

SSSI damage : Summary of cases of significant damage reported by SNH from 1st April 2011 to 31 March 2014

The following table records details of cases where the protected natural features of an SSSI have been damaged without the consent of SNH. Cases are listed where the damage exceeded the threshold of being over 0.5 ha in area or 100m in length or 10% of the interest feature on the site - cases reported but falling below this threshold have been excluded.

The Nature Conservation (Scotland) Act 2004 (2004 Act) came into force on 29 November 2004, replacing the SSSI protection provisions of the 1981 Act. Under the 2004 Act, private owners and occupiers must obtain consent from SNH before carrying out, causing or permitting to be carried out those operations listed in the SSSI notification (the operations requiring consent). Public bodies must, before carrying out causing or permitting to be carried out any operation likely to damage the natural features of an SSSI (whether or not the operations take place within the SSSI) notify SNH and apply for consent from SNH. Proceeding contrary to these provisions consent could result in prosecution and a fine. It is also an offence for any person to intentionally or recklessly damage the natural features of an SSSI.

Two of the recorded cases were the result of consented activity (the construction of a golf course at Foveran Links, and the Forth replacement crossing road construction at St. Margaret's Marsh). By agreement, SNH relies upon the police to investigate crimes against SSSIs and report them as appropriate to the Procurator Fiscal. Cases of site damage reported to the police for investigation are indicated in the table. SNH is not aware of any cases during this period which resulted in prosecution.

Information on restoration management is retained locally in SNH. Information is provided where central support units are aware of the actions taken. In most cases, no active restoration management is deemed appropriate and sites are left to recovery 'naturally'.

SSSI Site Name(s)	Year of Damage	Cause of Damage	Damage Area (Ha)	Damage Length (Metres)	Action Taken by SNH	Whole or Part of Site Denotified	Restoration Management / Outcome
A' Mhoine	2011/2012	Fire damage	109.0		Contact made with owner/occupier(s)	N	None - left to recover naturally.
Auchrochar Wetlands	2011/2012	Ditch pollution		908	Pollution sources outwith site - referred to SEPA.	N	Matter referred to SEPA as part of their priority catchment diffuse pollution inspections.
Ben Griams SSSI & Forsinard Bogs SSSI	2011/2012	Fire damage	139.3 ha (119.7ha & 19.6ha)		Contact made with owner/occupier(s). Unplanned or accidental fire caused by steam train - RSPB followed up with train company.	N	None - left to recover naturally.
Cleugh	2011/2012	Overstocking & introduction of feeding station	2.5		Contact made with owner/occupier(s) and reminder letter sent.	N	Negotiations are on-going to find a management solution with the landowner. Potential management agreement may be concluded between owner & SNH.
Dornoch Firth	2011/2012	Fire damage	3.3		Contact made with owner/occupier(s) and third parties.	N	None - left to recover naturally.
Druim na Coibe	2011/2012	Fire damage	39.0		Contact made with owner/occupier(s). Accidental fire caused by third party, no further action taken.	N	None - left to recover naturally.
Eriboll	2011/2012	Fire damage	17.0		Reported to police. Contact made with owner/occupier(s). No further action taken, as it was not possible to identify the responsible party.	N	None - left to recover naturally.
Eslie Moss	2011/2012	Dumping of farm waste	1.0		Contact made with third parties.	N	Matter referred to SEPA who can regulate farm dumps.
Fannich Hills	2011/2012	Fire damage	79.0		Accidental fire caused by third party. Contact made with owner/occupier(s).	N	None - left to recover naturally.
Foveran Links	2011/2012	Construction of golf course	25.1		Ongoing liaison between all parties following public inquiry. No further action.	Under Consideration	None
Glen Beasdale	2011/2012	Fire damage	13.0		No further action taken. Unknown person responsible.	N	None - left to recover naturally.
Inverpolly	2011/2012	Fire damage	3100.0		Accidental fire. Contact made with owner/occupier(s).	N	None - left to recover naturally.
Kentra Bay and Moss	2011/2012	Fire damage	13.0		Wild fire. No action taken.	N	None - left to recover naturally.
Loch Shiel	2011/2012	Fire damage	127.5		Wild fire. Contact made with owner/occupier(s) and manager.	N	None - left to recover naturally.
Lochmaben Lochs	2011/2012	Agricultural Improvement (clearing/re-seeding)	0.9		Reminder letter sent. Owner required to take land back out of intensive agriculture with no further works such as liming or fertiliser applications.	N	Owner required to take land back out of intensive agriculture with no further works such as liming or fertiliser applications. Remedial work agreed & carried out within the disturbed area such as infilling of open ditches.
Muirkirk Uplands	2011/2012	Non-restoration of opencast mines	111.0		SNH is working with stakeholders on the formulation of restoration plans.	N	Under development.
Rannoch Moor	2011/2012	Fire damage	7.8		Contact made with owner/occupier(s).	N	None - left to recover naturally.
Red Point Coast	2011/2012	Fire damage	0.5		No action. Fire caused by unknown person.	N	None - left to recover naturally.
Rinns of Islay	2011/2012	Fire damage	250.0		Fire believed to be malicious. Reported to police. Contact made with owner/occupier(s) manager.	N	None - left to recover naturally.
St Margaret's Marsh	2011/2012	Forth replacement crossing road construction	0.6		Mitigation measures agreed to enhance remaining area of feature.	Under Consideration	SNH expect to identify the part of the site which has been damaged. However it has been agreed with Transport Scotland that mitigation will be carried out which will enhance the remaining area of the feature and bring it into favourable condition.

SSSI Site Name(s)	Year of Damage	Cause of Damage	Damage Area (Ha)	Damage Length (Metres)	Action Taken by SNH	Whole or Part of Site Denotified	Restoration Management / Outcome
Strath Carnaig and Strath Fleet Moors	2011/2012	Rough grassland reverted to arable	5.4		Contact made with owner/occupier(s). Unauthorised works assessed through Habitats Regulations Assessment.	N	Restoration works are not required because the habitat loss does not significantly affect the hen harrier feature for the overall site.
Strath Carnaig and Strath Fleet Moors	2011/2012	Fire damage	39.0		Contact made with owner/occupier(s). Report submitted to Scottish Government Rural Payments and Inspections Division.	N	None - left to recover naturally.
Strathmore Peatlands	2011/2012	Nitrate 'bomb' detonations spread concrete blocks over bog	30.0		Contact made with owner/occupier(s) and third parties. Reminder letter sent.	N	Concrete blocks manually collected & removed.
Alvie	2012/2013	Pheasant pen construction, felling of juniper and track construction	0.6	150	Contact made with owner/occupier(s) and manager. Reminder letter sent.	N	The works have not significantly damaged the woodland feature of the site, therefore no restoration management implemented.
Glen Beasdale	2012/2013	Fire damage	3.3		No further action taken - fire probably caused by sparks from steam train.	N	None - left to recover naturally.
Keelylang Hill and Swartaback Burn	2012/2013	Fire damage	9.1		No action. Fire caused by natural event (lightning strike).	N	None - left to recover naturally.
Kentra Bay and Moss	2012/2013	Fire damage	3.3		Contact made with owner/occupier(s).	N	None - left to recover naturally.
Loch a' Mhuilinn	2012/2013	Fire damage	1.0		Contact made with owner/occupier(s).	N	None - left to recover naturally.
Lochan Buidhe Mires	2012/2013	Hill fire	126.0		Contact made with owner/occupier(s).	N	None - left to recover naturally.
Meall Imreach	2012/2013	Fire damage	10.0		No action taken, as no damage was caused to sole notified feature of site.	N	None - left to recover naturally.
Mound Alderwoods	2012/2013	Tree felling	0.6		Contact made with owner/occupier(s) and third parties. Offence reported to police.	N	None - left to recover naturally.
Philorth Valley	2012/2013	Drainage	4.9		Contact made with owner/occupier(s). Offence reported to Police. Reminder letter sent.	N	These recent drainage works are likely to have partially damaged the site, unfortunately with no opportunity to restore due to nature of the feature.
Abbey Burn Foot to Balcary Point	2013/2014	Widening of footpath		400	Contact made with owner/occupier(s). Offence reported to Police. Reminder letter sent. Agreement reached with owner to allow recovery of site over time and progress will be monitored.	N	Remedial work agreed & carried out to fill in a grip along the site of the formed track and to block drains created under the track. The track has been avoided by vehicles. The damage itself has recovered very well as a result. In 2 to 3 seasons very little evidence of the original damage should be apparent.
Ben Klibreck	2013/2014	Fire damage	279.0		Contact made with owner/occupier(s). Reminder letter sent.	N	None - left to recover naturally.
Black Cart	2013/2014	Grazing & dumping			Contact made with owner/occupier(s). Offence reported to Police.	N	None - left to recover naturally.
Chanlockfoot	2013/2014	Game bird pen construction	1.0		Contact made with owner/occupier(s) and third parties. Reminder letter sent.	N	The pheasant pen has been removed.
Coille Mhor	2013/2014	Fire damage	2.0		Wild fire - no action taken.	N	None - left to recover naturally.
Fannich Hills	2013/2014	Fire damage	64.0		Contact made with owner/occupier(s) manager.	N	None - left to recover naturally.
Mointeach Scadabhaigh	2013/2014	Fire damage	180.0		Contact made with owner/occupier(s) manager.	N	None - left to recover naturally.
Parallel Roads of Lochaber	2013/2014	Track construction	0.7	500	Contact made with third parties.	N	Matter referred to Highland Council Planning Department who dealt with the planning application.
Rassal	2013/2014	Fire damage	1.2		No action taken.	N	None - left to recover naturally.
Rinns of Islay	2013/2014	Fire damage	3.0		Contact made with owner/occupier(s). Offence reported to Police.	N	None - left to recover naturally.
Strath Carnaig and Strath Fleet Moors	2013/2014	Vehicle tracking		Unknown	Contact made with third parties, who have submitted Restoration Plan, and offered to pay for cost of works. No further action taken.	N	Restoration plan agreed and implemented satisfactorily. The restoration should help habitats revegetate quicker and ensure habitats are in good condition to support hen harrier.
Strath Carnaig and Strath Fleet Moors	2013/2014	Excavated firebreak / hill track		326	Contact made with third parties. Reminder letter sent.	N	Restoration works are not required because the habitat loss does not significantly affect the hen harrier feature for the overall site.
Torridon Forest	2013/2014	Fire damage	20.0		No action taken.	N	None - left to recover naturally.