Protected Areas Working Group

OEP Review on protected sites for nature in England and Northern Ireland

Submission from the IUCN National Committee UK Protected Areas Working Group

The role of the IUCN National Committee UK's Protected Areas Working Group (PAWG) is to provide independent strategic analysis and advice in support of the UK Government's and the Devolved Administrations' collective commitment to protect 30% of the UK's land and 30% of its seas by 2030, thus demonstrating leadership in this area of conservation policy and practice.

PAWG aims to support the UK Government and the Devolved Administrations in their application of the IUCN definitions and guidance on Protected Areas (PAs) and Other Effective area-based Conservation Measures (OECMs).

These are the views of the IUCN National Committee UK (NCUK) Protected Areas Working Group. The Working Group was established by NCUK as a specialist working group focussed on providing protected areas advice and has been given the authority by its Executive Committee to provide this within its remit. The Working Group has not consulted the full membership of NCUK and so it should not necessarily be assumed that the entire NCUK membership would agree with all the details in this advice.

1. What aspects of these laws and their implementation are working well and what aspects could be improved?

There is a need to 'level up' protection across the existing Protected Areas network, attaining the highest standards of protection as defined by the IUCN, and build from there. The level of protection for SSSI/ASSIs and Marine Conservation Zones (MCZs) must meet at least the protection currently afforded by the Habitats Regulations for internationally important protected areas (Special Protection Areas - SPA, Special Areas of Conservation - SACs, and as a matter of policy rather than law, to Ramsar Sites).

Such strengthening of protection would deliver significant benefits for nature as well as reducing the complexity of the current systems of designations and planning.

Fundamentally however, what is missing is lack of action to deliver implementation regimes for the designation and effective management of ASSIs, SSSIs, SACs, SPAs, Ramsar Sites and MCZs. These should address issues of lack of enforcement (see question 15 below); proper funding; and the need for positive incentives to manage sites effectively, thus improving their status/condition.

We support the recommendation from the Office for Environmental Protection (OEP) that an environmental non-regression safeguard must be added to the Retained EU Law (Revocation and

Reform) [REUL] Bill as a minimum measure. Without this, using the REUL Bill's powers to amend laws related to SPAs and SACs will give significant risks, with little scrutiny or opportunity to engage for either parliament or the public. Any changes to these important laws should entail full public consultation and parliamentary scrutiny. This would ensure that DEFRA Ministers are held to account on their pledges[1], which we welcome, to maintain high environmental standards and ensure that international obligations are delivered.

We support OEP's proposal on non-regression with respect to statutory environmental protection.

Designated internationally important wetlands or 'Ramsar Sites' across England and Northern Ireland could also be usefully considered throughout the review alongside the other designations, particularly because Ramsar Sites are typically underpinned by SSSIs/ASSIs, and because they need to be considered in the same way as SACs and SPAs though planning policy and regulatory impact assessment approaches. There are significant international obligations pertaining to these areas and we do not understand why they are excluded from the scope of the review.

2. Are these laws and the ways in which they are being implemented fit for purpose, still relevant and achieving the objectives of halting biodiversity loss and supporting its recovery? Do any of these laws exist in tension with each other or are there gaps or inconsistencies?

England's natural heritage would have been immeasurably reduced without the SSSI network. SSSIs have previously fulfilled, and continue to fulfil, a critical role in conserving England's biodiversity, geodiversity and geomorphological resource. SSSIs have maintained many special (including the best, most representative, rare and threatened - amongst other elements) species and habitat types which would otherwise have been lost due to land-use changes since the end of the second world war, as well as in combination with other threats.

The underlying conceptual basis is sound and has stood the test of time, supported by their objective, science-led selection for biological, geological and geomorphological interests. The sheer scale of environmental change and impacts however, including linked off-site effects in the case of water and atmospheric pollution, and water management issues generally, as well as impacts caused by climate change, has impacted the condition of very many sites. What has been achieved has been good but markedly insufficient in the context of current pressures.

Typically, they can be broadly seen as fit for purpose notwithstanding the important need to 'level up' protection (see response to question 1). The issue is the lack of concerted actions to implement the legal and policy mechanisms that already exist.

Good examples are the substantive failure to implement the recommendations of the second national review of UK SPA network submitted to Ministers and the EU in 2001[2] and the subsequent on-going failure to implement the recommendations of the third national review of UK SPA network

[1] For example here in April 2023

[2] Stroud, D.A., Chambers, D., Cook, S., Buxton, N., Fraser, B., Clement, P., Lewis, P., McLean, I., Baker, H. & Whitehead, S. (eds.) (2001). *The UK SPA network: its scope and content*. JNCC, Peterborough. Three volumes. (90 pp; 438 pp; 392 pp)

submitted to Ministers in 2016[3], as well as failure of Natural England to publish its comprehensive review of the scope and adequacy of the SSSI network.

3. Do the bodies responsible for implementing these laws have sufficient resources, skills and capacity?

No. It is well established that Natural England and the Department of Agriculture, Environment and Rural Affairs Northern Ireland Environment Agency (NIEA), and the relevant authorities have grossly inadequate resources, and lack capacity, with markedly insufficient numbers of non-headquarters staff 'on the ground'.

4. Are there examples, from other countries or from similar domestic regimes, that provide useful lessons?

Some other national site protection regimes that are relevant to the UK were reviewed by Galbraith & Stroud (2022)[4]. In addressing the question 'How effective have European nationally protected areas been?' they concluded:

> "Fundamentally, it is not possible to answer that question without a detailed understanding of the reasons for designation of each protected area, and the legislative abilities to constrain negative changes or enable positive management, thus allowing an assessment of 'effectiveness'. However, Romão *et al.* 2012[5] explored patterns of ecosystem change within and outside nationally protected areas across several European countries. They concluded that: "Decreases in agro-ecosystems including grasslands are more limited in protected areas than outside. The amount of land covered by wetlands, forests and coastal ecosystems increased slightly more in protected areas than outside. … The large increase of 'heath and scrub' …, was more pronounced outside than inside protected areas, mainly due to land abandonment (former agriculture areas becoming transitional woodland-shrub areas).'"
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> "An alternative approach is to consider ultimate conservation outcomes. If the objective of nationally protected areas is to sustain the habitats and species for which they are designated, and if they are being effective in that aim, then one should hypothesise that the condition of European habitats should be favourable. However, the results from the 2020 EU State of Nature report from the period 2013-2018 (European Environment Agency 2020[6]) for the Birds and Habitats Directive show widespread environmental degradation in the status of many species and habitats – despite extensive protected areas in Europe. However, targeted analysis

[3] Stroud, D.A., Bainbridge, I.P., Maddock, A., Anthony, S., Baker, H., Buxton, N., Chambers, D., Enlander, I., Hearn, R.D., Jennings, K.R, Mavor, R., Whitehead, S. & Wilson, J.D. - on behalf of the UK SPA & Ramsar Scientific Working Group (eds.) (2016). *The status of UK SPAs in the 2000s: the third network review*. 1,108 pp. JNCC, Peterborough. http://jncc.defra.gov.uk/page-7309

[4] Galbraith, C.A. & Stroud, D.A. (2022). *Sites of Special Scientific Interest (SSSIs) in England: their historical development and prospects in a changing environment*. Natural England Research Report NECR414. Natural England, UK. 100 pp.

[5] Romão, C., Richard, D. & Jones-Walters, L. (2012). *Protected areas in Europe — an overview.* European Environment Agency, Copenhagen. 130 pp.

[6] European Environment Agency (2020). *State of nature in the EU. Results from reporting under the Nature Directives 2013-2018.* European Environment Agency, Copenhagen. 142 pp.

demonstrates clear positive effects of some protected area designations, such as SPAs (Sanderson *et al.* 2015[7]).”

See also Barnes *et al.* (2023)[8] and Sanderson *et al.* (2022)[9] for further UK studies on the efficacy of protected areas.

5. Are there gaps in the available data and evidence that need to be filled to ensure this area of law is effective?

Making data and information derived through monitoring, and interpreted through assessment, openly available is fundamental for the management of the SSSI/ASSI network, and indeed is a prerequisite for the development and effective management of any network of protected areas. A major concern is the inadequate system of monitoring and assessment which fails to provide a necessary evidence base for the adaptive management of ASSIs, SSSIs[10], SACs, SPAs and Ramsar Sites on land and even more so for the relevant designations in the marine environment.

In the last decade this system seems to have largely broken down. A total of 78% of sites have not been assessed as to their condition in the last six years[11]. It seems fundamental that this situation needs to be resolved, as solving nearly all other problems identified depends, ultimately, on a good understanding of the state of those species and habitats for which the sites are legally protected.

There is particularly limited monitoring of protected sites in Northern Ireland as noted under question 17 below[12].

We note and welcome the new Environment Improvement Plan interim target on SSSI monitoring in England, for “all Sites of Special Scientific Interest (SSSIs) to have an up-to-date condition assessment; and for 50% of SSSIs to have actions on track to achieve favourable condition by 31 January 2028.”

[7] Sanderson, F.J., Pople, R.G., Ieronymidou, C., Burfield, I.J., Gregory, R.D., Willis, S.G., Howard, C., Stephens, P.A., Beresford, A.E. & Donald, P.F. (2015). Assessing the performance of EU Nature Legislation in protecting target bird species in an era of climate change. *Conservation Letters* 9(3): 172-180.

[8] Barnes, A.E., Davies, J.G., Martay, B., Boersch-Supan, P.H., Harris, S.J., Noble, D.G., Pearce-Higgins, J.W. & Robinson, R.A. (2023). Rare and declining bird species benefit most from designating protected areas for conservation in the UK. *Nature Ecology & Evolution* 7(1): 92-101.

[9] Sanderson, F.J., Wilson, J.D., Franks, S.E. & Buchanan, G.M. (2022). Benefits of protected area networks for breeding bird populations and communities. *Animal Conservation* doi:10.1111/acv.12832

[10] See for example, Galbraith, C.A. & Stroud, D.A. (2022). *Creating a Protected Area Network for nature recovery in England.* Natural England Research Report NECR441. Natural England. 73 pp.

[11] Answer to Parliamentary Question by Rebecca Pow 17 February 2021 https://www.theyworkforyou.com/wrans/?id=2021-02-09.151834.h&s=%27SSSI%27#g151834.r0

[12] RSPB (2022). *A lost decade for nature*. RSPB, Sandy. 12 pp.

Evidence relating to protected site designation could address issues such as:

6. The criteria for identifying and designating these sites and their application.

Selection criteria for SSSIs are long-established and well understood. The urgent need is not to further review these criteria but to better implement them to ensure comprehensive and coherent national networks of protected areas.

We note the relatively robust criteria published in the government's 2021 Nature Recovery Green Paper prior to CBD COP15 as to which areas should count towards the 30% protected area target of the Montreal-Kunming Global Biodiversity Framework. These criteria were broadly in line with IUCN guidance and with the wording of GBF Target 3. We are, however, concerned that subsequently, the 2023 Environmental Improvement Plan suggests a weakened position, potentially including areas which fail to meet those agreed criteria thus degrading the UK's delivery of this target.

7. The role of the designating authority (this will be government or the statutory nature conservation body depending on the type of designation).

For all relevant protected sites, statutory bodies need to be given the full powers to provide advice on potentially damaging operations and on consents for work, as well as on all aspects of enforcement and condition improvements.

It is important that the actions of designated authorities are science-led. This includes the the need to select and delineate sites based on scientific evidence uninfluenced by socio-economic considerations. In recent years, non-scientific considerations have delayed the notification of new sites and the re-classification of others, as well as influencing the failure to progress cross-border marine SPAs with the Republic of Ireland.

8. The process for designation, including the role of the decision-making body/bodies and the involvement of landowners, the public and other interested parties.

The process of designation is well established but has become overly bureaucratised with one estimate suggesting that the process to notify a single, simple English SSSI now takes over 18 months, and several years of staff-time to process. Given the impacts of climate change on species and habitats, and the need for adaptation through management at many sites, the current system is inadequately responsive. These issues are were reviewed by Galbraith & Stroud (2022). Whilst a range of options exist for dealing with climate change and species/ habitat redistributions, for any of these to be effective, it will be fundamental to have more responsive monitoring supporting responsive changes to statutory feature lists and other elements of the designation process.

9. The process for keeping the network of designated sites under review to ensure it is achieving its objectives and keeping pace with environmental change.

See above under questions 5. The need for responsive, frequent monitoring – to understand what is changing in the real world – is critical.

There is no published network scale assessment for the coverage of individual species and habitats within SSSIs, although this exists for the subset of sites that are terrestrial SPAs (below). Such SSSI sufficiency assessments need to be undertaken and published through a regular process and

timescale. A first assessment of SSSI sufficiency was prepared by Natural England some years ago but has never been published and is not available.

For terrestrial SPAs, as noted under the response to question 2, there has been substantive failure to implement the recommendations of the second and third national reviews of the UK SPA network over two decades (Stroud 2023[13]). The need is not review but the actual implementation of the conclusions reached and recommendations made in those reviews. The repeated non-implementation of recommendations made, leads to further review based on 'more contemporary data' locking into repeated cycles of review and non-delivery.

In 2016, JNCC was urgently working on a UK marine SPA sufficiency assessment[14]. The third SPA Review found that "*Review of SPA provision in the marine environment is needed for at least 49 species*". Work to deliver that review remains outstanding and is urgently needed to assess the sufficiency of marine SPA provision for at least 49 species. However, work on this apparently ceased in March 2020.

10. Whether these laws have resulted in a sufficient number and area of protected sites being designated, in the right locations, to halt and reverse biodiversity decline.

When first established, the SSSI network was never envisaged to provide complete protection of the total extent of important habitats and species but rather the protection of a representative selection of sites[15]. However, the extent of habitat loss outside the protected area network(s) in recent decades is such that a 'whole resource' approach is now being applied for the protection of at least some habitat types such as upland species-rich hay meadows. Whilst welcome, typically this changed approach has been 'too little, too late' and has failed to halt major losses of some of the most important sites.

A review of the sufficiency of the English SSSI network was undertaken by Natural England some years ago, but although 'near complete' has yet to be published. This assessment is thought to outline the priorities for an enhanced approach to SSSI notification but remains unavailable.

The SPA network across the UK remains insufficient in scope and content, as documented by the third review (see above). The actions needed to resolve this are known but not being implemented.

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[13] Stroud, D.A. (2023). *The continuing insufficiency of the UK's network of Special Protection Areas and its causes*. Submission to the Office of Environmental Protection with respect to England and Northern Ireland; Environmental Standards Scotland with respect to Scotland; and the Interim Environmental Protection Assessor for Wales. 35 pp.

[14] "During the period, and as reported by the third Review, UK governments announced that they would undertake an assessment of the sufficiency of the resulting suite of marine SPAs at the culmination of the programme of identification. That assessment is underway and will encompass some species considered by the third Review, including seabird species that breed terrestrially in the UK and waterbird species (seaduck, divers and grebes) that frequent estuarine coastal waters and marine waters. A third group of species will be unique to the marine assessment, namely those seabirds that are passage migrants or winter visitors to the UK and are essentially marine species within UK territories". Para 38 of *UK SPA & Ramsar (Avian) Scientific Working Group Progress Report: November 2011 – November 2017*. 34 pp.

[15] See Galbraith & Stroud (2022) for a historical review.

11. The above issues as they apply to the designation of protected sites in England and Northern Ireland that span national boundaries, including boundaries within the UK or between Northern Ireland and the Republic of Ireland.

In some parts of the UK there has been good cross-border liaison between administration (for example the Solway Firth between Scotland and England, and The Dee Estuary, Severn Estuary and Liverpool Bay between Wales and England. However, progress in establishing cross-border marine SPAs between Northern Ireland and the Republic of Ireland have been problematic, and such sites have yet to be jointly classified and the requirement of joint management approaches remains.

Evidence relating to protected site management could address issues such as (excluding any matters relating to HRA):

12. Do owners and occupiers of protected sites receive what they need to be able to appropriately manage these sites? Do others such as public authorities receive what they need to deliver their responsibilities to conserve and restore protected sites? For example, this might include information, guidance, advice, support and financial assistance.

Owners and occupiers should be better involved in the 'mission' to manage protected areas (such as through the condition improvement process[16]) including being more engaged with monitoring and assessment processes. This is especially the case for many major landowners, often with conservation staff responsible and able to monitor and manage conservation sites in their ownership.

Typically, there are significantly too few local staff to undertake such local liaison. Experience shows that existing tools (and legal options) are insufficiently employed.

13. The laws that restrict how land is managed inside protected sites, including the consenting process for operations likely to damage ASSIs and SSSIs, special nature conservation orders and stop notices for SACs and SPAs in England and powers to make byelaws for the protection of ASSIs, SSSIs, SACs and SPAs.

There is an urgent need for better and more enforcement of existing legal powers and regulations. For example, we understand there has been only one use of management notice powers under the 2001 Countryside and Rights of Way Act in more than a decade since these became available.

Galbraith & Stroud (2022) noted, based on multiple stakeholder interviews, a widespread view that environmentally damaging activities on SSSIs (in the uplands in particular) are organisationally tolerated because they are 'traditional', with a failure to research and promote more environmentally acceptable alternatives.

See response to question 15 below on the very low level of enforcement of SSSI offences.

[16] See https://www.gov.uk/guidance/protected-areas-sites-of-special-scientific-interest#condition-improvement-process

14. Compliance with, and the enforcement of, protected sites laws. This could relate to any obligations, for example those on owners and occupiers and those on statutory nature conservation bodies or other public bodies.

See also response to question 15 below.

On a specific issue for which there is robust data, we note the illegality, since 1999 in England of using lead gunshot for shooting over SSSIs designated for waterbirds (and which include all major wildfowling haunts), and for defined waterbird species. Yet despite this, there has been major and sustained non-compliance with this legislation, with an estimated 13 million ducks shot illegally using lead shotgun ammunition in England[17] since September 1999 - an average of approximately 586,000[18] ducks illegally shot each year.

15. Statutory tools that are available to secure the appropriate management of protected sites. This could relate to the statutory tools themselves or how they have been implemented. For example, have these tools been effective and are there any barriers to using them?

The success of protected areas as a tool for conservation is based on the effectiveness of the management to protect the values that they contain. The results of condition monitoring shows that ineffective management and/or neglect are the most significant issues limiting the success of protected areas across the UK and that current approaches, using statutory tools or otherwise, are not working. We believe the focus of the UK Government's efforts should now be to ensure that management effectiveness, and its resourcing, is made a priority. This would ensure that tools such as Site Management Plans for protected areas in England and Conservation Management Plans in Northern Ireland are fully implemented to secure condition improvements.

However, NE's Enforcement Register shows that in the past decade there have only been five prosecutions for SSSI offences. This very low level of enforcement activity suggests that it is unlikely to be serving as an effective deterrent to potential offenders.

The NAO looked specifically at SSSIs as a 2022 case study (in briefing to the Environmental Audit Committee on environmental compliance and enforcement). It queried the extent to which NE has assurance over SSSI condition given the lack of condition data and highlighted the substantial fall in enforcement actions on SSSIs from 151 in 2013/14, to 39 in 2020/21.

In response to a Parliamentary Question in February 2021[19] Government stated that "*Since the 31 January 2001, Natural England has used the statutory powers provided by management schemes under section 28J of the Wildlife and Countryside Act 1981 (the Act) on nine occasions; management notices under section 28K of the Act have been used on one occasion; compulsory purchase under section 28N and byelaws under section 28R of the Act have not been used.*"

[17] including outside the SSSI network

[18] Stroud, D.A., Pain, D. & Green, R.E. (2021). Evidence of widespread illegal hunting of waterfowl in England despite partial regulation of the use of lead shotgun ammunition. *Conservation Evidence Journal* 18: 18-24.

[19] https://questions-statements.parliament.uk/written-questions/detail/2021-02-09/151836

16. The use of agri-environment schemes and other public funding to support the appropriate management of protected sites.

Effective, targeted and adequately resourced agri-environment programmes can contribute significantly to the management of protected areas given the large area of protected sites in both England and Northern Ireland that are under some form of agricultural management. The recent Environmental Improvement Plan highlights that the new Environmental Land Management (ELM) schemes under the 2020 Agriculture Act are expected to "contribute at least 50% of the target of bringing protected sites into favourable condition by 2042". However, although a high uptake of the Sustainable Farming Incentive could help to reduce the negative impacts of agriculture on protected sites such as water pollution, it will not secure the right management in the right places. Therefore, sufficient access to, and investment in the higher tier of Countryside Stewardship and Landscape Recovery will be required to achieve this.

In annual NI Environmental Statistics Reports, the Northern Ireland Environment Agency consistently highlight the implementation of the Environmental Farming Scheme Higher Level agreements as a key delivery mechanism to help achieve favourable condition for terrestrial protected sites.

However, the short-term nature of agreements and currently limited funding available for schemes, e.g. the ELM higher tier scheme in England, means that it is unlikely they can deliver the scale of delivery required to address the condition challenges we know exists across protected area networks. We will need additional support mechanisms from governments to achieve sustained condition improvements.

17. Monitoring of protected sites and the communication and reporting of the results of monitoring.

Monitoring is a prerequisite for the development and effective management of any network of protected areas. We have stressed this crucial issue in responses to previous questions (5 and 9).

There is particularly limited monitoring of protected sites in Northern Ireland. A programme of monitoring carried out by NIEA began in 2002 and the first full cycle of protected sites monitoring was completed in March 2008. No full review of designated sites monitoring has been published since then. In 2019, 74% of ASSIs had not been monitored in the past six years[20].

18. The identification, allocation, coordination and delivery of actions to improve protected site condition. This includes actions (or remedies) for ASSIs and SSSIs and actions included in Site Improvement Plans for SACs and SPAs in England and Conservation Management Plans for SACs in Northern Ireland.

In England, there is a long history of processes to undertake reviews (*e.g.* for SSSIs, SPAs and Ramsar Sites); headquarters guidance production; and initiatives such as the drafting of Site Improvement Plans. However, the implementation of actions resulting from these identified needs has been rarely funded.

Natural England's Improvement Programme for England's Natura 2000 sites (IPENS), noted "Whilst a number of Natura 2000 [*i.e.* SACs and SPAs] sites are in a good state, many face challenges which

[20] RSPB (2022). *A lost decade for nature*. RSPB, Sandy. 12 pp.

affect their condition. These are from issues such as pollution, inappropriate grazing, and impacts from invasive species." The work, with published conclusions in 2015, established a range of actions needed to deliver improvements to these sites. There has been no published assessment as to the delivery of those actions.

19. The use of national and site-specific targets to drive improvements in protected site management and condition. At a national level this could include any targets relating to protected sites that have been included in national strategies or plans. At a site level, this may include how condition categories are defined and applied in practice.

We note the importance of national targets relating not just to the number of protected areas but the *effectiveness of their management* (in line with international obligations agreed by the UK e.g. relevant targets under the Global Biodiversity Framework adopted at the recent CBD CoP15). This is especially important in the context of the significantly poor condition of most protected areas across the UK, such as summarised by Starnes *et al.* 2021[21], and reported by the country conservation agencies for example.

Historically, a series of targets for action have been agreed related to the management of SSSIs (Table), and latterly moving towards targets related to the "state" of the species, habitats and geological features present.

Table. Government and statutory agency qualitative and quantitative performance targets related to SSSI condition in England. There has been a variety of different reporting against these targets.

Year	Target	Set by:
1992	Securing positive action for wildlife and natural features for each site management unit on each SSSI remains a core target. .. We will regularly measure the area of SSSI in favourable status.	English Nature. *Beyond 2000 English Nature's strategy for improving England's wildlife and natural features*
2001	Government established Public Service Agreement target to get 95% of all the SSSIs (by area) into favourable condition by 2010. In 2002, c. 52% of SSSI area was meeting this target, and rising to 83% by March 2008 and to 93% by 2010 (National Audit Office[NAO] data)[22].	HM Government. Public Service Performance Standard Agreement target[23]
2011	1A. Better wildlife habitats with 90% of priority habitats in favourable or recovering condition and at least 50% of SSSIs in favourable condition, while maintaining at least 95% in favourable or recovering condition;	DEFRA. Biodiversity 2020: A strategy for England's wildlife and ecosystem services (DEFRA 2011)

[21] Starnes, T., Beresford, A.E., Buchanan, G.M., Lewis, M., Hughes, A. & Gregory, R.D. (2021). The extent and effectiveness of protected areas in the UK. *Global Ecology and Conservation* 30: p.e01745.

[22] NAO reported nearly £400m of public finances spent on improving SSSI condition between 2000-2008 (equivalent to c.£50/ha) with English Nature/Natural England identifying the condition of all SSSIs and actions needed to bring them into good condition during the period

[23] https://www.instituteforgovernment.org.uk/sites/default/files/case%20study%20psas.pdf

	1B. More, bigger and less fragmented areas for wildlife, with no net loss of priority habitat and an increase in the overall extent of priority habitats by at least 200,000 ha; 1C. By 2020, at least 17% of land and inland water, especially areas of particular importance for biodiversity and ecosystem services, conserved through effective, integrated and joined up approaches to safeguard biodiversity and ecosystem services including through management of our existing systems of protected areas and the establishment of nature improvement areas;	
2018	"Increasing the proportion of protected and well-managed seas, and better managing existing [marine] protected sites." "Restoring 75% of our one million hectares of terrestrial and freshwater protected sites to favourable condition, securing their wildlife value for the long term."	HM Government. 25 Year Environment Plan (HM Government 2018)
2023	"We have committed to restore 75% of protected sites [on land] to favourable condition by 2042, which is crucial to delivering our wider biodiversity commitments." "New interim targets for all sites of special scientific interest (SSSIs) to have an up-to date condition assessment; and for 50% of SSSIs to have actions on track to achieve favourable condition by 31 January 2028." "For 70% of designated features in Marine Protected Areas (MPAs) to be in favourable condition by 2042 with the remainder in recovering condition, with a new interim target of 48% of designated features to be in favourable condition by 31 January 2028, in line with the trajectory required to achieve the long-term target."	HM Government Environmental Improvement Plan 2023

Alongside the establishment of targets, the National Audit Office has periodically assessed their achievement, either nationally (NAO 2008[24]) or for parts of the SSSI 'estate', for example the holdings of the Ministry of Defence (NAO 2020[25]).

"Since December 2002, the reported condition of SSSIs has improved from 52% by area in target condition to 83% in March 2008. Of the 888,706 hectares in target condition, 45% were in a favourable condition and 38% were in an unfavourable recovering condition. The long-term nature of recovery action means that it may be many years before some sites reach a favourable condition." (NAO 2008).

Whilst the condition of SSSIs improved between 2001 and 2008 following the establishment of Public Service Agreement targets (above, Table), in contrast, after 2010 and in the absence of a Government target, the areas of SSSIs in both favourable and recovering condition have declined

[24] National Audit Office (2008). *Natural England's Role in Improving Sites of Special Scientific Interest*. Report by the Comptroller and Auditor General. HC 1051 Session 2007-2008. 21 November 2008. 44 pp.

[25] National Audit Office (2020). Ministry of Defence Environmental Sustainability Overview. Report by the Comptroller and Auditor General. House of Commons, London. 52 pp.

(43% to 37% and 93% to 87% respectively), and by February 2021, 78% of SSSIs in England (3,230 sites) had not had a condition assessment in the last six years[26].

We note and welcome the new Environment Improvement Plan interim target on SSSI monitoring in England, for "all Sites of Special Scientific Interest (SSSIs) to have an up-to-date condition assessment; and for 50% of SSSIs to have actions on track to achieve favourable condition by 31 January 2028."

There are currently no legally binding targets in Northern Ireland for improving the condition of protected areas, there as noted by the Office for Environmental Protection[27] in September 2022.

20. The above issues as they apply to the management of protected sites that span national boundaries, including boundaries between nations within the UK or between Northern Ireland and the Republic of Ireland.

The lack of cross-border marine SPAs for political reasons has been noted in response to questions 7 and 11.

[26] RSPB (2022). *A lost decade for nature*. RSPB, Sandy. 12 pp.

[27] OEP comments on Environment Strategy (Northern Ireland's Environmental Improvement Plan) in September 2022, saying "*As things stand, there is no statutory requirement for measurable targets in Northern Ireland under the Environment Act 2021. In our view, that makes it all the more important that the EIP contains sufficient detail and specificity… Improved clarity on priorities, targets, accountability and evaluating progress will all strengthen the EIP and its prospects of success".*