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Biology Curators Group Newsletter

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NATURE CONSERVANCY COUNCIL
INFORMATION AND LIBRARY SERVICES

WILDLIFE AND COUNTRYSIDE ACT 1981
A SUMMARY OF THE MAIN PROVISIONS

The Wildlife and Countryside Act 1981, which received the Royal Assent on October 30 1981 improves protection and conservation over a wide range of wildlife and natural habitats.

The Act falls into three main parts, concerning: protection of wild birds, animals and plants; conservation of the countryside, including the natural habitats of wildlife; and public rights of way in the countryside.

WILDLIFE

Part I updates protection of birds legislation, partly to take account of EEC Directive 79/409 on the conservation of wild birds. The schedules of birds which may be killed, sold or kept in captivity are amended; new controls are introduced on certain methods of killing and on falconry, aviculture and taxidermy, together with revised procedures for the establishment of bird sanctuaries and new licensing arrangements in general. A wider range of wild animals and plants is protected and new controls are introduced on certain methods of killing animals, protected and otherwise, and on the release into the wild of exotic species which might harm native flora and fauna. Existing controls on international trade in endangered species are extended to cover domestic trade in especially endangered species and their parts and derivatives.

Penalties are generally raised and enforcement improved; the Nature Conservancy Council is empowered to assist and advise enforcement agencies.

Restrictions are imposed on dogs in fields containing sheep and the Ground Game Act is amended to allow occupiers of land to shoot ground game at night.

COUNTRYSIDE

Part II introduces extensive new provisions concerning areas of special scientific interest. These are areas of geological or wildlife interest - at present just under 4,000 in number - which the Nature Conservancy Council (NCC) has notified to local planning authorities. The NCC is required to notify owners and occupiers of the existence of such areas and specify operations which might harm the features of interest; owners and occupiers will in turn have to give three months' notice of any intention to carry out such operations. Before any new areas are notified, the NCC must publicise its intention and allow at least three months for any objections or representations.

Under the Act the Secretary of State may make orders requiring harmful operations to be delayed for a longer period on selected very important sites whilst the NCC seeks a satisfactory conclusion by agreement or, as a last resort, by using its power of compulsory purchase.

Compensation may be claimed for losses caused by these orders. Ministers will publish a code of practice to promote proper management of areas of special scientific interest, which is subject to approval by both Houses of Parliament.

Other provisions in Part II include:-

- a power for county planning authorities or the Secretary of State to make limestone pavement orders, prohibiting removal of stone from such pavements unless planning permission has been obtained;
- a power for the Secretary of State to establish marine nature reserves extending from high-water mark to the limit of territorial waters;
- wider powers for the NCC to make grants and new power to make loans;
- a power for all local planning authorities in England and Wales to enter into management agreements with owners and occupiers of land to conserve the countryside;
- the "Sandford" provisions, which extend the advisory duties of the Agricultural Development and Advisory Service (ADAS) of MAFF and provide an important new procedure for dealing with applications for MAFF farm capital improvement grants in National Parks and areas of special scientific interest;
- a power for Ministers to make orders requiring advance notification where moorland in National Parks is threatened by agricultural or forestry proposals;
- a duty on all National Park Authorities to draw up and publish maps of moor and heathland which they consider particularly merit conservation and to review these annually;
- a power for National Park Authorities to make grants and loans;
- a change in the statutory membership of National Park Authorities to provide for district council representation;
- a change in the status of the Countryside Commission to a grant-in-aid body;
- a duty on water authorities and internal drainage boards to further the interests of conservation in carrying out their functions; and
- an extended power for local authorities to appoint wardens over land to which the public has access.

RIGHTS OF WAY

Part III contains new procedures for the review of definitive maps and statements of public rights of way in the countryside and for making orders creating, extinguishing or diverting rights of way. Byelaws controlling bulls in fields crossed by public paths are replaced by a general ban with limited exceptions. Provisions are made concerning signposting, wardening and restoration of footpaths after ploughing.

Explanatory Note

Many of the provisions in Parts II and III came into force at the end of November 1981. All other Sections except S32, S41 and S63-S64 had been brought into force by September 28th 1982.

PUBLICATIONS ON THE WILDLIFE AND COUNTRYSIDE ACT 1981

1. Legal Publications

The Wildlife and Countryside Act chap. 69 1981 is published by HMSO at £6.35. Copies can be bought direct from the Government bookshops in seven major cities throughout the United Kingdom or through local booksellers.

The Department of the Environment and the Welsh Office have issued to local authorities in England and Wales a joint circular on those provisions of the Act which came into effect automatically by virtue of the terms of the Act on 30 November 1981. Entitled Wildlife and Countryside Act 1981 (DoE Circular 32/81. Welsh Office Circular 50/81), this document was published by HMSO at £1.20 and can be obtained from the same sources as the Act itself. The Scottish Development Department issued Circular 3/1982 on 8th January 1982 briefly describing those provisions in Part II of the Act concerning nature conservation and the countryside, and the miscellaneous and general provisions in Part IV, which have a Scottish application and which came into effect on 30th November 1981. Part I will be covered in a separate circular to be issued by the Scottish Home and Health Department. Part III does not apply in Scotland.

2. Information Publications

Single copies of many of the following publications are free of charge, but ALL orders for such items must be accompanied by a stamped self-addressed envelope of the size specified. Orders without a SAE or accompanied by too small an envelope cannot be met. Bulk orders for the leaflets must be negotiated with the supplier.

The Nature Conservancy Council has published a booklet, sponsored by Shell, explaining more about the Part I provisions and entitled Wildlife, the law and you. Single copies are available free in exchange for a stamped self-addressed A5 envelope (9" x 6") from the NCC at Attingham Park, Shrewsbury, Shropshire SY4 4TW. A poster with the same title illustrating in full colour some of the species of fauna and flora, both British and foreign, protected by the Act and summarising some of the Act's key provisions is available from the same address for £1.00 + 75p. postage and packing.

The Nature Conservancy Council has also published a booklet entitled Focus on bats: their conservation and the law which outlines the ecology of bats, practical measures which can be taken to conserve them and the provisions in the 1981 Act concerning their protection. Single copies of the booklet are available free in exchange for a stamped self-addressed A5 envelope (9" x 6") from the NCC at Attingham Park, Shrewsbury, Shropshire SY4 4TW. If you order the two booklets Wildlife, the law and you and Focus on bats together, your reply envelope should bear a 16½p stamp.

The Fauna and Flora Preservation Society (FFPS) is selling a bat sticker featuring a black bat bearing the legend "I love bats". Copies of the sticker are available from the FFPS (c/o Zoological Society of London, Regent's Park, London NW1 4RY) for 70p each (inc. p. & p.).

The Council for Environmental Conservation (CoEnCo) are issuing a series of leaflets collectively entitled Wildlife and the law to explain the provisions of Part I of the Act. Each leaflet has been prepared in conjunction with the relevant specialist body and with the Royal Society for Nature Conservation and has been financially supported by the Nature Conservancy Council and the World Wildlife

Fund - UK. The first two leaflets in the series are: no. 1 Wild plants (published in conjunction with the Botanical Society of the British Isles) and no. 2 Reptiles and amphibians (published in conjunction with the British Herpetological Society). CoEnCo have also issued together with the Botanical Society of the British Isles a new edition of the BSBI's Code of conduct for the conservation of wild plants, which incorporates the provisions on plant protection contained in the 1981 Act. The three leaflets are available free of charge in exchange for a stamped self-addressed 9" x 6" envelope from CoEnCo (Zoological Gardens, Regent's Park, London NW1 4RY).

The Royal Society for Nature Conservation and the Botanical Society of the British Isles have prepared, with financial support from the Nature Conservancy Council and the World Wildlife Fund - UK, two posters depicting the plants specially protected under the Act. Entitled These endangered plants are protected by law nos. 1 and 2, the posters are available from the RSNC (The Green, Nettleham, Lincoln LN2 2NR) for £1.00 each or £1.50 for the two, post free.

The Royal Society for the Protection of Birds has issued a leaflet entitled Bird photography and the law explaining the provisions of the Act regulating the disturbance of those rare breeding species listed in Schedule 1. The leaflet also advises bird photographers on aspects of conduct which they should bear in mind. Single copies of the leaflet are available free in exchange for a 9" x 6" SAE from the RSPB (The Lodge, Sandy, Bedfordshire SG19 2DL).

The Nature Conservancy Council has issued a consultative leaflet to explain the provisions for Marine Nature Reserves contained in the Act and to outline the way in which the NCC intends to use them. Entitled Marine Nature Reserves, the leaflet is available free of charge in exchange for a stamped self-addressed A5 envelope (9" x 6") from Policy and Operations Division I, NCC, 19/20 Belgrave Square, London SW1X 8PY.

Other publications on the Act are planned. This information sheet will be continuously updated to record those titles concerned with the nature conservation aspects of the Act.

September 1982

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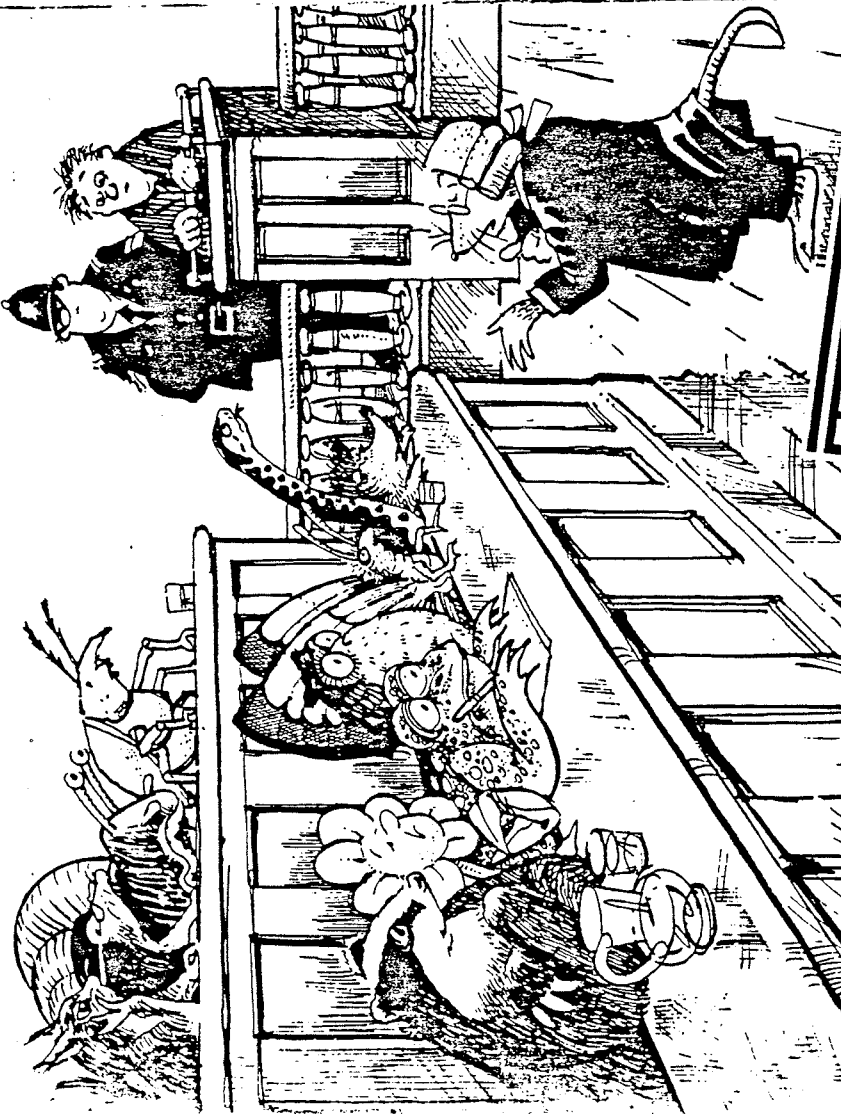
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**NATURE
CONSERVANCY
COUNCIL**



**WILDLIFE
THE
LAW
AND YOU**

INFORMATION

The voluntary organisations working for wildlife conservation on your behalf need volunteers and financial support. The addresses of some of the major organisations you can join are given below. If you are interested in a particular aspect of wildlife conservation, you can obtain a list of specialist bodies from the NCC Library, Calthorpe House, Calthorpe Street, Banbury, Oxfordshire OX16 8EX. (Please enclose a stamped addressed envelope.)

World Wildlife Fund
Panda House, 11-13 Ockford Road,
Godalming, Surrey GU7 1QU

Youth organisations

Watch
The Green, Nettleham, Lincoln
LN2 2NR

Young Ornithologists' Club
The Lodge, Sandy, Beds SG19 2DL

Other publications

Wild Birds and the Law
obtainable from RSPB
(address above)

Wildlife and the Law
Number 1 - Wild Plants
Number 2 - Reptiles and Amphibians
Free from CoEnCo, Zoological
Gardens, Regent's Park, London
NW1 4RY on receipt of a 9" by 6"
stamped addressed envelope.

Wildlife, the Law and You
An A1 wallchart obtainable from NCC,
Attingham Park, Shrewsbury
SY4 4TW: £1.75 including post and
packing.

Two posters illustrating the 62 specially protected wild plants are obtainable from RSNC (address above: £1 each or £1.50 for the two, post free).

British Trust for Conservation Volunteers
36 St Mary's Street, Wallingford, Oxon
OX10 0EU

National Trust
42 Queen Anne's Gate, London
SW1H 9AS

National Trust for Scotland
5 Charlotte Square, Edinburgh
EH2 4DU

Royal Society for Nature Conservation
The Green, Nettleham, Lincoln
LN2 2NR (for the address of the Nature Conservation Trust for your area)

Royal Society for the Prevention of Cruelty to Animals
The Causeway, Horsham, Sussex
RH12 1HG

Royal Society for the Protection of Birds
The Lodge, Sandy, Beds SG19 2DL