



Damage to wildlife site

Case study

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A shooting estate was fined £50,000 and ordered to pay £237,548 in legal costs after damaging part of a Site of Special Scientific Interest (SSSI) in Durham. In addition, the company was issued with a Restoration Order, bringing the total costs to approximately £500,000.

The case was brought to court after the company built a track and car park along with the associated drainage on a moorland site without seeking permission. These works resulted in damage to over 4,433 square metres of internationally important peatland habitat.

Martyn Howat, Natural England Regional Director for the North East, said, "Land owners and occupiers of SSSIs have a legal responsibility to seek permission from Natural England about proposals that may damage SSSIs and in this case [the company] failed to do so."

The imposed Restoration Order required the shooting estate to remove the track and car park for the purposes of restoring that part of the SSSI to its original condition before the offence. The defendants agreed to an undertaking for the court to carry out, at their own cost, additional works to reduce the impact associated with building another track within the SSSI and to block an area of man-made drains 40kms in length to help rectify the condition of the moorland.

"Over the last 18 months Natural England has been working with [the company] to agree a management plan that will ensure that over 5,500 hectares of Lune Forest SSSI are managed to sustain and enhance its interest for wildlife," concluded Martyn Howat.

This case illustrates how 'Environmental Damage' may arise without the need for a pollution condition to have occurred.