

DRAFT MINUTES OF THE PERFORMANCE COMMITTEE MEETING of

THE CAIRNGORMS NATIONAL PARK AUTHORITY

**held via Lifesize
on 13 May 2022 at 9am**

PRESENT

Willie Munro (Chair)
Douglas McAdam (Vice-Chair)
Peter Argyle
Janet Hunter

Xander McDade – from 9:15
Anne Rae Macdonald – from 9:05
Willie McKenna

In Attendance:

David Cameron, Director of Corporate Services
Kate Christie, Head of Organisational Development
Murray Ferguson, Director of Planning and Place
Andy Ford, Director of Nature & Climate Change
David Clyne, Head of Heritage Horizons: Cairngorms 2030
Helen Mason, Minute Taker

Apologies: Grant Moir, CEO

Welcome

1. The Chair welcomed everyone to the meeting of Performance Committee. He informed the Committee that the meeting was being recorded for minuting purposes.

Declaration of Interests

2. Doug McAdam noted for transparency existing entries in his Register of Interests with a bearing on the following items:
 - a) Paper 1 - HH project - Independent Chair of the South Grampian Deer Management Group: a remunerated interest.
 - b) Paper 4 - sits on the Capercaillie Board as CNPA Board Representative.

Neither of these matters were considered to represent a conflict of interest and Doug McAdam therefore noted that he would participate in the consideration of both items mentioned.

Minutes of Last Meetings held – for approval

3. The draft Minutes of the last meeting held on 11th February 2022 were agreed.

Matters Arising

4. The following outstanding action were agreed as closed with remaining matters to be addressed noted in the table at the end of this minute

- a) **Minutes 29th October 2021 -At Para 34i) Closed** – Staff to get contractors in place for Peatland Restoration as soon as possible. Item closed because Peatland Restoration was now part of the regular reporting and a feature of strategic risk register, which comes to the Board regularly.
 - b) **Minutes 29th October 2021 - At Para 41ii) Closed** – Any changes to the HH Advisory Panel to be taken forward after their first meeting. – Now covered in Capercaillie Report so closed.
 - c) **Minutes 29th October 2021 - At Para 48i) Closed** – CEO to look into better communication with Board and wider community in regard to the Capercaillie Project. Item Closed as Communication covered as part of the Caper Item itself.
 - d) **Minutes 11th February 2022 – At Para 9i) Closed** – Heritage Horizons project continuing to discuss and amend communications systems online and offline. Head of Heritage Horizons Programme will update this in Item 8 on the agenda today.
 - e) **Minutes 11th February 2022 – At Para 14i) Closed** – CEO to talk to Paul Macari, Head of Planning at Aberdeenshire Council. The result of this communication will be picked up in future reports.
 - f) **Minutes 11th February 2022 – At Para 14ii) Closed** – Director of Corporate services working on resources and budget. This would be in the report today.
 - g) **Minutes 11th February 2022 – At Para 24i) Closed** – Director of Nature & Climate Change to make sure on the written report there would be coverage included of reputational risk assessment relating to the Carrbridge project. Closed as in the report today.
5. It was discussed that as a Committee there would be a lot of action points and the possibility of setting up an action tracker can be followed which included dates to allow tracking. Director of Corporate Services will tabulate actions and put them at the end of the Minutes, for the next meeting.
6. **Action Points arising:**
- i. **Director of Corporate Services to tabulate actions and put them at the end of the Minutes, for the next meeting.**

Heritage Horizons Programme Update (Paper 1)

- 7. David Clyne, Head of Heritage Horizons Programme Manager introduced the paper which updated the Committee on the Heritage Horizons: Cairngorms 2030 Programme and the planned development work to end June 2022.
- 8. The Performance Committee discussed the paper and made the following comments and observations:
 - a) With reference to terms of contracts not awarded or those taken back to be reformatted - Can contracts continue on from anticipated close date so they get the full time required for project development? Head of Heritage Horizons Programme Manager advised all required information to be in place by end March 2023. A slight delay would be acceptable but if new information were to

come in May or June, it would be too late. Discussed that if this is likely to be the case the scope should be revisited to enable some of the work into the delivery phase. Explained that as accountable body there will be a cut off point for the eligibility of any claims for finance recovery to come back from National Lottery HF to have time for procurement and other work. For any overlap the CNPA will have to make its own budget provision for anything after cut-off point in the next financial year. Director of Corporate Services & Head of Heritage Horizons Programme Manager added they were thinking about how the interim phase before the delivery phase would operate.

- b) Suggestion made that it would be useful if the report was set out detail in line with reference to the recommendations and objectives. The committee agreed to discuss reporting requirements for all future papers at end of session.
- c) Anne Rae Macdonald, who sits on an agricultural group working with Scottish Government noted the projects regarding carbon audits and management plans and volunteered to discuss these with Head of Heritage Horizons Programme Manager after the meeting.
- d) Discussed reason for no bids for the Consultancy side of deer work. Head of Heritage Horizons Programme Manager felt the contract might have been too large and the market saturated. The CNPA team is now talking with the 16 organisations that submitted an expression of interest. One organisation has agreed to submit a bid.
- e) Discussed budget allocation for deer and noted that one DMG involved had secured enough funds to manage their project.
- f) Concern about the time the HH project takes and how confident the officers are of meeting time deadline as there would be a huge amount to be done. Head of Heritage Horizons Programme Manager explained the team are confident and aware of the challenge. Rationalisation important and using the relevant tools to assist. Combining the large packages into subgroups will help. Aim to avoid confusion and streamline engagement plans to help prevent overlap. Director of Corporate Services noted the constant liaison with National Lottery Heritage Fund to identify pinch points and risks of change from development to delivery phase so manage expectations at the delivery point. Important to get approval up front at an early stage.
- g) Discussion relating how the Performance Committee projects ally with other work of the park and the NPPP. Keep in mind the normal work of the Park and how the projects particularly Heritage Horizons relates to this.
- h) With reference to Para 19, concern about staffing capacity coping with work. Head of Heritage Horizons Programme Manager explained HH projects are part of NPPP, integrated into individual work plans when planning for the year.

9. The Chair thanked the Head of Heritage Horizons Programme for comprehensive report.

10. The Performance Committee reviewed the delivery updates presented and considered:

- a) whether the programmes of activity were making the expected contribution to the Cairngorms NPA's agreed strategic outcomes;**
- b) whether the delivery updates suggested any strategically significant impacts on the Cairngorms NPA's agreed performance objectives;**

- c) **whether any material impacts on the Cairngorms NPA's strategic risk management and mitigation measures arose from assessment of programme delivery.**

11. Action Point Arising:

- i. **Head of Heritage Horizons Programme to look at clearer formatting for future reports.**

Cairngorms Peatland Action Programme Delivery (Paper 2)

- 12. Andy Ford, Director of Nature & Climate Change introduced the paper which presents the latest delivery update for the Cairngorms Peatland ACTION Programme. Andy thanked Steven Corcoran, Peatland Action Programme Manager who would be retiring today for his work getting the Peatland Action Programme in place and his work with the Park Authority since 2005.
- 13. The Performance Committee discussed the paper and made the following comments and observations:
 - a) Discussion about complex restoration work beyond drain blocking. Director of Nature and Climate Change explained the positive trend in contractor capacity building with recent evidence of good responses in the procurement market supported by multi-year contracts which would widen the market and the University of Highlands & Islands training programme. Now more confidence in the market with multiyear funding; the carbon code; private sector building skills & experiences. Development and diversification in the market. Chair pleased to see guaranteed stream of work over the years.
 - b) Discussion about impacts of drain blocking. Director of Nature & Climate Change explained drain blocking was needed to restore/ re-wet peat. Peatland restoration should be viewed in the round . Sequestration and registration to the Peatland Code happens primarily in the actively degrading peat.
 - c) Clarification sought has the increase in operational cost of fuel been taken account of in the budget? Director of Nature & Climate Change advised that the capital budget could accommodate this.
 - d) Would an underspend be relocated to other parts of the country this year. Director of Nature & Climate Change explained it was in the early stages of prediction and there will be discussions about re-allocation across Scotland.
 - e) Clarification sought of the meaning of a full-service in approach, mentioned in Section 14 of the report and would this leave the CNPA vulnerable from an Audit perspective. Director of Nature & Climate Change explained that Full Service approach means from the start of the application to the sign off. At the moment we are grant giving body and also provide service to the estates, he went on to explain we design the restorations scheme and provide the 'design and build' service to the land managers and check work has been completed to standard require for Peatland Action. Includes agreements with contractors. Director of Corporate Services pointed out it was a similar model to the LEADER programs. Single team with clear separation of responsibilities within the team with audit verification.
 - f) Discussion about 'design and build' package and whether it needs to transfer to private sector. Director of Nature & Climate Change explained more private

investment in skills training will increasingly go back to the private sector. For the time being, the land managers do not have the skills in-house and is potentially a barrier to uptake of the Peatland Action funding. As a changing picture the Committee should review on an on-going basis.

- g) Role of the CNPA ref. section 9 and additional risks for example if project fails and financial risk. Does this need to transfer to private service – Landowners and contractors. Director of Nature and Climate Change explained that unlike Forestry deliverables are these immediately evident and not in 40 or so years as is the case with Forestry.
- h) What about areas with high grazing pressure where things could still fail? Director of Nature and Climate Change explained they had considered in the choice of which areas of peatland restoration to fund. Heritage Horizons project is highlighting peatland restoration in high impact areas. Liabilities are not financial ones for the estate; the liabilities are with the risk of public money for something that fails. Director of Corporate Services further explained that the standard conditions of grant include a 10-year liability requirement on estates. Conditionality requires that if the landowners don't maintain the restored peatland as expected there is the potential of grant claw-back of up to 100%.
- i) Director of Nature and Climate Change spoke about the Peatland Code which was ongoing and that they were currently working to explain to land managers that the CNPA does not provide a Peatland Code service but the CNPA have modified procedures so that Restoration Plans will be compatible with the Peatland Code. Therefore, there is a financial incentive to landowners to follow the Peatland Code.
- j) Concern expressed about the capacity of staff team and the Audit. Director of Nature and Climate Change is expecting recruitment to start next week, he provided reassurance that they have the budget to support increased staff. Re-filling the Peatland ACTION Programme Manager post quickly.
- k) Regarding the audit, as the Peatland action programme has scaled up from 100s ha to 1000s ha – the audit has picked that up and the increase and developing work. A specific role of Programme Development would address the issue.

14. The Chair asked to record in the minutes the Committee's thanks to Steven Corcoran for getting this important programme up and running.

15. The Performance Committee noted the delivery update and considered:

- a) **whether the programmes of activity were making the expected contribution to the Cairngorms NPA's agreed strategic outcomes;**
- b) **whether the delivery updates suggested any strategically significant impacts on the Cairngorms NPA's agreed performance objectives;**
- c) **whether any material impacts on the Cairngorms NPA's strategic risk management and mitigation measures arose from assessment of programme delivery.**

16. Action Points arising:

- a) **Transfer of the 'Design & Build' Service into the private sector over time should be reviewed regularly.**

Cairngorms LEADER and Cairngorms Trust Delivery (Paper 3)

17. David Cameron, Director of Corporate Services, introduced the paper which presents the latest delivery updates on the Cairngorms LEADER Programme and voluntary and charitable giving activities as managed by the Cairngorms LEADER Local Action Group Trust (Cairngorms Trust).
18. The Performance Committee noted the delivery updates.
19. **The Chair concluded that everyone was happy with the report and thanked the Director of Corporate Services.**
20. **The Performance Committee reviewed the delivery updates presented in the paper and considered:**
 - a) **whether the programmes of activity were making the expected contribution to the Cairngorms NPA's agreed strategic outcomes;**
 - b) **whether the delivery updates suggested any strategically significant impacts on the Cairngorms NPA's agreed performance objectives;**
 - c) **whether any material impacts on the Cairngorms NPA's strategic risk management and mitigation measures arose from assessment of programme delivery.**
21. **Action Points Arising: None**

Cairngorms Capercaillie Project (Paper 4)

22. Andy Ford, Director of Nature & Climate Change introduced the paper which presents the latest delivery updates on the Cairngorms Capercaillie project.
23. The Performance Committee discussed the paper and made the following comments and observations:
 - a) Grant funding for woodland management available to all land managers was noted and what is being done to get the message out and levels of interest was discussed. Director of Nature & Climate Change explained promotion was via a number of sources: Cairngorms Uplands Advisory Group; Woodland Agents: Scottish Capercaillie Group; one to one contact with managers of forests with Capercaillie. Also, high profile marking and removal of fences.
 - b) 9a & 9b. Carrbridge issue discussed with the discussion about why the plan had not moved forward, and concern it could be a strategic risk. Director of Nature & Climate Change expressed the challenge of the situation. At present the group have received advice from a number of places regarding the priorities in the Carrbridge Plan and fit with the project's approved purposes, scope and remit. If a plan cannot be agreed there is a significant risk with public and

fundings. The CNPA need to show clear deadlines and expectations to be realised to meet the deadline. This will need to be managed.

- c) The layout of the report discussed particularly Points 2a & 2b and why should the external work have such an impact as the project has its own staff complement. Director of Nature & Climate Change explained that he was identifying risks laid out in Strategic Risk register and linking his report to these. He explained that under Point 7, there was a risk but it is not actually impacting on the project as there is a full complement of staff. Director of Corporate Services enlarged on this and risk mitigation, explaining what the risk is and then whether it is affecting the project. Templates for the reports to be discussed under AOCB at the end of the meeting.
24. **The Performance Committee reviewed delivery updates and considered:**
- a) **progress towards the project's agreed purposes;**
 - b) **any strategically significant impacts on delivery of the CNPA's Corporate Plan and National Park Partnership Plan;**
 - c) **any material impacts on the CNPA's strategic risk management.**
25. **Action Point Arising:**
- i. **CNPA to provide clear instruction to the Carrbridge group concerning final deadlines for a revised plan and budget, agreed by the project board and expectations of fund reallocation should deadlines not be met.**

AOCB

26. Report & Templates for Future Meetings

- a) Performance discussed; it should be separated from risk. How successful performance would be measured? Director of Corporate Services noted the points about the overlap of each committee and explained that the Performance Committee's responsibility was to look at specific detail of the operation and delivery of strategically significant projects and programmes. The Performance Committee looks at the programmes, project papers to ensure they are delivering what they are expected to do and objectives of the NPPP and contribute to corporate objectives. Performance Dashboards are to show where specific delivery objectives are and are they being met.
- b) When a new risk identified it needs to be considered and will be referred to Audit and Risk Committee, put on the Strategic Risk Register and/or to the Board.
- c) Comment was made that the desire in setting up the Performance Committee was to have close monitoring of some large-scale projects. To provide assurance of regular monitoring and to refer on to Audit and Risk Committee, if necessary, as this had not existed in the past.
- d) Comment was made on the clear simple style of the Cairngorms Capercaillie Report and Performance Dashboard and identifying the relevant strategic objectives and risks the format of which could be replicated across other reports.

27. Staffing, Performance and Risk

- a) Discussed concern in today's reports about staffing and pressures on staff which mounting and its effect on performance. CNPA might be vulnerable if anything else were to occur. It was discussed that staff were aware of challenges and reassurance provided that staff would be able to deliver.
- b) Director of Corporate Services clarified that there had been a step change in the level of activity in 2022/23. In terms of overall CNPA risk management we are a small but fast-moving organisation. The Management need to identify the key programs of work and recognise priorities for staff work plans relating to Core Funding delivery. Corporate Systems will also have to be developed. Noted there are potential strains on work capacity and the CNPA do not have surplus capacity so have to be careful of additional demand lead items. There was confidence on delivery but have to make sure of priorities.
- c) Chair will contact Chairs of Resources Committee, Audit & Risk Committee & Governance Committee to pass on details of this discussion, particularly the overlap of different committee remits and Strategic Risks.

28. Action Points Arising:

- i) Format of Cairngorms Capercaillie Report to be replicated in all reports**
- ii) Chair of Performance Committee to pass details of this discussion on to Chairs of Resources, Audit & Risk and Governance Committees**

29. The Committee thanked all the teams for their input today.

Date of Next Meeting

30. The next meeting of the Performance Committee 12 August 2022 at 14:30 via Lifesize.

31. The meeting concluded at 10.56 hours.

Action Points arising from previous meetings:

| Date of Meeting | Action | Responsible Officer | Current Status | Comment |
|--------------------------------------|---|--------------------------------|-----------------------|---|
| 29 October 2021 | Para 41i – CEO to look again at the HH Advisory Panel membership and to have in place for the meeting on 13 th May 2022. David Clyne, Head of Heritage Horizons Programme Manager explained they are still looking for a farming rep. Hoped to be in place for the next advisory panel meeting. In place - a new representative from All The Elements equalities group. | CEO | In Hand | |
| 11th February 2022 | Para 19i) - Audit of Footpath Maintenance to come back to Committee at some point in future. | | Open | Report to be brought back to committee |
| 11th February 2022 | Para 19ii) - Report relating to Visit Scotland funding to be brought to the Committee. | | Open | Report to be brought back to committee |
| 11th February 2022 | Para 19iii) Open - Look at Green Funding particularly via Heritage Horizons. | | Open | Report to be brought back to committee |
| 11th February 2022 | Para 19iv) In Hand – Director of Corporate Services to look further into the living wage as a requirement for the future and report back to the Committee. Director of Corporate Services looking at KPIs and would have final result in next few weeks. | Director of Corporate Services | Closed | KPIs referenced in report include new jobs created by applicants, all of which are at or above living wage, plus identified added jobs as a consequence of project with other organisations, which cannot be controlled in terms of salary level. |
| 11th | Para 30i) Open – Chair, Vice-Chair | Director of | Open | Agreed in correspondence and through |

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| February 2022 | and Director of Corporate Services to discuss the reporting of the Performance Committee and bring it back to the Committee. This to be picked up under any other business today. | Corporate Services | | comments at May 2022 meeting that template report now represents a robust and comprehensive reporting structure. |
| 13th May 2022 | Para 6i) Director of Corporate Services to tabulate actions and put them at the end of the Minutes, for the next meeting. | Director of Corporate Services | | |
| 13th May 2022 | Para 11 i) Head of Heritage Horizons Programme to look at clearer formatting for future reports. | Head of Heritage Horizons Programme | | |
| 13th May 2022 | Para 16 a) Transfer of the 'Design & Build' Service into the private sector over time should be reviewed regularly | | | |
| 13th May 2022 | Para 25 i) CNPA to provide clear instruction to the Carrbridge group concerning final deadlines for a revised plan and budget, agreed by the project board and expectations of fund reallocation should deadlines not be met. | | | |
| 13th May 2022 | Para 28 i) Format of Cairngorms Capercaillie Report to be replicated in all reports | | | |
| 13th May 2022 | Para 28 ii) Chair of Performance Committee to pass details of this discussion on to Chairs of Resources, Audit & Risk and Governance | | | |

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