



The one-hundred-and-first meeting of the Joint Nature Conservation Committee to be held at 0900 hours on 20 November 2014, at JNCC, Monkstone House, City Road, Peterborough, PE1 1JY

This paper was provided to the Joint Committee for information. Please refer to the minutes of the meeting for Committee's position on the paper.

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## **Joint Nature Conservation Committee**

### **Amendments to the minutes of the one-hundredth meeting of the Joint Nature Conservation Committee held on 18 September 2014, at Natural England, Foundry House, 3 Millsands, Riverside Exchange, Sheffield, S3 8NH**

There were no amendments to the minutes of the one-hundredth meeting of the Joint Nature Conservation Committee.

## Joint Nature Conservation Committee – 100<sup>th</sup> Meeting

### Unconfirmed Minutes

|   |             |
|---|-------------|
| Date: Thursday 18 <sup>th</sup> September 2014  | Time: 09:30 |
| Venue: Natural England, Foundry House, 3 Millsands, Riverside Exchange, Sheffield, S3 8NH |             |

#### Present

Dr Bob Brown  
Independent member

Mr Guy Duke  
Independent member

Professor Chris Gilligan (Chair)  
Independent Chair

Professor David Hill  
Natural England

Dr Joe Horwood (except item 7)  
Natural England

Professor Michel Kaiser  
Independent member

Dr Hilary Kirkpatrick  
Council for Nature Conservation and the Countryside

Dr Susan Walker  
Scottish Natural Heritage

Professor Lynda Warren  
Natural Resources Wales

#### In attendance

Mr Colin Armstrong  
Department of the Environment Northern Ireland

Mrs Lisa Chilton (except items 6 and 7)  
JNCC

Mr Mike Evans  
Natural Resources Wales

Dr Steve Gibson  
JNCC

Dr John Goold  
JNCC

Dr Tim Hill  
Natural England

Dr Ron McDonald (except items 6 and 7)  
Scottish Natural Heritage

Mrs Sue McQueen  
JNCC

Mr Paul Rose  
JNCC

Mr Marcus Yeo  
JNCC

## **Apologies**

*Members:* Mr Peter Archdale (Council for Nature Conservation and the Countryside), Professor Peter Matthews (Natural Resources Wales), Mr Ian Ross (Scottish Natural Heritage)

*Attendees:* Ms Ceri Davies (Natural Resources Wales), Mrs Helen Anderson (Northern Ireland Environment Agency)

### **1. Chairman's opening remarks**

- 1.1. Professor Gilligan welcomed everyone to the 100<sup>th</sup> meeting of the JNCC and proposed that arrangements be made to enable Committee and staff to mark the 101<sup>st</sup> meeting in Peterborough.
- 1.2. Professor Gilligan thanked Dr Hill for his presentation the evening before on Natural England's approach to evidence, which had stimulated an extremely useful discussion and raised a range of issues to feed into JNCC's strategy considerations.
- 1.3. Professor Gilligan reported that a number of high-quality candidates had been interviewed at the beginning of the week for two vacancies for independent members on Committee. It was hoped to have new members in place for the November Committee meeting.
- 1.4. Professor Gilligan informed Committee that members would be asked to contribute to a competency audit to inform succession plans for Committee and its sub-groups.
- 1.5. Professor Gilligan said that in his first three months he had met and been impressed by JNCC staff at the Peterborough and Aberdeen offices. He had looked at a few specific projects in some detail, which had been helpful in getting a feel for how JNCC functions and where it might go in future. His initial thoughts on future direction could be explored further through the strategy review.
- 1.6. Professor Gilligan had also met with a range of stakeholders, including the minister and officials in Defra. He had visited JNCC at Aberdeen and SNH at Inverness. Meetings with the Scottish Minister and Scottish Natural Heritage's Scientific Advisory Committees were arranged. He would appreciate support from members and attendees in arranging meetings with ministers and senior staff in Northern Ireland and Wales. He was keen to understand more about the country conservation bodies' challenges in relation to JNCC's strategy.

Partnerships for JNCC were clearly important and he had met with NGOs, including those related to the Overseas Territories, and reported that good progress was being made in strengthening relationships.

- 1.7. Professor Gilligan agreed with Committee to revise the order of items on the agenda. The minutes, however, follow the order of the published agenda.

## **2. Declaration of interests**

- 2.1. Professor Gilligan declared that in relation to item 11, Professor Rhys Green (who had written the paper challenging the approach taken by the statutory nature conservation bodies to the assessment of the impacts of offshore windfarms on seabird populations) was an honorary professor at the University of Cambridge where Professor Gilligan is Professor of Mathematical Biology.

## **3. Amendments to the minutes of the March 2014 meeting (JNCC14 N06)**

- 3.1 The minutes of the June 2014 meeting were agreed as amended.

## **4. Matters arising (JNCC14 N07)**

- 4.1. Committee noted the completion of the action points from the March 2014 meeting and discussed the following points.
- 4.2. Dr Walker stressed the need to make rapid progress in reducing internal staff turnover (6.4ii). Mrs McQueen reported that, with the support of Defra Sponsorship, she had asked for the same delegated authority that Natural England has for the Chief Executive to approve recruitment exemptions for front line jobs.
- 4.3. Professor Kaiser asked about the extent of the problem of staff leaving JNCC. Mr Yeo responded that overall turnover levels were acceptable and exit surveys showed that reasons for leaving were varied. There were however one or two areas where a number of staff had left for higher salaries and, whilst JNCC could not improve salaries overall, measures for these areas were being considered.
- 4.4. Dr Joe Horwood asked if RSPB and IUCN who had been critical of the protected areas paper had been invited to the forthcoming workshop on this issue (10.4). Mr Rose advised that representatives from NGOs and academia had been invited. Professor Warren asked whether the invitation could be

extended to Committee members and Professor Gilligan asked that staff consider whether this is possible recognising that there would need to be a limit on the number of participants.

- 4.5. Committee welcomed Dr Kirkpatrick's nomination of Professor Howard Platt for membership of the Marine Protected Areas sub-group (12.6).

**Action point**

*1: Mr Rose to review the list of invitees to the Protected Areas Workshop and circulate details to Committee.*

**5. Chief Executive's report on topical issues (JNCC 14 D05) (5.4 and 5.5 in confidence)**

- 5.1. Committee noted the paper which summarised a range of topical issues being dealt with by staff.
- 5.2. Mr Yeo informed Committee that meetings with NGOs had improved mutual understanding and collaboration, especially in relation to the Overseas Territories.
- 5.3. Dr Walker emphasised the importance of collaboration with NGOs beyond those in the environmental sector, such as the National Farmers Union because of their involvement in issues affecting biodiversity. Recognising that agricultural policy is devolved this might best be done by the country conservation bodies inviting JNCC to join them in relevant meetings.
- 5.4. (in confidence)
- 5.5. (in confidence)
- 5.6. Dr McDonald asked how the Defra One Business Network Evidence Action Plans reflected the requirements of the devolved administrations. Mr Yeo assured Committee that JNCC staff continually emphasise the need to reflect UK evidence requirements as well as those of England and they would not sign up to anything that would cause problems for the devolved administrations.
- 5.7. Dr Horwood was pleased to note that part II of the SSSI Guidelines were being revised but was concerned that this would create uncertainty in the

meantime for the country conservation bodies' operational work in this area. Dr Hill advised Committee that the Chief Scientists Group had developed a prioritised schedule which would produce staged publication of chapters up to 2017. Professor Hill suggested that stakeholders be informed of this schedule through its publication on the JNCC website.

#### **Action points**

- 2: Country Conservation Bodies to consider where they might engage JNCC in liaison with NGOs.*
- 3: Chief Scientists Group to finalise prioritisation and scheduling of the revision of part II of the SSSI Guidelines and arrange publication on the web.*

## **6. Report from the Audit and Risk Assurance Committee (oral update)**

- 6.1. Mr Duke gave an oral report of the Audit and Risk Assurance Committee (ARAC) meeting the previous day. A written report would be distributed following the Committee meeting.
- 6.2. Nigel Reader from Natural Resources Wales had attended the ARAC meeting as a new member. New members from the current selection process for independent Committee members would be considered by Professor Gilligan and Mr Duke for the vacancy created by Judith Webb's end of appointment, and as a possible shadow ARAC Chair as Mr Duke's second term is to complete in November 2015.
- 6.3. Professor Gilligan had attended as an observer and reported that he was impressed by the level of challenge by the members.

## **7. Performance report for quarter 1 2014/15 (JNCC14 P10)**

- 7.1. Mr Yeo presented the paper that provided information on JNCC's overall performance and financial position for the first quarter of 2014/15.
- 7.2. Committee noted and were pleased with the new report format. Dr Horwood was concerned that reports against milestones at Annex 2a could lead to Committee focussing on project level performance and missing any overarching issues. Mr Yeo explained that the quarterly scorecard (Annex 1) and the significant risks register (Annex 4) should mitigate this.
- 7.3. Dr Walker commented that one PPM rated as red and eleven rated as amber at quarter 1 suggested that there were concerns about performance. She

remained particularly concerned about delivery of marine monitoring options (PPM 1.3), the risks to the UK in meeting its monitoring obligations, and the costs to the individual countries of undertaking the work themselves. This view was supported by Dr Hill.

- 7.4. Mr Yeo explained that the rating process meant that even minor slippage against any milestones would result in an amber or red rating for the PPM but in many cases work was only slightly behind timescale. This included the marine monitoring PPM where delivery was much stronger than it had been in previous years. Dr Gibson advised that staff resourcing of the marine monitoring work continued to be a risk because of turnover and because the changing context of the programme meant it had also had to engage with initiatives such as the Defra One Network Evidence work and indicator development for the Marine Strategy Framework Directive.
- 7.5. Dr Walker asked whether work to designate SACs for harbour porpoise (PPM 4.5) would meet a likely timetable set by Government. Dr Gibson advised that that JNCC had proposed a realistic timetable to Government which he understood would be adopted subject to further consideration of the timescale for the later stages as work proceeds.
- 7.6. Committee approved proposed changes to milestones for priority performance measures (Annex 2b).

## **8. JNCC funding options for 2015/16 (JNCC14 P11) (in confidence)**

## **9. Review of JNCC's strategy (JNCC14 P12)**

- 9.1. Professor Gilligan introduced the paper which proposes a review of JNCC's strategy and suggested the review should consider fundamentally what JNCC should do and how it should interact with others. Professor Gilligan highlighted some of the strategic issues he had raised in a note circulated to Committee in advance of the meeting of his initial impressions of JNCC and its possible future direction after 100 days in the role:
  - i. the profile of JNCC needs to be raised if it is to be seen as the primary UK body to advise on nature conservation;
  - ii. JNCC's leadership role and its convening power need to be reviewed, clarified and prioritised if JNCC is to have a more proactive advisory role;

- iii. opportunities for data management and analysis to optimise the use of JNCC's data resources should be reviewed as part of the strategy;
  - iv. an audit of JNCC's skills and expertise is needed to inform the strategy and to consider how we need to develop staff;
  - v. opportunities to make more use of JNCC's international and European role should be explored;
  - vi. we need to consider how we explore new avenues for funding in collaboration with country conservation bodies.
- 9.2. Professor Gilligan suggested the strategy should consider where the organisation should be in one, five and 10 years time.
- 9.3. Dr Brown noted that constitutional changes that would be taking place in the UK presented opportunities for JNCC, not just possible threats.
- 9.4. Dr Horwood said that space needs to be created to consider wide-ranging strategic issues. Professor Gilligan agreed, citing delivery pressures as a constraint on thinking creatively.
- 9.5. Dr Walker cautioned that the expectations of staff need to be carefully managed. The strategy will be limited by what funders want from JNCC.
- 9.6. Professor Gilligan and Mrs McQueen outlined the proposed approach and timetable for the review which would be refined to take account of Committee's comments.
- 9.7. Members were nominated for the Committee sub-group which would review and build on inputs from staff as follows:

Chair – Professor Gilligan

SNH – Dr Walker

NRW – Professor Warren, subject to agreement with NRW

NE – Dr Horwood subject to agreement with NE

Northern Ireland – Hilary Kirkpatrick

Independents: Mr Duke, Dr Brown, Professor Kaiser.

**Action point**

*7: NE to nominate and NRW to confirm members of the Committee's strategy sub group.*

## **10. JNCC's offshore industry advice work**

10.1. Mrs Chilton gave a presentation on JNCC offshore industry advice programme to inform Committee about its:

- work areas and funding sources;
- the different assessment regimes and regulators for casework;
- the nature of the relationships with each of the regulators and country conservation bodies; and
- key issues in relation to the above.

10.2. Professor Hill asked about the apparent inconsistencies in how the parts of DECC dealing with oil and gas and with renewables engage with JNCC, reach decisions and assess risk. Mrs Chilton advised that this was in part due to the different stages of maturity in these industries.

10.3. Dr Horwood asked about the implications if JNCC provided poor quality advice. Professor Warren noted that as long as the advice had been generated with due diligence then JNCC could not be regarded as being negligent.

10.4. Professor Kaiser suggested that JNCC had a role to play in co-ordinating the identification of priority evidence needs for offshore industry. He also encouraged greater use of models. Mrs Chilton noted that post-consent monitoring makes a crucial contribution to improving the evidence base.

**Action points**

*8: JNCC staff to continue discussions with DECC about how JNCC's advice is used.*

*9: JNCC staff to prioritise work to review and fill offshore industry knowledge gaps.*

## **11. RSPB request to the Joint Committee in relation to the assessment of the impacts of offshore wind farms on seabird populations (in confidence)**

## 12. Any Other Business

- 12.1. Professor Gilligan drew attention to the House of Commons Environmental Audit Committee's 5th report of session 2014-15 'An Environmental Scorecard'.

### Action point

*11: Circulate House of Commons Environmental Audit Committees 5th report of session 2014-15 'An Environmental Scorecard' to Committee members.*