

25 April 2005

### **Guilty of building track on protected moorland**

Facombe Estates Limited, based in Kirkbymoorside, was fined £7,500 and ordered to pay £6,787 costs by Northallerton Magistrates' Court today (25 April 2005) after pleading guilty to causing damage to part of the largest tract of heather moorland in England lying within the North York Moors Site of Special Scientific Interest (SSSI).

The company, which runs grouse shoots on Westerdale Moor in the North York Moors National Park and elsewhere in the North of England, admitted constructing a three metre-wide stone track for a distance of 620 metres across heather moorland without English Nature's consent.

The sandstone has smothered over 1,800 square metres of healthy heather moorland, a habitat of European importance that supports endangered birds such as merlin and golden plover.

The court heard how English Nature officers first discovered the heather moorland had been destroyed when they visited the SSSI in August 2004.

Magistrates also imposed a restoration order on Facombe Estates Limited which means that it will have to pay to restore the damage to English Nature's satisfaction.

SSSIs like North York Moors are the country's very best wildlife and geological sites. English Nature works to preserve our remaining natural heritage for future generations. Wildlife and geological features are under pressure from development, pollution, climate change and unsustainable land management. North York Moor SSSI is important as it supports plants like heather and animals like merlin and golden plover. Protecting and managing SSSIs is a shared responsibility, and an investment for the benefit of future generations.

Speaking after the hearing Director of Protected Sites, Dr Andy Clements, said: "The company already had permission to maintain existing tracks but instead it went further and created a new hard surfaced track which resulted in an area of important wildlife habitat being lost".

"Land owners and occupiers of land designated as a SSSI have a legal responsibility to consult English Nature about operations that may damage the wildlife interests of a site. In this case, Facombe Estates Limited failed to do this."

"It was noted by the court that Facombe Estates Limited has a good record of working in partnership with English Nature and it is hoped that this will continue in the future".