



Office for Environmental Protection

Minutes

Meeting of the Board

Thursday 28 September 2023 9am

MS Teams

Members

Malcolm Beatty OBE	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	Chief Executive
Dame Glenys Stacey	Chair
Helen Venn	Chief Regulatory Officer

OEP Attendees

Peter Ashford	General Counsel
REDACTED	Senior Projects Officer (item 23.76)
REDACTED	Principal Monitoring Environmental Law Officer (item 23.76)
Donnacha Doody	Head of Analysis (item 23.78)
Mike Fox	Head of Communications and Strategic Relations
Helena Gauterin	Head of Environmental Law (item 23.76)
Richard Greenhous	Chief of Staff
REDACTED	Principal Scrutinising Environmental Law and Advice Manager (item 23.76)
Andy Lester	Head of Business Strategy and Planning
Cathy Maguire	Head of Assessments
Craig McGuicken	Northern Ireland Lead
Ellie Strike	Head of Monitoring Environmental Governance (item 23.78)
REDACTED	Board Secretary and Private Office Manager (Secretariat)
REDACTED	Principal Lawyer (item 23.76)

23.75 Apologies for absence and declarations of interest

The Board received apologies from Malcolm Beatty and the Chief Insights Officer.

There were no new declarations of interest.

23.76 Environmental Assessments Draft Environmental Law Report

The Board discussed and provided steer on the nine draft recommendations in the draft report.

In considering data issues, the Board discussed the challenges arising from intellectual property rights, in the accessibility of data. The Board urged for the related recommendation to make clear the intended outcome; that data should be made available and accessible, not just by government but by local planning authorities and developers. The Board discussed the relevance of the existing portal, MAGIC, to the recommendation for a map-based portal for data. This may be a blueprint to work from.

The Board cautioned against suggesting the creation of a national database, as in draft recommendation four – *this section has been redacted as its publication would be prejudicial to the effective conduct of public affairs* - and instead suggested that the recommendation should reference the need for the evaluations to be nationally accessible.

The Board advised that the report's draft recommendations in respect of expertise could be expanded to include the education sector.

The Board considered the recommendations and conclusions as a whole. While the issue is broad, and inclusive of local authorities, the draft recommendations are predominantly recommending action for government. The Board suggested consideration of any matters beyond central government control.

The Board APPROVED the report in substantially the form at Annex A. It AGREED to delegate to the Chief Executive, in consultation with the Chair, approval that the final report has satisfactorily incorporated the amendments discussed at the meeting.

The Board noted the proposal to send the final report to Defra and DLUHC on or around 17 October and to engage with officials ahead of this, to ensure a no surprises approach and the proposal to lay the final report in Parliament on 19 October and noted the consequences for communications work in January 2024.

It also noted the communications plan to accompany report laying and for dissemination of its key messages.

The Board noted that there may be a consultation on related matters by the Department for Levelling Up Housing and Communities, and that we would consider providing a response to this in line with our wider prioritisation decisions.

23.77 EIP23

This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.

23.78 Northern Ireland EIP and Nutrient Action Plan deadlines

The Board received an update on the Northern Ireland EIP. The deadline (25 July 2023) has been missed. We have exchanged letters with the DAERA Permanent Secretary, which have

been published, the latest of which confirmed the decision not to publish the Northern Ireland EIP in the absence of a Northern Ireland Assembly.

The Board noted that we are encouraging the team in DAERA to produce a plan as soon as possible in preparation for when there is a Minister. It sought assurance that we will still press on this issue, despite the lack of an Assembly.

This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs, to relations within the United Kingdom, it contains legally privileged advice and it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement.

23.79 Any other business

There was no other business.