

## Confirmed Minutes

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**Title of meeting:** **NRW Board Meeting – Public Session**  
**Attendees in person at Plas Tan y Bwlch, Maentwrog, Gwynedd and via Microsoft Teams**

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**Date of meeting:** 23rd September 2021

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**Present Board Members:** Sir David Henshaw, (Chair)  
Clare Pillman, Chief Executive  
Prof Steve Ormerod, Deputy Chair  
Karen Balmer  
Julia Cherrett  
Geraint Davies  
Paul Griffiths  
Zoë Henderson  
Prof Calvin Jones  
Mark McKenna  
Dr Rosie Plummer  
Prof Peter Rigby

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**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  
Sarah Jennings, Executive Director of Communications, Customer and Commercial  
Gareth O'Shea, Executive Director of Operations

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**Additional Attendees Present:** Colette Fletcher, Head of Governance & Board Secretary (All items)  
Caroline Hawkins, Corporate Planning, Performance & Strategic Assessment Manager Item 6  
Sioni Davies, Advisor, Corporate Planning & Performance Item 6  
Charlotte Morgan, Wellbeing, Health and Safety Manager Item 7  
Julia Allen, Lead Specialist Advisor, Human Resources Item 8  
Steve Burton, Head of People Management Item 8  
Rhian Jardine, Head of DPAS and Marine Item 9  
Andrea Winterton, Marine Services Manager Item 9  
Pete Jordan, Development Planning Advice Service Manager Item 9  
Mary Lewis, Sustainable Places Land and Sea Manager Item 9

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**NRW Observers:** Rhian Jardine, Head of DPAS and Marine  
Meinir Wigley, Integrated Communications Team Leader  
Kate Evans, Manager, Public Affairs / Private Secretary to CEO  
Jacqueline Kedward, Head of Internal Audit

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| <b>Public Observers:</b> | Gareth Wardell<br>Steve Griffiths, BASC Director Wales                                                                                                                     |
| <b>Declarations:</b>     | Dr Rosie Plummer – Pembrokeshire Coast National Park Authority Board Member, Plantlife Trustee, Centre for Alternative Technology Trustee, Owner of SAC riverside property |
| <b>Apologies:</b>        | Catherine Brown                                                                                                                                                            |
| <b>Secretariat:</b>      | Natalie Williams<br>Jocelyn Benger                                                                                                                                         |

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## **Item 1. Open Meeting**

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

## **Item 2. Review Minutes and Action Log**

### **2A. Review Minutes from Public 14<sup>th</sup> July meeting**

2. The minutes from the public July meeting were reviewed and agreed.

### **2B. Review Public Action Log**

3. The action log was reviewed.

## **Item 3: Update from the Chair**

4. The Chair commented on the meeting being the first face to face meeting for Board members since the start of the pandemic. The Chair looked forward to welcoming members of the public in person again at a future meeting.
5. The new Welsh Government (WG) agenda was welcomed, and it was noted that discussions were proceeding with Ministers on the environment.

## **Item 4: Chief Executive's Report**

6. This had been delivered at the private session of the Board meeting.

## **Item 5: Update Reports of Committees**

7. Karen Balmer presented the Audit and Risk Assurance Committee (ARAC) Annual Report 2020/21 on behalf of the ARAC Chair. A range of 12 internal audit reports had been received during the year and of these, one opinion was Substantial, three Limited, and the remainder were Moderate. From this, the overall opinion was determined as Limited assurance for this financial year. ARAC were concerned at the lack of consistency and control and addressing concerns. The Board were advised to remain concerned, although significant progress was being made, led by the Executive Team (ET), particularly in areas such as the Baseline Review and Three Lines of Defence work. On behalf of ARAC, thanks were offered to the Audit Team, Secretariat and all who had contributed to the audits and delivery of the Audit Plan.

**APPROVED: The ARAC Annual Report 2020/21 was approved.**

8. The Chair of the People and Remuneration Committee (PaRC) provided a verbal update on the meeting held on 16<sup>th</sup> September. Progress was being made on the People Strategy, and the People Board was now up and running. A paper was welcomed on Performance Management and there was a continued focus on Equality, Diversity and Inclusion (EDI). The Adfywio/Renewal Programme was now being led by Victoria Rose-Piper and hybrid working trials were due to take place. Progress was being made on rota discussions. Work on placements and the Kickstart programme was progressing. The Transformation Leadership Programme, Ymlaen, was receiving good reviews. Some risks were reviewed, and compliments were offered to the Wellbeing, Health and Safety Team for their work. Neurodiversity training had taken place for Board members. This was very well received, and all were encouraged to take part in future training sessions.

**Item 6: Business Plan and Performance Dashboard Quarter 1 Report**

Attendees: Caroline Hawkins, Corporate Planning, Performance & Strategic Assessment Manager; Sioni Davies, Advisor, Corporate Planning & Performance; Sarah Williams, Head of 2050 Vision and Corporate Strategy (*Microsoft Teams*)

9. The Chief Executive presented an overview of the first quarter performance update from April to the end of June, plus the latest news on some of the indicators. Thirty-four Performance Dashboard measures which had been previously agreed by the Board were reported. The Red Amber Green (RAG) status was reported as three Red, 10 Amber, and 21 Green. Three of the indicators were highlighted during the presentation.
10. Measures in response to the strategic priorities were highlighted and the performance as noted in the paper was described. It was noted that 'Delivery of the remaining water related investigations and development of updated River Basin Management Plans' was rated as Red. This had been impacted by the work needed on Special Areas of Conservation (SAC) rivers. ET would be conducting a deep dive on this. Progress on reducing pollution from metal mines was rated as Amber. It was noted as a complex process involving around 1500 mines across Wales, although work on this was progressing.
11. The UK Woodland Assurance Scheme (UKWAS) was rated as Amber at the end of Quarter 1, however, a Green rating was anticipated for Quarter 2 following the successful recent UKWAS audit. Congratulations were offered to all the teams involved. Board members acknowledged the result and commended the work done.
12. Board members discussed the issues around the use of evidence. The recent recruitment of the new Head of Knowledge and Evidence was noted. Board members highlighted the need to ensure that the web pages for the State of Natural Resources Report (SoNaRR) were in an accessible format and subject to an ongoing refresh through the five-year programme. A timeline of when each of the products would be available on the website was requested. The relationship between the findings of SoNaRR to the outcomes from the Baseline Review was emphasised.

**ACTION: A timeline to be provided to Board members for SoNaRR product availability on the website.**

13. Board members discussed the measure 'Response to high category incidents within four hours' which was rated as Amber. The target was 95% and the performance was noted as 93% for Quarter 1. Board members were concerned that high numbers of staff in Fixed Term Appointment (FTA) roles were affecting performance against this measure and this

issue was discussed. The Executive Director of Finance and Corporate Services informed the Board that only around 10% of the workforce were FTAs and that more work was needed on this issue. The Executive Director of Corporate Strategy and Development confirmed that workforce planning responsibility had been passed to leadership within the organisation for them to determine their priorities within their budget allowance. A note on this was requested for the next meeting.

**ACTION: The Executive Director of Corporate Strategy and Development to provide the Board with a briefing note on Fixed Term Appointments.**

14. Discussion took place on some of the issues around forestry and timber. The forecasting process and targets for timber sales were clarified. The different pressures and issues around the expansion of forest cover in Wales were considered. The selection of species for planting was questioned and it was confirmed that planting was underpinned by UKWAS requirements. It was noted that in some areas, removing forest cover was the correct approach and that decisions such as these were taken in the context of SMNR (the Sustainable Management of Natural Resources). The impact of tree disease and the dramatic effect on the Welsh Government Woodland Estate (WGWE) and the supply of quality timber was highlighted as a significant issue. It was agreed that a site visit to view a Forest Resource Plan would be useful and that this would be arranged with the Senior Specialist Advisor, Plant Health. Board members requested a summary paper at the next Board meeting incorporating the issues around forestry and timber and the outcomes from the deep dive on timber. The Executive Director of Communications, Customer and Commercial agreed to host some local visits for new Board members.

**ACTION: Summary paper on forestry and timber issues to be provided at the next Board meeting.**

**ACTION: The Executive Director of Communications, Customer and Commercial to host local forestry-focused site visits for new Board members and a forest site visit to be arranged for Board members to view a Forest Resource Plan.**

### **Item 7: Wellbeing, Health and Safety Quarter 1 Report**

Presenter: Charlotte Morgan, Wellbeing, Health and Safety Manager (*Microsoft Teams*)

15. The Executive Director of Corporate Strategy and Development introduced the item and the Wellbeing, Health and Safety (WHS) Manager gave an overview of the WHS Quarter 1 Report. The chainsaw incident had been closed, and the Health & Safety Executive would be using the incident as a case study. The AssessNet information on mountain bike injuries was highlighted and, where reported to visitor centres, the area would be assessed, and further investigations carried out if necessary. Teams would be audited in October, November and December on the British Standards Institute for Health and Safety at Work, ISO 45001.

16. Board members commented on the positive outcome of the progress being made on pre-qualification questionnaires for contractors and customers working on NRW land.

### **Item 8. Equality, Diversity and Inclusion Project**

Presenters: Steve Burton, Head of People Management; Julia Allen, Lead Specialist Advisor, Human Resources (*Microsoft Teams*)

17. The Executive Director of Corporate Strategy and Development introduced the item, which aimed to obtain the Board's thoughts and perspectives on Equality, Diversity and Inclusion (EDI) to feed into the development of the EDI Plan. The paper included the key priorities identified by the EDI Task & Finish Group and these would form the basis of the

discussion. The draft WG Race Equality Plan for Wales and the proposed outcomes and actions within this for senior leadership level were highlighted. Work had been started with Environmental Non-Governmental Organisations (eNGOs) in Wales to better understand what might be effective across the sector.

18. The Chair welcomed the report and invited comments from Board members. Issues around recruitment were discussed in detail. The progress made over the decades, for example, women on Boards and working in science, was recognised, although the universal design barriers to employment and racial diversity within the environmental sector were ongoing. Examples of good practice from Maxwell Ayamba in Sheffield were highlighted. Recruitment was seen as a key, as clear workforce diversity was likely to increase the reach in attracting diverse candidates.
19. The importance of considering inclusion across the spectrum of socio-economic and ethnic groups was emphasised. Engagement across the wider community, including people accessing the NRW Estate and diversity within the teams that work within the communities would be important. The range of roles available within NRW was noted and the value in employees from diverse backgrounds across the organisation was highlighted. The importance of reaching out to schools and engaging with young people was also recognised. The value of the Kickstart programme was noted. The neurodiversity training was also highlighted as an excellent session.
20. The importance of language and how this could unintentionally exclude was raised as an issue. This was a key consideration not just during the recruitment process but also during the course of employment. Working with partners and learning from other organisations, not just eNGOs, would be important.
21. It was agreed that there were no quick fixes for this issue as broader societal processes were in action but Board members welcomed the work being done in this area.
22. The Chief Executive considered the question of what leaders could do and agreed to include an anti-racism aim within her objectives. It was noted that change came from visible and active leadership, therefore all would need to think about what could be done on this. This would be considered further at the next meeting.

**ACTION: The role of leaders in EDI to be revisited at the next meeting.**

23. It was agreed that the Executive Director of Finance and Corporate Services, as a Trustee of Chwarae Teg, would support a placement route to Non-Executive.

**Item 9. Marine and Coastal Delivery and Place Presentation**

Presenters: Rhian Jardine, Head of DPAS and Marine; Andrea Winterton, Marine Services Manager; Pete Jordan, Development Planning Advice Service Manager; Mary Lewis, Sustainable Places Land and Sea Manager (*in person*)

24. The Sustainable Places Land and Sea Manager gave a presentation on the key areas of strategic delivery. The paper provided detail across the programme. The Marine Services organisation chart was shared. The adaptive management approach and how this was being used in tidal energy projects was described. The importance of research and evidence was highlighted and an example of the research into carbon storage in the coastal environment was explained. Protected site condition and indicative site condition assessments and their use in advice was described. Habitats in unfavourable condition due to water quality highlighted the importance on source to sea water quality. The

challenges relating to the Offshore Renewable Energy Programme and the importance of collaborative working with WG and partners were described.

25. The Head of DPAS and Marine gave a bilingual presentation which provided an update on progress on the ground and how the strategic aims delivered SMNR. A case study on marine monitoring was shared. The challenge and cost of monitoring the marine environment was described. Options for an integrated UK marine biodiversity monitoring programme were being developed and the Wales preferred option was shared, which would involve a significant increase in monitoring but also costs. A business case had been submitted to Defra (Department for Environment, Food and Rural Affairs) but this had been delayed due to Covid.
26. The Marine Services Manager presented an overview of the Natura 2000 capital funding to improve marine biodiversity in Wales in 2020/21. The challenges on delivering within a single year were highlighted. Board members were informed of the monitoring and equipment purchased and the projects with partners that were taking place. A short video showing rare footage of an angel shark in Welsh waters was shared. The management of cockle fisheries was explained. Offshore Renewable Energy sites and the challenges around the new technologies, size and complexity were shared. The case study at Morlais was explained. An adaptive management approach was being undertaken on this and the level of scrutiny was shared.
27. The Development Planning Advice Service Manager presented an overview of the Development Planning Service and the main consenting types. NRW's function as a statutory consultee to the planning process and the volume of applications were described. Continuous improvement and evolution were carried out taking into account customer feedback. The range of casework undertaken across the spectrum of subjects was described.
28. The Chair thanked the team for an excellent presentation and invited discussion from the Board.
29. The increased use of technology was welcomed but questions were asked on the scope for sharing knowledge and evidence with others and not just those from the environmental sector. It was confirmed that technology was used as an additional resource and the breadth of opportunities was considered. Evidence was shared through publishing and advice available on the website. The involvement of grant-aided partners and volunteers through citizen science was highlighted. Engagement with research partners took place particularly in areas where NRW resources were not available. The impact of water quality on the unfavourable status of habitats was discussed.
30. Board members considered the developments in marine energy projects and expressed the concerns of some stakeholders on the level of opportunity for engagement. The large increase in work in this area was noted as a potential area of concern and whether additional staff would be needed for address this. It was noted that the WG deep dive on renewable energy was due to take place soon. The role of discretionary services and charging would need to be considered in the context of the Baseline Review.
31. The role of salt marsh in carbon storage and its comparison with woodland was discussed. Board members were interested in the possibilities of blue carbon and the benefits of restored marine and coastal habitats.
32. Issues around health and safety were considered. Examples of the required training were provided and the normal working practices that were followed.

- Board meeting closed -

#### Item 10. Public Q&A Session

33. The Chair invited questions from the public.

34. Gareth Wardell had provided a question in advance of the meeting on combined storm overflows (CSOs) and was keen to ensure that the issue was not lost. The Executive Director of Operations responded that work on the subject was ongoing with Ofwat and the water companies. Advice and guidance were provided along with enforcement where necessary when issues arose through reports or monitoring.

35. Mr Wardell asked a supplementary question on the issues around CSOs and related permitting. The Executive Director of Evidence, Policy and Permitting responded to confirm that CSOs was being reviewed to ensure that every CSO had a permit and was monitored.

36. It was agreed that a briefing on the subject of CSOs would be prepared for Mr Wardell.

**ACTION: A briefing to summarise the ongoing work on combined storm overflows to be sent to Gareth Wardell.**

- Public Meeting closed -