Board Meeting

Minutes of the Board meeting held on Wednesday 9 October 2019 in London.

Present
Emma Howard Boyd  Chair
James Bevan  Chief Executive
Richard Macdonald  Deputy Chair (Items 1-4, 6-12.1)
Gill Weeks  Board Members
Robert Gould
John Lelliott
Caroline Mason (Items 6, 7, 11, 12.1)
Judith Batchelar
Lynne Frostick
John Varley (Items 1-4, 6-12.1)

In attendance
John Curtin  Executive Director Flood and Coastal Risk Management (Items 1-12.1)
Toby Willison  Executive Director Operations
John Leyland  Chief of Staff
Peter Kellett  Director of Legal Services
Pat Bolster  Director of Finance (Items 1-4, 6-7, 11)
Doug Wilson  Director of Research, Analysis and Evidence
Nessa Winters  Deputy Director, Governance and Engagement, interim
Anna Burns  Deputy Director, Governance and Engagement
Mark Funnell  Deputy Director, Communications
Ed Telford  Governance and Engagement Manager
Annabelle Rose  Senior Adviser to Chief Executive (Items 1-7, 11)
Kathryn McDonald  Senior Board Governance Adviser

Item 5
Tony Grayling  Director, Sustainable Business & Development

Item 6
Dafydd Evans  Deputy Director, EU Exit Planning

Item 7
Simon Dawes  Head of Sustainable Business

Item 8
Harry Leeder  Business Manager
Julie Foley  Director, FCRM Strategy & National Adaptation

Item 8
Steven Tupper  FCRM Manager, Strategy Development
Richard Houghton  Deputy Director, Health, Safety & Wellbeing

Item 10
Alice Duncan  Senior Board Governance Adviser

Item 12.2
Craig Martin  Chief Pensions Officer
Item 1  Apologies for absence
1.1 The Board noted apologies from Maria Adebowale-Schwarte and Harvey Bradshaw. It was noted that Doug Wilson would deputise for Harvey Bradshaw.
1.2 The Board noted that John Varley and Pat Bolster would need to leave the meeting early. Additionally Caroline Mason would attend for select items only.

Item 2  Declarations of Interest
2.1 There were no declarations of interest raised.

Item 3  Minutes of the Board Meeting on 16 May 2019 and matters arising
3.1 The Board approved the minutes of the meeting held on 16 May 2019 and noted the action updates. Doug Wilson agreed to progress action 2 related to the integration of research into Board conversations.

Action: Doug Wilson

Item 4  Chair and Chief Executive’s Updates
Chair’s Update
4.1 Emma Howard Boyd offered congratulations to John Varley following the extension of his term.

4.2 Emma updated the Board on plans to recruit up to four new Board members in 2020. She asked that all Board members assist the recruitment by highlighting the opportunity to their networks.

4.3 James Bevan noted that there was ongoing recruitment for the Office of Environmental Protection (OEP) and, similarly, asked Board members to share with their networks. It was agreed to share details of the OEP recruitment and details of the skills the Environment Agency Board recruitment would be focused on with the Board members.

Action: Deputy Director Governance & Engagement

4.4 Emma noted that she had been busy with events since the last Board meeting, and drew Board members’ attention to her engagements detailed in the Chair’s Update paper. These engagements had included a number of Area visits, focussed on a variety of operational and incident response issues.

4.5 Emma noted that key foci since the last Board meeting had included London Climate Action Week and the United Nations General Assembly (UNGA). The Board noted their pride in the Environment Agency Chair attending UNGA and the platform this gave the Environment Agency on the global stage.
4.5 Emma noted that her recent engagement had included Secretary of State Alok Sharma, Claire Perry MP, Minister Zac Goldsmith MP and Minister Rebecca Pow MP.

Chief Executive’s Update

4.6 The Board noted the items in the paper.

4.7 The Board discussed the recent response to the Toddbrook Reservoir incident. It was noted that Environment Agency teams had responded well to the situation. James Bevan advised the Board that the Environment Agency had suggested the independent enquiry take place and would ensure certain observations were reflected in the report.

4.8 The Board discussed the session held on 8 October 2019, which some Board members had attended, to discuss water strategy and challenges, and agreed it had been a very useful session. It was agreed the papers from this session would be circulated to the full Board. The Board agreed that it would revisit this discussion at a future meeting of the full Board, or the Environment & Business Committee.

Action: Board Governance Team

4.9 The Board were advised of the ongoing work with Defra Future Farming and Countryside Programme to identify where the Environment Agency could support the future regulatory approach.

Item 5 EU Exit

Item 5 was inquorate, as such no decisions were taken.

5.1 Tony Grayling advised the Board that the relevant laws, systems and resources were in place to allow for continuity of regulation following EU Exit. The Board were also briefed on the progress of relevant legislation through Parliament. A short briefing on the legislation was requested, to be shared with Emma Howard Boyd and James Bevan at the earliest opportunity.

Action: Executive Director Environment & Business

5.2 The Board noted that the organisation remained resilient and prepared to respond to potential environmental impacts that occurred as a result of an exit without a deal.

Item 6 Sustainability Strategy – eMission2030

6.1 The Board discussed the proposed structure and ambitions of the eMission2030 Sustainability Strategy.

6.2 The Board had an extensive discussion regarding the ambition to become a net zero organisation by 2030. The Board were assured that resources had been allocated to focus on the delivery of this ambition, at pace. The appropriate detailed metrics and measures would also be put in place in order to ensure that progress would be reported against the target.
6.3 The Board approved the ambition to become a net zero organisation by 2030, and to explore options to become an absolute zero organisation by 2050.

Item 7  5 Year Action Plan

7.1 The Board discussed the draft structure of the 5 Year Action Plan. It was noted there was clear connectivity between this plan and the eMission2030 strategy. The Board noted the plan should reflect an organisation prepared for both adaptation and resilience to the effects of climate change.

7.2 The Board agreed to review the 5 Year Action Plan at their meeting in December and noted their thanks to the team for progress on the plan.

Action: Chief of Staff

Item 8  FCRM Strategy, post-consultation update

8.1 Lynne Frostick advised the Board that the FCRM Strategy would be discussed in depth at the FCRM Committee meeting on 16 October 2019, and all Board members would be welcome to attend.

8.2 The Board noted the comprehensive update post-consultation, which included summary feedback, focus areas and resilience standards for the strategy.

8.3 The Board supported the production of a consultation response document to detail how the strategy addressed comments.

8.4 The Board noted that it was expected that the FCRM strategy would be laid in Parliament in December.

8.5 The Board discussed the preparedness of the organisation to deal with the totality of water issues, and noted that an integrated view of catchments was key. The FCRM Strategy would address how the organisation deals with flood resilience, supply and quality.

8.6 The Board expressed its thanks to Julie Foley and her team for their work to progress the FCRM Strategy and the ongoing engagement work.

Item 9  Annual Items

Equality, Diversity & Inclusion Annual Report

9.1 The Board noted the report and the progress against statutory objectives. The Board agreed there should be a continued focus on the delivery of change and progress towards the organisation’s challenging targets.
9.2 The Board noted the report and the positive performance, but reflected that the performance should not allow for any complacency and the organisation should continue to pursue the highest standards for the health, safety and wellbeing (HSW) of employees. The Board were invited to continue to be inquisitive and show leadership on the organisation’s HSW culture.

**Item 10** Review of Board Planning and next steps

10.1 The Board endorsed proposals to progress opportunities identified and were invited to share further thoughts for engagement opportunities.

10.2 The Board approved the summary note of the Board planning day held in July 2019.

**Item 11** Schemes of Delegation and Finance Update

**Finance Update**

11.1 The Board noted the financial position as at the end of August 2019.

**Financial Scheme of Delegation**

11.2 The Board noted the items listed in the paper.

11.3 Pat Bolster noted that an additional change to the Financial Scheme of Delegation (FSoD) had been approved by Emma Howard Boyd and James Bevan, under section 4.1 of the Board Standing Orders. The change related to setting approval of all flight spend at Executive Director level.

**Non-Financial Scheme of Delegation**

11.4 The Board noted and approved amendments to the Non-Financial Scheme of Delegation.

**Item 12** Committee Meetings – oral updates

**Committee Updates**

12.1 The Board noted the paper on recent Committee meetings.

12.2 Lynne Frostick advised the Board that the FCRM Committee had approved the Phase 1 variation proposals for Thames and Anglian Central Regional Flood and Coastal Committees, which the Board delegated to the Chair of FCRM Committee at the meeting on 16 May 2019. The Committee renamed the region from Anglian Central to Anglian (Great Ouse). Minister Coffey approved the variations of the Thames and Anglian (Great Ouse) RFCC compositions and the final publication would be ahead of 1 December 2019. The compositions would come into effect on 1 April 2020.

12.3 John Lelliott reported to the Board that, at its meeting in June, the Audit & Risk Assurance Committee had approved the Environment Agency Annual Report and Accounts, and both the Open and Closed
The Board approved the appointment of Will Lidbetter to the Pensions Committee as an Active Member Representative for Unison.

The Board approved the proposed changes to the Pensions Committee Standing Orders as set out in Appendix 1 of the paper.

The Board noted the current position of the staff pay award. The People and Pay Committee had granted flexibility for open discussion with trade unions with regard to how the 2% pay remit is split across groups of employees. The Board noted the award was likely to be paid to staff in January 2020. Emma Howard Boyd and James Bevan continue to raise the issue of pay with the Secretary of State and Ministers.

The remaining items were inquorate, as such no further decisions were taken.

Environment Agency Pension Fund Discretionary Policy Statements

Craig Martin briefed the Board on the paper and proposed changes. He advised that the changes had been agreed by the Pensions Committee. Robert Gould, Pension Committee Chair, noted that the changes had been well scrutinised by the committee and legal teams and commended them for Board approval.

It was noted that the proposed changes would be submitted to the Chair and Chief Executive for approval under section 4.1 of the Board Standing Orders, since the meeting was not quorate at this point.

The Board noted their acknowledgement and thanks for the work Craig and his team had accomplished despite recent challenges.

Item 13 AOB and Date of Next Meeting

There was no other business. The next meeting will be held on 12 December 2019.

Item 14 Meeting Review

The Board reviewed the meeting.

The meeting closed at 15.30.