

GENERAL COMMITTEE OF COUNCIL

CONFIRMED MINUTES OF THE TWENTIETH MEETING OF THE GENERAL COMMITTEE OF COUNCIL HELD AT THE CASTLE GREEN HOTEL, KENDAL, CUMBRIA ON 25 SEPTEMBER 2001

Present: Sir M Doughty (Chair)
Ms M Appleby
Mr D Arnold-Forster
Dr A E Brown
Mr T Burke
Ms S F Collins
Dr K L Duff
Dr S Gubbay
Professor M Hart
Mrs A Kelaart
Professor G Lucas
Dr M Moser
Professor D Norman
Miss C E M Wood
Mr G N Woolley

In attendance: Mr M Felton (Strategy Manager)
Ms F O'Mahony (Head, Top Management Unit)

Apologies Professor E Gallagher
Mr S Tromans
Dr A Powell

Chairman opened the meeting and welcomed all those present.

1. Minutes of the nineteenth meeting of the General Committee of Council held on 11 July 2001.

- 1.1 The Committee approved the following amendment to the minutes replacing the whole of section 9.3 with the following:

The DEFRA PSA target is not an English Nature performance target. English Nature will contribute significantly to the delivery of that target from its existing resources, but this contribution will not meet DEFRA's target on its own. Full achievement of DEFRA's target will require both the provision of additional resources to English Nature and the involvement of other actors.

Action: Committee Support Unit to replace text on website and in formal record.

2. Matters arising

- 2.1 There were no matters arising.

3. **Solent European Marine Site Regulation 33 (2) advice (post moderation) (GC P01 64)**

3.1 Sue Collins introduced the paper. The advice has been revised in light of the SAC moderation process and the preliminary results of the SPA review and now takes account of RAMSAR features. The package is in a new format intended to make it more accessible and useful. The programme to revise other Regulation 33 packages is planned to start in April 2003 and run for four years so the results of the SPA review and moderation can be incorporated, in a planned and measured way. If a threat arose, to a moderated feature, or an additional SPA or RAMSAR interest, on a site in the meantime, an amended package would be brought forward as a matter of urgency.

3.2 The Committee:

3.2.1 **welcomed** the new format, which will be easier to use for operational purposes on the ground, and congratulated staff on the quality of the package.

3.2.2 **noted**, with regard to RSPB representations, that the focus of condition assessment was on habitats for pragmatic reasons and because populations of mobile species could vary for reasons not connected with the condition of the site. The final approach is subject to common standards across the UK and we may need to modify our approach in light of the work currently being done by inter-agency specialist groups. Reports on Natura 2000 sites to the European Commission will include reports from bird monitoring surveys to help interpret habitat condition assessments. This should help reassure RSPB that bird populations are a key element in assessing the success of the series.

3.2.3 **endorsed** the programme over four years from April 2003 to review the Regulation 33 advice for other sites and noted the slight risk that threats to additional features may materialise in the meantime. English Nature will watch for such threats and bring amended advice forward if they emerge. Provided the UK Government has submitted the site to the European Commission with all the features mentioned, then they would have statutory and policy perfection, and it would be in order to cite the new features in response to potentially damaging development proposals, even where the Reg 33 package had not yet been revised.

3.2.4 noted the concerns raised over the detailed wording and description of the site particularly on geological aspects and some invertebrate populations and agreed to delegate authority to approve the package to Chair following editorial amendments.

Action: Sue Collins

4. **Position Statement: Nature conservation and the ports industry (GC P01 61)**

4.1 Andy Brown introduced the position statement which was prepared following the discussion at the February meeting of the paper Expansion pressures in the port sector: a briefing paper (GC P01 10).

4.2 The Committee advised:

4.2.1 the significance of estuaries for nature conservation and the extent of historic losses should be given greater emphasis in the first section of the statement

- 4.2.2 the difference between mitigation and compensation should be clearly set out in the statement.
- 4.2.3 the responsibilities fall on Port Managers and Port Authority Boards as well as Harbour Masters, and the key conflict lies in the importance now placed on port development as a key role of Port Managers.
- 4.2.4 to add in a reference to encourage the use of technological advances as one way of reducing the need for land for storage and handling purposes, thus reducing the pressure on valuable coastal habitats.
- 4.3 The Committee agreed to consider a final draft on circulation for Chair to approve the final version for publication.

Action: Andy Brown

5. Human resources, welfare services and health and safety annual report. 1 April 2000 – 31 March 2001. (GC P01 63)

- 5.1 Caroline Wood introduced the paper. The Executive Committee's priorities which were being addressed included workload, work – life balance, performance management and pay structures and equal opportunities issues. The Fundamental Review of Pay and Performance Management is timely as we now need more sophisticated pay structures as different job families are now affected in different ways by external pressures. Pay progression is a key issue for us and will have an impact on the pay budget which will be reflected in our bid to DEFRA. The Equal Opportunities Committee identified disability, age, gender and ethnicity as complex areas where work is developing through pilot programmes or through policy development, but progress will take time.
- 5.2 The Committee welcomed the helpful report, and congratulated the staff who negotiated and completed the pay award on time and with 100% accuracy, and the team for their work to address the key issues. The report demonstrates English Nature is alive to the priority issues and, whilst disappointed with not meeting all targets, is seeking to address them. The following issues were raised in discussion:
 - 5.2.1 Whilst our pay band maxima and minima are broadly competitive, the position for some job families, particularly for the professions, is not, even including our wider non-pay benefits package. The Fundamental Review will consider market rates and differences with our pay rates alongside other factors if recommending any changes to pay rates generally or for particular job families.
 - 5.2.2 Our pay awards over recent years have been relatively modest in part due to our low staff turn-over compared to the standard assumed, which leaves less room for "recycling" salaries from departures into pay increases.
 - 5.2.3 The Fundamental Review may or may not propose regional weighting, but we do need the flexibility to respond to particular circumstances in ways that are equitable to current staff.
 - 5.2.4 Our training programme will include specialised needs which is likely to include work on agriculture for Conservation Officers.

- 5.2.5 Workload and stress should be relieved by the appointment of new staff: we have just had the largest increase in a single year ever. IT is also critical to achieving more without increasing pressures.
- 5.2.6 The reported increase in staff being subject to threatening behaviour and verbal abuse should not be classed as accidents. This should be monitored separately. The Committee is concerned at this increase and we must provide support and aim to avoid situations where staff feel vulnerable. English Nature provides training in how to handle conflict, encourages staff not to work alone in circumstances where they feel vulnerable, and any problems are generally due to the response to the message and not aimed at the individual. We do recognise that this does not make it easier for staff in situations where they receive threats and verbal abuse and feel vulnerable as a result.

6. **Chairman's and Directors' Topical Report (GC P01 65)**

6.1 The Committee noted the report and raised the following issues:

- 6.1.1 Whether the review of the Ramsar sites in the UK (Para 5) was likely to lead to a large number of new sites in England. The UK has no inventory of wetlands to support "wise use". The review is being done by JNCC following a request by the UK Government. It is hard to tell what the consequences will be, but English Nature is actively involved in the work which is currently defining the scope of the review. It is unlikely to lead to large numbers of new sites: last time seven new sites were proposed including areas already with existing designations.
- 6.1.2 The Private Members Bill for Marine Nature Conservation (Para 10) is about identifying and conserving nationally important marine sites. In our view the proposals should combine the lessons from SSSIs and from European Marine Sites and propose a tailor made system that reflects the conservation needs of the marine environment. The importance of engaging in the development of the Marine Stewardship Reports was raised. This could be a significant opportunity to advance marine conservation given the importance Mr Blair gives to it. Ways of linking the work to English Nature's 'People and Wildlife' theme should also be explored.
- 6.1.3 The UK Reasoned Opinion concerning the Habitats Directive is potentially important for agriculture as well as extending the application of the Directive beyond territorial waters. This appears not to be mentioned in Reasoned Opinions issued to other Member States. The Committee was dismayed that the text of the Opinion has not been released to English Nature and agreed that Chair would write to the DEFRA Secretary of State referring to the new Department's commitment to open working and suggesting this should be demonstrated by releasing the text to us.

Action: Andy Brown

- 6.1.4 The Committee congratulated the staff working on FMD recovery for the joined up thinking, excellent support and for creating a good impression amongst the affected farmers. The Committee noted the work providing inputs to the NAO Review, the Policy Commission and other enquiries as well as contributing to the delivery of effective recovery programmes.

- 6.1.5 Mr Meacher indicated he would welcome material on approaches to diffuse pollution including the possible use of fiscal measures as part of a package (Para 19).
- 6.1.6 The Committee welcomed the possibility that Darwin Mounds (para 25.1) may be fast-tracked as an offshore cSAC. The package recommending selection will be put to Government by JNCC as advice. The Government can submit this prior to final offshore regulations provided they also state policy protection at the same time.
- 6.1.7 The Committee congratulated Mike Harley for his role in the publication of “Impacts of Climate Change”, (para 37) which is an excellent overview of the significance of climate change for nature conservation. It is important to recognise that climate change occurred throughout geological time and not just in the present era.
- 6.1.8 The Committee congratulated Catherine Prasad and the team working on the shows and events programme. The new Events Stand was excellent and a huge improvement. The Committee looks forward to participating in future events and suggest a note is sent to Catherine to record their commendation.

Action: Caroline Wood

7. Joint Nature Conservation Committee Progress Report on the Review. (GC P01 59)

- 7.1 Caroline Wood introduced the paper and reminded the Committee that the Stage 1 Report had recommended establishing a new independent body replacing the JNCC. The Committee had considered this during their May 2001 meeting with the paper English Nature position on recommendations of the FMPR of JNCC (GC P01 37). The recommendation has been set aside and Stage 2 will focus on making the current arrangements work better. It will focus in particular on defining the special functions in light of devolution, improving planning to include the UK Government’s needs better, funding arrangements, staff terms and conditions, and the overall management of the work. The intention is to complete a report by the end of October.

8. Delegated decisions on SSSI notification and confirmations (GC P01 60)

- 8.1 The Committee noted the decisions.

9. Council dates for 2002/03 (GC P01 62)

- 9.1 The Committee approved the dates for the meetings and noted the proposed visit locations for the year.

10. Any Other Business

10.1 Windsor Forest and Great Park SSSI

- 10.1.1 The Council noted that they had confirmed this site in April 2001 and the package had included a mapping error whereby Map 2 included an area comprising some 2% of the site that had been agreed should be excluded. Correspondence referring to this was included with the material put before the Council. The excluded area did not contribute to the special interest of the site which was notified for parkland trees and the associated invertebrate

interest. The excluded area was formal gardens and formal woodlands made up of planted exotic tree species and managed rhododendron species.

10.1.2 The Council adopted the following resolution:

“Map 2 attached to the report to the meeting of Council held on 3 April 2001 did not exclude the formal woodlands surrounding the Royal Lodge and gardens of the notified and now confirmed Windsor Forest and Great Park SSSI which it had been agreed would be excluded because they (the formal woodlands) are not of special interest and authority is delegated to the Director, Operations to substitute a replacement Map 2 showing the formal woodlands surrounding the Royal Lodge and gardens excluded from the SSSI.”

Action: Andy Brown

10.2 The meeting closed at 4pm.

Signed **Dated.....**