



Department
for Environment,
Food & Rural Affairs

Government response to OEP recommendations in its Review of implementation of laws for terrestrial and freshwater protected sites in England

March 2026



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Presented to Parliament pursuant to Section 28 of the Environment Act 2021.

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We are responsible for improving and protecting the environment. We aim to grow a green economy and sustain thriving rural communities. We also support our world-leading food, farming and fishing industries.

Defra is a ministerial department, supported by 34 agencies and public bodies.



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Introduction

The Office for Environmental Protection's (OEP) report, '*Review of implementation of laws for terrestrial and freshwater protected sites in England*', is a timely contribution to the government and Natural England's commitment to ensuring protected sites contribute fully to nature recovery and to sustainable growth. The government welcomes the OEP's thorough analysis, including how protected sites policy and legislation have evolved.

Protected sites are our best existing areas for nature, where species can thrive and spread into the wider countryside. They provide essential ecosystem services, including flood control, water purification, carbon capture and help to mitigate the effects of climate change. They also form the foundation of our international commitment to protect 30% of the UK's land and sea by 2030 (30by30). Improving site condition will support delivery of the Environment Act species extinction risk target and species abundance overall. Achieving lasting improvement will need interventions at scale across the site network and wider landscapes.

That is why we have set an interim target in the Environmental Improvement Plan 2025 (EIP25) for 50% of Sites of Special Scientific Interest (SSSI) features to have actions on track to achieve favourable condition by December 2030. The EIP25 also reiterated this government's ambition to having 75% of protected sites in favourable condition by 2042. The published delivery plan sets out how we will achieve this.

In a challenging funding context, Natural England is adapting its SSSI work programme. It will focus on prioritising actions to achieve the Environment Act interim target for SSSIs and modernising protected sites monitoring through increasing use of technology and partner data. This is in line with [Natural England's strategy](#) and the EIP25. The Major Landowners Group (MLG) and the National Estate for Nature (NEN) group will be key forums to promote wider action on protected sites, strengthening our engagement with partners.

Governance

Summary of recommendation 1, 2 and 3

The OEP has recommended setting a statutory target under the Environment Act 2021 to increase the extent and improve the condition of protected sites. Defra and Natural England should publish an implementation plan to address the challenges affecting protected sites. They should also further support public authorities in meeting their duties, including through the Major Landowners Group and updated guidance.

Government response to 1, 2 and 3

Statutory Target

The government is focused on delivering actions to improve the condition of protected sites. We do not consider a statutory target is necessary. This option was considered when developing targets under the Environment Act 2021. Instead, action-based interim targets, supported by monitoring and actions, were judged a more effective way to drive improvement.

Implementation Plan

We agree that an implementation plan is valuable and the EIP25 sets out [a delivery plan for the protected sites interim target](#). This will be reviewed and updated periodically. Since 2024, Defra has reported on progress towards the EIP23 interim targets through the EIP Annual Progress Report and we will continue to report on progress towards the EIP25 interim protected sites target.

Improving site condition requires a broad and collaborative effort. Landowners and public authorities play an important role. The MLG, responsible for nearly 50% of SSSIs in England, is central to this. Defra assumed the chair of the MLG in autumn 2025, with the intention of strengthening its role as a delivery board, driving collective progress in restoring their sites. We will ensure clear links to the NEN to provide information, assess progress and take action.

The importance of public authority and cross-government action will also be reflected in the plan for nature recovery on the government estate, due for publication in spring 2026. It will support government departments in delivering protected site outcomes and legal duties.

Public Sector Bodies

Public sector bodies are subject to the strengthened 'biodiversity duty' in the Environment Act 2021 to conserve and enhance biodiversity in England. [Guidance](#) on this duty sets out the actions authorities should take to help get sites into favourable condition.

It is important that guidance supports partners to improve site condition. We will review the [2003 Code of Guidance](#) 'Sites of Special Scientific Interest: Encouraging positive partnerships' to clarify public authorities' duty to 'conserve and enhance' SSSIs for which they are responsible and how this links to EIP25.

Resources

Summary of recommendation 4

The OEP recommends that Defra and Natural England assess the resources needed to meet environmental commitments and publish those allocations. Action should also be taken to retain staff expertise to aid efficient use of resources.

Government response

Resource Allocation

The EIP25 sets out clear, prioritised actions to deliver environmental outcomes. Natural England's annual action plan explains how it will deliver the Secretary of State's priorities. Within the funding allocations provided in Spending Review 2025, Natural England will allocate resource against priority needs.

The SSSI database allows Natural England to attach a cost and time value to specific actions to better estimate future resource requirements. Quantifying the resource required to tackle off-site pressures is more difficult as these pressures typically affect several features and sites at a landscape scale. Actions involving multiple partner organisations will require coordination and forward planning.

Resource allocations are subject to review to allow flexibility as requirements change, and publishing resource allocations at a fixed point would not support this adaptable approach.

Staff Expertise

Despite low overall staff turnover (8.54% in 2023/24), Natural England acknowledges issues of recruitment and retention in relation to specific skills. In July 2025, Natural England finalised a Strategic Pay Plan focused on seven key reforms to improve fairness, transparency, progression and competitiveness. Natural England is building resilience within its Area Teams, to ensure they have the skills and experience required to deliver protected sites work effectively.

Designation

Summary of recommendation 5 and 6

The OEP recommends that Natural England increase the designation of SSSIs and that Defra and Natural England keep sufficiency of the SAC and SSSI networks under regular review, publishing their findings. Natural England should also build effective relationships with landowners and occupiers during the designation process.

Government response

Review of Designations

As it implements its new strategy, Natural England is reviewing how it delivers its SSSI designation duties to secure the best outcomes for nature. Natural England's approach will continue to focus on delivering the greatest benefits for nature within the resources available, prioritising consideration of SSSI designation where this is the best way to support nature recovery. SSSI designation will be used alongside other measures, including completing the King's Series of 25 new or extended National Nature Reserves (NNRs) by 2028.

Natural England is also reviewing its SSSI designation process. It has introduced several improvements, including stronger engagement with landowners, to ensure they are well informed and able to discuss proposals during notification (this is the stage where Natural England officially informs landowners and other interested parties that it intends to designate a site as an SSSI).

Reviews of the sufficiency of the SSSI series and individual sites (between 2008–2014) continue to inform Natural England's SSSI designation programme.

A review of the sufficiency of Special Areas of Conservation (SAC) (as part of the UK National Site Network) would need coordination with the Devolved Governments. The official UK level Habitats Regulations and International Sites Management Group is considering the merits of such a review.

Monitoring, evaluation and reporting

Summary of recommendation 7, 8 and 9

The OEP recommends placing a monitoring duty on Natural England. Defra and Natural England should explain how monitoring will support the outcomes of the legislation, targets and commitments and inform a wider resourcing assessment (recommendation 4). Natural England should also provide landowners with condition assessment information to support their actions.

Government response

Monitoring Duty

We do not consider giving Natural England a statutory duty to monitor is a simple or necessary solution to the issues raised.

A risk-based monitoring approach enables Natural England to target evidence gaps, prioritise assessments, and respond to pressures such as climate change on high-risk

sites. It also supports a more tailored and ecologically appropriate monitoring cycle. When the OEP were conducting their research, Natural England was exploring milestones to measure recovery of SSSI features in unfavourable condition. Natural England is now developing change detection tools using Earth Observation data which, coupled with recording and monitoring of actions, will provide a proportionate means of determining whether features are moving towards favourable condition.

Monitoring Information

Natural England's Designated Sites View system (DSV) is a publicly accessible web portal providing information on a protected site's recorded condition by feature, unit and whole site, and environmental pressures. MLG members can register for enhanced access to view additional information relevant to their SSSI landholdings.

We agree the importance of timely feedback to landowners. In 2023 Natural England enabled SSSI owners and occupiers to receive condition assessment feedback before results are published on DSV. Natural England is committed to engaging with landowners and occupiers to agree and implement the actions needed to support site improvement.

Land management incentives and advice

Summary of recommendation 10, 11 and 12

The OEP recommends strengthening agri-environment schemes (AES) to better support protected site outcomes. Monitoring should be integrated into environmental land management scheme design to establish baselines. Actions should be identified and supported through appropriate funding and length of agreements. One-to-one expert advice to landowners should also be provided.

Government Response

Land Management Incentives

AES are a key delivery mechanism for protected sites. Condition assessments already inform agri-environment interventions on SSSIs. The Natural England Protected Sites databases identify where such actions are key to improving or maintaining condition. Where AES agreements include SSSI data, this is shared with the Natural England SSSI monitoring team. Landscape Recovery schemes that include protected sites record baseline assessments on extent, habitat type, management practices and latest condition status. Updated surveys are undertaken if the project progresses to an implementation agreement.

Natural England is already involved in developing individual agreements under Countryside Stewardship Higher Tier (CSHT) and Landscape Recovery. Pre-application

discussions and the development of applications involve identifying actions needed to maintain or improve SSSI condition.

Defra regularly reviews payment rates to ensure they remain appropriate and support delivery of outcomes, including on protected sites.

CSHT agreements on protected sites typically run for 10 years, with a 5-year review clause assessing delivery. Landscape Recovery agreements extend beyond 20 years.

Several Landscape Recovery projects are led by farmer clusters. Landscape Recovery development and implementation funding supports collaborative landscape scale work. Farmer clusters or similar groups can apply for grants for feasibility studies and implementation plans to develop CSHT applications and help identify the condition improvements and actions required. These can be further supported through capital works that will help restore or improve sites.

Other Opportunities for Support

It is important that SSSIs which are not eligible for ELMS are offered alternative support. The scope of ELMS actions has expanded over time. However, some habitats (including mudflats, open water and some geological sites) as well as some actions (including certain in-channel river works) and highly bespoke management remain outside its scope. Many SSSIs are also small or not owned by farming enterprises making ELMS impractical.

The Conservation and Enhancement Scheme (CES) provides grant funding for SSSI management where AES or other routes are not available. CES is most useful where ELMS is not eligible or practical, or where there are multiple owners or partners. It can also be used to investigate solutions to pressures and enable specific action to be taken. Natural England will continue to target its use in these cases. CES would not be appropriate for sites where statutory management obligations already apply.

During 2024/25, CES funded 39 agreements and 12 SSSI investigation bids providing £1.9 million in capital funding and £121,500 revenue spend.

Landowner and Managers Advice

Providing effective advice to landowners and managers is an important aspect of how ELMS support SSSIs. Natural England is changing its approach to delivering farm advice through its Advice Delivery Project to promote collaborative working and greater landscape-scale impact across Area Teams. The long-term aim is to combine Natural England's farm and land management advice with that of other delivery partners, including Arm's Length Bodies and independent advisers.

This collaborative model will enable whole farm/site advice and help identify site-specific and landscape-scale actions that meet multiple statutory and scheme objectives more effectively. It will clarify which funding streams are most relevant or can be combined.

Natural England is also integrating its advice at landscape scale to ensure farmers and land managers have access to the widest range of technical advice and funding options.

Protected site owners or occupiers will have a single point of contact (but not a single named person) for Natural England's farm and land management advice. This aligns with wider public sector service models and will offer protected sites owners or occupiers a greater range of expertise, better access to funding and increase the environmental impact of Natural England's advice.

Regulatory tools and enforcement

Summary of recommendation 13, 14 and 15

The OEP recommends identifying, modifying or withdrawing legacy consents that damage SSSIs, supported by legislation to remove owners' and occupiers' rights to compensation. Defra should enable Natural England to issue management schemes and notices on reasonable terms. Natural England should undertake risk-based compliance monitoring and review its levels of enforcement activity.

Government response

Legacy consents

The legislative changes proposed by OEP will not on their own address the scale of the issues. Fully resolving these issues would require a wider package of complementary legislative changes to modernise SSSI consenting.

Natural England takes an outcome-focused, risk-based approach to modifying and withdrawing legacy consents. Previous attempts to identify legacy consents were resource intensive, and limited public funds were better directed at, for example, SSSI regulatory activity. Any new systematic exercise to identify legacy consents will depend on investment in new technology.

Management notices

As part of our review of the [2003 Code of Guidance](#) 'Sites of Special Scientific Interest: Encouraging positive partnerships', Defra will work with NE to consider how best to support the use of management notices.

Compliance monitoring

Compliance monitoring is an important aspect of Natural England's responsibilities. Current work focuses on ensuring compliance with enforcement sanctions under the EIA (Agriculture) regulations, SSSI legislation and species licensing rules and checking sanctions achieve their intended outcome.

Additional compliance monitoring would improve understanding of non-compliance and the risks involved. Natural England is not currently resourced to deliver extensive field-based compliance monitoring. It is seeking ways to improve its intelligence gathering and analysis ahead of planned work for 2026/27. This includes the use of earth observation data to provide early warning of non-compliance. Improved information sharing and joint, targeted action with other enforcement bodies and regulators, could also help tackle serious offenders to avoid further environmental harm.

Natural England will keep its level of enforcement activity under review informed by the best available data. Where sanctions are imposed, it will follow the principles of good regulation: proportionate, transparent, targeted and accountable. The sanctions aim to deter future non-compliance, restore harm and eliminate any financial gain.

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