
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Conservation of Habitats and Species
(Amendment) (EU Exit) Regulations 2019**

PART 3

Amendments to the Conservation of Habitats and Species Regulations 2017

Insertion of new regulation 16A

13. After regulation 16, insert—

“Management objectives of the national site network

16A.—(1) The appropriate authority must, in co-operation with any other authority having a corresponding responsibility, manage, and where necessary adapt, the national site network, so far as it consists of European sites, with a view to contributing to the achievement of the management objectives of the national site network.

(2) The management objectives of the national site network are—

- (a) to maintain at, or where appropriate restore to, a favourable conservation status in their natural range (so far as it lies in the United Kingdom’s territory, and so far as is proportionate)—
 - (i) the natural habitat types listed in Annex I to the Habitats Directive;
 - (ii) the species listed in Annex II to that Directive whose natural range includes any part of the United Kingdom’s territory;
- (b) to contribute, in their area of distribution, to ensuring the survival and reproduction of—
 - (i) the species of birds listed in Annex I to the new Wild Birds Directive which naturally occur in the United Kingdom’s territory;
 - (ii) regularly occurring migratory species of birds not listed in that Annex which naturally occur in the United Kingdom’s territory;
- (c) to contribute, to securing compliance with the requirements of Article 2 of the new Wild Birds Directive for the purposes of the duty in regulation 9(1) in relation to the species of birds in paragraph (b) within their area of distribution.

(3) In complying with the obligation in paragraph (1), the appropriate authority must have regard—

- (a) in relation to any European sites which are not of a kind mentioned in regulation 8(1)(d), to the considerations mentioned in paragraph (4);
- (b) in relation to European sites of a kind mentioned in regulation 8(1)(d), to the considerations mentioned in paragraph (5).

(4) The considerations mentioned in paragraph (3)(a) are—

- (a) the importance of the sites for meeting the objective in paragraph (2)(a);
 - (b) the importance of the sites for the coherence of national site network;
 - (c) the threats of degradation or destruction (including deterioration and disturbance of protected features) to which the sites are exposed.
- (5) The considerations mentioned in paragraph (3)(b) are—
- (a) the importance of the sites for meeting the objectives in paragraph 2(b) and (c);
 - (b) in the case of migratory species, the importance of their breeding, moulting and wintering areas and staging points along their migration routes;
 - (c) the importance of the sites for the coherence of national site network;
 - (d) the threats of degradation or destruction (including deterioration and disturbance of protected features) to which the sites are exposed.
- (6) In paragraph (2)(a), “proportionate” means proportionate to the relative importance of—
- (a) the part of the natural range lying in the United Kingdom’s territory, and
 - (b) the part of the natural range lying outside the United Kingdom’s territory,
- for achieving a favourable conservation status.”.