

# Natural England Board



Title: **Unconfirmed minutes of the eighteenth Natural England Board meeting, 25 November 2009**

<u>Members attending</u>	<u>Executives:</u>
Poul Christensen (Acting Chair)	Tom Tew
Helen Phillips (CEO)	Guy Thompson
Peter Allen	Robin Tucker
Lynn Crowe	Dave Webster
Michael Depledge	Andrew Wood
Catherine Graham-Harrison	Jim Smyllie
Tony Hams	
David Hill	<u>Secretariat</u>
Joe Horwood	
Doug Hulyer	Carolyn Cadman
David Macdonald	Roy Hymas
Christopher Pennell	
Pam Warhurst	
Andy Wilson	

Prior to the Board meeting, Board members were briefed on Natural England's work in the following areas:

- North West designations;
- Natural England's Advocacy Programme;
- The Government's Review of England's Wildlife and Ecological Networks;
- Natural England's 2060 Vision.

## Welcome from the Chair

No apologies were received.

The Board recorded their thanks to Sarah Burton, who left the Board on 30 September 2009, for her significant contribution to the Board, Natural England and the natural environment.

There were no additions to the Register of Interests. Andy Wilson announced that he would leave the meeting for the duration of the discussion on changes to Board Authority in relation to Secretary of State appointments to National Park Authorities, as part of the Chief Executive's report.

The Chair announced that Pam Warhurst would Chair the afternoon session as he would be appearing at an EFRA Select Committee hearing.

The Chair welcomed Joe Horwood to the Board. Joe joined the Board on 1 October 2009 and is the lead Board member for Natural England's Marine work.

The Chair also welcomed to the meeting: Julie Lunt, Natural England's Head of Legal Services; Christoph Kratz, Natural England Project Officer, North West Region; Alison Farmer, consultant landscape architect (contracted to Natural England).

Finally, in the public gallery, the Chair welcomed Liz Newton, Natural England Regional Director North West; David Vose, Natural England Project Lead, North West; David Gear, Natural England People and Access Specialist; Tanya Arkle and Heloise Tierney from Defra Sponsorship Division.

#### 1) Stakeholder Engagements

The Board noted the engagements conducted by Acting Chair in the period between the July and November Board meetings and the appointments scheduled before the February 2010 Board meeting.

#### 2) Chief Executive's Report

The Board:

- a) noted our current strategic issues:
  - Staff Survey results;
  - Customer feedback – MP survey;
  - Environmental Leadership Delivery Plan;
  - Campaign for the Farmed Environment;
  - PR09;
  - Boggis Judicial Review;
  - South Downs National Park designation;
  - Review of England's Wildlife and Ecological Network;
  - Review of the Rural Payments Agency;
  - HM Treasury Review of the effectiveness of Internal Audit arrangements.
- b) reviewed performance of delivery against our Corporate Plan in Quarter 2 of 2009/10, and noted:
  - out of 34 targets, 1 is red, two are amber red, twenty-one are amber green and ten are green;
  - 91% of our targets are green or amber green compared with 88% at Quarter 1;
  - our biodiversity, SSSI, agri-environment delivery and sustainability targets will move to monthly exception reporting as a result of performance to date and/or the challenges faced in the remainder of the year.
- c) noted the Organisation's financial position at 30 September 2009.
- d) noted approvals under the Scheme of Delegation given by Acting Chair since the last meeting and approved the proposed amendment to the Non-financial

Scheme of Delegation on the relevant Board member recommending National Park appointments.

Key discussion points were:

- the Board recognises the significant achievements over the last quarter, in particular, the launch of No Charge and our Uplands Vision, the results of Natural England's Staff Survey, and the 'Graftas – Green Awards for Terrific Achievers';
- the need to continue to focus on targeted HLS agreements and promotion of the Scheme to meet the challenging SSSI target; in exceptional circumstances, we will consider how to make effective use of the regulatory levers at our disposal;
- the need to continue our intention to move Condition Assessments from a standard 6 year cycle to a segmented, risk-based approach;
- the need to continue to share best practice and develop more efficient monitoring programmes to ensure that HLS delivers the right environmental outcomes where they are most needed (e.g. farmland bird conservation), thereby maximising value for money;
- in the short term, the success of the Campaign for the Farmed Environment will be important to delivering environmental outcomes. In the longer term, changes to the Common Agricultural Policy will have a major influence on the natural environment;
- we are developing robust plans to maximise our ability to meet the December 2010 sustainability target to reduce carbon emissions by 50% from 2007 levels; there are significant challenges to achieving the necessary cultural changes on travel and to delivering office moves planned for March 2010 and monthly exception reporting will ensure that risks are managed and action taken to meet the reduction target.

### 3) Lakes to Dales Landscape Designation Project

The Board considered and approved for public consultation: our Guidance for assessing landscapes for designation as a National Park or AONB. The Board also approved unanimously, for consultation, the proposals for extending the boundaries of the Yorkshire Dales and Lake District National Parks.

In relation to Orton Fells, the Board agreed that the public consultation should consider whether they should be included in a proposed extension to the Lake District or Yorkshire Dales National Park.

The Board noted:

- the legal context for designating National Parks and Areas of Outstanding Natural Beauty (AONBs), in particular: Natural England's powers to designate; the statutory criteria for designating National Parks and AONBs; that Natural England has a duty to consider from time to time which areas in England meet the statutory criteria; and, the purposes of National Parks and AONBs;
- the methodology used to review the existing boundaries, as set out in the Guidance for assessing landscapes for designation as a National Park or AONB;
- details of the proposed National Park boundary extensions in the North West;

- an overview of the consultation process and subsequent stages, in particular, that the consultation will commence in December 2009 and will seek to maximise opportunity for public and stakeholder engagement.

Key discussion points were:

- the Board's decision is taken in view of the substantial research and assessment carried out by Natural England staff;
- the guidance takes into account the recent amendments to the legislation and the New Forest and South Downs Inspector's reports and Ministerial decisions;
- to date, we have involved a Technical Advisory Group of local authorities, National Park Authorities and key agencies who have given detailed advice on the proposals;
- the consultation will help the Board to make a final decision about 'especially desirable' by allowing stakeholders in the area the opportunity to give us their views;
- whilst the Board paper appeared to focus more on natural beauty than recreation, the consultation will provide an opportunity to explore both these issues further. A lot of detailed background work has been undertaken to assess opportunities for open air recreation, and following the consultation, this will be reflected in the next report to the Board;
- it is important that the public be presented with both the Lake District and the Yorkshire Dales alternative for the Orton Fells to allow all the issues to be addressed;
- Board members will have an opportunity to visit the areas concerned, and the meeting at which the Board considers final proposals should be held nearby;
- the Board will have an opportunity to consider the management arrangements necessary for conserving landscape, wildlife and cultural heritage;
- the Board of Natural England is responsible for the final decision to make statutory designation / variation orders for submission to the Secretary of State;
- the Board asked that their appreciation of the work undertaken by those teams responsible for this area of work be noted.

**ACTION: Executive Board and Board Services to provide an opportunity for Board members to visit the areas concerned in conjunction with the regional team**

**ACTION: Executive Board to initiate public consultation on the Guidance and the proposals for extending the boundaries of the Yorkshire Dales and Lake District National Parks.**

#### 4) Natural England's Draft Position on Trees and Woodlands

The Board approved the draft position for external stakeholder consultation and subsequent sign-off by Chair.

Key discussion points were:

- the Board is particularly pleased with the recognition of trees and woodland in urban areas (including gardens) and the opportunities that our work in this area provides for raising public awareness;
- the position provides significant opportunities to engage communities in

- many aspects trees and woodland management;
- it is important to recognise and advocate the urgency of planting today for the future.

**ACTION: Executive Board to initiate stakeholder consultation on the draft Trees and Woodlands position and arrange for the final position to be signed off by Chair.**

5) Making Space for Renewable Energy Update

The Board approved the revised on-shore wind energy guidance and noted that this is the first of a suite of guidance for staff on renewable energy matters under the title of 'Making Space for Renewable Energy'.

Key discussion points were:

- the Guidance will be rolled-out to 300 staff from late November through to January. We will also hold an event in early December to promulgate the final version of the Guidance to a small group of key stakeholders, followed by a proposed public launch next year;
- the training for staff comprises a number of regional 'launch' events supported by a training package for individuals, focusing on both ecological and landscape issues. There will be a call-off contract for expert advice and a renewable energy 'champion' in each region;
- the Board is pleased with the recognition given to the importance of protected landscapes;
- we should consider further guidance for staff on and to help staff determine under what circumstances it may be preferable to 'spread' infrastructure development over a wide area and when it may be more appropriate to 'concentrate' development in a smaller area to minimise ecological and landscape impacts;

**ACTION: Executive Board to consider further the issue of assessing cumulative impact**

- the Guidance should provide comprehensive contextual information regarding the key drivers for renewable energy development.

6) Audit and Risk Committee Update

The Board noted the Committee's third annual report to the Board and the unconfirmed minutes of the Audit and Risk Committee meeting on 30 September 2009.

The Chair of the Audit and Risk Committee introduced the key points from the Committee's annual report.

Key discussion points were:

- the Committee is very pleased with the evidence that Natural England is a mature organisation demonstrating a very good internal control culture. In particular, that:

- the Head of Internal Audit annual assurance opinion for the Accounting Officer had moved from 'limited' to with 'moderate' assurance levels;
  - risk is very thoroughly managed in accordance with the Treasury assessment Framework;
  - an Internal Control questionnaire is completed by all teams in Natural England twice a year and is a very thorough process;
  - there is a comprehensive body of Governance with a recognition of the need for continuous improvement and ensuring continues to be fit for purpose;
  - the Committee heard from the National Audit Office in September that Natural England had significantly improved risk management, citing Natural England as "a low-risk organisation";
- the Committee reviewed the Organisation's Corporate Planning and Monitoring systems and considers it to be very robust and fit for purpose;
  - the Committee looked at new areas of corporate governance, in particular, Information Risk and Expenses;
  - the Board noted the Committee's disappointment at the service provided by Shared Services.
  - The Board noted that they can commission any area of internal control or risk which it would like the Committee to investigate on its behalf

7) Confirmation of minutes

The minutes of the seventeenth Natural England Board meeting held on 29 July 2009 were confirmed.

**Actions log**

<b>Action</b>	<b>Owner</b>	<b>Status</b>
Executive Board and Board Services to provide an opportunity for Board members to visit the areas concerned in conjunction with the regional team	AW/CC	Complete
Executive Board to initiate public consultation on the Guidance and the proposals for extending the boundaries of the Yorkshire Dales and Lake District National Parks.	AW	In hand
Executive Board to initiate stakeholder consultation on the draft Trees and Woodlands position and arrange for the final position to be signed off by Chair.	AW	In hand
Executive Board to consider further the issue of assessing cumulative impact	AW	In hand