



The confidential addendum to point 13 Review of harbour porpoise as a qualifying feature of the Dogger Bank SAC (JNCC 09 P23) and 14 Review of the site boundary of Dogger Bank Site draft SAC (JNCC 09 P22) was declassified on 14 August 2010. To view this document visit: <http://www.jncc.gov.uk/page-5265>

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JOINT NATURE CONSERVATION COMMITTEE

CONFIRMED MINUTES OF THE EIGHTY-FOURTH MEETING OF THE JOINT NATURE CONSERVATION COMMITTEE HELD ON THURSDAY 3RD DECEMBER 2009 AT MONKSTONE HOUSE, CITY ROAD, PETERBOROUGH, PE1 1JY

Present:

Mr Archdale
Dr Bridgewater
Dr Brown
Mr Casement
Mr Duke
Professor Hill
Dr Joyce
Mr Lloyd Jones
Mr Pritchard
Professor Warren

In Attendance:

Dr Jardine
Dr Cordi
Dr Goold
Dr Fleming
Mrs Quince (Secretary)
Mr Seymour
Dr Stott
Mr Thomas
Dr Weighell (Item 9)
Mr Yeo

Apologies: Mr Christensen, Mr Crawley, Judith Webb and Mr Thin (Members), Professor Galbraith, Dr Philips, Mrs McQueen and Dr Tew (attendees).

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Confidential Session

Decision papers

13. Review of harbour porpoise as a qualifying feature of the Dogger Bank SAC (***In Confidence***) (**JNCC 09 P23**)
14. Review of the site boundary of Dogger Bank draft SAC (***In Confidence***) (**JNCC 09 P22**)
15. AoB

1. Dr Bridgewater's opening remarks

- 1.1 Dr Bridgewater welcomed Mr Duke and Dr Brown as new independent members to their first meeting. He also welcomed Dr Fleming to his first meeting as temporary Head of European and Global Advice.
- 1.2 The Committee passed on their congratulations to Mr Christensen on his appointment as Chair of Natural England.
- 1.3 Dr Bridgewater informed the Committee that Professor Galbraith would be leaving Scottish Natural Heritage in January. The Committee expressed its good wishes for the future and thanked Professor Galbraith for his input to JNCC and inter-agency work over many years, particularly the wisdom he had brought to bear on many issues.
- 1.4 Dr Bridgewater informed the Committee that this would be Mr Lloyd Jones's last meeting. He thanked Mr Lloyd Jones for his contribution to the work of the Committee over a number of years and wished him well for the future.
- 1.5 Dr Bridgewater informed the Committee that following a successful recruitment exercise, Mrs McQueen had been appointed Director of Corporate Services.
- 1.6 Dr Bridgewater informed the Committee that Item 5 on the agenda would be moved to the closed session.

2. Declaration of interests

- 2.1 Mr Pritchard declared an interest in agenda item 7 as he has been undertaking work for the Secretariats of the Convention on Biological Diversity (CBD) and the Ramsar Convention on CBD plans and post-2010 targets. Mr Pritchard also declared some loyalties to the European Environment Agency and the UN Environment Programme on the same subject. The Chair ruled that this was unlikely to produce a conflict of interest.

3. Amendments to the minutes of the eighty-third meeting

3.1 An amendment suggested by Mr Crawley has been included. The minutes were agreed.

4. Matters Arising (JNCC 09 P25)

4.1 Committee noted paper JNCC 09 P25. Members were asked to note that in item 4.1 (i), the name should be amended to Dr Joe Horwood. On item 4 (ii), Dr Stott informed the Committee that the publication from the Inter-Agency Climate Change Forum titled “Biodiversity and Climate Change – a synopsis” would be published in January. Additionally, Dr Bridgewater informed Committee that the Memorandum of Understanding between the JNCC and the UK Overseas Territories Conservation Forum would hopefully be signed shortly.

5. Corporate Plan 2010-13 (JNCC 09 P27)

5.1 This item was moved to the closed session. The minutes for this item are contained in a confidential addendum.

6. Recent developments in the European Union and the implications for environment policy (JNCC 09 P26)

6.1 Dr Fleming introduced the paper which informed Committee of recent developments in the EU. The paper also asked for members’ comments on the issues they would like to discuss at the March Committee meeting so these could be incorporated into a more substantial paper on EU policy developments.

6.2 Dr Fleming informed the Committee of a number of institutional changes, including the Lisbon Treaty, the new European Council and President, powers of the European Parliament, voting in the Council and the role of national parliaments. Dr Fleming also informed the Committee of some potential changes to DG Environment which would mean a re-organisation of their work, with climate change, civil protection and health and pesticides all moving to different departments. European policy priorities are still to be identified within the work programmes for the Commission and the Council Presidencies planned to be published early next year.

6.3 The Committee **noted** the recent developments in the EU, and in discussion the following points were raised:

- i) a separate DG for climate change, separate to energy, was welcome in some respects;
- ii) the possible re-organisation of DG Environment was not yet agreed but remained likely and should lead to an increased focus on biodiversity; and

- iii) JNCC interaction with the European Commission will become more complex.
- 6.4 In discussion relating to issues to be highlighted in the forthcoming paper to the March 2010 meeting, the following issues were raised:
- i) how the Lisbon Treaty may affect the infraction process should be clarified;
 - ii) the meaning of ‘national parliaments’ (see Annex 1 of the paper, under decision-making (ii) d) should be clarified; and
 - iii) economic constraints and the possibility of a new UK Government more sceptical about Europe could all have possible implications for JNCC and should be explored.
- 6.5 Members were asked to email any further issues for consideration to Dr Fleming.
- 7. Developing global and European post-2010 target and assessment frameworks – a JNCC influencing strategy (JNCC 09 P24)**
- 7.1 Dr Stott introduced the paper which provides a steer for JNCC’s engagement with the process leading up to the adoption of the post-2010 targets and assessment frameworks at global and European levels. Dr Stott highlighted a number of significant risks identified in the executive summary and confirmed that the Chief Scientists Group had reviewed the paper and endorsed the assessment of risks.
- 7.2 In discussion the following points were raised:
- i) although not fully achieved, the 2010 target did galvanise significant action which should be replicated for presumptive post-2010 target(s);
 - ii) the ecosystem agenda should be moved forward with the role biodiversity plays in ecosystem services being emphasised more strongly. The JNCC are well placed to articulate the links between biodiversity and ecosystem services taking into account the work being undertaken by the Royal Society and others;
 - iii) should new overarching post-2010 target(s) be agreed there will be a need to elaborate meaningful sub-targets, with specific actions which are binding and agreed by the European Council, to make the target(s) more achievable;
 - iv) whilst we were now looking forward to the post-2010 target(s) it was important to emphasise what has already been achieved towards the 2010 target. Whilst a 4th National Report had been compiled for the Convention on Biological Diversity it was felt that this had not been widely publicised. The European Commission must report next year on the EU 2010 target and member states will be asked to contribute to

this report. This affords the opportunity for wider publicity at this time;

- v) in 6.2, the paper referred to “informing the Overseas Territories and Crown Dependencies of the implications of the global and European post-2010 targets”. Committee felt that a two-way dialogue would be more helpful and would afford the Territories and Dependencies the opportunity to contribute their views; and
- vi) the country conservation bodies were not just receivers of feedback from European and global processes but have ways and means of influencing these processes that should be utilised within JNCC’s overall statutory responsibility.

7.3 The Committee **endorsed** the objectives for JNCC engagement in the development of post-2010 targets set out in section 6 of the paper.

8. Objectives for JNCC engagement in international science-policy initiatives (JNCC 09 D10)

8.1 Dr Stott introduced the paper which addresses a wide range of initiatives, including the proposal to establish an Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES). Dr Stott explained that the UK Government and the EU are both committed to the establishment of a new mechanism, favouring an approach similar to the Intergovernmental Panel on Climate Change. He further explained that the paper emphasises the important role of a new platform, particularly in relation to ecosystem assessments, but sets this against the wider context of strengthening and co-ordinating existing mechanisms.

8.2 In discussion the following points were raised:

- i) a priority was making sure the right science was fed into the various multilateral environmental agreements, and the scientific bodies of the conventions were best placed to do this. Making existing research results available for application to policy was the crucial role. In this context, Themes 1 and 2 in the paper were a lower priority than Theme 4;
- ii) in Theme 1, the term ‘ scientific independence’ should be defined;
- iii) a database detailing the many organisations involved in this work and their role would be useful;
- iv) whilst the mechanism was yet to be agreed, a ‘Panel’ rather than a ‘Platform’ would perhaps be more appropriate. It would also put the group on the same footing as the Intergovernmental Panel on Climate Change which has already been established;

- v) improving policy relevance was important in the context of achieving a science-policy interface. JNCC has an important role in translating existing knowledge and making it policy-relevant.

8.3 The Committee **endorsed** the objectives and priorities for JNCC engagement with initiatives which contribute to the science-policy interface on biodiversity and ecosystem services in Europe and globally, subject to the points noted in 8.2 above. The Committee asked for regular updates on how this work was progressing.

9. **Priorities for JNCC's work in the Overseas Territories and Crown Dependencies (JNCC 09 D11)**

9.1 Dr Weighell introduced the paper which summarised the new UK Government strategy for the conservation and sustainable use of biodiversity in the Overseas Territories. Dr Weighell informed the Committee that JNCC had led on drafting the strategy and JNCC had now revised its priorities to align with the UK Government strategy. Significant amounts of work would be delivered through other organisations acting with the support of JNCC.

9.2 In discussion the following points were raised:

- i) this work was now receiving greater political attention, with additional funding of £250k announced by the Minister at the recent Darwin lecture;
- ii) working in partnership and building capacity by devolving work to regional focal points was vital to spread the load. JNCC's role should be that of a facilitator providing technical advice;
- iii) at a time of financial uncertainty, a clear message explaining the benefits of the work we undertake in the Overseas Territories would help to secure future funding;
- iv) in addition to the priorities mentioned in paragraph 2.3 of the paper, the protection and recovery of globally threatened species and habitats was also important;
- v) whilst the country conservation bodies have no formal role to play in work on the Overseas Territories, the experience and knowledge of their staff could be useful in various respects. It was **agreed** that Dr Bridgewater would write to the Chairs of the country conservation bodies informing them of the work JNCC was undertaking;
- vi) it was noted that the table in Annex 1 showed a number of gaps in signatories for Multilateral Environmental Agreements. It was also noted that whilst it was desirable for as many Territories as possible to sign up to these agreements, this should be balanced against using resources for conservation on the ground;

- vii) economic development in some of the Overseas Territories was a much higher priority than conservation effort. Helping Territories to place an economic value on ecosystem services would help them recognise the value of conservation. The environmental economics toolkit, recently successfully trialled in Montserrat and Bermuda, was seen as a way of achieving this; and
- viii) there are opportunities to bid for European funds for nature conservation work in the Overseas Territories, e.g. a bid of one million Euros was currently being considered to undertake work on invasive species in the Caribbean. A decision on this bid would be made shortly.

9.3 The Committee **noted** the progress made with JNCC's Overseas Territories and Crown Dependencies programme and **endorsed** the priorities for JNCC's future work in this area, subject to the points noted in 9.2 above.

10. Self assessment of Joint Committee effectiveness (JNCC 09 D09)

- 10.1 Dr Bridgewater introduced the paper which discussed the results from the review of Committee effectiveness and set out the conclusions of the Committee Effectiveness sub-group. Dr Bridgewater was pleased to see that the results reaffirmed that the Committee was functioning effectively with only a small number of areas identified for development to improve the Committee's performance further. Dr Bridgewater informed members that the Minister has seen the results of the evaluation and he noted they reflected the observations he has about the JNCC.
- 10.2 Dr Bridgewater informed the Committee that the sub-group would meet every six months to keep the issues alive, and would arrange for biennial reviews of the Committee's effectiveness. At the next review, ratings will be translated into numerical scores for comparison purposes.
- 10.3 In discussion the following points were made:
 - i) in order to strengthen relationships with the devolved administrations, Dr Bridgewater was arranging to meet environment ministers in Scotland, Wales and Northern Ireland;
 - ii) a paper would be prepared for the March Committee meeting on current communications initiatives and would provide members with an opportunity to consider their role in communicating on behalf of JNCC.
- 10.4 The Committee **endorsed** the proposals for Committee development set out in section 4, subject to the points noted in 10.3 above.

11. Executive Management Board Report to Committee (JNCC 09 P28)

- 11.1 Mr Yeo introduced the paper which set out a summary of discussions from recent meetings of the Executive Management Board. The Committee noted

that the Executive Management Board was functioning well and was charged with managing a diverse range of activities.

11.2 The Committee **noted** the report from the Executive Management Board.

12. Maintaining favourable conservation status of harbour porpoise in UK waters (JNCC 09 P21)

12.1 Dr Goold introduced the paper which draws together the relevant strands of government strategy for the conservation of harbour porpoise. These strands help the UK to achieve favourable conservation status for porpoise. Dr Goold explained that as far as can be ascertained, the strategy, published in 2000, was effective in the UK with five key elements remaining relevant today. There was, however, still some work to be done by other EU member states as regards implementation and monitoring of bycatch regulations. Dr Goold explained that the Marine Protected Areas sub-group had discussed the paper and had found it to be a useful source of information. They did however ask for the paper to be restructured in certain respects.

12.2 In discussion the following points were raised:

- i) the impact of fishing on harbour porpoise was difficult to evidence given the unavailability of information from other European countries on bycatch. However, it was felt that more information on bycatch in the North Sea could be added to point 3.3 (ii);
- ii) the disturbance section of the paper should be re-written to say what disturbance sources are and to provide some guidance on multi-source disturbance;
- iii) the paper conveyed an important message about conserving harbour porpoise in UK waters, particularly in light of pressure from Europe to designating marine SACs.

12.3 The Committee **discussed** the paper and agreed that once amended Dr Bridgewater should send a copy to the Minister.

13. Review of harbour porpoise as a qualifying feature of the Dogger Bank SAC (JNCC 09 P23)

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

14. Review of the site boundary of Dogger Bank draft SAC (JNCC 09 P22)

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

15. AOB

There was no other business.

16. Date and venue of the next meeting

25 March 2010 in Peterborough.