



## Minutes

Meeting of the Board  
 Wednesday 3rd July 2024 9am  
 MS Teams

## Members

Malcolm Beatty MBE	Board Member
Richard Greenhous	Chief of Staff
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

## OEP Attendees

Peter Ashford	General Counsel
Dr Donnacha Doody	Head of NI Analysis (item 24.60)
Nicola Edwards	Head of Intelligence (item 24.61)
REDACTED	Senior Analyst (item 24.60)
Mike Fox	Head of Communications and Strategic Relations
REDACTED	Principal Communications and Engagement Manager (item 24.61)
Angel Lai	Head of Finance and Corporate Services
Andy Lester	Head of Business Strategy and Planning
Professor Robbie McDonald	Chief Insights Officer
REDACTED	Board Secretary and Private Office Manager
Ellie Strike	Head of Monitoring Environmental Governance (item 24.61)
Helen Venn	Chief Regulatory Officer

### 24.57 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 senior public servant in Northern Ireland in relation to item 24.60.

### 24.58 Minutes and Matters Arising

The Board AGREED the minutes of the 29 May Board meeting and the 12 June extraordinary Board meeting, subject to the addition of an action that the Executive would consider the case for the translation of OEP documents into Irish and Ulster Scots.

The Board noted the matters arising report.

#### **24.59 Report of the Chief Executive**

The report was presented. The Board AGREED with the recommendations in the report: to note the progress in delivery of our strategic objectives and comment on the emerging findings of our report on the designation and management of protected sites.

The Board were reminded that our public activity has been impacted during the pre-election period. We have planned for publication activity to recommence on Monday 8 July.

The Board were updated on the EIP progress report. It discussed its concerns as to how the species abundance target is specified in the relevant regulations, and how this may not effectively measure a long-term change in the trend. It sought assurance that we are actively engaged with officials in this regard.

The Board commented on the emerging findings on the report on the designation and management of protected sites in Northern Ireland.

The Board encouraged officers to consider a historic report from the Northern Ireland Audit Office with similar findings. It encouraged officers also to consider the enforcement provisions in Northern Ireland which rely on criminal law. This could be more prominently identified as an opportunity for improvement that needs consideration.

The Board also discussed the availability of information related to the condition of protected sites. The Board noted how critical it is that the condition of protected sites should be favourable, compared with an expansion of protected sites.

The Board sought further information surrounding the role of the Landowners Group in England. ACTION Chief Intelligence Officer

In considering the draft findings, the Board considered the conditions for success and their relationship with the recommendations.

The Board discussed the relationship between several reports that are due to be published in Northern Ireland in the autumn, and the need for clear messages and an overall story across the reports but for each to make a distinct contribution. ACTION Chair and Head of Communications and Strategic Relations to review the messages of the series of reports and the overall story they tell.

The Board discussed the timetable for the Government to respond to our Water Framework Directive report. This statutory timeline falls within recess, and Government's ability to respond is likely to have been impacted by the general election. The report itself is important and the issues complex and the Board judged government's response ought not to be rushed. It will be for any newly formed government to determine how it responds to Parliament in the circumstances.

The Board noted the findings in respect of consultations, and suggested we highlight them to organisations such as the Institute for Government. The findings may be indicative of an unsatisfactory consultation culture.

The Board was updated on the progress of all ongoing investigations. This included progress in drafting our first investigation report. This requires us to carefully consider what the content of the report should be and the precedent this may set for future reports. The Board will consider this in a future meeting.

The Board noted the judgment in the case of R (Finch) vs Surrey County Council. It noted that the logic of our submission can be traced through to the judgement which indicates that our submission was persuasive on the result of the case.

The Board was made aware of the people action plan which had been circulated to all staff following analysis of our people survey results. ACTION Head of Finance and Corporate services to circulate the action plan to the Board.

The Board were advised of an artificial intelligence (AI) pilot taking place to understand whether Microsoft's version of AI (Copilot) can offer any efficiency gains. The results of this pilot will be fed back to the Board at a later meeting. The Intelligence Management System has been launched.

The Board asked to be kept informed of activities of the College of Experts, and to be included in relevant engagements where appropriate.

#### **24.60 Drivers and Pressures on Biodiversity in NI**

The Board was reminded of its prior discussions, particularly that this report is intended as largely a statement of the facts and problems related to biodiversity in Northern Ireland, and the Board's steer that these should be presented clearly and frankly. As a result, the findings of the report will be noticed in Northern Ireland, and particularly in the agricultural and agri-food sectors.

The Board suggested the report could explain more clearly how Northern Ireland compares to other UK and western nations.

The Board questioned whether the Going for Growth strategy was ever compatible with ambitions to protect and improve the environment. This could be more clearly explained.

The Board queried whether the Lough Neagh action plan should be mentioned specifically in relation to the recommendations that have been made on the environmental improvement plan.

The Board made some suggestions on presentational improvements. An abstract of the evidence we have used in the report could be helpful; further infographics may help messages come across clearly; the executive summary could be drafted to give greater priority to the most important points.

The board AGREED the recommendations of the paper. It endorsed the final draft report and its recommendations, and AGREED that the final approval of the report, incorporating any changes arising from the Board's consideration of the report be delegated to the Chief Executive, in consultation with the Chair.

## **24.61 General Election**

The Board considered the engagement plans proposed. It recommended engagement with HM Treasury as part of the wider engagement plans post-election. The Board also discussed the need to understand who will be influential in decision making in the new government and highlighted the need to establish relations with any relevant special advisors.

The Board discussed the policy proposals that had been prominent in the election. It suggested officers keep up to date with any proposals to review the National Planning Policy Framework

The Board considered the messaging proposed to any new government. It judged it important that we highlight the importance of what we do and how we achieve this. Our role is distinct and the model established is seen as an example to many in the field around the globe.

The Board agreed the need to engage with MPs, including those in Northern Ireland, to ensure they understand the environment act and how the act will play a part in their role.

## **24.62 Business Planning in relation to DAERA budget**

The Board noted the information provided about the funds to be received from DAERA. It welcomed that this is 50% more than 2022/23, a significant increase. The Board discussed the potential reason behind the increase and that this reflects positively on our position in Northern Ireland.

The Board considered how the additional resourcing can support additional headcount. It noted that there is risk, given the increase (as all our Northern Ireland funding) is for one year only. It agreed with the balance of risk the paper proposed.

The Board noted that the additional funding is proposed to be used to support further work on nutrient management in Northern Ireland, an expansion of the work on nature friendly farming and the marine environment, and beginning a project on chemicals in Northern Ireland. It will also provide additional capacity towards investigations and enforcement activity, and scrutiny of environmental law. The specific allocation of these will be determined.

The Board considered the assurances provided on the management of the additional resources, and in particular that this can be spent in year. The Board highlighted that there is a need to ensure further planning is undertaken to mitigate this risk, over the summer.

The Board agreed the recommendations from the paper and AGREED that we should accept the offer of £1.900m of funding from DAERA and seek no additional funding from DAERA in year. The Board AGREED the revised budget and business plan for 2024/25 in light of the increase in funding and noted that the required changes to the corporate plan will be approved by the Chief Executive, in consultation with the chair, as previously delegated by the Board.

**24.63 Any other business**

The Board were made aware of two recent court decisions by the General Counsel.

One of these related to sewage discharges and will be of relevance to wider issues relating to this in our wider work.