

**UNCONFIRMED MINUTES OF THE EIGHTH MEETING OF THE GENERAL COMMITTEE
OF COUNCIL HELD AT THE ROYAL KINGS ARMS HOTEL, LANCASTER ON 7 JULY 1999**

Present: Baroness Young of Old Scone (Chairman)
Ms M Appleby
Dr S Gubbay
Mrs A Kelaart
Miss J Kelly
Dr D R Langslow (Chief Executive)
Professor G Lucas
Dr M Moser
Professor D Norman
Mr S Tromans
Professor R C L Wilson
Mr G N Woolley
Ms S F Collins
Dr K L Duff
Miss C E M Wood

In attendance: Mr M Felton (Strategy Manager)

Apologies: Mr T Burke
Dr A E Brown

1. Minutes of the seventh meeting of the General Committee of Council held on 6 May 1999 (GC M99 2)

- 1.1 The Committee had **confirmed** the minutes of the sixth meeting of the General Committee by postal consultation. The minutes have been placed on the English Nature Web Site.

**2. Matters arising
(GC P99 42)**

- 2.1 The Committee **noted** the paper. The following issues were raised in discussion al for additional resources for regional services in the Corporate Plan. The need to resource the current work adequately remains a concern. The uncertainty surrounding the work required, and the impact RDAs will have on nature conservation is recognised.
- 2.1.2 The Committee **agreed** that Chairman and the Chief Executive would explore the options developed by The Executive Committee. A paper with a formal proposal will be on the October 1999 agenda.
- 2.1.2 The Committee **commended** the actions taken to secure agreement on the pay remit, and **expressed** concern and dismay at the approach taken by the Treasury. Council is committed to giving reasonable rewards to staff in recognition of their achievements.

3. Using economic instruments to implement the polluter pays principle: does this approach work for nature conservation?
(GC P99 40)

- 3.1 Sue Collins introduced the paper, highlighting the key principle that negative externalities should be paid for by those causing them and the need to be sure that a proposed economic instrument would deliver nature conservation benefits. Criteria to help develop our advice on economic instruments are proposed in the paper.
- 3.2 The Committee **welcomed** the paper as a clear statement of a complex issue and noted that the UK Round Table on Sustainable Development had set up a working group on economic instruments chaired by Baroness Young. The following points were raised in discussion :
- 3.2.1 Economic instruments should not be seen as working alone, but as part of a package of measures to achieve sustainable development, including payments for environmental benefits. The criteria need to reflect the contribution of economic instruments as part of a package of measures which aim to achieve changes in behaviour to reduce environmental damage.
- 3.2.2 Unexpected responses and side effects to new economic instruments are likely. The criteria should be used to review the results of using economic instruments so we can learn from experience. Some exploration of charges as opposed to taxes, for example the use of permits, should be included as there is more experience and knowledge of the responses achieved.
- 3.2.3 The criteria should be worded to indicate how the issues raised should be addressed so it is appropriate to implement the measure and learn from the experience.
- 3.2.4 The need to re-cycle some of the funds raised from economic instruments to achieve environmental benefits and to help change behaviour must be emphasised.
- 3.2.5 The extent to which it is possible to adjust economic instruments to reflect geographical variations in external costs or to reward activities providing spatially differentiated public benefits should be included in the paper.
- 3.3 The Committee **noted** the paper, **advised** on the areas requiring further consideration and amendment, and **recommended** the publication of the revised paper.

4. Chairman-s, Chief Executive-s and Directors= topical report to Council
(GC P99 25)

4.1 The Committee **noted** the report and the following issues:

- 4.1.1 The Countryside Agency has established the National Countryside Access Forum to advise them. English Nature has permanent adviser status on the Forum. We will be able to make our advice clear to the Forum and give our advice separately to the Countryside Agency.
- 4.1.2 The Committee sought reassurance over the implications once our management agreements were registered as a State Aid.
- 4.1.3 The European Commission (DGXI) had visited The Wash. England is seen as making good progress with marine SACs, and well ahead of other EU Member States.
- 4.1.4 The external consultation over our science programme indicated there was broad agreement with our approach. The DETR Biodiversity Research Working Group provides a forum to discuss biodiversity research with all interested parties. We should explore academic links and exchanges to keep our staff in touch with professional research scientists.
- 4.1.5 The Committee **commended** the success of our work on GMOs. English Nature should propose a member for the Agricultural and Environment Biotechnology Commission. The advert for nominations will be circulated so Members can give advice on suitable nominees.

Action: Keith Duff

4.2 The following topics were discussed:

4.2.1 **Minerals and Aggregates**

Our advice to DETR on the proposed aggregates tax will be based on our evaluation of the Action Plan proposed by the Quarry Products Association as an alternative. As there is no recycling of the tax yield the potential benefits of a tax will be uncertain. The gains for nature conservation from the Action Plan need to be clear and include:

- 1) a commitment not to seek permissions on existing SSSIs
- 2) a positive and active approach to solving existing problems affecting SACs and other SSSIs from active and dormant permissions
- 3) an increase in the biodiversity benefits from restoration, which will require a change in the MAFF requirement for restoration to agriculture
- 4) establishing a fund with independent trustees with a high proportion earmarked for biodiversity projects

Derek Langslow met Hansons who have agreed a programme of positive management for all the SSSIs they own. There is one problem site where an alternative source of sand and gravel is not readily available.

4.2.2 Woodland Assurance Scheme

The scheme focuses on managing woodlands for woodland products rather than managing woodlands for wildlife. This could make it harder for us to advise woodland owners in the scheme on management for wildlife. If owners of woodland SSSIs were automatically approved and exempted from further certification work where we approve their management, there would be a clear incentive to agree management with us. The Committee **advised** that this possibility should be explored.

Action: Keith Duff

5. Financial report to Council (GC P99 47)

5.1 Derek Langslow indicated that our financial position this early in the year was satisfactory. The usual detailed review will take place at the end of the first quarter.

5.2 The Committee **endorsed** the importance of maintaining our pace of spend to show we use the additional resources effectively as good results will help support future proposals for new funds.

5.2.1 The Performance Committee is monitoring our financial performance monthly with detailed analysis targeted to apparent risk areas.

5.3 The Committee **noted** the report.

6. Sustainable development - progress report (GC P99 43)

6.1 Sue Collins introduced this information paper and indicated the plan to replace the UK Round Table on Sustainable Development and the UK Government Panel with a new Sustainable Development Commission. The new Commission needs to foster a positive learning approach through monitoring and reporting on progress with the participation of a large number of stakeholders, thus helping secure commitment across society.

6.2 The Committee welcomed the paper, **noted** the scope of *A better quality of life - a strategy for sustainable development for the UK* and **advised** on the following issues:

6.2.1. Regional indicators should use existing indicators wherever possible, derived from the Flagship Reports, the UK BAP or the Natural Area targets, and be incorporated in Regional documents to demonstrate how the environment is integrated into all their work.

6.2.2 The proposed EN Award for business champions by the end of 1999 is over ambitious. The risks due to Award recipients acting in inappropriate ways elsewhere in their operations and the need to review, and possibly

withdraw an award, need careful consideration. A paper on our overall approach to relations with business will be discussed at a future Council meeting.

Action: Sue Collins

**7. Internal Audit annual report
(GC P99 46)**

7.1 Jane Kelly introduced the paper and highlighted the following issues:

7.1.1 The Internal Audit Committee, chaired by Derek Langslow, covers the JNCC as well as English Nature, and some external issues as well.

7.1.2 The Committee provides support for and recognition of the work of Finance Services Team. Staff secondments to the internal audit programme, which offer significant and worthwhile development benefits, have caused some delays in the programme.

7.1.3 The Committee holds an annual meeting with the National Audit Office and through this influences the approach they take and secures good value for money from their work. Our performance is improving. The annual management letter from the NAO is becoming shorter, and there is a fall in the number of recommendations from internal audits with no recommendations classified as **fundamental**. This provides evidence for this improvement.

7.2 The Committee **noted** the report, **thanked** Jane Kelly, Nick Woolley and the Chief Executive for their work on the Audit Committee, and **commended** the progress made across all our systems.

**8. Agenda 2000: CAP and rural policy reform agreement
(GC P99 38)**

8.1 Sue Collins introduced the paper by suggesting that our proposals provided a practical approach to getting the most out of the current reform. We will also have to ensure a basis for securing improved reforms in the context of the next World Trade Round.

8.2 In discussion the Committee made the following points:

8.2.1 Restructuring of agriculture is likely as a result of the reforms, especially in the LFA, and the measures needed to reduce the possible associated environmental damage.

8.2.2 The Headline SD Indicator, farmland birds, is the only one likely to be in continued decline. This provides an opportunity to exert strong influence on the need to change agricultural policies to address this indicator.

- 8.2.3 English Nature needs to understand farm level decision making, and the influence of farmers' motivations and attitudes on their responses to policy changes. This determines the environmental effects of policies. We need sound positive relationships with farmers and the farming community so we have better insights and can build on farmers currently doing the right thing to act as champions within their community. This would help ensure the intentions of policies are realised in practice.
- 8.2.4 Whilst English Nature has supported research into farm level decisions, and used the work of others, particularly DETR's cohort study of farmers in the Countryside Survey sample, this is expensive work. Local Teams have a limited capacity to build links to the wider farming community. It was emphasised that impacts on farming other than CAP need to be explored as well: eg non-supported commodities, the role of supermarkets and catering companies and consumer concerns.
- 8.3 The Committee **noted** the paper and **endorsed** English Nature's five broad objectives for Agenda 2000, and the proposal to work with an alliance of organisations to influence MAFF and gain support for our ideas.

**9. Human Resources Annual Report: 1 April 1998 - 31 March 1999
(GC P99 48)**

- 9.1 The Committee **welcomed** the report and raised the following issues in discussion
 - 9.1.1 The exit interviews are an excellent idea. Negative reasons for leaving need exploration. The organisation has had falling staff numbers over several years, and we have had promotion opportunities recently with no internal applicants. The complexity of balancing career progression with other aspects means people may not wish to move, especially from local to national posts.
 - 9.1.2 The Committee asked for more material on trends and indicators such as turn-over, numbers moving posts and sick leave levels to help us compare ourselves with other organisations and help focus management attention on the causes.
 - 9.1.3 The cultural issues surrounding the Reward and Recognition programme are more important than the payment levels. Care is needed in the way any payments are handled so they complement a climate of valuing staff.

**10. Report on the 43rd meeting of the JNCC held on 15-16 June 1999
(GC P99 49)**

- 10.1 The draft conservation strategy for the harbour porpoise and the decision not to consider possible SAC designation for the species was raised. The Committee **agreed** to include Susan Gubbay into the consultation and to send her a copy of the JNCC draft paper.

Action: Derek Langslow

**11. Proposed priorities for key sectors
(GC P99 44)**

11.1 Sue Collins introduced the paper. The priorities will be used to guide the planning process for next year. The sector analyses, including the priorities, will be available to all staff by the end of August 1999. We will pilot a consultation process with two sectors prior to publishing the analyses. We intend to publish all the sector analyses.

11.2 The Committee **welcomed** the paper as a supplement to the sector analyses and **urged** a rapid move towards consultation and publication for all the analyses following the pilot programme. The Committee asked to see the revised, finalised sector analyses. In discussion the following issues were raised:

11.2.1 The sector analyses and priorities set out challenging targets for strategic change. We must be realistic in implementation and take full account of the resources available to Teams for this work.

11.2.2 The Committee **asked** for an annual report on progress.

Action: Sue Collins

**12. The grants function in English Nature 1998/99
(GC P99 36)**

12.1 Caroline Wood introduced the paper. Awarding grants is a major conservation tool on which we spend about , 1.9 million per year.

12.2 The Committee **welcomed** the report and wondered whether our grants programme secured sufficient public recognition for English Nature. Publicity for English Nature is a condition of our grants. Recipients are somewhat reluctant to share the publicity benefits with English Nature and we have not strongly enforced this condition. We are not achieving enough credit for our contributions to the grant-aided work.

12.2.1 The Committee **recommended** we focus on some major recipients of grants and work up a joint publicity programme highlighting what they achieve with our help. The results should be included in the report on grants next year.

Action: Caroline Wood

**13. Health and safety annual report 1998/99
(GC P99 39)**

13.1 Keith Duff introduced the report which shows that English Nature take health and safety matters seriously, and have a good attitude and record. We have integrated

a continuous flow of new regulations into our work by understanding the implications and developing appropriate procedures that support safe working.

- 13.2 The Committee **welcomed** the report and commended English Nature's approach to health and safety. The known working days lost has fallen dramatically because last year's figures included two cases of long term sick leave. We are working to improve the reliability of reporting, but there were no significant losses of working days due to accidents.

14. SSSI Cases (GC P99 34)

Secretariat note: the following Council Members were present and constituted a quorum for this item: Baroness Young of Old Scone, Ms Appleby, Dr Gubbay, Mrs Kelaart, Miss Kelly, Dr Langslow, Professor Lucas, Dr Moser, Professor Norman, Mr Tromans, Professor Wilson and Mr Woolley. The following General Committee Members were also present: Ms Collins, Dr Duff and Ms Wood.

14.1 Notification

Council **considered** proposals to notify the following sites:

14.1.1 Chatsworth Old Park, Derbyshire

Wood pasture supporting invertebrate and lichen species of special interest.

Council **approved** the notification of the site.

14.1.2 Amwell Quarry, Hertfordshire

A former gravel pit with two open water bodies and associated wetlands and grasslands supporting populations of wintering and breeding birds and an assemblage of dragonflies and damselflies of national importance.

Council **approved** the notification of the site.

14.1.3 Mill Meadows, Billericay, Essex

A lowland neutral grassland of special interest.

Council **approved** the notification of the site.

14.1.4 Lytham Coastal Changes, Lancashire

This is the type site for Holocene sea level change in North West England and is of special scientific interest. Council **noted** this was a re-submission that incorporated changes in the proposed boundary in light of more detailed knowledge of the site.

Council **approved** the notification of the site with the proposed modifications to the original boundary.

14.2 Renotification

Council **considered** the following cases:

14.2.1 Ardley Cutting and Quarry, Oxfordshire

A railway cutting providing access to exposures of Jurassic Limestone with sedimentary features and fossils of national importance, that also supports calcareous grassland of special interest. The proposed re-notification replaces a damaged area with a comparable alternative area, and retains the quality and extent of both the geological and biological interest.

Council **approved** the re-notification of the site with the changes.

14.2.2 Purbeck Ridge (East), Dorset

A site containing chalk grassland and broadleaved woodland of special interest which support assemblages of invertebrates, fungi and mosses of special interest. The site is also of special interest for its exposures of Wealden Series sands and muds, overlain by Lower Greensand and Upper Cretaceous rocks. The site is also of special interest for its coastal geomorphological features. The site is proposed for re-notification to include woodland of special interest and to incorporate low sea-cliffs that expose the Upper Wealden sands and clays overlain by Lower Greensand.

The explanatory note and comparison of the site with other GCR sites is weak and need improving.

Council **approved** the re-notification of the site with extensions.

14.3 Confirmation

14.3.1 Leiston - Aldeburgh, Suffolk

Council considered 6 objections and 3 representations.

Four of the objections were based on the inclusion of houses and gardens of no scientific interest within the site: Council **agreed** to modify the site boundary to exclude these.

One objection was based on including an area of no scientific interest within the site and on the potential restrictions on the management of a wider area. The impact on management has been agreed through a Site Management Statement and Council **agreed** to modify the boundary to

exclude the area of no scientific interest.

The final objection was based on concerns over the impact on management and on the extent of notification in the District. Council **noted** the discussions over management and the preparation of a Site Management Statement to address these. Council **require** clarification over whether the Site Management Statement was accepted by the objector.

The three representations challenge the special interest of the vegetated shingle, question the effect of the notification on use of the beach and on the management of the shoreline. Council **noted** these representations and **require** confirmation of the special interest of the vegetated shingle.

Council **delegated** authority to confirm the notification, with the boundary modifications agreed, to the Chairman in light of information about the Site Management Statement and the special interest of the vegetated shingle.

14.3.2 **Bagmere, Cheshire**

Council considered one objection which was based on concern over the potential impact of notification on agricultural income and the capital value of the land. The extension of the designated area also caused concern.

Council **confirmed** the notification of the site without modification as the objection does not challenge the special interest of the site.

14.3.3 **Stanton Pastures and Cuckoocliff Valley, Staffordshire**

Council considered one representation which was based on dissatisfaction with the relationship with English Nature over a period of years, and that the owner had not given permission for access for re-survey as part of the re-notification. Council **considered** that there was sufficient evidence of special interest on this part of the site based on what is observable from adjacent areas given previous surveys.

Council **noted** the late notification of one owner who had purchased part of the site since the original notification in 1987.

Council **delegated** authority to confirm the notification to the Chairman subject to a postal consultation with Council Members if the owner who was notified late objects.

14.3.4 **Hexhamshire Moors, Northumberland and Durham**

Council considered 7 objections and one proposal to modify the OLD list. Four of the objections concerned land that made no contribution to the moorland breeding bird assemblage of special interest. The proposed

exclusions were improved land, a road and a service reservoir. Council **agreed** to modify the SSSI boundary to exclude these areas.

Two objections based on assertions of incorrect boundaries that both include and exclude certain areas from the SSSI were received. Additional information was requested but has not been received. Council **required** the Team to confirm that no specific information about the boundaries had been received, and **agreed** that there was no scientific basis for changing the boundaries in the absence of specific information.

A final objection based on concern over the boundaries, the reasons for the particular area of land being included being unclear or not fully supported, the OLDs are inconsistent and unclear and concern over the impact on ongoing agricultural management of the land. Council did **not agree** to the proposed modification as it did not challenge the scientific basis for the special interest.

Council considered the proposal to modify the paragraph introducing the OLD list. Council **considered** the first part of the paragraph, 'The list below covers the whole site and certain of these operations may not be relevant to your land', is a sensible reassurance to owners and occupiers of large sites and subject to approval by DETR, **recommend** we include it in future notifications of multi-owner complex sites.

Action: Andy Brown

Council **confirmed** the notification of the site with the agreed boundary modifications to exclude areas without special interest.

14.3.5 North York Moors, North Yorkshire

Council considered 15 objections and 7 representations. Four objections based on the land having no scientific interest were **agreed** by Council and the boundary should be modified to exclude these.

One objection based on the land having insufficient scientific interest was not accepted as the area still had significant heather vegetation. Council **delegated** the decision on this objection to the Chairman following clarification from the Team.

One objector identified 9 areas not considered to have special interest. As we had not specifically visited each area to evaluate the objections, Council **delegated** the decision on this objection to Chairman and **required** the Team to offer to visit each area with the objector and evaluate the special interest for each, provided there is no delay in agreeing this.

One objection sought a change to the reference to peregrine and hen harrier populations in the citation to reflect their current distribution. Council **did not** accept the change in the citation as we do not specify the distribution of species on SSSIs.

Six objections sought to exclude areas from the site. Council **did not** accept the objections as there was no scientific basis for the proposed amendments. One of the objectors also sought to extend the site and had been advised that Council does not have the power to do this at this stage. Council recognised the lack of clear evidence over the impact of hang-gliding on the breeding bird interest, but **agreed** that the area was an integral part of the overall moorland unit.

One objection sought a delay in Council's decision because of dissatisfaction with the consultation process for commoners not exercising their common rights, and owners of commons not on the Common Lands Register. Council **considered** the efforts made by the Team were satisfactory and **did not agree** to delay notification of the area.

One objection was based on concern over on-going management of the area. The current use of the land for horses was acceptable and will be able to continue. Council **did not accept** this objection.

Seven representations were based on concerns over the impact of the notification on management of areas of the site, and also included proposals to extend the site and proposals to exclude some areas from the site as a result. One representation sought a modification to the boundary map so it accurately followed an existing boundary. Council **agreed** to the modification so the map accurately reflected the existing boundary, but **did not agree** to the modifications proposed based on management and **did not agree** to the proposed extensions.

Council **delegated** authority to confirm the notification, with the boundary modifications agreed, to the Chairman subject to further information about one excluded area and to the response to the offer to one objector to revisit the disputed areas and evaluate their interest with the objector.

14.3.6 Holway Hill Quarry, Dorset

Council considered one representation and objection based on the impact of notification on the value of the objectors property and that access should be strictly limited to his land. These issues do not affect the special interest of the site.

Council **confirmed** the notification of the site without modification.