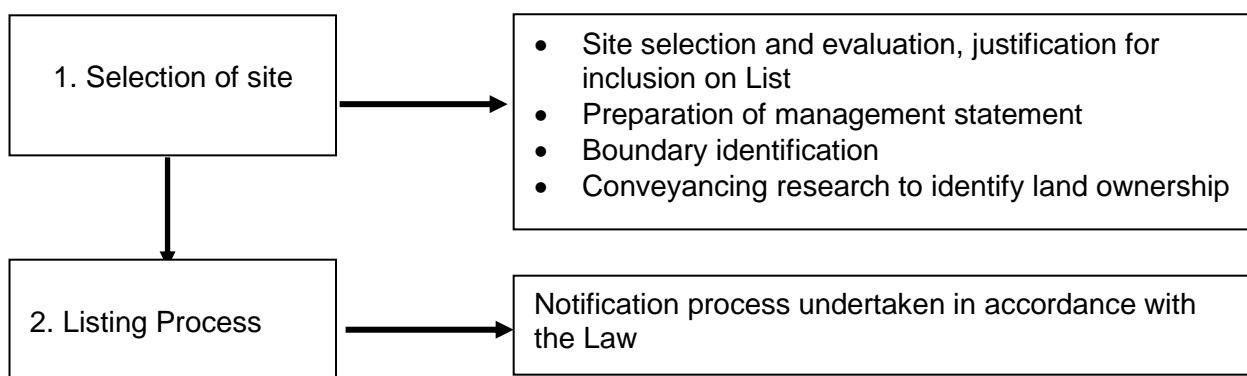


## Natural Sites of Special Interest The Listing Process

The process followed for listing a site of special interest is set out in the Planning and Building (Jersey) Law 2002. This law provides for a List to be maintained of places that are considered to be of public importance by reason of their special botanical, ecological, geological, scientific or zoological interest (Natural SSI), or a combination of these and other special qualities.

In selecting an area of land to be included on the List, an evaluation of its special interest is made using standard scientific criteria that are set out in The Biodiversity Strategy for Jersey (2000).

### Summary of Selection and Listing Process



#### 1. Selection of Site

##### a) Selection Criteria

A site may be considered for a number of reasons, such as the presence of a priority habitat or a rare or declining species. Sites may also be nominated for listing by members of the general public. An ecological survey is usually needed in order to enable a proper assessment of its special qualities in support of listing.

Each site is evaluated using the scientific criteria given in the Biodiversity Strategy for Jersey 2000 (Section 1, Evaluation of Natural History Sites). These criteria include a consideration of the following

- Size (extent)
- Naturalness
- Typicalness
- Rarity
- Fragility
- Diversity (habitat, structure, plant community and species)
- Position in the ecological/geographical unit
- Potential value (if restored)

- Intrinsic appeal

b) Site location and extent

The location and extent of the site is described using a map (for identification purposes) and a written description. Where possible physical features such as walls and hedges are used to define its limits but where these do not exist Jersey Map coordinates may need to be referred to.

c) Land ownership and interest

The law requires that notice of intention to list a site should be given to all landowners within the site. Land interest is identified through a combination of conveyancing research in the Public Registry of Contracts, local and parochial enquiries. Sometimes however, current ownership or contact details cannot be traced, in which case the notice may be placed on the site itself.

d) Management Statement

The Management Statement gives an account of the basic management that is needed to conserve and enhance the special natural features of the site. The Statement places no additional obligation on the owner or occupier of land within the site but seeks to create an understanding between owners, occupiers and the Department about its management. It may form the basis of a more detailed management plan or management agreement involving all the parties.

e) Permitted Activities

Once a site has been listed as a SSI, the Law lists a number of activities that may not be carried out on the site without permission. These include:

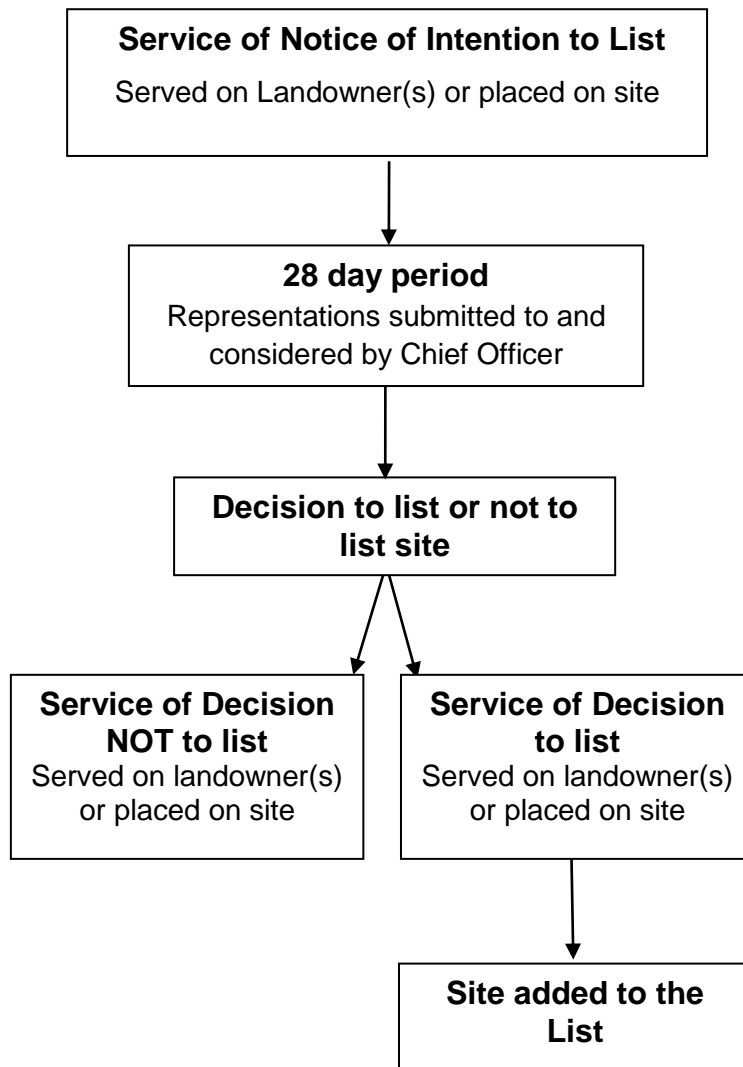
- The use of a device designed or adapted to detect or locate metal or minerals in the ground;
- Any activity which might injure or deface the site or a part of the site;
- to disturb, ill-treat or injure, or kill or attempt to kill, or take a wild creature;
- to pick, uproot, damage or destroy a plant;
- to insert a probe into the surface of the site;
- to dig a hole or make an excavation;
- to remove sand, stone, gravel, earth or rock; or
- to tip earth, rock or waste material.

A list of 'Permitted Activities' will be included within the Management Statement issued for the SSI. These are activities which may be carried out on the site without significant impact but which are permitted on the basis that they do not impact on the special interest features of the site.

Landowners or occupiers of land within a Natural SSI retain responsibility for their land but will need to apply for prior permission to carry out works or activities that are not considered to be Permitted Activities.

## 2. The Listing Process

The process for listing a site is set out in the Planning and Building (Jersey) Law 2002 and is summarised below.



### a) Service of Notice of Intention to List

The Law requires that a site may not be added to the List unless at least 28 days previously a 'Notice of Intention' to do so has been served. Where land ownership (including contact address) has been traced the Notice is served on the owner(s) within the site; if this is not possible, a notice is placed on or near the site.

The Notice will include a description of the site's special interest, a map and description of the boundaries of the site, and the management statement including those activities which may be undertaken without the Chief Officer's permission.

### b) 28 day period

This 28 day period prescribed by the Law allows any persons with an interest in the site to make written representations to the Chief Officer concerning the proposed listing.

The Chief Officer is obliged to consider representations as long as they relate to the special interest of the site and will consult, if necessary, with professional bodies.

Once a decision has been made as to whether or not to include the site on the list, notice of this decision is served on the landowner(s) and (if different) occupiers of the land, or placed on site as previously.

c) Provisional Listing

In certain circumstances the Chief Officer has the authority under the Law to include a site on the List without prior notice to do so, whereupon the site becomes legally protected as a Provisional Site of Special Interest.

This may apply where an activity or operation that would adversely affect the special interest of the site is being carried out or is about to be carried out. A notice to this effect will be placed on site and the site will remain on the list for a maximum period of 3 months during which the Chief Officer reaches a decision as to whether or not its inclusion on the list is justified.

How to appeal

If owners or occupiers are unhappy about a listing decision they can appeal to the Judicial Greffier for the decision to be reviewed by an inspector. Notice of an appeal must be received by the Greffier no later than the end of the period of 28 days beginning with the date of the decision.