



Annual report on Natural England's enforcement activity 1 April 2012 to 31 March 2013

1. Sites of Special Scientific Interest (SSSIs)

The total number of offences committed on SSSIs has remained relatively steady in recent years (Figure 1.1). The vast majority of incidents remain minor and sanctioned through warning letters. We did not undertake any prosecutions in 2012-13 although we did administer 1 caution and 3 civil sanctions.

In recent years, the number of offences committed by those who own or occupy sites (e.g. farmers and land managers) compared to those who have no connection with the land (e.g. recreational off-roaders) has remained broadly similar (Figure 1.2). The number of offences committed by public bodies has been much lower.

Offences continue to be concentrated in the south of England (Figure 1.3) and on the coast (Figure 1.4). The variety of illegal activities continues to be wide, but dominated by vehicle use and the direct loss of habitat through construction and dumping (Figure 1.5).

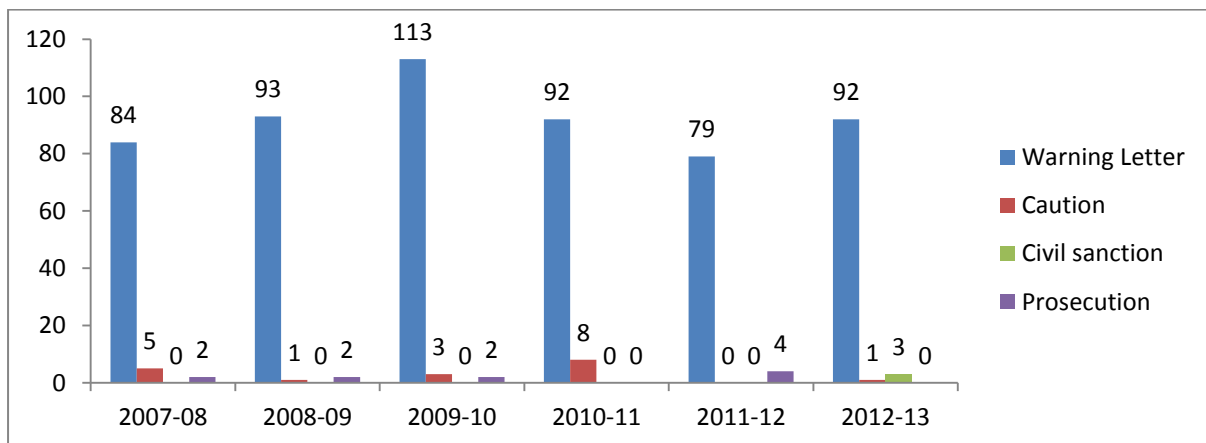


Figure 1.1. Criminal activity on SSSIs by financial year and sanction.

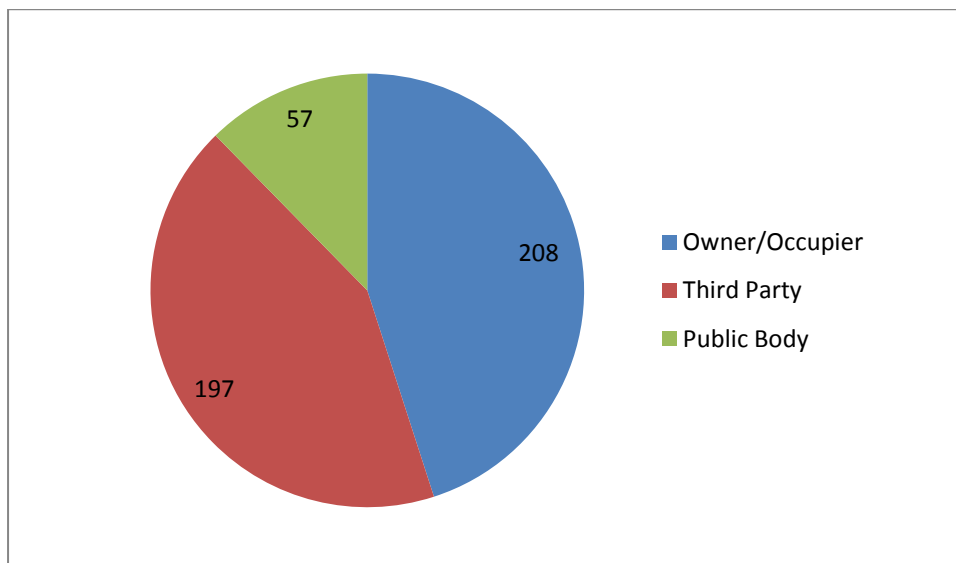


Figure 1.2. Criminal activity on SSSIs by responsible party. Data from 1 April 2008 - 31 March 2012.

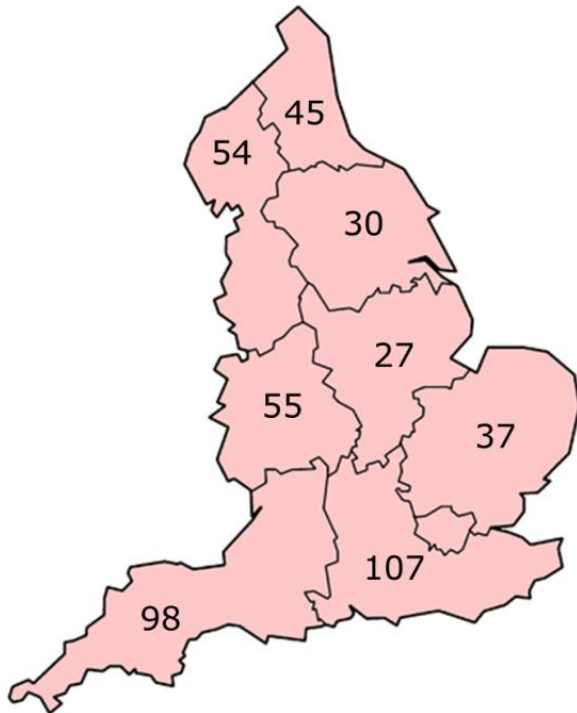


Figure 1.3. Spatial variability in criminal activity on SSSIs. Data from 1 April 2008 – 31 March 2013.

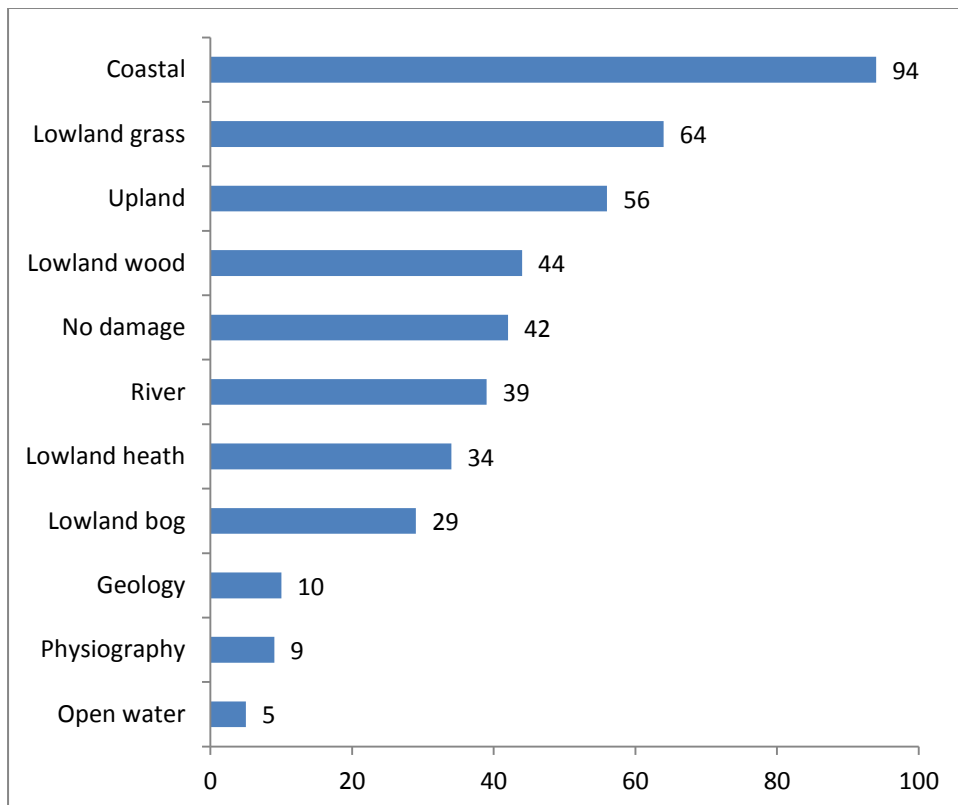


Figure 1.4. Criminal activity on SSSIs by affected habitat. Data from 1 April 2008 – 31 March 2013.

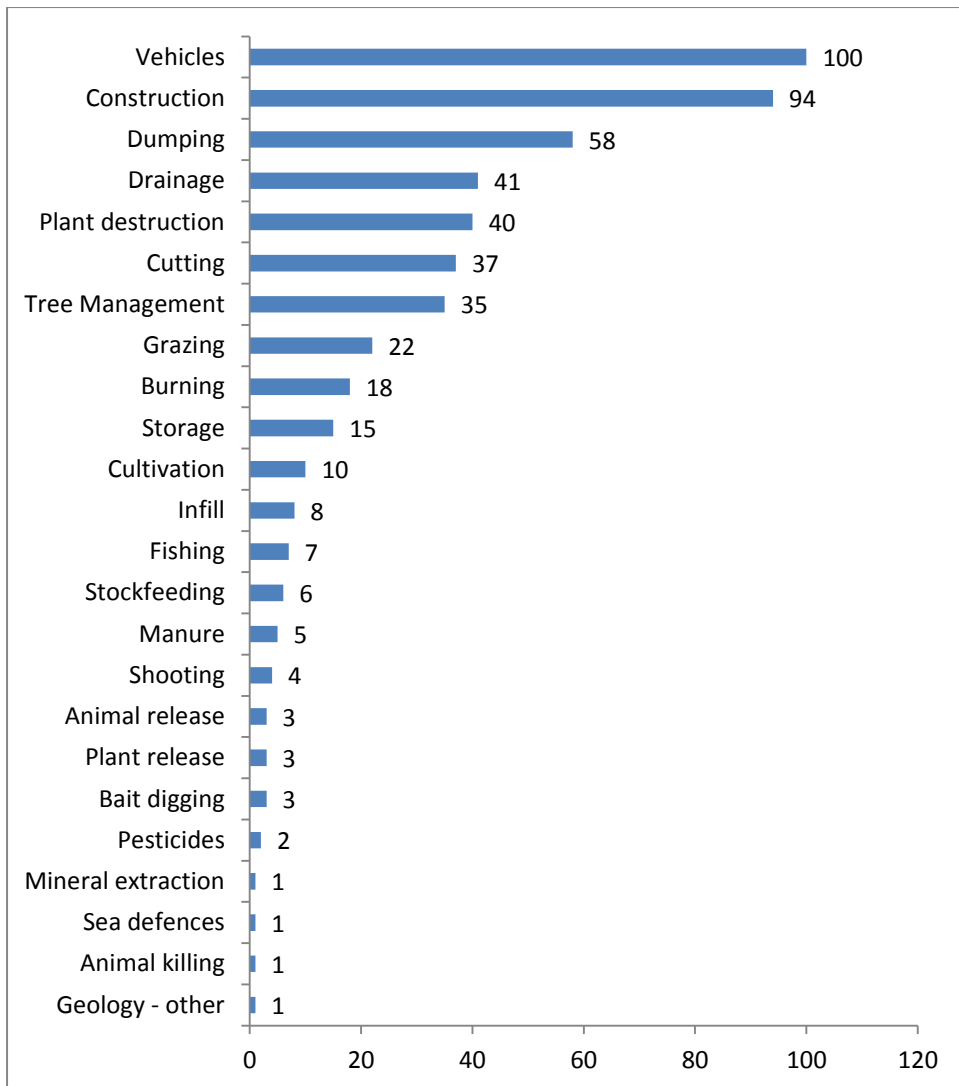


Figure 1.5. Criminal activity on SSSIs by activity. Data from 1 April 2008 – 31 March 2013.

2. Species Licensing

The number of breaches of licences that we issue continues to fall and most breaches are classified as minor (Figure 2.1) and responded to by warning letters. No cautions, civil sanctions or prosecutions were brought in 2012-13 for a breach of a species licence. The most frequently affected species are great crested newts, bats, cormorants and badgers (Figure 2.2). Offences remain concentrated in the east and south-east of England (Figure 2.3).

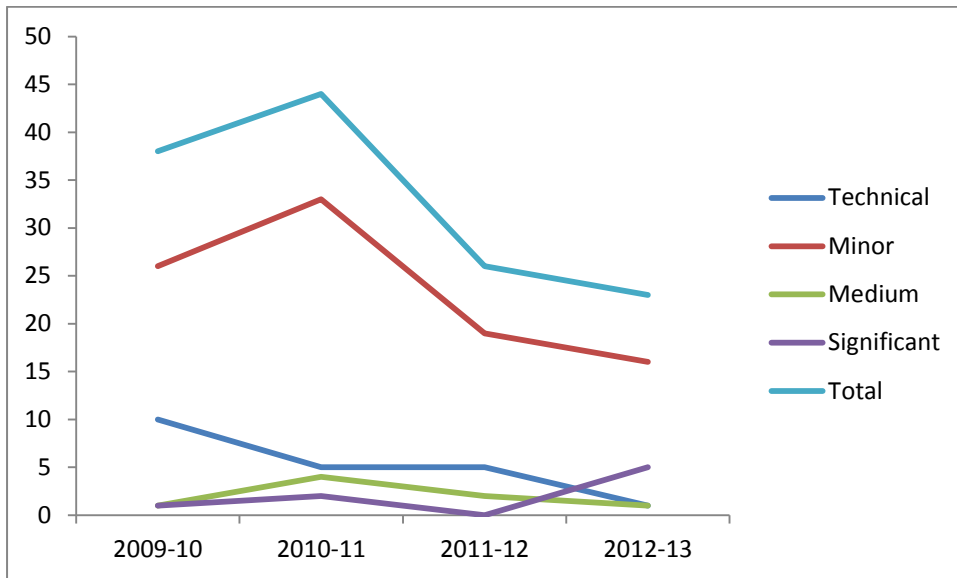


Figure 2.1. Breaches of species licences by classification. Classifications of technical, minor, medium or significant are based mainly on the environmental impact of the breach but also on a range of aggravating and mitigating factors.

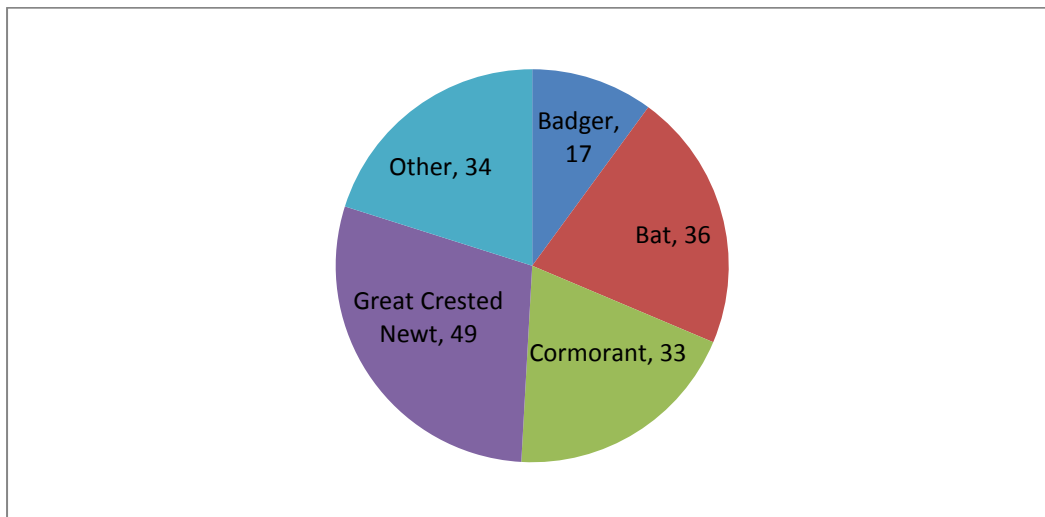


Figure 2.2. Species affected by breaches of species licences. Data from April 2009 – March 2013.

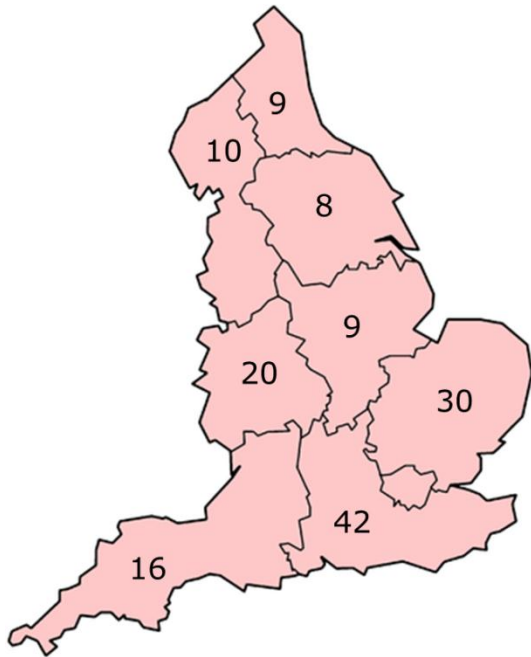


Figure 2.3. Spatial variability in breaches of species licences. Data from April 2009 – March 2013.

3. Animal poisonings

After the number of reports of animal deaths under the Wildlife Incident Investigations Scheme reached an all time high of 416 in 2011-12, the number fell to 354 in 2012-13 (Figure 3.1). The number of cases accepted has remained steady. Cases are rejected where it is not thought that pesticides were implicated. In recent years there has been a decline in the number of vertebrates affected by poisons, whilst the number of invertebrates, mainly bees, affected has risen (Figure 3.2). The deliberate abuse of pesticide has fallen whilst their misuse has risen (Figure 3.3). Cases remain unevenly spread throughout England with the highest number of incidents in the east of England (Figure 3.4).

We issue Enforcement Notices to remedy immediate issues with storage and use of pesticides discovered as part of our enquiries. In 2012-13 we worked in conjunction with the Chemicals Regulation Directorate of HSE who issued 4 Enforcement Notices in relation to storage issues arising in Wildlife Incidents.

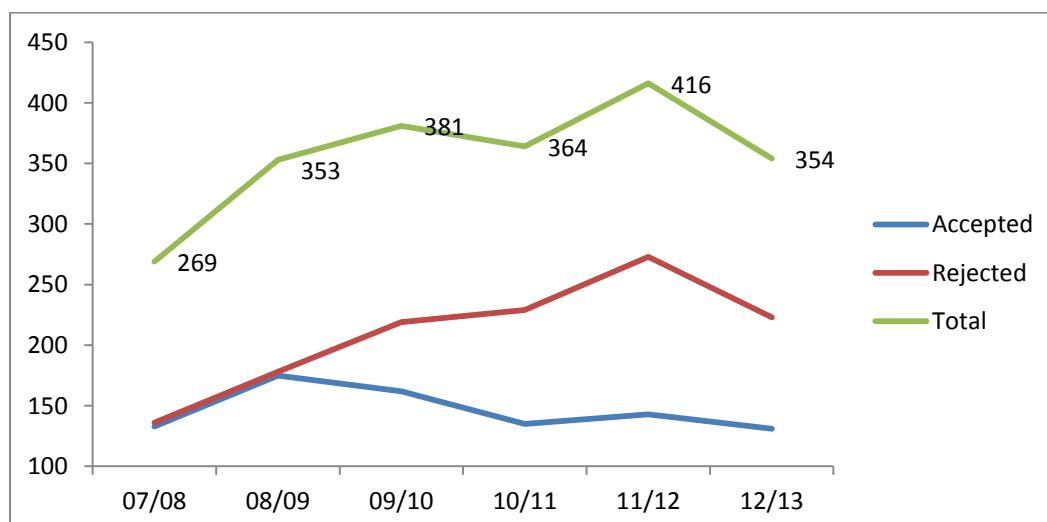


Figure 3.1. Reports of injury or death of animals to the Wildlife Incident Investigation Scheme. Cases are accepted if pesticides are suspected of being involved.

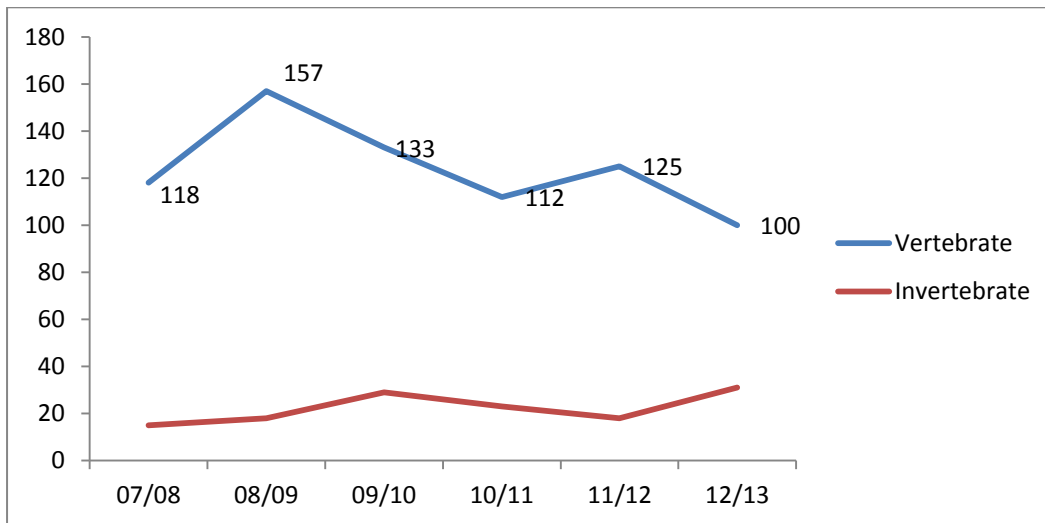


Figure 3.2. Vertebrate and invertebrate cases accepted into the WIIS scheme

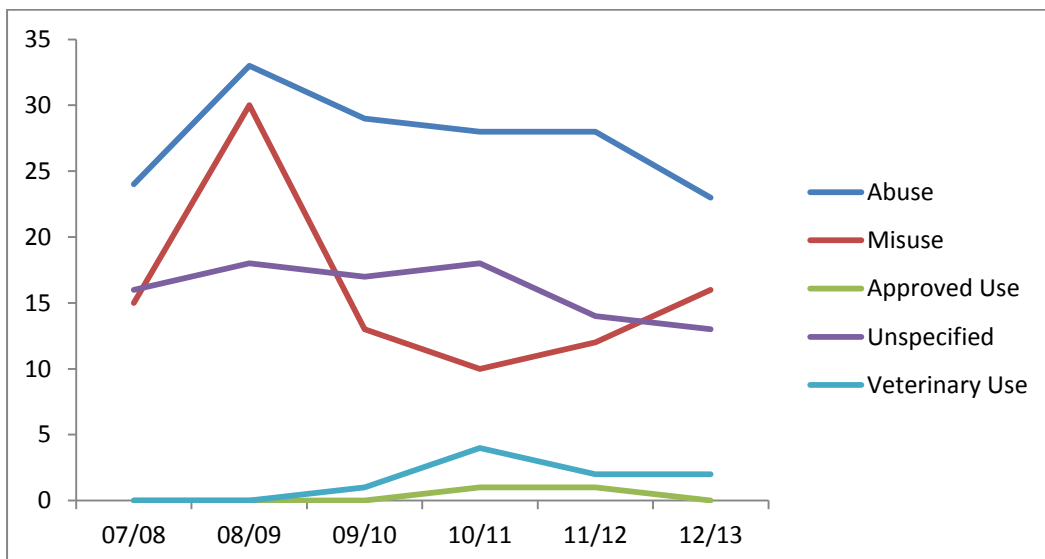


Figure 3.3. Classification of poisoning incidents by suspected use of pesticide

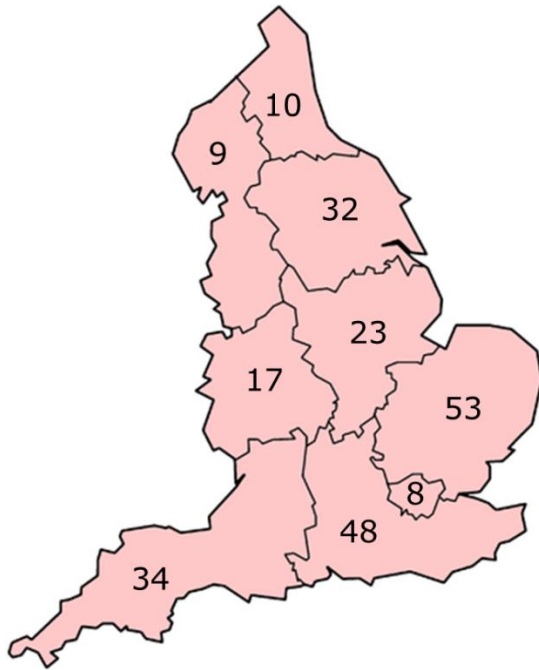


Figure 3.4. Confirmed pesticide cases by Government Region. Data from April 2009 – March 2013.

4. Environmental Impact Assessment (Agriculture) Regulations

In 2012 there was a big rise in the number of reports of potential breaches of the regulations, but the number investigated remained steady. One stop notice and one restoration notice was issued in 2012 (Table 4.1).

Table 4.1. Enforcement action relating to the EIA (Agriculture) Regulations

Year	Queries	Investigations	Stop Notices	Restoration Notices	Prosecutions
2006	1795	21	0	0	0
2007	1462	20	2	0	0
2008	1105	23	1	0	0
2009	633	19	0	1	0
2010	575	23	0	0	0
2011	899	48	2	1	0
2012	1627	51	1	1	0

5. Injurious weeds

Contacts, queries and complaints of damage caused by injurious weeds fell slightly in 2012 compared to the previous year (Table 5.1). We issued 36 enforcement notices and only one clearance action was required.

Table 5.1. Enforcement action relating to injurious weeds

Year	Contacts/queries	Complaints	Inspections	Enforcement notices	Clearance actions	Prosecutions
2006	1950	342	67	19	5	0
2007	1924	234	117	52	2	0
2008	2664	319	136	39	3	0
2009	944	202	73	40	0	0
2010	684	145	41	24	2	0
2011	1775	230	86	46	0	0
2012	1384	193	72	36	1	0

6. Prosecutions, civil sanctions and prosecutions

April 2012

A 29 year old man from the Heacham area of Norfolk was fined over £1000 and received a suspended prison sentence for firearms and pesticide offences. He pleaded guilty to charges of five firearms offences and two offences involving possession and storage of pesticides. This police prosecution was handled as a WIIS case by Natural England.

August 2012

A farming partnership agreed an Enforcement Undertaking to restore coastal heathland and grassland within Marsland to Clovelly Coast SSSI that was damaged by an unlawfully constructed track

A stop notice was served on a landowner of Pevensey Levels SSSI relating to the erection of a chicken pen and movement of earth

December 2012

A company was cautioned for causing damage to a cockle bed within The Wash SSSI

January 2013

A company agreed an Enforcement Undertaking to restore damaged wet woodland within Godstone Ponds SSSI

A gamekeeper convicted of poisoning two buzzards in Lincolnshire, He was fined a total £1,950 after the birds fed on pheasant carcasses laced with the pesticide carbofuran. This police prosecution started as a WIIS enquiry.

February 2013

A local tree surgeon was prosecuted for cutting down a rare Plymouth Pear tree and surrounding trees, that were all protected by a Tree Preservation Order and lay within Estover SSSI. On Friday 22nd February he pleaded guilty to 6 offences of breaching a Tree Preservation Order and agreed to 13 other similar offences being taken into consideration for sentencing purposes. He was sentenced to £1000 in relation to the Plymouth Pear, plus £250 for each of 5 other trees, was ordered to pay a contribution towards costs of £500 and a victim surcharge of £15; a total of £2765. Proceedings were brought by Plymouth City Council with our support.