Welcome from the Chairman and Declarations of Interest

The Chairman welcomed everyone to the meeting.

In response to the Chairman’s invitation for any perceived or potential declarations of interest in respect of the Board agenda, there were no conflicts of interest.
Following the agreement at the June meeting to adopt a different model of the Register of Interests more suitable for publication, the new format could not be presented to the Board at the meeting as planned but would be circulated on email for comment and approval.

It was confirmed that the new model would show board member biographies, Directorships, public interests, public appointments and other relevant matters but would not include sensitive matters which would compromise health and safety.

**Action: Julie Lunt to circulate the new Register of Interest pro-forma to Board members for comments and approval before publication on GOV.UK.**

1. **Confirmation of the June Minutes and Matters Arising (NEB M80 01)**
   1.1 The minutes of the June Board meeting were confirmed with a minor amendment to 14.3.1

   **Action: Legal and Governance Team to produce confirmed June Board minutes.**

   1.2 The Board noted actions from the last meeting were completed or in progress with any updates to the Board to be given at the appropriate agenda item.

2. **Chief Executive Report (NEB 81 01)**
   2.1 James Cross introduced the Chief Executive’s report and welcomed Abdul Razaq, Ali Johnson, Emma Appleby and Andy Smith.

   2.2 **Organisational Performance to end of June 2018**

   2.2.1 In responding to the Board’s steer to produce a more focused performance, risk and finance report, James Cross introduced the new redesigned report and highlighted the three main risks as 1) our financial position 2) the impacts of our financial position on environmental outcomes and staff, 3) operational challenges of Countryside Stewardship and Environmental Stewardship. Two other emerging risks were identified as coastal path and the *Sweetman 2* ruling which may warrant drill down at a future meeting. In discussion, the Board

   2.2.3 Were generally supportive of the new structure but had previously benefitted from knowing the emerging reputational Issues and the legally privileged items and their associated risks and context and in dropping them from this new model, important issues might be overlooked.

   2.2.4 Agreed in order to mitigate the lack of emerging reputational issues and legally privileged items to implement a fully rounded balanced scorecard approach to be included in future Board packs.

   **Action: Legal and Governance team to produce a balanced scorecard which would incorporate the legal and reputational issues affecting the organisation to be included in future Board packs.**

   2.2.5 James Cross restated how the performance overview works and how the six performance indicators reflected Board’s desire to spend approximately 70% of their time on strategy. James explained the mechanisms used in the report to measure performance and the way it flags particular indicators needing intervention and assured the Board this was a tried and tested method of performance reporting. In discussion, the Board:
2.2.6 Were assured that while the overall scale of activity on protected sites has been reduced as agreed with Defra, a minimal amount of monitoring would still be done if warranted but there is still positive targeted management and aftercare on protected sites.

2.2.7 Noted that good quality feasibility studies on protected sites have been undertaken by others and reported that there are also many other positive examples of monitoring and survey reports that are produced by partners which are not currently being recorded or fed into the organisation in a way that enables them to support the condition assessment programme, and recognised the need to find a way of linking them up and bringing them together.

**Action:** Under NESAC sponsorship, Tim Hill to lead the development of a piece of work that seeks to pull together, and use, a wide variety of other survey reports, studies and data sources to contribute to the condition assessment programme for SSSIs.

2.2.8 Noticed that the performance report does not reflect long term outcomes, achieving our basic statutory responsibilities or long term sustainability but acknowledged that NE is currently operating on a year by year planning basis and does not have a medium term trajectory and that our KPIs are linked to Defra’s metrics and 25 year plan which need to be developed together.

2.2.9 Suggested changing the wording on blanket bog KPI which is showing green to reflect that it is based on the trajectory on the number of consents being revoked. A wider request was made for more clarity and meaning of the KPI descriptions.

2.2.10 Noted the recording of data sources would be helpful but were alert to the need to properly manage data in the ways that it is held, linked, and integrated.

2.2.11 Considered the importance of drawing attention to the effects of reduced staff capacity and future capability in order to address the risks and for this to be sufficiently articulated in the report.

2.3. **Financial report to the end of June 2018**

2.3.1 Abdul Razaq gave the latest financial position to the end of quarter one and outlined the mitigating actions planned to reduce the risk of not balancing the budget. In discussion the Board:

2.3.2 Acknowledged that although the pressure on budgets is unprecedented, there is external funding available that can be utilised while continuing to think of more creative ways to use funds that we already have and ramp up the opportunities to increase commercial income.

2.3.3 Agreed that in putting together the pitch for the 2019 Spending Review on what we can deliver for the 25 year plan, to be clear on costs and to acknowledge the additional pressure of a much later budget announcement than usual.

2.4 **Deep Dive report on the KPIs related to Countryside Stewardship (CS) and Environmental Stewardship (ES) Delivery**

2.4.1 Ali Johnson and Emma Appleby gave a detailed drill down on the current operational position and risks for ES and CS payments and agreement offers, future improvement plans and staff transition.

2.4.2 Emma reported the 3 major stands of work 1) clearing the backlog using a brand new operational team working in parallel to the existing team 2) major improvements to IT
systems, processes, training and communications. 3) having confirmed everyone who is in scope, overseeing the smooth transition to the RPA which will come into effect on 1 October as agreed with the Programme Board. The Programme Board are drafting, in partnership with stakeholders, an MoU which will set out how it will work in practice and will be based on the high level Target Operating Model .

2.4.3 Julia Aglionby expressed a wish to help develop the MoU in her capacity as a member of ARAC and invited Emma to take part in the ARAC teleconference the following morning which she will be chairing in the absence of Catherine Dugmore.

2.4.4 James Diamond reported that we were currently on profile for advanced ES 2017 payments but that we were managing two risks- extension of Fastrack process to a larger population (requires RPA/DEFRA approval) and training our new staff at York in more complex cases.

**Action: Emma to circulate the MoU for discussion at the teleconference on 19 July**

2.4.5 Noted that the Programme Board and Defra Comms is also overseeing the communications strategy and the board expressed a wish to discuss the strategy at the September Board.

**Action: Legal and Governance team to ensure CS/ES communications strategy is reflected on the September agenda.**

2.4.6 Ali gave an operational overview and reported the high level priorities needing to be addressed. In discussion, the Board:

2.4.7 Noted the latest figures for application packs and take up figures for the new on-line arable offer and the planned campaign to promote all 4 on-line packages for next year. There has been a significant increase in on-line claims and the Board were pleased that there has been increased co-operation across the Defra family.

2.4.8 Noted that a structured support is being put in place to build capacity and provide sustainability. Plans are also in place to pick up a higher proportion of 2019 agreements with a view to completing them sooner. The aspiration is to drive up uptake and the Board acknowledged that the team are aware of the efficiency challenge this will bring.

2.4.9 Noted that CS is on track to be completed by November this year and welcomed the 13% increase in take up since last month.

2.4.10 Were assured that the team have ways to target applications that have capital works.

2.5.1 **England Coastal Path case**

2.5.2 Julie Lunt updated the Board on the detail and context behind the recent EU judgement which has the potential to delay the completion of the England coastal path project, the action NE is taking to mitigate further delay and highlighted the risks we need to be alert to in relation to resources and communications.

**Action: Julie Lunt to provide a brief on implications and communications on Sweetman judgement.**

2.6 **Andy Smith – Thames Team Area Manager update.**

2.6.1 The Board welcomed Andy Smith to the meeting to give an overview of the work being undertaken in his area team, and to hear about how they are managing priorities, risks and
challenges in the light of budget allocation and the subsequent restraints this has entailed. In discussion, the board:

2.6.2 Noted the team were excited about the challenge of delivering though CS21 but are now experiencing a hiatus. The Board were pleased the team are able to grasp the commercial opportunities but recognised that in order to capitalise on these, it should balance getting people in place against the inevitable loss of experienced staff brought about by the end of fixed term appointments and staff looking for increased job security provided by the Defra EU Exit roles.

2.6.3 Recognised that the current budget pressures has increased the perception that messages about the environment and nature are not as prominent as they were. Members of the Board were interested to hear about the recently completed team plan and noted the carefully selected places and projects where the team might have the biggest impact. The Board agreed the team were well placed to be leading on net gain, given the South East’s many transport, housing and infrastructure projects and were encourage that despite the challenges, the team continue to play to their many strengths, identified as good influencers with excellent judgement, knowledge and experience.

2.6.4 Lord Blencathra reported that he was very impressed by the team when he visited recently, particularly their involvement on the recently confirmed London National Park City (LNPC) project and he requested sight of the plan. The Board resolved to ensure that the LNPC is captured in the National Parks and AONB Review.

2.6.5 The Board warmly thanked Andy for taking the time to update them and congratulated him on his good leadership and the superb team plan of which they requested a copy.

Action: Andy Smith to send Lord Blencathra the plan for the London National Park City project.

Action: Legal and Governance team to circulate the Thames Team Plan to the Board

2.7 Chief Scientists Report

2.7.1 Tim Hill reported on the work undertaken by the Evidence Earth Observation Service Team. In doing so he highlighted the wide number of opportunities for using Earth Observation (EO) across all six key policy areas within the 25 year plan; as well as illustrating how EO had been used in real-time during the recent wildfire on Saddleworth Moor. In discussion, the Board:

2.7.2 Agreed that earth observation technology has huge potential which can be applied in many key areas of the environmental management and were pleased that, as well as tracking and monitoring the Saddleworth Moor wildfires, the EO team have started to proactively explore the application of this technique across a wide range of areas.

2.7.3 Accepted the reasons why Board members could not be briefed in real-time on the wildfire’s development due to its complexity and the communications around it, and noted that a short review has been commissioned in an attempt to dispel some of the associated inaccurate reports which have arisen.

2.7.4 The Board commended Tim and his team and noted that the innovative development and application of Earth Observation techniques is a great example of how our technological capability can have a powerful impact within the Defra group. They also noted that the rapid developments in EO provide a good illustration of the points made by Andy Clements (on
behalf of NESAC) in his letter to Prof Ian Boyd (Defra’s Chief Scientific Advisor CSA) on the development of 25 Year Plan metrics.

2.7.5 In conclusion of the Chief Executives Report, the Board noted a marked difference in the pace and tone of the discussion and welcomed the mixture of operational, tactical and strategic insights; they cited the clear and concise explanation of the context of the England Coastal Path case (2.5.1) as a good example of this.

3. BIG effectiveness review (NEB 81 02)

3.1 Following the BIG effectiveness review in May, Simon Lyster introduced the paper which asked the Board to take stock of the raft of activity and key issues the group are tackling. The paper highlights the proposed areas the group will be focussing on over the next year where it can add the greatest value in resolving strategic priorities. The Board was asked to consider if the proposed areas of focus were largely accurate and what topics might need full Board discussion in the future. In discussion, the Board

3.1.1 Recognised that BIG was the key forum in which to help Area Teams deliver environmental outcomes and agreed the regular presence of an Area Manager helps to keep innovative ideas grounded in reality.

3.1.3 Acknowledged the huge contribution BIG has made so far in delivering strategic priorities, particularly on the concept of net gain but recognised that it is not the only solution.

3.1.4 Noted the deadline for the consultation on mandatory net gain and District Level Licensing and considered whether it went far enough and the possibility of getting it onto statute.

3.1.5 Noted BIG are currently considering NEs role on farm advice and on the broader issues on natural capital. The Board agreed that quality NE farm advice is highly valued and critical in achieving environmental outcomes but noted that farmers also receive paid advice from other sources and this needs to be balanced with value for money and in shaping our service in the market place.

3.1.6 Noted the strategy and reform team are investigating the key elements of what future funding will look like with a broad aspiration that at least a third of all income will be non-GiA and suggests it is achievable through net gain, sponsorship and LIFE funding.

3.1.7 Noted that third party income and advice needs to be monitored and agreed that it should be captured in the finance report in future.

Action: Abdul Razaq to capture third party income for monitoring purposes

3.1.8 Considered that innovation should be about finding opportunities in novel areas such as the use of technology (as outlined in the Chief Scientists Report) and suggested this should be more centre stage rather than being just about changes to process. Suggested bringing in external influencers occasionally to provide test and challenge. Recognised that care needs to be taken not to stray into the boundary of NESACs remit.

3.1.9 Guarded against having overlapping strategic plans and suggested that much of this work will filter from the bottom up but will need to think about how it fits together.

3.1.10 Agreed that these messages need to be communicated to the organisation more effectively.

3.1.11 Supported the suite of proposed areas of focus presented and expressed the importance of
sticking to its strategic aims and objectives so as not to replicate discussions at Board

3.1.12 Noted the suggested changes to the ToR and requested it to be brought to the September Board for formal ratification.

**Action:** Legal and Governance team to circulate the amended Terms of Reference for BIG to formally ratify it in September and before the next BIG meeting in October.

4. **Ministerial Performance Review (MPR) Action Plan and road map (NEB 81 03)**

4.1 Alan Law introduced the paper which sets out the recommended next steps following the MPR and preparation for the next Spending Review. In discussion the Board:

4.1.1 Agreed the approach for presenting the plan should articulate the following:
- Vision, be clear on the challenges
- Being a distinctive voice
- Governance, leadership and structure
- Give quantifiable impacts taking account of the breadth of NE remit and to illustrate them with case studies.

4.1.2 Were assured that engagement of external stakeholders to support the Programme Board would add quality, allow the capture local initiatives and to rectify the findings of the NERC enquiry that stakeholders lacked trust.

4.1.4 Welcomed the request to have Board member challenge and acknowledged that a coherent approach to SR19 planning is needed separate to that of Defra systems groups.

4.1.3 Understood that 3-6 month timing is critical but acknowledged that NE is a serious contributor and is recognised as a key provider in delivering the 25 year plan. The Board pointed out that NE have already completed a lot of this work on the strategy review and briefing for the Lords but suggested the inclusion of other areas such children and nature would also be beneficial.

4.1.5 Agreed that a clear plan of action should be drafted based on the above discussion.

**Action:** Alan Law to draft a road map based on the points raised in discussion.

5 **David Kennedy (Defra Director General, Food Farming and Biosecurity Systems)**

5.1 James Cross welcomed David Kennedy to the meeting to present an update on the potential successor to Countryside Stewardship and its delivery after the UK leaves the European Union. David made the following points:

5.1.1 Re-stated the rationale behind transferring the operational side of CS to the RPA as a natural fit with existing skill sets and organisational culture. It is envisaged this will free up NE to play a pivotal role in scheme design and advice which will benefit from the direct understanding that NE has of the challenges faced by farmers and landowners.

5.1.2 The current Defra position remains that that direct payments do not deliver good environmental outcomes, are not value for money and have held the industry back. A *public money for public goods* approach allows good environmental outcomes and a better financial return.
Data shows that farm productivity distribution is patchy and the challenge is to unlock productivity improvement. There will be a transition period of 5-7 years with a phased withdrawal from CAP.

The offer is that post CAP, farming practices will put money into innovations and new technology and be led by farmers who will be at the heart of all process decisions.

The option for farmers and landowners to take a cut of 5 – 20% has been considered. There is a proposal for farmers to continue to receive direct payments without the duty to adjust their business on the condition they then eventually leave the industry. This is designed to be attractive to tenant farmers who do not own the assets of the business.

Funds will be made available for environmental land management schemes in targeted areas where there is good value for money. The overarching lesson from CS is that it was more complex than it needed to be. Instead, farmers will be sufficiently engaged so they own their own personally designed environment plan, based on the choices they make from a list of options and prices.

There will be a new market for advice and plans will need to be lodged using a simple IT system; farmers will drive outcomes and an accreditation system put in place, although detailed audit processes are still to be determined. Farm level plans would be similar to existing mid-tier but we would want farmers to be more ambitious over time.

The scheme is to be piloted next year with a view to increasing the number of agreements to 5,000 by 2021 on the basis that 3,000 agreements are already on the current scheme. A more detailed design, project plan and transition is currently being worked up with NE remaining an important partner is the design of the scheme.

The Chair thanked David for the update and in discussion, the Board;

Welcomed the inclusion of the concept of natural capital but queried how environmental gains will be achieved in areas that are harder to value. The Board noted that economics is limited and too reductionist in this area, and therefore should not be a determining factor. The analysis of the Stern Review of the economics of Climate Change was cited as an example of this.

Were interested in the modelling of the withdrawal of direct payments over a period of time and advised that NE can also provide monitoring and data capture when considering NEs future role in the scheme’s implementation to jointly tell a story on the level of different farm systems and their data.

Were pleased that plans have captured the thinking on the landscape scale and catchment area approach to environmental outcomes of which NE is a strong proponent and that farmers are building it into their plans.

Noted that a stronger financial incentive and a simpler scheme design would help farmers and landowners find front loading work more attractive but how much is paid is an area of debate.

Noted that government is working on a strategic outline business case which sets out different options in making a strong case for budgets to continue beyond 2021.

EU Transition update: environmental governance consultation and fisheries white paper (NEB 81 04)
Rob Cooke was joined by David Knight to present Natural England’s response to the Defra consultation document on Environment Principles and Governance and our advice on handling our response to the Fisheries White Paper Consultation in advance of the next Board. In a wide ranging discussion the Board:

In considering the scope of the new body, the Board carefully considered the issues, risks, options, implications and alternatives of the various governance scenarios set out in the paper and concluded that the existing governance arrangements are fit for purpose and the new body should hold Ministers of the Crown to account through them and other public bodies.

In considering the inclusion of the newly established non-regression principle the Board considered the issues, risks options implications, and concluded that because the principle has not been widely tested that existing conditions should apply and regularly reviewed to ensure environmental standards are being maintained.

In considering the argument for the 25 Year Environment Plan have statutory status or remain as a policy commitment, the Board carefully considered the issues, risks, options, implications and alternative models and concluded that the 25 Year Environment Plan should be put on a statutory footing as it would provide greater accountability and commitments across all of government and from future administrations.

Requested that a response is drafted based on the detailed discussions at the meeting particularly the request to reinforce references to the 25 Year Plan and that Board members are copied into the email response to Defra.

Action: Rob Cooke to draft our response to the environmental governance consultation on the basis of the details of the discussion, particularly the request to reinforce the role of the 25 Year Plan

Action: Rob Cooke to copy Board Members into the email response to Defra.

The Board confirmed that NE should respond to the Fisheries White paper consultation but should not address matters which are not directly relevant to NE and focus on issues relating to the sustainable marine environment and proposed that a subset of the Board consisting of the Chairman, Joe Horwood, Rob Cooke and Jonathan Burney should take this forward in time for the September deadline.

Action: Rob Cooke to set up a sub set of Board, consisting of the Chairman, Joe Horwood, Rob Cooke and Jonathan Burney to draft an analysis on what we think is a sustainable marine environment.

7. Equality, Diversity, Inclusion and wellbeing update (NEB 81 05)

Julie Lunt introduced the paper which updated the Board on the progress and future plans for EDI and wellbeing in NE since its last update in February. The Board were asked to comment on specific issues; absence due to mental health; gender and anti-bullying; harassment and discrimination. In discussion, the Board welcomed the positive and proactive approach being taken and the emphasis on wellbeing to help manage stress and morale.

Noted the issue of ways of working was a recurring theme on the recent SLT Hot Seat and welcomed the work being undertaken to look at more creative ways to managing our ways of working within our parameters such as job shares and the creation of networks.
7.1.4 In considering the breakdown of mental health by absence type
  - Noted the trend that more people are reporting mental illness and our data is a reflection of a similar trend in other departments and wider society. The information is being used to compare and contrast our activity.
  - Were supportive of the new workplace passports initiative which is designed to signpost people to others who can support them whilst retaining anonymity. Noted that the mental health classification means that someone is under professional care.
  - Noted the large discrepancy in numbers for Cumbria and Northumbria (breakdown by Team) and accepted that this is based on one year’s information which can be misleading.
  - Expected stress to be higher under the current circumstances but accepted the importance of looking at the long term.

7.1.5 Advised the team to be alert to the gender pay cap and bonus issues and to consider highlighting these this to the Permanent Secretary.

7.1.6 Noted that all EDI work is done on a voluntary basis in parallel to day to day work and the Board asked Julie to thank the volunteers on their behalf who undertake this work.

  **Action:** Julie Lunt to pass on her thanks to all the EDI volunteers who undertake this work.

8. **Board Committee and sub group updates (NEB 81 06)**

8.1 **Designated Landscapes Group**
  - Alan Law updated the Board on the ongoing work being undertaken in relation to the relationship between the Glover Review and our existing designations work.

  8.1.2 Noted the comments from Simon Lyster before he left the meeting; that we should continue to progress non-contentious proposals such as boundary changes as long as Glover sees it as business as usual.

  8.1.3 Agreed to continue with the Suffolk AONB extension but noted that the proposals for other landscape designations are not priority work at this point in time.

  8.1.4 The Board agreed that we are still working on landscape designations, we are engaging people on how we can improve the designation processes within the auspices of the Glover review (and without pre-empting it) and to communicate that our area teams remain actively working on landscape conservation through our focus area work. No new designation work would be initiated at this point.

  8.1.5 Alan Law updated the Board on the ongoing work being undertaken in relation to the relationship between the Glover Review and our existing designations work.

8.2 **Audit and Risk Assurance Committee (ARAC)**
  - The Board noted the updated from the last ARAC fortnightly tele-conference given by Lord Bencathra as Chair for Catherine Dugmore.

8.3 **Natural England Science Advisory Committee (NESAC)**
  - Andy Clements reported that the formal minutes from the June meeting will be presented at September Board but was able to report on the excellent presentation on metrics from Ruth Waters, Deputy Chief Scientists and asked Tim Hill to pass on his thanks to her. The meeting also covered interdisciplinary working, and NEs leading role in climate change mitigation. The Board noted the contents of the letter to Ian Boyd on metrics and the 25 Year Plan.
8.4 Uplands Working Group quarterly update
Julia Aglionby reported that the minutes of the June meeting will be presented to the September Board meeting. The number of voluntary commitments received to suspend rotational burning is at 70%. The team are receiving legal advice on handling those consents where holders do not wish to voluntarily surrender, which will impact on how we take forward future cases.

8.5 Proposed to have a drill down on the Saddleworth Moor wildfire at future Board meeting.

**Action:** Legal and Governance team to add Saddleworth Moor drill down to the forward look.

8.6 Engagement Group
Noted that we are awaiting a fuller engagement strategy to come to a future Board.

9. Board Diary (NEB 81 08)
The Board noted the dates and locations of 2018 and 2019 Board meetings.

10. Any Other Business

10.1 The Chairman was pleased to report that Lord Blencathra had been appointed Deputy Chairman.

10.2 The Board noted that work is underway with Defra on the recruitment pack for the new Chairman. The vacancy will run from mid-August to September and an interview panel is currently being assembled. James will be looking to Board members over the summer to assist in the process and a shortlist will be put together for the Secretary of State

**Actions log**

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<th>Agenda Item/Paper</th>
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<td>Declarations of Interest</td>
<td></td>
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<td>Julie Lunt</td>
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<td>Legal and Governance Team</td>
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<td>2.2.4</td>
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<td>Tim Hill</td>
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<td>5</td>
<td>CEO Report (NEB 81 01) (CS /ES) Delivery</td>
<td>2.4.3</td>
<td>Circulate the NE/RPA MoU to members of ARAC for discussion.</td>
<td>Julie Lunt</td>
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<td>CEO Report (NEB 81 01)</td>
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<td>01</td>
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<td><strong>CEO Report (NEB 81 01) (ECP)</strong></td>
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<td><strong>CEO Report (NEB 81 01) (Area Manager)</strong></td>
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