

07 March 2023



[REDACTED]  
[REDACTED]

Legal Services  
Mail Hub  
County Hall  
Spetchley Road  
Worcester  
WR5 2NP

Dear [REDACTED]

**Access to Information Request – Request no. EIR2023/00111**

Thank you for your request for information, which we received on 7 February 2023. Your request has been considered under the Environmental Information Regulations 2004 ('the EIRs').

You asked for the following information, please find our response under each question.

**Q1. Is the Dendles Wood 2015-2020 Management Plan still in operation? If there is an update or replacement, please provide a copy.**

Natural England (NE) can confirm that this is currently the latest plan. It is being reviewed this year with an updated plan expected to follow in 2024.

**Q2. What, if any, action was taken (as expressly contemplated by that Plan) to ascertain “the extent and scale” of Pheasant shooting and what, if any, consent was given for pens, feeders, etc as contemplated by that Plan?**

The Blachford Estate own the sporting rights across the NNR and have SSSI consent to exercise their sporting rights. The consent does not permit the construction of pens, or the release or feeding of pheasants within the SSSI. There was a rough shoot on the site when it was acquired by Natural England in 1965 and this rough shoot continues under the privately owned sporting rights

Outside of gamebird licensing requirements Natural England has no regulatory role in relation to game bird management activities outside of the SSSI/NNR.

**Q3. What if any species surveying has been undertaken (whether by Natural England or others), as contemplated by that Plan, as part of the Blue Ground Beetle species recovery project since 2015? Please provide copies of any survey results.**

None since 2015 as part of the Blue Ground Beetle Species Recovery Project.

**Q4. What action has Natural England taken (as contemplated by the plan) to develop a “more ambitious NNR standard” of relevance to Dendles Wood?**

We are working with partners including Dartmoor National Park Authority and the Dartmoor Preservation Association to develop a more ambitious management plan which including climatic change and public engagement considerations.

**Q5. What, if anything, has happened in relation to the PhD studies mentioned in the Plan as above, and with what outcome?**

The three-year PhD study of the Blue Ground Beetle referred to in the Plan is underway and in its second year. This PhD has been developed to help us better understand their use of the site during active periods, particularly daytime refugia.

**Q6. What, if any, records have been maintained of “past and present management” (as explained by the Plan) since 2015.**

Monitoring of Dendles Wood is undertaken as part of Natural England’s rolling cycle of SSSI condition monitoring. The wood is primarily a non-intervention reserve allowing natural processes to take place with minimal management. We have carried out work to limit grazing to allow natural regeneration of the site.

**Q7. What, if any, action has been undertaken by way of Blue Ground Beetle night searches (as noted as Project RA73/1 above) and with what outcome?**

Night searches have been undertaken and records kept for 7 individual years. 1999, 2000, 2001, 2013, 2014, 2015, 2016. The numbers appear static but due to the low frequency of surveys this is more observational than statistical.

**Q8. Mindful of the proximity of the Blachford Estate pheasant releases to Dendles Wood and the inevitability that the released Pheasants will enter the SSSI, what, if any, notifications has Natural England received (by way of ORNECs) since 2015 in relation to the management and releases of those Pheasants? What, if any, consents has Natural England granted in relation to those releases? What if any action has Natural England taken, or is Natural England contemplating in relation to releases not notified and consented via the ORNEC process?**

We have granted a consent time-limited to the end of February 2025 for pheasant shooting within the SSSI/NNR but not pheasant releasing, or any other operations associated with game management.

Consents are only required by SSSI owners and occupiers for those operations listed in a SSSI notification as requiring Natural England’s consent being undertaken or permitted within the SSSI. Operations, including pheasant releases, undertaken, or permitted by landowners outside of SSSI land do not require SSSI consent under section 28E of the Wildlife and Countryside Act 1981.

Any releases taking place within 500 metres of the boundary of a SSSI that is also part of a European Site (Special Areas of Conservation and Special Protection Areas) are GL43 licence.

- Q9. Have any assessments of the condition of the four units comprising the SSSI been carried out by Natural England subsequent to those listed in the Designated Sites View and:**
- a. if so, on what dates were such assessments made?**
  - b. if so, what were the findings of such assessments in terms of the condition of the units?**
  - c. if not, what plans does NE have to update these assessments?**

No further condition assessments of the four SSSI units have been made subsequent to those shown on Designated Sites View. Condition assessment monitoring of Dendles Wood is planned to be undertaken in 2023

- Q10. As far as Natural England is aware, have any specific or personal licences (within section 16(4)/ (5) of the 1981 Act) been issued since 21 May 2021 in relation to the release of Pheasants on the Blachford Estate within 500m of the Dartmoor SAC? Please provide (redacted) copies of any if you have them.**

No such licences have been issued.

- Q11. What if any notifications of any such releases have there been to Natural England (within the requirements of condition 3 of the current GL43) since 21 May 2021? Please provide (redacted if necessary) copies of the notifications provided.**

NE did not receive any release notifications for this location in either 2021 or 2022.

- Q12. What information does Natural England have (other than provided via any notifications mentioned in 8 and 11 above) about Pheasant releases from within the Blachford Estate since 21 May 2021? Please provide copies of any relevant documents.**

NE does not hold any other information regarding pheasant releases at this location either in 2021 or 2022.

- Q13. What if any action has NE taken, or is NE contemplating, in relation to releases not within the scope of any specific licence or within the terms of GL43 and its conditions (including as to numbers and notifications)? Please explain the basis on which NE has decided to take that action, or not to act, as the case may be.**

GL43 is a DEFRA licence and though the conditions of the licence require information on the use of the licence to be submitted to Natural England, monitoring compliance with the licence is DEFRA's responsibility. Responsibilities around the investigation and enforcement of suspected breaches of GL43 rest with the Police and the CPS.

Outside the scope of GL43, NE is in contact with landowners and estate managers of SSSIs to ensure any conditions relating to SSSI consents are being met.

**Q14. What action (including monitoring) other than already described in answer to the questions above is Natural England taking in relation to risk to Blue Ground Beetles in Dendles Wood posed by Pheasant releases in the Blachford Estate? Please explain the basis on which NE has decided to take that action, or not to act, as the case may be.**

NE is in contact with the estate to ensure that they are aware of and comply with the terms of their consent. NE also highlighted the potential concerns, the public voiced, about the pheasants on site and the compliance of the GL43 licence by the estate. The addition of certain species to the designation of the site is also being reviewed.”

**Q15. What action (including monitoring) other than already described above in answer to the questions above is Natural England taking in relation to the risk to the bryophytes, lichen flora, old sessile oak woods, holly and hard fern posed by Pheasant releases in the Blachford Estate? Please explain the basis on which NE has decided to take that action, or not to act, as the case may be.**

Currently Natural England considers the SSSI to be in a generally favourable or recovering condition. NE will continue to monitor the condition of the SSSI as part of our rolling SSSI monitoring programme. Where pressures are identified during condition monitoring that are considered to be a threat to or affecting the condition of the site’s designated features, we will work with the relevant parties to put in place measures.

**Q16. In relation to your answers to 13-15, please explain how that action relates to or discharges obligations falling on Natural England by reference to the wood’s designation:**  
**a. as an SSSI; and**  
**b. as an SAC (including therefore by reference to regulation 9(1) of the Habitats Regulations and Article 6 of the Habitats Directive).**

Natural England is of the view that the actions taken above regarding this SSSI are consistent with its statutory roles and responsibilities towards Protected Sites. These may be summarised as follows:

Where new notices or applications for consent, or applications for renewal of consent, for gamebird releases on Sites of Special Scientific Interest (SSSIs) are received by Natural England in accordance with the Wildlife and Countryside Act 1981 (as amended), it carries out thorough assessments, consistent with our operational guidance and standards, of the likely ecological impacts on the designated features of that SSSI (including the designated features of Special Areas of Conservation (SAC) / Special Protection Areas (SPA) where these are relevant and in accordance with the assessment requirements of the Conservation of Habitats and Species Regulations 2017 as amended).

Natural England grants SSSI consent only where we are of the view that the proposed activity is consistent with our duty to further the conservation or enhancement of the SSSI and/or, regarding SACs and SPAs, only when we ascertain that the proposal will have no adverse effect on site integrity. Each case will be evaluated on a site-by-site basis.

We may use our statutory powers to attach conditions to a consent, or place time-limits on a consent, where this is necessary to avoid adverse effects on a site. Where it cannot be ascertained that adverse effects on a site's designated features would be avoided even with such conditions, Natural England can refuse to give its consent to the proposal.

Where instances of damage caused by unauthorised operations or breaches of consent are found, or it is reasonably foreseeable that such damage might occur, Natural England will take the appropriate steps, in accordance with its statutory duties, to either remove the threat of damage, prevent further damage occurring and/or to achieve restoration of harm that has occurred. Such steps can range from the provision of advice to the use of regulatory powers and enforcement action. This will be assessed on a case-by-case basis and based on the evidence of impact.

There may be circumstances where it is more appropriate for another public body or regulator who shares the statutory duty to further the conservation and enhancement of SSSIs, and to have secure compliance or have regard to the requirements of the Habitats Regulations, to take the appropriate steps.

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If you have any queries about this letter, please contact me. As you may be aware, under the legislation should you have any concerns with the service you have received in relation to your requests and wish to make a complaint or request a review of our decision, please contact me and I'll arrange for a colleague to conduct an internal review.

If you are not content with the outcome of that complaint or the internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot decide unless you have exhausted the internal review procedure provided by Natural England. The Information Commissioner can be contacted at: <https://ico.org.uk/global/contact-us/> or call on 0303 123 1113 (local rate), [www.ico.org.uk](http://www.ico.org.uk).

Yours sincerely



Senior Adviser - Access to Information Manager

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