

**Date**

19 November 2025

**Title**

Report of the Chief Executive

**Report by**

Natalie Prosser, Chief Executive

**Paper for information and decision****Open in part****Summary**

1. The Board will meet with a range of stakeholders during its time in Belfast, including the DAERA Permanent Secretary, the Panel who completed the independent review of environmental governance in Northern Ireland, representatives of the farming and agri-food sector, and the NI Freshwater Taskforce. Our Board meetings in Northern Ireland are important opportunities for the Board to connect with key stakeholders in Northern Ireland.
2. The period since the Board last met has been active in relation to our investigations. By the time the Board meets, our latest investigation will have begun and been announced. The Board will consider the next steps in relation to two further investigations in its meeting, and an update on a third is appended to this paper. We continue to see positive steps taken towards resolution in most of our matters under investigation, in what is now a consistent trend.
3. This paper also updates broadly on progress in our scrutiny and other work and draws important matters in relation to our annual report and accounts to the Board's attention as has been updated verbally in each of the Board's recent meetings.

**Recommendations**

4. The Board is recommended to consider and comment on progress against our strategic objectives.

**Sustained environmental improvement****Monitoring and reporting on environmental improvement**

5. The England EIP progress report is progressing as planned and in final stages of development after the feedback the Board provided on the analytical sections of the report. A draft Chapter 14 (Taking stock), Executive Summary and Foreword will be circulated for feedback on the 26 November before we present a full draft of the report for approval by the Board on 10 December.
6. We continue to have no meaningful engagement on the substance of the EIP25 or clarity of when we might have access to a draft. Defra officials have given assurance that they are

making efforts to ensure that we do have advance sight, but we do not know when or how much notice we might get. Publication is still planned for December, although there have been indications that it may possibly be in the new year. We have a plan to do a rapid analysis of the revised EIP and will be considering further how to address it in our communications on the England EIP progress report.

## Research and evidence

7. The Board will separately consider a draft research strategy. This aims to ensure that the commissioned research needs of the organisation are met in a way that maximises the value we gain from our research, other research from relevant external experts, and enables us to identify and respond to opportunities to influence on environmental issues.
8. Our previous assessment of the UK chemical regulatory system highlighted the central importance of both UK REACH and classification, labelling and packaging regulations, and concluded that a lack of coherent data, decision-making and strategic direction across Government was hindering progress. We have initiated a second project in line with our business plan to build on this and provide evidence of which chemical exposure pathways are having the greatest impact on the UK environment, and which regulations govern them. Together these aim to provide evidence to allow us to act purposefully in this area in future.
9. As also planned in the business plan, we are commencing a research project to assess whether the recent and upcoming legal and policy reforms for Protected Landscapes will enable them to deliver better outcomes for the environment. Protected Landscapes play an important role in delivery of multiple Environment Act targets, EIP goals, and 30 by 30 targets. The research will inform our position on upcoming legislative activity and could inform an environmental law report in future, as well as future EIP monitoring reports. The research will address three questions:
  10. How ambitious and achievable are Protected Landscapes' contributions to national targets and commitments?
    - a. What are the critical legal, policy and governance issues affecting Protected Landscapes' ability to deliver outcomes?
    - b. What works well in different Protected Landscapes around the country, and what does this tell us about how government can best support delivery on the ground?
11. We are also commencing a project exploring how species abundance in freshwaters is constrained by river habitat modifications. We aim to understand how government might best act in this respect, to improve prospects of meeting its targets and commitments, particularly the Environment Act species abundance and water targets, Water Framework Directive objectives as well as any proposed outcome-based water targets arising from any reform. This project has been brought forward in our plans from 2026/27, as opportunity has arisen in year.
12. We have two Senior Analysts on short term appointments until end of March 2026, to work on marine issues. They will work on projects examining the impact of implementing the licensing framework and decisions regarding non-licensable activities on marine protected areas and on bycatch measures and their effect on achieving or maintaining good environmental status.

## Better environmental law, better implemented

### Environmental Law Reports

[Paper 25.66](#)

## OFFICIAL

13. With the exception of a single-page infographic, which is still in development, I have agreed the final report in relation to protected wildlife sites, in consultation with the Chair, as the Board delegated in October. In light of the Board's feedback, we expanded the table of contents, adapted added a box to explain protected sites in the executive summary and added photographs. We have also updated the report to reflect Natural England's new strategy and made other non-material and typographic changes. It will be published on 3 December and we are preparing our communications and engagement activities in readiness.
14. Our waste inspections report is intended to be submitted to the Board in January and published in early March. *This section has been redacted as its publication would be prejudicial to the effective conduct of public affairs.*
15. On 19 July [we published our report](#) looking at the role of Local Nature Recovery Strategies in contributing to national nature recovery commitments. Slightly delayed, [Government responded](#) to our report on 16 October. Overall the response was fulsome, positive and constructive in tone – welcoming our 'insightful and constructive' recommendations. We [provided a rapid assessment of the response](#) to the Board. We intend to provide a fuller, more public view via a blog and other external communications. We will be following up with the Defra team in due course.
16. Our environmental law report on the effective implementation of the existing regulations relating to the Nutrient Action Programme is progressing. We will be bring the draft Executive Summary and Recommendations to the Board in December.

### Other

17. [We responded to the consultation](#) in relation to the first Climate Action Plan for Northern Ireland in early October, highlighting our concerns about the lawfulness of adopting the proposed natural environment targets (requirements for which are set out in the Climate Change Act (Northern Ireland) Act 2022).
18. Through subsequent engagement with DAERA officials, we understand our feedback was received well, including by the Minister, and that there is an intention to respond constructively to our recommendations when revising the draft CAP. We expect to see a revised CAP Spring 2026, which will have to be agreed by the Northern Ireland Executive prior to publication.
19. Following the Board's last meeting, the Government published a suite of amendments which we told the Minister "substantially allayed" our main concerns about Part 3 of the bill (on nature and development). We have been keeping a watching brief on Report stage in the House of Lords and expect the bill to gain royal assent before the end of 2025. We are engaging in constructive dialogue with Natural England on its early work to develop the first Environmental Delivery Plans which will be brought forward once this bill becomes law.
20. The independent panel on environmental governance in Northern Ireland has published its final report, for which a briefing is available [here](#). The report references the OEP and our submission; its major recommendation is that a new environmental regulator should be established, and it should be independent of government. The Board will meet with members of the Panel during its visit to Belfast.
21. The Supreme Court has handed down its judgment in the case *CG Fry & Son Ltd v the Secretary of State for Housing, Communities and Local Government* in relation to the correct

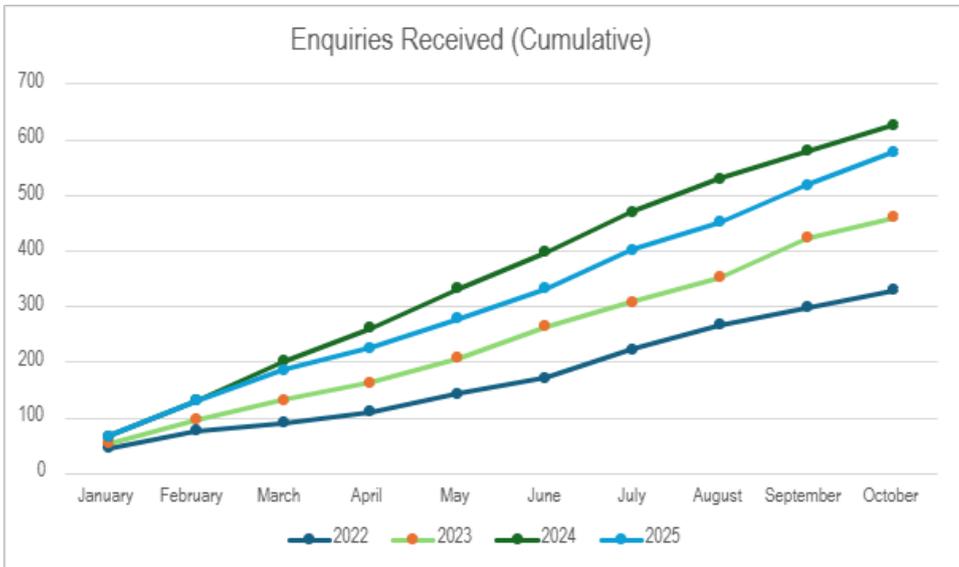
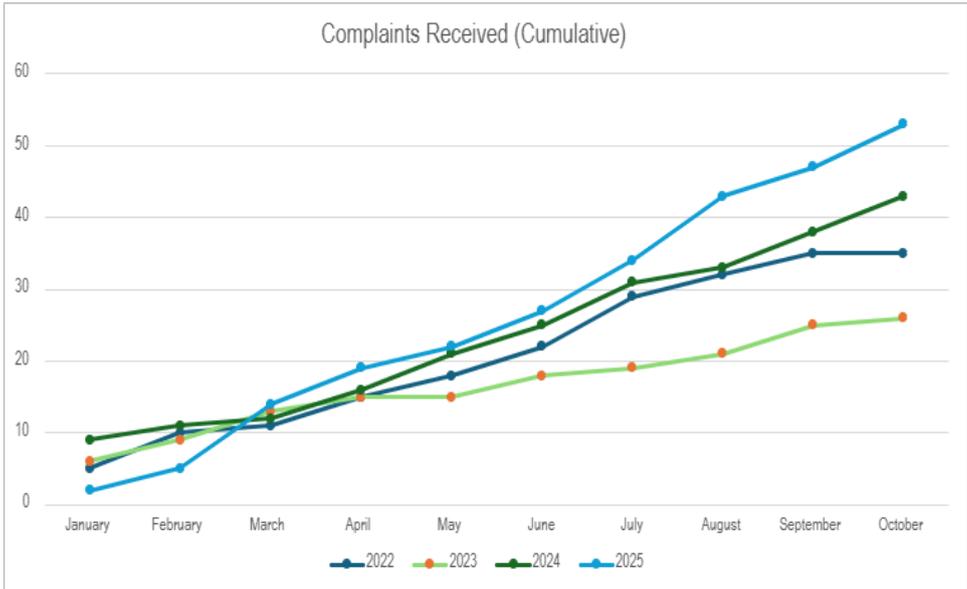
interpretation of the Habitats Regulations in which we intervened. The court has confirmed that an appropriate assessment may be required at later stages of the multi-stage planning process even if such an assessment was not required when outline planning permission was granted. This is the ground on which the OEP intervened and is consistent with our submissions, although our evidence is not referenced in the judgment.

22. A second issue in the case related to the legal status afforded to internationally important wetlands designated under the Ramsar Convention. The court found in favour of CG Fry & Son Ltd finding that a statement made in the National Planning Policy Framework in relation to the application of the Habitats Regulations to Ramsar sites did not have the same legal status as those regulations do when applied to relevant European sites. The Planning and Infrastructure Bill proposes that Ramsar sites are included within the legal protection of the Habitats Regulations, which would mean the circumstances arising in this case would not reoccur.

## Improved compliance with environmental law

### Complaints and enquiries

23. We have received six new complaints, and 60 new enquiries since my last report. The volume of enquiries this year remains slightly below 2024, whereas the number of complaints is slightly above. We have eight complaints open at the assessment stage and have closed two, including one through early resolution of the issues raised, since the Board last met.
24. That case followed a complaint received in April 2024 alleging the Environment Agency had failed in numerous areas when regulating environmental permits relating to a landfill in East Yorkshire. Our assessment identified a number of potentially systemic failings with regards to the adequacy of financial provisions intended to ensure the availability of resources to manage the site in line with permit conditions once landfilling activities are complete. We found the financial provision for the site was substantially deficient, that the Agency took no action to require the operator to return to compliance with the related permit conditions and make good the shortfall. As such we concluded that the Agency may have failed to comply with environmental law. As a result of our engagement, the Agency has agreed to produce a detailed action plan, with timeframes, to complete a number of remedial actions. These include to review the use of trust-based mechanisms for providing financial provision; update guidance, if necessary, to reflect the outcome of this review to provide clarity for staff and stakeholders; and review how the Agency regulates financial provisions generally, especially where deficits exist. A summary of this case has now been published [on our website](#).



**Progress of investigations**

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

**Organisational excellence and influence**

**Financial performance, 24/25 year end audit and ARA**

26. We reported a £58k forecast overspend to Defra at the end of October 2025 (P7), this was consistent with the forecast position we reported in P6. This may be balanced by £60k additional funding from Defra on which we’re currently awaiting confirmation. We will be managing both the underspend and overspend risks through our monthly review process throughout the remainder of the financial year.

27. The 2024/25 external audit was successfully completed, with no errors identified in the sampled transactions reviewed by the National Audit Office (NAO). The only issue raised

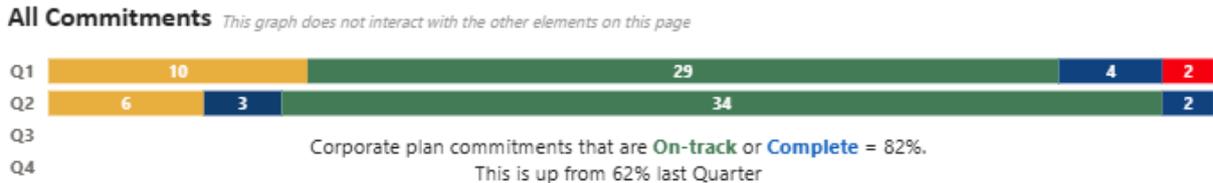
OFFICIAL

relates to a single invoice from 2023/24, which is recorded as the sole unadjusted misstatement in the draft Audit Completion Report.

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

### Delivery progress

29. At the end of September (P6), we reported 92% of our corporate plan commitments on track or complete. Six are at risk, and two not started. This is improved from the end of June.



The commitments not yet started are not due to start until later in the financial year, to complete in future years. The commitments at risk arise from a range of issues in projects in delivery, largely temporary in nature, and arising from a combination of factors within and outside our control. We have a path to green in each case, and are confident in it in five of six cases. The commitments most likely to remain at risk are those relating to the development of our approach to assessing the prospects of achieving long-term targets

30. We track the projects which contribute to delivery of our corporate plan monthly. The picture at the end of October (P7) was improved, with only one project assessed as likely to be at risk at year end.

### People matters

31. In the process of onboarding our new Board members, we identified an error with pensions offered to Board members. These arrangements were set up under the instruction of Defra's HR team, but were contrary to the appointment terms. Three Board members were impacted. This error was fully resolved in October, as all three affected members withdrew from the pension arrangements voluntarily, and the related OEP pension account was closed. We are grateful to the cooperation of the members involved. A cost totalling £3.5k was written off with the agreement from Defra's Permanent Secretary. Both internal and external auditors were made aware of the matter and the resolution we've reached with affected Board members.

32. Our 2025/26 pay remit proposal approved by the Board has been sent to our Trade Union for consultation with the intention of implementation in the December 2025 payroll. Staff have been reminded of the change in Civil Service pension administrator and our payroll service provider is working with us in support of this change.

33. All Executive Directors have now received individual feedback in meetings with the author or the culture review. The Executive Team met again to continue developing their response and will soon consider a revised People Strategy which reflects this. If agreed, it will then be shared with the Board and launched in December.

34. Since the Board's last meeting, we have welcomed a number of new joiners. This completes our intended in year recruitment, and fills a number of backfilled posts

35. *This section has been redacted as it includes personal data.*

### Improving the OEP

[Paper 25.66](#)

## OFFICIAL

36. Now that the additional post in the Communications team, our work on enhancements to our stakeholder management will step up. We will be reviewing our current stakeholder engagement approach and materials, and *This section has been redacted as it includes personal data.* will then take the lead role in ensuring we fully deliver our intended outcomes, including a more comprehensive and consistent support for our projects and more proactive management of stakeholder records and information sharing.
37. We have now completed the workshops with our project leads, which aim to clarify expectations of the role, equip them to live them better and to consider as a cohort and with the Executive how to achieve the collaboration, enable the empowerment and ensure our projects focus on outcomes as is intended. This has also allowed exploration of some of the issues raised in the culture review. More effective leadership of our projects is similarly a key enabler of improved efficiency.

### **Corporate and Enabling Services**

38. We are coming to the end of our laptop replacement project which sees us move from leasing to ownership of devices to provide better value for money, and move to Windows 11 following Windows 10 withdrawal.
39. We have issued a new policy on booking venues and providing catering for meeting and events to provide clearer guidance to staff, enable a more consistent approach across the OEP, reduce food waste, and reduce reputational risks.
40. We have agreed the initiation of a project to upgrade our finance system, with implementation planned at year end. This will enable improved reporting, better automation, reduce manual working and so improve efficiency. This project is subject to confirmed receipt of potential additional funding (of £60k) from Defra, or pending confidence in budget availability.

### **Selected Stakeholder Engagement**

41. Dame Glenys and I met Minister Creagh. Our discussions covered Defra priorities, our recent LNRS report, our investigation in relation to Special Protected Areas and our report in relation to protected sites.
42. We have followed with interest the launch of Natural England's new strategy. A number of OEP staff, myself and Dame Glenys included, attended a Green Alliance conference on 'Rebuilding the Environmental Consensus'. I spoke at the Leading Landscapes event, the annual conference for the Chairs and Lead Officers of National Landscapes, and Dame Glenys spoke at a Westminster Forum event on next steps in environmental protection in the planning system in England.

## **Impact Assessments**

### **Risk Assessment**

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

### **Equality Analysis**

44. No material equality implications have been identified in this paper.

### **Environmental Analysis**

[Paper 25.66](#)

OFFICIAL

45. 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
	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 reveal information subject to legal professional privilege (s.42)</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 relates to information recorded for the purposes of OEP's functions relating to investigations and enforcement.*

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