

Northern Ireland Environment Agency  
 Klondyke Building  
 Cromac Avenue  
 Gasworks Business Park  
 Belfast BT7 2JA  
 T. 0845 302 0008

[www.ni-environment.gov.uk](http://www.ni-environment.gov.uk) September 2009

Our aim is to protect, conserve and promote the natural environment and built heritage for the benefit of present and future generations.



An Agency within the Department of the  
**Environment**  
[www.doeni.gov.uk](http://www.doeni.gov.uk)



INVESTOR IN PEOPLE

## AREAS OF SPECIAL SCIENTIFIC INTEREST

WORTHY OF PROTECTION

**NIEA** Northern Ireland  
 Environment  
 Agency  
[www.ni-environment.gov.uk](http://www.ni-environment.gov.uk)



Printed on 100% post-consumer waste







View over Lough Gullion

## CONTENTS

Why protect our environment	3
What are Areas of Special Scientific Interest	4
Why declare ASSIs	5
<i>Legal obligations</i>	6
<i>Number of ASSIs to be declared</i>	6
How ASSIs are selected for declaration	7
<i>Scientific Survey</i>	7
<i>Surveying your land</i>	8
<i>Your rights at time of survey</i>	8
How we declare ASSIs	9
<i>Contact with you prior to declaration</i>	9
<i>Statutory notification about the ASSI declaration</i>	9
<i>What happens after you receive the Citation</i>	10
<i>Who else is advised about the ASSI declaration</i>	10
<i>Can the ASSI declaration be changed</i>	11
The implications for the land owner and occupier	11
<i>Your ownership of the land declared</i>	11
<i>Public access to the ASSI</i>	11
<i>Your legal obligations under the Order</i>	11
<i>Obligations placed on public bodies</i>	12
How ASSIs are managed and protected	12
<i>ASSI management</i>	12
<i>ASSI protection</i>	13
<i>ASSI monitoring</i>	13
How you can obtain further information on ASSIs	14

## WHY PROTECT OUR ENVIRONMENT

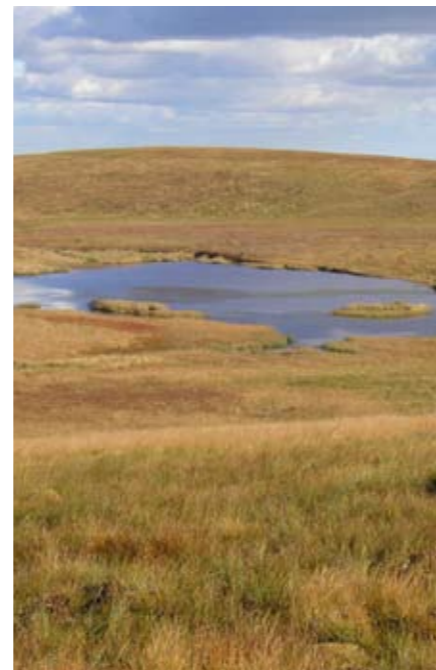
Northern Ireland has a rich, beautiful and varied countryside which embraces many landforms and features that range from expansive uplands, such as the Mourne and Sperrin Mountains, to the much smaller drumlins that are very much characteristic of the landscapes of Counties Down and Armagh. Antrim has its rugged coastline and welcoming sandy beaches, whilst County Fermanagh is renowned for its loughs and lakes, and the many islands that make up its unique landscape.

Our countryside is important to society for many reasons, especially the employment it provides in the agricultural, tourism and other industries. Many of the essentials of life are derived from it, such as our water and food; it is important for our health and general wellbeing, which can be substantially enhanced through the greatly varied recreational opportunities it provides for the public in general.

Given its importance to society, it is essential to ensure that all our countryside is used and enjoyed in a sensitive manner; especially those parts that are of national or indeed international importance because of the special habitats, or plant and animal species that may be found on them. Such areas tend to be susceptible to the influences of man and for this reason they may be afforded special recognition and protection as Areas of Special Scientific Interest (ASSI).



View over Mournes



View over Slieve Beagh

## WHAT ARE AREAS OF SPECIAL SCIENTIFIC INTEREST

Areas of Special Scientific Interest represent the very best examples of Northern Ireland's impressive natural heritage, and within them may be found our most important, rare or threatened habitats and species or geological features.

Lough Neagh and Strangford Lough, together with their surrounding wetlands that host many species of wading birds and overwintering waterfowl, have been declared ASSIs. Similar recognition has also been given to parts of Counties Fermanagh, Down and Antrim for their peat bogs, with their various plant and bird species. The rivers Roe, Foyle and Faughan have been declared for the important numbers of Atlantic Salmon that return to them each year to spawn.

Although found scattered throughout Northern Ireland, ASSIs make up an important network of sites, with some forming an integral part of a much larger international network known as Natura 2000, having also been declared as Special Areas of Conservation and Special Protection Areas in accordance with European Directives. This Natura 2000 network is substantial, extending throughout all parts of the European Union, affording special protection to our most important natural heritage.



Strangford Lough



White Park Bay



**WHY DECLARE ASSIs**

*The need to conserve our natural heritage and prevent the loss of Biodiversity and Geodiversity*

Biodiversity is a term used today to describe the great variety of life that is to be found on the earth, from the smallest bacteria to the largest plant or animal. Mankind forms an important and integral part of this biodiversity, and mans influences upon it are perhaps the most significant – some are beneficial, whilst other influences may destroy other important parts that make up this interrelated, complex diversity of life.

Geodiversity is the great variety of rocks, minerals, fossils, soils and landforms that have been formed over millions of years. It provides a very important source of information that helps us understand how the earth has changed through time and how our biodiversity has evolved. Geodiversity makes up the landscape that is our country.

Our society needs to ensure that all our natural heritage, both biodiversity and geodiversity, is properly protected and managed for the benefit of those who presently enjoy or benefit from it and, importantly, for the generations who will follow. From our natural environment comes our essentials in life, our food, clean air and water; it provides a place for recreation and a place of work for many, especially those within the farming community.

ASSIs make an important contribution to this requirement to take care of our natural environment as these areas represent the best of our wildlife and geological sites.

The areas that have been declared ASSIs, and many of those that will be declared in the future, have benefited from land management practices that have been sympathetic to the special scientific interests that merit special attention through an ASSI declaration. Northern Ireland Environment Agency needs to



Bogbean



Rounded-leaved Sundew



Lesser Butterfly-orchid



Sphagnum Mosses

ensure that beneficial land management practices continue, and to achieve this we wish to work cooperatively with the land owners.

**Legal obligations**

The law relating to ASSIs is contained in the Environment (Northern Ireland) Order 2002, which is referred to as the Order in this leaflet. NIEA must, as required by the law laid down in the Order, declare lands as ASSIs if they are of special scientific interest because of the flora or fauna that is found on them, or because of their geological features. NIEA must also ensure that they are appropriately managed for their scientific interest and properly protected from potentially damaging activities.

The Order places certain responsibilities on the owners and occupiers of lands within an ASSI, which are intended to ensure that the scientific interests of an ASSI are not inadvertently damaged during the course of land management operations.

A public body, such as a district council or a Government department, must also take into account the presence of ASSIs when undertaking their functions. Planning Service, for example, must consider the possible impact of a development when processing planning applications. Similarly, the Department of Agriculture and Rural Development is required to have regard to the potential impact that its activities, such as the management of forests and river maintenance, may have on ASSIs.

You may view the Order on the NIEA website [www.ni-environment.gov.uk/protected\\_areas\\_home/area\\_interest](http://www.ni-environment.gov.uk/protected_areas_home/area_interest)

**Number of ASSIs to be declared**

NIEA intend to have total of 440 ASSIs declared by the year 2016. More will be declared after 2016, but it is not possible to estimate the number at present.

## HOW ASSIs ARE SELECTED FOR DECLARATION

### Scientific survey

Before declaring an ASSI, NIEA must first confirm that the lands are, in fact, of special scientific interest. It does this through scientific survey, which varies according to the nature of the scientific interest. A biological ASSI invariably requires a visit to the subject lands to view the species of plant or animal at close quarters, or to take a small sample.

The scientific interest of a geological ASSI may, on the other hand, be very evident and its presence established from some distance away without entry onto the lands.

Scientific evidence gathered through such survey is assessed to determine if the area meets the requirements of criteria and guidelines used for the selection of ASSIs.

On most occasions this scientific survey is undertaken by NIEA's own staff, but on some occasions NIEA may employ a private contractor or a University, if a particular scientific expertise is required.

The Order empowers a person, who is duly authorised in writing by the Department of the Environment, to enter any land to survey it to establish if it should be declared an ASSI, but this is subject to certain conditions which are described in the following paragraph.



Waterfall at Glenballyemon



Wood Anemone

### Surveying your land - NIEA's first contact with you

Before undertaking a scientific survey, NIEA tries to establish the ownership of lands through checks with the Land Registers of Northern Ireland which holds such information. NIEA then endeavours to contact land owners and occupiers in the weeks immediately before the survey begins to seek cooperation on access for the survey.

The survey is normally undertaken by a small team of scientists. All NIEA staff carry identification cards, but they do not normally attempt to contact the owner on the day of the survey, unless specifically requested to do so. If owners are in any doubt about the identification of persons asking for access they should contact NIEA on the telephone number given on the last page of this leaflet.

### Your rights at time of survey

A member of NIEA staff, or a person engaged under contract by NIEA, may enter any land at any reasonable time to survey it to find out if it holds any flora, fauna or geological feature that is of special scientific interest. The person must, however, be authorised in writing by the Department of the Environment, and they must let you have sight of this written authorisation, if you ask.

The person cannot demand admission to lands under the Order, unless 24 hours notice of the intended entry has been given to the owner or occupier of the lands.



Knapweed



Woodland ground flora dominated by Bluebells



## HOW WE DECLARE ASSIs

### Contact with you prior to declaration

NIEA endeavours to speak with every land owner and occupier who will be affected by the ASSI to inform them of the proposed declaration and confirm their interest in lands to be declared. We hope to do this by way of a visit, but we may contact you by telephone or by letter if this is not possible.

This is not part of the statutory declaration process, but we are always happy to take note of your comments on the proposal at this stage or provide an answer to any questions you may have. The person who contacts you may not be able to answer all your questions at this time because of the complexity of some ASSI declarations, but they will take a note of them and get back to you.

Occasionally we may ask you to wait until you have received the notice, mentioned in the following paragraph, which provides comprehensive information about the ASSI declaration.

### Statutory notification about the ASSI declaration

NIEA is obliged by law laid down in the Order to make a declaration that the area selected through survey is an area of special scientific interest. It is also required to give notice of the declaration to the owner and occupier. This is done through the issue of documentation that provides detail of the special scientific interests and operations that could potentially damage these interests, and includes a map showing the area that has been declared an ASSI. Also included in this notice is a statement of NIEA's views about how the lands should be managed, which is in a manner that will be sympathetic to the special scientific interest. (This notice is normally referred to as the 'citation', which is the term used in this leaflet.)



View of Lislea



Beech Fern

### What happens after you receive the citation

The issue of this citation is, in fact, the start of a consultation process NIEA is required to undertake under the law. This citation will invite you to make, if you so wish, representations to NIEA about the declaration, or to object to it. It will also advise you of the date by which you should respond, which will be the end of the consultation period. The law directs that this should be a minimum of three months from the date of the notification, but NIEA usually allow four months.

The law requires NIEA to consider any representations or objections received during this consultation; and it must either confirm the declaration (with or without modifications) or else rescind it within three months from the end of the consultation period. NIEA will write to advise each consultee of its final decision in this regard.

### Who else is advised about an ASSI declaration

NIEA must publicise the ASSI declaration more widely, and it does this by publishing a notice of the declaration in at least two newspapers circulating in the general area. In addition, it places a copy of the citation on display in a public building located as close as possible to the site of the ASSI.

Other public bodies, including district councils and other Government departments such as the Department of Agriculture and Rural Development, are also informed as the law requires them to take the presence of the ASSI into account when they are carrying out their functions. In addition, NIEA informs other interested parties, such as representative bodies of farming or other industries, or nature conservation bodies. Information about designated sites is posted on the NIEA website but this does not include land ownership or access information.



Woodland canopy and floor



Yellow Water-lily

**Can the ASSI declaration be changed**

The Order allows NIEA to vary a declaration, for example, to remove a portion of land that no longer hosts the special interest, or declare additional land. NIEA is also empowered to remove the ASSI declaration completely, if the special scientific interest is lost and there is no hope of recovery; but this action is taken in exceptional circumstances only. However, the declaration will not be removed if the area has been illegally damaged, or has suffered through neglect.

NIEA is obliged by the provisions in the Order to consult with you when making any such changes.

**THE IMPLICATIONS FOR THE LAND OWNER AND OCCUPIER**

**Your ownership of the land declared**

The ASSI declaration does not change the ownership status of the land.

**Public access to the ASSI**

The ASSI declaration does not entitle the public to access the lands declared. NIEA does, however, encourage members of the public interested in nature to visit its Country Parks, Nature Reserves and certain ASSIs which are in its ownership.

**Your legal obligations under the Order**

The nature of special scientific interests found on ASSIs varies greatly, with those of a geological nature being generally robust, and not especially susceptible to damage as a consequence of routine land management operations or activities that may be undertaken by an owner or occupier. Those of a biological nature on the other hand do tend to be vulnerable, and the



Bracket Fungus



Razorbills



Tonnagh Beg Bog



Grey Heron with young

habitats or species, both plants and animals, can easily be damaged or destroyed by such activities.

For this reason NIEA are required, by the Order, to provide owners and occupiers with a list of such operations and activities, which we refer to as ‘notifiable operations’. This list is provided in the citation.

A landowner or occupier must give notice of a proposal and obtain written consent from NIEA before undertaking any notifiable operation, and you may make application for this consent using a standard form that is available from NIEA.

**Obligations placed on public bodies**

Such is the importance of avoiding damage to ASSIs that the Order also requires public bodies, such as Government departments and district councils, to give comparable notice to NIEA before carrying out their functions or operations that have the potential to cause damage to the special scientific interests.

**HOW ASSIS ARE MANAGED AND PROTECTED**

**ASSI management**

ASSIs are managed and given protection in accordance with the legal provisions contained in the Order. These provisions permit NIEA to enter into a management agreement with the landowner or occupier, if it is thought that the existing land management regime needs to be changed for the benefit of the special scientific interest. NIEA make payments in respect of such agreements, with the nature and amount of these payments depending on the management requirements of the agreement.



The Department of Agriculture and Rural Development (DARD) has given special recognition to ASSIs declared for flora and fauna when considering the entry of farm holdings, with a Farm Business Identification Number, into its Northern Ireland Countryside Management Scheme (NICMS). The land management prescriptions laid down by DARD under this scheme are also intended to ensure land that subject to an ASSI declaration is managed in a manner that is sympathetic to the special scientific interest.

### ***ASSI protection***

Article 46 of the Order provides for a number of offences that may be pursued through the Courts system. For example, it is an offence for a person to carry out a notifiable operation without the written consent of NIEA. You should refer to the Order for details of other offences.

Although provided with these powers to pursue prosecutions under the Order, NIEA would stress that such action will be taken only in exceptional circumstances, and the key aim of NIEA is to work in cooperation with the land owner or occupier, whilst securing the special scientific interests.

### ***ASSI monitoring***

NIEA undertakes regular monitoring of ASSIs to ensure that they are properly managed and protected. Staff will visit the ASSI at the time of designation to determine its general condition and the information thus gathered provides a baseline for comparison with subsequent monitoring, which usually occurs once every year.

Monitoring may also be undertaken by aerial reconnaissance from helicopter flights.



Lough Neagh-west shore



Thrift growing at cliff edge

## **HOW YOU CAN OBTAIN FURTHER INFORMATION ON ASSIs**

### ***Through our website***

Useful information on ASSIs, other nature conservation designations and many other matters may be found on the NIEA website at:

**[www.ni-environment.gov.uk](http://www.ni-environment.gov.uk)**

### ***By telephone***

NIEA would be happy to deal with any of your queries relating to ASSI by telephone and we may be contacted at:

028 9056 9539

### ***By writing***

Should you wish to write to us, our address is:

**Northern Ireland Environment Agency  
Conservation Designations and Protection  
Klondyke Building  
Cromac Avenue  
Gasworks Business Park  
Belfast BT7 2JA**

**(THIS DOCUMENT IS ISSUED FOR GENERAL GUIDANCE ONLY. YOU SHOULD REFER TO THE ENVIRONMENT (NORTHERN IRELAND) ORDER 2002 FOR DETAILS OF RELEVANT LEGISLATIVE PROVISIONS)**