



Management Working Group meeting 12th October 2022 MINUTES

MWG members attending

Liz Milne, Kent County Council (Chair)
 Chris Drake, KNP Coordinator/KCC
 Hannah Simmons, KCC minutes
 Alan Johnson, RSPB
 Peter Garrett, Medway Council
 David Scully, Tunbridge Wells Borough Council
 Isabel Shaw, KCC Country Parks and Countyside Partnerships
 Andrea Griffiths, Medway Valley Countyside Partnership
 Sarah Brotherton, High Weald AONB
 Cally Fiddimore, Kent High Weald Partnership
 Kate Rice, Southern Water
 Jack Stubbins, KWT
 Jemma Shoobridge, EA

Tony Witts, KMBRC
 Rory Harding, KWT
 Sophie Stiles, Ashford Borough Council
 Stephanie Bramley, Dover District Council
 Karen Faux, Natural England

Guests

Adam Stewart, Defra
 Charlotte Frizzell, Natural England
Additional attendees from LNRS group
 (many on MWG so included above only)

Robbie Still & Angela Liu, KWT
 Isobel Budden, NFU
 Martin Hall, Canterbury City Council
 Nick Johannsen, KD AONB

Apologies

Lawrence Ball, KWT
 Bethany Pepper, KCC
 Tom Reid, Environment Agency

Item	Action	By Whom	Deadline
1	Initiate Kent Biodiversity Strategy review in relation to LNRS	Liz	End of year
5	Circulate KNP letter to all Kent & Medway MPs to all attendees	Chris Drake	Once letter completed
6	Send all comments on Criteria for Selection and Delineation (Paper 1) to Jack (with particular attention to page 32 - new LWS designation on connected invertebrate areas)	All	ASAP

1) Summary of KNP LNRS progress, Liz Milne

It was noted that the LNRS group last met on 6th October. The following progress was reported back to the group:

- An initial draft map has been created that identifies the core/priority areas of the county and tests potential recovery areas. Initial mapping covered a lot of different opportunity criteria, resulting in a lot of the county being included in the recovery network. Whilst this is not necessarily wrong – technically anything can be viewed as an opportunity – it does not present

a map that defines the best opportunities. The next step is to further refine this, so the map is usable by planning authorities as well as the group and others interested in driving forward nature conservation.

- Stakeholder analysis looking at who might want to be involved in the Kent Nature Recovery Strategy, how to involve them and the different routes and structures for taking forward LNRS.
- The strategic oversight of the strategy will be provided by the Kent Nature Partnership Board and then have a delivery group made-up of core/key stakeholders (working as a steering group for the strategy), plus some task and finish groups sitting underneath the delivery group to focus on specific things e.g., certain species, data mapping etc. This cannot be refined until we have the secondary legislation and guidance, what burdens funding we will receive etc.
- Completed some initial work mapping the current biodiversity strategy against the high-level objectives of nature recovery networks that are within the Environment Act.

Next steps:

- Kent Wildlife Trust to continue with some ideas on how that that map might be refined and how it might be made useable – this is all very draft at this stage.
- Review of the Kent Biodiversity strategy to see whether it is sufficient to provide a basis for the local nature recovery strategy as a lot of work went into the strategy and it has some good targets embedded within it. A short task and finish group will be created to critically review the strategy and see how fit for purpose it is.

2) LNRS update from Adam Stewart, Defra

Summary of progress and work to date:

- Expect to publish regulations and statutory guidance in the coming months, a definitive timeline cannot be given due to changes in government and the delays that will cause. The regs and guidance will set out the process to be followed in creating an LNRS and the content it must contain.
- Building up a national data offer, which is the national habitat map, mentioned in the Environment Act. This will be the government baseline level of data that local areas can build on top of with pieces of work. This work is not dependant on the regulations and statutory guidance so this may be released in advance of the formal appointing of the responsible authorities.
- The appointing of responsible authorities is dependent on the regulations and statutory guidance.
- The regulations and statutory guidance require across government agreement, which may take time as will need to brief new ministers and Secretary of State.
- Defra are still committed to funding new burdens on the Environment Act, still committed to protecting nature and to delivering on the Environment Act.
- We need those regulations and statutory guidance in place because to access the delivery mechanisms which includes biodiversity net gain and enhanced network duty, requires all public authorities to have regard for their LNRS and a level of national consistency to analysis to establish a baseline, which the guidance will set out.

Lessons from the pilots:

- Build the governance structures ahead of time as this slow down progress if not agreed.
- Involve stakeholders from the beginning and avoid going to them with a finished product to comment on. Have a few ideas to start with but ensure that their needs are also addressed and incorporated before presenting a finished product.

How we can be preparing further in advance of the formal LNRS process being set out in secondary legislation:

- Progress can be made on:
 - building up stakeholder maps and starting to look at broadening out partnerships to include those that do not necessarily normally get involved with environment or nature initiatives.
 - building up the governance structures (as this slowed down the pilot schemes).
 - considering local data and looking at how it can be incorporated into LNRS
- Work is not expected to have happened as it has not been funded yet. The intention is to fund all the work, but the figures have not been agreed on yet.
- Work with Karen, Kent's Natural England Senior Advisor, to help build stakeholder relations and engaging with neighbouring areas.

Questions for Adam and discussion

LM - Clarify coming months with publishing regs and guidance, before or after Xmas? With getting new ministers in and setting them up, the timings cannot be confirmed, but as quickly as possible.

DS – Secondary legislation including BNG? Similar timetable

CD – How to address marine environment? Expect LNRS to discuss the marine environment but the delivery mechanisms such as BNG will not be able to be used to deliver outside of the LNRS area.

RH – Should we be approaching stakeholders early on with some ideas but not a blank piece of paper or a complete package? Being told what to do with their land is a massive turn off for landowners. It should be a collaborative process that reflects the landowners' priorities.

RH – Will the funding include engagement process and workshops for stakeholders and landowners? Cannot say what the funding will include but confident the funding will cover the new burden and that new burden does include engagement for difficult to reach stakeholders. The pilot funding was enough to hold multiple workshops. However, it was considered that the pilot funding was insufficient to engage in earnest.

NJ – What are the thoughts on how National Parks and AONBs, and the bigger picture of protected landscapes feed into LNRS and how those feeds into the national and subnational programs? The pilots showed the value of AONBs and National Parks as they brought their expertise and knowledge of their areas to the pilots, their priorities and knew what was feasible. They will be invaluable for the partnership working, cross-border elements and local engagement as they already do a lot of this. It would be important for any mapping task and finish group to have a representative from the AONB.

SB – How to engage stakeholders that are not normally involved or struggle to come due to time/money issues? There are lots of stakeholder engagement techniques, including public surveys, workshops, social media, school age-appropriate surveys, task-and-finish groups. The outputs from these techniques are given different weightings depending on who they were designed to target, e.g., public, school children, landowners, farmers etc.

LM – Will the Stakeholder engagement suggested routes from the pilots be available for provisional responsible authorities? What are the best ways to engage some groups that are not normally involved in nature conservation programs?

KR – Sussex have been thinking about cross border collaborations. Southern Water have a Customer insight team which might have good advice on engagement techniques.

CF – Natural England have begun approaching national/regional organisation, such as National Highways, Network Rail, National Grid etc. They have been informing the organisations on

LNRSs and how it can be useful for their future plans. NE are hoping that by starting the conversations now, that once the 48 LNRS areas come into force, the organisations will be able to direct their works accordingly. The NE Senior Advisors may be useful in talking to regional groups.

AS – It will be a balancing act around getting the consistency nationally and locally. Whilst there will be some guidance for stakeholder engagement, this will only be a couple of pages in the guidance on non-statutory non-compulsory supporting guidance. There will be assistance through Natural England and a learning LND contract let which will consist of some modules and video style webinars for responsible authorities which will use the insights gained from the pilots. Local authorities have been chosen as the responsible authorities as they are good at engaging people at a local level.

RS – How will the guidance dictate the mapping/engagement relationship? At the moment, it is all based off the pilot experience. They do run in parallel, but some parts do need to be done in certain orders, for example, the local habitat maps must contain the statutory protections etc, but then the rest would be informed by engagement and if it aligns with the desired outcomes.

MH – What certainty is there surrounding ELMS and LNRSs for the purposes of engaging landowners? It is hoped that as time goes on there will be more certainty around the connections between ELMS and LNRS, but the policy is not advanced enough to be able to say what the clear practical links will be. It is clearer for BNG, which links to green financing, and how this all stacks and bundles together will become clearer in time as well.

3) RSPB perspective on Retained EU Law (Revocation and Reform) Bill, Investments Zones and ELM position, Alan Johnson

Alan addressed the situation as it stands on 12 October.

The concern centres around:

1. The EU Sunset bill has a tight led deadline, with the potential scrapping or amendment of important legislation;
2. The plans for 38 investments zones;
3. The review of ELMs (feedback due on this end of the month).

Whilst government has been providing reassurance on these concerns, there is still a lack of detail, plus lots of rumours and overall uncertainty. One rumour on ELMs is that it is starting to sound more like payment per hectare and going back to the setup that we had during CAP without the additional payments for environmental benefits. This is a shame as many farmers wish to be nature-friendly but cannot do this without the correct financial support and guidance.

There is a risk if we do have a watered-down equivalent of the Habitat Regulations, or poor protection on our most important sites, and the investment zones minimise environmental protection, then schemes like ELMs could be reduced to the past common agricultural policy. Also, it may cause the weakening of potential delivery mechanisms, e.g., BNG, nutrient neutrality, etc, which could be the loss of the leverage we needed to make a difference.

We do know that there is a lobby within government and decision makers to deregulate and remove environmental protection and a pressure from others to row back on the progressive elements of agri-environment. This all feels like an unprecedented attack on nature. In response to this, there is a big cross-sector response from organisations such as RSPB, National Trust, Wildlife Trust etc, asking their members and supporters to write to MPs on the topic. So far, over 100,000 people have written to their MPs.

Questions for Alan, views, and discussion

KR –Sussex NP got the letter out to MPs to get it to the front of their minds for the Conservative party conference. There has been a mixed response from some MPs, but a lot of positive support as well. Caroline Lucas, Green Party MP, has suggested bringing together MPs across Sussex to discuss this which could be positive. The Wildlife Trust are meeting all Sussex MPs on a 1:1 basis and have invited Sussex NP to join that discussion. SxNP are also emailing all their councillors and environmental portfolio holders as the feedback is that they are very upset by the news as well.

MH – What is KCC's stance on growth plans? That is all being directed by our Growth and Communities division. Liz wants to the environment sector to be involved in discussions to ensure that KCC are giving a consistent message around net gain and the potential investment zones. The LGA have said their impression of the investment zones was that there would be a lot of local ability to define what an investment zone is, which can then include high quality environments. All the environment protection strategies and mechanisms should not be seen as barriers to growth but are part of healthy growth and creating a thriving, resilient environment for the future.

NJ – Debate around green finance regulation and misdirected resources. Try to drive and direct green finance locally or nationally. Must not forget this element when making calls for change and clarification.

CD – Matthew Balfour is about to send a KNP Board approved letter to all Kent & Medway MPs which in line with the Sussex letter.

SS – Councillors' views are key too. There is a requirement for evidence to back up arguments.

ACTION Circulate the KNP letter to all on call.

KNP will consider a follow up letter once planning reforms (planning reset) details have been published, as this is likely to be another area of concern.

4) Local Wildlife Sites (MWG only)

Introduction from Jack Stubbins, Conservation GIS, Remote Sensing and Data Assistant, KWT (Paper 1)

The amendment concerning “connected invertebrate areas” on page 32 of Criteria for Selection and Delineation was noted. Jack was keen for MWG to comment but time in the meeting was pressing.

ACTION – Please send any comments to Jack – pay particular attention to the section on page 32. Reply direct to Jack with comments.

Local Wildlife Site recommendation – (Paper 2)

The MWG were asked if they are happy to recommend the changes suggested in the recommendations paper to the Kent and Medway LPAs on behalf of KNP.

SE 30 Woods and pasture near Hobbs Hill Farm, Cowden - the site was surveyed this year and extensions to sites were suggested. Kent Wildlife Trust did not get the response wanted from the landowners. One did not respond and the other wished to remain out of the LWS. If they provide a non-scientific reason as to why the extension should not go ahead, where do we go from here?

It does come down to LPA that needs to make the decision as it is them that need to enforce it. As a group of conservation professionals, MWG can make recommendations, but it is for the planning authority to make the decision as to whether the site is included in the LWS network. It is the planning authority that will need to uphold the LWS and any potential restrictions or impacts that might relate should a planning application come through.

DS – the land should be included as, whilst the current owner's attitude is benign, the landowner could change in the future, so there is no basis for excluding the land given that it meets criteria.

General agreement that the recommendation should be included. The final decision to come down to Sevenoaks Borough Council not KNP, but a letter from Trust could be sent reassuring the landowner that any restrictions on what they can do with the site will be minimal and support and further advice is available.

SE61 Field Edge near Fawkham – the recommendation is to remove the site due to lack of indicator species found during surveying, but Fawkham Parish Council said it is still there and that the surveys had missed them. Perhaps put this on hold until time to resurvey. The counter argument to this is should we be spending resource on something that has been surveyed several times when others have not been surveyed in a long time. It's not a priority to resurvey, but the diplomatic view is to work with parish council on this.

The other LWN sites have no objections or do have support from landowner. No further comments from attendees on these sites.

Next meeting – 9th February 2023