

General Committee of Council

Confirmed minutes of the twenty eighth meeting of the General Committee of Council held on 24 September 2003 at the Quality Hotel, Wigan

Present: Sir Martin Doughty (Chair)
Ms M Appleby
Dr A Brown (Chief Executive)
Dr A Clements (Director)
Ms S Collins (Director)
Dr K Duff (Director)
Prof E Gallagher
Mr S Hockman
Mr D Hulyer
Prof D Macdonald
Dr M Moser
Dr A Powell
Mr H van Cutsem
Ms C Wood (Director)

In attendance: Mr J Wray (Corporate Business Team, Minuting Secretary)
Dr K Porter (Item 5)
Mrs S Gunn (Item 6)
Mr R Williams (Item 8)

1. Apologies and welcomes

- 1.1 The Chair welcomed the Committee and general public. The Committee's field trips had been novel and involved lots of partner organisations. The Committee had gained much from the visits.
- 1.2 The Committee **agreed** that the Chair should write to those partner organisations who had hosted the field visits and thank them for their hospitality.
- Action:** Chair
- 1.3 The Committee **thanked** the staff of the Cheshire and Lancashire Team together with David Henshilwood, General Manager, for providing such informative and enjoyable field trips.
- 1.4 Apologies were received from Mr Burke, Dr Gubbay and Prof. Hart. Professor Hart had submitted comments about several of the papers for discussion. These comments were read into the meeting.

2. Minutes of the twenty seventh meeting of the General Committee of Council held on 25 June 2003 (GC M03 02)

- 2.1 Paragraph 13.2F. – Professor Hart asked that the second sentence be amended to read “There had been some criticism from one source that English Nature did not do enough for geomorphology and the conservation of soils.”
- 2.2 Mr van Cutsem asked that the minutes be amended to show he was present at the meeting.
- 2.3 The minutes were then **confirmed**.

3. Matters arising

- 3.1 Paragraph 13.2m – Professor Hart reported that the issue of Pennington Cliff had been discussed by East Devon District Council on 9 September however their decision was not known.
- 3.2 Paragraph 14.5 – Professor Hart thanked Dr Duff for his update regarding the JNCC questionnaire.
- 3.3 The Committee **noted** the Action Points table and the following point was raised:
 - 3.3.1 Action Point 3.1 Professor Hart thanked the Local Team for the update regarding Cuckmere Haven.

4. Draft Position Statement on Sustainable Tourism in England (GC P03 31)

- 4.1 Ms Collins introduced the paper. Council had asked for some minor revisions to be made to the draft position statement. These had been carried out and the position statement was brought for further consideration.
- 4.2 The Committee **considered** the revised Position Statement and raised the following comments in discussion:
 - 4.2.1 It would be helpful if the final emboldened paragraph, linking this Position Statement to others to which it related, was moved to the first page as a footnote.
 - 4.2.2 There was concern over unsustainable aspects of tourism including carbon dioxide emissions. The position statement addressed this by emphasising the benefits of domestic tourism and the alternatives to car use.
 - 4.2.3 The Committee **agreed** that Position Statements should include an email address so that readers could send their views to English Nature. This would help with future revisions of the statements.

Action: Ms Collins

- 4.3 The Committee **approved** the draft position statement and after revision it will be **signed off** by the Chair.

5. Working at a 'Landscape' scale: the role of English Nature (GC P03 32)

- 5.1 Dr Duff introduced the paper which set out the strategic direction for tackling conservation at the wider landscape scale engaging with people and organisations from all socio-economic sectors and organisations. It is an evolution from Natural Areas and Lifescapes and is consistent with the approach enshrined in the England Biodiversity Strategy and the Convention on Biological Diversity. It has been welcomed by both Defra and the voluntary sector. It moves away from the traditional species approach towards sustainability and the development of strategic partnerships.
- 5.2 The Committee **noted** the links with English Nature's work with people and nature and raised the following points in discussion:
 - 5.2.1 English Nature had a major role in developing the concept, but could not do everything. This was not a new English Nature initiative and we are already involved in many larger scale partnership projects around the country. We were developing criteria for identifying which kinds of projects we should get involved in as it is essential to prioritise our efforts.
 - 5.2.2 The aim was to build-up one exemplar project within each region, working with partners, by 2005.
 - 5.2.3 It was important to be clear about the use of terms and how they fitted together. Natural Areas were the fundamental building blocks to allow the characterisation of landscape, ecologically, and inform delivery. The Lifescapes concept tested how English Nature could engage across the country with partners, by means of pilot projects. Delivery at landscape scale is the next logical step taking a more integrated and ecosystem based approach which covers wider areas.
 - 5.2.4 English Nature was already involved in around 380 partnership projects. This could be too many and it might be better to concentrate on fewer projects, looking at how environmental objectives can be achieved alongside socio-economic objectives in different parts of the country. Criteria were needed to help Area Team prioritise project proposals.
 - 5.2.5 The proposals move us towards an ecosystem approach. However, it was necessary to recognise that this could bring some scientific difficulties as it was sometimes harder to understand the ecological workings of bigger areas. English Nature was committed to improving its knowledge and was encouraging NERC and ESRC to improve their understanding.
 - 5.2.6 There was, in general, a lack of detailed understanding of the inter-relationships between nature conservation and socio-economic activity. The Committee **asked** that a paper be prepared that would discuss this and explore case study material.

Action: Ms Collins

- 5.2.7 It was important to recognise that the aspirations of organisations and agencies could differ from those of the local population. There was a need to achieve common visions. Different partnerships would be needed at different scales of operation. It was vital to be explicit about the benefits of biodiversity to the agendas of others.
- 5.3 In conclusion, the Committee supported the development of this work and looked forward to a well articulated account which avoided the confusing terminology.

6. Reconnecting People and Nature – Strategic Direction (GC P03 35)

- 6.1 Ms Collins introduced the paper. More work was needed to reconnect people with nature and it needed to be done more effectively. The rationale had been developed over the last two years and the paper refines the thinking done to date. The Committee's views were sought on the proposed strategic direction and would inform the action planning.
- 6.2 The Committee **considered** the paper and raised the following points in discussion:
- 6.2.1 The Committee **agreed** the Vision, however the third sentence should be put first to emphasise the aim of increasing access to, and understanding of, nature. This increased access must include protected sites, local greenspace and well as private gardens. People value what is on their doorstep particularly housing with good access to local greenspace. Developers should be encouraged early on to adopt our greenspace standards.
- 6.2.2 The JNCC was developing its own strategy for nature conservation in Britain, working with the Country Agencies and the people and nature vision resonated well with that.
- 6.2.3 English Nature is a nature conservation organisation working to promote sustainable development. It was important to explain to staff the benefits of working for nature conservation through people. The bullet points in para 4.1 might be better expressed as:
- a. Nature conservation is not an end in itself but a benefit for mankind.
 - b. People should be involved and encouraged to participate as we live in a democracy.
 - c. The more people are involved, the more they will support our work and conservation activity generally.
- 6.2.4 There was a need to stress both English Nature's statutory duty and the importance it placed on influencing and engaging with people. There was a need to emphasise the broad canvas over which English Nature operates, but also recognise that some aspects of the work would, necessarily, be quite narrowly focussed or technical. Much of the work already underway was people-focussed and the programme was about recognising this and realising the benefits of such an approach.
- 6.2.5 The social behavioural aspects of this work were important. People hold the key to change and this must be explicitly explained. People's aspirations may not be the

same as English Nature's and we need to understand their perceptions more fully and start from where they are. We need to be humble, manage our own expectations and be prepared to fail on occasions.

- 6.2.6 The critical next step was to take the process forward practically. We need to be explicit and recognise that there are simple things we can do to push the programme forward, which build upon English Nature's strengths in defining a realistic plan.
- 6.2.7 To achieve practical success it is necessary to recognise that there would be resourcing issues. We need to be clear about what we could afford and what more might be done if external funding is available.
- 6.2.8 An analysis of English Nature's organisational characteristics and what makes us special, needs to be undertaken. We also need to analyse what others are doing and establish new partnerships. We should remember that 20% of the public are always going to be hostile to nature conservation, our work should concentrate on the 80% who are not and whom we could influence.
- 6.2.9 It was **agreed** that the regional approach will be adopted in 2004.
- 6.2.10 The Committee **noted** the success measures, which were designed to be practical and achievable. English Nature had done work to identify its local audiences but needed to do more to understand people's interactions with local greenspace and their concerns.
- 6.3 The Committee **endorsed** the overall approach.

7. Grants in English Nature – Annual Report 2002/2003 (GC P03 30)

- 7.1 Ms Collins introduced the paper which gave an overview of the grants programme for 2002/03.
- 7.2 The Committee **noted** the report and **congratulated** the organisation on the management of the programme and the achievements which have resulted.

8. Repositioning English Nature's Grants – Strategic Review Phase 2 (GC P03 34)

- 8.1 Mr van Cutsem declared an interest as he was in receipt of an English Nature Grant for work on stone curlews.
- 8.2 Ms Collins introduced the paper and reminded the Committee that it had discussed the issue in December 2002, and had asked for a more radical assessment of English Nature's grants in the light of the Grant-in-Aid and the Haskins Review of Rural Delivery. The Grants Schemes had been reviewed in the context of the whole grant funding landscape, comparing what was available from other funding bodies. The Executive Committee had agreed it was not timely to rebrand grants or to attempt to make radical changes. It was better to work positively with external funding bodies, eg Awards for All, who had community-based small scale schemes, an identified gap.

Therefore a scheme along these lines would be developed, focussing on delivery by contribution contracts.

8.3 The Committee **considered** the paper and raised the following points in discussion:

8.3.1 Some existing internal English Nature schemes, for example the Reserve Enhancement Scheme, did not fall easily into the grants function. These were being reviewed by the Chief Surveyor.

8.3.2 The Committee **recognised** the concerns arising from our short-term funding schemes and the needs of recipients to obtain funding over the longer term. Exploration was underway for the funding of Wildspace! Once the current scheme was concluded. Council **emphasised** its desire to ensure that English Nature's funding scheme for LNRs was continued.

8.3.4 As there were several reviews taking place within the overall grant giving process the Committee **asked** that they be kept up to date with developments. Details would be included in future Annual Reports on Grants.

Action: Ms Collins

8.3.5 It was important to explore grant schemes that could influence land management as well as looking at initiatives that could deliver on a larger scale, for example developing opportunities with Regional Development Agencies.

8.3.6 English Nature must look for partnership funding as well as Lottery funding. English Nature did spend its Lottery funding well and had a sound reputation in project management.

8.3.7 The Committee questioned the removal of small grants from Area Teams but were advised that Area Teams could still fund projects where appropriate by use of contribution contracts.

8.3.8 Opportunities should be sought to influence how Lottery funds were distributed between the various broad subject areas eg built heritage, sport and biodiversity. Council Members would be sent details of the current distribution.

Action: Sue Collins

8.4 The Committee **endorsed** the conclusions set out in paragraph 8 of the paper.

9. Performance Report: April 2003 – June 2003 (GC P03 33)

9.1 Dr Brown introduced the paper. The year had started with a significant over allocation and this was now being managed down. In terms of performance the favourable condition target was an area of concern. However, action had been taken and the situation was looking better. Licensing standards had evoked external criticism, but action had been taken and there was significant improvement. The issue of excessive working hours remained and steps were being taken to deal with this, including addressing work/life balance and prioritisation. There had been some successes, but more were needed.

- 9.2 The Committee **discussed** the paper and raised the following points:
- 9.2.1 External funding was good and well managed and it was noted that there were five new Lottery projects this financial year.
 - 9.2.2 The SSSI favourable condition target was an extremely challenging one. There had been strong management action on SSSI/NNR targets. Teams had underestimated their forecasts to bring a further 5% of SSSI area into favourable condition this year. Reformatting was taking place and condition data being revalidated. The validation work had produced a one-off effect, moving some SSSI areas from favourable condition to unfavourable and vice-versa. This would not re-occur. Area Teams forecast 50,000-65,000 ha of SSSI to become favourable this year.
 - 9.2.3 Every NNR has a plan to achieve favourable condition. In April 2003 67% were in favourable condition. The target by the end of the year was 80%, is a very stretching target.
 - 9.2.4 The views about management had also been a challenging operational target. The in year target was being allowed to slip as staff effort needed to be redeployed.
 - 9.2.5 Of those SSSIs in unfavourable condition, work was concentrating on the uplands and coastal areas. Defra was doing a better job of alerting agencies and utilities who held land of the need to assist delivery of the target. At a recent meeting of the High Level Delivery Group all organisations expressed their commitment to meet the condition targets for their estates.
 - 9.2.6 English Nature must continue to focus on delivery whilst the Haskins Review was awaited and implemented. Existing work had to be kept intact. The control system provided good statistics and English Nature supplied condition data when requested by owners of SSSIs. The first full SSSI condition report will be published in November.
 - 9.2.7 Resourcing will be an important factor in achieving our targets. There were several potential funding issues ahead, including the review or conclusions of several funding streams, together with the tight constraints on the 2004 spending review. English Nature is contributing to the overall Defra SSSI target and our contribution will need to be revised to reflect the future financial situation.

10. Health and Safety Annual Report 2002-2003 GC P03 36

- 10.1 Dr Duff introduced the report which provided the Committee with reassurance that English Nature's health and safety management was effective and appropriate. English Nature and its staff take safety issues seriously.
- 10.2 The Committee **noted** the report and raised the following points in discussion:
 - 10.2.1 Hazards and risk were different things. When drawing attention to hazards on NNRs it was for the visitors to assess the risk. English Nature should ensure it does not confuse visitors regarding the difference between hazards and risks so reducing the chance of any potential litigation to the minimum.

10.2.2 In the event of any claims English Nature seeks the advice of its lawyers if there is a case to answer. Under Treasury rules English Nature does not take out insurance, other than that legally required, for example car insurance, and cannot carry insurance unless a business case can be put for doing so. Past reviews concluded that there was no case to be put however, the level of compensation generally has risen seriously over the past few years. It was suggested that English Nature should seek insurance cover above an excess to prevent substantial exposure to compensation costs particularly where a full history of claims was not possible due to the infrequent nature of the events. It was important that English Nature took account of this. Ms Wood would review when the business case had last been considered and she would arrange for a new review and if appropriate within Treasury guidelines, taking account of the changing environment of claims as above. The Committee would be advised of the outcome of the review.

Action: Ms Wood

10.2.3 The increase in ticks could lead to a rise in the occurrence of Lyme Disease. Staff were aware of the issue which was discussed regularly. Tick bites tended to be under reported. Staff were regularly reminded about taking appropriate precautions against both Lyme and Weils Diseases.

11. Council Dates for 2004/2005 (GC P03 37)

11.1 The Committee **noted** the dates of the meetings for 2004 and 2005.

12. Delegated decisions on the SSSI notification programme and confirmation on verbal update

12.1 Dr Clements updated the Committee. There had been no delegated decisions taken since the last time the committee had discussed the matter. There would be a paper on delegated decisions at the December meeting. There are likely to be two SSSI cases for consideration of objections at the December meeting.

12.2 The Committee was kept well informed about the status of SSSIs, but wished to know more about the policy of notification. The focus was on retaining the existing resource and responding to external drivers such as threats and EU Directives. A paper outlining the notification policy would be brought to a future meeting.

Action: Dr Clements

13. Chair, Chief Executive and Directors Topical Report (GC P03 39)

13.1 Chair introduced the paper.

13.2 The following points were raised in discussion:

- a. **SSSI Enforcement (Para 4.3)** – The text in brackets after the first bullet point should be deleted.

- b. **Diffuse agricultural pollution** – It was often not possible to identify specific polluters so general preventative measures were necessary.
- c. **Planning and Sustainable Development** – Chair had signed off the position statement.
- d. **Inland Transport (Para 12.8.3)** – Chair had met Alistair Darling and Tony McNulty. There will be an aviation White Paper by the end of 2003. The biggest problem is that the Government target to reduce carbon dioxide emissions is being counteracted by a three-fold increase in air travel. However there is an encouraging amount of dialogue within Government.
- e. **Service Improvement Group** – Council Members were **invited** to take part in the Customer Snapshot Day.
- f. **Geology** - Prof Hart **thanked** staff in the Geology Group for completing the report of the Salford Conference.
- g. The Committee **noted** that there had been considerable press coverage following a speech by a staff member at the British Association for the Advancement of Science Meeting. Some of the headlines had been inaccurate and that had led to considerable press interest in the issue concerned. The overall outcome had been positive and our Minister Ben Bradshaw had complimented English Nature on the coverage. Staff are encouraged to talk to the media and not be shy. There had been an early alert to the press interest. To help with any such future events, a review was underway to assess English Nature's handling of the situation.

14. Unconfirmed Minutes from the Fifty-Ninth Meeting of the Joint Nature Conservation Committee (GC P03 40)

- 14.1 Chair introduced the paper. The following point was raised in discussion.
- 14.2 **Paragraph 8.2** – World Heritage Site status is the only world-wide recognition. If the term 'international' was used then IUGS Geosites and European Geoparks would then have to be included.

15. Other Business

- 15.1 The Committee **congratulated** English Nature on retaining the Investors in People accreditation.

16. Closed session (minuted separately)

16.1 JNCC Strategy

16.1.1 The Committee **discussed** the development of the JNCC strategy.

Signed

Date