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## **JOINT NATURE CONSERVATION COMMITTEE**

### **EC HABITATS DIRECTIVE : FAVOURABLE CONSERVATION STATUS**

#### **Update paper by Wyn Jones**

1. This paper provides a brief update for Committee of progress on Favourable Conservation Status since the Committee's March meeting.
2. Since the Committee's March meeting, the Chief Scientists' Group, on behalf of their respective agencies, have commenced the quality assurance exercise approved by the Committee at a previous meeting. As part of this process, over 100 of the 167 habitat and species assessments have been considered in detail, and as a result of this work, the principles on which the conservation status have been based have been further refined. The JNCC specialists are currently revising the assessments as a result of the refining of the principles and will submit further draft assessments to the Chief Scientists later this month. This refinement exercise will result in some changes to judgements, but it is expected that the overall conclusions for the 167 habitats and species will still show a high percentage of habitats and species being assessed as in unfavourable conservation status.
3. The completion of the draft assessments is unlikely to take place before the beginning of July. The JNCC is tasked by Government to carry out a public consultation on the results of the assessment exercise and to consider information received as a result before submitting its report to Government. It is expected that the consultation will commence in late July. Prior to the consultation commencing, the JNCC will wish to ensure that Defra and the devolved administrations are well aware of the standards agreed by Member States and the European Commission for the assessments, are in broad agreement with the additional principles that JNCC and the country agencies have developed in areas where there were no such standards, are aware of the relationships between Favourable Conservation Status reporting and other conservation standards and targets, such as Common Standards Monitoring and the UK Biodiversity Action Plan, are appraised of the results of the assessment exercise and have a line to take when the results are made public. Defra and the devolved administrations have already advised the media that they will respond to the results of the FCS exercise when JNCC makes them known at the beginning of the consultation.
4. A briefing pack is being drafted by the JNCC for the agencies to engage with government before the public consultation exercise commences. The pack will be produced by the end of June. A draft of a plain language explanation of the FCS exercise, which addresses many of the issues mentioned above, and is intended for use in this briefing, is attached at Annex 1.

## ANNEX 1

### FAVOURABLE CONSERVATION STATUS - DRAFT BRIEFING NOTE

1. Over the last 60 years, there has been a major reduction in the extent of semi-natural habitat and in the populations of many species of plants and animals in the United Kingdom as a result primarily of the intensification of agriculture, the commercialisation of forestry, the expansion of urban areas and transport infrastructure, air pollution and the nutrient enrichment of many of the rivers and lakes. Many of the same pressures have been experienced in other parts of Europe.
2. Over the same period, the UK has taken conservation action to mitigate this general decline in biodiversity through the establishment of substantial network of protected areas, and has brought in measures to protect species populations from unsustainable exploitation. The resources available to underpin and support this effort over much of this period have been limited, but over the last 15 years or so resources have been significantly increased and legal protection enhanced. In addition, action has been taken, in response to the UK's international obligations under the United Kingdom Biodiversity Action Plan to support the recovery of many of the habitats and species which were, nationally, under most threat.
3. The UK's protected areas programme includes work to identify, protect and conserve National Nature Reserves, Sites of Special Scientific Interest (Areas of Special Scientific Interest in Northern Ireland) and other protected wildlife areas. The United Kingdom has instituted a monitoring programme using common standards to assess the condition of these protected areas. The report on the first six-year round of this monitoring was published by JNCC in 2006.
4. Recognising the declines in biodiversity which had taken place in the latter part of the 20<sup>th</sup> century throughout Europe, the European Community, in the late 1980s and early 1990s, identified habitats and species considered to be under threat within the areas of the Community as a whole. In 1994, the EC Habitats Directive came into force and requiring Member States to take conservation measures in relation to these threatened habitats and species, to undertake surveillance in relation to them, and, every six years, to report on the outcome of these measures on their conservation status. For some of the listed habitats and species, the Directive requires Member States to designate Special Areas of Conservation (SACs). For some of the listed species, the Directive does not require SACs to be established, but requires Member States to take other measures.
5. The United Kingdom designated the network of Special Areas of Conservation required by the Habitats Directive, adding them to its existing protected sites network. These sites, together with Special Protection Areas classified under the EC Birds Directive, form the network of European sites known as Natura 2000. Most of these sites are supported by being also designated as Sites of Special Scientific Interest. The United Kingdom also implemented the species protection measures required by the Directive.

6. The Habitats Directive defines when the conservation status of the habitats and species it lists is to be considered as favourable. The definitions it uses for this are specific to the Directive; in summary, they require that the range and areas of the listed habitats, and the range and population of the listed species, should be at least maintained at their status when the Directive came into force in 1994 or, where the 1994 status was not viable in the long term, to be restored to a position where it would be viable. Because the habitats and species were listed in the Directive because they were considered to be under threat in the European Community as a whole, it is to be expected that, prior to the Directive coming into force in 1994, their conservation status would be unfavourable. The six-yearly reports required by the Habitats Directive are intended to track improvement in the conservation status of these habitats and species since that time.
7. The assessment of conservation status does not only relate to that component of the habitat area or species population to be found in Special Areas of Conservation, but to the totality of the habitats and species throughout the United Kingdom. The 2007 report prepared under the Habitats Directive is the second six year report, but it is the first in which Member States have reported on the conservation status of the listed habitats and species. The European Commission and Member States have agreed standards for classifying the status of these habitats and species. This is to ensure that all Member States report on a similar basis. When assessing the conservation status of habitats, four elements are considered. These are: range, area, structure and function (= habitat condition) and future prospects. For species, the elements are: range, population, habitat (extent and condition) and future prospects. Each of these elements is assessed as being in one of the following conditions: favourable, unfavourable-inadequate, unfavourable-bad, or unknown. The European Commission and Member States have agreed standards for these assessments, and the European Commission has also produced supplementary guidance.
8. In addition to assessing the individual elements referred to above, Member States are also required to make an overall assessment of the conservation status of each of the habitats and species. This overall assessment is determined by reference to the assessments of the individual elements, and, in general, reflects the least favourable of the individual assessments.
9. In relation to its assessment of the elements of 'range', 'area' and 'population' referred to above, the UK has established baseline values in accordance with the favourable conservation status definitions given in the Directive. Where the range, area and population were considered to be viable in 1994 (or the nearest date to that for which relevant data exist), that situation was taken as the baseline, and the agreed assessment standards applied to determine current conservation status. Where any of these elements were considered not to be viable in 1994, the baseline was set at what was considered to be the value of viability on the basis of expert opinion and available scientific data.
10. In relation to its assessment of the elements of 'structure and function', the UK has utilised information provided under its protected areas (common standards) monitoring programme. While the results from this programme do not conform precisely to the standards agreed by Member States and the European Commission for structure and function (because they only relate to that proportion of the habitat within

protected areas, and because the two sets of standards are not precisely the same), they, nonetheless, represent the best data available for this purpose. Where they are available, other relevant data are also taken into account when making these assessments.

11. In relation to the assessment of the 'future prospects' element, no guidance has been provided to Member States as to the timeframe to be considered in this assessment. In its assessments, the United Kingdom has taken this timeframe to be about two reporting cycles of the Directive (i.e. some 12 years, or between now and ca. 2020). In making these assessments on future prospects, the United Kingdom has taken into account action already taken where benefits are expected to accrue between now and 2020 (the 'unfavourable improving' category in the JNCC Common Standards Report), and also further action expected to be taken, both as part of the site conservation programme, and as part of implementing the UK Biodiversity Action Plan.

[Results to be added when available]

12. It is unsurprising that the great majority of the assessments for both the habitats and species have been assessed as falling within one or other of the unfavourable categories in terms of the overall assessment. This is because:
  - i. the 167 habitats and species which are the subject of this reporting were selected because they were severely impacted by the intensification of land use and other pressures which occurred in the second half of the 20th century, both in the UK and elsewhere in Europe;
  - ii. the assessment standards agreed by Member States and the European Commission are strict;
  - iii. it takes time for the conservation action taken over the last 10-15 years to be reflected in observed benefits, particularly in relation to habitats where the responses of biological communities can be slow.
13. However, the results of the assessments for 'future prospects' are encouraging, and reflect the expected benefit of the measures which have already been taken, and also those expected to accrue over the next 12 years.
14. Nonetheless, the results demonstrate the size of the task which faces the UK, and indeed all Member States. The conservation investment of the last 10-15 years needs not only to be maintained but enhanced over the next 10-15 years if satisfactory progress in achieving favourable conservation status for the majority species and habitats listed on the Habitats Directive is to be achieved.
15. The assessment judgements will inform future implementation of the provisions of the Habitats Directive, including licensing.