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JOINT NATURE CONSERVATION COMMITTEE

FOURTH QUINQUENNIAL REVIEW OF SCHEDULES 5 & 8 OF THE WILDLIFE AND COUNTRYSIDE ACT, 1981

Paper by Dr Ian McLean

1. Introduction

- 1.1 The previous paper to the Joint Committee (JNCC 00 N07 (September 2000)) included a summary background to the Fourth Quinquennial Review, including a rationale for streamlining the Review and for reducing the number of changes to Schedule 5 and Schedule 8, consistent with ensuring that endangered species that will benefit from legal protection are retained or added to the Schedules. The factors that support this rationale are that the number of protected species has increased considerably since 1981 (so that there is now more limited scope for adding further species that will benefit from legal protection) and there are now also additional measures available to improve the survival prospects for endangered species. These include species recovery plans, Species Action Plans developed under the auspices of the UK Biodiversity Action Plan (UKBAP) and the new legal measure (Section 74 of the Countryside and Rights of Way Act 2000), which promotes the conservation of listed species.

2. The Fourth Quinquennial Review consultation paper

- 2.1 The Fourth Quinquennial Review consultation paper comprises an Executive Summary, a background section to give information on the statutory basis of Quinquennial Reviews and the conduct of previous Quinquennial Reviews. The process for conducting the Fourth Quinquennial Review is described, with an invitation to consultees to respond to the consultation by submitting proposals to add or remove species from Schedule 5 (animals) or Schedule 8 (plants). To assist consultees, extensive lists of candidate species are included in tables, namely those species referred to in UKBAP as being candidates for receiving legal protection, as well as the top categories of endangered species listed in published Red Data Books recognised by the statutory conservation agencies. A small initial tranche of proposals for changes to the Schedules that have been approved by an Inter-agency Fourth Quinquennial Review Working Group is included (see 2.2 below) and the consultation paper concludes with a list of references and then appendices quoting the relevant legislation, listing species currently on Schedules 5 and 8, species for which Britain has international obligations, criteria for for the selection of species for

Schedules 5 and 8 of the Wildlife and Countryside Act, 1981, a list of organisations consulted during the first stage of the Fourth Quinquennial Review, and finally proformas for submitting proposals to the Review.

- 2.2 The initial tranche of proposed additions to Schedule 5, derived from internal consultation with statutory conservation agency specialists, comprises: two of the three British lamprey species (the Sea Lamprey and the River Lamprey) are suggested as good candidates for addition to Schedules 5 of the Wildlife and Countryside Act; the Water Vole has been identified as a candidate for increased protection on Schedule 5; an additional bat species has now been recognised as resident in Britain, the Soprano Pipistrelle (this has automatically received full legal protection because all bats (families Vespertilionidae and Rhinolophidae) are fully protected by listing on Schedule 5).
- 2.3 There are two animal species currently listed on Schedule 5 which are now believed to be extinct in Britain and that are therefore candidates for removal from Schedule 5. They are: *Thetidia smaragdaria* (the Essex Emerald moth) and *Edwardsia ivelli* (Ivell's Sea Anemone), the latter now believed to be globally extinct.
- 2.4 At this stage no plants have been identified by agency specialists as being appropriate for addition to, or removal from, Schedule 8, but it is anticipated that there will be species nominated via the consultation phase at the next stage of the Review.

3. Process to complete the Fourth Quinquennial Review

- 3.1 After the consultation responses have been received (deadline the end of January 2002), the Inter-agency Fourth Quinquennial Review Working Group will review the submissions received, together with any further information that becomes available from agency specialists, in order to prepare a list of recommendations. These recommendations will be considered by the Chief Scientists during February 2002, and then a formal submission prepared which will be circulated to the country agencies to enable consideration and comment by their Councils/Board, prior to formal consideration by the Joint Committee in March 2002.
- 3.2 If the Joint Committee approves the submission at its March 2002 meeting, it will be sent from the JNCC Chairman to Ministers, detailing those species recommended to be added or removed from the Schedules. In accordance with past practice, it is anticipated that DEFRA will then consult with other Government Departments, Local Authorities and other organisations on the recommendations submitted by JNCC. After this consultation, final decisions will be made by Ministers on changes to the Schedules, with Statutory Instruments effecting the necessary legal changes.