

The Agency's Conservation Duties.

Sustainable Development Series No. 2

Issues: 16 December 1996

File ref: h:\es-sd\rhowell\reports\sdg0022C



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THE AGENCY'S CONSERVATION DUTIES

1. PURPOSE

- 1.1 The Environment Act 1995 (EA '95) places both general and specific duties on the Agency with regard to conservation. Some of these arise from previous legislation; some are new. The Ministerial Guidance under Section 4 of EA '95 also makes reference to conservation issues, within the context of sustainable development, and the Management Statement includes the conservation promotional role of the Agency - in so far as it relates to the aquatic environment - in the list of the Agency's main statutory responsibilities (Appendix B).
- 1.2 As with other general duties falling on the Agency, the conservation duties need to be considered both with regard to their individual policy implications, and as contributors to the overall attainment of sustainable development. These considerations will develop over time, and in the light of experience. The purpose of this Guidance Note is to ensure that all Agency staff have an overview of the Agency's conservation duties. Much specific guidance on the implementation of these duties already exists, and further policy and guidance is planned. Head Office, Regional and Area conservation staff can advise on existing operational policies and best practice

2. THE LEGISLATIVE BACKGROUND

2.1 The Environment Act 1995

- 2.1.1 The Agency's specific conservation responsibilities are contained in Sections 6, 7, 8 and 9 of EA '95, but Section 4 - on the Agency's principal aim (Appendix A) - is also of relevance. The term *conservation* is not defined in the Act (unlike costs, which is) and thus, as a matter of interpretation, the normal meaning of the word is likely to apply. The Shorter Oxford English Dictionary offers: "... *the action of keeping from harm, decay, loss or waste, careful preservation; the preservation of the natural environment, especially of natural resources; and official charge and care of rivers, sewers, forests*". Of the three component bodies of the Agency, only the NRA had a set of general duties with respect to conservation; although it could be said that the definition of 'harm' and thus 'harmless' in Section 1(4) and Section 29(5) of the Environmental Protection Act 1990 (EPA '90) is so wide ranging that it contains sufficient elements of the definition of conservation to be regarded as such. The best practicable environmental option (BPEO) requirement of integrated pollution control (IPC) also implicitly contains elements of conservation policies within it.
- 2.1.2 The term 'biodiversity' is increasingly being used in the context of Government and other initiatives to help conserve the natural environment. It is included in the statutory Ministerial Guidance under S4 of the Environment Act 1995, which states that conserving biodiversity is an essential element of the Agency's contribution towards achieving sustainable development. Its meaning (the diversity and variety of wildlife and the habitats that support it) is fully encompassed by the above

definitions of conservation, particularly in the context of wildlife conservation. The Agency is therefore given its statutory remit to pursue biodiversity initiatives, such as those arising from the UK Biodiversity Action Plan, through its various conservation duties, as set out below.

2.1.3 The statutory Ministerial Guidance also specifically refers to the need for the Agency to pay particular attention to its statutory obligations with respect to conservation: It also draws attention to the need to protect those habitats and ecosystems which, although not designated for official protection, are nevertheless important for nature conservation.

2.2 Section 6.

2.2.1 Several of the Agency's specific duties are inherited from the NRA's functional responsibilities. Thus Section 6 of EA '95 arises from Section 2 of the Water Resources Act 1991 (WRA '91) and, with respect to water, requires the Agency, to 'such extent as it considers desirable, generally to promote:

- *the conservation and enhancement of the natural beauty and amenity of inland and coastal waters and of land associated with such waters;*
- *the conservation of flora and fauna which are dependent on an aquatic environment; and*
- *the use of such waters and land for recreational purposes.*

With regard to the last of these, the Agency has also to determine what steps to take in order to ".... take into account the needs of persons who are chronically sick or disabled".

2.2.2 The duty "to promote" is usually taken as the need to encourage, and to work for, the objectives which are specifically mentioned. This duty to promote can be exercised independantly from other Agency functions. There is no definition of "land associated with inland and coastal waters", but this is usually taken to be land directly adjacent to such waters, or influenced by them, for example by flooding. Wildlife dependant on an "aquatic environment" is taken to include both open water and wetland species.

2.3 Section 7.

2.3.1 The NRA also had a duty (Section 16, WRA '91), which equally applied to Ministers, to further certain aspects of conservation when carrying out any of its functions, in so far as it was consistent with the purposes of the legislation relating to them or, in the case of Ministers, to other duties arising from the Water Industries Act 1991 (WIA '91). The duty to further conservation now no longer applies to the inherited NRA pollution control functions, nor indeed to any other pollution control functions (which are specifically listed in Section 5, EA '95 and include, essentially, all of the functional responsibilities relating to integrated pollution control, radioactive materials, waste on land, contaminated land, and the control of pollution of controlled waters).

2.3.2 Under Section 7, EA '95 the Agency does, however, have a duty when formulating or considering any proposals relating to any of the Agency's functions (other than its pollution control functions), to use its powers in order to:

- *further the conservation and enhancement of natural beauty and the conservation of flora, fauna and geological or physiographical features of special interest,*

providing that this is consistent

- with the purposes of the relevant legislation; and
- with Ministerial guidance given to the Agency on the objective of achieving sustainable development.

Ministers are subject to the same duty, provided that it is consistent with both the objective of achieving sustainable development and their duties under the WIA '91.

2.3.3 The duty "*to further*" is usually taken to imply that the matter in question will have been progressed or favoured.

2.3.4 A somewhat different duty (also under Section 7, EA '95) applies to the Agency's pollution control functions; this requires the Agency to:

- *have regard to the desirability of conserving and enhancing natural beauty and of conserving flora, fauna and geological or physiographical features of special interest.*

2.3.5 The duty "*to have regard*" is usually taken as the need to pay attention to, and take into account, the matters in question.

2.3.6 In some respects it is arguable that this particular duty could, in fact, be more powerful than the 'to further' duty with regard to water pollution control under the WRA '91 because a decision not to licence a discharge at all, simply in order to further conservation, could have been construed as not being consistent with the purposes of the pollution control legislation. But under the EA '95, having had "*.... regard to the desirability of conserving*" something in particular, the Agency could choose not to licence a discharge at all, because this duty is not constrained by the need to be consistent with the purposes of the pollution control legislation, which are to licence such discharges providing certain conditions are met.

2.3.7 The Agency (and Ministers) under Section 7 EA '95 also has a duty:

- *to have regard to the desirability of protecting and conserving buildings, sites and objects of archaeological, architectural, engineering or historic interest*

when considering any proposal relating to any of its functions. It also has to have regard to the desirability of maintaining the "*.... availability to the public of any*

facility for visiting" such sites, and to take into account any effect which such proposals would have on any freedom of access issues.

2.3.8 Again, this legislation arises from the WRA '91, verbatim except for the new inclusion of the adjective *engineering*; this additional category was included in recognition of the fact that such sites and objects might not otherwise be regarded as being of archaeological, architectural or of historic interest.

2.3.9 Other verbatim transplants from the WRA '91, but now applying to any proposal relating to any of the Agency's functions, are the duties for the Agency to:

- *take into account any effect which the proposals would have on the beauty or amenity of any rural or urban area or on any such flora, fauna, features, buildings sites or objects; and*
- *have regard to the desirability of preserving for the public any freedom of access to areas of woodland, mountains, moor, heath, down, cliff or foreshore and other places of natural beauty.*

2.4 Section 8.

2.4.1 The NRA was under a specific duty under Section 17 of the WRA '91 in relation to sites of special interest. This duty, too, has now been extended (Section 8, EA '95) to cover all of the Agency's functions. Essentially, the Nature Conservancy Council for England (English Nature), or the Countryside Council for Wales (CCW), have to notify the Agency of any area of land which is of 'special' interest and may at any time be affected by the Agency's own activities, or as a result of "*.... an authorisation given by the Agency*", which is taken to include any consent or licence. A similar duty falls on National Park Authorities and the Broads Authority, with respect to land within their areas. In practice, the conservation agencies notify the Agency in respects of all sites they consider to be of special interest (i.e. sites designated as sites of special scientific interest (SSSIs) under the Wildlife and Countryside Act 1981). The Agency has signed an accord with the National Parks agreeing that all land within the Parks will be treated as "special" for the purposes of S.8.

2.4.2. Once a site has been notified to it, the Agency then has to consult the relevant body, in advance, if it seems likely that an Agency action or authorisation might result in destruction or damage to the special features of the site, or that any important features would be significantly prejudiced. Thus whereas previously this duty only related to the NRA's various water management and pollution control functions, it now relates to IPC authorisations (and thus to discharges to the atmosphere) as well as to radioactive and non-radioactive waste management. Memoranda of understanding existed between the NRA and the relevant conservation bodies and these will be revised, to reflect the wider remit of the Agency. The Conservation function has drawn up a programme for preparing, with each regulatory and operating function, guidance on dealing with Agency authorisations and activities that impact on special sites.

2.5 Section 9.

2.5.1 Additionally, under Section 18 of the WRA '91, Ministers had power to approve *Codes of Practice* relating to 'environmental and recreational' duties. This power is now contained in Section 9 of EA '95, and it allows Ministers to approve Codes issued by "*.... him or by another person*", having consulted:

- the Agency;
- the Countryside Commission, English Nature and the CCW;
- the Historic Buildings and Monuments Commission for England (English Heritage);
- the Sports Councils (both England and Wales); and
- any other relevant and appropriate persons.

The Agency would then be under a duty *to have regard to the Codes of Practice* - except under emergency situations. The *Code* currently in force under the WRA '91 (and previously the WA '89) was produced in July 1989 and still has effect. The Department of the Environment is currently considering options for revising the existing Code and producing a new one for the purposes of EA '95.

2.6 Section 62.

2.6.1 Section 62 of the Act introduces a new duty on public bodies, which includes the Agency, to have regard to the purposes of National Parks. If in performing any of its function within a National Park there is a conflict between those purposes, the Agency shall attach greater weight to the conservation purpose.

2.7 Section 102, 103.

2.7.1 Finally, it is worth noting that Sections 102 and 103 of the EA '95 also introduced some changes to the Sea Fisheries Regulation Act 1966 which relate to conservation and marine environmental matters. These will be available to the Agency where it has the powers of a Sea Fishery Committee. These changes allow for:

- a power for Sea Fisheries Committees to make byelaws (after consultation with the English Nature or CCW as appropriate) for marine environmental purposes, which includes conserving or enhancing the natural beauty or amenity of marine or coastal areas (including landscape features), or of conserving flora or fauna; and
- for the constitution of local fisheries committees under that Act to have persons on them who have the relevant knowledge and expertise to consider any proposed byelaws.

2.7.2 The Sea Fish (Conservation) Act 1967 is also amended to provide powers to make an order to restrict fishing for sea fish for "*.... marine environmental purposes*".

2.8 Other Relevant Legislation

- 2.8.1 The Agency is also bound by a wide range of other conservation legislation, which provides varying degrees of protection to sites, habitats, species and other features. The Wildlife and Countryside Act 1981 provides protection to many species (e.g. otters, kingfishers) which may be affected by the Agency's activities. Agency activities also have the potential to impact upon SSSIs (particularly those with an aquatic or wetland component), and a significant number of its landholdings are SSSI designated. The Ancient Monuments and Archaeological Areas Act 1979 provides protection for sites scheduled as Ancient Monuments. The Agency is bound by the general protective legislation affecting such sites and species, including the special responsibilities falling to owners and occupiers of SSSIs, as well as its more specific duties set out in Section 2.4 above
- 2.8.2 As in other areas of environmental legislation, much of the UK legislation stems from the need to meet obligations arising from the EC. A number of EC Directives are of relevance, including those on the conservation of wild birds (79/409/EEC), environmental assessments (85/337/EEC), and habitats (92/432/EEC). UK legislation to complement these Directives places a number of specific obligations on the Agency - for example, in relation to the environmental assessment of land drainage improvement works, and as a relevant authority under the Habitat Directive. The UK is also a signatory to a number of international conventions and agreements of relevance, in particular the 'Ramsar', 'World Heritage', Bern, and Bonn Conventions. The Agency is also a statutory consultee under various Acts - such as the Town and Country Planning Act 1990 - which include conservation and preservation elements in them.
- 2.8.3 A more complete list of relevant UK and EC legislation is given in the Agency's Conservation Directory, issued in November 1996 and held by Agency conservation staff in Areas, Regions and Head Office.

2.9 Summary

- 2.9.1
- o The Agency's conservation duties apply, to a greater or lesser extent, to the conservation of wildlife, landscape and heritage features.
 - o The duties under sections 7 & 8 of EA '95 apply wherever its functions are being exercised or are exerting an environmental effect.
 - o Only the duty to promote conservation (S.6) is limited to water and associated land.
 - o Potentially, the Agency could have a role to play in the conservation of virtually any species, habitat or feature if it was affected by its regulatory or operational activities.
 - o The Agency can only undertake conservation action independently from its other functions in respect of wetland and open water habitats and the species dependent on them.

3. PRINCIPLES AND POLICIES IN RELATION TO THE CONSERVATION DUTIES

3.1 Taken together, the conservation duties affect the Agency with respect to the exercise of its functions in a number of ways:

- in the consideration of its own actions;
- in its licensing and regulation of the actions of others;
- in the advice which it gives to others as a statutory consultee and advisor; and
- in the extent to which it promotes conservation as an individual activity.

All of these will have policy, strategic, and resource implications.

3.2 As an initial step the Agency has stated that, in general and within the remit of its legislative responsibilities it should, in carrying out its functions:

- *seek to conserve natural assets, avoid irreversible damage, and maintain or enhance their value for the future;*
- *sustain the wealth of flora and fauna, conserve populations of rare species, and take steps to reverse any decline in wildlife wherever feasible;*
- *increase public awareness of, and involvement in, conserving national biodiversity;*
- *help to maintain the diversity and character of natural landscapes;*
- *seek to increase opportunities and facilities for people to enjoy the natural environment;*
- *seek to conserve areas and objects of archaeological, architectural, engineering or historic interest, as advised by the relevant bodies;*
- *assist in the education of all sectors of the public of the importance of conservation and biodiversity and how to sustain them;*
- *seek advice from, and closely liaise with, both national and local bodies involved in conservation of the natural environment and of other features of our national heritage; and*
- *acknowledge and exploit the inter-dependence of environmental protection, conservation, and the needs of economic development.*

This Agency commitment will be re-stated in the Agency's Conservation and other functional strategies scheduled for publication in spring 1997.

4. SCOPE OF THE INITIAL GUIDANCE

4.1. Existing Guidance

Guidance already exists in relation to the Water Act 1989 and Water Resources Act 1991, as provided by both the Department of the Environment and the Ministry of Agriculture, Fisheries and Food. A revision of the former is currently being considered by the Department, and MAFF are undertaking a revision of their 'Conservation Guidelines for Drainage Authorities' issued in December 1991.

4.2 The duty *to promote* conservation with respect to the aquatic environment is an obligation of the most general kind. The extent to which it is implemented is thus a matter of discretion. (To do nothing, however, could lead to an accusation of acting unreasonably.) Nevertheless, in view of the principles and policies which it has adopted, the Agency will support, in so far as they coincide with its overall priorities and within the availability of resources, work of the following nature :

- educational initiatives relating to conservation of the aquatic environment;
- relevant work in relation to surveys of aquatic fauna and flora;
- specific biodiversity action plans relating to the aquatic environment in particular;
- work on the ground to protect and enhance the conservation status of species, habitats and features;
- work to produce field guides, handbooks, and other conservation material jointly with conservation and wildlife bodies; and
- screen external plans and proposals and advise how adverse conservation impacts can be minimised and opportunities to benefit conservation maximised.

4.3 The duty relating to the need *to further* conservation requires positive action. The Agency has inherited many initiatives from the NRA. The framework for sustaining and furthering conservation covers:

- assessing the conservation resource;
- development of criteria to evaluate impacts on the conservation status of inland and coastal waters, and apply these when regulating the activities of others, undertaking its own operational works, and when providing advice as a consultee to local authorities;
- development internal and external liaison;
- developing standard procedures for undertaking and appraising environmental assessments, in relation to both internal and external proposals; and
- identifying a rationale and broad framework for the long term rehabilitation of degraded riverine habitats.

4.4 Having *regard to* conservation requires the need to produce an auditable trail of how, and to what extent, conservation duties have been taken into account. This requires a need, for example, not only to consider impacts upon sites which are protected under specific legislation - such as Sites of Special Scientific Interest, Special Protection Areas, and Special Areas of Conservation - but also to consider impacts on non-designated features of conservation interest. It also requires a consideration of archaeological site features, local landscape, and rural amenity aspects - in so far as this can reasonably be done on the evidence available. In essence, it is important to demonstrate that the Agency has considered whether or not, and if so, how, flora, fauna, and geological or landscape features of special interest can be conserved as the result of the Agency's pollution control activities, and natural beauty enhanced. A similar requirement falls on the Agency in relation to all of its functions with respect to the need for it to consider whether or not, and how, to protect and conserve sites and objects of particular interest. Further

guidance is being prepared by the conservation function in liaison with relevant lead functions. This will include criteria for the screening of applications for Agency authorisations for conservation implications. This guidance should ensure that a clear audit trail is available to show how the Agency's conservation duties were exercised in the determination of a particular authorisation.

- 4.5 There is clearly a link between these duties and that relating to the need to take into account likely costs and benefits under Section 39 of EA '95 (see Appendix A), although, of course, these duties have to be met irrespective of this particular duty - but it will affect the means by which they are met.
- 4.6 Agency conservation policy and best practice guidance is set out in a range of documents that have received differing levels of approval. An initial inventory has recently been produced by the Directorate of Water Management (Conservation in the Environment Agency: Policy and Best Practice Implementation (CTG (96)1)). Conservation staff in Head Office and Regions can provide further advice on the scope and implementation of such policy and guidance.
- 4.7 Further general guidance is also available from a number of Departmental documents listed in Appendix C.

The Government's white paper on Sustainable Development was followed by papers on Biodiversity and Sustainable Forestry, which altogether contain a statement of the Government's aims for conservation. The Government has also recently issued (October 1995) a white paper, 'Rural England', which addresses a range of environmental and conservation issues in the countryside. General Guidance from DOE and MAFF contains helpful advice on a number of specific conservation issues. Policy Planning Guidelines are primarily aimed at planning authorities, but also contain substantial relevant information on policies and legislation. Finally, a number of DOE Circulars deal specifically with Conservation, in particular in relation to preservation of historic buildings and the natural heritage.

5. REVIEWS

- 5.1 This Guidance Note has been reviewed by Directors, Heads of Function, and RGMs, and remarks received reflected in this second issue. Further comments on the note are welcome, and should be submitted to the Head of Sustainable Development. The note will be kept under review by the Conservation Technical Group and amended further as appropriate.

APPENDIX A: ENVIRONMENT ACT SECTIONS 4 AND 39

From the ENVIRONMENT ACT 1995:

4.—(1) It shall be the principal aim of the Agency (subject to and in accordance with the provisions of this Act or any other enactment and taking into account any likely costs) in discharging its functions so to protect or enhance the environment, taken as a whole, as to make the contribution towards attaining the objective of achieving sustainable development mentioned in subsection (3) below.

Principal aim and objectives of the Agency.

[. . .]

(3) The guidance given under subsection (2) above [on Ministerial guidance] must include guidance with respect to the contribution which, having regard to the Agency's responsibilities and resources, the Ministers consider it appropriate for the Agency to make, by the discharge of its functions, towards attaining the objective of achieving sustainable development.

[. . .]

39.—(1) Each new Agency—

- (a) in considering whether or not to exercise any power conferred upon it by or under any enactment, or
- (b) in deciding the manner in which to exercise any such power, shall, unless and to the extent that it is unreasonable for it to do so in view of the nature or purpose of the power or in the circumstances of the particular case, take into account the likely costs and benefits of the exercise or non-exercise of the power or its exercise in the manner in question.

General duty of the new Agencies to have regard to costs and benefits in exercising powers.

- (2) The duty imposed upon a new Agency by subsection (1) above does not affect its obligation, nevertheless, to discharge any duties, comply with any requirements, or pursue any objectives, imposed upon or given to it otherwise than under this section.

APPENDIX B: EXTRACT FROM THE STATUTORY GUIDANCE PROVIDED BY GOVERNMENT UNDER SECTION 4 OF THE ENVIRONMENT ACT 1995

Ministers have considered what contribution the Environment Agency should make towards the objective of attaining sustainable development, and having regard to its responsibilities and resources, concluded that it would be appropriate for it to act as follows:

- i) The Agency needs to take a **holistic approach to the protection and enhancement of the environment**. It should therefore strive through its actions to optimise benefit to the environment as a whole, taking proper account of all likely costs and benefits. Where practicable and permissible, it should carry out its various functions - whether relating to the environmental media of air, land or water - so as to take account of the impacts of pollutants from different sources across the different media or within any medium and the interactions of pollutants from different sources. Where practicable and permissible, the Agency should seek to exercise its functions in combination so as to contribute to sustainable development. The pollution control and water management functions should be exercised in an integrated manner, and the Agency should make use of integrated catchment management planning or other integrated geographic planning tools where appropriate. (The interrelated impact of the Agency's functions on the water environment offers a useful illustration.) Many of the Agency's functions may, depending on local and regional circumstances, have implications for the quality of the water environment and for downstream uses.
- ii) Because it needs to take a **long term perspective** in considering sustainable development the Agency should seek to take properly into account any longer term implications and effects, particularly those which appear likely to be irreversible, reversible only at high cost over a long timescale or which would raise issues of inter-generational equity.
- iii) Conserving and where practicable enhancing **biodiversity** and protecting the natural heritage is an essential element of sustainable development. When considering proposals affecting areas which are important for biodiversity or nature conservation, the Agency should pay particular attention to its statutory obligations with respect to conservation. The need to protect habitats and ecosystems is in accordance with Government policy and the obligations of the Biodiversity Convention and other international nature conservation laws and agreements. This is true both for sites protected by official designation - such as Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation and Ramsar sites - and for those non-designated sites which are nevertheless important for nature conservation.
- iv) Another essential element of sustainable development is protecting the global atmosphere. The Agency should have regard to the Government's commitments under the UN Framework Convention on Climate Change on reducing emissions of greenhouse gases, and under the Montreal Protocol on limiting the use of ozone depleting substances.

- v) In the areas for which the Agency is responsible there will be considerable scope for reconciling the needs of the environment and those of development by regulated organizations adopting **improved technologies and management techniques** as an integral part of their industrial and commercial investment. The Agency should therefore where possible discharge its regulatory functions in **partnership with regulated organisations** in ways which maximise the scope for cost-effective investment in such technologies and techniques. In particular it should seek to take advantage of companies' planned investment cycles where this can be done within the Agency's overall timetables for meeting environmental standards. In general, the Agency should seek:
- a) to establish clear and stable policy parameters so that regulated organizations can plan for the future
 - b) to encourage regulated organizations to adopt plans and management techniques -such as those envisaged in BS 7750, ISO 14001 and the EU Eco-Management and Audit Scheme - to enable them to meet the policy parameters at a) above and to seek innovative ways of meeting environmental objectives. In doing so it should bear in mind that different approaches may be appropriate for different businesses according to their size and organisation.
 - c) to encourage regulated organizations fully to exploit the potential for environmental initiatives to result in cost savings, thus enhancing their own and the UK's competitive position
 - d) to encourage regulated organizations to take voluntary action to improve their environmental performance beyond regulatory requirement where cost effective, for example by cooperating with business organizations such as the Advisory Committee on Business and the Environment and the CBI, and
 - e) to encourage knowledge and understanding, particularly in regulated organizations, of best available techniques not entailing excessive costs for the prevention and minimisation of pollution, including the efficient use of resources, such as energy, and the minimisation of waste.
- vi) Achieving sustainable development will involve contributions from many different groups in society - such as local communities working towards Local Agenda 21. How the Agency carries out its functions will affect these wider developments. So it should strive to develop **close and responsive relationships** with the public, local authorities and other representatives of local communities, regulated organizations and public bodies with environmental responsibilities. . It should also strive to work in partnership with all such groups, for example in developing integrated catchment plans.
- vii) **High quality information and advice** on the environment is an important element in taking forward strategies for sustainable development. The Agency should therefore strive within its areas of responsibility :
- a) to become a recognised centre of knowledge and expertise and
 - b) to provide and promulgate clear and readily accessible advice and information on its work and on best environmental practice.

APPENDIX C: BIBLIOGRAPHY**1. Aims of Policy**

Sustainable Development: the UK Strategy (Cm 2426. HMSO, 1994).

Biodiversity: the UK Action Plan (Cm 2427. HMSO, 1994).

Sustainable Forestry: the UK Programme (CM 2429. HMSO, 1994).

2. General Guidance

Guidelines for the Use of Herbicides on Weeds in or near Watercourses and Lakes (MAFF Booklet 2078. MAFF, 1985).

The Green Belts (DOE, 1988).

The Water Act 1989. Code of Practice on conservation, access and recreation (DOE/MAFF/WO, 1989).

Environmental Assessment: a guide to the procedures (DOE/WO, 1989).

Conservation Guidelines for Drainage Authorities (DOE/MAFF/WO, 1991).

Fit for the Future: a statement by the government on policies for the National Parks (DOE, 1991).

Policy Appraisal and the Environment: a guide for government departments (DOE, 1991).

Environmental Procedures for inland flood defence works. A guide for senior managers and decision makers (MAFF, 1992).

Flood and Coastal Defence. Project Appraisal Guidance Notes (MAFF, 1993).

Coastal Defence and the Environment. A guide to good practice (MAFF, 1993).

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Water Level Management Plans: A procedural guide for operating authorities (MAFF/WO/ADA/EN/NRA, 1994).

Biodiversity: The UK Steering Group Report (Vols 1 & 2) HMSO 1995

Government Response to the UK Steering Group Report on Biodiversity (CM 3260, HMSO, 1996)

3. Key Technical Guidance

Environment Agency Conservation Strategy (in prep).

Environment Agency Conservation Directory (Environment Agency 1996) Directorate of Water Management.

Scoping Guidance for the Environmental Assessment of Projects (NRA 1995)

Further Guidance for the Environmental Assessment of Projects (NRA 1995)

Conservation in the Environment: Policy and Best Practice Implementation (CTG 96 (1) Directorate of Water Management).

4. DOE Policy Planning Guidance Notes (PPGs), for England

The countryside and the rural economy (PPG 7).

Nature Conservation (PPG 9).

Development Plans and Regional Planning Guidance (PPG 12).

Archæology and planning (PPG 16).

Sport and recreation [includes guidance on the interaction of nature conservation with sport and recreational issues] (PPG 17).

Coastal planning (PPG 20).

Tourism (PPG 21).

Permitted Development and Environmental Assessment (DOE 3/95, WO 12/95).

5. DOE Circulars

Historic Buildings and Conservation Areas: policy and procedures (DOE 8/87, WO 61/81).

Nature conservation (DOE 27/87, WO 52/87).

Environmental Assessment (DOE 15/88, WO 23/88).

Development and Flood Risk Areas (DOE 30/92, MAFF FD 1/92, WO 68/92).

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