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JOINT NATURE CONSERVATION COMMITTEE

CONFIRMED MINUTES OF THE MEETING OF THE JOINT NATURE CONSERVATION COMMITTEE, HELD ON WEDNESDAY 23 MARCH 2005 AT MONKSTONE HOUSE, CITY ROAD, PETERBOROUGH, PE1 1JY.

Present:

Dr Andrews
Dr Blakiston-Houston
Professor Doyle
Dr Faulkner
Professor Ingram
Mr Lloyd-Jones
Dr Markland
Dr Moser
Professor Pentreath
Mr Scott

In attendance:

Dr Baker (item 7)
Dr Brown
Dr Davies (item 12)
Dr Gibson (item 9)
Dr Jardine
Mr Jones (item 8)
Mr Lawrence (item 5)
Dr Maddock (item 9)
Mrs McQueen (item 6 & 10)
Mrs Quince
Mr Sewter (item 5)
Mr David Stroud (item 7)
Mr Thomas
Dr Vincent
Mr Yeo

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1. Chairman's Opening Remarks

- 1.1 Apologies were received from Mr Darby, Sir Martin Doughty, Rev Dr Stuart Burgess, Mr Steer and Professor Galbraith.. Professor Ingram informed Committee that he was acting chairman whilst Mr Darby recovered from his illness. Professor Ingram extended best wishes on behalf of Committee to Mr Darby and Mr Steer and wished them a speedy recovery. A card would be sent to Mr Darby on behalf of Committee.
- 1.2 Professor Ingram presented Dr Faulkner and Mr Scott with books as gifts on their retirement from Committee, and thanked both for their hard work and valuable support over the years.
- 1.3 Professor Ingram informed Committee that Lynsey Bigger, the former Committee Secretary, had resigned and was now working for the Parliamentary Ombudsman in London.
- 1.4 Professor Ingram explained that as an interim measure Sir Martin Doughty had transferred responsibility for JNCC business to Dr Moser.

2. Declaration of interests

- 2.1 Mr Scott informed the Committee of his appointment to the Scottish Executive. He has a small contract from the Executive to chair the Marine Biodiversity Working Group, which means he will also represent that group as a member of the newly-established Scottish Biodiversity Committee.

3. Amendments to the minutes of the sixty-fifth meeting (JNCC 04 P20)

- 3.1 The minutes were approved, subject to the amendments already received.

4. Matters arising (JNCC 05 P03)

- 4.1 Professor Ingram advised that a decision on the future name of the JNCC was on hold. Dr Moser informed Committee that an announcement on the name of the new Integrated Agency in England would be made today and he would advise Committee of the name once the announcement had been made by the Secretary of State (see 14.1 below). Mr Thomas advised Committee that the Welsh Assembly had expressed concern regarding the inclusion of 'UK' in any new name for the JNCC. It was agreed that the Committee's FMPR Sub-group would be re-convened to consider the options. Professor Ingram expressed his wish that the process would be as swift as possible.
- 4.2 Dr Vincent explained that the draft Natural Environment and Rural Communities Bill contained provisions to make two CNCC representatives full members of the Committee and to extend the special functions to the whole of the UK. Dr Blakiston-Houston advised that this would be a significant change for her organisation with CNCC taking on a role analogous to that of the GB country agencies. Mr Yeo confirmed that discussions would take place with CNCC on the implications of these changes.

5. Corporate Plan for 2005-2008 (JNCC 05 P05)

- 5.1 Mr Lawrence presented the paper. He explained that the paper follows discussion at previous Committee meetings on priorities for implementation of the JNCC's strategy. The Corporate Plan shows both the targets for each programme and the resources allocated to meet these targets. Following the meeting and a more detailed one-year operational plan for 2005/06 will be produced.
- 5.2 Mr Lawrence informed the Committee that the financial figures shown within the Corporate Plan are based on total grant in aid of £6,591,000 for 2005/06 and each of the two subsequent years. This level of grant in aid represents an increase of £400,000 or 6.7% on 2004/05. The majority of this increase will be required for increased salary costs.
- 5.3 Dr Markland asked for assurance that the work JNCC was proposing under the Marine Mapping and Area Protection programme would not merely use resources to 'rebadge' existing marine protected areas (MPAs) and that the work would complement initiatives being undertaken in Scotland. Dr Vincent explained that the work on Natura 2000 and OSPAR MPAs was in line with Government priorities, and was fully integrated with Scottish programmes of work.
- 5.4 Dr Markland asked whether the Strategy for Surveillance, Reporting and Research programme should be focused on the development of an implementation plan rather than a strategy. He also asked whether this programme could be combined with the Policy-relevant Information and Reporting programme. Mr Lawrence informed Committee that consideration had been given to combining the two programmes but at this stage it was felt

that there were advantages in keeping them separate. Dr Vincent confirmed that a strategy for surveillance and reporting was a high priority.

- 5.5 Mr Lloyd-Jones asked what the JNCC's role would be in advising on socio-economic matters. Mr Yeo responded that the intention was to increase the JNCC's expertise on socio-economic issues, but that the focus would remain on nature conservation.
- 5.6 Mr Lloyd Jones also noted that the devolved administrations might question the funding allocated to Overseas Territories work. Mr Yeo informed Committee that Defra and the devolved administrations were currently discussing which areas of work might be funded directly by UK Government.
- 5.7 Dr Moser expressed his general satisfaction with the Corporate Plan. He asked whether an assessment had been made of added value in relation to the country agencies' work. In particular, he felt that within the European Advice programme there might be confusion about the respective roles of the JNCC and English Nature. Dr Vincent explained that the Corporate Plan is not produced specifically with added value in mind, but rather from a consideration of the cost-effective delivery of the special functions.
- 5.8 Mr Scott questioned the budgets for the Overseas Territories and UK's Global Impact programmes in light of Committee's previous decision that funding for these areas of work should not be increased unless Government made additional money available. He also asked for the milestones in the Plan to be checked to ensure that they were true milestones that could be measured. Mr Yeo noted that the Overseas Territories funding was at roughly the same level as in previous years. A relatively small amount of money was being allocated to the work on global impacts to kickstart the project and to show Defra, FCO and DFID its value.
- 5.9 Professor Doyle and Dr Blakiston-Houston both expressed their satisfaction with the Plan.
- 5.10 The Corporate Plan was approved by Committee subject to the comments made above, and Professor Ingram thanked everyone involved for their work in compiling the document.**

6. Delegations to and within the JNCC Support Company (JNCC 05 P02)

- 6.1 Mrs McQueen introduced the paper and advised Committee that the Regulatory Reform Order had been made on 9 March and the company had been set up on 2 March with the approval of the Secretary of State. Mrs McQueen drew the Committee's attention to Annex 1 of the paper which set out proposals for the responsibilities that the Committee will delegate to the company and the specific matters that the Committee will reserve for itself. The Annex was based on the outline schedule of delegations that had been considered by Committee in June 2004 and reflected in the accountability statements considered at the December 2004 meeting. Mrs McQueen explained that delegations from the Company to staff would be discussed and

agreed at the Company Board meeting which would follow the Committee meeting.

- 6.2 Dr Markland commented that Annex 2 required an addition to cover the respective roles of the Company Board and the Executive Management Board in setting and implementing key performance indicators.
- 6.3 Mr Scott thought that the financial responsibilities of the Company Board could be made clearer and in particular the responsibilities associated with submitting accounts to Companies House. Mrs McQueen proposed that further discussion on this matter be deferred until the Board meeting.
- 6.4 Committee endorsed Annex 1 and formally delegated to the company the responsibilities outlined in Annex 1 from 1 April 2005. Committee noted Annexes 2 and 3 and asked that the comments noted above be considered at the first Company Board meeting.**

7. Update on JNCC/country agency actions in response to the UK Raptor Working Group's recommendations (JNCC 05 P04)

- 7.1 Dr Vincent presented the paper and explained that it was an update on actions in response to the recommendations made in the report of the UK Raptor Working Group. Dr Vincent explained that for much of the last decade JNCC has been involved in trying to resolve conflicts between species of protected raptors and various interested parties who feel that their interests are threatened by predation by raptors. The papers summarised the very considerable amount of work undertaken by the country agencies. JNCC and others, including the police, to take forward the Working Group's recommendations. However, illegal persecution of raptors remains a significant problem. Dr Vincent explained that the previous JNCC Public Statement on raptors had been updated and a draft revised statement included in the paper for Committee consideration. Dr Vincent asked Committee to:-
- i. note the significant advances in taking forward raptor conservation;
 - ii. consider whether it would be appropriate for the JNCC Chairman to update Ministers on this issue;
 - iii. endorse the revised Public Statement
- 7.2 Professor Doyle asked who the target audience was for the Public Statement. Mr Stroud explained that the Statement was available for the general public but was intended as a source of information for agency staff. Professor Doyle suggested that the Statement required some work to be a true public statement in terms of explaining to the general public some of the scientific terms.
- 7.3 Dr Moser expressed his appreciation of the work of the Raptor Group and agreed that proposals made by the Group should be implemented.
- 7.4 Dr Markland, with support from others, expressed concern over the proposed uses of licensing under the game laws to regulate sporting estates. He asked

that this be subject to further consideration and discussion at senior level in the country agencies

- 7.5 Dr Blakiston-Houston expressed her wish that the laws be actively enforced and that changes to the wildlife and gaming orders be made in support of each other.
- 7.6 Dr Brown explained that proposals we put to Government need to be clear, simple and well-argued. He thought it was appropriate to write to ministers and important to put our side of the argument first. Dr Brown thought the Public Statement required more work and that the line to take was that the Statement was a guide for staff and not a publicly issued statement. He expressed his wish that all country agencies work closely together on this issue.
- 7.7 Mr Lloyd-Jones explained that in CCW police are seconded to them to enhance police experience on wildlife crime.
- 7.8 Committee agreed that the Public Statement be re-drafted in light of comments from members. It was agreed that Dr Vincent would draft a letter to Ministers on this issue. Mr Thomas asked that the letter to Ministers in Wales be tailored to Welsh requirements. It was agreed that Mr Scott would e-mail Mr Stroud with any minor amendments to the Statement.**

8. A possible landscape function for the JNCC: background and options (JNCC 05 P06)

- 8.1 Mr Yeo introduced the paper which he explained was prepared following discussion at the last Committee meeting regarding possible provisions for the JNCC in the Natural Environment and Rural Communities Bill. He explained that the JNCC already has the power to advise Government and others on landscape issues that have the potential to affect nature conservation but cannot provide advice on issues directly relating to the appearance and general amenity of the landscape.
- 8.2 Professor Pentreath voiced concern that taking on a landscape function could compromise the JNCC's stance on nature conservation issues.
- 8.3 Dr Markland thought the paper did not make a strong case for extending the JNCC's remit to include landscape issues. He did not believe that the JNCC should take on this role for three reasons: firstly, because of the resource implications; secondly, because there were no strong drivers for it outside the JNCC; and thirdly, because existing inter-agency networks have already started to co-ordinate advise on landscape issues.
- 8.4 Professor Doyle was in favour of the JNCC having a role in co-ordinating landscape-scale management approaches that combined biological and geological aspects.

- 8.5 Dr Brown thought the JNCC could advise on landscape ecology (e.g. in relation to the CBD ecosystem approach) under existing legislation. However, extending the JNCC's remit to include 'soft' landscape issues such as recreational and cultural aspects would weaken the JNCC's nature conservation function. Dr Andrews concurred with his comments.
- 8.6 Dr Faulkner questioned whether Government needed the JNCC to have a role in advising on landscape.
- 8.7 Professor Ingram reported on a note he had received a note from Dr Burgess stating that he was not in favour of extending the JNCC's functions.
- 8.8 Committee agreed that the JNCC already had a legitimate role in advising on nature conservation and relevant land use issues at a landscape scale, but that there was not a strong case for extending the JNCC's remit to cover the aesthetic or cultural aspects of landscapes.**

9. The UK Biodiversity Action Plan and country biodiversity strategies (JNCC 05 D03)

- 9.1 Dr Vincent presented the paper and explained that it was a result of discussions undertaken at the Chief Executives meeting. The paper was a summary of the present situation in the UK in relation to biodiversity on plans and strategies. Dr Vincent referred members to section 8 which makes a number of recommendations in relation to the future work of JNCC in this area and invited comments.
- 9.2 Dr Andrews commented that delivery of action plans for some species is complicated by new reporting requirements. She believed that UKBAP should be strengthened so as to incorporate international biodiversity obligations; the UK BAP Standing Committee had a key role here. She thought that JNCC should commission appropriate work in relation to biodiversity conservation and supported options 3 and 10.
- 9.3 Mr Scott was pleased with the paper and was keen that now a strategy had been written the momentum with the work could be increased. Mr Scott believed that the UK Biodiversity Partnership should lead on changes to UKBAP plans and he strongly supported the role of JNCC to advise on the UK Biodiversity network.
- 9.4 Dr Brown saw JNCC's role as leading on BAP revisions. He thought that JNCC would have an important role in co-ordinating the surveillance, monitoring and reporting effort within the BAP process and that JNCC should endeavour to influence the UK and EU biodiversity research agenda.
- 9.5 Professor Pentreath was unsure of the scale of effort being undertaken by Trusts and authorities on the ground in doing this work and that we lacked the feedback from staff on the ground.
- 9.6 Committee agreed that the UKBAP should be strengthened to ensure the range of international biodiversity commitments were taken sufficiently**

into account. The route for this would be consideration through the UKBAP Standing Committee and JNCC could have a key role in facilitating this discussion. Committee agreed that future development of the UKBAP and its work should recognise the importance of delivering practical conservation benefits, and avoiding disrupting existing programmes of work aimed at this. Committee broadly agreed that JNCC's future input to the UKBAP should centre on the aspects referred to in section 8 of the paper, while recognising that its work needed to be focused and selective, and should take the points mentioned above fully into account.

10. JNCC strategy: taking forward the strategic vision objective (JNCC 05 D01)

10.1 Mrs McQueen introduced the paper which proposed that the Committee's vision statement be developed into a practical framework of targets, measures and strategies for nature conservation that could be used as a basis for providing strategic advice to Government.

10.2 Dr Moser stated that collaboration between the agencies at Council/Board level was highly desirable to share best practice and undertake horizon scanning. A biennial joint meeting of agency Councils/Boards would be a good mechanism for looking at big strategic issues.

10.3 Committee endorsed the proposals set out in the paper and agreed that a sub-group should be established to take this work forward.

11. Involvement of Committee Members in JNCC work (JNCC 05 D02)

11.1 Dr Vincent introduced the paper which was presented as a basis for discussion on the future involvement of members in the JNCC's work outside of formal Committee meetings. Dr Vincent explained that:-

- i. the JNCC Audit & Risk Management Committee ToR and membership has been agreed
- ii. the paper proposed the establishment of a 'Process' subgroup which is intended to set the general forward direction of Committee business and medium-term planning;
- iii. the paper proposed a Vision subgroup for development and implementation of the Vision work, the paper considered areas where Committee members could contribute to the delivery of JNCC's work programmes directly and could assist in communications effectively with key stakeholders and in relevant fora.
- iv. Dr Vincent asked Committee to provide a steer on the issues highlighted in the paper

11.2 Dr Markland supported the proposals set out in the paper while acknowledging that these should not be set in aspic but would evolve over time.

11.3 Dr Moser was supportive of greater outreach but urged caution when dealing with ministers to ensure a consistent message is conveyed at such a high level.

11.4 Dr Blakiston-Houston was supportive of both a vision and process subgroup.

11.5 Committee agreed the establishment of the two sub-groups and members would e-mail Dr Vincent concerning their membership. Members requested that the phrase working group be applied to the groups rather than sub-committees.

12. Development of a Framework for Mapping European Seabed Habitats – A Progress Report on The Mesh Project (JNCC 05 D04).

12.1 Dr Vincent presented the paper explaining that the MESH Project is now well into its first year and the paper provided an update on progress and highlighted some of the potential risks to future work. Dr Vincent explained that this was also an opportunity for members to have a say in the products that come out of the project. Dr Vincent invited members to note the progress made to date and the challenges which needed to be faced and asked them to advise on aspects related to the design of the project products.

12.2 Mr Scott was concerned over a possible breach of contract with the project money not being spent as quickly as had been anticipated and requested assurance that the risk is being controlled. Mr Davies explained that with 12 partners in five countries co-ordination had proved difficult but he was confident the programme would be delivered, particularly as there was flexibility within the project to divert resources from one partner to another where there are problems.

12.3 Professor Ingram thanked Mr Davies for a useful paper and thanked members for their contributions.

13. Lead Agency and Lead Co-ordination Networks Service Level Agreements (JNCC 05 N01)

13.1 Committee noted the paper.

14. Any other business

14.1 Dr Moser announced that the name for the new Integrated Agency would be Natural England with a strapline of ‘for people, places and nature’.

The remaining AOB items are contained in a confidential addendum.