

GENERAL COMMITTEE OF COUNCIL

CONFIRMED MINUTES OF THE EIGHTEENTH MEETING OF THE GENERAL COMMITTEE OF COUNCIL HELD AT THE BELL HOTEL, KING STREET, THETFORD, NORFOLK ON 16 MAY 2001

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

In attendance: Mr M Felton (Strategy Manager)
Ms F O'Mahony (Head, Top Management Unit)
Mr R Barlow (Browne Jacobson)
Mr J Creedy (Item 6)
Ms W Fojt (Item 9.1.2)
Ms S Brocklehurst (Item 9.1.2)
Dr A Clements (Item 10)
Mr R Leafe (Item 10)
Mr S Ellis (Item 10)
Mr J Marsden (Item 11)

Chair welcomed the members of the public attending the meeting. Chair thanked David Norman for his excellent work and commitment as acting Chairman during the period of uncertainty prior to his formal appointment.

1. Minutes of the seventeenth meeting of the General Committee of Council held on 3 April 2001. (GC M01 2)

1.1 The minutes were confirmed.

2. Matters arising

2.1 There were no matters arising.

3. Feedback from field visit to the Breckland area

- 3.1 The Committee thanked staff for arranging an interesting and informative visit which provided a valuable insight into issues. It was encouraging to see the acknowledgement of the importance of the arable areas for nature conservation and the extent of understanding of the need to designate these, with a framework to develop and deliver good management.
- 3.2 The importance of water supply management was emphasised and the need to take an integrated and holistic approach stressed. Irrigated agriculture is economically significant and it requires a relatively small proportion total water supply on average. However, irrigation does use up to 50% of the total available water during some time periods of peak demand. Ensuring water is available for irrigation during these peak periods is economically essential. Winter water storage is the key to safeguarding the capacity to irrigate, alongside reduction in waste and changes in domestic use. Simple wise use measures can make a significant difference to the overall water demand. English Nature should promote the creation of suitably designed farm reservoirs to increase water storage and biodiversity.

4. Performance Report April 2000 - March 2001 (GC P01 38)

- 4.1 Caroline Wood introduced the paper which sets out the financial position, significant achievements, progress towards the SSSI targets and progress against the corporate targets agreed with DETR for the 2000/01 financial year. The Committee has received quarterly reports during the year. Work has been disrupted by floods, wet weather and the foot and mouth disease (FMD) outbreak. This affected the financial profile with an increase in expenditure in the last two months of the year. However the total spend was within our carry-forward limits and our overall achievements met most of our targets.
- 4.2 The Committee:
 - 4.2.1 **welcomed** the number of demonstration events held and the use of National Nature Reserves (NNRs) to communicate the importance and interest of wildlife, and encouraged Teams to hold future events that involve more people;
 - 4.2.2 **recognised** the changes that have affected the work during the year, including changes in legislation, which took significant resources, as well as the effects of weather and disease;
 - 4.2.3 **agreed** that efforts to reduce the risks associated with peaks of expenditure in the last months of the year are needed and welcomed the measures taken to improve this;
 - 4.2.4 **requested** the financial figures should be presented against the planned budget in future;

Action: Caroline Wood
 - 4.2.5 **congratulated** staff on the overall achievements despite the disruptions and pressures during the year.

5. Corporate Plan 2001 - 2005 (GC P01 38)

- 5.1 Caroline Wood introduced the paper which presents a new draft that takes account of the discussion at the February 2001 meeting of the Committee and DETR's comments on the first draft. The preferred programme is based on English Nature's Spending Review 2000 bid which has been adjusted in light of the new Grant-in-aid and improved knowledge about timescales for achieving key targets.
- 5.2 The Committee thought the plan was a clear and readable statement of our intentions. A range of detailed comments were made on the text, and any further comments will be sent to Caroline Wood before the end of May. The Committee made the following recommendations:
- 5.2.1 The introductory section needs to emphasise the significance of English Nature's role as champion of nature conservation within the wider sustainable development agenda, and to position our work within the forward EU and global agenda as drivers of our work. Wider policy changes provide opportunities, including those that flow from the Countryside and Rights of Way (CROW) Act, and we need to show how its work adjusts to the changing context.
- 5.2.2 The programme needs to include more marine and urban work which is not adequately reflected in the plan. Communications and helping people understand the tangible benefits of more sustainable approaches to issues for the economy and communities also needs more emphasis.
- 5.2.3 The implications of FMD both on our programme for 2001/02 and as a potentially pivotal event leading to reform of rural policies and possible institutional reform is underplayed.
- 5.2.4 Linking English Nature's work to Public Service Agreement (PSA) targets for SSSIs and farmland birds is excellent. Inadequate resources within our budgets to achieve these targets is a concern. It increases the pressure to focus effort on the headline targets at the expense of a balanced programme. We need to maintain the challenge that achieving the targets requires both more resources and policy changes: we cannot fully commit to delivering these targets without sufficient resources and a commitment to the necessary policy changes.
- 5.2.5 The tension caused by increased powers and the need to build partnerships and develop participatory approaches to deliver nature conservation as a core contribution to sustainable development needs more consideration. We need to engage in the Regional Agenda to ensure that it does not result in unsustainable development pressure and hence potential conflicts over water resources and housing demand. How we use communications to manage these tensions needs development in the plan.
- 5.2.6 More emphasis needs to be given to the following specific issues:
- the threat to some raptors and the actions that are essential to turn round the declines over recent years;
 - ensuring English Nature is more clearly associated with the work we fund of other organisations including any data supplied through new websites;
 - the opportunities for progress over the next few years from the Habitats Directive, the Water Framework Directive and (Biodiversity Action Plan(s) (BAP);

- the continued need for a strong agency to champion biodiversity in England;
- the impact of remobilising contaminated material buried in coastal sediments due to sea-level rise.

5.2.7 The Committee **delegated authority** to the Chair to approve the final version for publication.

Action: Caroline Wood

6. Modernising Government White Paper and English Nature (GC P01 34)

- 6.1 Caroline Wood introduced the paper which sets out the implications and actions already under way to implement the *Modernising Government* White Paper, which provides a comprehensive framework for the development of English Nature. We have already started much of this work because it supports the way in which we wish to develop. We are therefore well placed to respond to the Government's intentions in this area.
- 6.2 The Committee **noted** the issues and progress made and **approved** the programmes and priorities proposed and the attention given to results rather than process. The following issues were raised in discussion:
- 6.2.1 Whilst we are addressing most of the themes already, the key test will be how we broaden our engagement and capacity to influence personal choices to favour nature conservation across society, and through this, address social inclusion. Market research and work with Durham University and the North York Moors National Park is exploring this and the proposed development of nature on-line will make information widely available. Market research on people's attitudes, perceptions and understanding of nature is important and will be funded to ensure we develop our work in ways that meet peoples needs and priorities.
- 6.2.2 Reducing paperwork and bureaucracy depends on new ways of working using IT and effective document management to ensure we maintain audit trails and remain accountable and open. Work is in hand to connect better through the intranet and internet across the organisation and to others.
- 6.2.3 The targets for e-systems delivery of services and the use of IT are important. However we recognise that these may not be effective with many of our customers and partners. We will keep our focus on effectiveness and maintain face to face and other communication channels where this is the best option and is needed by recipients of our services.
- 6.2.4 The balance between standardisation (which IT both requires and helps achieve), and creative approaches must be managed. Our approach is to standardise to ensure professional and efficient services that are seen as soundly based on science, thus releasing time for innovative and creative solutions.
- 6.2.5 External accreditation and benchmarking is important, including comparing ourselves against private sector organisations, so we are seen as seriously addressing the challenge of efficient and responsive service delivery. We will continue to maintain IiP and the Charter Mark reaccreditation, and will develop benchmarking for parts of our work such as the Enquiry Service.
- 6.2.6 We seek to be on the leading edge of flexible and family friendly working that matches the needs of the business, the team and the individual. The

fundamental review of pay and performance management will address both retention, reward, pay progression and optimising the way staff can contribute to our work.

7. Management agreements - policy on eligibility for payments (GC P01 36)

- 7.1 Andy Brown introduced the paper. Management agreements changed during the 1990s from net profit foregone agreements to more positive agreements which resulted in our Wildlife Enhancement Scheme (WES). The paper presents proposals in light of developments in legislation (the Habitats Regulations, the CROW Act) and the PSA Target for SSSIs which places increased emphasis on achieving favourable condition. The policy is consistent with our approach to working through partnerships, the Financial Memorandum, Treasury rules and good value for money. There is sufficient flexibility to allow us to use our resources to secure increased contributions from others where appropriate. The position of the Duchy of Cornwall and the Duchy of Lancaster is not clear and will be explored further before deciding our policy on their eligibility for payments.
- 7.2 The Committee **endorsed** the overall approach and the importance of the paper which clarifies a complex subject. The following issues were raised in discussion:
- 7.2.1 English Nature should help organisations with new duties for nature conservation under the CROW Act or as Relevant Authorities under the Habitats Regulations to lobby their sponsors for a budget line for these new roles. Examples such as the Defence Estates Agency, Harbour Authorities and Forest Enterprise were raised to illustrate the concern.
- 7.2.2 Tenant farmers on MoD and other land need more detailed consideration. The possibility should be explored of using rent reviews to provide incentives to integrate more nature conservation into farming practice. However, the low returns on agricultural portfolios are likely to limit the potential to encourage tenants to adopt nature conservation obligations in return for a discounted rent. Landowners whose land is farmed by contractors pose a further challenge: we need to influence the contractors as well to ensure appropriate management of SSSIs in these conditions and as landowners are likely to be somewhat distant from the day to day operations on their land.
- 7.2.3 The paper needs to make clear our interest in realising opportunities to secure increased contributions from others through our payments. We need to recognise that some corporate bodies may prefer to receive capital contributions as they can treat revenue costs more favourably in their tax accounts. The lessons from the Lottery indicate that seedcorn funding in the first few years may be needed alongside the initial capital investment to establish long term viable organisations. However, we must be firm and secure appropriate contributions from major corporate businesses where we make financial contributions. The DETR Guidelines on management agreements and the State Aid rules limit our flexibility.
- 7.2.4 The next step needs to include partnerships with owners and occupiers to increase their contributions to monitoring the results of our management agreements. This would build on the monitoring carried out as part of the Reserves Enhancement Scheme (RES) agreements.
- 7.3 The Committee **agreed** to consider a re-write that includes the issues raised and to sign off the final version by post.

Action: Andy Brown

8. Position statement on Lowland Heathland (GC P01 30)

- 8.1 Keith Duff introduced the paper which addresses comments made by Council on an earlier draft considered in December 2000. The statement was reviewed following the publication of the Habitat Action Plan (HAP) and to address the contribution to conserving the habitat from *Tomorrow's Heathland Heritage* funded by the Heritage Lottery Fund. The changes ensure the habitat definition and areas used are consistent with those in the HAP, and emphasise the importance of the habitat for species.
- 8.2 The Committee **welcomed** the use of data to demonstrate the rarity of lowland heathland and **recommended**:
- 8.2.1 tree removal needs to be included in a clearer and more specific way, including statements on when it was necessary and why;
 - 8.2.2 the type of research required must be more specific: the current wording could apply to any habitat;
 - 8.2.3 raising awareness and understanding of the importance and character of lowland heathland should be the first action, and include consideration of increased access under the CROW Act to communicate key messages to a wider audience;
 - 8.2.4 including a section to address the need to allow the habitat and dependent species to respond to climate change, as well as reducing fragmentation and re-creating heathland landscapes supporting viable populations of dependent species.
- 8.3 The Committee **delegated authority** to Chair to agree the final version of the position statement.

Action: Keith Duff

9. Sites of Special Scientific Interest (GC P01 32)

This item was considered by a meeting of the Council of English Nature.

Secretariat note: the following Council Members were present and constituted a quorum for this item: Mr Doughty, Ms Appleby, Mr Burke, Professor Gallagher, Dr Gubbay, Professor Hart, Mrs Kelaart, Professor Lucas, Dr Moser, Professor Norman, Dr Powell, Professor Tromans, and Mr Woolley. The following General Committee Members were also present: Dr Brown, Ms Collins, Dr Duff and Miss Wood.

9.1 Confirmations

Council considered the following cases:

- 9.1.1 Broadmoor to Bagshot Wood and Heaths, Berkshire and Surrey.
Andy Brown reminded Council that the issues around notifying forestry areas for Nightjar, Woodlark and Dartford Warbler were considered in principle at the February 2000 meeting of Council/General Committee of Council.

Council considered one objection from Bracknell Forest Borough Council. They objected to the inclusion of the A3095 and its verges in the SSSI as it is not of special scientific interest and does not contribute to the nature conservation

value of the site. They were also concerned that the notification may affect their intention to classify the A3095 and the A322 as “Preferred Lorry Routes”.

Council **confirmed** the site **with modification** of the boundary to exclude the A3095 road and its verges as shown on the maps annexed to the report.

9.1.2 Castle Bottom to Yately and Hawley Commons, Hampshire.

Council considered two objections.

The Ministry of Defence object to the inclusion of an area of coniferous forest and challenge the scientific evidence to support its notification. They also object to the impact the notification will have on military training on the site as set out in their management plan.

Council considered that the MoD are concerned over the possible impact of designation on their apparent aspiration to develop an area. The military activities proposed have largely been agreed with some restrictions on some of them. This includes activities by engineers. Aspirations to develop an area in future have no bearing on the decision on whether to confirm the site now. Explanations have been provided on the basis of the site boundary. Mineral extraction has occurred over the site with restoration to heathland or conifer forest. There is no reason this could not occur in future: the key issue is disturbance during extraction.

Elvetham Estate object to the absence of a rationale to the boundary based on the specific distribution of the bird species rather than simply including larger conifer blocks.

Council consider the rationale for including the most suitable habitat for internationally important bird populations that depend on habitats created as part of the forestry rotation provides a sound basis for including larger blocks of conifer forest within the site.

Council **confirmed** the site without modification.

Council **noted** that the need for parts of a site to have forests of different age profiles to optimise its nature conservation value is not an impediment to designation.

The following items were considered by the General Committee of the Council of English Nature.

10. External communications - progress and direction (GC P01 35)

- 10.1 Caroline Wood introduced the item which reports on the Communications Plan and follows up on the issues raised when the Committee visited the External Relations Team in April. The paper provides a report on progress which was supplemented by a presentation by staff.
- 10.2 The presentation covered progress and our approach which includes defining audiences, proactive work on champion issues, a clear corporate identity, publications, developing the website, publications and a programme of corporate events. The media are key audiences, and staff are supported through training and the communications toolkit on the intranet which provides material on all our key topics. Media and public relations management have been integrated into more of our work, including our approach to public enquiries and more controversial cases. Market research helps us target our communications and tailor our messages more effectively.

10.2.1 The key issues are:

- ensuring that press coverage reflects the full range of our work;
- developing a robust culture of media engagement culture;
- media friendly senior staff capable of representing English Nature;
- developing more television work;
- maintaining a proactive focus on our champion issues.

10.2.2 Council can help by:

- emphasising to staff the importance of communications as one of the ways we achieve our objectives;
- acting as spokespersons where appropriate;
- attending corporate events;
- writing articles and cultivating media contacts;
- exploring how their Teams are using external communication;
- working to help manage external communications across English Nature.

10.3 The Committee **welcomed** the paper and presentation which demonstrated excellent progress, and raised the following issues:

10.3.1 The nature of media coverage should differentiate between positive, neutral and negative presentations and the degree to which our message was supported.

10.3.2 Explaining our position on controversial issues early through the media has proven value. We need to identify other topics where this is needed. Examples include peat development, ports and transport where a clear position widely known about before individual controversial cases arise would help.

10.3.3 Using mass distribution techniques including the website, CD ROMs distributed with other publications, and the Nature Online investment would allow us to reach wider audiences cost effectively. It is important we ensure our material is widely accessible.

10.3.4 Whilst our identity is stronger now, our reputation for delivering wildlife gain is not as strong as it should be as it gets diluted when the message is incorporated into others' communications. We need to be more robust about ensuring that English Nature is identified with wildlife gains where we contribute to the success. This is important as part of the influence on opinion formers. We need to build on our stronger identity to get the message across and focus on wider groups of opinion formers such as Local Authority Members and RDA Directors.

- 10.3.5 Council Members agreed to indicate how they wish to contribute to our external communications work when returning comments on the minutes.

Action: Committee Support Unit

11. Working with business - progress report (GC P01 31)

- 11.1 Sue Collins introduced the paper. Council agreed our approach to business a year ago. We aimed to influence thinking by including biodiversity in environmental reporting and environmental responsibility. There are 40 companies across 15 sectors in the FTSE 350 that own SSSIs. Our work has focussed on big companies and SSSIs, the Business in the Environment Index (BiE), the DTI sustainable development strategy, in particular the treatment of resource productivity, legislative change affecting pensions and company law, biodiversity tests by sector and increasing our understanding of the finance sector including work with fund managers. Our data on SSSIs is clearly valued and therefore must be reliable and credible and we need to explore ways of supporting companies integrate biodiversity into their routine operations through partnerships with Earthwatch who are developing a website for this purpose.
- 11.2 The Committee **welcomed** the paper and **agreed** the proposed forward programme and the need to engage with the finance sector. The following issues were raised in discussion:
- 11.2.1 We need to put more emphasis on nature conservation, which depends on a clean environment, as the objective. There is a tendency to treat the environment too generally.
- 11.2.2 Environmental reporting is not the same as assessing environmental reporting. We can evaluate biodiversity performance on SSSIs, but it gets harder beyond that. The rhetoric of environmental responsibility and ethical performance can be a marketing effort that is not reflected in environmental outcomes. The main environmental issues included in environmental management systems are energy, waste, recycling, and transport with a relatively low profile for biodiversity unless there is a significant land holding.
- 11.2.3 The paper may be better entitled “Getting business to value biodiversity”. Legislation and reputation are key pressures on business. We need to decide how to put pressure on business alongside encouraging adoption of best practice for their benefit. The critical issues will be shareholder value, litigation risk and insurance costs. The Environment Agency published lists of companies with the worst pollution record to good effect: this is unlikely to work for biodiversity but could work for SSSI management. The BiE Index will include biodiversity issues and will be published, thus putting pressure on companies to improve their performance. This will be extended to a Regional Index shortly, thus allowing us to work to promote best practice with RDAs, who have a responsibility to promote sustainable development.
- 11.2.4 It would be worth establishing a business contact group to ensure we do understand the issues and how business leaders perceive them. This will allow us to explore strategy and tactics for maximum results whilst remaining sensitive to business concerns.

- 11.3 The Committee **endorsed** the approach taken, would like to consider this work in their strategy workshop in September, and **agreed** the issues raised would be addressed as part of the work.

Action: Sue Collins

12. Principal Civil Service Pension Scheme (GC P01 33)

- 12.1 Caroline Wood introduced the topic by outlining our pension obligations and how these relate to the Principal Civil Service Pension Scheme (PCSPS) which is due to be changed to a new scheme called the Principal Civil Service Pension Scheme 2000 (PCSPS2000) in 2002. This will offer improved benefits for enhanced contributions. English Nature is obliged to provide schemes analogous to the main Civil Service Schemes and therefore has to set up an analogue of PCSPS2000. The new scheme will be offered to current staff as an option and will be obligatory for new staff.

12.1.1 The Treasury is offering NDPBs the opportunity directly to join the main Civil Service Schemes. This would require primary legislation to transfer existing pensioners, but could be achieved with a Statutory Instrument to cover existing employees. Existing staff and pensioners will be able to choose whether to join the PCSPS 2000. There are administrative and financial benefits to be derived from transfer to the main scheme.

- 12.2 The Committee **agreed** the recommendation (c) in the report to transfer to the Principal Civil Service Pension Scheme.

13. Foot and mouth disease: the implications for English Nature's work programme 2001/02 (GC P01 41)

- 13.1 Andy Brown introduced the paper which is the update requested at the Committee's last meeting and made the following points:

13.1.1 The epidemic is now tailing off. We have established a working group to give internal and external advice. A lot of work has fallen on a few people. Our advice on disposals has been followed generally with only one or two SSSIs affected.

13.1.2 The recovery plan provides an opportunity to avoid returning to overgrazing. This will be included in the free farm business advice along with other environmental advice. English Nature will lead on the environmental advice where SSSIs are involved. We aim to produce an overview of the nature conservation impacts of the epidemic by the end of June. This depends on MAFF providing information on contiguous and welfare culls and will cover the impacts of stock removal, of movement restrictions, of pollution and of temporary suspension of activities such as deer control. We are developing a supplementary WES to help establish appropriate management on SSSIs in the infected areas.

13.1.3 The impact on our work was severe initially. The restrictions have relaxed over time and the impact on the year as a whole is less than initially expected. Each Programme Board is developing contingency plans to use any available resources and we will review the position in September 2001.

- 13.2 The FMD epidemic has led to more radical thinking about CAP reform and sustainable farming within Government. The commitment to return to sustainable grazing levels is

accepted and is a major challenge. Addressing under-grazing on the Culm Measures and other lowland areas is also accepted and requires different measures which will be explored.

13.3 The Committee:

13.3.1 **welcomed** the paper which provided a good overview of the issues and impacts;

13.3.2 **thanked** staff for their efforts in responding to the FMD epidemic;

13.3.3 **considered** that English Nature had established a logical and achievable position which provided a sound basis to engage MAFF and encourage the extension of positive measures from FMD areas as a basis for integrating environmental objectives into agriculture and removing perverse payments;

13.3.4 **encouraged** us to engage farmers and farming organisations so that we are seen as contributing to solutions that help them as well as deliver our objectives better

Action: Andy Brown

14. English Nature position on recommendations of the FMPR of JNCC (GC P01 37)

14.1 Caroline Wood introduced the paper and outlined the review process which Departments have to undertake of their sponsored bodies. A review has two stages: firstly a review of the functions and whether the current arrangements are the best way of carrying them out. The second stage explores the efficiency and effectiveness of the arrangements if the answer to the first stage is yes. The Stage 1 Report of the JNCC Review has concluded that the functions are necessary but recommends that a new body should deliver them. DETR have consulted on this recommendation prior to advising Ministers on the best way forward. The paper sets out the key issues and assumptions that led to this recommendation, presents our assessment and concludes by proposing we should advise the recommendation for a new independent body is rejected. The issues raised will be discussed at a JNCC workshop on 1 June 2001 to develop a response that the joint committee can provide to DETR. David Norman will attend the workshop for English Nature.

14.2 The Committee:

14.2.1 **advised** that our response should be more positive about the value of the JNCC and emphasise the need for a UK and international perspective provided through their work, and **considered** that the need for this was increasing following adoption of EU Directives such as the Water Framework Directive and work in the marine environment;

14.2.2 **agreed** that we should advise Government to reject the recommendation for a new independent body to replace the JNCC, that the way forward must work with the trend towards devolution, and we should propose ways of making the current arrangements work better to address the concerns identified in the report which should be addressed through the Stage 2 part of the review;

14.2.3 **delegated authority** to Chair to conclude our response to DETR to take account of the result of the JNCC workshop.

Action: Caroline Wood

15. National Nature Reserves: acquisitions (GC P01 39)

- 15.1 Andy Brown introduced the paper which sought approval for three new NNRs managed by approved bodies and extensions to two existing NNRs.

15.2 Section 35 NNR Declarations

- 15.2.1 Foxley Wood, Norfolk. To be managed by the Norfolk Wildlife Trust who are already an Approved Body and manage six other S35 NNRs and have agreed a draft management plan with the Local Team. The site is an opportunity to demonstrate restoration of ancient woodland which has had conifers planted on the site.

The Committee **agreed** to declare the site an NNR.

- 15.2.2 Hulme Quarry, Staffordshire. To be managed by Stoke on Trent City Council. The site is a geological SSSI and managed as part of Park Hall Country Park in accordance with the management plan for the Park.

The Committee **agreed** to declare the site an NNR and **confirmed** Approved Body status for Stoke on Trent City Council.

- 15.2.3 Donna Nook, Lincolnshire. To be managed by the Lincolnshire Wildlife Trust and the Ministry of Defence. The site is part of the North Lincolnshire Coast SSSI and is visited by c 30,000 people per year. A management plan already exists.

The Committee **agreed** to declare the site an NNR and **confirmed** Approved Body status for the Ministry of Defence.

15.3 NNR extensions

- 15.3.1 Bulcamp and Sandpit Marshes, an extension of Walberswick NNR. The Committee advised that the potential impact of sea level rise be considered as part of the negotiation.

The Committee **agreed** to the extension.

- 15.3.2 Skeys Wood, an extension to Wyre Forest NNR.

The Committee **agreed** to the extension.

16. Directors's topical report (GC P01 42)

The Chair declared an interest in the item on Linshaws Quarry, Peak District National Park.

- 16.1 The Committee **noted** the paper and raised the following issues:

- 16.1.1 The fines imposed by criminal courts seem low compared to the limits set through the CROW Act. The significance of damage to SSSIs needs to be understood more widely to ensure decisions by the courts on sentences reflect this.

- 16.1.2 The appeal against a conditional discharge in the case concerning Knarsdale Meadows SSSI was explained as being on the basis of challenging the principle of strict liability. The appeal is being firmly resisted because English Nature

considers it is important to maintain the line accepted by the initial court decision.

16.1.3 The Inland Waterways Advisory Council has issued the second restoration priorities document which includes more about biodiversity.

16.1.4 There are still opportunities to promote our concerns over the Hastings Bypass as the multi-modal study did not recommend it: it was nonetheless approved orally and now awaits a decision by the Secretary of State.

16.1.5 It is vital that English Nature maintains clear public awareness of our concern over Hen Harriers. There has been no weakening of our resolve and the issue was made clear at the launch of the uplands report.

17. Report from the Joint Nature Conservation Committee (GC P01 43)

17.1 The Committee **noted** the report and expressed concern that the approach recorded over damage to Darwin Mounds, an offshore sea area, did not reflect what was possible or required and requested clarification.

Action: Keith Duff

18. Any other business

18.1 The Chair thanked the public for their attendance and interest in the work of English Nature. He hoped that they had found the public sessions of interest and value to them.

Signed.....

Dated.....