

General Committee of Council

Confirmed minutes of the Thirtieth Meeting of Council held on 17 March 2004 at the Lythe Hill Hotel, Haslemere

Present: Sir Martin Doughty (Chair)
Ms M Appleby
Dr A Brown (Chief Executive)
Mr T Burke
Dr A Clements (Director)
Ms S Collins (Director)
Dr K Duff (Director)
Prof E Gallagher
Ms Sue Gubbay
Prof M Hart
Mr S Hockman
Mr D Hulyer
Mrs A Kelaart
Dr M Moser
Mr P Newby (Director)
Dr A Powell
Mr H van Cutsem
Ms C Wood (Director)

In attendance: Mr J Wray (Corporate Business Team, Minuting Secretary)
Mr G Bathe (Item 5)
Mr D Markham (Items 5 and 9)
Mr T Cosgrove (Items 8 and 9)
Mr D Knight (Item 10)

1. Apologies and welcomes

- 1.1 Chair welcomed the Committee and the general public, including Ms Sarah Fowler, Council Member Designate who was observing the meeting.
- 1.2 Apologies were received from Prof D Macdonald.

2. Minutes of the twenty ninth meeting of the General Committee held on 2 December 2003 (GC M03 04)

- 2.1 A minor typographic change was proposed in paragraph 4.2.5 and, having been accepted, the minutes were then **confirmed**.

3. Matters Arising

- 3.1 Action Point 4 – The geodiversity book had been provided for Prof Hart and Mr Hulyer. Another copy was on circulation.

4. Science Achievements and Issues 2003/04 (GC P04 03)

- 4.1 Dr Duff introduced the paper. Science pervaded all of English Nature's work and was split into strategic, tactical and operational science. The strategic science work was highlighted in the paper, and the programme had been developed over the past year. There had already been some consideration of the science needs of the proposed Integrated Agency.

- 4.2 The Committee **discussed** the paper and raised the following points:

- 4.2.1 It was important that English Nature and its staff were seen to communicate science issues and publish articles in the scientific literature as a means of demonstrating our scientific credibility. The Committee **congratulated** those staff with published work. There was currently a debate underway about the place of science in society and we needed to contribute to it. English Nature needed to ensure that the evidential basis for our advice, actions and views was strong, and clearly demonstrated.

English Nature had many good science communicators, but many officers did not have the time needed to maximise opportunities here, or were not comfortable in the communications role. The Knowledge Management Project could help in capturing the knowledge from across English Nature to let the more skilled communicators tell the stories. A science communications strategy was being developed, and the Committee would be updated on this.

AP1: The Committee would consider science communication issues at a future meeting.

Action: Dr Duff & Mr Newby

- 4.2.2 It was important to make science exciting and the paper should reflect this more. It was important to retain the science competencies of frontline staff and we needed to engage more with Higher Education to help us. The discontinued College – English Nature Links Scheme (CEL) was a potential model for the kind of scheme which might be re-established, and Dr Duff will explore this.

AP2: Dr Duff to explore the possibility of establishing a revised CEL-type scheme and report back to Council.

Action: Dr Duff

- 4.2.3 English Nature had made good strategic progress in science, however the paper did not define its scientific targets and needed to show more achievements and actions. The Committee **asked** for updates on progress and for more clarity about English Nature's science targets.

AP3: Dr Duff to circulate information on science targets and to provide progress reports on actions.

Action: Dr Duff

4.2.4 It was important to understand the social aspects of how the public related to science. Lancaster University was researching into the sociological background of nature conservation volunteers and what factors encouraged them to volunteer. There was a need to study the impact of, and interest in, science of factional groups. The kind of work should be covered in future reports to Council.

4.2.5 The creation of the Integrated Agency could provide pressure to dissipate science spending. There were a number of “penny packet” projects underway; small cost research projects would always be needed but it was important not to lose the broader science picture. The annual Register of Research showed the wide range of English Nature funded research. English Nature should continue to look for extra funds for science research.

5. Current issues relating to access and recreation (GC P04 02)

5.1 Dr Clements introduced the paper which showed the progress regarding Rights of Way and Access. This was often invisible work, led by Graham Bathe, who had close links with the Countryside Agency. English Nature was seen to be delivering its targets.

5.2 The Committee **noted** the progress with the Countryside and Rights of Way Act 2000 (CRoW) work and raised the following points in discussion:

5.2.1 The statutory right of access will start to take effect from late summer 2004. Managing access will be an important issue and it will be essential to build up partnerships and secure the necessary resources.

5.2.2 SSSIs will provide over half of all the access land in England. Management of access will have to take place over a range of sites to allow for the varying recreational interests of the general public. Where English Nature wishes to encourage access there may well be a need to help people get to the site. It will also be important to ensure English Nature’s presence is seen on-site, especially when explaining our management decisions to the local community.

5.2.3 There was concern by some land owners that access land would be flooded by visitors. This was unlikely to happen as there would be minimal change in the access needs and recreational interests of most people. However there may be some issues locally that need to be addressed particularly close to large urban areas.

5.2.4 English Nature could only grant access in perpetuity on those NNRs that it actually owned. Progress was being made with this.

5.2.5 Good communication and interpretation would be vital and strong interpretive planning was needed. There should be good links between English Nature and voluntary groups so that common messages are given. The work of the Integrated Agency will provide considerable opportunities for interpretation and communication.

5.2.6 A consequence of CRow is the potential increase in the vehicular rights in the countryside. This is largely due to the number of Byeways open to all Traffic (BOAT) that have had vehicular access since the sixteenth century. Historic vehicular rights should not be used to determine present day ones.

6. SSSI Confirmation - Slade Brook SSSI, Gloucestershire (GC P04 06)

6.1 Dr Clements advised the Committee that the objections had been **withdrawn** and that the notification could be confirmed under delegated authority.

6.2 The Area Team had held a series of very useful meetings with the owners and had agreed a form of words regarding English Nature's position on planning development on the quarry and in relation to giving advice to the Local Authority.

7. Annual Review of Sector Analysis – Priority Actions (GC P04 08)

7.1 Ms Collins introduced the paper which reported on the priority actions agreed by Council in 2003 for the Construction, Development, Water and Sea Fisheries Sectors.

7.2 The Committee **noted** the progress on the sector analyses and raised the following points:

7.2.1 Construction and Development

7.2.1.1 Considerable progress had been made in this sector. The Committee **congratulated** Helen Doran for her work in this area and wished her well as she was soon to start maternity leave.

7.2.1.2 English Nature was trying to develop a strategic relationship with the Office of the Deputy Prime Minister (ODPM). There is a huge amount of planning work arising from ODPM and it was vital to ensure that officials appreciated the associated environmental issues of this, especially in the light of the pressure to speed up planning decision-making.

7.2.1.3 There needed to be a national spatial perspective. The cumulative effects of development are difficult to assess but were thought to be getting serious. English Nature was commissioning work on studying the cumulative ecological impacts. English Nature needed to take the opportunities to engage in influencing the best practice of landscape and housing design. Good examples were needed but uptake of the principles by the sector was slow. The sustainable development concept was widely cited but there were concerns that there was an assumption in favour of development.

7.2.2 **Water Sector**

7.2.2.1 There had been considerable engagement at all levels of English Nature to influence the next Water Company Investment Programme. The Secretary of State had recently announced that it would incorporate significant action for phosphate stripping, ameliorating water abstraction problems on SSSIs and for BAP targets. The programme includes all SSSIs proposed by English Nature, and two innovative catchment schemes.

7.2.2.2 Water level Management Plans were a big issue on SSSIs and it had been difficult to make progress, but work was continuing.

7.2.2.3 It was important to encourage farmers to reduce diffuse pollution. Whilst the phosphate stripping at sewerage works was welcome phosphate pollution was still occurring from diffuse sources, principally fertilizers and animal feed.

7.2.3 **Sea Fisheries**

7.2.3.1 There was still a great concern about overfishing in the North Sea and English Nature was working hard to influence the policy position and the actions by the industry. A paper on the state of sea fisheries could be brought to a future meeting.

AP4: Ms Collins would arrange for a paper on sea fisheries to come to a future meeting.

Action: Ms Collins

7.2.3.2 The Maritime State of Nature report had been important in ensuring the acceptance of English Nature's role in commenting on commercial fishery issues. Environmental objectives were needed in fisheries management. Marine spatial planning and strategic environmental assessment offshore were not traditional fisheries issues but the fisheries aspects of those areas were worth exploring. Fisheries did not have to undergo strategic environmental assessment offshore and this was an anomaly.

7.3 The Committee **endorsed** the proposed priority action changes in the construction and development and water sectors.

8. Minerals and Aggregates Sector Analysis (GC P04 14)

8.1 Dr Duff introduced the paper which reviewed the previous year's actions and detailed future actions.

8.2 The Committee **noted** the progress and raised the following points in discussion:

- 8.2.1 The sector was a vibrant one and English Nature was seen by many as being part of the solution to problems. There had been considerable BAP gains and we were close to achieving other targets.
- 8.2.2 The Aggregates Levy Sustainability Fund brought English Nature close to the industry. Discussions were taking place with the Countryside Agency about merging our ALSF Schemes. ALSF had been temporarily renewed, and English Nature should seek its continuation as there was a clear and ongoing need for restoration, enhancement, community and access projects related to the industry.
- 8.2.3 Marine aggregate extraction was an issue, as these are fossil deposits, which are (effectively) non-renewable. As most extractions come within the 12 mile limit there was a consultation process regarding their extraction. The degree of knowledge about marine deposits extraction was not as great as we would like, and English Nature was seeking strong assurances regarding the impacts.
- 8.2.4 The industry produced a vast range of products and a significant issue is the transport of minerals. In addition the economics of mineral extraction were changing as waste disposal now used other techniques in addition to filling in old quarries. The Priority Actions needed to consider these issues in greater depth.
- 8.2.5 The minerals planning figures were drawn-up centrally by ODPM. The 19% planned reduction in aggregate extraction should be provided by using aggregates from demolished buildings. The figures may be optimistic.
- 8.3 The Committee **endorsed** the priority actions for 2004/05.

9. Position Statements

9.1 Use of Peat and Alternatives (GC P04 04)

- 9.1.1 Ms Collins introduced the paper which followed on from the now discontinued statement on the conservation of peat habitats.
- 9.1.2 The Committee **considered** the draft statement and raised the following points:
 - 9.1.2.1 The quality of peat free compost had improved immensely in the past few years and was of higher quality. It would be useful to have the Royal Horticultural Society re-start their trials on the current ranges of peat alternatives to inform gardeners.
 - 9.1.2.2 The term agricultural improvement should be removed.
 - 9.1.2.3 The details relating to the **Peatering Out** report needed to be included as a footnote. The bullet points under “English Nature will continue to” seemed more focussed than those under “What English Nature is doing” and the Position Statement should be redrafted to reflect this.
 - 9.1.2.4 The title should be made more specific to gardening and horticulture.

- 9.1.3 The Committee **agreed** that the position statement should be re-drafted in the light of discussions and signed off by the Chair.

AP5: Position Statement to be redrafted in the light of the discussion and signed off by the Chair.

Action: Ms Collins

9.2 Access and Countryside Recreation (GC P04 01)

- 9.2.1 Dr Clements introduced the paper. The draft position statement was important due to the Modernising Rural Delivery agenda. Stakeholder consultation had been carried out and the statement would be submitted to the Plain English Campaign for the Crystal Mark after Council had commented on it. Previous statements had been over precautionary and the change in approach had been recognised by the Ramblers Association and Open Spaces Society.

- 9.2.2 The Committee **noted** the position statement and raised the following points:

- 9.2.2.1 The first sentence needed reviewing as it could be read as implying access safeguarded wildlife rather than the management of access safeguarded wildlife.

- 9.2.2.2 There needed to be some mention of intellectual access to the countryside.

- 9.2.2.3 It was important to include related information, especially to show that English Nature did know about recreation and access issues in relation to natural environment.

- 9.2.3 The Committee **agreed** that the Position Statement should be redrafted in the light of the discussion and the Chair sign it off.

AP6: Position Statement to be redrafted and signed off by the Chair.

Action: Dr Clements

9.3 Non-Aggregate Extraction and Nature Conservation (GC P04 05)

- 9.3.1 Dr Duff introduced the paper. The non-aggregate sector covered a wide range of minerals. The conservation issues were challenging due to the limited number of extraction sites.

- 9.3.2 The Committee **considered** the revised statement and raised the following points:

- 9.3.2.1 The character of a landscape was often defined by the buildings in it. English Nature was working closely with English Heritage over proposals to open up old quarries for historic building stone.

- 9.3.2.2 There was a national need for some minerals, that seemed to imply that planning authorities would be in favour of development. If those minerals were available

globally they could be imported, providing this did not lower the environmental standards of the exporting countries. The issue of international trade should be explored with ODPM.

AP7: Dr Duff to arrange discussions with ODPM.

Action: Dr Duff

- 9.3.3 The Committee **agreed** the position statement should be revised in the light of the discussion and signed off by the Chair.

AP8: The Position Statement to be revised and signed off by the Chair.

Action: Dr Duff

10. English Nature's Urban Strategy (GC P04 12)

- 10.1 Ms Collins introduced the paper. English Nature is revitalising its urban work to reconnect people with nature but this had to be done in a cost effective way.
- 10.2 The Committee **discussed** the paper and raised the following points in discussion:
- 10.2.1 It was important to show that the urban and rural environments are interconnected. In addition, the urban sector was not homogeneous and was itself split into various types. People needed more access to nature and it was important to realise that some of the best urban wildlife was to be found in undisturbed and brownfield sites. More research was needed on urban fringe/rural issues.
- 10.2.2 The paper needed more reference to the people and nature agenda and was rather site focussed. It was important to recognise the importance of gardens in the urban environment and that they had both environmental and political importance. Many people found urban wildspace threatening so better design was needed that did not deflect from achieving good biodiversity. The cultural perceptions of greenspaces will vary and we need to learn about these differences and be sensitive to them.
- 10.2.3 Geological conservation in urban areas was further advanced than shown here and the conceptual achievements of Regionally Important Geological Sites (RIGS) were important.
- 10.2.4 Sustainable Communities is an important Government initiative and our input would need appropriate resourcing. The Integrated Agency needed to plan for this as well as having an explicit urban agenda. Resourcing of the urban programme was vital both for English Nature and the future Integrated Agency, which would include the Countryside Agency's remit for urban renewal.
- 10.3 The Committee **endorsed** the need for further development of the urban strategy and its implementation.

11. Performance Report: April 2003 – December 2003 (GC P04 10)

- 11.1 Dr Brown introduced the paper and gave an update on progress. Overall the financial situation was good. There had been concerns over receipt of ALSF invoices from grant recipients but this was being addressed. European funding was also of some concern and there may be a problem with end of year cash flow if any of the funding was received late.
- 11.2 The Committee **discussed** the report and raised the following points:
 - 11.2.1 There had been concern over the SSSI favourable condition target during the quarter. Other Designated Sites Programme Board targets had been adjusted to allow this threat to be addressed and it was likely the end of year target would be met. This was a considerable achievement.
 - 11.2.2 Species licensing standards had been an issue and external complaints had been received early in the year. The situation had been completely turned around, at a time when the workload had also increased. This was a most impressive change.
 - 11.2.3 There should be some narrative about target setting. Some targets are more qualitative than others and setting targets and assessing performance was a challenge in some areas of work.
 - 11.2.4 The county coverage of record centres was listed as uncertain. The data had now been clarified and we were meeting the target with 65% coverage.
 - 11.2.5 The Biodiversity Action Report System (BARS) was being trialled and had been developed as a web-based reporting system. Fifteen LBAP areas are using the system and 15 more are committed to using it.
 - 11.2.6 The narrative regarding the Wider Environment Programme Board had been accidentally omitted and needed replacing. Committee Support Unit would issue a full version of the paper.

AP9: Committee Support Unit would reissue the Performance Paper with the missing information included.

Action: CSU

12. Unconfirmed minutes from the Sixty-First Meeting of the Joint Nature Conservation Committee (GC P04 11)

- 12.1 The Committee **noted** the minutes and raised the following points:
 - 12.1.1 The recruitment process for the new Chairman of the JNCC was underway.

- 12.1.2 Matters arising Paragraph 3.4 – Defra were awaiting clarifications from the European Union regarding the new offshore habitat SAC proposals. Work by the Country Agencies was underway.

13. Chair, Chief Executive and Directors' Topical Report (GC P04 49)

- 13.1 Nature On-Line – The BBC had expressed interest in following-up the Lathkill Dale virtual tour. The first month of Nature on the Map had elicited approximately 2000 hits, the last month's figures were approximately 10,000 hits and this was with little advance publicity. There were new geological pages now available. There would be a presentation of Nature On-Line at the June Council meeting and the Chair **requested** an appropriate amount of time for this on the agenda.

AP10: Nature On-Line presentation to be planned into the agenda of the June meeting of Council.

Action: Mr Newby

13.2 Breckland Judicial Review

If the Appeal was lost by English Nature, a decision was needed about taking the case to the House of Lords and the costs that would be incurred. Defra had been made aware of the situation.

- 13.3 Leven Canal (Yorkshire) – The claimant had been given permission to go to the Court of Appeal and English Nature representation was currently being considered.
- 13.4 Morecambe Bay, Cumbria – There was an issue about mitigation in this case where the habitat being given in mitigation was significantly different from that being lost. This had been fully addressed in the advice that English Nature had given.
- 13.5 Offshore wind farms – The research funding should ideally come from Government to ensure the work was not done piecemeal and a research programme had been prepared for submission.
- 13.6 CAP Reform – The whole issue of CAP reform and single farm payments would have important implications for conservation in England. There needed to be effective monitoring of farmers responses to the single farm payment. Strong cross-compliance was essential and more modulation measures were among the remedies needed. Use of public money required the provision of public benefits.
- 13.7 Farm advice – There was confusion over the number of organisations giving advice. A significant worry was the need to get the actual advice to farmers.
- 13.8 Land Use Policy Group – Those Council Members who were interested would be included on the circulation list for Seminars.

AP11: Council Members to be included in the LUPG circulation list.

Action: Ms Collins

- 13.9 Water & Wetlands – The Water and Wetlands Conservation Focus Group had been tackling effectively a wide range of issues. The link between the National Teams and English Nature regional and local work was very good.
- 13.10 Lake restoration – The Lancaster conference had emphasised the need to think big in terms of policies and solutions, in particular, remedies needed to be found at the catchment level.
- 13.11 Regional reports – The inclusion of regional reports was **welcomed** by the Committee. The degree of involvement with Regional/environmental policy issues by English Nature Regional Staff was good, particularly in the North-West.
- 13.12 South West National Biodiversity Network Pilot – English Nature was continuing to support the regional network that had been generated by the pilot scheme. The knowledge gained was being captured and the group being further developed.

14. Delegated Decisions on the SSSI notification programme and confirmation ((GC P04 07)

- 14.1 Dr Clements introduced the paper which provided information about the SSSI notification programme.
- 14.2 Area Teams resolved the majority of objections so most SSSIs were notified under delegated authority.
- 14.3 The Committee **requested** more information regarding the SSSI strategy and its fit with the notification programme.

AP12: Dr Clements to provide more information regarding the SSSI strategy and the notification programme.

Action: Dr Clements

15. Other business

- 15.1 The Committee **thanked** the Sussex-Surrey Area Team for the excellent field trips that had been arranged and expressed their **appreciation** of the involvement of a wide range of partners during the visits.

16. Closed Session – Members Only

Minuted separately.