



MEETING OF THE WORKING GROUP
English Nature, Bull Ring House, Northgate, Wakefield
26th April 2005

Attendees:

Associated British Ports	Brian Nickson	Chairman
English Nature	Kate Jennings	
Environment Agency	Philip Winn	Vice Chairman Left 4.20
IDB	David Patrick	Arrived 2.45
Kingston Upon Hull City Council	Jon Capel	

In Attendance

Associated British Ports	Phil Cowing
Humber Project Manager	Chris J Manning

1. Apologies & Introductions

Apologies were received from:

Humber Advisory Group	Neville Jones	Chairman
	John Rowley	Vice Chairman

2. Minutes and matters arising from the Working Group meeting of 16th June 2004 and HERAG (combined with Working Group meeting) 8th December, not otherwise on the agenda.

The minutes were approved. Actions points from the earlier minutes had been completed except for the signing-up process. It was noted that some RA had still to formally write letters/emails supporting the Humber Management Scheme. In some cases, tacit support was evident from their continuing financial support, while timetabling issues and formal cabinet approval had caused delays. It was agreed that formal support would be sought from all RA.

Chris: to advise the WG of unsigned members.

Work Group members: to chase unsigned members within the group that they represent.

3. Arrangement for hosting HMS staff from 1st March 2005

David reported that the JBA/HERAG contract has actually expired. JBA consider the current 12.5% surcharge inadequate to service the full costs of the office space and IT support (rarely used) provided. JBA are willing to carry the contract forward in the short-term on the understanding that the hosting would be relocated as soon as possible. It was noted that the Water's Edge development in which HINCA were expected to take office space would be open in July. Jon Capel offered office space at

Kingston upon Hull City Council in an emergency. An update on possible developments at Flamborough was not available.

4 **Project Manager's Report**

Ministry of Defence, it was noted that that the MoD are an RA via the (Water Resources Act 1991) "*duty or power under any enactment to work, maintain, conserve, improve or control any canal or other inland navigation, navigable river, estuary, harbour or dock*". The Acts are: Military Lands Act 1900 (s.2), Land Powers (Defence) Act 1958 (s.7), Dockyard Ports Regulations Act 1865 (s.4) and Protection of Military Remains Act 1986. In discussion it was noted that British Waterways had similar powers near Goole, but that the wharfs, etc were not RA. This would also be the case for the Trent. Land ownership does not confer RA rights; examples noted included the Forts near Hull.

Hessle Dock/Humber Properties, the PM provided an update. It was agreed that HA responsibilities may have been confused with ownership of land and parts of the bed of the Humber. ABP confirmed that their consent would be required to place a buoy in the Humber adjacent to these properties and they believe they are the only HA at Hessle. It was agreed to write to Hessle Dock/Humber Properties asking for evidence of their HA status, and if this is not available to remove them from the list of RA.

East Midlands Biodiversity Strategy, the PM had attended a consultation event and asked for reference to the Humber EMS in future documents.

Proposed LowTide Day, The PM had attended a training course, but the proposals were cancelled following his car accident, when issues about insurance were identified.

Health & Safety/Insurance etc, It was noted that the PM was adequately insured under JBA's corporate arrangements, and that this covered HAG's indoor meetings. HAG members in some cases were participating as part of their employment, while others were volunteers. A public event like the proposed LowTide Day would require specific insurance, however general assistance with monitoring that may be combined with HAG members' ordinary social and recreational activities could incur an uninsured liability for HERAG. It was agreed that HERAG would pay for HAG's BTCV membership as an Associated Group (£25 pa and insurance £125 pa), and change HAG's Terms of Reference to that of an autonomous group.

Chris: to arrange BTCV membership and produce recommendation for a revised ToR/constitution

Directory HMS are included in the "Who is who" in ICZM in the Eastern Channel and the Southern North Sea. Copies of the handbook were disturbed, it was noted that time had not allowed updated employer information to be included.

Water Companies – contributions from all RA, Changes in personnel were noted. Kate and Chris had investigated measures/obligations that could promote payments by non-contributing RA. The sternest measure available is to advise Defra who could only write to defaulting RA to promote contributions.

The reasons for RAs refusing to contribute included the statement that fees paid to the Environment Agency covered support for HMS. It was noted that EA licence fees were mandated by statute. HMS is covered by separate statute (Habitats Regulations), with different obligations. In fulfilling these, the RA had collectively decided to produce the HMS and therefore had a collective duty to provide sufficient funds. In apportioning contributions, HMS sought to be fair. It was recognised that some RAs may withdraw funding, if contributions from all cannot be secured. Additionally the support of project staff would be limited if RAs did not contribute financially. It was agreed to record the absence of financial contributions in the accounts, and to write annually requesting contributions.

Web Site The maintenance charge for the last 12 months was £300 + VAT = £352.50.

Humber Talks The PM had talked on the Humber to the Lincolnshire Naturalists Union on 26th March and an article will be published in their journal “Transactions”. Future talks: Barton Clay Pits Advisory Group on 11th July, Market Rasen Group of the Lincolnshire Wildlife Trust for 10th February 2006.

Launch of HMS The previous preparations and arrangements were noted, The Deep are still willing to host the event and the plans will be reviewed immediately after the election. It was agreed to launch the Codes of Conduct at the same time. Drafts of the Codes would be circulated for comment prior to the HERAG meeting. The closeness of the HERAG meeting to the possible launch was noted. It was agreed that the meeting could be changed to accommodate the launch if necessary, with the launch planned for Mid July.

Working Group/Chris: review timing of HERAG/launch

Voting on the Terms of Reference To date 22 votes have been cast in favour of the proposed changes; 24 are needed before they take effect. It was noted that the Terms of Reference gave no cut-off date. ABP had not voted and expressed concern that it was possible that they could lose their place on the working group. It was agreed to encourage all RA to vote

Working Group: to encourage all to vote

Lincolnshire Environmental Awards. It was agreed to submit an entry to promote HMS. Chris to produced draft text for comment by the WG.

Chris: to submit an entry

Environmental Information Regulations/Freedom of Information Act & Aarhus Convention It was noted that HMS are under a duty to comply with these regulations. To assist it was agreed to place minutes on meeting on the web-site.

Chris: to seek a quote for updates to the web site

It was agreed that the following schedule of charges be adopted for data retrieval and copying. This would allow other staff to be allocated this role if project staff were not available.

Data collection < 1 hour Free > 1 hour £22 per hour or part

Photocopying A4 sheet 15p A3 sheet 20p

This schedule to be reviewed annually on 1 April or next meeting thereafter.

5. **Launch of the Management Scheme**
6. **Terms of Reference - update Future review**
7. **Financial Update, and securing contributions**

These topics were covered under item 4. above

8. **Action Plan including a time-table, for 2005**

Implementation of HMS needs to be progressed and an action plan produced. It was noted that Giles Bartlett had experience of implementing actions at Flamborough and he might be invited to attend HERAG and explain the process, or perhaps Peter Rushmer invited to explain the process undertaken for the Wash & North Norfolk Coast EMS. It was asked that the PM visit those with key responsibilities every 2 months as a more efficient way of monitoring progress.

Chris: to prepare an action plan and liaise with those responsible for HMS management actions

9. **Lincolnshire Environmental Awards** www.lincsenvironmentalawards.org.uk
10. **Aarhus Convention/Environmental Information Regulations/Freedom of Information**

These topics were covered under item 4. above

11. **Any other business.**

HAG, The poor attendance at the recent meeting was noted. It was suggested that presentations/talks accompany future meetings. Suggestions included; Kate/HINCA/Giles Bartlett .

Ebb & Flow, in discussion, it was agreed that a balanced coverage would be provided with potentially difficult articles, such as oil spill/bridge lighting/Stallingborough, being covered in a factual way. Good news stories such as the National Nature Reserve should be included. It was noted that the next issue may have limited space for articles with the launch coverage being the main story.

Pictures, David reported that Ancholme IDB had recently commissioned some aerial photographs. These were available for use if suitably acknowledged.

Sea Fern, Jon reported that this had been found on the sea walls at Hull.

Seminar, Jon is organising this for departmental staff in Hull, the PM may be invited to give a presentation.

12. **Date and Venue for Next Meeting.**

To be confirmed.

Chris J Manning, 27th April 2005