



## Minutes

Meeting of the Board  
 Tuesday 16<sup>th</sup> January 11am  
 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	Paralegal (Secretariat)
Nicola Edwards	Head of Intelligence Management (Item 24.06)
Mike Fox	Head of Communications and Strategic Relations
Richard Greenhous	Chief of Staff
Angel Lai	Head of Finance and Corporate Services
Andy Lester	Head of Business Strategy and Planning
Professor Robbie McDonald	Chief Insights Officer
Craig McGuicken	Northern Ireland Lead
Ellie Strike	Head of Monitoring Environmental Governance (item 24.05)

## Observers

REDACTED	Chief Executive, Tetbury Hospitals Trust
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### **24.01 Apologies for absence and declarations of interest**

Apologies were received from Malcolm Beatty. There were no new declarations of interest.

### **24.02 Minutes and matters arising**

The Board AGREED the minutes of the 29 November, the 1 December, and the 20 December board meetings. The Board noted the matters arising.

### 24.03 Report of the Chief Executive

The Board noted the progress evident in our approach to commissioning external expertise. This is now more routine, allowing us to better manage a pipeline of commissioning activity. The Chief Insights Officer is developing further approaches to provide more flexible access to expertise, which the Board will consider later in 2024.

The Board sought and received assurance on the proposed review of the draft Northern Ireland Climate Action Plan, and how we are working with the Climate Change Committee in this respect. Our work is focused on the coherence between the Climate Action Plan and draft Environment Strategy, and is welcomed by the Climate Change Committee.

It was noted that our environmental law reports on key aspects of Water Framework Directive implementation in England and in Northern Ireland are expected to be published in March. We expect these to be material reports, and an important contribution in this area, notably given continuing public interest and judicial reviews.

The Board was updated on the scoping of a project focussed on the efficacy of inspection regimes in England. It encouraged officers to consider whether the intended focus was rightly targeted, or whether local authorities' inspection work should also be considered. The current work focusses on Environment Agency inspections under the environmental permitting regulations and is a pilot approach to test our scrutiny in this area. In parallel we are mapping the legislation for other inspections regimes, which should allow us to expand that scrutiny to other inspecting bodies, including local authorities, if the Board judged that appropriate.

The Board noted the information reported on consultation responses but discussed the importance of equally considering the timeliness and extent of government action after consultations. An existing matter arising sets out our plans in this regard.

The Board questioned what lessons could be learned in the management of *This section has been redacted as it relates to information recorded in relation to the OEP's functions relating to investigations and enforcement.* There are lessons to be learned, including on the extent of information needed for a decision to be reached, and how quickly this could have been taken and how expectations can best be managed.

The Board congratulated the improved control on financial management, including in the annual report and accounts laid before Parliament and the Assembly before Christmas. This had been a concerted area of focus for both management and the Audit and Risk Assurance Committee.

The Board discussed and AGREED to the recruitment of three additional posts to maximise the flexibility within the OEP's current headcount constraint. The Board noted the potential reduction in size of the legal team and sought assurance on the continuing sustainability of the legal function and its ability to serve the organisation's needs. General Counsel confirmed that mitigation measures are under consideration to help manage the implications for delivery of our functions, should the OEP's legal capacity reduce as current projections indicate. The Board encouraged officers to make use of all flexibilities possible, within the headcount constraints, and consider if another post could be justified, making four additional posts in total.

The Board welcomed the update on the College of Experts and was updated on how further recruitment to the College is intended to be focused on particular expertise needs. It encouraged officers to consider whether there are any areas where expertise should be bolstered and asked to be provided with a review of the College in 12 months' time. ACTION Chief Insights Officer.

**24.04 England EIP Launch (verbal update)**

The Board was updated on the preparations for the launch event, including the key messages of our report, and the principal content of the Chair's speech.

Our report focuses on the need for government to speed up and scale up its delivery and ensure that its plans stack up as needed for the statutory and interim targets, and wider EIP goals, to be achieved. We will also highlight the importance of transparency of government's plans, so that all can play their full part.

The Board was also updated on the government's response to our 21/22 EIP progress report published in January 2023.

**24.05 Northern Ireland EIP**

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**24.06 Strategy review – an update**

The Board considered the draft guiding policy to support the OEP's strategy, set out in the paper. In particular it discussed the first statement of policy relating to the OEP's mission, and the emphasis between its two limbs: protecting and improving the environment and holding government and other public authorities to account.

A range of views were expressed. The Board was clear that our role is not one to campaign, or lobby – we have never positioned ourselves in this way, nor discussed doing so. But it is our role to make recommendations for improvement – that may be to identify a gap or weakness, and recommend that government takes steps to fill it, or to recommend an approach. The Board has to date made these judgments on a case-by-case basis.

The new statement of policy was intended to clarify and codify a position in this regard. The Board did not judge that this was merited, or helpful. Instead, it judged that such judgments should rightly be made in individual circumstances, although this leaves ambiguity for the Executive to manage, and potential for uncertainty in time.

The Board considered and made recommendations on the remaining statements of policy, including on their length and focus. It recommended that changes be made in those relating to stakeholder engagement in particular. It encouraged officers to consider further progress in implementing the policy, and the reasons changes are proposed. It considered trust, prioritisation, and acting strategically as potential gaps. ACTION Head of Business Strategy and Planning to develop further in consultation with the Executive and Chair.

The Board considered proposals for how the strategy might be presented differently.

It judged that it should be clear what we have learned, what we are proposing to change and why in any presentation of the strategy. The strategy should have detail, where it should, but a short summary for less engaged audiences could also be important.

The Board endorsed the approach to presenting the strategy recommended.

**24.07 EIP quality, remit and co-operation (verbal update)**

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**24.08 Any other business**

There was no other business.

Meeting concluded at 14:33