



## Joint Nature Conservation Committee 108th Meeting Minutes Unconfirmed (Non-sensitive)

**Date:** 22 September 2016

**Time:** 08:45

**Venue:** JNCC offices, Monkstone House, city Road, Peterborough, PE1 1JY

### Present

**Dr Bob Brown**

Independent member

**Professor Colin Galbraith**

Independent member

**Professor Chris Gilligan**

Independent Chair

**Dr Madeleine Havard**

Natural Resources Wales

**Dr Joe Horwood**

Natural England

**Ms Diane McCrea**

Natural Resources Wales

**Dr Hilary Kirkpatrick**

Council for Nature Conservation and the Countryside

**Professor Howard Platt**

Council for Nature Conservation and the Countryside

**Dr Susan Walker**

Scottish Natural Heritage

**Mr Guy Duke**

Independent member

### In attendance

**Dr Steve Gibson**

JNCC

**Dr John Goold**

JNCC

**Ms Karen Hall (items 1-6, 8 & 10-17)**

JNCC

**Mr David Stroud (item 12)**

JNCC

**Mrs Tracey Quince**

JNCC

**Mr Paul Rose**

JNCC

**Mr Marcus Yeo**

JNCC

**Mrs Helen Anderson**

Northern Ireland Environment Agency

**Mr Mike Evans**

Natural Resources Wales

**Dr Tim Hill**

Natural England

**Mr Andrew Bachell**

Scottish Natural Heritage

**Professor Jason Weeks (item 14)**

JNCC

**Dr Chris Cheffings (item 13)**

JNCC

**Ms Deborah Procter (item 13)**

JNCC

Mr Tim Dunn (item 13)  
JNCC

Mrs Helen Lillis (item 13)  
JNCC

Miss Lynn Heeley (item 13)  
JNCC

Ms Joanne Day (item 10)  
JNCC

## Apologies

### Members:

Professor Ian Bateman  
Independent member

Professor Michel Kaiser  
Independent member

Mr Ian Ross  
Scottish Natural Heritage

### Attendees:

Mr Colin Armstrong  
DAERA

## 1 Chairman's opening remarks

- 1.1 Professor Gilligan welcomed everyone to the 108<sup>th</sup> meeting of the JNCC, in particular Ms Diane McCrea to her first meeting.
- 1.2 Professor Gilligan informed members that Professor Michael Winter OBE had been appointed to Natural England's Board. A decision on who would replace Professor Hill on the Joint Committee was imminent.
- 1.3 Professor Gilligan informed members that he was actively pursuing extensions for Joint Committee members whose terms were due to come to an end. Professor Gilligan emphasised the need for the Committee to be up to full strength in terms of membership going forward.
- 1.4 Professor Gilligan informed members of his attendance at a recent JNCC Natural Capital Technical Workshop. The workshop had been well structured and a report of the discussion had already been circulated. Professor Gilligan expressed his thanks to Dr James Williams and colleagues who had organised the event and for the timely production of the report.

## 2 Declaration of interests

- 2.1 No declarations were made.

## 3 Minutes of the June 2016 meeting (official-sensitive) (JNCC 16 23)

## 4 Matters arising (JNCC 16 24)

- 4.1 There were three matters arising. An update on actions from previous meetings was provided in Annex 1.

- 4.2 Item 2 (staff exit forms). The information provided from exit forms was useful, but with a less than 50% completion rate, the Committee felt the feedback may not be representative. The Committee expressed their concern over the high staff turnover rate and asked management to consider ways of encouraging staff leavers to complete an exit form, emphasising the confidential nature of the information. Line managers should also be approached where this was pertinent.

Action point(s)
AP01 Mrs McQueen to consider the action required to encourage staff leavers to complete exit forms.

## 5 Chief Executive's report on topical issues (Official-Sensitive) (JNCC 16 25)

### 6 Report from ARAC

- 6.1 Professor Galbraith, ARAC Chair, gave a presentation on key issues discussed at the ARAC meeting the previous day. He informed members that following the last meeting in June, which was not quorate because of illness, a list of items requiring a decision had been circulated to members and approval had been received.
- 6.2 The September meeting had focused on:
- i. internal audit, including the mid-year assurance report and audit scopes for 2016/17;
  - ii. risk, including an update on management action to mitigate the significant risks for 2016/17 and new emerging risks;
  - iii. the results of the ARAC effectiveness survey;
  - iv. the performance of the external auditors; and
  - v. compliance reporting, in particular the results of a recent staff stress survey.
- 6.3 Committee was informed that:
- i. the internal audits for 2016/17 were planned and the scopes had been agreed;
  - ii. whistleblowing and cyber security had recently been added to HM Treasury's Audit Committee Handbook and were key issues for ARACs to consider;
  - iii. from 1 September external members of ARAC became paid appointments at 0.5 days per month. This would give ARAC stability for the next two years;
  - iv. JNCC's business-critical dependency on the CITES Unicorn system was now being discussed at APHA's ARAC and would be pursued through the Chairs of both Committees and through CEO engagement;
  - v. ARAC had agreed to include their own assurance statement in the Annual Report and Accounts for 2016/17 to meet Treasury requirements;
  - vi. ARAC had agreed to add a risk around the UK's vote to leave the EU to the significant risks register;

- vii. a recent effectiveness survey had found that ARAC was an effective committee. An action to create a new induction pack for members was agreed;
- viii. the response rate to the staff stress survey had been relatively low at 59%. ARAC noted the actions the Executive Management Board were taking to respond to the results of the survey;
- ix. ARAC noted an increase in fruitless payments for Quarter 1 and asked for care to be exercised to avoid such costs in the future;
- x. the annual declaration was made by the ARAC Chair to the National Audit Office to confirm that JNCC had complied with all relevant legislation; and
- xi. the performance of external audit (National Audit Office) had been good, with some improvements in communication lines noted for next year. A new NAO team had been assigned the JNCC contract.

6.4 The Committee noted the report from ARAC and the inevitability of fruitless payments from time to time, for example when meetings have to be rescheduled at short notice. The Committee noted Professor Gilligan's attendance at ARAC meetings as an observer and the reassurance this gave to ARAC in terms of providing a link through to the Joint Committee. The Committee asked that 'selection of peer reviewers' be added to the scope of the evidence quality assurance audit to take place in 2017/18.

## **7 Government review of JNCC (Official-Sensitive) (JNCC 16 26)**

## **8 Delivering offshore wind energy casework in Scotland (Official-Sensitive) (JNCC 16 27)**

## **9 Revised draft JNCC strategy (Official-Sensitive) (JNCC 16 28)**

## **10 Performance report for quarter 1 2016/17 (JNCC 16 29)**

10.1 Mr Yeo presented the paper which provided a summary performance report for the first quarter of 2016/17. Mr Yeo informed members that performance at the end of quarter 1 was generally satisfactory. Problems were being experienced in some areas, notably because of the additional demands associated with the JNCC Review and external circumstances. Impacts were being minimised by ongoing dialogue with partners and customers and re-prioritising and re-planning where necessary. Mr Yeo informed the Committee that the performance information for Quarter 1 was in a new format, taking on board comments made previously by members on the use of a dashboard approach. Feedback from the Committee and government sponsors will be used to fine-tune future reports.

10.2 The Committee made the following comments in discussion on the performance information:

- i. the summary pie charts on page 2 could usefully contain links to the detail elsewhere in the report to avoid members searching through the document to find explanations of the amber and red ratings;
- ii. success measures that are currently rated green but are forecast to be red at the end of the year require a clear narrative to explain the situation;
- iii. not all success measures are measurable; and

- iv. marine monitoring work has been experiencing problems for some time and could affect JNCC's credibility.

10.3 The Committee highlighted its ownership of the significant risks and Professor Galbraith took members through the risks in the significant risks register, emphasising any comments from ARAC the previous day. He noted that a risk around the UK's decision to leave the EU will be added to the significant risks register, following discussion at ARAC the previous day. The Committee made the following comments in discussion on the significant risks register:

- i. Committee was concerned about the risk of poor staff engagement and morale and asked Mr Yeo to keep this under close review;
- ii. additional clarity might be gained through an inherent risk score for each risk; and
- iii. risks relating to the JNCC Review should disappear quickly after publication of the report.

10.4 The Committee were supportive of the new report format, taking into account comments made in 10.2 above. Professor Gilligan congratulated Ms Day and the team for their work in putting the new report format together.

Action point(s)
AP07 Mr Yeo to consider the addition of an inherent risk score for each of the significant risks.

## **11 Advice on harbour porpoise SACs following public consultation (Official-Sensitive) (JNCC 16 30)**

## **12 The third review of the UK SPA network: conclusions and recommendations to governments (Official-Sensitive) (JNCC 16 31)**

## **13 Open Data (Official-Sensitive)**

## **14 Summary of progress with income generation (Official-Sensitive) (JNCC 16 32)**

## **15 Report from the MPA sub-group (Oral)**

15.1 Dr Brown reported on the meeting of the MPA subgroup on 16 September which was held via teleconference.

15.2 Harbour Porpoise: The subgroup considered, and recommended endorsement to the Joint Committee, of the post-consultation report and the five site selection documents. It was noted that there were slight adjustments to the proposed boundaries of some sites; this was due to realignment on a different map projection, and did not affect the outcome. It was reported that the Welsh

Government had now signed off the sites in respect of their responsibilities, thus completing the English, Northern Irish, and Welsh suite of sites.

- 15.3 Marine MPA sufficiency: The June meeting of the Joint Committee had asked the subgroup to consider further the methodology of this assessment, and the subgroup considered a further iteration of this, noting that it was not the final outcome. Their view was that the methodology was robust, provided that the statistical analysis was backed up by a 'sense check' by expert opinion on the requirements of the different species. The subgroup would continue to engage with the work as the analysis progressed.
- 15.4 Welsh MPA network: the subgroup considered a paper assessing the biogeographical spread of MPAs, particularly in Welsh offshore waters, which concluded that the network was mostly complete but there was a shortfall in designations for sedimentary habitats in offshore waters. The subgroup commended the clarity of this document, and also noted that the work did not apply to sites for mobile species like cetaceans and seabirds although they recognised that often there were strong links between species aggregations and benthic habitats.
- 15.5 Offshore SPA progress: the subgroup considered a progress report, currently also under discussion within Natural Resources Wales. They also briefly considered adjustments to the inshore boundary of the Outer Thames SPA, and recommended to the Joint Committee that this be delegated to staff since there was no impact on JNCC's offshore responsibilities.
- 15.6 MCZ progress update: Dr Brown reported that a workshop on the third and final tranche of MCZs would be held in November, and thereafter would come to the subgroup at their next meeting on 30 November. Some additional sites would be included in the list to address shortfalls.

## **16 Provisional Joint Committee agenda for December 2016 (JNCC 16 33)**

- 16.1 Mr Yeo presented the paper which provided the draft agenda for the December meeting. Members noted the agenda and the preparation for a full forward programme. Professor Gilligan asked that communication be added to the forward programme.

## **17 Any other business**

- 17.1 Two items were discussed. These were:
- i. Committee appointments – identifying the skills required at an early stage would help inform future appointments processes; and
  - ii. additional thoughts on the Open Data item should be emailed to Dr Gibson.