

**CONFIRMED MINUTES OF THE 145<sup>TH</sup> BOARD MEETING  
WEDNESDAY 13 MARCH 2024 AT HOLLY WALK, LEAMINGTON SPA**

**Present:** Antony Townsend (AT) (Chair)  
Gerry McCormack (GM)  
Helen Venn (HV)  
Julian Atkins (JA)  
Peter Bayliss (PB)

**In attendance:** Kate Shaw (Chief Executive (CE))  
Chris Hill (Policy and Regulations Manager (PRM))  
Mike Holland (Compliance Manager (CM))  
Wing Edmundson (WE) (HMRC)

**Board secretary:** Helen Maccallum (HM)

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**1. Introduction**

1.1. The Chair welcomed everyone to the 145<sup>th</sup> Board meeting.

**2. Apologies**

2.1. No apologies were received.

**3. Declaration of Interests**

- 3.1. The Chair reminded Board Members that if a topic was discussed during the meeting in which they had an interest, this should be declared.
- 3.2. PB updated the Board that he has links to Andrew Brown (AB) from Veolia Environmental Trust on a charity where PB is a Trustee. He has no connection with AB other than that.

**4. Minutes of last meeting**

4.1. Subject to the typos being corrected the minutes were approved.

**5. Action points**

5.1. All action points were completed.

**6. HMRC Update**

- 6.1. The Chair thanked HMRC for the levy update and the letter of confirmation from them, he informed WE that we haven't stopped continuing to become a leaner regulator.
- 6.2. WE noted the changes and different tone to the plan and recognised the savings we are making. She also welcomed the shift to a risk based approach aligning with HMRC's general activity. She found it encouraging looking at the EB feedback. The only other update is the new Environment Minister WE has not had much insight into her views but in terms of the Landfill Communities Fund (LCF) it is business as usual.

## 7. Feedback from visits to Environmental Bodies

- 7.1. Addendum Item for Board.

## 8. Operational update

- 8.1. The CE presented paper, and took it as read apart from key points being:
- 8.2. **Communications area** – we have halted the website redevelopment as result of going live with 365 and are reviewing what a changed EOL would require. The previous plan to look at creating content is not required and the Chief Executive (CE) will provide an update when a final decision has been made. The Comms Manager is preparing a full list of what is on the current website and tidying up and identifying things that can come off.
- 8.3. **Action:** The CE to provide an update to the Board on the Communications Plan once a final decision has been made.
- 8.4. **Satisfaction survey** – it was agreed last year that we will replace survey monkey with google forms.
- 8.5. **Form 4** – The Form 4 (Annual Return) period is upon us and the Team are working on the strategy, this includes a push to revoke unfunded EBs following the Biffa Award changes.
- 8.6. **Compliance** – the CM reported that at the end of February Compliance were on track.
- 8.7. **Regulations and Registrations** – the CE reported that there are no issues from the changes made to the Guidance Manual. The Data Officer is joining Entrust in April 2024.
- 8.8. On the lack of project registrations, the Board were informed that the Policy and Regulations Manager (PRM) has had a discussion with ADEB. Enover have now brought Highfield Environment who had previous left the fund and Grantscape have taken on another LO.
- 8.9. **Breach Management** – Addendum item for Board

## 9. RSWT Update – Biffa Model

- 9.1. The CE reported that by the time she and the Chair attended RSWT's Board meeting the relationship with the EB had transformed and the door was open for change.
- 9.2. The PRM explained that this is a major change for us rather than RSWT, they will amend their forms and will change their processes. For Entrust from 1 April people will no longer need to register as an EB if they are going for funding from RSWT. The biggest change is that the c1,400 "dormant" EBs will no longer need to stay registered.
- 9.3. There are consequences for us, with the website, videos for EBs, the compliance plan and EOL. In terms of timeline we are going to send out the Form 4 communications with the Voluntary Revocation Form. The CE asked for delegated authority to approve monthly revocations rather than wait for Board meetings, where the EB was unfunded and had no projects within a monitoring period. The Board agreed this approach.
- 9.4. **Action:** CE to approve revocations on a monthly basis for unfunded EBs

- 9.5. PB asked for the updated regulations to be forwarded to the Board and the PRM will send the link through.
- 9.6. **Action:** The PRM to send the updated regulations to the Board Members.
- 9.7. The Board felt this was a major development.

## 10. EOL System Review

- 10.1. The PRM introduced the paper and informed the Board that the biggest impact is to decide what we need to provide on EOL. Following the introduction of 365 and the RSWT changes our needs have materially changed.
- 10.2. The PRM thinks it represents the transformation of the regulator. EOL had a test run for major change and while we are on track and can deliver, we can't in house do a rewrite. We see an alternative platform as a means to improve the ability to navigate and in terms of automating things to be more streamlined.
- 10.3. In terms of stages we believe we have got to the first stage. The executive will come back to the Board with a clearer development plan for the direction of travel. We need to be proportionate and scale things back to maybe five steps. Writing a whole new system could be very expensive, and we need something relatively quickly that is proportionate, effective and efficient as well as value for money.
- 10.4. **Action:** To come back to the Board with a clearer development plan for EOL.

## 11. Enrolment and Revocations

- 11.1. The paper was taken as read. It is expected that 10 new enrolments will go to one or two, we will likely have a conversation with them to make sure they actually need to enrol as an EB.
- 11.2. There are 23 EBs on the list for voluntary revocation, some of the EBs are bigger than others, but all have no funds. The Board ratified the revocations.

## 12. Breach Management Framework Review

- 12.1. The framework following review is very different in terms of look and content.
- 12.2. It was noted that we have sent this to EBs and also to HMRC who have approval under the TOA. The framework is clear and shows what stage a review is. Some of the referrals could be a major risk to reputation, and a handful of these would be referred to HMRC for clawback.
- 12.3. The Board were happy to approve the Framework for publication.
- 12.4. **Action:** To publish the Breach Management Framework on the website.

## 13. 2024/2025 Compliance Programme

- 13.1. The CM touched on the key points. The CM is proposing that for the Biffa projects we don't need to go into great detail and will be focusing our attention on project based reviews. The PSV enhances the sample size with the resource required next year to look at more projects. This can be an issue as some DEBs perceive this as increasing the administrative burden on EBs.

- 13.2. Of the 30 EBs that receive funds, the Top Ten make up 95%. The CM was asked if he knew who were really good or really poor. He explained that there are none that are really poor, but there are some more challenging DEBs and maybe two or three of those who struggle and need more money and resources.
- 13.3. An upgrade of EOL is welcome but needs to not lose sight of issues. Once the Data Officer is in post, we will be looking at all the changes over the summer. The Board asked if there was a correlation between how large a proportion of an EB's costs is admin costs and compliance issues. If the EB is in trouble for any reason the staff can't do their role, we need to be holistic about how the EB is being run. With Board members attending Top Ten Board meetings we identify issues that we would speak to them as Board to Board. The Chair reported that he has previously had one to ones with the Chairs of the Top Ten Boards and found this was very useful.
- 13.4. We will be relooking at the stakeholder engagement at the June meeting and will be getting the Data Officer to look at the data, and if there are issues with the EB we will red flag them.
- 13.5. **Action:** To look at the stakeholder engagement at the June 2024 meeting.
- 13.6. The Board approved the compliance programme.

**14. Training**

- 14.1. The CE reported that there is nothing major to report. We are finding that EBs are not needing so much help now as we have the videos on our website and EOL.
- 14.2. Targets for training events are not appropriate as all training is done virtually. The CM had feedback from an EB who liked the videos instead of having to find it in the guidance manual. We have found there is value in the process as bookings have started coming in for bespoke training. The Board approved the training plan.

**15. Any other Business**

- 15.1. The CE informed the Board that we will be outsourcing the printing of Board papers as we only have one small printer. The Board were asked to let HM know if they required printed copies.
- 15.2. Addendum item for Board

**16. Date of next meeting**

- 16.1. The next Board meeting will be held on 13 June 2024 at Holly Walk, Leamington Spa.

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CHAIR'S SIGNATURE

13 June 2024

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DATE: