



## Joint Nature Conservation Committee 106th Meeting Minutes Confirmed (non-confidential)

**Date:** 17 March 2016

**Time:** 08:45

**Venue:** Monkstone House, City Road, Peterborough, PE1 1JY

### Present

**Professor Ian Bateman**

Independent member

**Dr Bob Brown**

Independent member

**Mr Guy Duke**

Independent member

**Professor Colin Galbraith**

Independent member

**Professor Chris Gilligan**

Independent Chair

**Dr Joe Horwood**

Natural England

**Professor Michel Kaiser**

Independent member

**Dr Hilary Kirkpatrick**

Council for Nature Conservation and the Countryside

**Professor Howard Platt**

Council for Nature Conservation and the Countryside

**Mr Ian Ross**

Scottish Natural Heritage

**Dr Susan Walker**

Scottish Natural Heritage

### In attendance

**Dr Steve Gibson**

JNCC

**Dr John Goold**

JNCC

**Mrs Sue McQueen**

JNCC

**Dr Jane Hawkrige (item 12)**

JNCC

**Mrs Tracey Quince**

JNCC

**Mr Paul Rose**

JNCC

**Ms Beth Stoker (item 12)**

JNCC

**Professor Jason Weeks**

JNCC

**Mr Marcus Yeo**

JNCC

**Mrs Helen Anderson**

DOENI

**Mr Andrew Bachell**

Scottish Natural Heritage

**Mr Mike Evans**

Natural Resources Wales

**Mr Dave Stone**

Natural England

**Mr Jonathan Capstick (Items 9 and 10)**

Defra

**Ms Lucy Stone (items 9 and 10)**

Defra

## Apologies

### Members:

Dr Madeleine Havard  
Natural Resources Wales

Professor David Hill  
Natural England

### Attendees:

Mr Colin Armstrong  
DOENI

Mrs Ceri Davies  
Natural Resources Wales

Dr Tim Hill  
Natural England

## 1 Chairman's opening remarks

- 1.1 Professor Gilligan welcomed everyone to the 106<sup>th</sup> meeting of the JNCC.
- 1.2 Professor Gilligan updated members on changes to the Committee. Natural Resources Wales have appointed Dr Madeleine Havard to the Joint Committee and are in the process of appointing a second member. Professor David Hill's appointment to the Committee comes to an end on 1 May. Thanks were expressed by all for his work with JNCC, in particular his contribution to the recent strategy review. As Professor Hill was unable to attend the meeting it was agreed that Professor Gilligan would send a letter of thanks.
- 1.3 Professor Gilligan introduced Mr Dave Stone, Natural England, who was attending in place of Dr Tim Hill, and Mr Mike Evans, Natural Resources Wales, who was attending in place of Ms Ceri Davies.
- 1.4 Professor Gilligan introduced Professor Jason Weeks who had recently been appointed to a new post as JNCC's Head of Business Development and Marketing. Professor Weeks had given a presentation at the dinner the previous evening on diversification of income.
- 1.5 Professor Gilligan reported that since the last Committee meeting he had met the Defra Minister Rory Stewart. The meeting had reinforced the importance of continuing to raise JNCC's profile within Defra.
- 1.6 The Committee discussed Harbour Porpoise and confirmed that the JNCC Chair be given delegated authority for further dealings on the advice to Government.
- 1.7 Professor Gilligan requested that an illustrative list of the datasets that JNCC has made openly available be circulated to all members.

Action point(s)
AP01 A illustrative list of the datasets that JNCC has made openly available to be circulated to Committee members.

## **2 Declaration of interests**

- 2.1 Professor Galbraith declared his membership of the Scottish Advisory Committee of the Woodland Trust.
- 2.2 Professor Bateman declared his membership of the Woodland Trust England Advisory Committee.

## **3 Minutes of the November 2015 meeting (official-sensitive) (JNCC 16 02)**

### **4 Matters arising (JNCC 16 03)**

- 4.1 There were no matters arising that were not addressed elsewhere in the agenda. An update on actions from the September and November meetings was provided in Annex 1.

## **5 Chief Executive's report on topical issues (JNCC 16 04)**

- 5.1 Mr Yeo reported that feedback from stakeholders on the JNCC review had been largely positive. Committee noted that this represented a strong vote of confidence in JNCC.
- 5.2 In January, JNCC had taken on the role of UK National Contact Point for the EU LIFE programme on behalf of Defra and devolved administrations. There were no major implications to other work programmes and additional funding had been received to take on the role. The role provides support to organisations across the UK in developing bids for EU LIFE funding, and country conservation bodies were encouraged to utilise the service if they are considering bids.
- 5.3 Agreement has been reached with officials in Defra and devolved administrations on a 5% reduction in grant in aid for 2016/17. Ministerial sign off is expected shortly.
- 5.4 JNCC currently has two staff on secondment to other bodies. Steve Wilkinson is working on the Defra data programme. Vicky Morgan is working in NERC in the Environmental Observation Framework Secretariat.
- 5.5 The new Wales Relationship Manager post had been well received by Welsh Government and NRW and was already making a difference. Committee agreed that more flexible ways of working offered opportunities for staff and JNCC as a whole and should be encouraged.
- 5.6 Staff morale was being managed with the results from a recent staff engagement exercise being discussed by the Executive Management Board the following week.

## 6 Report from ARAC

- 6.1 Professor Galbraith, newly appointed ARAC Chair, gave a presentation on key issues discussed at the ARAC meeting the previous day. The slides were also tabled.
- 6.2 The meeting had focused on:
- i. internal audit, including a progress report and draft annual assurance report and opinion, matters arising from an audit on key financial controls and the draft internal audit strategy and operational plan for 2016/17,
  - ii. risk, including the regular look at significant risks and new emerging risks, and the paper on the annual Joint Committee discussion on risk (including the new approach to segmenting the risk appetite); and
  - iii. a draft of the Governance Statement for 2015/16, the new conflicts of interest policy and updates on compliance reporting in six key areas.
- 6.3 Committee was informed that:
- i. internal audit for the year was on track and the draft audit report on financial management and budgetary control was imminent. This final audit completes the plan for 2015/16;
  - ii. the recent audit on key financial controls had received a 'substantial' assurance rating;
  - iii. the draft head of internal audit opinion was expected to be 'moderate' or 'substantial' depending on the rating given to the financial management and budgetary control audit;
  - iv. the focus in the 2016/17 internal audit plan would be on key financial controls, HR processes and income generation;
  - v. the risks in the draft significant risks register for 2016/17 had been scored differently from the ones in the 2015/16 register with greater consideration placed on the controls in place to mitigate the risks;
  - vi. the draft Governance Statement was a 'live' document until the accounts were signed and further drafts would be considered by ARAC at appropriate times in the Annual Report and Accounts timetable;
  - vii. following on from the conflicts of interest policy, an ethics policy would be developed as part of the work on income generation; and
  - viii. on health and safety, ARAC welcomed the refining of the policy to assist staff in dealing with stress which would take into account results from a recent staff survey on stress.

- 6.4 Committee welcomed the new conflicts of interest policy and noted its importance to the work on diversifying income streams. They noted the need for a clearly defined schedule of delegations for the approval of income-funded projects and the need to safeguard the reputation of JNCC. Committee was informed that a robust process for consideration of projects, coupled with a clear project approvals process, would mitigate this risk.

## 7 Risk management in JNCC (JNCC 16 05)

- 7.1 Mr Yeo presented the paper, drawing members' attention to the more sophisticated interpretation of the risk appetite in Annex 3.
- 7.2 Committee noted the paper and made the following comments in discussion:
- i. JNCC will need to have in place the appropriate processes for non-GIA income, including credit checks on customers and the flexibility to carry forward income from one financial year to the next;
  - ii. there are inter-relationships between the significant risks, for example poor staff morale will have an impact on science quality if not appropriately managed;
  - iii. continuing management of staff structure, numbers and competencies will be essential if JNCC is to achieve its aspirations;
  - iv. re-wording some of the significant risks for an external audience would improve clarity and understanding;
  - v. the possibility of changing relationships with the European Union should be added to the significant risks register for 2016/17;
  - vi. an external review of JNCC's science would provide a positive learning experience for staff and an opportunity to improve the organisation's scientific credibility; and
  - vii. the new segmented risk appetite statement was a significant step forward. Further refinement, including adding some examples and breaking down the relationships activity into different relationship categories, would add clarity. It was agreed that a task and finish group consisting of a group of staff would take this forward, with ARAC to see the revised statement for comment before presentation to the Joint Committee.
- 7.3 Committee welcomed the paper and the work undertaken on the risk appetite statement.

Action point(s)
<p>AP02 Mr Duke to provide re-wording significant risks for management consideration.</p> <p>AP03 Risk appetite to be further refined by a staff task and finish group. Refined statement to be presented to ARAC for comment and then presented to the Committee for approval in June.</p> <p>AP04 The possibility of changing relationships with the European Union to be added to the significant risks register for 2016/17.</p>

## **8 Business Plan for 2016/17 (official-sensitive) (JNCC 16 06)**

### **9 Performance report for Q3 (JNCC 16 01)**

- 9.1 Mr Yeo presented the paper providing information on JNCC's performance for the period ending 31 December 2015. The report had been circulated intersessionally in February.
- 9.2 Mr Yeo advised Committee that the Executive Management Board considered the corporate performance for quarter 3 to be good. Eight PPMs are making good progress and six have some issues affecting delivery, with five of these forecasting some problems continuing to the year end. The Committee was informed that circumstances continued to be challenging during quarter 3 with preparations for the government review of JNCC and planning for significant budget reductions adding to workloads. Although some milestones had been delayed, most PPMs would be fully or substantially achieved by the year end.
- 9.3 Mr Yeo informed Committee that financial performance was good and the organisation was on track for a 2% underspend against Reserved and Marine GIA (as agreed with Defra) with a more or less full spend elsewhere.
- 9.4 Committee noted the report and made the following comments in discussion:
- i. budgetary and operational performance is good, but a push to deliver delayed components of some marine work was required to prevent any reputational damage;
  - ii. excessively high risk scores in the 2015/16 significant risks register had been addressed in the new register for 2016/17; and
  - iii. more attention to health and safety issues in the report was welcomed.
- 9.5 Committee welcomed the format, presentation and transparency of the report and looked forward to further enhancements to the report during 2016/17 to incorporate a dashboard approach previously requested by the Committee.

## 10 Review of JNCC (official-sensitive) (JNCC 16 07)

## 11 Diversification of non-GIA income (official-sensitive) (JNCC 16 08)

## 12 Offshore marine functions of the JNCC (JNCC 16 09): detailed analysis (official-sensitive)

## 13 Joint Committee self-assessment of effectiveness (JNCC 16 10)

13.1 Professor Gilligan presented the paper which provided a report on the findings of the self-assessment undertaken in October 2015. The Committee's attention was drawn to section 2.4 of the paper which presented the seven areas where Committee had previously agreed that efforts should be focussed to increase effectiveness.

13.2 Committee agreed the following on the seven actions:

- i. *developing working objectives* – objectives for the Committee should be established, identifying where Committee can have the greatest impact on delivery of the business plan. It was agreed that Mr Yeo, Mrs McQueen and Professor Gilligan would produce a draft set of objectives;
- ii. *dashboard approach for performance information* – Committee agreed that examples of dashboards should be sought from the country conservation bodies and other organisations;
- iii. *increased interaction between staff and Committee members* – Committee agreed that the preferred channels for enhanced interaction included workshops, presentations to staff, and Committee sub-groups.
- iv. *relationships between JNCC and stakeholders* – Committee agreed this would need consideration following the outcome of the Review, with an agreed plan of how to raise the profile of JNCC;
- v. *consideration of risk at Committee meetings* – this action was underway through quarterly reporting and an annual discussion on risk;
- vi. *Consideration of ARAC reports and the timing of ARAC meetings* – Committee agreed that good progress had been made thus far by discussing ARAC reports earlier on the agenda;
- vii. *Induction procedures* – new induction procedures had recently been implemented. More work was required to ensure members remained up to date during their time on the Committee.

- 13.3 Committee agreed to monitor progress on implementing the seven actions with regular updates at meetings on progress.

Action point(s)
AP05 Mr Yeo, Mrs McQueen and Professor Gilligan to produce a draft set of Committee working objectives for members' consideration.

## 14 Report from MPA Sub Group (oral)

14.1 Dr Brown gave an oral update.

14.2 The MPA Sub Group had held a teleconference on 11 March and discussed the following key items:

- i. *Greater Wash provisional special protected area (pSPA)*. The Departmental Brief had been worked on further by Natural England and JNCC staff, but the outcome remained that the evidence supporting a possible offshore component for little gulls was considered insufficient. Therefore, the subgroup recommendation to the JNCC Chair was for the more confined pSPA boundary, largely based on red throated diver. After some further final adjustments, this was accepted for sign-off and onward recommendation at the end of February.
- ii. *Outer Thames SPA*. This was a very urgent consultation, with only three days' notice. However, the changes relating to terns were all within the 12 nautical mile boundary, and on the 20<sup>th</sup> January the site proposal was recommended to the JNCC chair for sign-off and onward submission.
- iii. *Irish Sea Front pSPA*. Further consideration was given to new data relating to Manx shearwater, but it was agreed these did not change the original proposal. The site proposal was therefore recommended to the JNCC Chair for sign-off and onward submission.
- iv. *Sites straddling the 12 nautical mile boundary (inshore/offshore)*. Following the discussions regarding the Greater Wash pSPA the subgroup had asked staff to prepare a possible protocol for managing responsibilities and procedures. Jon Davies prepared a thoughtful paper for discussion, which was considered via e-mails and at the teleconference on 11 March. The subgroup concluded that the issues raised were of considerable depth and importance, and whilst they would be willing and able to consider the details of any proposals, the wider implications for JNCC and the devolved administrations lay outside the Group's terms of reference, and were therefore more a matter for the Joint Committee. The JNCC Chair agreed to take the matter further with staff and SNCB representatives.

- v. *pSAC in Western Scotland*. The JNCC Chair reported on an expanded proposal for this site. The proposal was consistent with the statistical analyses that JNCC had commissioned, and could therefore be supported.

## 15 Joint Committee Forward Programme (JNCC 16 11)

- 15.1 No comments were made on the Committee forward programme.
- 15.2 Committee was informed that the next meeting would take place in Edinburgh on Thursday 9 June 2016. Mr Bachell offered assistance with a guest list for the meeting.

## 16 Any other business

- 16.1 Professor Platt had circulated a paper prior to the meeting on forthcoming departmental changes in Northern Ireland. The changes are to take place in May 2016.
- 16.2 Committee were informed of a workshop and report on the role of protected sites in wider landscapes. Professor Bateman would confirm if the report could be circulated to Committee members.
- 16.3 Mrs McQueen reminded members of the need to advise her of any change of address during the year for the Companies House return.

Action point(s)
AP06 Professor Bateman to confirm if a report on the role of protected sites in wider landscapes could be circulated to Committee members.