

General Committee of Council

Confirmed minutes of the thirty–sixth meeting of the General Committee of Council held on 21 September 2005 at the Holiday Inn Hotel, Basildon

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
Prof E Gallagher
Prof M Hart
Mr D Hulyer
Prof D Macdonald
Mr C Pennell
Ms C Wood - Director (until 6)
Mrs E Leck – Minuting Secretary

Apologies: Mr H van Cutsem
Ms S Fowler
Mr S Hockman QC
Dr A Powell

In attendance:
Mr S Baker – RDS (closed session)
Dr T Mitchell-Jones (closed session)
Dr T Tew (item 1)
Dr C Prosser (item 2)
Mrs T Towns (item 7)

1. Welcomes and Apologies

- 1.1 Chair opened the meeting and **welcomed** the General Committee, staff and attending guests, Messrs Harding and Chapman from Defra, Dr Wolf from the German Federal Agency for Nature Conservation, and Mr Coe, Member of the Broads Authority.
- 1.2 On behalf of the General Committee of Council Chair thanked the Team Manager and staff at English Nature's Colchester and London offices for a well-organised and stimulating site visit. The issues presented excellent

examples of working in partnership with regional and local organisations. Thanks also went to the Committee Support Unit for organising the venue and logistics.

2. Minutes of the thirty-fifth meeting of the General Committee held on 22 June 2005

The Committee **confirmed** the minutes.

3. Matters arising

- 3.1 Item 5.1 Climate Change presentation by Mike Harley. The slides from the presentation had not been received by Prof Hart. Committee Support Unit will follow this up and circulate the presentation to Prof Hart and those members who had not received them.

AP1: Committee Support Unit to circulate Climate Change presentation to Council Members.

4. Sites of Special Scientific Interest (SSSI) in 2005 – PSA targets and tactics GC P05 23

- 4.1 Dr Clements **introduced** the paper. It reported on the progress towards the Government's Public Service Agreement (PSA) target of bringing 95 % of SSSIs by area into favourable condition by 2010; recognised achievements to date, and also raised issues in relation to the 2005/06 corporate milestone and risks. The presentation given on the previous day demonstrated a technical information system that had been specifically designed to quantify information on condition, impacts and solutions that are necessary for recovery. It also provided an insight into the complexity behind the data and the tremendous amount of hard work invested not only by English Nature staff, but also by other organisations who assisted us with achieving the target.
- 4.2 Dr Clements highlighted the challenges that lie ahead. This year's target was heavily affected by constraints on funding. Two other main issues were having an impact on the achievement of corporate milestones for 2004/05. The first related to the current fisheries policy and there would be more work and effort required to get the local Sea Fisheries Committees on board in order to hit the right balance of regulation and incentive to achieve the target. The second related to the replacement of existing agri-environment schemes with the new Environmental Stewardship Scheme, and delay in Higher Level Entry Scheme agreements could result in failure to meet the PSA target on site condition.
- 4.3 Council Members congratulated English Nature's Sites & Surveillance Team on the technical presentation and on the development of a model that was described as a 'world-class' system for monitoring and recording site condition.

- 4.4 The Committee very much **welcomed** the paper. During the discussion the following points were raised;
- 4.4.1 The target had driven changes in land management but had also help drive policy and legislative changes.
- 4.4.2 As we get nearer to 2010, different issues will need to be addressed to achieve the target, and at the same point the cost of achieving a relatively small percentage change may be too great.
- 4.4.3 The largest proportion of the management on these sites was carried out by landowners and their tenants - a hugely valuable contribution, often made without the receipt of public funds. Where a landowner had forward management plans for the improvement of SSSI land towards favourable condition, it could not always be assumed that all the necessary private funding was in place to complete the task. The assessment of ongoing costs to maintain sites in good condition would also need to be looked at carefully, including new ways to reduce the burden on taxpayers.
- 4.4.4 Changes in CAP would have unforeseen consequences and further changes are likely. Identifying negative trends and responding flexibly and quickly through, for example, adjustment of Environmental Stewardship, would be essential.
- 4.4.5 In due course, *Natural England* may need to take other factors into account in assessing SSSIs and should also consider landscape assessment and value of an equivalent target.
- 4.5 On behalf of Defra, Mr Harding expressed appreciation of the work behind the paper, and the efforts by staff on the ground towards achieving the target. This project had fostered a very close working relationship between English Nature and Defra, and was regarded at highest levels as a model of evidence-based policy making and delivery.
- 4.11 The Committee **endorsed** in principle the risks and tactics outlined in the paper. Suggestions for inclusion into the next target report will be taken on board.

AP2 Dr Clements and Dr Tew to feed comments back to the Sites and Surveillance Team.

AP3 The 2005 SSSI Award leaflets to be mailed out to Council Members.

5. **Conserving England's geodiversity: making the transition into *Natural England* GCP05 24**

- 5.1 Dr Duff **introduced** the paper and explained that it had been produced to stimulate debate on how to integrate geodiversity into the objectives of *Natural England*. The document was put together jointly by English Nature and colleagues from the Rural Development Service (RDS) and the Landscape, Access and Recreation (LAR) division of the Countryside Agency and will contribute towards the Geodiversity State of Nature Report, *Natural Foundations: geodiversity for people, places and nature*, due for publication in November.
- 5.2 Dr Prosser gave a brief summary of the evolution of English Nature's work conserving geodiversity over the past 15 years. At the start of English Nature the profile of geodiversity SSSIs was low, and there were only weak links with the minerals industry or the voluntary sector. Advances had been made over time to the current position where there is a much greater focus on site management and promotion, and partnerships with other stakeholders, especially the voluntary sector. There had been a shift from a purely scientific remit to a much broader remit. The creation of *Natural England* would bring further challenges and opportunities to integrate work on geodiversity. It would be very important, however, that the robust SSSI based conservation that is now in place, and has worked well for geological sites, was not lost in taking these opportunities.
- 5.3 The Committee **welcomed** the paper and **discussed** the issues.
- 5.4 It was strongly felt that there was a clear opportunity for *Natural England* to integrate geodiversity with the landscape and people agendas, as the stories about how landscapes formed and their historical and current value, were powerful and stimulating areas for interpretation.
- 5.5 Much work remained to be done in communication and interpretation areas. It was important for *Natural England* to realise the opportunities to engage people and promote the natural environment in a variety of ways, especially on NNRs and on sites with significant visitor numbers.
- 5.6 The partnership with English Heritage was important.
- 5.7 It was suggested that if the paper had been written later for *Natural England* there might well have been a need to consider the impact of mineral extraction on landscapes and the relative needs for minerals and for protected natural beauty.
- 5.8 The Committee of Council **stressed** the importance of geological conservation to *Natural England*, and the gains to be made through the synergy with other areas of the business and the need for this to be clear in the Corporate Plan.

6. **Performance & Finance Report Summary: April 2005 to June 2005 GCPO5 25**

- 6.1 The Chief Executive **introduced** the report. The performance report presented information against all mission critical targets and not just those shown in the Corporate Plan.
- 6.2 The moratorium on commitments over £100k into 2006/07 has impacted a little on spend profiles, although Defra had given approval for several projects and management agreements over this limit to be progressed. Information had been given to the Department about the impact of 5 % and 10 % reductions on this year's Grant-in-Aid.
- 6.3 Not included in the forecast of expenditure is this year's pay award, yet to be agreed. A second ballot was called by the Unions and the results should be known later this month.
- 6.4 Overall, the current financial situation in the organisation is satisfactory. The slightly lower spend at the end of quarter one than in previous years is receiving attention by each of the Programme Boards.
- 6.5 Given the timetable of meetings, it was noted that the performance report for the first quarter is being considered close to the end of the second quarter. It was agreed that the next quarter's report should be forwarded in part to Council Members for their comments that Dr Brown would give a verbal update on issues and actions at the next Council meeting.
- 6.6 Dr Brown stated that the creation of *Natural England* had required a high level of resources and diversion of senior management attention. The impact of this would be reflected in the overall performance of the organisation by the end of this year. It will be compounded further by any withdrawal of funds by the Department. He assured Council that whilst he and the Directors would do everything in their power to meet the most critical targets, not all of them could be met. There was a duty of care for staff in the organisation and they were already very stretched.
- 6.7 The Committee of Council **welcomed** the report.
- 6.8 Members unanimously felt that the first quarter performance was extremely commendable, under the current circumstances. There were however real concerns about the quality suffering as senior management time and other staff resources were directed towards *Natural England*. Council stressed the need of clear signals to be given by the Chief Executive if this was the case.
- 6.9 Assessing the capacity issues as well as priorities was absolutely vital. If necessary, adjustment of mission critical and corporate targets would have to be considered and Team Managers and staff needed to be reassured of this.

AP4 Dr Brown to instruct FPST to produce a report for Council after the quarter 2 out-turn and for this to be dealt with through a postal consultation.

7. GCPO526 Annual Health & Safety Report 2004-2005

- 7.1 Dr Duff **introduced** the paper. Health and Safety is well integrated into English Nature's work and operational practices. The standard and reporting levels throughout the organisation are good. Health and Safety Committee meetings are held regularly and are well attended.
- 7.2 Tick bites are reported to be on the increase nationally, and new information and advice to staff, volunteers and the public has been issued.
- 7.3 Verbal abuse incident reports seem to have increased. It was, however, not clear at this stage whether this was due to more cases now being reported or whether the increase reflected an upward trend.
- 7.4 Other recorded incidents referred to cattle charging at people on NNRs, often with dogs involved, and it was noted that such incidents had also increased.
- 7.5 English Nature's Health and Safety Advisor reassured the Committee that every incident including near misses is followed up, investigated and categorised. Regarding verbal abuse and aggressive behaviour, some safety measures such as the red sticker warning label on site files and no lone visiting had already been put in place. With greater public access and outdoor activities, it is expected that such cases are likely to increase. English Nature was conscious of this and would closely monitor the situation.
- 7.6 Regarding cattle charging incidents on NNRs, and judging from the cases recorded to date, no specific pattern was noted. Regional differences were not an issue, and it appeared that breed of cattle and time of year were critical factors. English Nature was already closely working with the agricultural industry, National Trust and other organisations to share information and consider appropriate measures. Informative, uniform signage on sites is already being put in place.
- 7.7 The Health and Safety Advisor confirmed that the organisation takes stress at the workplace very seriously. It was managed and with necessary risk assessment undertaken as with any other workplace hazard.
- 7.8 It was confirmed that benchmarking information would be considered for the next report.
- 7.9 The Committee **noted** the Annual Report and **endorsed** the issues raised during the debate for implementation. Regarding the trend in cattle charging it was **recommended** to seek further information from the National Farmers Union.

AP5 The Health and Safety Advisor to liaise with the National Farmers Union on the issue of cattle charging incidents.

8. Information paper on SSSI notification and confirmation decisions GCP0527

8.1 Dr Clements **introduced** the paper. The purpose of the paper was to present an overview of all SSSI notifications between March 2004 and March 2005 and the numbers confirmed under delegated authority by English Nature's Director for Protected Areas and those dealt with by Council because of unresolved objections.

8.2 Council **noted** the report.

9. Unconfirmed Minutes from the Sixty-Sixth Meeting of the Joint Nature Conservation Committee

9.1 Dr Moser **reported** that no further progress had been made regarding a proposed new name for the JNCC Support Company and the matter was being deferred. Dr Moser thanked Council members for their input and comments on this issue so far.

9.2 The Committee of Council **noted** the minutes of the meeting.

10. Chair, Deputy Chair, Chief Executive and Directors' Topical Report

10.1 Item 1.2.1 Council unanimously **congratulated** the organisation and particularly staff directly involved on the success from our engagement with this event and the work that had cemented the already close relationship with the BBC.

10.2 Item 7.1 Prof Hart pointed out that the Eddystone reefs were an intensively fished area. Extending the area for protection as a marine SAC could generate major potential conflict in the foreseeable future.

10.3 Item 8.1.1 Mrs Crowe informed Members that she had been involved in various focus groups that have met to develop a *Natural England* recreation strategy and that a further meeting would be held in October 2005 to look at some of the developing ideas coming from the consultation undertaken by the Henley Centre.

10.4 Item 8.3.1 Prof Hart informed members that £4M of funding over three years have been granted to Plymouth University for education in sustainable development by the Higher Education Funding Council for England.

10.5 Item 9 Dr Clarke raised the issue of future European Rural Development Policy and the resources needed for implementation. This may require a significant debate led by English Nature in the run up to *Natural England*, with a detailed analysis on options and opportunities.

- 10.6 Item 10.1.1 Ms Burton inquired about feedback from the Steering Group which included English Nature alongside the Department for Trade and Industry (DTI) and the Office of the Deputy Prime Minister (ODPM) regarding the Marine Bill. Dr Brown commented that English Nature and the Department agreed broadly over all the main components of the Bill. Responsibility and scope of a new marine agency and spatial planning were issues which needed more discussion.
- 10.7 Item 12.6 Prof Hart expressed his disappointment that two major regional events to celebrate 50th Anniversary of NNRs – Hartland Moor and Axmouth to Lyme Regis were missing from the Topical Report, as they were good examples of public engagement and partnership working.
- 10.8 Item 13.2 Dr Moser commented positively on a very professionally organised and run EEAC conference in Oxfordshire and was confident the event had raised our reputation amongst European colleagues. He was looking forward to seeing the outputs coming to Council in due course.
- 10.9 Item 18. Referring to the Hen Harrier Recovery Project, Dr Moser highlighted the five year recovery plan in terms of the transition into *Natural England* and that it would be a matter for the new Board to review and consider future commitment. The current contractual commitment of five years already provided continuation of this project beyond the vesting day of *Natural England*.

11. Any Other Business

11.1 Avian Influenza – Discussion Paper

- 11.1.1 Dr Duff reported that the JNCC had co-ordinated a position statement on avian influenza with the Country Agencies. The document listed a series of actions where Country Agencies were engaged with Defra to ensure that judgements and risks were assessed as comprehensively as possible. Areas where more information was needed had been considered by JNCC at its recent Committee meeting.
- 11.1.2 Dr Moser confirmed that at discussions at the JNCC meeting the Committee agreed for the Country Agencies to work through the Inter Agency Group to produce a contingency plan.
- 11.1.3 The Committee **endorsed** the paper.

Signed..... Date.....