

Minutes of the board meeting held on Tuesday 11 February 2025 via MS Teams

Present

Alan Lovell	Chair
Stewart Davies	Board Member
Ines Faden Da Silva	Board Member
Robert Gould	Board Member
Brittany Harris	Board Member
Maya Leibman	Board Member
John Lelliott	Board Member
Lilli Matson	Board Member
Sarah Mukherjee	Board Member
Mark Suthern	Board Member

In attendance

Philip Duffy	Chief Executive
Tamara Bruck	Executive Director, Strategy, Transformation and Assurance
Anna Caffyn	Director, Finance
Sebastian Catovsky	Defra Co-Director, Floods and Water
Sarah Chare	Executive Director, Local Operations
Caroline Douglass	Executive Director, Flood and Coastal Risk Management
Laura Milton	Director, Legal and Audit Services
Kath Wilkins	Interim Deputy Director, Governance and Engagement
Alex Hole	Board Governance Senior Advisor
Beth Lamb	Board Governance Advisor
Corry McDiarmid	Board Governance Manager

Item 2

Gary Story	Senior Finance Business Partner
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Item 3

Lucy Ward	Performance Manager
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Item 1: Apologies and declarations of interest

Apologies

- 1.1 Apologies were noted from Judith Batchelar, John Leyland, Matt Cornford, Chris Davis and David Hill.

Declarations of interest

- 1.2 There were no new declarations raised.

Item 2: Flood and coastal levies and charges 2025/26 approval

- 2.1 The board welcomed Gary Story to the meeting. The Executive Director of Flood and Coastal Risk Management (FCRM) introduced the item, laid out the Environment Agency's responsibilities with regard to the flood and coastal levies and charges and the request for the board to issue these to lead local flood authorities. The board noted that the Anglian (Great Ouse) Regional Flood and Coastal Committee (RFCC) statutory consent remained outstanding and was expected to be given at the RFCC meeting scheduled for 13 February 2025, and therefore conditional approval was being sought to issue the local levy concerning this area.
- 2.2 The board discussed concerns regarding the setting of local levies and increases not being in line with inflation.
- 2.3 **Action:** Director of Finance and Executive Director of FCRM to review future levy funding increases to ensure they are appropriate and in line with inflation.
- 2.4 **Decision: The board issued** the Flood and Coastal Local Levies to all lead local flood authorities except to those covered by the Anglian (Great Ouse) Regional Flood and Coastal Committee.
- 2.5 **Decision: The board agreed** to issue the Flood and Coastal Local Levies to all the lead local flood authorities covered by the Anglian (Great Ouse) Regional Flood and Coastal Committee once their statutory consent has been received by the Environment Agency and without further reference or decision of the Board.
- 2.6 **Decision: The board made a resolution** authorising the Agency seal to be affixed to the General Drainage Charges for the year ending 31 March 2026, as set out in Appendix 1 of the paper.
- 2.7 **Decision:** The board being satisfied that such contributions are fair, **made a resolution** to impose Internal Drainage Board (IDB) Precepts for 2025/26, set out in Appendix 2 of the paper.

- 2.8 **Decision:** As recommended by the Executive Director's Team (EDT) Sub-Group for Capital Programme and Maintenance and the board being satisfied that such contributions are fair, **made a resolution** to make payment to the relevant IDBs of such Higher Land Water contributions for 2024/25, set out in Appendix 4 of the paper.
- 2.9 **Decision:** Acting pursuant to the legal functions of the River Arun IDB Board in the River Arun Internal Drainage District (IDD) in Solent and South Downs Area, **approved** the drainage rates and **issued** the special levies given in Appendix 3 of the paper.

Item 3: Business planning 2025/26 – priorities and performance measures

- 3.1 The board welcomed Lucy Ward to the meeting. The Director of Finance introduced the item and set out the current position on high level priorities for 2025/26 as well as an overview of revisions to the corporate and balanced scorecards for the upcoming financial year.
- 3.2 The board noted that the hectares of habitat created measure had now moved to the balanced scorecard and its relevance was now being reviewed in the context of the capital programme.
- 3.3 The board discussed the efficiency measure and carbon emissions measures, the Chief Executive provided more context for the inclusion of these measures.
- 3.4 **Action:** Director of Finance to include an update on the industrial carbon measure and efficiency measure at the next Board meeting.
- 3.5 The board wished for the scorecard to greater emphasise colleague and external partner health, safety and wellbeing. The board discussed lost time incidents and queried how these were escalated and reported, and to which governance forums.
- 3.6 **Action:** Executive Director of Strategy, Transformation and Assurance (STA) to check whether lost time incidents are reported as part of the Board Health, Safety and Wellbeing update and report back.
- 3.7 The board noted the update with regard to the bathing water quality measure.
- 3.8 The board discussed the permitting measure in the context of the government's ambition for growth and the recent letter from the Prime Minister to the Environment Agency on this matter. The board noted how the revised permitting measure would support the Environment Agency's focus on growth.

- 3.9 **Action:** Executive Director of Local Operations to include an explanation of the disaggregation of the permitting scorecard measure at the permitting item coming to the Board in the spring.
- 3.10 The board noted that a Director of Operations, Growth, Permitting and Monitoring post had been created to oversee the Environment Agency's work with regard to the government's growth agenda and that the vacancy was now live.
- 3.11 **Action:** Board Governance Team to circulate the link for the Director of Operations, Growth, Permitting and Monitoring job posting to board members to share with their networks
- 3.12 The board discussed how the corporate strategy will influence priorities and measures. The board also noted changes to enforcement measures, split into investigation delivery and investigation triage, to reflect efficient processes and outcomes. The board noted progress to reduce the cases backlog since 2022.
- 3.13 **Decision: The board approved** the measures for both the Balanced Scorecard (BSC) and the subset of measures to be published as part of the Corporate Scorecard (CSC), agreeing that they adequately cover Environment Agency priorities.

Item 4: Hot topics

Chair

- 4.1 The Chair provided an update on the progress of the appointment of the new Audit and Risk Assurance Committee (ARAC) Chair and submission for the recruitment of new Board members.
- 4.2 **Action:** Board Governance Team to circulate the suggested Board roles for the upcoming recruitment campaign.

Chief Executive

- 4.3 The Chief Executive updated the board on business planning for 2025/26, ongoing work around strategy and culture, ongoing government and Defra reviews and the growth mandate from the government.
- 4.4 The board discussed culture and work underway on IT transformation to drive efficiency in the Environment Agency.

Environment and Business

- 4.5 Environment and Business updates were taken as part of the Chief Executive's updates.

Strategy, Transformation and Assurance

- 4.6 The Executive Director of STA gave an update on Freedom of Information (FOI) request work following previous action from the Information Commissioner's Office (ICO) on timeliness of FOI responses. The board noted that complaints to the ICO had now greatly reduced and a new automated case working system was soon to be rolled out.
- 4.7 The board noted updates on business appointment rules, roll out of line manager training, and work in the transformation space including testing of a new flood warning system.
- 4.8 **Action:** Board Governance Team to share link to flood warning service 2025 beta testing should any Board members wish to get involved.
- 4.9 The Executive Director of STA updated the board on the progress of the development of the next corporate strategy and laid out the expected timeline for drafting and publishing.
- 4.10 **Action:** Executive Director of STA to consider sharing the Health of the Organisation report with the board.

Local Operations

- 4.11 The Executive Director of Local Operations updated the board on the January 2025 flood incident work and lessons learned from this period.
- 4.12 **Action:** Board Governance Team to share with board members the MP engagement flood products.
- 4.13 The board took an update on the most recent flood resilience taskforce meeting. The board discussed how the Environment Agency can work to encourage those in active flood alert or flood warning areas to react correctly when these alerts are issued.

Flood and Coastal Risk Management

- 4.14 The Executive Director of FCRM informed the board that the FCRM funding had been announced the previous week and laid out the implications for the remaining 2 years of the current capital programme.
- 4.15 The board noted that the new National Flood Risk Assessment (NaFRA2) data had been published in January, and that the Environment Agency had received 2 government project delivery awards.

Finance

- 4.16 The Director of Finance provided an overview of the in-year financial position and the latest updates regarding the spending review.

Item 5: Any other business, date of next meeting and review of meeting

Any other business

- 5.1 **Decision: The board approved** the proposed amendments to the Non-Financial Scheme of Delegation (NFSoD) (version 59, September 2024) to deal with new powers relating to the Producer Responsibility Obligations (Packaging and Packaging Waste) Regulations 2024, (known as packaging extended producer responsibility or PEPR).
- 5.2 The board took a brief update regarding the closure notice issued to Walley's Quarry.
- 5.3 The board noted that the Ministry of Justice was due to issue a consultation on the oversight and regulation of private prosecutions.

Date of next meeting

- 5.4 The date of the next meeting was noted as 18 March 2025.

Review of meeting

- 5.5 The Board reviewed the meeting.

The meeting closed at 11:25am.