### Board Meeting

**Wednesday 12 February 2020**

**Venue:** Broadway House, London, SW1H 9NQ  
**Board session:** 08:30 – 09:30  
**Board meeting:** 09:45 – 14:35  
**Quorum:** 7 non-executive Board members

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<tbody>
<tr>
<td>1.</td>
<td>Apologies</td>
<td>Emma Howard Boyd</td>
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<td>2.</td>
<td>Declarations of Interest</td>
<td>Emma Howard Boyd</td>
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<td>3.</td>
<td>Minutes of the Board meeting held on 12 December 2019 and matters arising <em>(for approval)</em></td>
<td>Emma Howard Boyd</td>
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<td>4.</td>
<td>Board Updates</td>
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<td>4.1</td>
<td>Chair’s update <em>(for information)</em></td>
<td>Emma Howard Boyd</td>
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<td>4.2</td>
<td>Chief Executive’s update <em>(for information)</em></td>
<td>James Bevan</td>
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<td>5.</td>
<td>5 Year Action Plan <em>(for approval)</em></td>
<td>John Leyland</td>
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<td>Break</td>
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<td>6.</td>
<td>Communications priorities for 2020/21</td>
<td>Mark Funnell</td>
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<td>7.</td>
<td>FCRM GiA final indicative allocation for 2020/21 <em>(for approval)</em></td>
<td>John Curtin</td>
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<td>8.</td>
<td>Flood and Coastal Levies and Charges for 2020/21 <em>(for approval)</em></td>
<td>Pat Bolster</td>
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<td>Regular update items</td>
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<td>9</td>
<td>Finance update</td>
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<td>Schemes of Delegation (for approval)</td>
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<td>Lunch</td>
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<td>National Audit Office report on Waste</td>
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<td>(NAO)</td>
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<td>EU Exit (for discussion)</td>
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<td>Harvey Bradshaw</td>
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<td>Keith Davies</td>
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<td>(for approval)</td>
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<td>12</td>
<td>Committee meetings – oral updates (for information)</td>
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<td>12.1</td>
<td>E&amp;B annual review</td>
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<td>Maria Adebowale-Schwarte</td>
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<td>12.2</td>
<td>Pensions Committee annual review</td>
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<td>Robert Gould</td>
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<td>12.3</td>
<td>ARAC annual review</td>
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<td>John Lelliott</td>
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<td>13</td>
<td>AOB and date of next meeting</td>
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<td>Emma Howard</td>
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<td>Review of meeting</td>
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<td>Emma Howard</td>
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<td>Meeting Date</td>
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<td>December 2019</td>
<td>Item 5.3 Discussion with David Hill</td>
<td>Board Governance team</td>
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<td><strong>Action:</strong> The Board agreed to extend a standing invitation to the Director General to a session at future Board meetings.</td>
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<td>December 2019</td>
<td>Item 6.5 Chair and Chief Executive’s Updates</td>
<td>Emma Howard Boyd</td>
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<td><strong>Action:</strong> Emma encouraged the Board to consider joining the organisation [Chapter Zero] and agreed to circulate full details.</td>
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<td>December 2019</td>
<td>Item 7.8 Winter Flooding Response and Recovery</td>
<td>Emma Howard Boyd</td>
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<td><strong>Action:</strong> The Board agreed that a note of thanks on behalf of the Board would be issued before the Christmas period.</td>
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<td>December 2019</td>
<td>Item 9.4 Water Story</td>
<td>Harvey Bradshaw</td>
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<td><strong>Action:</strong> Anne Dacey asked the Board for recommendations of individuals to sit on the ‘Rethinking Water’ working group and agreed to consider and share the desired skills mix to assist.</td>
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<td>May 2019</td>
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<td>October 2018</td>
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Please clearly state what decision you are seeking from the meeting
The Board is asked to:
   1. Note recent Chair engagements

Key points for discussion

This paper is intended to update the Board on the Chair’s key engagements since the last Board meeting on 12 December 2019.

Governance
What meetings/groups have already reviewed this item?
N/A   N/A

What meetings/groups need to review this item next?
N/A   N/A

Are there any risks associated with the evidence and analysis in the paper?
N/A

How will the key messages/decisions be communicated?
N/A

No legal annex is required
This is an information paper and therefore no legal annex is required.
1.0 Emma Howard Boyd engagements 12 December 2019 to 7 February 2020

1.1 Please note this paper highlights Emma’s key engagement events since the last formal Board meeting. A detailed itinerary of Emma’s engagements is also sent out each week via the weekly update to Board members.

**Key Speaking and panel events**

3 January – Interviewed by the BBC Today Programme
8 January – Spoke at the Home Builders Federation Summit on Housing and the Environment
10 January – Spoke at the Great Yarmouth tidal defence scheme phase 2 opening event
13 January – Spoke on a panel at the University of Oxford MBA Climate Action Programme
15 January – Gave keynote address at the Coastal Futures 2020 Conference: ‘Coasts on the front line’
16 January – Spoke at the West Midlands ALG Meeting about the climate emergency
27 January – Spoke and took part in Q&A discussion at the National Farmers’ Union Council Dinner
29 January – Interviewed by the Guardian
29 January – Spoke at the World Resource Institute event ‘The Year of Action: Accelerating Adaptation in 2020’
30 January – Spoke on a panel at the Whitehall Industry Group’s event on Green Finance and Sustainable Investment
5 February – Spoke at the Environment Agency All Executive Managers’ meeting
6 February – Keynote at Westminster Energy, Environment and Transport Forum’s policy conference: The future for environmental standards in the UK

**E&B focused activity**

18 December – Met with Harvey Bradshaw, John Curtin, Tony Grayling and Liz Parkes to discuss the Environment Agency’s Climate Change AmbITION
9 January – Interviewed for Working with Others Collaboration and Partnership L&D Project
23 January – Attended the ‘Land use: policies for a Net Zero UK’ – Committee on Climate Change report launch
28 January – Attended the Sainsbury’s Sustainability Summit

**FCRM focused activity**

23 December – Visited Fishlake with HRH The Prince of Wales following flooding incident
3 January – Visited Currymoor and saw the pumping operation following heavy rainfall
20 January – Met with Henk Ovink, the Netherlands’ Special Envoy for International Water Affairs
**20 January** – Co-hosted roundtable discussion with Henk Ovink, the Netherlands’ Special Envoy for International Water Affairs on the NL and UK approach to flood resilience & adaptation with Julie Foley, Jaap Flikweert (Royal Haskoning), Nanco Dolman (Royal Haskoning), Paul Cobbing (Chief Executive of National Flood Forum), Andrew Russell (Senior Analyst at Committee on Climate Change), Robert Caudwell (Chairman at Association of Drainage Authorities – ADA), Daniel Johns (Head of Public Affairs at Anglian Water), Marieke Schulze (NL Ministry of Infrastructure and Water Management), Kooosje Beumer (NL Embassy), Terence Speijer (NL Embassy) and Julia Beeden (Local Authorities)

**Key Green Finance/Resilience activity**

**16 December** – Took part in Coalition for Climate Resilient Investment Year-end Update call

**7 January** – Met with Ingrid Homes, Ben Sanderson and Sharon Brown from Hermes Investment

**14 January** – Attended Confederation of British Industry Dinner

**15 January** – Met with CDC Group on climate change

**6 February** – Met with Veronica Scotti, Esther Bauer and Andreas Prystav, Swiss Re

**6 February** – Attended Nick Stern’s seminar: “Strategies and Priorities for the Transition to a Zero Carbon Economy”

**Key Stakeholder Engagements**

**16 December** – Call with Chris Stark, CEO, Committee on Climate Change

**16 December** – Met with Tamara Finkelstein, Defra Permanent Secretary

**16 December** – Met with Sally Randall, Defra Director for Floods and Water

**17 December** – Call with Tony Juniper, Natural England Chair

**17 December** – Met with Stephen Brenninkmeijer, Chair of the European Climate Foundation and joined dinner to celebrate the recent release of World Resource Institute’s World Resources Report

**7 January** – Met with Baroness Brown of Cambridge, Chair of the Committee on Climate Change’s Adaptation Sub-Committee

**8 January** – Met with Zoe Knight, Managing Director, Group Head, HSBC Centre of Sustainable Finance

**15 January** – Met with Christina Chan, Director for the Climate Resilience Practice at World Resource Institute

**16 January** – Attended the first 2020 meeting of the Council for Sustainable Business with the Secretary of State, Minister Pow and Zac Goldsmith

**16 January** – Met with Henry Dimbleby, Defra’s lead non-executive board member

**16 January** – Attended Defra Board Meeting

**20 January** – Met with Rachel Mumba, Defra Deputy Director, International Environment Conventions 2020

**23 January** – met with Gay Huey Evans, Chair of London Metal Exchange and independent non-executive director of Standard Chartered Bank

**23 January** – call with Patrick Verkooijen, CEO of Global Center on Adaptation

**23 January** – Met with Nicola Jenks, Department for International Development

**27 January** – Met with Rhian Mari Thomas and Sir Roger Gifford, CEO and Chair of the Green Finance Institute

**28 January** – Met with Mark McAllister, Chair of the Office for Nuclear Regulation
28 January – Took part in the Global Commission on Adaptation Teleconference
29 January – attended KMPG Senior Business Women Network Breakfast
29 January – Interviewed by the Guardian about managing our water environment
30 January – Met with Ben Goldsmith, Defra non-executive board member
30 January – Met with Peter Simpson, Chief Executive of Anglian Water
30 January – Attended Global Association of Risk Professionals Climate Dinner
4 February – Attended the Launch of the 26th UN Climate Change Conference COP26 with the Prime Minister
4 February – Met with Nick Mabey, Chief Executive and founder director of E3G
4 February – Attended Foreign and Commonwealth Office Reception to mark the launch of the 26th UN Climate Change Conference
7 February – Attended a Private Finance Roundtable on COP26 hosted by Mark Carney (COP26 role)

Other business: Recommendation for Approval at Board Meeting
Please clearly state what decision you are seeking from the meeting
The Board is asked to note the update on key topics since the last meeting.

Governance
What meetings/groups have already reviewed this item?
NA
What meetings/groups need to review this item next?
NA

Are there any risks associated with the evidence and analysis in the paper?
None

How will the key messages/decisions be communicated?
This paper will be published on GOV.uk.

Legal Services have been consulted and confirm no legal annex is required.
Legal advice provided by: Peter Kellett
1.0 The Environment Bill

1.1 The Environment Bill was introduced to Parliament in October 2019 but fell due to the general election. It was re-introduced on 30 January 2020. There have been a few changes to the Bill, the most significant of which relate to transparency on maintaining environmental standards and reporting on developments in international legislation on the environment.

1.2 The Environment Agency has been talking to key stakeholders (Green Alliance, The Wildlife Trusts, and the Broadway Initiative) and other UK regulators to understand and identify common issues. Work has also started to understand the resource and funding implications on Environment Agency activities.

2.0 The Agriculture Bill

2.1 The Agriculture Bill was re-introduced to Parliament on 16 January 2020 to give the necessary powers to design England’s agricultural policy to deliver strong outcomes for farmers and the environment after leaving the EU.

2.2 The new Bill retains elements of the original 2018 policy to:
1. Phase out Direct Payments in England over seven years (2021 to 2027);
2. Phase in payments for the provision of public goods (in line with 25 Year Environment Plan goals) and improved productivity;
3. Strengthen farmers’ position at the farm gate by improved transparency through the use of data and greater fairness in a complex supply chain.

2.3 The Agriculture Bill now also includes more of a focus on food production with new provisions requiring Government to conduct a regular review of food security. Defra state “Environmentally-friendly farming and food production can go hand in hand.”

2.4 In addition, on 9 January 2020 a new Farm Payments Bill was introduced to ensure farmers continue to receive Direct Payments for 2020. This follows the announcement by the Chancellor that Direct Payment levels for the year ahead will be maintained.

3.0 Environmental Performance Assessment (EPA) Review

3.1 The Environment Agency is reviewing the water company performance reporting and EPA for 2021-2025.

3.2 Expanding the scope of the EPA is proposed, by adding two new water resources metrics, and tightening thresholds for existing metrics in line with the joint Environment Agency and Natural England guidance to water companies known as the Water Industry Statutory Environmental Requirements (WISER) 2020-2025. A consultation with stakeholders was launched on 19 December 2019 and will run to the end of February 2020.
3.3 It is intended that more detailed data for each company to support performance reviews and Customer Challenge Groups will be published. The new water resources metrics are Abstraction and Impoundment Licence Compliance and Supply Demand Balance Index.

3.4 Reporting externally on water only company performance is also proposed. The Environment Agency has liaised extensively with water and sewerage companies and water only companies prior to release of the consultation.

4.0 Abandoned Waste Sites Programme

4.1 In April 2019 the Environment Agency began a pilot programme with Treasury funding via Defra to fund the landfill tax costs associated with clearing abandoned waste sites.

4.2 From a priority list of five sites, agreements to clear two of these sites are in place (one in Sunderland and one in the West Midlands). In West Midlands a private company is clearing a site with the support of funding for the landfill tax costs, which will remove a significant fire and pollution risk, and enable the site to return to economic use. It is anticipated that both sites will be cleared within 12 weeks.

4.3 The Environment Agency continues to pursue opportunities to clear the remaining three sites and is developing proposals to extend the two year programme to other high priority abandoned waste sites.

5.0 Flood and Coastal Erosion Risk Management (FCERM) Strategy

5.1 Following the consultation process the Environment Agency has been finalising the FCERM Strategy text with Defra colleagues. At the end of January, the FCERM Strategy was submitted to the Minister for indicative approval.

5.2 The organisation will then work to incorporate the Minister’s comments ahead of the expected budget on 11 March 2020. It is expected that the National Infrastructure Strategy will also be published on this date.

5.3 It is anticipated that the Budget and National Infrastructure Strategy will further strengthen the existing text in the FCERM Strategy. Following the Budget the FCERM Strategy will be submitted for final approval, with a view to laying in parliament before the Easter parliamentary recess.

5.4 The FCERM Strategy will be a public document and therefore effectively launched when it is laid in parliament. Team are working on a joined up communications and engagement approach to support this.
6.0 Toddbrook reservoir - Whaley Bridge

6.1 On 1 August 2019, following periods of heavy rain, the spillway at Toddbrook Reservoir, owned by the Canal and Rivers Trust (CRT), partially collapsed.

6.2 The Environment Agency has been working closely with Defra to contribute to the independent review of Toddbrook, being led by David Balmforth. The Environment Agency met with Defra and the review team in November and December 2019 along with representatives from the CRT. Under the requirements of the legislation, CRT has also conducted an investigation into what happened.

6.3 In December 2019, Defra and the Environment Agency wrote to owners of large reservoirs asking them to complete a survey relating to spillway design and construction, as well as information about reservoir on-site flood plans. This will assist the review team and the Environment Agency in terms of learning to inform future reservoir safety. The devolved administrations are in the process of seeking similar information. CRT also held a public meeting in late December 2019 to explain the plans for temporary works that started on 6 January 2020.

6.4 Draft reports have been prepared by the review team and CRT and will be submitted to the Secretary of State imminently. Depending on the findings, Defra will consider whether to extend the review to consider any wider improvements needed to:
- current reservoir safety
- roles and responsibilities
- laws and regulations about reservoir safety.

7.0 National Audit Office review of Flood and Coastal Risk Management

7.1 The Environment Agency has received notice that the National Audit Office (NAO) will carry out a review of Flood and Coastal Risk Management (FCRM) during 2020. Publication is expected in September 2020.

7.2 Environment Agency officials are having initial meetings with the NAO team to brief them on the latest strategic position of flood risk management. This includes the draft FCERM Strategy, our Long Term Investment Scenarios, the National Infrastructure Assessment and a forward look of investment for the coming years. Background information on areas of interest is being provided to the NAO, which intends to finalise the scope of the report by March 2020. This will allow for field work and data collection in the spring, followed by drafting of the report in the summer.

7.3 The 2020 review follows previous NAO reports on FCRM which have occurred at roughly 5 year intervals. In 2006, the report titled ‘building and maintaining river and coastal flood defences in England’ focussed on the condition of high risk assets. In 2011, ‘Flood Risk Management in England’ focussed on the role of local authorities in managing risk. Finally, the 2014 report ‘strategic
flood risk management’ focussed on value for money, efficiency and national levels of investment.

7.4 Ken Allison (Director for Allocation and Asset Management) is the Environment Agency Director tasked with leading the engagement with the NAO on the 2020 report. As with previous reviews, the Environment Agency will put in place a project manager to assist with data collection and information requests. This will streamline responses and ensure that the needs of the NAO are met efficiently and accurately.

8.0 Joint Unit for Waste Crime

8.1 On 16 January 2020 we publicly launched the new Joint Unit for Waste Crime (JUWC). The JUWC is an exciting new initiative bringing together a range of partners to reduce the impact of serious and organised crime in the UK waste industry to the economy, the environment and communities. Establishing the JUWC was the first recommendation made by the independent review into serious and organised crime in the waste sector, published by the Government in November 2018.

8.2 The JUWC recognises the benefits partnership working can have in disrupting and deterring crime. The criminal gangs and individuals operating in the waste industry are usually also involved in other types of crime, so working collaboratively can often have the best results. The unit will target serious and organised crime affecting the UK waste industry where intelligence indicates a multi-agency response would be the most effective.

8.3 As the primary regulator in the waste industry, the Environment Agency will lead the JUWC in collaboration with the five other partners: Natural Resources Wales; the Scottish Environment Protection Agency; the Police; Her Majesty’s Revenue and Customs and the National Crime Agency.

8.4 The launch of the JUWC, led by Toby Willison as Chair of the unit was publicised through a press release and social media content. The press release secured coverage in a number of national and local publications and websites. The Environment Agency’s social media campaign was active on Twitter, Facebook, Linked In and Instagram gaining over 100,000 impressions (or views) within the first 48 hours.

9.0 Potential for groundwater flooding in Solent and South Downs

9.1 Groundwater levels are rising in a band of chalk bedrock that stretches from Dorset to Kent, and is particularly acute in Hampshire, where groundwater flooding has already affected some cellars, fields and roads.

9.2 Solent & South Downs Area is preparing for groundwater fed flooding, based on the ‘Reasonable Worst Case’ (RWC) scenario. The ‘most likely’ forecast is for cellar flooding, with limited disruption to communities.
9.3 The RWC could mean prolonged flooding (lasting many weeks) of up to 200 properties - mainly in Hampshire, but also in Sussex.

9.4 Local MPs and Local Resilience Forums have been briefed. Six ground water flood alerts have been issued (as of 27 January 2020). Detailed groundwater updates are being provided on the gov.uk website. The Environment Agency is liaising with Lead Local Flood Authorities (LLFA) to ensure they are prepared for groundwater flooding.

10.0 November 2019 Yorkshire Flood Event

10.1 Heavy rainfall over 7 and 8 November 2019 on the Don catchment in South Yorkshire was more than 150% of an average November's rainfall contributing to the wettest autumn in the catchment on record. This had a devastating impact on communities in Doncaster, Rotherham, Sheffield and Barnsley with 1065 properties and 372 businesses flooded. In East Yorkshire 24 properties also flooded and there has been a significant impact to farmland.

10.2 Since 2010, more than £44 million has been invested in flood defences in South Yorkshire. It is estimated that over 6000 properties, 1000 businesses and critical infrastructure were protected during this incident.

10.3 Throughout the floods and the associated recovery the Environment Agency has been working as part of a multi-agency response across Yorkshire working closely with Local Authorities, Internal Drainage Boards and Yorkshire Water. The organisation aims to build on these partnerships and work closely with communities taking a catchment based approach to further strengthen resilience across the Don catchment.

10.4 Inspections of Environment Agency assets after the incident identified 192 asset repairs. Further inspections are ongoing on the river Hull where it is expected further repairs will be identified. It is estimated the cost of known repairs will be £30m with an additional £50m to provide improvement for future asset resilience.

James Bevan
February 2020
Please clearly state what decision you are seeking from the meeting

The Board is asked to:

1. Note the substantive agenda items discussed at Environment and Business Committee, Flood and Coastal Risk Management Committee, People and Pay Committee, Pensions Committee and ARAC since December 2019.

Key points for discussion
Committee Chairs will be asked to highlight particular areas of note for the Board.

Governance
What meetings/groups have already reviewed this item?
N/A

What meetings/groups need to review this item next?
N/A

Are there any risks associated with the evidence and analysis in the paper?
No

How will the key messages/decisions be communicated?
Through an oral update during the Board meeting.

No legal annex is required.
1.0 Introduction

1.1 This paper provides a summary of substantive agenda items that have been discussed at Committee meetings since the last full Board meeting on 12 December 2019.

2.0 Flood and Coastal Risk Management (FCRM) Committee

2.1 The FCRM Committee met on 29 January 2020. Substantive items discussed were:
   - FCRM GiA final allocation
   - Review of long-term problems with coastal management (inc. Shoreline Management Plan refresh)
   - Southsea Coastal Scheme full business case.

3.0 Environment and Business Committee

3.1 The Environment and Business Committee met on 30 January 2020. Substantive items discussed were:
   - Drought
   - EU Exit
   - Water Story
   - E&B Annual Review.

4.0 People and Pay Committee

4.1 The People and Pay Committee have not met since the last Board meeting on 12 December 2019.

5.0 Pensions Committee and Pensions Board

5.1 The Investment Sub-Committee have not met since the last Board meeting on 12 December 2019.

5.2 The Pensions Committee met on 18 December 2019. Substantive items discussed were:
   - Audit Strategy
   - Actuarial Variation
   - Investment Strategy & Responsible Investment
   - Brunel Pension Partnership
   - Benefits administration performance reporting
   - Governance.
6.0 Audit and Risk Assurance Committee

6.1 The Audit and Risk Assurance Committee (ARAC) met on 9 December 2019. Substantive items discussed were:
- NAO Audit Planning report
- 6 monthly Fraud and Money Laundering report
- 6 monthly Whistleblowing report
- Public Safety near Environment Agency flood assets
- Finance update, including: Financial transparency, Capital Programme reporting and International Financial Reporting Standards (IFRS) 16 leases
- Pensions and Brunel Partnership – risk update
- Corporate Management and Defra Corporate Services including SSCL update
- Annual review of the committee.

6.2 The Committee also welcomed Sarah Homer (Defra Chief Operating Officer) for a guest slot to discuss our ongoing relationship with Defra Corporate Services.

6.3 The committee will host a workshop in London on Tuesday 3 March, where discussion will focus on material issues as drivers of risk. This follows a discussion with the Board last year at the annual planning meeting.

Board Governance Team

5 February 2020