

ONE HUNDRED AND EIGHTY-SEVENTH MEETING OF THE BOARD OF NATURESCOT

BOARD VIRTUAL MEETING SPACE, 28 OCTOBER 2020

OPEN SESSION CONFIRMED MINUTES

MEMBERS PRESENT

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| Mike Cantlay | Chair |
| Angus Campbell | Deputy Chair |
| Cath Denholm | Deputy Chair |
| Kate Broughton | Member |
| Bob Furness | Member |
| Ian Gillies | Member |
| Jackie Hyland | Member |
| Susan Murray | Member |

IN ATTENDANCE

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| Francesca Osowska | Chief Executive |
| Robbie Kernahan | Director of Sustainable Growth |
| Jane Macdonald | Director of Business Services & Transformation |
| Sally Thomas | Director of People & Nature |
| Stuart MacQuarrie | Deputy Director of Business Services & Transformation |
| Claudia Rowse | Deputy Director of Sustainable Growth |
| Jason Ormiston | Head of External Affairs |
| Graham Boyle | Chief of Staff |
| Sara Lewis | Governance Support Manager (minutes) |
| Abi Gardner | Biodiversity and Climate Change Engagement Officer (Young Employee Panel) |
| Ivan Clark | Placemaking Manager (item 7) |
| Peter Rawcliffe | Head of People and Places (item 7) |

APOLOGIES

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| Aoife Martin | Member |
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AGENDA ITEM 1: OPENING REMARKS AND APOLOGIES

1. The Chair opened the meeting by welcoming everyone to the one hundred and eighty-seventh meeting of NatureScot. Particular welcome was given to Claudia Rowse, newly appointed as Deputy Director of Sustainable Growth, and Abi Gardner from NatureScot's Young Employee Panel. A reminder was given that the meeting was being audio recorded for the purposes of the minutes only, and would be deleted after use. There were no objections. Chair informed that Ian Gillies would join the meeting part way through.

2. Apologies were noted from Aoife Martin.
3. The Chair updated the Board on his recent activities including work on the forthcoming round of Board member recruitment in conjunction with both deputy Chairs. Chair also informed of the publication of the final report from the Suckler Beef Climate Group, considering recommendations for sustainable beef production in Scotland. The recommendations in the report have the potential to affect agri-environment grant schemes. Both the Chief Executive and the Deputy Director for Sustainable Growth are working alongside Scottish Government on this matter.
4. Chair further advised of their meeting with Mairi McAllen, the new Scottish Government Special Adviser for Environment, Climate Change and Land Reform, and that he would shortly be attending the Nature of Scotland Awards. He reflected on the likely challenges ahead for public finances.

AGENDA ITEM 2: DECLARATIONS OF INTEREST

5. There were no declarations of interest.

AGENDA ITEM 3: MINUTES AND ACTION POINTS

6. Board members were content to **approve** the minutes of the SNH Board Meeting on the 26 August 2020, after being proposed by Angus Campbell and seconded by Cath Denholm.

Action Points

7. The **actions points** were discussed and the following updates were provided:

Action Point (AP02/185) Jane Macdonald updated that she had met with Dolina Smith from the Western Isles Council to gain insight into their youth employment strategy, and a follow up session was planned. It was agreed that this action point would be discharged.
Discharged.

Action Point (AP01/186) The Board information paper on current levels of wildlife crime, and the steps taken by NatureScot to respond had been issued to Members in the current meeting pack. It was agreed to discharge the action point.
Discharged.

Action Point (AP02/186) It was reported that work is currently underway on developing a new induction programme, with training courses running during November as part of induction. It was agreed to discharge the action point.
Discharged.

8. Members noted that **AP01/181** (Future Board paper on the Protected Areas Committee Review), and **AP13/181** (Future Options for Kinloch Castle) remain **ongoing**.

AGENDA ITEM 4: MATTERS ARISING

9. There were no matters arising.

AGENDA ITEM 5: DEPUTY CHAIRS' REPORT

10. Cath Denholm updated on her involvement in the following:

- Involvement in Joint Nature Conservation Committee (JNCC) meeting (September 2020) alongside the Director of People and Nature. Thanks were given to Sally Thomas for her support to Cath, after this last attendance at JNCC for Sally before her retirement.
- Co-hosted a virtual staff engagement event on NatureScot branding with Kate Broughton.

11. Angus Campbell updated on his involvement in the following:

- Co-hosted a virtual staff engagement event on NatureScot branding with Jackie Hyland.
- Attended meeting of the Convention of Highlands and Islands (CoHI).
- Attended meeting of the Highlands and Islands Enterprise (HIE).
- Recently joined Board of University of the Highlands and Islands.

12. Opportunities for Board level engagement with colleague bodies were discussed as part of ongoing work on stakeholder engagement.

AGENDA ITEM 6: COVID-19 UPDATE

13. Board members received an update on Covid-19, which featured the following key points:

- New geographical tiered system to be introduced, which will impact NatureScot work differently in different areas of the country.
- Greatest spread of virus believed to be within households, a reminder was given of the hygiene and social distancing requirements.
- Lists of people accessing NatureScot premises should be kept and given to the local Test and Protect team if requested, they would then perform contact tracing.
- NatureScot should plan on the basis that Covid-19 is an ongoing part of life, and take precautions as standard.
- Staff wellbeing programme continues to be vital, as does promoting nature in the improvement of health and wellbeing.
- Other issues to be alert to when considering staff are carer demands on individuals, staff living alone without support, staff illness (not purely Covid-19 related), and reduction of family income due to loss of employment through Covid-19.

14. Board members were assured of the continuing work of the organisation in terms of infection control and measures, and staff welfare. The latest staff wellbeing survey had an improved 51% response rate. The Strategic Business Recovery Group continue to work on longer term arrangements and ways of working, remaining conscious of how the present effort can be sustained while completing business as usual.

AGENDA ITEM 7: CHIEF EXECUTIVE'S REPORT

15. The Board noted the contents of the CE Report, including the following highlights:

- Increasing the profile of biodiversity in the lead up to the UN Biodiversity Conference, COP15.
- Nature-based solutions for climate change as part of the green recovery.
- Future agri-environment support arrangements.
- Work on the NatureScot future strategy.
- Response to, and business recovery from Covid-19.
- Reinforcement of NatureScot brand, purpose and goal.

AGENDA ITEM 8: NATURESCOT: OUR FUTURE ORGANISATION

16. The Deputy Director of Business Services and Transformation (DDBS&T) introduced this paper, which was a follow-up to the Board paper discussed at the previous meeting on 26 August. The paper incorporated views of *what* the organisation does, *how* it does it, and how the future form of the organisation will be based on this in the approach to 2030. The recommendation of the paper was for the Board to approve the overall framework for the future form of NatureScot, and to agree the proposed next steps and timeline for embedding this framework into the future shape of the organisation.

17. DDBS&T described that since the August Board meeting, the Senior Leadership Team (SLT) had worked with the Extended Leadership Team (ELT) to meet the Board's challenge to be bolder and sharper in describing the NatureScot 'offer' of their contribution to biodiversity and climate change priorities. The paper contents explained how the transformation of the organisation would be designed in parallel with meeting those priorities.

18. It was clarified that through the ELT and Change Partner network wider conversations would take place with staff regarding focusing on and prioritising work, and how the transformation work will support this, once the Board had approved and agreed the next stages. The importance of NatureScot improving the equality of access to nature for all of Scotland, including diverse or disadvantaged groups was discussed.

19. The Board were content to approve both recommendations in the paper, noting that there would be a 'Winter Carnival' designed to engage staff with plans for the design of the future NatureScot.

ANY OTHER BUSINESS (AOB)

20. Chair invited Bob Furness to contribute his AOB at this stage of the meeting, to fit with space in the agenda time.

21. Bob Furness queried the position of NatureScot on encouraging the North Ayrshire council to consider the biodiversity benefits of a derelict ex manufacturing site on the Ardeer Peninsula. The overgrown site provides an exclusive habitat for several species of wildlife of high conservation value, but is subject to a Special Development Order allowing the development of the land without the need for normal planning scrutiny.
22. The Director of Sustainable Growth reminded the Board of the Scottish Land Commission Vacant and Derelict Land Task Force report to Scottish Government, which listed the Ardeer Peninsular as a site worth investigating in terms of the benefit that could be sought from the land in addressing the deprivation of the local area. NatureScot are engaged with North Ayrshire council and Scottish Government on the issue, recognising the need for a balance of redevelopment as well as the protection of the biodiversity this habitat site provides.
23. Bob Furness thanked the Director of Sustainable Growth for this information, and was content with the response.

Ian Gillies joins meeting.

AGENDA ITEM 9: NATURESCOT AMBITION FOR NATURE-RICH TOWNS AND CITIES (PRESENTATION)

24. Eileen Stuart introduced this agenda item, which highlighted the nature-rich future work helping to deliver a range of benefits for the 83% of the Scottish population living in towns and cities. Ivan Clark delivered a presentation to Board members which gave several practical examples of interventions to bring nature into urban spaces.
25. Board members discussed the level of ambition for nature-rich towns and cities, citing several other examples of placemaking where equality of access to nature had been an important factor. The following key points were made:
 - How this green infrastructure approach could be incorporated into planning frameworks and applications.
 - Opportunity to influence stakeholders, leading to greater investment, making nature-rich towns and cities the norm in Scotland.
 - Use of urban National Nature Reserves (NNRs) in the strategy for nature-rich towns and cities.
 - Linking this ambition to positive contributions to climate change and biodiversity through Scottish Government open space strategies will strengthen the case for nature-rich towns and cities, and provide a clear link to future NatureScot priorities.
 - The inclusivity that greenspace can provide, particularly in areas with both social and private housing within a small radius.

26. Members were content to endorse the approach described, and noted that engagement with the Convention of Scottish Local Authorities (COSLA) to influence future urban plans will continue.

AGENDA ITEM 10: BUSINESS PLAN: YEAR 4 PRIORITIES AND OUTCOME TARGETS 2021/22

27. The DDBS&T introduced this paper which provided the Board the opportunity to agree NatureScot's year 4 priorities, which aim to directly address the strategic challenges of tackling biodiversity loss and climate change. The paper included the budget allocation scenarios which will allow planning to begin, and decisions to be taken quickly once the budget announcement is made. The Board were asked to confirm that the 10 strategic priorities adequately capture the ambition of NatureScot while moving into the final year of the 'Connecting People and Nature' corporate plan.

28. The paper assumed a flat cash settlement in the forthcoming budget announcement, however scenario planning is taking place to take account of any alternative settlement.

29. During discussion by the Board, the following key points were made:

- How NatureScot can utilise the Scottish Government's (SG) Youth Guarantee scheme, and UK government Kickstart scheme. Talks are ongoing with the Sponsor directorate, SG skills team and Skills Development Scotland regarding opportunities to promote and fund green employment.
- Progress with private investment in natural capital will be examined in a future Board paper (December 2020). Facilitation and infrastructure for this require sufficient capacity, currently an issue being experienced in this growth sector.
- The need to ensure that special features remain protected when planning to adapt Protected Areas to mitigate climate change. NatureScot has provided preliminary advice to Scottish Government on options to achieve 30% of Scotland's land as Protected Areas (PAs) by 2030, should that be confirmed as a requirement. The options include the use of current PAs to mitigate against climate change. Liaison with Natural England and Natural Wales is underway to agree the definition of a protected area. Further support has been offered to Scottish Government to progress this work.

30. The Chair confirmed that the Board were content to agree the 10 strategic priorities identified in the paper, and that business planning should commence for 2021/22, the final year of the current corporate plan.

AGENDA ITEM 11: QUARTER 2 (Q2) PERFORMANCE REPORT

31. The DDBS&T introduced this paper which provided evidence on progress made across the extent of NatureScot's work that collectively contributes towards their corporate priorities for improving biodiversity and delivering nature-based solutions to climate

change. The Board were asked to note the Q2 update on performance, and confirm that they were content with the overall progress to date, the headline achievements, and the opportunities and issues identified.

32. Board members noted work towards the staff wellbeing offer, business continuity issues, and the practical support and provision of office equipment to ensure staff are able to work from home effectively. Staff were commended for their efforts in this work which was recognised as being in addition to regular business.

33. Outcomes 1 & 2

The Director for People and Nature (DP&N) gave a summary of highlights and issues for Outcome 1:

- Increased delivery of work on Scottish Outdoor Access Code and National Nature Reserve visitor related issues.
- The need to capitalise on current increased interest and engagement of the public in being outdoors.
- Working alongside Visit Scotland on equality of access, and encouraging responsible use of the outdoors.

The (DP&N) gave a summary of highlights and issues for Outcome 2:

- Contribution of the Scientific Advisory Committee sub group on surveillance and monitoring work, providing material which will be used in the coming quarter.
- The balance between NatureScot's statutory responsibilities and budget levels, and the focus on use of emerging technologies over the next quarter.

34. The Director for Sustainable Growth gave a summary of highlights and issues for Outcome 3:

- Heightened profile on wildlife management due to remain for the next quarter in anticipation of SG response to the Werritty Report. The possibility of a related new licencing system, further licencing work on mountain hares, and the approach to managing beavers.
- Uncertainty regarding funding of agri-environment schemes for 2021/22. The future policy on land use is also uncertain, while SG consider future transformation of land as mitigation for biodiversity loss and climate change, and the SG ambition to balance simplicity and stability in this area.
- Statement of Positive Net Gain to be announced as part of the National Planning Framework 4 in November, which will require any building planning and development to achieve a net gain of biodiversity benefits.
- Opportunities to influence both the emerging new strategy for Scottish fisheries, and the regulatory mechanisms for aquaculture.

- NatureScot exploring investment opportunities that exist for green finance, and mechanisms to secure investment.

35. The Director for Business Services and Transformation gave a summary of highlights and issues for Outcome 4:

- Teams continue to support business continuity response as well as business as usual. Capacity has been impacted.
- Strong focus on staff wellbeing again during this quarter, with an interactive 'Winter Carnival' event planned for December. This will provide an opportunity for Board members to engage directly with staff.
- Positive response to rebrand to NatureScot.
- Transformation programme has been accelerated in several areas due to the ongoing requirement for staff to work from home (potentially longer-term), including moving towards use of new technologies such as Microsoft 365.
- Ongoing work on raising youth employment opportunities.

36. The DDBS&T offered the following highlights to the Board regarding the Q2 financial position:

- The allocation tracker, actual spend profile and hard commitment profile for the operating budget were noted. This follows efforts to surrender finance where actual spend and hard commitment are not able to be met, mainly due to Covid-19. Action is being taken to reallocate resources where there is appropriate.

37. The DDBS&T offered the following highlights to the Board regarding the Q2 risk report:

- Risk 283 'Wildlife Management – Ability to Influence Stakeholders' increased to a high risk rating. This related to the impending response by SG to the Werritty and Deer Working Group reports, and changes announced to the protection of mountain hares.
- Risk 253 'Peatland Action – Annual Funding Cycle' reduced to a high risk following confirmation in July of £5m funding from SG to cover running costs, however the risk continues to reflect the threats from the current approach to funding, and the limited amount of restoration work being achieved during Covid-19.
- Risk 583 'Covid-19 Pandemic – Business Impact' remains at high risk, but due to mitigation in place, the likelihood score reduced from 4 to 3 during Q2.

38. The Director for Business Services and Transformation gave the following highlights to the Board regarding the Q2 People report:

- 7 out of 10 performance indicators rated green. The Youth Employment rating is red due to delay between some of the previous year's graduate placements leaving, and new graduates joining the organisation. This is expected to improve during Q3.

- Sick absence within the organisation currently at 60-70% of the same period last year, with an uptake in the number of stress related absences.
- Low turnover of staff leaving and joining the organisation, with an increased number of internal moves taking place.

39. Discussion ensued regarding the Q2 Performance Reports, with the following comments made:

- Increase in student and graduate placements, as well as apprenticeships welcomed as progression towards SG target to achieve 5% of workforce as young employees. Work will continue on refreshing the organisation's youth employment offer, as well as to enhance the induction programme to support staff joining NatureScot under Covid-19 restrictions.
- Opportunity to increase engagement with local authorities and regional economic partnerships on community planning issues

41. The Board confirmed that they were content with the overall progress to date, the headline achievements, and the opportunities and issues identified. They also took the opportunity to recognise the effort of staff in progressing priorities, alongside embracing the organisational transformation taking place during an unprecedented period of time.

42. One Board member queried the system in place for NatureScot to respond to correspondence from the public which had been sent directly to Board members. It was confirmed that where the Executive Office are sighted, they would coordinate the appropriate response and keep the relevant Board member informed.

AGENDA ITEM 12: PROTECTED AREAS COMMITTEE AND SCIENTIFIC ADVISORY COMMITTEE EXPERT PANEL TERMS OF REFERENCE REVIEW

43. This paper, which addressed a periodic requirement for Committee Terms of Reference to be reviewed biennially, was introduced by the Director of People and Nature. The main change to the Protected Areas Committee Terms of Reference was to restructure some text, include information on openness and transparency, and remove reference to PAC members abstaining from voting on business they refer back to the Board.

44. The main change to the Scientific Advisory Committee Expert Panel Terms of Reference was to clarify the period of appointment to the panel, bringing it in line with that for members of the Scientific Advisory Committee itself.

45. The Board were asked to review the revised documents, highlight any queries, and endorse the terms of reference.

46. The requirement for parallels between the Protected Areas Committee and Scientific Advisory Committee's terms of reference was discussed, with members noting that the

Board's delegated authority was specifically mentioned in the former. The difference in membership of both Committees was recognised, with non-Board members only (with Chair as exception) being members of the Scientific Advisory Committee. In addition, it was acknowledged that the remit of the Scientific Advisory Committee is to offer advice to NatureScot Board and staff, for their consideration. It was agreed that the Chief Executive would develop a brief for the next Chair of the Scientific Advisory Committee, with guidance on governance, committee coordination, and any Board delegation agreed.

Action Point 01/187

47. Board members were content to endorse the revised terms of reference for both the Protected Areas Committee and the Scientific Advisory Committee Expert Panel.

INFORMATION PAPERS

2020/2030 Biodiversity Process

48. This information paper updated Board members on how the Scottish Biodiversity Programme will ensure continued biodiversity action in Scotland, before a new Biodiversity Strategy is implemented in May 2022. The interim Biodiversity Statement of Intent is due for publication in December 2020. The Board noted the contents of the paper.

Wildlife Crime – Update to Board on Current Issues

49. This information paper responded to the Board request for further information on levels of wildlife crime since the advent of Covid-19. Information was provided with details of incidents which have been recorded as crimes by Police Scotland. In addition, detail was provided on the work of NatureScot to address wildlife crime. The Board noted the contents of the paper, commending the actions of NatureScot. They noted the opportunity to inform the public about these actions more widely via the Communications team.

Action Point 02/187

Forward Agenda – 09 December 2020

50. The Board noted the forward agenda for 09 December 2020.

Date of Next Meeting

51. The next Board of NatureScot meeting is planned to take place on 09 December 2020, via video conferencing.

52. The Chair thanked all those in attendance, particularly Abi Gardner of the Young Employee Panel. They also formally noted that this was the last Board meeting to be attended by Sally Thomas, after 3 years as Director of People and Nature. Grateful thanks were offered to Sally on behalf of the Board, for her work during tenure. Bob Furness, as Chair of the Scientific Advisory Committee added personal thanks for Sally's involvement in the committee. Chair then closed the meeting.

END