

Confirmed minutes of the ninety-eighth meeting of the Joint Nature Conservation Committee held on 26 March 2014, at the Claremont Hotel, 18-22 Loch Promenade, Douglas, Isle of Man, IM1 2LX

Present

Mr Archdale
Dr Bridgewater
Dr Brown
Professor Kaiser
Dr Kirkpatrick
Professor Matthews
Dr Walker
Professor Warren
Judith Webb

In attendance

Mr Armstrong
Ms Davies
Dr Goold
Dr Hill
Dr Horwood
Dr McDonald
Mrs McQueen
Mr Rose
Mrs Stevenson
Mr Yeo

Apologies

Members: Mr Duke, Professor Hill, Mr Ross, Mr Sells

Attendees: Dr Gibson

1. Chairman's opening remarks

- 1.1 Dr Bridgewater welcomed everyone to the ninety-eighth meeting of the JNCC.
- 1.2 Dr Bridgewater welcomed Dr Kirkpatrick, Chair of the Council for Nature Conservation and the Countryside (Northern Ireland), to her first Committee meeting.
- 1.3 Dr Bridgewater noted that the recently appointed Chairs of Natural England, Mr Sells, and Scottish Natural Heritage, Mr Ross, were unable to attend the meeting. Dr Bridgewater had met Mr Sells earlier in March and will meet Mr Ross in April.
- 1.4 Dr Bridgewater, whose term of appointment ends in May 2014, advised that he will meet with his successor prior to the June Committee meeting to ensure a smooth transition.
- 1.5 Professor Matthews reflected on the passing of his Natural Resources Wales colleague and Joint Committee member Morgan Parry. Mr Parry made a significant contribution to nature conservation in both Wales and the UK. A trust fund for environmental education is being created in Mr Parry's memory.
- 1.6 Dr Bridgewater echoed the tribute to Mr Parry who he described as both a friend and advocate for JNCC.

2. Declaration of interests

- 2.1 No interests were declared.

3. Amendments to the minutes of the November 2013 meeting (JNCC14 N02)

3.1 The minutes of the November 2013 meeting were agreed.

4. Matters arising (JNCC14 N01)

4.1 The completion of the action points from the November 2013 meeting was noted by the Committee.

4.2 Judith Webb advised of the Audit and Risk Assurance Committee (ARAC) concerns that following the appointment of a new internal audit provider for the Defra network, JNCC's internal audit costs would increase by 33% in 2014/15.

4.3 The following points were raised in discussion:

- i. the increase in costs would partly be borne by the devolved administrations;
- ii. decisions made in the best interest of the Defra network as a whole may not necessarily benefit JNCC;
- iii. larger organisations may gain more from shared services than smaller organisations.

4.5 Mr Yeo noted that he will report back to Defra on Committee's concerns around the new internal audit arrangements.

4.6 Dr Bridgewater reported on the current vacancies on Committee and gave an update on the progress with recruitment for the new Chair. Committee has had a vacancy for an independent member since December 2012 and there will be an additional independent member vacancy from July 2014.

4.7 The following points were made in discussion:

- i. current methods of recruitment may fail to attract high-calibre candidates;
- ii. advertising of Committee vacancies could be widened to include bodies with a large membership, such as the Society for the Environment.

4.8 Dr Bridgewater advised that resolving Committee membership issues will be a priority task for the new Chair once in office.

4.9 Mr Andrews from Defra Sponsorship, who attended the meeting as an observer, advised that Defra would seek to address the Committee membership issues and put a recruitment plan in place after consultation with the new Chair.

4.10 Dr Bridgewater noted that an update on advancing conservation science thinking on protected areas in the UK would be presented under item 8 on the agenda.

Action point:

Mr Yeo to report concerns on the new internal audit arrangements to Defra.

5. Chief Executive's report on topical issues (JNCC14 D01)

- 5.1 Committee noted the issues raised in the paper.
- 5.2 Mr Archdale queried the length of lease remaining on JNCC's Monkstone House office in Peterborough. Mrs McQueen advised that the lease on Monkstone House is due to expire in March 2015.
- 5.3 Dr Kirkpatrick noted that the 2013/14 performance update had attributed performance difficulties to insufficient staff resources in critical areas. Mr Yeo advised that action was being taken to address the problems. There had been difficulties in attracting suitable candidates for some higher level posts, and high levels of internal staff turnover had also been a factor.
- 5.4 Ms Davies requested that Committee is kept updated on Defra's One Business programme. Mr Yeo advised that Committee will be kept updated on future developments and that issues raised by Committee will be reported to Defra.

Action points:

Mr Yeo to report back to Defra on Committee's concerns around the One Business programme and to regularly update Committee on future developments.

6. JNCC business plan for 2014/15 (JNCC 14 P03)

- 6.1 Mr Yeo explained that the draft plan had undergone an external consultation exercise with Defra, devolved administrations and the country nature conservation bodies. The number of priority performance measures had been reduced to a realistic level in light of increased staff turnover.
- 6.2 The following comments on the business plan were made in discussion:
 - i. the vision for JNCC is expressed more like a mission statement;
 - ii. it is unclear how existing biodiversity surveillance programmes, which rely heavily on volunteer recorders, could be adapted to provide evidence relating to ecosystem services;
 - iii. JNCC's role in horizon scanning and thought leadership needs to be more explicit;
 - iv. the priorities of the devolved administrations are well represented throughout the plan;
 - v. the business plan makes no reference to geological conservation;
 - vi. a stronger JNCC role in co-ordinating UK bids for EU funds would be very welcome;
 - vii. milestones could be added to cover JNCC's work on the review of terrestrial Special Protection Areas and marine Recorder.

- 6.3 In relation to 6.2.i, Mr Yeo explained that JNCC's vision could be revisited as part of a wider review of JNCC's strategy. This was something for the new Chair to consider.
- 6.4 In relation to 6.2.vi, Mr Yeo advised that JNCC no longer undertakes any significant geodiversity work.
- 6.5 In relation to 6.2.ii, Mr Rose explained that data provided by volunteers can be analysed in different ways to provide information on ecosystem services.
- 6.6 Committee welcomed Dr Bridgewater's suggestion for a substantive session at the 100th Joint Committee meeting in September 2014 to discuss strategic issues for the country nature conservation bodies and JNCC.
- 6.7 Committee endorsed the advanced draft of the business plan for 2014/15 subject to the points raised above and approved the delegation of final sign-off to Dr Bridgewater.
- 6.8 Dr Bridgewater advised that he would sign off a revised version of the business plan following consultation with his successor.

Action point:

Dr Bridgewater to sign off a revised version of the business plan.

7. Changes to governance arrangements (JNCC14 D02)

- 7.1 Mrs McQueen presented the paper which sought to address issues raised at the November Committee meeting concerning the Chief Scientists Group, membership of Committee sub-groups, and succession.
- 7.2 The Joint Committee confirmed that the Chief Scientists Group should remain independent of the Joint Committee and noted that the Chief Scientists Group is currently investigating new ways of working.
- 7.3 Judith Webb gave an update on the action proposed by the Audit and Risk Assurance Committee (ARAC) in relation to Joint Committee turnover and succession planning. She asked each country nature conservation body Chair to consider nominating a member for the ARAC to ensure the delivery of JNCC's UK remit, address current ARAC vacancies and ensure that meetings are quorate,
- 7.4 Dr Bridgewater advised that country nature conservation body membership of the ARAC should be revisited at the June Committee meeting.
- 7.5 As an interim measure, Mr Horwood advised that he would be happy to act as reserve for the June ARAC meeting.
- 7.6 In relation to the proposal to reserve membership of Committee sub-groups to non-executives, Professor Matthews suggested that owing to the different remits of the country nature conservation bodies, the specialist expertise necessary

may not be available at the non-executive level. The following points were made in discussion:

- i. members of Committee sub-groups generally need to address issues at a policy/strategic level rather than requiring specialist and technical skills;
- ii. mechanisms are in place to ensure that sub-groups are supported by staff;
- iii. further institutional changes are inevitable for the country nature conservation bodies and any decisions on membership of sub-groups made must be future-proof;
- iv. mixing executive and non-executive membership could cause governance problems.

7.7 Committee agreed that while country conservation body members of Committee sub-groups should normally be non-executives there may be justification for staff to represent country conservation bodies on an exceptional basis, Support company staff were asked to give further consideration to this issue and bring a proposal to the June Committee meeting.

7.8 Dr Bridgewater would suggest to his successor that they hold a 'Chatham House rules'- based meeting of the country nature conservation body Chairs to discuss a range of issues including those raised above.

Action points:

Support company staff to address issues in relationship to membership of the Audit and Risk Assurance Committee for discussion by Committee in June 2014.

Each country nature conservation body Chair to consider nominating a member for the Audit and Risk Assurance Committee.

Support company staff to give further consideration to country nature conservation body staff representation on Committee sub-groups and bring a proposal to the June Committee meeting

8. Advancing conservation science thinking on protected areas in the UK (JNCC14 P02)

8.1 Mr Rose presented the paper that discussed conservation science thinking on protected areas in the UK and had been joint authored by staff from JNCC and the country conservation bodies.

8.2 Prof. Kaiser gave a presentation providing feedback from the Joint Committee working group meeting on 19 March. Key points were:

- the purpose of the paper and its intended audience need to be clarified;
- the paper is a leadership piece rather than a UK-wide strategy;
- it would be helpful to include a historical summary of where we have come from and how we have ended up with the current terrestrial and marine mosaic of sites;

- a greater focus on the similarities and differences among the devolved administrations would be helpful.
- 8.3 Dr Bridgewater advised that a final version of the paper will be presented at the June Committee meeting. The paper should not be prescriptive but act as a think piece to provoke debate.
- 8.4 The following points were made in discussion:
- i. the paper should give greater emphasis to economic and social issues, including the benefits provided by protected areas;
 - ii. better communication is key in delivering messages to stakeholders such as the farming community;
 - iii. protected areas shouldn't be examined in isolation. We should consider their place within the wider environment and how they contribute to the overall state of nature;
 - iv. there are important differences, but also similarities, between marine and terrestrial protected areas; for example, the recent work in designation of marine areas applied a more holistic approach to site selection that was not available during the long history of terrestrial site protection;
 - v. there is potential to undertake further analyses of evidence;
 - vi. as a think piece, the paper could spawn papers on other nature conservation issues.

Action point:

A revised and final paper on advancing conservation thinking on protected areas in the UK to be presented at the June 2014 Committee meeting.

9. JNCC's Overseas Territories and Crown Dependencies Programme (JNCC14 P01)

- 9.1 Mr Rose presented the paper that outlined how JNCC could review its strategic priorities for work in the Overseas Territories and Crown Dependencies and develop a framework for working with NGOs and others.
- 9.2 Dr Bridgewater advised that he and Dr Brown had met with representatives from NGOs in January. From the meeting, it was apparent that there is a huge level of ambition from the NGOs in supporting biodiversity conservation in the Overseas Territories and Crown Dependencies.
- 9.3 The following points were raised in discussion:
- i. JNCC must avoid raising false expectations about what it can achieve within the Overseas Territories and Crown Dependencies given resource constraints;

ii. JNCC should take a facilitation role as other organisations may have greater access to resources to support biodiversity conservation in the Overseas Territories and Crown Dependencies;

iii. JNCC should consider different approaches to meeting our objectives. For example, other Commonwealth member states might be able to provide expertise and advice.

9.4 Committee members have very little exposure to JNCC's work in the Overseas Territories and Crown Dependencies. This could be remedied in various ways, including through induction of new Committee members.

9.5 Committee noted the achievements and developments in relation to the Overseas Territories and Crown Dependencies programme, and agreed to review the strategic priorities for the programme during 2014. To enable more effective collaboration and more effective focus of collective effort by UK-based organisations in the Overseas Territories Committee agreed that JNCC should develop a framework for partnership (option 1 in the paper) in the first instance.

10. Sixth Quinquennial Review of Schedules 5 and 8 of the Wildlife and Countryside Act 1981 (in confidence) (JNCC 14 D04)

10.1 Mr Rose presented the paper that discussed the draft final report of the Sixth Quinquennial Review of Schedules 5 and 8 of the Wildlife and Countryside Act. Mr Rose advised that the report had been discussed by the Chief Scientists Group.

10.2 The following points were made in discussion:

i. links should be made to the recommendations from the Law Commission review of wildlife law;

ii. the Quinquennial Review system is no longer fit for purpose in some respects and the recommendations made in the paper to address this prior to the next review were welcomed. The Chief Scientists Group will reassess the approach taken prior to the next Review.

10.3 Committee delegated final sign-off of the report to Dr Bridgewater, who will seek further views from Committee if significant issues arise, and consult with his successor.

Action points:

Chief Scientists Group to assess the approach taken to Quinquennial Reviews prior to the next Review.

Dr Bridgewater to sign of the final report on the Sixth Quinquennial Review.

11. Report from the MPA sub-group (oral update)

11.1 Dr Brown, Chair of the Joint Committee's Marine Protected Area (MPA) sub-group, gave an oral update to Committee on the work of the group.

- 11.2 Dr Brown advised that work is ongoing around the designation of inshore and offshore MPAs in Scotland, with the sub-group completing an assessment of the proposed departmental brief and set of objectives for one Scottish site. To date, 14,000 responses have been received to the Scottish consultation, the bulk of which have been supportive. Following the consultation, some boundary alterations will be proposed and the sub-group will advise on these.
- 11.3 Dr Brown noted that the sub-group had reviewed the proposed JNCC evidence quality policy and deemed it appropriate for marine work but that greater transparency around how evidence reviewers are appointed should be addressed.
- 11.4 Dr Brown advised that the sub-group had discussed possible future horizon-scanning activity and would be seeking direction from Committee on whether such activity would be desirable.

Action point:

Dr Brown to discuss possible future horizon-scanning with Committee Chair.

12. JNCC's future role in offshore marine waters (in confidence) (JNCC 14 D03)

- 12.1 Mr Yeo presented the paper that discussed JNCC's future role in offshore marine waters. Mr Yeo advised that decisions on JNCC's offshore marine work are of great strategic significance for the organisation.
- 12.2 The following points were made in discussion:
- i. building a high-quality marine evidence base is essential to underpin decision-making and to enable JNCC to advise on strategic nature conservation issues;
 - ii. JNCC must maintain its strategic capability in order to take forward short-term and long-term marine priorities;
 - iii. the current intense phase of activity relating to identification and designation of marine protected areas is coming to an end.
- 12.3 Dr Bridgewater advised that both Committee and the JNCC Support Co should be flexible in their approach to offshore marine work, and be prepared to be agile in the face of anticipated change.

13. Any other business

- 13.1 Dr Bridgewater advised that the Remuneration Committee, which evaluates the performance of JNCC's Chief Executive and signs off the pay remits for JNCC staff, had met the previous day.
- 13.2 Membership of the Remuneration Committee is currently reduced, although still quorate. Dr Bridgewater requested that the Chairs of the country nature conservation bodies nominate a candidate for membership of the Remuneration Committee.

Action point:

Country nature conservation body Chairs to nominate a candidate for membership of the Remuneration Committee.

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