



The one hundred and twenty-eighth meeting of the Joint Nature Conservation Committee to be held at 11.00 on 15 September 2021 and 09.30 on 16 September 2021 virtually via Microsoft Teams

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## Joint Nature Conservation Committee 127th Meeting Minutes Unconfirmed

<b>Date:</b> 3 June 2021	<b>Time:</b> 08.45
<b>Venue:</b> Virtually via MS Teams	

### Present

**Professor Mel Austen**  
Independent member

**Mr Charles Banner**  
Independent member

**Professor Ian Bateman**  
Independent member

**Lord Blencathra**  
Natural England

**Ms Cath Denholm**  
NatureScot

**Professor Colin Galbraith**  
Independent Chair

**Dr Hilary Kirkpatrick**  
Council for Nature Conservation and the Countryside

**Professor Stephen Ormerod**  
Natural Resources Wales

**Professor Marian Scott**  
Independent member

**Professor Michael Winter**  
Natural England

### In attendance

**Mr Edward Barker (items 6 and 7)**  
Defra

**Mr Chris Brooks**  
JNCC

**Dr John Goold**  
JNCC

**Dr Gemma Harper**  
JNCC

**Dr Tim Hill**  
Natural England

**Professor Christine Maggs**  
JNCC

**Dr Sara McGuckin**  
Northern Ireland Environment Agency

**Ms Vicky Morgan (item 8)**  
JNCC

**Ms Chiara Cooper (item 16)**  
JNCC

**Mr Roger Proudfoot (item 8)**  
Environment Agency

**Mrs Tracey Quince**  
JNCC

**Ms Eileen Stuart**  
NatureScot

**Ms Helen Wilkinson**  
Natural Resources Wales

**Dr Steve Wilkinson**  
JNCC

## Apologies

### Members

Sir David Henshaw  
Natural Resources Wales

Ms Aoife Martin  
NatureScot

### Attendees

Ms Helen Anderson  
Department of Agriculture, Environment and Rural Affairs

Mr Colin Armstrong  
Department of Agriculture, Environment and Rural Affairs

Ms Ceri Davies  
Natural Resources Wales

## 1. Closed session

- 1.1 There are no minutes for this item.

## 2. Chairman's opening remarks

- 2.1 Professor Galbraith welcomed members and attendees to the 127<sup>th</sup> meeting, which was taking place as a virtual meeting in response to the Covid-19 pandemic. Members approved recording the meeting for minuting purposes.
- 2.2 Professor Galbraith noted that Ms Martin sends her apologies but is now a full Committee member and she has also agreed to be a Board Director. We now have a full complement of NatureScot members but await in due course a replacement for Sir David Henshaw and a new Deputy Chair from CNCC.
- 2.3 The recruitment of two new independent members is now underway with the campaign launch imminent and interviews scheduled to take place in early September.
- 2.4 Professor Galbraith informed members that the ministerial performance review will take place on 15 June. Feedback on the meeting will be provided at the next intersessional Committee meeting.
- 2.5 Professor Galbraith welcomed Mr Edward Barker and looked forward to his input to the meeting.
- 2.6 Professor Galbraith reminded members that staff and members of the public were welcome to join the meeting and emphasised the importance of transparency and accountability.

## 3. Declaration of interests

- 3.1 No new declarations were reported. Professor Galbraith emphasised the importance of keeping declarations up to date.

3.2 Members were reminded to advise Mrs Morgan of any new declarations.

#### **4. Confidential Minutes of the March 2021 meeting (JNCC 21 16)**

4.1 The minutes of the March 2021 meeting were confirmed with no further amendments.

#### **5. Matters Arising (Official) (JNCC 21 17)**

5.1 There were no matters arising for this meeting.

5.2 Mrs Quince confirmed that completion dates will be added to the action point table.

5.3 The Committee **noted** the report of outstanding actions in Annex 1.

#### **6. Chief Executive's Report on Topical Issues (Official-sensitive) (JNCC 21 18)**

6.1 This item was taken in confidence.

#### **7. Update on Issues (Edward Barker, Defra Director, Natural Environment, Trees & Landscapes) (Oral)**

7.1 Mr Barker, Director of Natural Environment, Trees and Landscapes in Defra presented this item.

7.2 Mr Barker is the Defra sponsor for JNCC, Natural England, the Forestry Commission and Kew. He confirmed his responsibilities were primarily for England, but he works closely with colleagues in the devolved administrations. Responsibilities are primarily about protection and restoration of the natural environment. This includes responsibility for implementing part one of the Environment Bill, biodiversity strategy, trees and woodlands (including the tree and peat action plans) and policy on protected landscapes.

7.3 The broader strategy context is similar to last year. The 25-year Environment Plan continues to be a long-term guide. Less directly, but importantly, the agricultural transition from CAP to the Environmental Land Management Programme and the associated changes also provide a broad framework for work although this does not cover marine work.

7.4 This year we have the CoPs on biodiversity (hosted in China in October) and climate change (hosted in the UK in November). The UK is also hosting the G7. A lot of energy is going into preparing for these international meetings. This ties back to our domestic work as we want to showcase the work being done and make a commitment towards the ambitious targets being set. The trees and peat

plan have recently been published and 2030 biodiversity targets are being put in place, as an interim target ahead of the long term statutory target in the Environment Bill. He noted that a new Director General for International and Borders, Katrina Williams, is starting in Defra next week.

- 7.5 The last spending review only covered one year, whilst the 2021 spending review is expected to be multi year. The first stage has been to ask for efficiencies and savings across the Defra group. Currently we are heading into the baselining stage where those in negotiation with Treasury ensure they are all starting from the same place. Once this is clear, departments will start to articulate big overarching priorities. JNCC has limited involvement in efficiencies and savings due to the size of the organisation.
- 7.6 The Transformation Programme contains two elements: a shorter review of governance and a longer-term look at arm's length bodies (ALBs). Conclusions from the governance review are expected in the late summer. Mr Barker confirmed that a small team working under him manage the relationship with JNCC on a day to day basis. The review of ALBS is a bigger piece of work and will look at what the right kind of organisational arrangements are. A sense of how this will run should be available in the autumn. The scientific capability review has reached the end of stage one and the results are being reviewed by Group Evidence Science and Analysis Committee (GESAC). Phase 2, which looks at how science could be more effectively delivered across ALBs is in the design phase.
- 7.7 Members were asked for their questions and comments on the items discussed and the following was raised:
- i. Professor Galbraith asked whether it is right to begin to think post-CoPs as well as planning for the CoPs and into the spending review at the same time?  
  
Mr Barker confirmed that the importance of the UK's involvement in the CoPs cannot be understated and there is an opportunity to raise ambition and gather commitments. The question of the evidence base required for the future will become increasingly important.
  - ii. Dr Harper queried whether there was a way to showcase the best of nature based solutions from the Defra group at the CoP rather than having to go down an external stakeholder route and competing against a range of external applicants.  
  
Mr Barker suggested a discussion with Andrea Ledward may be the best route for this query.
  - iii. Professor Bateman asked, in relation to subsidies, how Environmental Land Management Schemes (ELMS) could implement the "public money for public goods" principle to reflect the potential public goods that different actions in different places might generate and might these funds be used to promote net zero plus woodlands?  
  
Mr Barker suggested Lynne Philips or Janice Hughes who are working on ELMS could speak to the Committee to provide further details. There is still

work ongoing to decide what ELMS can deliver from the broad range of environmental outcomes it could help with. A lot of work has gone into developing the standards which define what can be funded in different areas. The Nature for Climate Fund has also been introduced which bridges the gap up to the start of ELMS in 2024/25.

- iv. Professor Austen asked whether there were any big-ticket items that JNCC should be aware of in relation to the Government's response to the Dasgupta review?

Mr Barker confirmed that Dasgupta will be very important for shaping decisions in the spending review but the timing of the government response is not yet known.

- v. Lord Blencathra suggested an amendment to the Environment Bill, replacing 'biodiversity' with 'nature' to ensure universal understanding.

Mr Barker agreed that communicating in a way people understand is important. Mr Barker agreed to look at the paper submitted to request this change.

- vi. Professor Scott asked whether big-ticket items for JNCC would still be worth considering under the spending review, even if they were not as big as other items up for discussion.

Mr Barker confirmed that in terms of the wider spending review JNCC could be at the heart of areas for significant "invest to save" proposals.

- 7.8 Committee **discussed** the update provided in the paper and **thanked** Mr Barker for his contribution to the meeting.

AP04 Dr Harper to speak with Andrea Ledward regarding showcasing the best of nature-based solutions from the Defra Group at the upcoming CoP and provide an update at the September committee.

AP05 Professor Galbraith/Dr Harper to invite Lynne Phillips and/or Janice Hughes to a Joint Committee meeting to provide further details on ELMS work and provide an update at the September meeting.

## 8. Marine Natural Capital at JNCC (Official-sensitive) (JNCC 21 19)

- 8.1 This item was taken in confidence.

## 9. JNCC in a Changing Environment (Official-sensitive) (JNCC 21 20)

9.1 This item was taken in confidence.

## 10. Report from ARAC on 2 June (Official) (Oral)

10.1 In summarising the key issues discussed at the ARAC meeting on 2 June, Mr Banner made the following points.

- i. The internal audit on JNCC's response to Covid-19 received substantial assurance. There is one recommendation relating to business continuity which is being implemented.
- ii. The internal audit plan for 2021/22 was approved intersessionally and contains five audits including an advisory audit on communications.
- iii. The Head of Internal Audit gave a moderate annual opinion for 2020/21. Some improvements are required to enhance the framework of governance, risk management and control. ARAC risk drill downs have been taken into account when forming the opinion.
- iv. ARAC was content with the update on audit recommendation tracking but noted that the performance measure to implement 100% of recommendations had been missed for 2020/21.
- v. ARAC agreed additional mitigation in the 2021/22 significant risk register
  - a. staff buy-in to a new finance system;
  - b. assessment of the proposed drill-downs and potential of a risk drill-down on devolution and divergent approaches across the UK;
  - c. inter-sessional consideration of forthcoming implications of legal advice on charging powers under the NERC act.
- vi. ARAC welcomed the planned risk scenario testing by ELT and the planned assessment of how effective risk mitigation has been.
- vii. Ms Balmer completed a drill down on staffing risks. Six recommendations were made and agreed by the executive. Risk mitigations have been added to the significant risk register.
- viii. The EDI policy is due to be completed by 30<sup>th</sup> September and ARAC will consider this in November.
- ix. ARAC recommended the company board approve the annual report and accounts subject to ministerial clearance.
- x. NAO confirmed that no issues of concern had been noted during the audit of JNCC's accounts. NAO was content to recommend that the CEO sign the letter of representation. The audit revealed no errors or recommendations which is highly unusual when looking across all other

government bodies. The Committee thanked the Finance & Planning Team for exceptional work on the Annual Report & Accounts for 2020/21.

- xi. ARAC discussed issues relating to the move to Fletton Quays, including the outstanding confirmation that Defra will cover additional costs, staff concerns about car parking, the requirement to re-assess the equality impact assessment and risks relating to the desk space allocated to JNCC. ARAC raised air quality in the building as a potential issue post-pandemic but welcomed the collaborative opportunities the move presented.
- xii. JNCC staff continue to work from home except in exceptional circumstances. There is uncertainty about what will happen when restrictions ease and what restrictions will remain. Discussions will take place with SEPA around the re-opening of the Aberdeen office in due course.
- xiii. Compliance across the organisation is good. The importance of recording near misses was highlighted. It was agreed that a risk drill down covering equality, diversity and inclusion would be beneficial.
- xiv. ARAC agreed to take a fresh look at its forward programme and risk drill down work to maintain a proportionate approach.

#### 10.2 Committee **noted** the update and:

- i. **thanked** Mr Banner for taking on the role of ARAC Chair and to Professor Austen for joining ARAC. Ms Denholm was thanked for continuing her role on ARAC.
- ii. **noted** the importance of staff understanding the strategic objectives; and
- iii. **welcomed** the risk drill-downs as an integral part of how the governance framework operates. It was **agreed** that Professor Galbraith, Dr Harper, Mr Banner and Mrs Quince will meet in July to discuss and review the drill-down programme for 2021/22.

AP08 Professor Galbraith, Dr Harper, Mr Banner and Mrs Quince to meet in July to discuss and review the drill-down programme for 2021/22.

## 11. Annual Report from ARAC (Official) (JNCC 21 21)

- 11.1 Mr Banner presented the item.
- 11.2 The breadth of the work completed by ARAC and the diversity of its membership was highlighted to members.
- 11.3 Committee noted the report and:



- i. **thanked** Professor Galbraith for his work for ARAC in 2020/21;
- ii. **thanked** Mr Reader and Ms Balmer for their continuing work for ARAC;  
and
- iii. **thanked** the governance and accountability team for their excellent secretariat assistance.

## 12. Report from Committee sub-groups (Official-sensitive) (Oral)

12.1 This item was taken in confidence.

## 13. Report from the Chief Scientists Group (CSG) (Official-sensitive) (JNCC 21 22)

13.1 This item was taken in confidence.

## 14. Updates from around the UK (Official) (JNCC 21 23)

14.1 Professor Galbraith introduced the item and invited comments from members.

14.2 Dr Kirkpatrick confirmed that the DAERA minister has become party leader and the current First Minister is due to step down shortly. The new First Minister has not yet been announced. A Northern Ireland 2021-40 Peatland strategy is to be launched shortly and an environment strategy will be released for consultation shortly. Interviews have taken place for a deputy chair and new members of CNCC.

14.3 Professor Winter confirmed that the recent outlining of the England Peatland policy by Tony Juniper and Secretary of State George Eustice had taken place. The species recovery taskforce and targets will be included within the Environment Bill. Tree planting rates are to be trebled by 2024 along with 'the green tree canopy' for the Queen's platinum jubilee in 2022. Natural England have received a 47% uplift of funding overall. Natural England staff will complete a number of pulse people surveys.

14.4 Professor Ormerod confirmed the First Minister in Wales has indicated an intention to put environment at the heart of decision making across the whole spectrum of governments and natural assets should power the recovery from Covid. A new minister for NRW is in post. Her portfolio is large. Data from the baseline review has shown that for 50% of species and habitats on protected sites there is inadequate data to assess whether they are in unfavourable condition. There is a call for action in this area. A recruitment is under way for three new members of the board at NRW. The evidence advisory committee has been established. A revision of the natural resources policy is due to start which will define the next five-year cycle for environmental policy in Wales.

14.5 Ms Cath Denholm confirmed that elections have resulted in a change in personnel in government. The SNP are back in government and they are in talks

with the green party around a formal cooperation agreement. Michael Mathison is now cabinet secretary responsible for NatureScot. In the executive, Cate Turton has replaced Keith Connal. The formal programme from government is expected shortly. Recruitment for seven new board members in NatureScot has been completed and they have attended their first board meeting. A new strategic plan focusing on biodiversity loss and climate change will be produced. The next batch of projects under the biodiversity challenge funds have been announced.

14.6 Committee **noted** the changes in the external environment which may affect the implementation of JNCC's strategy and business plan.

## **15. Developing a more Strategic Role for JNCC within 'Super 2021' (Official-sensitive) (JNCC 21 24)**

15.1 This item was taken in confidence.

## **16. JNCC and its Relationship with the Environmental Governance Bodies in the UK (Official-sensitive) (JNCC 21 25)**

16.1 This item was taken in confidence.

## **17. Performance Report for Year Ending 31 March 2021 (Official-sensitive) (JNCC 21 26)**

17.1 This item was taken in confidence.

## **18. Update on Fletton Quays (Official-sensitive) (JNCC 21 27)**

18.1 This item was taken in confidence.

## **19. Annual Report on Joint Committee Working Objectives and Proposed Changes to Meetings (Official) (JNCC 21 28)**

19.1 Mrs Quince introduced the item.

19.2 It was confirmed that annex 2 of the paper contained member contributions to last year's working objectives, received intersessionally after the March meeting.

19.3 The working objectives for 2021/22 have been developed, taking into account members comments. This year's objectives include a new objective on scientific direction and quality assurance, with a view to the Committee helping to develop the scientific direction and agreeing proposals provided by the Executive on scientific matters.

- 19.4 The key focus will be the tasks relating to financial resilience (objective 7) and external relations (objective 5). Committee cohesion (objective 10) will be important this year with the recruitment of new members.
- 19.5 The document will be a 'live' document and tasks can be added throughout the year.
- 19.6 Annex 3 proposed some changes to Joint Committee meetings to spread the main meeting over two days with an engagement event and dinner in between. In-depth briefings on particular issues, linked to a future Committee agenda item and one or two stakeholder meetings/workshops a year on particular issues where stakeholder input to a future Committee agenda item would be advantageous were also proposed.
- 19.7 Sub-groups would be online by default, with the Chair of each Group having discretion to call in-person meetings. Sub-group meetings would also be diarised.
- 19.8 The Committee agreed that given uncertainty on the lifting of Covid-19 restrictions, the September 2021 meeting should be a virtual meeting.
- 19.9 Committee **discussed** the proposed changes and:
- i. **agreed** the working objectives for 2021/22;
  - ii. **agreed** that sub-groups will be online by default, but in-person would be at the discretion of each Chair; and
  - iii. **agreed** to try the proposed change in format for Joint Committee meetings virtually in September 2021 and review this on a quarterly basis.

## 20. Joint Committee forward programme (Official) (JNCC 21 29)

- 20.1 Committee **confirmed** they were content with the proposed forward programme.

## 21. Any Other Business

- 21.1 This will be the last Committee meeting attended by Mr Brooks. Professor Galbraith thanked Mr Brooks for his contribution to JNCC over the past 3 years.