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*A briefing from RSPB Northern Ireland*

## **Response to the Wildlife & Natural Environment Bill**

### **Introduction**

Overall, the RSPB welcomes the proposed Bill. We responded in detail to the government consultation on the review of the Wildlife (NI) Order 1985 (the **Wildlife Order**) in summer 2008. That consultation proposed a number of changes to both the Wildlife Order and the Environment (NI) Order 2002 (the **Environment Order**). We identified additional amendments to both Orders, to bring the legislation in Northern Ireland up-to-date. Furthermore, we suggested changes that would help Northern Ireland meet its obligations under the European Habitats Directive through amendments to the Conservation (Natural habitats etc) Regulations (NI) 1995 (the **Conservation Regulations**).

### **Key points – Biodiversity Duty and Wildlife Order**

- **We offer support for the new biodiversity duty and related clauses.**
- **We strongly support the introduction of custodial sentence and increased fines.**
- **We have strong concerns that the curlew has not been removed from Schedule II**, given its perilous local and global conservation status.
- **We seek the inclusion of additional species on the proposed Schedule A1**, to ensure protection of nest sites outside the breeding season.
- **We ask for a statutory duty to report on licences, alongside a review and tightening of licence procedures**, particularly the general licences, to ensure compliance with the Birds Directive.
- **We seek a comprehensive review of the legislation on non-natives.** There is unlikely to be an opportunity to make these changes in Northern Ireland soon, and we believe it would be a lost opportunity not to make these amendments now.

### **Key points – Environment Order and Conservation Regulations**

- **We support clauses 27-30** but recommend some minor changes.
- **We are disappointed that temporary stop and reinstatement notices have not been included.** We believe that these notices are necessary (alongside additional changes) to complete a comprehensive suite of methods to ensure protection and management of sites, from voluntary to compulsory measures.
- **We recommend additional changes to the Environment Order.** There are no proposed opportunities for further amendments to the Environment Order other than via this Bill, and we feel it would be a missed opportunity not to take this chance to make small amendments to bring our legislation up-to-date. In particular, we seek provision for management agreements on land outside ASSIs.
- **We seek a new statutory purpose** for the Department that refers to the need for a series of ASSIs 'representative of the diversity and geographic range' of natural features.
- **We seek an extension of the protection afforded by the Environment Order to cover all Natura 2000 sites**, which we believe is needed to comply with the provisions of the Habitats and Birds Directives.

*For further information and the RSPB's full responses, please contact: Anne-Marie McDevitt, Conservation Manager, RSPB Northern Ireland, Belvoir Park Forest, Belfast BT8 7QT, email: [anne-marie.mcdevitt@rspb.org.uk](mailto:anne-marie.mcdevitt@rspb.org.uk), tel: 028 9049 1547*