

# Natural England Board



Title: **Confirmed minutes of the sixty fourth Natural England Board meeting on 20 July 2016**

<b>Members attending</b>	<b>Senior Leadership Team</b>
Andrew Sells (Chairman)	
Julia Aglionby	
Andy Clements	Tim Hill, Chief Scientist
Teresa Dent	Paul Lambert, Chief Transformation Officer
Joe Horwood	Alan Law, Chief Strategy and Reform Officer
Nigel Reader	Julie Lunt, Chief Legal Adviser
Simon Lyster	Guy Thompson, Chief Operating Officer
John Varley	Ken Roy, Director Chairman and Executive Office
James Cross, Chief Executive	<b>Invited speakers</b>
	Rob Cooke, Director, EU Implementation Unit
<b>Apologies</b>	Fran Davies Area Manager, Hampshire, Dorset and Isle of Wight
Will Cockbain	Ian Fugler, Director, Sustainable Development
	Rachel Hoskin, Senior Specialist, Planning and Biodiversity
	Dave Stone, Principal Specialist, Engagement
	Matt Heydon, Principal Specialist, Species Protection
	Jonathan Burney, Director, Marine
<b>Secretariat</b>	Richard Caldwell, Senior Specialist Ornithology
Gill Hunt	

## **Welcome from the Chairman**

The Chairman extended his welcome and asked for declarations of interest. No exceptional declarations were received.

## **1. Confirmation of the June 2016 Minutes and Matters Arising (NEB M63 01)**

- 1.1 The minutes of the June meeting were confirmed subject to the following amendments:

- 15.3 The Board agreed to remove the final sentence and replace with 'agreed they would discuss the issue at the July Board meeting'.

**Action: Board and Executive Services (BES) to amend and publish confirmed June Board minutes.**

- 1.2 The Board noted the update against outstanding actions from the May Board meeting and agreed they were now completed.

## **2. Board Diary (NEB 64 01)**

- 2.1 The Board noted the 2017 and 2018 Board meeting dates and proposed locations.

## **3. Early Thinking (2020) (NEB 64 02)**

- 3.1 Alan Law introduced the item and welcomed Rob Cooke to the meeting. In discussion the Board:

- 3.1.1 Noted the range of Natural England's key work areas that might be impacted by the UK's Exit from the European Union and hence the need to ensure that Natural England supported Defra, and Government more widely, in the development of thinking any new legislative or regulatory structures.

- 3.1.2 Recognised domestic legislation could be used in replacing some EU regulations in relation to designated sites but that there was substantial work to be done around the future of agri-environment schemes.

- 3.1.3 Advised that, in addition to continued close working with Defra and other departments over the coming years, Natural England needed to maintain current delivery through implementation of the conservation strategy.

- 3.2 In conclusion the Board agreed the importance of close working with Defra and other government departments given the role of Natural England as the governments environmental adviser and requested that a workshop take place at the September Board meeting to look more closely at the impacts on Natural England and any challenges raised in relation to EU environmental regulation. The Board also agreed to hold an update call at the end of August.

**Action: BES include time for a workshop at the September Board meeting.**

**Action: Rob Cooke to arrange a conference call for Board Members at the end of August to give any updates on 'Brexit' in relation to environmental regulation.**

## **4. Chief Executive Report (NEB 64 03)**

- 4.1 The Board noted Paul Lambert's update on the financial performance and were pleased to note the Annual report and Accounts had been laid before parliament and they would shortly be published online. Board Members requested they be sent

the link to the online publication.

**Action: Paul Lambert to send the link to the online Annual Report and Accounts to Board Members.**

- 4.2 The Board also noted the move of the Natural England Finance Director into core Defra as part of the implementation of the Corporate Services Transformation Programme and requested that he be invited to future Board meetings to present the financial update.

**Action: Paul Lambert to invite the Finance Director to future Board meetings to give the financial update.**

- 4.3 James Cross welcomed Fran Davies who gave an update on activity within his Area team. In discussion the Board:

4.3.1 Noted morale was good within the team and this was in part due to the new structure and the focus on local areas giving new simplicity and familiarity across the team and external partners.

4.3.2 Noted sharing positive outcomes and stories was a powerful tool to aid morale and innovative thinking within the team.

4.3.3 Recognised key concerns amongst staff were the pace and frequency of organisational change and there was now a want amongst teams and stakeholders for some level of consistency and continuity.

4.3.4 Welcomed the real life example of a local focus area, the connectivity the new outcomes approach had given and how working with local partners made progression towards outcomes more owned by all including local people.

4.3.5 Considered the breadth of experience and knowledge across staff and recognised the levels of confidence required to speak with a range of customers and partners coupled with good leadership and reform led to positive outcomes for staff and stakeholders.

- 4.4 The Board noted Annex 2 of the report including Rob Cooke's role leading our EU implementation project team and the associated consequentials. In addition, the following actions were identified:

**Action: Alan Law to provide a briefing to Board members on Back to the Brink.**

**Action: Alan Law to provide a 1 page briefing on the Pioneer Projects.**

**Action: Ken Roy to plan a stakeholder event to celebrate 10<sup>th</sup> Anniversary of Natural England vesting.**

- 4.5 The Board noted Julie Lunt's legal update at Annex 5.

## **5. Board (and Chief Executive) Performance (NEB 64 05)**

- 5.1 Paul Lambert introduced the paper. In discussion the Board:

- 5.1.1 Reviewed the performance of the Chief Executive and approved the recommendation from the Remuneration Committee that the Chief Executive be awarded a performance related payment for his excellent performance in 15/16.
- 5.1.2 Considered and agreed the Chief Executives objectives for 16/17.
- 5.1.3 Agreed the approach and the timetable for handling board members performance conversations for 15/16. Board Members requested a timetable for these conversations.
- 5.1.4 Agreed Board Members objectives for 16/17 with the request that they should contain one personalised objective.
- 5.1.5 Agreed the suggested approach to carrying out the board effectiveness review with interviews being carried out by Nigel Reader.

## **6. Bovine TB Update (NEB 64 04)**

- 6.1 Tim Hill and Ian Fugler gave an update on the Bovine TB eradication programme.

## **7. Update on High Speed 2 (NEB 64 06)**

- 7.1 Ian Fugler, Rachel Hoskin, Dave Stone and Matt Heydon joined for the item and in discussion the Board:
  - 7.1.1 Congratulated the team on the work undertaken within the timescales.
  - 7.1.2 Considered the Chairman's foreword and the proposal ratio for compensating for loss of ancient semi-natural woodland and the correct terminology to convey the options available to HS2 to compensate for woodland loss through planting of new woodland and improving existing sites.
  - 7.1.3 Discussed the main body of the report particularly the suggested approach and the options for compensating for loss of ancient semi-natural woodland.
- 7.2 In conclusion the Board agreed the next steps were to engage with HS2 to explore the main findings of the report and develop a press release to support the report (on publication).

**Action: Ian Fugler to contact HS2 to discuss the report.**

**Action: Ian Fugler and Ken Roy to agree a suitable approach for communicating the report externally and to arrange for a final copy of the report to be placed in the House of Lords.**

## **8. Approval to submit advice to Defra to classify four potential SPAs (NEB 64 07)**

- 8.1 Jonathan Burney and Richard Caldwor joined and gave context to the cases for each SPA, in discussion the Board:
  - 8.1.1 Sought clarification on the process for approving the advice and were satisfied that the cases did not need to be considered in a public session of the Board as the Board was not acting in a quasi-judicial role.

- 8.1.2 Recognised the ongoing work of the team to meet and engage with objectors and resolve any objections. The Board also noted that whilst some objections had been resolved, some objectors had concerns.
- 8.1.3 Noted the large proportion of the residual objections were in respect of the modelling used but agreed there was sound reasoning for using the tried and tested modelling.
- 8.1.4 Considered there was a minor risk in the case of Poole Harbour as the area had been extended by approx. 1ha post consultation but were satisfied this was due to a previous mapping error and that the significance in the scale of the designation was small.
- 8.2 In conclusion the Board confirmed it was satisfied with the recommendations for each site and agreed that Natural England's advice should be submitted to Defra.

## **9. Voluntary Bat Roost Visitors Health and Safety Audit (NEB 64 08)**

- 9.1 The Board noted the work in progress to address the Health and Safety challenges surrounding the Voluntary Bat Roost Visitors (VBRV) and encouraged the executive to continue the good work already started by placing a message on Facebook for volunteers to view.

**Action: Paul Lambert, Laura McDixon and Julie Lunt to arrange for a Facebook message to be published to VBRV in relation to health and safety and risk assessments.**

## **10. Natural England Science Advisory Committee (NESAC) Update (NEB 64 10)**

- 10.1 Andy Clements introduced the paper and the Board noted that whilst Defra were seeking to reduce the number of science advisory committees it was important that, as an evidence based organisation, Natural England retain its own science advisory committee and place NESAC in a position where Defra could easily access its expertise.

## **11. Audit and Risk Assurance Committee (ARAC) Update (NEB 64 09)**

- 11.1 Nigel Reader gave an update to the Board and Board Members noted the outcome of the audit was given as 'moderate'. Board members sought clarification on the meaning of the term moderate in audit language.

**Action: Paul Lambert to circulate the definitions of the levels of audit language.**

## **12. Remuneration Committee Update (NEB 64 11)**

- 12.1 Nigel Reader gave a verbal update on the activity of the Committee. The Board noted the need to produce a forward look for the Committee and the requirement for an additional Board Member to join.

## **13. Upland Working Group Update (NEB 64 12)**

- 13.1 Julia Aglionby gave an update on recent activity to the Board. Board Members

noted:

13.1.1 Work was now happening on the ground and beginning to bear fruit with agents and landowners.

13.1.2 Continued work was needed to build adviser confidence in upland issues.

#### **14. Board Innovation Group Update**

14.1 Simon Lyster gave a verbal update on the latest meeting of the Board Innovation Group (BIG). The Board noted the full minutes would be presented to the September Board meeting but topics covered had included change plans for work areas in natural England, updates on alternative licensing regimes for great crested Newts and Bats and Biodiversity compensation in relation to planning with Local Authorities.

#### **15. Board Natural Flood Management Group Update**

15.1 The Board noted James Cross' verbal update on the activity and final proposed products of the Group.

#### **16. Conservation Strategy Group Update**

16.1 Teresa Dent updated the Board on latest activity to undertake an engagement programme to engage with staff in relation to the strategy through an intranet launch and team workshops.

#### **17 Any Other Business**

17.1 Simon Lyster raised the question of a recent request to use the Natural England logo on third-party certificates. In discussion the Board:

17.1.1 Noted that previous release of the logo had resulted in unfavourable use by non-authorised parties.

17.1.2 Agreed that work was required to understand the risks associated with release of the logo to external bodies and requested a paper be brought to the September Board meeting.

**Action: Julie Lunt to produce a paper on logo release risks for the September Board meeting.**

17.2 Joe Horwood requested a briefing on Natural England's work in relation to Turtle Doves.

**Action: Alan Law to distribute a briefing on Turtle Doves to Board Members.**

#### **Actions log**

<b>No</b>	<b>Agenda Item/Paper</b>	<b>Ref</b>	<b>Action</b>	<b>Owner</b>
1	<b>Confirmation of the June 2016 Board Minutes and Matters Arising (NEB M63 01)</b>	1.1	Produce confirmed June Board minutes.	BES
2	<b>Early Thinking (2020)</b>	3.2	Include time for a workshop at the	BES

	<b>(NEB 64 02)</b>		September Board meeting.	
3	<b>Early Thinking (2020) (NEB 64 02)</b>	3.2	Arrange a conference call for Board Members at the end of August to give any updates on 'Brexit' in relation to environmental regulation.	Rob Cooke
4	<b>Chief Executive Report (NEB 64 03)</b>	4.1	Send the link to the online Annual Report and Accounts to Board Members.	Paul Lambert
5	<b>Chief Executive Report (NEB 64 03)</b>	4.2	Invite the Finance Director to future Board meetings to give the financial update.	Paul Lambert
6	<b>Chief Executive Report (NEB 64 03)</b>	4.4	Provide a briefing to Board members on Back to the Brink.	Alan Law
7	<b>Chief Executive Report (NEB 64 03)</b>	4.4	Provide a 1 page briefing on the Pioneer Projects.	Alan Law
8	<b>Chief Executive Report (NEB 64 03)</b>	4.4	Plan a stakeholder event to celebrate 10 <sup>th</sup> Anniversary of Natural England vesting.	Ken Roy
9	<b>Update on High Speed 2 (NEB 64 06)</b>	7.2	Contact HS2 to discuss the report.	Ian Fugler
10	<b>Update on High Speed 2 (NEB 64 06)</b>	7.2	Agree a suitable approach for communicating the report externally and to arrange for a final copy of the report to be placed in the House of Lords.	Ian Fugler and Ken Roy
11	<b>Voluntary Bat Roost Visitors Health and Safety Audit (NEB 64 08)</b>	9.1	Arrange for a Facebook message to be published to VBRV in relation to health and safety and risk assessments.	Paul Lambert, Laura McDixon and Julie Lunt
12	<b>Audit and Risk Assurance Committee (ARAC) Update (NEB 64 09)</b>	11.1	Circulate the definitions of the levels of audit language.	Paul Lambert
13	<b>Any Other Business</b>	17.1.2	Produce a paper on logo release risks for the September Board meeting.	Julie Lunt
14	<b>Any Other Business</b>	17.2	Distribute a briefing on Turtle Doves to Board Members.	Alan Law