

# Wildlife Legislation



Over wintering wildfowl on West Sedgemoor SSSI.

Photo by A Halpin

## Drainage Boards and Wildlife Legislation

**Under the Natural Environment and Rural Communities (NERC) Act (2006), any public body or statutory undertaker in England and Wales must have regard to the purpose of conservation of biological diversity in the exercise of their functions.**

## Other important legislation:

**The Countryside and Rights of Way (CROW) Act of 2001** increased the legal protection given to Nationally important sites, The Act states that 'every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

**The Environment Impact Assessment (Land Drainage Improvement Works Regulations 1999, amended in 2005 & 2006)** prohibits IDBs from carrying out certain improvement works unless specified procedures have been undertaken.

**The Habitats Regulations, 1994**, requires Internal Drainage Boards to assess whether a proposed project is likely to have a significant effect on the interest features of an European designated site (e.g. The Levels and Moors Special Protection Area or SPA). Specific provision is made to allow IDBs to undertake works within a SPA in order to aid conservation management.

**The Land Drainage Act 1991, as amended by the Land Drainage Act 1994**, places a duty on IDBs with respect to the environment, recreation and public access.