

Committee(s): Natural Environment Board (for decision) Policy and Resources Committee Court of Common Council (for decision)	Dated: 04/12/2023 14/12/2023
Subject: Revised Terms of Reference for Natural Environment Board	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	
Does this proposal require extra revenue and/or capital spending?	Y/N
If so, how much?	£
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain's Department?	Y/N
Report of: Interim Executive Director of Environment	For Decision
Report author: Ken Dunbar	

Summary

The Open Spaces and City Gardens Committee, became the Natural Environment Board in April 2023. The proposals in this report are intended to strengthen the Natural Environment Board as a Strategic Committee co-ordinating the City of London Corporation's overarching approach to the natural environment, whilst recognising the unique and historic charity trustee role of the Corporation in the management of the natural environment.

The Natural Environment Board will operate in a similar manner to the Corporation's Education Board and, as such, will play a crucial role in developing, overseeing and monitoring delivery of the Natural Environment Strategy.

This report proposes to tap into a broader talent pool, attracting individuals with diverse skills and experiences that can enrich the Board's decision-making processes. There will be an open and transparent recruitment process to those external appointments.

The proposed, revised Terms of Reference for the Natural Environment Board will help to ensure oversight of the Natural Environment Strategy and alignment with the Corporate Strategy and the governing documents of the individual Natural Environment Charities.

Recommendation(s)

Members are asked to:

- a) Approve the terms of reference of the Natural Environment Board, as set out in Option 1, subject to any comments, for submission to the Policy and Resources Committee and the Court of Common Council;
- b) Members consider whether any change is required to the frequency of the Committee's meetings.
- c) Delegate Authority to the Town Clerk in consultation with the Chairmen and Deputy Chairmen of the Natural Environment Board and Policy & Resources Committee, to consider any final changes to the Terms of Reference arising from discussion.

Main Report

Background

1. Members will be aware that, at the Meeting of the Court of Common Council on 27 April 2023, Open Spaces and City Gardens Committee was renamed the Natural Environment Board.
2. This change occurred at an important juncture for the Natural Environment Division as it neared completion of its Target Operating Model process and was embarking on a new strategic direction with a new Natural Environment Strategy in development. The proposed revised Natural Environment Board Terms of Reference (ToRs) are seen as a key step in ensuring a more strategic, performance focused and co-ordinated approach to the work Natural Environment as it embarks on a five-year strategy and delivery plan.
3. The proposed ToRs will help to differentiate the responsibilities of the Natural Environment Board from the Natural Environment Committees, namely Epping Forest and City Commons, West Ham Park and Hampstead Heath, Highgate Wood and Queens Park, which are each responsible for delivering the Management Plans and strategies for the Green Spaces under each Committee's purview. There is also a clear differentiation between the Natural Environment Board's strategic role and its operational role over City Gardens.
4. The role of the Natural Environment Board which oversees over 11,000 acres of green spaces throughout London and the South East, has never been more important. This infrastructure plays a key role in the Corporation's Climate Action Strategy and enables the Corporation to demonstrate leadership on environmental matters at a local, regional, national and international level.
5. Through its ownership and management of some of the most spectacular parks, natural landscapes and green spaces in London and the Southeast, the Corporation demonstrates its commitment to nature resilience, biodiversity, carbon reduction, conservation, and the consequent health benefits and public enjoyment that arise from use of the open spaces. The City of London Corporation can lay claim to owning over 14 times more green and blue infrastructure than its overall urban area within the Square Mile.

6. The Corporation has a unique leadership position in terms of its investment in the natural environment, and in light of the emerging evidence about the natural capital value of Corporation's green spaces, the need for a strategic and co-ordinated approach has never been greater. The emerging work on a Natural Capital Account for the Corporation and the emerging Natural Environment Strategy will underpin the Corporation's wider strategic goals, and this should be profiled, prominently, in the City of London Corporation's new Corporate Strategy.
7. The Natural Environment Board needs to play a greater role in oversight and scrutiny of the full range of the Natural Environment activities and programmes, developing policy and reviewing performance. This should ensure that its strategy and associated delivery plans align with, and underpin the Corporation's wider goals and aspirations, including advising on the design and use of green spaces. This should also enable it to take advantage of the opportunities for new policy initiatives, including extending its education and learning impact, and enhancing carbon sequestration and nature resilience, adopting a more commercial approach whilst at all times recognising the objects of the various charities, including conserving the natural aspect.
8. It is intended that the Natural Environment Board will operate in a similar manner to the Corporation's Education Board and, as such, given its crucial role in developing strategy, the need for the best possible expertise at Board level is vitally important. Accordingly, in addition to the expertise on the Board, it is proposed to augment the Board with up to four external representatives who, in addition to the expertise of Members, bring specific areas of expertise to the Board specifically, but not exclusively, addressing the following areas:
 - Biodiversity & nature resilience (including climate action)
 - Community engagement
 - Access & recreation
 - Culture, heritage & learning
 - Resourcing including income generation.

(It should be noted that external representatives are required to sign up to the Corporation's Code of Conduct, which should provide a level of assurance on governance and accountability.)

Current Position

9. The nomenclature change from Open Spaces and City Gardens to Natural Environment Board was agreed at a meeting of the Court of Common Council in April 2023, but the detail surrounding its roles and responsibilities were not amended.
10. Whilst the Natural Environment Board has assumed, as intended, a more strategic and oversight role, it continues to hold operational responsibility for the green spaces and city gardens within the Square Mile. It is intended that this will continue to be the case, with the functions relevant to city gardens, remaining unchanged.
11. The proposals set out in this report will help to better define the role, functions and membership of the Natural Environment Board and, in due course, better distinguish the Board's function as distinct from that of the various Natural Environment

Committees (and the individual charities), thereby reducing a tendency towards dual reporting. By defining the body as a Board, this will help to demonstrate a clear difference between the strategy and oversight role as distinct from the traditional Committee role where responsibilities and delegations are generally well understood. There will, of necessity, be an overlap on some matters.

12. As Members will be aware, the Natural Environment Charities Review scoping exercise is in progress. As part of this work Officers are reviewing the City Corporation's governance arrangements for those charities. Until this review has progressed the Natural Environment Charities Review will not be making any recommendations for amending ToRs.
13. It will be for Directors to determine how matters are reported to each of the Natural Environment Charity Committees and the flow of information between the Committees and the Board.

Options

- 14 Option 1 (This Option is recommendation)

The proposals in this report seek to better define the role of the Natural Environment Board as the vehicle to drive a cohesive Natural Environment Strategy whilst being cognisant of the unique and historic charity dimension to the work of the Corporation. It also aims to tap into a broader talent pool, attracting individuals with diverse skills and experiences that can enrich the Board's decision-making processes.

- 15 Option 2 (This option is not recommended)

Another option would be to do nothing, thereby retaining the existing arrangements whilst awaiting the completion of the Natural Environment Charity review. However, the review of the Natural Environment Charities is likely to take some time, due to the complexity and breadth of issues being considered and differences in the governance arrangements of the Natural Environment Charities. There is a clear need to drive the new overarching Natural Environment Strategy which will further support the Natural Environment Charities in delivering their objects and management plans.

Terms of Reference

16. Except where specific responsibilities are referred to it, the Board will not take over the role of Natural Environment Charity Committees, or indeed other City Corporation Committees. The Natural Environment Board will be a vehicle for taking a strategic approach, ensuring effective oversight and scrutiny and ensuring the Natural Environment Strategy complements and underpins the new Corporate Strategy.
17. It is proposed that the following terms of reference are adopted for the Natural Environment Board:

The Natural Environment Board to be responsible for:-

Natural Environment Strategy and Policy

- the approval, monitoring and regular review of the Natural Environment strategy, overseeing the overall policy and performance framework for Natural Environment and City Gardens;
- overseeing the delivery of the Natural Environment Strategy, ensuring policies, programmes and activities encompassing Nature Resilience and Biodiversity (including Climate Action), Access and Recreation, Community Engagement, Culture, Heritage, and Learning align with the City of London corporate strategy and wider Corporation strategies and plans, and the governing documents of the charities;
- dealing with, and making recommendations to the Court of Common Council where appropriate, all matters relating to the strategic management (e.g. policy, financial and staffing) of the City of London Corporation's natural environment where such matters are not specifically the responsibility of another Committee; and,
- The allocation of grants in relation to the Natural Environment taking account of any views or recommendations expressed by the Epping Forest and Commons Committee, West Ham Park Committee or Hampstead Heath, Highgate Wood and Queen's Park Committee as relevant;
- the appointment of the Director of Natural Environment (in consultation with the Port Health and Environmental Services Committee);
- the management and day-to-day administration of the gardens, churchyards and open spaces in the City under the control of the Common Council, together with Bunhill Fields Burial Ground;
- arrangements for the planting and maintenance of trees and other plants and shrubs in green spaces and in footpaths adjacent to highways in the City;
- advising on applications for planning permission relating in whole or in part to the gardens, churchyards or green spaces in the City under the control of the Common Council; and,
- the functions of the Common Council under the Local Government (Miscellaneous Provisions) Act 1976 to make safe by felling, or otherwise, dangerous trees in the City generally on receipt of notices served on the City of London Corporation in the circumstances set out in Section 23 of the Act and where trees are in danger of damaging property.

Membership

- 18 As this is an extant body it is proposed that the Court appointed membership remains as existing, save for the appointment of up to four external representatives:

A Non-Ward Committee consisting of:

- eight Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment.
- the following ex-officio Members:-

- the Chair and Deputy Chair of the Epping Forest & Commons Committee
- the Chair and Deputy Chair of the Hampstead Heath, Highgate Wood & Queen's Park Committee
- up to four external representatives, appointed by the Natural Environment Board, with appropriate expertise in the areas of strategic focus for Natural Environment (i.e. non-Members of the Court of Common Council, without voting rights)

Quorum

The quorum to consist of any five Common Council Members

Meetings

The Natural Environment Board will generally meet six times a year.

Terms

External representative appointments will be staggered over a period of 2-4 years.

Natural Environment Board support

- 19 There will be no material change to the existing level of officer support for the Board, however there will be a need to give careful consideration to the agenda and associated agenda planning to ensure the Board focuses on its strategy and oversight role in addition to its operational role on City Gardens. There will be a nominal resource requirement for the recruitment, induction and training of external appointments.
- 20 The proposed changes should reduce any perceived duplication in reporting and enable a clearer focus on developing strategy and in reviewing performance in the delivery of the new Natural Environment Strategy.

Recruitment of External representatives

- 21 Should the proposal for External Representatives be approved, there will be an open and transparent approach to the recruitment of external representatives, which will follow a similar approach to the recruitment of external representatives on other City of London Committees, such as the City Bridge Foundation Board, including advertising on the Corporation website and use of LinkedIn and other mechanisms to generate interest. All adverts will include a role profile which highlights the skills, expertise and unique perspectives the Natural Environment Board is seeking to achieve with these key external appointments.

Proposals

- 22 The proposed Terms of Reference for the Natural Environment Board will help to ensure strategic oversight of the Natural Environment Strategy and ensure alignment with the Corporate Strategy of the Corporation. It will have responsibility for developing, implementing and monitoring the Natural Environment strategy and for optimising its impact on the Corporation's broader objectives.

Conclusion

- 23 The City of London Corporation plays a unique role in the conservation and management of 11000 acres of green spaces. The integral relationship between its natural assets and its climate action and nature resilience and recovery programmes, together with its commitment to supporting learning, education and improved health and wellbeing, requires that this is managed in a strategic and co-ordinated manner.
- 24 The emerging Natural Environment Strategy sets the framework for effective scrutiny and oversight of Natural Environment programmes and activities at a strategic level. The Natural Environment Board, supported by external representatives who have specific expertise in the areas of focus, will play a key role in ensuring co-ordination and strategic alignment between the Natural Environment strategy and the Corporation's new Corporate Strategy, and, by necessity, the governing documents of the charities.

Key Data

N/A

Corporate & Strategic Implications

Financial implications - none

Resource implications - none

Legal implications – None

Risk implications- failure to define the role and function could result in dual reporting and extensive overlap

Equalities implications – The changes have neither a positive, nor negative impact on the Public Sector Equality Duty 2010

Climate implications – no direct impact

Security implications – no direct impact

Appendices

App 'A' Terms of Reference

Background Papers

N/A

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Appendix A

LYONS, Mayor	RESOLVED: That the Court of Common Council holden in the Guildhall of the City of London on Thursday 27 th April 2023, doth hereby appoint the following Committee until the first meeting of the Court in April, 2024.
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NATURAL ENVIRONMENT BOARD

1. **Constitution**

A Non-Ward Committee consisting of,

- eight Members elected by the Court of Common Council, at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
- the following ex-officio Members:-
 - the Chairman and Deputy Chairman of the Epping Forest & Commons Committee
 - the Chairman and Deputy Chairman of the Hampstead Heath, Highgate Wood & Queen's Park Committee
- up to four external non-voting representatives, appointed by the Natural Environment Board with appropriate expertise in the Natural Environment, including biodiversity & nature resilience, community engagement, access & recreation, culture, heritage & learning and income generation
- up to one observer nominated by the Epping Forest & Commons Committee, Hampstead Heath, Highgate Wood & Queen's Park Committee and West Ham Park Committee.

2. **Quorum**

The quorum consists of any five Members.

3. **Membership 2023/24**

- 7 (4) Oliver Sells, K.C.
- 3 (3) Andrew Stratton McMurtrie, J.P.
- ~~2 (2) Ian Luder, Alderman for three years~~
- ~~2 (2) Graeme Doshi-Smith, Deputy for three years~~
- 2 (2) Benjamin Murphy
- 2 (2) James Bromiley Davis *for two years*
- 6 (1) Caroline Wilma Haines
- 13 (1) Wendy Mead, O.B.E

together with the ex-officio Members and external representatives referred to in paragraph 1 above.

~~together with one observer nominated by the Epping Forest & Commons Committee, Hampstead Heath, Highgate Wood & Queen's Park Committee and West Ham Park Committee referred to in paragraph 1 above.~~

4. **Terms of Reference**

To be responsible for:-

- (a) the approval, monitoring and regular review of the Natural Environment strategy, overseeing the overall policy and performance framework for Natural Environment and City Gardens;
- (b) overseeing the delivery of the Natural Environment Strategy, ensuring policies, programmes and activities encompassing Nature Resilience and Biodiversity (including Climate Action), Access and Recreation, Community Engagement, Culture, Heritage, and Learning align with the City of London corporate strategy and wider Corporation strategies and plans, and the governing documents of the charities;
- (c) dealing with, and making recommendations to the Court of Common Council where appropriate, all matters relating to the strategic management (e.g. policy, financial and staffing) of the City of London Corporation's natural environment where such matters are not specifically the responsibility of another Committee;
- (a) The allocation of grants in relation to **Open Green** Spaces taking account of any views or recommendations expressed by the Epping Forest and Commons Committee, West Ham Park Committee or Hampstead Heath, Highgate Wood and Queen's Park Committee as relevant;
- (d) **Open Spaces**
- (b) ~~dealing with, or making recommendations to the Court of Common Council where appropriate, all matters relating to the strategic management (e.g. policy, financial and staffing) of the City of London Corporation's open spaces where such matters are not specifically the responsibility of another Committee; and~~

- (e) the appointment of the Director of ~~Open-Spaces~~ Natural Environment (in consultation with the Port Health and Environmental Services Committee);

City ~~Open-Spaces~~ Gardens

- (d) the management and day-to-day administration of the gardens, churchyards and ~~open~~ green spaces in the City under the control of the Common Council, together with Bunhill Fields Burial Ground;
- (f) arrangements for the planting and maintenance of trees and other plants and shrubs in ~~open~~ green spaces and in footpaths adjacent to highways in the City;
- (g) advising on applications for planning permission relating in whole or in part to the gardens, churchyards or ~~open~~ green spaces in the City under the control of the Common Council; and
- (h) the functions of the Common Council under the Local Government (Miscellaneous Provisions) Act 1976 to make safe by felling, or otherwise, dangerous trees in the City generally on receipt of notices served on the City of London Corporation in the circumstances set out in Section 23 of the Act and where trees are in danger of damaging property.