



Isle of Man
Government

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Areas of Special Scientific Interest

The Government working with landowners to conserve our natural heritage

The Isle of Man contains many areas of particular interest for their wildlife habitats, geological features and landforms. Some are important as wildlife havens, as natural laboratories for science, or as educational resources displaying our geological history and richness of wildlife. The protection of our natural resources is a responsibility that we all share. Areas of Special Scientific Interest (ASSIs) are given legal protection as the best examples of this natural heritage. Some areas are of international importance and we have an added responsibility to maintain their quality.

Site Selection

The selection of ASSIs is based on scientific criteria. They can cover public or private lands. This designation sets in place a statutory consultation process so that the Department of Environment, Food and Agriculture (DEFA) can provide advice and financial support for their protection and management. These areas can be served best by a partnership between the Department and the land owners and managers. By working together we aim to maintain a living and working countryside in which future residents can enjoy the same benefits that we have.

Notification

DEFA, after consulting the Wildlife Committee, can notify sites as ASSIs for their special wildlife or geological interest or their physiographic features under Section 27 of the Wildlife Act 1990. This allows DEFA to work with the owners and occupiers, so that the conservation interest is maintained during the day to day operations that are necessary or occur on the land.

Notification and objection procedures

New sites are notified to the Department of Infrastructure and to every owner or occupier of the land and the legal provisions take effect immediately. A map of the site, a description of the special interest and a list of activities requiring DEFA's consent are included with the notification letter. A period of at least three months is then provided to allow representations and objections to be made. These may be resolved by liaison with a DEFA Biodiversity Officer. At the conclusion of this period the Department will consider such replies and within two months will decide whether to confirm, vary or rescind the notification. This decision will be notified to the consultees mentioned above, with reasons.

Ownership

Notification does not affect site ownership.

Farming and land use

Many sites are of importance to wildlife *because* they have been managed or farmed in a particular way for many years so it is vital that such management continues. Some sites may require slight modifications to their management. DEFA will discuss with owners and occupiers the present and future management of the ASSI, which may combine some production with nature conservation.

A management agreement can be proposed at any time, not just when a regime is changed or interest threatened.

Workers on site

Owners and occupiers should advise their employees, contractors and other authorised users of the existence of an ASSI, in order to avoid them unknowingly damaging the site. Statutory bodies such as the public utilities should be aware of them, but owners and occupiers are requested to inform them when approached for permission to carry out work on an ASSI. Owners and occupiers are not liable for the unauthorised action of third parties, such as trespassers and vandals.

Operations Likely to Damage the Special Interest

Once designated, the owner or occupier of a site retains responsibility for their land but they must provide notice to DEFA of specific operations that could affect the conservation interest. This sets off a dialogue with DEFA regarding conservation issues raised by such an operation.

A list of these 'Operations Likely to Damage the Special Interest' (OLDs) or a 'List of activities requiring DEFA's consent' is provided with the notice of designation. This comprehensive list includes anything that could conceivably damage the interest. It may appear forbidding but this is not the case. These are not prohibited actions but DEFA **must** be given advance notice of such works and allowed time to respond and offer advice, or come to an agreement before the operation takes place. Where an agreement is offered by DEFA but not accepted, the matter may go to an arbitrator, agreed by both parties. The procedures can be found in Section 27 of the Wildlife Act 1990.

This system ensures that conservation is taken into account during works that might affect the interest of a site. The list usually covers the whole of the site, even though certain operations may only be possible or damaging on part of it. Certain listed operations may be required in specific parts of a site and can be done in a way that will not affect the special interest. By liaison between DEFA and a land owner or occupier, a management agreement may result which would not require the owner/occupier to give further notice for specified operations while the agreement is in effect.

Operations requiring notice may include those intended to conserve wildlife, if they are on the list of OLDs. Such actions can cause significant damage to the existing interest if carried out thoughtlessly or at the wrong time of year. Obtaining the consent of DEFA under the Wildlife Act does not remove the need to meet other legal obligations, such as tree felling licences or planning permission where relevant.

Planning applications

The presence of an ASSI will be taken into account when the Planning Committee considers applications affecting such a site. The outcome will depend on the nature of an application.

Financial provisions

No financial burden will be placed on an owner or occupier by virtue of notification, as no change in land use is required automatically and provisions exist for payments towards conservation management requested by either party.

If DEFA does not give consent for an operation, it may offer a management agreement including payments calculated according to the Financial Guidelines approved by Tynwald in 2001.

Access

Access is not normally affected by notification. Notification of a site does not give DEFA officers or anyone else a right of access. Existing rights of way remain and any statutory agencies with rights of access, such as the public utilities, continue to have access but should be notified of the need to consult DEFA before undertaking any work in an ASSI.

Recreation

It is the responsibility of the owner or occupier to notify DEFA if recreational users are carrying out any of the notified operations. DEFA will, in many cases, permit existing levels of use to continue but will wish to discuss any proposals for new or significantly greater levels of use.

For further information contact:

Email: ecopolicy@gov.im

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This leaflet is produced for public awareness purposes only and is not a statement of law. The legislation covering ASSIs can be found in the Wildlife Act 1990.

The information in this leaflet can be provided in large print or on audio tape, on request.
