

Confirmed Minutes

Title of meeting: **NRW Board Meeting – Public Session**
All Attendees via Teams

Date of meeting: 24th March 2021

Present Board Members: Sir David Henshaw, (Chair)
Clare Pillman, Chief Executive
Prof Steve Ormerod, Deputy Chair
Karen Balmer
Catherine Brown
Julia Cherrett
Geraint Davies
Howard Davies
Dr Elizabeth Haywood
Zoë Henderson
Dr Rosie Plummer
Prof Peter Rigby

Present Executive Team Members: Prys Davies, Executive Director of Corporate Strategy and Development
Ceri Davies, Executive Director of Evidence, Policy and Permitting
Rachael Cunningham, Executive Director of Finance and Corporate Services
Lyndsey Rawlinson, Head of North East Wales Operations (Deputising for Gareth O'Shea, Executive Director of Operations)
Sarah Jennings, Executive Director of Communications, Customer and Commercial

Additional Attendees Present: Colette Fletcher, Head of Governance & Board Secretary (all items)
Elsie Grace, Commercial Business Development Manager Item 6 and 7
Catrin Hornung, Head of Communications and External Relations Item 6, 7, 8, 14
Victoria Rose-Piper, Head of Business Support Services Item 7
Neil Stoddart Sales & Marketing Manager Item 7
Dominic Driver, Head of Land Stewardship Item 7
Paul Johnston, Timber Sales and Marketing Manager Item 7
Dave Powell, Operations Manager North East Item 8
Paula Harley, Operations Manager (Land and Assets) Item 8
Keith Ivens, Operations Manager (Flood Water Management) Item 8
Nick Thomas, Principal Advisor (Strategic Projects) Item 8
Mark Hughes, Team Leader, People and Places Item 8
Andrew Lucas, Environmental Assessment Officer, Item 9
Ben Wilson, Senior Programme Manager - Covid Renewal Item 10
Martin Parkinson, Head of ICT Item 10
Moirá Reynolds, Corporate Planning Performance and Strategic Assessment Manager Item 11

Sue Ginley, Lead Specialist Advisor, Corporate Planning and Performance Item 11
Sioni Davies, Advisor, Corporate Planning and Performance Item 11
Steve Burton, Head of People Management Item 13
Racheal Holbrook, Lead Specialist Advisor, Human Resources Item 13
Michael Evans, Head of Operations South Wales Central Item 14
Gavin T Jones, Team Leader - Projects & Programme Delivery Item 14
Naomi Lawrence, Head of Customer Experience Item 14

Observers: Mariella Scott, PA to CSD Directorate (morning only)
Caroline Hawkins, Corporate Planning, Performance & Strategic Assessment Manager Items 1 to 7 and 11
Mike Whitley – Land Management and Forest Operations Team Leader (Item 7)
Gareth Wardell
Edward Clarke
Jack Hanbury
Berry Jordan
Frank Elsworth

Declarations: Dr Rosie Plummer – Pembrokeshire Coast National Park Authority Board Member; Centre for Alternative Technology Trustee, Plantlife International Trustee; Community building project
Zoe Henderson – Country Land and Business Association Committee Member
Howard Davies – Chief Executive of the National Association of Areas of Outstanding Natural Beauty; Fellow of Royal Society of Arts
Julia Cherrett – Board Member for Pobl Group
Dr Elizabeth Haywood – Board Member for Hendre Group
Geraint Davies – Director for FWAG Cymru; Director for Partneriaeth Penllyn, National Trust Member, RSPB Member, Farmers' Union of Wales Member; National Farmers' Union Cymru Member; Game and Wildlife Conservation Trust Member

Apologies: Gareth O'Shea, Executive Director of Operations.

Secretariat: Natalie Williams
Jocelyn Bengier
Rhiannon Spencer

Item 1. Open Meeting

1. The Chair opened the meeting and welcomed everyone. Declarations of interest were made during the course of the meeting as noted above.

Item 2. Review Minutes and Action Log

2A. Review Minutes from Public 20th January meeting

2. The minutes from the public January meeting were reviewed and agreed subject to minor amendments.

2B. Review Action Log

1. The action log was reviewed and agreed.

Item 3: Chair's Business

2. The Chair updated on progress on Green Recovery work with Welsh Government and informed that £3m had been secured for deployment on Green Recovery items for spend before the end of the year. A meeting was due to take place to agree the next steps and way forward. A call would be going out for new ideas but with a move away from projects.
3. The changes to the Board were noted. Chris Blake had resigned his Board membership and as a result the NRW Chair outlined the changes to committees that had been made. The recruitment for three new Board members had been approved by the Minister.

Item 4: Chief Executive's Report

4. The Chief Executive provided a report that initially looked back and reflected on some of the challenges that had been faced over the past year, in particular the impact of the pandemic and the move to Place based working, and the repairs necessary after Storm Ciara. Despite a challenging year, a remarkable amount of the work identified in the Business Plan was delivered. Additional capital funding to progress water quality work had been received, the SoNaR Report was delivered and published, and major projects had been completed including Crindau flood defence, Newport and Cwm Carn Forest Drive.
5. Significant incidents had been responded to with good examples of partnership working. The Wild Justice judicial review found that General Licences to control wild birds were lawful. The complex permitting situation at Morlais was ongoing and a recent decision around beaver release near Machynlleth had been finalised. Flooding had dominated the first part of the year and the flood review implementation was ongoing.
6. NRW had earned more and delivered more than in any other year, however, some projects had to be scaled back with real challenges noted around water quality and pressures on sites following release from lockdown. Relationships with Welsh Government had been productive.
7. Successful staff appointments were made this year and farewells and thanks were given to Richard Ninnis and Isobel Moore for their contributions to the work of NRW. The staff response to the pandemic and EU Exit were praised.
8. The Business Plan for this year has been drafted and NRW had been awarded the largest budget in its history, however, some difficult decisions would still be necessary. Work in the area of Green Recovery would continue with the new Government and it was noted that the environment featured highly across all major parties. The COP 26 would provide direction to shape the way forward towards delivery on carbon reduction and increased wellbeing.
9. Board members asked how NRW was encouraging collaboration with other organisations and were informed of the good examples of partnership working throughout the pandemic, although it was acknowledged that some partners had struggled. Future engagement in person both within and outside the organisation was anticipated when it was safe to do so. Suggestions were made regarding outdoor team get-togethers as an initial step.

10. The Board endorsed the thanks and recognition of achievements during this incredibly difficult time. It was recognised additional challenges would follow Covid and therefore a stock take and reflection session would be useful.

ACTION: Secretariat to canvass availability for a Board Development Day in July to focus on reflection and future challenges post-Covid.

Item 5: Update Reports of Committees

11. The Audit and Risk Assurance Committee (ARAC) report from the 11th February meeting was noted.
12. Audit and Risk Assurance Committee Annual Report 2020/21 was noted. The Chair of ARAC offered thanks to all involved in ARAC for their hard work during a challenging time. The Chair outlined some of the issues that had been experienced around the qualification of the accounts for historic reasons in addition to optimism bias and over-reporting of progress. External support for audit was being embraced and the restructure of the Audit Team was underway. The Chair reported on progress on compliance and assurance but emphasised the continuing concerns of ARAC around compliance and control culture and the need for Board and ET to remain focused on addressing the material associated risks more effectively. The Three Lines of Defence Project was underway being led by the Executive Director of Finance and Corporate Services with a focus on robust processes and procedures, management oversight, and audit both internal and external.
13. There was an appetite for ARAC meetings to be held in public to enable genuine transparency and this would be considered further in due course.

DECISION: The Audit and Risk Assurance Committee Annual Report 2020/21 was approved for publication.

14. The Finance Planning and Performance Committee (FPPC) report from the 9th February meeting was noted. This committee had since morphed into the Finance Committee and amalgamated with the Finance Task & Finish Group.
15. The Chair of the People and Remuneration Committee (PaRC) provided a verbal update on the meeting held on 11th March. Items discussed included the EU Exit, Covid, Mutual Aid, and business continuity learnings. There was a focus on staff wellbeing and spare laptops had been donated to help with home schooling. Workforce planning and the implications of the Renewal Programme for Operational Development workload were discussed. The Equality, Diversity and Inclusion project with Diverse Cymru was highlighted and Board members were encouraged to complete the questionnaire which had been previously circulated.

ACTION: Secretariat to send an email reminder to Board and Executive Team to complete the EDI questionnaire.

Item 6: Commercial Strategy

Elsie Grace, Commercial Business Development Manager
Catrin Hornung, Head of Communications and External Relations

16. An introduction was provided by the Executive Director for Customer Communications and Commercial, highlighting the opportunity to take the first NRW Commercial Strategy forward this year with the principles of People, Planet and Prosperity at the forefront.

17. The Commercial Business Development Manager provided an overview of the strategy, which had been in development since January 2020. Valuable input around opportunities, strengths and weaknesses had been gathered from colleagues, external partners and the public, leading to an umbrella strategy covering the various commercial activities of NRW. The first commercial partnership meeting was due to take place in May. The focus of the strategy was on governance and adaptability. Measures were being developed and engagement with the Renewal Programme was underway. Thanks were given to the Board and all external partners who had engaged with the process.
18. Board members gave a warm welcome to this work, recognising the innovation and good partnership working. It was noted that work would continue on priorities. However, concerns were expressed around the apparent lack of an Equality Impact Assessment (EqIA) and that greater emphasis should be given to this area with more focus on increasing access opportunities for diverse groups. It was agreed that the emphasis of the Strategy should be based on optimising the financial, environmental and social contributions of NRW's commercial activities rather than 'maximising value'. It was also considered that the learning from the Skyline Project should be incorporated across both the Timber Sales Plan and Commercial Strategy and that the introduction should include the reasoning behind the need for a Commercial Strategy.
19. Following discussion, the Executive Director for Customer, Communications and Commercial confirmed that an overarching EqIA would be developed along with additional EqIAs to cover each area within the Strategy and Board comments would be incorporated. It was also noted that the strengthening of the Commercial Team was continuing with the recruitment for the Head of Sustainable Commercial Development underway.

DECISION: The Board approved the Commercial Strategy for publication and launch in April 2021 subject to the amendments as discussed and circulation to the Board for information.

Item 7: Timber Sales Marketing Plan

Victoria Rose-Piper, Head of Business Support Services

Neil Stoddart Sales & Marketing Manager

Dominic Driver, Head of Land Stewardship

Paul Johnston, Timber Sales and Marketing Manager

Elsie Grace, Commercial Business Development Manager

Catrin Hornung, Head of Communications and External Relations

20. An introduction was provided by the Executive Director for Customer Communications and Commercial, noting similar matters to the Commercial Strategy discussed in the previous item. The ambition was clear but how this would be achieved was the subject of an ongoing discussion with Welsh Government. The Plan aimed to give stability and flexibility but with a clear direction.
21. The Head of Business Support Services outlined the Plan development process, noting that there had been a good response to the consultation exercise. The plan was the first five year plan in a 10 to 15 year programme. A key theme had been to identify new ways of working that would provide stability and assurance to both NRW and customers. The use of Welsh timber in Welsh construction was being explored and work would continue with customers to support all parties to deliver Sustainable Management of Natural Resources (SMNR) and the principles of People, Planet and Prosperity.
22. Discussion took place and Board members requested that the importance of working with communities and incorporating the Skyline Project learning was addressed. It was agreed

that there was a need to highlight the non-commercial benefits such as social value and that these should be explicit in the Executive Summary, along with reference to the climate change emergency. Board members noted the need to be robust in working through mechanisms for engaging with community groups over the coming year.

23. Concerns were expressed around the importance of roadside sales for smaller operators but reassurance was provided that these would continue and the need for adaptability in this area was clarified. The need to ensure transparency around the process for dealing with sales in exceptional circumstances was discussed. It was noted that strong governance standards were now in place to cover Roadside and Standing sales.
24. It was noted that the Plan enabled flexibility to respond to future challenges and that the team were being strengthened with the addition of the new Timber Sales and Marketing Manager, who was welcomed by the Board.

DECISION: The Timber Sales and Marketing Plan was approved for publication in April 2021 subject to the amendments as discussed.

Item 8. Place Presentation

Presenter: Lyndsey Rawlinson, Head of North East Operations

Attendees: Dave Powell, Operations Manager North East,

Paula Harley, Operations Manager (Land and Assets),

Keith Ivens, Operations Manager (Flood Water Management),

Nick Thomas, Principal Advisor (Strategic Projects)

Mark Hughes, Team Leader, People and Places

Catrin Hornung, Head of Communications and External Relations

Observer: Andrew Lucas, Environmental Assessment Officer

25. The Head of North East Operations gave a presentation providing an overview of the teams within the North East area and highlighting some of the key sites and significant issues. The Board were informed about the North East Wales place-based charter which had been created with team leaders to take forward NRW values and behaviours, focusing on collaborative working, embedding SMNR and five objectives based around tackling the climate emergency. The challenge of changing engagement from face to face to virtual during lockdown was noted but this had been successfully achieved by the team. There was an ongoing struggle between reactive and planned works combined with capacity issues.
26. The importance of partnership working in efforts to tackle the climate emergency was highlighted. An overview of the DeeLIFE project was given and the successful use of a range of media to connect with those who would not usually engage with NRW was illustrated. The challenge of the increase in visitor numbers to specific sites and the work on managing some of these challenges was noted.
27. Other examples of work in the North East included examples of regulatory partnerships and ongoing work to ensure that lessons were learnt from previous experiences and collaboration with political partners to address community issues continued. Flooding issues were raised and it was noted that limited resources would require management of expectations while working collaboratively with political and professional partners to understand roles and responsibilities and enable communities to be more resilient. A communications strategy had been developed for use during the next incident.
28. The Board offered their thanks for a varied and engaging presentation. Questions were raised around the proposed tidal power development on the Dee and it was noted that

NRW were engaged in the process. It was agreed that an item on marine power should be included on a future agenda.

ACTION: Secretariat to include an item on marine issues on either the July or September Board agenda.

29. The value of the place-based charter was discussed and it was noted that this had been shared across Operations. Vacancies within the Flood team had mainly been filled although a few technical roles still remained vacant. Board members expressed an interest in a site visit to the North East area.

ACTION: Secretariat to coordinate a North East site visit for Board members centred around the DeeLIFE project in combination with the next Board meeting to be held in the North East area.

Item 9. Evidence Presentation

Presenter: Andrew Lucas, Environmental Assessment Officer

30. The item was introduced by the Executive Director of Evidence, Policy and Permitting. It was hoped that a face to face evidence conference could be held in the autumn but if not, this would proceed as virtual.
31. A presentation was given by the Environmental Assessment Officer titled 'Don't treat soil like dirt: using soil eDNA to monitor grassland fungi'. The importance of monitoring to provide evidence of SMNR and the specific difficulties of monitoring fungi were described and the potential benefits of using the techniques of eDNA identification were explained.
32. The Project and its results were discussed in detail. Board members recognised the opportunities for eDNA work to be scaled easily and the potential for use across a wide variety of monitoring projects. The importance of keeping pace with changing technologies was noted. The outcome of the project highlighted the value of partnership working with Welsh universities, making the most of their skills and facilities.

Item 10. Renewal Programme

Ben Wilson, Senior Programme Manager - Covid Renewal

Martin Parkinson, Head of ICT

33. The Executive Director of Finance and Corporate Services introduced the item. The Programme would follow strategic direction and include governance to ensure that actions would take place in a delivery focused way. A business case would be developed with identifiable outcomes and measures which would be scrutinised by the Portfolio Management Office (PMO). Delivery would take place as part of BAU (Business As Usual), in order to facilitate the process while finding efficiencies.
34. The Senior Programme Manager – Covid Renewal presented an overview of the process illustrating the cross cutting work streams which included: HR and contract issues technology and refreshing infrastructure; amended travel policies and fleet changes; accommodation; commercial opportunities and procurement; process review and simplification; communication and engagement.
35. The issues and benefits of the development of hubs with partner organisations were considered in detail. It would be important to learn from what other organisations had been doing and reflect on what partnerships could help NRW to deliver. Concerns were expressed around the need for recognition of equality issues in relation to a more permanent change of work place and how this could be considerably expressed.

Pressures on workforce planning and Organisational Development were recognised but it was noted that these departments were working together with the Renewal Programme.

36. Concerns were raised around the term 'visionary leadership' and whether this could be replaced with 'listening and working hard to ensure past lessons are learnt'. Caution would be needed in NRW portraying itself as 'leading the way'.
37. The use of the word 'just' in relation to recovery would need to be expanded upon to properly illustrate the vision. A more external focus, considering customer issues and how to make NRW more accessible should be considered. It would also be important to recognise that frontline staff should be encouraged in this area but the space and training to do this would need to be provided.
38. The cross cutting workstreams illustrated the depth of structural and behavioural change that would be necessary. A couple of key items that would have the most impact should be identified and taken forward, while not becoming overly reliant on mechanisms such as IT and remembering the value of the human element. The Programme would need to be flexible with systems embedded that would be capable of dealing with changes in the future. Change should be co-produced with frontline staff.
39. The discussions were summarised and it was noted that the correct balance needed to be created across the themes, achieving some change but with a cautious, thoughtful approach. It was agreed that the Programme workstreams should set the targets, with considered programme management towards delivery and progress against these reported to the Executive Team and Board.

ENDORSED: The Board endorsed the overall vision and strategic objectives of the Renewal Programme subject to some adjustments as discussed.

ACTION: The Renewal Programme to be revised to include the amendments as discussed by the Board and to develop target setting and programme management prior to return to a future meeting.

Item 11. Business Plan Performance Dashboard 2020/21

Moira Reynolds, Corporate Planning Performance and Strategic Assessment Manager
Sue Ginley, Lead Specialist Advisor, Corporate Planning and Performance
Sioni Davies, Advisor, Corporate Planning and Performance

40. The Chief Executive introduced the item and presented the Quarter 3 exception report. Measured against the five strategic priorities, none were identified as red, seven were amber, and eight green. Twenty were identified as grey (i.e. not for report in this quarter). Measures were detailed for the Board and ratings explained. The final year measures would be provided in May to the Board and then included as part of the Annual Report in July.
41. Board members queried whether the response to the nature emergency should be considered 'green' and whether more challenge was needed on this measure. It was agreed that this would require further reflection. The Plan was noted as being very clear and accessible and that the major Corrective Action Request (CAR) mentioned in the report was resolved.

DECISION: The Board approved the Quarter 3 Report for publication.

Item 12. Statutory and Legal Scheme

Colette Fletcher, Head of Governance and Board Secretary

42. The Head of Governance and Board Secretary introduced the item and outlined the content of the update to the Statutory and Legal Scheme (SaLS). The proposed changes to the SaLS required the Board's approval.

DECISION: The Board approved the proposed changes to the Statutory and Legal Scheme.

Item 13. Equality, Diversity and Inclusion (EDI) Annual Report

Prys Davies, Executive Director of Corporate Strategy and Development

43. The Executive Director of Corporate Strategy and Development introduced the item and provided an overview on the current position and the additional actions NRW needed to take between now and 2024. A consultant had been employed and was in the process of engaging staff, communities and stakeholders to think about EDI in a broader sense.
44. The Board requested access to the neurodiversity training and noted the lack of diversity in the environmental field and questioned how this could be improved.

ACTION: The Executive Director of Corporate Strategy and Development to ensure that the Board have access to the neurodiversity training.

45. It was noted that an essential part of the 2050 Vision work was about how to develop the vision and engage outside the standard mechanisms. Conversations were being held with different professional bodies and Environmental Non-Governmental Organisations (eNGOs) that had shown an interest in EDI. It was further suggested that schools could be engaged to encourage change around career decisions and views.

DECISION: The Board noted the progress of the EDI Annual Report 2020/21 and approved for publication.

Item 14. Learning Lessons from Flood Risk Management Projects

Presenters: Michael Evans, Head of Operations South Wales Central, Gavin T Jones, Team Leader - Projects & Programme Delivery

Observers: Naomi Lawrence, Head of Customer Experience, Catrin Hornung, Head of Communications and External Relations

46. The Executive Director of Evidence, Policy and Permitting introduced the item and the Team Leader – Projects & Programme Delivery outlined the work that had been carried out. Examples were provided on the renewed focus on stakeholder and community engagement in project delivery, working alongside the embedding of the Sustainable Management of Natural Resources (SMNR) principles.
47. The Head of Flood and Incident Risk Management had been working with the Communications Team to incorporate the new Customer Experience Strategy into the Flood Risk Management Programme. The Team would be engaging with communities and stakeholders regarding the capital projects that were carried out by Projects Delivery Team.
48. The approach to working with communities whose first language was not English or Welsh was outlined and a communication strategy would be planned. It was noted that wider conversations around community resilience would need to take place and the expectations of communities would need to be sensitively managed.
49. The Board welcomed the report and noted that NRW's response to flooding was evolving. The Board thanked those involved but highlighted that the paper should have had an

Equality Impact Assessment (EqIA). The Head of Governance and Board Secretary would ensure that future Board papers had an EqIA where it was appropriate.

ACTION: The Head of Governance and Board Secretary to ensure that future Board papers have an EqIA where appropriate.

- Board meeting closed -

Item 15. Public Q&A Session

50. The Chair introduced the public session and the Head of Governance and Board Secretary invited the members of the public to read their questions to the Board.

51. The Board received a question from Gareth Wardell:

“In light of the helpful example relating to the Lower Riggles Coupe in the Radnor Forest Block (Number 51377) supplied to me by the Head of Land Stewardship, can the Board provide an assurance that the same regulatory standard is applied by NRW to this particular Coupe as it is for all other Coupes within the Welsh Government Woodland Estate, as well as to the restocking and planting schemes on privately owned land?”

52. The Executive Director of Evidence, Policy and Permitting highlighted that the forest resource plans would differ in terms of what each coupe was delivering. However, the UK Woodland Assurance Standard was common across all coupes. NRW worked with Welsh Government to apply conditions to grants to ensure consistency.

53. A supplementary question followed and the Executive Director of Evidence, Policy and Permitting would respond to this outside of the meeting.

ACTION: The Executive Director of Evidence, Policy and Permitting to follow up on Gareth Wardell’s additional question outside of the meeting.

54. The Board received a question from Jack Hanbury:

“I am looking for advice from NRW as land manager. We all felt the impact of public access last year and, and a key landowner, NRW may have some tips for the rest of us. It is only during these open sessions after the quarterly meetings that the board gets to hear the concerns of ordinary people, so your non-execs might be interested in the question”

55. Howard Davies responded that the clear message was to welcome new users to the countryside but NRW were aware of addressing issues and there was ongoing work to support organisations and individuals about the easing of lockdown.

56. The Head of North East Wales Operations noted that NRW recognised the effect Covid was having on the land and that local partnership groups had been set up. She would have a further discussion with Jack Hanbury outside of the meeting.

ACTION: The Head of North East Wales Operations to make contact with Jack Hanbury about his query.

57. The Board received a question from Edward Clarke:

“Considering the extreme opposition to making the whole of Wales a NVZ promulgated by Farmers Union of Wales, whose ready-made letter of protest was copied and sent by

many farmers to members of Senedd, that has radicalised many farmers against compliance, what strategies has the board put in place to avoid massive amounts of slurry being spread just before and just after the closed season for spreading.”

58. The Executive Director of Evidence, Policy and Permitting highlighted that NRW monitor to assess compliance with regulations. NRW were working with Welsh Government and Farming Connect to ensure guidance was available to all land managers. There had not been major differences to date in prevalence of incidents of pollution, but operational staff were monitoring to help with assessment of compliance over time.

59. An issue was whether Welsh Government would be able to assist farmers with funding to be compliant. Zoe Henderson, the Chair of Wales Land Management Forum on agricultural pollution, noted that the unions were engaged and focused on how to ensure regulations were applied correctly and proportionately. Communication was a focus and there continued to be strong working relationships with the farmers.

ACTION: The Executive Director of Communications, Customer and Commercial to prepare a response to Frank Elsworth’s query and the Head of Governance and Board Secretary to apologise for the error in the meeting that meant he was not able to present the question.

- Meeting closed -