

# New Forest Fact File

## WILDLIFE AND CONSERVATION CONSERVATION DESIGNATIONS AND PROTECTION LEGISLATION

### Introduction

The New Forest is internationally recognised for its extensive tracts of semi-natural vegetation with particular importance being given to the large-scale representation of three ecologically valuable habitat formations: lowland heath (13633 ha); valley mire (1450 ha); and ancient woodland pasture (3692 ha). A number of national and international statutory designations formally recognise the importance of these habitats. In addition, legislation specific to the New Forest also seeks to protect and manage these features.

### New Forest Act 1877

Primarily, this Act recognised the Open Woodland of the New Forest as an amenity, and sought to protect these areas as Ancient and Ornamental woods. These areas of woodland have since that time been subject to silvicultural restrictions with a 7,000 ha limit on enclosures.

### New Forest Act 1949

Conservation management of the Open Forest stems from this Act. The foundations for clearance of scrub, coarse herbage and self-sown birch and Scots pine, together with burning to rejuvenate gorse and heather form are laid down in this Act.

### New Forest Act 1964

This Act requires the Forestry Commission and the Court of Verderers jointly to have regard for the conservation of flora and fauna. It also makes provision for the enclosure of land for ornamental planting and silvicultural work to perpetuate the Ancient and Ornamental Woods, this being subject to the Court of Verderer's agreement.

### Area of Outstanding Natural Beauty (AONB) 1967

The New Forest forms part of the South Hampshire Coast AONB which covers 7,700ha.

### National Nature Reserve 1969

In 1969 a Minute of Intent was signed between the Forestry Commission and English Nature in which the Commission agreed to recognise the Forest as having the status of a National Nature Reserve. Under this agreement the Commission acknowledge that English Nature has conservation interests in the area and consultation takes place on every issue of importance.

### Site of Special Scientific Interest (SSSI) 1971

Designation originally made in 1971 under the *National Parks and Access to the Countryside Act 1949* and was applied to all Crown Lands and Manorial Wastes within the New Forest. Renotification took place under the *Wildlife and Countryside Act 1981* and imposed a responsibility on owners and occupiers to manage the land according to the notification. This notification included the requirement by any owner or occupier to inform English Nature of any intention to carry out any of a list of potentially damaging operations. The local planning authorities are also obliged to consult English Nature over issues affecting the New Forest. A duty to nature conservation is again emphasised in the *Wildlife and Countryside (Amendment) Act 1985* and at present there are 16 SSSI's within the total Heritage Area including the whole of the New Forest which covers almost 29,000ha.

### **Wetland of International Importance, under the Ramsar Convention 1993**

The Convention states that members should promote the conservation and wise use of wetlands and should be kept up to date of any development that could change the ecological character of the designated area. This designation was applied to the New Forest in 1993 and extends across the Heritage Area.

### **Special Protection Area under the EC Wild Birds Directive (1979) 1993**

Designated in September 1993, the New Forest is recognised as a Special Protection Area for the conservation of a number of species. These are honey buzzard, Montagu's harrier, kingfisher, woodlark and Dartford warbler with the New Forest holding 75% of the UK's population of Dartford warblers. The Directive applies to birds, their eggs, nests and habitats. Members are required to preserve, maintain or re-establish a sufficient diversity and areas of habitats for all species of birds identified in the annex and are charged with the upkeep and management of these habitats.

The members are also asked to take steps to avoid pollution, deterioration of habitats or any disturbances affecting the birds. There are also various directions that apply to the birds such as destruction and damage to eggs, deliberate disturbance and capture of certain species.

### **Government Action plan for Biodiversity 1994**

An International Convention on Biodiversity came about from the Rio Summit 1992. This led to the UK government producing an action plan for biodiversity. An action plan for biodiversity is currently being developed for Hampshire.

### **Proposed Special Area of Conservation under the Habitats Directive (92/43/EEC) 1995**

Complementing and amending the 1979 EC Wild Birds Directive, this is a major contribution by the European Community to implement the Biodiversity Convention agreed at the Rio Earth Summit. The Directive has established the 'Natura 2000' network which includes areas designated as Special Area of Conservation (SAC). These areas support rare, endangered or vulnerable natural habitats and species of plants or animals (other than birds) and a number of measures designed to maintain or restore habitats and species.

The Directive was incorporated into British law in October 1994 by the Conservation (Natural Habitats etc.) Regulation 1994 and implementation is being taken forward by English Nature. Proposed SAC areas are being put to the EC for formal designation after consideration has been given to the views of owners and occupiers.

Following agreement by the EC a list of sites was established by June 1998. Once sites have been adopted, designation should follow as soon as possible within a maximum 6 year time period.

## **National Park**

In October 1999, the Government announced that the New Forest would become a National Park. National Parks have two purposes, firstly to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks, and secondly, to promote opportunities for the understanding and enjoyment of the special qualities.

In 2000, the Countryside Agency (CA) identified the draft National Park boundary and initiated a 3 month public consultation on the draft boundary. In 2001, the CA considered responses to the public consultation and undertook a 'formal' 3 month consultation on proposed boundary with local authorities affected, as legislation required. A National Park Designation Order was made and advertised in local papers. In 2002, the Secretary of State announced that a Public Inquiry is to be held. This was scheduled for October 2002, however the designation has still not been confirmed. A decision is expected to be made in 2004.

For further information: [www.countryside.gov.uk/proposednationalparks/newforest.htm](http://www.countryside.gov.uk/proposednationalparks/newforest.htm)

## **Local Designations**

Hampshire County Council has identified 37 Countryside Heritage Sites within the New Forest Heritage Area.



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Updated: September 2002. S.Wood.