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# TWO HUNDREDTH and eighth MEETING OF THE BOARD OF NATURESCOT

## VIRTUAL VIA MS TEAMS – 04 OCTOBER 2023

## CONFIRMED MINUTES

## MEMBERS PRESENT

Colin Galbraith Chair

Aoife Martin Deputy Chair

Margaret Davidson Member

Ian Gambles Member

Jaboury Ghazoul Member

Peter Higgins Member

David Johnstone Member

Colin McPhail Member

Wayne Powell Member

Heather Reid Member

Jill Robbie Member

Nikki Yoxall Member

## IN ATTENDANCE

Francesca Osowska Chief Executive

Nick Halfhide Director of Nature and Climate Change

Robbie Kernahan Director of Green Economy

Jane Macdonald Director of Business Services & Transformation

Stuart MacQuarrie Deputy Director of Business Services & Transformation

Claudia Rowse Deputy Director of Green Economy

Eileen Stuart Deputy Director of Nature and Climate Change

Jason Ormiston Head of External Affairs

Graham Boyle Chief of Staff

Sara Lewis Governance Support Manager (minutes)

Marie Hernandez Head of People & Organisational Development (item 8)

Graham Neville Head of Operations (item 8)

Rachel Elliot Operations Officer - South (Young Employee Panel Rep)

## APOLOGIES

None

# AGENDA ITEM 1: OPENING REMARKS AND APOLOGIES

1. The Chair opened the meeting by welcoming everyone to the two hundred and eighth meeting of the Board of NatureScot, especially Rachel Elliot, the Young Employee Panel rep.

2. There were no apologies.

1. Chair updated that following his 1-1 sessions with members, several themes had emerged which he wanted to highlight:
* Member annual appraisals to take place before the end of December 2023.
* A Board effectiveness evaluation will take place in 2024.
* It was important to raise the profile of the Board sub-groups with the wider organisation. Chair wished to meet with the sub-group Chairs to discuss this.

**Action Point 01/208**

* Open and transparent meeting sessions of the Board ought to be the norm.
* Members were encouraged to feed back to the Chair any issues for future workshop discussions. Also invited were views on Board ways of working.
* Members had highlighted 2030 targets and 30x30 as areas crucial for the restoration of nature and targeting climate change. They were impressed with the management of staff, and delivery of NatureScot Corporate Plan outcomes.
1. The Chair and Chief Executive acknowledged on behalf of the whole Board, the sad passing of colleague Sue Haysom.

# AGENDA ITEM 2: DECLARATIONS OF INTEREST

5. There were no declarations of interest.

# AGENDA ITEM 3: MINUTES AND ACTION POINTS

1. Board members were content to **approve** the minutes of the Board of NatureScot Meeting on the 23 August 2023.

## Action Points

7. The **actions points** were noted:

**Action Point (01/206)** (Provide an Update on the Development of a Biodiversity Metric for Scotland)Members noted that a paper would be brought to the Board during Q4 2023/24, and therefore the action is **ongoing**.

**Action Point (03/206)** (Board Members to be Consulted on Advice to Scottish Government on Recommended Statutory Nature Targets) Members noted that there was a workshop session to take place after the meeting, and the issue will be more fully discussed at the December meeting. Therefore this action is **ongoing**.

**Action Point (05/206)** (Scientific Advisory Committee to Update Board on Completion of Report on Muirburn) Members noted that an interim briefing had been sent to members, which included a link to the full report, which was noted for information later in the meeting. Therefore this action was agreed for **discharge**.

**Action Point (06/206)** (Next Steps/Draft Plan for Kinloch Castle to be Presented to the Board) Members noted that this agenda item had been scheduled for Q4 2023/24, with a date to be confirmed. Therefore this action point is **ongoing**.

**Action Point (01/207)** (Interim briefing on muirburn to be sent to Board members, ahead of receiving the full SAC report in December 2023) Members noted that an interim briefing had been sent to members, which included a link to the full report. Therefore this action was agreed for **discharge**.

**Action Point (02/207)** (An update on income generation work to be sent to Board members) Members noted that an update had been sent to them. Therefore this action was agreed for **discharge**.

**Action Point (03/207)** (A cyber-security based scenario exercise to be arranged for the Board) Members noted that a date in December was being arranged by the Executive Office. Therefore this action was agreed for **discharge**.

**Action Point (04/207)** (A paper to be taken to a future Board meeting to update on progress with green finance and natural capital, specifically the development of credit-based systems) Members noted that is expected that a paper will go to the February 2024 SLT meeting, and then be presented to the Board at their March 2024 meeting. **Ongoing.**

# AGENDA ITEM 4: MATTERS ARISING

1. There were no matters arising.

# AGENDA ITEM 5: ITEMS FOR AOB

1. Members asked for an update on the development of a plan for the support and recovery of bird populations impacted by Avian Influenza.

# AGENDA ITEM 6 – CHIEF EXECUTIVE’S REPORT

10. Board members noted the contents of the Chief Executive’s report, in particular the following key themes:

* Launch of the consultation on the Scottish Biodiversity Strategy and its five year delivery plan.
* Publication of the State of Nature report.
* Positive engagement with partner organisations such as the Scottish Fishermen’s Federation.
* Two European Rural Development Fund claims have been disallowed by the Managing Authority, the Chief Executive is meeting with the Deputy Director of Nature and Climate Change to discuss if any additional action is needed. The ARC has been closely monitoring the impact of the claim process. As the end of the programme draws near, it is hoped that remedial action will lead to approval for payment to be accepted for this penultimate claim. Chair committed to update the Board following his meeting with the Chief Executive and following her meeting with the Deputy Director of Nature and Climate Change.

**Action Point 02/208**

1. Members discussed the possible reputational risk to NatureScot. Eileen Stuart informed that the overall risk was minimal due to the scale of success seen with the completed projects, the positive relationships between NatureScot and the grantees where all grantees have been reimbursed by NatureScot.

# AGENDA ITEM 7: NEXT STEPS FOR SCOTLAND’S NATIONAL NATURE RESERVES

1. This paper presented the Board with the opportunity to consider how the Scottish Biodiversity Strategy and Delivery Plan place further emphasis on the role that National Nature Reserves (NNRs) can play as catalysts for habitat restoration, as building blocks for nature networks and for thinking about new National Parks. Also, the potential for further exploring the contribution of NNRs to landscape scale working, as well as the refreshed vision and objectives for NNRs.
2. The Board were asked to:
3. discuss and provide a strategic steer on the

• future direction and key opportunities for NNRs set out in the paper;

• how NatureScot can strengthen and increase joint working by the Partnership;

• opportunities and barriers for realising the potential of NatureScot NNRs.

b) agree to

• retain decision making on declaration of new NNRs or de-declaration

of existing ones;

• delegate decision making on changes to boundaries of existing NNR to the PAC and lead Director.

1. During discussion, the following points were made:
* How private finance could be realised through NatureScot owned/managed NNRs, and how this might be perceived given the sensitivities around private finance for conservation. Nick Halfhide said that consideration was being made to use of the Carbon Code on NNR peatland to be available to purchase within the public sector who otherwise find it challenging to meet carbon targets.
* Site condition monitoring of non-NatureScot owned/managed NNRs – it was clarified that this would be relevant to the designation of the site, either as a Site of Special Scientific Interest, or a Special Area of Conservation. Any unfavourable condition of Protected Areas would be improved as a result of the 30x30 legislation.
* The role of NatureScot in respect of NNRs – whether to continue to own and manage NNRs or look for opportunities to handover some to other bodies or community trusts.
* The opportunity to use NNRs as an education tool and as a health tool via NHS Scotland.
* The use of NNRs as a response to climate change.
* Why it matters – the opportunity to use a stark message to communicate the importance of combatting climate change and improving biodiversity.
1. The Chief Executive stated that financial sustainability and prioritisation had to be considered when discussing the role of NatureScot. Minister Slater had laid out NatureScot’s position as focusing on nature restoration, and using convening powers to get other organisations to step into roles that are necessary to combat climate change and improve biodiversity.
2. The Chair summarised the discussion by stating three key points:
* The need to quantify the NNRs that NatureScot are involved with, including who owns them. Site conditionality to be included in this.
* The need to be clear why NNRs are needed, and NatureScot’s core role for NNRs in light of the climate emergency.
* The need for a plan to be developed outlining what is to be achieved across the suite of NNRs and how they might contribute to the 30x30 target.
1. It was requested that a wider discussion on the core purpose and role of NNRs take place next year.

**Action Point 03/208**

1. The Board agreed to the recommendations, noting that if there were any contentious issues such as boundary changes, the Protected Areas Committee would refer to the Chair for a decision on whether a whole Board discussion and decision was needed.

# AGENDA ITEM 8: ORGANISATIONAL DEVELOPMENT UPDATE

1. This agenda item provided an update on the recent organisational design work, which forms part of the Organisational Development journey, delivered through NatureScot’s Transformation Portfolio.
2. The paper described how the new operating model went live on 1 April 2023, and the design phase of the programme ended on 30 June 2023. A significant engagement programme has been undertaken with extensive reach across the organisation. Now follows a period of review. An action learning set is reviewing the implementation, to ensure the new operating model is properly embedded. A new People Strategy and People programme is in place, incorporating organisational development workstreams, for leadership development, strengthening the NatureScot culture and ensuring NatureScot has the right people, at the right time, with the right skills.
3. The Board were asked to take note of this work, scrutinise, and to support SLT and the extended leadership community (ELT) as it progresses.
4. Graham Neville gave a presentation which covered the new operating model, and the framework for the transformation programme. He also informed the Board that due to frequent communication with teams, and expectation setting, the flexible approach to moving resource to areas of demand has been well received by colleagues.
5. Members voiced concerns that anecdotal feedback suggested the inability of colleagues to make decisions, through personal leadership. They asked whether there was a noticeable shift away from this in light of the new organisational model. Marie Hernandez informed that the model had been culturally well received, and that it encouraged individual leadership, making the leadership framework relevant to NatureScot outcomes. A series of free training courses had been introduced, and ‘career MOTs’ were to be introduced to regular Personal Development Conversations between colleagues and their line managers.
6. It was requested that the Board receive an update in 6 months regarding how the new more flexible approach was working in practice.

**Action Point 04/208**

1. The Board were content to note, scrutinise and support the Senior Leadership Team and Extended Leadership Team in this work as it progresses.

INFORMATION PAPERS

# AGENDA ITEM 9 – PAY REMIT UPDATE

1. This paper presented to the Board the decision of the Board sub-group on the pay remit for 2023/25, which had been submitted to the Scottish Government.
2. Jane Macdonald updated that since the sub-group had met and decided an approach for the pay remit, the Civil Service unions had approached the Deputy First Minister to ask that cultural and heritage public bodies receive additional funding to make the Scottish Government suggested pay remit possible.
3. Members noted the decision of the Board sub-group.

# AGENDA ITEM 10 – SCIENTIFIC ADVISORY COMMITTEE MUIRBURN SUB-GROUP REPORT UPDATE ON ADVICE TO NATURESCOT

29. This agenda item presented to the Board a summary of the advice on how to develop

a licensing approach to muirburn which supports biodiversity and climate change targets.

30.The paper summarises the key advice in the SAC muirburn sub-group’s report. It focuses on the report’s advice on how to take an adaptive, precautionary approach to licensing this activity and what this looks like in relation to supporting biodiversity and carbon storage and addressing risks of wildfire.

31. Chair of the Scientific Advisory Committee Pete Higgins informed that training was key to providing clear scientific evidence which will enable strong decisions to be made, however at present the evidence is contested. Robbie Kernahan added that the new licencing regime will allow for the collection of data which will increase our knowledge on the nature benefits and dis-benefits of muirburn.

32. During discussion, members made the following points:

* How NatureScot will prepare for the need for data, including the benefits and risks of using Artificial Intelligence. Directors agreed to prepare an information paper for the Board regarding systems thinking and innovation in the environmental arena.

**Action Point 05/208**

* Important to recognise the social complexities involved in this area when considering data.

33. Members noted the information provided in the paper and gave thanks to Marian Scott and the SAC sub-group involved in providing the expert advice in this area.

**AGENDA ITEM 11 – FORWARD PROGRAMME OF BUSINESS**

34. The Board Forward Programme of Business was presented to members. Members had no further updates to make to the programme

**AGENDA ITEM 12 – NATURESCOT BOARD MEMBER ENGAGEMENT**

35. This paper gave a short summary of Board members’ internal and external engagements with NatureScot related work since the last Board meeting. Some information provided after the meeting pack had been produced will be included on the report for the December meeting.

AOB

36. Eileen Stuart responded to members’ query on whether Scotland is planning for the support and recovery of birds due to Avian Influenza (AI), as has been the case in England. Eileen informed that a two-year report of the impact of AI on different species is being prepared. A Taskforce involving several organisations is now concentrating on recovery work, from AI along with other impacts causing biodiversity decline, to provide a holistic approach.

37. A mapping exercise will look at what is currently underway or planned in terms of addressing the declining sea bird population, to determine whether additional action is required. This will be matched to the available resources of the key agencies involved.

Date of Next Meeting

38. The next Board of NatureScot meeting is planned to take place on 6 December 2023, at Meadowbank House in Edinburgh.

39. The Chair thanked all those in attendance, particularly Rachel Elliot. The meeting was closed.

# END