

Simon R Harding  
DEFRA  
European Wildlife Division  
1/09(a) Temple Quay House  
2 The Square  
Bristol  
BS1 6EB

By e-mail: [consultation.ewd7@defra.gsi.gov.uk](mailto:consultation.ewd7@defra.gsi.gov.uk)

5 April 2005

Dear Simon,

**Fourth Quinquennial Review of Schedules 5 & 8 of the Wildlife & Countryside Act 1981**

Wildlife and Countryside Link (Link) brings together voluntary organisations concerned with the conservation and protection of biodiversity, the countryside and the marine environment. Taken together, our members have the support of over 7 million people in the UK and manage over 398,000 hectares of land.

Link members have contributed to the fourth quinquennial review of schedules 5 and 8 of the Wildlife and Countryside Act 1981 through submissions to JNCC and Defra, and have more recently queried the delay in the review process, given that JNCC's recommendations were made in 2003. We welcome the opportunity to respond to the current consultation, and would urge that efforts be taken to ensure the fifth quinquennial review of schedules 5 and 8 is not subject to such delay.

Link supports the addition to the Schedules, leading to increased protection, for all of the recommended species. However, while we agree that the protection of the Talisker burnet (*Zygaena lonicerae* ssp. *jocelynae*) and slender scotch burnet (*Zygaena loti* ssp. *scotica*) under Schedule 5 is important, as there is clear evidence that there have been efforts to collect them for the purposes of trade, we believe it may be adequate for these insects to be listed under Section 9(5) only. This would address the known threat without affecting the scientific or entomological study of the group.

While Defra has given its full support to the majority of the JNCC recommendations, we note that it has taken a neutral position with respect to recommendations for the protection of the five elasmobranch species and the Roman snail (*Helix pomatia*).

We consider that the case is clearly made for the listing of these species. Defra notes that the Angel shark and the four skate species are likely to be pushed, by fishing pressure, towards extinction in UK waters if they are not given some form of protection. For all of these species, listing on Schedule 5 would prohibit targeted fisheries and require that reasonable efforts be made to release bycaught specimens. The skates as a group are easily recognized, as is the angel shark, and all species are considered sufficiently resilient to be likely to survive if quickly released. Defra notes that protection through the WCA would prohibit landing specimens caught outside UK territorial waters in the UK but not elsewhere. Thus listing may have an economic impact on UK fishermen and raises issues of equity. However, due to their scarcity, landing of



these species occurs very rarely, and they are of low market value (Shark Trust Briefing Note on Fourth Quinquennial Review of the Wildlife and Countryside Act 1981: Proposed addition of four skates and one shark species). Therefore, we consider that the economic impact would be negligible and does not justify failure to afford protection to these species by all available legal means (the consultation document recognizes the necessity of using all legislative tools available to stabilize and reverse declines of populations of the common skate and similarly endangered species).

In the case of the Roman snail, Defra acknowledges that the economic impact of the listing would be very small-scale. As noted in the consultation the Roman snail meets the criteria for listing on Schedule 5 regardless of being an ancient introduction to the UK. This species is listed in Annex V of the EU Habitats Directive and failure to protect from exploitation populations occurring in the wild in the UK amounts to a clear failure to implement Article 14 of the Habitats Directive. The Roman snail is our largest snail and is endangered throughout its European range. Failure to halt the current destruction of its populations will have implications not just for UK Biodiversity, but also for our contribution to the 2010 Gothenburg target to halt the decline of biodiversity across Europe. We urge Defra to fully protect this species through addition to Schedule 5.

Please do not hesitate to contact the Link Secretariat on the address shown below should you require any further information.

Yours sincerely,



Martin Harper  
Chair, Biodiversity Task Force

**On behalf of the following organisations**

Buglife – the Invertebrate Conservation Trust  
Butterfly Conservation  
The Herpetological Conservation Trust  
IFAW – International Fund for Animal Welfare  
Marine Conservation Society  
Royal Society for the Protection of Birds  
Shark Trust  
Wildfowl and Wetlands Trust  
The Wildlife Trusts  
Zoological Society of London



Wildlife and  
Countryside



Wildlife and Countryside Link  
89 Albert Embankment, London SE1 7TP

T: 020 7820 8600  
F: 020 7820 8620  
E: [enquiry@wcl.org.uk](mailto:enquiry@wcl.org.uk)  
W: [www.wcl.org.uk](http://www.wcl.org.uk)

"Bringing voluntary organisations in the UK together to protect and enhance wildlife and landscape, and to further the quiet enjoyment and appreciation of the countryside"

Chair: Hilary Allison, Director: Alexia Wellbelove

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