

Title of meeting: NRW Board Meeting – Public Session
The Clayton Hotel, Cardiff and Microsoft Teams

Date of meeting: 23 March 2023

Present Board Members: Sir David Henshaw, Chair
Clare Pillman, Chief Executive
Prof Steve Ormerod, Deputy Chair
Karen Balmer
Julia Cherrett
Geraint Davies
Prof Peter Fox
Zoë Henderson (from 11am) (*Teams*)
Prof Calvin Jones
Mark McKenna
Helen Pittaway
Prof Peter Rigby (*Teams*)

Present Executive Team Members: Rachael Cunningham, Executive Director of
Finance and Corporate Services
Ceri Davies, Executive Director of Evidence,
Policy and Permitting (Item 1 to Item 8)
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)
Mark Collins, Business Finance Team Manager
(Item 6) Teams
Sarah Williams, Head of Corporate Strategy &
PMO, (Items 7 and 9)
Catrin Hornung, Head of Communications and
Digital Transformation (Item 7)
Lynette Bowley, Senior Specialist Advisor, Media
(Item 7)
Ben Wilson, Principal Advisor, Fisheries (Item 8
and Public Q&A)
Caroline Hawkins, Corporate Planning,
Performance & Strategic Assessment Manager
(Item 9) Teams
Sarah Stacey, Head of Organisational
Development, (Item 10 and 11)
Shaheen Sutton, EDI Specialist (Item 10)
Phil Mostyn, Lead Specialist Advisor, Wellbeing

Health & Safety (Item 11) Teams
Rhian Jardine, Head of DPAS and Marine (Public Q&A)

NRW Observers:

Prof Rhys Jones
Kathleen Palmer
Michael Evans, Head of Operations South Central
Kate Evans, Manager, Private Affairs / Private Secretary to CEO
David Mee, Lead Specialist Advisor, Freshwater Fisheries Management (Item 8 and Public Q&A)
External Observers: Julie James, Minister for Climate Change (Item 7)
Claire Bennett, Director of Environmental Sustainability, Welsh Government (Item 7)
Nathan Huish, Welsh Government (Item 7)
Nick Sharratt, Welsh Government (Items 1 to 7)
Catryn Holzinger, Audit Wales (Item 7)
Nigel Milner (Item 8)

Public Observers:

Harriet Alvis - CEO, West Wales Rivers Trust
Kim Waters – Welsh Rivers Union

Declarations:

Prof Steve Ormerod – Member of two Welsh Wildlife Trusts (no influence on policy); Vice President of RSPB (no influence on policy); Member of the National Trust (no influence on policy); Fellow of Chartered Institute of Ecology and Environmental Management (no influence on policy); Scientific research interest in water quality through Cardiff University and the status of rivers, Co-Director of the Cardiff Water Research Institute.
Geraint Davies – Member (no influence over policy): RSPB Cymru; National Trust; National Farmers Union of Wales; Farmers Union of Wales; Game and Wildlife Conservation Trust; Member of an advisory group working on the future direction of the Efyrynwy/Lake Vyrnwy Estate that has land in a SSSI
Mark McKenna – Chief Executive of Down to Earth which has an ongoing planning application in a SAC area; Velindre Cancer Centre – Down to Earth part of the Design Advisory Group; Skyline
Prof Calvin Jones – Management Board Member for Skyline which has interests on NRW managed Estate

Apologies:

Dr Rosie Plummer
Zoe Henderson (9am to 11am)
Ceri Davies (from Item 9)

Secretariat:

Jocelyn Bengier
Natalie Williams

Confirmed Minutes

Item 1. Open Meeting

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

Item 2. Review Minutes and Action Log

2A. Review Minutes from 27th January Public Board Meeting

2. The minutes from the public Board meeting on 27th January were reviewed and agreed.

2B. Review Action Log

3. The action log was reviewed and noted.

Item 3: Update from the Chair

4. The Chair updated the Board on positive meetings held with the Minister, who would be joining the meeting later. The new Corporate Plan would be officially launched in June in the Senedd. The positive working relationships with Welsh Government (WG) officials were noted.
5. The First Minister's second Water Summit had recently taken place. The Summit had received updates on progress on the issues around the paused planning applications. It was accepted that there were a broad range of issues to tackle on water quality. This was being worked on by teams within NRW and offers of support from other organisations involved in the Water Summit had been received along with resources to accelerate the work on water quality. Discussions had taken place in the private Board meeting on the need to be more forthcoming on NRW's work on water quality, including around the signs of progress.
6. Prof Steve Ormerod provided an overview of the Water Summit Action Plan, which included improving the roll out of nature-based solutions, working more constructively with the agricultural community, and looking at blockages to planning. The Summit had been a positive meeting with contributions offered from all quarters.

Item 4: Report from the Chief Executive

7. The Chief Executive gave an update on items in addition to the written report.
8. The week had seen high tides, flood warnings and alerts. Work was also taking place with the Drought Group to consider what would happen if there was a second dry summer with lessons learnt from last year on early engagement with the public and abstractors.
9. The Social Partnership and Public Procurement (Wales) Bill had been passed and was now heading for Royal Assent. An overview was provided on the Social Partnership element, including working with the Trade Unions. NRW were deeply engaged with WG on the changes brought by the Public Procurement element on the way that procurement was managed in Wales. The emphasis in the Corporate

Plan on the impact that could be made in the supply chain on the climate and nature emergencies gave a real impetus to this. This would be brought to a future meeting of the Finance Committee.

10. Thanks were offered to Prof Steve Ormerod and Dr Rosie Plummer for their contributions to the celebration of neurodiversity week, noting their powerful contributions which had enabled staff to talk and share their experiences.
11. The Angel Shark Project had been nominated for a St David's Award, and the announcement was expected on 20th April.
12. The official opening of the scheme at Llyn Tegid would be taking place on Friday 31st March. The completion of the important reservoir safety works was welcomed and the support from the people of Bala was recognised and appreciated.
13. The Board considered the content of the update. It was queried whether the decision for the declaration of drought against a rising baseline of climate change had implications for how water resources were managed. The Executive Director of Evidence, Policy and Permitting (EPP) confirmed that learning from the last drought would include reviewing the information and data for NRW's and the water companies' drought plans, which would lead to a change in the process.
14. Prof Steve Ormerod thanked the team involved in yesterday's Incident Room site visit and also thanked them for their efforts under challenging circumstances during incidents. The recent grim reading regarding leaking sewage pipes and diesel spills was raised and the work on this was queried.
15. The Chief Executive acknowledged the recent issues and confirmed that the appropriate action to be taken was being considered. The clean-up was underway and was being paid for by insurance. The prevention of pollution was a key focus of the new Corporate Plan and the challenge on addressing the root causes was recognised. The response by NRW on taking appropriate action and enforcement was highlighted. It was recommended that Board members and the Minister should be provided with regular updates on enforcement actions. Board members welcomed this and noted the issues around ageing infrastructure in relation to the burst sewer pipe incident but also the random circumstances of the diesel spill incident.

ACTION: Board members and the Minister to be provided with regular updates on enforcement actions

16. The Executive Director of Operations gave an update on incidents, noting that there were around eight to nine thousand per year, some of which were high profile. The Board's recognition of the work involved in incidents was welcomed. An overview of some of the notable incidents from this quarter was provided. The sewer main incident in Magor was described in more detail. The Executive Director of Operations and Executive Director of Evidence, Policy and Permitting (EPP) had met with the Directors of the water companies and discussed the incident on the River Taff, which was related to ageing infrastructure. The water companies had explained their mechanisms for dealing with this in both the short and long term. The discussions around developing a water quality narrative at the Board private session on the previous day were highlighted. This approach could be applied to incidents and enforcements, however, the challenge of doing this during the incident response stage was recognised, particularly when gathering legal evidence. The

team were dedicated to getting this right and shared the public's deep concern when seeing these incidents in the environment.

17. Board members suggested that the approach to the immediate communications' response to incidents should be reviewed, for example, a holding response on social media recognising the issue and the public concern to ensure that NRW were visible on incidents. The publication of reasoning behind enforcement approaches should also be considered.
18. The Board reflected on the focus of the new Corporate Plan on pollution prevention and the need to be more assertive in this area. It was queried whether there was an analysis of trends in pollution which could be used to build a strategy on how to tackle pollution. A presentation on the work on minimising pollution was requested at the next meeting. The recent work published on catchments and water quality data was highlighted.

ACTION: A presentation on the work on minimising pollution to be presented at a future Board meeting

19. Board members highlighted the Natur a Ni Citizens' Assembly in Swansea, noting that this had been very impressive and suggesting that this approach could be taken forward for engagement with the Board.
20. The diversity of attendees at the Citizens' Assemblies was discussed. It was noted that the team had made a careful selection on representation to ensure diversity. Some of the issues over attendance were considered, such as transport and personal difficulties, particularly in light of the cost-of-living crisis. The importance of working in partnership with other organisations was recognised. The Executive Director of Corporate Strategy and Development would consider how to take this forward to ensure the spread of voices. It was suggested that using large survey panel companies could be considered.

Item 5: Update Reports of Committees and Forums

21. Karen Balmer as Interim Chair of the Audit and Risk Assurance Committee (ARAC), updated the Board on the meeting held on 9th March. Kath Palmer was welcomed to the team, as the proposed new Chair of ARAC. A good meeting had taken place with several Internal Audit Reports. A restructure of the Internal Audit team was endorsed. Discussion on Strategic Risk 07 (SR07) took place with more detailed feedback to be picked up outside the meeting. Webinar training on risk deep dives had been recorded and shared. The Cyber Risk was discussed, following a report in January from Audit Wales. The ICT Strategy and disaster recovery piece would be brought to a future Board meeting. Closed sessions took place with Audit Wales and the Head of Internal Audit; no concerns were raised by either party.
22. Prof Peter Rigby, as Chair of the Evidence Advisory Committee (EAC) gave an update on the meeting which took place on 21st February. The paper was taken as read. The membership of EAC would need to be refreshed as Prof Lorraine Whitmarsh had stepped down from the Committee. There would be an opportunity to adjust the membership informed by the requirements of the Committee going forward.
23. Sir David Henshaw as the Chair of the Finance Committee (FC) updated the Board on the meetings held on 9th February and 7th March, which had mainly focused on the budget. The paper was taken as read. Financial performance had been

reviewed and a slight forecasted overspend was noted. An update on Charges had been considered. FC would be taking on additional responsibilities going forward with a focus also on performance. Helen Pittaway was welcomed as the proposed new Chair of FC.

24. Julia Cherrett as Interim Chair of the Flood Risk Management Committee (FRMC) updated the Board on work since the meeting held on 24th January, noting that there were no further updates.
25. Professor Calvin Jones as the Chair of the Land Estate Committee (LEC) updated the Board on work since the first meeting held on 19th January. An update was provided on the Land Stewardship Business Plan Performance Dashboard measures, which were noted as mainly Green in Red Amber Green (RAG) status, apart from Amber on National Nature Reserve (NNR) Management due to issues with contractor availability. Issues with the reduction in forecasted timber income were noted, particularly the implications on ability to spend on nature management improvements. The Recreation Strategy was underway, and a draft was anticipated by the autumn before going out to consultation. The Commercial Strategy was underway, with increased maturity in negotiations ensuring that value was achieved from the land within NRW's management.
26. Julia Cherrett as the Chair of the People and Customer Committee (PCC) (formerly the People and Remuneration Committee) updated the Board on the meeting held on 15th March. An update was provided on the Transformation Programme, with confidence that the building blocks were being put in place and quick wins being realised. PCC had requested more tracking on the benefits of the Programme. A new approach would be taken on Wellbeing, Health and Safety (WHS) which would provide a drill-down on cause and effect and lessons learned. The WHS Manager was undertaking a training needs analysis for high-risk activities and hostile sites training. A new Construction Design and Management (CDM) process had been put in place following learning from a Serious Incident Review (SIR). Board members were urged to look at their own online training. Recruitment remained an ongoing challenge and a deep dive on recruitment had taken place and a project looking at business critical roles in the Flood team. The quarterly Communications Report was received with lots of activity, and questions around actionable insights. Presentations were received on good engagement practice, the pilot to centralised correspondence, and the new website. The Equality, Diversity and Inclusion Report was scrutinised and endorsed for Board. A deep dive took place on the Resourcing Strategic Risk.
27. Prof Steve Ormerod deputising for Dr Rosie Plummer as the Chair of the Protected Areas Committee (PrAC) provided an update on the meeting held on 7th February. An item on the retained EU Bill was received. Issues were considered around the current condition of Sites of Special Scientific Interest (SSSI). It was noted that only around 20% were in favourable condition and PrAC had considered what was needed to turn this around. An item was received on Net Benefit for Biodiversity. Biodiversity Net Gain was in place in England which looked to either levy funds or install specific features for biodiversity as a result of development. Wales was looking for its own version of this in the form of Net Benefit for Biodiversity. PrAC considered the development of a protocol to properly appraise management issues or unfavourable condition issues for incidences where NRW had an involvement on its own Estate where the land was a SSSI.
28. Zoe Henderson as the Chair of the Wales Land Management Forum (WLMF) updated the Board. The paper was taken as read. The focus on innovation in the

Agricultural Pollution Sub-Group was highlighted. This was an opportunity to focus on innovation in eliminating agricultural pollution.

29. Professor Steve Ormerod as Chair of the Wales Fisheries Forum (WFF) and Wales Water Management Forum (WWMF) gave an update. A substantive item on the plight of the Atlantic Salmon would follow which had been presented to the WFF. An item was received which linked to the status of sea trout and the extent to which they were also declining. Discussions were ongoing with net fisheries' licensees on how this would go forward. An item on Fishing in Wales was highlighted which considered the economic, recreational, and wellbeing importance of angling, and included interesting statistics on people who were angling in Wales.
30. The WWMF had discussed an update on bathing waters and the notion of designating bathing waters. There were now candidate rivers and standing waters identified which would be part of a pilot in 2023, the concept acting as a means for strengthening water quality monitoring and potentially driving improvement. A presentation was provided on the analysis of NRW and Environment Agency (EA) regulatory data illustrating some of the trajectories of biological communities in relation to pollution. An item was received on Citizen Science in relation to water including consideration of the challenges on quality assurance, and data collection organisation. There was also a presentation from WG including data on the analysis on waste water treatment works and sewer misconnections giving rise to pharmaceuticals in the river environment.
31. Zoe Henderson highlighted that the same presentation on Citizen Science had been received at WLMF and expressed some disappointment that it had focused largely on the challenges rather than the opportunities.
32. Geraint Davies as Chair of the National Access Forum for Wales (NAFW) updated the Board on the meeting held on 14th March. Geraint Davies gave an update to the NAFW on his meeting with Lesley Griffiths, the Minister for Rural Affairs and North Wales, and Trefnydd, on discussions on the role and value of NAFW to WG and stakeholders. The Minister was invited to the next meeting in the summer and would be taking part in a walk in her constituency to raise awareness of the importance of increasing diverse access to the countryside. Other items covered at the meeting included the Wales Coast Path, and an update on Creative Nature. An interesting presentation was also received on the work by Parc Cenedlaethol Eryri/Snowdonia National Park on disability access which highlighted the positive benefits of accessing the countryside.

Item 6: Finance Performance Report

Presenter: Mark Collins, Business Finance Manager

33. The Executive Director of Finance and Corporate Services introduced the item. The Business Finance Manager presented the Finance Performance Report and took the paper as read for the financial position to the end of January. This had presented to the Finance Committee and the Executive Team (ET) with the February position, which included a likely forecast to the end of the financial year. The paper noted the Income position as largely on target at £237m, but with potential additional funding of £1.1m for Peatlands and £2m for Flood Capital. These had both now been approved by the Minister and therefore the overall income for this year was now just over £240m. The paper noted that in January, £33.8m was forecast for timber income. The forecast had fluctuated in recent months but with predictions falling by around £1m. However, dispatches had

improved, so the likely outturn was now around £33.7m. WG had now confirmed a payment of £6.9m to the pension fund. The end of year position was likely to be around £247m. The only potential variant to this figure would be if the additional external funding was not drawn down.

34. Expenditure was ahead of profile by £5m at the end of January, £3m of which was related to the Flood Capital Programme, but the additional £2m noted above would enable the target to be achieved at year end for Flood Capital. The remaining £2m noted in the paper related to Land Stewardship activities. Savings had been diverted from other areas to support this alongside a review of the Programme, but it was still likely that there would be an overspend of £1m at year end. WG had been kept updated and had been formally notified of the likely overspend. WG had suggested that the pension payment could be reduced but this would add to budgetary pressures for next year. The final position would be known by mid-April after the final accruals had been processed.
35. Board members considered the content of the report and queried the overspend in Land Stewardship. It was explained that overspend had taken place on expenditure items such as roads and civils. A thorough lessons learned exercise and a deep dive were due to take place. It was noted that the starting position had been based on timber income and lessons from this would be taken forward.
36. The Board noted the financial performance to end of January 2023 and approved the change to the bottom-line forecast increase to £237.1m

APPROVED: The change to the bottom-line forecast increase to £237.1m

Item 7a: Minister for Climate Change – Q&A

37. The Chair welcomed Julie James, Minister for Climate Change, to the Board meeting.
38. The Minister thanked the Board for the invitation to join the meeting and praised the work on the new Corporate Plan, commenting that it had been an inspiring read and that there was an opportunity to make a serious difference. The shared determination between NRW and WG to achieve this was welcomed. The Minister welcomed the new Board members and commented on the current vibrant and forward-looking Board. Thanks were offered to the long-standing Board members, in particular Karen Balmer and Zoe Henderson, who were coming to the end of their term of appointment. Prof Calvin Jones and Mark McKenna were congratulated on their renewed appointment to the Board and their ability to bring a different perspective to issues was welcomed. The importance of speaking the truth to power was highlighted.
39. Prof Steve Ormerod described the analysis carried out by Cardiff University which had found that the regulatory actions brought in during the 1990s had had an effect on improving the urban river environment and that sight should not be lost of the positive impact that could happen when action was taken.
40. In response to a question from Prof Steve Ormerod on how the nature, climate and pollution emergencies could be kept at the heart of Government business, the Minister highlighted that her Ministerial portfolio supported coverage of these issues. There were challenges around the budget, which was described as one of the worst with only £1m of capital, but despite the hard task, NRW's budget had been supported and there was visible proof that nature was prioritised. The

budgetary pressures in the NHS were acknowledged but the link between the health and environment agendas was recognised. The Minister described her mission in enmeshing the direction of travel on the environment and ensuring legislation was fit for purpose for protecting the environment, particularly as a result of the UK exit from the European Union. The number of challenges on this were described. The role of NRW, WG officials, and Environmental Non-Governmental Organisations (eNGOs) in continuing to work on these issues would be key with a Team Wales approach.

41. Julia Cherrett asked the Minister for her views on the struggle on attracting new talent and the challenge on broadening the reach of NRW on recruitment and engagement on the environment. The Minister explained that a behaviour change programme was about to be launched in Wales, which would reach out to more diverse communities and engage on opportunities around shadowing, mentoring and internships. NRW would have an important role in supporting the campaign. It was also planned to look internally at the public appointments' process on this issue.

Item 7b: Formal Approval of the Corporate Plan 2023-2030

Sponsor and Presenter: Clare Pillman, Chief Executive

Attendees: Sarah Williams, Head of Corporate Strategy and Programme Management Office;

Catrin Hornung, Head of Communications and Digital Transformation; Lynette Bowley, Senior Specialist Advisor, Media

42. The Chief Executive introduced the item. Thanks were offered to the Board, ET, Leadership Team (LT) and everyone who had been involved. It had been an detailed process, involving rigorous debates and discussion. The Plan was of the moment, post Conference of the Parties 15 (COP15) and COP26, and the recent Intergovernmental Panel on Climate Change (IPCC) publication. The Vision, 'Nature and People Thriving Together', would need everyone's support. The considerable challenge on this was recognised with the ongoing issues of flood, wildfire, drought, and the loss of habitats and species against a backdrop of economic and international concerns. NRW would be working with WG and others towards the 2030 targets with a long-term view to 2050. The planning for delivery had already begun and the proposed internal changes within NRW were described. Each member of ET would lead on a key area within the Plan – Pollution, Nature, Climate, Resources, Transformation. The Corporate Plan was recommended to the Board and then the Minister for approval.
43. The Chair commented on the discussions on delivery of the Plan at the private Board meeting. There was a need to fundamentally challenge the way that NRW operated within the legislative and regulatory frameworks, in particular around the culture and thinking differently, taking a Team Wales approach, working with WG and others on implementation.
44. The Minister noted that the Plan was reflective of the Remit Letters and discussions that had taken place. The relationship between NRW and WG had transformed and developed into an effective, open, and honest working relationship. The work on the Baseline Review was praised and had helped WG to arrange the budget more effectively.

45. Board members considered the new Corporate Plan, reflecting that it was both aspirational and inspirational. The work on enmeshing the Minister's agenda with the other agendas within Government was noted. It was also emphasised that help would be needed with the transformational change required. The discussions on the role of the Public Service Boards' (PSB) Wellbeing Plans at the private Board meeting were noted.
46. There would be a need for a radical approach to a variety of issues, for example, that not everyone could be protected from flooding, and the Minister's support on this was welcomed. The importance of leading by example and the role of WG in this was highlighted. The Minister emphasised the importance of working together and a unified approach on difficult issues to bring about change, for example, in flooding. The radical agenda by WG was highlighted, for example, with the Roads Review, Clean Air Act, and the introduction of 20mph speed limits. The role of the First Minister in driving change forward was recognised. The Minister described her reasons for entering politics and her desire to see positive change. The importance of appropriate UK Government funding was emphasised and the example of the issues around the Celtic Sea developments were described.
47. The discussions that had taken place around the tone of the Corporate Plan, particularly on whether it was too pessimistic, were noted. Board members welcomed the Minister's approach to the importance of speaking truth to power and honesty in facilitating open discussions.
48. It would be important to bring Nature into the heart of the discussion on the economy. The Minister commented on the importance of shifting the dial on the circular economy and highlighted the success in recycling and its role in attracting jobs and economic benefit to Wales. The Chief Executive described a meeting with the group in Milford Haven on the decarbonisation agenda. The need for a regulatory shift but with a just transition were recognised.
49. Board members highlighted the role that farmers could take in helping to tackle the climate and nature emergencies and urged the WG to look at more ways of working together. The Minister agreed on the important role of farmers but recognised the importance of farmers working together to share best practice and develop approaches with their peers, in conjunction with legislation such as the Sustainable Farming Scheme and economic policies.
50. The Chair offered sincere thanks to the Minister for her attendance at the Board meeting.
51. The Minister left the meeting.
52. The Board approved the Corporate Plan to 2030.

APPROVED: The Corporate Plan to 2030

Item 8: Update on Atlantic Salmon

Presenter: Ben Wilson, Principal Advisor, Fisheries

53. The Executive Director of Evidence, Policy and Permitting (EPP) introduced the item, and highlighted that this was another piece of evidence which illustrated how nature and people were not thriving together. Prof Steve Ormerod explained that the evidence presented was a piece of commissioned, complex, fisheries science.

Prof Ormerod commented on the salmon as an iconic, highly protected, economically important organism, the protection of which was being failed in the areas of landscape, inland water, and marine management. This, combined with the impact of climate change, meant that the salmon was facing extinction in various rivers in Wales. There was an opportunity to turn the situation around but urgent action was needed.

54. The Principal Advisor, Fisheries, gave a presentation to the Board on the findings from the Evidence Report 674 'The identification and characterisation of small salmon populations to support their conservation and management' by Carlos Garcia De Leaniz and Nigel Milner. It was highlighted that salmon, along with the closely linked sea trout, were a key indicator of environmental quality. They were noted as a feature of many of the designated sites of Special Area of Conservation (SAC) and there were international obligations to manage them. It was recognised that they were economically and socially important, and in decline not just in Wales but across the British Isles and North Atlantic. In light of this declining population in Wales, the Report considered when the critical point would be reached. It was highlighted that this situation could also be applied to other species such as curlew and water voles. The reduction in population size made them more vulnerable to pressures such as hot summers, warm winters, land management issues, and water quality issues. The resulting reduction in genetic diversity and fitness was explained.
55. It was projected that 15 of the 22 principal salmon rivers in Wales would not have salmon in them in the next ten to 20 years. The outlook was bleak, and this was the first time that the term 'extinction' had been used. However, the Report highlighted that there was room for hope and some of the possible interventions were explained. The Plan of Action was described, which included Nature-Based Solutions as an integral part. Capital funding from the Nature and Climate Emergency (NACE) fund would be helping to address a wide range of issues, alongside projects tackling metal mines, peat remediation and tree planting. Tree planting in riparian zones was highlighted, particularly ensuring the right tree in the right place. The importance of taking action now was emphasised and the Salmon and Sea Trout Plan of Action would be embedded within NRW and beyond.
56. The Board considered the update, noting the content with deep concern, and that this epitomised what was going wrong in the freshwater and marine environment. The urgency of the situation was recognised. The conversations earlier in the meeting around speaking truth to power were highlighted.
57. Discussion took place on how to reach all the target audiences on this issue. The importance of a combined approach was emphasised.
58. The measures that could be taken to improve the situation were considered, for example, around woodland planting along the river banks for shade, pollution reduction, and structural habitats. It was suggested that riparian owners could be mobilised to take rapid action. The role of the NRW Estate in this was highlighted. Prof Calvin Jones, as Chair of the LEC, proposed that the Committee could consider the information that was held on NRW's riparian habitat.

ACTION: A discussion on the condition of the riparian habitat on the NRW Estate to be added to the Land Estate Committee Forward Look.

59. The importance of working with others was emphasised, such as landowners, the Woodland Trust, and River Trusts in Wales. It would be important to understand the

challenges for landowners and the role of grant funding in supporting work was highlighted.

60. It was recognised that this was a complex situation but also a good case study for the new Corporate Plan, with the combined issues of climate, nature, and pollution coming together. The compelling story could be used to engage and mobilise people to act, harnessing anger around the issues to create a campaign. The challenge to think differently and come up with radical ideas was emphasised. The Board discussed how this could happen and some examples of radical thinking were suggested. The work by the education team in schools on rivers and salmon was explained. The Chair requested that the Principal Advisor, Fisheries, return to the July Board meeting with suggestions on a radical approach to the plight of the salmon. Zoe Henderson, as Chair of the WLMF, requested that the presentation be provided to the next meeting of the WLMF Sub Group on Agricultural Pollution.

ACTION: The Principal Advisor, Fisheries, to return to the July Board meeting with suggestions on a radical approach to the plight of the salmon.

ACTION: The presentation on the plight of the Atlantic Salmon to be presented to the Wales Land Management Forum Sub Group on Agricultural Pollution.

Item 9: Business Plan Performance Dashboard Quarter 3 Report

Sponsor and Presenter: Clare Pillman, Chief Executive

Attendees: Caroline Hawkins, Corporate Planning, Performance & Strategic Assessment Manager, Sarah Williams, Head of Corporate Strategy and Programme Management Office

61. The Chief Executive presented the Quarter 3 (Q3) Business Plan Performance Dashboard Report. The paper was taken as read. It was explained that the RAG status of two measures in Q3 were Red, however these were different to the two Red measures noted in Q2. The two Red measures for Q3 were likely to still be Red at year end. The Flood Risk Management Plans were considered at ET in the autumn but would need to align with the new Corporate Plan and were therefore delayed. The other Red measure on 'delivery of programmes to review statutory water quality requirements' required additional quality assurance work on the nutrients review. No RAG status was applied to the measure on 'work to set the strategic direction for development and implementation of projects' due to changes in the WG planned timescales. The Internal Performance measures were explained. Three indicators were Red, although Health and Safety Near Miss Reporting was expected to be Green at year end. Absence had moved to Red in Q3. The rise in the sickness absence rate had been noted by PCC and a deep dive would take place on this.

62. Board members considered the content of the update. It was queried when the measure on water quality was expected to move from Red. The Executive Director of Operations explained that this was expected to happen from the first quarter of 2023/24.

APPROVED: The Business Plan Performance Dashboard Q3 Report and Internal Performance Quarter 3 Report

Item 10: Diversity and Inclusion Report 2022-23 and Discussion

Presenters: Sarah Stacey, Head of Organisational Development, Shaheen Sutton, EDI Specialist

63. The Executive Director of Corporate Strategy and Development introduced the item, noting that time had been spent last year on developing the Diversity and Inclusion (D&I) Strategy which was now being implemented and built into the People programme of work. The Report included details on the progress tracked against the Action Plan. The work of the staff networks was highlighted. Thanks were offered to Zoe Henderson for her work and support on the Equality, Diversity, and Inclusion (EDI) Forum.
64. Julia Cherrett as Chair of the People and Customer Committee, commented on the Report noting that there had been a slight decline in the Gender Pay Gap. PCC had reviewed the information and considered that it was reasonable due to the small numbers involved and that this did sometimes occur between years. There were some interesting questions about what the Board could do to get behind this sort of work. Discussions would follow in areas such as Associate Director roles.
65. The Head of Organisational Development posed the following questions for the Board: How could the Board further support D&I in NRW? Any examples that could be shared of best practice to promote inclusion and diversity?
66. The Chair requested that a special session should be created to enable sufficient time to focus and develop the themes around this issue. The Head of Organisational Development agreed to build a special EDI session into the Board Development Programme.

ACTION: The Head of Organisational Development to build a special EDI session into the Board Development Programme

67. Zoe Henderson, as Chair of the EDI Forum, commented on the importance of active support from the Board and the value of the EDI Forum, noting the rich, open discussions and the opportunity to highlight the work of various groups. The importance of the work carried out in increasing understanding of neurodiversity was highlighted and the training on this issue had been very enlightening. It would be important not to restrict discussion to the nine protected characteristics, as Inclusion and Diversity was relevant to everyone in the way in which all different people could be included. The unintended consequences of creating new excluded groups (for example, rural communities) would need careful consideration along with awareness of the broader aspects of Diversity and Inclusion.
68. The Chair invited Zoe Henderson to join the future EDI discussion session which would take place after the end of her Board appointment and noted that a replacement would be sought for her role as EDI Forum Chair.

ACTION: Zoe Henderson to be invited to join the future EDI discussion session

69. Board members considered the content of the Report. The approach to understanding staff turnover was queried, especially where staff were from more diverse backgrounds. It was suggested that more could be done as part of exit interviews to understand the lived experience of people in order to act proactively. The Head of Organisational Development confirmed that this would be part of the work over the next six months.
70. The outward-facing approach was considered. Best practice could be shared on working with communities who were not normally engaged in the work of NRW. It

was suggested that there was an opportunity to link the radical thinking on supporting the salmon population and engaging with different communities. The external messaging on the website was highlighted for development.

71. The Anti-Racism Pledge was discussed, and it was queried what NRW could do with this, particularly around tracking career experiences. The Head of Organisational Development confirmed that this was one of the areas being considered for assurance as progression was an important indicator of inclusivity. Recruitment was discussed and the importance of offering support and proactive opportunities for were recognised.

72. Geraint Davies, as Chair of NAFW, offered his support in developing access to, and understanding of, the countryside for people of all backgrounds.

73. The Board approved the Diversity and Inclusion Report 2022-23.

APPROVED: The Diversity and Inclusion Report 2022-23

Item 11: Wellbeing, Health and Safety Quarter 3 Report

Presenter: Sarah Stacey, Head of Organisational Development; Phil Mostyn, Lead Specialist Advisor, Wellbeing Health & Safety

74. The Executive Director of Corporate Strategy and Development introduced the item. This was explained as a regular Report, which was also scrutinised by PCC. The recertification of the international standard for occupational health and safety, ISO 45001, was highlighted, along with a positive review by the Health and Safety Executive (HSE) in relation to forestry inspections, which provided good assurance for the Board. Looking ahead, work would continue on active monitoring and reporting, and also Near Miss reporting. A significant piece of work was taking place on training and development, including training needs analysis. Detailed work was also taking place on mental health issues.

75. The Head of Organisational Development updated the Board on two SIRs that had been commissioned. It was reported that there had been no RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) or Lost Time incidents in Q3, and also that Near Miss reporting had increased in Q3. NRW had been successful in retaining the Corporate Health Standard (CHS) Silver Award. The assessor had been complimentary of the work undertaken during the pandemic and the wellbeing of NRW staff. The Wellbeing team had focused on issues around the cost-of-living crisis and had run financial awareness sessions. The Learning and Development team had their busiest period in Q3, developing courses including training on dealing with hostile situations. The Wellbeing, Health and Safety Manager was working with the People Management team on the data on mental health referrals to understand the details. This was being covered by PCC.

76. The Board considered the content of the Report and queried what was needed to achieve the CHS Gold Award. The Head of Organisational Development explained the feedback received on this from the assessor, noting that NRW were already close to the Gold Award standard.

APPROVED: The Wellbeing, Health and Safety Quarter 3 Report

Item 12: Review of Board Committee Membership

Presenter: Colette Fletcher, Head of Governance and Board Secretary

77. The Head of Governance and Board Secretary introduced the item and took the paper as read. It was noted that some of the changes were immediate and other would be changes to follow. It was also noted that a new Chair of the EDI Forum would be selected following earlier discussions.

78. The Board approved the proposed Board Committee and Forum membership.

ACTION: A new EDI Forum Chair to be agreed

APPROVED: The Board Committee and Forum membership as detailed in the paper

Item 13: Terms of Reference

Presenter: Colette Fletcher, Head of Governance and Board Secretary

79. The Head of Governance and Board Secretary introduced the item and took the paper as read.

80. Board members recommended that the scope and purpose of Board Committees' Terms of Reference should include reference to the new Corporate Plan.

ACTION: The scope and purpose of the Board Committees' Terms of Reference to include reference to the new Corporate Plan

APPROVED: The revised Terms of Reference for the Protected Areas Committee, Land Estate Committee, and Finance Committee

Item 14: Board Forward Look

Presenter: Colette Fletcher, Head of Governance and Board Secretary

81. The Head of Governance and Board Secretary introduced the item and took the paper as read.

82. The Board reviewed and noted the Forward Look.

Item 15: AOB

83. The Chief Executive noted the recent WG announcement on the two freeports to be established in Milford Haven and Port Talbot, and Anglesey, which would be areas of growth and energy. NRW would need to respond, and the regulatory framework would need to develop alongside this.

84. The Executive Director of Operations updated the Board on his attendance at the recent session with the Secretary of State for Wales and the South Wales Industrial Cluster. The importance of this in the move towards decarbonisation was emphasised. NRW teams were involved, and the Board would be updated on the issues. Board members commented on the work to be done to achieve zero carbon by 2040, highlighting the holistic system that would be needed for this to be achieved.

85. The Chief Executive noted the appointment of the new CEO of the Environment Agency.

86. Prof Steve Ormerod highlighted the United Nations (UN) Water Conference and recommended that some of the lessons from this should come to a future Board. The UN thinking on water was increasingly around taking a holistic view which linked to everything from drinking water supply to waste water treatment to the protection of surface water. It would be important to understand what this would mean for NRW.

ACTION: Outcomes from the UN Water Conference to be added to the Board Forward Look for a future meeting

87. The Board reflected on the meeting. The new colleagues and voices were very welcome. The value in the space and time to enable rich conversations was highlighted. It was recommended that time should be included within the Board Development Day Programme on how meetings were structured to enable those conversations to happen.

ACTION: An item to be included within the Board Development Day Programme to consider the structure of Board meetings to enable rich discussions

88. The Chair offered sincere thanks to Karen Balmer and Zoe Henderson for their incredible support and contribution during their time as Board members.

- End of Public Meeting –

Public Q&A

1. Questions were received from Kim Waters, Welsh Rivers Union. These included:
 - a. Each of the public board meeting is recorded but not available to the public after the event. Providing recorded access to public events is now standard practice if open transparency is actually valued by our institutions. Giving access to people and communities who aren't retired is very important.
 - b. Can the CEO give a summary, status update of the catastrophic Dŵr Cymru sewer failure in the Taff ten days ago?
 - Cause
 - Impact
 - Future risks
 - Other site risks
 - Evidence of negligence with reports of earlier notifications
 - c. PFAS awareness has come up the agenda with the recent work done by Watershed Investigations. Key vectors for PFAS are CSOs and the spread on land of "Sewage Cake" something that Dŵr Cymru confirmed to you last month have no idea where it is spread.
 - d. Can NRW give a projection/assessment with current policies and process in place of the impact of PFAS entering the Welsh environment? Could you give focus to drinking water pumped out of rivers that have serious CSO loading? e.g. River Usk and Llandegffed Reservoir.
2. The Chair responded to the first question and noted that the issue of recording would need further discussion and consideration by the Board.

3. The Executive Director of Operations responded to the second question, explaining that members of NRW shared the same concerns when attending incidents such as this. There had been a failure in the main sewer which had resulted in a volume of sewage spilling into the river Taff. An immediate diversion of the sewer took place, although there was a problem with the initial repair. The company were investigating the reason for the pipe failure, as the cause was not yet known. Water quality samples were taken. It was anticipated that any impact would have been short term and no dead fish or invertebrates had been found. Work continued with Dŵr Cymru to ensure that future risks were minimised. A routine meeting with water company directors had taken place and they had indicated their measures at this site and the wider infrastructure, and the Asset Management Plan (AMP) investment at other sites. Risks at other sites were recognised. The impact of a recent incident at Magor, including impacts on the wider Site of Special Scientific Interest (SSSI), were noted. It was not appropriate to comment at this time on the evidence of negligence as this would form part of the investigation.
4. Mr Waters welcomed the Board discussion earlier in the meeting on this issue and highlighted that the water companies should not use the excuse of dealing with a Victorian sewage system.
5. The Head of DPAS and Marine responded to the third and fourth questions from Mr Waters. Poly and perfluoroalkyl substances (PFAS) were explained as a large group of synthetic fluorinated chemicals used in a wide range of manufactured products. Some of these uses had been subject to controls under legislation, but other uses were ongoing. NRW monitored for and reported PFAS for the Water Framework Directive Regulations (WFD). The PFAS, perfluorooctanoic acid (PFOA), was also monitored. As PFAS bioaccumulate the WFD guided towards monitoring in biological samples, such as fish or shellfish. The limit on the scope of the monitoring was explained but it was noted that none of the samples had so far failed the WFD standard. Work was taking place to develop laboratory analysis methods for a greater range of PFAS and a review of all PFAS data held by NRW would take place to identify any additional evidence needs. The potential additions were described. Risk assessments had taken place and targeted monitoring for specific sites was being considered.
6. It was explained that NRW were part of a cross-government working group on PFAS and were in regular discussions with Welsh Government and other regulators such as the Drinking Water Inspectorate to share evidence and derive consistent policy. NRW also participated in the Chemical Investigations Programme 4 which would investigate sources and cycling of PFAS from wastewater sources and cycling in the environment such as spreading to land. It was highlighted that there was no legislative tool for controlling any PFAS applications to land or in any land/soil. It was explained that the chemical was so ubiquitous it would be picked up in most applications. It was recognised that the current regulatory controls over sludge applied to agricultural land were old and did not assess for complex chemicals. England and Scotland were currently reforming these regulatory controls NRW were in discussion with WG on this matter.
7. NRW would be requiring the water companies to ensure that their National Environment Programmes (NEP) prepared for future challenges, including PFAS. PFAS had come up as a Drinking Water Inspectorate (DWI) priority to protect public water supplies therefore NRW would be looking for water company Price Review 24 (PR24) investment to meet this DWI requirement.

8. The Chair thanked Mr Waters for his questions and confirmed that a written response would be provided.

ACTION: A written response to questions raised at the public Q&A session to be sent to Mr Kim Waters.

9. A question was received from Harriet Alvis - CEO, West Wales Rivers Trust, which was read to the Board by the Head of Governance and Board Secretary: I was saddened to hear from a member of the Board that change in the agricultural community can only be achieved by fellow farmers driving those that are behind along. Of course, that is a part of any progress change and there are many farmers who are proactive and environmentally focused but I think that this statement just highlights the weakness of NRW in one of your key responsibilities – enforcement. We have plenty of data now in the form of SAGIS modelling, pollution report figures, WFD and others to show that for many of our rural catchments, particularly in West Wales that agriculture is the main contributor to water quality decline. DCWW are rightly starting to be held accountable for their part but the same does not appear to be the case for agriculture. Can the Board please tell me how often on average each farm can expect an NRW visit? Please do not include the Rivers for LIFE Project work in this as it is a short-term project that does not include any key regulatory assessments such as slurry store capacity and condition. Second question – what are NRW’s plans to improve farm visit rates as well as enforcement of the basic regulations that are being breached on a regular basis.
10. The Executive Director of Operations provided an overview response to the question. The broader issues and the number of contributors on water quality were recognised. It was explained that whilst in incident mode, the response involved following the source. On average there were currently a low number of farm visits, around 1% in relation to Ground-water Regulations. However, there were several projects on the ground, such as the Four Rivers for LIFE Projects which included active visits and proactive work in these areas as part of these projects, working in partnership with landowners including farmers. The Control of Agricultural Pollution Regulations had now come into force and resources had recently been received by NRW in relation to this. Recruitment for a team of around 20 staff would be taking place, whose roles would focus on farm visits in a regulatory capacity.
11. The Chair confirmed that a more detailed written response would follow.

ACTION: A written response to questions raised at the public Q&A session to be sent to Harriet Alvis

12. Mr Waters commented on the presentation on the plight of the Atlantic Salmon and expressed anger at the situation, particularly around long-term knowledge of the issue, highlighting historic studies on the issues of pollution and poor farming practices. He expressed the view that the issues to be addressed were hard but mostly politics and policy rather than basic ecology. Mr Waters offered his assistance with insight, helping to inform, and in providing evidence of poor farming practice and Combined Storm Overflow (CSO) issues.
13. The Chair welcomed Mr Waters’ offer of assistance in garnering public interest and anger at the potential loss of the salmon, and also encouraged Mr Waters to provide details on the polluting sites that he had described.

- End of Meeting -