

SCOTTISH WILDLIFE TRUST

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JNCC REVIEW STAGE 1 REPORT

Thank you for your letter of 16 March 2001 regarding the above, giving the Scottish Wildlife Trust an opportunity to comment on the review of JNCC. **The Scottish Wildlife Trust does not share the review's principal recommendation**, the setting up of a new NDPB, the proposed UK Nature Advisory Council (UKNAC), for the following reasons:

- In the devolved UK the statutory conservation agencies report to Parliament or Assemblies. In the case of Scottish Natural Heritage (SNH), it is accountable through Scottish Ministers to the Scottish Parliament. The creation of a new UK NDPB would erode this accountability.
- We would prefer a model of cross-border public bodies following The Scotland Act 1999 for the reasons set out above.
- The current and proposed roles of DETR (now DEFRA) as the department responsible for both English Nature and the proposed UKNAC is unacceptable, and would lead to conflicts of interest.
- The review accepts the wide remit and essentially advisory nature of JNCC.

We concur, however, with the continuing need for the following functions:

- A UK body charged with co-ordinating best nature conservation policy and practice within the UK, especially to meet the UK's international conservation commitments.
- Consistency of Standards. It is imperative that high standards are maintained throughout the UK regarding nature conservation issues and designations. This is particularly the case following devolution, where a risk of different (and perhaps even diluted) standards may be applied by the country agencies.
- **The addition of the Environment and Heritage Service of Northern Ireland to the Council is welcome. This gives a genuine UK overview.**

Our view is that further consideration should be given as to whether the existing arrangements through a shared committee could be adapted towards improved performance

based on the review's findings. The committee should continue to be charged with the provision of (improved) advice on specified areas of nature conservation, especially relating to international commitments, and common standards. Agency support for this proposal should be forthcoming provided that:

- Agencies continue to have a majority representation on the committee.
- The body deals with UK matters and issues that the Agencies agree should be dealt with at UK level.
- It is advisory (and therefore has no executive power) to the UK Government and the appropriate Ministers and Parliaments (Assemblies) in each country.

The Trust also recommends that if a separate body is to be created (although you will note that we do not support such an approach), it is housed in a neutral location, funded separately (from English Nature) by the UK Government, with an independent chair and members, but with majority representation from the Agencies. Under this scenario the new enabling legislation must specify that Ministers in each country should demonstrate that they have considered the advice of the new body, and either acted on the advice or stated openly why they have rejected such advice.

In conclusion, our view is that the implementation of UK and international nature conservation commitments is best done by the continuation of a shared approach. Empowerment and delivery will be best served by the joint management of a UK overseeing body, on which the UK Conservation Agencies have a majority representation.

I would be pleased to discuss these ideas further with Miss Sophia Lambert or Mr Deryck Steer should they so wish.

Yours sincerely

Steve Sankey
Chief Executive

Cc Mr Deryck Steer, Joint Nature Conservation Committee
Mr Roger Crofts, Scottish Natural Heritage
Mr Simon Lyster, The Wildlife Trusts