

Natural England Board



Title: **Confirmed minutes of the 89th Natural England Board meeting 19th June 2019**

Members attending	Gleny Lovell, Interim Chief Officer of Planning and Performance
Tony Juniper, Chairman	Richard Cornish, Chief Officer Operations
Lord Blencathra, Deputy Chairman	Ken Roy, Director Governance
Catherine Dugmore	Navroza Ladha, Chief Officer Legal and Governance
Professor Sue Hartley	Guests
Teresa Dent	Sonia Phippard, Director General for Environment, Rural and Marine, Defra. By invitation
Dr Simon Lyster	Abdul Razaq, Director Finance
Professor Michael Winter	Peter Unwin, Observer
Henry Robinson	Louisa Aveyard, Defra Group Communications (for item 4)
Dr Julia Aglionby	Mark Funnell, Defra Group Communications (for item 4)
Dr Andy Clements	Caroline Cotterell, Director, Strategy Implementation (for items 5 and 12)
Senior Leadership Team	Andrea Ledward, Natural Environment Director (for item 8)
Marian Spain, Interim Chief Executive (and ex-officio Board Member)	For item 7: Andy Smith, Area Manager Thames Area Team; Louise Crothall, Lead Adviser Thames Area Team; and Ian Alexander Team Leader Dorset, Hampshire and Isle of Wight Area Team.
Alan Law, Deputy Chief Executive	Susannah England, Protected Landscape Designations Senior Adviser

	Secretariat
	Tom Roberts, Legal and Governance Team
	Mick Oliver, Legal and Governance Team
	Graham Tibbetts, Legal and Governance Team

Welcome from the Chairman and Declarations of Interest

The Chairman welcomed everyone to the meeting including Sonia Phippard, Director General for Environment, Rural and Marine, Defra and Richard Cornish attending his first Board Meeting following his appointment as Chief Officer Operations.

In response to the Chairman’s invitation for any perceived or potential declarations of interest in respect of the June Board agenda, while recognising standing registered interests:

- Dr Andy Clements declared an interest, in respect of item 5, regarding the General Licence item as the British Trust for Ornithology (BTO) have delegated authority to deal with some wildlife licensing. In addition, the BTO are a key evidence provider to Natural England in respect of bird data.
- Teresa Dent declared an interest in respect of item 8 on the Environmental Land Management system (“ELM”) – the Game and Wildlife Conservation Trust (GWCT) have developed a training course that they hope will be used for ELM Advisor training. In addition, in respect of item 5, the GWCT are a key evidence provider to Natural England in respect of bird data.
- Dr Simon Lyster informed the Board that he knows Richard Buxton, of Richard Buxton Solicitors, in a personal capacity. Mr Buxton is Senior Partner of the firm which has been instructed by Buglife in respect of a potential judicial review challenge.

There were no apologies recorded.

1. Confirmation of May Minutes and Matters Arising (NEB M88 01)

- 1.1 The Board discussed the unconfirmed May minutes and agreed to amendments to those minutes including an amendment to declarations of interest to note that BTO have delegated authority to deal with *some* licensing. The Board agreed a correction to the May minutes in respect of item 2.61. Michael Winter clarified that the visit from senior Defra officials in respect of the 25 Year Environment Plan was in fact hosted jointly by the North Devon Biosphere Partnership (of which Michael is a member) and NE.

Action: Legal and Governance Team to make the agreed amendments to May Board minutes in advance of publication

2. Chief Executive’s Report (NEB 89 01)

- 2.1 The Chief Executive introduced the CEO report. In advance of full Q1 performance and financial reporting, the report covered areas of performance where we had early indications of change from previous year-end positions.

- 2.2 The Chief Executive highlighted three additional points for the Board’s information and consideration:

- The government announcement on net-zero carbon emissions.
- Confirmation that Natural England and partners have received the final tranche of

funding for the Dynamic Dunescapes project. £3.5 of Lottery funding has been received to match the funding from LIFE and the Welsh Government.

- Confirmation that the Memorandum of Understanding with the Rural Payments Agency (RPA) had been finalised and that Alan Law and James Diamond of Natural England alongside Paul Caldwell (Chief Executive Officer of the RPA) will be attending an oral evidence session at the EFRA Committee on 26 June 2019.

2.3 In response, the Board:

- Welcomed the government's commitment re net-zero carbon emissions.
- Noted the strong interconnection between climate change, biodiversity and land management practices.
- Noted the work continuing within Natural England on these interactions and requested that a webinar be scheduled for Board Members interested in a further briefing on this work.

Action: Legal and Governance Team to work with the Chief Scientists Division to schedule the requested webinar on Natural England's work on climate change.

Uplands Delivery Programme

2.4 The Chief Executive provided an update on the Uplands area of work.

2.4.1 Sonia Phippard confirmed Defra's policy position.

Spending Review

2.5 Alan Law provided the Board with an update on the 2019 Spending Review.

2.5.1 The Board noted the possible timescales for the Spending Review, and the scale of the resource requirements for delivery of the Government's 25 Year Environment Plan.

2.5.2 Alan Law explained the potential capital bids being developed within Natural England including an element related to National Nature Reserves.

2.5.3 Alan Law explained the parallel approach to revenue planning within the Spending Review. The Board noted the expected timescales and the extent of the evidence gathering required, emphasizing the necessity of ensuring that the way bids are framed is consistent with the Roadmap and specifically with the four main programmes of work.

2.5.4 In discussion, the Board noted that:

- The unique opportunity that Natural England had to support the delivery of the 25 Year Environment Plan.
- The need to balance ambition in terms of income generation so that additional revenue increased the scope of what was achieved for the natural environment.

2.5.5 The Board agreed that a Spending Review drop-in session would be beneficial for the Board to attend.

Action: Legal and Governance Team to work with the NE Spending Review Team to schedule a briefing for the Board on progress in developing Spending Review submissions.

Staff and resourcing

- 2.6 The Chief Executive provided the Board with an update on recent news delivered to Natural England staff in relation to 'getting the right people in the right places'.

Legal Update

- 2.7 The Chief Executive welcomed Navroza Ladha, Chief Officer Legal and Governance, to provide the Board with an update on recent legal cases. Updates were provided on the following cases:
- General Licence cases
 - Bovine Tuberculosis cases
 - Hen harrier Brood Management
- 2.8 On the last matter, the Board recognised the importance of progress across the full scope of the Hen Harrier Action Plan.

Chief Scientist Report

- 2.9 The Chief Executive welcomed Dr Tim Hill to present his Chief Scientist Update. In particular, Dr Hill highlighted to the Board the Future Synthesis work explaining that this was a process by which Natural England officers undertake a horizon scanning process in respect of new evidence and developments.
- 2.9.1 The Board noted the importance and benefits of the Future Synthesis work, recognising:
- synergies of nature based climate change adaptation and mitigation,
 - Natural England's position to convene and lead on the work,
 - the strong role that Natural England should play,
 - the use of such methods by NGOs, and
 - the opportunities to engage with research

institutions. Environmental Net Gain

- 2.10 Professor Michael Winter asked the Executive Officers for an update on the Natural Capital Committee's report on Environmental Net Gain. Alan Law agreed to clarify and report the status of this to the Board in due course.

Action: Alan Law to provide an update to the Board on the Natural Capital Committee's report on Environmental Net Gain.

3. 19/20 KPIs and Plan for Action (NEB 89 02)

- 3.1 The Chairman introduced the KPIs and Plan for Action item, explaining to the Board that these were intended to make delivery more transparent and that these would be on a three to five year basis. The Chairman passed to Gleny Lovell to present the item to the Board.
- 3.2 Gleny set out the overall approach to create the link between long-term strategy and short-term objectives / KPIs.
- 3.3 In discussion, the Board considered the KPIs and provided detailed comments.

Action: Gleny Lovell to speak with those Board members with further comments on the KPIs.

4. 19/20 Natural England Communications Plan (NEB 89 03)

- 4.1 Mark Funnell and Louisa Aveyard (Defra group Communications) presented the 2019/20 Natural England Communications Plan paper to the Board.
- 4.2 In discussion, the Board provided detailed comments on the Communications Plan.
- 4.3 The Chairman directed that changes to the Road Map should be reflected in the Communications Plan.
- 4.4 The Board indicated their approval and enthusiasm at the current Communications plan, congratulating all of those involved in its creation. The Board asked for regular updates on delivery of the plan at future Board Meetings and supported proposals to build organisational, and Board, capability with regard to use of social media.

5. General Licence Update (NEB 89 04)

- 5.1 Caroline Cotterell informed the Board that the Secretary of State for Environment and Rural Affairs had issued three new General Licences which would remain in force until 28 February 2019, and described the content and impact of these to date.
- 5.2 Caroline provided the Board with an update on the numbers of individual licences issued and the number of those currently outstanding.
- 5.3 The Board:
 - Noted that Natural England had worked with Defra to establish options for the use of licences on protected sites, which are not covered by the new licences issued by the Secretary of State.
 - Noted work in progress to scope the promised review of wildlife licensing.
 - Discussed the impact of the short-term General Licensing work on Natural England resourcing and wider income generation opportunities.
- 5.4 Caroline Cotterell provided a summary of the current position in respect of:
 - legal advice relating to General Licence matters,
 - legal risks which have been assessed,
 - Freedom of Information requests relating to General Licence matters,
 - the general nature of the ongoing challenge, and
 - the current position of litigation.
- 5.5 Sonia Phippard provided a summary of Defra's policy position.
- 5.6 Navroza Ladha provided further explanation to the Board in respect of the challenge to GL26.
- 5.7 The Chairman highlighted the increased level of legal challenges as demonstrated by this matter.

6. Annual Report and Accounts (ARA) (NEB 89 05)

6.1 Abdul Razaq, Finance Director:

- Introduced the Annual Report and Accounts to the Board, inviting them to endorse the annual accounts by the CEO as the Accounting Officer, requesting that the Board note changes made to the Report.
- Informed the Board that he believed the Annual Report and Accounts represent a true and fair view of the state of affairs of Natural England for the financial year 2018/19.
- Set out the financial position to date.

6.2 Abdul passed across to Catherine Dugmore for the Audit and Risk Assurance Committee ("ARAC") update.

6.3 Catherine Dugmore provided the Board with a summary of the ARAC meeting of 12 June 2019 in which preparations were made to sign off the Annual Reports, prior to consideration by the Board.

6.4 Catherine reminded the Board of the function of Natural England's ARAC. The Audit and Risk Assurance Committee is a standing Committee of the Natural England Board (the Board) established in accordance with Schedule 1 19.1 of the NERC Act. The role of the Audit and Risk Assurance Committee is to advise the Board and Accounting Officer on matters of financial accountability, risk, control, assurance and governance.

6.5 Catherine informed the Board that:

- The Report had followed the year end process, including being subject to the Government Internal Audit Agency,
- The Report had followed the year end process, including being subject to the Government Internal Audit Agency. The Head of Internal Audit had provided an opinion prior to finalisation. The External Audit was undertaken by the National Audit Office and Ernst and Young, who provided a report to ARAC.

6.6 Catherine Dugmore as Chair of ARAC recommended to the Board that the Annual Report and Accounts be authorised by the Board and that they authorise the Chief Executive to sign it off and provide the governance statement.

6.7 The ARAC members thanked their counterparts, to finance and audit colleagues. In addition, Catherine thanked her fellow ARAC Board members Julia Aglionby and Lord Blencathra for their assistance. Catherine also provided formal thanks and recognition to Julia Aglionby for her work, as the ARAC meeting of 12 June was Julia's final meeting.

6.8 The Chairman asked the Board to approve the Annual Report and Accounts, subject to Treasury approval and completion of audit.

6.9 The Board agreed to approve the Annual Report and Accounts.

6.10 Further to the Annual Report and Accounts, Abdul Razaq presented and explained the Provisions and Contingent Liabilities as at 31 March 2019. Abdul explained that this would remain as a live document updated as necessary.

6.10.1 The Board agreed that regular updates be provided on future Provisions and Contingent Liabilities.

Action: Abdul Razaq to include updates on Provisions and Contingent Liabilities as part of regular Financial Updates

7. Risk Workshop (NEB 89 06)

- 7.1 Ken Roy introduced this item, thanking Board Members for their advance submissions re areas of organisational risk.
- 7.2 Following break-out sessions, SLT facilitators provided feedback on the key areas of risk to focus on in the development of the new Corporate Risk Register.
- 7.3 In terms of further action, the Board asked that:
- A first cut of the organisational risk register be prepared for July Board.
 - ARAC should have oversight of the risk management work at the next level down within the organisation

8. Programme Deep Dive: Greener Farming and Fisheries (NEB 89 07)

- 8.1 The Board welcomed Andrea Ledward, Natural Environment Director Defra, Rob Cooke Director EU Transition Natural England and Mark Duffy, Principal Adviser (Marine) Strategy and Reform Natural England.
- 8.2 Alan Law introduced the item to explain that the purpose of the item was to explain the scope of the emerging programme with the Board and to test the Board's appetite for engagement.
- 8.3 Rob Cooke provided a further introduction to the Board, explaining that the common element between the two strands of this programme was the food production element and in particular the environmental impacts of such production and the measures which can be taken to mitigate such impacts.
- 8.3.1 The Board noted that:
- the opportunity from future farming programmes to support delivery of the 25 Year Environment Plan,
 - the strong foundation of current work delivered by Natural England in relation to agriculture ,
 - the environmental risks during a transition period between leaving existing CAP based schemes and entering in to the new ELM schemes, and
 - the specific implications for Natural England with regard to current BPS payments made to the NNR estate.
- 8.3.2 The Board acknowledged Natural England's clear role on Countryside Stewardship and Environmental Stewardship delivery advice, and the current heavy engagement in the design and development of ELMS.
- 8.3.3 The Board acknowledged the need for tangible resources and investment to allow for sufficient resources to deliver ELM system advice and guidance alongside existing agri-environment schemes.
- 8.4 Rob Cooke handed across to Mark Duffy to present Future Fisheries opportunities and scope to the Board.

8.4.1 The Board noted:

- the clear ambitions of Natural England for greener fisheries is the delivery of the Government's aspiration of a world class sustainable fishing regime for England,
- the distinct link with the 25 Year Environment Plan,
- the opportunities offered by the incoming Fisheries Bill following the UK's exit from the European Union and leaving the Common Fisheries Policy,
- the aspirations to generally alleviate pressure such as through an ecosystem approach, rather than instigate anthropogenic intervention in marine systems,
- the need for a replacement for the European Marine Fisheries Fund (EMFF), and the opportunities to link this to sustainable fisheries through a public funds for public goods approach,
- the intention to define an ecosystem approach to fisheries by reference to the Food and Agriculture Organization of the United Nations (FAO) definition, taking in to account the wider impact on the marine environment, stepping away from maximum sustainable yield,
- the need for improved datasets and for spatial and temporal controls which could feed in to MMO marine plans,
- the opportunity to link marine with land based conservation schemes to resolve water quality issues, and
- that Natural England was well joined up with Defra in respect of future fisheries and the marine environment, and that stakeholder engagement especially with the fishing industry was particularly important to deliver sustainable outcomes.

8.5 In discussion, the Board acknowledged a range of wider issues that this programme would need to take account of in defining its future work:

- the importance of healthy and fertile soil,
- the link between ecosystem services and the polluter pays principle and the need to monitor future developments in this area,
- the need to be flexible on post EU exit scenarios, and to take in to account the impacts on rural and farming communities
- the desire for Natural England to retain advisory functions in relation to sustainable agriculture,
- the need to be a leader and convener for broad partnerships delivering sustainable agriculture and public goods with a broad range of stakeholders such as farmers, the water industry, developers and the health sector.
- the need to clarify what is meant by 'public payments for public goods' in the agri-environment context.
- the need for an integrated system approach with credible indicators.
- the need for expectation management especially around fishing communities,
- the need to acknowledge the different impacts of future farming developments on different parts of the agricultural industry.
- the value of social science alongside natural science evidence bases, and
- the need to be aware of the findings of the National Audit Office (NAO) in relation to ELM systems.

9. Board Sub-group updates

- 9.1 Dr Simon Lyster provided an update on the Board Innovation Group (BIG), which would be looking in to two issues. First, in relation to funding challenges, and secondly on the Oxford-Cambridge Arc to consider what nature recovery looks like in place and how it can be measured.
- 9.2 Professor Sue Hartley provided the Board with an update on the Natural England Science Advisory Committee, where indicators and metrics were considered, particularly in respect

of net gain and the Defra biodiversity metric. Natural England's eco-metric and the ELMs Social Science Panel were also discussed.

10. Board Diary and Forward Look (NEB 89 08)

10.1 Ken Roy drew the Board's attention to Board paper NEB 89 08 in respect of the Board diary and forward look.

11. NNR Declarations – South London Downs pNNR and Approved Body (NEB 89 09a) and Purbeck Heaths NNR and Approved Bodies (NEB 89 09b)

11.1 The Board welcomed Andrew Smith - Area Manager Thames Valley Area Team, Louise Crothall – Lead Adviser Thames Valley Area Team, and Ian Alexander – Team Leader Dorset, Hampshire and Isle of Wight Area Team to the meeting in respect of two NNR dedications.

11.2 The Chief Officer Legal and Governance drew the Board members attention to the papers and reminded them of Natural England's statutory powers under section 35 of the Wildlife and Countryside Act 1981. Where Natural England is satisfied that any land which is:

- being managed as a nature reserve under an agreement entered into with Natural England,
- held by Natural England and is being managed by Natural England as a nature reserve, or
- held by an approved body and is being managed by that body as a nature reserve

is of national importance, NE may declare that land to be a national nature reserve.

11.2.1 The Chief Officer Legal and Governance explained that:

- An approved body in this context means a body approved by Natural England for this purpose.
- Under Natural England's Non-Financial Scheme of Delegation, acquisition and declaration of a new NNR, and approval of a body to hold a new NNR are Board decisions.
- A Declaration of an extension to an existing NNR and approval of a body to hold an existing NNR are for the Executive, however in light of the novel, significant landscape scale approach taken to Purbeck Heath NNR SLT considered that all decisions in relation to Purbeck should be taken by the Board.

11.2.2 Andrew Smith explained to the Board that the work with the City of London Corporation and London Borough of Croydon represents a perfect example of what Natural England can achieve with stakeholders. Andrew explained that the purpose of the paper was to request that the Board approve the proposed South London Downs National Nature Reserve; and to grant 'Approved Body' status to the London Borough of Croydon.

11.2.3 Louise Crothall provided an overview of the demographics of the Croydon area, the ecological features of the proposed NNR, the partnership successes and potential for joint management between the City of London Corporation and the London Borough of Croydon. In summary Louise provided the Board with the social, ecological and geological benefits that the pNNR could bring. The Chief Officer Legal and Governance suggested that when the Area Team were working with Defra group Communications the publicity materials should reflect the diversity of the area.

11.2.4 In discussion, the Board:

- Questioned the shape of the proposed NNR, to which Louise Crothall described the current land use and ownership status.
- Noted the existence of both SSSI designated land and non-designated NNR land which may offer more flexibility for long term habitat change.

11.3 Ian Alexander described the 20 year legacy of the component sites of the proposed extended Purbeck Heaths NNR, of which have been seen to have been joined up and work had been made to realise these perceptions. Ian described the partnership working that had taken place with the Forestry Commission to revert forestry land back to heathland and future plans for the landscape going forward.

11.3.1 In discussion, the Board:

- Noted the diversity of candidate Approved Bodies and recognised that one of the three was a private estate while the other two were established conservation bodies. This was acknowledged as demonstrating good partnership working between stakeholders.

11.4 In addition, the Board recognised that both sites:

- Represent what Natural England are trying to do, such as demonstrating the openness of NNRs and the nature of partnership working.
- Offer opportunities to promote other areas of landscape journey, community collaboration and positive outcomes for the natural environment.

11.5 The Board unanimously:

- Approved the declaration of the new National Nature Reserve.
- Granted the London Borough of Croydon 'Approved Body' status.
- Approved the extension of three existing NNRs: Stoborough Heath (Natural England), Hartland Moor (Natural England and NT), Studland and Godlingston Heaths (NT). Along with SSSI and heathland restoration land owned by Forestry England, RSPB, Amphibian and Reptile Conservation, Dorset Wildlife Trust and Rempstone Estate.
- Granted 'Approved Body' status to the Amphibian and Reptile Conservation (ARC), Dorset Wildlife Trust (Dorset WT) and Rempstone Estate, as partners in significantly extended NNRs at Purbeck, Dorset.

Action: The NNR team in Operations to arrange for the Declaration of South London Downs NNR

Action: The NNR team in Operations to arrange for the granting of the London Borough of Croydon with 'Approved Body' status

Action: The NNR Team in Operations to arrange for the Declaration of Purbeck Heaths NNR

Action: The NNR Team in Operations to arrange for the granting of Amphibian and Reptile Conservation (ARC), Dorset Wildlife Trust (Dorset WT) and Rempstone Estate with 'Approved Body' status.

11.6 The Chairman thanked the officers and their teams for their fantastic work and achievements and indicated that he looked forward to working with them in the future.

12. Open Session – Area of Outstanding Natural Beauty (Suffolk Coasts and Heaths) Extension (NEB 89 10)

- 12.1 The Chairman acknowledged that Board paper NEB 89 10 was being considered in an open session of the Board meeting. No members of the public were present. The Board were joined by Caroline Cotterell, Director Strategy Implementation, Susannah England Protected Landscape Designations Senior Adviser and Abbie Keeper, Defra group Communications.
- 12.2 The Chairman explained that Natural England has been undertaking a project to review part of the boundary of the Suffolk Coast and Heaths (SC&H) Area of Outstanding Natural Beauty AONB). This followed formal representations by the SC&H AONB Partnership over many years for a boundary review to encompass parts of the Stour Estuary (in both Suffolk and Essex) and land on the southern estuary slopes in Essex.
- 12.2.1 The Chairman informed the Board that the project was entering its final stages. Previously, and following detailed technical assessments of the area, a boundary variation consisting of three extensions was proposed. After consideration of the technical assessments by the Board, statutory local authority and discretionary public consultations were approved and undertaken and the results analysed.
- 12.2.2 In December 2018, the Board considered the results of the consultation and approved the undertaking of the statutory Notice period for the proposed boundary variation. The representations submitted during the Notice period have now been considered by officers and the Board is asked to consider moving to the next stage in the designation process.
- 12.2.3 The chairman informed the Board that they were asked to:
- **consider and note** the officer report on the Notice period representations and the submissions made direct to Ministers as a result of the Notice period (Annex One of the Covering Paper);
 - **approve** the ‘making’ (signing and attachment of the Natural England seal) of the Suffolk Coast and Heaths (Designation Variation) Order 2019 (Annex 2 of the Covering Paper); and
 - **approve** its subsequent submission to the Secretary of State for confirmation.
- 12.2.4 The minutes will become the formal record of the Board’s decisions in relation to the proposed SC&H AONB boundary variation.
- 12.2.5 The Board handed across to the Chief Officer Legal and Governance to remind the Board the matters Board Members need to keep in mind when making their deliberations about this AONB boundary variation, as they approached the final legal stages in the designation process.
- 12.3 The Chief Officer Legal and Governance informed the Board that:
- Natural England is the body responsible for considering which areas of England outside the National Parks meet the criteria for designation as Areas of Outstanding Natural Beauty and is responsible for their designation.
 - Natural England has a discretionary power to designate Areas of Outstanding Natural Beauty (AONBs) under Part IV, Section 82 (1) of the Countryside and Rights of Way (CRoW) Act 2000 and a discretionary power to vary the boundary of an existing AONB under Part IV, Section 83 (7) of the same Act.
 - In reaching its decision on whether to exercise its discretionary power in relation to varying the boundary of the SC&H AONB by making the designation variation Order, the Board must be satisfied that the proposed extensions (in conjunction with the existing AONB) are of such outstanding natural beauty that it is desirable to designate them for the purpose of conserving and enhancing their natural beauty.
 - It may take into account the Board’s previous approval of the technical assessments and consultation report and confirmation that the approved Natural

England Guidance on assessing landscapes for designation was followed.

- It should also satisfy itself that the Notice requirements in the legislation in relation to the designation of AONBs have been met.
- Finally, it should be noted that the making of the Order is not the final stage in the designation process, although it marks the end of Natural England's responsibilities. Once made, the Order is then submitted to the Secretary of State for confirmation and will not come into effect unless and until confirmed.

12.4 Caroline Cotterell provided context to the AONB extension, confirming to the Board that the statutory requirements have been met:

- In September 2017, the Board approved technical assessments of whether areas adjacent to the existing SC&H AONB meet the criterion for designation as AONB and whether their designation is desirable. It also approved a proposed boundary and the undertaking of statutory and public consultations.
- In early 2018, and as required by Part IV, Section 83 (1) of the Countryside and Rights of Way Act 2000 (CRoW Act 2000), Natural England consulted every local authority whose area included any part of the area proposed for designation. It also undertook a public consultation.
- In December 2018, the Board considered the report on the consultation, approved the draft variation Order and approved the publication of Notice of Natural England's intention to make the draft Designation Variation Order.
- Part IV, Section 83 of the 2000 Act requires Natural England to consider any representations duly made during the Notice period.
- The Notice period ran from 12 February 2019 to the 22 March 2019.
- Officers have considered the representations made during the statutory Notice period - the full report was provided to the Board in Annex 1 to paper NEB 89 12.
- The report considered both the formal Notice period representations to Natural England and several letters which were sent direct to Ministers.

12.4.1 Caroline Cotterell provided details of five representations made to Natural England, these included one proposal for a change of name for the AONB. Caroline explained that no new evidence was provided that would lead Natural England to alter previous conclusions or the boundary.

12.5 The Chairman provides an opportunity for Board members to ask questions of officers.

12.5.1 In discussion, the Board noted that representations had been made to Ministers in respect of the quality of a certain area of the proposed AONB, which was purported by the respondents to be below the level of 'outstanding'. Susannah England described where the area in question was and indicated this on a map. Susannah explained to the Board that the Area Team had visited the area in question on five occasions and were content with their assessment that the land was of suitable quality to be designated part of the AONB and that robust assessments had been made.

12.5.2 The Board sought assurances that the representations had been appropriately considered by Natural England officers. Susannah England reassured the Board that some areas were reassessed in the early stages of the project and that the officers were content with the outcome of those assessments.

12.5.3 The Board questioned the area of land which was within the County Boundary of Essex and were content with the explanation given by officers in respect of the name of the AONB.

- 12.5.4 The Board commended officers on the thoroughness in their review and of their diligence in responding to comments from stakeholders.
- 12.6 On conclusion of the questioning and on review of the Annexes by the Board, the Chairman reminded the Board that the decisions which needed to be made:
- a) whether the Board wishes to **note** the officer report on the Notice period representations and the submissions made direct to Ministers as a result of the Notice period (Annex One of the Covering Paper);
 - b) whether the Board wishes to **approve** the making of the Suffolk Coast and Heaths (Designation Variation) Order 2019 (Annex 2 of the Covering Paper);
 - c) whether the Board wishes to **approve** the subsequent submission of the made Order to the Secretary of State for confirmation.
- 12.7 The Chair stated that, in light of the evidence contained in these and previous Board papers, a previous site visit by some Board members; the presentations made to us here today and our discussions, the time has come for us to record our decisions on the recommendations made to us. These are:
- that the Board **notes** the officer report on the Notice period representations and the submissions made direct to Ministers as a result of the Notice period;
 - that the Board **approves** the making of the Suffolk Coast and Heaths AONB (Designation Variation) Order 2019 without amendment; and
 - that the Board **approves** the subsequent submission of the 'made' Order and associated maps and background information to the Secretary of State for confirmation.
- 12.7.1 The Board unanimously agreed the recommendations made to them.
- 12.7.2 The Chairman indicated that this concluded the matter and thanked officers and the Board for their work.
- 12.7.3 The Chairman asked that the Board not discuss the matters for 48 hours to allow for Natural England Officers to contact relevant landowners.

Action: Strategy Implementation Team to arrange for the making of the Suffolk Coast and Heaths (Designation Variation) Order 2019

Action: Strategy Implementation Team to arrange for the submission of the made Order to the Secretary of State for confirmation.