

Confirmed Minutes

Title of meeting:	NRW Board Meeting – Public Session All Attendees via Microsoft Teams
Date of meeting:	18 th November 2021
Present Board Members:	Sir David Henshaw, (Chair) Clare Pillman, Chief Executive Prof Steve Ormerod, Deputy Chair Karen Balmer (until 12pm) Catherine Brown Geraint Davies Paul Griffiths 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 Sarah Jennings, Executive Director of Communications, Customer and Commercial Gareth O'Shea, Executive Director of Operations
Additional Attendees Present:	Colette Fletcher, Head of Governance & Board Secretary (All items) Caroline Hawkins, Corporate Planning, Performance & Strategic Assessment Manager Item 5 Sioni Davies, Advisor, Corporate Planning & Performance Item 5 Sarah Williams, Head of 2050 Vision and Corporate Strategy Item 5 Charlotte Morgan, Wellbeing, Health and Safety Manager Item 6 Dominic Driver, Head of Land Stewardship Item 7 Ieuan Williams, Senior Specialist Surveyor Item 7 Stuart Lyon, Senior Specialist Lawyer Item 7 Sian Williams, Head of North West Wales Operations Item 8 Mark Squire, Sustainable Water Manager Item 8 Ben Wilson, Principal Advisor, Fisheries Item 9 David Mee, Lead Specialist Advisor, Freshwater Fisheries Management Item 9
NRW Observers:	Catrin Hornung, Head of Communications and External Relations Item 7, 8 Meinir Wigley, Integrated Communications Team Leader Item 7, 8 Martyn Gough, Senior Officer, Communications Engagement Item 7

Public Observers: Dr Rachel Hodson, Plant Health & Environmental Protection Branch (PHEPB)
Steve Griffiths, BASC Wales
Rachel Evans, Countryside Alliance
Kim Davies, Monmouthshire Housing Association
Additional member of the public

Declarations: Zoe Henderson – Member of the Countryside Alliance
Geraint Davies – Member of the Game and Wildlife Trust
Prof Steve Ormerod – Vice President of RSPB

Apologies: Julia Cherrett
Karen Balmer (from 12pm)

Secretariat: Jocelyn Benger
Natalie Williams

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 23rd September meeting

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

2B. Review Public Action Log

3. The action log was reviewed and updates provided.

Item 3: Update from the Chair

4. There had been a move towards a hybrid model of working in line with Welsh Government (WG) regulations, and this had proved successful so far.
5. NRW had attended the Conference of the Parties (COP26) in Glasgow and COP26 Regional Roadshows, and would be participating fully in Wales Climate Week from 22nd November.
6. An update was provided on the ongoing Green Recovery work. A meeting with Ministers had taken place, and the Group would focus on the main priorities going forward.
7. The Chair and Chief Executive would be meeting with the Minister and Deputy Minister to discuss current issues.

Item 4: Update Reports of Committees

8. Catherine Brown as the Chair of the Audit and Risk Assurance Committee (ARAC) updated the Board on the meeting held on 15th October. The paper was taken as read, although it was noted that there was a change to the planned approach to inviting

Committee Chairs to the next meeting. More information would follow on this and it was confirmed that 16th December could be released from diaries.

9. Peter Rigby as Chair of the Evidence Advisory Committee (EAC) provided a brief summary of the meeting held on 7th October. A full update had been provided to the private session of the Board meeting but it was noted that the Committee was going very well and offered invaluable advice to NRW, and considered a range of issues including making data and evidence available.
10. Sir David Henshaw as Chair of the Finance Committee (FC) noted that work was ongoing and the next meeting would take place in December.
11. Geraint Davies on behalf of the Chair of the Flood Risk Management Committee (FRMC) updated the Board on the meeting held on 12th October. The paper was taken as read. Paul Griffiths and Prof Calvin Jones had been welcomed onto the Committee. The capital programme work at Llyn Tegid and the deep dive discussions on the Full Business Cases for projects at Ammanford and Stephenson Street, Newport were highlighted. It was noted that negative feedback had been received by an Internal Drainage District Board and work was ongoing with them to resolve issues.
12. Dr Rosie Plummer as the Chair of the Protected Areas Committee (PrAC) updated the Board on the meeting held on 5th October. The paper was taken as read. Howard Davies had been thanked as the departing Chair, and Mark McKenna was welcomed onto the Committee. Future meetings were due to consider some substantial issues, which would include considering the integrated designated landscapes programme, looking at the landscape assessment across Wales, and in particular, the potential for the new national park. The Protected Sites Delivery Programme would also be scrutinised. Legal training had been arranged for 13th May 2022 in relation to governance standards and all Board members were invited to attend. It was confirmed that the session would be recorded and a summary circulated. The 30x30 work was clarified as the international proposal that each country should give a particular level of protection to 30% of its land and sea area. Debates were ongoing as to what areas should qualify for biodiversity protection.

ACTION: The Chair requested a summary report from each Committee for future public meetings.

Item 5: Business Plan and Performance Dashboard Quarter 2 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

13. The Chief Executive gave an overview of NRW's attendance and involvement at the recent COP26. Although there was a level of disappointment at the outcomes from the COP negotiations, Wales' and NRW's involvement with other attendees had been very positive. NRW representatives had worked hard with sister nature conservation and environmental protection organisations to showcase their work and this had received a high level of interest. Young people were well represented, especially from Wales, and were engaged and articulate. It would be important to involve them in the Natur a Ni/Nature and Us programme. Moving testaments were presented by people from other countries who were experiencing real climate change. The Nature Day received a lot of interest and sessions were held on nature-based solutions. Thanks were offered to the Lead Specialist Advisor, Climate Change & Decarbonisation, the Senior Specialist

Advisor, Media Communications, and the Executive Director of Evidence, Policy and Permitting for their hard work.

14. The Wales Climate Week was highlighted, which would bring some of the COP to Wales. The Chief Executive would be involved in the initial session with the Minister for Climate Change, Sophie Howe, and Lord Deben. NRW would be involved in sessions through the week. The Wales Action Plan for the Recovery of the Curlew would also be launched during the Wales Climate Week.
15. The challenge on funding for delivering on the aspirations and needs was recognised. The outcome of the Baseline Review was the subject of deep discussion with WG on the budget going forward. There would be a need to work together with WG officials about priorities. The next Budget and Remit Letter would feed into the Business Plan and the new Corporate Plan. The five strategic priorities were shared.
16. The Chief Executive presented an overview of the second quarter performance update from July to the end of September, 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 two Red, eight Amber, and 24 Green. The paper was taken as read but the following items were highlighted.
17. The 'Glastir Woodland Grant Scheme' and the 'Area of new woodland created on the NRW Estate' were rated as Green. These were currently in the spotlight and were noted as going well. The 'Actions undertaken to restore Welsh peatlands' was proceeding well and additional funds were being sought for next year.
18. 'Deliver remaining water related investigations and develop updated River Basin Management Plans' was rated as Red. The same staff dealing with this issue were noted as also addressing the Special Area of Conservation (SAC) river issues. This would be carefully reviewed and reported next time. 'Progress to reduce pollution from metal mines' was noted as Amber but strong programme management was being put in place.
19. 'Response to incidents' was rated as Amber. Performance was noted at 89% against the 95% target. This had been discussed in detail at the private Board meeting and work was ongoing on this issue. 'Make payments on time' was rated as Red. Temporary staff had been recruited to get this back on track.
20. The Covid Renewal programme had been slowed following updated Covid guidance and the further roll out of the hybrid working trials would be delayed.
21. Board members considered the content of the report. The reduction of the performance target on water related investigations was questioned. Reassurance was provided that the reduction was to help manage the target, looking at the wider work on water quality over a longer-term period. Board members commented on the implication of a lack of resilience in this area. The Executive Director of Evidence, Policy and Permitting updated the Board on the deep dive on target setting planned for the Executive Team meeting in November, after which a considered proposal would be presented to the Board.
22. Board members offered their thanks to the NRW team for their representation at COP. The use of the measures to reflect on what NRW were doing and achieving was

discussed. The importance of hope and agency to make a difference had been highlighted at COP.

23. Concerns were raised over the Red rating on the measure of making payments on time. The background to this issue was provided, which was mainly due to the level of sickness within the team. Board members questioned the 30 day response period under normal conditions and further clarity was requested on this issue.

ACTION: The Executive Director of Finance and Corporate Services to provide Board members with the background information on the delays to making payments.

Item 6: Wellbeing, Health and Safety

Presenter: Charlotte Morgan, Wellbeing, Health and Safety Manager

24. The Executive Director of Corporate Strategy and Development introduced the item and noted that the Wellbeing, Health and Safety (WH&S) Strategy 2021-24 had been scrutinised by the People and Remuneration Committee (PaRC) and the WH&S Committee.
25. The Wellbeing, Health and Safety Manager updated the Board on the incidents that had taken place on the NRW Estate, including the recent fatality. A Serious Incident Review (SIR) had been opened and paused while awaiting the outcome of the Coroner and Police investigation. The Land Managers were contacted to check whether any immediate action was needed but nothing was indicated. This had been noted for the records.
26. Board members reflected on the content of the report and raised the issue of the importance of job design on work-related mental health issues. The response to this issue by providing welfare services was noted but it would be key to consider the work environment that created the pressure on mental health. It was requested that the Executive Director of Corporate Strategy and Development produce a paper on job design and how this related to mental ill health, and the steps that could be taken to improve this issue. A more substantive discussion on this issue was requested. The Executive Director of Corporate Strategy and Development confirmed that this had been discussed in the context of the Baseline Exercise around resourcing and expectations. A session on burnout had been run for staff and 250 people had attended. It was recognised that many organisations were dealing with similar issues. The WH&S Manager would be attending the WH&S Forum to consider what could be done to support staff. The link to Workforce Planning would be key for considering future pressures.

ACTION: The Executive Director of Corporate Strategy and Development to produce a paper on job design and the relationship to mental ill health, and the steps that could be taken to improve this issue.

APPROVED: The Wellbeing, Health and Safety Strategy 2021-24

Item 7: Trail Hunting on the NRW Estate

Presenters: Dominic Driver, Head of Land Stewardship; Ieuan Williams, Senior Specialist Surveyor; Stuart Lyon, Senior Specialist Lawyer

27. The Executive Director of Evidence, Policy and Permitting welcomed the members of the public who had joined the meeting to hear the discussion on this item. The context for the item for decision was set out and the background information was provided as noted in the paper. The Executive Team (ET) had considered the options for NRW's response, in

light to the guilty verdict handed to the Director for the Masters of Fox Hounds Association (MFHA), at the ET meeting on 19th October 2021. ET recommended that the licencing of trail hunting on the NRW Estate should not be renewed in view of the increased resources that would be required to ensure compliance with legal requirements and the consequent costs to NRW of that increased oversight. Correspondence had been received from the Minister for Climate Change to inform that WG believed that NRW should consider a permanent ban on trail hunting on the Welsh Government Woodland Estate.

28. A full discussion on conflicts of interest in relation to this matter had taken place at the private session of the Board meeting on 17th November 2021. Following consideration, it was agreed that although Board members held a variety of declared interests, there were no interests of sufficient weight that required Board members to be excluded from the debate.
29. Board members asked whether there was any evidence on the financial impacts and potential effects on community wellbeing and recreation opportunities if a ban on trail hunting on the NRW Estate was imposed. It was noted that this issue was considered in the Equality Impact Assessment (EqIA) and the paper. The proposed ban would cover the NRW Estate not the whole of Wales, and therefore, although there would be some impact, this was likely to be small.
30. Board members noted the strength of feeling of those for and against trail hunting and described their own level of experience in this area. The options presented in the paper were considered. The value of trail hunting to the Welsh community was highlighted and it was argued that the conviction of one member of the MFHA should not result in the loss of amenity for all trail hunters. Concerns were also expressed about the possible increased predation of ground nesting birds due to the incremental erosion of the system for predator control in the countryside. It was explained that licenced predator control under strict conditions was a separate matter, covered by an agreement with a different organisation and not affected by this decision.
31. Option C in the paper on running a Sustainable Management of Natural Resources (SMNR) Review of the activity was considered. However, it was recognised that there remained a risk of illegal activity and this, combined with an unfavourable cost benefit and increased resource requirement, prompted several Board members to consider that the trail hunting licences should not be renewed. It was also felt that resources should be prioritised towards the climate and nature emergencies.
32. The Chair summarised the discussion and requested that Board members re-declared their interests as noted above. A private vote was taken on the options presented in the paper. The Chair declared the result as ten Board members in favour of the recommended option of not renewing the agreement with MFHA and not to give permission for hunts to use the NRW Estate for trail hunting. Two Board members voted against the recommended option, favouring instead the continuation of trail hunting via one of the other options that would allow this. There were no abstentions.
33. The Chair invited Rachel Evans of Countryside Alliance, attending as a member of the public to speak. She expressed disappointment at the decision and questioned the level of engagement on the matter.

APPROVED: To not renew the agreement with MFHA and to not give permission for Hunts to use the NRW Estate for trail hunting if they apply to NRW. NRW would also stop

providing permission for access only arrangements on the NRW Estate as this was managed under the same agreement.

Item 8: Storm Overflow Roadmap Update

Presenters: Sian Williams, Head of North West Wales Operations; Mark Squire, Sustainable Water Manager

34. The Executive Director of Operations gave an overview of the current position on the ongoing work to address water quality issues with the partner organisations of Ofwat, WG and the water companies in Wales. The Roadmap had not yet been signed off by the partner organisations and was therefore not available for presentation at the meeting. The Baseline Review had highlighted the difficulties in the resourcing in this area. The storm overflows issue would be considered in the context of the broader water quality work within Wales. The Head of North West Wales Operations had been redirected from her role in order to focus on the development of a framework on the wider water quality issues.
35. The Sustainable Water Manager gave a presentation on the progress and recommendations of the Better Water Quality Taskforce set up to develop the response to the impact, regulation, and efficiency of the storm overflows on the sewage network. This would investigate the issues, consider current monitoring, and develop long term improvement programmes, including engagement with stakeholders. Work with the Consumer Council for Water (CC Water) would take place to provide the customer perspective and some of the evidence base.
36. The overarching objective was shared, highlighting the aim to reduce spills, while continuing to provide protection from flooding. The Roadmap for storm overflows was described, which would feed into the wider water quality roadmap for improvement. This included a list of recommendations and the pathway to improvement. The next steps to be achieved by February 2022 were shared, which included the development and agreement of the action plans. The recommendations were shared for addressing visual impacts, the effectiveness of the network, the development of an improved monitoring programme, and stakeholder and customer engagement.
37. Board members discussed the content of the paper and presentation. The emphasis on communication and engagement with customers was welcomed, particularly around encouraging understanding of the impacts of items placed into the sewage system. It was recognised that there was a high level of public appetite to address the issue of storm overflows and it would be important to build on the momentum to take forward the work to address the wider water quality issues. Board members highlighted that the public material on this matter would need to be accessible, and provide more specific details, particularly around the measurement of impacts.
38. Resourcing was discussed, particularly in relation to monitoring. The work on the strategic review of charging was highlighted in response to this. It was noted that more information would be needed on the amounts of sewage present alongside the prioritisation process to monitor quantities of other water pollutants such as microplastics, pharmaceuticals and bacteria. The agricultural sector's agreed ambition to eliminate slurry spills was highlighted and it requested that the evidence gathered should not be used to blame other sectors. The announcement by the Environment Agency and Ofwat of an inquiry into English water companies' sewage treatment was noted. The investment in monitoring and the resulting data was highlighted and it was recognised that it would be important for NRW to liaise with partner organisations on this matter, particularly in relation to

apportionment. It was noted that NRW was in discussion with WG on this matter and was part of a Flows to Full Treatment Working Group in Wales.

ACTION: A briefing session on water quality issues to be offered to new Board members.

Item 9: Statutory Fisheries Byelaws

Presenters: Ben Wilson, Principal Advisor, Fisheries; David Mee, Lead Specialist Advisor, Freshwater Fisheries Management

39. The Executive Director of Evidence, Policy and Permitting introduced the item and provided the background to the item for discussion.
40. The Principal Advisor, Fisheries gave a presentation to support the information already provided in the paper. The data on salmon and sea trout decline over the decades and the 2020 stock assessments were shared. Anecdotal evidence described the rod catches on the Wye and the Usk as the lowest ever seen and net catches for sea trout were described as well below the long-term average. An overview of the need for the new byelaws was provided and the salmon and sea trout plan of action was shared. Engagement with local fishery groups was described and the focus of their concerns on water quality, land use, and predation was highlighted.
41. Board members considered the responses to the consultation and queried the method used for the statistical comparisons. The Principal Advisor, Fisheries, clarified the response process and the level of responses received. The level of detail and content from the consultation and the effort put into the engagement activity was praised by Board members. It was suggested that this could be used as an exemplar.
42. It was questioned whether relevant land management issues could be addressed ahead of the start of the transition to the Sustainable Farm Management Scheme in 2025. The Principal Advisor, Fisheries, updated Board members on some of the work already in progress, such as the Fisheries River Habitat Assessment in collaboration with the Rivers Trust, delivering habitat schemes and addressing barriers to fish migration. The Lead Specialist Advisor, Freshwater Fisheries Management, provided an overview of the Salmon and Sea Trout Plan of Action and the work being done with the Wales Fisheries Forum on this. The work on the North Atlantic Salmon Conservation Organisation (NASCO) five-year implementation plan was also described.
43. Board members acknowledged the shocking statistics on the reduction in stocks of salmon and sea trout and paid tribute to the team for their work. The recommendations in the paper were endorsed for application to WG.

ENDORSED: An application to Welsh Government for confirmation of new byelaws for rod fishing for salmon and sea trout on the Rivers Usk and Wye in Wales (of eight years' duration).

ENDORSED: An application to Welsh Government for confirmation of new byelaws for rod fishing for salmon and sea trout on the River Severn in Wales (of ten years' duration).

Item 10: Statutory and Legal Scheme (SaLS) Amendments

Presenter: Colette Fletcher, Head of Governance and Board Secretary

44. The Head of Governance and Board Secretary provided an overview of the SaLS amendments and confirmed that these had also been approved by the Head of Legal Services and the Chief Executive.

45. The Chief Executive highlighted the Substantial audit opinion that had been received on the SaLS. The Chair of ARAC thanked the team for their efforts in this key area.

APPROVED: Amendments to the Statutory and Legal Scheme (SaLS)

- Board meeting closed -

Item 11. Public Q&A Session

46. The Chair invited questions from the public.

47. Rachel Evans of the Countryside Alliance asked if there would be an opportunity to review the decision on trail hunting and if so, then she would like the opportunity to engage on this in an open manner. The Chair confirmed that this would be discussed with the Chief Executive and a response provided.

ACTION: The opportunity for the public to engage on trail hunting in the future to be considered and a response provided to Rachel Evans.

- Public Meeting closed -