

General Committee of Council

**Unconfirmed minutes of the thirty-fifth meeting of
the General Committee of Council held on 22 June
2005 at the Parsonage Hotel, Escrick, York**

Present: Sir M Doughty - Chair
Dr M Moser – Deputy Chair
Dr A Brown – Chief Executive
Ms S Burton
Dr R Clarke
Dr A Clements - Director
Ms S Collins - Director
Mrs L Crowe
Dr K Duff – Director
Ms S Fowler
Prof E Gallagher
Prof M Hart
Mr S Hockman QC
Mr D Hulyer
Prof D Macdonald
Mr C Pennell
Dr A Powell
Ms C Wood - Director
Mrs E Leck – Minuting Secretary

Apologies: Mr H van Cutsem

In attendance: Mr J Burney (item 4)
Dr T Collins (item 6)
Dr R Waters (item 7)
Ms D Endersby (item 10)

1. Welcomes and Apologies

- 1.1 Chair opened the meeting and **welcomed** the General Committee and staff. Chair gave a warm welcome to the new members of Council, Ms Sarah Burton, Mrs Lynn Crowe and Mr Christopher Pennell who joined the meeting for the first time.
- 1.2 On behalf of the Committee Chair thanked the Team Manager and staff at English Nature's York and Leyburn offices for well-organised and extremely enjoyable site visits. The issues presented excellent examples of work to deliver landscape-scale nature conservation, in partnership with local

stakeholders as well as statutory organisations. Chair will write to the Team Manager, Lawrence Jones-Walters to thank him and his staff.

AP1 Chair to write to Lawrence Jones-Walters

- 1.3 Congratulations went also to the Committee Support Unit for circulation of a single batch of papers and documents on time as well as to authors and Directors for their part in the production of them.

2. Minutes of the thirty-fourth meeting of the General Committee held on 16 March 2005

- 2.1 Item 7.4.2 - replace 2nd sentence 'In this context, it was important to engage with other organisations in the long-term vision for the water and wetlands policy' with 'Long-term vision is being developed jointly by English Nature, Environment Agency and RSPB.'

- 2.2 The Committee **confirmed** the minutes.

3. Matters arising

- 3.1 Item 5.2 Statement on biodiversity and Climate Change - Dr Powell asked for a copy of the draft statement to be circulated to interested Council members, once it is available.

AP2 Draft Statement on Biodiversity and Climate Change to be circulated to Council members and those who are interested to get in touch with Ms Collins.

- 3.2 Item 6.10 Progress update on Caydale SSSI - Dr Clements informed the Committee that he had met Mr & Mrs Ellis, the owners, on Monday 20 June, accompanied by English Nature's officer Mr Windrum, and Dr Clarke and Prof Macdonald as Council representatives. The visit was satisfactory and progress was being made. A positive management agreement with the landowners is expected to be drawn up in due course.
- 3.3 Items 9 – 9.2 Joint Nature Conservation Committee (JNCC) - Dr Moser reported that the Minutes from the Joint Nature Conservation Committee (JNCC) from March 2005 were confirmed at the recent meeting in Anglesey. He also was very pleased to report that both Mr Darby and Mr Steer were back from long-term sick leave and both were making a good recovery.
- 3.4 JNCC has established a Company Limited by Guarantee, and it is running smoothly. The FMPR Committee overseeing implementation of the Company has now been replaced by two groups. One, a Process Group, is looking at new ways of working and some of the strategic relationships the JNCC has to deliver; a Vision Group is looking at vision and strategy for the JNCC. Both groups are looking at closer engagement with some of JNCC's high level

stakeholders. Development of a Communications Strategy is seen as a high priority.

- 3.5 By rotation, the country agencies host an annual meeting combined with a field visit. It is English Nature's turn to host the JNCC meeting next year, and there is an opportunity for closer engagement with the JNCC by the confederated partners. It was suggested to look into the mechanism of how this could be achieved and Dr Moser asked Committee Members for feedback on this.

AP3 Members to provide feedback to Dr Moser on engagement of confederated partners with the JNCC.

4. Soil and nature conservation: another look into the 'engine room' GCP04 21

- 4.1 Dr Duff introduced the paper, which provided a general review of English Nature's interests in soil issues. There were also strong links to the *England Soil Action Plan* published by Defra that sets out English Nature's responsibilities for the publication of a position statement on soil and nature conservation.
- 4.2 Dr Duff explained that there had been inadequate recognition of the importance of soil functionality to nature conservation, and the England Soil Action Plan was seeking to address this knowledge gap. Historically, English Nature had maintained a lower profile in this area compared to other work areas.
- 4.3 Council was asked for its view on the analysis of the current approach and on future options including in the run up to Natural England. English Nature already works closely with the Rural Development Service (RDS) and the JNCC lead co-ordination network, led by Scottish Natural Heritage.
- 4.4 The Environment Agency is already heavily engaged with some aspects of soil science, particularly on soil erosion and pollution. English Nature's work was intended to complement this, rather than overlap with it.
- 4.5 The Committee **welcomed** the paper and made the following comments:
- 4.5.1 There was overall recognition that this was an area much neglected by many earth scientists and geomorphologists, and it was an important area which needed to be understood better, particularly in the context of the effects of climate change. While some soils were of recent origin, others had a long history. What remained was a fragile relict structure that, once lost, could not be replaced. This needed to be emphasised more strongly.
- 4.5.2 It was also felt that the final Position Statement should be broader; a more holistic approach should be used as in the aquatic/coastal area. Other suggestions made were to give more emphasis to peatlands and wetland soil. A link to species and sedimentation should also be included.

- 4.6 The importance of this area of work to *Natural England* and to the current work with other partners was stressed. Part of the RDS was already engaged in soil management issues, particularly in aspects of agri-environment restoration. Engagement with the Environment Agency should play a key role, while not duplicating work.
- 4.7.1 There was agreement that English Nature should adopt the second of the two options in the paper – to move towards a new emphasis and focus more on landscape scale and soil functioning and processes.
- 4.8 The Committee felt that the “position statement” required by Defra on the role of soil management and protection within the statutory nature conservation site needed to set this in the wider context of the countryside. The Council paper formed a good basis for the paper to Defra, and should be revised on the basis of the Committee comments.

AP3 Dr Duff to coordinate the preparation of the paper for Defra which meets their requirement for a “Position Statement”.

5. Nature conservation issues raised by climate change – presentation

- 5.1 Mr Mike Harley gave a presentation on nature conservation issues raised by climate change, followed by informal debate. Slides from the presentation will be circulated to Council separately.
- 5.2 Sea levels, temperature fluctuations, and seasonal behavioural shifts in species abundance and emergence, are all part of the visible signs of climate change. Global temperatures are projected to rise by 1.5° to 2° C over the next 50 years. The implications for our living environment are regarded as significant, with a real threat of species extinction where population numbers are already low.
- 5.3 Although it was recognised that there was still much conflicting evidence around the issues, and more research needed for better understanding of the complexity of climate change the serious impact of already visible elements requires the review of biodiversity policies.
- 5.4 It was envisaged that the establishment of *Natural England* with its role in the wider environment would provide a useful platform to influence future direction and legislation. Very much a cross-cutting agenda, it was also seen as an opportunity to strengthen partnerships and influence future policies. Looking to the new body, we should ensure that climate change is addressed across the whole organisation.
- 5.5 *Natural England* would need to raise awareness of the availability of scientific research and ensure that mitigation activities complemented biodiversity conservation. Adaptation measures need to be developed further by English Nature and *Natural England*

- 5.6 The Committee congratulated Mr Harley on the quality of the presentation and concluded that communication was an enormous challenge and the buy-in of the wider public essential. *Natural England* would also need to fulfil a more educational role to address this issue.

6. Full review of the Coastal Management Sector Analysis GCP05 18

- 6.1 Ms Collins introduced the paper that is a revised version of the review published in 2001, and which had been used to set a context of advocacy priorities and consenting activities. English Nature is already engaged in discussions with the Rural Development Service (RDS) and the Countryside Agency's Landscape, Access and Recreation section (LAR) and the paper had received broad acceptance.
- 6.2 The revised review describes the characteristics of the coastal management sector and focuses particularly on coastal erosion and Integrated Coastal Zone Management (ICZM). English Nature has advised Government to examine coastal protection and sustainable development and gives consenting advice to local planning authorities.
- 6.3 Although the Sector Analysis looked at priority actions over the next 3 years, most of the actions will form the priority for the year ahead. Council was asked to decide whether these priority actions were the right areas to focus on.
- 6.4 The Committee discussed the paper and made the following observations:
- 6.4.1 Dr Clements reported that there was widespread enthusiasm for access to the coast, and Government's interest clearly showed this. *Natural England*, once established, would be able to take the access agenda forward. English Nature was already fully engaged in the mechanisms, quoting the example of the recently published Maritime Strategy.
- 6.4.2 The Committee welcomed the focus on coastal risk management. However, the Committee felt the paper needed more clarity about impact on freshwater habitats. A section on sea level rise and its causes was also suggested. More emphasis should be drawn to compensation in cases of realignment and the link to Government's policy, particularly since Defra had now signed up to the Maritime Review.
- 6.4.3 As well as socio-economic aspects which were increasingly significant, greater reference to the importance of 'public enjoyment' of coastal areas also needed to be included in long-term views. As part of the priority actions the issue of compensation needed further reflection and careful wording needed to be applied.
- 6.5 In summary the Committee agreed to the following changes:
priority action 1 to emphasise synergy with access and recreation; more reference to the importance of 'public enjoyment' of

	coastal areas in terms of thinking about their future management;
priority action 2	unchanged;
priority action 3	more emphasis on the socio-economic aspect, with reflection on compensation, with careful wording to be applied.

AP4 Ms Collins to revise the document in the light of the comments made by Members and circulate.

7. Draft Position Statement on Invasive Non-Native Species (GCP0520)

- 7.1 Dr Duff introduced the paper and the draft Position Statement at Annex 1. This was an amended version, following discussions during the Council meeting in December 2004. The consultation had been extensive and comments had been incorporated into the current document, giving it a much broader content. Furthermore, it had also been tested against the purpose of *Natural England*, based on recommendations by the Executive Committee during its meeting in April 2005.
- 7.2 The Committee welcomed the revised paper and congratulated Dr Waters on the content. Several small amendments were proposed, including the need for local-scale issues to be emphasised, working with owners/occupiers, identifying problems and addressing them as they arise. It was also suggested that when it was put on the website hypertext links to other information should be developed.

AP5 Dr Duff to incorporate the amendments in the final version. This then needs to be agreed with the confederation partners, and placed on the website.

8. Performance Report: April 2004 – March 2005 GCP0517

- 8.1 Dr Brown introduced the report. The high level of performance across the organisation resulted in 89 % successful delivery of high-level targets, with only two targets (one in the Wider Environment, and the other under Protected Areas) narrowly missed. Dr Brown congratulated staff and Directors, who due to their leadership and influence via the Programme Boards, made this performance achievable.
- 8.2 The Committee welcomed this report, with only a few comments noted, as follows:
- 8.2.1 Staff costs had risen as a result of salary increases from the 2003 pay award, with major changes to superannuation schemes and new appointments. However, a total underspend of £158k was noted, which overall represented only 0.2 % of the total expenditure.

- 8.2.2 The large proportion of expenditure during March was noted, which in part was caused by end of year contractual commitments. Also, the late notification of Grant-In-Aid and the subsequent drawing down of funds to programmes was seen as another contributor. A further major impact was the additional work caused by the Modernising of Rural Delivery Project. This end of year peak would continue to be given attention by Directors.
- 8.3 The Committee and Chair **congratulated** the Chief Executive and English Nature staff for what was seen as an overall excellent performance, especially under very difficult circumstances.

9. The Audit & Risk Management Committee's Annual Report to Council GCP0514

- 9.1 Prof Gallagher as Chair of the Audit and Risk Management Committee introduced the Annual Report, with the Statement of Assurance produced by PKF, English Nature's internal auditors. This had been presented to the Audit and Risk Management Committee at their meeting on 10 June.
- 9.2 Prof Gallagher paid tribute to English Nature's staff, highlighting the good performance, making reference to the auditor's assessment of 'adequate and effective' which could be regarded as very encouraging and complementary. In terms of risk management there was control of risk areas with good and effective monitoring systems in place.
- 9.3 Losses and Special Pay had been dealt with within the management framework.
- 9.4 Two areas of the audit programme had been altered:
- a. where necessary, the context had been changed to reflect the transition towards *Natural England*;
 - b. The reference to the Joint Nature Conservation Committee had also changed to reflect the different status of JNCC as a Company Limited by Guarantee.
- 9.5 Prof Hart referred to item 6.5.2 of the PKF report which made a link to the Natural Environment Research Council's (NERC) research interests. He reported that NERC were undergoing a major review of Masters degrees and with the diminution of funding for programmes over recent reviews, the level of relevantly qualified scientific staff could be drastically reduced. Natural England should be aware of this when considering the recruitment of specialist staff.
- 9.6 Dr Moser welcomed the progress on Area Based Delivery work, but endorsed the report's concern that some ABD projects had been halted, having potentially raised the expectations of local stakeholders.

9.7 The Committee joined Prof Gallagher in the tribute to staff and commented positively on the findings.

9.8 The Committee welcomed the Annual Report.

10. Human Resources Annual Report 2004/05 GCP0515

10.1 Ms Wood introduced the report. The content had been extended to allow inclusion of some work in preparation of *Natural England*.

10.2 Amongst the achievements were the successful launch of the new payroll system from April 2005 (PHRIS) and the new performance related pay system.

10.3 Other significant achievements were the implementation of management training programmes for all management levels, with the result of a very high uptake and positive feedback.

10.4 Work on looking at the impact of stress had been undertaken and monitoring mechanisms have now been set in place.

10.5 Recruitment had been higher than expected resulting in the need to devise a queuing system.

10.6 Help and support had also been given to the Joint Nature Conservation Committee in the set up of payroll system.

10.7 Ms Burton expressed a special interest in the Diversity Report and offered her support to Human Resources Team in the role of a diversity champion (see recommendation made by Atkins Management Consultants – Council Information Paper 11/05). This offer was welcomed.

10.8 There were some concerns raised regarding additional pressure on HR resources during the current transitional period towards *Natural England* and because of the Gershon Agenda. Council and management needed to be aware of this and ensure that additional support, with focus on skills improvement, should be made available by Defra if necessary.

10.9 Overall, the Committee **endorsed** the report and its continued engagement with staff and congratulated Ms Endersby on its quality.

10.10 Ms Endersby thanked the Committee for their positive and encouraging comments on behalf of her team.

10.11 In the light of Ms Endersby's imminent departure from English Nature, Chair on behalf of the Committee of Council, wished her well in her new job.

11. Chair, Deputy Chair, Chief Executive & Directors' Topical Report GCP05 19

- 11.1 The Committee **noted** the report and gave the following comments:
- 11.2 Item 1.1 - The BBC *Springwatch* campaign with funding and involvement from English Nature's People & Nature team had been a great success, as viewing numbers reflected. Members who had visited English Nature's exhibition during the *Gardeners' World* event in Birmingham **wished to congratulate all staff involved** on the excellent design of the stand, its interactive nature particularly for children with its link to the *Springwatch* campaign, and on the way all officers engaged with the public during the event.
- 11.3 Item 36.1 - Dr Clements reported a positive resolution to the advisory issue concerning the Liverpool Bay SPA.
- 11.4 Item 16.4 - There were also positive comments about English Nature's website with good links to external sites.
- 11.5 Item 2.1 - The Committee congratulated the organisation on regaining Charter Mark for a further three years. It recognised the amount of work involved and special thanks were forwarded to the project team who helped to gain this excellent achievement.
- 11.6 The Committee briefly discussed the future format of the Topical Report and whether changes in advance of *Natural England* should be considered. It was agreed to wait until the strategy and governance for *Natural England* was further developed.
- 11.7 The occasional lack of regional reporting in the previous issues of the Topical Reports as observed in the past had now been rectified and the Committee congratulated the regions on the improvements made in this report.

12. Any Other Business

12.1 Result of the Postal Consultation on Aggregates Levy Sustainability Fund – Schedule of Delegation

The consultation was issued to Council Members on 11 May 2005, with the deadline for return being 20 May 2005. Ten approvals were received and four 'nil' returns. Further 2 approvals were received after 20 May, resulting in overall 12 approvals. The process is therefore **agreed**.

12.2 Memorial to Dr Derek Ratcliffe

Dr Duff informed Council of the sudden death of the former Chief Scientist for the Nature Conservancy Council (NCC). Derek Ratcliffe was recognised as the most influential nature conservation scientist of the second part of the 20th Century. It was therefore appropriate for English Nature as successor to

NCC to consider the establishment of a permanent memorial to Dr Ratcliffe. Dr Duff was in touch with colleagues in Scottish Natural Heritage and Countryside Council for Wales. One of the suggestions was to create a memorial on an NNR in Cumbria where Dr Ratcliffe carried out a considerable part of his field studies. Dr Duff will liaise closely with Dr Ratcliffe's widow, and Members will be informed of final decisions.