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JOINT NATURE CONSERVATION COMMITTEE

CONFIRMED MINUTES OF THE FIFTY-FIFTH MEETING OF THE JOINT NATURE CONSERVATION COMMITTEE, HELD ON 20 JUNE 2002 AT THE CASTLE HOTEL, TAUNTON, SOMERSET.

Present:

Sir Angus Stirling
Sir M Doughty
Dr Faulkner
Professor Heal
Mr Lloyd-Jones
Dr Markland
Dr Moser
Professor Pentreath
Dr Blakiston Houston
Professor Warren

In attendance:

Mr Arnold Forster
Miss Bigger (Secretary)
Dr Duff
Dr Galbraith
Dr Jardine
Mr Little
Dr Mortimer
Mr Steer
Mr Tasker
Mr Thomas
Dr Vincent
Mr Yeo

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1. **Chairman's Opening Remarks**

- 1.1 Apologies were received from Mr Scott and Professor Ingram.
- 1.2 Dr Blakiston Houston, new Chairman of the Council for Nature Conservation and the Countryside (Northern Ireland) and Mr Jardine, who replaces Mr Crofts as Chief Executive of Scottish Natural Heritage were welcomed to Committee. Chairman welcomed back to Committee Mr Arnold Forster, Chief Executive of English Nature.
- 1.3 Chairman advised that Lissie Wright, Head of Planning and Resources in the Support Unit, and a long standing member of JNCC's staff, had tendered her resignation after a period of illness. Chairman advised that he would write to Mrs Wright on behalf of Committee to thank her for her tremendous contribution to the work of JNCC.
- 1.4 Chairman noted that he wished to express condolences on behalf of Committee for James Green who died unexpectedly in May 2002. James was a key member of the Lead Agency (SNH) carrying out soils work on behalf of JNCC.
- 1.5 Dr Markland reminded Committee that it was the last meeting for Sir Angus Stirling, who steps down as Chairman at the end of June. In a tribute to the contribution made by Sir Angus to the work of the Joint Committee during his tenure as Chairman, Dr Markland stressed the leadership qualities shown by Sir Angus, his ability to forge consensus amongst Committee, and the wisdom and encouragement he had provided both to the Committee and to the Support Unit. This commitment to JNCC's staff had been especially important during a period of change when devolution had been an important factor, and when the JNCC had been subject to review. Dr Markland highlighted the Chairman's work on the new strategy, which is important in terms of JNCC's image and reputation, the efforts achieved on Natura 2000

compared to counterparts in Europe and the opening of a JNCC office in Brussels. Finally, Dr Markland commented that Sir Angus had been a friend to all members of Committee who wished him very well and hoped that friendships would remain. On behalf of the Committee, Dr Markland presented Chairman with a framed print and a book.

- 1.6 Chairman thanked Committee warmly for the kind gifts and reciprocated the words of friendship.

2. **Amendments to the minutes (JNCC 02 P09)**

- 2.1 The minutes of the previous meeting were agreed subject to the amendments listed.

3. **Matters arising (JNCC 02 P08)**

- 3.1 A short paper was presented on matters arising from the March meeting. This provided an update on the submission of the Fourth Quinquennial Review of Schedules 5 and 8 and the Marine Natura 2000 discussion.
- 3.2 Dr Vincent gave an additional, verbal, update on the Fourth Quinquennial Review, advising that although the paper from the working group had been approved at the last Committee meeting in March, a submission to government had not yet been made. An incident in Scotland relating to collection of Burnet moths, which indicated possible commercial exploitation, had delayed submission. The police are investigating the matter and it was not yet clear whether there would be implications for the Quinquennial Review submission. Following the police investigation, the Review working group hopes to form a conclusion in July 2002. Committee agreed that if there is to be a change to the submission agreed in the March 2002 meeting, consultation could be conducted by post with Committee members. If no change is required, the submission can be sent straight to Ministers.
- 3.3 Dr Vincent advised that the contract report relating to Offshore Natura 2000 work had been submitted and published. Feedback from an international meeting held that week, in relation to the report, had been positive. Dr Vincent thanked, in particular, Charlotte Johnston and Caroline Turnbull for the work carried out on the report.
- 3.4 Committee noted the paper and the comments made by Dr Vincent.

4. **Water Framework Directive (JNCC 02 D06)**

- 4.1 Following a workshop held the previous day, the Committee considered further the future involvement of JNCC and the country agencies in the implementation of the Water Framework Directive. A summary of this discussion is provided at Annex A to the Committee minutes.

5. Strategy development: engagement with Government (JNCC 02 D04)

- 5.1 Chairman advised Committee that he would be meeting with the Minister, Mr Meacher, and hoped that the discussion at Committee would help formulate key points to take forward to this meeting. The intention in discussing this paper was not to re-examine work already completed on the strategy but to focus on progress made and facilitate further refinement of the strategic direction.
- 5.2 Mr Yeo introduced the paper, which described the process and timetable for engaging with Government following the work that has already been completed on the strategy. Key issues arising from the Stage 2 FMPR report and Public Service Agreement targets have been identified to inform discussion with Government – these were included in annexes to the paper.
- 5.3 The paper listed a number of major issues, which require discussion with Government and section 3 of the paper provided a summary of the process and timetable for engagement, with the objective of producing a final paper in December 2002. The aim at this stage in the development of the strategy is to sharpen the statement of strategic direction already produced by the Committee to clarify priorities and add value. A clearer statement of JNCC's objectives should highlight the benefits and outcome for nature conservation and will assist discussion with partners.
- 5.4 In discussion the following points were raised:
 - i. In relation to the JNCC's relationship with the devolved administrations, it is important that the relevant country agency takes an appropriate part in discussion and liaison between the two bodies to facilitate understanding in the devolved administrations of JNCC's role.
 - ii. With regard to sustainable development, it is important to recognise that the JNCC and the country agencies both have a part to play in advising government on the environmental aspects. Sustainable development is an international issue and as such JNCC is well placed to contribute to an overview. Therefore, there is a need to acknowledge the impact of interaction between nature conservation and other activities in this context.

- iii. It was noted that there is, at times, a difference of view between government and the country agencies about the priorities of the JNCC. There is a need to clearly identify what work is completed uniquely by the JNCC (such as the offshore environment) and consider where the JNCC can add value to work being done by other agencies. It was recognised that Government may have a somewhat historical view of JNCC's role and that it would be important to highlight that JNCC not only advises on science and technology issues but considers social, economic and legal implications too.
- iv. Although it is frustrating that the strategy has not yet been completed, progress has been made and DEFRA have offered to lead discussions within the department to identify priorities. This should lead to a better understanding of government requirements and provide clarity on priorities between the different areas of DEFRA.
- v. It was noted that the upcoming appointment of a new Chairman would provide a good opportunity to launch the new strategy. During his introductory visits to key stakeholders (i.e. devolved administrations, country agencies and DEFRA, the new Chairman would be able to champion JNCC's aims and objectives. The present Chairman advised that he would make himself available where possible to brief the new Chairman on work completed on the strategy to date.

5.5 Committee endorsed the timetable outlined in the paper and agreed that once Government views have been obtained, the strategy should be finalised through further discussions with the country agencies, independent Committee members and other stakeholders.

6. The role of Independent Members of the Joint Committee (JNCC 02 P12)

- 6.1 Chairman preceded discussion by advising Committee that the climate within which the Committee works has moved on from some time ago when independent members used to feel a sense of frustration, often finding it difficult to have a clear voice in the work of the Committee. The idea of examining the role of independent members is not to create an inner cabinet around the Chairman, but to encourage new thinking and to consider how the independents can add value to Committee through their experience and contacts with various agencies and groups.

- 6.2 Mr Yeo introduced the paper, which noted that the independent members of Committee have an important role to play that needs to be clearly defined. The context within which Committee works is continually changing, and the influence of global and international factors are becoming ever more prominent. The Stage 2 report of JNCC's Quinquennial Review contained several recommendations relating to independent members and it is timely to consider their role in Committee. The paper proposes a number of recommendations to enhance the role of independent Committee members and make best use of their expertise.
- 6.3 In discussion, the following points were raised:
- i. There had been considerable, positive change over the past 6 years in relation to the role of independent members within Committee and this was due, in large part, to the work of the Chairman. It is important now to look ahead to the next 10 years in order to consider what expertise Committee would require from independent members in the future. Independent members should offer a sounding board and enable 'thinking outside of the box'.

- ii. An important role of the independent members is to provide the ability to look at the 'bigger picture', considering other elements and providing a more holistic view. Essentially, independent members should look to ensure and assure. At present, much of the work within JNCC is activity driven and the independents should be able to take a step back and consider the aims of the work.
- iii. Committee agreed that relationships within Committee had improved considerably and it was noted that the independent members provided invaluable expertise. For certain issues, such as land use policy, it was especially advantageous to have an independent view. It is important to note that, at Committee, independent members should be considered part of the corporate team, and as such not set aside from the rest of the Committee. Indeed, the suggestion that independent members may approach government officials was treated with some caution. Chairman reassured Committee that it would not be sensible for any Committee member to approach Government on JNCC business without the Chairman's knowledge, as this could unravel the consensual approach that has been formed.
- iv. Mr Steer thanked the independent members for their support and encouragement of the Support Unit and recognised that the Support Unit's view of Committee had improved as a result of this. Chairman acknowledged that the new Chairman would need to take this area forward and shape the role of the independents.

6.4 **Committee noted the recommendations made in the paper to enhance the role of the independent members and agreed that the actions proposed should be taken to achieve this, subject to the points raised above.**

7. **FMPR – progress report (JNCC 02 P11)**

7.1 Mr Little introduced the paper, advising that some developments had occurred since the paper was written. A project group has been set up with representation from key areas of the Support Unit and work is continuing to plan FMPR implementation. A list of the key benefits arising from a change in the organisational framework was annexed to the paper along with the advantages and disadvantages of the two options being considered. Following a note regarding the legal advice received thus far from DEFRA, the Support Unit had responded with some questions. Mr Little recognised the importance of considering the work on strategy development and the role of the independent members in the context of FMPR planning. Significant work has been done to separate the work completed by the JNCC on behalf of the country agencies and that done for government, but further analysis of this separation is required. The next meeting of the FMPR Steering Group is scheduled for 25 July 2002.

- 7.2 Mr Steer updated Committee on a number of additional points. Since JNCC had been informed by DEFRA that no money would be available to fund FMPR implementation the Chairman had written a letter to the Department expressing his disappointment. A response had now been received from DEFRA advising that the application for additional funds will be reconsidered later in the year. However, in light of the need to continue planning implementation, the Support Unit had realigned budgets. Rather than lose one large project, programmes of work had been reduced across the board with the aim of maintaining priorities as planned. Implementation of the FMPR recommendations has been slower than anticipated and, as such the original request for funds would be revised.
- 7.3 Mr Steer and the Chairman had met with the Northern Ireland Permanent Secretary and explored a number of issues, allaying fears about the FMPR process. It was agreed that DEFRA would write formally to the Environment and Heritage Service (EHS) in Northern Ireland about the involvement they would like in the JNCC.
- 7.4 Although a legal response regarding the organisational frameworks proposed has been received from DEFRA's lawyers, some questions still exist and a meeting has therefore been requested to consider this further. It is important that the legal position is clear from the start to prevent problems occurring later during implementation.
- 7.5 An introductory teleconference had been held with the Resource Directors of the country agencies as it was recognised that they would be key components in helping with the transfer of staff to a single set of terms and conditions. Review of the actions taken at the time of the disbandment of the Nature Conservancy Council were being used as a reference. A further meeting with the Resource Directors is planned for August 2002.
- 7.6 In discussion, the following points were raised:
- i. Scottish Natural Heritage commended the Chairman's letter to DEFRA and recognised that the staff in the Support Unit had been very tolerant of the time it is taking to secure a decision. There is a need to ensure that control of the FMPR process is maintained by JNCC and it was suggested that it may be more beneficial for Mr Steer, the country agency Chief Executives and Northern Ireland representatives to take the process forward in place of the Steering Group. If not, it would be imperative that significant progress is made at the next Steering Group meeting. It was suggested that the Chief Executives could ask for a meeting with the Minister but Chairman advised that he would discuss FMPR implementation during his meeting with the Minister on behalf of the JNCC.

- ii. Preliminary consideration of the advantages and disadvantages of the two organisational models had been carried out. It was important to maintain momentum and progress, and the Company Limited by Guarantee model (CLG) would be easier to achieve than the public sector model, which was likely to require some change in legislation. However, it is also important to ensure all legal advice regarding the two options had been sought and examined before a decision is made on the preferred option. Indeed, the advantages and disadvantages of each model did not carry equal weight, and each should be considered very carefully.

7.7 Committee noted the paper and agreed that further discussion about the two models is warranted, subject to the points raised above.

8. Darwin Mounds proposed Special Area of Conservation (JNCC 02 P10)

- 8.1 Dr Vincent introduced the paper which outlined that, in its work on Offshore Natura 2000 sites, the JNCC had identified the Darwin Mounds as the best example of a cold water coral biogenic reef known in UK waters, and that, because it was under imminent and current threat it was appropriate for the Committee to consider its advice on this site in advance of its main advice in relation to the Offshore Natura site series. Designation of marine Special Areas of Conservation (SACs) is a key part of the implementation of the Habitats and Birds Directive and is a legal obligation. In order for the European Commission to take measures for the appropriate regulation of fisheries to protect such areas in offshore waters, a member state has first to submit the proposed SAC to the Commission. In this case, the Government have asked the JNCC to assess the Darwin Mounds against the criteria selecting sites as SACs and to advise whether it should be submitted to the European Commission as a candidate SAC.
- 8.2 The paper summarised the incidence of cold water coral reefs in UK and adjacent waters and the importance of the Darwin Mounds as an example of a cold water coral reef. Evidence of damage to the site was noted in the paper. The Darwin Mounds had been considered against the criteria for selecting SACs set out in Annex 3 of the Habitats Directive and the site selection principles for habitat SACs adopted by the Committee and published in JNCC Report 270. The paper concluded that the Darwin Mounds be recommended to Ministers for submission to the European Commission as a candidate SAC.
- 8.3 In discussion, the following points were raised:
 - i. In the light of the threat to the site, Committee considered it would be appropriate to advise on the Darwin Mounds using the above selection criteria and selection principles for habitat SACs, in advance of its consideration of offshore SACs as a whole.

- ii. While, Committee had not, in the past, provided advice on site boundaries of SACs, it may need to provide such advice for offshore sites, notwithstanding that the responsibility for site designation and boundary definition rested ultimately with Government, since for inshore sites such advice had been provided by individual country agencies. Guidelines on such boundary definition would need to be prepared and considered by the Committee.

8.4 **Committee confirmed that the Darwin Mounds should be submitted to Government as a recommended SAC site. Committee recognised that while the criteria set out in Annex 3 of the Habitats Directive, and site selection principles relating to habitat SACs adopted by the Committee and published in JNCC Report No 270, had been applied, the precise boundary of the SAC area on the Darwin Mounds would require further consideration and decision by Government.**

9. **National bird population estimates: approval procedures for statutory purposes (JNCC 02 P13)**

- 9.1 Dr Vincent introduced this paper which proposed a process for determining national bird population figures and 1% site selection thresholds, as no inter-agency process for maintaining such statistics currently exists. Recommendations regarding the adoption of common standards relating to the audit of data sources used to derive national population estimates, as well as adopting a standard convention regarding the rounding of estimates and production of thresholds, were included in the paper. The paper recommended that the population estimates and 1% threshold be revised on a three-year cycle.
- 9.2 Current processes deem that the most recent survey of the national population figure for species is normally adopted for the purpose of setting 1% threshold levels, but no official figures exist. This has led to difficulties and confusion and a process is therefore required to assist JNCC in working with the agencies using a common method.
- 9.3 Since the paper was written, DEFRA have responded, with regard to the implications for designation of Special Protection Areas (SPAs), raising the legal implications of delaying action on site selection if this was to be a consequence of applying the three-year revision cycle. However, Dr Vincent assured Committee that the process proposed in the paper was for the purpose of maintaining authoritative statistics; if there were evidence to indicate that a given site merited classification as an SPA, such classification would not be delayed as a result of this process.

9.4 In discussion, the following points were raised:

- i. Committee supported the paper wholeheartedly, noting that discussions regarding the topic had taken place among the Chief Scientists. It was acknowledged that, internationally, the UK is recognised as having excellent data on birds and this has facilitated site selection. However, it was recognised that bird populations do not always provide the best indicator of sites and habitats and there is, therefore, a need to look at additional data when considering site selection.
- ii. Transparency regarding sources of data is vital with the increased threat of legal challenges in casework, and this paper proposes a process that will make data sources more available.

9.5 **Committee endorsed the suggestions outlined in the paper, with the reserve to update selected statistics more frequently if this were required to meet legal obligations for site selection. Full implementation of the recommendations was agreed as an important step in formulating common standards.**

10. **End of Year Performance Monitoring report for 2001 – 2002 (JNCC 02 N07)**

10.1 This paper provided a summary of JNCC's performance during 2001/02, commenting on the work plan, and in particular performance against key and corporate targets, the achievement of a full spend in resources and success in reducing turnover by 5% to 11%.

10.2 **Committee noted the paper.**

11. **Update on the Regional Seas Pilot Project (JNCC 02 N05)**

11.1 This paper related to the nature of the marine nature conservation strategy proposed by the Review of Marine Nature Conservation Working Group. This Group was set up by Government, who intend to trial a proposed marine nature conservation framework on one of the Regional Seas, namely the Irish Sea. Both the JNCC and the country agencies have been participating fully in the review.

11.2 The paper explained the nature of the trial on the Irish Sea and that the project would be managed by JNCC under a Service Level Agreement funded by DEFRA. The work will be carried out in close collaboration with the country agencies.

11.3 **Committee noted the paper.**

12. **Grey Squirrel immunocontraception project – progress report and recommendations (JNCC 02 N06) *In confidence***

12.1 The minute of this item is contained in a confidential addendum to the minutes.

12.2 **Committee noted the paper.**

13. **Completion of the UK list of Special Areas of Conservation: 2nd Atlantic Biogeographical Region Seminar (JNCC 0 N08) – *tabled***

13.1 Mr Yeo introduced this paper which updated Committee on the 2nd Atlantic Biogeographical Region seminar held in Den Haag, the Netherlands between 5 and 7 June 2002. It has taken nearly 10 years to formulate the UK SAC list as it currently stands, comprising 584 sites. From a UK perspective, the meeting found that 17 habitats and species were still ‘insufficient’, each of which could most likely be addressed by adding a single site, and a ‘scientific reserve’ was placed against a further 17. These were to be addressed within the next 9 months.

13.2 In discussion, the following points were raised:

- i. Committee welcomed the outcome of the meeting, which meant that there would not be a need for a new round of designations. It was recognised that there was a clear message from all countries that there is a need to foreclose on the designation process. It would be necessary to consider funding streams to support this.
- ii. The Countryside Council for Wales noted that their sponsorship division had been very heartened by the meeting.

13.3 **Committee noted the paper.**

14. **Any other business**

14.1 The Countryside Council for Wales asked about progress with regard to producing selection criteria for marine SPA selection. After brief discussion it was agreed that a further meeting would be arranged outside of Committee to look at the issue.

- 14.2 With regard to the new Chairmanship, Chairman advised that DEFRA had started the appointment process slightly later than anticipated but that Saxton Banfire had been appointed as head-hunters, with an advertisement for the appointment appearing in the press about a month ago. Sifting of applications was expected to take place at the end of June 2002, with a shortlist being drawn up mid July for appointment at the end of July 2002. However, Chairman reminded Committee that the appointment would need to be approved by the devolved administrations and there may therefore be a period when Committee is without a Chairman. In light of this, Chairman suggested that it would be appropriate to ask the longest serving independent Committee member, Professor Heal, to be Chairman until the new appointment is officially approved, which may be after the September 2002 Committee meeting.
- 14.3 **Committee fully supported this proposal and authorised Professor Heal to act as Chairman until a successor was appointed and suggested that it would be in order to approach DEFRA to ask that Professor Heal be remunerated in the appropriate manner.** Chairman concluded by noting that he would make himself available to help the new Chairman where possible.

ANNEX A

IMPLEMENTATION OF THE WATER FRAMEWORK DIRECTIVE: KEY ISSUES FOR THE UK CONSERVATION AGENCIES

Notes from Joint Nature Conservation Committee meeting 20 June 2002

1. Background

- 1.1 This paper provides a summary of the Joint Committee's discussion during the strategy session on the Water Framework Directive held on 20 June 2002.
- 1.2 A workshop had been held with the Joint Committee the day before in which three working groups each discussed a different key issue on which policy needed to be clarified prior to the Directive being transposed into UK law (see below).
- 1.3 At the meeting, the Committee was asked to discuss in more detail these three issues and also other issues summarised in sections 3 to 6 of the strategy paper (JNCC 02 D06). Where applicable, key points identified by the working groups the previous day are included in this summary.

2. Implications for the conservation of designated sites, including SSSIs/ASSIs

2.1 *Key points raised by the working group*

- i. Devolution may result in divergence in implementation of the Directive across the UK. For example, if Regulations made under the European Communities Act are used to transpose the Directive into UK law in England and Wales, the scope for extending the legislation beyond the explicit requirements of the Directive may be limited. If primary legislation is used, for example in Scotland, this constraint would not apply.
- ii. We need to think about the potential advantages and disadvantages of listing water-dependent SSSIs/ASSIs, or water-dependent parts of these sites, on the Protected Areas Register while not including sites which are not dependent on water. Our advice should be informed by this analysis.
- iii. Similarly we should consider the relative advantages and disadvantages of linking SSSIs/ASSIs to the Directive's timetable, and how this relates to government commitments for these sites.
- iv. It is important that the Directive takes an ecosystem-based approach. Considerations in relation to SSSIs/ASSIs should have regard to the need to ensure that future land and water management is carried out in a manner capable of sustaining the sites in the long term.

2.2 *Issues raised during strategy session*

- i. The JNCC should work with the country agencies and other EU member states to ensure consistency over the inclusion of nationally-designated sites on the Register.
- ii. Several issues need to be considered before determining whether SSSIs/ASSIs are included on the Register, e.g.:
 - a. If nationally-designated sites were included on the Register what would be the advantages for nature conservation, e.g. would it lead to an improvement in their condition, and if they were excluded would opportunities be lost?
 - b. What impact would the inclusion of the nationally-designated sites have on the country agencies' resources (an increase or dilution)?
- iii. It is important that care be taken with the implementation of the Directive to ensure it is flexible enough to meet conservation demands and does not increase bureaucracy or exacerbate existing problems. Adopting an ecosystem approach would help counter these issues. Such an approach would also enable better adaptation to change from external drivers (e.g. climate change).
- iv. Monitoring programmes should take into account that although the chemical and physical environment can quickly respond to change, ecosystems may take years or decades. Therefore monitoring results should be assessed against projected expectations relevant to individual sites.
- v. The JNCC's considerable experience in data handling and acquisition should be used to assess data needs and possible costs. The JNCC could play an important role in ensuring consistency and assurance of data quality.

3. **The scope of River Basin Management Plans**

3.1 *Key points raised by the working group*

- i. It is important the implementation does not lose sight of the Directive's aims, i.e. achievement of good ecological status.
- ii. River Basin Management Plans should operate at the macro scale – providing a statutory framework with links to other non-statutory local initiatives.
- iii. It is important to establish links between River Basin Management Plans and other programmes such as the UK BAP and the Habitats Directive.

- iv. The Environment Agency should work to establish links between the Directive and the Town and Country Planning System.
- v. The coastal waters limit should be restricted to one nautical mile unless there would be clear nature conservation benefits in extending it further. (The recently published Scottish Bill extends the limit to three nautical miles.)

3.2 *Issues raised during strategy session*

- i. For the River Basin Management Plans to enhance nature conservation the country agencies need to assess what issues can be addressed through the Plans, and what issues would be better addressed through other mechanisms.
- ii. Under River Basin Management Plans, integrated catchment management plans could have a key role to play in the delivery of environmental gains. However these will need to be adequately financed and given sufficient weight against other plans and programmes if they are to deliver environmental benefits.
- iii. The site visit the day before had shown that working in partnership with local groups and stakeholders had played an important role in the development of an integrated catchment management plan for the River Parrett. There was concern that local initiatives might be undermined by the River Basin Management Plans, leading to a loss of trust between the parties involved. It was noted that flexibility in the development of the Plans would need to take into account local conditions, and in particular seek constructive ways of developing local partnerships which reflect these differences.

4. **Monitoring**

4.1 *Key points raised by the working group*

- i. Clarity of monitoring purpose needs to be established.
- ii. Monitoring must be flexible to meet conditions on the ground.
- iii. A unified monitoring framework is required across the UK, and not just for the Water Framework Directive. The country agencies should contribute to the development of this.
- iv. A system for data sharing is essential and needs to be supported through guidance on standardisation.
- v. The country agencies could learn from monitoring already undertaken by the environment agencies.

4.2 *Issues raised during strategy session*

- i. The JNCC has an important role to play in the monitoring associated with the implementation of the Directive. In particular, the use of Common Standards Monitoring, and the lessons learnt from the development of this, are directly relevant.
- ii. SEPA's recent consultation document on the technical annexes of the Water Framework Directive outlines a monitoring strategy for the Scottish water environment. This proposes a series of partnership agreements between bodies such as SEPA, SNH and Scottish Water.
- iii. It was noted that monitoring information should only be collected once and used many times. To do this effectively and efficiently requires clear thinking on information needs and how the information can be used (in many ways for different purposes). The country agencies need to consider what data they already possess and to develop links with others to identify what information they hold. Given that much information has been collected, a more innovative approach to its use needs to be developed.
- iv. Monitoring and surveillance information should be used to assess expected threats and to show where damage and degradation are occurring.

5. **Definition of water bodies**

(This issue was not discussed at the workshop.)

5.1 *Issues raised during strategy session*

- i. The Directive suggests that the minimum size of water bodies should be 50 hectares. However, it is expected that member states will take a pragmatic approach to suit their individual requirements and where applicable water bodies less than 50 hectares will be designated. The country agencies should work with the environment agencies to establish what size of water body designation would achieve the greatest environmental benefits.

6. **A statutory role for conservation agencies in implementing the Directive**

(This issue was not discussed at the workshop.)

6.1 *Issues raised during strategy session*

- i. The country agencies and JNCC need to establish what their statutory roles should be for the implementation of the Directive. It was suggested that the concept of competent and relevant authorities as developed under the Habitats Regulations might be an appropriate solution. It is expected there will be differences in each country as to the agencies' implementation roles and functions. Developing a standardised approach to implementation in the UK will need to take account of these differences.
- ii. English Nature will seek to be an equal partner with the Environment Agency on particular issues, for example the classification of waterbodies. Early involvement will reduce English Nature's need to provide advice on the classification of every waterbody later.
- iii. It was suggested that a director-level inter-agency group should be established. The group would ensure co-ordination between the country agencies and liaison with the environment agencies and other relevant organisations at an appropriate level. It was suggested the Policy Directors be approached initially to assess if they would pick up this area of work.