



The one hundred and thirteenth meeting of the
Joint Nature Conservation Committee to be held
At 08.45 on 29th November 2017
Natural Resources Wales, Cambria House,
29 Newport Road, Cardiff, CF24 0TP

This paper was 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 112th Meeting Minutes Unconfirmed

Date: 14 September 2017

Time: 08.45

Venue: JNCC offices, Monkstone House, City Road, Peterborough, PE1 1JY

Present

Professor Ian Bateman
Independent member

Professor Colin Galbraith
Independent member

Professor Chris Gilligan
Independent Chair

Dr Madeleine Havard
Natural Resources Wales

Dr Joe Horwood
Natural England

Dr Hilary Kirkpatrick
Council for Nature Conservation and the Countryside

Professor Howard Platt
Council for Nature Conservation and the Countryside

Dr Susan Walker
Scottish Natural Heritage

In attendance

Mr Colin Armstrong
DAERA

Mr Mike Evans
Natural Resources Wales

Dr Steve Gibson
JNCC

Dr John Goold
JNCC

Dr Tim Hill
Natural England

Ms Sue McQueen
JNCC

Professor Christine Maggs
JNCC

Mrs Tracey Quince
JNCC

Mr Paul Rose
JNCC

Ms Sally Thomas
Scottish Natural Heritage

Mr Marcus Yeo
JNCC

Mrs Sue Bennett (item 12)
JNCC

Professor Jason Weeks (item 12)
JNCC

Ms Deborah Procter (item 14)
JNCC

Dr Emma Wright (item 14)
JNCC

Dr Karen Webb (item 15)
JNCC

Ms Hayley Hinchin (item 15)
JNCC

Ms Gwawr Jones (item 16)
JNCC

Mr Matt Debont (item 16)
JNCC

Apologies

Members

Dr Mike Cantlay
Scottish Natural Heritage

Diane McCrea
Natural Resources Wales

Attendees

Mrs Helen Anderson
DAERA

Ms Ceri Davies
Natural Resources Wales

Observers

Professor Michael Winter
Natural England

1 Chairman's opening remarks

- 1.1 Professor Gilligan welcomed Ms Sally Thomas, Director of Policy and Advice at Scottish Natural Heritage (SNH) and Professor Christine Maggs, Chief Scientist and Deputy Chief Executive at JNCC to their first meeting. Each gave members a brief introduction to their background and interests.
- 1.2 Professor Gilligan informed members that the ARAC meeting the day before had been the 50th meeting of that Committee. The occasion had been marked by a successful meeting and with the cutting of a cake. Professor Gilligan thanked Mrs Quince for her outstanding contribution to ARAC, noting that she had attended all 50 ARAC meetings, a remarkable achievement.
- 1.3 Professor Gilligan reported on the visit by the Defra minister Thérèse Coffey, Parliamentary Under Secretary of State for Environment and Rural Life Opportunities, to the JNCC Aberdeen office. The visit had flowed well and had been well received by the minister who had subsequently remarked on the 'world

class science' being undertaken by JNCC. Professor Gilligan thanked Dr Goad and staff for organising the visit and presenting JNCC's work.

- 1.4 Professor Gilligan and Mr Yeo were scheduled to attend a review meeting with Thérèse Coffey on 7th November.
- 1.5 Professor Gilligan informed members that he had recently met Dr Mike Cantlay, the new SNH Chair, and that the March 2018 Joint Committee meeting would be held in Edinburgh. It was hoped that the Scottish environment minister would be able to attend the pre-meeting dinner. The November meeting location was confirmed as Cardiff. It was hoped that there would be an opportunity to engage with Welsh ministers and officials to hear the priorities of the Welsh Government and share some of JNCC's current work.
- 1.6 The recruitment process for three new independent Committee members was well underway with shortlisting to take place later that day and interviews late October. It was hoped to have members in place for the November meeting.
- 1.7 Professor Gilligan proposed that in future the Committee timetable a closed session with members only at the beginning of each meeting. A report of the session would be conveyed to Mr Yeo after the meeting. Members agreed to this proposal.
- 1.8 Professor Gilligan advised members that further discussion was required on undertaking a science review of JNCC and potentially establishing a Scientific Advisory Board.

2 Declaration of interests

- 2.1. No new declarations were made.

3 Confidential minutes of the June 2017 meeting (JNCC 17 30)

- 3.1 The minutes of the June meeting were approved with the following amendments:
 - i. Mr Andrew Bachell, SNH to be added to the list of apologies from attendees; and
 - ii. Paragraph 1.6, the word 'on' in the final sentence to be replaced with 'for'.

4 Matters arising (JNCC 17 31)

- 4.1 There were no matters arising for this meeting.
- 4.2 The Committee noted the report of outstanding actions in Annex 1.
- 4.3 Three intersessional information notes had been circulated since the June meeting:

- i. conclusions from the Joint Committee income workshop held in June;
- ii. a note relating to JNCC's reserves; and
- iii. details of current internships in JNCC.

Members were informed that 2018 would be the Year of Young People in Scotland. There would be opportunities for JNCC to raise its profile through the offer of internships and studentships.

- 4.4 Professor Gilligan informed members that an archive of Joint Committee papers dating back to 2014 had been established on SharePoint. A note on the location of the archive and instructions on how to access it would be circulated to members after the meeting.
- 4.5 Professor Gilligan informed members that a project to overhaul the JNCC website would begin shortly. This would create a modern outward-facing website to promote JNCC's work and strategy.

Action point(s)
AP01. Ms Elliott to circulate a note to members explaining how to access the SharePoint archive for Committee papers dating back to 2014.

5 Chief Executive's report on topical issues (official-sensitive) (JNCC 17 32)

- 5.1 This item was taken in confidence.

6 Factors affecting implementation of JNCC's strategy (official) (JNCC 17 44)

- 6.1 The minute for this item is official-sensitive.

7 Report from Marine Protected Areas (MPA) Sub-Group (oral)

- 7.1 Dr Horwood reported that the MPA Sub-Group had provided the Chair of the Joint Committee with advice on the consultation on the Greater Wash Special Protection Area. The next meeting of the Sub-Group will be scheduled for the end of the calendar year.

8 Simplification of approval process for advice on offshore Marine Protected Areas (Official) (JNCC 17 34)

- 8.1 Dr Goold introduced the item explaining that the paper proposed changes to the process for approving JNCC’s advice to governments (Defra and/or devolved administrations) on the designation of offshore marine protected areas (MPAs). The changes were intended to simplify the process and enable JNCC to provide advice in a timely fashion with an appropriate level of scrutiny and in line with the principles of good governance. Dr Goold confirmed that this would cover all types of MPA in offshore waters.
- 8.2 In discussion, the Committee agreed to delegate approval of advice to governments on designation of new offshore MPAs to the JNCC Chair in consultation with the relevant country conservation body Chair. For the approval of advice on designation of MPAs that straddle inshore and offshore waters, the triage approvals process in Table 1 of Paper JNCC 17 34 was agreed. To assist CNCB Chairs with this process, the Committee agreed that Dr Goold should produce a simple ‘handling document’ which would be attached to correspondence from the JNCC Chair regarding the designation. The Committee felt that this would improve the audit trail of documentation.

Action point(s)
AP02 Dr Goold to produce a simple ‘handling document’ for CNCB Chairs’ reference.

9 Scenarios for the future of the Joint Committee’s Marine Protected Areas Sub-Group (Official) (JNCC 17 33)

- 9.1 Dr Goold introduced the item explaining that the paper, authored by Dr Bob Brown, former Chair of the Sub-Group, contained an assessment of options for the future of the Sub-Group. Dr Brown’s paper concluded that there were two favourable options, contained in paragraph 2.2 (i-ii) of the executive summary. The Committee noted that it would be some time before the nature of JNCC’s role in marine nature conservation post-Brexit would be known.
- 9.2 The Committee noted that all governments in the UK were committed to a well-managed network of MPAs. JNCC could provide oversight of MPA management and monitoring in the future.
- 9.3 Mr Yeo noted that JNCC staff were starting to develop options for JNCC’s future offshore role, taking into account EU exit, devolution and other factors.
- 9.4 The Committee concluded that there was a need for continued expertise and input in this area, therefore the status quo should be maintained for the next 18 months. However, the Sub-Group may not be needed in its current form in the longer term. The Committee noted their appreciation of the invaluable work of the Sub-Group and the excellent support provided by JNCC staff. The Committee

agreed that the MPA Sub-Group should help to shape options for JNCC's future offshore role.

10 Report from ARAC on 13th September (Official)

10.1 Professor Galbraith gave a presentation on the key issues discussed at the ARAC meeting on 14 September.

10.2 The meeting had focussed on a number of matters and the Committee was informed that:

- i. there had been progress towards developing detailed salaries costings and time recording at the project level which would allow the extraction of more meaningful information;
- ii. the need to appoint a new ARAC member to ensure a quorum is maintained was becoming more urgent with only two members present at the September meeting;
- iii. performance measures for the new internal audit contract had been agreed. These would help set a benchmark for delivery and ensure service expectations were understood;
- iv. issues around resourcing the internal audit plan were raising risks which required intervention at a senior level between JNCC and Defra staff. ARAC had asked for a timetable to be produced and circulated within the next two weeks to provide assurance that staff resources were being assigned to undertake the work;
- v. ARAC had raised a query regarding the residual ratings of the first three risks in the significant risks register and whether they should be increased to red. ARAC asked that the Joint Committee discuss and agree the residual rating when considering the Q1 performance report;
- vi. ARAC had discussed actions being undertaken to improve staff morale following the People Survey. ARAC reminded the executive that where progress had been made, this should be communicated in a timely way;
- vii. risks around evidence quality assurance had been discussed. ARAC had agreed to receive an intersessional update at the end of Q2 by mid-October;
- viii. ARAC had discussed an official-sensitive paper relating to the performance of the external auditors (National Audit Office). Receiving an assessment of the effectiveness of the external auditor is a key oversight activity for ARAC, which identifies areas for improvement in future years. Overall, the assessment concluded the performance was good, with delays due to the General Election dealt with efficiently;
- ix. ARAC had reviewed the transformation plan on behalf of the Joint Committee and could provide assurance that the approach adopted was rigorous. Prioritising and resourcing transformation work was difficult, therefore ARAC had asked the executive to maintain a high level of oversight over implementation of the plan. ARAC had drilled down into the culture change required around the leadership actions in the plan as well as the risks around the Peterborough office move and asked to be kept up to date;
- x. ARAC had received a report on JNCC's compliance with relevant legislation. This allowed the ARAC Chair to make his annual declaration to NAO. ARAC noted compliance, with one exception relating to the Code of Practice for Official Statistics and had sought assurance that measures were now in place to prevent a reoccurrence; and

- xi. ARAC briefly discussed two intersessional papers: a report on single tenders for 2016/17 and a losses and special payments report to 31 March 2017. Assurance had been sought relating to the two single tender contracts for butterfly and bird monitoring totalling £2.6m. ARAC noted that both had been subject to appropriate and detailed scrutiny.

10.3 The Committee noted the report from ARAC. The Committee discussed the ratings of the three significant risks highlighted by ARAC in their report. Mr Yeo informed members that JNCC rates risks using the criteria applied across the Defra group and as such any increase in rating would need to be consistent with that approach. Professor Gilligan asked for a further discussion outside of the meeting between Mr Yeo, Professor Galbraith and Dr Walker to clarify the position especially in light of the imminent report on performance for quarter 2 that will provide an update on the various actions taken to mitigate risk.

Action point(s)
AP03 Professor Galbraith, Mr Yeo and Dr Walker to discuss the ratings of the first three risks on the significant risks register.

11 Report from Chief Scientists Group (Official-sensitive) (JNCC 17 43)

11.1 This item was taken in confidence.

12 Performance report quarter 1 2017/18 (Official-sensitive) (JNCC 17 36)

12.1 This item was taken in confidence.

13 Business planning for 2018/19 (official-sensitive) (JNCC 17 35)

13.1 This item was taken in confidence.

14 Natural capital work in JNCC (Official) (JNCC 17 37)

14.1 Mr Rose introduced the item explaining that the paper outlines JNCC's natural capital work and future ambition. Mr Rose confirmed that both the Chief Scientists Group and the Inter-Agency Planning Group had warmly welcomed the paper, with Chief Scientists emphasising the importance of the marine work JNCC is planning to do. Mr Rose explained that the work was being driven by income opportunities and the JNCC strategy. Mr Rose asked the Committee to

note the five thematic areas of work and discuss whether these five workstreams were the right areas for JNCC focus and how best to develop partnerships.

14.2 The Committee made the following comments in discussion:

- i. JNCC has made considerable progress in developing work on natural capital over the past two years;
- ii. the paper emphasises JNCC's work in the marine environment. A better balance between marine and terrestrial work would be appropriate;
- iii. JNCC staff have made a strong contribution to the development of decision support tools. This area of work could be expanded and might be a source of additional funding;
- iv. there is a niche for JNCC in taking forward international elements of natural capital; and
- v. partnerships with other organisations (including in the private sector) should be pursued with vigour. The paper was excellent at setting out JNCC's expertise in the natural capital area and therefore could be shared with a much wider audience.

14.3 In conclusion, the Committee congratulated staff on the significant progress made in the natural capital area. Future work should continue to strike a balance between strategic planning and income opportunities.

Action point(s)
AP05 Mr Rose to adapt the paper to enable it to be shared with partner organisations.

15 Marine biodiversity monitoring options (official-sensitive) (JNCC 17 39)

15.1 This item was taken in confidence.

16 Defining JNCC's role in Earth Observations (Official-sensitive) (JNCC 17 38)

16.1 This item was taken in confidence.

17 Update on EU exit (Official-sensitive) (JNCC 17 40)

17.1 This item was taken in confidence.

18 JNCC Framework Document (Official-sensitive) (JNCC 17 42)

18.1 This item was taken in confidence.

19 Joint Committee forward programme (Official) (JNCC 17 41)

19.1 Professor Gilligan informed the Committee that the plan was to produce a full 12 months forward programme.

20 Any other business

20.1 Dr Kirkpatrick asked for copies of JNCC's strategy document to be sent to the Council for Nature Conservation and the Countryside Northern Ireland (CNCC) secretariat.

Action point(s)
AP07 Miss Elliott to send hard copies of the strategy document to CNCC secretariat.