

GENERAL COMMITTEE OF COUNCIL

CONFIRMED MINUTES OF THE TENTH MEETING OF THE GENERAL COMMITTEE
OF COUNCIL HELD AT NORTHMINSTER HOUSE, PETERBOROUGH ON 30
NOVEMBER 1999

Present: Baroness Young of Old Scone (Chairman)
Ms M Appleby
Mr T Burke
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 G N Woolley
Dr A E Brown
Ms S F Collins
Dr K L Duff
Miss C E M Wood

In attendance: Mr M Felton (Strategy Manager)
Mr D Henshilwood (for Items
Dr T Bines (for Items 10 and 11)
Dr D Laffoley (for Items 10 and 11)

Apologies: Mr S Tromans
Professor R C L Wilson

Minutes of the ninth meeting of the General Committee of Council held on 5 October 1999 (GC M99 4)

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

Action Points (AP 1/99) and Matters arising

2.1 The Committee **noted** the paper. The following issues were raised in discussion:

2.1.1. Reports on the work following up the staff attitude survey will be included in future Human Resources Reports. The next update will be through a paper to the Executive Committee in January 2000.

2.1.2 The level of resources for Regional work was raised. Options have been developed by the project board and discussed with the lead Team Managers. This will allow us to move quickly once the grant-in-aid for 2000/01 is known.

2.1.3 Whilst most of the SSSIs put forward were included in the AMP3 settlement, there is concern over the three sites excluded and the timing of plans to implement schemes which are agreed. Overall the settlement will secure nature conservation benefits, but English Nature needs to keep in touch over implementation.

Review of the English Nature Position Statements on Access and Recreation (GC P99 66)

3.1 Andy Brown introduced the paper. The two position statements have not been merged so they maintain the distinction between access and greenspace for quiet enjoyment by people on foot, and recreation which covers a wide range of activities with widely varying impacts on nature conservation. The NFU, CLA, DETR and the Countryside Agency had been consulted on earlier drafts.

3.2 In discussion of the Position Statement on Access for quiet enjoyment the Committee:

3.2.1 **agreed** that the right of access on foot should be for the purpose of quiet enjoyment, and that English Nature should seek this in the Bill;

3.2.2 **suggested** that the statement should only mention the types of open area covered in the Bill;

3.2.3 **advised** that more emphasis is given to encouraging responsible access with essential safeguards to ensure a sustainable approach. Encouraging linear access near to where people live should also be included as this meets the need for greater access in a sustainable way;

3.2.4 **agreed** that English Nature's position is that dogs should be on leads.

3.3 The Committee **approved** the draft subject to the amendments and editorial suggestions made and **agreed** the Position Statement on Access for quiet enjoyment should be issued before the draft Bill is published, and reviewed when the final legislation is enacted.

3.4 In discussion of the Position Statement on Recreation the Committee **advised** that it should mention our experience of advising on managing SSSIs used for recreation, that increased car parking can be an issue, and that we should state our intention to contribute to relevant research on the impacts of recreation. The Committee **approved** the draft subject to the amendments and editorial suggestions made.

Moderation of the UK SAC list: process and timetable (GC P99 82)

4.1 Andy Brown outlined the results of the SAC moderation and indicated that the UK was broadly in line with most other Member States in terms of the proportion of national territory included and in terms of number of habitats and species judged insufficient. Our approach had however been different as the list of features identified on each site was restricted to those that were the basis for selection as of international importance. We will now list all features for Annexes I & II on each site and change the SSSI and cSAC citations. The data need to be submitted by July 2000. Conservation objectives will be required for all the interest features on the citations and the Habitats Regulations will apply to all of these classified as significant.

4.2 There are some gaps in the cSAC series in England for which additional sites will be identified. There is some difficulty in dealing with widespread species such as Great Crested Newt and Otter. Extensive areas would need notifying to reach the simple thresholds sought by the European Commission as they did not appear to take account of Article 10 or the ecological requirements of the species.

4.3 The Committee raised the following points in discussion:

4.3.1 the moderation process provides an opportunity to secure a strong list of sites that provides significant protection for key nature conservation features, and that more sites than the current list are needed;

4.3.2 additional sites should be sought where there is a clear gain for nature conservation. We should also seek to further our approach to the conservation of dispersed and wide-ranging species and promote the need for a statutory mechanism based on Article 10 where a site based approach is not practicable;

4.3.3 consultation with owners and occupiers on changes to the citation, and new sites, is essential to maintain the broad acceptance of the proposed SACs and to build on the relationship we already have with the owners and occupiers of the sites.

4.4 The Committee **endorsed** the process and timetable and **noted** that a paper presenting the proposals for further cSACs in England would be presented in February 2000.

Performance Report: April - September 1999 (GC P99 67)

5.1 Derek Langslow introduced the paper and highlighted the measures in place to address the areas with relatively low commitments and expenditure. Progress is being monitored closely and additional areas of work due to take place next year have been started to minimise the risk of an underspend.

5.2 The SSSI related targets, especially face to face contacts, are at risk this year due to additional work on the cSACs. This will be addressed in future years once the work on nature conservation objectives, the review of consents and the moderation programme have been completed.

5.3 The Committee **noted** the paper and **advised** that forecast year end achievements and final expenditure positions should be included in future reports.

Annual Review of Position Statements (GC P99 78)

6.1 Sue Collins introduced the paper. Position statements are published on the EN Website and reviewed every three years. The statements help give a lead on key issues externally and provide a consistent line for staff to use externally. Given these roles proposals for additional position statements are set out in the paper.

6.2 The Committee **agreed** the value of position statements, especially for controversial issues, and **noted** the current position with reviews. The process of developing them is now more inclusive and ensures our thinking is rigorous. The Committee **advised**:

6.2.1 the sector analyses should be reviewed to ensure position statements address the issues identified;

6.2.2 the titles should reflect the real issues and concerns. For example the key issue in Trade and the Environment is the incorporation of agriculture into international trade rules and the title should reflect this;

6.2.3 the position statements should be the current policy on the issues, and therefore must be kept up to date, with reviews when required, possibly shorter than three years.

6.3 The Committee **agreed** that the following topics are priorities for additional position statements:

6.3.1 Flood and Coastal Defence

6.3.2 Agriculture and International Trade

6.3.3 Agriculture and Diffuse Pollution

6.3.4 Housing and the Greenbelt

6.4 New position statements on Invasive Species and Climate Change are of lower priority but should be developed following those above.

6.5 The position statements on GMOs, Forestry and Local Community Involvement are priorities for review.

Sites of Special Scientific Interest - introduction of new legislation (GC P99 79)

7.1 Andy Brown introduced the paper which provides an update on the implications of the new SSSI legislation. The Bill provides further regulatory powers which we need to present alongside our intention to work through positive partnerships to achieve the nature conservation targets on designated sites. The additional powers will address some of the problems on SSSIs, but not all. Many remaining problems need to be addressed through policy changes which will not be addressed in the new legislation. The paper also outlines other areas that are unlikely to be included on the face of the Bill.

7.2 The Committee **agreed** the key messages in the paper emphasising achieving favourable condition of SSSIs through positive working partnerships, and that the new powers were only needed for a small minority of cases. This needs to be communicated consistently nationally and locally. It is important to include the CLA, NFU and RICS in our communications plan. The following issues were raised in discussion:

7.2.1 staff training to ensure we make effective use of the new powers to reinforce our work to achieve conservation targets on SSSIs through positive partnerships is essential. Consistency of our approach to working with owners and occupiers is very important, especially as the new legislation could be seen as simply providing stronger regulatory powers;

7.2.2 the appeals process could be burdensome. We need to manage our relationships with owners and occupiers to minimise appeals. This requires effective and clear communication over the reasons for our decisions in order to build understanding and avoid misunderstandings leading to appeals. We need to ensure the legislation does not re-open all past decisions. The Committee **agreed** that mediation should be included as a step in the process and suggested the approach we are proposing is written down and circulated;

Action: Andy Brown

7.2.3 the need to ensure a Duty of care did apply to public bodies and this intention is reflected in statute, even if this only indicates that Ministerial guidance will be issued. The disposal of land of nature conservation value by public bodies by giving first refusal at market value to conservation organisations is also important. English Nature needs to push these issues hard.

7.3 The Committee **confirmed** the key messages to be given over the coming months and **advised** on the need for a public affairs plan to ensure these are communicated consistently by all staff.

Access to the open countryside of England and Wales: update concerning legislation and implementation of the Government's proposals (GC P99 83)

8.1 Andy Brown introduced the paper which provides an update on the

work in this area. There is pressure to extend the rights of access to other types of land, but this is likely to be through a clause allowing the Minister to announce this after consultation. Closure is the key issue for English Nature, and our views differ from those of SNH and CCW. We believe there is no strong general case for closure initially. The need for closure has to be considered case by case as part of the work required to decide the best way of managing access on the ground. We will do this by advising the Countryside Agency of the nature conservation objectives for individual areas that they need to take into account when reaching decisions on the best way to manage access. We will not apply for closures on a case by case basis.

8.2 The Committee raised the following issues in discussion:

8.2.1 the definition of access on foot for open air recreation is too broad and could include activities that are potentially very disturbing or damaging. English Nature should resist the attempts to broaden the purposes for which a right of access is given beyond quiet enjoyment;

8.2.2 the knowledge of impacts of access on nature conservation is poor, and what there is indicates the need to consider impacts on a site by site basis. The evidence for the impact of access to watersides is stronger: as this is a linear resource it is not possible to apply the principles used for access to open countryside;

8.2.3 the implications for our NNRs need consideration. Whilst this may not be significant as we already allow access, we should not underestimate the implications on our liability for injury to visitors and the need to manage the risks. The link between increased rights of access and increased expectation of positive responsibility and reduced liability by landowners for those exercising the right needs to be emphasised.

8.3 The Committee **noted** the paper, **advised** on some editorial changes and **agreed** the proposed approach on the need to manage access in light of the nature conservation objectives for each area which the Countryside Agency will need to take into account when reaching its decisions.

Greenham and Crookham Common Bill - a new Local Act of Parliament (GC P99 81)

9.1 Andy Brown introduced the paper which sets out the approach proposed to securing the management of Greenham and Crookham Common SSSI now West Berkshire Unitary Authority is the owner.

9.2 The Committee **noted** that the legal advice indicated there were no financial liabilities and that conflict with our statutory duties through our membership of the proposed Commission was unlikely. The benefit of in depth local knowledge if the Local Team manager becomes our representative needs to be balanced with the benefit of independence of English Nature=s advice to the Commission. It was vital that English Nature was able to

nominate a member.

9.3 The Committee **delegated** authority to Andy Brown to approve English Nature's position on the Bill as a result of any minor modifications or amendments.

Report on the first national open meeting - 13 October 1999 (GC P99 68)

10.1 Caroline Wood introduced the paper which sets out the costs and benefits of national open meetings and the lessons from the first one held. Due to the large number of people who applied for tickets and did not come, the cost per head was ,550. Given the high costs alternative approaches need to be considered, especially if we hope to reach people with whom we do not work regularly.

10.2 The Committee raised the following issues:

10.2.1 the event was well organised and a success. The open session came over well with a good mix of speeches, questions and Directors providing answers. However the cost per visitor was unacceptably high;

10.2.2 English Nature needs to continue to be accountable in public for our work, and to do this in ways that provide opportunities for the public to ask questions. Local open meetings are likely to provide better opportunities to achieve this, especially for people we do not routinely contact. Local meetings should have a greater impact on how we are perceived by the wider public. The Committee **asked** for a paper in May on the results of the first five local open meetings being held in 99/00;

Action: Caroline Wood

10.2.3 the Committee **agreed** that alternative ways of being more open and accountable nationally need to be explored. Suggestions included expanding the enquiry service, developing our Website so that the national messages are strongly presented, looking to increase the interaction that is possible, including trying an internet based discussion day, and using the launch of key publications such as the first report on the State of Wildlife and Natural Features to engage a wider national audience.

10.3 The Committee **agreed** that alternative ways of being more open and accountable nationally need to be tried, and that we should continue a programme of local open meetings.

European Marine Sites

11.1 Sue Collins introduced the papers covering seven European Marine Sites and outlined the outstanding concerns and issues raised as a result of the

consultation on the draft Regulation 33 packages on three of the sites. Two of the outstanding responses to the consultations covered generic issues affecting several sites. The Committee's decisions on these will be reflected in changes to the draft Regulation 33 packages for all these sites. The approach to and timetable for issuing Regulation 33 advice for Special Protection Areas that qualify as European Marine Sites will be based on a streamlined approach that includes only the information relevant to the ornithological interest.

11.2 A representation from ABP regarding some generic issues

11.2.1 The Committee **agreed** to the addition of a short text to the first paragraph of section 5 of the current and future advice packages to clarify that the appropriate assessment of plans and projects (under Article 6) is a separate activity from condition monitoring.

11.2.2 The Committee **did not agree** to the addition of a further sentence to the advice package clarifying the interpretation of failures to meet individual targets in the condition table, but **did agree** that failure to meet an individual target in the condition table does not necessarily mean that the interest feature, or the site as a whole, is in unfavourable condition.

11.2.3 The Committee **did not agree** to the proposed re-wording concerning mitigation. Council **instructed** that stronger and more precise wording be used indicating that *in situ* conservation of habitats is the essential objective and that appropriate mitigation would only be considered in exceptional circumstances.

11.2.4 The Committee **agreed** that the decisions above should be conveyed in writing to ABP.

11.3 A representation from the RSPB regarding some generic issues

11.3.1 The Committee **noted** the two issues raised and accepted that RSPB will wish to revisit the application of our approach for the implementation of the Birds Directive through Regulation 33 packages for SPAs.

11.4 The Committee discussed the following generic issues:

11.4.1 the wording in the last paragraph of Section 1.7 in the Regulation 33 advice packages gives the wrong impression that the advice would be continually refined. The Committee **agreed** that the wording would be changed to AThis operations advice, when issued, will need to be supplemented through . . .@ by replacing Arefined@ with Asupplemented@ in all advice packages;

11.4.2 the degree to which the costs of monitoring appear to fall to English Nature. The Committee **confirmed** that English Nature's role

is to pull information together and reach judgements over the condition of the interest features on each European Marine Site and that others have clear roles in contributing to the collection of the required data.

11.5 European Marine Site: Fal and Helford cSAC (GC P99 70)

11.5.1 The Committee **considered** the results of consultation on the draft Regulation 33 package and **agreed** that continued maerl harvesting is damaging to the features of interest in this European marine site and, in order to meet the requirements of the Habitats Directive, needs to cease and be phased out in an orderly manner.

11.5.2 The Committee **advised** the local team:

C that as maerl is a finite and rare resource its extraction should cease within three years;

C that any future licences issued must be capped below the actual volume currently extracted to avoid any short term increases in extraction in anticipation of the phasing out of this activity;

C that the Local Team should explain the reasons for phasing out maerl harvesting, acknowledge the impact this will have on the people affected and work with the licensing authorities to achieve the cessation of maerl harvesting.

11.5.3 The Committee **delegated authority to approve** the final version of the Regulation 33 package to Chairman for issuing by 14 January 2000.

11.6 European Marine Site: Plymouth Sound and Estuaries cSAC and SPA (GC P99 71)

11.6.1 The Committee **considered** the results of consultation on the draft Regulation 33 package and **noted** the progress made in reaching agreement over the issues raised in response to the consultation on the draft Regulation 33 package. In particular the discussions with the Ministry of Defence have resulted in the acceptance of the Regulation 33 advice.

11.6.2 The Committee **noted** the discussions between the Ministry of Defence and DETR to establish clear protocols regarding their duty to run the Naval Dockyard and a port in the national interest and their duty under the Habitats Regulations. This needs to link the concept of a duty of care for the environment to the concern over efficiency in running the port and Naval Dockyard so cost issues do not over-ride concern for the environment.

11.6.3 The Committee **delegated authority to approve** the final version of the Regulation 33 package to Chairman following the actions taken above for issuing by 14 January 2000.

11.7 Regulation 33 advice for Solway European Marine Site (GC P99 72)

11.7.1 The Committee **considered** the results of consultation on the draft Regulation 33 package and **agreed** to a slightly longer timescale for issuing advice on this site to ensure coordination with the process in Scotland.

11.7.3 The Committee **delegated authority to approve** the final version of the Regulation 33 package to Chairman for issuing following the completion of the consultation process in Scotland. If a significant issue emerges that means major changes are required the advice for this site will be returned to the Committee in February 2000.

11.8 Regulation 33 advice for Flamborough Head European Marine Site (GC P99 73)

11.8.1 The Committee **considered** the results of consultation on the draft Regulation 33 package and **approved** the Regulation 33 package for issuing by 14 January 2000.

11.9 Regulation 33 advice for Lundy European Marine Site (GC P99 74)

11.9.1 The Committee **considered** the results of consultation on the draft Regulation 33 package and **approved** the Regulation 33 package for issuing by 14 January 2000.

11.10 Regulation 33 advice for the Isles of Scilly European Marine Site (GC P99 75)

11.10.1 The Committee **considered** the results of consultation on the draft Regulation 33 package and **approved** the Regulation 33 package for issuing by 14 January 2000.

11.11 Regulation 33 advice for Morecambe Bay European Marine Site (GC P99 76)

11.11.1 The Committee **considered** the results of consultation on the draft Regulation 33 package and **delegated authority to approve** the final version of the Regulation 33 package to Chairman for issuing by 14 January 2000.

11.12 Update on the provision of Regulation 33 advice for Special Protection Areas that qualify as European Marine Sites (GC P99 77)

11.12.1 The Committee **noted** and **agreed** that the format for the advice will be the same as that provided for marine cSACs and will contain only the material relevant to the ornithological interest.

SSSI Cases (GC P99 64)

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

12.1 Notification

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

12.1.1 Hallsands to Beesands, Devon. Selected through the

Geological Conservation Review as a site representing the coastal geomorphology of England and Variscan Structures of SW England blocks.

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

12.1.2 Laughton Common, Lincolnshire. A large area of semi-natural vegetation supporting an excellent mosaic of communities ranging from open sand to oak-birch woodland and from open water to wet woodland, including important stands of lowland acid grassland and lowland heath. The parcel between the two parts of the site is commercial forestry with no special interest.

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

12.1.3 Tuetoos Hills, Lincolnshire. An area that supports important stands of lowland dry acid grassland, including inland dune grassland which is the largest stand in the Area of Search. The dry grassland type is thought to cover less than 100 ha nationally.

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

12.1.4 Paston Great Barn, Norfolk. The site supports the only barbastelle bat maternity roost in Norfolk and one of only three known roosts in the UK. The site contains a Grade II listed barn and associated cattle sheds within the curtilage. The notification has a potential impact on the maintenance and use of the buildings and Council **noted** the possible large financial implications for English Nature in the future.

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

12.1.5 Cragg Hill and Calf Hill Woods, Lancashire. An extensive site supporting upland oak-birch woodland, valley alder woodland and wet birch woodland types which are nationally scarce.

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

12.1.6 Quarrington Hill Grasslands, Durham. The site supports magnesian limestone grassland, which has a very restricted distribution in England, and includes a community type confined to the North East of England.

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

12.1.7 Dixton Wood, Gloucestershire. A woodland that supports a deadwood beetle assemblage including a population of violet click beetle which is known from only two other sites. Council **noted** the letter from Mr C J Sturdy to Dr Langslow complaining about the excessive delay in reaching an agreement over a Site Management Statement prior to the formal notification. Council **agreed** that the delay was excessive and required the Team to make every effort to agree a Site Management Statement prior to formal notification. The period for issue of the notification papers was extended to 17 January 2000 to allow time for this work to be undertaken.

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

12.2 Renotification

Council **considered** the following cases -:

12.2.1 Porton Down, Wiltshire. The site is notified for unimproved calcareous and neutral grassland communities, including outstanding assemblages of lower plants and invertebrates. Access has recently allowed additional survey which also identified a significant breeding bird assemblage, including a nationally important population of stone curlew. Council **delegated authority to approve** the re-notification of the site to Chairman, subject to clarification of the reasons for the small excluded areas within the main area of the site.

12.2.2 Powerstock Common and Wytherstone Farm, Dorset. A re-notification extending the original SSSI to include adjoining woodlands and a pasture. The site is notified for its mosaic of neutral and calcareous grasslands, wet grasslands and fen meadows and ancient woodlands which support important assemblages of invertebrates and lower plants and a dormouse population.

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

12.2.3 Bickerton Hill, Cheshire. The site is the largest area of lowland heathland in Cheshire which support three species of reptile. The proposed extensions will include additional areas of heathland and the successional stages of heathland to woodland within the site.

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

12.2.4 Black Lake, Delamere, Cheshire. The site is an open water site that demonstrates the early developmental stages of *Schwingmoor* type basin fen and supports the rare white faced darter dragonfly. The proposed extension incorporates the immediately adjacent area that makes up the surface water run-off catchment of the lake, which has an acid, base-poor water chemistry.

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

12.2.5 Bacombe and Coombe Hills, Buckinghamshire. The site supports species rich calcareous grassland with juniper and areas of mixed scrub. The entire UK population of fringed gentian is also on the site. The extension incorporates additional areas of the grassland type within the site which also supports juniper and populations of the Duke of Burgundy and Chalkhill Blue butterflies.

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

12.3 Confirmation

12.3.1 Carrick Heaths, Cornwall.
Council considered 4 objections.

Council noted that the areas involved in two of the objections (Mr Hargreaves and Mr Richards) did have special interest and should not be excluded. Council agreed that the area owned by Mr Richards and used for pheasant rearing did not have special interest and should be excluded. Council did express concern that part of the site owned by South Western Electricity had been damaged, and although it had now been restored they asked that this be raised with SWEB. Council agreed that the area of land immediately adjacent to the perimeter fence of the sub-station was not of special interest and should be excluded. Council did not uphold the fourth objection (Mr Wing) and considered the land to be of special interest.

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

12.3.2 Nicodemus Heights, Dorset.

Council considered 1 objection by Portland Port Ltd.

Council noted that parts of the area had declined in nature conservation interest due to neglect and that a site with a complex mosaic of habitats such as this did contain areas of relatively low interest. They did not agree with the objector that notification should be delayed. Council did agree that one area of track had no nature conservation interest and hence should be excluded.

Council **confirmed** the notification of the site with modification to exclude a track.

12.3.3 Clumber Park, Nottinghamshire.

Council considered 1 objection by Forest Enterprise.

Council agreed with the objection that an area of mature coniferous plantation was of no special scientific interest and should be excluded.

Council **confirmed** the notification of the site with modification to exclude a mature conifer plantation.

12.3.4 Beeston Brook Pasture, Lancashire.

Council considered 1 objection made by Mr York on behalf of both the land owner and the tenant occupier.

Council agreed that whilst the area proposed for exclusion was partially agriculturally improved it was nonetheless of special scientific interest and should be included.

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

12.3.5 Bell Sykes Meadow, Lancashire.

Council considered 1 representation from Messrs L and P Blackwell.

Council noted the representation concerned the wish of the farming tenant to continue the conversion of their grassland system to silage making, and that the Team are working to reach agreement on an appropriate way forward. The representation did not challenge the special interest of the area.

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

12.3.6 The Bottoms, County Durham.

Council considered 1 objection from Mr Robinson.

Council agreed that a farm track should be excluded as it was of no special scientific interest.

Council **confirmed** the notification of the site with the recommended modification to exclude the farm track.

12.3.7 Durham Coast, Tyne and Wear, Durham and Cleveland.

Council considered 1 representation by Hartlepool Borough Council.

Council noted the representation concerned the incorporation of Hart Warren Dunes SSSI into the Durham Coast SSSI and that they considered it should have been maintained as part of the Hartlepool Foreshore and Wetlands SSSI. Council also noted the Hartlepool Borough Council's support for the principle of nature conservation and their view that the consultation process was insufficient. Council did agree that the Hart Warren Dunes SSSI could have been incorporated into the Hartlepool Foreshore and Wetlands SSSI, but that this would have necessitated the renotification of the whole site a short time after the previous notification. Council did not consider it necessary to adjust the boundaries of the site to fit Local Government areas. Council also agreed that the process of consultation was consistent with national standards and procedures and hence was adequate.

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

12.3.8 Horseshoe Bend, Shirehampton, Bristol.

Council considered 2 objections.

The objection from Bristol City Council concerned the inclusion of allotments of no scientific interest and Council agreed these should be excluded. The other objection from Bristol Port Company concerned the inclusion of areas below mean high water mark as having no special interest. Concern was expressed by Council that dredging operations may affect the area proposed for exclusion and that this could have an adverse effect on the rest of the site.

Council **delegated authority to approve** the re-notification of the site to Chairman, subject to clarification that excluding the area below mean high water mark will not lead directly to the loss of the special interest and to confirm the need for OLD 25 on fossil collection.

Action: Andy Brown

12.3.9 Goblin Combe, Somerset.

Council considered 1 representation from Mr Harrison.

Council agreed that an area of trackway and garden was of no special scientific interest and should be excluded.

Council **confirmed** the notification of the site with modification to exclude trackway and garden.

13. Chairman=s, Chief Executive=s and Directors= topical report (GC P99 80)

13.1 The Chairman introduced the paper and invited comment. The Committee raised the following issues in discussion:

13.1.1 it is important to make progress with the National Trust over Section 35 (1) (c) National Nature Reserves and the management of their SSSIs. The Committee **advised** that a meeting at Chairman and Chief Executive level should be sought as part of the renewal of our statement of intent to secure a stronger basis for agreement over SSSIs and NNRs;

13.1.2 the Committee welcomed the prosecution of those causing third party damage to Broadmoor to Bagshot Heaths SSSI. It is important that breaches of environmental law are seen as serious and that sanctions are effective. The new legislation is likely to increase fines, and introduce an unlimited liability to restore the damaged area. English Nature needs to continue to work with the Police Wildlife Liaison Officers to raise awareness about environmental crime;

13.1.3 the Committee indicated concern over the potential inconsistencies in our position on coastal realignment and site protection. The Dynamic Coasts LIFE project will explore sustainable approaches and seek to influence the European Commission to adopt these. The Committee **advised** that there are always local sensitivities over individual cases and that a position statement would help staff deal with cases consistently;

13.1.4 the Committee welcomed the progress with Sector Analyses. The role of Green Ministers in securing integration of environmental issues into the policies of their Departments has grown. English Nature prepared a checklist to help ensure the policy appraisal process addressed the appropriate nature conservation issues and this has been accepted. The Committee **asked** for the checklist to be circulated to members.

Action: Secretariat

Any Other Business

14.1 The Committee congratulated Derek Langslow on surviving his final Committee meeting before his retirement and looked forward to the opportunities at Dinner on January 17 to wish him a happy retirement and to acknowledge his significant contributions to nature conservation and English Nature over his career.