DRAFT Minutes of the Board meeting held on Friday 3 October 2025, 10:00 – 14:15 held in Lomond, Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HD and via Microsoft Teams

DRAFT SUBJECT TO APPROVAL AT THE 5 DECEMBER 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

Apologies:
Celeste Kellock (CK), Senior Policy Analyst (Item 4)

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
Calum Ross (CR), In-house Solicitor
Kirsty Laing (KL), Business Support Officer (minutes)

1.	**Private session** The Board attended a private session. [At this point AS left the meeting]
2.	**Welcome** The Chair welcomed the Board and attendees to the meeting, introducing CR as the new in-house solicitor cover for LQ. CS noted his interests relating to biodiversity due to his former position as Chair of the UK SPA (Special Protection Areas) and the Ramsar Scientific Working Group.

	MS declared an interest relating to her position as Board Member of the Water Industry Commission for Scotland. Managing any potential conflicts of interest had been discussed in advance with the Chair and CEO before accepting a permanent appointment to this role. The minutes of the previous meeting 4 July 2025 were approved by the Board. The Board noted the running list of matters arising and actions.
3.	**Chief Executive's update** MR provided an update on ESS' activities since the last Board meeting, highlighting the: • latest developments and ongoing work in relation to the Natural Environment Bill (Scotland) and discussions with the Bill team • annual meeting with the Office of Environmental Protection and Interim Environmental Protection Assessor for Wales • upcoming meeting of the International Advisory Panel on 31 October 2025 The Board noted the update. MR introduced a paper on aspects of ESS' remit, which may have broader implications for how ESS exercises its statutory functions. The Board noted the paper and agreed the proposed next steps, discussing further the potential implications and agreeing that further research would be needed.
4.	**Strategy and Analysis** NL presented the draft Strategy 2026-2031 to the Board, alongside the accompanying statement, highlighting updates from the previous draft. A summary of the strategy consultation feedback was also provided. NL further noted that consultants are preparing a formal summary of consultation responses, which will be published alongside the strategy and accompanying statement.

	The Board approved the draft strategy and accompanying statement to be laid in the Parliament, subject to minor amendments. The Board thanked everyone involved in producing the strategy, especially NL and CK. NL provided an update on the work of the Strategy and Analysis team, highlighting: • the response to the consultation on the UK Marine Strategy Part One update and letter to the Cabinet Secretary for Climate Change and Energy noting concerns about the assessment and consultation • ongoing work involving Invasive Non-Native Species (INNS) and letter to the Cabinet Secretary for Climate Change and Energy recommending an update to the INNS Code of Practice • upcoming milestones, including ESS' contribution to scrutiny of the upcoming Climate Change Plan • an update on the procurement of an independent assessment of ESS' approach to long-term outcome indicators The Board noted the progress of this work.
5.	**Investigations and representations** JMcG presented an update on the work of the Investigations Standards and Compliance team, noting the positive impact recent recruitment has had on caseloads. JMcG also highlighted the: • positive developments with the Special Protection Areas (SPA), incineration overcapacity and development management consultee cases • conclusion of the Ramsar case and publication of summary report • ongoing work being carried out by the Scottish Government as a result of ESS' climate change investigation • status of the bycatch investigation The Board congratulated the team on recent successes and noted the updates.

	Action: JMcG to present the findings of the bycatch investigation at the December 2025 Board meeting
6.	**Governance** MF provided an update on the work of the Audit and Risk Committee (‘the Committee’), highlighting the Committee’s discussion on the recent substantial assurance provided for ESS’ legal procedures. The Board Champions for equality, sustainability and cyber gave updates on ongoing work in their respective areas. RP presented the final draft of the Annual Report and Accounts, providing a summary of changes made following the external audit fieldwork. The Board approved the revised Annual Report and Accounts, subject to minor changes, and noted next steps including the laying of the final report with Parliament on 31 October 2025. RP presented the 2025/26 expenditure to date, alongside proposed changes to the 2025/26 budget, highlighting: • treatment of the capital funding requirements, noting returned IFRS 16 related funds • the return of £90,600 Public Service Reform savings in-year (3% of the ESS budget) • ongoing recruitment and the recommendation for a new permanent Programme Manager role from February 2026 • longer-term financial resilience planning The Board noted the paper and approved the updated 2025/26 budget including the new permanent role. MR presented ESS’ revised approach to risk management. In discussion, the Board:

	• noted the updated approach to risk management, including the new structure separating out operational and strategic risks • considered the overview of the departmental risk registers • discussed the importance of cyber risks and consideration of these at a strategic level • noted the risk maturity assessment, following implementation of the revised risk management approach The Board approved the paper and agreed a six-monthly review of the risk register, with flexibility to review more frequently if required.
7.	**Any other business** The Chair gave an update on Board member recruitment process.

Dr Richard Dixon
Chair, Environmental Standards Scotland
[DATE]