

APPENDIX I

The law and specially protected species in Eastleigh Borough

The Wildlife & Countryside Act 1981. Under this Act it is an offence to intentionally:

- Kill, injure or take any wild bird except certain species regarded as pests (eg crow, wood pigeon) or certain game birds (eg mallard, woodcock), as listed in Schedule 2 of the Act which can be killed or taken under licence.
- Take, damage or destroy the nest of any wild bird while the nest is in use or being built except species listed on Schedule 2 of the Act.
- Take or destroy an egg of any wild bird except 'pest' species listed on Schedule 2 of the Act.
- Disturb any wild bird included in Schedule 1 of the Act while it is building a nest or is in or near a nest containing eggs or young; or to disturb dependent young of such a bird.
- Kill, injure or take any wild creature listed on Schedule 5.
- Have in his possession or control any live or dead Schedule 5 wild animal or any part or anything derived from such an animal.
- Damage, destroy or obstruct access to any structure or place which any wild animal on Schedule 5 uses for shelter or protection.
- Disturb any wild animal listed on Schedule 5 while it is occupying a structure or place it uses for shelter or protection.

- Sell any live or dead specimens of Schedule 5 species.
- Uproot any wild plant where unauthorised by the landowner.
- Pick, uproot or destroy any plants listed on Schedule 8.
- Sell, offer for sale or be in possession of (for the purposes of sale) any plants listed on Schedule 8 or parts or derivatives of Schedule 8 plants.

The Conservation (Natural Habitats etc) Regulations 1994.

Translate the European Community's Habitats Directive into English law. Under these regulations it is an offence to deliberately:

- Capture, kill, disturb, take or destroy the eggs, damage or destroy a breeding site or resting place of a European protected species as listed in Schedule 2.
- Keep, transport, sell or exchange, or offer for sale or exchange any live or dead European protected species as listed on Schedule 2.
- Take or kill any species listed in Schedule 3 in any of the listed ways.

These regulations also require that the best areas for populations of species as listed in Annex 1 of the Habitats Directive be designated as Special Areas for Conservation or in the case of birds, Special Protection Areas. See Appendix 2 for details.

The Protection of Badgers Act 1992. Under this Act it is an offence to:

- Wilfully kill, injure or take a badger.
- Interfere with a badger sett (including damaging and destroying a sett, obstructing access to a sett, causing a dog to enter a sett or disturbing a badger when it is in a sett).
- Be in possession of and sell live badgers.
- Mark or ring a badger in any way (except under licence).

APPENDIX I (continued)

The law and specially protected species in Eastleigh Borough

Species in Eastleigh Specifically Protected by Law

Group	Common name	Latin name	Wildlife & Countryside Act 1981	Conservation Regulations 1994
Amphibian	Common frog	<i>Rana temporaria</i>	Schedule 5 ²	
Amphibian	Common toad	<i>Bufo bufo</i>	Schedule 5 ²	
Amphibian	Great crested newt	<i>Triturus cristatus</i>	Schedule 5	Schedule 2
Amphibian	Palmate newt	<i>Triturus helveticus</i>	Schedule 5 ²	
Amphibian	Smooth newt	<i>Triturus vulgaris</i>	Schedule 5 ²	
Amphibian	Stag beetle	<i>Lucanus cervus</i>		
Bird	Barn owl	<i>Tyto alba</i>	Schedule 1	
Bird	Black-tailed godwit	<i>Limosa limosa</i>	Schedule 1	
Bird	Cetti's warbler	<i>Cettia cetti</i>	Schedule 1	
Bird	Dartford warbler	<i>Sylvia undata</i>	Schedule 1	
Bird	Firecrest	<i>Regulus ignicapillus</i>	Schedule 1	
Bird	Kingfisher	<i>Alcedo atthis</i>	Schedule 1	
Bird	Mediterranean gull	<i>Larus melanocephalus</i>	Schedule 1	
Butterfly	Purple emperor	<i>Apatura iris</i>	Schedule 5 ²	
Crustacean	White-clawed crayfish	<i>Austropotamobius pallipes</i>	Schedule 5 ³	
Damselfly	Southern damselfly	<i>Coenagrion mercuriale</i>	Schedule 5	
Fish	Atlantic salmon	<i>Salmo salar</i>	-	Schedule 3
Fish	Grayling	<i>Thymallus thymallus</i>	-	Schedule 3
Mammal	All bats		Schedule 5	Schedule 2
Mammal	Dormouse	<i>Muscardinus avellanarius</i>	Schedule 5	Schedule 2
Mammal	Otter	<i>Lutra lutra</i>	Schedule 5	Schedule 2
Mammal	Water vole	<i>Arvicola terrestris</i>	Schedule 5 ⁴	
Plant	Bluebell	<i>Hyacinthoides non-scripta</i>	Schedule 8	
Reptile	Adder	<i>Vipera berus</i>	Schedule 5 ¹	
Reptile	Common lizard	<i>Lacerta vivipara</i>	Schedule 5 ¹	
Reptile	Grass snake	<i>Natrix natrix</i>	Schedule 5 ¹	
Reptile	Slow worm	<i>Anguis fragilis</i>	Schedule 5 ¹	

Species listed are fully protected under the relevant act except where the following is shown:

- ¹ offence to kill, injure or sell only
- ² offence to sell only
- ³ offence to take or sell only
- ⁴ offence to damage its shelter or disturb animal in its shelter

APPENDIX 2

The law and specially protected habitats in Eastleigh

The Wildlife and Countryside Act 1981, amended 1985. This Act enables English Nature, the government's advisors on nature conservation, to notify sites as a Site of Special Scientific Interest (SSSI) for the habitats and species they contain.

Each SSSI owner is issued with:

- A description of the SSSI and the details of its special interest features.
- A list of operations which are likely to damage the SSSI and cannot be undertaken without the express approval of English Nature.

Undertaking a prohibited operation without permission can lead to prosecution.

The Countryside and Rights of Way Act 2000. This Act strengthened the protection for SSSIs from damaging operations to include any that occur as a result of a third party, ie anyone, as well as the landowner can now be prosecuted for wilfully damaging or destroying an SSSI. The Act also gave English Nature new powers to impose management schemes to be followed by the landowner to maintain the interest features of the SSSI.

The Conservation (Natural Habitats etc) Regulations 1994. These regulations translate the European Community's Habitats Directive into English law.

Under these Regulations, English Nature has the power to propose sites to be designated for the natural habitats they contain as listed in Annex 1 of the Habitats

Directive or for the species they support as listed in Annex II of the Habitats Directive. Such sites are called Special Areas of Conservation (SAC). The Directive also incorporates and updates the EC Birds Directive of 1979 and requires member states to designate Special Protection Areas (SPA) for birds.

Nearly all SAC and SPA are also SSSI.

Under these Regulations, English Nature can:

- Enter into management agreements with owners of SAC and SPA to ensure the long-term favourable management of the site.
- Make special 'Nature Conservation Orders' to prohibit damaging activities.
- Insist that landowners damaging SAC or SPA must restore the habitat.

Under these regulations, an authority that is a deciding body for a scheme or plan (such as a development proposal), which appears likely to have a significant effect on a SAC or SPA must:

- Undertake a detailed 'appropriate assessment' of the plan to assess the impacts of the proposal on the European site.

The plan or scheme will only be allowed to proceed, if, in the light of the appropriate assessment, it will not harm the site, its habitats and species. However, if there are no alternative solutions, the plan or project may be allowed for reasons of overriding public interest.

Habitats and Species of European Community Interest within Eastleigh Borough whose conservation requires the designation of Special Areas of Conservation or Special Protection Areas

■ **Designation:** SAC

■ **Name of site:** River Itchen

■ **Habitats included:** Rivers with floating vegetation often dominated by water crowfoot

■ **Species:** Southern damselfly • Otter
• White-clawed crayfish • Bullhead
• Brook lamprey • Atlantic salmon

■ **Designation:** SAC

■ **Name of site:** Solent Maritime

■ **Habitats included:** Estuaries • Annual vegetation of drift lines • Atlantic salt meadow • Salicornia and other annuals colonising mud and sand • Cordgrass swards • Mudflats and sandflats not covered by seawater at low tide • Sandbanks which are slightly covered by seawater all the time

■ **Species:** Desmoulin's whorl snail

■ **Designation:** SPA

■ **Name of site:** Solent & Southampton Water

■ **Habitats included:** Saltmarsh • Intertidal mudflats and sandflats • Boulder and cobble shores • Mixed sediment shores

■ **Species:** Internationally important populations of migratory species – dark-bellied brent geese, teal, ringed plover & black-tailed godwit • Internationally important assemblage of waterfowl – approx 51,300 individuals

APPENDIX 3

Helpful contacts

British Trust for Conservation Volunteers

The UK's leading charity working with people to bring about positive environmental change. It supports local volunteer groups and runs the national pond warden scheme.

BTCV, Conservation Centre,
Micheldever Wood, Micheldever,
Hants SO21 3BP

TEL: 01962 774714

E-MAIL: btcvhampshire@btcv.org.uk

WEBSITE: www.btcv.org.uk

Butterfly Conservation

The largest insect conservation organisation in Europe. It works to safeguard the future of butterflies and moths.

Manor Yard, East Lulworth, near
Wareham, Dorset BH20 5QP

TEL: 01929 400209

WEBSITE:

www.butterfly-conservation.org

Department of Environment, Food and Rural Affairs

Advice on government grant schemes including countryside stewardship.

Rural Development Service,
Government Offices, Coley Park,
Reading Berks RG1 6DT

TEL: 01189 581222

WEBSITE: www.defra.gov.uk

Eastleigh Borough Council Countryside Service

Manage many landholdings owned by the Borough Council including the largest at Itchen Valley Country Park which includes the visitor centre at High Wood Barn where educational and fun events are run for all the family.

Eastleigh Countryside Service, High
Wood Barn, Itchen Valley Country
Park, Allington Lane, West End,
Southampton SO30 3HQ

TEL: 02380 466091

WEBSITE: www.eastleigh.gov.uk

To e-mail the countryside service follow the link to Eastleigh Direct from the website.

English Nature

The Government agency that champions the conservation of wildlife and natural features throughout England.

English Nature, 1 Southampton
Road, Lyndhurst, Hampshire,
SO43 7BU

TEL: 02380 283944

E-MAIL:

hants.iwight@english-nature.org.uk

WEBSITE: www.english-nature.gov.uk

Environment Agency

Working in many ways to achieve the protection and enhancement of the environment. Regulating industry, maintaining flood defences and water resources, and improving wildlife habitats etc.

Environment Agency, Culvedene
Court, Wessex Business Park,
Wessex Way, Colden Common, Nr
Winchester, Hants, SO21 1WP

TEL: 01962 713267

E-MAIL: enquiries@environment-agency.gov.uk

WEBSITE:

www.environment-agency.gov.uk

Farming and Wildlife Advisory Group

Provides farmers and landowners with practical advice on making adjustments to farm operations and enhancing farm features in order to support wildlife, landscape, archaeology, access and other conservation issues.

Hampshire FWAG, Sparsholt,
Winchester, Hants SO21 2NF

TEL: 01962 776441

WEBSITE: www.fwag.org.uk

Forestry Commission

The government department responsible for the protection and expansion of Britain's forests and woodlands. Administers woodland grant schemes.

South East England Conservancy,
Alice Holt, Wrecclesham, Farnham,
Surrey GU10 4LF

TEL: 01420 23337

E-MAIL: enquiries@forestry.gsi.gov.uk

WEBSITE: forestry.gov.uk

Habitat Management Advisory Project

A joint initiative between Hampshire County Council and the Hampshire Wildlife Trust, providing practical advice and support to farmers and smallholders who manage valuable wildlife habitats and Sites of Importance for Nature Conservation (SINCs) throughout Hampshire.

Project Officer, Habitat
Management Advisory Project,
Environment Group, Hampshire
County Council, The Castle,
Winchester, Hants, SO23 8UE

TEL: 01962 845995

WEBSITE: www.hwt.org (follow the wildlife conservation link)

Hampshire & Isle of Wight Business Environment Forum

Began as the Portsmouth and South East Hampshire Chamber of Commerce and Industry's Environment Committee. The BEF's main aim is to provide a one-stop-shop for businesses requiring advice, support or guidance regarding environmental issues.

TEL: 02392 449449
WEBSITE:
www.epcg.co.uk/business.php

Hampshire Association of Parish & Town Councils

Represents the interests of 224 Parish & Town Councils throughout the County.

HAPTC St.Thomas' Centre, 20 Southgate Street, Winchester, Hampshire SO23 9EF
TEL: 01962 841699
E-MAIL: hantsparish@classicfm.net
WEBSITE:
www.haptc.parish.hants.gov.uk/

Hampshire Biodiversity Information Centre

Holds data on habitats and species found within the County and can supply information to the public.

County Planning Department, Hampshire County Council, The Castle, Winchester, Hants SO23 8UE
TEL: 01962 846741
E-MAIL: env.enquiries@hants.gov.uk

Hampshire County Council Countryside Service

Own and manage many sites throughout the Borough including Manor Farm, Royal Victoria Country Park and West Wood.

Countryside Service, Mottisfont Court, High Street, Winchester, Hants, SO23 8ZF
TEL: 01962 860948
E-MAIL: accscb@hants.gov.uk
WEBSITE: www.hants.gov.uk/artssc

Hampshire Grazing Project

A jointly funded project set up to assist landowners and managers to secure conservation grazing on important wildlife sites.

Project Officer, Hampshire Grazing Project, Environment Group, Hampshire County Council, The Castle, Winchester, Hants, SO23 8UE
TEL: 01962 846521
E-MAIL: env.enquiries@hants.gov.uk

Hampshire Heathlands Project

A jointly funded project aiming to restore and manage heathland within Hampshire.

Project Officer, Hampshire Heathland Project, Hampshire County Council, Environment Group, Planning Department, The Castle, Winchester, Hants SO23 8UE
TEL: 01962 845788
E-MAIL: env.enquiries@hants.gov.uk

Hampshire Ornithological Society

A local society for anyone with an interest in birds. It runs events and surveys throughout the year, contributing to the conservation of birds. Applications for membership and further information on the society can be received from:

The Membership Secretary, 36 Penhale Gardens, Fareham PO14 4NL
TEL: 01489 571486
E-MAIL: hos.membership@virgin.net
WEBSITE: www.hants.gov.uk/hos

Hampshire Wildlife Trust

One of Hampshire's leading environmental charities, dedicated to protecting and enhancing our local environment. It owns and manages reserves, runs educational events, supports local groups and lobbies on important issues.

Hampshire Wildlife Trust, Woodside House, Woodside Road, Eastleigh, Hants SO50 4ET
TEL: 02380 613636
E-MAIL: feedback@hwt.org.uk
WEBSITE: hwt.org.uk

Itchen Hamble Countryside Project

An EBC project dedicated to improving the natural and historic environment by working in partnership with landowners, community groups and schools. Runs volunteer events throughout the year.

Itchen Hamble Countryside Project, Eastleigh Borough Council, Civic Offices, Leigh Road, Eastleigh, Hants SO50 9YN
TEL: 02380 848154
WEBSITE: www.eastleigh.gov.uk
To e-mail the project follow the links to Eastleigh Direct from the website.

Learning Through Landscapes

Helping schools across the UK to bring lasting improvements to the environmental quality and educational use of their grounds.

3rd Floor, Southside Offices, The Law Courts, Winchester, SO23 9DL
TEL: 01962 846258
WEBSITE: www.ltl.org.uk

Royal Society for the Protection of Birds

The largest environmental charity in Europe championing action for birds and other wildlife.

RSPB, The Lodge, Sandy, Beds SG19 2DL
TEL: 01767 680551
WEBSITE: www.rspb.org.uk

South East Otters and Rivers Project

Supported by the Environment Agency, this project promotes natural Otter and Water Vole recovery, by working closely with landowners within the river valleys of South East England.

South East Otters and Rivers Project Officer, Hampshire Wildlife Trust, Woodside House, Woodside Road, Eastleigh, Hants SO50 4ET
TEL: 02380 613636
WEBSITE: www.hwt.org.uk (follow the wildlife conservation link)

For information on joining other local societies with a particular interest in certain groups of species eg mammals, plants, reptiles & amphibians, fungi and insects, please contact the Hampshire Wildlife Trust.

APPENDIX 4

Available grant-aid schemes in Eastleigh

Countryside Stewardship Scheme

A Government funded incentive scheme to improve the natural beauty and diversity of the countryside, to enhance, restore and recreate targeted landscapes, their wildlife habitats and historical features, and to improve opportunities for public access.

Farmers and land managers enter 10-year agreements to manage land in an environmentally beneficial way in return for annual payments. Grants are also available towards capital works such as hedge laying and planting, fencing etc.

Advice on making applications under this scheme is available from Farming & Wildlife Advisory Group (FWAG). Their local address is:

Hampshire FWAG, Sparsholt,
Winchester SO21 2NF

Woodland Grant Scheme

The Woodland Grant Scheme offers grants to help with the creation of new woodlands and to encourage the good management and regeneration of existing woodlands.

The Farm Woodland Premium Scheme (FWPS). The FWPS is designed to encourage the creation of new woodlands on farms. FWPS can only be given where WGS is also payable.

The grants available within both schemes vary according to the work being done. Further information on both schemes and how to apply is available from the Forestry Commission. Their local address is:

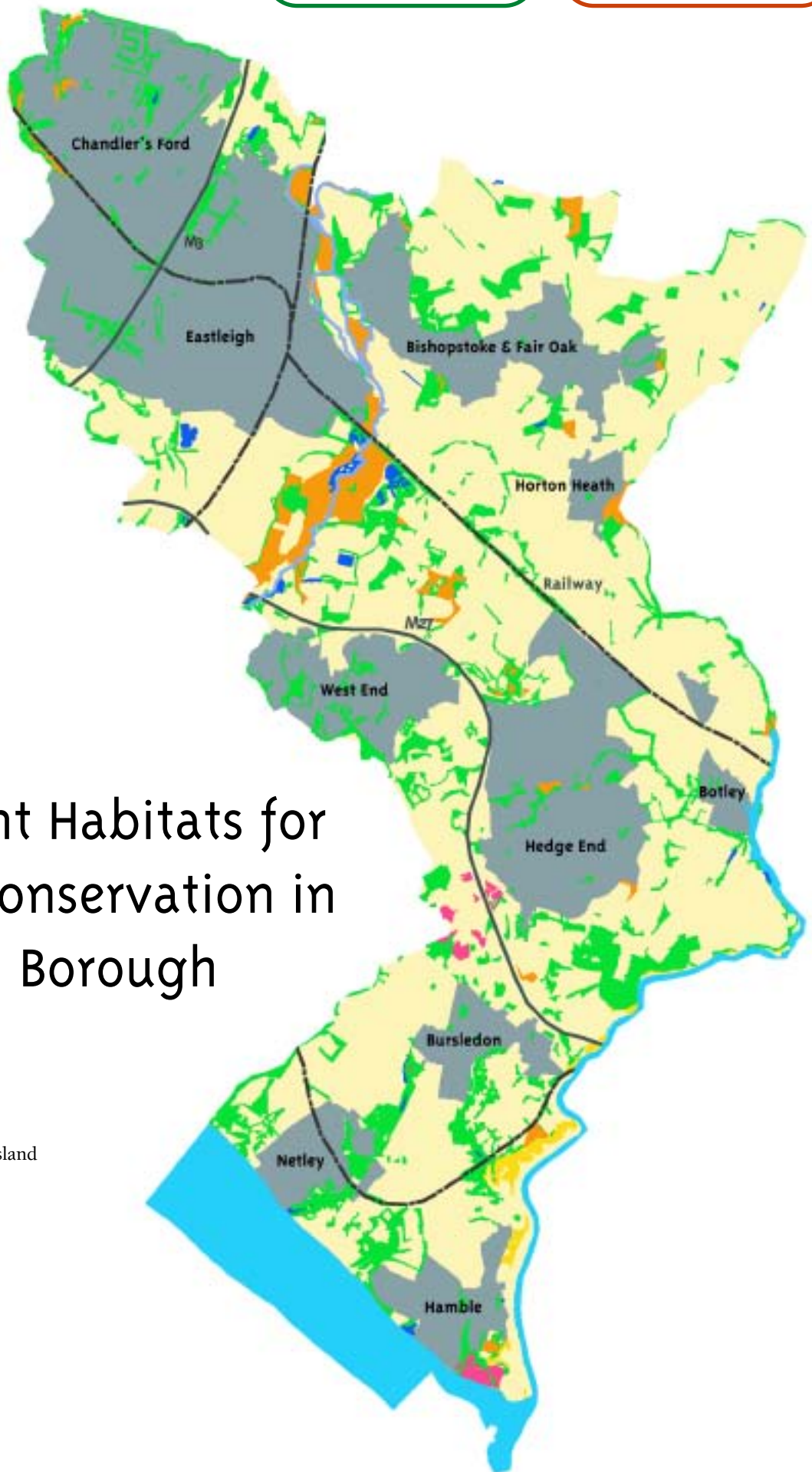
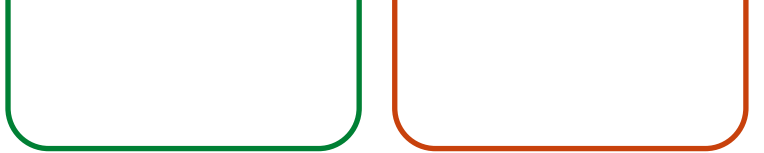
South East England Conservancy,
Alice Holt, Wrecclesham,
Farnham, Surrey GU10 4LF

Wildlife Enhancement Scheme

Wildlife Enhancement offers funding to facilitate farming in a wildlife-friendly way on SSSIs. There are two sorts of payment, one based on the cost of managing the land, the other is for capital works which improve the land for wildlife. Further information on this scheme and how to apply is available from English Nature.

Their local address is:

1 Southampton Road, Lyndhurst,
Hampshire SO43 7BU



Important Habitats for Nature Conservation in Eastleigh Borough

Key:

- Woodland
- Unimproved Grassland
- Heathland
- Coast
- Wetland
- Chalk River

