

GENERAL COMMITTEE OF COUNCIL

UNCONFIRMED MINUTES OF THE NINTH MEETING OF THE GENERAL
COMMITTEE OF COUNCIL HELD AT THE BARBICAN THISTLE HOTEL,
CENTRAL STREET, LONDON ON 5 OCTOBER 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
Dr A E Brown
Ms S F Collins
Dr K L Duff
Miss C E M Wood

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

Apologies: Mr T Burke

1. Minutes of the eighth meeting of the General Committee of Council held on 7 July 1999 (GC M99 3)
 - 1.1 The Committee had **confirmed** the minutes of the eighth meeting of the General Committee by postal consultation. The minutes have been placed on the English Nature Web Site.
2. Matters arising (GC P99 54)
 - 2.1 The Committee **noted** the paper. The following issues were raised in discussion -:
 - 2.1.1. Derek Langslow has also been proposed as a candidate for membership of the Agricultural and Environment Biotechnology Commission.

- 2.1.2 The Committee was pleased at the exploration of how SSSIs could be handled by the UK Woodland Assurance Scheme. An information note on progress will be circulated to the Committee.

Action: Sue Collins

- 2.1.3 The HR Annual Report (9.1 in the minutes) did not include a report on the results of the staff survey. An information note on the results and follow-up work will be circulated to Committee.

Action: Andy Brown

3. NNR Review: interim 1999/2000 progress report against action plan (GC P99 43)

Secretariat note: Mr G N Woolley declared an interest as a member of the Torbay Coast and Countryside Trust and took no part in the decision about their status as an approved body.

- 3.1 Keith Duff introduced the paper which sought approval for a programme of extensions and acquisitions, endorsement of a programme of further S35 1 (c) NNRs and advice on criteria to identify which nationally important SSSIs should be considered for declaration as NNRs.

3.2 In discussion the Committee -:

- 3.2.1 **approved** the proposed programme of extensions and acquisitions. The implications for our costs are modest for the extensions, which are likely to reduce risks to the nature conservation interest. New NNRs managed by us have a much greater impact on our costs, especially running costs;

- 3.2.2 **advised** that the criteria for NNR selection should give primacy to the specialness of NNRs for nature conservation, whilst recognising the need for land of low nature conservation interest for management purposes or for habitat creation to make contributions to BAP targets. These criteria and the acquisition strategy will be presented to the Committee in May 2000;

Action: Keith Duff

- 3.2.3 **granted** approved body status to Torbay Coast and Countryside Trust, Teignbridge District Council and the Devon Wildlife Trust;

- 3.2.4 **approved** the declaration of Berry Head and Sharkham Point, Dawlish Warren and Charnwood Lodge as Section 35 1 (c) NNRs.

4. Review of the position statement on sites of importance for nature conservation (GC P99 46)

4.1 Andy Brown introduced the paper. The discussion will inform our input to the DETR working group on non statutory sites, set up following their consultation on SSSIs. These sites are critical for nature conservation targets. Their protection and management needs to be improved and made more secure. The paper recommends a single approach to biological and geological sites. We need to develop English Nature's role more clearly to help achieve consistency across England rather than English Nature undertake substantial individual casework.

4.2 The Committee **agreed** that earth heritage and biological sites should be treated together, and that the success of the RIGS scheme needed greater recognition in the position statement. The following issues were raised in discussion -:

4.2.1 The role of regionally and locally important wildlife and geological sites is distinct from the role of statutory sites, and includes contributions to the quality of life by providing opportunities for access and for involvement in nature conservation;

4.2.2 The contribution these sites make to achieving BAP targets and to the measures required under Article 10 of the Habitats and Species Directive should be emphasised;

4.2.3 The challenge of securing the adoption of best practice needs more attention. This will be taken up through the DETR working group, and needs to address effective ways of involving the landowners to ensure support. This will include maintaining a clear distinction between statutory sites and the regionally and locally important sites, and define clearly how Planning Authorities should treat these non-statutory sites;

4.2.4 The Committee **agreed** that English Nature will only publish a position statement once the DETR working group begins to develop firm views. Our role will emerge from this. The Committee will consider a paper on the principles and approach to these sites next year;

Action: Andy Brown

5. Position statement on Sites of Special Scientific Interest (GC P99 63)

5.1 Andy Brown introduced the paper. The position statement will require further amendment once new legislation is passed. The new draft highlights the role of Council, includes a purpose for the SSSI series, and seeks to set an appropriate balance between positive partnerships and firm regulation.

5.2 The Committee **advised** on detailed wording to ensure the messages are clear. The wording needs to be consistent with other position statements on sustainable development and access, and to create appropriate expectations on how Council will consider representations and objections to notification. The introduction needs to be more inspiring and emphasise both the importance of SSSIs for nature conservation and as contributions to the quality of life.

- 5.3 The Committee recognised the need to review the statement once new legislation is in place. English Nature needs to manage the transition to new legislation and its implementation carefully. A working group of Council Members will help staff develop proposals which will be presented to the Committee for discussion in February 2000.

Action: Andy Brown

- 5.4 The Committee **agreed** that a revised version should be circulated to all Members for comment and **delegated** authority to approve a final version for publication following this consultation to Chairman.

6. Regulation 33 advice for Chesil and the Fleet European marine site (GC P99 48)

- 6.1 Sue Collins introduced the paper. Regulation 33 packages are the culmination of a process set out in a paper to Council in May 1998. The package for Chesil and the Fleet is the first one presented to Council. It therefore provides a template for future packages, which will all be in the same format and use consistent wording where appropriate. Each Regulation 33 package is English Nature's advice on the conservation objectives and on operations likely to damage the conservation interest. We consult to ascertain the views of relevant parties on our proposed advice. Our final advice takes account of these views. The advice, once formally issued, provides the basis for the Management Group to develop a Scheme of Management for the European Marine Site.

- 6.2 The Committee **commended** the documentation as helpful, positive and clear. The representations set out in Table 1 were **noted** and English Nature's responses were **approved**, including the proposed wording to record the effects of extreme events.

- 6.3 The Committee **considered** the representation from Portland Port Ltd, including copies of correspondence. The draft note of a recent meeting held on 27 September 1999, and the 4 October 1999 letter from Portland Port Ltd in response to the minutes which proposed that English Nature's course of action must be to delay decision making on the Regulation 33 advice, were also considered.

- 6.3.1 The Committee **did not agree** that further delay was justified since there had been full consultation on the draft package. The package should be revised as proposed to take account of the appropriate issues raised.

- 6.3.2 The Committee **approved** the recommendations in Annex 2 on the best way of incorporating into our advice the issues raised in the response from Portland Port Ltd about favourable condition including how to address natural change, the scope of the conservation objectives, and the format of the advice on operations.

- 6.4 The Committee **considered** the strategic issues raised and the proposed way of addressing these in Annex 3.

- 6.4.1 The Committee **advised** that the impact of disturbance on the distribution patterns of birds within a site should be included in the final advice.
- 6.4.2 The Committee **approved** the recommendations on the proposed wording to address SPA objectives and to take account of bird numbers, disturbance subject to addressing impacts on distribution within a site, baselines and targets and the treatment of the extent of habitats.
- 6.4.3 The Committee **noted** the position adopted on the species of birds covered by the SPA objectives and on the way to treat extreme events.
- 6.4.4 Council **agreed** the final package of our advice on the site for issue in early November 1999, and **congratulated** the Team and staff involved on the quality of the material and the approach to this work.

7. Handling of Regulation 33 packages at future Council meetings (GC P99 55)

- 7.1 Sue Collins introduced the paper. All the future packages will have the same basic format and use similar wording where appropriate, thus ensuring our advice is consistent. The Committee's role is to consider unresolved strategic issues raised through the consultation process. Experience to date suggests we are aware of the issues that are likely to be raised as we have had extensive contact with most of those consulted.
- 7.2 There are about 20 SPAs which are European marine sites but not SACs. Some of these will require a Scheme of Management, and therefore a Regulation 33 package of English Nature's advice. These will only cover the ornithological interest, and will be brought to the Committee for approval. The Committee was asked to advise on the best way of handling sites where a Scheme of Management is not required, and -:
 - 7.2.1 The Committee **advised** that one SPA site should have Regulation 33 advice prepared and brought to a future meeting, with clear proposals for the best way of handling all the other sites on the list of SPAs that are European marine sites but not SACs.
- 7.3 The Committee **endorsed** the proposed timetable, and **advised** that a summary sheet outlining the unresolved strategic issues should be provided to help focus attention on these.

8. JNCC oral report

- 8.1 Derek Langslow reported on the recent JNCC meeting. The Committee **noted** the report.

9. SSSI Cases (GC P99 51)

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: Dr Brown, Ms Collins, Dr Duff and Ms Wood.

9.1 Notification

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

- 9.1.1 Creechbarrow, Dorset. The only known fresh-water limestone from the early to late Eocene, with fossil fauna of special interest.

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

- 9.1.2 Lovell Hill Pools, Redcar and Cleveland. A series of shallow water bodies fringed by swamp vegetation, damp neutral grassland, willow carr and scrub which supports an outstanding assemblage of dragonflies and damselflies of national importance.

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

- 9.1.3 Tweed catchment rivers - England: Till Catchment, Northumberland. A river with excellent examples of several river types with a relatively undeveloped catchment, low pollution loads and with little physical modification, supporting aquatic and riparian fauna, including Atlantic salmon, Brook, River and Sea Lamprey and Otters.

Council **approved** the notification of the site, subject to modifying OLD 10 as follows: A bird species covered by a General Licence (Wildlife and Countryside Act 1981 as amended 1991), and game birds@.

- 9.1.4 Kempton Park Reservoirs, Greater London/Surrey. Two artificial open water bodies and surrounding marginal vegetation that support nationally important wintering population of gadwall.

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

- 9.1.5 Knight and Bessborough Reservoirs, Surrey. Two connected artificial reservoirs that support nationally important numbers of wintering shoveler.

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

- 9.1.6 Thorpe Park No 1 Gravel Pit, Surrey. A former gravel pit with banks almost entirely dominated by trees and shrubs that supports nationally important numbers of wintering gadwall.

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

- 9.1.7 Wraysbury No 1 Gravel Pit, Berkshire. A former gravel pit with margins dominated by trees and scrub that supports nationally important numbers of wintering gadwall.

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

- 9.1.8 Wraysbury Reservoir, Surrey. An artificially embanked reservoir that supports nationally important numbers of wintering cormorant, wintering great-crested grebe and wintering shoveler.

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

- 9.1.9 Upper Greensand Hangers: Empshott to Hawkley, Hampshire. A series of steep, rocky woodlands of national and European interest on calcareous substrate with natural rock exposures that support nationally scarce mollusc and hoverfly species.

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

- 9.1.10 Upper Greensand Hangers: Wyck to Wheatley, Hampshire. A series of steep, rocky woodlands of national and European interest on calcareous substrate with natural rock exposures that support nationally scarce mollusc and flowering plant species.

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

9.2 Renotification

Council **considered** the following cases -:

- 9.2.1 St Leonards and St Ives Heaths and Hurn Common, Dorset. A fragmented site with a mosaic of acid grassland, dry and wet heath and mire vegetation types of special interest that support important populations of nationally scarce plants, lowland heathland breeding birds including Dartford Warbler, Nightjar and Woodlark, reptiles including sand lizard and smooth snake, and nationally scarce and rare invertebrates.

Council **approved** the re-notification of the site with the proposed deletions and the amended citation for Hurn Common, and the **notification** of the proposed extensions.

- 9.2.2 Robin Hood's Bay: Maw Wyke to Beast Cliff, North Yorkshire. A renotification to amalgamate three existing SSSIs and add geomorphological and inter-tidal marine interest of national importance to the existing earth heritage and biological interests.

Council **approved** the re-notification of the site subject to the Local Team confirming there was time to complete this and confirm the notification given the need to update and correct current owner and occupier information.

Action: Andy Brown

- 9.2.3 Baston and Thurlby Fens, Lincolnshire. An extension of an existing SSSI to include three additional areas, making up a larger area of relict fenland of outstanding quality. The proposed site include a short stretch of the River Glen which is hydrologically critical for the water levels within the two fen complexes. The site supports open water, fen and swamp vegetation mosaics, and a freshwater ditch which contains nationally important populations of dragonflies and damselflies and of Spined Loach and an assemblage of nationally scarce vascular plants.

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

- 9.2.4 Seaford to Beachy Head, East Sussex. The site is subject to natural coastal erosion which means the boundaries need to be revised to reflect the changing location of the cliff edge. The opportunity has also been taken to update the citation to reflect the current guidelines.

Council **delegated authority to approve** the re-notification of the site to Chairman, subject to detailed clarification of the boundary definitions in the notification so they are consistent across the whole site and will not change as a result of erosion, thus potentially bringing new owners and occupiers who will require notification as the cliff face recedes.

- 9.2.5 Mungrisdale Mires, Cumbria. The site was notified under the 1949 Act, and not re-notified as part of the Skiddaw Group SSSI as the interest was different. It is a lowland raised bog of special interest, and the re-notification includes considerable extension of the original site to include the whole of the raised bog and associated mire habitats.

Council **approved** the re-notification of the site and **noted** that the current hydrology is the reason for the interest being in unfavourable condition.

9.3 Confirmation

9.3.1 Welford Field (previously known as Jockeys Field), Warwickshire.

Council considered 1 objection.

Council noted the management of the site had been discussed with the objector, whose main objection was that the designation was unnecessary.

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

9.3.2 Railway Meadow, Langley, Warwickshire.

Council considered 1 objection.

Council noted that the objector had refused meetings and saw the notification as an interference in his affairs.

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