

Natural England Board



Confirmed minutes of the eleventh Natural England Board meeting 25 June 2008

<u>Members attending</u>	<u>Executives:</u>
Melinda Appleby	Andrew Wood
Sarah Burton	Dave Webster
Poul Christensen (Chair)	Guy Thompson
Roger Clarke	James Marsden
Lynn Crowe	Tom Tew
Merrick Denton-Thompson	
Michael Depledge	<u>Secretariat:</u>
Tony Hams	
David Hill	Becky Jones
Doug Hulyer	Roy Hymas
David Macdonald	
Christopher Pennell	
Helen Phillips (CEO)	
Pam Warhurst	

Prior to the Board meeting, a Board briefing session was held at which Board members were updated on Natural England's work in the following areas:

- Badgers and Bovine TB;
- Natural England's Transition Programme: Programme Update;
- Natural England's Commercial and Innovation Programme;
- The progress of Outcome 2;
- Natural England's engagement in National Policy Statements.

1) Welcome from the Chair

- a) Apologies were received from Martin Doughty and Peter Allen.
- b) The following amendments to the Register of Interests were recorded:

Professor Michael Depledge is Chair of the Seventh Research Framework Programme (FP7);

Melinda Appleby has been a trustee of the Thornham Field Centre Trust since February 2008.

2) Stakeholder Engagements

The Board noted and agreed the stakeholder engagements carried out by Chair and Deputy Chair between 1 May and 26 June 2008, and planned engagements between 26 June and 17 September 2008, subject to amendments, and that Board members should accompany the Chair, Deputy Chair and Chief Executive on regional stakeholder engagement as appropriate;

ACTION: Board Services to amend Annex 1.

3) Natural England's European Engagement Strategy

The Board:

- a) noted a proposed European engagement strategy for Natural England and the proposed assessment of the effectiveness and value for money of Natural England's involvement in specific European networks;
- b) endorsed the approach and priorities proposed for a European engagement strategy for Natural England;
- c) agreed that engagement in Europe should be a key priority for Natural England;

Key discussion points were:

- the European Landscape Convention provides a platform for understanding landscape approaches from other countries and this should be reflected in the strategy's priorities;
- there are a number of opportunities for further collaboration that we could explore to support our research, evidence gathering and targeting, including the European Environment Agency and the Seventh Research Framework Programme;
- that whilst it is entirely appropriate and indeed necessary that we should work alongside Defra in Europe, there will also be times when we will operate independently;
- following the review of our involvement in specific European networks, we should lead the development of alternative ways of working that help us to deliver our Strategic Direction.

4) Chief Executive's Report

The Board:

- a) noted our current strategic issues, in particular:
 - the Climate Change Bill is currently in its second reading in Parliament and Phil Woolas MP has endorsed the Adaptation Sub-Committee;
 - we support the establishment of the Infrastructure Planning Committee but believe that the marine environment would be safeguarded better if major development proposals were determined by the Marine

- Management Organisation proposed by the Marine Bill;
- we have given evidence to the EFRA Committee and the joint House of Lords/Commons Committee on the Marine Bill. We believe the following measures are required to strengthen the Bill provisions and make them fit-for-purpose:
 - Natural England should be a statutory consultee across the Bill proposals, with public bodies required to have regard to our advice;
 - there should be full coverage by Marine Plans of the marine waters covered by the Bill;
 - there should be a clear purpose and/or objectives for MCZs that is linked to delivery of a network of marine protected areas;
 - Natural England should be identified as the appropriate body to designate MCZs;
 - there should be a duty on the appropriate body to designate the MCZ network;
 - there should be a timetable for decision-making by the appropriate body on the designation process for each MCZ;
 - the offence of damaging or destroying the designated features of a MCZ should be included in the Bill;
 - the identification of MCZs should be based on the best available science and ecological evidence in advance of socio-economic factors being considered;
 - there should be a duty placed on Natural England to monitor and report on the condition of MCZs;
 - Natural England should remain solely responsible for the notification and confirmation of SSSIs and the declaration of NNRs whether on land or where they extend below mean low water, to remain consistent with Better Regulation;
 - we highlight the practical difficulties raised by the proposed legal exclusion of even very extensive coastal parks and gardens from the scope of the new rights of access;
- we have enjoyed excellent engagement with the Committee on coastal access;
- we are working closely with the Environment Agency to ensure that we are achieving our objectives for PRO9;
- we are currently preparing our response to Defra's consultation on the CAP Healthcheck and will be holding a Board workshop to consider our submission in late July;
- we are preparing for significant public and media reaction to the publication of our Character Area Pilot report for Norfolk. The other pilots are proceeding well and we are planning to showcase the Cumbria High Fells report at our Uplands Conference in November;
- we are in the process of mapping locations where onshore wind installations would be broadly acceptable to us. This is explained further in the Board paper outlining our draft policy on Wind Energy;

- the Strategic Direction and Corporate Plan have now been agreed by Defra and we are making arrangements for our Chair to meet the Minister to discuss it with him;

ACTION: Board Services to circulate Draft Character Area Pilot reports to the Board.

- b) noted that a full performance report is not due until we have reached the end of the first quarter;

ACTION: Executive Board to circulate the first Quarterly report to the Board following the review process in July.

- c) noted the financial outturn for Natural England at 31 March 2008 and that we are on track to lay the accounts before Parliament;
- d) considered the financial position at 31 May 2008;

Key discussion points were:

- we should explore opportunities for Board member engagement with water companies at a regional level to discuss further investment in the natural environment;
- the Audit Committee will consider the valuation and transfer of Genesis at its next meeting.

5) Natural England's Regulatory and Enforcement Strategies and Enforcement Policy

The Board agreed the Regulatory and Enforcement Strategies and that the draft Enforcement Policy should go to public consultation;

Key discussion points were:

- the Hampton definition of regulation goes much further than our interpretation of it and this presents us with certain management challenges. We are running a number of projects to consider regulation from an organisational perspective and will need to consider the implications for staff training;
- the enforcement policy was approved for public consultation;
- it is important that a clear distinction is made between the roles of staff to deliver advice on the one hand, and regulation on the other.

6) Update on Natural England's Green Travel Policy

The Board:

- a) considered the extensive consultation which has been conducted across the organisation on the Green Travel policy;

- b) noted the nature of the feedback received;
- c) noted the opportunities and challenges we face in delivering the carbon reduction target;
- d) agreed that its carbon footprint should be published in league table format in real time.

Key discussion points were:

- the Board is very encouraged by the high response to the survey by staff and congratulated staff on progress to date;
- if all the planned measures are fully implemented, we will reach a 25% reduction in our carbon footprint. We must therefore take action to significantly increase our commitment to the target, in particular by addressing behaviours in tandem with management of our estate;
- the Quarter 1 Transition Workshops will provide an opportunity for staff to consider practical steps in achieving the target;
- it will be important for us to take our partners, stakeholders, customers and the public on the journey to meet the target to demonstrate excellent environmental leadership throughout;
- we should publish the Board's carbon footprint alongside that of the Executive Board;

ACTION: Executive Board to ensure that information on the Board's carbon footprint is published.

7) Natural England's Policy on Transport and the Natural Environment

The Board:

- a) considered the draft policy on transport and the natural environment;
- b) noted the strategic framework for work on transport, including ports, and work on sustainable leisure travel;
- c) noted that the policy complements Natural England's climate change and bio-energy policies, and the draft green travel policy options;
- d) agreed that we need a further iteration of our draft transport and the natural environment policy, prior to external stakeholder consultation. The draft policy will be presented back to the Board at a future date.

Key discussion points were:

- a strategic assessment of transport needs and provision is required;
- we should fundamentally question further whether mobility is an essential

part of everyday life and initiate further debate on the relationship between economic growth and the use and protection of natural resources and the natural environment;

- transport has a major impact on quality of life through congestion, noise and air pollution. The Transport White Paper outlines significant trunk road development and projects that road traffic will increase by 40% by 2025;
- the policy must advocate greater protection of the natural environment in the face of transport growth, in particular designated and protected areas, and make recommendations for public and commercial transport alongside domestic travel;
- we need to develop a new set of scenarios in the context of current and future national and international issues to underpin revision of this policy and inform new policy work going forward.

8) Scope of draft policy on Biotechnology in the Natural Environment

The Board:

- a) considered the scope of Natural England's policy on biotechnology in the natural environment;
- b) agreed the scope of the policy.

Key discussion points were:

- we believe that the precautionary principle compels us to understand the full impact of each GM crop on a case-by-case basis before commercial release. GM crops must not be seen as a quick fix;
- although the benefits of biotechnology are immediately obvious, it will take time to identify the disbenefits. We must therefore develop our policy to bridge the gap in the timetable and our level of understanding and certainty;
- the timetable for agreeing our position must enable us to be proactive;
- we need to do more work to understand the main drivers for the industry;
- the Science Advisory Committee should meet to consider this issue and develop our thinking in this area;

ACTION: Executive Board to find a suitable date for a meeting of the Science Advisory Committee

9) Natural England's draft policy on Wind Energy

The Board:

- a) considered the draft wind energy policy;
- b) noted the policy takes its lead from Natural England's overarching policy on sustainable Energy (signed off by Chair in May 2008);
- c) noted the policy provides the principles for Natural England's guidance for, and appraisal of, new wind energy infrastructure developments;
- d) agreed the draft policy for external stakeholder consultation and that the final policy is circulated to the Board for comment, prior to sign off by the Chair.

Key discussion points were:

- the Government is launching its Renewable Energy Strategy consultation on 26 June. It proposes a least cost approach to renewable energy options to achieve the Government commitment to 15% energy from renewables by 2020;
- it is therefore necessary that we work with Government to ensure a strategic assessment of renewable energy development is undertaken, as advocated in our Sustainable Energy Policy;
- there is a high coincidence between proposed locations of offshore wind installations and proposed marine Special Areas for Conservation, Special Protection Areas and Marine Conservation Zones. We are working with the Department for Business and Economic Regulation and Reform and industry groups to find win-win solutions;
- the realities of climate change are particularly challenging for us in this context and we will have to be highly professional and evidence based when advocating our position on specific locations, type and scale of developments. We are working with the Department for Business and Economic Regulation and Reform to develop our approach for responding to applications;
- we are holding a stakeholder consultation workshop on 29 July to consider external stakeholder views on this draft policy;
- the Board requested a briefing on our 'locational mapping guidance' which is being prepared as part of our general guidance for appraisal of new wind energy infrastructure development. This will be taken to a future meeting prior to any public consultation.

ACTION: Executive Board to prepare a brief for the Board on the mapping guidance.

10) Audit and Risk Committee Update and Annual Report and Accounts

The Board:

- a) noted the report on the Audit and Risk Committee's June meeting;

- b) approved the Annual Report and Accounts;
- c) individually reviewed their Summary of Interests;
- d) agreed that Chair is authorised, under sub-delegation, to approve the required amendments to the Annual Report and Accounts before they are laid before Parliament.

Key discussion points were:

- the Chair of the Audit Committee recorded his thanks to all staff and fellow Board members involved;
- the Board recorded their thanks to the Audit Committee Chair for his diligence and commitment;
- the Board will consider the Strategic Risk Register at a future meeting;

ACTION: Board Services to add item to the Forward Look.

11) Declaration of Intent between Natural England and the Ministry of Defence (MoD)

The Board:

- a) noted the terms of the Declaration of Intent and the Chief Executive's intention, in consultation with Chair, to sign on behalf of Natural England, subject to essential amendments;
- b) noted the current areas of co-operation that will provide the foundation for future joint working and identified further areas for potential collaboration.

Key discussion points were:

- the Declaration of Intent is based on the MoU model that we have established with a small number of our key partners, and provides an excellent framework for building effective working relationships;
- the Declaration represents significant progress in our mutual relations and provides a tremendous opportunity to find further common ground and opportunities for collaboration, such as environmental surveillance and biodiversity monitoring and recording;
- this is a work in progress and provides a firm foundation for a successful and fruitful partnership;
- the Declaration should clearly state what the purpose and functions of the MoD are;
- the Declaration should refer to the s62 duty on public bodies to have due regard to National Parks and AONBs;

ACTION: Executive Board to seek the amendment proposed by the Board.

12) Confirmation of minutes

The minutes of the eleventh Natural England Board meeting held on 30 April 2008 were confirmed.

Actions Log – June Board Meeting 2008

Agenda Item	Action	Owner	Status
1 – Stakeholder Engagements	Amend Annex 1	Board Services	
3 – Chief Executives Report	Circulate Q1 report when available to Board members	Dave Webster	Complete
3 – Chief Executives Report	Circulate draft Character Area reports to Board members	Andrew Wood	
3 – Chief Executives Report	Circulate a copy of wind maps and briefing to Board members once they are available	James Marsden	Briefing circulated
5 – Green Travel Policy	Board member's carbon footprint to be published	Jim Smyllie	
7 – Biotechnology Policy	NESAC to discuss biotechnology at their next meeting	Tom Tew	Item added to November agenda
9 – Audit and Risk	Board to consider the strategic risk register at a future meeting	Dave Webster / Board Services	Item added to September Board agenda
10 – MoD Declaration of Intent	Seek to amend the declaration so that it refers to the s62 duty on Public Bodies re National Parks and AONBs	Andrew Wood	