

Natural England Board



Title: **Confirmed minutes of the sixty seventh Natural England Board meeting on 7 December 2016**

Members attending	Senior Leadership Team
Nigel Reader (Acting Chair)	Tim Hill, Chief Scientist
Julia Aglionby	Paul Lambert, Chief Transformation Officer
Andy Clements	Alan Law, Chief Strategy and Reform Officer
Teresa Dent	Julie Lunt, Chief Legal Adviser
Joe Horwood	James Diamond (Acting Chief Operating Officer)
Simon Lyster	Ken Roy, Director Executive Office
John Varley	Guests
Michael Winter	Mike Rowe, Defra Deputy Director, Food and Farming, (item 8)
	Rob Menzies, Area manager East Midlands (item 3)
James Cross, Chief Executive	Abdul Razaq, Director Finance and Performance (Items 3 and 6)
	Mike Smith, Manager, Agri-environment (item 4)
	Rob Cooke, Director EU Transition (Item 8)
	Jonathan Burney, Director, Marine Biodiversity (item 17)
Apologies	Mike Meadows, Senior Specialist, Marine Biodiversity (item 17)
Andrew Sells	Secretariat
Will Cockbain	Gill Hunt

1. Welcome from the Chairman and Declarations of Interest

1.1 Nigel Reader acting as Chairman extended his welcome to everyone and conveyed apologies from Andrew Sells and Will Cockbain..

As well as the usual standing declarations, declarations were received from:

- Michael Winter in relation to item 3 and item 7
- Julia Aglionby in relation to item 3, Annex 3.

2. Confirmation of the November 2016 Minutes and Matters Arising (NEB M66 01)

2.1 The Board confirmed the November Board minutes.

ACTION: BES to confirm and publish the November minutes.

2.2 In reviewing the actions of the last meeting the Board requested an update against actions 5 and 10. In respect of item 5 Alan Law agreed that a call would be open to all Board Members to go through the legislation in respect of mobile coastal boundaries.

ACTION: Alan Law to set up a conference call for Board Members to join to discuss the legislation in respect of mobile coastal boundaries.

2.2.1 Tim Hill gave a short update on action 10 and promised a further update to the January Board meeting.

ACTION: Tim Hill to provide an update on bTB to the January Board meeting.

3. Chief Executives Report (NEB 67 01)

3.1 James Cross introduced a new approach to the Chief Executives report with more focus on the balance scorecard and performance of the organisation. In discussion the Board:

3.1.1 Noted the RAG status against performance and the operational risks and issues.

3.1.2 Welcomed the outcome of the recent internal audit review of Health and Safety and the 3 key recommendations of the audit to aid performance in this area.

3.1.3 Noted the progress of Area Teams against ensuring existing HLS agreements continue to deliver multiple outcomes and the reduction in the need to process and deliver individual licence applications and the work being done at a national level to aid these and ensure an uplift in the RAG status.

3.2 The Board agreed that as part of this item there should be a 'deep dive' at each Board meeting into one of the KPIs to better understand the risks, opportunities, challenges and measurements of success.

ACTION: Ken Roy to implement the deep dive process – starting with KPI 5 and Marine delivery.

3.3 The Board welcomed Rob Menzies, Area Team Manager for East Midlands who joined to give an update on activity in his area. The Board noted:

3.3.1 There had been a long gestation in finalising focus areas in the East Midlands but these had proved a key driver in local area delivery and that the team was learning a lot and experimenting with new approaches.

3.3.2 Good progress was being made in embedding the Outcomes approach into the team. Approaches adopted included the use of 'case clinics' which had been beneficial in developing staff understanding and supporting delivery.

3.3.3 A cost recovery task force had been introduced within the team to raise awareness and provide support and task force members had become early adopters to help influence and increase confidence across the team.

- 3.3.4 The Area Team were already over the commercial income target for this year and were working with strategic partnerships to deliver offsetting and habitat creation and creation of a 'super NNR'.
- 3.4 Abdul Razaq gave a brief update on the in-year budgets and the Board noted agri-environment spend had been re-profiled and the revised target would be delivered.
- 3.5 The Board noted the risks and issues outlined in Annexes 3 and 6 of the report and the following action was identified:

ACTION: Alan Law to bring a briefing to the Board in March to look further at the legal status of Beavers.

4. Countryside Stewardship Update – current delivery position and future developments. (NEB 67 02)

- 4.1 The Board welcomed Mike Smith who joined for this session and in discussion the Board:
 - 4.1.1 Noted the in-year position and the challenge of making payments against processing new agreements and welcomed the approach of prioritisation and the introduction of conditional agreements which could be finalised early 2017 to help avoid a bottleneck in the system.
 - 4.1.2 Noted opportunities for simplification of the scheme in the coming years and progress already made through helpful interpretation of current guidance to aid applications to the facilitation fund.
 - 4.1.3 Welcomed the work being done now to address the future management of a large number of expiring HLS agreements which would come in a couple of years.

5. EU Update

- 5.1 Mike Rowe of Defra policy and Rob Cooke joined for this item and the Board noted the update given by Mike in respect of the various challenges and complexities Defra must consider through EU Transition and the ways that Natural England at all levels might help Defra through these. On behalf of the Board the Acting Chair thanked Mike Rowe for the helpfulness of his presentation and for his constructive engagement with Natural England.

6. 2017/18 Business Planning (NEB 67 03)

- 6.1 Abdul Razaq joined for this session and the Board noted:
 - 6.1.1 Alan Law's summary of the Big Room session and the proposed efficiency savings for the coming year.
 - 6.1.2 The strong and continued relationship development with Defra to ensure Natural England's work and its value was well understood.
 - 6.1.3 The areas of Natural England's work which may be engaged with future cross-group Transformation work and requested that a copy of the updated Defra group Target Operating Model (TOM) be circulated to Board Members on its release.

ACTION: Paul Lambert to circulate a copy of the updated TOM to Board Members.

- 6.2 In discussion the Board:
- 6.2.1 Considered continued work on innovative ways of working and income generation as a way to support a more balanced funding position.
- 6.2.2 Welcomed the opportunities for synergy through the delivery of area plans and noted the need for a strategic session at the February Board meeting.
- 6.3 In conclusion the Board supported the proposed direction of travel and the approaches being used.

7. Implementing Natural Flood Management

- 7.1 James Cross introduced the item and, by way of context described the background and the lines of thinking adopted by the Board Natural Flood management sub group post the December 2015 flood events. In discussion the Board:
 - 7.1.1 Noted the work undertaken was not a detailed scientific assessment or a position paper but was a review of the expertise and knowledge within Natural England and the viability of Natural England contributing to Natural Flood Management (NFM) through existing mechanisms.
 - 7.1.2 Welcomed the view of the Executive that any work on NFM must be joined up with other relevant bodies such as the EA and FC.
 - 7.1.3 Noted James Diamond would stand over the action plan and that delivery against the plan would be reported in six months time.
- 7.2 The Board agreed this was a document for internal use only to aid staff with considering NFM as part of an integrated landscape scale approach and that working with EA in particular to ensure NFM was considered as a full part of any approach to flood prevention or mitigation was important.
- 7.3 The Board gave thanks to the sub-group and its members for all their work.

8. Board Effectiveness Review 2016: Action Plan

- 8.1 Nigel Reader introduced the item and in discussion the Board:
 - 8.1.1 Noted and approved the action plan. It was agreed that Ken Roy and Nigel Reader should stand over the progress against the action plan and a report on progress should be brought to the May 2017 Board meeting.

ACTION: Nigel Reader and Ken Roy to bring a progress report to the May Board meeting.

- 8.1.2 Supported the need for further debate on the aspirations of the Board and the level of performance and agreed this debate should take place at a strategic session of the Board to be held in February 2017.

ACTION: Ken Roy to ensure a debate on aspirations and performance level of

the Board is on the agenda for the February 2017 Board strategic session.

9. Health, Safety and Wellbeing Update: The use of Quad bikes and All-Terrain vehicles in Natural England (NEB 67 06)

- 9.1 The Board noted the update on actions within Natural England to limit accidents caused through the use of Quad bikes and All-Terrain vehicles and agreed it should remain a focus area for attention to ensure standards do not slip.

10. Audit and Risk Assurance Committee update (NEB 67 07)

- 10.1 Nigel Reader drew the Board's attention to the minutes of the last meeting. The Board noted a meeting was due in December and Nigel would provide a summary to the January Board.

11. Natural England Science Advisory Committee Update

- 11.1 The Board noted Andy Clement's verbal update on recent activity including the appointment of new member of the Committee. The Board requested the ToR for the Committee be reviewed in respect of full Board involvement in appointments of external members to NESAC.

ACTION: BES to review the NESAC ToR in relation to the appointment of external members of NESAC and the need for full Board approval.

12. Remuneration Committee update (NEB 67 08)

- 12.1 Nigel Reader gave a verbal update on the meeting held on 6 December and advised the Board that new Terms of Reference (ToR) had been drawn up and would be brought to the Board for approval in January.

ACTION: Nigel Reader to bring the revised ToR to the January Board meeting for approval.

13. Board Innovation Group (NEB 67 09)

- 13.1 Simon Lyster gave a verbal update to the Board on activity at the last meeting of BIG and the Board welcomed the offer of attending thematic workshops on the themes listed in the paper.

ACTION: BES to circulate the BIG workshop dates to Board Members.

14. Upland Working Group Update

- 14.1 Julia Aglionby gave a verbal update on activity to the Board and provided some positive case studies of work developing with large estates in the North of England.

15. Board Diary (NEB 67 10)

- 15.1 The Board noted the dates and locations of Board meetings and noted a strategic session of the Board would be held in February 2017.

16. Any Other Business

- 16.1 The Board noted Teresa Dent had been invited to join Dieter Helm's Natural Capital

Land Managers group.

16.2 The Board noted the invitation from Teresa Dent for Natural England to look for joint opportunities in respect of the GWCT conference planned for next year on farmer clusters.

17. Outer Thames Estuary potential Special Protection Area (pSPA) (NEB 67 11)

17.1 Nigel Reader welcomed members of the public to the meeting and Jonathan Burney and Mike Meadows who presented the advice package to the Board. In discussion the Board:

17.1.1 Noted they were not acting in a quasi-judicial role. The role of the Board in this case was to approve the evidence package for submission to Defra, socio-economic concerns were not within the remit for consideration by the Board but concerns based on the scientific evidence were.

17.1.2 Noted the Outer Thames Estuary pSPA Board paper incorrectly reported the numbers of breeding tern using Dungeness to Pett Level pSPA as 532 individuals (266pairs), ranked 11th. The correct figure for this site is 188 breeding pairs (376 individuals) ranked 16th of 23. The numbers and ranking for the Outer Thames Estuary pSPA itself are correct in both the Board paper and Departmental Brief.

17.1.3 Considered the additional area to be covered by the interest feature were minimal given much of the area was already designated for red throated diver and the actual addition only amounted to approx. 3% of the original size area.

17.1.4 Noted the outstanding objections and where these related to the evidence and the efforts to resolve the objections in relation to the evidence and were satisfied at the level of effort from the team and the reassurance received in relation to the science used.

17.1.5 Noted the Chief Scientist's level of satisfaction against the evidence and the process used including the modelling used to identify the proposed area, the standards adhered to and the relevance of the evidence used.

17.2 The Board approved the proposition and the package to be submitted to Defra and thanked the team for the rigour imposed on the process and the quality of the assessment produced.

Actions log

No	Agenda Item/Paper	Ref	Action	Owner
1	Confirmation of the November 2016 Minutes and Matters Arising (NEB M65 01)	1.1	Produce confirmed November Board minutes.	Board and Executive Services
2	Confirmation of the November 2016 Minutes and Matters Arising (NEB M65 01)	2.2	Set up a conference call for Board Members to join to discuss the legislation in respect of mobile coastal boundaries.	Alan Law
3	Confirmation of the November 2016 Minutes and Matters Arising (NEB M65 01)	2.2.1	Provide an update on bTB to the January Board meeting.	Tim Hill
4	Chief Executives	3.2	Implement the deep dive process –	Ken Roy

	Report (NEB 67 01)		starting with KPI 5 and Marine delivery.	
5	Chief Executives Report (NEB 67 01)	3.5	Bring a briefing to the Board in January or March to look further at the legal status of Beavers.	Alan Law
6	2017/18 Business Planning (NEB 67 03)	6.1.3	Circulate a copy of the updated TOM to Board Members.	Paul Lambert
7	Board Effectiveness Review 2016: Action Plan	8.1.1	Bring a progress report to the May Board meeting.	Nigel Reader and Ken Roy
8	Board Effectiveness Review 2016: Action Plan	8.1.2	Ensure a debate on aspirations and performance level of the Board is on the agenda for the February 2017 Board strategic session.	Ken Roy
9	Natural England Science Advisory Committee Update	11.1	Review the NESAC ToR in relation to the appointment of external members of NESAC and the need for full Board approval.	BES
10	Remuneration Committee update (NEB 67 08)	12.1	Bring the revised ToR to the January Board meeting for approval.	Nigel Reader
11	Board Innovation Group (NEB 67 09)	13.1	Circulate the BIG workshop dates to Board Members.	BES