

Nature Conservation in Europe: Approaches and Lessons

Annex UK.1. The National Parks and Access to the Countryside Act 1949 and the Protection of Sites of Special Scientific Interest

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The National Parks and Access to the Countryside Act 1949 provided the first laws designed to identify, manage and protect habitats. At the time the main mechanism to achieve habitat protection was the National Nature Reserve (NNR), and the legislation reflected this with measures enabling land, or land covered by water, to be purchased or managed through an agreement with the owner of the land. The legislation also provided powers to make by-laws on nature reserves, and even to compulsory purchase if all else failed. Powers also enabled local government to establish Local Nature Reserves (LNRs). Almost as an afterthought, to address development pressures, provisions were included requiring the notification of Sites of Special Scientific Interest (SSSIs) to the relevant local planning authorities. It seems an astonishing omission in retrospect, but there were no requirements to notify the SSSI's owners or occupiers.

Progress in establishing a national series of NNRs proved protracted and expensive. As a consequence the importance of SSSIs increased but they were only weakly protected (Moore, 1987). Development within SSSIs came under scrutiny following the 1968 Town and Country Planning Act, which required the local planning authorities to consult with the then Nature Conservancy where an application was made affecting land within a SSSI. In 1968, under the Countryside Act, the Nature Conservancy was given powers to enter into management agreements with owners and occupiers to safeguard nature conservation interests. However, around the same time there was a considerable increase in the intensification of agriculture funded by the Ministry of Agriculture. The funding available to the Nature Conservancy was insufficient to combat this, and as a result many SSSIs were damaged or lost, particularly in later decades and after the UK joined the EEC in 1974.

Based on a randomised sample of about 13% of sites, it was estimated that about 13.3% of SSSIs, primarily designated for their biological features, had been destroyed or damaged in 1980 (NCC, 1981; cited in Moore, 1987). Most of these sites were damaged, but 0.7% completely lost their features of interest; which is significant considering it was just from one year's observations. The causes of loss and damage were primarily from agriculture (51%, of which 15% was due to cessation of traditional management), whilst 21% resulted from industry (e.g. mineral extraction, building and pollution) and 16% from fire, including poor management burning practices. Forestry, recreation and other causes each led to 4% of the cases.

References

- Moore, N.W. (1987) *The Bird of Time: The Science and Politics of Nature Conservation*. Cambridge, UK: Cambridge University Press.
- NCC (1981) *Loss and Damage to SSSIs in 1980*. Unpublished report by Professor N.W. Moore, Chief Scientific Officer. Peterborough, UK: Nature Conservancy Council.

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