

Natural England Board



Title: **Confirmed minutes of the fifty first Natural England Board meeting on 25 March 2015**

Members attending	Executives
Andrew Sells (Chairman)	James Cross, Chief Executive
Julia Aglionby	Paul Lambert, Executive Director, Corporate Services
Andy Clements	Tim Hill, Chief Scientist
Will Cockbain	Alan Law, Executive Director for Strategy
Teresa Dent	Guy Thompson, Executive Director Local Delivery
David Hill	In attendance
Joe Horwood	Caroline Cotterell, Director, Executive Office (item 7)
Simon Lyster	Brian Davies, Manager, Sustainable Development (item 8)
Nigel Reader	Tim De Keyzer, Manager, Biodiversity Delivery (item 9)
	Julie Lunt, Head of Legal Services (item 3)
Apologies	Secretariat
NONE	Gill Hunt

Welcome from the Chairman

The Chairman extended his welcome and asked for declarations of interest. Declarations were received from:

- Nigel Reader for item 3 Spending Review 2015 due to being a Board Member for the Marine Management Organisation (MMO).

The Chairman was satisfied there was no conflict of interest.

1. Confirmation of the February 2015 Minutes and Matters Arising (NEB M50 01)

1.1 The minutes of the February Board meeting were confirmed subject to changes:

- Paragraph 6.3 to replace the second sentence with 'The Board was of a view that in order to achieve the best possible outcome for the environment it would wish if possible to adopt a consensus approach and follow due process.'
- Paragraph 12.1 to add the Board were reassured there would be no further action by the Health and Safety Executive (HSE). It was noted that all

actions were discharged.

Action: Board and Executive Services to amend and produce confirmed February minutes.

2. Chief Executive Report (NEB 51 01)

2.1 James Cross introduced and gave the rationale behind the new format for the Chief Executive Report which brought together the Performance, Risk and Resource Update, Financial Update and the Horizon Scan. Julie Lunt, Head of Legal, joined for this item.

2.2 The Board noted the end of January performance report and the Quarter Three Defra board Report using the new format.

2.3 Paul Lambert introduced the 2014/15 GIA Budget and the Rural Development Programme (RDPE) Financial Update section of the paper and in discussion the Board:

2.3.1 Noted Natural England is slightly over programmed on spend.

2.3.2 Acknowledged the proposed budget for this year was the same as last year and noted the make-up of the budget including increased technical assistance funding.

2.3.3 Supported the use of this budget as a new baseline and starting point for negotiations in future years.

Verbal updates were given on the latest strategic issues.

2.4 Tim Hill gave an update on bTB including outlining the request from cull companies to extend the cull into 2016 given no culling had occurred in year 1. In discussion the Board:

2.4.1 Noted the request of the companies, the legal status in relation to the original licence and explored the timelines for making a decision.

2.4.2 Supported the need for a detailed paper to be submitted to the Board in May.

Action: Tim Hill to bring a paper on bTB 2016 cull extension to the May Board meeting.

2.5 Alan Law gave an update on local support for the West Pennine Moors (WPM) to be designated a SSSI and drew that Board's attention to the Gate 0 process. In discussion the Board:

2.5.1 Expressed continued support for the Gate 0 approach and explored wider challenges around the Designations Strategy including prioritisation of ancient woodlands.

2.5.2 Acknowledged the Designations Strategy represented a shift in culture for the organisation and noted Area Managers were key in helping staff to find confidence in the new approach and the direction of travel.

2.5.3 Advised there were other options and approaches for site protection and these

should be promoted.

Action: Alan Law to bring the Designations Strategy to the April Board meeting.

2.6 The Board noted Alan Law's update on Benty Grange.

2.7 The Board noted Guy Thompson's update on the RSPB challenge to consent control of gulls in the Ribble Estuary and requested a paper for a future Board meeting once the Area Team has negotiated a proposition for a new consent with BAE systems.

Action: Guy Thompson to bring a proposition on the Ribble Estuary case of culling Lesser Black Backed culls to a future Board meeting.

3. Spending Review 2015 (NEB 51 02)

3.1 James Cross outlined the background of the paper and gave a verbal analysis of the figures within. The Board noted the update in Defra's analysis so far, the discussion at the 11 March Board workshop and offered advice to the Chief Executive on next steps.

4. Health, Safety and Wellbeing Update (NEB 51 03)

4.1 Paul Lambert introduced the paper and set out the timeline for the Health and Safety audit that was already underway. In discussion the Board:

4.1.1 Requested further details of the audit findings including a presentation by the consultants being used.

Action: Paul Lambert to bring the initial audit findings to the April Board meeting.

Action: Paul Lambert to invite Human Applications consultants to present at the May Board meeting.

4.1.2 Noted the regularity of Health and Safety reports to the Board and the Audit and Risk Assurance Committee (ARAC).

4.1.3 Expressed concern over the proposal to include a KPI to reduce the number of working days lost due to incidents at work and the impact this could have on behaviour in the organisation, and recommended the KPI be revisited and centred on near hit recording.

Action: James Cross and Paul Lambert to revisit the wording of the Health and Safety KPI.

5. Staff Morale and the Staff Survey (NEB 51 04)

5.1 Paul Lambert introduced the paper and drew attention to work already underway on morale. In discussion the Board:

- 5.1.1 Expressed disappointment in the results but acknowledged that other organisations were receiving a similar story.
- 5.1.2 Explored ways that leadership from the Board can assist in raising morale and conveying positive messages.
- 5.1.3 Requested a further paper to show the team analysis and if possible the difference between fixed term appointments (FTAs) and permanent staff.

Action: Paul Lambert to bring the team analysis and FTA/Permanent analysis of the Staff Survey and an update on Staff Morale to the May Board meeting.

6. The SSSI Delivery Cycle: Protecting Site Condition (NEB 51 05a) and Building a sound evidence base and setting conservation objectives to deliver outcomes and to inform our advice on protected sites (NEB 51 05b)

- 6.1 Guy Thompson introduced the final two papers in the series. The Board noted the need to encourage staff confidence to deliver, the high number of bespoke consultation response undertaken in 2014, and the financial implications of revocation of consents.
- 6.2 In considering NEB 51 05b the Board noted it built on the paper brought to the October Board meeting and in discussion:
 - 6.2.1 Noted there was reasonable confidence the 15/16 target could be met but there was dependency on a large single site.
 - 6.2.2 Advised proactive engagement with the National Audit Office (NAO) over the 2008 PAC recommendations from 2008/09 to build confidence in our delivery priorities given resource constraints.
 - 6.2.3 Noted potential work might be being stored up for future years and were supportive of completing forward projections and simplifying processes to assist in meeting targets.
 - 6.2.4 Encouraged the reprioritisation of resources to meet the Biodiversity 2020 target and supported the need for some early wins to instil confidence and positivity in staff.
 - 6.2.5 Encouraged a consensus approach to site assessments and noted the potential for and benefits of landowners being given the opportunity to pay for site assessments to be carried out particularly on large sites such as moorland and commons but also land owned by competent authorities such as the National Trust.
 - 6.2.6 Advised that communications and messaging could be implemented to enable stakeholders to understand the reasons behind the increase in the percentage of sites in favourable condition and pre-empt the potential misinterpretation of this.

Action: Guy Thompson to explore messaging and communications around the increase in percentage of sites in favourable condition.

- 6.3 The Board noted technical assistance funding was already being used for monitoring of sites, advised there were opportunities with partner organisations to submit funding bids to support site assessment work and were reassured that

Natural England was already developing capability to support bids for funding.

- 6.4 The Board requested a paper be brought to outline current and future funding bids being worked on within Natural England.

Action: Alan Law to bring a paper on external funding bids to the April Board meeting.

7. One Business Communications (NEB 51 06)

- 7.1 Caroline Cotterell, Director, Executive Office joined for this item and gave an outline of the current situation including the need for an early steer about retaining a Natural England Communications Team. In discussion the Board:

7.1.1 Supported the need to retain communications capacity within Natural England.

7.1.2 Advised it was important to ensure Area Teams were in an effective place in terms of communications.

8. Update on the licence to release Beavers on the River Otter, East Devon (NEB 51 07)

- 8.1 Alan Law introduced the update and invited Brian Brown, Manager, Sustainable Development to join. In discussion the Board:

8.1.1 Noted all the conditions for the licence had been met and the beavers had been released.

8.1.2 Acknowledged the positive response and media interest that had been generated.

8.1.3 Recognised the need for development of staff involved and noted local staff had worked with partners throughout the testing and release stages, and supported continued development of the Senior Specialist involved.

9. Countryside Stewardship Update (NEB 51 08)

- 9.1 Guy Thompson gave an update and asked Tim De-Keyzer, Manager, Biodiversity to join for this item. The Board noted the involvement of ARAC in overseeing the CAP-D programme and in discussion:

9.1.1 Expressed disappointment over CAP-D and the need to implement contingency plans but noted parts of the system might be deliverable.

9.1.2 Acknowledged Natural England had continued to deliver the Woodland and Water Capital Grant Schemes and confirmed our approach to the conversion of Higher Level Stewardship (HLS) agreements to Countryside Stewardship (CS) Higher Tier.

9.1.3 Recognised the significant risks around resources to implement contingencies and the approximate valuation of the resource pressure as between £1 and £3 million.

9.1.4 Acknowledged the impact on scheme delivery and advised clear messages and good communications with customers were key to maintaining good relationships

and providing good customer service.

- 9.1.5 Noted whilst it was unclear as to whether an extension for annual claims would be allowed it was still important to encourage customers to submit claims as quickly as possible in order to ensure all checks could be undertaken to make payments on time.
- 9.1.6 Recognised the impact on customers applying to the Middle Tier of CS and were reassured that a solution could be found but noted this might require additional resource and the offer might have to be restricted.

10. Board Innovation Group Update (NEB 51 11)

10.1 David Hill gave an update on the last Board Innovation Group (BIG) meeting including the need for a focussed agenda at each meeting where the group could get to grips with and progress areas of work.

10.2 The Board noted Nigel Reader had been providing rigour around the governance and finance of some of the work coming through BIG and suggested it might be helpful to have a senior finance person attend future meetings.

Action: Paul Lambert to consider an appropriate senior attendee to cover finances at BIG.

10.3 BIG Members highlighted the paper submitted to BIG by Matt Heydon on Protected Species and suggested the follow up should come to the full Board in May.

Action: Alan Law to bring a licensing paper to the May Board meeting.

Action: BES to send Protected Species 'think piece' paper to Andrew Sells.

11. Audit and Risk Assurance Committee Update (NEB 51 12)

11.1 Nigel Reader updated the Board on recent activity including the effectiveness review of ARAC. In discussion the Board:

11.1.1 Noted the quality of the work produced by KPMG.

11.1.2 Supported the attendance of a Director and Area Manager at each ARAC meeting to help foster relationships with Area and National teams and to 'ground truth' the work of ARAC.

12. Upland Peat Working Group Update (NEB 51 09) and A Strategy for the Restoration of Blanket Bog in England (NEB 51 10)

12.1 Julia Aglionby introduced both papers and provided the context of other work being done. In discussion the Board:

12.1.1 Noted the workshop on 30 April was an opportunity for staff to engage with the Strategy and have an open and honest discussion including airing concerns.

12.1.2 Acknowledged a major driver for the Strategy was the risk of infraction proceedings and the need to minimise European proceedings as well as aiming to meet Natura

2000 duties, and consistently and appropriately apply the Habitats Regulations.

- 12.1.3 Recognised Natural England was now in a better place in relation to Upland Peat but that people still wanted to see guidelines and to know what 'good' and 'better' would look like, but further clarification and training was required.
- 12.1.4 Encouraged the use by staff of positive language when talking to landowners and stakeholders.
- 12.1.5 Noted the Strategy is not a Natural England strategy but is a Strategy for restoration and has brought people together.
- 12.1.6 Noted the work plan and the programme of estates to be worked with and the need for Area Teams and Managers to be on board with the Strategy.
- 12.2 In conclusion the Board endorsed the Strategy for the Restoration of Blanket Bog in England

13. Natural England Science Advisory Committee Update (NEB 51 13)

- 13.1 Andy Clements updated the Board on the last NESAC meeting including the resignation of two members, development of a Forward Look of business and setting dates for 2016.
- 13.2 The Board noted and supported the idea of a Natural England led Science Symposium event and suggested this would help in taking Natural England forward into a leadership position.

Action: Tim Hill to investigate options for a Natural England led science symposium event.

14. Board Diary (NEB 51 14)

- 14.1 This item was not considered in the meeting.

15. Any Other Business

- 15.1 James Cross raised organisational changes and the proposal to develop two new teams under the Chief Scientist role of Specialist Services and Evidence Services and set out the rationale for the changes.
- 15.2 The Board supported the organisational changes but highlighted the need for diversity in the top team. Board members were reassured that recruitment and the new Team Leader programme would help to redress the balance.
- 15.3 Joe Horwood reflected that the Conservation Strategy as presented to NESAC was helpful and the Board agreed to have a workshop at the next Board meeting and to invite Nick Macgregor to present.

Action: Tim Hill to invite Nick Macgregor to the April Board meeting to present the Conservation Strategy.

- 15.4 The Board approved Chairman's request for Adrian Vass to be seconded to the Red Squirrel Survival Trust for an initial six months to be funded by Natural England.

Actions log

No	Agenda Item/Paper	Ref	Action	Owner
1	Confirmation of the February 2015 Board Briefing Minutes and matters Arising (NEB M50 01)	1.1	Amend and confirm the February 2015 Board minutes.	BES
2	Chief Executive Report (NEB 51 01)	2.3.2	Bring a paper on bTB 2016 cull extension to the May Board meeting.	Tim Hill
3	Chief Executive Report (NEB 51 01)	2.4.3	Bring the Designations Strategy to the April Board meeting.	Alan Law
4	Chief Executive Report (NEB 51 01)	2.6	Bring a proposition on the Ribble Estuary case of culling Lesser Black Backed culls to a future Board meeting.	Guy Thompson
5	Health, Safety and Wellbeing Update (NEB 51 03)	4.1.1	Bring the initial audit findings to the April Board meeting.	Paul Lambert
6	Health, Safety and Wellbeing Update (NEB 51 03)	4.1.1	Invite Human Applications to present at the May Board meeting.	Paul Lambert
7	Health, Safety and Wellbeing Update (NEB 51 03)	4.1.3	Revisit the wording of the Health and Safety KPI.	James Cross and Paul Lambert
8	Staff Morale and the Staff Survey (NEB 51 04)	5.1.3	Bring the team analysis and FTA/Permanent analysis of the Staff Survey to the April Board meeting	Paul Lambert
9	The SSSI Delivery Cycle: Protecting Site Condition (NEB 51 05a) and Building a sound evidence base and setting conservation objectives to deliver outcomes and to inform our	6.2.6	Explore messaging and communications around the increase in percentage of sites in favourable condition.	Guy Thompson

	advice on protected sites (NEB 51 05b)			
10	The SSSI Delivery Cycle: Protecting Site Condition (NEB 51 05a) and Building a sound evidence base and setting conservation objectives to deliver outcomes and to inform our advice on protected sites (NEB 51 05b)	6.4	Bring a paper on external funding bids to the April Board meeting.	Alan Law
11	Board Innovation Group Update (NEB 51 11)	10.2	Consider an appropriate senior attendee to cover finances at BIG.	Paul Lambert
12	Board Innovation Group Update (NEB 51 11)	10.3	Bring a licensing paper to the May Board meeting.	Alan Law
13	Board Innovation Group Update (NEB 51 11)	10.3	Send Protected Species 'think piece' paper to Andrew Sells.	BES
14	Natural England Science Advisory Committee Update (NEB 51 13)	13.2	Investigate options for a Natural England led science symposium event.	Tim Hill
15	Any Other Business	15.3	Invite Nick Macgregor to the April Board meeting to present the Conservation Strategy.	Tim Hill