



**CONFIRMED MINUTES OF THE EIGHTIETH MEETING OF THE JOINT NATURE CONSERVATION COMMITTEE HELD ON TUESDAY 9 DECEMBER 2008 AT MONKSTONE HOUSE, CITY ROAD, PETERBOROUGH, PE1 1JY**

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**JOINT NATURE CONSERVATION COMMITTEE**

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**Present:**

Dr Bridgewater  
Dr Brown  
Mr Casement  
Mr Crawley  
Professor Doyle  
Dr Joyce  
Mr Lloyd Jones  
Mr Pritchard  
Professor Usher  
Professor Warren

**In attendance:**

Professor Galbraith  
Dr Gibson  
Dr Goold  
Mrs McQueen (Items 7 & 8)  
Mrs Quince  
Mr Seymour  
Mr Steer  
Dr Stott  
Mr Thomas  
Mr Yeo

**Apologies:** Mr Thin, Mr Christensen, Judith Webb and Professor Hill (Members), Dr Phillips, Dr Tew and Mr Jardine (attendees)

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*Closed Session*

10. Habitats Directive infraction proceedings against the UK – **In confidence (JNCC 08 N09)**

**1. Dr Bridgewater's opening remarks**

- 1.1 Dr Bridgewater informed the Committee that this was Dr Brown's last meeting. The Committee extended their thanks to Dr Brown for his contribution to the work of JNCC over the past few years.
- 1.2 Dr Bridgewater informed the Committee of two appointments to the Executive Management Board since the last meeting. Dr John Goold had been appointed as the new Marine Director and Dr Andrew Stott appointed to the post of Science Director. Both were welcomed to their first meeting.
- 1.3 Dr Bridgewater confirmed that the Remuneration Committee had agreed a request from Deryck Steer to take early retirement. Mr Steer would be leaving the organisation in September 2009. Recruitment of a new Managing Director will be discussed by the Remuneration Committee early in the new year.

**2. Declaration of interests**

- 2.1 Nothing was declared.

**3. Amendments to the minutes of the seventy-eighth meeting.**

- 3.1 The minutes were agreed, subject to the inclusion of Mr Thomas on the list of attendees.

**4. Matters arising**

- 4.1 Committee noted the paper.
- 4.2 The matter of transparency was raised under this item. It was agreed that the minutes of confidential papers would be assessed to see if they could be placed in the public domain.
- 4.3 Committee discussed the June 2009 meeting of the Committee to be held in Wales. It was agreed that the meeting would be held near a mainline railway station to assist those not attending the field trip. The field trip would be on the island of Skomer. As accommodation was limited, it was important to know numbers as soon as possible. It was agreed that a document detailing the trip would be circulated to members early in the new year.

**5. Influencing strategy for the 2012 review of the Common Fisheries Policy (JNCC 08 P12)**

- 5.1 Dr Goold introduced the paper which asked the Committee to discuss the Marine Fisheries Working Group's objectives and associated actions for the Common Fisheries Policy (CFP) review. The actions could be found on pages 6 and 7 of the paper.
- 5.2 In discussion the following points were raised:

- i. the Committee noted that if the actions in 3.1 were agreed, JNCC would need to allocate additional resources to fisheries work between 2009 and 2012. This would be considered as part of the normal corporate plan process;
- ii. encouraging greater regionalisation and establishing a remit for the Regional Advisory Committees with clear responsibilities and objectives would encourage responsible management. It was important that environmental interests were well represented on the Councils;
- iii. JNCC and the country agencies should focus on gathering evidence to support the provision of advice and development of good management practices;
- iv. liaison with fisheries stakeholders was fundamental to influencing fisheries policy but should be carefully managed to ensure that JNCC and the country agencies co-ordinate their activities and are aware of political sensitivities;
- v. coherence between CFP and other policies and legislation is essential;
- vi. specific action should be taken in relation to reform of European distant water fisheries;
- vii. the term 'ecosystem approach' is preferable to 'ecosystem based approach' as it has a wider definition;
- viii. maximum sustainable yield models are often unstable. It would be preferable to refer to 'sustainable yields';
- ix. the tone of the paper should be amended to reflect stakeholder sensitivities;
- x. inter-agency working groups should make use of the expertise of Committee members and Board/Council members in the country agencies.

5.3 The Committee **agreed** the actions below, subject to the amendments outlined above:-

- i. commission a study contract to examine options for greater regionalisation of fisheries management;
- ii. engage with fisheries stakeholders (through the RACs) to trial Strategic Environmental Assessment in a major European fishery;
- iii. engage with RACs to develop potential strategies to enhance their scientific base;

- iv. seek opportunities to meet with appropriate people in Government and the European institutions to ensure our views are incorporated into the review of the CFP at all levels;
- v. respond to all relevant consultations from Government or European institutions in a co-ordinated and timely manner;
- vi. co-ordinate actions within the MFWG and, as far as possible, with similar organisations in other Member States and with environmental NGOs;
- vii. work within ICES and the European Commission's Scientific, Technical and Economic Committee for Fisheries to ensure the provision of sound scientific advice to the Commission;
- viii. commission further studies and hold workshops on the sustainability of the marine environment to develop our thinking on how fisheries should be managed to produce the best outcomes for the environment as a whole, fish stocks (including non-target stocks) and wider conservation objectives.

5.4 A revised paper should be presented to the March Committee meeting. A short paper on inter-agency groups should also be presented to provide greater clarity for members.

**6. Progress towards completing the UK network of Marine Special Areas of Conservation (SACs) for Annex 1 habitats and site proposals for Hatton Bank and Bassurelle Bank (JNCC 08 P14)**

6.1 Dr Gibson introduced the paper. A new cover note was tabled which took into account recent discussions by the Chief Scientists Group. The paper asked members to discuss and approve the approach taken to complete the UK contribution to the Natura network for Annex 1 habitats and discuss and approve the site proposals for Hatton Bank and Bassurelle Bank. The Committee acknowledged the amount of work involved in proposing these sites and the complex scientific issues being taken into account.

6.2 In discussion the following comments were made and clarifications sought:

- i. briefing the Northern Ireland minister on forthcoming potential Northern Ireland sites should take place as soon as possible;
- ii. setting individual site proposals in a UK context was a sensible approach and the paper expands on what a network in a UK and European context would look like. It was important for the network to be agreed by the European Commission to ensure sufficiency, but this will come at a later stage of the selection process;

- iii. inevitably, habitats in such large areas are patchy. Existing guidance makes it clear how boundaries have been determined and what criteria have been applied;
  - iv. the North East Atlantic Fisheries Council has the power to protect the Hatton Bank's ecosystem from damage from fishing, and it has done so by closing the Bank to fishing. This will be reviewed again in 2009;
  - v. protected areas are being considered in terms of both functionality and percentage of resource. Percentage of resource will probably be a significant factor in the European Commission's considerations;
  - vi. working with other Member States in the Atlantic zone has ensured all cross-boundary sites have been identified. The UK has cross-boundary sites with The Netherlands and France. Only one potential site in The Netherlands is identified as having no corresponding UK part, due to lack of data; and
- 6.3 The Committee suggested some minor amendments to the paper to improve accuracy and consistency.
- 6.4 The Committee:
- i. **approved** the approach taken to complete the UK contribution to the Natura network for Annex 1 habitats; and
  - ii. **approved** the offshore SAC proposals for Hatton Bank and Bassurelle Bank.

## 7. Strategy review (JNCC 08 P15)

- 7.1 Professor Warren introduced the paper and explained that following the September Committee meeting the working group had met in Birmingham and had endorsed the documents presented today for discussion. These documents comprised a draft vision, mission and strategic objectives; a summary of implications for JNCC's current work programmes; proposals for future Committee business; and recommendations for changes to JNCC's corporate governance arrangements. The Committee were asked to approve the proposals in Annexes 1-4 as a basis for consultation with Defra and the devolved administrations and delegate to the strategy working group responsibility for presenting revised proposals to the March 2009 Committee meeting. Whilst Natural England could not be present at the meeting, Professor Hill had contributed to these documents. Professor Warren commended the working group approach and both Chairman and Professor Warren thanked the staff for their work in producing the documents.
- 7.2 In discussion the following points were raised:
- i. the documents provided clarity on the role of JNCC and how it can add value to the work of the country agencies;

- ii. the consultation process in the new year would afford the country agencies the opportunity to clarify what they required from JNCC;
- iii. collaboration between the country agencies on issues outside JNCC's remit does not need Committee oversight but it would be helpful for the Committee to know what work was being undertaken by inter-agency groups;
- iv. JNCC should make use of expertise within the country agencies to deliver its work. No single organisation has all the necessary resources;
- v. the strategy would be delivered through JNCC's corporate and business plans. This would ensure value for money and prevent duplication of effort across the statutory conservation agencies;
- vi. JNCC has an important role in achieving UK coherence and promoting joined-up delivery.

7.3 Committee suggested some amendments to the documents to improve clarity.

7.4 The Committee:

- i. **approved** the draft documents in Annexes 1-4 subject to amendments detailed above. The amended versions will be used as a basis for consultation with Defra and the devolved administrations and for further consideration by the country agencies; and
- ii. **delegated** to the strategy working group responsibility for presenting revised proposals to the March 2009 Committee meeting for final approval.

7.5 The Committee agreed that members could email further comments to Sue McQueen by the end of December. A new draft of the documents would be circulated to the working group in early January.

## 8. JNCC business plan 2009/10 (JNCC 08 P16)

8.1 Mr Yeo introduced the paper and gave a presentation on the business plan for 2009/10. He explained that the plan was an expansion of the 2<sup>nd</sup> year of the corporate plan, taking into account new government priorities, funding changes and strategic changes discussed in the previous item. The Committee were asked to approve the draft business plan as a basis for further consultation with UK Government, the devolved administrations and the country conservation bodies.

8.2 Mr Yeo informed the Committee that a flat cash settlement in 2009/10 meant a decrease in real terms of 10% since 2007/08. Rigorous prioritisation of future work and a decrease in the overall staff complement would be needed to meet

the budget. A final draft plan would be presented to Committee in March 2009 for approval.

8.3 In discussion the following points were raised:

- i. the business plan sets out a clear direction for JNCC, in line with the new strategy;
- ii. the developmental phase of the global impacts work has come to an end and this is reflected in the decrease in funding. The work will be mainstreamed into other programmes of work;
- iii. the increase in funding for surveillance and monitoring reflects the high priority of this work and the inflationary increases built into long-term contractual arrangements;
- iv. ecotoxicological work will be stopped because of higher priorities elsewhere in the programme, but other organisations will be encouraged to increase their support for this work;
- v. the plan should reflect the importance of building relationships in a British Isles context with the Republic of Ireland, Isle of Man and Channel Islands;
- vi. data from the global waterfowl census provides a vital context for the review of the UK SPA network and work on avian influenza – careful consideration should be given to any possible reduction in funding.

8.4 Subject to comments above, the Committee **approved** the draft business plan as a basis for further consultation with the UK Government, devolved administrations and the country conservation bodies. The Committee **agreed** that the strategy sub-group should consider how the strategy and business plan should be integrated.

## 9. AoB

9.1 The consultation by Defra on the National Ecosystem Assessment had not been circulated to CNCC for comment. JNCC staff confirmed that they were closely involved in the process and that the Assessment would cover the whole of the UK.

9.2 The Committee **requested** an information paper on the National Ecosystem Assessment.

## 10. Habitats Directive infraction proceedings against the UK – In confidence (JNCC 08 N09)

10.1 The minutes for this item are contained in a confidential addendum.