

## Minutes

Extraordinary meeting of the Board

Monday 9 May – 11am

Online via Microsoft Teams

### Members

Malcolm Beatty OBE	Board Member
Richard Greenhous	Chief of Staff and Board Member
Julie Hill MBE	Board Member
Professor Dan Laffoley	Board Member
Professor Richard Macrory CBE	Board Member
Natalie Prosser	CEO
Dame Glenys Stacey	Chair

### Attendees

Peter Ashford	General Counsel
Simon Brockington	Chief Insights Officer
Alexis Edward	Head of Finance and Corporate Services
Neil Emmott	Head of Monitoring Environmental Law and Advice
REDACTED	Principal Officer Monitoring Environmental Law and Advice
Andy Lester	Head of Business Strategy and Planning
Helen Venn	Chief Regulatory Officer
REDACTED	Business and Governance Officer (Secretariat)

## 22.39 **Apologies for absence and declarations of interest**

Apologies were received for Dr Paul Leinster. He has been invited by the Chair to provide comments via email.

There were no new declarations of interest.

## 22.40 **Approach to advice on government's nature green paper**

The Board was reminded of the context in which the advice was proposed. Government's consultation opened seven weeks ago and the Secretary of State asked the OEP to provide advice two weeks later. Beyond prior discussions with the Board, in preparing the draft advice, the team had conducted fifteen stakeholder meetings to discuss the issues raised for consultation and related matters.

The Board sought assurance on whether these stakeholder meetings were representative, or narrow. A broad spectrum of stakeholders was involved, representing a range of sectors and interest groups.

The Board discussed the tone of the proposed advice. The advice notes the ambition set out in the green paper, encourages government to identify opportunities through non-legislative reform and then consider recommendations for legislative reform. The Board pressed for greater clarity of the OEP's position in the drafting. Our opinion and advice could be more impactful if directly and firmly expressed. Our letter could draw the reader's attention more clearly to our key points and potentially be shorter.

The Board considered the draft advice letter and proposed key attributes for an effective framework for nature protection and recovery in detail, making a number of comments on specific drafting and emphasis. In particular, it encouraged a stronger emphasis on links with and the importance of coherence with the 25-year environment plan. It also made comments to encourage consistency with our advice on biodiversity net gain, and the preliminary work on government's targets consultation. The Board judged the 30 by 30 target, and the need for the proposals to deliver nature recovery, not just halting decline worthy of emphasis. The Board also judged that we should comment more clearly on the need for the benefits of the proposals to outweigh the risks.

The Board considered each recommendation in turn. It requested amendments to expression for greater clarity, sought assurance and made specific observations about a small number of recommendations.

*This section has been redacted as it contains legally privileged advice.*

The Board noted that it was proposed to provide advice on a broader range of issues than those requested by the Secretary of State. It **AGREED** that there is benefit in doing so, but that this should be explained in the covering letter.

The Board **AGREED** to provide the advice to Minister Pow and the Secretary of State on the substantive basis of the form and substance set out at Annex one, and

that any drafting amendments necessary to reflect the Board's comments shall be agreed by the Chief Executive in consultation with the Chair. The Board judged that its comments did not materially amend the form and substance of the advice.

22.41           **Any other business**

*This section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement.*

The meeting concluded at 12.56.