



The one hundred and twenty-ninth meeting of the Joint Nature Conservation Committee to be held at 11.00 on 1 December 2021 and 09.30 on 2 December 2021 virtually via Microsoft Teams

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Minutes of the 128th meeting of the Joint Nature Conservation Committee Unconfirmed

Date: 15 September 2021

Time: 11:00

Venue: virtually via Microsoft Teams

Present

Professor Mel Austen

Independent member

Mr Charles Banner

Independent member

Professor Colin Galbraith

Independent Chair

Dr Hilary Kirkpatrick

Council for Nature Conservation and the Countryside

Professor Steve Ormerod

Natural Resources Wales

Professor Marian Scott

Independent member

In attendance

Professor Chris Collins

Natural Resources Wales

Mr David Collins

JNCC

Dr John Goad

JNCC

Ms Manaswita Konar

JNCC

Professor Christine Maggs

JNCC

Dr Sara McGuckin (items 7-9)

Northern Ireland Environment Agency

Mrs Tracey Quince

JNCC

Ms Eileen Stuart

NatureScot

Dr Steve Wilkinson

JNCC

Apologies

Members

Professor Ian Bateman

Independent member

Lord Blencathra

Natural England

Ms Cath Denholm

NatureScot

Sir David Henshaw

Natural Resources Wales

Attendees

Ms Helen Anderson

Northern Ireland Environment Agency

Mr Colin Armstrong

Northern Ireland Environment Agency

Ms Ceri Davies

Natural Resources Wales

Dr Gemma Harper

JNCC

Ms Aoife Martin
NatureScot

Dr Tim Hill
Natural England

Professor Michael Winter
Natural England

Ms Helen Wilkinson
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 128th meeting, which was taking place over two days as a virtual meeting in response to the Covid-19 pandemic. Members approved recording the meeting for minuting purposes.
- 2.2. Mr Collins, Director of Finance and Resources and Dr Konar, Director of Economic analysis and evidence were welcomed to their first meeting. Both gave members a brief resume' of their experience to date.
- 2.3. Professor Collins, Head of Knowledge and Evidence in Natural Resources Wales was welcomed to his first meeting. Professor Collins replaces Dr Wilkinson as an observer to the Committee.
- 2.4. Professor Galbraith advised members that the recruitment process for two new Committee members was underway and it was hoped that new members would be onboard from the March 2022 meeting.
- 2.5. Dr Harper is currently on medical leave and will not be back at work for a few more weeks. Professor Galbraith agreed to keep members informed on her progress.

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. Matters arising (Official) (JNCC 21 31P)

- 4.1. There were no matters arising for this meeting.
- 4.2. The Joint Committee **noted** the report of outstanding actions in Annex 1.

5. Chief Executive's Report on Topical Issues (Official-sensitive) (JNCC 21 32P)

5.1. This item was taken in confidence.

6. Report from the Chief Scientists Group (CSG) (Official-sensitive) (JNCC 21 38P)

6.1. This item was taken in confidence.

7. Broader opportunities around JNCC's engagement with the Spending Review (Official-sensitive) (JNCC 21 35P)

7.1. This item was taken in confidence.

8. UN Framework Climate Change Conference of the Parties (CoP26) and JNCC Participation (Official-sensitive) (JNCC 21 36P)

8.1. This item was taken in confidence.

9. Any other business

9.1 No further business was discussed.



Minutes of the 128th meeting of the Joint Nature Conservation Committee Unconfirmed

Date: 16 September 2021

Time: 09:30

Venue: virtually via Microsoft Teams

Present

Professor Mel Austen
Independent member

Mr Charles Banner
Independent member

Lord Blencathra
Natural England

Ms Cath Denholm (item 4-13)
NatureScot

Professor Colin Galbraith
Independent Chair

Dr Hilary Kirkpatrick
Council for Nature Conservation and the Countryside

Professor Steve Ormerod
Natural Resources Wales

Professor Marian Scott
Independent member

Professor Michael Winter
Natural England

In attendance

Mr David Collins
JNCC

Dr John Goold
JNCC

Dr Tim Hill
Natural England

Dr Elly Hill (item 6)
JNCC

Professor Christine Maggs
JNCC

Dr Sara McGuckin (item 3-13)
Northern Ireland Environment Agency

Mrs Tracey Quince
JNCC

Ms Eileen Stuart
NatureScot

Dr Helen Wilkinson
Natural Resources Wales

Dr Steve Wilkinson
JNCC

Apologies

Members

Professor Ian Bateman
Independent member

Sir David Henshaw
Natural Resources Wales

Ms Aoife Martin
NatureScot

Attendees

Professor Chris Collins
Natural Resources Wales

Dr Gemma Harper
JNCC

1. Chairman's opening remarks

- 1.1 Professor Galbraith welcomed members and attendees to day two of the 128th meeting, which was taking place as a virtual meeting in response to the Covid-19 pandemic. Members approved recording the meeting for minuting purposes.
- 1.2 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. An observer programme for staff would be developed and implemented for the December meeting.

2. Declaration of interests

- 2.1 One new declaration was reported. Professor Scott advised that she had recently been appointed as a member of NatureScot's Scientific Advisory Committee.
- 2.2 Professor Galbraith emphasised the importance of keeping declarations up to date.
- 2.3 Members were reminded to advise Mrs Morgan of any new declarations.

3. Confidential minutes of the June 2021 meeting (Official-sensitive) (JNCC 21 30D)

- 3.1 This item was taken in confidence.

4. Report from ARAC on 13th September (Official) (Oral)

- 4.1 In summarising the key issues discussed at the ARAC meeting on 13 September, Mr Banner made the following points:
 - i. The Internal audit review of JNCC's Natural Capital Ecosystem Assessment (NCEA) and Science Capability had been discussed. Both audits resulted in a moderate opinion.
 - ii. JNCC and GIAA staff continue to discuss the appropriate number of audit days for JNCC for the 2022/23 internal audit plan. Further discussion around Internal Audit provision for 2022/23 will take place over the next few weeks between the ARAC Chair, JNCC Chair and key staff in GIAA.
 - iii. ARAC noted the good progress on implementing audit recommendations with only one outstanding recommendation relating to Committee membership to be implemented.
 - iv. ARAC discussed the Significant Risks Register for 2021/22 which had received a significant overhaul since June. A new risk had been identified and added to the register in response to increasing reputational risks around external communications activity due to the recent Non-Government Organisations (NGOs) campaigning on the Quinquennial Review (QQR7). ARAC had emphasised the need to consider the interplay between risks and the impact of multi risks being realised at the same time.

- v. Assurance across the organisation at Q1 was good. Monkstone House was operating as a covid-secure office and currently had an average of 8/9 staff each day. The office uses windows for natural ventilation and CO2 monitors have been installed to monitor ventilation levels. Four Evidence Quality Assurance audits had taken place in quarter 1. Findings were good across all projects audited.
- vi. Implementation of an environmental management system and ISO 14001 accreditation had been delayed as a result of Covid-19 office closures, issues related to the potential relocation to Fletton Quays, and the implementation of hybrid working.
- vii. ARAC noted that JNCC expects shortly, confirmation that Defra will cover the additional costs of the Fletton Quays move. This confirmation had not yet been received, hence JNCC is not in a position to comment substantively on the proposed move. As part of the proposed agreement there is an expectation that JNCC will take its estate management services from Defra's group property function. A review of the facilities management functions JNCC wishes to retain will take place ahead of confirming these changes. A partnership agreement will set out which corporate and other functions JNCC plan to take from Defra and which functions will be retained in-house. The projected move-in date remained as November 2022. The Defra project team have been pressed for a more detailed set of plans so JNCC can prepare plans for the move including a schedule of staff engagement. A user requirement will be created to inform JNCC planning. Scope to improve on green standards for the building had been discussed and a meeting with the Chairs of the other environmental organisations sharing the building was agreed as an action to take forward.
- viii. The ARAC Chair will sign-off the annual legislative compliance report for NAO on behalf of ARAC. One breach of legislation had been reported in the previous 12-month reporting period. This related to the right for employees to have a written statement of employment and additional information from their first day of employment. This had now been rectified. ARAC asked for assurance that JNCC's policies had been updated as a result of new legislation in the last 12 months, prior to the ARAC Chair signing the annual declaration for National Audit Office.
- ix. ARAC considered a report on HR priorities. Ensuring the success of the next iteration of the pay flexibility case was seen as a key mitigation against the staff wellbeing and morale risks. HR were working on further metrics around starters and leavers including: exit surveys, recruitment surveys and regular pulse surveys. HR had undertaken a review of the bullying, harassment and victimisation policy which has been extended to further incorporate discrimination. A September release date to staff is expected.
- x. ARAC reviewed the Equality, Diversity and Inclusion (EDI) survey results. Three key messages from the survey were: Channels for reporting bullying discrimination and harassment need to be more accessible and welcoming; improving EDI of recruitment and hiring processes were central to the action plan and better and more visible training / education for ELT and line managers was required. The EDI policy, last revised in 2013 to comply with the Equality Act, was reviewed and revised by the EDI group in April 2021. The revised policy would be shared with staff shortly.
- xi. ARAC discussed the requirement for cyber-security expertise within its membership to fulfil its role of providing assurance to the Joint Committee that the organisation was appropriately managing its cyber risks. ARAC agreed that one or two ARAC members would receive cyber-security training. Other interested members may also be able to complete the

- training dependent upon cost. It was suggested that non-executive Directors complete the virtual annual cyber-security training undertaken by JNCC staff. ARAC agreed to discuss this further with the Joint Committee.
- xii. ARAC were provided with an intersessional report on single tender actions (STAs) with a value of £7500 or above. 19 STAs were reported in 2020/21, compared to 11 in 2019/20. ARAC were given assurance that a rigorous approval process was in place which included sign off by ELT in some circumstances; and
 - xiii. **OFFICIAL-SENSITIVE:** This item was taken in confidence.

4.2 In discussion, Joint Committee members made the following comments:

- i. Issues with the quality and delivery of internal audit should be addressed as soon as possible. The audit programme and number of audit days should be set from a risk-based perspective;
- ii. Annual cyber security training for members would be helpful, with some additional more detailed learning for ARAC members; and
- iii. Further consideration is required about the green credentials of Fletton Quays.

4.3 Joint Committee members thanked Mr Banner for an informative presentation and **noted** the update.

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

5.1 This item was taken in confidence.

6. Update on the QQR process (Official-sensitive) (JNCC 21 33D)

6.1 This item was taken in confidence.

7. Updates from around the UK (Official) (JNCC 21 39P)

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

7.2 **England** - Professor Winter informed members that the Cotswold Water Park SSSI notification was proving to be complex and had raised some issues for future notifications. It had included interpretation of JNCC guidelines. Professor Galbraith asked that Professor Winter provide further feedback on the interpretation of SSSI guidelines point when appropriate as the learning might have an impact on the revisions to guidelines in the future. Professor Winter informed members that the Environment Bill was now back with Parliament with some amendments from the Lords. Species abundance targets, scrutiny of the

independence of the Office for Environmental Protection (OEP), increasing minimum duration for biodiversity net gain sites and the role of statutory guidance on local nature recovery strategies in the planning system had all been raised as amendments. There was currently lots of activity in England on the latter point, with NGOs beginning to get ready for these issues by assembling data. Local planning authorities would be critical in this. Some stakeholder concern over metrics on biodiversity net gain would be periodically reviewed as it was an evolving process. The Defra-led beaver consultation launched in August generated some interest from the farming press. The peat capital grants scheme had been launched and applications for the first round had been assessed with 5 projects approved.

- 7.3 **Wales** – Professor Ormerod informed members that Professor Chris Collins had joined Natural Resources Wales as the new Head of Knowledge and Evidence. New Welsh Minister for Climate Change, Julie James, has made three new direct Board member appointments. Professor Calvin Jones, Mark McKenna and Paul Griffiths have all been appointed by the Minister for one year as they were not appointed through open competition. A new recruitment campaign for the three board positions will take place after 12 months. Julie James and Lee Waters (Welsh Deputy Minister for Climate Change) were collectively considering how environmental management will be nuanced in Wales, with a strong emphasis on climate change. The challenge was to ensure that biodiversity and nature recovery are held in parity alongside the climate change emergency. A consultation process on programmes of measures had recently been launched looking at how good environmental status in the marine environment linked through to requirements in the marine strategy.
- 7.4 **Northern Ireland** – Dr Kirkpatrick reported that appointments to CNCC were still awaited following an interview process in May. The consultation on peatlands closed on 1 September and CNCC had provided input. A draft environment strategy would be published before Christmas with the Northern Ireland Environment Agency (NIEA) developing a nature engagement plan along with a climate action campaign relevant to CBD COP 15 and Climate Change COP 26, aligned with higher profile communications and the Nature Positive 2030 report.
- 7.5 **Scotland** – Ms Denholm reported that the first Board meeting and field trip with new members had taken place recently and had considered land, estate management and other issues. The Scottish Government and Green Party had recently entered into a co-operation agreement. Two members from the Green Party were now Ministers: Patrick Harvie (Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights) and Lorna Slater (Minister for Green Skills, Circular Economy and Biodiversity). Ms Slater takes on Ministerial responsibility for NatureScot. The Programme for the Scottish Government includes the new natural environment bill, blue economy strategy, wellbeing and sustainable development and agriculture. Environmental issues are now high up the political agenda boosted by collaboration between SNP and the Green Party. Professor Pete Higgins (Edinburgh University) had recently been appointed as the new

Chair of NatureScot's Scientific Advisory Committee, with Professor Scott joining as a new SAC member.

- 7.6 Joint Committee members **noted** the changes in the external environment which may affect the implementation of JNCC's strategy and business plan. Professor Galbraith noted the commonality of issues across the UK and proposed that the Committee can use future intersessional briefing deep-dive sessions to explore some of these in more detail.

Action point(s)

AP12 Professor Winter to provide further feedback on the point raised in relation to interpretation of SSSI guidelines in respect of the Cotswold Water Park SSSI notification, when appropriate, as the learning might have an impact on JNCC's revisions to guidelines in the future.

8. Performance Report for Q1 2021/2022 (Official-sensitive) (JNCC 21 40I)

- 8.1 This item was taken in confidence.

9. Changes to Joint Committee and Board Standing Orders (Official) (JNCC 21 41D)

- 9.1 Mrs Quince presented this item, explaining that the proposed changes to the Joint Committee and Support Co Board standing orders had been made to bring the document up to date in relation to virtual meetings, sustainability, cost, attendance at meetings by staff and advice to the Committee and Board. Significant changes had been tabulated in Annex 1. None of the changes were contentious or sensitive.
- 9.2 In discussion, Joint Committee members made the following comments:
- i. It would be helpful to be flexible on the balance of virtual and in-person meetings, particularly in light of any new Covid restrictions offering opportunities to have different combinations as the need arises;
 - ii. Providing written comments on papers if members are absent should be optional. Where comments are provided, these should be submitted to the Chair within 24 hours of the meeting;
 - iii. There would be an ongoing challenge with quoracy with at least one member from each country required at each meeting; and
 - iv. Where possible date clashes with country board meetings would be avoided. It was agreed that the JNCC Governance team would liaise with country secretariats and re-arrange meetings as required. Lord Blencathra

asked that Dr Harper pick this point up with Marian Spain, CEO at Natural England, at their next catch up.

- 9.3 Joint Committee members **approved** the proposed changes to the standing orders for the Joint Committee and JNCC Support Co Board contained in Annex 1, subject to the amendments above.

Action point(s)

AP16 Mrs Quince to amend the Standing Orders and issue to members by 15 October 2021.

AP17 Dr Harper to raise with Ms Spain at their next catch up the issue of Board date clashes to avoid quoracy issues.

10. Joint Committee Forward Programme (Official) (JNCC 21 42D)

- 10.1 Joint Committee members **confirmed** they were content with the proposed forward programme. Professor Galbraith asked that the forward programme include intersessional meetings/workshops/briefing sessions as necessary.
- 10.2 Lord Blencathra advised members that each year a Ministerial Council takes place at the Foreign, Commonwealth & Development Office (FCDO) with the Overseas Territories (OTs) in attendance. This afforded an opportunity for JNCC to engage with representatives from the OTs and perhaps organise an engagement event. In any case, a future engagement event on the work being undertaken by JNCC in the OTs would be welcomed. Committee agreed to add the FCDO meeting to the forward programme and to pursue any opportunities for engagement.

Action point(s)

AP18 Mrs Quince to add the FCDO meeting to the forward programme and to add intersessional meetings/workshops/briefing sessions as necessary by 15 October 2021.

11. Staff long service (Official) (Oral)

- 11.1 Professor Galbraith thanked Joanne Day, Lawrence Way and Tracey Quince for 30 years exemplary service to JNCC. Members echoed their appreciation to all three staff.

12. Any Other Business (Official) (Oral)

- 12.1 One item of any other business was discussed.

- 12.2 **OFFICIAL-SENSITIVE:** This item was taken in confidence.

- 12.3 Professor Galbraith closed the meeting and thanked members for their excellent participation.

Action point(s)
AP19 Mr Collins to liaise with the smaller Defra Group bodies to see what interactions they have had with GIAA in relation to increasing their audit programmes and report back to ARAC for the next meeting in November.