



**Minutes of the Nuclear Decommissioning Authority (“NDA”)  
Board meeting held on 20 October 2023  
at PwC, 7 More London Place, London, SE1 2RT and TEAMS**

**PRESENT:**

Chris Train	Interim Chair of the Board (“Chair”)	
David Peattie	Group Chief Executive Officer (“CEO”)	
Kate Bowyer	Group Chief Financial Officer (“CFO”)	
Janet Ashdown	Non-Executive Director and SID	
Kathryn Cearns	Non-Executive Director	
Evelyn Dickey	Non-Executive Director	
Francis Livens	Non-Executive Director	[via Teams]
Alex Reeves	Non-Executive Director	

**IN ATTENDANCE:**

Matthew Shaw	Group General Counsel and Company Secretary	
s.40	Deputy Company Secretary	
Alan Cumming	Group Chief Assurance and Performance Officer	
Paul Vallance	Director of Communications and Stakeholder Relations	[via Teams]
Frank Rainford	Group Chief of Staff & Security Officer	[Part only – via Teams]
Euan Hutton	Interim Sellafield CEO	[Part only – via Teams]
s.40	NDA Director – Sellafield Programme	[Part only – via Teams]
Andy Sharples	Projects Director, Sellafield	[Part only – via Teams]
s.40	Chief Information Officer, Sellafield	[Part only – via Teams]
Mark Rouse	Managing Director, Dounreay	[Part only – via Teams]
Rob Fletcher	Magnox CEO	[Part only – via Teams]
s.40	Head of Sanction	[Part only – via Teams]
s.40	Head of Government Affairs	[Part only – via Teams]
s.40	Government Relations Officer	[Part only – via Teams]
David Vineall	Chief People Officer	[Part only – via Teams]
s.40	Consultant, Pinsent Masons	[Part only]

**APOLOGIES:** N/A

	Agenda Item	Action Owner
	s.40 joined the meeting	
<b>1.</b>	<b>Board Training</b>	
1.1	The Board received a refresher training session from s.40 focused on director duties.	
1.2	The Board reflected on the training received and suggested that the work being undertaken by the Corporate Governance team to improve the NDA’s Board Member Induction and Training programmes include consideration of training that could be provided to individuals joining the OpCo Boards on the role of the NDA and directors’ duties. It was agreed that such training would be enhanced if supported by example scenarios directors could find themselves in. M Shaw would oversee progress in this area.	
	s.40 left the meeting	
<b>2.</b>	<b>Safety Moment</b>	
2.1	D Peattie provided a safety share having recently witnessed a member of staff scald themselves whilst using a boiling water tap.	
<b>3.</b>	<b>Meeting Administration</b>	
<b>3.1</b>	<b>Welcome and Apologies</b>	
3.1.1	There were no apologies for absence.	
<b>3.2</b>	<b>Conflicts of Interest</b>	



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3.2.1	The Board considered the Register of Board Members’ Interests and K Cearns reported that she had sent the Corporate Governance team some non-material amendments to her declared interests. The Board <b>APPROVED</b> that all Board Members present could participate fully in the business of the meeting.	
3.2.2	The Board discussed the nature of what should be declared on the Register of Board Members’ Interests. The Deputy Company Secretary agreed to check the associated procedure and provide confirmation.	s.40
<b>3.3</b>	<b>Minutes of previous meetings</b>	
3.3.1	The Board <b>RESOLVED TO APPROVE</b> the minutes of the meeting held on 19 September 2023 subject to the addition of post meeting notes at minutes 4.1.3 and 4.3.2 to evidence that the ‘management’ actions recorded at those points were complete.	
<b>3.4</b>	<b>Decisions Log</b>	
3.4.1	The Board noted the decisions made at the meeting held on 19 September 2023.	
<b>3.5</b>	<b>Actions Update</b>	
3.5.1	The Board considered the actions arising from previous meetings and: <ul style="list-style-type: none"> <li>(i) Noted that final drafts of the updated Schedule of Reserved Matters and Board and Committee Terms of Reference had been uploaded to Board Intelligence for approval by the Board. Action 1903 could be closed.</li> <li>(ii) A Cumming reported that there was duplication between the ‘Magnarx Inquiry Recommendations’ workstream referred to on the timeline for the Assurance &amp; Sanction Beacon Project presented to the last meeting and the IRR workstream. It was noted that A Cumming was due to present a paper to the November Board meeting on Deloitte’s review of the learnings from the various reports issued since the Magnox Inquiry. The review was intended to support the development of assurance across the group and would present a cohesive picture that could be taken forward. Action 1913 could be closed.</li> <li>(iii) Noted that the invitations requested under action 1914 were in train. The Board requested that s.40 also be invited to attend a Board meeting.</li> <li>(iv) Noted that the Board’s feedback on the itinerary for its visit to Sellafield in November had been passed to the organising team. Action 1915 could be closed. The Board observed that it would be interested in viewing the new welfare facilities at Sellafield. The Corporate Governance team would look to facilitate this.</li> </ul>	
3.5.2	The Board would consider the actions on its confidential action log during Board Only session later on the agenda.	
<b>4.</b>	<b>Reports/Updates</b>	
<b>4.1</b>	<b>Chair’s Observations</b>	
4.1.1	C Train shared his reflections from his attendance at the annual NDA/Site Stakeholder Groups Chairs Meeting. It had been a valuable session listening to the views of the various community stakeholders represented by National Stakeholder Forum. D Peattie echoed C Train’s reflections and updated the Board on changes to the Chair and Vice Chair of the Forum. It was noted that P Vallance’s team would take forward the actions agreed at the meeting.	
4.1.2	C Train updated the Board on the interactions he had had with members of the Sellafield Board, and A Meggs, following the NDA Board’s conclusion that the Sellafield Chair would not be awarded a second term of office. The Board discussed the importance of providing the Interim Sellafield CEO with the necessary support to discharge his role and maintaining stability at Sellafield during the recruitment process for the chair and current coinciding period of executive change. It was agreed that P Vallance’s action (on the Board’s confidential action log) to produce a stakeholder communication timetable for	P Vallance



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	the recruitment of the new chair be updated to include 1-2-1 sessions with each of the Sellafield NEDs to discuss the NDA Board’s approach to A Meggs’ tenure.	
<b>4.2</b>	<b>CEO’s Update</b>	
4.2.1	<p>The Board noted the CEO’s Update and D Peattie briefed the Board on matters since its publication, in particular:</p> <ul style="list-style-type: none"> <li>(i) His discussions with the Interim Chair for GBN on the resource the NDA was able to contribute to GBN.</li> <li>(ii) The management of the return of s.40 to the role of Group Chief Ethics &amp; Compliance Officer. The Board was supportive of s.40 return which it was noted had been well received within the General Counsel team, to the extent it had currently been communicated.</li> <li>(iii) His recent engagements with ONR and the Second Permanent Secretary for DESNZ.</li> <li>(iv) Preparation for the upcoming Public Accounts Committee. The Board requested the preparation of reactive lines in case of questions on the overpayment of SEBS.</li> <li>(v) The support available to staff with concerns over the current situation in Israel.</li> </ul>	<b>P Vallance</b>
4.2.2	D Peattie provided an update on the commencement of the recruitment process for the new Sellafield Chair and led a detailed discussion on the selection of an appropriate search agency. The Board agreed that a selection process should be run, and that D Peattie, C Train, J Ashdown, and E Dickey would comprise the selection panel. The Board discussed its expectations of the process and content of the pitches. It was noted that M Shaw would ensure that the selection process was conducted in accordance with the necessary procurement rules.	
<b>4.3</b>	<b>CFO’s Update</b>	
4.3.1	<p>The Board noted the CFO report and further observations provided by K Bowyer on:</p> <ul style="list-style-type: none"> <li>(i) The recent visit arranged for the DESNZ Finance and Treasury teams to Sellafield. The visit had been well received and provided a good opportunity to demonstrate the complexity of the site and interconnectivity of the Group Finance function. The DESNZ teams had also spent time with the Group Financial Controller learning about the plans to evolve performance reporting.</li> <li>(ii) The exploration of: (i) how the risk that the budgeted uplift to AGR fuel deliveries could potentially be offset; and (ii) an emerging risk around vitrification income.</li> <li>(iii) The feedback received from HMG on the NDA’s initial submission for the 2024/25 Spending Review, including the additional information requested.</li> <li>(iv) The evolution of the “portfolio” approach to in-year budget management. The improvement in levels of trust by the OpCos, evidenced by an increase in transparency in forecasts provided to the NDA, had enabled projects to be progressed that would otherwise not have been possible.</li> <li>(v) The interim measures currently in place in the Sellafield Finance function whilst recruitment for certain key roles was undertaken.</li> </ul>	
<b>4.4</b>	<b>Group Chief Assurance &amp; Performance Officer’s Update</b>	
4.4.1	The Board noted the report from the Group Chief Assurance & Performance Officer and A Cumming provided his further reflections following his visits to Hunterston, Winfrith and Chapelcross. The Board noted the CAPO’s observations on safety, particularly situational awareness, pursuing a segmented risk approach, and the conditions, particularly resource related, that were preventing the demolition and removal of old facilities.	



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4.4.2	A Cunningham briefed the Board on progress to streamline his number of direct reports and reconfigure the Operations and Performance Improvement team.	
5.	<b>Main Board Topics</b>	
5.1	<b>Programmes &amp; Projects Committee (P&amp;PCo)</b>	
5.1.1	C Train’s reflections from the P&PCo meeting held on 18 October were provided during the CNC Operational Unit FBC Resubmission and Sellafield ITSA Time Extensions Request agenda items.	
	<i>F Rainford, E Hutton, s.40, s.40 and A Sharples joined the meeting</i>	
5.2		
5.2.1	s.36 [Redacted]	
5.2.2	[Redacted]	
5.2.3	[Redacted]	
5.2.4	[Redacted]	
5.2.5	[Redacted]	



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	<i>A Sharples left and s.40 joined the meeting</i>	
<b>5.3</b>	<b>Sellafield ITSA Time Extensions Request</b>	
5.3.1	The Board noted the update on the exit from the ITSA contract and request for a further time only extension to the contract, of 12 months. F Rainford reported that as a time only request, no further sanction was required. This position had been confirmed by DESNZ. The next step, if the extension was approved by the Board, would be for the DESNZ PIC to be advised of this.	
5.3.2	C Train reported on P&PCo’s discussion of the request. The Board queried how a 12-month extension to the contract would not have a further cost implication and s.40 explained how the extension request would work within the previous ITSA sanction funding request.	
5.3.3	After careful consideration, the Board <b>RESOLVED TO APPROVE</b> a time only extension for the ITSA contract from April 2024 to March 2025.	
	<i>F Rainford, E Hutton, s.40 and s.40 left, and M Rouse and R Fletcher joined the meeting</i>	
<b>5.4</b>	<b>Dounreay Lifetime Plan PBC</b>	
5.4.1	R Fletcher provided an overview of the development of the new Dounreay Lifetime Plan and the nature of the changes made. R Fletcher emphasised that key to acceptance by HMG was a clear narrative on why a new plan had been required. It was noted that the strategy put forward in the new plan was quite different from that devised under the Parent Body Organisation model and a series of assist reviews had been carried out by the NDA Assurance function to challenge these differences. The assurance work led by A Cumming’s team was now complete. R Fletcher outlined the findings from the review and how each recommendation was to be addressed. The current intention was for the Magnox Board to approve the new plan at its meeting in early November, with approval to be sought from the NDA Board at its meeting on 22/23 November.	
5.4.2	The Board discussed the impact of the changes to the Dounreay Lifetime Plan on the 2022/23 Annual Report and Accounts (ARA) process and sought assurance that the current year’s ARA would not be similarly impacted. The Executive confirmed that the timetable for the 2023/24 ARA would not be affected by the change, and it would be some time before there was any impact to the nuclear provision. The Board emphasised the need for the Magnox Board’s approval to ensure the ARA process would not be hindered.	
	<i>M Rouse and R Fletcher left the meeting</i>	
<b>5.5</b>	<b>Sanction Forward Plan</b>	
5.5.1	The Board noted the summary of the sanction forward plan and the upcoming submissions it was due to receive. s.40 outlined the business case approvals received since its last update. It was noted that there could be some congestion at the Board meeting in January due to there being no scheduled Board meeting in December 2023 or February 2024. The Corporate Governance team would liaise with the Sanction team to determine whether any sanction items could be brought forward from the January Board meeting and there would be merit in arranging a short additional Board meeting in December for this purpose.	
	<i>s.40 left the meeting</i>	
<b>5.6</b>	<b>Committee Reports</b>	
5.6.1	The Board noted the report from the Health, Safety, Security & Environment (HSSE) Committee meeting held on 10 October 2023 and J Ashdown highlighted the key points for the Board to be aware of. It was noted that the Committee had discussed its recent visit to Sellafield and its focus on assurance on health and safety matters following recent	



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	correspondence with the ONR. It was noted that the site visit had been very positive. Although there remained challenges there was clear evidence of cultural change, it was evident the Interim CEO had significant credibility, and there was a definite receptiveness to providing the NDA with the assurance it was seeking.	
5.6.2	The Board noted the report from the Sustainability & Governance (S&G) Committee meeting held on 10 October 2023 and J Ashdown highlighted the key points for the Board to be aware of. It was noted that the outcome of a Diversity & Inclusion audit had been included in the meeting papers ahead of time. The results identified some areas that would need to be addressed and the Committee would revisit the report once it was finalised. It was noted that the first meeting of the S&G Chairs across the group was taking place on 24 October.	
	<i>F Rainford, s.40 and s.40 joined the meeting</i>	
<b>5.7</b>	<b>Organisational Evolution Statement</b>	
5.7.1	The Board noted the Organisational Evolution Statement (OES). F Rainford explained the background to the production of the OES and responded to the Board’s questions on its intended audience and purpose. The Board commended the production of the OES.	
	<i>F Rainford, s.40 and s.40 left the meeting</i>	
<b>6.</b>	<b>Forward Agenda</b>	
6.1	The Board considered the forward agenda. It was noted that the outcome of the Diversity & Inclusion audit would need to be postponed from the January agenda. It was also noted that approval of the Framework Document would be postponed from the November to the January meeting as feedback was still pending from HMG.	
<b>7.</b>	<b>AOB</b>	
7.1	There being no further business, the Chair closed the meeting.	
	<i>A Cumming and P Vallance left the meeting</i>	
<b>8.</b>	<b>Board Only Session</b>	
8.1-8.3	These minutes are confidential. Please see Addendum to the minutes.	