

# NATURAL HERITAGE STATUTORY DESIGNATIONS

## Aim

The aim of this guide is to provide deer managers with an overview of the practical implications of key natural heritage statutory designations with regard to deer management activities. Detailed information on natural heritage designations is available at: [www.snh.org.uk](http://www.snh.org.uk).

## What are statutory designations?

Statutory designations apply to areas of land or water and serve to identify local or regional areas of value to the natural heritage and to assist better planning and management of the countryside. The main reason for designating areas of land or water is to protect and enhance our finest areas in the wider public interest.

Where a site is designated, legal mechanisms are put in place to safeguard the features considered important. Key designations are:

- ◆ Site of Special Scientific Interest (SSSI)
- ◆ Special Area of Conservation (SAC)
- ◆ Special Protection Area (SPA)
- ◆ National Nature Reserve (NNR)
- ◆ National Scenic Area (NSA)
- ◆ National Park (NP)

## How can statutory designations affect deer management activities?

Scotland's natural heritage is a priceless asset and careful management is required to ensure the sustainable development of the natural resources. Deer management activities on or near designated

land may be subject to regulation. Statutory designated areas may be priorities for public resources to assist deer management to deliver public benefits. More information on public resources for deer management is available at: [www.scotland.gov.uk/Topics/Rural/SRDP](http://www.scotland.gov.uk/Topics/Rural/SRDP).

Certain operations may require consent from SNH or approval from competent authorities. The following list is not comprehensive but gives an indication of the types of deer management activities for which consent may be required:

- ◆ Vehicular carcass extraction
- ◆ Construction of deer larder
- ◆ Deer population assessment
- ◆ Deer waste disposal
- ◆ Diversionary feeding
- ◆ Construction, removal or maintenance of fencing
- ◆ Changes in game management – including culling
- ◆ Carrying out muirburn
- ◆ Managing public access
- ◆ Road construction
- ◆ Species introduction
- ◆ Woodland establishment or clearance

Impacts by deer on a designated site may have a direct bearing on the interpretation of damage and on the issue of authorisations by DCS for the purpose of preventing damage by deer. More information on the definition of damage and on the DCS process for dealing with adverse impacts by deer on designated sites is available in the DCS guides 'Damage – Definition and Assessment' and 'Deer Impacts on Designated Sites'.

Designation	Objective	Owner/occupier is Obligated to:	Recommended Course of Action	Sources of Information	Appeals
SSSI	<ul style="list-style-type: none"> <li>• Protect Site Integrity</li> <li>• Attain or Maintain Favourable Condition</li> </ul>	<ul style="list-style-type: none"> <li>• Apply for and obtain consent from SNH prior to carrying out any operation listed as requiring consent, unless it is regulated by another regulatory body</li> <li>• In certain circumstances undertake an Environmental Impact Assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Check area of designation</li> <li>• Check if any regulatory requirements apply</li> <li>• Check list of Operations Requiring Consent, or any SNH management agreement, or SNH approved NNR plan or Nature Reserve Agreement (where relevant)</li> <li>• Consult SNH and/or regulatory body</li> </ul>	<ul style="list-style-type: none"> <li>• SNH, FCS &amp; SGRPID</li> </ul>	<ul style="list-style-type: none"> <li>• Appeal via the normal procedure of the competent authority. Discuss any problems with SNH Area Manager</li> </ul>
SAC / SPA	<ul style="list-style-type: none"> <li>• Prevent deterioration or significant disturbance of features for which area is designated</li> <li>• Ensure Site Integrity is maintained so that each of the qualifying features can make a full contribution to Favourable Conservation Status or its Birds Directive equivalent</li> <li>• Ensure that all the conservation objectives for the qualifying features are met</li> </ul>	<ul style="list-style-type: none"> <li>• Seek advice from the competent authority as to whether the deer management activity is:</li> <li>• Directly connected with the management of the site for nature conservation and part of a fully assessed and agreed management plan in respect of the Natura interests; and;</li> <li>• Likely to have significant effect on the site. If so, an appropriate assessment will be required</li> </ul>	<ul style="list-style-type: none"> <li>• Check area of designation (remember that activities outside a Natura site may affect the qualifying interests within it)</li> <li>• Check flowchart showing Process Developers Should Follow (Scottish Office Circular 6/95)</li> <li>• Consult competent authorities over the requirements under the Habitats Regulations</li> <li>• Consult SNH and/or the Local Authority Planning Department (only required where SNH or the planning dept are the competent authority – see above)</li> </ul>	<ul style="list-style-type: none"> <li>• SNH</li> <li>• FCS</li> <li>• SGRPID</li> <li>• Local Authority</li> </ul>	<ul style="list-style-type: none"> <li>• Appeal via the normal procedure of the competent authority</li> </ul>
NNR	<ul style="list-style-type: none"> <li>• Primacy of nature conservation</li> </ul>	<ul style="list-style-type: none"> <li>• Management by agreement with SNH to meet the following criteria:</li> <li>• Nature conservation is the overriding, but not the only, land use</li> <li>• The site is of national importance</li> <li>• The site is well managed to safeguard the natural heritage and enjoyment by the public</li> <li>• Continuity of good management is assured</li> </ul>	<ul style="list-style-type: none"> <li>• Check area of designation</li> <li>• Check terms and conditions of Management Agreement</li> <li>• Check management is in accordance with Reserve Plan</li> </ul>	<ul style="list-style-type: none"> <li>• SNH</li> </ul>	<ul style="list-style-type: none"> <li>• Appeal via the normal procedure of the competent authority</li> </ul>
NSA	<ul style="list-style-type: none"> <li>• Protect landscape and scenery</li> <li>• Comply with European Environmental Impact Assessment regulations</li> </ul>	<ul style="list-style-type: none"> <li>• Determine whether any proposed activity needs Planning Permission or an Environmental Impact Assessment</li> </ul>	<ul style="list-style-type: none"> <li>• Check area of designation</li> <li>• Consult Local Authority Planning Department and/or Forestry Commission Scotland / SGRPID</li> </ul>	<ul style="list-style-type: none"> <li>• Local Authority</li> <li>• SGRPID</li> <li>• FCS</li> </ul>	<ul style="list-style-type: none"> <li>• Appeal via the normal procedure of the competent authority</li> </ul>
NP	<ul style="list-style-type: none"> <li>• Deliver National Park objectives</li> <li>• Comply with European Environmental Impact Assessment regulations</li> </ul>	<ul style="list-style-type: none"> <li>• Comply with any National Park management laws or bylaws to protect natural heritage, prevent damage to land or to secure public enjoyment and safety</li> </ul>	<ul style="list-style-type: none"> <li>• Check area of designation</li> <li>• Consider any National Park laws or bylaws</li> <li>• Consult National Park Authority and/or Local Authority Planning Department</li> </ul>	<ul style="list-style-type: none"> <li>• National Park Authority</li> <li>• Local Authority</li> </ul>	<ul style="list-style-type: none"> <li>• Appeal via the normal procedure of the competent authority</li> </ul>