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**JOINT NATURE CONSERVATION COMMITTEE**

**CONFIRMED MINUTES OF THE SIXTIETH MEETING OF THE JOINT NATURE CONSERVATION COMMITTEE, HELD ON THURSDAY 18 SEPTEMBER 2003 AT MONKSTONE HOUSE, PETERBOROUGH, PE1 1JY**

**Present:**

Mrs Bryan (Chair)  
Dr Blakiston-Houston  
Professor Dodgshon  
Sir Martin Doughty  
Professor Doyle  
Sir Ewen Cameron  
Dr Faulkner  
Professor Ingram  
Dr Markland  
Dr Moser  
Professor Pentreath  
Mr Scott

**In attendance:**

Dr Baker (items 12 and 16)  
Miss Bigger (secretariat)  
Dr Brown  
Professor Galbraith  
Dr Gibson (item 9)  
Dr Johnson (item 10)  
Mr Jones (item 11)  
Mr Little (item 8)  
Dr McLean (items 12, 16 and 17)  
Mrs McQueen (item 5)  
Mr Steer  
Mr Thomas  
Mr Riddleston  
Dr Vincent  
Mr Yeo

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**1. Chairman’s opening remarks**

- 1.1 Chairman welcomed Mr Riddleston, a CCW council member who was a member of the Committee strategy sub-group.
- 1.2 Apologies were received from Mr Lloyd-Jones and Dr Jardine.
- 1.3 Chairman noted that the agenda was rather long and asked members and attendees to keep their remarks concise wherever possible. Chairman also noted that there would be some re-ordering of the agenda items (note: the minutes have been written in the order of the agenda unless specified).

**2. Amendments to the minutes (JNCC 03 P10)**

- 2.1 The minutes were agreed subject to the amendments in the paper. No further amendments were raised.

3. **Matters arising (JNCC 03 P17)**

- 3.1 This paper updated Committee on the work being carried out on corporate identity and the corresponding links with strategy development work – Committee had requested further information on this topic at their June 2003 meeting.
- 3.2 Mr Steer advised that the Support Unit had been considering the relationship between the corporate identity research and the strategy. The drivers for the corporate identity work were the strategy and the establishment of a company limited by guarantee. These drivers needed to be treated together, not separately, in order to ensure that appropriate connections were made. Hence, it was sensible to adopt the timetable as set out in the paper, which advised that Committee would receive a full paper on this topic in December 2003.
- 3.3 External consultations on both the strategy and corporate identity were to commence shortly. This should allow enough time for information to be presented at the December 2003 Committee meeting. An agreed view by June 2004 would satisfy the timing for both the new company and the strategy.

4. **Declarations of interests**

- 4.1 In relation to relevant agenda items, Dr Moser and Mr Riddleston both declared that they were Council members for the Royal Society for the Protection of Birds (RSPB).

5. **JNCC strategy development: revised vision, draft mission and draft strategic programme (JNCC 03 P18)**

- 5.1 The Chairman noted the high quality work done between the June and September 2003 Committee meetings by the sub-group, Mr Yeo and Mrs McQueen. The intention now was to gain input from the country agency councils and boards and Government. Consequently, the paper being presented to Committee was not the final version, but Committee was being asked to endorse the vision, mission statement and strategic programme as presented, as a basis for consultation.
- 5.2 Chairman requested that the discussion should concentrate on significant issues. Minor changes of words or style could be reviewed later.
- 5.3 Mr Yeo presented the paper and three documents:
  - i. *vision for wildlife and natural features* – this incorporated comments from the June 2003 meeting and strategy workshops. It was

intended that the vision would be owned by the JNCC and country agencies. Government and NGOs etc. would not necessarily sign up to it formally but hopefully would support its sentiment and content.

- ii. *mission statement* – this was a new document being presented to Committee which outlined JNCC’s purpose and the seven strategic objectives. This document provided the link between the vision and the strategic programme.
- iii. *strategic programme* – this document set out the strategic objectives in more detail, highlighting the recommended approach and the resources needed. It was based on the current activity of the JNCC but noted that a shift in emphasis would be needed on areas such as international work and co-ordinating UK activities at the strategic level.

5.4 In discussion the following points were raised:

- i. Dr Blakiston-Houston noted that it was important for Defra to own the vision too and this should be emphasised in the papers.

*Vision for wildlife and natural features*

- ii. Dr Markland supported the short and to the point nature of both the vision and the mission. He emphasised that it must be clear that the vision is aspirational.
- iii. Mr Thomas questioned who owned the vision and whether this was all members of the JNCC and the country agencies. It would be important when presenting the JNCC mission and strategy to others to make clear the distinction between these, which related specifically to JNCC, and the vision which was the overall context in which they were set.
- iv. Sir Ewen welcomed the inclusion and consideration of socio economic topics into the vision, as this made it relevant to a wider audience.
- v. Mr Scott raised concerns about the use of the words ‘more harmoniously’ in the vision, concerns which were shared by Dr Faulkner. The Committee recognised that the words were not set in stone as the documents still had to go through a consultation process. It was, therefore, agreed that unless alternatives could be offered, the statement would remain as draft for consultation purposes and that style issues could be considered after consultation discussions.
- vi. Commenting on point 8 of the vision, Professor Dodgshon noted that it was important not to be seen as being opposed to change per se. He suggested that alternative phrasing could be ‘change without the

loss of biodiversity'. Professor Dodgshon also suggested that some of the points in 10.i (c) could be separated in order to be more explicit about what happens outside of designated sites in the wider environment, via agri-environment schemes.

*Mission statement*

- vii. Dr Moser noted that the mission needs to be the differentiator for the organisation and should outline why JNCC is different. In this sense it would be useful in the second paragraph to be clearer about JNCC's role. It should refer to nature conservation across the UK and should mention being comprehensive, effective and forward looking.
- viii. Sir Ewen questioned whether sustainable development elements were reflected sufficiently in the mission document, though Committee recognised the need to gain a balance between nature conservation elements and socio-economic issues.
- ix. Dr Faulkner suggested that the last sentence of point 4.vii might read '.....and promote sustainability in the use of environmental resources worldwide', as opposed to '.....the sustainable use of environmental resources.....'. It was important also to clarify phrases as reference had been made to both environmental and natural resources.
- x. Committee recognised that the mission was critical in guiding its future work and should therefore be given great attention. The process for developing the mission and strategic programme would be taken forward by the Support Unit.
- xi. Mr Thomas stated that it should be made explicit that the objectives in the mission represented JNCC's contribution to the higher level objectives outlined in the vision.

*Strategic programme*

- xii. Chairman asked Committee to approve each objective in turn for consultation.

Objective 1

- xiii. Dr Moser advised that it might be worthwhile including the European Union into the header of the objective but after further consideration, Committee agreed that objective 3 incorporated the European element.

Objective 2

- xiv. It was agreed that the second paragraph of the recommended

approach offered a good analysis of JNCC's role in the UK BAP but that it could be bolder in stating what activities JNCC would no longer undertake.

- xv. Dr Brown noted that the environment was a devolved issue, and that in the 2<sup>nd</sup> paragraph under 'recommended approach', it might be more suitable to say 'establish where a UK approach was needed and then maintain this'.

Objective 3

- xvi. No issues were raised.

Objective 4

- xvii. No issues were raised.

Objective 5

- xviii. No issues were raised.

Objective 6

- xix. Mr Scott noted that objectives 6 and 7 were very much about JNCC moving into new areas of work, and he supported this. However, it was recognised that, to achieve this, Government support was essential. In terms of presenting these intentions, it will be important to identify the work and state that while the JNCC is well placed to carry it out, this will need Government to provide appropriate funding. Mr Scott noted that the Scottish Executive may have concerns about its funding being directed to overseas territories work but might be more relaxed about 'global footprint' related work.

- xx. Mr Steer advised that, over the years, there has been a clear demand for work on the overseas territories, e.g. in terms of Government's responsibilities under the Convention on Biological Diversity (CBD). Essentially, the demand for this work is already there and this should not therefore be considered as bidding for new work.

- xxi. Committee recognised that there was a need to deal sensitively with this issue during consultations and a change to the first bullet point under resource implications was suggested.

Objective 7

- xxii. Sir Martin noted that it was logical for JNCC to undertake objective 6 but that many organisations were involved in objective 7 and JNCC may not have the necessary competencies. It would appear that more than modest funding would be required to achieve this

objective and it would be important to recognise that there may be other organisations giving advice in this field – it was, therefore, essential to highlight where JNCC could add value.

- xxiii. Professor Dodgshon noted that, in the recommended approach, examples of only two specific work areas were included and it might be more helpful to define a range of areas. It is very much a ‘blue sky’ area of work and providing more examples may help people to understand it.
- xxiv. With regard to meetings with Defra, Chairman noted that she had met with Anna Walker in July 2003 and a further meeting was planned for October 2003. Discussions had also taken place with Brian Harding at Defra, and although a variety of views had been expressed, the strategy was receiving good support at senior level.
- xxv. Mr Steer clarified that the strategy was not just adding new work to existing work. He was committed to achieving resource shifts to create opportunities to carry forward the new work that had been identified. It was up to Committee to set strategic priorities for JNCC.
- xxvi. Chairman noted that Committee would look at the balance of resources between the strategic objectives in December 2003 and confirmed that it would be Committee, not the Support Unit, who would make decisions on these areas.

**5.5 Committee endorsed the vision, mission statement, and strategic programme as a basis for consultation with the country agencies, Government and others.**

**6. Spending Review 2004: preliminary submission from the JNCC (JNCC 03 P19)**

- 6.1 Mr Yeo advised that the Spending Review 2004 would set budget allocations for Government departments and other public sector bodies for 2005-08. The majority of activity on the spending review will happen during the first few months of 2004 but Defra have asked for an initial indication of likely funding requirements in September 2003. The paper, therefore, set out a preliminary submission to Defra and the devolved administrations which would be worked up in more detail through consultations with various parties. Annex A of the paper outlined costings for additional work linked to the outputs from the strategy process and reflected what were expected to be government requirements such as increases in the marine area of work. For 2005/06 £865k of additional funding would be required to deliver all the priorities, rising to £1270k in 2007/08.
- 6.2 The spending review also provided an opportunity to look at Defra’s Public Service Agreement (PSA). There is no real emphasis on international targets in the PSA and the paper recommends that Government considers its

international biodiversity commitments stemming from, for example, the World Summit on Sustainable Development.

6.3 Mr Steer noted that the paper did not at present contain an estimate on non native species work as JNCC's role in this area was still to be clarified.

6.4 In discussion the following points were raised:

i. Dr Markland noted the interesting link with the strategy paper and emphasised Mr Scott's comments under that agenda item in relation to objective 6. It is important to be bold when highlighting new areas of work and stress that it is only possible to achieve these if Government chooses to fund them.

ii. Dr Brown made some suggestions with regard to presentation of the information, in terms of highlighting exactly what are new burdens or clear demands from Government and what items relate to the strategy – these should also be prioritised. There was a question as to whether it was appropriate to list items of work requiring funding of £40k - £50k as this was only a small amount in relation to the funds that Defra consider. However, Committee agreed that it was important to remind Defra of areas such as international commitments when approaching Treasury for money.

iii. Mr Scott noted that the JNCC was recognised as an expert consultant to government and departments were often treating advice from JNCC as free at the point of request. Whilst it is important to fulfil requests where possible, point 3.4 of the business plan paper (JNCC 03 P11) made an important point in stating that funding will be required to support new areas of work given to the JNCC.

iv. Chairman noted that she had experienced almost a year of resourcing issues at the JNCC and requested Committee members to clarify any concerns at an early stage (i.e. between September and December 2003) in the spending review process in order to allow JNCC to amend the document accordingly. This would help present a robust case to Government.

v. Committee recognised that the spending review timetables were slightly different in Wales and Scotland but CCW and SNH agreed to assist where possible.

6.5 **Committee approved the preliminary submission subject to the points raised above.**

## 7. **JNCC Business Plan for 2004/05 (JNCC 03 P20)**

7.1 This paper described how the JNCC's business plan for 2004/05 was being prepared, based on the current corporate plan for 2003-06.

7.2 Mr Yeo outlined that Government would normally provide indicative budgets for the second two years of a three year corporate plan but this was not the case for the 2003-06 plan. Funds for 2004/05 and 2005/06 were currently being agreed. Baseline funding for 2004-06 (i.e. level funding plus inflation) would cover JNCC's core activities but allow very little flexibility in taking on new work. Annex B of the paper contained costed and prioritised proposals for work above this baseline.

7.3 In discussion the following points were raised:

- i. Mr Thomas cautioned that CCW were currently being challenged over their baseline and that it would be worth taking this into account when considering plans for JNCC. Professor Galbraith noted that future funding for SNH is likely to be similarly tight.
- ii. Dr Moser noted the reference to a comprehensive quality assurance programme for Common Standards Monitoring and asked what this would entail. Mr Yeo noted that JNCC needed to provide a strategic view, looking at how results are amalgamated at the UK level and ensuring consistency between the country agencies. There may be a role for specialist inter-agency networks in carrying out some of this work.
- iii. Sir Ewen noted his support for EU influencing as a high priority as elements such as the reform of the Common Agricultural Policy are an important nature conservation tool. The work of the Land Use Policy Group is also important and giving more strength to that arm of work is beneficial, especially in the socio-economic land management area.
- iv. Committee noted that it was important to be clear about what was being asked for and to distinguish clearly between new burdens and other high priorities. This was the start of the process and further discussions and comments would be welcome. It was important to ask Defra and the devolved administrations where funding should be directed should government be able to offer more than the baseline.
- v. With regard to funding arrangements, Mr Steer advised that he had spoken with Defra recently who had emphasised their commitment to ensuring that the funding arrangements worked better this year. Defra would be speaking with the devolved administrations regarding priorities.

7.4 **Committee confirmed that the baseline funding for 2004/05 and 2005/06 was appropriate to allow the JNCC to undertake its core activities and confirmed that the agreed process for determining the JNCC's grant in aid should be followed.**

8. **FMPR – update on progress made (accountability arrangements for the JNCC and company formation issues) (JNCC 03 P11)**

- 8.1 Chairman advised Committee that the FMPR sub-group had discussed the corporate governance issues at a recent meeting and decided that, rather than place some of the issues before Committee now, it would be more sensible to consider all of the corporate governance issues at the December 2003 meeting of Committee with some worked examples. The paper, therefore, provided an update on progress and considered accountability arrangements.
- 8.2 Mr Steer updated Committee on the outcome of the recent FMPR Steering Group meeting, the first meeting for about 15 months. The Steering Group is chaired by Brian Harding from Defra and includes representatives from Defra, the country agencies, Northern Ireland, the devolved administrations and the JNCC. Mr Steer noted that the meeting had been very successful and Brian Harding had made a commitment to clarifying the role of the Steering Group in progressing the project. Mr Little and Mr Yeo would be meeting with Mr Harding to brief him about the project. Confidence had been expressed in being able to progress the Regulatory Reform Order, but confirmation still needed to be received from the Cabinet Office. The proposed accountabilities arrangements were considered workable and points of detail would be resolved through further discussion with Government and country agencies.
- 8.3 In discussion the following points were raised:
- i. Dr Markland noted that, with respect to corporate governance and accountability matters, simplicity should be paramount wherever possible.
  - ii. Mr Steer advised Committee that he had signed the terms of reference for the JNCC Management - Trade Union forum as well as the collective bargaining agreement. Union officials had been elected and the union branches were operating well.
- 8.4 **Committee endorsed the broad approach for accountability arrangements that was being proposed as a basis for discussion with Defra, devolved administrations and country agencies.**

9. **Committee input to the EU Inter-Governmental Conference (JNCC 03 P21)**

- 9.1 Dr Gibson introduced the paper advising that it gave a flavour of parts of the draft Treaty, in particular those areas which related to the environment and environmental policy and laid out issues that warranted attention. The process for drafting the treaty had been complex and there had been very few opportunities to influence the process. The present consultation on the treaty was only likely to last about 4 weeks. Dr Gibson explained that a letter had, therefore, been drafted from the Committee to the Secretary of State outlining JNCC's position on five issues of relevance to the environment, and this had been included in the paper.
- 9.2 In discussion the following points were raised:

- i. Committee agreed that the length and the content of the letter were very good. There were some questions regarding phrasing, but it was noted that certain phrases mirrored the terminology of the treaty and would, therefore, be difficult to change.
- ii. Dr Faulkner noted that it might be useful to include a paragraph at the start of the letter explaining why the Committee was writing a letter to the Secretary of State. Mr Steer acknowledged that Ministers would receive briefing from Whitehall departments and that JNCC would be attempting to liaise at this level too.
- iii. With regard to bodies in other European countries attempting to influence their Governments in a similar way, Dr Gibson advised that JNCC and the country agencies were represented on the European Environmental Advisory Councils but that the mandates for councils varies. The remit of UK nature conservation bodies is not always the same as those of apparently similar bodies in the EU.

**9.3 Committee approved the draft letter, subject to the points raised above. Committee agreed that it would be helpful to gain as much support as possible from other conservation organisations and that it may be useful to copy the letter to other EU partners.**

**10. Update of position statement on genetically modified organisms (GMOs) (JNCC 03 P13)**

- 10.1 Dr Johnson (Chair of Lead Agency on GMOs) introduced the item advising that an additional paper had been tabled which was a revised version of the position statement incorporating comments from a recent seminar with Countryside Council for Wales (CCW) officers and council members. The paper updated the existing statement making it clearer and more accurate, but the general position had not changed. Results of field scale evaluations were due on 16 October 2003 which would provide important 'real' information about the indirect impacts of herbicide systems (used with GM crops). There is a slow flood of old applications for GM crops and it is important to have a clear position statement in order to review the bio-technology aspects of the applications.
- 10.2 The revised sections of the position statement referred to pest resistance (p2, para 4), new developments in GMOs (p3, paras 8, 9 and 10) and seed purity standards (p5, para 6). These standards are very important in terms of co-existence of crops with GM crops. The European Directive on GMOs has also resulted in some changes, introducing such things as a publicly accessible database.
- 10.3 Dr Brown emphasised that it is important to get a revised statement agreed as soon as possible in order to have a clear reference point for the field scale evaluations.

10.4 In discussion the following points were raised:

- i. Professor Pentreath commented that the criteria to be satisfied seemed rather long and it might be helpful to order or sub-divide it in a different way, for example (i) mono-culture crops generally, (ii) herbicide tolerance, (iii) specific transgenic risks.
- ii. Dr Faulkner supported the comments made by Professor Pentreath and added that the format of the listing may convey that JNCC and the country agencies are looking for ways to show they are against GM crops. Dr Johnson explained that the listing reflected what happens in the regulatory system now. He stated specifically that JNCC and the country agencies are not anti-GM and this is known. In fact, the press have often come to the lead agency for a balanced viewpoint. The position taken on GMOs over the last 5 or 6 years has also served JNCC and the country agencies well in terms of legislation and opened doors on agricultural sustainability issues.
- iii. Professor Ingram stated that it might be better to move the reference to biodiversity resulting from 4 billion years of evolution to the second paragraph. The link to work on non-native species should also be recognised.
- iv. Mr Scott advised that SNH and the Chair of their scientific committee were satisfied with the revised position statement. They would, however, like the statement to be expressed more plainly and concisely, or alternatively issue a public summary in addition. The statement had a tendency to slip back into a statement on GM crops, rather than GMOs and it was important to recognise that it covered GMOs more generally, for example, salmon. This could be done by introducing an additional background note.
- v. Dr Moser noted that the GMO position statement referred to GMOs generically whilst it was being advocated that releases be looked at on a specific basis.
- vi. Mr Thomas advised that CCW were more sensitive about the issues involved in terms of public perception, but it was understandably difficult to feed this into the paper. Dr Johnson had conducted a workshop with CCW but the Council would not confirm the conclusions of this until their October 2003 meeting when the revised paper would be presented, together with comments from the Committee meeting. Comments from the workshop had been included in the tabled paper. Professor Dodgshon noted that it had been a useful seminar and highlighted the additional concerns in Wales as a result of pressures for organic farming.
- viii. Committee agreed that it was unusual for a country agency to consider a statement outside of the Committee meeting as the agencies were represented at Committee. However, Committee

recognised the different circumstances relating to this statement and agreed that, unless there were material changes, the Chairman could approve the statement following the CCW council meeting. Any material changes should be brought back to the full Committee.

- 10.5 **Committee strongly endorsed the tabled position statement in terms of the scientific content and agreed that it did not show any prejudice. Dr Johnson and Professor Pentreath would consider categorisation of some of the content and a plain language version should be produced for public consumption. The final version of the statement would be issued following the CCW council meeting, subject to agreement of the JNCC Chairman.**

11. **Impacts of climate change on nature conservation – progress review and JNCC statement (JNCC 03 P12)**

11.1 Dr Vincent introduced this paper which had been prepared by Mike Harley (Chair of the inter-agency working group on climate change). The paper provided a summary of the nature of the inter-agency climate change work. Annex 1 presented a progress summary and annex 2 a draft JNCC statement about its work in this area.

11.2 In discussion the following points were raised:

- i. Referring to the phrase ‘dynamic approaches’ in point 3.ii of the statement, Professor Dodgshon suggested that it might be more appropriate to replace dynamic with the phrase flexible as dynamic in the ecological context had a different meaning. Dr Vincent considered that it had been the intention to reflect ecological dynamism under this point, but he would clarify this and amend the text as necessary.
- ii. Dr Brown challenged the comment that designated sites might be in the wrong place. In England the sites would probably stay the same but species could be comparatively different. A flexible and creative approach was welcomed and attempts to restore connectivity between sites would be good.
- iii. Professor Doyle commented that a lot of the UK’s heritage occurs around the coast and sea level rise, due partly to climate change, was a significant threat for coastal habitats and had implications for geomorphological processes. Furthermore, the sea level rise could have consequences for coastal defence and hence for geological conservation. These issues should be addressed in the statement. Dr Vincent agreed that these were important aspects of climate change, while noting that JNCC had not done much work in this area. However, the statement could reflect the work being done by English Nature.
- iv. Mr Scott noted that although the paper referred to common

standards monitoring as not attributing cause and effect in terms of climate change it would be worrying if it was not possible at all to pick up the impacts of the management process and long term change in some way. The annexes provided a useful summary of substantive work and suggested progress but Mr Scott felt that it would be useful to be less scientifically guarded and produce a statement offering a message to the general public about the actual impacts of climate change. Sir Ewen supported the idea of making the statement more relevant to the wider public.

- v. Committee debated Mr Scott's suggestion and concluded that the language used in the GMO position statement had been quite temperate and it would not be appropriate to use more emotive language in the climate change statement. In addition, the GMO position statement was based more on scientific information available whilst the climate change statement was based on evidence that would take a lot longer to collect and would be analysed over a longer period. Committee felt it would be useful if some examples of possible scenarios and impacts could be introduced to convey a message to the general public about the possible destructive impacts of climate change worldwide. This would also fit in with the 'global footprint' aspect of the JNCC strategy.
- vi. Committee recognised that predictions and understandings about climate change were still diverse in the scientific community and that any reference to possible scenarios should, therefore, be made with this in mind.

**11.3 Committee gave general support to the statement subject to the points raised above. Committee agreed that an additional paragraph should be introduced to the statement providing some example scenarios for a wider audience but recognising that more work was still to be done in assessing the possible impacts of climate change.**

Committee considered the following discussion paper early as a precursor to agenda item 12.

**16. The UK Special Protection Area (SPA) Scientific Working Group's First Annual Report (November 2001 to December 2002) (JNCC 03 D10)**

- 16.1 Dr Vincent commented that a note had been tabled with this paper resulting from recent discussions at the Chief Scientist and Chief Executive meetings.
- 16.2 The SPA review was published in 2001 (relating to both terrestrial and freshwater SPAs). However, there were still some gaps in the process and the UK SPA Scientific Working Group (UK SPA SWG) had been set up to advise on how these gaps could be filled. The UK SPA SWG is a consultative group that provides scientific advice to the Natura 2000 Steering Group and acts on issues identified by it.
- 16.3 The paper set out the first annual report of the SPA SWG which contained a

number of recommendations and referrals back to the Natura 2000 Steering Group.

16.4 In discussion the following points were raised:

- i. Dr Markland commented that having received the report it was important to be robust on issues. With reference to points 1.3.1.2 and 1.3.1.3 of the report there was a concern that it would be difficult to change criteria for sites that had already been adopted. Dr Vincent agreed that there was no reason to change current practice and it would be important for Defra to confirm this.
- ii. Dr Brown supported the comments of Dr Markland noting that such a change could only be interpreted as a threat as it signified a fundamental change in the selection of areas. The SPA SWG was only a consultative group but the papers gave the impression that it was taking on a life of its own, and this should be drawn to the attention of the Chair of the Natura 2000 group. Recent judicial reviews that English Nature had been involved with suggested that selection of sites should be based on the guidelines and formulated on a scientific basis. Committee recognised that if the guidelines were treated as strict criteria in the selection of sites this could undermine best scientific judgement and raise legal issues.
- iii. Committee asked about the method for engaging with the SWG. Dr Vincent said that JNCC and the country agencies were represented at officer level on the group along with a range of other stakeholders. The report therefore reflected a general view of the group and this might be different from the JNCC view on a particular issue. He suggested it was important that JNCC and the country agencies express their views firmly in the Natura 2000 Steering Group and exert influence there.

16.5 **Committee noted their discontent with some aspects of the report and agreed that the Chairman would raise these at the appropriate level.**

12. **Procedure for Joint Committee consideration and endorsement of proposed changes to the UK SPA network (JNCC 03 P14)**

12.1 Dr Vincent introduced this paper highlighting the need for a process for endorsement of new sites to the SPA network. It was suggested that a process involving Committee would need to be rapid and may, therefore, be implemented by e-mail as opposed to consideration at Committee meetings where this was appropriate.

12.2 In discussion the following points were raised:

- i. Dr Markland considered that it was primarily for the country agency hosting the proposed SPA and the JNCC to confer and reach a conclusion about a site. In this respect he could not see how another

country agency could have an opinion on a site outside of their remit. Rather than the whole Committee approving sites it may, therefore, be more appropriate for the Chairman of the Committee, an independent member and the Chairman of the corresponding country agency to oversee approval of sites to the network.

- ii. Dr Vincent noted that such a process would be quite suitable for the Committee to adopt, but commented that the rationale behind involving Committee (and hence the other agencies) in the process resulted from the fact that the UK SPA network was a UK series and it was important that each country, through the Committee, was satisfied that the guidelines for site selection had been followed and that the site informed part of the series as a whole.
- iii. Mr Scott commented that there could be two processes. If the Support Unit were satisfied that additions to the UK SPA network complied with guidelines they could approve them. However, any additions that raised concerns should be considered by the appropriate members of Committee as suggested by Dr Markland.

**12.3 Committee agreed that the JNCC Chairman could approve designations to the SPA network when the Support Unit advised that the guidelines had been appropriately applied. Contentious cases should be considered by the Chairman of the Committee, an independent member and the Chairman of the corresponding country agency.**

**13. Recent additions to the UK Special Protection Area network (JNCC 03 P15)**

13.1 This paper advised Committee of three proposals to the SPA network that were submitted to Government after the SPA Review was published.

**13.2 Committee endorsed the three sites as additions to the SPA network.**

**14. Proposed dates for Committee March 2004 – March 2006**

14.1 It was agreed at the last meeting of the JNCC that dates for future Committee meetings should be agreed two years in advance. Accordingly, members and regularly attending officials had been canvassed for suitable dates for 2004-2006 meetings. The best dates appeared to be those listed in the paper.

**14.2 Committee agreed the dates and suggested arrangements.**

**15. The 'Network Concept' applied to the selection of Marine Natura 2000 sites (JNCC 03 D09)**

15.1 Dr Vincent introduced this paper which raised two questions (a) what do we want from a network of marine SACs and (b) what information do we need to support the establishment of such a network? An additional paper was tabled containing photographs of a range of seabed habitats in the Irish Sea

taken by an underwater camera.

- 15.2 In the terrestrial environment, and to some extent also the inshore marine environment, a lot of data has been collected and it is, therefore, possible to select the largest, richest sites having the best possible ecological potential. However, it is much harder to apply this approach in an offshore environment where data are fewer and areas surveyed more scattered.
- 15.3 Because the species which make up the biological element of marine habitats have life stages capable of relatively wide dispersion, marine sites have the capability of supporting one another to a greater extent than is normally the case with terrestrial habitats. This enables the selection of sites as part of a functional network.
- 15.4 The main principles in the development of marine protected area networks were described in point 4.2 of the paper. The photographs circulated (which were taken by a camera towed along the seabed on a sled) demonstrated that cost effective techniques are available which can validate existing substrate data and provide some information on biological communities, at least in the shallower areas of continental shelf waters.
- 15.5 In discussion the following points were raised:
  - i. Committee recognised the hard work of Defra officials and Support Unit staff in bringing to the attention of Europe the Darwin Mounds area, which had now been protected by the European Commission.
  - ii. Chairman acknowledged that work in this area on Marine Natura 2000 sites would be taken forward by the marine group lead by Professor Pentreath. Professor Pentreath recognised that when the Habitats Directive had been drawn up the 200 nautical mile limit relating to offshore sites had not been considered and this had, therefore, created caveats.
  - iii. Professor Dodgshon noted that the reaction of CCW to recommendations in the paper was one of unease as the suggestions required a leap of faith, assuming that a little bit of information was better than none at all. Designation of sites implied that sites should be managed and at present there is not enough understanding to manage sites of this nature. Referring to the presentation the previous evening on the Irish Sea Pilot project, Professor Dodgshon noted that it had been very interesting and had demonstrated that it was possible to put information together to provide something more cohesive.
  - iv. Committee recognised the distinction between the management of terrestrial sites and offshore sites. For terrestrial sites, management was often aimed at perpetuating pre-determined special interests. With respect to offshore sites there was often a case for management which enabled the habitat to develop to its full potential which might

not be known at the time of selection. It was acknowledged that while the sea environment was often more dynamic in nature than the terrestrial environment and there would be uncertainties about the nature of its biodiversity component, nonetheless, any designations would need to be able to stand up to rigorous challenge.

- 15.6 **Committee requested Professor Pentreath's group to develop further the network concept in the context of marine SACs and to formulate advice on the issue of required information in the light of the risks and opportunities. Committee encouraged the outcomes of this process to be shared with European partners.**
17. **Co-ordinating future work on non-native species (JNCC 03 D11)**
- 17.1 This item is included in a confidential addendum to the minutes.
18. **Update on JNCC/country agency actions in response to the UK Raptor Working Group's recommendations (JNCC 03 N06)**
- 18.1 This paper updated Committee on the actions of the country agencies and JNCC in implementing the recommendations of the Raptor Working Group and outlined the considerable activity that had been undertaken by the country agencies on raptor conservation issues, and associated conflict resolution. It also noted a number of key issues where there had been less progress and where eventual resolution of conflicts would prove more challenging.
- 18.2 **Committee noted the report and thanked the group for their work on this issue.**
19. **Meeting of the JNCC Resources and Audit sub-group, Wednesday 06 August 2003 (JNCC 03 N07)**
- 19.1 This paper provided a brief record of the August meeting of the Resources and Audit sub-group.
- 19.2 In discussion the following points were raised:
- i. Committee noted that the reference to a 'wash up' meeting was a technical term used by auditors. At this meeting negotiation took place regarding the auditors' recommendations and the views of the organisation.
- 19.3 **Committee noted the paper.**
20. **Any other business**
- 20.1 No other business was noted.