

GENERAL COMMITTEE OF COUNCIL

CONFIRMED MINUTES OF THE TWENTY-FIRST MEETING OF THE GENERAL COMMITTEE OF COUNCIL HELD AT THE GREAT NORTHERN HOTEL, PETERBOROUGH ON 4 DECEMBER 2001

Present: Sir M Doughty (Chair)
Ms M Appleby
Dr A E Brown
Mr T Burke
Dr K L Duff
Professor E Gallagher
Professor M Hart
Mrs A Kelaart
Professor G Lucas
Mr J Marsden
Dr M Moser
Professor D Norman
Dr A Powell
Mr S Tromans
Miss C E M Wood
Mr G N Woolley

In attendance: Mr M Felton (General Manager)
Ms F O'Mahony (Head, Top Management Unit)
Mr A Rutherford (Item 4)
Dr K Porter (Item 5)
Dr D Townshend (Item 6)
Dr C Prosser (Item 8)
Dr M Ford (Item 10)
Mr M Tither (Item 11)
Mrs M Bull (Item 12)
Ms D Goldsmith (Item 14, Item 15)

Apologies Ms S F Collins
Mr D Arnold-Forster
Dr S Gubbay

Chair opened the meeting and welcomed all those present. The Committee congratulated all staff for the renewal of our Charter Mark for the third time, one of the few national organisations to achieve this.

1. Minutes of the twentieth meeting of the General Committee of Council held on 25 September 2001.

1.1 The Committee **approved** the minutes as an accurate report of the meeting.

2. Matters arising

- 2.1 Professor Hart reported that he had discussed the Solent European Marine Site package with the Hampshire Team and resolved all the issues in time for the package to be sent out for consultation.

3. Corporate Plan – main themes (GC P01 70)

- 3.1 Caroline Wood introduced the paper, which sets out the first stage of developing the Corporate Plan for 2002 – 2005. The new look reflects a different approach where the Corporate Plan sets out proposed work against a known baseline. It therefore includes our business plan for 2002/03 and needs to be published in March 2002. Bids for additional resources are made through the Spending Review process every other year. The Plan includes material on the strategic context and issues raised at the September Council meeting on strategic priorities. As this plan is for work against known resources any proposed increases need to be balanced by decreases. The next step is for Programme Boards to work up their Chapters. Council Members were asked to volunteer to help.
- 3.2 The Committee raised the following issues in discussion:
 - 3.2.1 The brevity and format was **welcomed** including the focus of four main programmes. The close link between national and regional work needs more emphasis and some indication of regional differences would help. It is important to maintain positive and active language without losing scientific integrity throughout the document.
 - 3.2.2 The need to spell out clearly how we propose to raise English Nature's profile through our work. Work on communications and science will be integrated into each Programme Board's Chapter rather than through separate sections. The People and Policy Programme Chapter was short on the people area and did not reflect the September discussion.
 - 3.2.3 The need to focus our efforts on achieving favourable condition on existing SSSIs implies that there must be a strict process to prioritise potential new sites for designation as these come forward to ensure we do not divert attention from the existing sites. Some sites are needed to progress the published Habitat and Species Action Plans and some will be needed to improve and complete the SAC and SPA sites.
 - 3.2.4 It is vital that the PSA targets are seen as Government's and not solely ours: we have a contribution to make but success depends on wider Government action and not just our contribution. This must be clearly set out in the Plan.
 - 3.2.5 Information management and use is critical for our work and making spatial information available to staff needs more emphasis as a way to enhance our delivery.
 - 3.2.6 Council Members also made a range of suggestions including the need to add in a priority to complete and consolidate the marine Natura 2000 network in England and to make more of the climate change work through the MONARCH programme.

3.3 The following Council Members **agreed** to help develop the Corporate Plan:

3.3.1 Nick Woolley: Designated Sites

3.3.2 Anne Powell: Wider Environment

3.3.3 Tom Burke and Anne Kelaart: People and Policies

3.3.4 Ed Gallagher: Modernising and Managing English Nature

Action: Directors to ensure Council Members are included in preparing Corporate Plan drafts.

4. English Nature Agriculture Strategy - update (GC P01 71)

4.1 Chair welcomed Alastair Rutherford, the new Head of Agriculture, who introduced the paper, which provides an overview of how we are developing our work. This will be reflected in the Sector Analysis which will be presented to Council in July 2002. We are engaged in external events, the key one being the work of the Policy Commission on the Future of Farming and Food. We have submitted written evidence to the Commission and met the secretariat on several occasions including during farm visits in Oxfordshire for which we thanked Anne Kelaart for arranging. The key work areas include environmental standards in agriculture, the food chain, rural development, research, biotechnology and agri-environment schemes. This is all done through a broad partnership across national and local teams. Agriculture is a very dynamic area of work and we need to maintain a balance between strategic objectives and the flexibility to respond to more immediate opportunities.

4.2 James Marsden set the work in the context of the new DEFRA aims and objectives, the possibility of new PSA targets and the importance of making the wider environment less hostile and ensuring nature has the capacity to respond and adapt to climate change.

4.3 Chair **welcomed** the brevity of the paper and **advised** that English Nature participate in the EEAC network and our chairing of the EEAC Working Group on Agriculture. The Committee raised the following issues in discussion:

4.3.1 Concern was expressed over the presentation of food production as the last point in our vision for multifunctional agriculture in the submission to the Policy Commission. Members felt that this should still be primary purpose. The current 70 – 80% food self-sufficiency is important to maintain. Chair emphasised that our paper to the Policy Commission had already been submitted, and that it needed to strongly champion the wider importance of agriculture for nature conservation, and to make the case for continued support for public goods including wildlife. It was intended to present our position on behalf of nature conservation, and not to be a completely balanced overview. Our aim is to change the policy context which has not helped farmers contribute as much as they could to nature conservation and other environmental objectives.

4.3.2 It is important to recognise and reflect the diversity of agriculture across the country and the need to tailor policies to the different circumstances.

4.3.3 Establishing common ground with farming interests is also important, an example being soil erosion which leads to greater input costs and

environmental damage. Addressing this should help both farmers and the environment.

- 4.3.4 Points that should be added or given more emphasis include consideration to the potential impact of climate change particularly on the demand for irrigation and the importance of developing planning and monitoring tools at catchment and farm level. Farm level advice and FWAG is not mentioned. The importance of consumer attitudes and priorities also needs emphasising.
- 4.3.5 Structural change is very fast at present: farmers are increasingly using contracting arrangements to manage their land. Smaller farmers are using agri-environment schemes to make early retirement or alternative employment possible. This will have real implications for farm management in practice and the potential to integrate wildlife management within commercial farming. Large scale commodity crop producers will have less opportunity to develop niche markets than smaller farms and will focus on resource management rather than wildlife management.
- 4.3.6 The importance of local level work with farmers who could become champions for integrating nature conservation into farming practice was emphasised. Agriculture is a Champion Issue which needs effective promotion locally as well as nationally. We could use the NFU President's Award and other schemes more effectively to build links with farmers.

5. Lifescapes: progress report (GC P01 72)

- 5.1 Chair welcomed Keith Porter. Keith Duff introduced the paper. The key issue is the need for a holistic approach to achieve nature conservation aims and secure sustainable management that delivers local character, secures public support and contributes to socio-economic objectives. We must see our work in the wider context and not simply as habitats, species and geological programmes. Lifescapes is an approach to drive this in partnership with Countryside Agency, AONBs, National Parks and English Heritage in particular. The pilot areas are used to test the approach and to capture lessons which can be used across all our work.
- 5.2 The Committee raised the following issues in discussion:
 - 5.1.1 We appear to explain the programme by what it is not, rather than through a short positive statement. The programme must inform our delivery on the ground and include linking designated sites together to achieve ecological integrity. The objective is to increase the potential of nature to contribute to socio-economic benefits, to create an economic reward for biodiversity and to encourage access, understanding of nature and participation in design and delivery by local communities.
 - 5.1.2 The links to geology, geomorphology and the development of a landscape, which provides the basic character of each Natural Area, are not mentioned in the paper. It is important to forge a stronger link to how people see their surroundings and understand them better.
 - 5.1.3 Learning to work in partnership with others to develop, agree and then deliver a common vision is essential. More on how to incorporate community participation and contributions rather than top down definitions of objectives should be sought through the trials, perhaps on smaller areas rather than across whole Natural Areas. The approach should build other

initiatives at community level such as Local Agenda 21 and Community Strategies. The need to jointly fund posts with partners rather than fully fund them was agreed. We should also base our staff in partners' offices where practical. Local Authorities are key partners, not least through their role with local communities.

- 5.1.4 The synergy with our work on Local Record Centres (to hold, integrate and present information) and on agriculture (as the main influence on the overall character of the countryside) must be recognised. The underpinning context includes the Quality of Life Indicator for populations of wild birds and the PSA target for farmland birds. Widespread species have declined the most and require landscape scale action to reverse this decline.
- 5.1.5 A clear understanding of how nature conservation and other interests fit together to provide a shared sense of direction will help draw people in and achieve collaboration and joint working. Clear outcomes help ensure this is done efficiently.
- 5.1.6 Our own staff need to be reassured about the implications of this work for their overall workloads.
- 5.1.7 The project will develop a document that sets out the key issues and lessons. Melinda Appleby will help with the drafting.

Action: Keith Duff

6. Hen Harriers (GC P01 73)

- 6.1 Chair welcomed David Townshend. Keith Duff introduced the paper which sets out the proposed programme to safeguard and extend the population of Hen Harrier in England. Their status was discussed at the February 2001 meeting. Foot and Mouth Disease had prevented any fieldwork during 2001. We have a plan to start work in early 2002 as soon as access is feasible. We have also had discussions with the RSPB, the Game Conservancy Trust and the Moorland Association. A revised draft Memorandum of Understanding with the Moorland Association will be circulated by post for comment.

Action: Keith Duff

- 6.2 Chair emphasised English Nature's commitment to ending persecution and reversing the perilous breeding status of Hen Harrier in England. We will take decisive action where necessary.
- 6.3 The following issues were raised in discussion:
 - 6.3.1 Whilst the focus on the two areas with current breeding Hen Harrier is understood, the work also needs to look more widely and address movement to and from breeding areas and the possibility of extending the range to new areas by helping establish suitable management. The potential for reintroduction was discussed but recognised as inappropriate.
 - 6.3.2 If evidence of illegal persecution were to come to light the basis of prosecution needs to be clear and we must take legal advice. It is clear from the work of the Raptor Study Group that removing tall heather from a moor deters nesting Hen Harrier. The scope of legal protection of the birds, their nests and their habitats needs to be clear.

- 6.3.3 The use of grouse moors by both breeding and passage Hen Harriers was discussed. The birds on the moors during the shooting season may be different from those making breeding attempts there earlier in the year. Some of the birds on English moors in late summer may be moving south from breeding areas in Scotland.
- 6.3.4 It is vital to raise the profile of this issue to increase public pressure to prevent continued damage to the Hen Harrier population in England.

7. Progress report on science. (GC P01 74)

- 7.1 Keith Duff introduced the paper which is a progress report and update since last considered by the Committee in October 2000. The Science Steering Group develops an overview of all science funded in English Nature, including the science funded by other Programme Boards, and determines a programme of strategic science which is focussed on a few priority areas. Delegation of the science budget over the last ten years has led to some dissipation of effort and loss of strategic focus. The challenge is to ensure we retain the appropriate level of local capacity and have the capacity to fund larger and longer-term strategic work. We are using Conservation Focus Groups to provide national overviews of the key issues and will establish a dialogue with external scientists through partnerships and the Natural Science Advisory Group (NSAG). The concern over the availability of broad natural history skills amongst our staff and new recruits remains, and will need to be addressed through training and ensuring staff have the time to develop and maintain these skills.
- 7.2 The following issues were raised in discussion:
 - 7.2.1 Our reputation amongst the academic community is best enhanced through publication in the refereed literature or by publishing books. We need to encourage staff to work with our contractors to develop papers for refereed publication through clauses in our research contracts.
 - 7.2.2 The results of our research must be made available through our website, either by links or directly, and where relevant data must be available through the NBN system so it is available immediately, after a short period for analysis and publication by the researchers. This is a challenge of managing intellectual property rights effectively. The results must also be made available in forms that are accessible to the wider public and presented in ways that will influence people in the relevant audiences. It is also important that we demonstrate how we use the results to develop our advice: this will be a demonstration that our advice is based on science and therefore enhance our reputation.
 - 7.2.3 The Committee **endorsed** the targets and **advised** that future reports require more facts and examples to demonstrate how well we are doing against them. This is increasingly important given the public scrutiny of our advice and work.
 - 7.2.4 Supporting PhD students, and potentially Masters (M.Res, M.Sc) programmes with a significant research component possibly leading to a PhD programme, was welcomed. The benefits come from three sources: the links to the Universities, the research results, and the integration of researchers into our teams on a day to day basis providing an additional source of intellectual exploration of our overall work. Working on real problems with

Local Teams will help our staff become more scientific in their approach to the work, and could foster motivation towards natural history amongst the research students, and providing English Nature with a pool of potential recruits in future.

7.2.5 Council Members will be included in the Steering Group and the NSAG.

Action: Keith Duff

8. Progress review of English Nature's geological conservation strategy (GC P01 75)

- 8.1 Chair welcomed Colin Prosser. Keith Duff introduced the paper which summarises progress against our 1999 strategy and highlights key issues and opportunities. The September 2002 meeting will be in Dorset and will include geological issues, possibly including the UNESCO World Heritage Site if the Dorset Coast is accepted.
- 8.2 The Committee welcomed the succinct paper and raised the following issues:
 - 8.2.1 The link between geology, the cultural heritage through building stone and our Lifescapes programme needs to be stronger. It is important that more Conservation Officers are in tune with and know about at least their local geology.
 - 8.2.2 There are many opportunities to make geology relevant and interesting to a wide range of people: it is important English Nature makes the most of this. Scotland has had a biennial "Geology Week". We will consider running a similar scheme here. The Geological Society is a key partner and we will encourage them to do more with us to help broaden the appreciation of geology.
 - 8.2.3 English Nature has a strong role to play in Europe and should participate in the EU Geoparks initiative which has meetings in Ireland in 2002 and Spain in 2003.

9. Annual Review of Sector Analyses (GC P01 76)

- 9.1 James Marsden introduced the paper. Policy advocacy is developed from research work, the wider experience of the organisation and demonstrations of potential ways of integrating nature conservation into the work of other activities. All this is reflected in the Sector Analyses which provide an overview of the issues and priorities for nature conservation. The analysis looks at the potential effect a sector has on national nature conservation targets. We have now published our Sector Analyses on our website. We have delayed the reviews for Agriculture and Freshwater to allow newly appointed staff in these areas time to develop their work programmes. We have renamed some to reflect the focus of our work better and removed electricity and waste from the formal list to reflect other priorities.
- 9.2 The Committee made the following general comments:
 - 9.2.1 To confirm that work on electricity and waste will continue given the importance of electricity for climate change and the imminent initiative on waste recycling.

- 9.2.2 To **endorse** the proposed changes to the scope for some sectors, the priority actions for 2002/03, the changes in priorities and the proposal to develop a new Financial Services sector analysis.

- 9.3 The Committee then made the following comments by sector and **agreed** to provide detailed editorial comments on the Analyses by post to James Marsden:

Action: All Members.

9.3.1 Construction and Development.

The key focus will be the Green Paper on the future of planning. There is a lot to get included in the subsequent legislation.

9.3.2 Inland Transport.

Regional Transport Strategies are included as a Chapter in the Regional Planning Strategy. These take some time to complete and to consult on through hearings in public. The transport issues are often out of date as a result. Mechanisms need to be developed to keep the transport issues up to date during this process.

The approach adopted in the multi-modal studies is still road dominated and does not assess all external effects and options. It is equally a concern that even where all options are assessed implementation will pick out the road components and only partially implement the overall proposal.

9.3.3 Forestry.

We need to promote a positive understanding of the links between farming and forestry and of viable ways of managing small woods on farms.

9.3.3 Minerals and Aggregates.

The position statement should note the levy will change the overall economics of aggregate resources which are of low bulk value: transport costs and any taxation are very significant. This will change the economic viability of some current uses. We also need to acknowledge the tension between nature conservation values of sites and the amenity value of lakes more clearly.

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10. **Annual Review of Position Statements (GC P01 69)**

- 10.1 Chair welcomed Michael Ford. James Marsden introduced the paper which puts forward five position statements for review and a new one on Coastal Management.

- 10.2 The Committee **welcomed** the paper and the approach to key policy areas and **proposed** developing a new position statement on Climate Change building on the recently published MONARCH Report. The position statement on Invasive Species will be put to the Committee shortly.

Action: Keith Duff

- 10.3 The Committee **agreed** to send detailed points to James Marsden and to **delegate authority to Chair to agree** the final version of all the prescribed position statements other than the one on Local Sites. Position Statements must be concise and use language that is understandable by most people.

Action: All Members, James Marsden and Chair.

10.4 The Committee made detailed comments on the following position statements:

10.4.1 Aggregates:

The changes are minor and reflect demand, the aggregates levy and the sustainability fund.

10.4.2 Forestry:

The changes were discussed with DEFRA, the Woodland Trust and the Forestry Commission and incorporate elements of the position statement on ancient and semi-natural woodland. The statement needs to reflect the fact that the industry is a source of renewable wood and wood products and note the opportunity to use by-products in Combined Heat and Power plants that burn wood. The position statement needs to include invasive species and woodland expansion to reflect the sector analysis.

10.4.3 Waste:

The draft needs editing down but must address long term management of waste sites to cover leachate and methane management after a site is filled. We must signal the inherent quality problems with recycled materials, whilst reinforcing the benefits of reducing the primary demand for materials by increasing recycling.

10.4.4 Local Sites:

The current draft is too much of a discussion document and does not focus on what needs to be done and what our role is. We should promote best practice through effective communications with Local Authorities and encourage active management of these sites by owners, and include sources of support and funding for management. The scope of the paper needs to be clear: are LNRs included? The position statement should be consistent with the DEFRA working group on Local Sites. The Committee **advised** that this position statement should be re-written and come back to a future meeting.

Action: James Marsden

10.4.5 Local Record Centres:

The position statement is too long. It needs to address the relationship between Local Record Centres, managed through the National Biodiversity Network, and Regional Observatories, which provide a regional perspective and service. The importance of monitoring data to allow progress reports against BAP targets and against indicators needs emphasising, as well as the dependence on common standards of recording and data management to make the centres effective.

10.4.6 Coastal Management:

The position statement is too long. Whilst it is important to involve local people, the statement needs to indicate that decisions often need to be made at a wider scale than local to avoid unforeseen knock-on impacts, and people need to understand the wider context of the decisions that affect them. Compensation was discussed and the Committee **agreed** our position that there should not be compensation for private assets lost through natural processes. However, purchase of land to allow room for natural processes was acceptable if cost effective. The need for a longer term view must be strongly stated to avoid developments that are at risk and may require costly protection which has adverse effects elsewhere. The Committee **agreed** to rename the position statement “Shoreline Management” and incorporate a sentence that puts this in a wider context of coastal management.

11. Parliamentary work within English Nature: a review (GC P01 68)

11.1 Chair welcomed Martin Tither. James Marsden introduced the paper which sets out progress over the last two years. We have focused our efforts on the Committee Chairs and the Clerks. Feedback indicates our input is valued and is reflected in improved access and early engagement in topics of interest.

11.2 The Committee **endorsed** our approach and considered progress impressive. The following points were raised in discussion:

11.2.1 The need to build up links with Members of the House of Lords so the key concerns in new areas such as the Planning Green Paper were effectively addressed.

11.2.2 The links between MPs and Local Teams provide a clear opportunity for ensuring a positive awareness of our role rather than knowledge based on the topics that arise through the concerns of their constituents. Local Teams must strive to develop constructive relationships with MPs, particularly through public involvement in our work.

12. Fundamental review of pay and performance management systems (GC P01 81)

12.1 Chair welcomed Margaret Bull. Caroline Wood introduced the paper. The purpose is to keep the Committee informed of progress. The approach adopted is inclusive with unions and management together on the project board. This will separate once negotiations start. One key issue is pay progression which has real cost implications. We have delayed our pay remit to provide an opportunity to use the next pay negotiations to start addressing the findings of the review.

12.2 The Committee raised the following points in discussion:

12.2.1 Professional staff are out of line, both with salary levels and progression. However, English Nature is not a private sector organisation and we need to consider our total package including relative job security and non pay benefits.

12.2.2 The implication of comparisons with equivalent organisations is demonstrated in the JNCC. It is Government policy to delegate pay which has implications for diversity of pay arrangements across the public sector: we will never get back to uniformity and devolution will lead to differences across the UK.

12.2.3 The impact of our overall package and the comparison with other organisations on recruitment and retention should be monitored to ensure we are able to employ the staff we need.

13. Internal and external audit: terms of reference for the Audit and Risk Management Committee and the National Audit Office management letter (GC P01 66)

13.1 Caroline Wood introduced the paper which presents the NAO management letter and sets out proposed changes to the Audit and Risk Management Committee. The changes follow consideration of corporate governance across the public sector and the direction of change. They propose an extended remit, clarify the accounting officers relationship with the committee, establish a process to resolve any differences between the accounting officer and the committee, and highlight the accounting officer's broader financial management responsibilities. It is suggested that all members are non-executive to ensure independence. The current committee members endorse the proposals which are acceptable to the Treasury, the NAO and the accounting officer.

13.2 The Committee **agreed** the new terms of reference and composition and **congratulated** Caroline Wood and the team for an excellent letter from the NAO.

14. Losses and special payments report – financial year 2000/01 (GC P01 81)

14.1 Chair welcomed Debbie Goldsmith. Caroline Wood introduced the paper which also resolves some outstanding accounting adjustments as part of the process. The report has been accepted by DEFRA and the NAO.

14.2 The Committee **noted** that the increase in losses was due to the floods in Lewes, Sussex and due to foot and mouth disease. The increase in number of losses and special payments is largely due to increased awareness rather than an increased problem. English Nature self-insures other than for cars and road vehicles. This is reviewed periodically and we have been involved in recent inter-Departmental discussions and concluded that continuing to self-insure was still the best option.

15. Performance report: April 2001 – September 2001 (GC P01 79)

15.1 Caroline Wood introduced the report, which shows overall performance, and expenditure was good despite foot and mouth disease. The level of contractual commitment is however lower than last year and we expect a further increase in March spend. Most targets are on course, but condition assessment of SSSIs is a concern. Foot and mouth disease prevented work on this in spring and early summer, and owners and occupiers remain concerned about access. Teams are confident they can catch up during 2002/03 and meet the overall target. General Managers are addressing these issues with Teams and monitoring excess hours regularly.

15.2 The Committee **welcomed** the report.

16. Delegated decisions on SSSI notifications and confirmations (GC P01 67)

16.1 The Committee **noted** the report.

17. Chair and Directors' topical reports (GC P01 79)

17.1 The Committee **noted** the report and raised the following issues:

17.1.1 The Committee **congratulated** all those involved in communicating our position on Dibden Bay to the public and the media so effectively and welcomed our evidence on the website.

17.1.2 Paston Great Barn: English Nature will take a 50 year lease on the Barn and develop a programme to cover further repairs and maintenance whilst ensuring conservation of the Barbastelle bats using the site. We have agreed a formal partnership with English Heritage, the Norfolk Historic Buildings Trust and the local Bat Group on this programme.

17.1.3 The Committee **noted** the concerns raised by Susan Gubbay over the Randall Bill. It is not yet clear what the Government's position is as no amendments have been tabled. English Nature has a Bill Team working who will explore the basis for DEFRA's position and will provide briefing for Council.

17.1.4 The position of the Countryside Agency on the use of the aggregates levy will be determined and circulated to Members.

Action: James Marsden

17.1.5 The Committee expressed concern over the potential resource implications of the European Plant Conservation Strategy and urged the executive to keep a close eye on the work to ensure it remains focused and practical.

17.1.6 The Committee **noted** a green business travel plan will be presented to the Executive Committee in January and will be followed by a home to office travel plan.

18. Minutes of the Joint Nature Conservation Committee (GC P01 80)

18.1 Mike Moser introduced the paper which now presents the full minutes to English Nature's General Committee of Council rather than a personal note of the proceedings. English Nature is hosting the next field visit for the Joint Committee in Somerset in June. This will focus on applications of the Water Framework Directive and the Southwest trial of the National Biodiversity Network

19. Any Other Business

19.1 There was none.

20. Closed session

20.1 The Committee went into a closed session.

The meeting ended at 16.30.

Signed.....

Date.....