

## Board Paper

Paper 23.39

### Date

1 June 2023

### Title

Report of the Chief Executive

### Report by

Natalie Prosser, Chief Executive

### Paper for information and decision

### Open in part

## Summary

1. This report updates the Board on progress in key activities since the Board last met. Most notable has been the launch of *this section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement*, which was widely covered in a range of Northern Ireland media and marks a step change in awareness of the OEP in Northern Ireland.
2. We are also looking forward to the contributions we will make to government and Parliamentary reviews of environmental assessment regulations, and their impact on development.
3. We continue to progress detailed discussions with Defra in relation to our ways of working. These are going well and are focused on achieving a settled and documented operating protocol which reflects our roles and responsibilities.

## Recommendations

4. The Board is recommended to note:
  - a. the progress in delivery of our strategic objectives.
  - b. that we propose responding to the Department of Levelling Up, Housing and Communities' consultation on environmental outcome reports (deadline 9 June, the day after the Board's meeting) as set out in Annex A.

## Strategic Objective 1 - Sustained environmental improvement

### Monitoring Environmental Improvement in Northern Ireland

5. While we await the final adoption of the draft Environment Strategy as the Environmental Improvement Plan for Northern Ireland, we are working to assure that the plan is as good as it can be, and will facilitate our assessment. To do this, we are highlighting opportunities for coherence with other prominent environmental programmes and policies in NI, particularly the Green Growth Strategy and the Climate Action Plan. We are also emphasising the value of optimising indicators so that they are informative, but are timely, and allow efficient assessment of progress.
6. In a series of meetings between the Chief Insights Officer and senior officials in DAERA, we highlighted the opportunities for greater integration between Green Growth, Climate Action and the eventual EIP. A workshop will be held on 29 June at which we will share more of our experience of assessing the EIP in England and the particular challenges we have identified in the indicators. Our hope is that DAERA will benefit from this experience in developing its own indicators that are closely aligned with the objectives, policies and actions being developed for the EIP, and with those in Green Growth and Climate Action.
7. A detailed analysis of the draft Environment Strategy was completed in May. This analysis will provide a foundation for the development of a report or other similar product in the coming year as the Board discussed on its strategy day in NI, and for which the format and scope will be tabled for the Board in due course.
8. There has been a delay in the release of the draft Biodiversity Strategy for consultation. As the Board discussed at its strategy day, this is a key underpinning strategy to the draft Environment Strategy. We are attending DAERA's stakeholder workshop on the strategy on 16 June.
9. We have invited contractors to tender for a research study on waste management and illegal dumping in Northern Ireland. This is part of our broader evidence gathering in support of our future work. The outputs will help inform the focus of our future work, and future reporting. We have previously trailed the prospect of this contract with selected stakeholders in Northern Ireland, and we will revisit this with a wider group once the contract is awarded.

### **Monitoring Environmental Improvement in England**

10. On 10 May, we opened a [call for evidence on improving nature and halting and reversing declines in species abundance](#). It will run for three months and is due to close on 7 August. Our call for evidence complements an information request we have submitted to Defra requesting information regarding its delivery plans for this goal and its associated targets. The call for evidence seeks further information beyond the delivery plans that can support our assessment of progress and opportunities for improvement for this year's EIP monitoring report.
11. We received correspondence from David Hill, Defra's Director General for the Environment and Marine, including a note from the Defra Environment Strategy team analysts critiquing aspects of the data analysis supporting our 2023 EIP monitoring report. We have considered this in detail, but not identified any areas of concern, nor any points that would alter the material conclusions that we drew in our report. In our response, we welcomed the feedback and our desire for ongoing dialogue about common data sets and its analysis, where possible. We also challenged some of Defra's critique and highlighted inaccuracies we see. Separately, we have

provided Defra's Chief Scientist with a note on our recommendations for data, based on our EIP monitoring report, at his request.

## Research and evidence development

12. The recruitment of a college of experts to support teams across the OEP to access expertise is about to start, following the Board's decisions in April. Following discussions with other government departments operating similar college of expert programmes, we will be widely advertising the opportunity to join the college, but will manage the application process through the Civil Service Jobs portal. Experts will be chosen by a panel of OEP staff from a review of written materials. We are developing the terms of appointment and associated governance and controls. We expect an annual recruitment campaign for new members.
13. We have made the first awards of research contracts under the wider evidence programme that the Board considered in April, in this instance to UK Centre for Ecology and Hydrology for an assessment of biodiversity indicators. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*
14. Work to develop our capacity and capability to monitor and assess future trends and trajectories is progressing. We have an invitation to tender live for research into the methods used across the public sector and wider, to assess their suitability to meet our needs and we are in the process of seconding an expert into the team to support the work during its development phase.
15. We have had initial meetings with Defra to discuss our marine and environmental land management projects. We are undertaking further scoping work on these projects and planning future engagement.

## Strategic Objective 2 - Better environmental law, better implemented

### Intervention in *Finch v Surrey County Council*

16. We filed our written submissions with the Supreme Court on 9 May 2023 ahead of the hearing on 21 and 22 June. Our full submissions have been published on our [website](#). Now that all the parties' written cases have been filed, we are waiting to hear whether the court will permit the OEP to make oral submissions at the hearing.

### Water Work Programme: Project Belisama

17. We have begun to develop the OEP's environmental law reports on implementation of the Water Framework Directive (WFD) Regulations and the WFD Regulations NI, and related matters. Our aim with this work is to both hold the UK and Northern Ireland Governments and other public authorities to account, and to influence them, Parliament and the Northern Ireland Assembly in making any future changes in the law for the protection and improvement of the water environment.
18. Our contractors' work is nearing completion and will provide part of the evidence base for our reports, alongside information derived from our stakeholder group and our own analyses. We

have also sent information requests to Defra, the Environment Agency, DAERA (including the Northern Ireland Environment Agency) and the Northern Ireland Department for Infrastructure. Subject to their responses and any necessary follow-up, we plan to bring first draft reports to the Board in August and proposed final reports in October, with a view to publishing in November.

19. Our related work on bathing waters is underway though less progressed. A study by contractors is at an early stage. We have also set up and held a first meeting with a new stakeholder group, building on that created for discussion of the WFD Regulations and containing additional interests and expertise on bathing waters. We anticipate publishing and laying before Parliament and the Assembly our environmental law reports on bathing waters around March 2024, as a follow-up to the earlier reports.

### **Improving Nature Work Programme: Protected Sites**

20. We have received around 60 responses to our [call for evidence in respect of sites protected for nature in England and Northern Ireland](#). We are analysing these responses to identify key themes and will be meeting with a prioritised set of stakeholders to explore issues in greater depth. We took part in a series of site visits and project workshops in Northern Ireland, coinciding with the Board's visit. Dan Laffoley, the project critical friend, has put us in touch with further expert contacts which we are following up.
21. In the coming week, we plan to appoint an external contractor to review the relevant existing literature and to draw lessons from how other countries have tackled similar issues to those in England and Northern Ireland. This evidence gathering and analysis phase will continue over the summer, with report writing expected to start in the early autumn.

### **Improving Nature Work Programme: Environmental Assessment Regimes**

22. All our contractors' reports are now finalised and we are using this work, along with our own research, to inform our drafting of our environmental law report. We expect to bring the draft report to the Board meeting on 12 July.

### **Improving Nature Work Programme: Environmental Outcome Reports Consultation**

23. The Department for Levelling Up, Housing and Communities is consulting on principles and other high-level matters for environmental outcome reporting to replace existing Environmental Impact Assessment and Strategic Environmental Assessment regimes. Due to the high-level nature of the consultation, we are responding to the consultation rather than seeking to offer advice. We expect there will be further opportunities for formal advice (requested or on our own initiative) as DLUHC brings forward detailed proposals for regulations.
24. Our draft response to the consultation developed following initial discussions with Dan Laffoley, and comments from Dame Glenys is provided at annex A. We will submit this following the Board's meeting to meet the 9 June 2023 deadline.
25. We have framed our response at a strategic level and as an introduction to our environmental law report on environmental assessments. We have responded to questions posed by the consultation where the OEP can provide the most value, particularly in relation to the EIP and statutory targets.

## **Lords' Built Environment Committee appearance**

26. Dame Glenys and I will give evidence to this Committee's inquiry into the impact of environmental regulations on development on 4 July. We will draw on the emerging findings of a range of our work set out above. This will be our first appearance before this Committee and represents an opportunity to broaden our engagement with parliament.

## **Air Quality Programme: Environmental Audit Committee Inquiry**

27. We have responded to the Environmental Audit Committee's call for evidence to support its inquiry to examine the sufficiency and adequacy of the government's current measures and targets to promote indoor and outdoor air quality. In our letter (annex B), we drew attention to our existing air quality work in our published EIP monitoring report, consultation responses and research. By doing so we aimed to increase the impact of this work and strengthen our relationship with the EAC Committee.

## **Retained EU Law Bill**

28. Government has now published its list of regulations intended to be revoked by the REUL Bill by December 2023. This includes parts of the National Emission Ceilings Regulations. We are in the process of considering the implications of this, but initial analysis causes us to be concerned, which we have noted in our letter to the Environmental Audit Committee, referenced above.

29. We are engaging with Defra and other stakeholders to understand the rationale further and consider the scale of risk and any approach we may take in response. We may consider proposing to provide advice, depending on the conclusion of the analysis, should our analysis cause us to conclude the revocation of parts of the regulations will lead to an overall weakening of environmental protection.

30. We have also commissioned advice from counsel as to the potential implications for REUL proposed for assimilation under the Bill. Our concern here is the risks to the effective implementation of environmental law resulting from the enabling provisions in the Bill leading to the loss of principles, directly effective rights and case law. We have asked counsel to focus on potential implications in relation to the habitats' regulations, water framework directive regulations and REACH regulations. Upon consideration of counsel's opinion, we will evaluate the risks, and may also consider recommending that we provide advice government in respect of any implications and means of addressing them.

## **Environmental principles**

31. We have released an invitation to tender to help us develop and apply a methodology for application of the Environmental Principles Policy Statement (EPPS) in England. We have also received notice from DAERA that it expects to make a request for our advice on the draft EPPS in Northern Ireland. Assuming we do provide advice, this will be brought to the Board for approval. Julie Hill acts as critical friend for this work programme. This is work we must do if requested, which may impact on the discretion we have within our remaining resources in Northern Ireland.

## Strategic Objective 3 - Improved compliance with environmental law

### Complaints and enquiries

32. Since January 2021 we have received a total of 691 enquires and 86 complaints.
33. Since my last report to the Board on 20 April, we have received 2 new complaints and handled 63 enquiries. During this period, we have judged 1 complaint to be eligible and this is therefore now in the assessment phase. We have closed 2 cases with no further action. Whilst complaints received are generally not of a strategic nature, we are looking at the themes they raise with a view to scoping self-initiated investigations linked to the theme.
34. *This section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement.*
35. On 7 May, we received a response from Defra to our December information request and are evaluating the information provided. *This section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement and as its publication would be prejudicial to the effective conduct of public affairs*

***This section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement and as its publication would be prejudicial to relations within the United Kingdom.***

36. On 18 May we notified the DAERA Permanent Secretary of the launch of our investigation into the advice given by the department on ammonia emissions in Northern Ireland. The investigation will seek to determine whether DAERA has failed to comply with environmental law in its ammonia guidance, commonly known as the 'Operational Protocol', given to local planning authorities and applicants seeking planning permission for certain livestock developments. *This section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement and as its publication would be prejudicial to relations within the United Kingdom.*
37. *This section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement and as its publication would be prejudicial to relations within the United Kingdom* launched publicly on 23 May. The investigation's launch received extensive, high-value coverage in Northern Ireland including through broadcast interviews I gave on BBC Northern Ireland's evening TV news and BBC Radio Ulster's morning show. The coverage has introduced the OEP to a wider public audience in Northern Ireland as well as built on key stakeholder relationships already established. It has also provided a positive introduction of the OEP to the tight-knit but influential local media cohort.

### Statutory deadlines

38. Our statutory deadlines project is currently considering three strategically significant deadlines:

- i. Marine Strategy Regulations - The overdue deadline of 7 December 2021 to review the programme of measures necessary to achieve or maintain good environmental status for marine waters (reg 14(9) Marine Strategy Regs 2010) where we are engaging with Defra to understand the status of this review.
  - ii. Northern Ireland EIP - The requirement to prepare, lay before the Assembly, and publish an EIP for Northern Ireland by 25 July 2023 under the Environment Act 2021.
  - iii. Northern Ireland Nutrient Action Plan (NAP) - The overdue requirement for the NI NAP to be reviewed, and if appropriate revised, by 11 April 2023 and the requirement for an implementation report to be published by 11 October 2023, both under the Nutrient Action Programme Regulations (Northern Ireland) 2019.
39. *This section has been redacted as its publication would be prejudicial to relations within the United Kingdom.* We also note that several further important NI deadlines fall due in 2023/24 under the Climate Change Act NI 2022, which we may wish to track. These deadlines include for DAERA to establish binding carbon budgets and a Climate Action Plan by 31 December 2023.

#### **Post implementation review (PIR) reports**

40. We continue to engage with the Regulatory Policy Committee (RPC) in light of our report. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs and it contains information provided in confidence.*

## **Strategic Objective 4 - Organisational excellence and influence**

#### **Finance report**

41. The Board will consider a finance report in its meeting of 12 July. The 2023/24 Business Plan is the main item on this meeting's agenda and is not duplicated here.
42. Key long-term financial risks remain, notably in respect of our funding in Northern Ireland. We have submitted an indication of our additional resourcing needs – around the levels outlined to the Board at its strategy day – at the start of the process to seek additional funding. We expect this to progress in June but there is a significant risk that any additional funding that DAERA chooses to provide won't come until the autumn, or later, by which time it would be challenging to spend. We have also submitted an indication of additional resources we could receive and spend from Defra if received in year, as part of its mitigation of its underspend risks.
43. We are working through the plan agreed with the National Audit Office to address the issues in respect of financial controls that were flagged to us, and remain on track.
44. We are actively recruiting a replacement Head of Finance and Corporate Services, and are sifting candidates for interview in June. Just before this paper was concluded, we made offers for an additional permanent and temporary post in the finance team to bolster capacity pending this appointment and to address remaining set-up issues. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

## Organisational structure, recruitment and resourcing

45. With progress in business planning, we have finalised our recruitment plans to ensure we have the capacity to deliver. At Annex C, a revised structure chart shows the intended growth of the organisation which we aim to complete largely in the first half of the year (this is best viewed on screen).

46. In total, we plan to recruit up to 27 posts in two waves, as follows:

	Regulatory	Insights	Chief of Staff	Legal	Total
Wave 1 permanent	4	3	5	3	15
Wave 1 temporary	2	0	1	2	5
Wave 2 permanent	0	1	2	1	4
Wave 2 temporary	1	0	1	1	3
Total	7	4	8	7	27

47. Progress is as follows at the date of this report. These figures include the recruitment of a replacement Head of Finance and Corporate Services:

	Regulatory	Insights	Chief of Staff	Legal	Total
In post	2		1	0	3
Offer made			1	4	5
Interview	1			1	2
Sift	1				1
Advert live	1	3	1		2
Draft advert			2		5
Not started	2	1	5	2	9

48. We are continuing to build and improve upon our recruitment adverts and strategy and are working directly with People Scout (formerly TMP) to target the right publications and audiences for our roles. We continue to build upon the success of our candidate webinars and use of candidate packs to provide information to prospective applicants.

## Procurement

49. Good progress has been made with procurement early in this financial year. We currently have six significant contracts out to tender with an estimated total value of around £570,000, including those highlighted elsewhere in this report. We have a further two in draft scheduled to go out to tender this month with an estimated total value of around £150,000.

50. A pipeline is in development to give visibility of planned procurement through this year and to inform resource planning.

## Working with our sponsor departments



51. In early May we held an all day workshop with our sponsorship team in Defra to discuss our ways of working. That team has now expanded *this section has been redacted as its publication would be prejudicial to the effective conduct of public affairs*. Defra's intention is that this increased and more senior capacity allows Defra as a whole to work more effectively with the OEP, by providing the capacity to support the coordination and management of information flows between the organisations, given our particular role.
52. To date discussions have focussed on process. There is broad consensus on the value of creating space for better discussion between us, as we develop our thinking, and seek to understand the information that may be helpful to us as we pursue our work. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs*, and explored how we operationalise issues of disclosure of information received, including when seeking consent and at the point of publication. We have held a first issue resolution forum with the Deputy Director for our sponsorship team which has been instigated following our workshop and will reconvene for a second workshop in Worcester on 12 June.
53. This has yielded some improvement in the provision of information we have requested. A response has been received to the information we sought to support our work on *this section has been redacted as its publication would be prejudicial to the effective conduct of public affairs*.
54. There remain challenges – both operational and in principle. Operationally, we understand that any information provided to us is subject to the same approval process, and caution, as it would be if it were to be published, and is therefore routed through Ministers and their private offices. There remain differences in interpretation of the information we should reasonably request. Defra has also questioned why we have sought information to support our assessment of the seriousness and priority of complaints received, *this section has been redacted as its publication would be prejudicial to the effective conduct of public affairs*. We have a series of discussions to progress points of debate, ahead of our next workshop.
55. Our framework document remains very close to final agreement. It is currently with HM Treasury, once more, *this section has been redacted as its publication would be prejudicial to the effective conduct of public affairs*. We continue to press for resolution, so that a final agreed framework document is in place to inform the audit of our 2022/23 annual report and accounts, as ideally it would.

## Wildwood

56. Following lease completion, and the Board's approval of the associated contractual commitments by electronic business, Defra have successfully appointed a construction contractor. Following a mobilisation period, the suppliers will commence construction in earnest in early June. We expect to occupy in mid-September, though there are delivery and timing risks. We have been working closely with Defra, their framework suppliers, and our own IT supplier to produce a full and detailed plan for the construction phase of the project.
57. Alongside construction, we are progressing our change management and readiness approach. Our Wildwood Working Group is producing an explanation of the benefits and reasons for the move, in addition to some of the practical elements that will improve ways of working and a manager's toolkit, Q&A document, and assessment of comments from the People Survey

concerning the office transition. The move is an increasing focus of discussion amongst staff, as the occupation date draws closer. We are seeking to address the concerns some have about our expectations for office attendance.

## **People strategy**

58. After some delay we have been able to conclude negotiations with the Prospect Union and have signed a Recognition Agreement with them, effective 1 June. This agreement will form the basis of our future engagement with the Union in terms of consultation, election of representatives and disputes. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.* In early June a joint communication will be issued with the Union setting out future ways of working including guidance around how staff can engage with Prospect. We will arrange a first quarterly partnership meeting with the union. We can anticipate negotiation of the 2023 pay deal being amongst the early issues.
59. In our broader People Strategy, we are analysing the People Survey results to note any actions to be addressed through the scope of our planned areas of work within directorate teams. We have a dedicated workshop planned with the Executive to look into commentary and themes of the data.
60. Now all staff and our Board members have received training in the Core Strengths SDI tool we will seek to embed our learning and a common language to improve our communications based on motivations and strengths.
61. We will hold an all staff event in person on 21 June, to introduce the corporate and business plan to the organisation, and reinforce our strategy, objectives and purpose. This emphasis is deliberately chosen, given the number of new joiners we have welcomed and to address feedback from the staff survey about needs to clarify roles and strengthen inter-team working.

## **Business continuity arrangements**

62. The OEP Business Continuity Policy has been scrutinised by ARAC who provided suggestions and assurance. The policy and operational plan were developed with an external expert in the field. As part of the arrangements to prepare for possible future business disruption, we will raise awareness of the plan, and the requirements of staff and implement an ongoing testing schedule.

## **Communications and stakeholder engagement**

63. Now that the communications team is up to strength, work is progressing on updating and implementing the stakeholder engagement plan to support delivery of the new business plan. A review is being carried out of stakeholder engagements carried out by the Chair and the Executive which we expect to lead to revised and targeted engagement plans.
64. At a corporate level – general engagement activity managed by the communications team – regular meetings are now in place with Defra arm's-length bodies and our Scottish and Welsh equivalents. Engagement with the NGO community has been a gap at this level and we are seeking to re-establish regular activity starting with the launch of the Corporate Plan. We have invested in a 'forward look' service to help us horizon scan as we plan communications activity. This service includes information on events and conferences to allow us to better

identify opportunities for us to be on platform and visible to stakeholders. We are also considering introducing a stakeholder newsletter.

65. Most stakeholder engagement carried out by the OEP is driven by our specific work programmes, and is led by teams across the organisation, with support and co-ordination from the communications team. A new toolkit, including guidance and advice, stakeholder databases and calendars to record activity, is being developed. Regular meetings are being set up for stakeholder leads to discuss issues and good practice and identify opportunities to consolidate activity.
66. The communications team works closely with others across the OEP to develop specific communications and engagement plans to ensure projects have impact and influence. This includes advising on engagement during the project and for managing outcomes and outputs. Launch plans will include in-person and on-line events for stakeholders where appropriate for the project aims. Our intention is for the EIP report launch late this year / early next year to build on the approach taken in January, as our main stakeholder event in the year ahead. There is no capacity in the current business plan for any further stakeholder events beyond those already planned as part of core OEP activity.
67. Our approach to stakeholder engagement in Northern Ireland is maturing, thanks to the input of our staff based there. In preparation for the Board's visit to Northern Ireland in May, we undertook a review of stakeholder engagement so far, and identified initial gaps and opportunities. This process helped to inform the meetings and site visits in the May trip. We are now at the stage of taking a more detailed review, and have identified priority stakeholders for the Chair, and Executive. This revised mapping exercise will inform a programme of engagement. The approach taken in England will be the starting point, with activities considered at a number of levels, but delivery will look different to take into account the political and cultural differences.
68. One area where we know that our delivery in Northern Ireland will be particularly different, is political engagement. As discussed at the Board strategy day in May, our plan is to engage with all the political parties; because the Northern Ireland system is based on permanent power-sharing. Initial approaches have been made to the main parties for informal, introductory meetings. These are being scheduled from June. We are also hopeful that a functioning Assembly will be recalled soon. At that time there will be a number of potential actions, including: meeting with the new DAERA Minister; meeting with the new AERA Committee; and meeting with other Ministers and Committees which have portfolios with environmental relevance. We could also consider inviting all MLAs to an information event at Stormont. We will refine such options in light of our meetings with the political parties in the coming months.
69. Our stakeholder engagement approach in Northern Ireland must reflect the different stakeholders. For example, by comparison to England, there are fewer organisations with a specific environmental remit, but more with some environmental interest. The members of this latter group have become increasingly involved in environmental issues and have helped to 'drive' the response to issues such as Climate Change. We therefore need to engage with a wider range of stakeholders in Northern Ireland. Staff are currently developing a prioritised stakeholder list. The launch of *this section has been redacted as it relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement*

successfully raised our profile with wider audiences in Northern Ireland. This will help lay the ground for further communications and engagement. It may also raise expectations, which we may need to manage.

## Impact Assessments

### Risk Assessment

70. The Audit and Risk Committee considered our strategic risk register in May, ahead of this review by the Board at Annex D.
71. Since the Board’s last review, there have been a number of changes to the register due to financial year end, business planning for 23-24, and delivery of the EIP. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*

### Equality Analysis

72. No material equality implications arise from the issues for decision in this paper. Equality, diversity and inclusion will be a relevant consideration as we further develop the People Strategy, and our recruitment approach will continue to seek to attract the broadest range of talent. We will recruit to an apprentice role in this wave of recruitment, and are considering how we advertise this opportunity in particular.
73. An equalities impact assessment has been prepared for the Board to consider as it approves the business plan.

### Environmental Analysis

74. This report gives an overview of strategic organisational developments which support the OEP’s principal objective. Consideration has been given in each case to how the activity contributes towards environmental protection and enhancement, and to ensuring the OEP meets relevant duties in environmental law. No specific proposal in this paper has a direct bearing on those duties.

Paper to be published	In part
Publication date (if relevant)	With meeting minutes
If it is proposed not to publish the paper or to not publish in full please outline the reasons why with reference to the exemptions available under the Freedom of Information Act (FOIA) or Environmental Information Regulations (EIR).	FOIA/EIR exemptions for which we propose not to publish this paper in full are: <ul style="list-style-type: none"> <li>• publication would harm relations between UK and NI governments (s.28)</li> <li>• publication would harm the effective conduct of public affairs, including the Board's ability to receive candid advice and engage in free and frank discussion (s.36)</li> <li>• publication would harm the OEP's commercial interests (s.43)</li> </ul>

## ANNEXES LIST

***Annex A – This section has been redacted as it contains information for future publication.***

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

***Annex C – This section has been redacted as it includes personal data.***

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