

## OPERATIONAL PRINCIPLES - DRAFT FOR CONSULTATION

### Key principles that Natural England will follow when considering the use of its byelaw-making powers for SSSIs<sup>1</sup>

1. We will recommend the use of SSSI byelaws to help protect SSSIs where it is necessary to achieve a SSSI's Conservation Objectives and to help deliver our [Conservation Strategy](#).
2. Our approach to using SSSI byelaws will closely follow the principles set out in our [Regulation Standard](#) and 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 only propose a SSSI byelaw where activities which are, or may be, damaging to a SSSI are likely or known to be persistent and continuing in nature and are being carried out either repeatedly or by a large number of people.
4. We will only propose a SSSI byelaw when other measures have either failed or are likely to fail and there are no other practical or appropriate regulatory measures. We will first support voluntary and informal action by land managers, local communities and other stakeholders to protect and conserve their SSSIs before we will consider the use of byelaws.
5. Before proposing to make a SSSI byelaw, we will always carry out an early and thorough consultation with relevant landowners, land occupiers, local communities and other stakeholders.
6. We will listen to and take account of any local needs and concerns relating to a SSSI byelaw proposal in an open and sensitive manner and will seek the support of local stakeholders before recommending a SSSI byelaw is made.
7. We will not duplicate any existing byelaws and will work closely with other local byelaw-making bodies before using our own powers.
8. We will always be mindful of Natural England's general purpose and full range of statutory duties when using SSSI byelaws to ensure we achieve an appropriate balance between the legitimate use and enjoyment of sites for access and recreation and their 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 or way and open access land, or with the activities of statutory undertakers.
10. We will always publish any SSSI byelaws that are made and keep them under regular review.

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<sup>1</sup> These principles, and the accompanying model SSSI byelaws, will also apply should Natural England wish to exercise the byelaw-making powers given to it by [regulation 32 of the Conservation of Habitats and Species Regulations 2017](#) in relation to terrestrial European Sites