

**Minutes of the Environmental Standards Scotland Board Meeting held on Friday 2**

**February 2024, 12:30 – 16:20**

**Board Room, Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HD**

**ESS Board:**

Jim Martin (JM), Chair  
 Richard Dixon (RD)  
 Marie Fallon (MF)  
 Paul McAleavey (PM)\*  
 Annalisa Savaresi (AS)  
 Morag Sheppard (MS)  
 Chris Spray (CS)

Neil Oakley (NO), Co-opted Audit  
 and Risk Committee member  
 (observing)

**Attendees:**

**ESS Team** (Items 2-7 as noted):

Mark Roberts (MR), CEO  
 Neil Langhorn (NL), Head of Strategy and  
 Analysis  
 Jamie McGrandles (JMcG), Head of  
 Investigations, Standards and Compliance  
 Rebecca Peppiette (RP), Head of  
 Corporate Services and Communications  
 Lauren Queen (LQ), In-house Solicitor  
 Alison Bennett (AB), Senior Data Analyst\*\*  
 Charlotte Lowe (CL), Governance Lead  
 (Minutes)

\*via MS Teams

\*\*Item 4 only

<b>1.</b>	<b>Private session</b>
<b>2.</b>	<p><b>Welcome</b></p> <p>The Chair welcomed Board members and attendees to the meeting.</p> <p>There were no new declarations of interest. CS' conflict of interest relating to membership of the Scottish Biodiversity Programme Board Advisory Group remains current. This was originally listed in the publicly available Board minutes of August 2023.</p> <p>The Board approved the minutes of the previous meeting.</p> <p>On the matters arising, it was noted that consideration of the Board's role in the Community and Stakeholder Engagement Programme was still in development.</p>
<b>3.</b>	<p><b>CEO update</b></p> <p>MR provided an update on ESS' activity since the previous Board meeting, highlighting engagement across the Scottish Government and relevant stakeholders regarding a number of legislative processes and potential future</p>

environmental monitoring roles. The Board noted that the first meeting of the International Advisory Panel would take place end-February 2024.

**4. Strategy and Analysis**

[At this point AB joined the meeting]

NL introduced the draft analytical report on sewage discharges and the next steps towards publication. In discussion, the Board:

- agreed that while it was content with the level of analysis, greater clarity could be provided where issues relate to effectiveness or non-compliance
- noted that some of the issues identified by this analytical work will move to pre-investigation, and requested that these next steps are highlighted within the report
- delegated approval of the final draft to MF, PM and CS on behalf of the Board

[At this point AB left the meeting]

NL provided an update on monitoring and analysis work, highlighting a positive reception to the publication of the air quality analytical report. The Board considered where ESS can best add value to work on climate change adaptation, in tandem with organisations such as the Climate Change Committee. NL noted that engagement with OEP to compare approaches to monitoring and analysis was planned and agreed to feedback to the Board on this.

**5. Governance**

MF updated the Board on the work of the Audit and Risk Committee, including preparation for the deep dive into third-party contracts, and engagement with the Scottish Government's iTECS service regarding cyber security.

RP provided an update on expenditure against the 2023/24 budget and presented the 2024/25 budget. In discussion, the Board:

	<ul style="list-style-type: none"> <li>• considered where ESS can contract in additional resource to support discrete pieces of work</li> <li>• approved an in-year increase to the 2023/24 budget allocation associated with ESS' office move</li> <li>• approved the 2024/25 budget</li> </ul> <p>CL introduced the revised risk register, highlighting the implementation of the recommendations approved at the previous Board meeting, as well as updates to reflect the Chair stepping down and associated interim measures. The Board agreed the updates.</p>
<b>6.</b>	<p><b>Investigations and representations</b></p> <p>JMcG provided an update on ongoing casework and a number of new representations received. The Board noted:</p> <ul style="list-style-type: none"> <li>• cases where the Executive team is likely to consider proposals to progress from pre-investigation to investigation</li> <li>• the requirement for ongoing monitoring in relation to various cases, highlighting the need to ensure sufficient resource is in place to support this</li> </ul>
<b>7.</b>	<p><b>Any other business</b></p> <p>The Chair noted that appraisals with members would take place before end-March 2024.</p> <p>Noting that this would be the Chair's last Board meeting, MR led thanks to the Chair for his support and highlighted his pivotal role in designing and establishing ESS.</p>

**Dr Richard Dixon**  
**Acting Chair, Environmental Standards Scotland**  
**26 April 2024**