

GENERAL COMMITTEE OF COUNCIL

CONFIRMED MINUTES OF THE TWELFTH MEETING OF THE GENERAL  
COMMITTEE OF COUNCIL HELD AT THE GRAND HOTEL, PLYMOUTH ON 17  
MAY 2000

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

**In attendance:** Mr M Felton (Strategy Manager)  
Dr D Laffoley  
Dr M Duffy  
Mr S Peacock  
Dr T Bines  
Dr R Morris

**Apologies:** Mr S Tromans

Chairman welcomed two members of Council, Professor Wilson whose term has been extended for a year, and Jane Kelly, whose term has been extended until 31st August 2000.

**1. Minutes of the eleventh meeting of the General Committee of Council held on 29 February 2000 (GC M00 1)**

- 1.1 The Committee had **confirmed** the minutes of the eleventh meeting of the General Committee by postal consultation. The minutes are on the English Nature Web Site.

**2. Matters arising (GC P00 21)**

- 2.1 The Committee **noted** the paper and the actions taken.

### 3. Performance Report: April 1999 - March 2000 (GC P00 23)

- 3.1 The Committee **noted** the report and congratulated staff on achieving a full spend. The following issues were raised in discussion -:
  - 3.1.1 The balance of our expenditure between programme (where we underspent compared to the plan) and running costs with lower receipts and higher capital spend than planned is a concern. The reasons for the change in balance need to be more clearly set out in future.
  - 3.1.2 There was a range of additional work mainly as a result of the SAC programme which required us to divert staff time and some funds from other programmes. We did not adjust the targets in year to reflect this and accepted some areas would fall short of the initial planned target.
  - 3.1.3 The response to pressures diverts time from other areas. This mainly affects discretionary areas, including our investment in longer term influencing. The Committee **agreed** that influencing policies and communicating effectively to key audiences is essential and it is therefore important to maintain a balanced programme across all the agreed work areas.
- 3.2 The Committee -:
  - 3.2.1 **congratulated** staff for handling the additional workload,
  - 3.2.2 **confirmed** the need for a balanced programme across all our work areas,
  - 3.2.3 **advised** that the reports should cover the issues leading to the pattern of achievement and delivery more fully in future.

### 4. “Lifescapes” - landscape scale work through Natural Areas (GC P00 31)

- 4.1 Keith Duff emphasised the importance of addressing nature conservation on a wider ecosystem basis. This requires us to integrate our work with socio-economic perspectives more effectively.
- 4.2 The Committee **welcomed** the paper. The following issues were raised in discussion -:
  - 4.2.1 The distinction between a science based approach that identifies what needs to be done to achieve nature conservation targets across a wider area, and a more participative socio-economic approach needs to be clear. Branding, tourism development and community development need effective partnerships to take the concept forward. The Committee **noted** the work with English Heritage, the Environment Agency, FRCA, the Countryside Agency and the RICS.

- 4.2.2 The work requires development at a range of levels, from the development of the concept, to regional overviews through to local implementation. We must determine our role to complement others effectively.
- 4.2.3 Local participation is essential and must be carefully planned to avoid any impression of imposing a blueprint on landowners and local communities.
- 4.3 The Committee **agreed** that the Lifescapes programme should be developed and **advised** that -:
  - 4.3.1 English Nature should issue a consultation paper on the concept as a way of bringing others into the work whilst retaining the Lifescapes concept as developed by EN;
  - 4.3.2 Pilot programmes will explore the best ways of bringing in local inputs and avoid any risk of being seen to impose an ecological blueprint locally. Lifescapes is not a mapping exercise but a process to deliver nature conservation on the ground and to engage with a wider range of people more effectively;
  - 4.3.3 Lifescapes provide a framework to integrate much of our work and achieve more on the ground. They also give a clear message on delivering nature conservation targets in ways that achieve social and economic benefits derived from good ecological conditions and functioning ecosystems.

## 5. External communications - Open meetings, national and local (GC P00 29)

- 5.1 Caroline Wood emphasised the cultural change required to become significantly more open in the way we work across all our programmes. This requires strong support from Council.
- 5.2 The Committee **noted** an oral report on the “Wild Day Out” Millennium programme on NNRs, and **congratulated** staff for organising a very successful day which was clearly enjoyed by our visitors.
- 5.3 The Committee **agreed** the need to try out a range of ways of working to become more open. The Committee:
  - 5.3.1 **endorsed** the proposed national programme. It **advised** caution in changing the nature of the successful annual Species Recovery Programme event.
  - 5.3.2 **approved** the options to increase openness proposed for regional and local work and **agreed** that the best mix of these options should be chosen locally in light of local needs.
  - 5.3.3 **highlighted** the importance of identifying potential participants in

groups we consult through our day to day work, such as local farmers, beyond SSSIs.

- 5.3.4 **advised** that engaging with communities at the parish level through e-contact is hugely demanding and beyond EN's resources. We need to ensure we target our efforts at appropriate communities and our priority audience will rarely be the general public.
- 5.3.5 **suggested** we explore ways of ensuring a clear integration between national initiatives and regional and local follow-up work. The recent launch of the Veteran Tree publications would benefit from local promotional action. This was identified in the publications review for attention.
- 5.3.6 **requested** a paper for the July meeting setting out proposals for making Council meetings open with a clear timetable. This will need to identify the way we will need to clarify procedures and complete the Corporate Governance Manual.

**Action:** Caroline Wood

## **6. Environmental management in English Nature: the way forward (GC P00 22)**

- 6.1 The Committee welcomed and **endorsed** the proposed approach and the environmental management grid with the following comments:-
  - 6.1.1 the internal audit process should be used to promote environmental management and ensure compliance;
  - 6.1.2 clear targets must be developed for each line in the management grid with timescales. The targets should be defined in environmental terms such as CO2 emissions, tonnes of waste to landfill, as well as through measures of activities leading to environmental effects such as miles travelled by car.

## **7. Draft information systems plan 2000 - 2003 (GC P00 26)**

- 7.1 Keith Duff introduced the paper which covers both the investment in IT and our routine IS management. A significant element of the programme is related to inescapable work such as modernising our records management and upgrading the FMS. We aim to integrate all our science data into the programme as well.
- 7.2 A new Head Of Profession had been appointed as Team Manager of Information Services Team.
- 7.3 The Committee **agreed** -:
  - 7.3.1 that Chairman and the Chief Executive will agree formal internal responsibilities for the whole programme,

- 7.3.2 the Committee should receive progress reports on the TSSP every six months.  
**Action:** Caroline Wood

**8. National Nature Reserves: progress, acquisition and transfer (GC P00 27)**

8.1 Keith Duff introduced the paper:-

8.2 The Committee **noted** the report on progress against the 1995 - 2000 action plan and raised the following issues -:

8.2.1 The report must include details of the main cases of unfavourable condition on NNRs, and give clear indications of progress and explanations of the reasons for continued unfavourable condition. The Committee **noted** that progress on improving the condition of NNRs will be included in the NNR Annual Report in future.

8.2.2 We have not been able to transfer some SSSIs we own that do not have the potential to become NNRs. These will now remain in our ownership and management. The Committee **asked** for a report on these sites at their July meeting.

**Action:** Keith Duff

8.3 The Committee **noted** the action plan for 2000 - 2005 and raised the following issues -:

8.3.1 The wildlife gain achieved through the NNR programme compared to using the resources in other ways needs to be reviewed at the end of each period.

8.3.2 The Committee **agreed** that 10 NNRs which were candidates for transfer to others as S.35 1 (c) NNRs should be removed from the transfer list due to lack of suitable managers.

8.4 The Committee **approved** the following proposals for S.35 1 (c) NNRs:

8.4.1 Lydden Temple Ewell NNR, Dover, Kent.

8.4.2 Blean Woods NNR, Canterbury, Kent.

8.4.3 Bedford Purlieus, Bedfordshire.

8.5 The Committee **discussed** the proposed approach to acquisition of additional NNRs and **advised** that consideration of sites that are not SSSIs should be included in a wider land acquisition strategy and not included in a paper considering NNR acquisition. Acquisition should include the exploration of a wide range of options and not simply purchase or lease. There is also concern over running costs if we extend the area of our NNRs significantly. The Committee **noted** a paper on final NNR acquisition proposals will be presented at the October 2000 meeting, and **requested** that this includes a

short briefing on the legal basis on which we can hold land.

**Action:** Keith Duff

- 8.6 The Committee **recognised** the need for open procedures for selecting managers of S.35 1 (c) NNRs. This should not be mechanistic and the need to use generic criteria and take local circumstances into account through the selection panel should be emphasised on the proposed form.

**9. Regulation 34: the development and implementation of management schemes on European Marine Sites (GC P00 28)**

- 9.1 Sue Collins introduced the paper to demonstrate the importance of the preparation of Schemes of Management and the significance of our role to assure the adequacy of the proposals to achieve favourable condition of the sites.

- 9.2 The Committee **noted** the reserve power available to trigger Ministerial direction and **agreed** this must be used with care against clear criteria. In discussion the Committee -:

- 9.2.1 **agreed** that the criteria must provide clear standards for Schemes of Management and therefore open reasons for our comments. This provides a systematic follow-up to the Regulation 33 process which sets out the conservation objectives.

- 9.2.2 **agreed** the framework for the criteria and the approach that required that specific actions are clearly assigned where there are problems with achieving favourable condition. The Committee **agreed to delegate** final approval of the revised criteria to Chairman.

**Action:** Sue Collins

- 9.2.3 **endorsed** the importance of Local Teams engaging with relevant authorities at an early stage to influence the contents of Schemes of Management.

- 9.2.4 **agreed** to delegate to one Director and one Council Member, Sue Collins and Susan Gubbay initially, the authority to approve English Nature comments on individual scheme documents for issuing by the relevant Local Team manager, but **required** any decision to seek a call-in by the Secretary of State to be approved by Council prior to English Nature asking for a direction.

**Action:** Sue Collins and Susan Gubbay

**10. European Marine Sites**

**Regulation 33 advice for the Berwickshire and North Northumberland Coast European Marine Site (GC P00 19)**

**Regulation 33 advice for Essex Estuaries European Marine Site (GC P00 18)**

**Regulation 33 advice for The Wash and North Norfolk Coast European Marine**

## Site (GC P00 20)

- 10.1 The Committee **noted** the need for comments from the Board of Scottish Natural Heritage on the Regulation 33 package for Berwickshire and North Northumberland Coast and **agreed to delegate** the decision on approval to Chairman in light of any SNH Board comments, unless these raised strategic issues. **Action:** Sue Collins
- 10.2 The Committee **approved** the Regulation 33 advice for Essex Estuaries European Marine Site for issuing by the Essex, Hertfordshire and London Team Manager by 14 June 2000.
- 10.3 The Committee **considered** the key issues raised in response to the consultation on the Regulation 33 advice for The Wash and North Norfolk Coast European Marine Site concerning common right holders and the “longshore economy” on the North Norfolk Coast.
- 10.3.1 The Committee **advised** that the proposed section 1.8 should be headed “Commoners rights and the longshore economy” rather than using the term “traditional activities” and **endorsed** including the new paragraph for this site only in the Regulation 33 advice.
- 10.3.2 The Committee **approved** the production of a non-technical summary once the Regulation 33 advice has been issued **subject to** a legal check on its standing.
- 10.3.3 The Committee **advised** that the “longshore economy” must be covered in the Scheme of Management to ensure no intensification occurs without specific consideration of the impact this may have on the condition of the site.

## 11. Other Business

- 11.1 The Committee **agreed** to provide comments to relevant Directors on the following information papers -:
- 11.1.1 Environmental capital - the concept, its development and possible applications  
(Information Paper 4/00)
- 11.1.2 EU Structural Funds: achieving wildlife gain  
(Information Paper 2/00)
- 11.1.3 Coastal defence casework, conservation and people  
(Information Paper 3/00)
- 11.2 The Committee **noted** the paper Report on the JNCC meeting held on 22 March 2000 (GC P00 30).

### 11.3 European Marine Sites

11.3.1 The Committee **noted** that paragraph 3.2 of the summary note was in error and has been replaced with the following -:

“3.2 The Severn Estuary is currently the subject of legal challenge by Bristol Ports Company in the European Court. English Nature and the Countryside Council for Wales have been asked by DETR to consult on this site in June as part of the wider moderation consultation process. Draft Regulation 33 advice is already being prepared for the SPA and will be prepared for the SAC once it is submitted to Europe. A timetable will then be developed for submission of the Regulation 33 advice to Council for approval and subsequent issuing.”

11.4 The Committee **noted** the provisional dates for meetings in 2001/02.

## **12. Chairman's, Chief Executive's and Directors' Topical Report (GC P00 32)**

12.1 The Committee **noted** a paper on topical issues and discussed the following issues in more detail:-

12.1.1 Chairman had a meeting with the Minister about key issues in the CROW Bill which would now be explored by officials. The draft Financial Guidelines are out to consultation, PPG9 is understood to have been re-drafted but not approved for wider consultation, the Ministerial advice is being worked up but the intended audience needs further definition and the work on the Appeals Regulations has yet to start. The Committee **requested** that the Appeals Regulations with an initial English Nature view should be circulated to Members as soon as they were available.

**Action:** Andy Brown

12.1.2 Penalties for breaking environmental laws were low compared to other crime. Tougher penalties, are likely to be available through the CROW Bill. A briefing had been offered to magistrates and an approach would be made to the Home Office and other enforcement organisations to ensure treatment that is equivalent to the treatment of other crime.

12.1.3 Past Council Members should be kept up to date with English Nature's work as they are natural ambassadors through their other work.

12.1.4 The paper volume causes concern. Papers should be shorter with the key issues for Council highlighted and individual Council Members could be involved in key topics to ensure in depth knowledge is available at meetings.

12.2 The Committee **noted** the proposed timetable for the Strategy Review, and **agreed** that a final timetable would be agreed by Chairman in light of other



priorities.

**13. Relations with business: a review of English Nature's approach to business, industry and nature conservation (GC P00 25)**

13.1 The Committee was advised that our work on seeking business sponsorship for English Nature projects had been suspended and staff diverted into other priority work. The revenue raised through business sponsorship is less than the costs of the work to secure it. A review of business sponsorship will be presented to the Committee in October. We have diverted effort to securing LIFE, Lottery and Landfill Tax support for projects where we have been more successful.

13.2 The Committee welcomed and **endorsed** an initial phase using our links to businesses who own SSSIs, with national approaches where they own multiple sites, and local approaches where they own a few in one area. The following issues were raised in discussion and the Committee -:

13.2.1 **supported** the concept of Beacon Businesses in key sectors.

13.2.2 **considered** more thought was needed to prioritise on objective criteria the organisations we should work with who are developing biodiversity programmes already. There are gaps in the sectoral coverage, chemical companies for example, where there are clear reputational benefits and opportunities to engage their employees.

13.2.3 **advised** on the need for a programme focussed on specified priorities, preferably building on existing links to relevant businesses.

13.2.4 **required** any proposal for a "seedcorn Wildlife Enhancement Scheme" for businesses other than those currently covered in primary industries to be agreed by the Committee before it was implemented as the Committee expect businesses to pay for their biodiversity programmes themselves.

**14. Position on organic farming and biodiversity (GC P00 33)**

14.1 The Committee **commended** the paper which sees organic farming as one option available to farmers that addresses some biodiversity issues and **endorsed** the next steps proposed in the paper.

14.2 The Committee **considered** the Position Statement and **advised** that this must be written so the following issues are clear -:

14.2.1 "just farming organically" is not enough and will not deliver all the biodiversity targets for England; organic farming does not address the other biodiversity issues identified in the main paper such as the need for habitat rehabilitation and creation; the need for other schemes to achieve biodiversity through integration into other farming options;

- 14.3 The Committee **agreed** that Chairman should sign off the final version of the Position Statement.

**15. Draft sector analysis: electricity (GC P00 24)**

- 15.1 Keith Duff introduced the paper and the Committee raised the following issues in discussion -:

15.1.1 The statement needs to be clearer on the nature conservation implications of different generating technologies such as the relative merits of biomass compared to other renewable sources, and take account of all biodiversity impacts and benefits of technologies.

15.1.2 Our role is to promote biodiversity as a contribution to sustainable development: Section 5.2.1 in the paper needs amending. A sustainable development duty for the electricity regulator is important.

15.1.3 The proposed actions need to be more focussed.

- 15.2 The Committee **agreed** to give comments to Keith Duff.

**Action:** Keith Duff