

## Public consultation as part of the Fitness Check of the EU nature legislation (Birds and Habitats Directives)

Fields marked with \* are mandatory.

### Public consultation as part of the 'fitness check' on EU nature legislation (Birds Directive, Habitats Directive) (EN)

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#### About you

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\*Your name or organisation:

*40 character(s) maximum*

Mineral Products Association

Please provide your EU Transparency Register ID number (if you have one):

*15 character(s) maximum*

570960214458-53

If your organisation is not registered, you can [register now](#).

\*Can your reply be published:

- with your name or that of your organisation?  
 anonymously?

*For information on how your personal data and contribution will be dealt with, please refer to the privacy statement in the introduction to this consultation.*

\*What is your main country of residence or activity?

- BELGIQUE-BELGIË
- DANMARK
- DEUTSCHLAND
- EESTI
- ESPAÑA
- FRANCE
- HRVATSKA
- IRELAND
- ITALIA
- LATVIJA
- LIETUVA
- LUXEMBOURG
- MAGYARORSZÁG
- MALTA
- NEDERLAND
- OTHER COUNTRY (non-EU)
- POLSKA
- PORTUGAL
- ROMÂNIA
- SLOVENIJA
- SLOVENSKO
- SUOMI / FINLAND
- SVERIGE
- UNITED KINGDOM
- ÖSTERREICH
- ČESKÁ REPUBLIKA
- ΕΛΛΑΔΑ (ELLADA)
- ΚΥΠΡΟΣ (ΚΥΠΡΟΣ)
- БЪЛГАРИЯ (BULGARIA)

Region (optional):

- EAST MIDLANDS (ENGLAND)
- EAST OF ENGLAND
- LONDON
- NORTH EAST (ENGLAND)
- NORTH WEST (ENGLAND)
- NORTHERN IRELAND
- SCOTLAND
- SOUTH EAST (ENGLAND)
- SOUTH WEST (ENGLAND)
- WALES
- WEST MIDLANDS (ENGLAND)
- YORKSHIRE AND THE HUMBER

**\*I am replying to this questionnaire as...**

- an individual
- a business
- a non-governmental organisation (NGO)
- an organisation or association (other than NGO)
- a government or public authority
- a European institution or agency
- an academic/research institute
- other

**\*Is your organisation:**

- an international organisation
- a business network or association
- a charity
- other

**\*Which of the following best describes your main field of activity or interest?**

- agriculture
- angling
- construction & development
- culture
- education
- energy
- environment
- extractive industry
- fish farming & associated activities
- fishing (other than angling)
- forestry
- hunting
- nature
- recreation
- science
- tourism
- transport
- water management

## **Part 1 - General questions**

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**\*1. How important is nature conservation to you?**

- not important
- not very important
- important
- very important

**2. How familiar are you with EU nature conservation measures?**

	not familiar	slightly familiar	quite familiar	very familiar
*Birds Directive	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Habitats Directive	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Natura 2000 network of protected areas	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

**\*3. How important to nature conservation are the Birds and Habitats Directives?**

- not important
- not very important
- important
- very important
- I don't know

**\*4. Are the Directives' strategic objectives appropriate for protecting nature in the EU?**

The strategic objective of the Birds Directive is to maintain the population of all species of wild birds in the EU at a level which corresponds to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or to adapt the population of these species to that level.

The strategic objective of the Habitats Directive is to maintain or restore natural habitats and species of Community interest at favourable conservation status, taking into account economic, social and cultural requirements and regional and local characteristics.

- not appropriate
- somewhat appropriate
- appropriate
- very appropriate
- I don't know

**\*5. Is the approach set out in the Directives an appropriate way to protect species and habitats in the EU?**

The Directives require EU countries to establish strict protection rules for all of Europe's wild birds and a wide range of other rare, threatened or endemic species, and to designate specific nature protection areas to assure the long-term survival of Europe's most valuable and threatened species and habitats, as well as migratory birds. Together, these areas form a network covering approximately 18% of the EU and over 4% of its seas.

- not appropriate
- somewhat appropriate
- appropriate
- very appropriate
- I don't know

**\*6. Have the Directives been effective in protecting nature?**

- not effective
- somewhat effective
- effective
- very effective
- I don't know

**\*6 b. If you think the Directives have not been effective or have only been somewhat effective, is this mainly due to:**

- problems inherent in the legislation
- problems with implementation
- problems with enforcement
- none of the above
- I don't know

**\*7. How important is the Natura 2000 network for protecting threatened species and habitats in the EU?**

The Natura 2000 network comprises some 27,000 protected areas with a high biodiversity value covering approximately 18% of the EU and over 4% of its seas.

- not important
- somewhat important
- important
- very important
- I don't know

**\*8. How do the costs of implementing the Birds and Habitats Directives compare with the benefits from their implementation?**

- The implementation costs are more or less equal to the benefits
- The implementation costs are somewhat greater than the benefits
- The benefits of implementation are somewhat greater than the costs
- The implementation costs far exceed the benefits
- The benefits of implementation far exceed the costs
- I don't know

**9. While the Directives are primarily focused on conserving nature, to what extent have the following been taken into account in implementing them?**

	Not at all	Not enough	Enough	Very well	I don't know
*Economic concerns	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Social concerns	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Cultural concerns	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Regional characteristics	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Local characteristics	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**10. Do EU policies in the following areas generally support the objectives of the Birds and Habitats Directives?**

	No	Yes	Could contribute more	I don't know
*Agriculture & rural development	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Fisheries & maritime	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Cohesion (regional)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Energy	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Transport	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
*Environment	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Industry/enterprise	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Climate change	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
*Health	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
*Research & innovation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

**\*11. To what extent have the Directives provided more value than could have been achieved through national or regional laws in this area?**

- no added value
- some added value
- significant added value
- I don't know

**\*12. To what extent have the Directives added value to the economy (e.g. job creation, business opportunities linked to Natura 2000)**

- no added value
- some added value
- significant added value
- I don't know

**\*13. To what extent have the Directives brought additional social benefits (e.g. health, culture, recreation, education)?**

- no added value
- some added value
- significant added value
- I don't know

**\*14. Is there still a need for EU legislation to protect species and habitats?**

- Yes
- No
- I don't know

**\*Would you like to answer the more specific questions in part 2 of the questionnaire?**

- Yes
- No

*The following questions explore the extent to which the objectives of the Birds Directive and Habitats Directive have been met, and any significant factors which may have contributed to or inhibited progress towards meeting those objectives.*

*The following questions explore whether the costs of implementing the EU Nature Directives are reasonable and in proportion to the results achieved. The directives were designed to promote the conservation of species and habitats, but they also provide other benefits to the environment and society. Costs arise from administrative requirements, compliance enforcement, and forfeited opportunities, for instance those due to licensing delays or restrictions on activities in Natura 2000 sites.*

*This section explores whether the Birds and Habitats Directives are consistent with each other and with other policies and legislation, whether they are complementary or if there are significant gaps, overlaps and inconsistencies that prevent them from being effectively implemented*

*The following questions explore whether EU nature legislation has made a difference compared to national, regional and/or local action alone, and if so, how.*

## Final remarks

## Any further comments?

*Text of 1 to 2000 characters will be accepted*

While the Directives have been very effective in protecting important habitats and species, the lack of consistency applied in implementation, particularly for protected species, has and is causing significant difficulties for minerals companies in the UK. There are 3 particular issues: 1, Protected Species Licensing and planning; 2. Lack of regional flexibility and 3. dealing with nature conservation interest (including colonisation by protected species) on operational minerals sites). The issues are related.

1. Evidence from minerals companies illustrates that inconsistent and overly rigid interpretation and application of guidance is causing significant difficulties in terms of uncertainty, delay and cost. Operators are required to undertake numerous surveys, sometimes over several years, to establish presence and populations some distance from minerals sites and often undertake fencing and capture to remove all individuals of certain species eg Great crested newts, which is not necessarily delivering any conservation benefit but is jeopardising operations. It would be much more beneficial to conservation and business if the focus was on beneficial outcomes such as the wider management of non-operational, operational and restored land to deliver habitats and species conservation.

2. Some species are numerous and widespread in some member states and this should be recognised in implementation eg great crested newts in UK.

3. On many sites 'temporary nature' interest develops during or before extraction operation. Operators fear such interest developing as it causes problems related to points 1 and 2 above. It would be beneficial to conservation and business if flexibility could be applied to recognise and encourage 'temporary nature' to develop on sites in the understanding that this may be lost as sites are developed but that an overall net benefit will ultimately result through wider site management and restoration.

**Thank you for your feedback!**

## Contact

 [http://ec.europa.eu/environment/nature/legislation/fitness\\_check/index\\_en.htm](http://ec.europa.eu/environment/nature/legislation/fitness_check/index_en.htm)