

Triennial Review of the Joint Nature Conservation Committee

A joint response from Wildlife and Countryside Link, Scottish Environment LINK, Wales Environment Link and Northern Ireland Environment Link

April 2013



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Introduction

- Wildlife and Countryside Link, Scottish Environment LINK, Wales Environment Link and Northern Ireland Environment Link are each a coalition of environmental voluntary organisations, united by a common interest in the conservation and enjoyment of wildlife, the countryside and the marine environment. A list of the constituent members of each coalition is provided in the Appendix to this response.
- We welcome the opportunity to provide comments on the Triennial Review of the Joint Nature Conservation Committee (JNCC). We see the review as an opportunity to improve the delivery of nature conservation objectives in both the UK and overseas. However, we are disappointed at the short timescale available for comment on this review.
- This response is agreed by the Joint Links. In addition, some members may provide their own separate responses. Please let us know if you would like further clarification on any of the points raised in this joint response.

Executive Summary / Key Recommendations

- It is essential that JNCC be retained and continues to fulfil its crucial UK-wide coordinating and overarching scientific advisory role.
- JNCC should be allowed to retain its current structure, functions and responsibilities.
- However, JNCC must do more to demonstrate its independence from Government and needs to focus more effectively on its core priority of conserving and enhancing the natural environment.
- JNCC is critically understaffed and under-resourced. Its potential value to UK conservation justifies increased funding from Government to ensure that it functions optimally. A failure to invest in the capacity of JNCC would be a false economy.
- We recognise that JNCC has developed a number of effective partnerships with NGOs. However, JNCC needs to improve its joint working, particularly its engagement with environmental Non-Governmental Organisations (NGOs).

Question 1: Are there any functions of the JNCC which you believe are not necessary, and why do you think this?

- No. We believe that all the current functions of JNCC are necessary.

Question 2: What works well in the delivery of JNCC's functions and why?

- JNCC has a crucial UK coordination role, carrying out functions on behalf of the country conservation bodies. The common standards work / UK surveillance and monitoring is delivered and coordinated effectively and JNCC provides a scientific interface on behalf of the country conservation bodies. JNCC's funding and governance structure means that each country has a direct stake in JNCC's work. JNCC's UK focus means that it can serve as an effective independent broker

between countries. The UK's increasingly devolved politics, which is driving subsidiarity in policy, makes the need for an advisory body (such as JNCC) which works above the country Statutory Nature Conservation Bodies (SNCBs) all the more relevant.

- Biodiversity does not stop at the country borders and, while policy and delivery on the ground is devolved, JNCC's surveillance and monitoring across the UK, to agreed standards, is vital in assessing progress. This is particularly relevant to the marine environment which, being fluid and supporting highly mobile species, and where climate change impacts are pervasive on food chains over wide latitudes, often raises issues which transcend national and regional boundaries.
- With much environmental legislation originating in Europe, the country nature conservation and environmental agencies need the support of JNCC, which is able to interpret these and provide a focus for discussion about implementation and a conduit to feed these issues back to Europe.
- JNCC's role in reporting on international targets such as Aichi is vital and would be extremely challenging in the absence of the UK coordinating remit. JNCC plays an important role in the UK's work on the Convention on Biological Diversity and in reporting to the Conference of the Parties, as well as monitoring the targets included in the Global Strategy for Plant Conservation and the Habitats and Birds Directives.
- JNCC plays an important role in liaising with the International Union for Conservation of Nature (IUCN) which plays a key function in generating and shaping much of the content of international conventions at the early and middle stages of development.
- JNCC has played a pivotal role in promoting the international flyway approach as a means to effectively conserve species across the whole of their ranges, many of which span international boundaries. Their ornithological expertise has proven particularly valuable in this regard
- JNCC has established strong working relationships with key officials in many of the Overseas Territory Governments' Environment Departments.
- JNCC's ability to provide small grants to the Overseas Territories to facilitate highly cost-effective pieces of work is greatly valued.
- JNCC has been the strongest of the government bodies and agencies in advocating relatively strong seabird targets under the Marine Strategy Framework Directive, requiring an improvement in current populations, as well as monitoring targets on invasive mammal eradication.
- JNCC has developed beneficial long-term partnerships with Non-Governmental Organisations (NGOs). For example, JNCC has a 6-year partnership for surveillance work with the British Trust for Ornithology and has worked effectively with the Wildfowl & Wetlands Trust to develop the Goose and Swan Monitoring Programme. JNCC has also worked successfully with the Bat Conservation Trust on the National Bat Monitoring Programme. These partnerships provide a highly cost effective mechanism for generating good data by involving the general public in voluntary nature conservation activities.

Question 3: What value does the scientific and technical advice provided by the JNCC have for you?

- The scientific and technical advice provided by JNCC is crucial to the UK's obligations for habitats and species site conservation under international legislation and conventions, particularly in relation to monitoring and site designation.
- JNCC plays a critical advisory role in ensuring that there is consistency of approach to the implementation of EU directives across the UK. JNCC provides guidance and assistance to the UK Government and devolved administrations to help meet

obligations to conserve habitats under EU Directives. In particular, JNCC has the role of coordinating the identification and submission of possible Special Areas of Conservation (SACs) to the European Commission. Advice on habitat conservation issues is also required to support the implementation of the Water Framework Directive and the Convention on Wetlands of International Importance (Ramsar Convention) in the UK.

- JNCC supports habitat conservation through advice on survey methods and by maintaining common standards for habitat classifications. Information is provided through publications such as the National Vegetation Classification (NVC) and through online resources such as interactive distribution maps for various NVC types. Rivers and lakes each have their own classification systems.
- Despite the major need for robust Overseas Territories (OT) biodiversity data, the JNCC's overall scientific and technical advice on the OTs has, to date, been disappointing. This is largely due to a lack of a Strategic Scientific Evidence Programme and poor data gathering techniques.
- Advancing the OT Scientific Evidence Base: The OTs hold over 90% of the threatened biodiversity for which the UK is responsible, but the state of knowledge remains exceptionally limited, with species lists not collated and red list assessments far from complete. A strategic scientific evidence programme is required to identify and fill in the most pressing gaps in OT biodiversity knowledge, enabling a strategic overview of the actions required in order to meet international commitments.
- Working in Wider Partnership: In the 2012 OTs White Paper, Environment Minister Richard Benyon wrote 'We are committed to working in partnership - across government, with the Territories themselves, and with non-government organisations'. To date, the JNCC has not fulfilled this ambition, instead focussing almost exclusively on working with officials in OT Government Departments, to the detriment of achieving maximum positive biodiversity outcomes.
- Improving Transparency & Accountability: The JNCC distributes small grants to the OTs, but transparency in this area has been limited. In order to improve the transparency and accountability of the JNCC's OT funding, it is recommended that clear objective priorities, linked to the OTs Biodiversity Strategy are set, that OT NGOs are better incorporated into the funding mechanism.
- The JNCC plays a key role in providing advice for marine nature conservation and the management of the information that underpins this advisory role. JNCC is responsible for the identification of Marine Protected Areas (MPAs) in UK offshore waters. This role includes providing advice to Government on the selection of Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Marine Conservation Zones (MCZs) and Scottish Nature Conservation MPAs.
- It is essential that the necessary levels of scientific expertise within JNCC be maintained to ensure robust science underpins both Government policy and policies that are being developed at a European and international level. JNCC plays a crucial role in safeguarding the natural capital and ecosystem services upon which the long-term sustainability of the UK economy depends. JNCC successfully delivers advice and evidence across a wide range of functions for a modest cost and return on investment is good. A failure to invest in the capacity of JNCC would be a false economy.

Question 4: Do you have any suggestions for opportunities to improve and why?

- We believe that JNCC needs to improve its joint working, particularly its engagement with environmental NGOs. We feel that JNCC's focus on Government as its primary

audience creates a relationship that is too close, to the detriment of wider and perhaps more independent working. We recognise that JNCC has developed a number of effective long-term partnerships with NGOs. However, we believe that JNCC would benefit from establishing stronger relationships with environmental NGOs, recognising them as partners, and developing more shared nature conservation initiatives. This partnership work could be supported via grants, rather than contracts, to provide greater incentive for stakeholder input.

- We believe that JNCC is critically understaffed and under resourced. JNCC is supported by a small but highly skilled and dedicated staff complement, but one whose overall level of technical expertise has been needlessly eroded over time in favour of more generalist roles, when at the same time the demand for technical skills has increased. JNCC's lack of resources has constrained it from fulfilling its functions as well as it should, particularly in relation to data collection and analysis. If JNCC was granted more funding from Government, it could potentially be a more effective force for conservation.
- It is vital that JNCC is independent of Government so it can provide an advice and coordination service that delivers for all four countries. Any proposals to relocate the UK role within one of the four countries would be counterproductive.
- We are concerned that JNCC is not performing as well as it might in advocating the need for marine conservation. Indeed, over the past few years, JNCC appears to have been focussing on advising industry rather than working effectively with marine conservation stakeholders. In addition, JNCC has consistently argued that MPAs are generally not an appropriate conservation tool for wide-ranging pelagic species.¹ This is despite increasing evidence and examples of MPAs contributing to the protection of wide-ranging species.²
- We would also recommend a closer alignment between the work of the GB Secretariat on Invasive Non-Native Species and work of JNCC. JNCC could and should play a more enhanced role in ensuring UK-wide perspectives on tackling Invasive Non-Native Species are promoted at appropriate international fora.
- We recommend that JNCC plays a more significant role in developing standards for monitoring the post construction impacts of windfarms around the UK, ensuring a coordinated approach in the devolved administrations and statutory agencies.

Question 5: Does the current conservation landscape (the way the functions are split between different conservation bodies) work well and if so why do you think this is; and could the way the functions are delivered be managed differently/better in order to achieve better outcomes for the environment, economy and society?

- We are broadly happy with the way functions are currently split between conservation bodies. In particular, we believe it is vitally important that JNCC continues to provide a UK coordination role. Delivery for the environment, economy and society is already devolved and works well within the country borders. However, there is still a need for reporting activities to be led from an independent UK perspective and for areas of work to continue to not be devolved, including some aspects of marine work and overseas territories.

¹ JNCC and Natural England Supplementary Advice to the Ecological Network Guidance on Cetaceans, February 2011.

² Hoyt, E., 2011. Marine protected areas for whales, dolphins and porpoises: a world handbook for cetacean habitat conservation. Earthscan, Oxon.

- With the UK Government's greater focus on developing an ecologically coherent network of marine protected areas by OSPAR (Convention for the Protection of the Marine Environment of the North-East Atlantic) biogeographic regions, rather than administrative regions, the need for JNCC's UK-remit has never been greater.
- In Wales, JNCC's role will arguably be even more important now that Countryside Council for Wales (CCW) is part of Natural Resource Wales (NRW). NRW will have a much broader remit than CCW, but it is crucial that they participate fully in UK-wide coordination of conservation matters, and that JNCC works closely with them in order to maintain a UK-wide coherent approach to marine conservation.

Question 6: Is the current structure the most appropriate and if yes why do you think this – are there opportunities to improve and what are they?

- We believe the current structure and role of JNCC should be retained. None of the roles currently ascribed to JNCC should be transferred to Defra or any other UK SNCB.
- However, whilst we recognise the breadth and quality of JNCC's species monitoring work, we would argue there must be much greater investment in the basic information on distribution, numbers and threats of a wider range of priority taxa in the UK and monitoring of Article 17 of the Habitats Directive. However, new investment should not be at the expense of current research and monitoring initiatives.
- JNCC's structure of a board of appointed independent experts and representatives of the country agencies makes sense. However its constitution should not give any indication that it has a subservient status to the country agencies and this must be achieved through ensuring a clearly defined remit within the statutory nature conservation sector.

Question 7: Do you have any other comments which you would like the triennial review team to take into account?

- No other agency is in a position to deliver JNCC's UK role. However, there remains some confusion over what JNCC's UK role is and what its England role is. This needs clarifying and agreeing by all four countries. Once this has been done, JNCC will be in a stronger position to deliver the UK elements of its role.
- The creation of an ecologically coherent network of MCZs and MPAs and the development of marine plans will all substantially impact the UK marine environment. To ensure that management of these impacts is carried out in a way that is coherent for the UK as a whole, it is essential that an overarching perspective must be taken to provide appropriate advice. We advise that JNCC with a UK coordinating remit is best placed to provide this.
- In conclusion, we believe JNCC should remain an important element of the nature conservation landscape and continue to deliver its functions to: provide evidence; represent UK interests within international conservation activities; and undertake marine nature conservation. However, JNCC needs to be allowed to develop its independence and engage and liaise more effectively with the environmental NGO sector to provide sound, cost-effective information and to mobilise wider public support and input to help achieve the UK's conservation objectives and obligations.

Appendix

Coalition members supporting this response:

This response is supported by the following members of **Wildlife and Countryside Link**:

- Amphibian and Reptile Conservation
- Bat Conservation Trust
- Buglife – The Invertebrate Conservation Trust
- Butterfly Conservation
- ClientEarth
- Environmental Investigation Agency
- Hawk and Owl Trust
- Humane Society International
- The Mammal Society
- Marine Conservation Society
- MARINElife
- Plantlife
- Royal Society for the Protection of Birds
- Wildfowl & Wetlands Trust
- The Wildlife Trusts
- WWF – UK

This response is supported by the following members of **Wales Environment Link**:

- Amphibian and Reptile Conservation
- Bat Conservation Trust
- Buglife – The Invertebrate Conservation Trust
- Butterfly Conservation Wales
- Marine Conservation Society
- Plantlife Cymru
- WWF – Cymru

This response is supported by the following members of **Scottish Environment LINK**:

- Froglife
- Marine Conservation Society
- Plantlife Scotland
- Whale and Dolphin Conservation
- WWF – Scotland

This response is also supported by **Northern Ireland Environment Link** which has 62 member organisations.

