

Board Meeting



Minutes of the **Natural England** Board meeting held on 8 November 2023 in Newcastle

Board members in attendance

Dr Tony Juniper	Chair
Lord Blencathra	Deputy Chair
Prof Mel Austen	
Rosamund Blomfield-Smith	
Prof Lynn Dicks	
Catherine Dugmore	
Prof Clare Fitzsimmons	
Kerry ten Kate	
Henry Robinson	
Kim Shillinglaw	
Dame Caroline Spelman	
Peter Unwin	

Executive Team

Marian Spain	Chief Executive (and ex-officio Board Member)
Kirsty Carter-Brown	Chief Officer, Business Management
Oliver Harmar	Chief Operations Officer
Tim Hill	Chief Scientist
Navroza Ladha	Chief Officer, Legal, Governance and External Affairs
Alan Law	Chief Officer, Strategy

Guests

Claudia Chambers	Director, National Operations
Sean Cornall	Director, Assurance and Corporate Governance
Ilana Conn	Defra Group - Communications
Amanda Craig	Director, Connecting People with Nature
Lydia Dixon	Deputy Director, Connecting People with Nature
Jen Garrett	Defra Group – HR Director
David Hill	Defra, Director General, Environment Rural and Marine
Abdul Razaq	Defra Group – Finance Director
Adelle Rowe	Director, Private Office and External Affairs
Tora Wortley	Deputy Director, Assurance and Corporate Governance

Item 1 Welcome from the Chair and Declarations of Interest

- 1.1 The Chair welcomed the Board, Executive and guests to the 119th Board meeting.
- 1.2 There were no changes to the Register of Interests. Plans were in hand for the Natural England (NE) Board Register of Interests to be published on GOV.UK, in line with other Defra Arms Lengths' Bodies.

Item 2 Review of 20 September Minutes and Matters Arising

- 2.1 The Board approved the minutes, without any amendments.

Item 3 Board Sub-Group Updates

Natural England Science Advisory Committee (NESAC)

- 3.1 Lynn Dicks, Chair of NESAC, provided an update on the 28 September NESAC meeting.
- 3.2 Lynn highlighted the discussions that NESAC had had on Paulownia tree planting for commercial forestry. She explained that Paulownia is a non-native hybrid variety of tree used for commercial forestry. Commercial interest in the species first arose in 2020 and a rapid risk assessment conducted by the Forestry Commission (FC) gave rise to concerns around the limited information available about the characteristics and the potential for it to be invasive in the UK. Defra Forestry team commissioned a rapid evidence review in June 2023. Key evidence gaps identified were invasiveness, impact on water resources, verification of carbon value and presentation of biodiversity impacts. Nine further applications had been received totalling 1367ha, most of which were close to sensitive protected sites. NESAC endorsed NE's position to pause further approvals until the evidence needed was available to rule out or significantly mitigate risks to nature recovery.
- 3.3 **The Board agreed** that NE's response was proportionate and sensible and asked NE Executives to continue to feed into the evidence around large-scale planting of Paulownia, noting that NESAC endorsed the current position.

Action: Tim Hill

Natural England Landscape Advisory Panel (NELAP)

- 3.4 Rosamund Blomfield-Smith Co-Chair of the NELAP gave an outline of the 28/29 September 2023 NELAP meeting in Plymouth. She explained that there had been a site visit on 28th September regarding coastal management. A series of short presentations had provided insights into current issues,

opportunities and ideas relating to landscape designations and management needs.

- 3.5 Rosamund added that the following day, workshop sessions had addressed the core question of 'What next for Natural England's landscape designations programme?' The Panel's overall conclusion, which will frame their detailed advice, was that there would need to be radical approaches to driving landscape enhancement in order to address the urgent wellbeing, climate and nature crises.
- 3.6 Rosamund explained that NELAP's detailed advice will be used to inform the development of proposals that will come to the Board for consideration during 2024, which will also be the focus for NELAP's next meeting in London, on 10 January 2024. The Panel's detailed advice will be reported to Board at the 21 February 2024 Board meeting.
- 3.7 Concern was expressed regarding the integration of NELAP within the wider organisation. The need for appropriate support and communications to and from NELAP was flagged

Action: Alan Law

Audit, Risk and Assurance Committee (ARAC)

- 3.8 Catherine Dugmore chair of ARAC provided an update following the ARAC meeting on 7 November. The Board were reminded of discussions regarding the Biodiversity Net Gain (BNG) fees for the BNG register at the 20 September Board meeting, and in particular the actions that were agreed in that meeting. Catherine advised that:
- Work had been done internally to test the robustness of the figures, and that there was an immaterial difference between those figures and the ones that the Secretary of State had submitted in the Statutory Instrument.
 - ARAC was satisfied that the risks were not of sufficient concern to make NE challenge the Secretary of State's decision.
 - But there were still significant concerns surrounding the ownership and accountabilities for risks given that four MoU's were still outstanding.
- 3.9 It was also noted that Government Internal Audit Assurance (GIAA) would review the arrangements for the 2024-25 BNG Programme to ensure necessary controls were in place.
- 3.10 **The Board accepted** the recommendations regarding the proposed fees, subject to appropriate risk management by ARAC in line with the Schemes of Delegation.
- 3.11 The Board asked for options to be developed for an NE Issues register alongside the existing NE Risk Register.

Action: Sean Cornall

National Nature Reserve Steering Group

3.12 Kim Shillinglaw, co-chair of the new National Nature Reserve Steering Group, explained that the aim of the sub-group was to expand the number of National Nature Reserves (NNRs). She stressed that collaboration of partners would be key to success and that regular progress updates would be brought back to the Board.

3.13 In discussion the Board reflected that this should have a good impact on Nature Recovery agenda and that the [Lincolnshire Coast](#) extension and [Mendip Hills super NNR](#) were positive examples of the outcomes that could be achieved from building partnerships and connecting landscapes. It was noted that in addition to the partnership strengths, NNRs help to create beneficial [natural corridors](#).

3.14 The need to prioritise resources to deliver a pipeline of future NNRs was highlighted. It was agreed that the February Board agenda should include an item on how resources could be prioritised for NE to deliver a pipeline of future NNRs and how we make the work within NE and with partners less fragmented.
Action: Oliver Harmar

General comments on Board sub-groups and other activities

3.15 **It was agreed** that the membership of Board sub-groups would be refreshed in Spring 2024, when new Board members were in place. The need to review the engagement of Board Members in regional meetings was also identified.
Action: Sean Cornall

3.16 It was also noted that a Strategic Workforce Planning paper would be submitted to Remuneration Committee in December.
Action: James Diamond

Item 4 Formal Approval of the Annual Report and Accounts

4.1 Catherine Dugmore introduced the session and outlined that the purpose of the paper was to update members on the progress of the 2022/23 Annual Report and Accounts (ARA) since the last Board meeting and confirm plans for final approval and laying.

4.2 She explained that ARAC's recommendation was for the ARA to be signed by the Board, subject to some minor presentational tweaks, and an additional disclosure relating to a recent flooding incident at Hammer Pond. Subject to those small amendments, the expectation was for the ARA to be laid at the end of November.

- 4.3 **The Board approved** ARA (version six) subject to the amendments outlined and delegated final sign off to the Chair of ARAC and NEs Chief Executive. The Board thanked the Chair and members of ARAC for the work done on this Report.

Item 5 Chief Executive's Report

- 5.1 Marian Spain presented detailed updates on the following topics:

NNR Pipeline

- 5.2 The Board noted this would be discussed in detail at the 21 February 2024 Board meeting.

Nutrient Mitigation Scheme

- 5.3 Marian explained that NE had published a [blog post](#) confirming that the Nutrient Mitigation Scheme (NMS) was open as well as highlighting progress to date.
- 5.4 She explained that the Government was not expected to pursue a legal amendment to the Habitat Regulations. Natural England was seeking reassurance of the Government's commitment to the current legal framework and to rebuild confidence in the mitigation market and Local Planning Authorities. Follow-on NE communications were planned to reinforce and promote positive stories of mitigation delivery.
- 5.5 Defra and the Department for Levelling Up, Housing and Communities (DLUHC) had asked NE to further work up catchment-based strategic proposals, including action to restore to favourable condition, moving beyond mitigation of development impacts. It was expected that this would be submitted to Ministers in the coming weeks.
- 5.6 Marian reported that the NE NMS scheme had enabled mitigation for around 4,000 homes, with mitigation for 4,500 more expected before March 2024. NMS and other local schemes had enabled mitigation for c55,000 homes nationally. Local Planning Authorities (LPAs) had proposals for local schemes to DLUHC that would deliver mitigation for a further 60,000 homes over the next 12 months.
- 5.7 The Board noted progress to date and agreed that Tony Juniper would write to the Defra Secretary of State setting out the actions required to rebuild confidence to make the scheme succeed.

Action: Chair

Dartmoor

- 5.8 Marian advised that Higher Level Stewardship (HLS) extensions had been recommended for 15 of the 25 agreements and it is expected that there will be recommendations for a further 5 extensions by 3 November.
- 5.9 In regard to all the Chief Executive's updates, the Board noted that NE needs appropriate risk management and clear communications.

Item 6 2023/24 Quarter Two Performance: Chief Operating Officer's report

Oliver Harmar introduced Claudia Chambers to lead the item. Oliver explained that this Quarterly report is presented differently. The report is structured around outcomes-focussed Key Performance Indicators and Measures of Success that forecast the outlook to March 2026. This is expected to ensure greater clarity on how in-year performance (assessed through Progress Metrics) is impacting upon longer-term delivery.

- 6.1 Claudia asked the Board to note that performance this quarter was relatively stable, with a slight improvement to the Q1 position. The longer-term forecast showed a positive outlook especially for "Increasing the abundance of species" and "Connecting people with nature".

She explained that whilst performance was good, there were some significant delivery challenges, many of which stemmed from staff capability and instability in some specific frontline teams.

Claudia added that the Operations Team were also conscious of the need to continue to drive progress towards longer-term ambitions for protected areas and recovering nature at scale. This financial year, there had been a particular delivery challenge around condition assessments on SSSIs and Marine Protected Areas that support the trajectories that underpin the Environmental Improvement Plan.

The Board welcomed the new approach, recognised the challenges faced, including the need to explain the reporting changes to staff.

Item 7 2023/24 Quarter Two Performance: finance report

- 7.1 Oliver Harmar presented an overview and summarised the state of play regarding the Revenue (RDEL) and Capital (CDEL) budgets. He explained that both RDEL and CDEL spend are forecasting to be slightly over budget but, are in a manageable position at the mid-point in the financial year.
- 7.2 Oliver confirmed that forecasts had been through a review and challenge process, involving a significant effort across the business and Finance Team.

Financial training had been delivered to Directors and their management teams to ensure awareness of financial responsibilities and to support the accuracy of forecasting.

- 7.3 The Board noted the current financial position and the importance of transparency. The Board requested details of 'budget-by-programme' aligned to the Defra funding lines, to be provided at the February 2024 Board meeting.

Action: Oliver Harmar and Kirsty Carter-Brown

Item 8 2023/24 Quarter Two Performance: health and safety report

- 8.1 Claudia Chambers gave a summary review of the Health and Safety (H&S) Strategy and next steps. She advised on progress against the 23/24 action plan and provided assurance that improvements were being made against the most significant risks.

- 8.1 Claudia drew attention to work-related stress which remained the highest reported category of incidents, accounting for 31% (85) of all incidents reported during the quarter. The subcategories of workload and pressure account for 55% (47) of work-related stress incidents.

- 8.2 It was agreed that the stress reporting data would be scrutinised at the next Remuneration Committee, followed by a further report back to the Board in early 2024 on Workforce issues and risks.

Action: Oliver Harmar and Kirsty Carter-Brown

Item 9 Quarter Two Risk update

- 9.1 Sean Cornall gave a short overview of the current position and asked the Board to note that one of the ten corporate risks is improving (financial probity) with the others remaining static.

- 9.2 The Board was also invited to note the addition of an eleventh corporate risk relating to diversity at Board level as had been requested by Board Members at the strategy session in March. This wasn't added before the risk appetite work was concluded but that having been deferred until 2024 the new risk has been included.

Item 10 Strategic lens on KPI C - Connecting People with Nature

- 10.1 Amanda Craig introduced the third in the series of strategic examinations of Natural England's Key Performance Indicators (KPIs). This deep dive was on KPI C – 'We increase the number and representation of people engaged with

nature and nature recovery in a way that supports socio-economic and health benefits for local communities’.

- 10.2 Lydia Dixon gave an overview of KPI C, an outline of NE’s priorities, resources and current activity for KPI C ‘Connecting People With Nature’. This was presented as an opportunity to discuss changes needed in the short, medium and long term.
- 10.3 In the presentation Lydia outlined the measures of success as: people’s access to quality green space within 15 minutes from home; and an increase in people’s connection with nature. The Board was asked to consider the importance of the role of people in nature recovery and what changes should be considered in how this work is delivered.
- 10.4 The Board thanked the team for an excellent presentation and paper. They noted the importance of working with local government to encourage young people’s use of green spaces and to understand the current barriers.
- 10.5 **The Board agreed** with the current definition of nature, but asked for it to include ‘biodiversity, natural Beauty, history and culture, ecosystems’ as these all occur in the same place. They noted that social science also played a factor and that this definition also integrated people as a part of nature.
- 10.6 The Board stressed the need for NE to keep in balance with the wider sector, regarding what nature can contribute more broadly, including keeping people healthy. The Board recognised that people engage in nature in different ways, and alternative approaches, for example web cameras (rather than physically being in nature), were also beneficial. Opportunities to consider how best to maximise the potential of the Coast to Coast National Trail to help regenerate nature were also flagged up.
- 10.7 The Board stressed the need for NE to have a clear role and strategy, including an appropriate focus on partnerships with others. The importance of social science was stressed, in particular to support work with the local authorities. This could help determine how to upscale activities and re-frame what nature can do to support people/wider sectors.
- 10.8 **The Board agreed** that NE should prioritise nature recovery in towns and cities; make a clear shift towards bringing people outcomes into nature recovery delivery; and operate inclusively to tackle barriers to nature.

Item 11 Reflections from Board Apprentice

- 11.1 The Chair explained that Kirsten Newble’s term as NE’s first Board Apprentice comes to an end at the end of 2023 and invited her to reflect on her experience and feedback any thoughts and recommendations.

11.2 Kirsten's reflections included: the importance of a tailored Board induction programme; the speed of growth in organisation and need for senior management experienced in managing large projects; specific points around procurement processes; and the importance of learning lessons from challenging experiences.

12 Forward Look

12.1 Sean Cornall led the Board through the forward look of meetings and arrangements for the following year and confirmed the Board would have a completed programme for 2024-25 by the end of 2023.

12.2 The Board agreed that the following actions were required: The Board webinar programme should be refreshed, and details shared with Board members; there should be an additional meeting in April combined with induction of new Board Members; the frequency and sequencing of Board meetings should be reviewed including checks against the sequencing of sub-committee meetings.

Action: Governance team