

Board Meeting held on Friday 25 April 2025, 10:00 – 15:00

**Board Room, Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HD OR via
Microsoft Teams**

DRAFT SUBJECT TO APPROVAL AT THE 4 July 2025 BOARD MEETING

Board:

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

*attending via Microsoft Teams

Audit and Risk member:

Neil Oakley (NO)*, (Observing)

Attendees:

ESS Team (Items 2-8 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
Charlotte Lowe (CL), Governance Lead
Kirsty Laing (KL), Business Support Officer
(Minutes)
Celeste Kellock (CK), Senior Policy Analyst,
(Observing)

1.	Private session
2.	<p>Welcome</p> <p>The Chair welcomed the Board, the observing Audit and Risk Committee co-opted member and attendees to the meeting.</p> <p>CS noted his interests relating to biodiversity due to his former position as Chair of the UK SPA [Special Protection Areas], the Ramsar Scientific Working Group and Ramsar Scientific Working Group.</p> <p>MS declared an interest relating to her position as interim Board Member of the Water Industry Commission for Scotland.</p>

	The minutes of the previous meeting on 7 February 2025 were approved.
3.	<p>Strategy and Analysis</p> <p>MR introduced the Draft ESS Strategy, highlighting:</p> <ul style="list-style-type: none"> the approach to prioritisation where required the approach to responding to the Scottish Government recommendation for ESS to look at individual cases <p>Board members discussed the strategy, noting positive elements and areas to be reviewed including presentation, tone and length. The Board made several recommendations and requested sight of the updated version prior to final approval of the draft by correspondence.</p> <p>Action: ESS to review feedback from the Board and present an updated version of the Strategy by correspondence.</p> <p>[At this point PM left the meeting].</p> <p>NL provided an update on the work of the Strategy and Analysis team, highlighting:</p> <ul style="list-style-type: none"> the upcoming ESS responses to the Natural Environment (Scotland) Bill and Climate Change Plan that a new forward workplan had been agreed with current projects including sea floor integrity, diffuse pollution and Invasive Non-Native Species (INNS) the responses received from Scottish Government, SEPA and Scottish Water to the Combined Sewer Overflow (CSO), and soils reports, with a response to the Marine Litter report expected at the end of the month <p>The Board discussed estimated costings regarding the proposed Independent Review Body in the Natural Environment (Scotland) Bill and requested clarification be added to the forward workplan where projects are paused.</p> <p>Action: to update the forward plan and circulate the published Scottish Water response.</p>

	<p>NL introduced the review of analytical series to date. In discussion the Board:</p> <ul style="list-style-type: none"> • noted the outputs from the team and how this has evolved from what was originally envisaged when the team were established • thanked the team for the work involving the call for evidence on INNS • discussed the potential for Artificial Intelligence (AI) in ESS' work • discussed the current balance of resources across the organisation
4.	<p>Chief Executive's update</p> <p>MR provided an update on ESS' activities since the last Board meeting, highlighting:</p> <ul style="list-style-type: none"> • engagement with other scrutiny Bodies to co-ordinate expectations of Scottish Government's next climate change plan • ongoing work in relation to the Natural Environment Bill and discussions with the Bill team • engagement with the Environmental Rights Centre for Scotland (ERCS) <p>The Board noted the updates and discussed the ongoing work with the International Advisory Panel (IAP) and agenda for the next meeting which will be held in June 2025.</p> <p>Action: to provide an update on the latest developments from the IAP meeting and plans for its future at the July 2025 Board meeting.</p>
5.	<p>Investigations and representations</p> <p>JMcG presented the update on ongoing casework, highlighting work being carried out in the following areas:</p> <ul style="list-style-type: none"> • incineration overcapacity in Scotland • vehicle idling • the Agriculture and Rural Communities Bill • bycatch and discard of fish • sea lice

	<p>JMcG also provided an update to the Board on areas for potential investigation.</p> <p>The Board noted the updates including work carried out to bring cases to conclusion.</p> <p>[At this point CS left the meeting in accordance with his declarations of interest].</p> <p>JMcG presented a summary of the conclusion of the fieldwork on the Special Protection Areas (SPA) investigation. The Board discussed and agreed the outcome of the investigation, including proposed next steps.</p> <p>[At this point AS left the meeting].</p>
6.	<p>Governance</p> <p>[At this point CS rejoined the meeting].</p> <p>MF updated the Board on the Audit and Risk Committee's activities since the previous meeting, highlighting:</p> <ul style="list-style-type: none"> • the annual development session, which included staff and Committee members discussions around risk • the review of Committee members' annual self-assessments • key elements from the last Audit and Risk Committee meeting, noting updates and plans presented by external and internal audit <p>The Board confirmed the following updates to appointments:</p> <ul style="list-style-type: none"> • if confirmed as Chair, RD will no longer be a member of the Audit and Risk Committee • to fill this vacancy, CS will be appointed as a new member of the Audit and Risk Committee • MF will continue as Chair of the Audit and Risk Committee and vice-Chair of the Board <p>The Board Champions for equality, sustainability and cyber gave updates on on-going work in their prospective areas.</p>

	<p>RP provided an update on the 2024/25 budget, alongside expenditure to date related to the 2025/26 budget, highlighting:</p> <ul style="list-style-type: none"> • 2024/25 underspend • update on the new oracle finance system • work on resilience planning and noted possible future challenges <p>RP presented the People Dashboard and talked through its key elements. The Board welcomed the Dashboard and requested a further breakdown of some categories within the Dashboard and comparative figures. The Board agreed that this should be a standing item once per year, or where there is significant changes.</p> <p>RP presented the Sustainability Plan Phase 2, highlighting its key points and giving wider context to the different phases to the overall plan. The Board approved the paper, noted wider contextual narrative could be added around some of the plan's figures. The Board requested to be involved in discussions around carbon offsetting.</p> <p>CL provided an update to the Risk Register highlighting some of the proposed key changes, such as planned mitigations and streamlining of detail, noting there will be a further broader review looking across all levels of risk management.</p> <p>CL gave a review of delegation schemes, noting the changes recommended by The Audit and Risk Committee. The Board noted and approved changes.</p> <p>CL an update to the Board Standing Orders and Audit and Risk Committee Terms of Reference. The Board discussed the changes and noted the Terms of Reference to be reviewed by the Audit and Risk Committee every three years.</p> <p>CL presented an overview of final year-end figures for ESS' Performance Management Indicators (PMIs) for 2024/25 and presented the next steps for future analysis of PMIs. The Board noted paper subject to minor changes.</p>
7.	<p>Any other business</p> <p>There was no other business to consider.</p>

Dr Richard Dixon

Acting Chair, Environmental Standards Scotland

[DATE]