



The one-hundred-and-fifth meeting of the Joint Nature Conservation Committee to be held at 0900 hours on 26 November 2015, at JNCC, Monkstone House, City Road, Peterborough, PE1 1JY

This paper is provided to the Joint Committee for decision/discussion or information. Please refer to the minutes of the meeting for Committee's position on the paper.

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Joint Nature Conservation Committee

Minutes of the one hundred and fourth meeting of the Joint Nature Conservation Committee held on 8 September 2015

1. The Joint Committee is asked to **approve** the unconfirmed minutes of the one hundred and fourth meeting of the Joint Nature Conservation Committee held on 8 September 2015.



Joint Nature Conservation Committee – 104th Meeting

Unconfirmed confidential minutes

Date: 8 th September 2015	Time: 09:15
Venue: Natural Resources Wales, Ty Cambria, Cambria House, 29 Newport Road, Cardiff, CF24 0TP	

Present

Professor Ian Bateman
Independent member

Dr Bob Brown
Independent member

Mr Guy Duke
Independent member

Professor Chris Gilligan (Chair)
Independent chair

Dr Joe Horwood
Natural England

Dr Hilary Kirkpatrick
Council for Nature Conservation and the Countryside

Professor Peter Matthews
Natural Resources Wales

Mr Ian Ross
Scottish Natural Heritage

Professor Lynda Warren
Natural Resources Wales

In attendance

Mrs Helen Anderson
Northern Ireland Environment Agency

Mr Andrew Bachell
Scottish Natural Heritage

Mr Mike Evans
Natural Resources Wales

Dr Steve Gibson
JNCC

Dr John Goold
JNCC

Mr Gary Kass
Natural England

Mrs Sue McQueen
JNCC

Dr Deborah Procter
JNCC

Ms Beth Stoker (item 11)
JNCC

Mr Marcus Yeo
JNCC

Apologies

Members: Professor Colin Galbraith (Independent), Professor David Hill (Natural England), Professor Michel Kaiser (Independent), Dr Susan Walker (Scottish Natural Heritage)

Attendees: Mr Colin Armstrong (Department of Environment Northern Ireland), Ms Ceri Davies (Natural Resources Wales), Ms Susan Davies (Scottish Natural Heritage), Dr Tim Hill (Natural England)

1. Chairman's opening remarks

- 1.1 Professor Gilligan welcomed everyone to the 104th meeting of the JNCC and thanked Natural Resources Wales for hosting the meeting.
- 1.2 Professor Gilligan introduced Mr Gary Kass, Natural England, who was attending in place of Dr Tim Hill, and welcomed Mr Dai Harris, Welsh Government, as an observer to the meeting.
- 1.3 Professor Gilligan reported that Judena Goldring, Deputy Chair of the Council for Nature Conservation and the Countryside in Northern Ireland, had been appointed as Commissioner for Public Appointments for Northern Ireland and had therefore resigned from the CNCC and JNCC.
- 1.4 Professor Gilligan noted that Mr Duke and Dr Brown would soon be stepping down from Committee. The appointment process for two new independent Committee members would begin shortly. Individuals with experience in marine or terrestrial nature conservation and the ability to advise on business development and communications would be sought. Mr Ian Ross reported Scottish Natural Heritage were working towards a 50:50 gender balance by 2020 in their non-executive appointments.
- 1.5 Professor Gilligan reported a considerable amount of work had been done by Directors and other staff on JNCC's strategy. Several meetings had been held with representatives from the country conservation bodies and devolved administrations to discuss the strategy. In October meetings have been scheduled with the Welsh and Northern Ireland Environment Ministers.
- 1.6 Professor Gilligan informed the Committee that Julie Hitchcock had taken over from Tanya Arkle as Defra Deputy Director for Sponsorship and Public Body Reform with responsibility for JNCC.
- 1.7 Mrs McQueen advised that the National Audit Office had been invited to run a self-assessment exercise for the Joint Committee. The questionnaire would be circulated by email to members before the end of September. Results of the analysis will be presented to the Committee at the November meeting. This will be followed by a workshop to discuss a possible course of action.

2. Declaration of interests

- 2.1 Professor Warren declared her work on legal aspects of marine SPA protection for a management law firm.

3. Amendments to the minutes of the June 2015 meeting (JNCC 15 28)

3.1 The minutes of the June 2015 meetings were agreed with one amendment:

- i. Confidential status had been removed from points 7.10 and 7.11.

4. Matters arising

4.1 Mr Rose reported that the review of Schedule 9 of the Wildlife and Countryside Act 1981 would be sent to the Chief Scientists Group in the near future. Committee agreed to delegate sign off of formal advice on Schedule 9 to the JNCC Chair.

4.2 After the review of performance RAG ratings by the Executive Management Board, Mr Yeo agreed clarity was needed when explaining why milestones had not been achieved. Mr Yeo confirmed that if this were because of a government decision the milestone itself would be changed.

4.3 Dr Gibson reported that Professor Kaiser had now received a reply to his query concerning the presentation on Scotland's Seas at the June meeting. This reply will be attached to the minutes for information (see Annex 1).

5. Chief Executive's report on topical issues (JNCC15 31)

5.1 Committee noted the paper which summarised a range of topical issues being dealt with by JNCC staff.

5.2 Professor Gilligan reported on the meeting of the Strategy Sub-group held on 7 September. Discussions on the JNCC strategy had been wide-ranging and positive. The importance of staff moving rapidly on implementation was stressed.

5.3 Professor Gilligan expressed contentment with the strategy discussion document. The document had been passed to the Chief Executives of the country nature conservation bodies and sponsorship teams.

5.4 Professor Gilligan expressed concern about the slow pace of contact between Defra and the devolved administrations concerning the review of JNCC. The Terms of Reference for the review have not yet been finalised.

5.5 Mr Yeo confirmed that it was intended to appoint a Business Development and Marketing Manager after second interviews in the week commencing 14 September.

5.6 Committee made the following comments on the strategy document in discussion:

- i. representatives of the country nature conservation bodies supported the proposals in principle but noted a number of caveats that will need further discussion;

- ii. JNCC staff should continue to plan implementation of the strategy and engage in discussions with stakeholders;
- iii. JNCC should seek to grow potential income sources but must recognise sensitivities over charging;
- iv. JNCC's role in geological conservation should be clarified.

5.7 Committee agreed that an explanatory note should be prepared to accompany the strategy discussion document. The note should explain the background to the strategy review and emphasise devolved positions.

Action point(s)
1 A short explanatory note to be prepared for the strategy discussion document.

6. Performance report for quarter 1 2015/16 (JNCC 15 24)

- 6.1 Mr Yeo presented the paper providing information on JNCC's performance for the period ending 30 June 2015.
- 6.2 Mr Yeo advised Committee that the Executive Management Board (EMB) considered the corporate performance for quarter 1 to be satisfactory. Eight priority performance measures (PPMs) had made good progress and six PPMs had some issues affecting delivery but were being managed. Two of these were forecast to continue to experience problems to the year end.
- 6.3 Mr Yeo informed Committee that financial performance was good. The position would continue to be closely monitored to ensure the in-year 2% reduction in Marine and Reserved GIA could be achieved.
- 6.4 Mr Yeo stated a new significant risks register was in place for 2015/16 and action was being taken. Risks associated with future funding were particularly high at present.
- 6.5 Committee noted the report and made the following comments in discussion:
 - i. the performance report should be viewed from the point of someone undertaking the review of JNCC;
 - ii. a fuller health and safety report was needed to enable the Committee to take ownership of health and safety;
 - iii. staff turnover appears to be relatively high;
 - iv. Committee queried the apparently high costs of corporate services;
 - v. Committee agreed that the level of detail included in the report was satisfactory.

- 6.6 Mr Yeo was optimistic about progress so far on the PPMs. However, delivery was under severe pressure in many parts of JNCC. EMB would be considering whether some milestones should be revised to reflect new pressures and other changing circumstances.
- 6.7 Mrs McQueen advised that EMB had reviewed staff turnover and had not found any pattern. Departures had been partly due to fixed term appointments ending and a variety of personal reasons. However, high turnover has affected performance in some areas.
- 6.8 In relation to corporate services costs, Mrs McQueen explained that the issue was presentational. A wide range of costs are bundled under this category to maximise value for money. These include costs which are directly consumed in the delivery of products and services, such as training, and governance costs such as Committee remuneration and expenses. JNCC's corporate services costs have been subject to independent scrutiny by the JNCC Sponsors' Group and the Audit and Risk Assurance Committee and no concerns have been raised. JNCC also compares favourably with other organisations when benchmarking has been undertaken (for example of the finance function). Work to increase efficiency is ongoing.
- 6.10 Mrs McQueen advised JNCC were taking on board some of the good examples found in the NRW reporting system and would be incorporating these into 2016/17 reporting.
- 6.11 Committee approved the request for a change to a milestone for priority performance measure 3.2 in Annex 1b.

Action point(s)
2 Mrs McQueen to include a fuller health and safety report in future performance reports.
3 Mrs McQueen to investigate options for assigning some corporate services costs to delivery functions.

7. Funding scenarios for JNCC from 2016/17 onwards (in confidence) (JNCC 15 32)

8. Harbour Porpoise SACs (oral update) (in confidence)

9. JNCC's work on standards and advice (JNCC 15 29)

- 9.1 Mr Rose presented the paper that outlined the current and proposed work on standards and advice.
- 9.2 Committee discussed the paper and made the following comments:

- i. the definition of favourable condition may need to be changed to take into account the use of new technology such as remote sensing. However the financial savings could be significant;
- ii. the proposed approach to standards and advice was a good example of how JNCC's work might change if the strategy were adopted;
- iii. it may be appropriate to accept greater divergence between countries in some cases;
- iv. relationships with NGOs would need to be managed.

9.3 Mr Yeo agreed with moderate investment, JNCC could achieve substantial savings for the country nature conservation bodies and this was a powerful argument to put to government.

9.4 The Joint Committee recommended further discussion with the Chief Scientists Group with a view to a further paper being brought to Committee. This paper should set a clear direction for JNCC's work on standards and advice, taking into account the use of new technology, potential new customers, links to natural capital, and the opportunities for financial savings.

Action point(s)
5 A further paper setting a clear direction for JNCC's work on standards and advice to be brought to Committee.

10. Implementing JNCC's strategy: JNCC's role in relation to natural capital (JNCC 15 27)

10.1 Mr Rose presented the paper which considered the case for JNCC's role in relation to natural capital, how JNCC could add value to the work required, and why JNCC would be best placed to take on this work if the strategy was agreed.

10.2 Professor Gilligan welcomed the paper as a major step forward in the development of JNCC's strategy.

10.3 In discussion the following points were made:

- i. JNCC should quickly take forward a practical example of natural capital work to illustrate what its future role might be;
- ii. it would be beneficial to build stronger relationships with bodies such as the Natural Capital Committee;
- iii. it would be helpful to clarify how JNCC's role related to activities being undertaken by others (for example devolved bodies).

10.4 Professor Gilligan noted that Mr Duke, Professor Bateman and Professor Hill were in a strong position to provide technical advice and support.

10.5 Professor Gilligan welcomed the suggestion to work with Professor Georgina Mace (Natural Capital Committee) and Professor Rosie Hales (Centre for Ecology and Hydrology).

10.6 Committee approved the proposals in the paper subject to the comments above.

Action point(s)
6 Professor Georgina Mace to be invited to make the pre-dinner presentation at a future Committee meeting.

11. Maximising value from offshore seabed habitat evidence (JNCC 15 30)

11.1 Dr Gibson outlined the paper for discussion. It was important for the Committee to have sight of work in this area.

11.2 Ms Stoker gave a short summary of how JNCC maximised the value of offshore seabed habitat evidence collected through surveys. She explained how evidence could be used to enable local, regional and international habitat decision making.

11.3 Dr Brown suggested analysing what types of data were currently missing and asked what data were needed for the future.

11.4 Dr Brown raised the relationship with fisheries and offshore consultants and the possible use of data already collected.

11.5 Professor Gilligan suggested a discussion with the National Biodiversity Network on why we collect certain data and an assessment whether we are collecting more than we need.

Action point(s)
7 A copy of Ms Stoker's presentation to be made available to Committee.

12. JNCC terrestrial surveillance: evaluation and developing a future strategy (JNCC 15 33)

12.1 Dr Procter introduced the paper which described the JNCC-run terrestrial monitoring schemes, biological recording, analytical work and the application of Earth observation. The paper presented three scenarios for future balance of effort in JNCC's terrestrial surveillance programme.

12.2 Dr Horwood commented on behalf of Professor Hill, who had expressed concern that the JNCC-BTO partnership might be put at risk. Professor Hill had advised that the evidence generated by the partnership was of great value.

12.3 Professor Gilligan invited Committee to discuss the three scenarios in Annex 3. The following comments were made:

- i. habitat condition mapping could be a key source of revenue in the future;
- ii. analysis had been undertaken to assess how funding reductions would affect the portfolio of surveillance schemes over the next 3-5 years;
- iii. bold and radical solutions to improve efficiency were required.

12.4 The Committee agreed that further work should be undertaken to develop scenario 3. The Chief Scientists Group would make a decision later in the year.

13. Report from the MPA Sub-group (oral update)

13.1 Dr Brown gave an oral update on the work of the MPA Sub-group. He thanked JNCC staff for the work they had done.

13.2 Dr Brown advised that a teleconference had been conducted and the following key areas were discussed:

- i. further evaluation of Croker Carbonate Slabs SAC;
- ii. the second tranche of MCZs. Following the June Committee meeting a further audit had been completed by the MPA Sub-group and after agreement the advice was sent to Ministers.

13.3 Dr Brown noted that the MPA Sub-group teleconference to be held in October would include consideration of SPAs with cross boundaries which are less than 10%, this would include Irish Sea SPAs.

13.4 Dr Brown advised that the MPA Sub-group had reviewed the following items since the June Committee meeting:

- i. the post-consultation advice package for Tranche 2 offshore Marine Conservation Zones;
- ii. a recommended boundary amendment for Croker Carbonate Slabs SAC;
- iii. revised Departmental briefs for proposed marine SPAs at Skomer, Skokholm and the Seas off Pembrokeshire (drafted jointly with NRW), and Firth of Forth and Tay Bay Complex (drafted jointly with SNH).

- 13.5 The JNCC Chair had signed off items i to iii above and the advice had been submitted to government.
- 13.6 Dr Brown further advised that the MPA Sub-group expected to be reviewing the following items over the next few months:
- i. a MPA network assessment for Welsh waters;
 - ii. the remaining marine SPA proposals that extend beyond 12 nautical miles.
- 13.7 Dr Goold proposed the Committee give the Chair authority to sign off advice to government on SPAs as a standing delegation, following full scrutiny by the Sub-group. The Committee endorsed this proposal.

14 Report from the Audit and Risk Assurance Committee

- 14.1 Professor Gilligan noted the ARAC meeting was due to be held on 30 September and therefore no update was available for Committee.

15 Joint Committee forward programme for 2015/16

- 15.1 No comments were made on the Committee forward programme.

16 Any other business

- 16.1 Mr Gary Kass informed Committee that Natural England were developing a new conservation strategy and revised evidence strategy.

Annex 1. Note regarding the presentation on Scotland's Seas at the June meeting of the Joint Committee

Questions

Professor Kaiser advised of a fishing pressure-effort sensitivities matrix that he had worked on with Cefas that was freely available. Professor Kaiser agreed that if JNCC was not in receipt of this matrix then a copy could be provided.

In response to the information presented on the 2014 Central Fladen MPA monitoring survey, Professor Kaiser queried why pressure gradient studies in response to fishing activities was a focus for the survey, given that similar work had been conducted by Bangor University in 2006.

Response from JNCC

A number of pressure and sensitivity related matrices have been developed over recent years. JNCC, along with the country nature conservation bodies, have compiled sensitivity assessments via the Defra project MB0102 (Tillin *et al.*, 2010) for benthic habitats and biotopes. The compiled sensitivity assessments are for a wide range of benthic biotopes across all pressures derived from human activities in the marine environment. The information used to undertake the sensitivity assessments is from peer-reviewed literature, grey literature and expert judgement. JNCC are not aware of the fishing pressure-effort sensitivities matrix referred to by Professor Kaiser, but would welcome a copy if available.

The Fladen Grounds was prioritised for survey in 2014 to support the Nature Conservation MPA (NCMPA) selection process. The survey set out to achieve a number of aims to:

- i. develop monitoring options and methods for offshore mud habitats;
- ii. gather data to contribute to the development of fisheries management measures for the Central Fladen NCMPA;
- iii. gather time-series data for future monitoring of the site, and;
- iv. test potential infaunal and epifaunal indicators of abrasion pressure at the site (across a pressure gradient).

The pressure gradient work was included as an 'added extra' to the survey to help develop understanding of pressure-state relationships between fishing pressure and burrowed mud community condition. The work utilised existing literature to review methods and results of previous studies in order to build on, rather than duplicate, work already done. In particular, the report reviewed the studies noted in the references below. Metrics were selected with consideration of the relevant biodiversity indicators that are being developed as part of MSFD requirements, as well as the habitat type and MPA protected features present at the site (burrowed mud and sea-pen communities). These included infaunal species and assemblage metrics; abundance and densities of three species of seapen; biological traits analysis; bivalve size frequency, and *Nephrops* burrow densities.

A report of the work has recently been peer reviewed and will be available on the JNCC website in the next few months.

References

Jennings, S., Dinmore, T.A., Duplisea, D.E., Warr, K.J. & Lancaster, J.E. 2001a. Trawling disturbance can modify benthic production processes. *Journal of Animal Ecology*, **70**, 459-475.

- Hinz, H., Prieto, V. & Kaiser, M.J. 2009. Trawl disturbance on benthic communities: chronic effects and experimental predictions. *Ecological Applications*, **19**(3), 761-773.
- Tillin, H.M., Hiddink, J.G., Jennings, S. & Kaiser, M.J. 2006. Chronic bottom trawling alters the functional composition of benthic invertebrate communities on a sea-basin scale. *Marine Ecology Progress Series*, **318**, 31-45.
- Hiddink, J.G., Jennings, S. & Kaiser, M.J. 2006. Indicators of the ecological impact of bottom-trawl disturbance on seabed communities. *Ecosystems*, **9**, 1190-1199.
- Kaiser, M.J., Ramsay, K., Richardson, C.A., Spence, F.E. & Brand, A.R. 2000. Chronic fishing disturbance has changed shelf sea benthic community structure. *Journal of Animal Ecology*, **69**, 494-503.
- Kaiser, M.J. & Spencer, B.E. 1996. The effects of beam trawl disturbance on infaunal communities in different habitats. *Journal of Animal Ecology*, **65**, 348-358.
- Tillin, H. & Tyler-Walters, H. 2013. Assessing the sensitivity of subtidal sedimentary habitats to pressures associated with marine activities. Phase 1 report: Rationale and proposed ecological groupings for Level 5 biotopes against which sensitivity assessments would be best undertaken. JNCC unpublished report.
- Tillin, H. M., Hull, S. C. & Tyler-Walters, H. 2010. Development of a sensitivity matrix (pressures-MCZ/MPA features). S.I. : Report to the Department of Environment, Food and Rural Affairs from ABPMer, Southampton and the Marine Life Information Network (MarLIN) Plymouth: Marine Biological Association of the UK. Defra Contract No. MB0102 Task 3A, Report No. 22, [Task 3 Development of a Sensitivity Matrix (pressures-MCZ/MPA features)].