

Confirmed Minutes

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

Date of meeting: 13th July 2022

Present Board Members: Prof Steve Ormerod, Acting Chair
Clare Pillman, Chief Executive
Karen Balmer
Catherine Brown
Julia Cherrett
Geraint Davies
Zoë Henderson
Prof Calvin Jones
Mark McKenna
Dr Rosie Plummer
Prof Peter Rigby

Present Executive Team Members: Rachael Cunningham, Executive Director of Finance and Corporate Services
Ceri Davies, Executive Director of Evidence, Policy and Permitting
Prys Davies, Executive Director of Corporate Strategy and Development
Catrin Hornung, Head of Communications and Digital Transformation (deputising for Sarah Jennings, Executive Director of Communications, Customer and Commercial)
Steve Morgan, Head of South East Wales Operations (deputising for Gareth O’Shea, Executive Director of Operations)

Additional Attendees Present: Colette Fletcher, Head of Governance & Board Secretary (All items)
Rob Bell, Head of Finance Item 6
Caroline Hawkins, Corporate Planning, Performance & Strategic Assessment Manager Item 7
Sarah Williams, Head of Corporate Strategy and Programme Management Office Item 7
Sue Ginley, Lead Specialist Advisor, Corporate Planning & Performance Item 7
Sioni Davies, Advisor, Corporate Planning & Performance Item 7
Sian Williams, Head of Operations North West Wales Item 8
Ruth Johnston, Lead Specialist Advisor, Water Strategy Item 8
Natalie Hall, Sustainable Water Manager Item 8 and 9
Geraint Weber, Team Leader, Water Quality Item 8 and 9
Mark Squire, Principal Advisor, Strategic Projects Item 8 and 9
Rhian Thomas², Principal Advisor, Strategic Projects Item 8 and 9
Ben Wilson, Principal Advisor, Fisheries Item 10
Sarah Wood, Biodiversity and Ecosystem Resilience Manager Item 10
Patrick Lindley, Lead Specialist Advisor, Ornithology Item 10
David Mee, Lead Specialist Advisor: Freshwater Fisheries Management Item 10
Ian Williams, Team Leader, Species (Birds) Permitting Item 10
Lyn Williams, Welsh Language Policy Advisor Item 11

NRW Observers: Kate Evans, Public Affairs and Private Secretary (all items)
Meinir Wigley, Integrated Communications Team Leader – Items 8 and 9
Joanne Westlake, Senior Communications Officer – Items 8 and 9
Martyn Gough, Senior Officer, Communications and Engagement – Item 10

Public Observers: Dr Callum Macgregor, British Trust for Ornithology Cymru
Julian Hughes, Head of Species, RSPB Cymru – Item 10
Paul Adams
Richard Garner Williams – WildFish (Salmon and Trout Conservation Cymru)
Tanglewest Douglas – WildFish
Lynda Makepeace – Plant Health & Environment Protection Branch, Welsh Government
Kim Wardell
Additional members of the public

Declarations: Prof Steve Ormerod – Vice President of RSPB; Scientific research carried out on Atlantic salmon and water quality issues; Fellow of the Freshwater Biological Association

Dr Rosie Plummer – Pembrokeshire Coast National Park Authority (PCNPA) Board Member – PCNPA has planning responsibility in the Cleddau catchment; Plantlife Trustee – Natur am Byth collaboration and links to Kenfig

Apologies: Sir David Henshaw
Sarah Jennings, Executive Director of Communications, Customer and Commercial
Gareth O’Shea, Executive Director of Operations

Secretariat: Jocelyn Benger
Natalie Williams

Item 1. Open Meeting

1. The Acting Chair opened the meeting and welcomed everyone. Declarations of interest and apologies were made as noted above. The Acting Chair explained the conduct of the meeting. Julia Cherrett would be chairing the item on Fish-eating Birds as Prof Steve Ormerod had chaired the Advisory Group on this issue. The Acting Chair welcomed Dr Callum Macgregor, British Trust for Ornithology (BTO) Cymru, as an observer to the meeting and noted the BTO’s involvement in surveys of the distribution of various river bird species in Wales.
2. The Acting Chair noted that there was no public Q&A session on this occasion and explained that Board public engagement was being reviewed to develop a more complete and inclusive process. However, public observers were welcome to use the Microsoft Teams chat facility for comments or questions. Opportunities for public engagement at the forthcoming Royal Welsh Show and Eisteddfod were highlighted.

Item 2. Review Minutes and Action Log

2A. Review Minutes from Public 26th May meeting

3. The minutes from the public meeting on 26th May were reviewed and amendments agreed.

2B. Review Public Action Log

4. The action log was reviewed and noted.
5. The Head of South East Wales Operations gave an update on Action 36 and reported that initial positive meetings had taken place with Forest Industry Safety Accord (FISA) and the Health and Safety Executive (HSE). NRW would play a role in the launch of FISA's new strategy and had been invited by FISA to join various sub-groups. The Executive Director of Evidence, Policy and Permitting (EPP) and Executive Director of Operations had been in discussions with sister organisations in England and Scotland. The Head of Land Stewardship had recently published an article for the Institute of Chartered Foresters (ICF) on improving forestry safety standards.

Item 3: Update from the Chair

6. The Chair and Deputy Chair had attended the meeting of the Senedd Climate Change, Environment, and Infrastructure Committee and answered questions on Green Recovery, enabling the Environmental Non-governmental (eNGO) sector, and environmental governance. Following the meeting, the Chair of the Committee had written to the First Minister to highlight some of the differences between environmental governance in England and Wales.
7. The Chief Executive and Deputy Chair had met with the Chairs and CEOs of other statutory nature conservation bodies from the UK. Some of the pressures created by the political change in England were considered and a potential review of arms-length environmental bodies in England was noted. The political stability and support for environmental matters in Wales and the opportunities and challenges provided by the breadth of NRW's remit were recognised.
8. Board members highlighted that the Green Recovery Group was not fully within the remit and responsibility of NRW. It was noted that the work and outcomes on this went beyond NRW.

Item 4: Report from the Chief Executive

9. The Chief Executive provided an update to the written report. Welsh Government (WG) had published the legislative programme for the next session. The five Bills that were included were: Coal Tip Safety; Agriculture; Single Use Plastics; Clean Air; and Infrastructure. The environmental focus was welcomed, and discussions were taking place with WG on NRW's role in respect of each Bill. It was noted that the Bill to fully establish the role of Environmental Assessor in place of the Interim Advisor role would be brought forward in the final session of this Government.
10. An update was provided on a number of events and visits that had recently taken place. The Cwm Carn Forest Drive was formally opened last week. The Prince of Wales had visited the coast path in Pembrokeshire as part of the ten-year anniversary celebrations. Zoe Henderson had welcomed the Minister and other guests to the formal opening of the new wind farm at Clocaenog. The Minister had also visited the curlew project at

Pentrefoelas to discuss the project with NRW and RSPB staff. The Royal Welsh Show would take place next week, and would include the usual NRW stand with a focus on all matters relating to water quality. The First Minister was hosting a summit on water quality issues and the Minister would attend an event at NRW's stand. NRW looked forward to welcoming members of the public.

11. An update was provided on the current water situation. The drought status had moved from Normal to Prolonged Dry Weather, and this was being closely monitored. The Drought Plan for the South Wales' catchments would be followed. Close contact with the water companies was ongoing and restrictions on fishing had been announced.
12. The current position with offshore renewables was described. There were currently 34 offshore renewables applications with NRW. Last week NRW had formally submitted representation on the development consent application at Awel y Mor, and engagement with the applicant would continue into the next phase. The marine licence application relating to Erebus was ongoing.
13. The Executive Director of EPP gave an update on the WG Biodiversity deep dive as the representative for NRW. The focus was on the "30 by 30" commitment to protect 30% of land and seas for nature by 2030 and to put actions in place relating to this. Members of the core group were focussing on a number of themes, including how these could be moved forward, identifying the key partners, and ensuring good connection between sites. The timing for reporting had moved to September, and a conference was planned in October. Expert sub-groups were working on issues and round table discussions were taking place with stakeholders. Prof Steve Ormerod as a representative of Cardiff University gave some personal reflections on the deep dive, including concerns on the condition of some protected sites. It was noted that water quality and biodiversity, and appropriate landscape management to deliver simultaneously on these issues had been an integrating theme.
14. The Executive Director of EPP updated the Board on the current situation with Avian Flu. The UK had been under an Avian Flu protection zone since last autumn and this remained in place, although mandatory housing for poultry had been lifted in May. NRW were working closely with WG and the Animal and Plant Health Agency (APHA) who lead on managing the outbreak. The Board were updated on concerning reports from Scotland, North East England and the Netherlands on increasing impacts on seabird populations. The potential impact on Wales' internationally important seabird colonies was of great concern. The incident management plan response was described. Although there were currently no confirmed cases in Wales, monitoring and surveillance was now necessary and work was ongoing with sister agencies, WG and APHA.
15. Board members considered the content of the report. Clarification was provided on the Landfill Disposals Tax delegation, and it was confirmed that there was no NRW responsibility for disbursement of the resource. The positive news on the signing of a five-year management agreement with the Kenfig Corporation Trust (KCT) at Kenfig National Nature Reserve (NNR) was welcomed by the Board. The success of #TeamNRW Day was noted and the importance of staff reconnecting in person was highlighted.

Item 5: Update Reports of Committees

16. Catherine Brown as the Chair of the Audit and Risk Assurance Committee (ARAC) updated the Board on the meetings held on 9th June and 8th July. The written report was taken as read. ARAC had been disappointed not to receive the Whistleblowing Report at the last meeting but looked forward to its presentation at the next meeting. The Internal

Audit opinion remained Limited, although good discussions were ongoing and it was recognised that there was a positive direction of travel, although continued work and effort was needed. Some concerns were raised at the proliferation of guidance and the senior team had taken this away to review and relate to the work on assurance mapping to ensure leanness and useability. Thanks were offered to the teams and fellow Committee members at this busy time of year. The Acting Chair offered thanks on behalf of the Board to Catherine Brown for her work and endorsed her thanks to the team and Committee on behalf of the Board. Board members commented on the opportunities for applying digitisation to the simplification of guidance processes.

17. Peter Rigby as the Chair of the Evidence Advisory Committee (EAC) updated the Board on the meeting held on 7th June. This had been the first time that the Committee had met in person and a successful hybrid meeting had taken place. Two new Committee members were welcomed: Dr Tom Nisbet of Forest Research and Prof Melanie Austen from the University of Plymouth. The discussion on the Peatland Programme was highlighted. There had been an authoritative challenge to the costings on the Programme and due to the length of the project and the costings, the Board would need to seek further assurance on this. It would therefore return to EAC and the Board. A detailed discussion had taken place on the approach to citizen science and whether the primary focus should be around public engagement or obtaining robust data.
18. Board members welcomed the discussions on the approach to citizen science and commented that it was helpful to think about how projects could achieve a mix of objectives. The qualitative assessment of evidence and the role of scientific advisory groups in assessing what could be considered as evidence was noted. The role that the farming community could play in supporting citizen science was highlighted. The cost of peatland restoration was discussed and it was recommended that the costings should be re-evaluated. The Executive Director of EPP described the joint work on peat that was taking place with the four UK nations and Ireland.
19. The written report of the Finance Committee (FC) meeting held on 10th June was noted.
20. Julia Cherrett as the Acting Chair of the Flood Risk Management Committee (FRMC) updated the Board on the meeting held on 1st July. A good meeting had taken place which had included a positive site visit to Llyn Tegid. The good management on site was highlighted. The Committee had been very pleased to see the proactive community engagement. It was suggested that positive lessons could be learned from the communication with the community at Llyn Tegid. At the formal afternoon session, FRMC had been reminded that this was still a reactive piece of work rather than proactive as recommended by Prof Balmforth. A follow-up discussion on the strategic direction for Flood Risk Management had taken place and discussions would continue this issue. A presentation on the Flood Review was provided and the move towards closing the Programme was described which would include regular updates to FRMC. The Capital Programme would need to be re-forecasted due to contractual issues. A longer forecasting period was being developed on the reduction in flood risk.
21. Julia Cherrett as the Chair of the People and Remuneration Committee (PaRC) updated the Board on the meeting held on 24th June. PaRC welcomed the appointment of a Programme Manager for the People Transformation Programme. PaRC looked forward to receiving regular updates on the Programme and developing understanding and support on the delivery of a diverse range of projects. A deep dive on sickness absence took place. PaRC were reassured on this and noted that more innovative ways of managing wellbeing could be considered. The Welsh Language Annual Report was scrutinised, and it was recommended Board members could challenge themselves more

on the use of Welsh in meetings. A presentation was provided on Customer Engagement and the Committee were now confident that the team were focused on the direction of travel and were taking forward stabilising the team and benchmarking best practice. The Committee Terms of Reference (ToR) were considered. The inclusion of customer focus into the ToR would need to be refined and work on this would be continued offline.

22. Dr Rosie Plummer as the Chair of the Protected Areas Committee (PrAC) updated the Board on the meeting held on 21st June. The broad span of PrAC and resulting difficulties in ensuring coverage were highlighted. The Integrated Designated Landscapes Programme which PrAC was taking forward on behalf of the Board was noted as being in the relatively early stage of evidence gathering. The importance of communications on topics such as this were emphasised and would be taken forward when the appropriate resource allocated for this was in place. The “30 by 30” considerations were being reviewed by PrAC. Important scrutiny was taking place on the ongoing tracking of terrestrial monitoring. The importance of monitoring of designated protected areas in supporting the recovery of biodiversity and the evaluation of the evidence on this was highlighted. PrAC welcomed the designation of three new Sites of Special Scientific Interest (SSSIs), whilst recognising that the work on these had been very resource intensive.
23. Zoe Henderson as the Chair of the Wales Land Management Forum (WLMF) updated the Board on the meeting held on 6th June. The paper was taken as read. An additional sub-group had been set up to consider the issues around phosphates. Delyth Lewis-Jones of the Agriculture and Horticulture Development Board (AHDB) had agreed to chair this group for a period of time and would also sit on the Special Area of Conservation (SAC) Rivers Phosphate Group to provide agricultural representation. Board members welcomed the addition of updates from the WLMF and discussed the content of the update. A link to the project noted in paragraph 7 of the Report was requested. Two reports were noted as relevant to this topic: the Source Apportionment Report released by Dŵr Cymru/Welsh Water (DCWW); and the RePhoKUs Project from Lancaster University submitted to the Westminster Environmental Audit Committee Report on river quality which had explicitly looked at the River Wye.

Item 6: Finance Update

Presenter: Rob Bell, Head of Finance

24. The Head of Finance explained that as it was early in the financial year, the focus would be on some of the emerging pressures and issues. The Flood Risk Capital Programme was likely to be reduced this year as prices had been far higher than expected and did not provide value for money. The Cardiff Council framework and Sell2Wales portal would be used for further procurement. Emerging issues on delays to other schemes within the organisation were being reviewed. The revised forecast on timber income was described. This was likely to be reduced to £36m due to a significant downturn in uplift. The pay award for this year had been discussed with WG. The year had begun with general overprogramming of £4m and reliance on the temporary funding of £7.3m from WG. Mitigations were noted around the energy income forecast, sale of the partnership arrangement of Forest Holidays, and the higher vacancy rate than budget assumption. These would be discussed in more detail at Executive Team (ET) at the end of July and FC in September and an update provided at the next Board meeting.
25. The Board approved the amendments to Managing our Money on removal of the section Covid-19 Payments in Advance.

APPROVED: The amendments to Managing our Money - Covid-19 Payments in Advance (removal).

26. The Board noted the financial performance to the end of May 2022. The issues with the Flood Risk Capital Programme were discussed. The approach to the underspend was queried and whether alternative projects could be brought forward. Julia Cherrett as Chair of FRMC confirmed that FRMC had challenged on this point and the team had confirmed that the full funding could not be spent during the financial year due to resource limitations. It would therefore need to be returned to WG where it could be spent by Welsh local authorities on flood schemes. Board members were supportive of the value for money approach. It was recognised that there was a need to scrutinise and test the pricing. The Head of Finance explained that the framework had been in place for two years and would confirm when it was due for renewal. The Chair of FRMC confirmed that the framework had been discussed at the recent FRMC meeting and the Lead Specialist Advisor, Strategic Planning, and Investment, was undertaking a review of the approach to framework models.

ACTION: Head of Finance to confirm the renewal date for the contractor framework for FRM projects.

27. The Non-Flood Capital Programme was considered. Board members requested clarification on the delay in the signing of the grant offer letters and whether there were implications for the start date of the grants being offered. The Head of Finance confirmed that these would proceed at risk where there had been official confirmation that the funding would be in place which would ensure that there was no unnecessary delay in delivery to others. It was confirmed that WG were aware of this approach.

Item 7: Business Plan Performance Dashboard End of Year Report 2021/22

Presenter: Clare Pillman, Chief Executive

28. The Chief Executive presented the Business Plan Performance Dashboard End of Year Report for 2021/22. The Annual Report and Accounts for 2021/22 had been approved in the private Board session. The Red Amber Green (RAG) status of the Performance Report measures at the end of Quarter 4 was noted as two Red, six Amber, and 22 Green. The RAG status of the Internal Performance Report measures included one Red, two Amber, and eight Green.

29. Two Amber measures had become Green since Q3. Three Green measures which had become Amber were described: 'Climate Emergency Action across NRW' – vacancies and dependencies had slowed work in this area; 'Area of new woodland created on the NRW estate' - the decision had been made to delay planting to allow time for further stakeholder engagement; 'Delivering targeted action for declining species or those on the edge of extinction' – staff resource had had to be redirected to the JNCC Review. One Amber became Red. The year ended with two Red measures: 'River Basin Management Plans (RBMP) and water related investigations' – a result of the diversion of resources to the work on SAC rivers; 'Progress the Customer Experience Strategy' – due to the lack of suitable suppliers to take the work forward, the re-tendering work on this would now take place in the current financial year. Work on reducing pollution from Metal Mines had moved from Red to Amber.

30. Twenty-two measures were Green at year end, some of which had been Amber for some time and these were highlighted: Flood risk asset maintenance; Incidence response; Completion of actions on protected sites.

31. An update was provided on the Internal Performance measures. The Red measure was explained as relating to the internal Environmental Management System (EMS), which was being reviewed and changes developed. Sickness absence had been reducing and had been considered by PaRC. Improvements were being sought to reporting and the support to managers and staff. It was noted that payments to suppliers which had been Red and discussed at previous Board meetings was now Green.
32. Board members discussed the Report and requested examples of where progress had not been seen on the integration of addressing the climate emergency across NRW. The Chief Executive explained that although delivering against the climate emergency measures had been embedded there was still work to be done on the nature emergency measures, for example on the measures used through the EMS. Board members recommended that the focus should be on quantifiable targets and outcome measures rather than activities for the new Corporate Plan. The Board welcomed the move to Green status for the measures on 'Flood risk asset management and maintenance' and 'Payments to suppliers' and noted the efforts of the team on this issue. The Board recognised the work involved in delivering on the measures included within the Dashboard and thanked the staff for this but acknowledged the concern felt by all when measures were either Amber or Red.
33. The Board approved the Business Plan Performance Dashboard End of Year Report 2021/22.

APPROVED: The Business Plan Performance Dashboard End of Year Report 2021/22.

Item 8: NRW's Role in the National Environment Programme for Water Resources and Water Quality Improvements (PR24)

Presenters: Sian Williams, Head of Operations North West Wales; Ruth Johnston, Lead Specialist Advisor, Water Strategy; Natalie Hall, Sustainable Water Manager

34. The Executive Director of EPP gave an introduction and explained the format of the item which would focus on the role of the NRW Board in the Price Review 2024 (PR24) process. The following item would provide a wider water quality update. It was highlighted that the role of the Price Review was not siloed and would form a key part of addressing the water quality issues.
35. The Head of Operations North West Wales gave a presentation and explained that it would cover both items 8 and 9 together as they were interlinked. The continued spotlight on water quality (WQ) meant that there was increased pressure to do and achieve more and it was highlighted that this was a priority for the Minister. Thanks were offered to the Board for their ongoing support in this area of work. The First Minister would be chairing a WQ summit at the Royal Welsh Show and actions were expected from this. Improvements in WQ monitoring were a key area alongside understanding WG priorities, and discussions with WG would continue into the autumn. An internal review of WQ was taking place which would bring everything together into one programme and a post would be in place for the autumn to link this together.
36. The Lead Specialist Advisor, Water Strategy gave a presentation to provide the overview of the Ofwat Water Company Price Review. An overview of Ofwat's role was described. It was explained that the Price Review would set the wholesale price for 2024 and the subsequent Asset Management Programme (AMP). Ofwat's key challenges and ambitions for PR24 were shared, which would enable a long term focus rather than the current five-year window. The water companies (Dŵr Cymru/Welsh Water, Hafren Dyfrdwy, and United Utilities in Wales) would be supplying their business plans to Ofwat who would then set the prices from these. It was explained that NRW could influence the

business plans directly in its role as the environmental regulator and through the direction of the National Environment Programme (NEP), which would set a priority list of enhancements to meet the statutory environmental obligations. It was explained that although the approved spend to be invested in the AMP was likely to be in the hundreds of millions, prioritisation would still be necessary.

37. The timeline was shared and the deadline for submission of the business plans to Ofwat was noted as October 2023. The greater pressures due to the climate and nature emergency recognised and an overview of the areas which the spend would affect was provided. It was recognised that the cost of living crisis would have an impact. The Board were requested to allow the water companies to present their business plans at the November Board meeting. This would allow the Board the opportunity to challenge assumptions, address current issues, influence investment priorities, and establish the line of sight to 2050 outcomes.
38. Board members discussed the content of the presentations. It was queried what the approach would be if the Board felt that the water company plans were insufficient. It was also queried whether NRW were acting too collaboratively in the process and if this would make the regulatory role more challenging.
39. The Executive Director of EPP explained the approach to the regulatory role. NRW dealt directly with the Boards of Dŵr Cymru/Welsh Water (DCWW) and Hafren Dyfrdwy (HD), benchmarking took place against England, and environmental performance criteria were in place. Similarly on enforcement actions, comparison and learning took place with the Environment Agency. Quarterly meetings took place with the Drinking Water Inspectorate. Mechanisms were in place to ensure an appropriate level of challenge and the right balance between regulating and collaborating. The roles of Ofwat, NRW, and the Drinking Water Inspectorate in taking actions depending on remit was clarified. Disappointment was expressed at the recent drop in water company performance.
40. An update was requested on the Brecon Beacons mega catchment project, and it was agreed that this would be provided outside the meeting.

ACTION: An update to be circulated to Board members of the Brecon Beacons mega catchment project.

41. Board members highlighted the important work on agricultural pollution and welcomed the water companies' involvement in the working group on this issue. It was expected that there would be an increasing focus and scrutiny on this issue, and the increased profile was welcomed in helping to create synergies in reducing agricultural and other pollutions.
42. Clarification was requested on the point in the paper regarding a less adversarial approach. It was emphasised that due to the drop in water company performance, a more trust-based relationship would not be appropriate at this time. The Executive Director of EPP explained that the paper had meant to emphasise a more responsible approach by the water companies.
43. Board members were supportive of the direction of travel, especially the approach to developing a long-term vision, and agreed to the recommendation in the paper. The Board requested a briefing prior to the November meeting to ensure understanding of the expectations.

ACTION: A briefing session to be arranged for the Board in advance of the November Board meeting on NRW's expectations of the water companies' draft business plans.

DECISION: The Board agreed to the recommendation: NRW Board session for the Welsh water companies to present their draft business plan proposals for discussion Autumn 2022. Ofwat Director for Wales Gwenllian Roberts invited to attend.

Item 9: Water Quality Update

Presenters: Sian Williams, Head of Operations North West Wales; Ruth Johnston, Lead Specialist Advisor, Water Strategy; Natalie Hall, Sustainable Water Manager

44. The Head of Operations North West Wales gave a presentation to the Board. An overview of the Better River Quality Taskforce including the membership was shared. The Roadmap was launched on 5th July. A partnership approach would be taken, with NRW's focus on regulation and evidence on storm overflows. The strong support and drive from the Chairs of NRW, Ofwat and the water companies was described. Another key output for July would be the publication of the River Basin Management Plans. An overview of actions carried out since 2009 was shared. The importance of collaboration was emphasised. The Water Company Annual Performance Report for DCWW was described and the disappointment at the drop in performance was shared. There had also been a disappointing reduction in performance by HD.
45. An update was provided on the SAC Rivers Project, which had been established to provide steer and advice. The achievements so far were described. Collaboration and action would be key. Marine SACs were being considered and would return to the Board with a full update when this had been finalised. An update was provided on the LIFE Projects on the River Dee and 4Rivers for LIFE, which were partly funded by the EU and other partners. Emerging issues were being considered and work had begun with key partners on the areas of citizen science, pharmaceuticals, antimicrobial resistance, and microplastics.
46. The Board thanked the team for the ongoing work on water quality. Board members queried the reliance on Fixed Term Appointments (FTAs) and expressed concerns around this approach. The value of continuity of staff was highlighted and that it would be important to maximise the attractiveness of the posts in this important project.
47. The work on citizen science and antimicrobial resistance was welcomed. Other pharmaceutical elements affecting water quality were highlighted and it was suggested that universities could collaborate on this area of work. The role of Local Authorities in planning and Local Development Plans, particularly around the issue of phosphates, was highlighted. Issues around social justice and connections to appropriate drainage were also raised.
48. It was recommended that the SAC Rivers Project required a waterfall diagram overview for the Board, which would clarify the critical path and facilitate the governance on this issue. Board members advised that there was a need to engage beyond the usual stakeholder groups and highlighted the advice from Audit Wales on engagement with communities and community groups. A more strategic approach was needed, and the Board welcomed further engagement on this issue. The Head of Operations North West Wales confirmed that a dedicated lead for communications was now in place with the remit to develop an engagement plan.

Item 10: Regulating the control of Fish-eating Birds: Recommendations

Presenters: Ben Wilson, Principal Advisor, Fisheries; Sarah Wood, Biodiversity and Ecosystem Resilience Manager; Patrick Lindley, Lead Specialist Advisor, Ornithology; David Mee, Lead Specialist Advisor: Freshwater Fisheries Management

49. Julia Cherrett acted as Chair for this item.
50. The Executive Director of EPP gave a brief introduction to the item. The Board were reminded that the commitment on this issue related to the controls on catch and release developed to ensure that there was not a reliance on just one mechanism to support salmon and sea trout populations.
51. The Principal Advisor, Fisheries gave a presentation to the Board. An explanation was provided on the background to the Fish-eating Birds Advisory Group, which comprised a range of conservation bodies with interests in birds, fish, and conservation. It was explained that the main fish-eating bird species of interest were the cormorant and goosander. Their current population levels were described, and evidence was presented on predation risks to salmon and sea trout populations at what were now historically low levels. The serious concerns on the dramatic decline in the freshwater salmon and sea trout population were described and stock assessment maps were shared.
52. The importance of an evidence-led approach when considering wildlife to wildlife issues was highlighted. An overview of the approach was shared, which included an appraisal of catchment-based licencing. There was a general consensus on the outcome and the key areas of agreement from the Fish-eating Birds Advisory Group were shared. NRW's response was described, which used the recommendations from the Advisory Group to form an action plan. An overview of the action plan was described and the predation control hierarchy was shared. The next steps were described for 2022 to 2024 onwards. The likely costs for Year 2 and 3 were explained and it was noted that funding for this would need to be sought.
53. The Board considered the content of presentation. Board members raised issues relating to the complexity of the funding demands from other measures, such as water quality improvement, and whether the potential funders would have the information to make a holistic assessment on this issue. The Principal Advisor, Fisheries, confirmed that it would be important to deliver on multiple benefits and that the funding required could be considered as relatively small.
54. Board members welcomed the important collaborative work on this issue. It was hoped that the process would provide good learning opportunities which could be taken forward and applied to other biodiversity issues. Board members noted that the paper was clear on the limitations on the evidence base and recognised the importance of experts in advising on the appropriate recommendations in these circumstances. It was suggested that collaboration with England and Scotland on the research would be important.
55. Concerns were expressed on Recommendation 12i, as it was not considered appropriate for someone with a vested interest in an affected fishery to make decisions around this and therefore this should not be left open.
56. Board members requested additional information on Recommendation 9, which had not achieved unanimous support. Prof Steve Ormerod as the Chair of the Fish-eating Birds Advisory Group explained that the smolt stage in late spring was the phase of the salmonid life cycle where protection could deliver significant population benefit. The concern from ornithological bodies related to possible effects of control of some of the sensitive bird species at this time and possible implications for their dependent young.

However, the bigger picture was described, which included the potential extinction of Atlantic salmon. Action was needed on the full range of issues around climate change, drought, warming, water quality, offshore exploitation, and habitat loss but control of predation was also part of this.

57. The Board thanked all those involved in the work on this issue and approved the recommendations in the paper with a proviso on the amendment to Recommendation 12i as noted above.

APPROVED: The recommended approach and next steps as detailed in the paper on Regulating the control of Fish-eating Birds with a proviso on the amendment to Recommendation 12i.

Item 11: Welsh Language Annual Report 2021/22

Presenter: Lyn Williams, Specialist Advisor, People Management

58. The Executive Director of Corporate Strategy and Development introduced the item. The Board were asked to approve the Report in line with the Welsh Language Standards. PaRC had scrutinised and endorsed the Report at the meeting in June. The difficulties in achieving simultaneous translation during a virtual or hybrid meeting were recognised, particularly the technological limitations of Microsoft Teams in this area. The positives from the Report were highlighted and some of the areas for further work were described. There would be a need to develop the broader Welsh Language Strategy going forward, considering the People side, and programming the work on this. The importance of Board leadership in the use of the Welsh language was emphasised.
59. The Specialist Advisor, People Management, provided an update on the progress on working with the Environment Agency, who administered the Fishing Licence Purchase service on NRW's behalf, in developing the Welsh language capability on the .gov website. It was hoped that this service would be in place by the end of the year. A project brief was being written on developing the bilingual service on Flood Lines UK. The team were very pleased that NRW had been awarded Work Welsh Employer of the Year 2021/22, especially as they had been led the way in allowing staff to learn Welsh during work time.
60. The Board thanked the Specialist Advisor, People Management and congratulated the team on achieving the Work Welsh Employer of the Year Award.
61. Board members welcomed the content of the Report and discussed alternative ICT options to Microsoft Teams. The work on the marine species directory was particularly welcomed and the Board were encouraged that 94% of staff could demonstrate some Welsh language ability. It was suggested that a training session could be arranged for Board members on the use of basic Welsh in meetings.
62. The Board approved the Welsh Language Report 2021/22.

APPROVED: The Welsh Language Annual Report 2021/22.

Item 12: Public and Private Board Agenda Items

Presenter: Victoria Painter, Governance and Risk Manager

63. The Executive Director of Corporate Strategy and Development introduced the item, which included proposed criteria for whether items should be considered in either the private or public Board sessions. There was an increasing move towards transparency with the Board holding as much business as possible in the meeting held in public. Work

would take place over the summer on an improved approach to Board engagement with the public. Inputs on this were welcomed from Board members and the public.

64. The Board considered the content of the paper and welcomed the review of the criteria. The Head of Governance and Board Secretary explained that a version of this criteria had been applied to Board items in previous meetings and that this was an opportunity to formalise the approach. Board members commented that Categories 6 and 8 as noted in the annex to the paper would need to be used with discretion, particularly Category 8 which would be more specifically about the loss of launch impact. Some reservations were expressed about Category 9, although it was accepted that this should be trialled.

65. The opportunities raised by the review on internal communication and engagement were highlighted. Discussion took place on the inclusion of the Board Sub-Committees in the criteria. It was recognised that this would be more appropriate for some Committees than others and it was noted that although there was a duty to hold a proportion of Board meetings in public, this duty did not apply to the Committees. The use of the recordings from the Board meetings was discussed and a range of views were expressed on whether these should be shared publicly. The Head of Governance and Board Secretary would consider this subject further.

66. Board approved the criteria as recommended in the paper.

APPROVED: The criteria for public and private agenda items at NRW Board & Committee meetings.

Item 13: Proposed Changes to the Statutory and Legal Scheme (SaLS)

Presenter: Colette Fletcher, Head of Governance and Board Secretary

67. The Head of Governance and Board Secretary gave an overview of the item which followed on from the discussion at the March Board meeting on the system for approving the Public Service Boards' Wellbeing Plans.

68. Board considered the item and approved the changes to the Statutory and Legal Scheme (SaLS) for the Corporate Services Business Board.

APPROVED: The changes to the SaLS for the Corporate Services Business Board.

Item 14: Board Forward Look

Presenter: Colette Fletcher, Head of Governance and Board Secretary

69. The Head of Governance and Board Secretary shared the Board Forward Look document and provided an overview.

70. It was recommended that the agenda items would need to be prioritised due to the focus on site visits for the September Board meeting. The item on the review of Board Committee membership was discussed and it was agreed that this should be delayed until the new Board members were recruited. Board members requested further details on the location and plan for September's meeting.

ACTION: Secretariat to circulate further details on the locations and plans for future Board meetings.

Item 15: AOB

71. The publication of the Finance Performance Report to March 2022 was noted. This had resulted from an action at the Board meeting in May.

NOTED: The publication of the Finance Performance Report to March 2022.

72. The Head of South East Wales Operations informed the Board that the Gwent Public Service Board had now been formed and a formal request had been received for a NRW Board member to sit on the Scrutiny Committee. It was agreed that this would be considered and agreed by correspondence.

ACTION: The Gwent Public Service Board formal request for a NRW Board member to sit on the Scrutiny Committee to be considered and agreed by correspondence.

73. The Acting Chair offered thanks to all presenters and attendees and extended sincere apologies to the members of the public who had been affected by the ICT issues during the course of the meeting.

- Board meeting closed -