



## Board Meeting

# Minutes of the **Natural England** Board meeting held on Wednesday 23 February 2022 in Foss House, York

### Attending

Dr Tony Juniper	Chair
Lord Blencathra	Deputy Chair
Rosamund Blomfield-Smith	
Dr Andy Clements	
Catherine Dugmore	
Henry Robinson	
Kerry ten Kate	
Professor Michael Winter	
Kim Shillinglaw	
Peter Unwin	
Dr Clare Fitzsimmons	

### Executive Team

Marian Spain	Chief Executive (and ex-officio Board Member)
Alan Law	Deputy Chief Executive
Dr Tim Hill	Chief Scientist
Gleny Lovell	Chief Officer, Business Management and Change
Dr Oliver Harmar	Chief Operations Officer

### Guests

David Hill	Defra, Director General, Environment Rural and Marine
Paul Leat	Defra Communications
Ken Roy	Director, Corporate Governance
Abdul Razaq	Defra Group – Director of Finance
Mick Oliver	Chief of Staff, Legal and Governance
Sarah Zielicka Edwards	Director, Legal
Graham Tibbetts	External Affairs
Laura McDixon	Manager, Health and Safety team
Sarah Dawkins	Director, Transformation
Dave Slater	Director of National Operations
Ian Fugler	Director, Planning and Performance
Kathleen Covill	Principal Adviser for HS2
Dawn Metcalfe	Principal Adviser, Corporate Governance
Matthew Wood	Minutes, Corporate Governance

## Item 1 Welcome from the Chair and Declarations of Interest

- 1.1 The Chair welcomed the Board, Executive and guests to the 108<sup>th</sup> Board meeting.
- 1.2 Henry Robinson and Rosamund Blomfield-Smith made declarations of interest with regards item 8.
- 1.3 Kerry ten Kate made a declaration of interest with regards item 9.
- 1.4 David Hill confirmed that he would remain in the meeting for item 8 solely as an observer.
- 1.5 There were no further declarations of interest.

## Item 2 Review of January 2022 Minutes and Matters Arising

- 2.1 The Chair noted a correction in paragraph 6.4, which should be amended to emphasise that Natural England are supporting partners in bidding for Lottery funding.
- 2.2 The Chair advised that an action be added, under item 7 (Cotswold Water Park Site of Special Scientific Interests (SSSIs) Lessons Learned Exercise), to share our future approach to SSSIs with the Secretary of State.
- 2.3 The Board approved the minutes, subject to these amendments.  
**Action: Governance Team**
- 2.4 The Chair requested a Board Briefing session on Natural England's Green Finance Plan and an update at a formal meeting.  
**Action: Governance Team**

## Item 3 Board Sub-Group Updates

- 3.1. Audit, Risk and Assurance Committee (ARAC)
- 3.2. Catherine Dugmore confirmed that no ARAC meetings had taken place since the last Board meeting. The next meeting is scheduled for 29 March.
- 3.3. Natural England Science Advisory Committee (NESAC)
- 3.4. Dr Andy Clements confirmed the last NESAC meeting took place on Thursday 17<sup>th</sup> February and summarised the agenda. Andy offered to share the meeting papers with the Board.  
**Action: Dr Tim Hill**

- 3.5. Andy advised the Board that a NESAC science conference would take place as a hybrid meeting in Cambridge on 8<sup>th</sup> March and added that the Chair would be speaking at the event. The Board asked that joining details be shared.

**Action: Governance Team**

3.6. Remuneration Committee (REMCOM)

- 3.7. Peter Unwin confirmed that no meeting had taken place since the last Board meeting. The next meeting is scheduled for 23 March.

3.8. Joint Nature Conservation Committee (JNCC)

- 3.9. Lord Blencathra confirmed that no meeting had taken place since the last Board meeting and summarised the agenda from the previous meeting.

- 3.10. The Board agreed it would be helpful to have a briefing on the work of the UK Chief Scientists Group.

**Actions: Dr Tim Hill**

- 3.11. The Chair noted a joint meeting with the Chair and Chief Executives of the Nature Conservation bodies for each of the four nations in July and asked Lord Blencathra and Professor Michael Winter to feed in any potential themes that could be discussed.

3.12. Natural England Landscape Advisory Panel (NELAP)

- 3.13. Rosamund Blomfield-Smith advised the Board that an introductory meeting had taken place and the first formal meeting would take place on 1<sup>st</sup> March. Rosamund commended the recruitment of a high-quality panel and agreed to discuss any matters of mutual interest with JNCC with Michael Winter.

#### **Item 4 Chief Executive's Report**

- 4.1. Marian Spain presented her report to the Board. Marian gave detailed updates on the following topics:

- 4.2. Nature North: Marian gave the Board an update following a recent site visit with Oliver Harmar. Both commended the project as a terrific example of partnership working, that is delivering strategic initiatives for landscape scale delivery.

- 4.3. Water: Marian talked the Board through a range of issues including matters relating to casework. The Chair noted recent correspondence from a Defra Minister on closer working between the Defra Group bodies on this issue and asked for a reply. The Board gave steers on handling and formally commissioned a NESAC paper on freshwater issues.
- Action: Dr Tim Hill**
- 4.4. Quinquennial Review: Marian provided an update to the Board and commented on the recent incident involving the poisoning of a White-Tailed Eagle. Marian reassured the Board that Natural England's Wildlife Crime team is working closely with the police.
- 4.5. Further discussion topics included staff policies on returning to work following the easing of Covid-19 restrictions, Defra transformation, Offshore Wind, and Land Use frameworks.
- 4.6. Alan Law then led on an update on performance. Alan began by explaining that a process was underway with the Executive and a subgroup of the Board to review Natural England's measures of success and other management information for the next financial year.
- 4.7. Alan noted that the previous year had been exceptional in terms of organisational growth and there had been an impact on some of our activities given the need to provide capability training to significant numbers of new staff.
- 4.8. Alan provided the Board with positive headline statistics on Nature Recovery Network and Site of Special Scientific Interest SSSI targets that are on track.
- 4.9. Alan then summarised the Performance Report the Board had received, focusing on the indicators that were Red and Amber Red. Alan went through the rationale behind the forecasts and explained the mitigating actions that are in place.
- 4.10. The Board recognised the recruitment issues that were highlighted and suggested a simplified quantitative analysis on the impacts. This should also include a geographic analysis.
- 4.11. The Board recognised the impacts on staff wellbeing and agreed that the Executive should explore proposals to extend the remit of REMCOM to cover broader People-related matters.
- Action: Gleny Lovell**
- 4.12. The Board commented and advised that there must be a unified 'One Natural England' approach to staff both new and existing areas of business to ensure that all staff feel valued.

- 4.13. Abdul Razaq asked the Board to note that there is five weeks until the end of the financial year and that the organisation was on course to come in on budget.
- 4.14. Marian then highlighted some of complex casework issues. During the conversation the Board requested comparative figures for last year's wild bird licenses are included in the next CEO Report.

**Action: Oliver Harmar**

## **Item 5 Health and Safety Report**

- 5.1 Oliver Harmar led the discussion, Laura McDixon and Sarah Dawkins joined to provide further detail.
- 5.2 Oliver began by highlighting three key themes for the discussion. The Board were asked to note the Health and Safety (H&S) team's review of the organisational risk matrix; to note the serious incident described in the report and to consider the report on stress.
- 5.3 The Board welcomed the analysis and commended the report. Catherine Dugmore (as Chair of ARAC) suggested that ARAC could have a role in scrutinising risk, it was agreed that this would be reviewed.

**Action: Oliver Harmar / Ken Roy**

- 5.4 The Board questioned whether the H&S team had been in contact with their counterparts across the Defra group to learn from similar reviews. Laura confirmed that there had been regular join up between teams.
- 5.5 In relation to staff stress, the Board gave a steer that staff should be given permission and help in prioritising work. The Board noted that both the shift reform work and the refresh of performance will help with this.
- 5.6 The Board agreed that subsequent reports should provide a deeper dive on cultural issues related to incident reporting.

**Action: Oliver Harmar**

## **Item 6 Corporate and Operational Risks**

- 6.1 Gleny Lovell introduced the session. Ian Fugler joined to provide further detail.
- 6.2 The Board were asked to consider the current position with regards corporate and operational risks; for views on risks that can now be treated as business as

usual and whether there were any omissions. The Board were asked to note the session on risk scheduled for the Board's workshop in March.

- 6.3 The Board gave advice on updating the corporate risks that have progressed and evolved. These included delivery, reputational and outcome related risks.  
**Action: Gleny Lovell**

## **Item 7 Business Planning**

- 7.1 Alan Law introduced the paper. The purpose of the discussion was to seek the Board's views on the scope and structure of the first draft of the 2022/23 Action Plan so that it could be refined before the scheduled sign off at the May Board meeting.
- 7.2 Alan provided the Board with an overview of the business planning process and the broad picture including the budget for the following year.
- 7.3 The Board requested further details be included in the 22/23 Business Plan brought to May Board – with some longer-term, multi-year trajectories for KPIs with alignment to agreed cross-government targets.  
**Action: Alan Law**

## **Item 8 Bovine tuberculosis (bTB) Vaccination licensing update**

- 8.1 Dr Tim Hill introduced the discussion, Dave Slater joined to provide further details.
- 8.2 Tim outlined the purpose of the discussion, which was to provide the Board with an update on the progress to transition from licensed badger culling to licensed badger vaccination to prevent the spread of disease in cattle. The Board were asked to provide steers in advance of signing off the formal advice provided by Natural England in response to a request from Defra on the new proposals.
- 8.3 Tim explained Natural England's current role as both an advisor and licensing body.
- 8.4 The Board asked for confirmation from Sarah Zielicka-Edward on the legal implications for transition to Defra as the licensing body for vaccinating badgers. Sarah explained that certain aspects of the function could be carried out by Defra but that the act of licencing the marking of badgers after vaccination was a function which NE would have to carry out.
- 8.5 The Board expressed practical concerns about implications for farmers, land managers and those who would be required to carry out the vaccinations. The Board agreed that effective joint communication and stakeholder engagement

from Defra and Natural England would be essential in making the transition successful.

- 8.6 The Board expressed concern regarding the evidence gaps on how vaccination will work in practice to tackle disease risk in cattle.
- 8.7 The Board noted that Natural England had consistently supported the move to vaccination and noted the previous advice and conclusions that NESAC had provided in support.
- 8.8 Board Members raised concerns about any extension or return to culling and supported the view that the evidence base on badger vaccination as a tool should be improved over the next few years; and any licensing system should support this aim.
- 8.9 The Board agreed to secure advice from NE Board on the expected consultation. The Board agreed that Marian would sign off the final document (with advice from Chair and Dr Andy Clements as Chair of NESAC)

**Action: Dr Tim Hill**

## **Item 9      HS2 Service Level Agreement (SLA)**

- 9.1 Oliver Harmar introduced the paper, Kathleen Covill joined to provide further detail.
- 9.2 The Board were asked to approve the renewal of a Service Level Agreement (SLA), by which HS2 Ltd pays for advice and regulatory services from Natural England. Due to the value of the agreement (up to £1.6M per year), and under the financial scheme of Delegation, Board approval and Chair's signature is required.
- 9.3 The Board were advised that the value of the agreement was for cost recovery and provided under a discretionary advice charge.
- 9.4 The Board questioned whether the relationship had been effective and whether our advice had been taken. Kathleen confirmed that our advice had been listened to and we were a trusted adviser.
- 9.5 The Board agreed to approve the renewal of the Agreement and for the Chair to sign it off once finalised.

**Action: Oliver Harmar**

## Item 10 Governance update

10.1 Ken Roy presented the Board with a draft version of the updated Natural England Framework Document for comment and explained process for its review before the Chief Executive sign off.

10.2 The Board noted and were satisfied that the document had captured the relevant governance information. The Board gave presentational steers including clarifying the sections on objectives and corporate services. The Board confirmed it was content with the process for review and sign off.

**Action: Ken Roy**

10.3 The Board noted the conclusions of the latest Board Effectiveness Review and agreed the recommendations for continued Board Development.

**Action: Ken Roy**

## Item 11 Forward Look

11.1 Ken Roy led the Board through the forward look of meetings and arrangements for the following year. The Board noted the intention to arrange site visits in May and June.