

General Committee of Council

**Confirmed minutes of the thirty-second meeting of the
General Committee of Council held on 21 and 22
September at the Bank House Hotel, Bransford,
Worcester**

Present: Dr M Moser (Deputy Chair)
Dr A Brown – Chief Executive
Mr T Burke (Items 6-19)
Mr R Clarke
Dr A Clements - Director
Ms S Collins - Director
Dr K Duff – Director (Items 1-9)
Ms S Fowler
Prof E Gallagher
Prof M Hart
Mr D Hulyer
Mrs A Kelaart
Prof D MacDonald
Dr A Powell (Items 6-19)
Mr P Newby – Director
Ms C Wood – Director

In attendance: Mr R Barlow – Solicitor, Browne Jacobson (Items 1-5)
Ms K Jennings (Item 4)
Mr J Lunn (Item 4)
Mr & Mrs Ledgerwood (Item 4)
Mr P Collins (Item 5)
Mr S Dunsford (Item 5)
Mr R Rose-Price (Item 5)
Mr R Jefferies (Item 5)
Mr J Creedy (Items 6-8)
Ms H Beadman (Item 10)
Mr R Wright (Item 11)
Mr M Duffy (Item 12)
Mrs M Bull (Item 14)
Mr J Marsden (Item 19)
Mr J Wray – Minuting Secretary

1. Welcome

- 1.1 Dr Moser **welcomed** everyone to the meeting.
- 1.2 Apologies were received from:

Sir Martin Doughty
Mr S Hockman
Mr H van Cutsem

Sir Martin Doughty was recovering from an operation and the Committee **sent** him their best wishes on a speedy recovery.

- 1.3 Dr Moser explained that due to the exceptional size of the agenda, including two important SSSI cases, the business meeting would be held over one and a half days. In addition, a member of Council, Mr Roger Clarke, would be attending for items 1 to 5 via telephone link. This was in accordance with the Standing Orders for meetings of the General Committee of Council and Mr Clarke was therefore deemed to be present at the meeting and able to take part in any formal decisions that needed to be made.

2. Minutes of the thirty-first meeting of the General Committee of Council held on 30 June 2004

- 2.1 The Committee **approved** the minutes of the open session.
- 2.2 The Committee **amended** and **approved** the minutes of the closed session. (Minuted separately).

3. Matters arising

- 3.1 Paragraph 4.2.2

The resources devoted to the Modernising Rural Delivery Programme (MRDP) were extensive. Time recording was now in place and staff would be recording separately this area of work. Defra had some Treasury Efficiency money available to allow for staff funding and office mergers. There was some funding available for business process engineering and for IT. Confidential bids were in preparation.

- 3.2 Paragraph 4.2.1.

The English Nature White Paper account had been signed and laid before Parliament.

- 3.3 **Ebernoe Common SSSI**

The site had been confirmed under delegated authority. English Nature appreciates good relationships with the landowners.

4. SSSI Cases

- 4.1 **Humber Estuary SSSI (GC P04 29)**

- 4.1.1 Dr Clements introduced the paper. In 2001 Council had instructed officers to adopt a whole estuary approach to notifying the Humber Estuary. Work had proceeded apace

and included the compilation of the *Humber Bibliography* which included 3,500 documents and was now available for public scrutiny on the web (www.humber-bib.hull.ac.uk), the establishment of a joint English Nature/Associated British Ports (ABP) working group and the consultation of 358 owners and occupiers. Dr Clements asked Ms Kate Jennings to outline the project to Council.

- 4.1.2 The Humber is one of the largest macro-tidal estuaries in Britain covering over 37,000 ha. It is a complex and dynamic system and nationally important for the estuary and its component habitats, the adjacent terrestrial areas and associated species, together with its geology and geomorphology. The Humber Estuary SSSI incorporates seven existing SSSIs, all the sub-tidal areas and additional areas, and rationalised landward boundaries. Upstream boundaries are the limit of saline intrusion. Four key issues emerge from objections:
- a. a consistent boundary with respect to flood banks and soke dykes;
 - b. boundaries in undefended areas allow for dynamic change;
 - c. whole estuary approach, upstream boundary and saline intrusion;
 - d. operational and economic issues.
- 4.1.3 Council **congratulated** the Area Team on their work and in particular the low proportion of outstanding objections (14). Dr Moser reminded Council that one objector was present but that the objections of the remainder needed equally serious consideration.
- 4.2 Dr Moser **welcomed** Mr Ledgerwood and **invited** him to make his case to Council and explain his objections.
- 4.2.1 Mr Ledgerwood's family had managed the land to maintain the long term biodiversity. He had worked with the Parish Council to help reduce shooting on the foreshore with a consequent increase in the wildfowl population. Mr Ledgerwood had no objection to the SSSI in principle, but was concerned at the positioning of the SSSI boundary on his land which would bring 18 acres of his land into the SSSI. He believed that a small soft sediment cliff, visible at low tide was a suitable mappable feature. The notification package as proposed allowed him no ability to enhance the reed beds to assist with managing coastal erosion on his land.
- 4.2.2 Dr Moser **thanked** Mr Ledgerwood for his presentation. It was clear that Mr Ledgerwood valued wildlife and clearly managed his land with that in mind and in reality his views and those of English Nature were quite close.
- 4.3 Council **discussed** the paper and presentations and raised the following points:
- 4.3.1 The whole estuary approach provided a consistent approach to the management of the SSSI and the determination of boundaries. The boundaries on land undefended from the estuary had been drawn to allow for 50 years of dynamic change. This was particularly relevant when considering the geomorphology, particularly at Spurn Point

where the expanded movement of the Point will be further into the SSSI. Boundaries were consistent with principles adopted in the Shoreline Management Plans.

- 4.3.2 Council **noted** that English Nature had developed a close working relationship with Associated British Ports to develop understanding and protocols about consenting to ongoing activities in the estuary. A Memorandum of Understanding now existed between the two organisations and Council **welcomed** the representative of ABP present in the audience.
- 4.3.3 Council **noted** the existence of the Humber Management Scheme, which was put in place to cover the European designations of the estuary, which helped manage a range of activities, eg fishing and bait digging, carried out by people who were not owners and occupiers. Council **considered** that the Scheme took into account the objections of several people. Council **noted** that several objections had been withdrawn.
- 4.3.4 Council **considered** the objections raised by Mr Ledgerwood. Consistency of boundary approach was important. Mr Ledgerwood proposed that the line of the mudbank was a suitable mappable feature. However this would mean that the SSSI boundary would exclude part of the estuarine area and would not be visible at some states of the tide. It seemed likely that further discussions with Mr Ledgerwood, focused on site management, could result in a mutually acceptable solution with the boundary as most recently proposed.

Council **asked** the Area Team to continue to discuss options with Mr Ledgerwood.

- 4.3.5 Council agreed that the decision to place the SSSI boundary at the limits of saline intrusion was logical and practical. The alternative, to extend the boundaries to the tidal limits, was inappropriate as the tidal limits were, in places, artificially constrained and would lead to areas of freshwater being included within the SSSI.
- 4.4 Council **agreed** that the whole site as proposed was of special interest. Council was minded to confirm the notification of the SSSI with modifications to the boundary and the area stated in the citation but this could only be decided after the expiry of two late notification consultations on 1 October 2004. Council therefore **delegated** authority to the Chair of the meeting to make the decision after 1 October 2004 and before 2 November 2004.

AP:1. Dr Moser to decide whether or not to confirm the notification of the Humber Estuary SSSI in the light of the two late consultations and being mindful of the views of Council.
Action: Dr Moser

5. Slapton Ley SSSI (GC P04 30)

- 5.1 Mr Collins introduced the paper. Slapton Ley SSSI was first notified in 1952. It is a Spotlight National Nature Reserve and attracts 37,000 visitors a year. The Field Studies Council has a study centre on site. The SSSI is one of the best researched sites in the country for its geomorphology, biodiversity and environmental history. The reasons for the current notification were to update the biological interest features and to include all the geomorphological interest that was defined in the *Geological*

Conservation Review in 2003, in particular the shingle bar and enclosing lagoon. The northern boundary was proposed for revision to follow the South West Coast footpath. There were two outstanding objections, one from the Slapton Coast Road Defence Group, who wished to ensure that the coast road remained open. The coast road in its entirety lay within the original SSSI notified in 1984. The second outstanding objection was from Mr Anthony Steen MP, who objected to the timing of the notification prior to publication of a consultants' report on future options for managing the shingle bar and the road.

- 5.2 Council was being asked to approve the notification of Slapton Ley SSSI with modifications to the boundary at the northern end and approve the revised Views About Management (VAM)
- 5.3 Dr Moser **invited** Mr Rose-Price and Mr Jefferies of the Slapton Coast Road Defence Group to address Council.
 - 5.3.1 The Defence Group sought to ensure the maintenance of the coastal road link between Torcross and Dartmouth insofar as this was possible to achieve. There were no concerns about the notification of a larger SSSI, nor any challenge to the special interest. The road needed to be kept open and there had been a right of way across the shingle ridge since Anglo-Saxon times. The road still played an essential part in the local community.
 - 5.3.2 It was the Group's view that it was wrong to notify now when the report from the consultants was not yet published.
 - 5.3.3 The revised VAM supplied to the Defence Group the day before was an improvement and the Defence Group was **withdrawing** its objections outlined on page 3 of its *Notes of the Representations to be made on behalf of the Slapton Line Defence Group* supplied to Council. The new wording was fair but not as precise as that given on 24 May by Dr Clements who indicated that the road would be allowed to flex with the shingle ridge.
 - 5.3.4 There had been so much human intervention at Slapton Ley over the years that the site, whilst special, could not be considered natural. To allow natural processes to take over would result in a breach of the shingle ridge and a change of the environmental conditions of the SSSI.
 - 5.3.5 English Nature had created a situation that had destroyed the trust of the local community and created the impression that there was an agenda to close the road. English Nature needed to state unambiguously that the interest of the local community should be protected and that the shingle beach, the Ley and the SSSI as a whole was worth conserving in its present form.
- 5.4 Dr Moser **thanked** Mr Rose-Price and Mr Jefferies for their presentation. Council **discussed** the paper and presentations and raised the following points:
 - 5.4.1 The Defence Group remained concerned that the VAM's wording was unhelpful as far as English Nature's future stance was concerned. It seemed acceptable for the time being, but there was no certainty of future officers maintaining the views as now

expressed. English Nature had to be seen not to hinder the maintenance of the road and not to be prepared to see the destruction of current wildlife in case of a breach in the shingle ridge. Beach nourishment would seem to be a helpful way of maintaining the ridge.

- 5.4.2 The site was complex. The VAM sought to lay out the best management principles in the light of current knowledge. Unfortunately with such a dynamic site it was not possible to be clear about future environmental trends. There was likely to be an increased likelihood of the risk of a breach over the next few years but that likelihood could not be quantified. If there was a breach the Local Authority would have to take action and English Nature would have to offer advice as appropriate.
- 5.4.3 Council **recognised** the importance of the road to the local community and also **recognised** the importance of restoring their trust in English Nature's intentions over the future management of the site. The VAM needed to reflect this. Council **emphasised** its wish to be as sympathetic as possible to the wishes and needs of the local community. There was nothing hostile in the notification package about the continued existence of the road but the long term eventualities could make the defence of the road extremely difficult and the VAM would have to reflect this.
- 5.4.4 The robustness of the shingle barrier was a key factor and it was necessary to do what was possible to secure this with natural processes. The shingle deposited from over-washing storm incidents should be left to the landward side of the bar, and not returned to the seaward side. Such sympathetic soft solutions increased the robustness of the shingle bar and made a catastrophic breach less, rather than more, likely.
- 5.4.5 It was important that English Nature did not pre-empt the consultants' report on proposals for defending the road. It was not English Nature's job to make proposals about the best way of maintaining the road. However it was important that English Nature contributed to the scientific information available to the consultants and other parties. The notification of the site would contribute to this by making English Nature's position clear regarding the scientific importance of the site.
- 5.5 In the light of the discussions Council **agreed** that the first sentence in Management Principles of the VAM (p.57 of the officer's report) should be amended to read:
- “Slapton Ley is a mosaic of habitats and features formed as a result of dynamic coastal processes.”
- 5.6 Council also **agreed** that the VAM should be amended to introduce the issues about local dialogue and partnership in future management and to reflect the discussions held during the meeting.

AP:2. Dr Clements to prepare revised wording of the VAMs to reflect Council's discussions
Action: Dr Clements

- 5.7 Council **agreed** that the whole site as proposed was of special interest and was minded to confirm the notification of Slapton Ley SSSI, with modifications to the

boundary, the citation area figure and views about management. Council **delegated** authority to the Chair of the meeting to approve additional wording for the VAM, and then to confirm the SSSI before 10 November 2004.

AP:3. Dr Moser to confirm the notification of Slapton Ley SSSI before 10 November
Action: Dr Moser

6. Modernising Rural Delivery Programme – update – Members only

Minuted separately.

7. Council Strategy Workshop – Members only

Minuted separately.

8. The Bill for the Integrated Agency – Members only

Minuted separately.

9. Health and Safety Annual Report 2003-2004 (GC P04 33)

9.1 Dr Duff introduced the paper. English Nature continued to work lawfully and the staff had safe working conditions. English Nature was seen as having good standards and being conscientious but it was important not to be complacent.

9.2 Council **noted** the report and raised the following points in discussion:

9.2.1 Statistics showed an increase in reported incidents of threatening behaviour to staff and verbal abuse, particularly to site staff, on the telephone and to office staff. The Health and Safety Officer was working with Human Resource Services Team to clarify guidance for managers. It was important that staff knew that the organisation supported them and that managers were suitably trained to do this. Mr Clarke **offered** to help advise on training.

**AP: 4. Dr Duff and Mr Clarke to discuss training for
staff in dealing with threatening behaviour**
Action: Dr Duff and Mr Clarke

9.2.2 Council **noted** the reports of stress levels in the organisation. Stress had to be taken seriously, and guidance and training was provided for staff and managers to help them address the issue. Health and Safety and Human Resource staff were in discussion and looking at ways to address workload and issues and work/life balance. Council **requested** that there was a clearer link in future in the coverage of stress issues between the Health and Safety and Human Resource Annual Reports.

9.2.3 Professor Gallagher **offered** to act as the Council Member with special responsibility for Health and Safety.

AP: 5. Dr Duff and Professor Gallagher to discuss Council involvement in Health and Safety issues
Action: Dr Duff and Professor Gallagher

- 9.2.4 Council **noted** that a member of the site staff had saved the life of an NNR visitor who suffered cardiac arrest and offered their **congratulations**.

10. Sea Fisheries Sector Analysis (GC P04 40)

- 10.1 Ms Collins introduced the paper. Commercial fishing was one of the most damaging activities in terms of marine natural resources. English Nature was increasing its dialogue with fishermen with the aim of building up a joint view of how to improve sustainability. There had been a change in the governance of fishing policies. Fishermen were increasingly involved with the regional advisory committees. It was important that the fishing effort was brought in line with the reduced natural resources.
- 10.2 Council **discussed** the paper and raised the following issues:
- 10.2.1 Council **noted** the pressure on several traditional fisheries to become more commercialised. This was particularly relevant to inshore fisheries which were suffering increased pressure due to the closure of several European fisheries. More information was needed about the effects especially on mollusc fisheries. It was important to show Council was in favour of traditional fisheries and not against fishermen.
- 10.2.2 Council **noted** the importance of the recreational fishing industry and its economic impacts and recognised that recreational fishermen could be very important allies.
- 10.2.3 In terms of enforcement there was still confusion in many fisheries over which organisation was responsible for enforcement. Defra was reviewing fishery enforcement and the management of regulation with the aim of closing loopholes.
- 10.2.4 It was important to raise awareness of the endangerment of stocks in certain fisheries and, in particular, about the damage done to the sea floor by commercial fishing.
- 10.2.5 The paper needed to show more links to rivers and inland waters and water quality issues as well as giving more information about migratory fish eg salmon.
- 10.3 Council **endorsed** the priority actions for the sector.

11. Nature Conservation Sector Analysis (GC P04 41)

- 11.1 Ms Collins introduced the paper. The nature conservation sector was a challenging one due to its particular approach to land use. The paper sought to address philosophical issues, landscape scale conservation, ecosystem benefits and the people agenda, particularly in the light of the Integrated Agency.
- 11.2 Council **discussed** the paper and raised the following points:

- 11.2.1 The paper was timely as it would help English Nature staff and other conservationists remember what it was they were trying to achieve. It would also help Defra define their concept of “natural resource protection”, particularly in the light of the *Rural Strategy 2004* and the creation of the Integrated Agency.
- 11.2.2 There needed to be a better capture of the role of science but also a recognition that the sole reliance on science could weaken the argument for conservation in some cases. The ecosystem might not be the best terminology with which to approach conservation and it was important to get the correct definition for an ecosystem. Landscape scale approaches were more publicly recognisable. English Nature, Countryside Agency and RDS had agreed that the landscape character approach should be a common theme.
- 11.2.3 Environmental limits and reversibility were generating increasing interest and needed more research. It was important that conservation organisations tried to avoid conflicts and competition with each other. There was a leadership role here for the Integrated Agency.
- 11.2.4 There needed to be a clear commitment to communicate environmental issues, particularly if the Integrated Agency was to be science based. There was a need to highlight the costs of environmental disbenefits such as pollution. There also needed to be better clarification and prioritisation of the drivers.
- 11.3 The Committee **endorsed** the priority actions and **noted** that it would be discussing the strategy in greater detail at its workshop in October.

12. Coastal Management Sector Analysis: Revised Priority Actions (GC P04 35)

- 12.1 Ms Collins introduced the paper which reviewed current key issues and presented revised priority actions. A full sector analysis would be presented to Council in 2005.
- 12.2 The Committee **discussed** the paper and raised the following points:
 - 12.2.1 Over the past 10 years policies had moved in the right direction and coastal planning had developed well. However there was still significant weakness in the institutional arrangements, and resourcing needed for the coast and it is not certain that these can work much better. More detailed analysis was needed.
 - 12.2.2 There needed to be greater clarity in the paper about what was actually happening on the ground. The value of the coast to people needed enhancing. Coastal alignment and compensation were still critical issues and it was important to show the public that the coast had a value; that managed retreat and the use of natural processes could save public money and could also help communities. The Integrated Agency would provide an enhanced opportunity to promote those messages.
- 12.3 The Committee **endorsed** the Priority Actions.

13. Performance Report – April 2004 to June 2004

- 13.1 Dr Brown introduced the report which looked at the programme over the first quarter. He was looking at ways in which the report could be brought to Council sooner. Overall the performance and financial position were satisfactory.
- 13.2 The Committee **discussed** the paper and raised the following points:
- 13.2.1 This was the first time that the new monitoring process had been used and it was working well. In the light of the MRDP workload the performance against targets to date was a considerable achievement. Council **noted** the resilience of staff and **recognised** that the performance had been achieved at some personal cost. There was a need to reduce the complexity of the organisational workload.
- 13.2.2 There had been some successful ERDF (Interreg Funds) bids and a successful bid for EAGGF – Objective 1 funds for a project in Cornwall. These were good examples of ways of gaining extra funding.
- 13.2.3 The Committee **congratulated** staff on the performance to date.

14. Human Resources Annual Report 2003/04 (GC P04 17)

- 14.1 Ms Wood introduced the paper. At its June meeting the Committee had asked that the paper be brought back to allow for a longer discussion. A supplementary paper was now included that expanded on questions raised by Council Members. This had been a useful process and might be repeated next year to aid the discussion.
- 14.2 The General Committee **discussed** the paper and raised the following points:
- 14.2.1 English Nature had retained its Investors in People (IIP) standard and this was very good for the organisation and the IIP report had been praiseworthy
- 14.2.2 The ongoing delivery of the Human Resource core business had continued to be of a high standard, typified by the 100% accurate delivery of the recent pay award.
- 14.2.3 Staff training had continued apace with the aim of ensuring managers and staff had the correct skills and competencies, especially science competencies, to ensure they were able to deliver in today's modern public service. Continued professional and career development was important, especially when, due to English Nature's relatively flat structure, progression upwards was not always possible.
- 14.2.4 Workload continued to be a major source of concern and stress. English Nature staff were highly committed and often put additional pressure on themselves to achieve. It was important that English Nature helped its staff to help themselves reduce stress levels. Work prioritisation was an important role and Council could have a role in helping to prioritise. The Health and Safety at Work Committee was already working with Human Resource staff to provide a list of tools to help staff deal with stress and a Help Pack was due for issue soon. The paper needed more analysis of the stress issues affecting staff.

- 14.2.5 The Committee **recognised** that there had been work done in improving diversity within English Nature but that results are not yet showing. This was frustrating but diversity covered a broad spectrum. External advice has shown that there is not an external pool of ethnic minorities who are qualified to do nature conservation work. Studies show nature conservation is generally a white middle-class interest and this is not good for future recruitment. The Chief Executive was due to meet with BTCV to discuss how they tackled the issue of diversity and nature conservation.

AP:6 Dr Brown to meet Mr T Flood, the Chief Executive of BTCV to discuss diversity issues
Action: Dr Brown

- 14.2.6 The amount of work devoted to the MRDP had reduced the amount of pro-active Human Resources work. This was not good for the preparation of the “Integrated Agency” where Human Resources expertise will be essential for making a successful transition. It was important to develop the cultural analysis of English Nature, Countryside Agency and RDS.
- 14.2.7 Regionalisation was going to be an important aspect of “Integrated Agency” work and some staff were nervous of this. They needed to be more politically aware and would also need more autonomy in due course. It was important that a consistent bottom-up structure and management were created in the new organisations.
- 14.3 The Committee expressed its **concern** that the Gershon agenda could affect the delivery of English Nature’s human resources services and indeed would make the establishment of a new agency more difficult. The Council **endorsed** the need for a strong and stable Human Resource function, particularly during a period of major change.

15. Council dates for 2005/2006 (GC PO4 38)

- 15.1 The Committee **noted** the dates.

16. Delegated decisions on the SSSI notification programme and confirmation (GC PO4 42)

- 16.1 Dr Clements introduced the paper which updated the Committee on the consideration of SSSIs for notification and confirmation between September 2003 and September 2004.
- 16.2 The Committee **noted** the paper and raised the following points in discussion:
- 16.2.1 The Committee **noted** the low proportion of sustained objections to SSSI notification. This was a credit to the skills of Area Team staff.
- 16.2.2 It was also encouraging that several objectors had better feelings about English Nature after Council had considered unresolved objections on SSSIs. Council’s handling of objectors when they made representations was critical to the process. It was also important to consider how Council dealt with objectors who did not make

representations in person and it may well be appropriate to write to them outlining Council's discussions before the formal confirmation package was sent. Council **noted** it had been suggested that consideration of SSSI cases should be delegated to a sub-committee. However the courts had recognised the breadth of experience of Council Members and this was a valuable asset. There were currently no cases expected that could be as time-consuming as the Humber Estuary and Slapton Ley had been. However, the creation of the "Integrated Agency" would allow for the confirmation process to be reviewed. It might not be necessary for the full "Integrated Agency" Board to consider SSSI cases.

- 16.2.2 Dr Clements was preparing a paper on the lessons learnt on English Nature's current SSSI notifications and confirmation procedure and would be contacting Council Members for their views to inform the paper.

AP: 7 Dr Clements to contact Council Members for their views on the current SSSI notification and confirmation process
Action: Dr Clements

AP: 8 Dr Clements to prepare a paper on the lessons learnt from English Nature's current SSSI notification and confirmation procedures
Action: Dr Clements

- 16.2.3 Council **noted** that a tough sift would be needed to determine which SSSIs should be considered for future denotification if their management could not be improved. The process would mirror that for SSSI notification and confirmation.
- 16.2.4 Council **noted** that Ebernoe Common SSSI had been confirmed under delegated authority. Dr Clements had met the owner Mr Lloyd-Jones who was pleased over Council's views and its decision to allow discussion to continue as long as possible. Members of the Area Team had met Mr Lloyd-Jones on site and had put forward proposals for helping with fencing. The relationship was a very positive one.

17. Unconfirmed minutes of the Joint Nature Conservation Committee

- 17.1 Dr Moser introduced the paper and the following points were raised in discussion:
- 17.1.1 The Committee **noted** that Mr Adrian Darby had been appointed as the new Chair of the JNCC and would take up his post in October.
- 17.1.2 The Committee was still concerned about the degree of independence that the JNCC appeared to want. The JNCC was a committee of the country agencies. Dr Moser **agreed** to emphasise that point at the next meeting of the JNCC.

AP: 9 Dr Moser to raise the issue of the JNCC's relationship with the country agencies
Action: Dr Moser

- 17.1.3 The relationship of the IA with the JNCC would need to be considered. The Integrated Agency would need to work at a wide geographical scale and be able to collaborate directly with Countryside Council for Wales and Scottish Natural Heritage. It was important for everyone to be clear how the JNCC would fit into this

new paradigm. There would need to be some change in statute and some possible redefinition of the JNCC's special functions.

- 17.1.4 There needed to be better feedback from JNCC staff who went on international visits. The current situation was unsatisfactory. English Nature needed to be aware of the outcomes of those visits.

18. Chair, Chief Executive's and Directors' Topical Report (GC PO4 39)

- 18.1 Dr Moser introduced the paper and the Committee raised the following points in discussion:

a. **Paragraph 1.1.1 – Royal Show**

It was regrettable that the SSSI Award Dinner had to be held off-site due to situations beyond the control of English Nature.

b. **Paragraph 2.1.8 – Little Cheyne Court, Kent**

Mr Merricks had written to Council about English Nature's position regarding the windfarm. Dr Clements had indicated to him that English Nature had, at that time, not taken a position on the windfarm. It had now done so and the position was as reported here.

c. **Paragraph 5 – Environmental Audit Select Committee on Wildlife Crime**

English Nature's engagement had been very positive. Dr Moser had recently met Mr Peter Ainsworth MP, Chair of the Environmental Audit Committee and had discussed issues that the Committee might wish to review.

d. **Paragraph 12.2 – Prisoners working with Nature**

Two projects were under way where prisoners had experience working on National Nature Reserves, one with women prisoners and the other with drugs offenders. English Nature has made a bid for funding from a Public Service Award. It was essential that the bid was successful as there was no core funding available.

e. **Paragraph 14.2 – Water Framework Directive**

Work continued to ensure that the large number of SSSIs and inland water bodies of biodiversity significance were brought into the Directive's control.

f. **Paragraph 14.6.1 – Environmental Stewardship**

The guidance on Natural Resource Protection issued by English Nature had concerned diffuse pollution.

g. **Paragraph 15 – Marine Bill**

English Nature's view was that any Marine Bill should be concerned with streamlining coastal and marine licensing, consents and other regulatory activities, the establishment of a system of marine protected areas and spatial planning. English Nature had advised Defra officials that the policy and designation functions should remain with English Nature and subsequently the "Integrated Agency". The Prime Minister had voiced his concern for the marine environment in a recent speech and it might feature in an election manifesto. It would be important to establish a Council position on the Marine Bill. Council had already indicated it felt estuarine and marine nature conservation responsibilities should be included within the "Integrated Agency" and so recognise their connectedness. Council had not taken a position about the remit or structure of any Marine Agency. There was much common ground about the need for appropriate legislation.

h. **Paragraph 16.2 – Planning**

ODPM were consulting again about PPS1, the overarching guidance on planning, which English Nature will seek to influence.

i. **Paragraph 19 – Geology**

The Geopark network were developing its own rules of admittance and its approach was not representative of geologists in Europe. This might have some effect on the *State of Nature: Geology report*. Council **recognised** that, as Geopark is an international NGO, it needed to be clear how much influence could be brought to bear.

AP: 10 Professor Hart would discuss Geopark issues with Dr Duff
Action: Professor Hart and Dr Duff

j. **Paragraph 22 – Hen Harrier Project**

The hen harrier meeting had been well organised. English Nature was now uniquely placed to move forward with hen harrier conservation.

k. **Paragraph 25.4 – Countryside Map of the Sea**

Professor Hart **requested** more information on this topic.

AP:11 Dr Duff to provide Professor Hart with more information on CMAP
Action: Dr Duff

19. Any other business

19.1 These papers were included for the Committee to comment on if it wishes.

19.2 Working with Business Report (GC P04 16)

19.2.1 James Marsden was currently acting as Chair of the England Biodiversity Strategy Business Group. This was not satisfactory due both to workload and the need for this

area of work to be business led. Mike Barry, Head of Corporate and Social Responsibility at Marks and Spencer, had been approached to take on this role.

- 19.2.2 The priorities and outcomes needed to be clearer. The current priorities were to encourage companies that held SSSI land to achieve favourable condition. The total area of land owned by business amounts to 8.9% of SSSI by area so it was important to influence business and raise the profile of biodiversity in the Corporate and Social Responsibility agenda. Businesses through their supply chains are important organisations to influence and English Nature needed to keep them involved, especially when engaging in the wider environment.

19.3 Grants in English Nature – Annual Report 2003/2004 (GC PO4 34)

- 19.3.1 Council **welcomed** the enhanced format of the paper.
- 19.3.2 There were changes in the lottery funding that affected English Nature. There was a low level of biodiversity spending from Heritage Lottery Fund (HLF) compared with the built environment. It was important to ensure English Nature made the most of its successes such as *Tomorrow's Heathland Heritage*. HLF is happy to increase spending in the biodiversity sector and is rather disappointed that it has not received more bids.
- 19.3.3 As HLF focuses more on regional grants English Nature is reviewing how it will respond to this.
- 19.3.4 The Committee **noted** that 81% of SSSIs managed by the Wildlife Trusts were in favourable condition and that the Reserves Enhancement Fund will have played an important role in this.

19.4 Nature for People: Post project report (GC PO4 31)

- 19.4.1 Nature for People had provided original thinking to help communications with local communities in order to reduce anti-social activities. This innovation needed to be spread around the country.
- 19.4.2 Re-creation and restoration learning points need to be put together in a stimulating and entertaining way. Good investment in Nature On-line has made useful contact with educationalists, gardeners and others.
- 19.4.3 The Committee **congratulated** all concerned with the project which proved English Nature could manage large projects.