

Minutes

Meeting of the Board

Thursday 31 March – 2pm

Online via Microsoft Teams

Members

Richard Greenhous	Chief of Staff and Board Member
Julie Hill MBE	Board Member
Professor Dan Laffoley	Board Member
Dr Paul Leinster CBE	Board Member
Professor Richard Macrory CBE	Board Member
Natalie Prosser	Interim CEO

Attendees

Peter Ashford	General Counsel
Simon Brockington	Chief Insights Officer
REDACTED	Senior Monitoring Environmental Law Officer (item 22.28)
Alexis Edward	Head of Finance and Corporate Services
Neil Emmott	Head of Monitoring Environmental Law and Advice
Mike Fox	Head of Communications and Strategic Relations
Helena Gauterin	Head of Environmental Law
Tim Graham	Head of Natural Science and Analysis
REDACTED	Principal Monitoring Environmental Law and Advice Officer
Andy Lester	Head of Business Strategy and Planning
Helen Venn	Chief Regulatory Officer

22.27 **Apologies for absence and declarations of interest**

Apologies were received from Dame Glenys Stacey. In her absence, the Board **AGREED** that Dr Paul Leinster would chair this meeting.

There were no new declarations of interest.

22.28 **Advice on biodiversity net gain**

The Board considered the basis of the OEP's response to government's consultation. It **AGREED** to provide written advice to Minister Pow and Secretary of State Eustice under section 30(3) of the Environment Act.

The Board discussed the substance of the advice proposed including the extent to which our advice should comment on the importance of the policy incorporating ecosystem services lost, rather than only spatial areas or habitats. This could link to the proposed advice on the need for there to be a path to environmental net gain.

The proposed advice stressed the importance of coherence between policy areas. The Board queried whether this was too optimistic in tone, and whether a slightly more sceptical tone was appropriate. The Board discussed the extent to which the advice could be strengthened in its commentary on areas of governance and funding, potentially to include a single point of contact.

A discussion was held on the percentage of net gain needed for nature recovery. It noted that the 10% proposed is as Parliament has decided, although the SoS can amend through regulation. It also noted that the evidence to support the 10% was not in the public domain. The Board considered it important that this percentage be subject to review, within the wider review of the policy we recommend.

The Board considered the recommendations in turn, proposing clarification or amendment to reflect its discussion. It discussed in particular that the recommendations on irreplaceable habitat should be strengthened, and that recommendations should draw links with the Nature Green Paper now published.

The Board **AGREED** to provide advice in the substantive form annexed to the paper. It **AGREED** that any drafting amendments necessary to reflect the Board's comments shall be agreed by the Interim CEO and Dr Paul Leinster. The Interim CEO and Dr Leinster shall consult with the Chair in doing so, to the extent possible.

22.29 **Approach to advice on government's nature green paper**

The Board was informed that *this section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

The Board provided feedback on the approach proposed, and in particular the proposals that our advice be formed as high level statements, and based on a framework of the necessary characteristics of good environment legislation to meet government's objectives. These characteristics should link to the building blocks identified through the 25YEP monitoring report and our advice on environmental targets, where appropriate.

The Board discussed the importance of coherence between government's various nature policies, in considering our response and these characteristics.

22.30 **Any other business and publication of papers**

There was no other business. The meeting ended at 3.52pm.