



MAKING SSSI BYELAWS - OPERATIONAL PRINCIPLES

Published: June 2020

Key principles that Natural England will follow when considering the use of its byelaw-making powers for SSSIs¹

1. We will recommend the use of SSSI byelaws to help protect SSSIs where it is necessary to achieve their Conservation Objectives, to further the conservation and enhancement of their special features and to help ensure SSSIs are at the heart of well-managed nature recovery networks across land, water and sea delivering resilient ecosystems.
2. Our approach to using SSSI byelaws will follow the principles set out in our [Compliance and Enforcement Position](#). We will use SSSI byelaws in a proportionate and targeted way that is consistent with good regulatory practice.
3. We will propose SSSI byelaws where activities which are, or are likely to be, damaging to a SSSI are being continually and persistently carried out by a small number of individuals or by a larger number of people.
4. We will only propose SSSI byelaws when other measures have either failed or are likely to fail and there are no other practical or more appropriate regulatory measures available. We will first support voluntary and informal action by land owners, site managers, local communities and other stakeholders to protect and conserve their SSSIs before we will consider making SSSI byelaws.
5. Before proposing to make SSSI byelaws, we will always carry out an early and thorough consultation with relevant landowners, land occupiers, local communities and other stakeholders.
6. We will seek the support of affected stakeholders before recommending any SSSI byelaws are made and will listen to and take account of any local needs and concerns relating to a SSSI byelaw proposal in an open and sensitive manner.
7. We will not duplicate any byelaws, orders or other legally enforceable restrictions made by other bodies that are already in force and which seek to control similar behaviour. We will work closely with other local byelaw-making bodies as appropriate before using our own powers.
8. When proposing to make SSSI byelaws, we will always be mindful of Natural England's general purpose and its full range of statutory duties. In particular, we will seek to achieve an appropriate balance between the legitimate use and enjoyment of sites for access and recreation and their necessary protection as SSSIs.
9. We will not use SSSI byelaws to interfere with the exercise by any person of a right vested by virtue of ownership, lease or occupation of the land, the lawful use of public rights of way and access, or with the activities of statutory undertakers.
10. We will always publish details about SSSI byelaws that are made on [our GOV.UK pages](#) and keep them under regular review, affirming, modifying or revoking them as necessary following stakeholder consultation and approval from the Secretary of State.

¹ These principles, and the accompanying model SSSI byelaws, will also apply should Natural England decide to exercise its byelaw-making powers in [regulation 32 of the Conservation of Habitats and Species Regulations 2017 \(as amended\)](#) in relation to terrestrial European Sites (Special Areas of Conservation and Special Protection Areas)