



Natura 2000 Networking Programme  
on behalf of the European Commission



Natura 2000 Networking Programme managed in  
partnership by project partners EUROPARC Federation,  
Eurosites and European Landowners Organization (ELO)

## Theme: Forms of agreement

### The importance of Agreements to Natura 2000 Ambassadors

Having established the importance of stakeholders to the Natura 2000 process, and engaged successfully, there is an obvious requirement for tools to agree and embed stakeholder activity to the benefit of Natura 2000 protected areas. Article 6(1) of the Habitats Directive talks about the conservation concept 'restoring or maintaining natural habitats and species..' and to 'implementing the necessary measures..' to ensure the conservation objectives are pursued. *Managing Natura 2000 sites* defines these measures as follows:

- Appropriate statutory, administrative or contractual measures; and, if need be
- Appropriate management plans.

A variety of measures may be considered as appropriate to achieve the aims of the directive and to fulfil the conservation objectives for a site. Measures on the whole will have a positive effect, and they need not be new, since existing programmes, agreements or incentives can be considered sufficient if they are appropriate. Management plans do not have to be used, although management planning for Natura 2000 protected areas is a very well established discipline with plenty of supporting information.

Further information: *Managing Natura 2000 Sites: the provisions of Article 6 of the Habitats Directive 92/43/EEC* European Communities, 2000

### Statutory, administrative or contractual measures

This guidance deals with five main categories of measure.

1. Compensatory/mitigation agreement under the Habitats (& Birds) Directive
2. Member State domestic legislative agreement
3. Conditions on planning consent
4. Agri-environmental or sylvi-environmental measures
5. Projects in receipt of EU funding, eg LIFE+

1. In the case of developments which, in spite of a negative assessment of the implications for the Natura 2000 site, and in the absence of alternative solutions, must nevertheless be carried out for reasons of overriding public interest, there will be a need for compensatory measures to ensure the coherence of the Natura 2000 network. A 'Compensation Agreement' can be established between parties which include the developer and the Competent Authority (or its advisor), and require the negative impacts of the development to be agreed and addressed. This agreement must be in place before the damaging impacts of the development are realised. It must stipulate in detail the compensatory measures, and how taking such measures will compensate for the negative impacts identified.

Further information: *Compensation Agreement for Immingham Outer Harbour and Hull Quay 2005* English Nature (and partners) – Associated British Ports, June 2003

2. There may be provisions in Member State domestic legislation which enable an agreement to be made between the Natura 2000 site manager and the landowner. These are often positive measures which set out the agreed management for the site in accordance with its conservation objectives.

Further information: *The Wildlife Enhancement Scheme for the North York Moors Site of Special Scientific Interest* English Nature 2003

3. Conditions on a planning consent for a particular development may be imposed by the decision-maker – usually the planning authority. These conditions are an opportunity to specify high quality interventions on the Natura 2000 site which assist with delivery of the conservation objectives. Guidance to assist with long-term improvements to the quality of planning decisions affecting the environment specifies that plans should be evidence-based, inclusive, should respect the ability of the environment to accommodate change, and be objectives-led.

Further information: *Environmental Quality in Spatial Planning* David Tyldesley & Associates with English Nature, English Heritage, Environment Agency & the Countryside Agency, June 2005

4. Agri-environment, or sylvi-environment measures serve as a good example to illustrate how socioeconomic requirements can be taken into account when establishing agreements which benefit Natura 2000 sites. The Rural Development Regulation increasingly recognises the specific needs of Natura 2000 sites in making incentives available to both farmers and silviculturalists, for the sustainable management of land.
5. This wide perspective recognises that EU funds (for example LIFE+) can be the catalyst for measures to ensure the best management for Natura 2000 sites. The creation of a partnership agreement which ties in the contributions of a number of parties to the achievement of objectives, can form the basis for successfully securing EU funding.

## **Management Plans**

Necessary conservation measures can involve 'if need be, appropriate management plans specifically designed for the sites or integrated into other development plans'. Management plans will often form the underpinning framework of management objectives which are then delivered according to one of the other measures described above. It will often make sense to establish the Management Plan before concluding these other measures. In producing a Management Plan the Natura ambassador will usually need to identify and work with stakeholders, agree objectives and work programme, establish feedback and review processes, and undertake a procedure to approve the Plan.

Further information: *Management Planning for Protected Areas – a guide for practitioners and their bosses* E T Idle & T J H Bines Darwin Initiative / Eurosite, June 2005

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*The opinion expressed in this document are those of the authors and do not necessarily reflect the views of the European Commission*