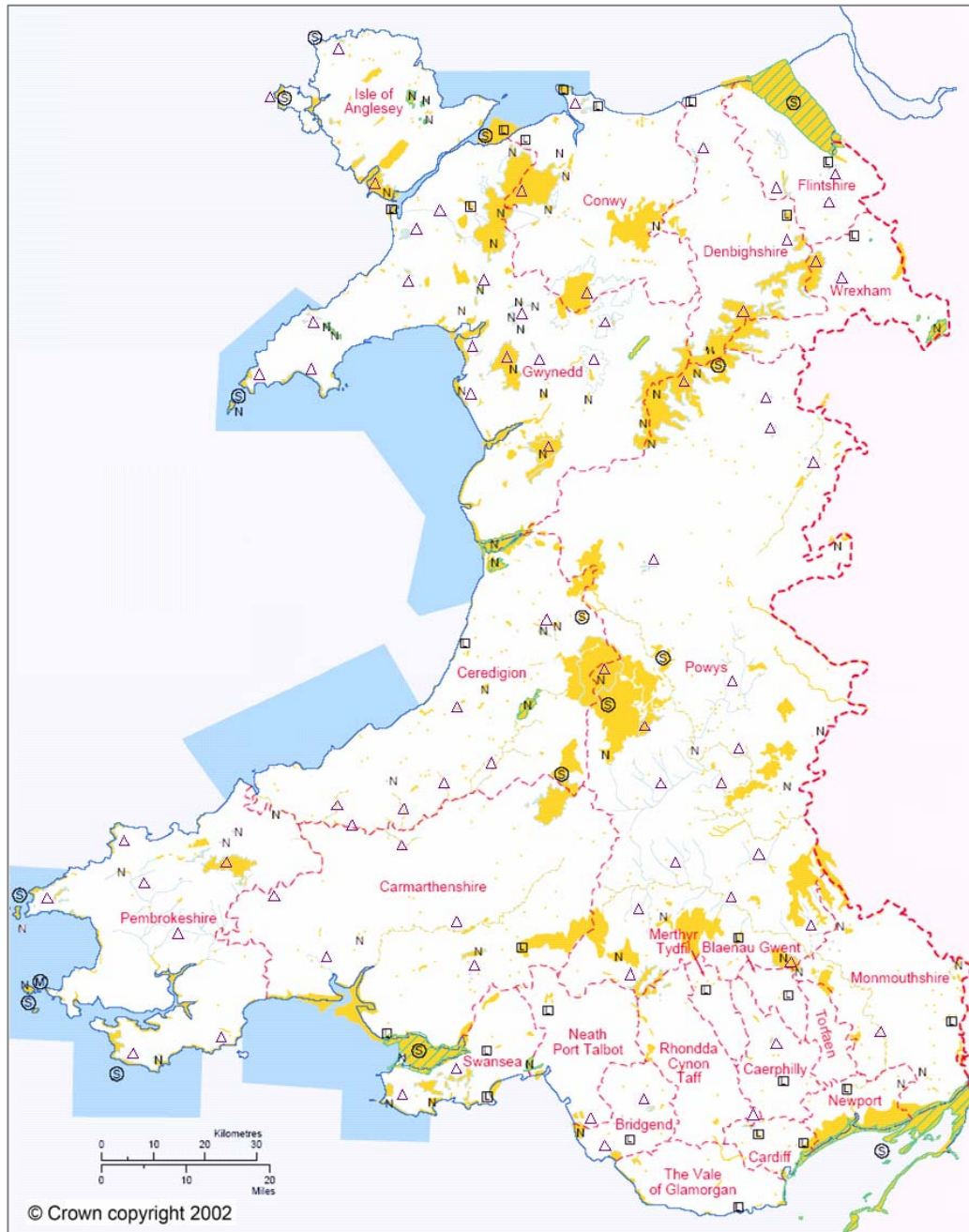
Regulations, 1998










**Annex C (cont.): Main purpose of environmental protection areas**

<b>Environmental Protection Area</b>	<b>Legislative origin</b>	<b>Administrator</b>	<b>Main Purpose</b>
National Parks	National Parks and Access to the Countryside Act, 1949 The Local Government of Wales Act, 1994	National Park Authorities National Park Committees	Conserve and enhance natural beauty Promote understanding and enjoyment of the park
Areas of Outstanding Natural Beauty (AONBs)	National Parks and Access to the Countryside Act, 1949	AONB Joint Advisory Committees	Conserve and enhance natural beauty Safeguard agriculture, forestry and rural industries Meet recreational demands
National Nature Reserves (NNRs)	National Parks and Access to the Countryside Act, 1949 Countryside and Wildlife Act, 1981	Countryside Council for Wales (CCW) Wildlife Trusts	Strict nature protection Research and education Excludes all land use other than nature protection and education
Sites of Special Scientific Interest (SSSIs)	National Parks and Access to the Countryside Act, 1949 Countryside and Wildlife Act, 1981 The Countryside and Wildlife Act, 1981	Countryside Council for Wales (CCW)	Protection of nationally important sites of wildlife and earth science interest Restrictions on operations
Heritage Coasts	Local authority level e.g. by-laws and provisions in local plan	Local authorities	Emphasis on recreation and tourism management
Local Nature Reserves	National Parks and Access to the Countryside Act, 1949	The National Trust Local authorities Wildlife Trusts	Nature Conservation Education and public enjoyment
Regionally Important Geological and Geomorphological Sites (RIGS)	Local authority level e.g. by-laws and provisions in local plan	Volunteer RIGS groups in partnership with local authorities	Identification of Important earth science sites
Sites of Importance for Nature Conservation (SINCs)	Local authority level e.g. by-laws and provisions in local plan	Local authorities in Partnership with local Interest Groups	Influence the planning process Identification of Important earth science sites Influence the planning process



**D Annex D: European and National environmental protection areas in Wales<sup>n</sup>**



- |   |  |   |                               |
|---|--|---|-------------------------------|
|  | Site of Special Scientific Interest (SSSI)           |  | Special Protection Area (SPA) |
|  | Special Area of Conservation (SAC)                   |  | National Nature Reserve (NNR) |
|  | Marine Candidate Special Area of Conservation (cSAC) |  | Marine Nature Reserve (MNR)   |
|  | Ramsar site  |  | Local Nature Reserve (LNR)    |
|  | Local Authority boundary                             |   |                               |

<sup>n</sup> adapted from National Assembly for Wales Website, Natural Heritage Sites in Wales, 2002, <http://www.wales.gov.uk/subiplanning/content/planningpolicy/pdf/map5.2.pdf>