



## Minutes

Extraordinary Meeting of the Board  
 Wednesday 4 September 2024 9am  
 MS Teams

## Members

Malcolm Beatty OBE	Board Member
Julie Hill MBE	Board Member
Professor Dan Laffoley	Board Member
Dr Paul Leinster CBE	Board Member
Professor Richard Macrory CBE	Board Member
Natalie Prosser	Chief Executive
Dame Glenys Stacey	Chair
Helen Venn	Chief Regulatory Officer

## OEP Attendees

Peter Ashford	General Counsel
REDACTED	Principal Analyst (item 24.77)
REDACTED	Environmental Analyst (item 24.78)
Nic Edwards	Head of Intelligence (item 24.79)
Neil Emmott	Head of Monitoring Environmental Law (Item 24.78)
Mike Fox	Head of Communications and Strategic Relations
Andy Gill	Head of Insights Operations (item 24.79)
Richard Greenhous	Chief of Staff
REDACTED	Principal Lawyer (item 24.77)
REDACTED	Senior Projects Officer (item 24.77)
Angel Lai	Head of Finance and Corporate Services
Dr Cathy Maguire	Head of Assessments (item 24.79)
Professor Robbie McDonald	Chief Insights Officer
Craig McGuicken	Northern Ireland Lead (items 24.77 and 24.78)
REDACTED	Principal Lawyer (item 24.79)
REDACTED	Board Secretary and Private Office Manager
REDACTED	Senior Investigations Officer (item 24.78)
REDACTED	Principal Legal Researcher (item 24.78)

### 24.76 Apologies for absence and declarations of interest

There were no apologies for absence.

There were no new declarations of interest.

Malcolm Beatty reminded the Board of his existing declared interest as a former Chief Executive of the Northern Ireland Forest Service, a landowner in Northern Ireland in relation to item 24.77 and a member of East Down Yacht Club in relation to item 24.78.

Natalie Prosser reminded the Board of her existing declared interest as a member of the Outdoor Swimming Society in relation to item 24.78.

#### **24.77 Northern Ireland Protected Sites Report**

The paper was introduced and the report which is due to be presented in the next Board meeting was summarised.

The Board discussed the draft recommendations. Some of these highlight circumstances where improvements to legislation may support improved outcomes. It considered particularly how we should frame these recommendations given our statutory role. It welcomed the approach adopted in this regard in the draft.

We should be consistent in how we use the terms 'must' and 'should' in our recommendations, being clear what is a legal requirement, and what is our view and recommendation.

The Board discussed the conditions for success, which had been intended to ensure that the report and its recommendations can be positively presented and received. It welcomed the inclusion of these alongside the specific recommendations.

The Board noted that the report presents a stark analysis and clear recommendations for improvement. It encouraged officers to consider how the report can reflect the successes of the existing regime, which has contributed to protection and improvement, but highlight the improvement needed in effectiveness and scale.

The Board discussed wider issues of environmental governance in Northern Ireland, and queried if the OEP may have a role in future to bring together our findings in relation to governance, and consider that picture as a whole.

#### **24.78 Bathing Waters Reports (England/Northern Ireland)**

The report was summarised and presented.

The Board discussed the recommendations of the report in relation to the guidance, and the definition of a bather.

It queried whether the EU commission was considering similar amendments to the definition, and the consequences of any expanded definition for the number of bathing sites and therefore the cost of monitoring and regulation.

The Board discussed the evidence of how achievable the standards set for Bathing Waters are. It noted the standards depend on very local factors, including local agriculture and other issues but are achieved in a variety of different contexts.

The Board agreed to:

- (a) approve the reports in substantially the form at Annex A and Annex B (with only minor, non-material amendments to be made).

- (b) delegate to the Chief Executive, in consultation with the Chair, approving that the final reports have satisfactorily incorporated any such further non-material amendments as the Board may direct during its meeting.
- (c) note the intended date to lay the reports before Parliament and Northern Ireland Assembly, planned for 10 and 23 October 2024, respectively.

#### **24.79 EIP Rapid Review**

It was confirmed to the Board that the Secretary of State has asked for the OEP to provide advice in relation to his rapid review of the Environmental Improvement Plan (EIP).

The Board considered an early draft letter of our response and thanked the team for their efforts to produce. The Board was reminded that the advice is very important but provides one of several opportunities to influence in this regard.

The Board provided a range of comments in relation to the draft advice. It considered the overall tone of the advice, how specific our advice should be, the risks in relation to that and our advice being effectively received, and the specific priority areas proposed to be highlighted. The Board also considered the extent to which we can be part of the solution and how bold we should be in giving our advice.

The Board highlighted the need for the advice to the urgency, scale and quality of responses needed with scale being the most important.

The Board discussed the need to highlight the importance of a healthy environment to wider government ambitions and missions, including for the economy.

The Board debated the priorities proposed, and considered how these relate to cross cutting issues, or those which have wider importance. It considered these could be expressed better, with reference to the priorities for the environment the Secretary of State has set out, so that those links can be more readily understood.

The Board agreed to:

- approve final written advice by electronic business, and that this occurs over 10-11 September with a view to submitting the advice to Defra by 12 September.

#### **24.80 Any Other Business**

There was no other business.