

## **AGENDA**

**21 November 2014**

**10.00am**

1. **To receive apologies for absence and welcome**
2. **Chairman's Announcements**
3. **Introduction of Members and Declarations of Interest**
4. **To note whether any items have been proposed as matters of urgent business**
5. **Public Question Time**  
To note whether any questions have been raised by members of the public
6. **To receive and confirm the minutes of the Broads Authority meeting held on 26 September 2014** (herewith)
7. **Summary of Progress/Actions Taken following Decisions of Previous Meetings**  
To note schedule (herewith)

### **STRATEGY AND POLICY**

8. **Strategic Direction**  
Report by Chief Executive (herewith)  
*To include:*  
*Progress on Strategic Priorities 2014/15*
9. **Financial Performance and Direction**  
Report by Head of Finance (herewith)  
*To include:*  
*(1) Consolidated Income and Expenditure from 1 April – 30 September 2014*  
*(2) Advertising and Sponsorship Policy*
10. **Navigation Charges 2015/16 and Draft Financial Strategy to 2017/18**  
Report by Chief Executive, Director of Operations and Head of Finance (herewith)
11. **Mooring Strategy Update**  
Report by Senior Waterways and Recreation Officer (herewith)

12. **Strategic Review of Waste Facilities**  
Report by Asset Officer (herewith)
13. **Adopting the Broads authority's Statement of Community Involvement**  
Report by Planning Policy Officer (herewith)
14. **Geldeston Landholdings**  
Report by Asset Officer (herewith)

#### PRESENTATIONS

15. **Agri-Environment Schemes, Rural Payments and Assessment of Current Intentions of Grazing Marsh Farmers in Response to some of these Changes**  
Report by Senior Ecologist (herewith) and presentation by Natural England
16. **The Archaeology of the Broads: A Review**  
Presentation by Mr Peter Murphy, Norfolk County Council Historic Environment Service Consultants
17. **Broads Landscape Partnership Scheme Application**  
Report by Project Manager (herewith)

#### GOVERNANCE

18. **Public Question Time Scheme of Operation**  
Report by Head of Governance and Executive Assistant (herewith)
19. **Delegation to Financial Scrutiny and Audit Committee**  
Report by Head of Finance (herewith)
20. **The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code**

#### MINUTES TO BE RECEIVED

21. **To receive minutes of the following meetings:**  
(Available on the Authority website)

Broads Local Access Forum – 10 September 2014 (herewith)

Planning Committee – 12 September and 10 October 2014 (herewith)

Financial Scrutiny and Audit Committee – 23 September 2014

Navigation Committee – 23 October 2014 (herewith)

- 22. Feedback from Lead Members and those appointed to represent the Authority**
- 23. To consider any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B (4)(b) of the Local Government Act 1972**
- 24. To answer any formal questions of which due notice has been given**
- 25. To note the date of the next meeting – Friday 23 January 2015 at 10.00 am at Yare House, 62-64 Thorpe Road, Norwich**

**Public Question Time**

**Statements submitted by Geoff Doggett and Alison Norman**

**Statement Submitted by Geoff Doggett on behalf of River Waveney Trust concerning purchase of Woodland at Geldeston Locks**

***Note: This Statement refers to the Asset Officer's report presented to the Broads Authority meeting on 21 November 2014 and in particular Appendix 3 (due for consideration at Agenda Item no 14)***

The River Waveney Trust has been holding discussions with the BA concerning the disposal of woodland behind the 24 hour moorings at Geldeston Locks. The Trust successfully applied and subsequently had registered, the asset by South Norfolk DC under the "Community Right to Bid" legislation. The Trust has expressed an interest in acquiring the freehold of the woodland and has until 4 March to complete a transfer, subject to satisfactory negotiations with the BA.

This report confirms the Trust's willingness to negotiate a transfer of ownership and proposes the following notes to guide the transfer:

1. The River Waveney Trust is pleased to note that the BA is recommended to continue to own and manage the marsh and associated access (Appendix 4). We believe this secures an important habitat and car park provision and the Trust would like to offer support in the BA's management of these assets.
2. The Trust accepts the requirements relating to full public access (the current situation) for the woodland and this is embedded in the Mems and Arts of the Trust as a charity, ensuring ongoing governance.
3. The Trust will survey the site, especially the tree conditions, and produce a Phase One habitat survey during 2015 to guide future habitat management.
4. The Trust notes that maintenance of the woodland has been poor in recent years. It will improve this via regular inspections by local members and scheduled working parties and use of contractors to enhance public safety and enjoyment. The Trust is mindful of the importance of the 24 hour moorings which we note will not require any investment for the next 10 years (Mooring Strategy site no.5).
5. The Trust will provide suitable insurances including public liability in line with current practice and would expect sight of the BA's current insurance conditions so as to comply with current requirements.

6. The Trust will need to know of any dependencies on the site eg: with the Locks Inn and the management of the 24 hour moorings and dyke to the North of the site. The Trust will seek to work with the BA on suitable signage and management of the area, especially regarding visitors arriving by boat.
7. The Trust will pay its own legal fees and Land Registry fee and expects the BA to bear its own legal costs.
8. Bearing in mind the mandate and policies of the River Waveney Trust to enhance public access and enjoyment of the River Waveney, enhance habitats and biodiversity and participate as a partner in the Broadland Catchment Plan, the Trust considers a transfer for a consideration of £1 to be correct. The Trust will relieve the BA of liabilities and costs relating to insurances and maintenance, signage, officer time and surveys. As amenity woodland and with restrictive development potential due to public access needs, the land has low value on the open market. The Trust would hope that the BA as a responsible public body would be prepared to accept this transfer for no consideration in the spirit of the community asset registration by a charity with proven asset management capabilities note – the Trust holds a long term lease on 25 acres of buildings, woodland and marsh at Earsham and is negotiating currently with Mid Suffolk DC on taking on a 55 year lease at Scole Pocket Park for similar community use).

G.M.Doggett, - Chair River Waveney Trust.

**Statement Submitted by Alison Norman on behalf of Geldeston Parish Council regarding landholdings in Geldeston. *To be read by Jolyon Oxley, Vice-chair of Geldeston Parish Council***

The Parish Council is in support of all three recommendations in the report, believing that the retention of the moorings, marsh and car park by the Authority and the intention to retain public access over the copse are in the best interest of both Geldeston residents and visitors.

Working with the Broads Authority regarding the issues around these pieces of land has often been challenging for the Parish Council, and I am sure that it has been similarly time consuming and frustrating for you.

We would like to be able to build stronger, more timely communication between our organisations in future. I know from talking to both Officers and Members that the Broads Authority, like the Parish Council, wish to do the best for Geldeston.

Alison Norman – Chair of Geldeston Parish Council

## **Broads Authority**

Minutes of the meeting held on 26 September 2014

### **Present:**

Dr J S Johnson - in the Chair

|                  |                 |                |
|------------------|-----------------|----------------|
| Mr K Allen       | Sir Peter Dixon | Mr G W Jermany |
| Mr L Baugh       | Mr P Durrant    | Mr P Ollier    |
| Miss S Blane     | Mr C Gould      | Mr J Timewell  |
| Mr D A Broad     | Mr G McGregor   | Mr R Stevens   |
| Prof J A Burgess |                 |                |

### **In Attendance:**

Dr J Packman – Chief Executive  
Mr T Adam – Head of Finance  
Mrs S A Beckett – Administrative Officer  
Ms M Conti – Strategy and Projects Officer  
Ms H Franzen – Press Officer  
Mr S Hooton – Head of Strategy and Projects  
Ms A Kelly – Senior Ecologist  
Ms A Long – Director of Planning and Resources  
Ms L Marsh – Head of Communications  
Mr J Organ – Head of Governance and Executive Assistant  
Mr C Skinner – For Solicitor and Monitoring Officer  
Ms C Smith – Head of Planning  
Ms T Wakelin – Director of Operations

### **Also in attendance**

Dr K Bacon – Chairman, Broads Forum and Chairman of Broads Local Access Forum.  
Mr Chris Bielby – Broads Water Framework Directive Specialist, Natural England (Project Manager for Hoveton Great Broad)  
Mr Michael Whitaker – Vice-Chairman, Navigation Committee

### **2/1 Apologies and Welcome**

The Chairman welcomed everyone to the meeting, particularly Mr Michael Whitaker who had recently been appointed as Vice-Chairman of the Navigation Committee and members of the public including those who wished to ask questions – Mollie Howes and Alan Mallett. He also welcomed George Jermany to his first full Authority meeting since being reappointed by Great Yarmouth Borough Council in July.

Apologies were received from Mr M Barnard, Mrs J Brociek-Coulton, Mr N Dixon, Mrs L Hemsall, Mr J Sharpe, Dr J M Gray and Mr P Warner.

## **2/2 Chairman's Announcements**

### **(1) Openness of Local Government Bodies Regulations 2014**

The Chairman referred to Item 2/15 stating that in accordance with the Openness of the Local Government Bodies Regulations 2014 which came into effect on 6 August 2014, members of the public would be able to take photographs, film and audio-record the proceedings, and report on all public meetings as long as they did not make oral commentary during the meeting. He requested that if someone wished to record or film the proceedings they let the Authority know and if there were members of the public who objected to being filmed if they could so indicate.

### **(2) Various Events and Future Dates to Note**

The Chairman confirmed the following dates:

#### **Broads Authority 25<sup>th</sup> Anniversary Events – Event on 3 November**

Professor Matless would be giving a lecture at UEA starting at 6.30pm followed by a reception at 7.45pm. This would follow and supplement the publication of his book on the Nature of the Broads Landscape at the end of July. The invitation would be for all members and staff and the Authority's stakeholders. Arrangements were being made through the Head of Communications and details would follow.

#### **Planning Policy Workshop – 5 December 2014**

There would be a workshop for all members of the Authority on the afternoon following the Planning Committee on 5 December 2014. This would help to shape the Broads Local Plan and was timetabled to fit in with the Local Development Scheme agreed by the Planning Committee at its meeting on 12 September 2014.

#### **Secretary of State Appointments**

Members' attention was drawn to the Defra advertisement for two Secretary of State appointments to the Authority for 2015. The closing date was 23 October 2014 and details were available through the Authority's website <http://www.broads-authority.gov.uk/news-and-publications/news/new-secretary-of-state-appointed-members-wanted-for-broads-authority> with links to the Defra website.

Members were requested to disseminate the information to anyone who might be interested.

- (3) **Publications available:** Annual Report 2013/14, Business Plan 2014/15 to 2016/17 and Site Specific Policies DPD.

The Chairman reported that the Authority's Annual Report 2013/2014 was now available for members to collect and would be on the Authority's website.

In addition, the Authority's Business Plan for 2014/15 and the Broads Site Specifics Development Plan Documents had also been published and were available on the Authority's website.

[http://www.broads-authority.gov.uk/data/assets/pdf\\_file/0003/487281/Business-Plan-201415-to-201617.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0003/487281/Business-Plan-201415-to-201617.pdf)

<http://www.broads-authority.gov.uk/planning/planning-policies/site-specific-policies>

### **2/3 Introduction of Members and Declarations of Interest**

Members introduced themselves and expressed declarations of interest as set out in Appendix 1 to these minutes.

### **2/4 Items of Urgent Business**

No items of urgent business had been received.

### **2/5 Public Question Time**

Questions had been received from Mrs Mollie Howes and Mr Alan Mallett which were related to the branding of the Broads as a National Park and the Appointment of Members to the Authority. The questions were read out by each and the Chairman provided spoken responses as set out in Appendix 2 to these minutes emphasising that the subject of branding would be discussed at Item 2/8 of this meeting.

The Chairman invited each to ask a supplementary question. Mrs Howes and Mr Mallett commented that they remained concerned about rebranding and the potential implications for operational requirements. Mr Mallett also expressed concerns that with regard to appointments, the navigation interest on the Authority appeared to be unrepresentative in the terms of balance required by the Broads Act.

A further question was withdrawn as the member of the public who posed it was not in attendance. A written answer would be provided in accordance with the procedures for public questions.

## **2/6 Minutes of Broads Authority Meeting held on 11 July 2014**

The minutes of the meeting held on 11 July 2014 were approved as a correct record and signed by the Chairman subject to an amendment at Minute 1/17 in the second sentence to include “of its views and recommendations” .

## **2/7 Summary of Progress/Actions Taken Following Decisions of Previous Meetings**

The Authority received and noted a schedule of progress/actions taken following decisions of previous meetings.

In particular, members noted the updates concerning:

**Catfield Fen Water Abstraction** – “the minded to” decision by the Environment Agency had not yet been issued. The date for and details of the Broadland Fen Seminar to be hosted by the Authority would be finalised once that “minded to” decision had been received.

## **2/8 Branding the Broads**

The Authority received a report from the Chief Executive which set out the proposal in line with one of the strategic objectives identified for 2014/15 for the Authority and other organisations as derived from the Broads Plan to make greater and more explicit use of the National Park identity. It was emphasised that it was not proposed to change the name of the Authority, its legal status, governance, duties and its three purposes which were required to be given equal weight as set out in the relevant Acts of Parliament.

Members noted that the recent work by National Parks UK on branding and corporate sponsorship had highlighted the need for the Broads to be more closely aligned with the way other national parks were presented to the public. Therefore the proposal aimed to capitalise on The Broads Authority’s status as a member of the UK National Park family in order to raise awareness of the special qualities of the area, enhance the economic benefits and promote tourism particularly given the significant economic contribution tourism made to the area. It was also designed to introduce consistency in the way the area was promoted. The proposal involved adopting the term “Broads National Park” when referring to the area of the Broads. It was clarified that the term “Broads Authority” would continue to be used in legal and corporate contexts, where the formal name of the executive body as established by Parliament in 1988 would need to be maintained. Members recognised that from some of the reactions following the recent press articles there had been an element of confusion about what was actually intended.

In the debate members gave consideration to the following questions:

- Did they consider renaming merited further exploration?
- Should the Authority consult?
- How should the Authority analyse and review the responses? And
- what should staff do to aid the process in the meantime?

Comments from two members, who were unable to be present, advocating consultation with caution were noted.

Members noted the advice from the Solicitor and Monitoring Officer and the private advice they had received on the potential risks. Members noted that informal soundings had been taken and there had been positive responses including those from Visit England and Hoseasons. Although it was noted that there had been positive responses from some leaders of various organisations it was recognised that this had not included formal consultation with the members of those bodies. It was noted that the aim was to build consensus with all stake holders, particularly those that were key such as Defra, Natural England, and the 14 UK National Parks.

Some members expressed concern that a formal statement had not been received from Defra and considered that this should be sought in the first instance. However, it was also recognised that Defra would require evidence based justification for the adoption of the name, and that formal consultation would provide this. It was therefore agreed that the Authority should undertake wide ranging formal consultation prior to making a final decision on the branding approach.

The Chairman reinforced the point that the proposal to use the term 'Broads National Park' did not involve formally or legally changing the Authority's name, legal status, governance and its tripartite purposes or duties as set out in the 1988 and 2009 Broads Acts and that by undertaking a consultation procedure this would help in its decision as to whether to proceed in adopting the branding name for promotional purposes. In light of the correspondence received and views expressed, he therefore proposed altering the wording of recommendation 1 within the report to delete: "supports in principle the adoption" and replace it with "welcomes and supports further exploration of" the term Broads National Park and therefore the deletion of "and that preparations are made to use it in promotional material from 2015 onwards". This was seconded by Mr Gould.

Some members stressed that the economic dynamics were changing and had changed over the last few years and it was important to embrace not only the national but also international dimension and work collaboratively. Tourism was of increasing importance to the economy of the area; this was also entwined with the navigational and environmental importance and such branding would help provide consistency in a national and international context for members of the public. In addition the Habitat and Wildlife Regulations had provided a greater level of protection for designated areas.

Members noted that following a number of workshops when developing the Broads Plan in 2010, and in updating the long-term Vision for the Broads they had supported the aspiration that "By 2030, the Broads will be a national park where the traditional rights of navigation are respected and embraced". Members had recognised that this would require primary legislation. However, members were mindful that the Broads Plan was due to be reviewed from

2015 onwards, and therefore this aspiration could be reconsidered as part of that review. If as a result of this consultation exercise on branding the Authority decided to adopt the name “Broads National Park” for the area that would need to be taken into consideration at that time.

Following considerable debate, members concluded unanimously that they were supportive of the proposed amended recommendation 1 of the report, particularly on the basis that the use of the term for branding purposes would make no difference to the Authority’s tripartite legal purposes and emphasised that this would be stated clearly and explicitly at the beginning of the consultation document.

Members noted that consultation would include the Navigation Committee, the Broads Forum and the Broads Local Access Forum as well as parish councils and Broads Tourism. They considered that it should be as wide-ranging as possible and that following that consultation, members should carefully review all the responses at a Seminar/Workshop in the new year, possibly in January 2015, to provide recommendations to staff on how to proceed before bringing a paper to the Authority for a final decision.

With reference to the consultation document, members considered that it was important that the questions to be asked should not be too narrow but provide the Authority with clear and useful guidelines and that having previously sought professional advice for the Stakeholder Surveys, it might be useful to do so for this process. Members considered that agreement to the final form of the questions should be delegated to the Chairman and Vice Chairman.

RESOLVED unanimously

- (i) In order to capitalise on the status of the area as a national park the Authority welcomes and supports further exploration of the term ‘Broads National Park’ to promote the area’s special qualities and encourage more visitors to Norfolk and Suffolk.
- (ii) That the use of the new branding to be confirmed after the Authority has consulted widely to establish:
  - a) the level of support for a more consistent use of the term the Broads National Park as a branding exercise;
  - b) how other organisations would propose using the term the Broads National Park;
  - c) what actions the Broads Authority might need to take to support and help other organisations use the Brand; and
  - d) to delegate to the Chairman and Vice-Chairman the authorisation of the final form of the consultation document after seeking additional independent advice.
- (iii) That the Authority holds a Members’ Seminar to review the responses to the consultation including those from the Surveys in the New Year in

order to provide recommendations to staff on how to proceed before bringing the final decision paper to the Authority.

- (iv) Over the next three months, officers work up a strategy for delivering the brand and guidelines for local corporate sponsorship consistent with the UK initiative.

## **Presentation**

### **2/9 Broads Lake Review and Hoveton Great Broad Restoration Project**

The Authority received a report from the Senior Ecologist on the emerging Broads Lake Review which contributed to the Lake Restoration Strategy of 2008, together with a presentation from Chris Bielby on the Natural England led restoration project involving Hudson's Bay, Hoveton Great Broad and Wroxham Island. The Hoveton Great Broad Project had emerged from the interim findings of the wider Broads Lake Review jointly commissioned by Natural England and the Broads Authority and included a review and assessment of various restoration techniques in the Broads to further inform and provide understanding of the most appropriate sustainable management options for improvement together with criteria for prioritisation. Members noted that sediment removal alone was not enough to improve the water quality status and therefore additional techniques were required. In addition the complexities involved meant that each site required specialist approaches. Members received an explanation of the choice of Hoveton Great Broad over Hickling Broad at this stage due to there being more certainties involved relevant to restoration, and there being more tangible outcomes and less complexity, especially relating to potential stakeholders. It was emphasised that the Lake Review was based on sophisticated analysis of the relevant data involving an internationally reputable team of experts.

Following the setting of the context, Chris Bielby gave a detailed presentation of the Hoveton Great Broad Project concentrating on the aims, outcomes and the concerns that had been raised. The project's main driver was for conservation benefit to improve the ecological condition of wetland habitats in and around the Bure Marshes National Nature Reserve, improve access to those wetlands, inform a greater number and diversity of people about their ecological and cultural importance and provide additional benefits to the middle Bure.

The Planning Committee had granted planning permission for the main elements of the project at its meeting on 12 September taking careful account of the Navigation Committee's comments of 4 September 2014 and subject to conditions to provide appropriate mitigating measures which should overcome the navigation concerns. He emphasised that it was a statutory requirement to provide ecological improvements in accordance with the Water Framework Directive and the techniques to be used were considered robust and suitable for the site. Since those meetings, the access proposals had been further developed with the agreement of the landowner and a planning application would be submitted in November 2014. Natural England had received

Heritage Lottery Funding (HLF) for the first phase of the project to develop it further and was intending to submit a Life+ funding bid in October 2014. It was now seeking support from the Authority before the HLF bid was submitted in February 2015. It was explained that the funding being sought from those sources was dependent on each other with Natural England and the Environment Agency making contributions. As part of the project he clarified that a 20 year management plan was required for the management of fen and trees. In conclusion he commented that there was more to enjoying the Broads than just being out in a boat; there was value in places that preserve tranquillity, provide space for nature to thrive and give people the opportunity to enjoy its diverse wildlife in a peaceful setting.

Members recognised that the conservation benefits to be gained from the project complied with the Authority's objectives and on that basis would wish to welcome it. However, there was empathy with the concerns expressed by the Broads Local Access Forum and Broads Forum about the proposed limited public access when significant public funds were being sought for a project within a privately owned site. However, it was acknowledged that there was no navigation access into the area at present apart from selective access to anglers. Some members expressed strong views that the Authority's support for the project and application for funds should be conditional on achieving much greater public access in accordance with its purposes for promoting opportunities for the understanding and enjoyment of the special qualities of the Broads.

One member expressed considerable reservations regarding the principle, considering that the full findings of the Lake Review project were not yet available or been seen by the Authority and therefore it was not in a position to make a decision as to whether to support this particular project at this stage. Other members were satisfied that the interim findings from the Lake Review built on the Lake Restoration Strategy and provided a satisfactory context and the choice of Hoveton Great Broad would help in delivering the Water Framework Directive.

Some Members also had some concerns that success in seeking funds for the Hoveton Great Broad project could have an impact in terms of competition for funding resources on any future project, including the potential for the restoration of Hickling Broad. However, it was clarified that recent discussions with HLF had indicated that the funding of one project in an area should not preclude another project coming forward, in addition there were different funding pots available even within the HLF, and projects could have differing main purposes as well as different lead agencies promoting them. The key criteria for HLF in making a judgement on whether to fund a particular project was the quality of the project being proposed. From discussions with the HLF, it was understood that each project would be considered on its merits.

Following discussion the Chairman proposed a re-wording of the recommendations in the report, and this was duly seconded by Mr McGregor. On being put to the vote, it was

RESOLVED

- (i) that the emerging findings of the Broads Lake review are noted, and that the Authority recognises the major contribution that the Hoveton Great Broad Restoration Project would provide in the delivery of objectives of the Authority's Biodiversity and Water Strategy (by 12 votes to 1);
- (ii) that the Authority supports Natural England's applications for external funding conditional on the achievement of better public access to the project area (by 11 votes to 2).

**2/10 Strategic Direction: Strategic Priorities 2014/15**

The Authority received a report setting out the Broads Authority's activities in delivering progress against the Broads Plan 2011 through a series of Strategic Priorities designed to meet those objectives where the Authority has been identified as the lead partner, following the three key themes in the Broads Plan together with an organisational priority as agreed in March 2011. Members noted the progress made towards the objectives, and the projects and key outcomes to meet the Strategic Priorities for 2014/15 which had been agreed at the meeting on 21 March 2014.

Members noted that four objectives had reached completion and the remaining projects were on track apart from Objective 1.1 concerning the preparation of a Revised Climate Adaptation Plan for Consultation with Stakeholders and Objective 3.2 relating to working with the Whitlingham Charitable Trust on the major development project to enhance public facilities at Whitlingham, which had been discussed at the previous meeting (Minute 1/12). The Authority had agreed to giving consideration to diverting its resources to other projects with the option of pursuing a Landscape Partnership bid, a summary of which was provided in Appendix 2.

RESOLVED

- (i) that the performance of the different projects to meet the Strategic Priorities for 2014/15 in the accompanying schedule Appendix 1 to the report be noted;
- (ii) that the Project at objective 3.2 concerning the Whitlingham Development Project from the 2014/15 strategic priorities be removed; and
- (iii) that the potential for a Landscape Partnership bid to the HLF as detailed at Paragraph 1.6 of the report be noted. (A report would be submitted to the BA on 21 November 2014.)

## **2/11 Annual Governance Statement**

The Authority received a report together with the Annual Governance Statement (AGM) for 2013/14 and Action Plan for 2014/15. Members noted that this provided an annual review of the Authority's systems of internal control and governance arrangements and was a statutory requirement and would be included within the Statement of Accounts.

Members noted that the Financial Scrutiny and Audit Committee reviewed the Annual Governance Statement (AGS) and Action Plan at its meeting on 8 July and made some amendments which had been incorporated. Subject to these, the Committee had recommended that the AGS be approved and assured the Authority that the Authority's governance was in good hands. Members noted that the Human Resources section identified in the Action Plan was an area which had been affected by the review of the organisation as a result of the Government Spending Review. A new Senior HR Adviser and HR and Payroll Coordinator had now been appointed and therefore it was anticipated that the areas identified in the Action Plan would be addressed.

### **RESOLVED**

- (i) that the contents of the report be noted;
- (ii) that the Annual Governance Statement for 2013/14 and Action Plan for 2014/15 be approved;
- (iii) that the Authority confirms, subject to implementation of the improvements identified in the Action Plan, that the Authority's internal control systems and governance arrangements are considered to be adequate and effective; and
- (iv) that the Annual Governance Statement be appended to the Statement of Accounts for 2013/14, once adopted.

## **2/12 Summary of Statement of Accounts 2013/14**

The Authority received a report presenting the Authority's Statement of Accounts for the year ending March 2014 together with final outturn figures for the general and navigation income and expenditure. The external audit had completed the Audit by 11 September, within the timescale stipulated by the The Accounts and Audit (England) Financial Regulations 2011 and the conclusion was the accounts were sound. The Financial Scrutiny and Audit Committee had received the report from the Auditors at its meeting on 23 September and no significant issues were reported. There were no changes to the figures printed at Appendix 1 of the agenda report with only minor changes to narrative disclosures. It was noted that the impact of carry forwards and other budget changes had been incorporated into both future monitoring reports and budget setting activity for 2015/16.

Members noted that the Authority's balance sheet position had improved compared with that of 2012/13, mainly due to the Authority's pension position which was better than the average within the Norfolk Pension Fund.

Members welcomed the report and considered the accounts to be in good order with the outcomes being very close to expected budget and very much improved on the previous year. The overall position of the Authority's reserves was sound and broadly in line with the levels considered when setting the Financial Strategy to 2016/17.

RESOLVED

that the Statement of Accounts 2013/14 be adopted and the revenue account outturn figures be noted.

## **2/13 Financial Performance and Direction**

The Authority received a report providing a strategic overview of current financial issues. They took each matter in turn.

### ***Section 2: Consolidated Income and Expenditure from 1 April – July 2014.***

The Authority received the details of the consolidated actual income and expenditure for the seventh month period to 31 July 2014 together with a forecast of the projected expenditure at the end of the financial year 31 March 2015 for the whole Authority (National Park and Navigation). It was noted that income was slightly ahead but expected to be in line at the year end. The operations expenditure was very much in profile although there was an underspend on Planning and Resources budgets due to delayed projects and additional income resulting in an overall favourable variance of £219,713 at the end of July. Members noted that the anticipated deficit for the year was lower than the LAB (Latest Available Budget) at £91,351.

RESOLVED

- (i) that the consolidated income and expenditure figures from 1 April 2014 to 31 July 2014 be noted.

### ***Section 3: The Annual Investment Strategy Update***

The Authority received an update on the Annual Investment Strategy. Since its setting in March 2014, a requirement to procure an additional JCB to replace one of the Authority's older items of plant had been identified, in order to continue to deliver the Operations work programmed effectively. Lease purchase had been identified through the procurement process as being the most appropriate method of acquisition. Therefore an amendment was required to accommodate this within the Strategy. The cost could be accommodated within the existing ongoing revenue budgets.

RESOLVED

- (ii) that the proposed procurement of a Long Reach excavator under a lease purchase arrangement be approved, and the associated amendment to the Operational Boundary to £400,000 for the period 2014/15 to 2016/17 be approved.

#### ***Section 4: Financial Strategy – Operations directorate allocation options***

The Authority received details of options for amending the apportionment of costs for practical works, as set out in the Financial Strategy and Direction agreed by the Authority in March 2014 together with details of consultation with the Navigation committee on 4 September 2014 and their conclusions. Given that the project pot had been reduced as part of the response to the reduction of National Park Grant and the need for future projects to be externally funded, the Committee had endorsed the Operations Allocations Option 2 to increase the Construction and Maintenance(C&M) Allocations only incrementally over two years removing the current C&M programme time allocated for project delivery. New projects could still be developed and designed to be delivered by external contractors as required but this would provide appropriate lead in time to adapt, and design projects. This would enable a move to a change to a 30:70 NPG/Navigation allocation in 2016/17 without major negative impacts but deliver significant benefits.

RESOLVED

- (iii) that Option 2 for the apportionment of costs for practical works for the Operations Directorate as recommended by the Navigation Committee on 4 September 2014 be adopted for the 2015/16 Budget.

#### ***Section 5: Apportionment of Organisational Restructure Costs***

The Authority received a report on the redundancy cost implications in relation to the minor organisational restructure approved on 21 March 2014 in order to respond to reductions in National Park Grant. The Financial Scrutiny and Audit Committee had received a detailed report at a special meeting on 24 July 2014 and approved the maximum potential cost of £45,000, delegating authority to the Chief Executive to approve redundancy payments up to this level. Since the meeting, implementation had progressed and a number of officers placed in roles in the new structure. The total cost was now projected at £36,500 to be apportioned as £22,500 National Park and £14,000 Navigation on the current basis.

RESOLVED

- (iv) that the apportionment of restructuring redundancy costs between National Park and Navigation budgets as recommended by the Financial Scrutiny and Audit Committee be approved.

## **2/14 Planning Advisory Service (PAS) – Peer Review of Planning Committee**

The Authority received a report outlining the key findings of the recent Planning Advisory Service (PAS) review of the Authority's Planning Committee and associated procedures. Members noted and welcomed the Peer Review report and its findings, noting the overall conclusion that the Planning Committee was performing very well both in general and in relation to the discharge of its functions under the Broads Act 1988 in particular. Members considered the four Areas of Improvement and the six recommendations from the PAS Review that the Broads Authority should investigate in more detail to improve the overall planning committee experience and the responses of the Planning Committee. Members agreed to accept the Planning Committee's recommendations.

RESOLVED

- (i) that the findings of the Peer Review report be noted and welcomed;
- (ii) that the proposed Action Plan be approved to enable the findings of the report to be implemented.

## **2/15 Openness of Local Government Bodies Regulations 2014**

The Authority received a report which set out the details of the Openness of Local Government Bodies Regulations 2014, which came into force on 6 August 2014 and the action required by the Authority to meet the various parts of the Regulations. Members' attention was also drawn to the right to request information held by the Authority by submitting Freedom of Information Act requests. This would include information in emails sent by members from both Authority and personal email accounts where the content was in relation to the Authority's business. Further details on this requirement would be forwarded to members.

RESOLVED

- (i) that the requirements of the Openness of Local Government Bodies Regulations 2014 be noted;
- (ii) that the amendment to Section 12 of the Broads Authority's Standing Orders to reflect the Regulations, as detailed in paragraph 2.6 of the report be approved:

“Members of the public may take photographs, film and audio-record the proceedings, and report on all public meetings as long as they do not make oral commentary during the meeting. The Chairman should ensure that members of the public who actively object to being filmed are not to be filmed, without undermining the broader transparency of the meeting.”;

- (iii) that the sum of £25,000 be defined as the level which will materially affect the Authority's financial position for the purposes of the Regulations, as detailed in paragraph 3.5 of the report;
- (iv) that the approach as to when a written record of an officer decision is required as detailed in paragraph 3.9 of the report be endorsed to include:  
  
"Any decision made against a delegation which has been highlighted within the scheme of delegation within the report and any decision which involves a contract or incurs expenditure above £25,000"; and
- (v) the deletion of delegation (77) within the Broads Authority Scheme of Powers Delegated to Officers, as detailed in paragraph 3.10 of the report relating to Contracts and Financial Regulations in the Authority's Standing Orders, be approved.

## **2/16 Strategic Partnerships**

The Authority received a report providing details of the Strategic Partnerships which were currently registered with the Broads Authority. Members noted the areas where actions were required to address weaknesses and manage risk detailed in the Partnership Action Plan and the Annual Governance Statement if significant. In answer to a member's concerns, it was clarified that the table did not detail all the organisations with which the Authority worked in partnership on a regular basis and did not include day to day liaison with other agencies which had statutory responsibilities which had an impact on, or linked closely with the work of the Authority.

RESOLVED

- (i) that the current Register of Partnerships and Partnership Action Plan at Appendices 1 and 2 of the report be noted; and
- (ii) the results of the Management Team's Annual Review of the Partnership at paragraph 2.3 of the report be noted.

## **2/17 The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code**

The Director of Operations on behalf of the Head of Safety Management reported that there were no items which needed to be raised under this item.

## **2/18 Minutes Received**

### **(1) Financial Scrutiny and Audit Committee – 8 July 2014**

RESOLVED

that the minutes of the Financial Scrutiny and Audit Committee meeting held on 8 July 2014 be received.

### **(2) Planning Committee: 18 July and 15 August 2014**

RESOLVED

that the minutes of the Planning Committee meetings held on 18 July and 15 August 2014 be received.

### **(3) Navigation Committee: 4 September 2014**

Members noted that the Navigation Committee's discussions particularly relating to the items on the agenda had been fed into the discussions at this meeting and would be fed into reports for future meetings.

RESOLVED

that the minutes of the Navigation Committee meeting held on 4 September 2014 be received.

### **(4) Broads Forum: 31 July 2014**

In presenting the minutes of the Broads Forum of 31 July, the Chairman drew members' attention to the presentation which had been well received from Richard Starling on the reed and sedge cutting business. It was considered that it would be opportune and helpful to invite Mr Starling to provide a similar presentation to the Authority.

RESOLVED

that the minutes of the Broads Forum meeting held on 31 July 2014 be received.

## **2/19 Feedback from Lead Members and Those Appointed to Represent the Authority**

### **(i) Waveney Valley Parish Forum – 25 September 2014**

The Parish Forum held at Beccles Town Hall had been a successful event chaired by Mr McGregor with many interesting questions being posed.

(ii) **Broadland Flood alleviation Project**

The Lead member for the Broadland Flood Alleviation Project, Mr Durrant, reported that the construction of the new flood defence cross wall at Petos Marsh was progressing well. In addition repairs were being undertaken for a large piece of floodbank at Haddiscoe.

**2/20 Formal Questions**

There were no formal questions of which due notice had been given.

**2/21 Items of Urgent Business**

There were no items of urgent business.

**2/22 Date of Next Meeting**

The next meeting of the Authority would be held on Friday 21 November 2014 commencing at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

**2/23 Exclusion of the Public**

RESOLVED

that the public be excluded from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.

**2/24 Purchase of Dredging Disposal Site**

The Authority received a report containing exempt information concerning the opportunity to purchase an eight acre site giving potential road access to an existing Broads Authority freehold site as well as a dredging disposal opportunity.

Members considered the advice from the Property advisers on the valuation of the site and noted that the Navigation Committee had supported the purchase on this basis.

Given the need for a dredging disposal site in the area, the added benefit of access to the Authority's existing own site and the advice from the NPS, members considered it appropriate to pursue the freehold purchase of the site funded from the Navigation Property Earmarked Reserve.

RESOLVED

that the Authority approve the purchase of the dredging disposal site as set out in Section 4 of the report.

**2/25 Ludham Field Base**

The Authority received a report containing exempt information summarising the current option available for the Broads Authority concerning Ludham Field Base taking account of the key principles involved in the reorganisation and restructure of the Broads Authority in 2011 relating to the consolidation of facilities and the focus of its main activity at two primary sites.

Members noted the potential Heads of Terms for a Lease and that the Navigation Committee on 4 September had endorsed that this be taken forward.

RESOLVED

that the Authority proceed with a new 25 year lease based on the terms set out in Section 3 of the report.

**2/26 Financial Scrutiny and Audit Committee 24 July 2014**

RESOLVED

that the exempt minutes of the Financial Scrutiny and Audit Committee held on 24 July 2014 be received.

The meeting concluded at 14.25

CHAIRMAN

## Code of Conduct for Members

## Declaration of Interests

**Committee:** Broads Authority 26 September 2014

| <b>Name</b>    | <b>Agenda/<br/>Minute<br/>No(s)</b> | <b>Nature of Interest</b><br>(Please describe the nature of the interest)        |
|----------------|-------------------------------------|--|
| Louis Baugh    | Min No<br>1/9(i)                    | Land Management interest in the route of the<br>(Ludham) footpath                |
| Jacque Burgess | Item 2/9                            | Member of Norfolk Broads Yacht Club  |
| George Jermany | General                             | Toll payer   |
| Peter Dixon    | Items 2/9                           | Hickling Resident promoting restoration of<br>Hickling Broad and the Environment |
| Philip Ollier  | General                             | Toll Payer   |
| David Broad    | Items 2/8 -<br>2/24                 | Toll Payer, Member of Great Yarmouth Port<br>Consultative Committee              |
| Kelvin Allen   | General                             | Broads Angling Strategy Group  |

**Public Question Time**

**Questions and Statements submitted by Mrs Howes and Mr Mallett**

**Question submitted by Mrs Mollie Howes**

What has changed, or what advice has the Chief Executive received since the 2009 Broads Act that says he may not change the name to the Broads National Park? I should make it clear that I was present in the House of Lords when they turned down the application to change the name to Broads National Park.

**Broads Authority Response**

The report for Agenda Item No 8 for this meeting sets out a condensed version of the legal advice provided to the Broads Authority by the Authority's Solicitor and Monitoring Officer on the issue. It is on this advice that the Broads Authority is being asked to consider a range of recommendations, and the Broads Authority will consider this advice and matter further under Agenda Item No 8.

**Questions submitted by Mr Alan Mallett**

- 1 Will the Chairman confirm that The Chief Executive of the Authority for the time being is answerable to and responsible to the members of The Broads Authority and not the Members who are answerable to the Chief Executive.
2. Will the Chairman confirm that, when future vacancies arise in respect of Secretary of State appointees to The Broads Authority the submission of "desirable skills and experience" supplied to the Secretary of State to assist him in the selection of candidates will be compiled by members and not, as previously, without any form of Member consultation whatsoever..
3. Does the Chairman agree that it is totally improper for The Chief Executive to have a significant say in the appointment of those to whom he is ultimately answerable when the Members themselves have for the past 12 years and more never been consulted?
4. In view of the announcement last week that The Authority is seeking to effectively re-name itself and re-brand itself as The Broads National Park in direct conflict with Chapter I para 1 and Clause 1 (1) and 1(2) of the 2009 Broads Authority Act, which clearly state that the title of The Broads Authority is just that, and mindful of the very clear comments of the then Secretary of State that full National Park status and use of the description National Park without any form of qualification or limitation would not be permitted, and that The Broads Authority was only permitted to style itself as "A Member of The National Parks Family" will the Chief Executive and those Members of The

Broads Authority who vote in favour of the proposed renaming and rebranding enter into a Joint and Several Indemnity to protect the Authority's funds, be they National Park or Navigation purposes, and re-imburse to the Authority any sums by way of legal costs or penalties which may arise in consequence of the breach of the provisions of the 1988 and 2009 Acts and consequent misrepresentation of the Authority's true status?

### **Broads Authority Response**

In response to your first question I can confirm that the Chief Executive is answerable to the members of the Broads Authority.

In response to your second question, please note that the members were asked to identify the skills, experience and expertise that the Broads Authority would wish to see in candidates applying for vacancies in the next round of Secretary of State appointments during the Broads Authority meeting on 11 July 2014. The outcome from this was forwarded to Defra by me as the Chairman of the Broads Authority.

In response to your third question, the Chief Executive does not have any influence on appointments to the Broads Authority. Neither the Chief Executive nor members have been involved in the appointments to the Broads Authority by the Local Authorities, and it is for those Local Authorities to determine such appointments. Natural England run the appointment process for the Secretary of State members and, only since 2007, the Broads Authority Chairman has been a member of the appointing panel. The Navigation Committee co-opted members are also appointed by the Broads Authority's members following the consultation of various stakeholders, the recommendations of a selection panel (consisting of an Independent Chair, the Chairman of the Broads Authority and representatives from the British Marine Federation and the Norfolk & Suffolk Boating Association) and the consultation of the Navigation Committee. The Broads Authority's members also appoint two of the co-opted members of the Navigation Committee to the Broads Authority after consulting the Navigation Committee.

In response to your final question concerning the branding of the Broads, the Broads Authority will weigh the issue accordingly when it considers the matter in Agenda Item No 8 and the Broads Authority will collectively decide the way to proceed. If the Broads Authority decides to proceed, the Broads Authority will address any legal challenge which may be represented. It will not be for individual members, or the Chief Executive (who does not have a vote in the Broads Authority's resolutions), to indemnify the Broads Authority.

**Summary of Progress/Actions Taken following Decisions of Previous Meetings**

| <b>Date of Meeting and Minute No.</b>  | <b>Authority Decision(s)</b>  | <b>Responsible Officer(s)</b>            | <b>Summary of Progress/ Actions Taken</b>  |
|--|---|--|--|
| 18 January 2013<br>Minute 4/8(4)<br>(Broads Local Access Forum<br>Minute 1/9)<br><b>Ludham Bridge Footpath<br/>link to St Benets</b> | <ul style="list-style-type: none"> <li>• Formal agreement with landowner to be signed.</li> </ul>   | Senior Waterways and Recreation Officer  | Meeting has taken place with the landowner at the Ludham Bridge end of the path to agree the scope of the works he requires to establish the path, including vegetation and ditch clearance, surface raising and stock fencing. Programme of works is being discussed with Operations Directorate. |
| 18 January 2013<br>Minute 4/30 (Exempt)<br><b>Purchase of Moorings</b>   | <ul style="list-style-type: none"> <li>• That the proposed purchase of the site for the protection and enhancement of 24 hour moorings be approved in accordance with the costs set out in the report, funded from the dredging disposal site reserve account.</li> </ul>     | Director of Operations/<br>Asset Officer | Engrossment lease sent to landowners solicitors requesting engrossment transfer from them, and completion statement. Completion will occur as soon as possible thereafter.   |
| 20 September 2013<br>Minute 2/12<br><b>Agri-Environment Scheme<br/>and the Value of Grass<br/>Marsh in Broadland</b>                 | <ul style="list-style-type: none"> <li>• That the legacy of public support for grass marshes and traditional grazing management in the Broads be noted.</li> <li>• That the proposed 5 point plan of action as set out in the report at paragraphs 4.1 be endorsed</li> </ul> | Senior Ecologist/                        | Item on the Agenda   |

| Date of Meeting and Minute No.  | Authority Decision(s)   | Responsible Officer(s)              | Summary of Progress/ Actions Taken   |
|---|---|-------------------------------------|--|
|   | including: <ul style="list-style-type: none"> <li>○ engagement and awareness raising with partners and landowners; and</li> <li>○ re-appraisal of Halvergate Conservation Area.</li> </ul> <ul style="list-style-type: none"> <li>● That the Authority be appraised of progress and evaluation.</li> </ul>  | Historic Environment Manager        | Re-appraisal of Halvergate Conservation Area approved by Planning Committee for public consultation took place in September 2014.  |
| 22 November 2013<br>Minute 3/14<br>26 September 2014<br>Minute 2/10<br><b>External Funding Opportunities and Income Generation</b><br>Members were requested to provide the Chairman with any further suggestions, comments and/or expressions of interest in being involved in taking matters forward following the meeting. | <ul style="list-style-type: none"> <li>● that the Authority continues to maximise EU and similar major funding sources, ensuring that the Authority does not jeopardise these by pursuing other, potentially smaller sources of funding;</li> <li>● that Members provide guidance on the scope and limits for the Authority's "commercial" approach to its activities as outlined in paragraphs 8.13 and 8.18 of the report;</li> </ul> | Head of Finance and Management Team | Current priority preparing Landscape Partnership bid for around £3million. Officers continuing to investigate options for potential future projects which would be eligible for European and other funding. A Meeting will be arranged with Phil Durrant and Kelvin Allen to look at priorities in mid to late January 2015.<br><br>Advertising and Sponsorship Policy on this agenda for Authority consideration. |
| 16 May 2014<br>Minute 6/11<br><b>Catfield Water Abstraction</b>   | <ul style="list-style-type: none"> <li>● That the convening of a research seminar in the autumn in order to facilitate greater understanding on fen hydrology and ecology and advise on the</li> </ul>  | Senior Ecologist                    | The Environment Agency has indicated that it will issue its 'minded to' decision on 17 November 2014. The consultation will run for 4 weeks, closing at midnight on Monday 15 December. Officers will update Members on the  |

| Date of Meeting and Minute No.  | Authority Decision(s)   | Responsible Officer(s)                  | Summary of Progress/<br>Actions Taken  |
|---|---|---|--|
|   | timing of the next Fen survey, be supported.  |   | <p>announcement at the meeting and will be responding on the Authority's behalf when the full implications of the proposed decision have been evaluated.</p> <p>Officers will be progressing with the arrangements for the proposed research seminar once the Environment Agency has issued its final decision on this particular application.</p> |
| <p>16 May 2014<br/>Minute 6/13<br/><b>Broads Authority 25<sup>th</sup> Anniversary Celebrations</b></p> | <ul style="list-style-type: none"> <li>• Programme of events and initiatives to celebrate and promote Broads 25<sup>th</sup> Anniversary approved.</li> <li>•</li> </ul>                        | Head of Communications                  | <p>Programme of Events finalised<br/>Events progressing as per programme</p>   |
| <p>11 July 2014<br/>Minute 1/13<br/><b>Stakeholder Surveys</b></p>                                      | <ul style="list-style-type: none"> <li>• Four proposed stakeholder surveys to proceed using <i>InsightTrack</i></li> </ul>  | Senior Waterways and Recreation Officer | <p>Field work for the four Stakeholders Surveys has been successfully completed as has the online Private Boat Owners Survey.</p> <p>Member workshop being arranged for beginning of January to consider results from the Surveys in association with the responses from the National Park Branding consultation.</p>                              |
| <p>26 September 2014<br/>Minute 2/8<br/><b>Branding the Broads</b></p>                                  | <p>(i) In order to capitalise on the status of the area as a national park the Authority welcomes and supports further exploration of the term 'Broads National Park' to promote the area's</p> | Chief Executive/Head of Communications  | <p>Consultation underway from end of September 2014. Closing date for comments 31 December 2014.</p> <p>Consultation document distributed to interest groups, parish councils and statutory organisations and partners.</p>  |

| Date of Meeting and Minute No. | Authority Decision(s)  | Responsible Officer(s) | Summary of Progress/ Actions Taken  |
|--------------------------------|--|------------------------|---|
|                                | <p>special qualities and encourage more visitors to Norfolk and Suffolk.</p> <p>(ii) That the use of the new branding to be confirmed after the Authority has consulted widely to establish:</p> <ul style="list-style-type: none"> <li>a) The level of support for a more consistent use of the term the Broads National Park as a branding exercise;</li> <li>b) How other organisations would propose using the term the Broads National Park; and</li> <li>c) what actions the Broads Authority might need to take to support and help other organisations use the Brand; and</li> <li>d) To delegate to the Chairman and Vice-Chairman the authorisation of the final form of the consultation document after seeking additional independent advice.</li> </ul> |                        | <p>Consultation Document with report for comments to<br/> Broads Forum - 6 November 2014,<br/> Broads Local Access Forum – 3 December 2014<br/> Navigation Committee – 11 December 2014</p> |

| Date of Meeting and Minute No.  | Authority Decision(s)  | Responsible Officer(s)                       | Summary of Progress/<br>Actions Taken  |
|---|--|--|--|
|   | <p>(iii) That the Authority holds a Members' Seminar to review the responses to the consultation including those from the Surveys in the New Year in order to provide recommendations to staff on how to proceed before bringing the final decision paper to the Authority.</p> <p>(iv) Over the next three months, officers work up a strategy for delivering the brand and guidelines for local corporate sponsorship consistent with the UK initiative.</p> |  | <p><i>Members Seminar Scheduled for Tuesday 6 January 2015 at 2.00pm</i></p> |
| <p>26 September 2014<br/>Minute 2/9<br/><b>Broads Lake Review and Hoveton Great Broad Restoration Project</b></p> | <p>(i) that the emerging findings of the Broads Lake review are noted, and that the Authority recognises the major contribution that the Hoveton Great Broad Restoration Project would provide in the delivery of objectives of the Authority's Biodiversity and Water</p>   | <p>Chief Executive/<br/>Senior Ecologist</p> | <p>Natural England informed of Authority's views.</p>                        |

| <b>Date of Meeting and Minute No.</b> | <b>Authority Decision(s)</b>   | <b>Responsible Officer(s)</b> | <b>Summary of Progress/<br/>Actions Taken</b> |
|---------------------------------------|--|-------------------------------|---|
|                                       | Strategy; (by 12 votes to 1)<br><br>(ii) that the Authority supports Natural England's applications for external funding conditional on the achievement of better public access to the project area.<br>(by 11 votes to 2) |                               |   |

**Strategic Direction**  
Report by Chief Executive

**Summary:** This report sets out the Broads Authority's activities in delivering progress against the Broads Plan 2011 through a series of Strategic Priorities which are designed to meet those objectives where the Authority has been identified as the lead partner. The report details the progress made towards the objectives, projects and key milestones for the Strategic Priorities for 2014/15.

**Recommendation:** That the Authority notes the performance on the different projects to meet the Strategic Priorities for 2014/15 in the schedule at Appendix 1.

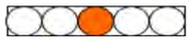
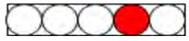
**1 Progress on Strategic Priorities for 2014/15**

1.1 The Authority uses a small set of Strategic Priorities with accompanying projects to monitor at each meeting the delivery of the Broads Plan. The Authority's Annual Strategic Priorities, along with the Business Plan, provide the link, the 'Golden Thread', between the objectives in the five-year management plan, the Broads Plan 2011, and the Directorate work programmes and targets for individual members of staff. As agreed in March 2011, the Authority's Strategic Priorities follow the three key themes in the Broads Plan together with an organisational priority, namely:

- (a) Planning for the Long-term future of the Broads in response to climate change and sea-level rise;
- (b) Working in Partnership on the Sustainable Management of the Broads;
- (c) Encouraging the Sustainable Use of the Broads; and
- (d) The Governance and Organisational Development of the Authority.

1.2 It is important to remember that the Broads Plan is a plan for the Broads, not just for the Broads Authority. A range of partners will take the lead or joint role in the delivery of specific actions in the Plan. The Strategic Priorities do not replicate all the activities being undertaken by the Authority, but concentrate on those matters which involve large levels of resource, have a very large impact on the Broads or are politically sensitive.

1.3 The Authority operates a traffic light system to determine progress against the objectives milestones and key projects as detailed in the table below:

|   |        |  |
|---|--------|--|
|  |        | Completed  |
|  | Green  | Project on track and no causes for concern   |
|  | Yellow | Good progress being made but some challenges in delivery e.g. minor slippage or limitations of staff and financial resources |
|  | Amber  | Project timetable slipping, concerns about how it is developing and a plan in place to address them                          |
|  | Red    | Looks unlikely that the project will be delivered on time and significant worries about the way its is heading               |
|  | Black  | Project won't be delivered on time and very major concerns about implications  |
|  |        | Direction of travel – comparison with last meeting   |

- 1.4 The 2014/15 priorities, objectives, projects and key milestones, agreed by the Authority on 21 March 2014, are detailed in Appendix 1. The specific outcomes for each of these projects and key milestones were detailed in the report to the Broads Authority on 21 March 2014.
- 1.5 Four objectives have already reached completion. The traffic lights for all remaining projects are currently green with the exception of:
- a. Objective 1.1: Prepare revised climate adaptation plan for consultation with stakeholders by October 2014. The revision of Climate Change Adaptation Plan has identified a new approach. This has been approved by the Climate Change Adaptation Panel and detailed discussion to confirm the content is starting with key partners. The intention is to have the content supported by those partners by the end of the year with the document being approved for wider consultation at the next Authority meeting in January 2015. This should still allow a more detailed document to be sent to Defra in the Spring.
- 1.6 The completion of those 2013/14 Strategic Priority objectives, which have not been completed or carried forward to the Strategic Priorities for 2014/15, will be pursued with any key matters being reported to the Broads Authority.

Background papers: Nil

Author: John Organ  
Date of report: November 2014

Broads Plan Objectives: CC2, BD1, BD3, BD5, PE1, PE2 and TR2.  
Appendices: APPENDIX 1 – Strategic Priorities for 2014/15

## Strategic Priority Objectives, Projects and Key Milestones for 2014/15

### Priority 1 - Planning for the Long-term Future of the Broads in Response to Climate Change and Sea-level Rise

This priority continues to be identified by others, including the Broads Forum, as a high priority, and the Authority has embarked on a major public consultation exercise which should lead to a revised Adaptation Plan and a new Action Plan.

| Ser | Objective   | Lead Officer                | Projects and Key Milestones   | Action to Date  | Status  |
|-----|---|-----------------------------|---|---|---|
| 1.1 | Furthering community involvement to understand vulnerabilities and inform adaptation planning (Broads Plan Objective CC2) | Head of Strategy & Projects | <p>Continue to take opportunities to discuss with differing interests in the Broads the climate impacts and choices for getting the best for the broads throughout 2014</p> <p>Prepare revised climate adaptation plan for consultation with stakeholders by October 2014</p> <p>Use consultation responses to guide revised climate adaptation plan to be adopted by Authority &amp; partners by January 2015<br/>Submit revised plan to Defra by March 2015</p> | <p>BA members Annual Site visit (24 July) focussed on climate change</p> <p>New structure for consultation document agreed by Panel.<br/>Meeting with partners on document in 2014 with public consultation delayed till Feb 2015</p> |  |

## Priority 2 - Working in Partnership on the Sustainable Management of the Broads

There are two main strands identified within this area:

- The Biodiversity Audit and the Biodiversity and Water Strategy completed in 2012 should provide the guide for future action and concentration should be given, working with partners, for a major project, or series of projects, to continue to protect and enhance biodiversity in the area.
- In conjunction with partners, the Catchment Plan for the Broads should be developed to seek long-term benefits to the whole area.

| Ser | Objective   | Lead Officer                                      | Projects and Key Milestones   | Action to Date   | Status  |
|-----|---|---|---|--|---|
| 2.1 | Deliver Biodiversity and water Strategy (Broads Plan Objective BD1) | Head of Construction, Maintenance and Environment | <p>Develop a proposal and seek funding for the restoration of Hickling and its catchment.</p> <ul style="list-style-type: none"> <li>• Initial proposal to the Broads Authority in September 2014</li> <li>• Feasibility and funding plan complete and reported to the Broad Authority in January 2015</li> </ul> | <p>A meeting is being arranged with NWT to look at partnership working and to further develop a project for erosion protection as the start of further improvements to Hickling Broad. Navigation Committee on 4 September provided support in principle for a long-term project to be developed for Hickling. Due to the Navigation Committee's recommendation of a 1.7% Toll increase the scale of the Hickling project has been scaled to meet budgets available. The Head of Con, Main &amp; Envir is looking at developing a scheme with existing</p> |  |

|            |  |                  |   |  |   |
|------------|--|------------------|---|--|---|
|            |  | Senior Ecologist | Report on Strategy whole work programme for 2014/15 in July 2014  | <p>available funds</p> <p>Draft of the Hickling Lake Review chapter complete and has been reported to the Upper Thurne Working Group in May. Lake Review will be reported to BA in March.</p> <p>New ditch system in the Brograve catchment being dug in mid-July to test ochre and salt production from different drainage scenarios.</p> <p>Update on work programme provided on 11 July 2014.</p> |    |
| <b>2.2</b> | Continue the improvement of water quality and water resource (Broads Plan Objective BD3) | Senior Ecologist | Hold research seminar on fen hydrology in autumn 2014 and work with partners to agree a research programme by end of 2014.  | Seminar proposals being developed but will wait to be held until decision on Catfield Fen has been made by Environment Agency  |    |
| <b>2.3</b> | Develop landscape-scale initiatives (Broads Plan Objective BD5)                          | Senior Ecologist | <p>Implement Broadland Catchment Plan</p> <ul style="list-style-type: none"> <li>Seek and confirm external funding to enable continuation of Catchment Partnership Officer till at least the</li> </ul> | Funding confirmed for Catchment Partnership Officer till end of March 2015.  |  |

|  |  |  |   |   |  |
|--|--|--|---|---|--|
|  |  |  | <p>end of 2014/15 by May 2014</p> <ul style="list-style-type: none"> <li>Gain partner adoption of Broadland Catchment Plan by July 2014</li> <li>Identify 3 key projects and funding by September 2014</li> <li>Report on status of 3 projects by March 2015</li> </ul> | <p>Plan approved by Broads Authority, welcomed by partners and launched at River Waveney Study Center on 19 June.</p> <p>Action Plan within the plan has set out projects and budget is available for project delivery.</p> | <br> |
|--|--|--|---|---|--|

### Priority 3 - Encouraging the Sustainable Use of the Broads

There are two main strands identified within this area:

- In conjunction with the Whitlingham Charitable Trust, the Trustees of the Arminghall Settlement and the Youth Hostel Association, develop a project to improve the public facilities in the Whitlingham Country Park. This was likely to involve applications for external funding.
- Following the completion of the STEP programme, work with partners to further promote tourism and economic development within the area.

| Ser | Objective   | Lead Officer           | Projects and Key Milestones  | Action to Date  | Status  |
|-----|---|------------------------|--|---|---|
| 3.1 | Promote a clear and consistent Broads 'brand' that defines the special qualities and status of the area | Head of Communications | Use the 25 year anniversary of the Broads Authority to focus on the profile of the Broads and the Authority to galvanise support for future objectives. Generate a | <p>A programme went to members on the 15 May meeting.</p> <p>A logo and hashtag</p> |  |

|  |  |  |   |   |  |
|--|--|--|---|---|--|
|  | <p>as a resource for all (Broads Plan Objective PE1)</p> |  | <p>programme of promotional events to highlight the work of the Broads Authority and its 25<sup>th</sup> anniversary. Report to the Broads Authority in May for delivery during 2014.</p> | <p>have both been produced and are in use.</p> <p>Various small or regular events have been branded with the 25th anniversary message, including the annual public meeting and picnic in the park.</p> <p>The 25<sup>th</sup> Anniversary beer Flagondry by Woodfordes was launched in conjunction with the Eating Out Guide on 8 April.</p> <p>A 25-km sponsored walk was undertaken by staff in May.</p> <p>A public lecture from Professor David Matless on the cultural geography of the Broads was hosted at the UEA on 3 November followed by a VIP reception attracting more than 160 people.</p> <p>Completed</p> |  |
|--|--|--|---|---|--|

|     |   |  |   |   |   |
|-----|---|--|---|---|---|
|     |   |  | <p>Assist Broads Tourism to relaunch 'Enjoy the Broads' brand to businesses in June 2014</p> <p>Undertake bilateral discussions with all key stakeholders to gauge level of support for greater use of the National Park brand and the Authority's long term ambition of achieving full National Park status. Report to BA in January 2015.</p> <p>Produce report and action plan on the positive steps that can be taken to raise the profile of the Broads through clear area signage and promotion outside of Norfolk &amp; Suffolk by December 2014</p> | <p>Completed</p> <p>Consultation in progress, with responses to be considered in January.</p> <p>Delivery of report and action plan postponed until March 2015 in order to incorporate any branding development decisions</p> | <br><br> |
| 3.3 | Continue to improve the quality of the visitor experience, providing a consistent standard of facilities, services and welcome. (Broads Plan Objective TR2) | <p>Head of Communications</p> <p>Senior Waterways and Recreation Officer</p> | <p>Produce development strategies for the yacht stations and visitor hubs to create direction of travel and main milestones for the coming five years by autumn 2014.</p> <p>Survey boat owners, hirers and hire boat yards to gain a clearer picture of their views and aspirations.</p> <p>Boat owners' survey complete and reported to the BA by autumn 2014.<br/>Hire yards and hirers surveys in</p>   | <p>Work in progress</p> <p>Fieldwork for all four surveys (private boat owners, hire yards, visitors and residents) complete. Online private boat owner survey in progress. Analysis of data now being undertaken prior</p>   | <br>  |

|  |  |                        |   |   |   |
|--|--|------------------------|---|---|---|
|  |  | Head of Communications | summer 2014.<br>Organise 4 <sup>th</sup> Broads Outdoors Festival, May 2014 | to submission of report to BA.<br>Completed |  |
|--|--|------------------------|---|---|---|

**Priority 4 - Governance/Organisational Development of the Authority**

| Ser | Objective   | Lead Officer    | Projects and Key Milestones  | Action to Date   | Status  |
|-----|---|-----------------|--|--|---|
| 4.1 | Review opportunities for income generation and further efficiencies | Head of Finance | Investigate the opportunities to benchmark costs of the Authority's services with national parks, local government and other relevant organisations. | ENPOG to consider appetite and options for joint benchmarking work across National Park Family at their meeting in December 2014.  |  |
|     |   | Chief Executive | Work with National Parks UK to raise income for the family from corporate sponsorship. Report to the Chairs of the National Parks in summer 2014     | Income from Airwick partnership has been re-invested in further initiatives to develop major corporate sponsorship opportunities in conjunction with the other members of the National Park family. A second instalment of income is due to be received shortly and officers are developing proposals for the use of this funding.<br><br>Chief Execs of |  |

|  |  |                 |   |  |   |
|--|--|-----------------|---|--|---|
|  |  | Management Team | Identify potential income generation from sources such as Europe, the Lottery and the New Anglia together with potential further efficiencies by Autumn 2014. | <p>National Parks have signed off income generation strategy.</p> <p>Broads Authority Advertising and Sponsorship Policy has been developed and is on this agenda for discussion.</p> <p>Work ongoing to identify potential project funding including potential for HLF bids and future EU project bids.</p> |  |
|--|--|-----------------|---|--|---|

**Financial Performance and Direction**  
Report by Head of Finance

**Summary:** This report provides a strategic overview of current key financial issues and items for decision.

**Recommendations:**

- (i) That the income and expenditure figures to 30 September 2014 be noted.
- (ii) That the Advertising and Sponsorship Policy be approved subject to any amendments members wish to propose.
- (iii) That members provide their views on the principle of progressing the potential sponsorship in respect of Norwich Yacht Station, and whether it is appropriate for this opportunity to be more widely advertised.

**1 Introduction**

1.1 This report consolidates a number of items relating to the financial performance and direction of the Authority. The report covers:

| <b>Report Section</b> | <b>Item</b>  |
|-----------------------|--|
| 2                     | Consolidated Income and Expenditure from 1 April – 30 September 2014 |
| 3                     | Advertising and Sponsorship Policy                                   |

**2 Consolidated Income and Expenditure from 1 April – 30 September 2014**

***Summary***

2.1 This report provides the Committee with details of the actual income and expenditure for the six month period to 30 September 2014, and provides a forecast of the projected expenditure at the end of the financial year (31 March 2015).

***Introduction***

2.2 This financial monitoring report summarises details of the forecast outturn for the year, which provides members with a picture of expected activity for the full financial year as well as supporting proactive budget management by budget holders. This report provides details of consolidated expenditure for the whole Authority (National Park and Navigation).

- 2.3 Paragraph 2.5 of this report and Appendix 1 provide details of actual income and expenditure to 30 September 2014.
- 2.4 Paragraph 2.14 and Appendix 2 provide details of the forecast 2014/15 outturn (the expected actual expenditure position at the end of the financial year), compared to the latest available budget (LAB). The LAB represents the original budget for the year agreed by the Authority in March 2014, adjusted for known and approved budget changes. Further details of the LAB are set out in paragraph 2.10 below.

### **Overview of Actual Income and Expenditure**

- 2.5 Within this report, actual income and expenditure is reported at summary / Directorate level, providing members with an overview of the Authority's position as set out in Table 1 below.

Table 1 – Actual Consolidated I&E by Directorate to 30 September 2014

|   | <b>Profiled Latest Available Budget</b> | <b>Actual Income and Expenditure</b> | <b>Actual Variance</b> |
|---|---|--------------------------------------|------------------------|
| Income  | (4,526,901)                             | (4,508,936)                          | (17,965)               |
| Operations  | 1,464,089                               | 1,570,507                            | (106,417)              |
| Planning and Resources  | 1,606,187                               | 1,439,776                            | 166,411                |
| Chief Executive   | 202,520                                 | 207,403                              | (4,883)                |
| Projects, Corporate Items and Contributions from Earmarked Reserves | 0                                       | (157,320)                            | 157,320                |
| <b>Net (Surplus) / Deficit</b>                                      | <b>(1,254,105)</b>                      | <b>(1,448,570)</b>                   | <b>194,465</b>         |

- 2.6 Core income is slightly behind the profiled budget as at the end of month six, due mainly to investment interest income which has been received in October rather than September, and which is also slightly lower than budgeted. The variances within Private Tolls and Hire Tolls continue to offset one another. At the end of the financial year it is currently anticipated that the net position on Tolls will be broadly in line with the total budget (with Private Tolls up and Hire Tolls down), and this position has been reflected in forecast outturn figures.
- 2.7 A net £157,320 of expenditure within Directorate budgets has been funded from reserves at the end of September, including the Authority's new Fen Harvester, the second replacement wherry, the Planning Inspectorate Site Specific Policy inspection activity, works to Mutford Lock, and SDF grant payments. Once this expenditure has been accounted for, the Operations revenue budget remains in line with the profiled budget. However a significant underspend against profile within Planning and Resources directorate budgets persists due to:
- Project expenditure behind profile;

- The cancellation of the Whitlingham development project;
- Outstanding insurance and legal billing; and
- Significant success in securing additional income including planning fee income, strategy and projects grant and partnership income, and additional Visitor Centre / Yacht Station income.

2.8 Some of these variances will persist to the end of the year and have been reflected in forecast outturns as set out in Table 3. As a result of the above variances, the overall position as at 30 September 2014 is a favourable variance of £194,465 or 15.51% difference from the profiled LAB.

2.9 The charts at Appendix 1 provide a visual overview of actual income and expenditure compared with both the original budget and the LAB.

### ***Latest Available Budget***

2.10 The Authority's income and expenditure is monitored against a latest available budget (LAB) in 2014/15. The LAB is based on the original budget for the year, with adjustments for known and approved budget changes such as carry-forwards and budget virements. Details of the movements from the original budget are set out in Appendix 2.

2.11 The use of the LAB format ensures that there is better visibility of budgets, providing members with clearer information about approved changes to the original budget and minimising the risk of distortions arising from approved in-year changes to the budget. The LAB facilitates scrutiny of budget management in that members are able to distinguish between planned budget changes and unplanned outturn variances.

2.12 The LAB has not moved since the last report to the Authority as set out in Table 2 below.

Table 2 – Adjustments to Consolidated LAB

|   | <b>Ref</b>                  | <b>£</b>       |
|---|-----------------------------|----------------|
| Original budget 2014/15 – deficit                                     | 21/03/14<br>Item 17<br>(BA) | 15,495         |
| Approved budget carry-forwards  | 11/07/14<br>Item 14<br>(BA) | 94,237         |
| Additional budget approved in-year for Stakeholder surveys            | 11/07/14<br>Item 13<br>(BA) | 37,355         |
| Additional budget approved in-year for National Park sponsorship work | 11/07/14<br>Item 18<br>(BA) | 10,000         |
| <b>LAB at 30 September 2014 – deficit</b>                             |                             | <b>157,087</b> |

2.13 Taking account of the budget adjustments, the LAB therefore provides for a consolidated deficit of £157,087 in 2014/15 as at 30 September 2014.

### **Overview of Forecast Outturn 2014/15**

2.14 Budget holders have been asked to comment on the expected expenditure at the end of the financial year in respect of all the budget lines for which they are responsible. These forecast outturn figures should be seen as estimates and they will be refined and clarified through the financial year.

2.15 As at the end of September 2014, the forecast outturn indicates:

- Income is expected to be broadly in line with budget, with total forecast income of £6,233,961.
- Total expenditure is forecast to be £6,369,774.
- The resulting deficit for the year is forecast to be £135,813.

2.16 Full details of the forecast outturn are set out in Appendix 2.

2.17 The forecast outturn expenditure takes account of adjustments to the LAB and in addition reflects the changes shown in Table 3. The forecast outturn has increased from the last report to the Authority but still anticipates a lower deficit than the £157,087 allowed for in the LAB.

Table 3 – Adjustments to Forecast Outturn

| Item  | £               |
|---|-----------------|
| <b>Latest Available Budget – deficit</b>  | <b>157,087</b>  |
| Adjustments to forecast outturn reported 26/09/14                                       | <b>(65,737)</b> |
| Reduce forecast Private Tolls for month six actuals                                     | 4,235           |
| Increase forecast Hire Tolls for month six actuals                                      | <b>(1,640)</b>  |
| Increase costs for organisational restructure (one-off costs for Communications and HR) | 36,500          |
| Reduce forecast Ludham rental income for delayed tenancy start                          | 7,868           |
| Increase forecast for additional Fen Management income                                  | <b>(10,500)</b> |
| Reduce forecast investment income for six month actuals                                 | 8,000           |
| <b>Forecast outturn deficit as at 30 September 2014</b>                                 | <b>135,813</b>  |

### **Reserves**

2.18 The Authority's earmarked reserves were rationalised in 2013/14 into a smaller number of reserves. Navigation reserve balances continue to be maintained separately from national park reserves. The balance of earmarked reserves at the end of September 2014 is shown in Table 4 below.

Table 4 – Consolidated Earmarked Reserves

|                              | Balance at 1 April 2014 | In-year movements | Current reserve balance |
|------------------------------|-------------------------|-------------------|-------------------------|
|                              | £                       | £                 | £                       |
| Property                     | (568,100)               | (8,567)           | (576,667)               |
| Plant, Vessels and Equipment | (217,282)               | 5,435             | (211,847)               |
| Premises                     | (138,723)               | (15,000)          | (153,723)               |
| Planning Delivery Grant      | (454,172)               | 75,008            | (379,164)               |
| Sustainable Development Fund | (65,664)                | 17,240            | (48,424)                |
| Mobile Phone Upgrade         | (7,567)                 | 3,175             | (4,392)                 |
| Upper Thurne Enhancement     | (81,768)                | 0                 | (81,768)                |
| Section 106                  | (12,069)                | (24,464)          | (36,533)                |
| PRISMA                       | (244,954)               | 257,997           | 13,044                  |
| <b>Total</b>                 | <b>(1,790,299)</b>      | <b>310,825</b>    | <b>(1,479,475)</b>      |

2.19 £738,059 of the current reserve balance relates to navigation reserves.

2.20 The STEP reserve has been closed following the end of the project. Members will note that there is currently a debit balance within the PRISMA reserve. This relates to outstanding claim amounts.

### Summary

2.21 The current forecast outturn position for the year suggests a deficit of £120,647 for the national park side and a deficit of £15,166 on navigation resulting in an overall deficit of £135,813 within the consolidated budget, which would indicate a general fund reserve balance of approximately £684,000 and a navigation reserve balance of approximately £275,000 at the end of 2014/15. This will mean that the navigation reserve balance is just below the recommended level of 10% of net expenditure during 2014/15. The impact of both the national park and navigation reserve balances have been taken into account when preparing the budget and medium term financial strategy.

## 3 Advertising and Sponsorship Policy

### Summary

3.1 As part of the delivery of the 2014/15 strategic priority 4.1, officers are working at both national and local level to increase the Authority's income from sponsorship and advertising. A draft Advertising and Sponsorship Policy has therefore been prepared to guide the development of the Authority's work in this area, and to provide a framework that will help to ensure that best

practice and legislative requirements are followed. The draft policy is appended as Appendix 3 for members' comments and approval.

### ***Draft Advertising and Sponsorship Policy***

- 3.2 The appended draft Advertising and Sponsorship Policy has been prepared by the Head of Finance and the Head of Communications in consultation with the Management Team. The policy has been drafted to provide a framework for the Authority's activities in this area, and in particular sets out in section 4 the various responsibilities and associated levels of decision-making. The policy proposes that strategic decisions about sponsorship be referred to the Authority, and defines these in paragraph 4.1
- 3.3 The policy has been designed to complement work on sponsorship at the national level by National Parks UK, and sets out details of how these will interface with local activity, and the types of consideration that need to be taken into account in section 8.
- 3.4 It should be noted that the Authority has a number of existing sponsorship and advertising arrangements in place, including those set out in the policy at paragraph 1.3, which are considered to be working well. The policy therefore seeks to minimise its impact on these existing agreements, which it is proposed should be brought into the scope of this policy as and when they come to be renegotiated. Section 5 of the policy sets out the general principles and approach to be applied to the development of sponsorship opportunities but also recognises that this is a developing area for the Authority and that as a result there is a need to recognise the potential for opportunities to arise on an ad-hoc basis. This includes the potential for a prospective sponsor to identify an opportunity and approach the Authority directly. It is suggested that it may be appropriate in such cases to progress prospective sponsorship without advertising the opportunity, in order to maintain sponsor interest.

### ***Potential Sponsorship Opportunity***

- 3.5 The Authority has been approached by a local insurance broker regarding potential sponsorship of the Norwich Yacht Station. At this stage this represents an informal approach, and very limited details are available because it was felt appropriate to seek member guidance prior to undertaking negotiations due to the potential significance of the Yacht Station as an asset. There are a number of potential issues around sponsorship of the site including:
- there will be a need for negotiation with the landowner (Norwich City Council) around the parameters for any advertising / sponsorship;
  - planning permission may be required for any signs or similar advertising;
  - whether any sponsorship deal should also seek to include Great Yarmouth Yacht Station; and
  - it is difficult to "value" the sponsorship opportunity due to the lack of comparable sites.

3.6 The Yacht Station does however represent an appropriate “test” asset for the exploration of local sponsorship opportunities, as it is not likely to be suitable for inclusion in a wider sponsorship deal with the whole National Park family due to its relatively unique nature when compared with other Tourist Information Centre sites.

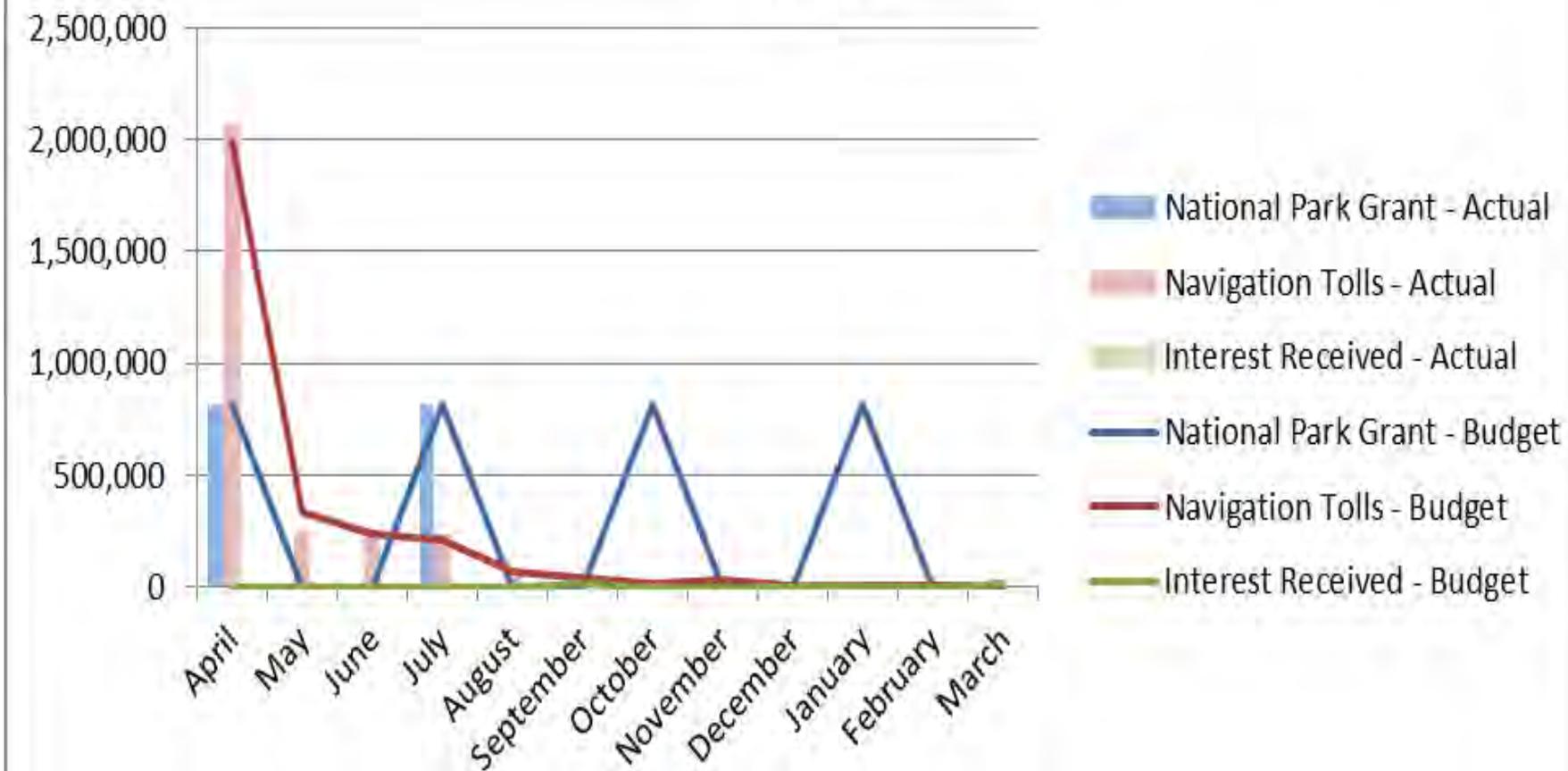
### **Summary**

3.7 There are a number of issues which would need to be explored prior to meaningfully progressing this sponsorship opportunity. In particular members’ guidance is sought as to whether it is felt appropriate in this case to engage directly with one potential sponsor, or to seek to advertise this opportunity more widely. This would inevitably entail the risk of deterring the current prospective sponsor.

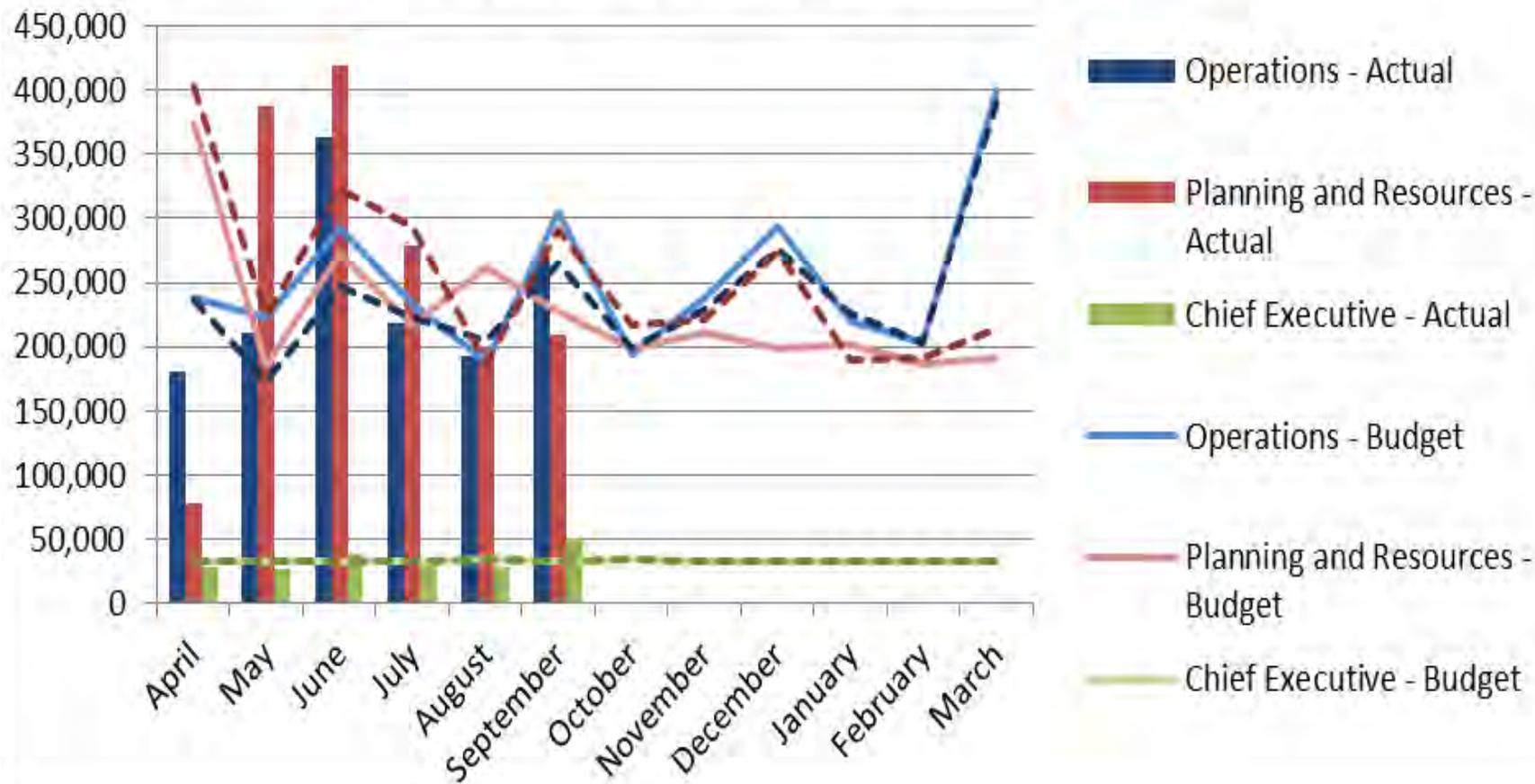
3.8 In view of the issues set out above, and the significance of the Yacht Station as a high-profile and sensitive asset, members’ views are sought on an in-principle decision as to whether this potential sponsorship opportunity should be explored further at this stage, in line with the draft Advertising and Sponsorship Policy.

|                         |   |
|-------------------------|---|
| Background Papers:      | Nil   |
| Author:                 | Titus Adam  |
| Date of Report:         | 4 November 2014   |
| Broads Plan Objectives: | None  |
| Appendices:             | APPENDIX 1 – Consolidated Actual Income and Expenditure Charts to 30 September 2014<br><br>APPENDIX 2: Financial Monitor: Consolidated Income and Expenditure 2014/15<br><br>APPENDIX 3: Draft Advertising and Sponsorship Policy |

## Consolidated Actual Core Income against Original Budget



## Consolidated Net Actual Expenditure against Original and Latest Budget



**To 30 September 2014**

|               |       |
|---------------|-------|
| Budget Holder | (All) |
| A/C           | (All) |

| Row Labels                            | Values                            |   |  |                                    |  |
|---------------------------------------|-----------------------------------|---|--|------------------------------------|--|
|                                       | Original Budget<br>(Consolidated) | Budget<br>Adjustments<br>(Consolidated) | Latest Available<br>Budget<br>(Consolidated) | Forecast Outturn<br>(Consolidated) | Forecast Outturn<br>Variance<br>(Consolidated) |
| Income                                | (6,242,264)                       |   | (6,242,264)                                  | (6,233,961)                        | (8,304)  |
| National Park Grant                   | (3,245,393)                       |   | (3,245,393)                                  | (3,245,393)                        | 0  |
| Income                                | (3,245,393)                       |   | (3,245,393)                                  | (3,245,393)                        | 0  |
| Hire Craft Tolls                      | (1,118,300)                       |   | (1,118,300)                                  | (1,072,296)                        | (46,004)                                       |
| Income                                | (1,118,300)                       |   | (1,118,300)                                  | (1,072,296)                        | (46,004)                                       |
| Private Craft Tolls                   | (1,792,100)                       |   | (1,792,100)                                  | (1,837,800)                        | 45,700   |
| Income                                | (1,792,100)                       |   | (1,792,100)                                  | (1,837,800)                        | 45,700   |
| Short Visit Tolls                     | (37,721)                          |   | (37,721)                                     | (37,721)                           | 0  |
| Income                                | (37,721)                          |   | (37,721)                                     | (37,721)                           | 0  |
| Other Toll Income                     | (18,750)                          |   | (18,750)                                     | (18,750)                           | 0  |
| Income                                | (18,750)                          |   | (18,750)                                     | (18,750)                           | 0  |
| Interest                              | (30,000)                          |   | (30,000)                                     | (22,000)                           | (8,000)  |
| Income                                | (30,000)                          |   | (30,000)                                     | (22,000)                           | (8,000)  |
| Operations                            | 3,030,715                         | 30,113                                  | 3,060,828                                    | 3,068,802                          | (7,974)  |
| Construction and Maintenance Salaries | 1,074,770                         |   | 1,074,770                                    | 1,074,770                          | 0  |
| Salaries                              | 1,074,770                         |   | 1,074,770                                    | 1,074,770                          | 0  |
| Expenditure                           |                                   |   | 0  |                                    | 0  |
| Equipment, Vehicles & Vessels         | 405,000                           |   | 405,000                                      | 405,000                            | 0  |
| Income                                |                                   |   | 0  |                                    | 0  |
| Expenditure                           | 405,000                           |   | 405,000                                      | 405,000                            | 0  |
| Water Management                      | 67,500                            |   | 67,500                                       | 66,185                             | 1,315  |
| Income                                | 0                                 |   | 0  | (1,315)                            | 1,315  |
| Expenditure                           | 67,500                            |   | 67,500                                       | 67,500                             | 0  |
| Land Management                       | (41,000)                          | 11,750                                  | (29,250)                                     | (39,750)                           | 10,500   |
| Income                                | (90,000)                          |   | (90,000)                                     | (100,500)                          | 10,500   |
| Expenditure                           | 49,000                            | 11,750                                  | 60,750                                       | 60,750                             | 0  |
| Practical Maintenance                 | 339,035                           | 7,170                                   | 346,205                                      | 345,627                            | 578  |
| Income                                | (7,000)                           |   | (7,000)                                      | (7,000)                            | 0  |
| Expenditure                           | 346,035                           | 7,170                                   | 353,205                                      | 352,627                            | 578  |
| Ranger Services                       | 663,010                           |   | 663,010                                      | 663,010                            | 0  |
| Income                                | (35,000)                          |   | (35,000)                                     | (35,000)                           | 0  |

| Row Labels                               | Original Budget<br>(Consolidated) | Budget<br>Adjustments<br>(Consolidated) | Latest Available<br>Budget<br>(Consolidated) | Forecast Outturn<br>(Consolidated) | Forecast Outturn<br>Variance<br>(Consolidated) |
|--|-----------------------------------|---|--|------------------------------------|--|
| Salaries                                 | 580,010                           |   | 580,010                                      | 580,010                            | 0  |
| Expenditure                              | 118,000                           |   | 118,000                                      | 118,000                            | 0  |
| Pension Payments                         |                                   |   | 0  |                                    | 0  |
| Safety                                   | 76,900                            |   | 76,900                                       | 76,900                             | 0  |
| Income                                   | (9,000)                           |   | (9,000)                                      | (9,000)                            | 0  |
| Salaries                                 | 51,900                            |   | 51,900                                       | 51,900                             | 0  |
| Expenditure                              | 34,000                            |   | 34,000                                       | 34,000                             | 0  |
| Asset Management                         | 104,650                           |   | 104,650                                      | 117,150                            | (12,500)                                       |
| Income                                   | (1,000)                           |   | (1,000)                                      | (1,000)                            | 0  |
| Salaries                                 | 37,900                            |   | 37,900                                       | 37,900                             | 0  |
| Expenditure                              | 67,750                            |   | 67,750                                       | 80,250                             | (12,500)                                       |
| Volunteers                               | 61,340                            |   | 61,340                                       | 61,340                             | 0  |
| Income                                   | (1,000)                           |   | (1,000)                                      | (1,000)                            | 0  |
| Salaries                                 | 42,340                            |   | 42,340                                       | 42,340                             | 0  |
| Expenditure                              | 20,000                            |   | 20,000                                       | 20,000                             | 0  |
| Premises                                 | 151,970                           | 11,193                                  | 163,163                                      | 171,030                            | (7,867)  |
| Income                                   | (11,200)                          |   | (11,200)                                     | (3,333)                            | (7,867)  |
| Expenditure                              | 163,170                           | 11,193                                  | 174,363                                      | 174,363                            | 0  |
| Operations Management and Administration | 127,540                           |   | 127,540                                      | 127,540                            | 0  |
| Income                                   |                                   |   | 0  |                                    | 0  |
| Salaries                                 | 115,040                           |   | 115,040                                      | 115,040                            | 0  |
| Expenditure                              | 12,500                            |   | 12,500                                       | 12,500                             | 0  |
| Planning and Resources                   | 2,729,004                         | 111,479                                 | 2,840,484                                    | 2,779,832                          | 60,652   |
| Development Management                   | 224,910                           |   | 224,910                                      | 224,910                            | 0  |
| Income                                   | (60,000)                          |   | (60,000)                                     | (60,000)                           | 0  |
| Salaries                                 | 259,910                           |   | 259,910                                      | 259,910                            | 0  |
| Expenditure                              | 25,000                            |   | 25,000                                       | 25,000                             | 0  |
| Pension Payments                         |                                   |   | 0  |                                    | 0  |
| Strategy and Projects Salaries           | 231,575                           | 8,546                                   | 240,121                                      | 219,121                            | 21,000   |
| Income                                   | (27,500)                          |   | (27,500)                                     | (39,000)                           | 11,500   |
| Salaries                                 | 249,075                           | 8,546                                   | 257,621                                      | 248,121                            | 9,500  |
| Expenditure                              | 10,000                            |   | 10,000                                       | 10,000                             | 0  |
| Biodiversity Strategy                    | 35,000                            | 42,298                                  | 77,298                                       | 77,298                             | 0  |
| Income                                   |                                   |   | 0  |                                    | 0  |
| Expenditure                              | 35,000                            | 42,298                                  | 77,298                                       | 77,298                             | 0  |
| Strategy and Projects                    | 84,900                            | 2,020                                   | 86,920                                       | 86,920                             | 0  |

| Row Labels                         | Original Budget<br>(Consolidated) | Budget<br>Adjustments<br>(Consolidated) | Latest Available<br>Budget<br>(Consolidated) | Forecast Outturn<br>(Consolidated) | Forecast Outturn<br>Variance<br>(Consolidated) |
|------------------------------------|-----------------------------------|---|--|------------------------------------|--|
| Salaries                           | 44,900                            |   | 44,900                                       | 44,900                             | 0  |
| Expenditure                        | 40,000                            | 2,020                                   | 42,020                                       | 42,020                             | 0  |
| Waterways and Recreation Strategy  | 84,920                            |   | 84,920                                       | 81,868                             | 3,052  |
| Salaries                           | 69,920                            |   | 69,920                                       | 66,868                             | 3,052  |
| Expenditure                        | 15,000                            |   | 15,000                                       | 15,000                             | 0  |
| Project Funding                    | 101,780                           | 46,615                                  | 148,395                                      | 148,395                            | 0  |
| Income                             | (19,000)                          |   | (19,000)                                     | (19,000)                           | 0  |
| Salaries                           | 41,780                            |   | 41,780                                       | 41,780                             | 0  |
| Expenditure                        | 79,000                            | 46,615                                  | 125,615                                      | 125,615                            | 0  |
| Pension Payments                   |                                   |   | 0  |                                    | 0  |
| Partnerships / HLF                 | 50,000                            |   | 50,000                                       | 0                                  | 50,000   |
| Expenditure                        | 50,000                            |   | 50,000                                       | 0                                  | 50,000   |
| SDF                                | 12,000                            |   | 12,000                                       | 12,000                             | 0  |
| Expenditure                        | 12,000                            |   | 12,000                                       | 12,000                             | 0  |
| Finance and Insurance              | 336,569                           | 10,000                                  | 346,569                                      | 346,569                            | 0  |
| Income                             |                                   |   | 0  |                                    | 0  |
| Salaries                           | 133,970                           |   | 133,970                                      | 133,970                            | 0  |
| Expenditure                        | 202,599                           | 10,000                                  | 212,599                                      | 212,599                            | 0  |
| Communications                     | 316,260                           |   | 316,260                                      | 329,660                            | (13,400)                                       |
| Income                             |                                   |   | 0  |                                    | 0  |
| Salaries                           | 241,260                           |   | 241,260                                      | 254,660                            | (13,400)                                       |
| Expenditure                        | 75,000                            |   | 75,000                                       | 75,000                             | 0  |
| Visitor Centres and Yacht Stations | 235,660                           | 2,000                                   | 237,660                                      | 237,660                            | 0  |
| Income                             | (213,000)                         |   | (213,000)                                    | (213,000)                          | 0  |
| Salaries                           | 317,660                           |   | 317,660                                      | 317,660                            | 0  |
| Expenditure                        | 131,000                           | 2,000                                   | 133,000                                      | 133,000                            | 0  |
| Collection of Tolls                | 113,660                           |   | 113,660                                      | 113,660                            | 0  |
| Salaries                           | 100,960                           |   | 100,960                                      | 100,960                            | 0  |
| Expenditure                        | 12,700                            |   | 12,700                                       | 12,700                             | 0  |
| ICT                                | 267,820                           |   | 267,820                                      | 267,820                            | 0  |
| Income                             |                                   |   | 0  |                                    | 0  |
| Salaries                           | 127,120                           |   | 127,120                                      | 127,120                            | 0  |
| Expenditure                        | 140,700                           |   | 140,700                                      | 140,700                            | 0  |
| Legal                              | 120,000                           |   | 120,000                                      | 120,000                            | 0  |
| Income                             |                                   |   | 0  |                                    | 0  |
| Expenditure                        | 120,000                           |   | 120,000                                      | 120,000                            | 0  |

| Row Labels   | Original Budget<br>(Consolidated) | Budget<br>Adjustments<br>(Consolidated) | Latest Available<br>Budget<br>(Consolidated) | Forecast Outturn<br>(Consolidated) | Forecast Outturn<br>Variance<br>(Consolidated) |
|--|-----------------------------------|---|--|------------------------------------|--|
| Premises - Head Office                               | 240,000                           |   | 240,000                                      | 240,000                            | 0  |
| Expenditure  | 240,000                           |   | 240,000                                      | 240,000                            | 0  |
| Planning and Resources Management and Administration | 273,950                           |   | 273,950                                      | 273,950                            | 0  |
| Income   |                                   |   | 0  |                                    | 0  |
| Salaries   | 146,750                           |   | 146,750                                      | 146,750                            | 0  |
| Expenditure  | 127,200                           |   | 127,200                                      | 127,200                            | 0  |
| Chief Executive                                      | 405,040                           |   | 405,040                                      | 428,140                            | (23,100)                                       |
| Human Resources                                      | 133,140                           |   | 133,140                                      | 156,240                            | (23,100)                                       |
| Salaries   | 73,140                            |   | 73,140                                       | 96,240                             | (23,100)                                       |
| Expenditure  | 60,000                            |   | 60,000                                       | 60,000                             | 0  |
| Governance   | 170,410                           |   | 170,410                                      | 170,410                            | 0  |
| Income   |                                   |   | 0  |                                    | 0  |
| Salaries   | 109,210                           |   | 109,210                                      | 109,210                            | 0  |
| Expenditure  | 61,200                            |   | 61,200                                       | 61,200                             | 0  |
| Chief Executive                                      | 101,490                           |   | 101,490                                      | 101,490                            | 0  |
| Salaries   | 101,490                           |   | 101,490                                      | 101,490                            | 0  |
| Expenditure  |                                   |   | 0  |                                    | 0  |
| Projects and Corporate Items                         | 93,000                            |   | 93,000                                       | 93,000                             | 0  |
| PRISMA   | 0                                 |   | 0  | 0                                  | 0  |
| Income   |                                   |   | 0  |                                    | 0  |
| Salaries   | 10,410                            |   | 10,410                                       | 10,410                             | 0  |
| Expenditure  | (10,410)                          |   | (10,410)                                     | (10,410)                           | 0  |
| STEP   |                                   |   | 0  |                                    | 0  |
| Expenditure  |                                   |   | 0  |                                    | 0  |
| Corporate Items                                      | 93,000                            |   | 93,000                                       | 93,000                             | 0  |
| Pension Payments                                     | 93,000                            |   | 93,000                                       | 93,000                             | 0  |
| Contributions from Earmarked Reserves                |                                   |   | 0  |                                    | 0  |
| Earmarked Reserves                                   |                                   |   | 0  |                                    | 0  |
| Expenditure  |                                   |   | 0  |                                    | 0  |
| <b>Grand Total</b>                                   | <b>15,495</b>                     | <b>141,592</b>                          | <b>157,087</b>                               | <b>135,813</b>                     | <b>21,274</b>                                  |

# Broads Authority

## Advertising and Sponsorship Policy

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### Contents

|  |   |
|--|---|
| 1. Introduction  | 2 |
| 2. Purpose   | 2 |
| 3. Definitions   | 2 |
| 4. Responsibilities  | 3 |
| 5. Key principles  | 3 |
| 6. Specific issues when considering sponsorship                              | 4 |
| 7. Criteria for identifying suitable advertisers and sponsors                | 5 |
| 8. National initiatives  | 7 |
| 9. State Aid considerations in the provision of sponsorship by the Authority | 7 |
| 10. Dealing with complaints  | 8 |
| 11. Review   | 8 |

## 1. Introduction

- 1.1. The Broads Authority recognises the significant potential for income generation through advertising and sponsorship, and will seek opportunities to maximise revenue from these sources where this does not conflict with other organisational priorities and activities. This Policy sets out the parameters for advertising and sponsorship, and outlines the considerations the Authority will take into account when offering or assessing advertising and sponsorship opportunities.
- 1.2. Advertising and sponsorship should be seen as two distinct areas of activity, although they are linked in terms of many of the skills, considerations and approaches required to maximise income for the Authority. Therefore except where explicitly stated, they can be considered to be interchangeable throughout this policy.
- 1.3. The Authority currently carries advertising within many of its general publications, and has accepted sponsorship of events such as the Broads Outdoor Festival. This Policy formalises the Authority's general approach to advertising and sponsorship issues, but is not intended to supersede any specific established arrangements which may already be in place.

## 2. Purpose

- 2.1. The purpose of this Policy is to:
  - establish the parameters of the Authority's advertising and sponsorship activities;
  - define a general framework for decisions about advertising and sponsorship opportunities;
  - explain how the Authority's advertising and sponsorship initiatives are coordinated with activity undertaken by National Parks UK; and
  - set out how the Authority's activities comply with legislative and regulatory requirements.

## 3. Definitions

- 3.1. Advertising encompasses two elements, firstly how the Authority promotes and markets its own services and brand (and indeed the wider National Park brand), and secondly the sale of advertising space by the Authority to third parties in order to raise revenue.

3.2.Sponsorship in contrast can be defined as *“the payment of a fee or payment in kind by a company in return for the rights to a public association with an activity, item, person or property for mutual commercial benefit.”*<sup>1</sup>

3.3.Sponsorship generally represents a deeper relationship than the advertiser relationship, where the Authority may simply be acting as a platform for an advertiser. As such, a higher level of scrutiny should be applied to a sponsorship agreement due to the greater potential impact on the Authority’s own brand identity and reputation.

## 4. Responsibilities

4.1.Decisions about large scale<sup>2</sup>, or potentially controversial sponsorship will be referred to the Full Authority, for example in the case of potentially controversial partners, or where a significant or sensitive asset is identified for sponsorship.

4.2.Significant decisions<sup>3</sup> about the acceptance of advertising and uncontroversial sponsorship opportunities will be taken by the Management Team, taking account of the criteria set out in this Policy. Care needs to be taken about the cumulative value and impact of individual sponsorship arrangements.

4.3.Day to day decisions about advertising will be taken by officers (generally within the Communications Team). The sale of advertising space in publications and / or on websites may be outsourced to third parties, although ultimate editorial control will always be retained by the Authority.

## 5. Key principles

5.1.The Authority will apply the following principles when making decisions about entering into advertising or sponsorship agreements:

- Advertising and sponsorship support should only be considered where it is expected to deliver a significant net benefit with no detriment to the Authority or wider public interest.

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<sup>1</sup> *Guidance to Departments on Sponsorship of Government Activities*, Cabinet Office, 2007.

<sup>2</sup> For the purposes of this policy, “large scale” sponsorship is considered to include any sponsorship arrangement worth more than £100,000 annually.

<sup>3</sup> For the purposes of this policy, “significant” sponsorship is considered to include any sponsorship arrangement worth more than £5,000 annually.

- Advertising and sponsorship opportunities should be offered or sought in an open and transparent manner. In particular, a chosen advertiser or sponsor's competitors should not be given grounds to complain that they were not given a fair chance to identify an opportunity or compete for one identified by the Authority.
- The Authority will aim to publicise any major sponsorship / advertising opportunities that it identifies on its website, and bids received will be assessed to establish the proposal which offers the Authority the best value for money. However this is a developing area of activity and it is recognised that to start with, opportunities may arise on an ad-hoc basis. To avoid creating an overly bureaucratic system demanding significant resource input, requests will be considered on their own merits in line with the general principles set out in this Policy.
- The Authority will seek to demonstrably act with impartiality, honesty and integrity when entering into a sponsorship agreement.
- The Authority will seek to ensure that sponsors do not receive returns that are greater than is appropriate and that any sponsorship agreement is able to withstand public scrutiny. Some of the considerations which could be applied in identifying whether a sponsor is deriving "inappropriate" returns are set out in section six below.
- Advertising and sponsorship should not be accepted where it will dilute the Authority's brand, campaign or message or be visually detrimental to the natural or built environment.
- The Authority will not, and must not appear to, endorse the advertiser / sponsor, or their products, beyond the natural level of partnership implied by a sponsorship arrangement.

5.2. Any advertising or sponsorship agreement must be in writing, clearly setting out the expectations of both parties. Where a financial consideration is involved, it will generally be appropriate for the sponsorship agreement to be prepared as a contract.

## 6. Specific issues when considering sponsorship

6.1. Sponsorship represents a deeper relationship between the Authority and the sponsor than the simple carrying of third party advertising. Therefore the level of sponsor involvement in the Authority's activities needs to be treated with a degree of caution. The Cabinet Office has issued guidance on the role sponsors can play in the public sector, which is to assist in "extending" an organisation's message. Sponsors should not receive ownership rights and their support must always be seen as secondary to the aims of the Authority. Furthermore, sponsors should operate within clearly defined parameters, and behave with propriety at all times.

6.2. The Cabinet Office's recommended parameters for sponsor involvement in the public sector are that:

- sponsorship should be seen as adding significant benefit to an existing Authority service, message or campaign;
- there should be no overt commercial advantage to the sponsor in terms of the direct sale of products or brands as a result of their association with the Authority;
- sponsors should not be permitted to use a communications campaign or Authority event as a direct sales channel for any products or services; and
- key activities should not be dependent on sponsorship support for their funding (in other words sponsorship may add to, but should not replace, core funding for statutory functions).

6.3. The Authority will therefore only accept sponsorship of specific assets, publications, activities or events, and will not accept sponsorship which might place (or appear to place) any individual Members or Officers under an obligation to the sponsor. There must be no suggestion whatsoever that sponsors receive privileged access, or have any influence over the Authority's strategies and policies. Particular care needs to be taken when considering large amounts of individual sponsorship, or in the case of repeated sponsorship.

6.4. The Authority will not seek or accept sponsorship from organisations that are involved in significant commercial negotiations with it (whether or not these are linked to the event or activity to be sponsored). However, advertising from such organisations may be considered. Care needs to be exercised when accepting sponsorship from organisations which may be affected by the Authority's role in setting tolls or enforcing legislation to be clear that no influence on these processes is obtained through, or as a result of, the sponsorship arrangement.

## 7. Criteria for identifying suitable advertisers and sponsors

7.1. It is not possible to define strict criteria to categorise potential advertisers and sponsors, however the following general principles should be applied to identify partners which would have a positive, negative or neutral impact on the Authority's reputation. In all cases an individual assessment should be undertaken to take account of any specific circumstances surrounding a particular partner organisation.

### General criteria for considering suitability

- Is there any potential for conflicts of interest, or any other perception of inappropriateness?
- Is there a risk of adverse publicity arising from the relationship?
- Is the partner financially viable?

- Does the partner demonstrate appropriate business practices, policies and customer and media profiles?
- Do the partner's messages demonstrate synergy with those of the Authority? Is there any risk of dilution of the Authority's key messages?
- Is there any existing commercial relationship or negotiation between the Authority and the partner?

7.2. The list below provides an indication of the types of organisation which might be generally expected to fall within each category. This should not be seen as definitive.

### Positive Partners

- Government / other Public Sector bodies;
- UK tourism and leisure promoters;
- Brands associated with "green" and environmentally friendly activities;
- Sustainable travel brands;
- Leisure and outdoor equipment brands, including boating;
- Promoters of cultural activities, festivals and similar;
- Local media; and
- Charities (although care needs to be taken in respect of lobbying / pressure groups and political activism).

### Neutral Partners

- Science and Technology industry;
- National media; and
- General advertisers (cars, travel, retailers, supermarkets, utilities, insurance).

### Negative Partners

- Political parties and campaigning, lobbying or pressure groups;
- Organisations with a reputation for environmentally damaging practices;
- Organisations with a reputation for poor corporate responsibility or unethical practices;
- Tobacco / alcohol;
- Payday loan providers / irresponsible lenders

- “Adult” entertainment; and
- Gambling

## 8. National initiatives

- 8.1. National Parks are working collectively to develop a more commercial approach to income generation and sponsorship. National Parks UK (NPUK) has developed a Sponsorship Policy which sets out guidelines for sponsorship at national level and the process by which sponsorship offers will be assessed. A National Park Commercial Group has been established for officers to share information and to help to deliver progress in income generation activity.
- 8.2. NPUK will be seeking sponsorship and partners at national level to provide funding and other in-kind support across the National Park family. Care therefore needs to be taken to ensure that any local agreements do not negatively impact on existing or potential national negotiations. In particular, an assessment of any local sponsorship offer should be undertaken to determine whether the proposed sponsorship relates to an asset or event which could be better “marketed” at the national level, and if so, whether the current sponsorship proposal has the potential to be escalated to NPUK. Advice and support in this area can be sought from the National Park Commercial Group.

## 9. State Aid considerations in the provision of sponsorship by the Authority

- 9.1. Where the Authority is to be the provider of funding or sponsorship to a third party organisation, the issue of State Aid must first be considered. State Aid may arise where the Authority gives money to a commercial organisation and relates to state resources being used to provide assistance which gives organisations an advantage over others. Within the scope of the Authority’s activities, this has the potential to occur in the provision of grant and other project funding, and also if the Authority were to establish any schemes to provide financial support or assistance or which were intended to stimulate growth in a target sector or region.
- 9.2. The initial considerations when determining whether funding represents State Aid have been defined by the Department for Business, Innovation and Skills<sup>4</sup> as follows:
1. Is the assistance granted by the state or through state resources?
  2. Does the assistance give an advantage to one or more undertakings over others?

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<sup>4</sup> *State Aid: The Basics*, Department for Business, Innovation and Skills, 2013.

3. Does the assistance distort, or have the potential to distort competition?
  4. Does the assistance affect trade between EU Member States?
- 9.3. In the event that sponsorship or funding is considered likely to be State Aid, guidance should be sought from the Finance Team. The fact that a project constitutes State Aid does not necessarily mean that it cannot be undertaken, but does mean that care needs to be taken to ensure that activities comply with State Aid rules, and remain legal.

## 10. Dealing with complaints

- 10.1. In the event of any complaints regarding advertising or sponsorship, the Authority will adopt the following approach:
- The Authority will be clear about the general rationale for accepting advertising and sponsorship, and in particular the need for the Authority to adopt a more commercial approach to income generation.
  - Any concerns raised about a specific advert, advertiser or sponsor will be considered by the Authority's Management Team. If following review the advertising / sponsorship is considered appropriate, it will be continued with an explanation provided to the complainant. If the advertising / sponsorship is deemed to be harming, or potentially harming, the Authority's brand or reputation, then the advertising / sponsorship should be ended immediately (or as soon as reasonably practicable in the case of a sponsorship arrangement), with communications issued to explain the decision if necessary.

## 11. Review

- 11.1. This Policy will be reviewed every three years, or more frequently where there are significant changes in the environment within which the Authority operates. Responsibility for ensuring that regular reviews are carried out lies with the Head of Finance.

November 2014

**Navigation Charges 2015/16 and Draft Financial Strategy to 2017/18**  
Report by Chief Executive, Director of Operations and Head of Finance

**Summary:** This report sets out information for the Authority to consider a Financial Strategy for income and expenditure for the next three years, 2015/16 to 2017/18. It is proposed that the Authority adopt an **increase in navigation income of 1.7%** annually for the period, which would, subject to boat numbers continuing to remain relatively stable, allow the Authority to continue to deliver current levels of service and make provision for the necessary replacement of vehicles, vessels and equipment. It also reflects the proposals set out in the Mooring Strategy Review Update elsewhere on this agenda.

This “baseline” Strategy does not make provision for additional areas of expenditure such as dredging works at Hickling Broads, the funding of any significant development in waste collection provision, or developing new moorings which have been discussed by the Navigation Committee. Details of the outcome of consultation with the Navigation Committee is set out in section 4.

A flat rate increase in navigation charges for next year is proposed because consideration of any potential changes to the hire boat multiplier and the relative costs for different sized boats will follow from the outcomes of the stakeholder surveys and can be built into decisions for charges in 2016/17.

Members’ views are sought on the level of charges for next year and the overall Financial Strategy for the next three years.

**Recommendations:**

- (i) That the proposed increase in Navigation charges of 1.7% for 2015/16, and recommended by the Navigation Committee, be approved.
- (ii) That the Financial Strategy for 2015/16 to 2017/18 be adopted.

**1 Context**

- 1.1 Forecasts for National Park budgets in 2014/15 as discussed in the previous report are for income in line with the Latest Available Budget (LAB) and net expenditure below budget, mainly due to changes within Planning and Resources Directorate budgets. The year-end forecast is for a deficit of £120,647, which would result in a year-end balance in the National Park reserve of £684,000 (£679,000 after year-end adjustments for interest transferred to earmarked reserves).

- 1.2 The latest predictions for navigation income in the current year are very much in line with the approved budget. However, within these figures there is a reduction in hire boat income of approximately £45,000 offset by a similar amount for private craft above budget. The latest boat figures show hire motor cruisers reducing by 25 and private motor cruisers are 92 up on the 1 November 2013 figure.
- 1.3 Navigation expenditure is similarly on target and the forecast outturn position for 2014/15 anticipates a small deficit within the navigation budget of £15,166. This would result in a navigation reserve balance of approximately £275,000 at the end of the year, and £269,000 after year-end adjustments. This balance equates to 9.0% of net expenditure and is slightly below the recommended level of 10%. The baseline Financial Strategy takes into account this forecast outturn position and makes proposals which will fully restore the balance of the navigation reserve in 2015/16.

## **2 Draft Financial Strategy**

- 2.1 The draft baseline Financial Strategy has been constructed to take account of the following four key factors:

1. ***The ongoing and sustained pressure on National Park Grant***

At the time of writing there continues to be uncertainty around grant allocations for 2015/16, although an indicative reduction of 1.7% compared to 2014/15 has been advised and is built in to this Strategy. Allocations for 2016/17 and beyond have not yet been set, but it is clear that the climate of financial constraint within the public sector will continue for the life of this Financial Strategy.

2. ***Resourcing the Asset Management Plan***

Members will be aware of the Asset Management Plan requirements which have previously been reported, and in particular the considerable long-term, ongoing liabilities identified in the Asset Register. The draft Strategy therefore makes provision for the needs identified in the Asset Management Strategy, as well as the ongoing operational needs to continue to manage the Broads system. The budget requirements were reviewed and contributions to reserves of £208,000 were agreed in January 2014, with a resolution to review the Asset Management Plan in particular with respect to the 24hr mooring stock liability. This work has now been completed, and is reported separately on this agenda. As a result of additional information from the Environment Agency, and proposals to amend the provision of mooring in some locations, a ten year Action Plan has been drafted which recommends an annual budget of £150,000 for repiling at existing sites. This is an increase of a further £40,000 per annum, and would result in the amended Asset Management Plan capital provision totalling £358,000 being fully funded from 2015/16, although subject to annual review.

### 3. **Allocation of Practical Work**

The Baseline Plan incorporates plans to increase navigation Construction and Maintenance activity incrementally over two years to deliver an additional 528 man days of navigation activity in 2016/17. Depending on specific priorities identified, this increase provides the capacity to deliver navigation works in the following areas:

- River bank tree clearance (as the bird breeding season and other ecological constraints allow);
- Vessel and equipment maintenance;
- Dredging;
- Removal of wrecks/obstructions/litter; and
- Mooring maintenance.

### 4. **Reductions in Central Costs**

Significant reductions have been made in the budgets for both Planning and Resources and those sections which report to the Chief Executive. These are mainly as a result of the organisational restructure planned for completion by the end of March 2015. This includes reductions in Communications, Human Resources, Governance and Legal budgets.

2.2 Using this information the baseline Strategy shown in Table 1 has been prepared which demonstrates that a 1.7% increase in tolls annually until 2017/18, could fund the Authority's existing navigation services and make provision for the servicing of the revised Asset Management Plan over ten years.

2.3 The following key assumptions have been applied in developing the draft budget:

- Navigation tolls will be collected in line with budget and a flat rate increase applied for 2015/16 on the existing 2014/15 structure;
- Boat numbers and dispositions will remain in line with those experienced in 2014/15;
- National Park Grant will be received in line with allocations, with no further reduction applied after 2015/16, although it is recognised that there remains significant pressure on public finances and as such a reduction cannot be ruled out;
- Salary increases have been allowed based on the latest offer from Local Government Employers. This incorporates a 2.2% pay award for the period January 2015 to March 2016, with no backdating to April 2014. Salary increases for subsequent years have been allowed at 1% in 2016/17 and 1.5% in 2017/18;
- The efficiencies from the restructuring due to be completed in March 2015 will be realised in line with the currently projected levels of savings;
- Changes to National Insurance arrangements as a result of the cessation of the contracted out rate for the state second pension will go ahead.

These are forecast to cost an additional £70,000 annually for the Authority as a whole from 2016/17 and these changes have been factored into the staffing costs included in the Strategy. There has been no indication that the Government will seek to mitigate the impact of these changes for Local Authorities;

- The forecast outturn position for 2014/15 will be delivered in line with budget holders' projections; and
- Last year following representations from the Broads Hire Boat Federation revised arrangements were put in place for hire boat companies, with a total annual hire tolls liability of £1,300 or more, to make staged payments. For bills between £1,300 and £4,000 there was an option to pay in two instalments and for those above £4,000 four payments was provided as an option. To encourage payment in full on or before 1 April, which makes the administration much simpler, a 2% discount was provided. The process worked extremely well and received a positive response from the industry. The cost of the discount provided, in terms of lost revenue, was £11,070.97. The intention is to continue with the same arrangements for the coming year and it is factored into the calculations.

2.4 A detailed sensitivity analysis for some of these key assumptions will be included in the draft budget presented to the Authority in January.

Table 1 – Summary Draft Baseline Financial Strategy to 2017/18

|                                    | 2015/16            |                    |                    | 2016/17            |                    |                    | 2017/18            |                    |                    |
|------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
|                                    | National Park      | Navigation         | Consolidated       | National Park      | Navigation         | Consolidated       | National Park      | Navigation         | Consolidated       |
| National Park Grant                | (3,188,952)        | 0                  | (3,188,952)        | (3,188,952)        | 0                  | (3,188,952)        | (3,188,952)        | 0                  | (3,188,952)        |
| Navigation Tolls                   | 0                  | (2,997,930)        | (2,997,930)        | 0                  | (3,048,895)        | (3,048,895)        | 0                  | (3,100,726)        | (3,100,726)        |
| Other income                       | (17,500)           | (36,250)           | (53,750)           | (20,000)           | (38,750)           | (58,750)           | (20,000)           | (38,750)           | (58,750)           |
| <b>Total Income</b>                | <b>(3,206,452)</b> | <b>(3,034,180)</b> | <b>(6,240,632)</b> | <b>(3,208,952)</b> | <b>(3,087,645)</b> | <b>(6,296,597)</b> | <b>(3,208,952)</b> | <b>(3,139,476)</b> | <b>(6,348,428)</b> |
| Operations                         | 1,013,912          | 2,058,049          | 3,071,960          | 992,159            | 2,151,401          | 3,143,560          | 1,005,884          | 2,176,617          | 3,182,500          |
| Planning and Resources             | 1,799,807          | 716,651            | 2,516,458          | 1,818,453          | 729,615            | 2,548,068          | 1,839,650          | 737,858            | 2,577,508          |
| Chief Executive                    | 281,096            | 149,494            | 430,590            | 287,703            | 153,287            | 440,990            | 292,418            | 156,032            | 448,450            |
| Corporate Items                    | 67,200             | 44,800             | 112,000            | 82,200             | 54,800             | 137,000            | 100,200            | 66,800             | 167,000            |
| <b>Total Expenditure</b>           | <b>3,162,015</b>   | <b>2,968,994</b>   | <b>6,131,008</b>   | <b>3,180,515</b>   | <b>3,089,103</b>   | <b>6,269,618</b>   | <b>3,238,152</b>   | <b>3,137,307</b>   | <b>6,375,458</b>   |
| <b>Net (Surplus) / Deficit</b>     | <b>(44,437)</b>    | <b>(65,186)</b>    | <b>(109,624)</b>   | <b>(28,437)</b>    | <b>1,458</b>       | <b>(26,978)</b>    | <b>29,200</b>      | <b>(2,169)</b>     | <b>27,030</b>      |
| <b>Opening Reserves (Forecast)</b> | <b>(678,577)</b>   | <b>(269,106)</b>   | <b>(947,683)</b>   | <b>(714,265)</b>   | <b>(325,542)</b>   | <b>(1,039,807)</b> | <b>(732,701)</b>   | <b>(314,084)</b>   | <b>(1,046,785)</b> |
| (Surplus) / Deficit for the year   | (44,437)           | (65,186)           | (109,624)          | (28,437)           | 1,458              | (26,978)           | 29,200             | (2,169)            | 27,030             |
| Interest transfer                  | 8,750              | 8,750              | 17,500             | 10,000             | 10,000             | 20,000             | 10,000             | 10,000             | 20,000             |
| <b>Closing Reserves (Forecast)</b> | <b>(714,265)</b>   | <b>(325,542)</b>   | <b>(1,039,807)</b> | <b>(732,701)</b>   | <b>(314,084)</b>   | <b>(1,046,785)</b> | <b>(693,501)</b>   | <b>(306,253)</b>   | <b>(999,754)</b>   |

### **3 Evaluation of Options for Navigation Charges**

- 3.1 The feasibility of a nil (0%) increase in navigation charges in 2015/16 has been explored by officers. Although this would deliver a surplus budget in 2015/16 of £15,073, it is not considered sustainable as it would leave the navigation reserve at a level of 9.3% of net expenditure at the end of the year. This deficit would need to be restored in 2016/17. The lower reserve position would be compounded by the expected changes in National Insurance coming into effect in 2016/17, meaning that an increase of at least 5.0% would be required in that year to meet these additional costs and maintain / restore the reserve to the minimum level of 10%. It is therefore not considered prudent to budget for a nil increase in 2015/16, but instead to mitigate the risk of any excessive movements in tolls and to maintain a steady percentage increase across the life of the Strategy.
- 3.2 The draft baseline Strategy therefore demonstrates that a 1.7% increase per annum over the lifetime of the Strategy would enable the Authority to fulfil its existing commitments and contribute to the costs of maintaining the asset base over a ten year period. However this would leave no capacity for additional projects such as dredging Hickling Broad, identified as a priority at the last meeting, the provision of new moorings or the costs of significant waste collection.

### **4 Navigation Committee Consultation**

- 4.1 The Navigation Committee considered the draft Financial Strategy at its meeting in October. The Financial Strategy presented to the Committee set out two options, firstly the baseline Financial Strategy detailed in this report, and secondly details of the options for progressing a major dredging project at Hickling Broad. At their meeting in September, the Navigation Committee had indicated the desire to progress with dredging works in Hickling Broad and initial planning for this project suggested that it would represent a long-term commitment by the Authority, potentially requiring activity over a ten year period, and necessitating funding in the order of £60,000 per annum. An alternative Financial Strategy incorporating this additional expenditure was prepared, and it was proposed could be delivered within an annual tolls increase of 2.9%. The majority of Committee members were of the view that as the proposals for Hickling were still at a very early stage of development, and also because it was too early to gauge demand for this work from the Stakeholder Surveys currently in progress, it would be premature to progress the activity at this stage and therefore a higher toll increase of 2.9% could not be justified.
- 4.2 The Committee also examined issues relating to waste disposal, supporting proposals to fund the collection of waste at Ranworth and noting the increased volumes being collected at Great Yarmouth and Norwich Yacht Stations. These costs have been incorporated in the draft Strategy. There was some desire for the Authority to explore the potential to expand its involvement in the provision of waste collection services at other moorings. No provision for any expansion has been made in the Strategy at this stage,

but this activity could cost £2-3,000 per site, per year, as discussed in the Waste Disposal Strategy report elsewhere on this agenda.

4.3 Members may wish to note that changes have therefore been made from the Financial Strategy presented to Navigation Committee based on the Committee's recommendations as follows:

- an additional £4,000 has been allowed for waste collection costs (£3,000 within Asset Management budgets, £1,000 within Yacht Station budgets); and
- a minor amendment has been made to the Mooring Maintenance budget within Practical Maintenance to bring it in line with the recommendations set out in the Mooring Strategy.

4.4 In addition, the forecast outturn position has been adjusted to reflect the latest (September) position as reported in the Financial Performance and Direction report.

## **5 Apportionment of Costs between Navigation and National Park**

5.1 Apportionments between Navigation and National Park have been adjusted within the Operations directorate to reflect the proposed apportionment endorsed by the Navigation Committee and subsequently approved by the Broads Authority in September. In addition the apportionment of Legal budgets has been adjusted to reflect the latest actual split of activity (legal costs are always apportioned in line with actual use). Legal budgets are shown within the Chief Executive's department from 2015/16 to reflect the new structure for this area. All other apportionments are consistent with the principles agreed by the Resources Allocation Working Group.

5.2 Full details of apportionments by budget line for 2015/16 are set out in Appendix 1. The overall split of proposed net expenditure in 2015/16 is 52% national park and 48% navigation, which is very much consistent with the forecast split of income standing at 51% to 49% for the same period.

## **6 Summary**

6.1 The Authority is in the position where it both hoped and planned to be, so that after the investment in the purchase and development of the Dockyard and the transfer of responsibility for Breydon Water, annual toll increases to maintain the status quo would be broadly in line with inflation and above inflationary increases used only to fund investment in new facilities and exceptional items.

6.2 The draft Strategy sets out a sustainable baseline for the budget which is designed to allow the Authority to continue to deliver priority activities at the required level, whilst also making provision for asset maintenance over the life of the Strategy. The proposed increase in tolls, which is lower than the 3% projected in the 2014/15 Strategy, has been made possible due to the lower assumptions about salary inflation which are now being applied based on the

latest available information. It is important to recognise that the draft Strategy as a whole is highly sensitive to changes in salary inflation, as a result of the significant proportion of the budget that is made up from staff costs. It should also be noted that this Strategy has been prepared in the context of an unknown salary settlement for the current year, 2014/15, and extremely limited information in respect of likely future year awards. The surplus of £109,624 allowed for in the 2015/16 budget is therefore essential to both restore the balance of the navigation reserve and provide some flexibility to respond to any higher than anticipated salary inflation. As always, there remains the possibility that the Financial Strategy and the indicative tolls increases in 2016/17 and beyond could need to be revisited during the next year's budget setting process in the event of significant salary variations from the current assumptions. Similarly, future decisions about National Park Grant allocations may also have a significant impact on this Strategy.

- 6.3 It is considered that an increase of 1.7% in tolls, as recommended by the Navigation Committee, represents a prudent and appropriate level of increase for this Financial Strategy. Members' views are sought with regard to the overall Strategy, and the level of tolls for 2015/16.

|                         |   |
|-------------------------|---|
| Background Papers:      | Strategic response to National Park Grant Reductions: Budget options for the 2014/15 budget and Financial Strategy to 2016/17, report to Broads Authority 21 March 2014<br>Operations Allocations, Financial Performance and Direction report to Broads Authority 10 September 2014 |
| Author:                 | John Packman, Trudi Wakelin, Titus Adam   |
| Date of Report:         | 4 November 2014   |
| Broads Plan Objectives: | None  |
| Appendices:             | APPENDIX 1 – Draft Financial Strategy 2015/16 – 2017/18   |

| Row Labels                                  | 2013/14            |                    |                    | 2014/15                           |                                   |                                   | 2015/16                    |                            |                            | 2016/17            |                    |                    | 2017/18            |                    |                    | 2015/16 Apportionment |                    |                    |               |            |  |
|---|--------------------|--------------------|--------------------|-----------------------------------|-----------------------------------|-----------------------------------|----------------------------|----------------------------|----------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|-----------------------|--------------------|--------------------|---------------|------------|--|
|   | National Park      | Navigation         | Consolidated       | National Park                     | Navigation                        | Consolidated                      | National Park              | Navigation                 | Consolidated               | National Park      | Navigation         | Consolidated       | National Park      | Navigation         | Consolidated       | National Park         | Navigation         |                    |               |            |  |
|   | 2013/14 (Actual)   | 2013/14 (Actual)   | 2013/14 (Actual)   | 2014/15 (Latest Available Budget) | 2014/15 (Latest Available Budget) | 2014/15 (Latest Available Budget) | 2014/15 (Forecast Outturn) | 2014/15 (Forecast Outturn) | 2014/15 (Forecast Outturn) | 2015/16 (Budget)   | 2015/16 (Budget)   | 2015/16 (Budget)   | 2016/17 (Budget)   | 2016/17 (Budget)   | 2016/17 (Budget)   | 2017/18 (Budget)      | 2017/18 (Budget)   | 2017/18 (Budget)   | National Park | Navigation |  |
| <b>Income</b>                               |                    |                    |                    |                                   |                                   |                                   |                            |                            |                            |                    |                    |                    |                    |                    |                    |                       |                    |                    |               |            |  |
| <b>Income</b>                               |                    |                    |                    |                                   |                                   |                                   |                            |                            |                            |                    |                    |                    |                    |                    |                    |                       |                    |                    |               |            |  |
| National Park Grant                         | (3,580,545)        | 0                  | (3,580,545)        | (3,245,393)                       | 0                                 | (3,245,393)                       | (3,245,393)                | 0                          | (3,245,393)                | (3,188,952)        | 0                  | (3,188,952)        | (3,188,952)        | 0                  | (3,188,952)        | (3,188,952)           | 0                  | (3,188,952)        | 100%          | 0%         |  |
| Hire Craft Tolls                            | 0                  | (1,084,910)        | (1,084,910)        | 0                                 | (1,118,300)                       | (1,118,300)                       | 0                          | (1,072,296)                | (1,072,296)                | 0                  | (1,090,525)        | (1,090,525)        | 0                  | (1,109,064)        | (1,109,064)        | 0                     | (1,127,918)        | 0%                 | 100%          |            |  |
| Private Craft Tolls                         | 0                  | (1,746,898)        | (1,746,898)        | 0                                 | (1,792,100)                       | (1,792,100)                       | 0                          | (1,837,800)                | (1,837,800)                | 0                  | (1,869,042)        | (1,869,042)        | 0                  | (1,900,816)        | (1,900,816)        | 0                     | (1,933,130)        | 0%                 | 100%          |            |  |
| Short Visit Tolls                           | 0                  | (39,813)           | (39,813)           | 0                                 | (37,721)                          | (37,721)                          | 0                          | (37,721)                   | (37,721)                   | 0                  | (38,363)           | (38,363)           | 0                  | (39,015)           | (39,015)           | 0                     | (39,678)           | 0%                 | 100%          |            |  |
| Other Toll Income                           | 0                  | (20,383)           | (20,383)           | 0                                 | (18,750)                          | (18,750)                          | 0                          | (18,750)                   | (18,750)                   | 0                  | (18,750)           | (18,750)           | 0                  | (18,750)           | (18,750)           | 0                     | (18,750)           | 0%                 | 100%          |            |  |
| Interest                                    | (10,773)           | (10,773)           | (21,546)           | (15,000)                          | (15,000)                          | (30,000)                          | (11,000)                   | (11,000)                   | (22,000)                   | (17,500)           | (17,500)           | (35,000)           | (20,000)           | (20,000)           | (40,000)           | (20,000)              | (20,000)           | (40,000)           | 50%           | 50%        |  |
| <b>Income Total</b>                         | <b>(3,591,318)</b> | <b>(2,902,777)</b> | <b>(6,494,095)</b> | <b>(3,260,393)</b>                | <b>(2,981,871)</b>                | <b>(6,242,264)</b>                | <b>(3,256,393)</b>         | <b>(2,977,567)</b>         | <b>(6,233,960)</b>         | <b>(3,206,452)</b> | <b>(3,034,180)</b> | <b>(6,240,632)</b> | <b>(3,208,952)</b> | <b>(3,087,645)</b> | <b>(6,296,597)</b> | <b>(3,208,952)</b>    | <b>(3,139,476)</b> | <b>(6,348,428)</b> | 51%           | 49%        |  |
| <b>Income Total</b>                         | <b>(3,591,318)</b> | <b>(2,902,777)</b> | <b>(6,494,095)</b> | <b>(3,260,393)</b>                | <b>(2,981,871)</b>                | <b>(6,242,264)</b>                | <b>(3,256,393)</b>         | <b>(2,977,567)</b>         | <b>(6,233,960)</b>         | <b>(3,206,452)</b> | <b>(3,034,180)</b> | <b>(6,240,632)</b> | <b>(3,208,952)</b> | <b>(3,087,645)</b> | <b>(6,296,597)</b> | <b>(3,208,952)</b>    | <b>(3,139,476)</b> | <b>(6,348,428)</b> | 51%           | 49%        |  |
| <b>Net Expenditure</b>                      |                    |                    |                    |                                   |                                   |                                   |                            |                            |                            |                    |                    |                    |                    |                    |                    |                       |                    |                    |               |            |  |
| <b>Operations</b>                           |                    |                    |                    |                                   |                                   |                                   |                            |                            |                            |                    |                    |                    |                    |                    |                    |                       |                    |                    |               |            |  |
| Construction and Maintenance Salaries       | 497,067            | 573,415            | 1,070,482          | 499,036                           | 575,734                           | 1,074,770                         | 499,036                    | 575,734                    | 1,074,770                  | 459,760            | 628,981            | 1,088,740          | 429,936            | 699,884            | 1,129,820          | 438,921               | 714,149            | 1,153,070          | 42%           | 58%        |  |
| Equipment, Vehicles and Vessels             | 68,127             | 297,573            | 365,700            | 108,891                           | 296,109                           | 405,000                           | 108,891                    | 296,109                    | 405,000                    | 114,550            | 278,450            | 393,000            | 117,900            | 275,100            | 393,000            | 117,900               | 275,100            | 393,000            | 29%           | 71%        |  |
| Equipment, Vehicles and Vessels (Income)    | (1,144)            | (28,957)           | (30,101)           | 0                                 | 0                                 | 0                                 | 0                          | 0                          | 0                          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                     | 0                  | 0                  | 0%            | 0%         |  |
| Water Management                            | 11,407             | 132,037            | 143,444            | 5,000                             | 62,500                            | 67,500                            | 3,685                      | 62,500                     | 66,185                     | 5,000              | 70,000             | 75,000             | 5,000              | 70,000             | 75,000             | 5,000                 | 70,000             | 75,000             | 7%            | 93%        |  |
| Water Management (Income)                   | (3,963)            | (18,675)           | (22,638)           | 0                                 | 0                                 | 0                                 | 0                          | 0                          | 0                          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                     | 0                  | 0                  | 0%            | 0%         |  |
| Land Management                             | 84,567             | 0                  | 84,567             | 60,750                            | 0                                 | 60,750                            | 60,750                     | 0                          | 60,750                     | 49,000             | 0                  | 49,000             | 49,000             | 0                  | 49,000             | 49,000                | 0                  | 49,000             | 100%          | 0%         |  |
| Land Management (Income)                    | (144,140)          | 0                  | (144,140)          | (90,000)                          | 0                                 | (90,000)                          | (100,500)                  | 0                          | (100,500)                  | (90,000)           | 0                  | (90,000)           | (90,000)           | 0                  | (90,000)           | (90,000)              | 0                  | (90,000)           | 100%          | 0%         |  |
| Practical Maintenance                       | 37,102             | 354,490            | 391,592            | 29,000                            | 324,205                           | 353,205                           | 29,000                     | 323,627                    | 352,627                    | 29,000             | 357,200            | 386,200            | 29,000             | 357,200            | 386,200            | 29,000                | 357,200            | 386,200            | 8%            | 92%        |  |
| Practical Maintenance (Income)              | (2,188)            | (20,267)           | (22,455)           | 0                                 | (7,000)                           | (7,000)                           | 0                          | (7,000)                    | (7,000)                    | 0                  | (7,000)            | (7,000)            | 0                  | (7,000)            | (7,000)            | 0                     | (7,000)            | (7,000)            | 0%            | 100%       |  |
| Ranger Services                             | 263,182            | 522,990            | 786,172            | 252,404                           | 445,606                           | 698,010                           | 252,404                    | 445,606                    | 698,010                    | 251,964            | 444,946            | 696,910            | 262,036            | 460,054            | 722,090            | 267,652               | 468,478            | 736,130            | 36%           | 64%        |  |
| Ranger Services (Income)                    | (73,828)           | (10,972)           | (84,800)           | (25,000)                          | (10,000)                          | (35,000)                          | (25,000)                   | (10,000)                   | (35,000)                   | (14,000)           | (21,000)           | (40,000)           | (14,000)           | (21,000)           | (35,000)           | (14,000)              | (21,000)           | (35,000)           | 40%           | 60%        |  |
| Safety                                      | 25,353             | 48,184             | 73,537             | 22,572                            | 63,328                            | 85,900                            | 22,572                     | 63,328                     | 85,900                     | 22,592             | 63,368             | 85,960             | 23,093             | 64,387             | 87,480             | 23,328                | 64,862             | 88,190             | 26%           | 74%        |  |
| Safety (Income)                             | (182)              | (1,890)            | (2,072)            | 0                                 | (9,000)                           | (9,000)                           | 0                          | (9,000)                    | (9,000)                    | 0                  | (9,000)            | (9,000)            | 0                  | (9,000)            | (9,000)            | 0                     | (9,000)            | (9,000)            | 0%            | 100%       |  |
| Asset Management                            | 37,415             | 73,295             | 110,710            | 40,220                            | 65,430                            | 105,650                           | 47,095                     | 71,055                     | 118,150                    | 40,842             | 68,939             | 109,780            | 42,222             | 70,068             | 112,290            | 43,361                | 71,000             | 114,360            | 37%           | 63%        |  |
| Asset Management (Income)                   | (22)               | (1,218)            | (1,240)            | (50)                              | (450)                             | (550)                             | (50)                       | (450)                      | (550)                      | (1,000)            | (450)              | (550)              | (1,000)            | (450)              | (550)              | (1,000)               | (450)              | (550)              | 55%           | 45%        |  |
| Volunteers                                  | 41,524             | 17,796             | 59,320             | 43,638                            | 18,702                            | 62,340                            | 43,638                     | 18,702                     | 62,340                     | 39,402             | 26,268             | 65,670             | 39,774             | 26,516             | 66,290             | 40,404                | 26,936             | 67,340             | 60%           | 40%        |  |
| Volunteers (Income)                         | (175)              | (75)               | (250)              | (700)                             | (300)                             | (1,000)                           | (700)                      | (300)                      | (1,000)                    | (600)              | (400)              | (1,000)            | (600)              | (400)              | (1,000)            | (600)                 | (400)              | (1,000)            | 60%           | 40%        |  |
| PRISMA                                      | 0                  | 0                  | 0                  | 0                                 | 10,410                            | 10,410                            | 0                          | 10,410                     | 10,410                     | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                     | 0                  | 0                  | 0%            | 0%         |  |
| PRISMA (Income)                             | 0                  | 0                  | 0                  | (10,410)                          | (10,410)                          | (10,410)                          | 0                          | (10,410)                   | (10,410)                   | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                     | 0                  | 0                  | 0%            | 0%         |  |
| Operational Property                        | 127,479            | 153,839            | 281,318            | 88,902                            | 85,461                            | 174,363                           | 89,024                     | 85,339                     | 174,363                    | 60,960             | 87,211             | 148,170            | 54,251             | 93,919             | 148,170            | 54,251                | 93,919             | 148,170            | 41%           | 59%        |  |
| Operational Property (Income)               | (37,583)           | (46,364)           | (83,947)           | (10,304)                          | (896)                             | (11,200)                          | (3,066)                    | (267)                      | (3,333)                    | (10,120)           | (880)              | (11,000)           | (12,420)           | (1,080)            | (13,500)           | (16,100)              | (1,400)            | (17,500)           | 92%           | 8%         |  |
| Operations Management and Admin             | 52,118             | 66,332             | 118,450            | 56,118                            | 71,422                            | 127,540                           | 56,118                     | 71,422                     | 127,540                    | 56,113             | 71,417             | 127,530            | 57,517             | 73,203             | 130,720            | 58,318                | 74,222             | 132,540            | 44%           | 56%        |  |
| <b>Operations Total</b>                     | <b>982,116</b>     | <b>2,111,533</b>   | <b>3,093,649</b>   | <b>1,079,977</b>                  | <b>1,980,851</b>                  | <b>3,060,828</b>                  | <b>1,082,397</b>           | <b>1,986,405</b>           | <b>3,068,802</b>           | <b>1,013,912</b>   | <b>2,058,049</b>   | <b>3,071,960</b>   | <b>992,159</b>     | <b>2,151,401</b>   | <b>3,143,560</b>   | <b>1,005,884</b>      | <b>2,176,617</b>   | <b>3,182,500</b>   | 33%           | 67%        |  |
| <b>Planning and Resources</b>               |                    |                    |                    |                                   |                                   |                                   |                            |                            |                            |                    |                    |                    |                    |                    |                    |                       |                    |                    |               |            |  |
| Development Management                      | 308,579            | 0                  | 308,579            | 294,910                           | 0                                 | 294,910                           | 294,910                    | 0                          | 294,910                    | 317,840            | 0                  | 317,840            | 329,300            | 0                  | 329,300            | 335,960               | 0                  | 335,960            | 100%          | 0%         |  |
| Development Management (Income)             | (77,340)           | 0                  | (77,340)           | (60,000)                          | 0                                 | (60,000)                          | (60,000)                   | 0                          | (60,000)                   | (60,000)           | 0                  | (60,000)           | (60,000)           | 0                  | (60,000)           | (60,000)              | 0                  | (60,000)           | 100%          | 0%         |  |
| Strategy and Projects Salaries              | 384,217            | 75,943             | 460,160            | 348,274                           | 65,947                            | 414,221                           | 338,103                    | 63,566                     | 401,669                    | 291,435            | 59,605             | 351,040            | 291,410            | 60,350             | 351,760            | 297,019               | 61,392             | 358,410            | 83%           | 17%        |  |
| Strategy and Projects                       | 65,547             | 30                 | 65,577             | 42,020                            | 0                                 | 42,020                            | 42,020                     | 0                          | 42,020                     | 30,000             | 0                  | 30,000             | 30,000             | 0                  | 30,000             | 30,000                | 0                  | 30,000             | 100%          | 0%         |  |
| Strategy and Projects (Income)              | (27,155)           | (1,643)            | (28,798)           | (27,500)                          | 0                                 | (27,500)                          | (39,000)                   | 0                          | (39,000)                   | (3,500)            | 0                  | (3,500)            | (3,500)            | 0                  | (3,500)            | (3,500)               | 0                  | (3,500)            | 100%          | 0%         |  |
| Biodiversity Strategy                       | 16,885             | 0                  | 16,885             | 77,298                            | 0                                 | 77,298                            | 77,298                     | 0                          | 77,298                     | 10,000             | 0                  | 10,000             | 10,000             | 0                  | 10,000             | 10,000                | 0                  | 10,000             | 100%          | 0%         |  |
| Biodiversity Strategy (Income)              | (7,899)            | 0                  | (7,899)            | 0                                 | 0                                 | 0                                 | 0                          | 0                          | 0                          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                     | 0                  | 0                  | 0%            | 0%         |  |
| Legal                                       | 80,952             | 22,570             | 103,522            | 78,000                            | 42,000                            | 120,000                           | 78,000                     | 42,000                     | 120,000                    | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                     | 0                  | 0                  | 0%            | 0%         |  |
| Waterways and Recreation Strategy           | 733                | 11,601             | 12,334             | 6,000                             | 9,000                             | 15,000                            | 6,000                      | 9,000                      | 15,000                     | 500                | 9,000              | 9,500              | 500                | 9,000              | 9,500              | 500                   | 9,000              | 9,500              | 5%            | 95%        |  |
| Project Funding                             | 139,611            | 0                  | 139,611            | 148,645                           | 26,970                            | 175,615                           | 98,645                     | 26,970                     | 125,615                    | 174,500            | 0                  | 174,500            | 174,500            | 0                  | 174,500            | 174,500               | 0                  | 174,500            | 100%          | 0%         |  |
| Project Funding (Income)                    | (74,667)           | 0                  | (74,667)           | (19,000)                          | 0                                 | (19,000)                          | (19,000)                   | 0                          | (19,000)                   | (19,000)           | 0                  | (19,000)           | (19,000)           | 0                  | (19,000)           | (19,000)              | 0                  | (19,000)           | 100%          | 0%         |  |
| Sustainable Development Fund                | 299,504            | 0                  | 299,504            | 12,000                            | 0                                 | 12,000                            | 12,000                     | 0                          | 12,000                     | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                     | 0                  | 0                  | 0%            | 0%         |  |
| Finance and Insurance                       | 193,275            | 158,141            | 351,416            | 188,382                           | 158,187                           | 346,569                           | 188,382                    | 158,187                    | 346,569                    | 175,615            | 160,885            | 336,500            | 176,855            | 164,855            | 341,710            | 174,995               | 162,995            | 337,990            | 52%           | 48%        |  |
| Communications                              | 258,170            | 88,057             | 346,227            | 238,212                           | 78,048                            | 316,260                           | 247,112                    | 82,548                     | 329,660                    | 194,282            | 60,548             | 254,830            | 193,846            | 62,195             | 256,040            | 194,642               | 63,168             | 257,810            | 76%           | 24%        |  |
| Communications (Income)                     | (20,155)           | (4,512)            | (24,667)           | 0                                 | 0                                 | 0                                 | 0                          | 0                          | 0                          | 0                  | 0                  | 0                  | 0                  | 0                  | 0                  | 0                     | 0                  | 0                  | 0%            | 0%         |  |
| Visitor Centres and Yacht Stations          | 312,029            | 121,301            | 433,330            | 325,433                           | 125,228                           | 450,660                           | 325,433                    | 125,228                    | 450,660                    | 328,050            | 130,470            | 458,520            | 327,798            | 129,323            | 457,120            | 333,338               | 132,503            | 465,840            | 72%           | 28%        |  |
| Visitor Centres and Yacht Stations (Income) | (123,735)          | (54,369)           | (178,              |                                   |                                   |                                   |                            |                            |                            |                    |                    |                    |                    |                    |                    |                       |                    |                    |               |            |  |

## **Mooring Strategy Update**

Report by Senior Waterways and Recreation Officer and Director of Operations

**Summary:** This report provides members with an update on the progress made on the review of the Mooring Strategy that is currently being undertaken. The report identifies a ten year action plan for repiling the Broads Authority's existing piled moorings which is informed by the Authority's Asset Management Strategy and takes account of the comments made at the stakeholder mooring workshop held on the 22 of July 2014 and the Navigation Committee on 23 October 2014. Members' comments on the proposed repiling strategy are welcomed.

**Recommendation:** That the Authority adopt the ten year repiling Action Plan set out at Appendix 3 to this report, allocate £150,000 annually from navigation expenditure for the necessary repiling works and agree the approach outlined in paragraph 7 of the report regarding the moorings at Hoveton Viaduct, Thorpe River Green and the boardwalk at Paddy's Lane.

### **1 Background**

- 1.1 The Broads Authority originally published a mooring strategy in 2006. The need for a strategy to guide the provision of Broads Authority free 24-hour moorings was identified as a priority in the best value review of navigation and supported through the public consultation for the Broads Plan 2004. The original strategy was developed with the guidance of a steering group formed of Broads Authority members and wider consultation was undertaken with a formal consultation group which included representatives from the Authority's partners and stakeholders.
- 1.2 The 2006 strategy was updated in 2009 to take account of progress made in the delivery of the strategy objectives. The overarching objective of the strategy was to "maintain as a minimum the present number of moorings available for visitor use". The strategy also set out high level aims regarding the desired minimum cruising time between moorings and the distribution of the various types of moorings provided by the Authority. A number of key principles for mooring provision were also identified which have informed the strategy and been used to guide site specific issues. Appendix 1 sets out these principles.
- 1.3 In 2013 the Authority adopted an Integrated Access Strategy (IAS) for the Broads. While recognising that standalone strategies such as the mooring strategy have delivered considerable improvements to access, the IAS seeks

to make improvements to the connectivity and use of access facilities on both land and water by taking a more holistic approach to access provision. The IAS adopted four key objectives:

- To improve links between land and water and to the water's edge
- To improve access links to local facilities, settlements and visitor destination points
- To encourage sustainable travel choices
- To provide appropriate information and interpretation on access to recreational opportunities.

1.4 Since the adoption of the mooring strategy in 2006 and the IAS in 2013 the Authority has increased the length of free moorings it provides from 5,969m of frontage to 7,730m. While this has delivered significant improvements in mooring provision for private boaters and hire craft alike, it must be acknowledged that this growth in visitor moorings has also increased the authority's asset management liabilities.

1.5 Recognising that there is likely to be continued pressure on public funding, particularly in respect of the national park grant received by the Authority from government, the Authority produced an asset management strategy in January 2014 for the future management and maintenance of all its assets. This identified that, in respect of moorings, it would be prudent to allocate an annual budget of £425,935 to cover the costs of future repiling and refurbishment of all existing moorings, of which £160,000 would be required for an annual operational budget for piling works

1.6 While the Authority is responsible for the structure of the piling at a number of the 24-hour moorings it provides, there are sites where the piled edge is not the Authority's responsibility because this is set out in the lease it has with a private landowner or because the piling is currently a flood defence asset maintained by the Environment Agency (EA). Members will be aware that the EA is currently seeking to pass on liability for the maintenance of piling it no longer requires for flood risk management purposes to the owners of the land it abuts or to remove it if the landowners or lessees are not prepared to take on liability for the piled structure. This has the potential to further increase the Authority's asset management liabilities.

## **2 Moorings Workshop**

2.1 In view of the likelihood of the Authority having to take on liability for the maintenance of additional lengths of piling simply in order to maintain the current level of mooring provision and the impact this could have on asset management costs, members agreed that a stakeholder workshop should be held to consider mooring provision generally.

2.2 A workshop was therefore held on 22 July involving Navigation Committee members, Broads Authority members and representatives from a number of stakeholder groups. The workshop considered all relevant issues relating to the provision and funding of moorings and placed the Authority's existing

moorings into one of four categories: retain at all costs, retain if funding allows, could live without or cannot agree today. The workshop also considered whether costs could be reduced by potentially reducing the length of piling used for mooring purposes at individual sites or considering using alternative means of mooring provision such as dolphins or pontoons to reduce costs.

- 2.3 There was a high level of agreement reached at the workshop regarding the prioritisation of individual sites with only one site being placed in the “can’t agree today” category. Appendix 2 lists the sites considered and the workshop prioritisation given to them.

### **3 Future Asset Management Action Plan for Piled Sites**

- 3.1 The Asset Management Strategy originally identified that an annual budget of £160,000 should be allocated to cover the costs of repiling the Authority’s existing 24-hour moorings, which would necessitate an increase of £50,000 per year on 2014/15 budget levels. Officers have since reassessed the costs for repiling each of the Authority’s moorings based on the typical contractor costs and prices for steel and materials in 2013/14. Having taken account of the recommendations of the stakeholder working group regarding reducing the lengths of individual moorings or using dolphins or other methods of providing mooring facilities at specific sites, and the assurances provided by the Environment Agency in respect of a number of sites, it has been calculated that it would actually be possible to maintain the current number of moorings provided by the Authority if an annual budget of £150,000 was allocated to repiling costs up to the year 2070. This is therefore £40,000 greater than the original asset management budget.
- 3.2 However, given the significant fluctuations in steel prices over time, the continued uncertainty about how many additional sites the Authority may have to take on responsibility for, and the fact that 2070 is so far into the future it would not be advisable to assume that maintaining the status quo would be achievable based on an annual budget of £150,000 for the next 56 years.
- 3.3 Officers are therefore of the opinion that adopting a ten year action plan for the repiling of moorings would be the most sensible approach to take. Based on 2103/14 costs and taking account of suggestions made at the stakeholder workshop such as reducing the length of Hoveton Viaduct moorings, replacing demasting moorings with dolphins and not renewing the Authority’s lease for the Thorpe River Green moorings, it would be possible to maintain all the other 24-hour moorings provided by the Authority until 2025 if an annual budget of £150,000 was allocated for repiling costs. Appendix 3 sets out a possible ten year action plan which takes account of all sites that will need to be repiled up to 2025.
- 3.4 Clearly it would be advisable to review this plan on an annual basis to take account of changes in tender prices received by the Authority and significant fluctuations in the price of steel. Moreover, it should be recognised that an annual budget of £150,000 will only achieve the ten year plan if the EA

continues to maintain its position regarding the maintenance of flood defence piling at a number of 24 hour moorings, which include Burgh Castle, Cantley, Hardley Cross and How Hill.

#### **4 Provision of New Moorings**

- 4.1 Members should recognise that while the allocation of an annual budget of £150,000 will maintain the current number of Broads Authority free mooring sites (apart from Thorpe River Green) it gives no scope for taking on asset management responsibility for additional sites.
- 4.2 The IAS has prioritised a number of areas for providing additional visitor moorings and the Authority also has a stated aim of providing demasting moorings at all four quadrants of bridges spanning the navigation. If new moorings are to be developed it will therefore be necessary to take account of the additional costs required both to establish the sites and maintain them in the future. It should also be noted that the Broadland Flood Alleviation Project is continuing to have discussions with landowners regarding the transfer of liability or removal of piling no longer required for flood risk management purposes so there is likely to be less piling available for developing new moorings.
- 4.3 Further, there are also additional pressures on the funding of other assets linked to moorings such as boardwalks leading from moorings to other locations. For example the boardwalk leading from the mooring at Paddy's Lane to Barton Turf has not been prioritised for retention in the asset management strategy, given these pressures and also the feedback the Authority has received expressing a desire for more wild mooring sites.

#### **5 Consultation with Navigation Committee**

- 5.1 The Navigation Committee considered the proposals outlined in this report at its meeting on the 23 of October. The Committee supported the proposed ten year plan for repiling the Authority's moorings as set out at Appendix 3 and accepted that in order to achieve the proposed plan it would be necessary to allocate £150,000, index linked, for repiling on an annual basis until 2025.
- 5.2 Further, the Navigation Committee accepted that, as agreed at the stakeholder workshop, the Authority should not seek to continue its lease for the 24-hour moorings at Thorpe River Green and that the length of the 24-hour mooring at Hoveton Viaduct should be reduced by half.
- 5.3 The subject of the boardwalk at the moorings at Paddy's Lane, Barton was also discussed by the Navigation Committee. As mentioned at paragraph 4.3 above the Asset management strategy has identified that this is not a priority for retention and the Authority is therefore currently in discussion with the Norfolk Wildlife Trust (NWT), who own the land crossed by the boardwalk, as to whether it would be prepared to take on responsibility for the structure in the future.

- 5.4 The main benefit afforded by the boardwalk is to boaters who use the Paddy's Lane mooring. Given the current constraints on National Park funding and the fact that other sites score more highly against the Authority's IAS criteria for project prioritisation officers recommend that the structure should be removed and the mooring fenced off to prevent access to the adjacent carr woodland unless the NWT takes on responsibility for it or other sources of funding can be identified. The view of the Navigation Committee was that the boardwalk did provide a benefit for boaters and that it would therefore be prepared to consider some navigation funding being allocated to its future upkeep.
- 5.5 In light of this further consideration has been given to the matter and consultation has taken place with the Chairman of the Broads Local Access Forum who has agreed that the boardwalk is not a priority for the future in the IAS Action Plan. Having reassessed the matter against other priorities and taking account of the views of the Chairman of the BLAF officers do not consider that allocating national park grant to the ongoing maintenance of the structure can be justified. Consequently, if members consider that the boardwalk is a priority for retention and the NWT declines to accept responsibility for its future maintenance, officers would recommend that the structure should become a navigation asset maintained by the navigation account.
- 5.6 As regards the development of new visitor or demasting moorings the Navigation Committee asked for further detailed reports on specific proposals to be brought to future meetings.

## **6 Conclusions**

- 6.1 The adoption of the ten year action plan set out at Appendix 3 to this report would cover the costs of replacing the piling at all the Authority's existing moorings that will need to be repiled up to 2025 apart from Thorpe River Green and a proposed 50% reduction in the length of the mooring at Hoveton Viaduct, at an annual budget of £150,000. There is also a requirement for additional budget to cover the costs of maintaining and refurbishing sites to a safe condition and this would result in a total annual moorings maintenance and repair budget of £232,700. This budget requirement has been taken into account in developing the draft Financial Strategy for 2015/16-17/18 which is reported separately on this agenda.
- 6.2 In view of the Navigation Committee's comments regarding future mooring development, further work will be carried out on the prioritisation of sites taking account of the Mooring Strategy and IAS criteria. Consideration will also be given to adopting the recommendations made at the stakeholder workshop regarding the sites categorised as "could live without" and assessing whether it would be feasible to replace them with alternative sites at more strategically important locations where the Authority will not have to take on liability for piling. Detailed reports on any proposals in this regard will be taken to the Navigation Committee.

- 6.3 Officers recommend that the Authority adopts the ten year repiling action plan set out at Appendix 3, which takes account of the reduction in the length of the Hoveton Viaduct mooring by 50% and not renewing the lease for the mooring at Thorpe River Green when it expires in 2017, and allocates an annual budget of £150,000 (index linked) from navigation expenditure to cover the required costs.
- 6.4 As regards the boardwalk at Paddy's Lane, if members consider that it is a priority and it is not possible to reach agreement with the NWT regarding the transfer of the structure, it is recommended that the costs for maintaining it in the future be transferred to the navigation account.

Background papers: Nil

Authors: Adrian Clarke, Trudi Wakelin

Date of report: 29 October 2014

Broads Plan Objectives: NA5, TR2

Appendices: Appendix 1 Mooring Strategy Principles  
Appendix 2 Mooring Stakeholder workshop Prioritisation of sites  
Appendix 3 10 Year Repiling Action Plan

## Mooring Strategy Update

### Principles of 2006/9 Mooring Strategies

- Distribution of moorings – maximum 30 minutes cruising time between sites (“90 minutes for Country Park” moorings).
- Distribution of mooring types - Wild 21%, Rural 36%, Urban 4% Country Park 37%, Flagship 2%.
- Maintain free use of Broads Authority unmanned moorings.
- Protect and enhance existing sites/facilities including working in partnership regarding third party provision.
- Seek contributions/ establish charges for ancillary services e.g. water/ Ranger etc.
- Promote double alongside mooring at appropriate sites and review effectiveness of national schemes.
- Encourage sustainable development of boating and associated infrastructure to be consistent with Water Framework Directive (WFD) and planning policies.
- Ensure sites have no negative impact in environmentally sensitive localities.
- Encourage innovative mooring design to provide habitat opportunities and mitigate landscape impacts.
- Improve the dissemination of information to users, to include location of sites, facilities available and consider a Moorings Code to refer to behaviour.
- Mitigate user conflict through design and alternative provision, i.e. relocate angling to adjacent facilities.
- Strategy to be linked to Broads Flood Alleviation Project, Electric Charging Point strategy, angling strategy, slipway strategy and water related sport and recreation strategy (**now the Integrated Access Strategy**) to consider and encourage partnership development/ funding opportunities.
- Undertake Byelaw enforcement to discourage misuse.

## Mooring Strategy update

Moorings Workshop prioritisation of sites

| Key                            |
|--------------------------------|
| Leasehold responsible          |
| Transfer of liability proposed |
| Freehold                       |
| Third party maintained         |

| Option | Workshop consultation |
|--------|-----------------------|
| 1      | Retain at all costs   |
| 2      | Keep if budget allows |
| 3      | Could live without    |
| 4      | Can't decide          |

| Yare, Chet & Breydon |                          |        |   |   |   |   |
|----------------------|--------------------------|--------|---|---|---|---|
| No.                  | Mooring                  | option |   |   | Comments  | Officer comments                                      |
|                      |                          | 1      | 2 | 3 |   |   |
| 38                   | Langley Dyke 1/2         | x      |   |   | Very well used. Maybe split the two sites, don't need both unless secured at good price.  | Agree – prioritise upstream section, renew lease 2023 |
| 39                   | Brundall Church Marsh    | x      |   |   | Only access to Brundall   | Renew lease 2021                                      |
| 42                   | Whitlingham Country Park | x      |   |   | Important access to park, integrated access strategic priority; commercial access to Norwich & developments (e.g. Deal Ground); good for boats unable to get under Norwich bridges.<br>(-) Recreation access, not required for navigation | No action needed in next 10 years                     |
| 67                   | Bramerton Common         | x      |   |   | Well used, access to pub, etc.  | Renegotiate lease 2016                                |
| 11                   | Commissioners Cut        | x      |   |   | Important strategic facility, particularly if Thorpe goes   | No action needed in next 10 years                     |
| 23                   | Hardley Cross            | x      |   |   | Safety, navigation  | EA responsibility                                     |

|    |                           |   |   |   |   |   |
|----|---------------------------|---|---|---|---|---|
| 24 | Berney Arms               | x |   |   | Safety  | EA responsibility   |
| 29 | Polkeys Mill              | x |   |   | Strategic location for navigation   | EA responsibility, renegotiate lease 2014   |
| 72 | Norwich Yacht Station     | x |   |   | Access to Norwich; is there a need for manning?<br>(-) other informal opportunities in city. Tourist info rather than navigation imperative, so why wholly funded from navigation budget? | Renegotiate management agreement 2025   |
| 73 | Gt Yarmouth Yacht Station | x |   |   | Safety  | Renegotiate management agreement 2014   |
| 74 | Reedham Quay              | x |   |   | Safety  | Renegotiate lease 2014  |
| 75 | Loddon Staithe            | x |   |   | Access to Loddon/ Cantley, local economic benefit   | Renegotiate management agreement  |
| 47 | Langley Dyke 1/2          | x |   |   |   | Subject to EA negotiation with landowner  |
| 49 | Rockland St Mary Staithe  |   | x |   | Local economic benefit, alternative available at short dyke but less attractive   | Renegotiate lease 2014, terminate prior to 2050                                   |
| 60 | Thorpe Green              |   |   | x | Low use, alternatives available   | Exit at end of lease 2017   |
| 65 | Chedgrave Common          |   | x |   | Keep if good condition - 2040   | Renegotiate lease 2023  |
| 10 | Postwick Wharf            |   |   | x | No flood defence requirement; EA seems to use site more than BA; poss. to EA for angling?   | Discuss future with EA  |
| 22 | Cantley                   | x |   |   | Keep if EA responsible; if not then reconsider, given proximity of pub moorings   | EA responsibility, renegotiate lease 2017 subject to no structural responsibility |

|     |                                      | Waveney |   |   |   |                  |
|-----|--------------------------------------|---------|---|---|---|------------------|
| No. | Mooring                              | option  |   |   | Comments  | Officer comments |
|     |                                      | 1       | 2 | 3 |   |                  |
| 33  | Beccles bypass bridge (Suffolk Bank) | x       |   |   | Long stretch, demasting facility, footpath access to town | Repiled 2013     |

|    |                                      |   |   |   |  |  |   |
|----|--------------------------------------|---|---|---|--|--|---|
| 59 | Dutch Tea Gardens                    | x |   |   |  | Newish moorings, always well used  | Renegotiate lease 2027, subject to EA negotiation with landowner          |
| 4  | Worlingham                           | x |   |   |  | Good angling access, popular   | Included in 10 year Action Plan   |
| 5  | Geldeston Lock                       | x |   |   |  | Head of river, access to pub, footpaths, low maintenance costs   | No action needed in next 10 years   |
| 21 | Burgh Castle                         | x |   |   |  | Critical for safe passage across Breydon to retain a mooring, but could be pontoons or at nearby location  | Included in 10 year Action Plan EA responsibility, renegotiate lease 2015 |
| 27 | St Olaves                            | x |   |   |  | Demasting, recently repiled  | Repiled 2013 by EA  |
| 51 | Somerleyton                          | x |   |   |  | Good local facilities, bridge demasting  | Renegotiate lease 2021, awaiting EA position                              |
| 62 | North Cove                           |   | x |   |  | Small, near other moorings   | No action needed in next 10 years   |
| 66 | Aldeby Hall Staithe                  |   | x |   |  | Remote, no footpath access, mainly used for angling; 3 moorings in area, so could lose one<br>3 moorings together still only provide 7-8 spaces, all needed  | Renegotiate lease 2017  |
| 28 | Herringfleet                         | x |   |   |  | Low costs, near St Olaves  | Repiled 2012 by EA, renegotiate lease 2021                                |
| 33 | Beccles bypass bridge (Norfolk Bank) |   |   | x |  | Only 2 spaces - Suffolk Bank has good provision<br>(+) Provides layby/demasting at low bridge. Mooring strategy denotes demasting at all 4 quadrants of a bridge<br>(+) Could use as shorter-stay moorings<br>(-) Insufficient facilities in Upper Waveney | Resign as demasting only 2015   |

| Lower Bure & Thurne |                             |        |   |   |  |  |
|---------------------|-----------------------------|--------|---|---|--|--|
| No.                 | Mooring                     | option |   |   | Comments   | Officer comments   |
|                     |                             | 1      | 2 | 3 |  |  |
| 30                  | Boundary Farm               | x      |   |   |  | Freehold in progress, included in 10 year Action Plan    |
| 31                  | Boundary Farm Extension     | x      |   |   |  | As above   |
| 32                  | Thurne Mouth                | x      |   |   | Critical due to loss of informal mooring and need for moorings for flagship Broads sailing events  | As above   |
| 34                  | Deep Dyke                   | x      |   |   |  | Renegotiate lease 2014, included in 10 year Action plan  |
| 55                  | Potter Heigham demasting    | x      |   |   |  | Included in 10 year Action plan – subject to EA position |
| 56                  | Repps                       | x      |   |   |  | As above   |
| 57                  | Martham                     | x      |   |   | If good condition - 2040   | As above   |
| 2                   | Potter Heigham Dinghy Park  | x      |   |   |  | Included in 10 year Action plan                          |
| 6                   | Womack Dyke                 | x      |   |   | Critical for integrated access and overflow for parish staithe   | No action needed in next 10 years                        |
| 7                   | Potter Heigham Bridge Green | x      |   |   |  | As above   |
| 20                  | Potter Heigham Staithe      | x      |   |   |  | As above   |
|                     | West Somerton               | x      |   |   | Good mooring and no BA responsibility for piling   | EA responsibility  |
| 35                  | Deep Go Dyke                |        | x |   | Could be retained on cheaper basis; need wild moorings   | Renegotiate lease 2014, included in 10 year Action plan  |
| 36                  | Whiteslea                   |        | x |   | Could be retained on cheaper basis; need wild moorings   | Renegotiate lease 2014, included in 10 year Action plan  |
| 12                  | Womack Island               |        |   | x | Could live without or provide by posts/mudweight mooring   | No action needed in next 10 years                        |
| 16                  | Stokesby                    |        |   | x | Other moorings in area, small site, attractive real estate potential<br>Currently in good long-life condition; last official mooring before Gt Yarmouth, so if removed other moorings/demasting facilities | Repiled 2013   |

|    |               |  |  |   |  |   |
|----|---------------|--|--|---|--|---|
|    |               |  |  |   | must be found on that stretch.                                 |   |
| 37 | Catfield Dyke |  |  | x | Owned by Poors Trust, can live without – others may take it on | Renegotiate lease 2016, terminate before 2030 |

| Upper Bure and Ant |                              |        |   |   |  |  |
|--------------------|------------------------------|--------|---|---|--|--|
| No.                | Mooring                      | option |   |   | Comments   | Officer comments   |
|                    |                              | 1      | 2 | 3 |  |  |
| 40                 | Horning Parish Staithe       | x      |   |   |  | Renegotiate lease 2020   |
| 44                 | Ludham Bridge demasting      | x      |   |   |  | Subject to EA position, Action Plan recommends replace with dolphins |
| 48                 | St Benet's Abbey             | x      |   |   |  | No action in next 10 years   |
| 52                 | Cockshoot                    | x      |   |   |  | Renegotiate lease 2014, included in 10 year Action plan              |
| 58                 | Neatishead                   | x      |   |   |  | No action in next 10 years   |
| 61                 | Gay's Staithe                | x      |   |   |  | As above   |
| 64                 | Barton Turf                  | x      |   |   |  | As above   |
| 68                 | Paddys Lane                  | x      |   |   |  | Renegotiate lease 2014, mooring only – exit boardwalk                |
| 69                 | Wroxham Broad d/s            | x      |   |   |  | Renegotiate lease 2014   |
| 70                 | Wroxham Broad u/s            | x      |   |   |  | As above   |
| 71                 | Coltishall Common            | x      |   |   |  | No action in next 10 years   |
| 1                  | Ranworth Staithe/Dinghy Dyke | x      |   |   |  | Dinghy dyke included in 10 year Action Plan                          |
| 8                  | Sutton Staithe 1/2           | x      |   |   |  | Renegotiate lease 2014   |
| 9                  | Wayford Bridge               | x      |   |   |  | No action in next 10 years   |
| 14                 | Hoveton St John              | x      |   |   |  | As above   |
| 26                 | How Hill                     | x      |   |   |  | EA responsibility  |
| 41                 | Belagh                       |        | x |   |  | Renegotiate lease 2014   |
| 50                 | Horning Marshes              | x      |   |   |  | Renegotiate lease subject to EA position                             |
| 53                 | Hoveton Viaduct              |        | x |   | Could reduce length of mooring, as not heavily used; expensive to maintain | Renegotiate lease 2014, repile half only included in Action Plan     |

|    |                 |  |   |   |   |
|----|-----------------|--|---|---|---|
|    |                 |  |   | (-) Could put pressure on Wroxham and Hoveton   |   |
| 54 | Woodbastwick    |  | x | Pretty busy but others exist  | Renegotiate lease 2016, included in 10 year Action plan |
| 63 | Perci's Island  |  | x |   | Renegotiate lease 2016                                  |
| 3  | Dilham          |  | x | End of navigation, good for exploring NW&D Canal, important wild mooring. Could be managed by third party.  | Included in 10 year Action Plan                         |
| 13 | Irstead Staithe |  |   | Disagreement over site. Only site left at workshop as category 4. However strong arguments made for retention at it is a staithe, so should keep. | No action in next 10 years                              |

### Annualised Re-Piling Costs - All Contractor

Estimated budget expenditure to cover the cost of employing Contractors for re-piling, with costs based on typical 2013 prices.

Takes into account notes from stakeholder workshop (eg reducing lengths, use of dolphins etc)

| Mooring                        | Length | Life end | lease end | Contractor (all inc.) | Programme Year | Workshop priority | proposed Action Plan  | Cumulative cost | Budget: £150,000 |                   |            |
|--------------------------------|--------|----------|-----------|-----------------------|----------------|-------------------|-----------------------|-----------------|------------------|-------------------|------------|
|                                |        |          |           |                       |                |                   |                       |                 | £ 150,000        |                   |            |
|                                |        |          |           |                       |                |                   |                       |                 | Annual Budget    | Cumulative Budget | Variance 1 |
| <i>Turntide Jetty</i>          | 102    | 2015     | F/H       | £ 265,000             | 2015           | 1                 | repile 2015           | £ 265,000       | £ 280,000        | £ 280,000         | £ 15,000   |
| Cockshoot Dyke                 | 149    | 2015     | Oct-14    | £ 149,000             | 2016           | 1                 | re-pile trench sheets | £ 414,000       | £ 150,000        | £ 430,000         | £ 16,000   |
| Hoveton Viaduct                | 319    | 2015     | Sep-19    | £ 159,500             | 2017           | 2                 | reduce to half        | £ 573,500       | £ 150,000        | £ 580,000         | £ 6,500    |
| Burgh Castle                   | 139    | 2015     | holding   | £ -                   | 2018           | 1                 | at EA cost            | £ 573,500       | £ 150,000        | £ 730,000         | £ 156,500  |
| Deep Dyke                      | 193    | 2018     | Oct-14    | £ 193,000             | 2019           | 1                 | re-pile trench sheets | £ 766,500       | £ 150,000        | £ 880,000         | £ 113,500  |
| Ludham Bridge demasting        | 20     | 2019     | Licence   | £ 10,000              | 2020           | 1                 | replace with dolphins | £ 776,500       | £ 150,000        | £ 1,030,000       | £ 253,500  |
| Ranworth Staithe Dinghy Dyke   | 50     | 2019     | F/H       | £ 20,000              | 2020           | 1                 | timber piling         | £ 796,500       |                  | £ 1,030,000       | £ 233,500  |
| Woodbastwick                   | 93     | 2019     | Jul-16    | £ 93,000              | 2020           | 2                 | re-pile trench sheets | £ 889,500       |                  | £ 1,030,000       | £ 140,500  |
| <i>Ludham Fieldbase basin</i>  | 80     | 2020     | F/H       | £ 40,000              | 2021           | 1                 | re-pile timber sheets | £ 929,500       | £ 150,000        | £ 1,180,000       | £ 250,500  |
| Potter Heigham Dinghy Park     | 60     | 2020     | F/H       | £ 30,000              | 2021           | 1                 | replace with dolphins | £ 959,500       |                  | £ 1,180,000       | £ 220,500  |
| Deep Go Dyke                   | 112    | 2022     | Oct-14    | £ 112,000             | 2021           | 2                 | re-pile trench sheets | £ 1,071,500     |                  | £ 1,180,000       | £ 108,500  |
| Potter Heigham Demasting       | 15     | 2022     | 2085      | £ 15,000              | 2022           | 1                 | check EA position     | £ 1,086,500     | £ 150,000        | £ 1,330,000       | £ 243,500  |
| Cantley                        | 131    | 2023     | Mar-17    | £ -                   | 2022           | 1                 | EA cost               | £ 1,086,500     |                  | £ 1,330,000       | £ 243,500  |
| White Slea                     | 25     | 2022     | Oct-14    | £ 25,000              | 2022           | 2                 | re-pile trench sheets | £ 1,111,500     |                  | £ 1,330,000       | £ 218,500  |
| Dilham Staithe                 | 50     | 2023     | F/H       | £ 50,000              | 2022           | 2                 | re-pile trench sheets | £ 1,161,500     |                  | £ 1,330,000       | £ 168,500  |
| Worlingham Staithe             | 30     | 2025     | F/H       | £ 30,000              | 2023           | 1                 | re-pile trench sheets | £ 1,191,500     | £ 150,000        | £ 1,480,000       | £ 288,500  |
| Boundary Farm (Extension), Oby | 150    | 2025     | F/H?      | £ 150,000             | 2023           | 1                 | re-pile trench sheets | £ 1,341,500     |                  | £ 1,480,000       | £ 138,500  |
| Boundary Farm, Oby             | 150    | 2025     | F/H       | £ 150,000             | 2024           | 1                 | re-pile trench sheets | £ 1,491,500     | £ 150,000        | £ 1,630,000       | £ 138,500  |
| Thurne Mouth                   | 118    | 2025     | F/H       | £ 118,000             | 2025           | 1                 | re-pile trench sheets | £ 1,609,500     | £ 150,000        | £ 1,780,000       | £ 170,500  |
| Repps bank                     | 145    | 2025     | EA        | £ 145,000             | 2025           |                   | check EA position     | £ 1,754,500     |                  | £ 1,780,000       | £ 25,500   |
| Martham                        | 144    | 2025     | EA        | £ 144,000             | 2026           |                   | check EA position     | £ 1,898,500     | £ 150,000        | £ 1,930,000       | £ 31,500   |

## **Strategic Review of Waste Facilities**

Report by Asset Officer

**Summary:** This report sets out the current position in relation to waste facilities throughout the Broads Authority's area and the proposed action.

**Recommendations:**

- (i) That members note the report, and officers monitor the situation over the coming year;
- (ii) That members agree to fund replacement waste facilities for Ranworth Staithe.

### **1 Background**

- 1.1 Changes in the Controlled Waste Regulations introduced on 1 April 2012 now specify that boat waste, where the boat is used for self-catering accommodation, is now classified as commercial waste rather than before when it was classified as household waste. The local authorities also confirm that waste from other vessels which do not come under this definition, although not specifically stated in the regulations, will be treated by them as commercial waste.
- 1.2 Under the new regulations it is designated that "the polluter" has to pay for the cost of both the collection and disposal of the waste and Norfolk County Council has confirmed that they will be charging the local authorities for the services backdated to 1 April 2012.
- 1.3 This has resulted in the local authorities reviewing their provision of waste facilities over the Broads area.
- 1.4 Both North Norfolk District Council and Broadland District Council consulted with Broads Authority officers, outlining their proposals in regard to the future provision of waste facilities in their areas.
- 1.5 A letter was received from Great Yarmouth Borough Council (GYBC) on 30 May regarding their intention to cease the provision of waste services at their ten locations from week commencing 16 June 2014. The Broads Authority had not been approached or consulted by the Council regarding this action prior to receiving this letter.

- 1.6 Following the withdrawal, due to issues with two waste sites at Thurne Dyke and Repps Staithe Potter Heigham, GYBC has retained a small litter bin at each site and are currently collecting waste daily.

## **2 Local Authority Position Paper**

- 2.1 A position paper regarding the provision of waste facilities was produced in conjunction with the Norfolk Waste Partnership and the local authority officer liaison group but unfortunately the Broads Authority was not initially consulted or included in the preparation of the document.
- 2.2 The paper sets out policy in regard to future provision and concludes with the following key points:
- (a) The Broads Authority, Environment Agency, National Trust and Norfolk County Council will be expected to make arrangements for provision of services on their land.
  - (b) Owners of private moorings or where mooring charges are made will not be provided with free services
  - (c) Provision of facilities on other land such as Parish Council land will be determined locally. Facilities are more likely to be retained where they serve a mix of visitor uses; both boat and land transport and are associated with other service provision such as public conveniences.
  - (d) Implementation will be at the end of October 2014 to allow time for alternative arrangements to be implemented by those concerned.

## **3 Strategic Review of Future Provision**

- 3.1 A meeting was held on 8 September at the request of the Broads Authority where representatives from all of the local authorities, Norfolk County Council and the Broads Hire Boat Federation were in attendance. The local authorities have all now confirmed what facilities will be provided and those that will be withdrawn, and so together with facilities provided by Boatyards/marinas a map and list of waste provision sites has been produced (Appendix 1).
- 3.2 The Broads Authority freehold sites where provision is currently provided by the relevant local authority and are to be withdrawn are Wayford Bridge, Dilham Staithe and Ranworth Staithe. Given the fly tipping issues at Ranworth Staithe when the compactor skip was removed last winter, it is recommended that the Broads Authority as landowner should continue to provide this service. Quotes have been sought, and the annual costs for an equivalent service to that being discontinued by Broadland District Council is approximately £ 3,000. However, the 24hr moorings at both Dilham Staithe and Wayford Bridge are limited moorings and it is suggested that the local rangers monitor the sites after the bins are removed to determine whether any

future facilities are likely to be required.

#### **4 Gaps in Future Provision**

- 4.1 With the planned removal of facilities at Womack Staithe, Ludham Bridge and Horning Ferry, it is likely that the facilities at Ranworth would become even more heavily used. On this basis, it may also be worth considering whether the Broads Authority would assist with retaining the provision of facilities at Ludham Bridge on Environment Agency owned land.
- 4.2 The Authority has also noticed an increase in volume of refuse disposal at Great Yarmouth Yacht Station and Norwich Yacht Station over the last season, at an additional £1,000 p.a. and it is expected that this trend will continue.
- 4.3 Whilst provision on the river Yare appears reasonable, the river Waveney is more poorly served, with no facilities downstream of Burgh St Peter, and other facilities only at the Yacht Stations at Oulton Broad and Beccles. However, the major difficulty here is no moorings with good access to enable bin lorry's to service facilities.

#### **5 Provision of Information**

- 5.1 In order to avoid fly tipping as a result of boaters being ignorant of the location of facilities, it is intended that once agreed, this information should be produced for inclusion in the skippers manual which is placed on each hire boat, published on the Broads Authority and local authority websites, and included in relevant Broads Authority publications to ensure that the boating public are aware of the locations for waste facility provision.
- 5.2 Information signs could also be placed at Broads Authority moorings to provide information on the location of nearest sites both upstream and downstream of each mooring to aid boaters.

#### **6 Navigation Committee Consultation**

- 6.1 Navigation Committee were consulted on this issue at their meeting on 23<sup>rd</sup> October 2014. They supported replacement rubbish facilities at Ranworth, on the basis that the Broads Authority as landowner were liable. However, they advised against taking on liability for facilities on third party land, such as at Ludham Bridge.
- 6.2 It was proposed that the position be monitored over the next year, to see whether further issues arose at other sites, and that consideration be given to a further project in future for a more comprehensive waste facility provision in future years should the need be determined.

Background papers: Nil

Author: Angie Leeper/ Trudi Wakelin  
Date of report: 28 October 2014

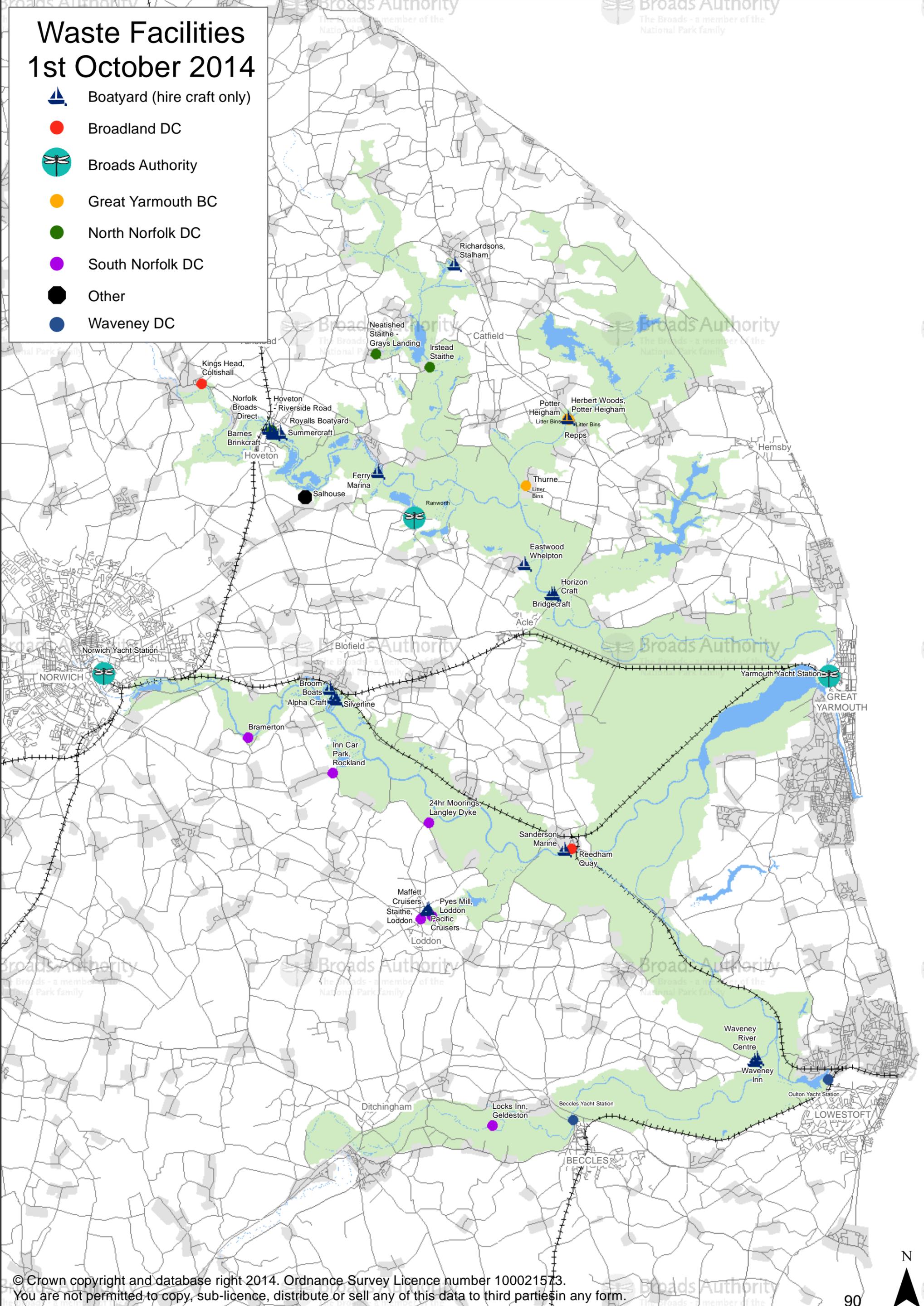
Broads Plan Objectives: TR2.2

Appendices: Appendix 1 – map of waste facilities

# Waste Facilities

## 1st October 2014

-  Boatyard (hire craft only)
-  Broadland DC
-  Broads Authority
-  Great Yarmouth BC
-  North Norfolk DC
-  South Norfolk DC
-  Other
-  Waveney DC



**Adopting the Broads Authority's Statement of Community Involvement**  
Report by Planning Policy Officer

|                        |  |
|------------------------|--|
| <b>Summary:</b>        | The Statement of Community Involvement (SCI) explains what the Broads Authority's policy is regarding how it will consult and involve people and organisations who have an interest in matters relating to the development and management of the Broads. |
| <b>Recommendation:</b> | That the Authority adopts the SCI.   |

## **1 Introduction**

- 1.1 This Statement of Community Involvement (SCI) is the Broads Authority's formal policy which identifies how and when local communities and stakeholders will be involved in the preparation of the Broads Authority's Local Plan, sets out the community involvement in the consideration of planning applications and states how the community can inform the Management Plan for the Broads.
- 1.2 The Broads Authority's first SCI was adopted in 2006 and then revised in 2008. It is now necessary to update this to accommodate recent changes in planning regulations. Additional amendments are also needed to make sure that the SCI reflects new policy documents that are going to be produced, and also to take advantage of electronic engagement such as the internet, emails and social media.
- 1.3 An SCI is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). Section 18 states:  
*(1): The local planning authority must prepare a statement of community involvement.*  
*(2): The statement of community involvement is a statement of the authority's policy as to the involvement in the exercise of the authority's functions under sections 19, 26 and 28 of this Act and Part 3 of the principal Act of persons who appear to the authority to have an interest in matters relating to development in their area.*
- 1.4 The proposed SCI is available at the following link: <http://www.broads-authority.gov.uk/broads-authority/committees/broads-authority/broads-authority-21-november-2014> . This is a version marked with changes that have arisen as a result of the consultation. See section 3.2 of this report and Appendix B.

## **2 Contents of the SCI**

2.1 The SCI is set out under various sections, as follows:

### **2.2 Involving the Community in Planning Policy**

This sets out the Local Plan production process and shows the basic relationship between different documents related to planning. It describes what Duty to Cooperate means and identifies how the Authority will advertise consultations and says what different techniques it may use. In addition it identifies hard to engage groups and says how it will try to involve those groups. Finally, it clarifies what will be done with comments received and lists the organisations with whom the Authority will consult.

### **2.3 Involving the Community at the Planning Application Stage**

This section emphasises the importance of pre-application discussions and advice. It sets out how the Authority will consult with the public over planning applications, and explains what will be done with comments received. Finally, it sets out the arrangements for public speaking at Planning Committee.

### **2.4 Involving the Community in producing the Broads Management Plan**

The Broads Plan is reviewed every five years and this section of the SCI sets out how consultation will be undertaken. It explains that a variety of engagement methods will be used and that there will be consistency with the approach for planning policy document consultations, with the same consultees engaged. Two rounds of consultation for 6-8 weeks each are proposed.

### **2.5 Neighbourhood Planning**

This section explains what Neighbourhood Planning is, describes the typical process in producing a Neighbourhood Plan and the Authority's involvement; it also explains how the Authority works with neighbouring councils on the development of Neighbourhood Plans.

### **2.6 Planning Help and Advice Available to the Community**

This section signposts the community where to go to get help and advice on planning matters.

### **2.7 Complaints Procedure**

This section sets out the complaints procedure at the Broads Authority.

## **3 Consultation**

3.1 At their meeting on 10 October 2014 the Planning Committee resolved that the SCI should be the subject of a 4 week consultation. Regulations do not require the SCI to be consulted on, but other Local Planning Authorities have completed a consultation on their SCI and have found it a useful exercise. The consultation ran from 13 October to 7 November 2014.

3.2 The table at Appendix B sets out the comments received, accompanied by an officer response.

## **4 Financial Implications**

- 4.1 At various stages of document production it may be appropriate to undertake particular activities to promote engagement, for example, to produce leaflets or have open days. There will be a cost associated with venue hire and leaflet production, in addition to the staff time. This will fall within the budget for producing the Local Plan and the Broads Management Plan.

## **5 Conclusion**

- 5.1 The updated SCI reflects new planning regulations, the new Local Development Scheme and new ways to engage with the community.
- 5.2 It is recommended that the Statement of Community Involvement is adopted by the Broads Authority.

Background papers: None

Author: Natalie Beal  
Date of report: 5 November 2014

Appendices: Appendix A: Broads Statement of Community Involvement. The SCI can be found here: <http://www.broads-authority.gov.uk/broads-authority/committees/broads-authority/broads-authority-21-november-2014> .  
Appendix B: Comments received, accompanied by an officer response.

## Broads Authority Statement of Community Involvement (Draft)

### Responses

#### Anglian Water

We do not have any comments to make, but welcome the opportunity to comment on future consultations.

**Broads Authority Officer Summary of Response:** No comments.  
**Broads Authority Comment:** Support noted.

#### Beccles Town Council

The Planning Committee agreed to support this statement as it felt this would encourage applicants to engage with communities.

**Broads Authority Officer Summary of Response:** Supports the SCI  
**Broads Authority Comment:** Support noted.

#### English Heritage

We do not have any detailed comments on the document, but welcome the identification of English Heritage as a required consultee in the section of the SCI regarding Sustainability Appraisals (SA) is welcomed, as is the identification of English Heritage as one of the organisations with a Statutory Duty to Co-Operate. The identification of English Heritage as a Specific Consultee in the List of Consultees (Planning Policy and Broads Plan) in Appendix C is also welcomed. As you will be aware, we are also a statutory consultee for certain planning and listed building consent applications. We would welcome consultation at an informal level in addition to the requirements of the legislation where issues may benefit from our early involvement. It is helpful to receive hard copies of consultation letters, although email consultation is also acceptable. We welcome the reference to the Broads Authority's Heritage Environment Officer as an internal consultee on applications. It would be helpful to make reference to external consultees with regard to applications with historic environment issues; Norfolk County Council Historic Environment Service, and English Heritage East of England Region. With regards to Neighbourhood Planning, we would welcome notification of proposed Neighbourhood Planning areas as well as consultation on draft plans. The regulations state that English Heritage should be consulted on draft plans where our interests are considered to be affected, but we would also welcome early notice of proposed neighbourhood areas. We have guidance on Neighbourhood Planning, which can be found at: [www.english-heritage.org.uk/caring/get-involved/improve-your-neighbourhood](http://www.english-heritage.org.uk/caring/get-involved/improve-your-neighbourhood)

**Broads Authority Officer Summary of Response:**

Supports SCI. Would welcome a section on applications with historic environment issues. Would welcome notice of Neighbourhood Plans.

**Broads Authority Comment:**

Top of page 16 add: 'Some applications may have historic environment issues. On these occasions, the Authority will consult with Norfolk County Council Historic Environment Service, and English Heritage East of England Region as well as the Authority's Heritage Environment Manager.'  
 Regarding Neighbourhood Plans, Table 4 explains the process and how typically the relevant District Council undertakes the consultation stages. In our experience to date, they have contacted English Heritage for their comments. As such, no change to the SCI is proposed as experience to date indicated EH are consulted.

### Environment Agency

We have no comments on the Community Involvement.

**Broads Authority Officer Summary of Response:** No comment.

**Broads Authority Comment:** Noted.

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### Fletton, Mr A P

Thank you for the link to this draft policy statement. I note that Brundall Parish is used as an example of spread of responsibility between the Broads Authority and a District Council (Broadland). The draft document, as viewed, appears to be open, clearly stated and unambiguous. This should provide clear guidance to professionals making application within these areas. The provision of specialist help and guidance for individuals is particularly welcome, where they might otherwise have been daunted by the depth and breadth of knowledge required. The Brundall Neighbourhood Plan consultants and their team of local non-specialists are keen to improve the integration of all parts of this Parish. They wish especially to 'engage constructively, actively and in an on-going basis' with all those bodies seeking to promote, preserve and enhance the quality of Brundall as a place to live, work and enjoy. The Brundall Riverside Estate Association has already expressed a wish to contribute constructively, as much as their expertise will allow, to any issues that may affect that particular part of Brundall Parish.

**Broads Authority Officer Summary of Response:** Supports the SCI.

**Broads Authority Comment:** Support noted.

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### Health East

NHS Great Yarmouth and Waveney CCG are committed to an integrated approach working with partners to provide the best care we can to the population of Great Yarmouth and Waveney. A key element of this is having the ability to in time ensure that organisational strategies are closely aligned. To that end we have set up an Infrastructure Group which meets monthly and has representation from GYBC, WDC, NCC, SCC and the Broads Authority (Natalie Beal). We look forward to sharing various draft policies as they arise to provide immediate feedback at an early stage.

**Broads Authority Officer Summary of Response:** Have set up an Infrastructure Group. No specific comments.

**Broads Authority Comment:** Noted.

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### Hemsby Parish Council

No comment.

**Broads Authority Officer Summary of Response:** No comment.

**Broads Authority Comment:** Noted.

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### Highways Agency

Your draft statement appears to be clear in your intentions and your methods of communication with regard to community involvement and consultation. The Highways Agency have therefore no comment to make regarding the intended methods. However, I note that the Highways Agency, whilst it is a Highways Authority and responsible for the management of the Strategic Road Network in England, which in your area includes the A47, A11 and A12 trunk roads, is not included in the list of organisation who have a statutory duty to co-operate in section 2.3. Whilst it may be the case that many issues and planning applications considered by your authority may be remote from the trunk roads listed above and therefore the Highways Agency's interest is minimal, it remains that the Highways Agency is a Statutory Consultee. I am aware that the Agency is regularly consulted by your authority but feel that the Agency should be specifically listed in you Statement of Community Involvement. The only reference I can find in your draft document is on page 33 in the list of Specific Consultees which I would consider should be reflected in section 2.3.

**Broads Authority Officer Summary of Response:** Supports the SCI. Requests Highways Agency are included in section 2.3.

**Broads Authority Comment:** Support noted. Add Highways Agency to section 2.3.

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### **Marine Management Organisation**

Thank you for inviting the Marine Management Organisation (MMO) to comment on the above consultation. The MMO has reviewed the document and whilst we have no specific comments to make we would like to draw your attention to the marine planning remit of our organisation as you may wish to be aware of this in relation to the consultation. As the marine planning authority for England the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the mean high water springs mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of the mean high water spring tides mark there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark. In our duty to take all reasonable steps to ensure compatibility with existing development plans, which apply down to the low water mark, we are seeking to identify the 'marine relevance' of applicable plan policies. On 2 April 2014 the East Inshore and East Offshore marine plans were published, becoming a material consideration for the Marine Management Organisation (MMO) and other public authorities with decision making functions. The East Inshore and East Offshore Marine Plans provide guidance for sustainable development in English waters, and cover the coast and seas from Flamborough Head to Felixstowe. Marine plans will inform and guide decision makers on development in marine and coastal areas. More information including the East Inshore and East Offshore marine plans document can be found at <https://www.gov.uk/government/collections/marine-planning-in-england>

**Broads Authority Officer Summary of Response:** No specific comments.

**Broads Authority Comment:** Noted.

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### **Natural England**

We are supportive of the principle of meaningful and early engagement of the general community by the public, community and other organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications. We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: <http://www.naturalengland.org.uk/ourwork/planningdevelopment/default.aspx>.

**Broads Authority Officer Summary of Response:** Unable to comment in detail on the SCI.

**Broads Authority Comment:** Noted.

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### **Norfolk County Council**

The SCI is considered a very thorough document and is welcomed by the County Council. I would however make the following comments:

(a) Page 3 – item 7 in the table refers to a minimum of 8 weeks for commenting on the Plan, which is at odds with the length of consultation referred to on pages 9 and 10 (i.e. referring to the Reg18 and 19 consultation periods – which refers to a minimum of 6 weeks). I understand the correct period is a minimum of 6 weeks and SCI ought to be amended accordingly;

(b) Page 6 – Duty to Cooperate. While welcoming reference to the County Council in this section, it is considered unnecessary to have any text in brackets i.e. all that is needed is reference to the County Council. NB the County Council is covered by duty to cooperate as Minerals and Waste Authority as well;

(c) Appendix C – Welcome reference to Norfolk County Council as a Specific Consultee in the Local plan process;

(d) Appendix C – Given that Marine Management Organisation (MMO) is covered under the Duty to Cooperate (referred to on page 6 of the SCI), it is felt that they should be a “Specific Consultee” on the Local Plan. NB There is a duty on Local Authorities under the Marine and Coastal Access Act (2009) (section 58) to have regard to Marine Plans which are produced by the MMO in any of the Las decisions.

**Broads Authority Officer Summary of Response:** Thorough document. Some amendments recommended.

**Broads Authority Comment:** Support noted.  
Change table on page 3 to say 6 weeks rather than 8 weeks.  
Page 6, remove brackets after County Council.  
Add Marine Management Organisation to the list of Specific Consultees

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**Weymouth, Mrs S**

No comment.

**Broads Authority Officer Summary of Response:** No comment.

**Broads Authority Comment:** Noted.

## **Geldeston Landholdings**

Report by Asset Officer

**Summary:** This report summarises the current landholdings of the Broads Authority in regard to the Geldeston area and identifies reasoning for the retention or disposal for each parcel.

**Recommendations:**

- (i) That members agree to the retention of the 24hr mooring and marsh.
- (ii) That members agree to dispose of the woodland, following the regulatory Community Asset process and appropriate evaluation of all bids received, and that the Broads Authority places a restriction on the sale that allows the continuation of public access to this area
- (iii) That the Chief Executive be delegated to evaluate bids and conclude the sale

### **1 Background Information**

- 1.1 Two large sites at Geldeston Locks were originally purchased by the Great Yarmouth Port and Haven Commissioners (see coloured pink and blue on plan at Appendix 1). The public house and the majority of car park area within the land coloured pink were subsequently sold in 1980 for £18,000.

### **2 Current Landholding**

- 2.1 The current landholding breaks down into three parcels as follows:
- (i) 64 metres of 24hr moorings, shown at Appendix 2.
  - (ii) approximately 1 acre of woodland behind the 24 hour moorings shown at Appendix 3.
  - (iii) approximately 11.679 acres of marsh and associated access, shown at Appendix 4, where sporting rights are retained by the original landowner.
- 2.2 As part of the regular review of assets held by the Broads Authority as required by the Asset Management Strategy, in 2013 officers identified that the moorings continue to support the Authority's statutory navigation purpose, and therefore are identified for retention.
- 2.3 However, the area of woodland at Geldeston was identified as no longer required for any specific purpose and in addition brings liabilities regarding the maintenance and safety issues for public in regard to the trees.

- 2.4 In respect of the marsh, officers identified that this land had originally been purchased for the disposal of dredged material, and was instrumental during the last dredging campaign of the upper Waveney.

### **3 Recent Developments**

- 3.1 Following the Broads Authority decision to offer the woodland for sale, it has since been registered by South Norfolk Council as a community asset, as has the marsh. This means that following the Broads Authority notifying its intention to sell, any community groups can register an expression of interest in the purchase of a community asset within a 6 week notification period. South Norfolk District Council has written to all potential interested parties, with a deadline of 15 October 2014 and has received notification from the River Waveney Trust of their intention to submit a bid. A moratorium period totalling six months is then enforced, which would expire on 4 March 2015, during which time the Authority is not able to exchange contracts with any party, although negotiations can continue. This is to provide community groups with time to develop proposals and raise funding, which can then be considered alongside any other bids received.
- 3.2 As a result of the publicity surrounding the proposed sale of the woodland, interest has also now been received for the sale of the marsh. It was agreed that the Navigation Committee should therefore be consulted on the future of this site, and to understand the relationship with other landholdings in the area.
- 3.3 Advice from NPS has indicated that it would be possible to sell the marsh whilst still retaining dredging disposal rights to the site, and the estimated current value is up to £45,000. However, retention of sporting rights by the original owner (which rights are actively pursued) may adversely affect perceptions of quiet use and enjoyment in the minds of prospective purchasers and therefore have a significantly depreciating effect on bids which is difficult to quantify.
- 3.4 However, additional complexities would also be involved with any proposed sale of this site, as we are also advised that Critchell Downs applies, which is a government provision to ensure that land offered for sale by government departments are first offered to the original landowner, at market value. Additionally, part of the site which has been made up for vehicular access is currently used as informal parking and is valued by local people who park here to access the footpath network, and as an overflow car park for the pub.
- 3.5 Officers have therefore reviewed the value of the site in relation to the Broads Authority statutory purposes. A recent survey of the marsh notes that the site consists of three distinct habitat areas:
- (i) Wet marsh dominated by reed sweet grass with areas of sedge and reed canary grass. Nettles, willowherb and bindweed occur along the

dyke bank. Within the marsh there are also frequent and extensive patches of water mint, skullcap and purple loosestrife.

- (ii) Marsh grading into dry grassland occupies the eastern end of the site – difficult to access owing to vegetation growing over dredging disposal area.
- (iii) Dredging disposal area – high dry bank with some willow scrub present on Southern edge; remainder of bank dominated by mix of nettles, thistle, hemp agrimony, bindweed and willowherb.

3.6 It can therefore be seen that the site also has inherent biodiversity value as an unmanaged area of wet marsh, with numerous footdrains, providing suitable habitat for mollusc species. The valuable source of nectar for butterflies was also noted at the time of visit. Surrounding marshes are grazed although many not to the level observed in previous years; the site therefore contains a different type of habitat compared to its neighbours. Whilst due to the small size of site, wet nature, high river bank and isolation from other amenity areas it means that this site is not suitable for enhancement as a public access site apart from the informal car parking currently enjoyed, as a past location for dredging disposal the site retains high value as a potential future disposal site.

3.7 It is therefore suggested that this site continues to fulfil statutory purposes of the Broads Authority and as such meets the test of the Asset Management Strategy to retain.

#### **4 Conclusion**

4.1 In conclusion, the following approach is suggested:

- (a) The 24hr moorings be retained.
- (b) The woodland be disposed, following the regulatory Community Asset process and appropriate evaluation of all bids received, and that the Broads Authority places a restriction on the sale that allows the continuation of public access to this area.
- (c) The marsh be retained.

#### **5 Navigation Committee Consultation**

5.1 The Navigation Committee were consulted at their meeting on 23 October 2014, and agreed with the office's conclusions and proposed way forward.

## 6 Evaluation of Bids

6.1 The Asset Management Strategy sets out the criteria to be considered when seeking to dispose of Broads Authority assets (Appendix 5). It is suggested that this be followed, with additional consideration given to:

- public access
- transfer of liability
- the Management plan for the land to include intended short/ long term use and overall best value for the Broads Authority

Background papers: Broads Authority report May and November 2013, March and July 2014

Author: Trudi Wakelin/ Angie Leeper

Date of report: 28 October 2014

Broads Plan Objectives: None

Appendices:  
APPENDIX 1 - map of original purchase  
APPENDIX 2 – plan of moorings  
APPENDIX 3 – plan of woodland  
APPENDIX 4 – plan of marsh  
APPENDIX 5 – extract from Asset Management Strategy

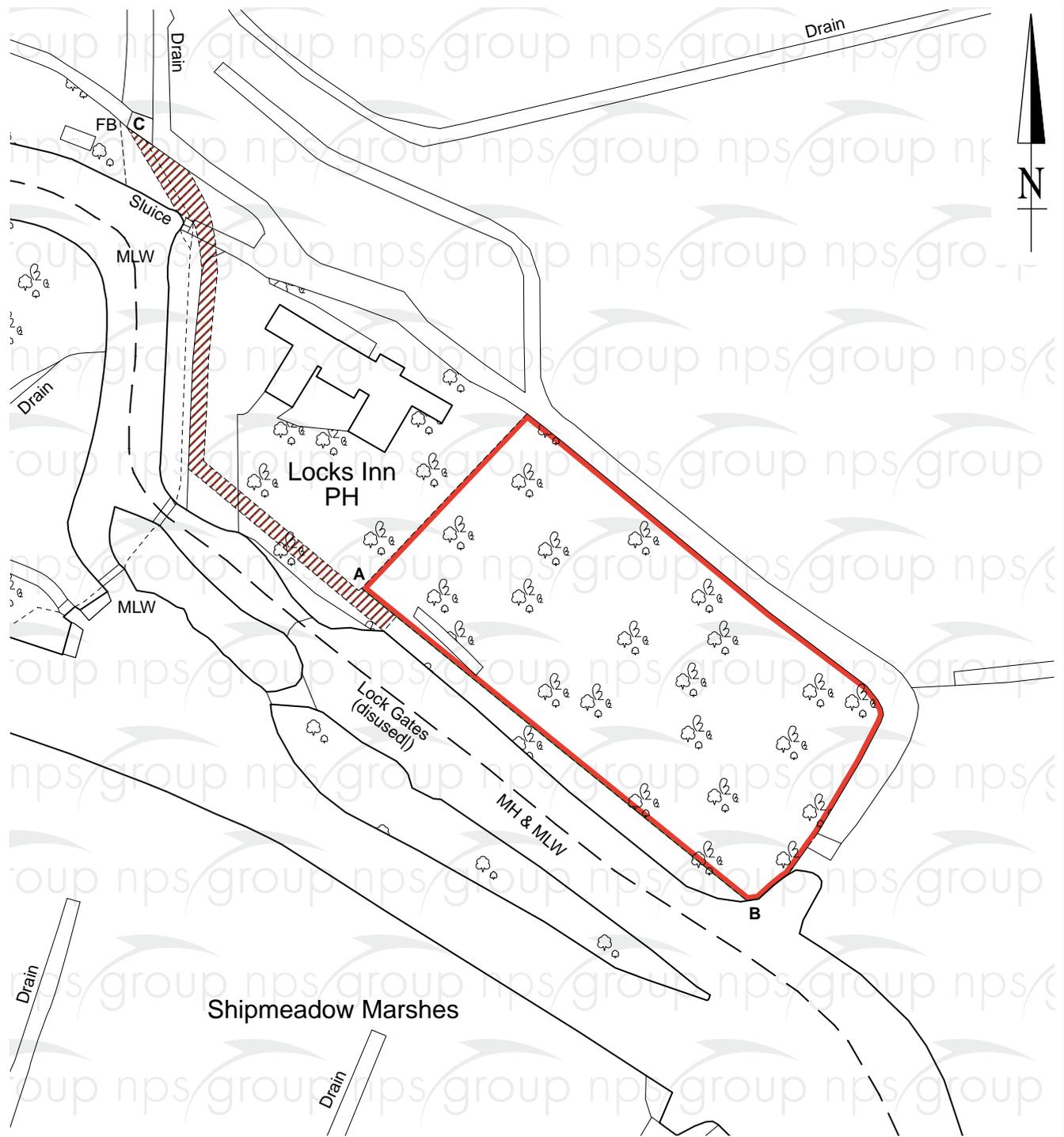






**Broads Authority**  
The Broads - a member of the  
National Park family

NPS Property Consultants Ltd,  
on behalf of The Broads Authority,  
Yare House, 62-64 Thorpe Road,  
Norwich, NR1 1RY.



This map is taken from Ordnance Survey digital data. National grid reference: TM. 3906 9084

**GELDESTON - Locks Lane  
Woodland adjacent to The Locks PH**

NPS Property Consultants Ltd,  
Lancaster House, 16 Central Avenue,  
St Andrews Business Park,  
Norwich, NR7 0HR.

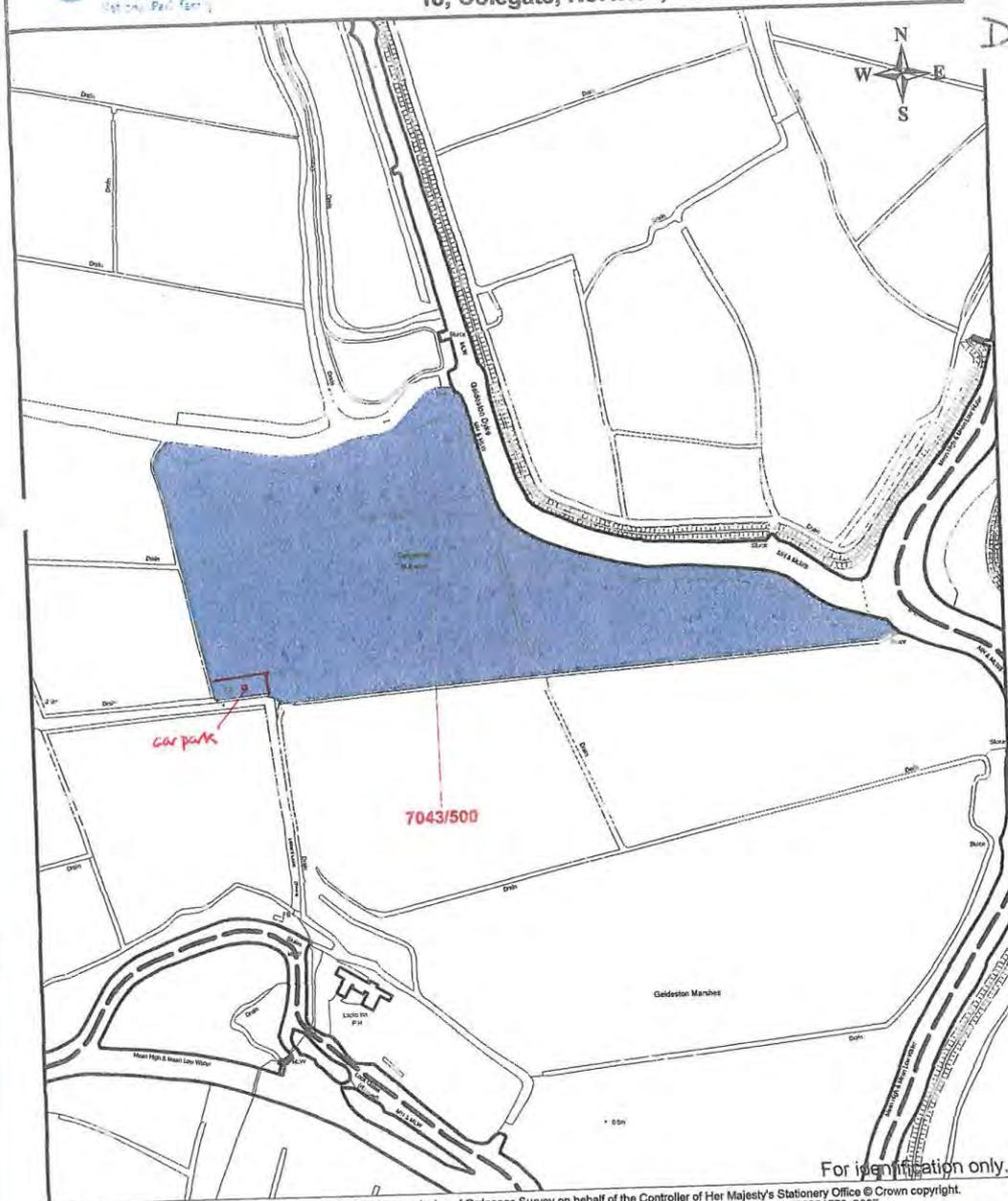
Not to scale

Date: MARCH 2013

Plan No. BA-7038-500-7

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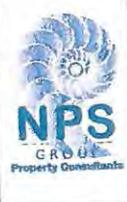
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**GELDESTON - Lock's Lane**  
**Geldeston Marshes**

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## Extract from Asset Management Strategy

### 7. Guidance for Procurement and Disposal

#### Land and Buildings (Operational and Community) and Infrastructure Assets

- 7.1 Because of its limited capital budget, and in order to minimise maintenance and running costs, the policy of the Broads Authority is not to purchase land and property except in certain specific circumstances. Instead the Authority prefers to facilitate the acquisition of land by partner organisations, which are able to manage it in accordance with the Authority's Asset management principles ( Section 3). Partner organisations can include parish councils and community groups, charities etc.
- 7.2 The circumstances under which the Authority will consider the acquisition (whether freehold or, more commonly, leasehold), of land and property are as follows:
- as a last resort, to protect land and property which is of critical importance to the enhancement and integrity of the Broads, subject to all other options having been exhausted; e.g. the How Hill Estate which was purchased to maintain the estate and provide a demonstration project for large scale conservation management.
  - for key operational reasons, such as the acquisition of the operational base at Thorpe St Andrew, or sites for the disposal of spoil; and
  - to provide key community and visitor benefits as identified in the Authority's strategies and priority objectives, including the provision of 24 hour moorings in identified locations.
- 7.3 In all such cases the Authority must take professional advice to satisfy itself that the costs of the acquisition are reasonable, and also that they are proportionate to the benefits which will be attained.

**Agri-Environment Schemes, Rural Payments and Assessment of Current Intentions of Grazing Marsh Farmers in Response to some of these Changes**  
Report by Senior Ecologist

**Summary:** This report summarises the current changes in the European Union's Common Agricultural Policy and the 2015 changes in the UK's Rural Development Programme, including agri-environment payments. The next seven year investment cycle will result in Defra investing over £3.5 billion to grow the rural economy and improve the environment. This will involve a more targeted and less 'whole landscape' approach to agri-environment payments. An overview of the range of rural development schemes to support the environment productivity and growth are outlined in this paper.

In addition, to investigate marsh farmers' views and intentions in response to some of these changes and their impacts within the grazing marsh environment the Broads Authority commissioned a questionnaire and analysis. The main messages from this work are outlined.

**Recommendation:**

That members are asked to note the implementation of the new Rural Development Programme for 2015 and the findings of the Management of the Marshes report and to:

- (i) support ongoing collaborative working through existing partnerships and where possible communicate and facilitate access to the new Rural Development Programme;
- (ii) support further farmer collaboration and landscape scale delivery through such schemes as the proposed HLF Landscape Partnership and involvement in the RSPB futurescape; and
- (iii) use the Broads Authority mapping and the findings of the Management of the Marshes report to feed into the targeting and prioritisation work for NELMS.

**1 Context**

- 1.1 Rural Development Payments provide opportunity to maintain the Broads rural communities, business and wildlife. The Broads Plan agriculture objectives recognise that agriculture and land management are significant parts of the Broads landscape.

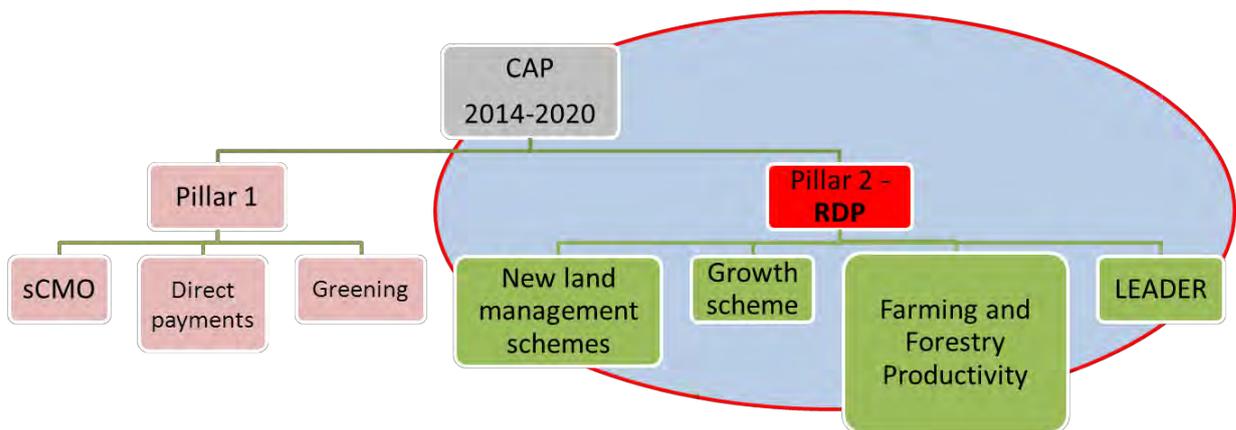
- 1.2 Agri-environment Schemes are essential to the achievement of two of the four objectives of the Biodiversity and Water Strategy, 'Integrated landscape-scale approach to habitats and species conservation' and 'Reduce environmental pressures on Broads habitats and species within a catchment approach'.

## 2 Common Agricultural Policy

- 2.2 Reforming the Common Agricultural Policy (CAP) to ensure a fair deal for farmers, consumers and taxpayers.
- 2.3 Implementation of the new Common Agricultural Policy regulations are well underway. The new schemes will start in 2015.
- 2.4 There will be changes to the schemes under which CAP money is paid, but many things will stay the same. There will still be 2 'pillars'. Pillar 1 provides direct payments to farmers. Pillar 2 promotes rural development.

## 3 Direct Payments

- 3.1 The single farm payment will be replaced by a new direct payment made up of a basic payment, a payment for greening and a further payment for young farmers.
- 3.2 **Basic Payment Scheme** will replace the current Single Payment Scheme (the main system through which we pay farmers under CAP) with the Basic Payment Scheme.
- 3.3 The details of the new scheme will be developed throughout 2014 and information published to help claimants make decisions and get ready for the 2015 start dates. Defra will publish final guidance for customers in early 2015. Applications under the Basic Payment Scheme can be made from early 2015.
- 3.4 From 2015 those who are eligible to be part of the '**young farmers scheme**', will receive an additional payment. The payment will be approximately 25% of the payment under the Basic Payments Scheme for each of the first 5 years.
- 3.5 **Greening** is the requirement to follow specific environmental farming practices. 30% of the direct payments to farmers will be linked to a new set of 3 greening requirements:
- crop diversification
  - maintenance of permanent grassland
  - the need to establish Ecological Focus Areas on 5% of arable land



#### Pillar 2:

- 87% or £3.1bn on the environment
- 5% or £177m on Growth
- 4% or £138m on LEADER
- 4% or £141m on Farming and Forestry Productivity

**Figure 1. Diagram of the Rural Development Programme**  
 'sCMO' refers to Common Market Organisations

## 4 Rural Development Programme

4.1 The new Rural Development Programme will begin on 1 January 2015 and it will support a range of schemes. Over the next seven years Defra will invest over £3.5 billion to grow the rural economy and improve the environment under this programme.

### **Environment**

4.2 The aim of this scheme will be to support measures to restore, preserve and enhance our **natural environment**. The existing Environmental Stewardship and English Woodland Grant schemes will be replaced with a single new scheme. Farmers, foresters or other land managers (conventional or organic) will be able to apply.

4.3 This new environmental land management scheme (NELMS) is a significant tool to achieve outcomes supporting:

- The Biodiversity 2020 (consistent with EU Birds and Habitats Directive)
- The Water Framework Directive and flood risk management
- Government Forestry and Woodland Policy
- The European Landscape Convention
- Climate Change: National Adaptation Programme (NAP)
- Natural Environment White Paper and Water White Papers

## **Productivity**

4.4 The aim of this scheme will be to support measures to make farming, forestry and land-based businesses more competitive and efficient. See the RDPE network for more information.

4.5 Around £140m will be spent on:

- supporting innovation to help translate research into practice skills and training
- greater co-operation and collaboration between farmers and others in land-based sectors (including agri-food)
- projects which deliver multiple benefits (such as tackling environmental problems alongside improving agricultural output)

## **Growth**

4.6 The aim of this scheme will be to support rural economic growth. By allocating £177 million (5%) to the local enterprise partnerships through this scheme (the Norfolk and Suffolk LEP is 'New Anglia'). Defra will also allocate £140 million (4%) of the funding to LEADER Local Action Groups (the Broads has two relevant LAG's – Broads and Waveney). These groups aim to improve the quality of life and prosperity of rural communities through locally driven initiatives. Broads Authority officers have commented on the strategy for these LAGs and is an active part of the groups.

## **5 Online Services**

5.1 Defra is developing online services to improve the way customers (mostly farmers) can communicate with us and how they're paid.

5.2 Since July 2014, some existing customers have been able to check and update their registration details online. The new system will continue to be rolled out and developed throughout the year.

5.3 Customers will be able to manage their CAP scheme and report changes on one online system. It will make the process quicker and easier both for customers and for government.

## **6 Grass Marsh Farmer Questionnaire 2014**

6.1 The Broads Authority and Norfolk Biodiversity Partnership commissioned Farm Conservation to find out the intentions of farmers and landowners in respect of grazing marsh management post Environment Sensitive Area (ESA) and Environmental Stewardship (ES) Schemes. Although it should be recognised that land that was entered into Entry Level stewardship is under management for up to a further five years and that the land that went into Higher Level stewardship is under management for a further ten years. The full report will be available on the Broads Authority website (see Appendix A).

6.2 The report is based on quite a low sample size (56 questionnaire responses from 458 surveys sent out, plus some telephone interviews) but the findings

are none the less very interesting. My headline messages based on the report are:

- 6.3 NELMS will provide more targeted use of resources aimed at achieving government commitments for biodiversity and water, rather than a whole landscape approach. Targeting will focus on funding farmers to protect features such as species rich ditches and peat marshes, breeding and wintering wildfowl, fens, reedbeds and historic sites.
- 6.4 The report indicates that potential changes in support levels, which will vary for each landholding, are likely to result in agricultural improvements as some marsh farmers respond to the new agri-environment.
- 6.5 Farmers, as with all business, need to maximise income. The results of the questionnaire show that 46% of respondents are intending to make some change, with increased fertiliser application being the most common planned change to increase productivity.
- 6.6 The survey indicates that there will be only limited ploughing of marshes. The reasons for this are complex, but include factors such as; tradition, ownership of stock, familiarity with this type of farming, unsuitability of land for arable, and love of the landscape and wildlife. Environmental Impact Assessment regulations and requirements to retain permanent pasture under Greening also play a part. However with volatile markets and further changes in beef and dairy sectors, farmers may need to react quickly to future opportunities.
- 6.7 Other changes that the responding farmers indicated include a few saying that cutting dates for hay and silage may change, and following coming out of ESA they would be more likely to follow the ground conditions to make decisions on the timing of stock turn out.
- 6.8 The report outlined the effect of wheat prices, beef and dairy sector changes on decision making within the farm business. When the Broads Authority commissioned this project wheat was around £200 per tonne. During the data collection phase wheat price halved to around £100/tonne. This means the incentive to turn marshes to arable is significantly reduced at the moment, but in a volatile market this is unlikely always remain the case. Another factor that has changed is the fact that prices remain high for bio-fuel crops (particularly maize).

## **7 Next Steps**

- 7.1 Defra supports the role of National Parks and the Broads Authority to communicate and facilitate access to the new Rural Development Programme. Although limitation within the current Broads Authority resources to achieve this needs to be recognised.
- 7.2 Remote sensing, when repeated, can be used to monitor intensification of marshes. Also any future surveys of ditch communities, marsh plants and wintering and breeding birds will help assess any environmental change and compare this to any management changes.

- 7.3 Natural England and farm advisors to continue to disseminate soil protection advice and best practice to farmers in the catchment area through the farm advisory network, for example; provide free on farm fertiliser spreader calibration and ensure sufficient buffer zones are enforced beside ditches to protect this internationally important habitat.
- 7.4 The Broadland Rivers Catchment Partnership and Brograve Partnership are seeking agreement and funding for innovative ways to manage water holistically (such as farming, flood, drought and wildlife), whilst protecting productive farming business and the values of the Broads historic landscape.
- 7.5 The new EU Rural Development Regulation recognises the scope for collaborative working. Ministers are keen to see the types of collaboration, which have been well delivered within National Parks for decades and more recently the Defra funded Nature Improvement Areas.
- 7.6 The purpose of this type of work is to enable and **facilitate delivery of NELMS** priorities and outcomes via complementary NELMS agreements with individual farmers, foresters and/or land managers.
- 7.7 There are three key principles to achieving this that will enable the cooperation approach to build on and go beyond what is possible through a standard individual-farm approach. These are:
- (i) Landscape scale delivery
  - (ii) Supporting and empowering groups of farmers, foresters, and/or other land managers and, where desirable/feasible, other organisations
  - (iii) Integrating delivery of a range of environmental outcomes (biodiversity, water quality, carbon storage, access etc).
- 7.8 This facilitation fund may be a good opportunity to gain additional funding to deliver the Broadland Rivers Catchment Partnership (BRCP) aims. Most elements of NELMS facilitation align with the BRCP priorities. For example, engaging with local Defra-family representatives to strengthen relationships with the agencies and land managers, is a priority of this fund that combines with the BRCP aims. The services and roles that the BRCP could offer and the potential benefits to all parties will be assessed in detail.
- 7.9 Use the evidence in this report to feed into the Natural England targeting work to prioritise areas for NELMS.

Background papers: Gelpke, S., Thompson, H., Walker, H., (2014) Management of the Marshes. Analysis of the intentions of farmers and landowners in respect of marsh management post ESA and Environmental Stewardship, Broads Authority and Norfolk Biodiversity Partnership Report. The Broads, UK.

Broads Plan Objectives: AL1, AL2, AL3, LC2, BD1, BD3, BD5.

Author: Andrea Kelly  
Date of report: 10 October 2014

Appendices: Appendix A: <http://www.broads-authority.gov.uk/broads-authority/committees/broads-authority/broads-authority-21-november-2014>

## **Broads Landscape Partnership Scheme Application**

Report by Project Manager

**Summary:** This report identifies progress in the development of an application to the Heritage Lottery Fund, Landscape Partnership Scheme and the actions which have been taken to date. Members are asked to note the current position and to support further development activity by Authority staff, to enable submission of a first round application by 1 June 2015. Members' views and comments are also invited on the strategic risk assessment and identified mitigation measures.

**Recommendations:**

- (i) To approve the Terms of Reference for the Project Board steering this project.
- (ii) To note the strategic risks associated with the project as set out in Section 3.
- (iii) To agree in principle to the submission of a first round application to the Heritage Lottery Fund, Landscape Partnership Scheme, with delegated authority to the Project Board for sign off of the application.

### **1 Background**

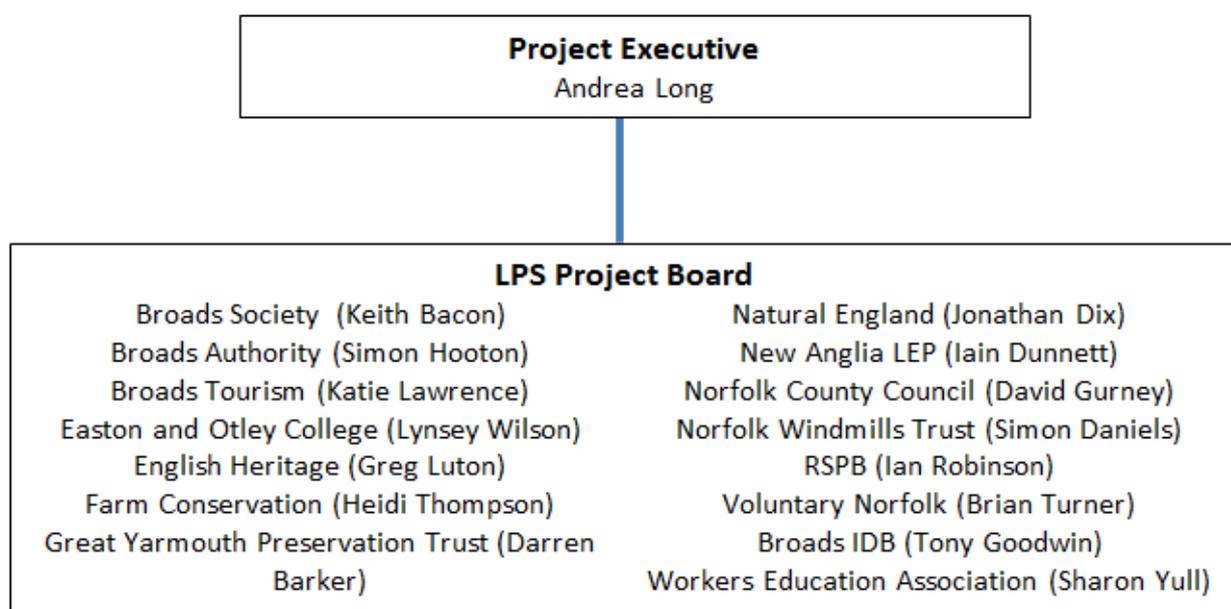
- 1.1 Members have previously agreed that there would therefore be the opportunity to identify one off additional expenditure from the National Park Grant during 2013/14 and 2014/15. A number of key areas were identified spread across the National Park purposes from which a number of flagship projects could be worked up to feasibility stage, and the appointment of a Project Manager to help support and develop this work was approved.
- 1.2 Following the decision by the Authority in May 2014, Strategic Priority 3.2 (Development of improved visitor facilities at Whitlingham Country Park) has been put on hold indefinitely and staff resources transferred to developing a potential Heritage Lottery Fund (HLF) bid for a Landscape Partnership Scheme project
- 1.3 Since then officers have had positive meetings with the Heritage Lottery Fund both in Cambridge and on site in the Broads. This has helped to define the initial project focus, opportunities and potential outcomes.
- 1.4 The proposed project area (approximately 180Km<sup>2</sup>) links the urban centres of Norwich, Great Yarmouth and Lowestoft, following the course of rivers Yare, Bure and Waveney. This area has one of the greatest concentrations of

drainage mills in Europe, is one of the most important areas for lowland breeding birds in the UK and the wetland environment offers ideal conditions for the preservation of archaeology.

- 1.5 The project aims to reconnect communities with their local landscape; to train people in the necessary skills to manage and maintain the landscape; to introduce new audiences to the area; to develop accessible information and interpretation; to conserve, restore and enhance the important landscape features; to develop and encourage partnerships and methods of sustainable management; to celebrate the significance of the area.
- 1.6 A stakeholder meeting was held on the 1 November 2014, attended by individuals from over 60 organisations and local groups. The meeting was an opportunity to introduce the project to stakeholders and for their input gathered to guide the direction of the project. Outputs from the stakeholder meeting have aided the production of the Landscape Summary document (Appendix 1)
- 1.7 A site visit to Halvergate marshes from officers of the Heritage Lottery Fund on the 17 October allowed the BA project team to introduce the concepts that the partnership have been developing. Further meetings are planned with the HLF in January 2015.

## 2 Partnership Agreement

- 2.1 For good project management, as well as being required as part of the HLF bid, it is necessary to establish the governance arrangements and provide clarity on the scope of the project, as well as the roles and contributions of the Partners. For the initial stage of the project the following diagram sets out the agreed Project Board structure;



- 2.2 The draft Partnership agreement (Appendix 2) will be discussed at the first project board meeting on the 13 November 2014. A verbal update will be given on the outcomes of this meeting.

### **3 HLF Landscape Partnership Scheme**

- 3.1 The Landscape Partnership Programme is for schemes led by partnerships of local, regional and national interests, which aim to conserve areas of distinctive landscape character.
- 3.2 Landscape Partnership Scheme applications go through a two round process. The first round application identifies the project area, project work and the delivery and development grant request amounts. If the first round application is successful, the development phase provides detailed project information, funded by the development grant. The second round submission contains detailed project information and the delivery grant request. Delivery phase follows successful second round submission and release of delivery grant funds from the HLF
- 3.3 The HLF require partners to make a contribution towards the Landscape Partnership Scheme. This “partnership funding” can be made up of cash, volunteer time, non cash contributions or a combination of all these.
- 3.4 The Broads Landscape Partnership Scheme is likely to make a grant request of £3million from the HLF and the partnership must contribute a minimum of 10% match funding.
- 3.5 If the first round submission is successful, the Broads Authority cash contribution to the Landscape Partnership Scheme will be £50k during the development phase (2015 -2017) with an additional £100k during the delivery phase (2018 – 2023). This contribution has been identified in the Draft Financial Strategy (Agenda Item 10) and replaces the contribution originally earmarked for the Whitlingham Project from the Planning Delivery Grant reserve
- 3.6 The first round application is being developed by a small team of Broads Authority officers. If the first round application is successful, the Broads Landscape Partnership would employ a project manager and part time administration officer, with these posts hosted by the Broads Authority. Additional staffing required for the delivery phase will be identified during the development phase.
- 3.7 The Landscape Partnership Scheme contributes to a number of the current Broads Plan strategic priorities relating to Landscape and Cultural Heritage; Biodiversity, Agriculture and Land Management; Promoting understanding, enjoyment and wellbeing; Tourism, recreation and access. A full list is shown at the end of the report. It will also help to deliver previously identified priorities in various Broads Authority Strategies including Integrated Access, Biodiversity and Water and Education. Officer time and resources allocated to

existing work programmes to meet strategic objectives will provide in-kind funding where they also meet Landscape Partnership Scheme objectives.

#### 4 Risk Assessment

4.1 In order to consider the risk to the Broads Authority in pursuing this project it is necessary to first consider the strategic risks to the project, and whether effective mitigating actions or measures can be put in place to reduce these or share with partners. The table below is the first draft developed following discussions with a number of other Landscape Partnership project managers.

| Strategic Risk | Risk element                                     | Risk Level            | Mitigating actions/ measures  |
|----------------|--|-----------------------|---|
|                |  | Low<br>Medium<br>High |   |
| Project Board  | Effective engagement/ attendance                 | M                     | Partnership agreement to set out decision making process  |
|                | Timely input to project                          | L                     | Schedule of meetings, verbal reports if necessary   |
|                | Reliance on small number of individuals          | H                     | Develop in house project team to support core staff.<br>Use of consultants/ partners to increase capacity.<br>Identify wider implications to BA work plan and plan accordingly.   |
| Project team   | Failure to achieve funding – BA budget ‘at risk’ | H                     | Partners to confirm contributions for match funding.<br>Expert advice for bid writing/ editing – use of landscape partnership project managers network.<br>Seek additional dialogue with HLF.<br>Restrict expenditure prior to bid award.<br>Fundraising strategy developed during second round application phase, additional resource required during development phase costed into first round submission.<br>Modify or combine project proposals (in dialogue with HLF) if partner funding withdrawn after second round funding award. |
| Funding        | Budget overrun                                   | M                     | Need accurate cost forecasts.<br>Allow for contingencies/ inflation and flexibility.<br>Beware of scope creep.  |

|                           |   |   |  |
|---------------------------|---|---|--|
|                           |   |   | Stringent procurement practices.   |
| Budget                    | Incomplete/<br>unforeseen risks to<br>long term<br>management | M | All funding needs to be in place before<br>HLF permission to start granted.  |
| Project Area              | Failure to achieve<br>landowner consent                       | H | Involve landowners from beginning of<br>process. Project area defined in first<br>round can be modified in second<br>round if evidence / need proven.      |
| Project<br>Development    | Local objections  | H | Early public engagement and<br>consultation, collaborative approach<br>with partners, identify possible<br>enhancements to scheme                          |
| Planning                  | Failure to achieve<br>consent                                 | M | Design project in accordance with<br>statutory framework and guidance  |
| Effective<br>partnerships | Failure to engage<br>with delivery<br>partners                | M | Maintain contact with project partners.<br>Identify and consult with wider<br>stakeholders.<br>Establish sub groups to develop<br>activity plans.          |
| Communication             | Failure to gain<br>wide support for<br>project                | M | Need to engage with Project<br>Champions – key supporters who will<br>advocate the project.<br>Develop a Communications Plan.<br>Engage with social media. |

4.2 From the above, the most significant risks at this stage of the project are failure to achieve funding from project partners and failure to achieve landowner permissions for work to be done.

## 5 Partner Meetings

5.1 Broads Authority officers have held meetings with selected partner organisations to explore the potential for joint working opportunities through the duration of the Landscape Partnership Scheme. The following outlines feedback from those initial partner meetings

5.2 English Heritage  
Support for project aspirations in terms of heritage structures and archaeology. Identified potential project funding opportunities English Heritage grant funding sources.

5.3 RSPB  
Support as key partners for biodiversity and land management projects within grazing marshes. Additional support for public engagement activities.

5.4 Easton and Otley College  
Support as key partners for provision of heritage skills training and for restoration of drainage mill structure. Potential additional training provider for

landscape management skills, using the Broads as a learning resource and realistic working environment for students.

- 5.5 Norfolk County Council  
Supporting the LPS bid in several areas. Historic Environment team aiding heritage structures and archaeological project development. Trails development team working to develop access projects.
- 5.6 Natural England  
Providing officer support for development of first round application.
- 5.7 Suffolk Wildlife Trust  
Officer support and links with populations in Lowestoft.
- 5.8 Officers will continue to work with partners through the first round application phase to maximise potential benefits to the project.

## 6 Next Steps

- 6.1 Officers are continuing to work with partners to develop and refine the application document for the first round application to the Heritage Lottery Fund, Landscape Partnership Scheme.
- 6.2 It is expected that a first draft of the application will be available for comment at the end of January 2015 with submission required before 12pm on the 1 June 2015.
- 6.3 Project Timeline

|      |                   | <b>Date</b>        | <b>Activity</b>   |
|------|-------------------|--------------------|---|
| 2014 | Application Phase | <b>1 October</b>   | Stakeholder and potential partner meeting. Acle Recreation Centre |
|      |                   | <b>17 October</b>  | HLF Visit and field trip to Halvergate                            |
|      |                   | <b>6 November</b>  | Broads Forum: Presentation  |
|      |                   | <b>7 November</b>  | Heritage Asset Review Group: Presentation                         |
|      |                   | <b>21 November</b> | Broads Authority: Presentation and update on progress             |
|      |                   | <b>December</b>    | Progress report to Management Team                                |
|      |                   | <b>3 December</b>  | Local Access Forum: Presentation                                  |

|      |                        |                    |  |
|------|------------------------|--------------------|--|
| 2015 |                        | <b>23 January</b>  | Draft LPS application for comment and approval for Management Team<br>Progress report to Broads Authority members                    |
|      |                        | <b>February</b>    | Progress report to Management Team   |
|      |                        | <b>20 March</b>    | Broads Authority: Update on progress   |
|      |                        | <b>April</b>       | LPS Penultimate Draft to Partners for consultation and comment and approval return by mid-April<br>Application hard copy preparation |
|      |                        | <b>1 May</b>       | LPS Application Final Draft to Project Board and Management Team   |
|      |                        | <b>1 June 12pm</b> | HLF LPS Application Deadline   |
|      | Application Assessment | <b>June</b>        | HLF Application Assessment   |
|      |                        | <b>July</b>        |  |
|      |                        | <b>August</b>      |  |
|      |                        | <b>September</b>   |  |
|      |                        | <b>October</b>     | HLF Decision   |

6.4 Members are asked to authorise in principle the submission of a first round application to the Heritage Lottery Fund, Landscape Partnership Scheme, with delegated authority to the Project Board for sign off of the detailed application.

## 7 Conclusion

7.1 Members are invited to note the further progress in the development of this project and are asked to confirm their continuing support for this project and to endorse the approach as set out in the paper.

Background papers: None

Author: Will Burchnall  
Date of report: 5 November 2014

Broads Plan Objectives: CC4, LC1, LC2, BD1, BD2, BD5, AL2, AL4, PE1, PE2, PE3, TR1, TR3

Appendices APPENDIX 1 – Landscape Partnership Project Summary  
APPENDIX 2 – Project Board Terms of Reference



# Water, Mills and Marshes:

## the Broads Landscape Partnership

### **The Marsh Landscape (key facts)**

Within the Broads, Halvergate has one of the [greatest concentrations of drainage mills in Europe](#). Halvergate is unique in that it demonstrates the [evolution of drainage mill technology](#). Management and maintenance of water levels in the [ancient dyke networks](#) provides a habitat for nationally rare flora. It is one of the top ten most [important areas for lowland breeding and over wintering birds in the UK](#). The wetland environment offers [ideal conditions](#) for the preservation of [archaeology](#), much of which lies [undiscovered](#).

### **Importance to people**

Its highly engineered flood banks, dyke networks, mill and pump structures are an [unsung testament to the centuries of human efforts to tame the Great Estuary landscape](#) for industry and commerce. The once important river trade routes have become a [nationally important recreational resource](#) for boating visitors. This expansive, remote, wild and dramatic landscape is a magnet for artists, photographers and wildlife enthusiasts. The landscape provides an opportunity to learn from the past and demonstrates how to adapt to the future.

### **The risks**

[Within the Broads, Halvergate is the least understood, least visited by land and least valued](#). There is an increasing lack of physical and emotional connection local communities have with their [landscape](#); a lack of recognition, investment and care of [heritage assets](#); [a change in economic and social drivers for land use and land and water management regimes](#); a lack of skills and knowledge to maintain landscape features; and [lack of preparation to adapt to the potential impacts of climate change](#).

### **The impacts**

The deterioration and loss of features, integral to the character of this unique wetland landscape; a loss of a national cultural resource based on the stories, skills, crafts and trades; limited opportunities for enjoyment. These impacts perpetuate the physical and emotional disconnection people have with the Halvergate marsh landscape, one the most important areas for cultural heritage and biodiversity in the Broads.

### **Aims of the project**

- [To reconnect communities with their local landscape and encourage them to invest in and develop a pride in their cultural connections with this unique and easily accessible landscape.](#)
- [To train people in the necessary skills to manage and maintain the landscape for future generations.](#)
- [To introduce diverse audiences to the landscape.](#)
- [To develop accessible information and interpretation that celebrates the significance of the area.](#)
- [To conserve, restore and enhance the important landscape features.](#)
- [To develop and encourage partnerships and methods to sustainably manage the landscape beyond the life of the scheme.](#)

### **How will this be achieved**

**Projects with communities to support, involve, inspire and cherish their local landscape.**  
**Projects with people to provide skills training to manage and maintain the landscape features and to encourage access and active enjoyment of the landscape.**  
**Projects with heritage to explore, repair, conserve, enhance, document, and make it more accessible.**

## **DRAFT PARTNERSHIP AGREEMENT**

relating to

### **The Broads Landscape Partnership Project Board**

#### **1. Context**

- 1.1. Water, Mills and Marshes: The Broads Landscape Partnership Project Board (PB) will oversee the development of a Landscape Partnership Scheme (LPS) application focusing on the Halvergate Conservation area and the historic grazing marsh landscape, which lies between Norwich, Great Yarmouth and Lowestoft.
- 1.2. A first round funding application will be submitted to the Heritage Lottery Fund (HLF) by 1<sup>st</sup> June 2015. If successful, then a second round application will be developed by the Partnership. This will include a Landscape Conservation Action Plan (LCAP) and Audience Development Plan, which will be overseen by the PB and guide delivery against an agreed work programme.

#### **2. Purpose**

- 2.1. This Partnership Agreement is made and entered into by the parties listed in Appendix A and signifies a statement of intent to collaborate, but is not a legally binding document.
- 2.2. Its purpose is to establish a framework of partnership working within which the Broads Landscape Partnership scheme can be successfully developed and delivered.

#### **3. Duration of Agreement**

- 3.1. This Partnership Agreement runs until 31<sup>st</sup> October 2015 in the first instance. The Partnership Agreement may be modified or amended upon the written consent of all parties following discussion at a PB meeting.
- 3.2. If the first round bid is successful the Partnership Agreement would, in the first instance, be extended to cover the duration of the second round development phase (currently expected to be 1<sup>st</sup> November 2015 to November 2017)
- 3.3. If the second round bid is successful the Partnership Agreement would be extended to cover the duration of the LPS delivery program (likely to run

from January 2018 to December 2022)

#### **4. Lead Partner**

- 4.1. The Broads Authority will act as the 'Lead Partner' responsible for facilitating, developing and administering the LPS and the HLF grant.
- 4.2. The grant from HLF will be held by the Broads Authority in a clearly identified account.

#### **5. Staffing**

- 5.1. If the first round bid is successful, the Landscape Partnership will recruit and employ a Project Manager, hosted by the Broads Authority, during the development phase for 37 hrs per week. It is anticipated that this post will run from November 2015 to November 2017.
- 5.2. Day to day line management of the Broads Landscape Partnership Project Manager, during the development of the second round bid, will be provided by the Broads Authority, Director of Planning and Resources.
- 5.3. The Broads Landscape Partnership Project Manager post would terminate on the submission of the second round bid (November 2017)
- 5.4. If the second round bid is successful, the Landscape Partnership will recruit and employ the following members of staff to deliver the Landscape Partnership Project.
  - Project Manager
  - Administration officer (part time post)

These officer posts will be hosted by the Broads Authority. Further staff requirements and relevant hosts will be identified during the first round application phase.

#### **6. The Broads Landscape Partnership Board**

- 6.1. Full Terms of Reference for the PB are included as Appendix B.
- 6.2. The Broads Authority, being the project lead, the partnership board will be chaired by Andrea Long, Broads Authority Director of Planning and Resources. A Vice-Chair will be elected from the partnership board's membership.
- 6.3. If the first round bid is successful, the LPS Project Manager will attend PB meetings so that appropriate reporting takes places.
- 6.4. If the second round bid is successful, the LPS Project Manager will attend PB meetings so that appropriate reporting takes place.
- 6.5. The Broads Authority will provide secretariat support to the PB meetings,

including minute taking, and will provide an agenda and necessary supporting papers for each meeting. Although in later stages this function may be fulfilled by the Project Administration Assistant.

## **7. The Broads Landscape Partnership Wider Stakeholders**

7.1. A wide range of stakeholders will assist the PB in fulfilling its aims and responsibilities. If the first round bid is successful a wider stakeholder group will be developed, based on the Broads Landscape Partnership Stakeholder workshop. This wider stakeholder group will have interests in contributing to and benefitting from the program and some will be responsible for project delivery under the three main program outcomes :

7.1.1. Outcomes for heritage

7.1.2. Outcomes for people

7.1.3. Outcomes for communities

7.2. From time to time 'task and finish groups' will be used to support the development of collaborative and innovative project ideas which fit with the LCAP and the overall vision and objectives of the Landscape Partnership. Model Terms of Reference for these groups are shown in Appendix C.

## **8. Accounting and Reporting to the Heritage Lottery Fund and Broads Authority Members**

8.1. The Broads Authority will be responsible for formal reporting to the Heritage Lottery Fund (HLF) and to Broads Authority Members on progress being made towards meeting the milestones set out in the development and delivery plans.

8.2. Draft copies of any HLF and BA reports will be circulated to all PB members for comment prior to submission.

## **9. Intellectual Property**

9.1. Any materials resulting from the development and delivery of the LPS are copyrighted to the Broads Authority as the Lead Partner and will be covered by the creative commons attribution – non-commercial –ShareAlike 4.0 International licence.

9.2. When the LPS ceases to operate, any related materials will be digitally stored by the Broads Authority for at least seven years and made available to the public on request.

## **10. Monitoring and Audit**

- 10.1. All parties agree to participate in monitoring and evaluating the LPS to assess whether both the overall scheme and its individual component projects are achieving the agreed aims.
- 10.2. The Broads Authority will provide the PB with copies of the management accounts for the scheme as part of the PB meeting process.
- 10.3. The management of the LPS's funding will be audited as part of the Broads Authority standard audit procedures and through any audit requirements of HLF.

## **11. Public Relations**

- 11.1. A 'brand' for the LPS will be created during the development phase and be put to the PB for agreement.
- 11.2. The PB will give the Landscape Partnership Project Manager delegated powers, in conjunction with the Broads Authority Communications Team, to issue press releases and other external communications as are deemed fit to promote the LPS and its work.
- 11.3. The LPS Project Manager shall be the first point of contact for any media enquiries.

## **12. Declarations of Interest**

- 12.1. All parties agree to be transparent on matters concerning the development and delivery of the Broads Landscape Partnership scheme and to declare any interests, which may reasonably be perceived to conflict.

## **13. Dispute Resolution**

- 13.1. Any difference of opinion or dispute arising out of or in connection with this Partnership Agreement shall be referred to the Chair of the PB, who will endeavour to resolve it within the spirit implicit in the co-operation agreement.

## **14. Administrative Point of Contact**

- 14.1. The administrative point of contact for this Agreement is Lottie Carlton of the Broads Authority.

## Appendix A – Parties to this Agreement

Landscape Partnership Board member organisations as follows:

- Broads Authority
- Broads Internal Drainage Board
- Broads Society
- Broads Tourism
- Easton and Otley College
- English Heritage
- Farm Conservation
- Great Yarmouth Preservation Trust
- Natural England
- New Anglia Local Enterprise Partnership
- Norfolk County Council
- Norfolk Windmills Trust
- RSPB
- Voluntary Norfolk
- Workers Education Association

*Landscape Partnership Advisory partners:*

To be included at a later date

Other potential Landscape Partnership Project delivery organisations

## Appendix B – Partnership Board Terms of Reference

### 1. The Partnership Board's Role

- 1.1. The role of the Partnership Board (PB) will be to provide strategic direction through the development of the first round submission to the Heritage Lottery Fund's Landscape Partnership Scheme (LPS) Program. If successful, the PB will provide strategic direction during the second round application phase, the development of the Landscape Conservation Action Plan (LCAP), Audience Development Plan and Operational Work Plans of the LPS. If this is successful, the role of the PB will be to provide strategic direction through the delivery phase of the LPS scheme.
- 1.2. The Board's responsibilities will be :
  - 1.2.1.1. To guide and advise on the development of the first round application to the HLF
  - 1.2.1.2. To guide and advise on the development of the LCAP for the LPS program.
  - 1.2.1.3. To have a strategic overview of the functioning of the LPS and make recommendations on the implementation of the LCAP and scheme proposals (or any changes to them).
  - 1.2.1.4. To monitor and evaluate the work program strategic outputs or outcomes and associated costs to ensure the development and delivery phases remain on track to meet the agreed targets.
  - 1.2.1.5. To approve projects making applications to receive funding from the HLF grant ensuring that they fit with the overall LPS vision and objectives.
  - 1.2.1.6. To receive and scrutinise monitoring reports from the LPS Project Manager and make recommendations if areas of concern arise.
  - 1.2.1.7. To monitor the LPS program's budget and oversee expenditure, making recommendations for virement or other appropriate changes to the Lead Partner, for onwards communication to HLF.
  - 1.2.1.7 To oversee the preparation of progress reports for the HLF and the Broads Authority Members by the LPS Project Manager.
  - 1.2.1.8 To publicise the LPS and encourage the development of collaborative, innovative and sustainable projects.
  - 1.2.1.8 To enable wide partner support by acting as advocates for the LPS and encouraging community participation.
  - 1.2.1.9 To elect, annually, a Vice-Chair who will collectively with the Chair provide leadership to the LPS.

## **2. Partnership Board membership requirements**

- 2.1. Members should demonstrate that they meet the criteria outlined in Annex 1, the Broads Landscape Partnership Board Member Job Role.
- 2.2. Any Board member failing to attend or provide a substitute to attend in their absence for three consecutive meetings will be deemed to have retired, unless that member provides a satisfactory reason for non-attendance to the Project Manager.
- 2.3. Board members may on occasion need to share confidential information. Members must respect the confidentiality of any information that is imparted in confidence; either at Board meetings or in conversations between Board members, and on no account disclose it to third parties without the prior consent of the information owner.
- 2.4. Board members are required to register in advance of or at the beginning of each Board meeting, any interest they have or might be perceived to have in any item on the agenda. In the case of pecuniary interest (to themselves or to the body, which they represent) they will be permitted, when the item is discussed, to provide factual information to the meeting, but will withdraw from the meeting once other members have had the opportunity to question them, and before any decision is taken.

## **3. Membership**

- 3.1. The Board will consist of representatives of the public, private, voluntary and community sectors.
- 3.2. In addition to the Chair, the Board will be made up of the following organisations and one representative from each member organisation may attend Board meetings:
  - Broads Authority
  - Broads Internal Drainage Board
  - Broads Society
  - Broads Tourism
  - Easton and Otley College
  - English Heritage
  - Farm Conservation
  - Great Yarmouth Preservation Trust
  - Natural England
  - New Anglia Local Enterprise Partnership
  - Norfolk County Council
  - Norfolk Windmills Trust
  - RSPB
  - Voluntary Norfolk
  - Workers Education Association

- 3.3. In the event that the nominated representative from a member organisation cannot attend a meeting, he/she may nominate a substitute to attend in his/her place.
- 3.4. The Board will have the ability to co-opt additional expertise onto the Board in a non-voting capacity to support particular projects or aspects of the LPS program.

#### **4. Election of Vice-Chair**

- 4.1. Board members must elect or re-elect a Vice-Chair annually.
- 4.2. Nominations for the Vice-Chair will require a formal proposer and a seconder to submit details of the nominee to a Board meeting.
- 4.3. Nominees for this role must demonstrate that they have the required skills for the position as outlined in Annex 2, the Broads Landscape Partnership Vice-Chair Job Role.
- 4.4. The Board will take a vote on all nominees and record the result in the minutes.
- 4.5. The nominee receiving the most votes will be elected as Vice-Chair.

#### **5. Meeting/Operating Requirements**

- 5.1. The Board will meet quarterly or more frequently depending upon the needs of the programme.
- 5.2. If operational needs necessitate it, agreement can be made by email in lieu of formal meetings
- 5.3. Wherever possible, meetings will be held at a venue within or close to the Norwich.
- 5.4. Meetings will normally be closed to the public, however the Board may choose to hold public sessions when appropriate.
- 5.5. Agendas and relevant papers will be circulated to members at least one week before each meeting, whenever possible.
- 5.6. Minutes will be kept to record all decisions made by the Board and circulated within two weeks of a meeting.
- 5.7. Regular progress reports will be provided for the meetings of the Broads Authority Members.

## **6. Decision Making**

- 6.1. The Board will only be quorate when over 50% of Board members are present.
- 6.2. Should 'written procedures' be required Board members will be asked to make a formal response within the time specified by the Project Manager. Responses received after this deadline may not be counted.
- 6.3. Consideration and approval of project ideas, concepts and business cases will follow the procedures set out within the LPS program's grant making procedures.
- 6.4. The Board will seek to reach agreement on recommendations by discussion and consensus. When a formal vote is required each member (or substitute) shall be entitled to one vote and decisions will be made based on a simple majority of those present and entitled to vote.
- 6.5. The Chair or in their absence the Vice or acting Chair will have the casting vote if there is a split decision.

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## **Annex 1 – Broads Landscape Partnership – Board Member Job Role**

### **Role overview**

The key role of LPS Board members will be to provide strategic direction to Broads Landscape Partnership through the development, delivery and review of the Landscape Conservation Action Plan (LCAP).

### **Term of office**

LPS Board members are permitted to serve initially until the end of the LPS First Round application process at the end of October 2015.

If the First Round application is successful the LPS Board will be reconvened in November 2015 and remain until the Second Round submission is made in November 2017.

If the Second Round application is successful, the LPS Board will be reconvened in January 2018 and then be dissolved at the end of the program in 2022...

### **Duties**

As outlined out in para 1.2 of the Partnership Board Terms of Reference.

### **Personal Attributes for LPS Board Members**

The following personal attributes are required:

- Commitment to the LPS and its vision and objectives as outlined in the LCAP.
- Willingness to devote the necessary time and effort, at least four meetings per year.
- Integrity and good interpersonal skills.
- Ability to think creatively and with vision.
- Ability to work effectively as a team member with a shared sense of purpose.
- Willingness to learn and be informed of both the activities of the LPS and the context in which it operates.
- Understanding and acceptance of the legal duties, responsibilities and liabilities of LPS Board membership.

## **Skills and Expertise for LPS Board Membership**

To have a competent and effective LPS Board, its members should collectively possess the following skills, experience and expertise:

- Local knowledge, experience, expertise and any relevant qualifications within their field of work that relate to the three main program outcomes.
- An understanding of the Broads and its priorities.
- Understanding of the language and structures of the LPS and experience of partnership working.
- Ability and willingness to be an active ambassador for the LPS through networking and marketing the LPS program to appropriate individuals, communities and organisations.

Please note members are NOT expected to possess all of these attributes/skills individually.

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## **Annex 2 – Broads Landscape Partnership – Chair and Vice-Chair Role**

### **Role overview**

The Chair is responsible for ensuring that the LPS Board as a whole is enabled to play a full and constructive part in the development and determination of the LPS scheme and its overall vision and objectives.

The Vice-Chair or acting Chair is responsible for carrying out this role in the Chair's absence.

### **Term of office**

The LPS Vice-Chair is appointed by the LPS Board. The candidate is recruited from within the LPS Board membership and will serve for one year. At the end of that period, the LPS may re-appoint that person as Vice-Chair or appoint another member to that role.

### **Duties**

In addition to the commitments and responsibilities of being a LPS Board member, the Chair, or the Vice-Chair in their absence or acting Chair in their absence, will need to fulfil the following functions and responsibilities:

- Chair LPS Board meetings and be the guardian of the LPS Board's decision-making process.
- The Chair will have the responsibility for casting the deciding vote when a split decision occurs.
- Maintain a close working relationship with the LPS Program team, particularly prior to meetings, to ensure that action points and recommendations have been or are being dealt with.
- Ensure that the requirements for membership, meetings and decision-making outlined in the Terms of Reference for the LPS Board are being adhered to.
- Represent and promote the Broads LPS to a wide range of stakeholders and be a public relations figurehead for the LPS Board.
- Represent the LPS externally, on any local, regional or national meetings.
- Ensure that all constituents of the LPS, i.e. Board, the Project Delivery Team and Task & Finish Groups complete their assigned tasks satisfactorily.

## **Personal Attributes and Competencies for the LPS Chair and Vice-Chair**

The LPS Chair and Vice-Chair will have the same personal attributes required for LPS Board membership with the following additions:

- Good communicator; can speak clearly and confidently.
- A good listener who can effectively summarise the main points of a discussion and identify key action points or follow up recommendations.

## **Skills and Expertise for the LPS Chair and Vice-Chair**

The LPS Chair and Vice-Chair will have the same skills and expertise required for LPS Board membership with the following additions:

- Knowledgeable about the terms of reference for the LPS Board.
- Proven experience in managing/facilitating meetings including skills in managing group conflict, timekeeping and the ability to question.
- Experience and/or proven ability to fill a leadership role, which includes the ability to speak in public.
- Good motivational skills. The Chair and Vice-Chair should instil enthusiasm in the LPS Board for the vision and objectives outlined in the Landscape Conservation Action Plan (LCAP).

## **Annex 3 – Task and Finish Groups Model Terms of Reference**

### **1. Background**

1.1. The role of the task and finish groups will be to stimulate and develop appropriate projects to deliver the LPS's vision and objectives. The groups will include stakeholders from the wider community and people who have expertise and interest in one of the three program outcomes:

1.1.1. Outcomes for heritage

1.1.2. Outcomes for people

1.1.3. Outcomes for communities

### **2. Task and Finish Groups' Role**

2.1. To discuss within the group issues relating to the three program outcomes and bring forward suggestions, knowledge and initiatives that will meet the key objectives of that program outcome.

2.2. To provide specific program input to the Landscape Conservation Action Plan (LCAP).

2.3. To broaden knowledge and expertise, involving wider stakeholders in the monitoring and evaluation of the program where this is deemed necessary.

2.4. To receive project idea, related to the program area and carry out a supportive scrutiny to determine projects' feasibility.

### **3. Membership Requirements**

3.1. Although there will be no formal membership requirement for the task and finish group members, they will need to have the appropriate expertise/skills

3.2. Invitations to join task and finish groups will be extended by the PB Chair/Vice- Chair as and when required.

### **4. Meetings/Operational Requirements**

4.1. Task and finish groups will meet when necessary depending upon the scale of the business in hand.

4.2. Wherever possible, meetings will be held at a venue within or close to the Norwich area.

- 4.3. Meetings will be facilitated by the LPS Delivery Team, an LPS Board member or an external facilitator.
- 4.4. Agendas and relevant papers will be circulated to attendees at least one week before each meeting, whenever possible.
- 4.5. Action points will be kept to record any recommendations made by the task and finish groups.
- 4.6. Dissolution of the task and finish groups can only be made by agreement of the LPS Board.

**5. Decision Making**

- 5.1. The task and finish groups will not be required to make any formal decisions.

**Formal signatures**

I/we agree to terms of the Partnership Agreement for the Broads Landscape Partnership Board.

Signed by.....

On behalf of (name of organisation).....

Date.....

**Public Question Time Scheme of Operation**  
Report by Head of Governance and Executive Assistant

|                        |  |
|------------------------|--|
| <b>Summary:</b>        | This report provides an amendment to the Broads Authority's Public Question Time Scheme of Operation to facilitate the ability for members of the public to ask a question, make a statement or present a petition without being present at the meeting. |
| <b>Recommendation:</b> | That the Authority adopts the amended Public Question Time Scheme of Operation detailed in Appendix 1 for all Authority and Committee meetings.  |

## **1 Introduction**

- 1.1 During its meeting on 23 October 2014 the Navigation Committee recommended that the Authority reviewed the Public Question Time Scheme of Operation and consider whether a question, statement or petition could be addressed at a meeting, without the requirement for the member of the public providing the question, statement or petition to be present.
- 1.2 The Public Question Time Scheme of Operation has been reviewed in consultation with the Chairman and Vice-Chair of the Authority and the Chairmen or the Committees. The tracked change amendment in Appendix 1 enables a member of the public to ask a question, make a statement or present a petition without being present at the meeting, which is in line with the practice being adopted by some local authorities. It also makes it clear that vexatious representations will not be included and details that the Information Commissioner's Office guidelines will be used to determine whether such representations are vexatious. The amendment also makes a link to the separate arrangements for public speaking at the Planning Committee to help provide a distinction between the two arrangements.
- 1.3 The amended Public Question Time Scheme of Operation will enable greater engagement with members of the public during the meetings of the Broads Authority and its Committees and it is recommended that members adopt the new scheme at Appendix 1 for all Authority and Committee meetings.

Background papers: Nil

Author: John Organ  
Date of report: 4 November 2014

Broads Plan Objectives: None  
Appendix: APPENDIX 1 – Public Question Time Scheme of Operation

## Public Question Time Scheme of Operation

A member or members of the public may ask a question, present a petition or make a statement on any matter which relates to the business of the Broads Authority or any of its committees. Please note that this Scheme of Operation is not applicable for Planning Committee meetings. A separate scheme is open to the public for Planning Committee meetings, and applicants and objectors to development proposals may speak to the Committee under the Public Speaking at Planning Committee arrangements.

Twenty minutes are allowed at the beginning of Authority and Committee meetings (other than the Planning Committee) for dealing with public questions, petitions and statements.

If you would like to submit a question, petition or statement, written notice of at least four working days should be given to the Chief Executive providing the subject matter and the address and contact number of the person asking the question, presenting the petition or making the statement.

Petitions should include the nature and object of the petition. If a person wants to make a statement in support of or as background for their question or petition, this statement should be included.

The maximum time allowed for a statement will be ~~three~~ five minutes.

Any questions, petitions or statements deemed by the Chief Executive (in consultation with the Chairman) to be vexatious, defamatory or which relate to a specific officer or member will not be included and the member of the public will be informed. The guidance provided by the Information Commissioner's Office concerning vexatious requests in relation to the Freedom of Information Act will be used to determine whether a question, petition or statement is deemed to be vexatious. In consultation with the person the Chief Executive (following consultation with the Chairman) may edit a question or statement to summarise the content or remove defamatory remarks.

~~The person must be at the meeting to ask the question, present the petition or make the statement. If they are unable to attend the meeting, the question, petition or statement will be withdrawn from the agenda. In such instances a written answer will be provided to any questions within 20 working days.~~

### What happens in the meetings?

The Chairman ~~or Vice-Chairman~~ will invite the questioner to read his/her question and, where included within the written notice, allow them to make a statement explaining it. A prepared response will be spoken by the Chairman ~~or Vice-Chairman of the Authority or the relevant Committee Chairman~~.

The questioner may be allowed to ask a supplementary question which may be answered by the ~~appropriate Committee~~ Chairman or an officer if the necessary information is available. If not, a written answer will be provided within 20 working days.

Following questions, the Chairman will invite members of the public to deliver their petitions and, where included within the written notice, allow them to make a statement. Following delivery of petitions, the Chairman will invite statements to be read.

Except at the discretion of the Chairman there will be no debate during Public Question Time on question(s) and answer(s) provided, or petitions and statements presented. However, if members of the Authority meeting so decide, it may be agreed to refer the matter to the next appropriate meeting and request an officer's report.

If a member of the public is not able to attend the meeting to ask a question, present a petition or make a statement, these will still be represented to the meeting by the Chairman, together with the responses in the case of questions.

A record of questions and their replies, petitions delivered and statements made is recorded in the formal minutes of the meeting.

**Delegation to Financial Scrutiny and Audit Committee**  
Report by Head of Governance and Executive Assistant and Head of Finance

**Summary:** This report provides a proposal to provide a standing delegation to the Financial Scrutiny and Audit Committee to determine any payments or honoraria to staff which are not within the powers delegated to the Chief Executive.

**Recommendation:** That the Authority endorses the amendment to the Broads Authority's Terms of Reference of Committees, as detailed in Appendix 1, providing a standing delegation for the Financial Scrutiny and Audit Committee to determine any payments or honoraria to staff which are not within the scope of the powers delegated to the Chief Executive.

## **1 Introduction**

- 1.1 The Broads Authority's Terms of Reference of Committees currently reserves the power with the Full Authority to determine any ex-gratia payments or honoraria to staff which are not within the scope of the powers delegated to the Chief Executive (currently £5,000). In May 2014, the Authority agreed an updated Pension Employer Discretions Policy, to take account of the changes to the LGPS in April 2014, which set out that any proposals to exercise the discretions in paragraphs 1 (except where Regulation 15(5) applies), 2, 3 (where there are financial implications for the Authority), 4, 5 or 9 of the Policy should be referred to the Authority for approval; where these are outside the scope of the powers delegated to the Chief Executive.
- 1.2 There have been several occasions over the last few years when the Broads Authority has had to consider payments to staff (ie for redundancy and early retirement) and has on each occasion delegated the matters to the Financial Scrutiny and Audit Committee (FSAC) for determination. Some payments which the Broads Authority may have to consider will be time sensitive and could not be dealt with during the normal timetable of meetings. Given that the Broads Authority has previously provided expressed delegations to the FSAC on payments to staff, it is recommended that this be incorporated as a standing delegation within the FSAC's Terms of Reference, with Special Meetings of the FSAC being convened if timings of a decision so demand. This will reflect previous practice and will have the additional benefit that Special Meetings of the FSAC can be convened more easily than is the case for the whole Authority, which is likely to be beneficial in those cases where expediency is important, and will help to minimise the costs of meetings to the Authority.

- 1.3 The Broads Authority's Terms of Reference of Committees has been updated in tracked changes at Appendix 1 to reflect this amended delegation, which members are requested to endorse.

Background papers: Pension Employer Discretions Policy, Financial Performance and Direction report, Agenda Item 9, Broads Authority 16 May 2014

Authors: John Organ, Titus Adam  
Date of report: 4 November 2014

Broads Plan Objectives: None

Appendix: APPENDIX 1 – Broads Authority Terms of Reference of Committees

## **Broads Authority**

### **Terms of Reference of Committees**

#### **General Duty**

It is the general duty of the Authority to manage the Broads for the purposes of:

- (a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
- (b) promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and
- (c) protecting the interests of navigation.

In discharging its functions the Authority shall have regard to-

- (a) the national importance of the Broads as an area of natural beauty and one which affords opportunities for open-air recreation;
- (b) the desirability of protecting the natural resources of the Broads from damage; and
- (c) the needs of agriculture and forestry and the economic and social interests of those who live or work in the Broads.

#### **Powers Reserved to the Full Broads Authority**

##### **A Policy**

- (1) To set the Authority's overall policy and direction, including adopting and varying key documents such as the Broads Plan.
- (2) To adopt the Broads Local Development Scheme and the Broads Local Development Framework and its local development documents and approve any revisions which have policy implications.
- (3) To approve the list of annual strategic priority and key milestones.
- (4) To initiate special policy studies and investigations of particular significance to the Broads.
- (5) To approve the Authority's response to consultation papers which have strategic or policy importance for the Broads or the work of the Authority.

## **B Finance**

- (6) To appoint an officer to be responsible for the proper administration of the Authority's financial affairs in accordance with section 17 of the Norfolk and Suffolk Broads Act 1988.
- (7) To approve the annual consolidated (general and navigation income and expenditure) budget (the latter after consultation with the Navigation Committee), to fix navigation tolls (after consultation with the Navigation Committee) and to approve additional expenditure over and above that provided for in the approved budgets.
- (8) To adopt the annual Statement of Accounts.
- (9) To monitor the resources of the Authority, and to have responsibility for the following specific matters:
  - (i) making decisions about raising, varying or redeeming loans;
  - (iii) approving individual grants which are not within the scope of the powers delegated to the Chief Executive;
  - (iv) writing off any obsolete stores or equipment, loss of property or debt owing to the Authority insofar as such matters are not within the scope of the powers delegated to the Treasurer and Financial Adviser;
  - (v) approving the Annual Investment Strategy.
- (10) To monitor projects undertaken by the Authority, with particular regard to the letting of and compliance with contracts.

## **C Navigation**

- (11) To apply for and object to Harbour Revision Orders (after consultation with the Navigation Committee).
- (12) To approve the closure of navigations for conservation purposes (except in cases of emergency, after consultation with the Navigation Committee).
- (13) To perform the role of Duty Holder under the Port Marine Safety Code, and to appoint the Designated Person.

## **D Conservation**

- (14) To make decisions about the exercise of the Authority's functions in respect of conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads in accordance with the powers and duties set out under Sections 4 and 5 the Norfolk and Suffolk Broads Act 1988.

## **E Recreation and Tourism**

- (15) To make decisions about the exercise of the Authority's functions in respect of promoting the enjoyment of the Broads by the public as set out in Schedule 3 of Part II of the Norfolk and Suffolk Broads Act 1988.

## **F Committees and Members**

- (16) To approve the setting up of any standing committees.
- (17) To approve the terms of reference of all committees.
- (18) To appoint members to any standing committee of the Authority (subject, in respect of the Navigation Committee, to prior consultation with that committee).
- (19) To appoint members to outside bodies where this function does not stand referred to another committee.
- (20) To approve the annual timetable of Authority and committee meetings.
- (21) To approve the Code of Conduct for Members.
- (22) To appoint the Authority's Monitoring Officer.
- (23) To consider and if necessary act on recommendations from the Hearings Committee in respect of matters relating to complaints of non-compliance with the Authority's Code of Conduct.
- (24) To set members allowances.
- (25) To make Standing Orders in relation to the business of the Authority.

## **G Personnel Matters**

- (26) To determine the grading, salary and terms and conditions of service of the Chief Executive.
- (27) To make arrangements for and approve the appointment of the Chief Executive.

(28) To adopt amendments to local conditions of service where there are unresolved objections from members of staff and/or trade unions.

~~(29) To determine any ex-gratia payments or honoraria to staff which are not within the scope of the powers delegated to the Chief Executive.~~

## H General

~~(3029)~~ To make byelaws (after consultation with the Navigation Committee in the case of byelaws relating to the navigation area).

~~(310)~~ To make proposals for:

- (i) the variation of the area of the Authority;
- (ii) the variation of the navigation area (after consultation with the Navigation Committee); and
- (iii) the alteration of the Authority's constitution.

~~(321)~~ To promote and oppose local Bills.

~~(323)~~ To exercise Compulsory Purchase Powers.

~~(334)~~ To take decisions:

- (i) to exercise powers not hitherto exercised by the Authority;
- (ii) to cease to exercise any power of the Authority;
- (iii) involving the exercise of any powers of the Authority by any body other than the Authority or the Committee of the Authority to which those powers then stand delegated; and
- (iv) involving the endowment of the Authority with powers not hitherto held by it.

### **Powers Reserved to Committees: General Clauses**

- (1) Any mention in the following terms of reference and delegations of any Act or statutory instrument or of any section or clause shall be deemed to refer to the same as at any time amended. Where that Act, instrument, section or clause has been replaced, consolidated or re-enacted, with or without amendment, such mention shall be deemed to refer to the relevant provisions of the replacing, consolidating or re-enacting statute or instrument.
- (2) References to powers and duties under any Act include powers and duties under any statutory instrument made under that Act.

- (3) No general reference of a power, duty, function or other matter to a committee shall include any matters specifically referred to another committee.
- (4) It is a condition of all delegations to all committees that they must report all important steps taken by them in exercise of their delegated powers to the extent necessary to ensure that all members of the Authority are broadly aware of the progress and the problems of the Authority in every sphere.
- (5) All delegated powers must be exercised in accordance with the approved Business Plan and budgets and the Standing Orders and Financial Regulations of the Authority.

## **1 Navigation Committee**

### **Matters Arising from the 1988 Act (as amended by the 2009 Act)**

- (1) To be consulted on:
  - (i) proposals to vary the navigation area (section 8(4) and the area of jurisdiction of the Authority (schedule 7 paragraph 5);
  - (ii) all the matters listed in section 9 (6) namely:
    - (a) before delegating any function of the Authority in relation to the navigation area to any person;
    - (b) before appointing any member of the Navigation Committee under this section;
    - (c) before proposing, determining or bringing into force any new policy, plan, strategy or procedure or any change to an existing policy, plan, strategy or procedure which may significantly affect the use or enjoyment of the whole or any part of the navigation area;
    - (d) before determining any application for planning permission which may significantly affect the use or enjoyment of the whole or any part of the navigation area and which materially conflicts with any policy, plan, strategy or procedure of the Authority;
    - (e) on the preparation of the annual budget, including in particular any income or expenditure attributable to the navigation area;
    - (f) (except in case of urgency) before incurring expenditure which may have a significant effect on the use or enjoyment of the whole or any part of the navigation area and which has not been specifically provided for in the annual budget approved by the Authority;
    - (g) before applying for any amendment of or alteration to the Navigation Committee's constitution as set out in this section or the Authority's constitutions as set out in section 1 of this Act or any change to the functions of the

Authority in relation to the navigation area as set out in Part II of and Schedule 5 to this Act and under Parts 2 and 3 of the 2009 Act.

- (iii) making, varying or revoking any byelaws under subsection 10(3) (see section 10(17) (a));
- (iv) making any appointment under subsection 10(7) (see section 10(17)(b));
- (v) determining any application for a works licence (see section 11 (13)).
- (vi) determining the level of any tolls or other charges to be imposed in respect of the navigation area or adjacent waters. (see section 13 (3)).
- (vii) The exercise of the powers under Part I of Schedule 5 (as required by paragraph 16 of Schedule 5). These functions are:
  - (a) Maintenance and improvement;
  - (b) Dredging;
  - (c) Communication with vessels ;
  - (d) Byelaws;
  - (e) Supplementary provisions in relation to byelaws;
  - (f) Contravention of byelaws
  - (g) Information as to navigation by pleasure craft;
  - (h) Temporary closure of waterways;
  - (i) Repair of landing places etc;
  - (h) Removal of wrecks etc;
  - (i) Nature conservation.
- (viii) The exercise of the powers under Part III of Schedule 5 (as required by paragraph 16 of Schedule 5) concerning New rights of navigation (see paragraph 23 of Schedule 5).

### **Broads Authority Act 2009**

- (2) To be consulted on:
  - (i) any proposal to give, amend or revoke a general direction (see sections 4 and 5 and schedule 1);
  - (ii) designating under section 14 any category of small unpowered vessels (see section 16(5)).
  - (iii) designating, amending or revoking any part of the navigation area as a zone where waterskiing or wake boarding is to be permitted (see section 26(5)).

## **Other**

(3) To be consulted on:

- (i) applications for harbour revision orders.

## **Matters Arising from the Legal Agreements with National Boating Bodies in respect of the Broads Authority Act 2009**

(Note that these overlap the provisions listed above)

(4) To be consulted on:

- (i) implementation of the provisions in the 2009 Act;
- (ii) information to be included on the application forms for registration and payment of tolls;
- (iii) introduction of the Boat Safety Standards;
- (iv) inspection procedure for vessels;
- (v) removal of vessels procedures;
- (vi) request for information procedure (including visiting craft);
- (vii) hire boat licensing conditions;
- (viii) policy for the temporary closure of waterways for recreational purposes.

(5) To agree changes to the exemptions in respect of Boat Safety Standards as set out in section 16(6). (NB: This provision in the Agreement was intended to prevent the removal of any of the exemptions, which the 2009 Act now secures. However, the wording of the Agreement means that the Committee's agreement is required to add to the exemptions in section 16(6).

(6) To agree exemptions from the need for compulsory insurance for small unpowered craft (see also section 16(5)).

(7) To agree the format of financial reporting on navigation matters.

(Note: The requirement to consult under the legal Agreements extends to changes to anything previously agreed by the Authority following consultation).

## **2 Planning Committee**

In accordance with the Code of Practice for Members of the Planning Committee:

(8) To consider and make recommendations to the Authority on the contents of the Broads Plan and Business Plan.

- (9) To make recommendations to the Broads Authority on plan making functions with the objective of contributing to the achievement of sustainable development.
- (10) To prepare a statement of community involvement for the preparation and revision of Local Development Documents and for the exercise of the Authority's functions in relation to development control.
- (11) To make recommendations to the Authority on the preparation and maintenance of the Local Development Scheme and on the contents of the Broads Local Development Framework and its Local Development Documents, and to ensure that the Local Development Framework is kept under review.
- (12) To respond to consultations from Government and other agencies and organisations in respect of any matter for which powers are delegated to this Committee.
- (13) To keep under review matters which are likely to affect the development of the area or the planning of its development including relevant matters in any neighbouring area and make representations accordingly.
- (14) In accordance with the policies and any directions of the Authority, to exercise the powers and duties of the Authority relating to:
  - (i) development control, including the determination of planning applications, enforcement, revocation, modification and discontinuance orders, completion notices and Section 106 Agreements;
  - (ii) buildings of architectural and historic interest and town schemes (including their grant aid);
  - (iii) conservation areas;
  - (iv) ancient monuments;
  - (v) trees;
  - (vi) derelict and waste land;
  - (vii) advertisements;
  - (viii) the stopping up and diversion of public paths affected by development proposals and the downgrading of highways for amenity purposes;
  - (ix) hazardous substances;

- (x) certificates of appropriate alternative development;
  - (xi) litter, abandoned motor vehicles and rubbish;
  - (xii) goods vehicles operator's licences;
  - (xiii) conservation of buildings and vessels, etc., under paragraph 42 of Schedule 3 to the Norfolk and Suffolk Broads Act 1988;
  - (xiv) spatial plans;
  - (xv) determining whether approval be given for the exercise of permitted development rights within a European Site, following consultation with Natural England, under the terms of the Conservation (Natural Habitats Etc) Regulations 1994.
- (15) To agree with an adjoining planning authority that individual cross-border planning applications be wholly determined by either the Authority or the relevant Council.
- (16) To consider and confirm Neighbourhood Area Plans and the designation of “neighbourhood areas”.

### **3 Hearings Committee**

- (17) The function of the Committee is to hear and determine allegations of breaches of the Members Code of Conduct referred to it by the Monitoring Officer and in conducting hearings the Committee shall follow procedures prescribed by the Monitoring Officer.
- (18) The Committee shall comprise three members of the Authority and the Independent Person as a co-opted non voting member, who shall not chair the Committee.

### **4 Financial Scrutiny and Audit Committee**

#### **Financial Scrutiny**

- (19) To review and recommend the Annual Statement of Accounts to the Authority for approval, to ensure that appropriate accounting policies have been followed and to consider whether there are any specific concerns which need to be brought to the attention of the full Authority.
- (20) To review and recommend the Annual Governance Statement to the Authority for approval, and to consider whether there are any specific concerns which need to be brought to the attention of the full Authority.
- (21) To approve the Authority’s Financial Regulations, Standing Orders relating to Contracts and counter fraud, corruption and bribery arrangements.

## Financial Planning

- (22) To monitor and oversee the Authority's medium term financial planning, including the annual Business Plan, and to bring to the attention of the full Authority any specific issues or concerns.

## Audit

- (23) To oversee the scope and depth of internal and external audit work and ensure it is appropriate and provides value for money.
- (24) To consider the external auditor's Annual Audit Letter, and any other reports to the Authority and those charged with its governance.
- (25) To receive and consider the Head of Internal Audit's Annual Written Report and Opinion.
- (26) To consider Internal Audit's Terms of Reference, Code of Ethics and Strategy, together with the 5 year Strategic Internal Audit Plan and Annual Internal Audit Plan.
- (27) To consider specific reports from external and internal auditors.
- (28) To consider any reports from internal audit on agreed recommendations not implemented within a reasonable timescale.
- (29) To receive regular updates on progress in implementing the recommendations of external and internal auditors.
- (30) To monitor the performance of the providers of the internal audit service, and advise on whether effective systems of internal control are in operation.

## Risk Management

- (31) To monitor the effective development and operation of risk management, and review the Authority's Strategic Risk Register.

## Other

(32) To determine any payments or honoraria to staff which are not within the scope of the powers delegated to the Chief Executive.

- (32~~3~~) To consider any matters referred to the Committee by the Broads Authority or the Chief Executive which are appropriate to its Terms of Reference.

Adopted by Broads Authority: ~~22 March 2013~~ 21 November 2014

## **Broads Authority**

### **Broads Local Access Forum**

Minutes of the meeting held on 10 September 2014

Please note these draft minutes will be reviewed by the Broads Local Access Forum at its next meeting on 3 December 2014 and may be subject to amendments prior to being confirmed

#### **Present:**

Dr Keith Bacon (Chairman)

|                   |                    |
|-------------------|--------------------|
| Ms Liz Brooks     | Mr Stephen Read    |
| Mr Robin Buxton   | Mr George Saunders |
| Mr Mike Flett     | Mr Gary Simons     |
| Mr Alec Hartley   | Mr Hugh Taylor     |
| Mr Peter Medhurst | Mr Ray Walpole     |
| Mrs Jo Parmenter  | Mr Chris Yardley   |

#### **In Attendance**

Mr Adrian Clarke – Senior Waterways and Recreation Officer (SWRO)  
Ms Lottie Carlton - Administrative Officer  
Mr Mark King – Waterways and Recreation Officer (WRO)  
Mrs Jacquie Burgess – Vice-Chairman, Broads Authority

#### **Also In Attendance**

Mr Ian Robinson – Broads Area Manager, RSPB  
Mr Andrew Hutcheson – Countryside Access Manager, Norfolk County Council

#### **1/1 To receive apologies for absence**

Apologies for absence were received from Mr Louis Baugh, Mr David Broad  
Mr Patrick Hacon, Mr Tony Howes and Mrs Hattie Llewelyn-Davies.

#### **1/2 To receive and confirm the minutes of the meeting held on 11 June 2014**

The minutes of the meeting held on 11 June 2014 were confirmed as a correct record, subject to amendment 4/3 (1) 'Suffolk County Council' and signed by the Chairman.

### **1/3 To receive any points of information arising from the minutes**

#### **(1) Minute 4/3 (1): Update on Waveney River Centre Ferry**

It was confirmed that BESL would charge to carry out a costing exercise regarding potential widening of the banks to incorporate a shared use footpath. It was noted that a similar project at Potter Heigham had added approximately 25% to the cost. The SWRO agreed to ask Suffolk County Council (SCC) if they would be willing to cover BESL's fee for costing work and to arrange a meeting with himself, Stephen Read and SCC on site.

#### **(2) Minute 4/3 (2): Integrated Access Strategy Project Delivery**

It was confirmed that agreement had been reached not to go ahead with a new build youth hostel at Whitlingham Country Park due to unresolvable issues concerning lease arrangements and management of the proposed operation.

#### **(3) Minute 4/3 (3): Staithes – Current information and role of Staithes Management**

It was proposed to put in a Broads Authority project funding request to enlist Tom Williamson to undertake a staithes research project. This would not only provide useful historical information but would enable better decision making by the planning section. It was noted that staithes within Norwich, Great Yarmouth and Lowestoft would be included in the scope of the proposed project.

#### **(4) Minute 4/4: Hoveton Great Broad Restoration Project**

The Chairman had fed back BLAF views on the proposed Hoveton Great Broad Restoration Project to Broads Authority and the Broads Forum. Chris Bielby, Natural England (NE), would be giving a presentation at the next Broads Authority meeting. The first stage planning application had been submitted and a site visit had taken place. It was reiterated that BLAF was against so much public money being spent on a private broad with no public access. It was noted that NE would need to convince the Heritage Lottery Fund that the access proposals were sufficient to justify the use of public money. It was noted that although Hickling Broad was arguably in greater need of restoration, it was a more complex system and the reasons for the decline in its water quality and ecology were not understood well enough to proceed with any large scale projects at this time.

#### **(5) Minute 4/6: Government Consultation on Guidance Relating to Countryside Access**

An online response had been submitted on behalf of BLAF incorporating comments made at the June BLAF meeting.

(6) **Minute 4/7: Integrated Access Strategy Projects Update**

The Stakeholder Moorings Workshop had been well attended and had resulted in the production of a list of prioritised moorings. A report would go to Navigation Committee and Broads Authority. The Broads Authority Rivers Engineer was recalculating annual maintenance costs resulting from the prioritisation recommendations.

(7) **Minute 4/9: Norwich City Council River Corridor Strategy**

Constructive meetings had taken place with Norwich City Council. An initial document had been produced and this included Phase 1 (assets and liabilities) with Phase 2 (access and planning) to come. There was the opportunity to input into identifying opportunities for enhancements. The SWRO and WRO had undertaken a walkover survey identifying problems and potential improvements. George Saunders agreed to review these and add comments from a disabled access perspective. The Broads Authority had agreed to produce a GIS map of opportunities and constraints on a test section of river for joint use by the BA and Norwich City Council.

(8) **Minute 4/12 (1):**

Discussions were still underway between BA and the District Councils regarding refuse collection in the Broads. A temporary solution was in place at Potter Heigham. It was agreed to raise the issue via Broads Forum with a view to a representation being made to Defra.

**1/4 Review of BLAF membership**

It was confirmed that the Forum could have between 10 and 22 members who should represent specified groups as laid out in the report. It was noted that currently there was no representation for canoeists or anglers and underrepresentation of cycling and boating.

Following agreement by BLAF at the June meeting the appointment of Hugh Taylor to the Forum, following correct LAF procedures, had been confirmed.

The following groups/activities were agreed as potential areas for representation on the BLAF: canoeing, angling, cycling, boating, Broads Tourism, Norfolk Geodiversity, RSPB, Norfolk Wildlife Trust, Suffolk Wildlife Trust, interpretation and safeguarding features. The SWRO agreed to investigate these options further and report back to the Forum.

**1/5 RSPB – Presentation re Sport England Cycling Bid**

The RSPB's Broads Area Manager updated the Forum on a Sport England Cycling bid they had submitted. The two-year pilot project would deliver a programme of taster cycle and canoe activities designed to engage new audiences in a leisure based sporting offer at RSPB Strumpshaw Fen and partner sites within the Broads. The project was intended to provide a long term, sustainable sport offer in the Broads; attract new participants to cycling and canoeing; increase the support for

the RSPB and partners; and increase the number of repeat visitors. The bid had been well received by Sport England who had required a few minor modifications.

Comments and answers to questions arose as follows:

- (1) It was agreed that there was scope within the project to work with partners such as the Broads Authority to increase the number of canoe launch points and to publicise these facilities, particularly through established events such as the Broads Outdoors Festival.
- (2) There was support from the RSPB for a proposal to link access routes from Norwich to Whitlingham Country Park and out to Strumpshaw Fen.
- (3) The Broads Authority would be interested in supporting the project pending further details.
- (4) It was noted that the project linked well to the Broads Authority's Integrated Access Strategy objectives regarding canoeing and cycling.
- (5) BLAF was supportive of the RSPB project and thanked the Broads Area Manager for his update.

#### **1/6 Norfolk County Council Update**

Norfolk County Council's Countryside Access Manager updated the Forum on current projects and work being undertaken by the Norfolk Trails team as follows:

- (1) As part of the COOL Tourism project, updated signage had either been completed or was soon to be completed on both the Paston Way and the Weavers Way. These included links to local heritage and businesses. Three ICT workshops for tourism businesses in the COOL Tourism triangle area had taken place.
- (2) NCC were working with Natural England to extend the Norfolk Coast path as part of NE's ambitious project to link up footpaths around the entire English coast. The stretch from Weybourne to Sea Palling was due to be completed by late November with a launch date in December. The stretch from Sea Palling to Hopton on Sea was due to be completed by autumn 2015.
- (3) NCC had applied to the Coastal Community Fund for a £200,000 grant to deliver promotional marketing and links to businesses.
- (4) The Angles Way had celebrated its 25<sup>th</sup> anniversary with an event at Lopham Fen and a celebration walk with the Ramblers.
- (5) A partnership project between NCC and BA was looking at providing solutions to footpath erosion at Hardley Flood. The problem had arisen as the bank was not a flood defence and therefore had not been maintained as such since the 1950s. The underlying peat structure of the bank meant the path was sinking and therefore it was proposed to use dredged material to raise the level of the bank. The proposal also included replacing the bridge, sited at the narrowest point of the river, by filling the hole in the bank at this point. The

new weir would then be the sole means of water flow in and out of the flood. A habitats regulation assessment would need to be undertaken. An application for funding would be made to WREN and to the BA projects budget.

Comments and answers to questions and comments arose as follows:

- The circular footpath route included a section on the road. Investigation of an off road alternative was suggested.
  - Discussions were under way with South Norfolk Council regarding promotion of Loddon from the recently completed Hardley Cross moorings. Market Towns Initiative funding would be used. The BA graphics team were producing circular walks, facilities and mooring information for interpretative material at the site. A launch event would publicise the work.
- (6) It was agreed to invite a Norfolk County Council Highways representative to the next Forum meeting to discuss footpath cutting and maintenance on PROWs not covered by the Norfolk Trails team.
- (7) Discussions were underway between NCC and Yarmouth Borough Council regarding improvements to signage to trails from Great Yarmouth. The manager of the ASDA supermarket was keen to encourage use of the trails and had offered to set aside car park space for trail users.
- (8) A Broadland Way and Green Loop feasibility study was being undertaken regarding potential for funding.

## **1/7 Sale of Geldeston Woodland and Marsh**

The SWRO displayed a map showing the areas of woodland, marsh and 'car park' highlighted in the report.

**Woodland Area:** Local groups had expressed concern over the proposed sale by the Broads Authority of the woodland area and were advised that an application to place the woodland on the Community Asset Register for South Norfolk had been approved by South Norfolk Council. The BA would include a covenant of sale to mitigate any fears of lost amenity.

**Marshland Area:** The area was used for sediment disposal with no public access due to the dangerous nature of what is essentially an industrial site. There was potential for cattle grazing in this area.

**'Car park Area':** An unofficial car park had been used by the public for many years. As there was not planning permission for such use any purchaser would need to put in a planning application for continued use of the site as a car park.

It was confirmed that any sale of land would not affect public access in the area and that any potential purchasers of the woodland would need to accept certain covenants of sale that protected public access. The BLAF confirmed that it would not object to a sale proceeding provided that appropriate covenants were in place.

## **1/8 Coastal Access Hopton on Sea to Sea Palling**

It was noted that Natural England's five staged process regarding coastal routes included preparation, development, proposals, determination and opening via the Secretary of State. Representations could be made at stage three. This meant that BLAF had the opportunity to raise issues and opportunities once the current stage two for Hopton on Sea to Sea Palling had been completed.

The map of the proposed route highlighted the close proximity to the Broads.

It was confirmed that routes tended to follow the coast line and there was a requirement for roll back provision. Any area of land from the sea to the path was treated as 'open access'. Where nature reserves were within these areas negotiations had to take place regarding management.

It was noted that NE did not look at circular routes off the coastal path. This would be something for Norfolk County Council to investigate via the 'Explore More' funding stream.

The SWRO would be having further discussions with NE regarding the proposed routes prior to production of a report for the next BLAF meeting. NE would be invited to attend.

## **1/9 Broads Forum Update**

Keith Bacon had been confirmed as Chairman for the Broads Forum.

Topics discussed included sediment and heavy metal records, historical boating in the Broads and the Broadland Rivers Catchment Plan had been discussed. A presentation by Richard Starling of the Broads Reed and Sedge Cutters Association had been well received and problems highlighted included training and available housing for future reed and sedge cutters.

## **1/10 Natural England Dog Walking Advice – Consultation Draft**

Comments had been requested from LAFs for NE's dog walking guidance. The SWRO agreed to collate members' responses and submit these to the consultation.

## **1/11 To receive any other items of urgent business**

- (1) The Ludham to St Benet's footpath project had experienced further delays due to one of the landowner's new requirement for a ditch to be dug out and a bank built up around the adjacent fields. A site meeting would take place with the Broads Authority's Operations team. It was noted that although it was possible to show continuous 21 years use through part of the Environment Agency's boatyard part of the route was only 5 years old due to BESL work. It wasn't therefore possible to bypass the remaining landowner's section of path to complete the Ludham to St Benet's footpath via this suggested alternative route.

- (2) A habitat regulations assessment had been undertaken by the Broads Authority for the How Hill to Crowes Staithe path. A permissive path submission was being made to Natural England.
- (3) A LAF survey had been circulated and it was agreed to include this as an agenda item at the next BLAF meeting with an accompanying report by the SWRO.

**1/12 To note the date of the next meeting**

It was noted that the next meeting was scheduled to take place on Wednesday 3 December 2014 at 2pm.

The meeting concluded at 5.15 p.m.

Chairman

## **Broads Authority**

### **Planning Committee**

Minutes of the meeting held on 12 September 2014

Present:

Dr J M Gray – in the Chair

Mr M Barnard

Miss S Blane

Mrs J Brociek-Coulton

Prof J Burgess

Mr C Gould

Mr G W Jermay

Dr J S Johnson

Mr P Warner

In Attendance:

Ms N Beal – Planning Policy Officer

Mrs S A Beckett – Administrative Officer (Governance)

Mr S Bell – for the Solicitor

Ms M Hammond – Planning Assistant

Mr B Hogg – Historic Environment Manager

Ms A Long – Director of Planning and Resources

Ms C Smith – Head of Planning

Members of the Public in attendance who spoke:

**BA/2014/0248/FUL Hoveton Great Broad, Hudsons Bay and  
Wroxham Island, Haughs End, Lower Street, Hoveton**

Chris Bielby

Project Manager on behalf of applicant  
(Natural England)

### **3/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting particularly members of the public, including Mr Joe Mooney, the Chairman of South Norfolk's Planning Committee, who was visiting a number of Local Planning Authority's to observe proceedings.

Apologies were received from Mr N Dixon, Mrs L Hemsall, Mr P Ollier, Mr R Stevens and Mr John Timewell. Mr Gould would be arriving late.

### **3/2 Declarations of Interest**

Members indicated that they had no declarations of pecuniary interests other than those already registered and those set out in Appendix 1.

### **3/3 Minutes: 15 August 2014**

The minutes of the meeting held on 15 August 2014 were agreed as a correct record and signed by the Chairman.

### **3/4 Points of Information Arising from the Minutes**

#### **(1) Minute 1/6(2) and Minute 13/6(3) Broads Site Specifics Development Planning Document (DPD)**

The Chairman drew attention to the paper copies of the now adopted Broads Site Specifics DPD available for members of the Committee. These were also available on the Authority's website and a link had been provided for all members.

<http://www.broads-authority.gov.uk/planning/planning-policies/site-specific-policies>

### **3/5 To note whether any items have been proposed as matters of urgent business**

No items had been proposed as matters of urgent business.

### **3/6 Chairman's Announcements and Introduction to Public Speaking**

#### **(1) Parish Forum – Waveney Valley**

The Chairman reported that the next Parish Forum would be for the Waveney Valley Area and would be held on 25 September 2014 at Beccles Public Hall, Smallgate, Beccles when the doors would be open from 5.30 pm to 8.30 pm. All members were invited to attend and should have received notification of the event.

#### **(2) Other Dates for Members to note:**

- **BA Finance and Accounts Briefing for all members: Friday 19 September 2014 10.00am at Yare House**
- **David Matless Lecture** – 3 November 2014 at UEA an event as part of Broads Authority 25<sup>th</sup> Anniversary celebrations. Further details to follow.

#### **(3) Salhouse Neighbourhood Plan**

Consultation on an application for a Neighbourhood Plan for Salhouse would be taking place between 15 September and 27 October 2014. A report would be brought to the November Planning Committee meeting.

#### **(4) Public Speaking**

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the revised Code of Conduct for members and officers.

### **3/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

The Chairman reported that two requests for deferral of the application BA/2014/0248/FUL at Hoveton Great Broad had been received – one from Sir Peter Dixon, a member of the Authority, and the other from Hoveton Parish Council. The member request was on the grounds that the concerns raised by many organisations should be explored further with particular reference to the use of gabion baskets filled with stones for the proposed fish barriers and a suggested preference for the use of timber piling; and concern about the (perceived) conflicted position of Natural England providing comments on the organisation's own planning application.

The Chairman explained that he did not consider that these were relevant reasons for deferring consideration of the application at this juncture. Members needed to judge the application that was before them. The option to defer would be open to them following consideration should members feel it was appropriate. With regard to the query relating to Natural England commenting on its own application, this was usual practice for such organisations where the operational arm was separate from the advisory function. He cited the example of the flood alleviation proposals where the Environment Agency provided consultation responses on BESL applications.

The Director of Planning and Resources responded to the request from Hoveton Parish Council that the application be deferred on the basis of the lack of full and proper consultation. She explained that the application had been published in the usual way for a major application including the notices to the relevant parish councils, statutory bodies, and press notices and she was satisfied that the Authority had carried out the necessary consultation in accordance with its statutory duties. The applicant had also undertaken considerable pre-application consultation including contacting the Parish Council and explaining the proposal in detail. The letter to the Parish Council and the Parish Council's response were included within the appendices of the Environmental Statement submitted as part of the application. She was content that suitable and reasonable consultation had been undertaken.

The Solicitor referred members to the Code of Conduct for Planning Committee members in relation to deferral. This largely related to new evidence having been provided. He emphasised that the option to defer was also available following hearing the details of the application before them.

Members were satisfied with the Chairman's and the Director of Planning and Resources' comments and agreed that there was no reason to defer consideration of the application at this stage and prior to hearing the Officer's report.

### 3/8 Applications for Planning Permission

The Committee considered the following application submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decision.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

(1) **BA/2014/0248/FUL Hoveton Great Broad, Hudsons Bay and Wroxham Island, Haughs End, Lower Street, Hoveton**

The creation of reed beds by pumping lake sediment into geotextile to create bunds, back-filling the areas behind with more sediment, and planting these areas with locally sourced fen vegetation, together with the construction of temporary fish barriers

Applicant: Natural England

The Planning Assistant commented that some members of the Committee had undertaken a site visit on 29 August 2014, a note of which was attached to the report. She provided a detailed presentation on the proposal for the development which was a conservation project to facilitate lake restoration to improve the ecological status including water quality of Hoveton Great Broad and Hudson Bay, which were within the Hoveton Estate and formed part of the Bure Marshes National Nature Reserve with Ramsar, SPA, SAC and SSSI designations. The proposals involved the removal of 300mm of nutrient rich sediment and biomanipulation of the system involving the removal of fish to enable a clear water macrophyte dominated condition. As such the Planning Assistant emphasised that the elements of the project that required planning permission involved removal of sediment and the use of geotextiles to form bunds to be back filled to create new areas of fen, and the construction and installation of seven temporary fish barriers using gabion baskets filled with stones, the sites for which were noted. The two broads were not currently open to public navigation and these proposals did not involve changes to or alter the existing access arrangements which were not material considerations.

The Planning Assistant explained the details of the two phases of the works, the first involving the removal of sediment from Hudsons' Broad and a temporary pipeline on the river bed to deposit this into geotextile tubes on Wroxham island in order to restore eroded areas. She explained that the exact location of the pipeline was not yet determined but currently it was intended to be positioned in the deepest part of the river channel and that it would be removed following the pumping of sediment to Wroxham Island. The details of its position and installation to mitigate any navigation hazard could be dealt with by condition. The second phase concentrated on the removal of sediment in Hoveton

Great Broad and the temporary installation of the seven fish barriers. The Planning Assistant emphasised that these would be conditioned to ensure that they were installed and removed at an appropriate time in accordance with the phasing scheme and a monitoring plan to be agreed. It was anticipated that this would be for no more than ten years.

Since the writing of the report further consultation responses had been received:

- One of the landowners in support of the application
- Salhouse Parish Council – no objection
- Hoveton Parish Council – where details expressing concerns that insufficient time had been given for detailed consultation had been circulated to the Committee and in part dealt with under Minute 3/7.
- Further comments and concerns from the Norfolk and Suffolk Boating Association (NSBA) maintaining their objection and the Royal Yachting Association (RYA) raising concerns over the pipeline.
- Further comments from English Heritage and Norfolk Historic Environment Service following receipt of further information submitted relating to a brief for investigation and recording, advising that they have no objections in principle subject to a condition requiring further archaeological investigation and recording prior to any work commencing.

In addition comments had been received from Nigel Dixon, who was also the Local District Member for Hoveton, who was unable to be present, explaining that he did not consider that there were any material planning reasons for refusing or deferring the application. Phil Ollier had also sent in detailed comments, also sent to the Navigation Committee. These together with those of Sir Peter Dixon's comments had been circulated to all members.

The Navigation Committee had considered the navigational aspects of the project at its meeting on 4 September 2014. The Committee was not opposed to the proposals although did not fully support the project. They had had some serious reservations about the scale, type and form of the proposed "temporary" fish barriers and were therefore concerned that there should be fool proof planning conditions which would manage their construction and ensure the removal of those barriers once no longer required. They were also concerned about lack of access proposals, the application not being comprehensive enough and the perceived lack of consultation.

Members were reminded that they were required to be mindful that this was a planning matter and the main issues and material considerations for consideration were the impacts of the proposed works on the landscape and the visual appearance of the proposed works, ecology,

water quality, navigation, amenity, flood risks, heritage assets and highways.

Having provided a detailed assessment of the proposals based on the material planning considerations, the Planning Assistant concluded that the application was acceptable and in accordance with the relevant policies of the Development Plan and the National Planning Policy Framework. The application would facilitate the improvement of the ecological status of an important designated site. The concerns of the Navigation Committee were noted and it was considered that the short term impacts could be adequately mitigated and a monitoring plan would insure that the construction and implementation of the geotube bunds and fish barriers were effective and also unpredicted impacts mitigated. The Authority would be able to enforce compliance with the planning conditions and these would relate to the land, rather than the applicant. Therefore the Planning Assistant recommended approval subject to planning conditions listed in the report as well as additional conditions regarding the details of installation and removal of the pipeline and the temporary fish barriers, phasing of the scheme and the recommended archaeological condition.

Members gave careful consideration to the application and asked a number of questions.

Chris Bielby, for the applicant as Manager of the Project emphasised that the proposals were for a conservation project to improve water quality and wildlife which had been two years in preparation with the support of improved technical data including that derived from the PRISMA Project and with the support of landowners and the Environment Agency. It was intended to submit a bid for funding in October with a view to starting the project in 2016. He assured the Committee that consultation had been undertaken with a number of groups including the Broads Angling Strategy Group, the Broads Society, the Norfolk Broads Yacht Club and presentations had been provided to the Broads Forum, and Broads Local Access Forum. The applicant was aware of the concerns which had been expressed and there was nothing to prevent appropriate mitigation measures being included within the project and other factors not relevant to the planning application being discussed and resolved prior to the project's implementation. He commented that the Broads area was not just an area for boating but was also a place where people could enjoy the peace and tranquillity of nature.

In response to questions the Project Manager explained that the geotube mesh was designed to permit the flow of water out from it but stop an excess of sediment flow into the river. The depth of 300mm of sediment to be removed had been chosen following detailed surveys of the two broads. It was aimed to remove that which had been added within the 20<sup>th</sup> century and which was very fluid compared to the more compacted sediment beneath. Natural England was confident that the

removal of this would enable organisms and embedded seeds beneath to regenerate.

The design of the fish barriers was intended to be of a complex structure robust enough to enable a slow flow of water but prevent fish movements. The exact feasibility and final design had yet to be determined by technical and engineering methodology which would allow for their efficient use and also effective removal and this could be conditioned. With regard to their visual impact, the Project Manager explained that the fish barriers would be set back from the main river, fronted by timber piling within the dykes and behind the existing gates.

He offered reassurances with regard to the profiling of the banks adjacent to Wroxham Island on the basis of the detailed information that had been obtained which would contribute to the final engineering solution.

With regard to management, it was intended that the newly created fen area within Hoveton Great Broad would be species rich and managed appropriately and in accordance with the rest of the National Nature Reserve.

In response to members concerns relating to the “temporary” nature of the fish barriers and enforceability, it was explained that the period of ten years was based on advice received in order to provide sufficient time to achieve restoration. It was not intended to run beyond this time frame. However, the monitoring programme would help inform the efficiency of the barriers in order to have them removed within ten years due to their success or failure and /or prompt further discussions on alternatives.

Members considered that this was a very interesting and important project for ecological restoration and the project appeared to be fit for purpose. They were reassured on the techniques to be used for the stabilisation of Wroxham Island and the use of the sediment to be removed for the conservation purposes. They were therefore satisfied that the proposals were consistent with the National Planning Policy Framework relating to Conserving and Enhancing the Natural Environment particularly Paragraph 109. They noted the concerns of the Navigation Committee and having given consideration to each of them in turn, they were reassured on the scale, type and form of the fish barriers and the proposed conditions to ensure appropriate mitigation measures were in place. The Committee therefore considered that the proposed condition (v) and (xviii) of the report should be linked and reinforced to include the installation and removal of the fish barriers and protective fencing, within a maximum of ten years in accordance with a Monitoring Plan. In addition Condition (vi) should include the location and method of siting of the pipeline to be agreed as well as removal on cessation of use.

With regard to the NSBA's concerns relating to closing the area for navigation, closing the Broad off to fish also closed it of necessity to any kind of navigation access. In addition the area was not open to public navigation at the present time (and had not been for many years previously). This together with the concerns about the application being incomplete without reference to proposed public access, members were satisfied that these points were irrelevant to the planning matters in considering the current application.

Members gave further consideration to the requirement for monitoring and enforceability, and were assured that officers would consult with the operations team on the specific technical design details to ensure robustness.

It was RESOLVED unanimously

- (i) that the application be approved subject to the conditions as set out within the report together with reinforcement of conditions relating to the installation and removal of the fish barriers, the location and removal of the pipeline, details of the monitoring plan and phased methodology, as well as further archaeological investigation and recording prior to any work commencing.
- (ii) that the proposal is considered to be acceptable in accordance with Policies DP1, DP2, DP3, DP4, DP5, DP11, DP12, DP13, DP28 and DP29 of the adopted Development Management Policies (2011) and Policies CS1, CS2, CS4, CS13, CS15 and CS20 of the adopted Core Strategy (2007). The proposal is also considered to be in accordance with the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

### **3/9 Broads Local Plan – Local Development Scheme**

The Committee received a report from the Planning Policy Officer on the procedures involved in the production of a comprehensive Broads Local Plan which would review the adopted planning policies and documents since 2006 to 2014. The first element in this was the production of the Local Development Scheme, effectively a timetable showing the various key stages for the Local Plan production from August 2014 to final adoption in June 2017. This involved the Statement of Community Involvement, Duty to Cooperate, Evidence Base, Issues and Options, Preferred Options, Workshop, Publication, Examination and Adoption.

Members noted the estimated financial implications and officers were confident that that the Authority's finances were robust to cater for the requirements and that the duty to cooperate in providing the evidence base would help to share costs. It was also noted that the requirement of an end date for a local plan was 15 years although this was mostly related to housing requirements for local authorities.

Members were also aware that the Authority was required to review and produce a strategic Broads Plan within the next few years and were assured that this would be taken into account within the Statement of Community report and the timetable and work plans would be dovetailed with the Local Plan where appropriate.

RESOLVED

that the Local Development Scheme be noted and endorsed.

### **3/10 Broadland Growth Triangle Area Action Plan Reg19 consultation response**

The Committee received a report and presentation from the Planning Policy Officer on the publication of the Growth Triangle Area Action Plan (GTAAP), the purpose of which was to enable and coordinate development of land to the north and east of Norwich in accordance with the requirements of the Joint Core Strategy. This included the delivery of 10,000 dwellings and tens of hectares of employment. Although this did not include the Broads Executive Area, the GTAAP was the most important development close to it and the main issues for the Broads arose from the indirect effects and the recreational impacts of the designated sites. The Authority had provided comments at previous consultation stages and the GTAAP had included some proposed mitigation measures. The current report provided members with a detailed proposed response for consideration. It was noted that at this stage any comments to be made required the status of “unsound” and that there had been close liaison with the Authority’s Senior Ecologist in providing the comments.

Members endorsed the proposed comments which sought:

- Greater appreciation of the Broads and its landscape within the text and on maps
- Greater detail with regards to Green infrastructure detail and delivery
- An additional Green Infrastructure corridor towards the River Yare.

The Committee welcomed the fact that the GTAAP sought to address the impact on the designated sites of the Broads by addressing Green Infrastructure (GI) in terms of corridors and large areas of open space and that BA officers would be involved in shaping GI proposals.

It was noted that the principles of the proposed Rackheath ecological town had been absorbed into the GTAAP. A member commented that the draft Climate Adaptation Plan had included the ten special qualities of the Broads landscape and this could be flagged up to strengthen the landscape impact as well as the Climate Change Adaptation plan.

With reference to para 3.2.5 of the report Section 4.14, it was agreed that the word “should” following Broads habitats be replaced with “must/will”.

In addition amendments within para 3.2.6 relating to Environment objectives the last paragraph should read *“Together, the Green infrastructure must offset recreational pressure on designated sensitive habitats such as those in the Broads.”*

It was noted that under para 3.2.8 of the report relating to Policy GT2, under bullet point 4 Why the wording was incomplete and should read:

*Why? Delivery of the GI is important and quoted throughout the GTAAP, but there does not seem to be detail nor indication of how the details of these parts will be worked up and or by whom.*

Members were concerned that the issue of demand for water and water flows into and out of the Broads were also addressed and were assured that these were taken into account within the Water Cycle Study produced for the Joint Core Strategy Public Examination following consultation with Anglian Water. The Planning Policy Officer undertook to provide members with further evidence of the studies undertaken in due course.

RESOLVED

that the proposed consultation response together with the comments made be endorsed.

### **3/11 Consultations Documents and proposed Response: Brundall Neighbourhood Plan**

The Committee received a report which provided the Authority’s proposed response to Broadland District Council/Brundall Parish Council’s Brundall Neighbourhood Plan Sustainability Scoping Report. In particular this pointed out the latest changes to the planning system and the documents which were relevant to the Brundall Local Plan and should be reviewed.

RESOLVED

that the proposed consultation response be endorsed.

### **3/12 Changes to the Planning System**

The Committee received a report presented by the Head of Planning which outlined a consultation by the Communities and Local Government (CLG) on proposed changes to the planning system, including the changes to the Use Classes and Permitted Development Rights regimes with the aim of making the planning system more responsive to economic drivers. These related to

- Changes to Neighbourhood Planning
- Further changes to permitted development rights
- Changes to Use Classes
- Improving the use of planning conditions

- Removing the need for Environmental Impact Assessment for certain developments
- Improving the way that major infrastructure projects are planned.

Members noted the brief commentary provided on each with detailed questions and proposed responses set out in Appendix 1 of the report and provided additional comments. They considered that within this Question and Answer form the comments should be expanded, reflecting those set out in the report.

In relation to proposed changes to permitted development rights members particularly endorsed the comments within Para 2.12 of the reports where it was noted that the Government's objective was to simplify the planning system, however, the scale and complexity of the incremental changes were such that the permitted development rights system was becoming increasingly complex and difficult to negotiate and therefore did not assist either the development industry or businesses or the public. They considered that this should also be reflected in the Q&A form. With reference to paragraph 2.11 Members considered that the changes to permitted development rights for industrial buildings could have an impact on the Broads, although it was recognised that such potential development would be covered through the flood risk policies. It was considered that this needed to be included and the Authority's comments should also be in accordance with National Parks England.

Members noted that this was the first time that proposals for a three tier planning system had been made more explicit.

With reference to Section 3 on Improving the Use of Planning Conditions, members concurred that discussions on conditions with the applicant prior to possible determination was best practice. They considered that this should not be over prescriptive. With regard to the proposed imposition of charges relating to discharging conditions, this was considered to introduce an unnecessary level of bureaucracy which would not achieve the desired speeding up of the process effectively.

Members expressed appreciation for the considerable detail in the preparation of the report and the useful information provided which helped in aiding their understanding of the complex issues involved in the planning system.

RESOLVED

that the report be noted and the proposed responses be endorsed for submission to the CLG with an expansion of some of the comments within the Q & A form to reflect the issues raised within the report.

### **3/13 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee and were pleased to note that good progress was being made with compliance. In particular they noted that compliance had been achieved at:

- Fleet Farm, Acle New Road, Halvergate concerning the unauthorised construction of a stable and that the building had now been altered in accordance with approved plans.
- Adjacent to Newlands Caravan Site, Geldeston – unauthorised installation of mooring platform on former drainage dyke where the mooring platform had now been removed; and
- Land to the rear of Bishy Barneybee, Back Lane, Burgh Castle where the unauthorised buildings and structures had been removed and the site totally cleared and restored.

These three cases could now be deleted from the schedule.

A site visit to the Land at OS4299 North End, Thurlton would be undertaken in the week beginning 15 September and a report provided for a future committee meeting.

RESOLVED

that the report be noted.

### **3/14 Appeals to the Secretary of State: Update**

The Committee received a schedule showing the position regarding appeals against the Authority since May 2013 as set out in Appendix 1 to the report.

RESOLVED

that the report be noted.

### **3/15 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 5 August 2014 until 2 September 2014.

RESOLVED

that the report be noted.

### **3/16 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 10 October 2014 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich. This would be followed by a training session for Members of the Committee on material and non-material considerations and guidance on imposition of conditions.

The meeting concluded at 12.30 pm

CHAIRMAN

**Code of Conduct for Members****Declaration of Interests****Committee:**           **Planning** 12 September 2014

| <b>Name</b>     | <b>Agenda/<br/>Minute No(s)</b> | <b>Nature of Interest<br/>(Please describe the nature of the<br/>interest)</b> |
|-----------------|---------------------------------|--|
| Jacquie Burgess | Item 3/8                        | Application BA/2014/0248/FUL Member of Norfolk Broads Yacht Club               |
| George Jermamy  | Item 3/8                        | Tollpayer  |

**Broads Authority**

**Planning Committee**

Minutes of the meeting held on 10 October 2014

Present:

Dr J M Gray – in the Chair

Mr M Barnard  
Miss S Blane  
Mr N Dixon  
Mr C Gould

Mrs L Hempsall  
Dr J S Johnson  
Mr P Ollier  
Mr P Warner

In Attendance:

Ms N Beal – Planning Policy Officer  
Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Bell – for the Solicitor  
Mr F Bootman – Planning Officer  
Mr A Clarke – Senior Waterways and Recreation Officer  
Mr B Hogg – Historic Environment Manager  
Ms A Long – Director of Planning and Resources  
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke:

**BA/2014/0205/FUL St Olaves Marina, Beccles Road, St Olaves**

|              |  |
|--------------|--|
| Mr A Mendum  | Chairman St Olaves Parish Council            |
| Mr J Crowder | On behalf of Objectors – St Olaves Residents |
| Mr D Riddell | Objector – St Olaves Resident                |
| Mr Geere     | Objector – St Olaves Resident                |

**BA/2014/0254/FUL Ivy House Country Hotel, Ivy Lane, Oulton Broad**

Dr Adrian Parton                      Applicant

**4/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting particularly members of the public, including Clara Robson – trainee Solicitor, Nplaw, as an observer.

Apologies were received from Prof Jacquie Burgess, Mrs J Brociek-Coulton, Mr G W Jermay, Mr R Stevens and Mr John Timewell.

#### **4/2 Declarations of Interest**

Members indicated that they had no declarations of pecuniary interests other than those already registered and those set out in Appendix 1.

#### **4/3 Minutes: 12 September 2014**

The minutes of the meeting held on 12 September 2014 were agreed as a correct record and signed by the Chairman subject to an amendment to spelling in Minute 3/8(1) para 5 “foolproof”.

#### **4/4 Points of Information Arising from the Minutes**

There were no points of information to report.

#### **4/5 To note whether any items have been proposed as matters of urgent business**

No items had been proposed as matters of urgent business.

#### **4/6 Chairman’s Announcements and Introduction to Public Speaking**

##### **(1) Training/Briefing for Members:**

The Chairman reminded members that training would be provided on material and non-material considerations and the tests for conditions following this meeting.

##### **(2) Dates for Members to note:**

- **Broads Authority 25<sup>th</sup> Anniversary Celebrations: David Matless Lecture** – The Chairman reminded members that David Matless would be giving a lecture on 3 November 2014 at UEA starting at 6.30pm followed by a reception at 7.45pm. This would follow and supplement the publication of his book on the Nature of the Broads Landscape at the end of July. The event was part of Broads Authority 25<sup>th</sup> Anniversary celebrations. Invitations were being sent out.
- **BA Planning Policy – Shaping the Broads Local Plan – 5 December 2014** The Chairman reported that there would be a workshop for all members of the Authority on Friday 5 December 2014 following the Planning Committee meeting. The aim was to give members the opportunity to help shape the Broads Local Plan in its early stages. All members had received an email and asked to respond as to their intention to attend by 31 October.

##### **(3) Advance Notice: Neighbourhood Plan for Oulton Broad**

The Chairman reported that residents of Oulton Broad were in the process of applying to be a Neighbourhood Area to produce a

Neighbourhood Plan. A report would be brought to a future Planning Committee meeting.

(4) **Public Speaking**

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the revised Code of Conduct for members and officers. The Chairman also asked if any member of the public intended to record or film the proceedings and if so whether there was any member of public who did not wish to be filmed.

**4/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

The Chairman stated that he intended to vary the order of the applications to be dealt with in view of the number of members of the public with an interest in the item and to enable the relevant Authority officer to provide potential answers to questions. He therefore proposed to take application BA/2014/0205/FUL St Olaves first.

No requests for deferral had been received.

**4/8 Applications for Planning Permission**

The Committee considered the following application submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decision.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

- (1) **BA/2014/ 0205/FUL St Olaves Marina, Beccles Road, St Olaves**  
Proposed Mooring Pontoons along the River Waveney frontage to St Olaves Marina Ltd.

Applicant: Mr David Bromley

The Planning Officer provided a detailed presentation of the application for the installation of 164m of floating pontoons and installation of three fishing platforms along the river frontage of a large existing marina at the confluence of the River Waveney and the Haddiscoe Cut. He pointed out that a planning permission issued in 1997 was still in the process of being implemented. The marina could accommodate in excess of 150 boats in the water with space for considerably more in dry storage on land. There were no moorings along the river frontage at present and it was estimated that the pontoons could accommodate 16 new moorings but the actual number would be dependent on boat size. The application was to be considered in the context of Policy

DP16 Moorings and in accordance with the Authority's Mooring Strategy.

Since the writing of the report, and in light of comments received the applicant had amended the application to provide the two short stay visitor moorings at the southern end of the proposed pontoons, rather than at the northern end where they had originally been intended to be for used for demasting. In officers' views this was regrettable as the Mooring Strategy was seeking to provide demasting mooring in this area by the bridge and there were already a number of visitor moorings in the vicinity. However, it was acceptable in terms of criterion (a) of Policy DP16 and criterion (h). This would require an alternative condition 5 to that stated within the report to include signage. In addition, on the advice of the Authority's Senior Waterways and Recreation Officer, the deflectors were removed as they would not fulfil the intended function of protecting the banks from the worst effects of the strong tide in order to aid natural reed bank regeneration. The Senior Waterways and Recreation Officer also advised that the pontoons could be moved in closer to the bank, though this option was not pursued by the applicant. The Planning Officer provided a diagram showing the width of the river from the narrower southern end to the wider northern (downstream) end of the marina based on GIS data. He referred to the Byelaws guidance which indicated that navigation intrusions in the river should not occupy in excess of twenty-five percent of the channel and the applicant had agreed to restrict the beam width of craft to be moored at specific locations on the pontoons. Should the Committee be minded to grant permission this would be conditioned. No information had been received on the fishing platforms as yet.

A considerable number of objections had been received from the residents on the opposite side of the river particularly relating to the impact on navigation but also ecology and landscape. Since the writing of the report further representations had been received from Mr William Kemp, the District Member for Haddiscoe and Mr Crowder on behalf of the residents of St Olaves, details of which had been circulated. In addition comments had also been received from St Olaves with Fritton Parish Council and Haddiscoe Parish Council similarly objecting to the impact on navigation relating to safety concerns particularly given the reduced area of the river and the fast flow of ebb tides at this location, as well as lack of consultation. There had also been a large number of emails from the St Olaves residents.

Having assessed the main issues for consideration concerning the criteria within Policy DP16 of the development plan namely the impact on navigation, impact on the ecology and impact on protected landscape of the Broads as well as the NPPF, the Planning Officer concluded that the application as amended was acceptable and would not have a negative impact on the navigation subject to conditions. In addition it was also considered that the location, extent and nature of

the development would not adversely impact on the landscape or ecology of the Broads. There were no material considerations to justify refusal of consent and therefore the recommendation was for approval with conditions.

The Senior Waterways and Recreation Officer provided clarification on the Mooring Strategy and the Authority's aim to provide demasting facilities at the four quarters of the bridge at St Olaves to cover both upstream and downstream. The applicant was of the view that there were demasting facilities available at the Bell Inn and that such facilities were infrequently used. However, this facility was reliant on the moorings being available as they were not designated as demasting only areas. Although the northern/downstream location would be preferable the application still accorded with the Policy criteria for moorings.

Mr Mendum on behalf of Fritton and St Olaves Parish Council, supported the concerns of the St Olaves residents who lived opposite the marina explaining that the proposals would make it very difficult for sailing boats to navigate in this narrow stretch of the river particularly with holiday visitors. He stressed that consideration should be given to those residents.

Mr Crowder on behalf of St Olaves residents was given the opportunity to provide a presentation to the Committee to support their concerns. He referred to the Authority's Core Strategy Policies CS1, CS2 and CS3 relating to the protection of the Authority's landscape, special qualities and navigation and claimed that neither the residents of St Olaves nor Haddiscoe, Fritton and St Olaves Parish Councils and the Environment Agency had been consulted. He had contacted the Environment Agency in Ipswich directly following which they had provided comments. He considered that the application was completely unnecessary as there were appropriate and sufficient private moorings available in the vicinity and facilities for demasting at the Bell public house nearer to the other village amenities. He considered that the river width was severely restricted and additional mooring to be provided by the pontoons would cause navigational safety problems. He also stated that there were discrepancies over the river width measurements as provided by the Authority and others, which would definitely compromise safety and any byelaw guidelines. He also questioned the impact of the proposal on the landscape and the residents' amenity. Mr Crowder, Mr Geere and Mr Riddell indicated the location of their properties and Mr Geere and Mr Riddell stated that they had used the riverbank to moor on especially when taking account of the tides prior to mooring safely within their own mooring cuts.

Members considered that if the St Olaves residents did moor boats on the riverbank and had mooring rights to do so, the navigable width of the river would be compromised. However, Officers explained that the Authority did not have any specific evidence to indicate that this was

the case, especially when based on the aerial photographs for 1945, 1999, 2004, 2006, 2007 and 2010 or from consultation with the Area Ranger and Head of Ranger services as well as other officers. Members commented that this could be a material consideration and evidence should be acquired before the application was determined. The Authority would be able to investigate any rights and planning history relating to express permission for mooring rights of those residents on the river bank but the onus would be on the residents to provide evidence that they had mooring rights and/or established use rights. This was made clear to the objectors.

On the issue of consultation, the Planning Officer stated that he carried out the statutory consultation required. A site notice had been placed on the Marina site in July and Haddiscoe Parish Council sent notice of the application in that month since the application fell within that parish. The Planning Officer commented that he had personally delivered letters to those in Priory Road, St Olaves on 8 July 2014 and apologised if he had missed anyone. Representations had been received from a number of those residents with riverside properties as a result. In addition a Site Notice had been placed at the entrance to the dinghy park on 24 August and St Olaves Parish Council provided with the plans on 11 September 2014, their comments being received on 3 October 2014. Comments had been taken right up until 9 October. The Environment Agency would have automatically been consulted but no response had been received as it was not usual for them to respond to water compatible development in relation to flood risk. Comments had since been received following Mr Crowder's approach, confirming this stating that the proposed pontoons and fishing platforms would fall within a "Water Compatible" use classification and were therefore appropriate in this location and due to their nature would not take up flood storage capacity. In addition they had no comments on the navigation or landscape aspects as these came within the Broads Authority's remit. There were comments on the ecology as there was evidence of water voles in the vicinity being present and this would require mitigation measures, advice on which was provided.

Given that a number of issues required clarification and there was lack of information on the rights to moor on the bank of the other side of the river to the application, Members considered that the application should be deferred. It was also considered important that the application should be referred to the Navigation Committee for their advice on the extent of the proposed moorings and their contribution to the network of mooring facilities in the Broads with reference to Policy DP16. Members also considered that deferment should provide opportunity for consultees to respond to any changes made to the application. Members considered whether to put a time restriction for the proposals to return to Committee. However, they considered that some of the information required could take some time but there should be sufficient information for members to determine the application. It was

agreed that once further investigations had been made the decision on whether there was reasonable information available within the next few months for a report to the Committee, should be left to the Chairman.

RESOLVED unanimously

- (i) that the amended application be deferred in order to:
  - (a) seek clarification on the issue of mooring rights particularly relating to the St Olaves' residents on the northern side of the river;
  - (b) clarify the discrepancies on the measurements of the river width; and  
sSeek advice from the Navigation Committee on the following:
    - The extent to which the proposed mooring pontoons would contribute to the network of facilities within the Broad;
    - The Location, Quality and Type of moorings ; and
    - The impact on Navigation  
in the context of Policy DP16 especially criteria (a).
- (ii) that it be delegated to the Chairman's discretion as to when the application is brought back to the Committee.

(2) **BA/2014/0254/FUL Ivy House Country Hotel, Ivy Lane, Oulton Broad, Lowestoft**

Replace existing marquee with building

Applicant: Ivy House Country Hotel Ltd.

The Head of Planning provided a detailed presentation on the proposal for the replacement of the marquee in the grounds of Ivy House Country Hotel, granted a three year temporary planning permission in March 2014, with a permanent purpose-built building to hold functions such as weddings. The marquee had proved very successful and provided suitable evidence of the business need and viability indicating that investment in such a proposal would be a reasonable progression. It was proposed to construct the building in timber with timber boarding and a pantile roof to match the existing buildings of the main site and being positioned within sufficient natural tree screening was considered would not have a significant visual impact, and would be more recessive than the existing marquee. The building would sit in the same location , would be 2 metres longer , 0.5metres wider and 1.6metres taller than the marquee, which would provide 17% extra volume. The Head of Planning explained that the existing entrance marquee and pergola which provided a covered walk and link with the main Hotel building would remain and was now included as part of this application.

The Head of Planning drew members' attention to the consultation responses received and particularly those relating to the proposed conditions on noise as set out in Appendix 3 of the report. This being one of the key concerns, the Environmental Health Officer was satisfied that with such conditions the application was acceptable. Since the writing of the report further consultation responses had been received from:

- Suffolk Wildlife Trust –no objections subject to conditions to cover noise similar to those imposed on application BA/2013/0410/FUL for the marquee
- Environment Agency – Having received a revised Flood Risk Assessment, no objections subject to conditions relating to flood risk
- Natural England – no objections. Confirmed that there were no issues which had not been satisfactorily addressed.

Having provided a detailed assessment of the proposals, taking account of the main issues in relation to principle (now established), visual impact, impact on the Conservation Area, neighbourhood amenity, Highway safety, trees, flood risk and ecology, the Head of Planning concluded that the application was acceptable and an appropriate type of development of a high quality which would be well screened and complement the existing use of the site. There would be no adverse impact on the Conservation Area and the development was considered to be in accordance with the relevant policies of the Development Plan and the National Planning Policy Framework.

Dr Adrian Parton, the applicant, clarified that the windows within the new building would be sealed and would be laminated to provide additional sound reduction and the building would be fully air conditioned (using the existing air conditioning units). The opening times and timings for functions were intended to be similar to those for the marquee and the license applied for accordingly. ie up to 12.00 midnight and 12.30am on New Year. The sound report and proposed installations were based on the data and advice provided and prepared in consultation with the Environmental Health Officers with similar limitations but within a more robust structure. He explained that the experience gained over the last few months together with future demand had provided sufficient business justification to invest in a permanent building. An open day had been held to explain the plans and the applicant had worked with the objectors to allay any fears. He referred to the response received from the neighbouring business (Broadland Holiday Village) where they had no objections subject to the proposed conditions.

Members gave careful consideration to the application and in general accepted that the proposal involved a high quality designed building which linked in well with the existing premises, would be appropriate to the setting and well screened. The proposed conditions would allay

any concerns over the issue of noise and on balance the proposals were a welcome addition to the facilities being offered in the area.

A member expressed concern about the application in that the marquee had only recently been granted temporary permission and the three years had not yet expired. In particular there was concern about the retention of the marquee/covered walkway structure which was only a temporary structure and therefore would deteriorate. The applicant confirmed that it was in the best interests of the business to keep this in a good condition and therefore this would be taken down for cleaning annually. He was prepared for members to impose a condition on the application. However, members considered that such a condition should be left to officers' discretion.

Mrs Hemsall proposed, seconded by Mr Barnard and

It was RESOLVED by 8 votes to 1

- (i) that the application be approved subject to the conditions as set out within the report particularly those in Appendix 2 relating to noise, those of the Environment Agency concerning flood risk, and subject to officer's consideration and discretion relating to the covered walkway; and
  - (ii) that the proposal is considered to be acceptable in accordance with Planning Policy and in particular policies DP1, DP2, DP4, DP5, DP11, DP27, DP28 and DP29 of the Development Management Policies DPD (2011).
- (3) **BA/2014/0272/FUL The Staithe Car Park and Public Conveniences, Bridge Street, Loddon**

Change of use of part of public conveniences to B1 Office.

Replacement door and new security gate. External alterations to front wall for insertion of prefabricated WC and shower units. New timber bollards. Removal of one car parking space.

Applicant: South Norfolk Council

The Planning Officer provided a detailed presentation of the proposal to reconfigure the existing toilet block facilities at Loddon Staithe to provide one unisex disabled toilet cubicle, one standard unisex toilet cubicle and single unisex shower cubicle. The remainder of the building would be used as B1 office space.

Having assessed the application against the main issues relating to the application such as principle, Impact on the character the Conservation Area, Design and Use and impact on neighbour amenity, the Planning Officer considered that the development proposed would improve the quality and standard of the facilities which was to be welcomed, although recognising that it would reduce the number available to the public. The proposed alterations to the building with the structure

having some architectural interest due to provenance, were considered to be sympathetic and therefore acceptable on design grounds. It was not considered to have unacceptable impacts on any neighbouring occupier's amenity and therefore approval was recommended subject to conditions.

Mr Gould as the local member spoke in support of the proposal. He left the room and did not take part in the debate or voting on the application.

Members concurred with the Officer's assessment and were satisfied that the concerns of the Broads Society could be allayed. As some of the bricks were to be removed to allow for doors, it was considered that where possible these be used in the rebuilding of the premises.

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the Committee report to include the reuse of the existing brick for the rebuild where possible.as the development is considered to be in accordance with Policies DP4, DP5, DP27 and DP28 of the Adopted Broads Development Management DPD (2011).

#### **4/9 Enforcement of Planning Control: Enforcement Items for Consideration**

(1) **Wherry Hotel, Bridge Road, Oulton Broad – unauthorised installation of refrigeration unit**

The Committee considered a report concerning the construction and installation of a refrigeration unit at the rear of the Wherry Hotel, Bridge Road, Oulton Broad without planning permission. The refrigeration unit located to the rear of the building was not visible from the Broad but was prominent from the road. It had originally been intended as a temporary structure to provide additional refrigeration space until the new kitchen and refrigeration provision was constructed as part of the planning approval granted in 2011 (BA/2011/0135/FUL). However, this had not been implemented and planning permission had now expired.

The refrigeration unit was considered to be inappropriate for a permanent use in such a prominent location as the design style and structure was visually unacceptable in such a prominent location within the Oulton Broad area and Conservation Area. It was therefore considered contrary to both national and local planning policy particularly Policy CS5 of the adopted Core Strategy and Policy DP4 of the adopted Development Management Policies DPD. A member commented that there may be two refrigeration units on the site and that prior to commencing enforcement action this would need to be investigated.

Members also noted that as part of the application BA/2011/0135/FUL the sycamore tree protected by a TPO was to be removed with mitigating landscaping. The tree had been removed despite the planning permission having not been implemented; the mitigating landscaping had not been provided.. Officers were still investigating this matter as this came under separate legislation and would consider whether it would best be resolved through an alternative scheme of planting, or whether prosecution was appropriate.

RESOLVED

- (i) that authorisation is granted for the serving of an Enforcement Notice seeking removal of the refrigeration unit(s), in consultation with the Solicitor, with a compliance period of three months; and
  - (ii) that authority be given for prosecution to proceed should the enforcement notice not be complied with.
- (2) **Land at Newlands Caravan Park Geldeston – unauthorised structures BA/2013/0038/UNAUP4**

The Authority received a report concerning the erection of structures comprising toilet/shower unit, open fronted storage building and small shed without the benefit of planning permission on Land at Newlands Caravan Park, Geldeston Road, Geldeston.

Members noted that there was no planning permission for the use of the site as a caravan park and therefore it operated under the exemption and was limited to five caravans only. Officers considered that the level of facilities provided was excessive for five caravans and there was existing storage for an appropriate level of equipment in the form of the pre-existing shed.

The structures were considered to be contrary and also inappropriate to the adopted policies within the Core Strategy and Development Management Policies DPD notably CS1, DP4 and DP14 and the National Planning Policy Framework and unlikely to obtain retrospective planning permission given the character of the area. Officers had attempted to engage with the landowner but had had limited success.

Some members considered that providing such facilities was not totally out of keeping for sites for a small number of caravans, although there was concern about the disposal of waste. It was clarified that the Environment Agency was investigating this matter. They considered that the landowner should be invited to submit a planning application prior to enforcement action being taken and that he be given 3 months in which to do so.

RESOLVED unanimously:

- (i) that officers be delegated to invite the landowner to submit a planning application for the unauthorised structures and that this be submitted with a period of three months;
- (ii) that, if no planning application is submitted within three months, authority be granted to serve an Enforcement Notice in consultation with the Solicitor requiring the removal of the unauthorised structures with a compliance period of three months; and
- (iii) that authority be given to proceed with prosecution of the owner should the enforcement notice not be complied with.

**(3) Land at North End Thurlton**

The Committee received an updated report on the longstanding issues around the enforcement of planning control in order to remove the unauthorised non-agricultural items together with unauthorised fencing on land at North End, Thurlton and restore the site to a condition suitable for agricultural use and of rural character and appearance of the area. Members were reminded that following the issuing of enforcement notice, and the subsequent appeal that had been dismissed, some compliance had been achieved and the site mostly cleared. However, the landowner had given a specific indication that he was unwilling to remove the fence (which formed part of the enforcement notice).

Members carefully considered the review and assessment of the advantages and disadvantages of the options to achieve compliance on the site, first considered in February 2014, including negotiations, prosecution and direct action. They were mindful that achievement of compliance through negotiations specifically relating to the clearance of the fence had not been successful. They gave careful consideration to each of the options taking account of the potential costs, noting that the compliance period imposed by the Inspector had expired as well as the additional time given by the Authority.

Members received clarification on the procedures for taking direct action, noting that this would be carried out by an experienced contractor. They considered that the landowner had been given more than enough time to comply and the decision to do so was a last resort. Members considered that direct action represented the option with the greatest prospect of success and that there were sufficient provisions within the Town and Country Planning Act to proceed on this basis, although it was recognised that there were financial risks. Prior to doing so the landowner would be informed of the Authority's intentions. Members noted that the action related to the land. Members would be informed of progress.

RESOLVED

that direct action by removal of the fence from Land at North End, Thurlton be instigated.

**4/10 Broads Local Plan –**

**(1) Statement of Community Involvement (SCI)**

The Committee received a report from the Planning Policy Officer on the Statement of Community Involvement (SCI) , which was required by the Planning and Compulsory Purchase Act 2004 (as amended). This set out the Authority's formal policy which sought to identify how and when local communities and stakeholders would be involved in the preparation of the Broads Local Plan. Members noted that since the first SCI was adopted in 2006 and revised in 2008, there had been changes in planning regulations and therefore it was necessary to amend the SCI to account for these well as new policy documents to be produced in the future and to take advantage of the increase in social media.

Although it was not a statutory requirement, Members agreed that it would be useful to invite comments to help improve the SCI and therefore endorsed the proposal to have a four week consultation commencing on 13 October and concluding on 7 November 2014. Following consultation and consideration of the responses a report would be submitted to the full Authority for adoption.

RESOLVED

that the Statement of Community Involvement be noted and endorsed for a four week public consultation period and that a report be submitted to the full Authority following that consultation.

**(2) Broads Local Plan: Duty to Cooperate**

Members received a report from the Planning Policy Officer outlining some of the details of the requirements of the Duty to Co-operate as set out in the Localism Act 2011. Members noted that Local Planning Authorities needed to demonstrate how they had complied with the duty to cooperate at the independent examination of their Local Plans in order to proceed further.

They noted the various ways in which the Authority was undertaking cooperation particularly through member and officer working groups, commissioning of joint work and the important and unique role of the Planning Committee itself with members appointed by the constituent District and County Councils. Where issues were raised by members at either the Authority's meetings or their own constituent District

meetings, these could be logged and would provide further evidence of cooperation.

Members noted that the Authority had a proven track record in cooperation and endorsed the continuation of this approach.

RESOLVED

that the approach being taken in the Duty to Cooperate be endorsed.

**4/11 Consultation Documents Update and Proposed Responses  
South Norfolk Council: Gypsies and Travellers Local Plan (GLTP) Issues  
and Options Consultation**

The Committee received a report from the Planning Policy Officer on the publication of the Gypsies and Travellers Local Plan (GLTP) Issues and Options consultation from South Norfolk Council, the purpose of which was to enable and coordinate development of land in accordance with the requirements of the Joint Core Strategy.

Members endorsed the proposed comments.

RESOLVED

that the proposed consultation response together with the comments made be endorsed.

**4/12 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee.

RESOLVED

that the report be noted.

**4/13 Appeals to the Secretary of State: Update**

The Committee received a schedule showing the position regarding appeals against the Authority since May 2013 as set out in Appendix 1 to the report.

RESOLVED

that the report be noted.

**4/14 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 2 September 2014 to 29 September 2014.

RESOLVED

that the report be noted.

**4/15 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 7 November 2014 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich. This would be followed by a meeting of the member Working Group the Heritage Asset Review Group.

This session would be followed by a training session for Members of the Committee on material and non-material considerations and guidance on imposition of conditions.

The meeting concluded at 13.45pm

CHAIRMAN

### Code of Conduct for Members

#### Declaration of Interests

**Committee:** Planning 10 October 2014

| <b>Name</b>  | <b>Agenda/<br/>Minute No(s)</b> | <b>Nature of Interest<br/>(Please describe the nature of the<br/>interest)</b>  |
|--------------|---------------------------------|---|
| Mike Barnard | 4/8 (2)                         | Application BA/2014/0254/FUL Ivy House Country Hotel – lobbied by residents both for and against proposal.  |
| Colin Gould  | Item 4/8 (3)<br><br>Item 4/11   | Application BA/2014/0272/FUL<br>Predetermined will speak as local member and leave the meeting for the debate and vote.<br>Member of South Norfolk Council:<br>Consultation on South Norfolk Gypsies and Travelers Local Plan Issues and Options document |
| Murray Gray  | Item 4/8(3) and<br>Item 4/11    | Member of South Norfolk Council:  |

## **Broads Authority**

### **Financial Scrutiny and Audit Committee**

Minutes of the meeting held on 23 September 2014

Please note these draft minutes will be reviewed by the Financial Scrutiny and Audit Committee at its next meeting on 10 February 2015 and may be subject to amendments prior to being confirmed

#### **Present:**

Mr G McGregor – Chair

Mr D Broad  
Prof J A Burgess  
Dr J S Johnson

#### **In Attendance:**

Mr T Adam – Head of Finance  
Ms E Guds – Administrative Officer  
Ms E Krelle – Financial Accountant  
Ms A Long – Director of Planning and Resources  
Mr J W Organ – Head of Governance and Executive Assistant

#### **Also in Attendance:**

Mr N Harris – Director, Ernst & Young  
Ms E Hodds – Internal Audit Consortium Manager, Internal Audit  
Ms J Penn – Treasurer and Financial Adviser  
Mr D Riglar – Audit Manager, Ernst & Young

#### **2/1 Apologies for Absence**

Apologies for absence were received from Dr J Packman, Mr N Dixon and Mr P Durrant.

#### **2/2 Matters of Urgent Business**

There were no matters of urgent business.

#### **2/3 Declarations of Interests**

Members expressed declarations of interests as set out in Appendix 1 to these minutes.

**2/4 To receive and confirm the minutes of the Financial Scrutiny and Audit Committee Meeting held on 8 July 2014 and 24 July 2014**

Regarding minutes of the meeting held on 24 July 2014, **1/8 Strategic Response to National Park Grant Reduction – Update on Minor Organisational Restructure**, a member raised concern regarding the Authority's intention to recruit a Solicitor and Monitoring Officer and queried whether there was a risk that the independence of the Solicitor and Monitoring Officer might be compromised by the fact that they would be reporting to the Chief Executive.

Members were assured that the line management of the Solicitor and Monitoring Officer by the Chief Executive in the other national park authorities and local authorities was the normal procedure.

The minutes of the meetings held on 8 July 2014 and 24 July 2014, following a minor amendment to formatting, were approved as a correct record and signed by the Chairman

**2/5 Public Question Time**

No question had been raised by members of the public.

**2/6 Consolidated Income and Expenditure – 1 April to 31 July 2014 Actual and 2014/15 Forecast Outturn**

The Committee received a report which provided details of the actual income and expenditure for the four month period to 31 July 2014 and a forecast of the projected expenditure at the end of the financial year (31 March 2015).

It was demonstrated that Income was slightly ahead but was expected to be in line with the total budget at year end with Private Tolls up and Hire Tolls down.

It was noted that expenditure funded from reserves was detailed in 2.3 and that, once reserves had been excluded, Operations expenditure was very much on profile but that there was an underspend on Planning and Resources budgets (as set out in 2.3 due to delayed projects and additional income) resulting in an overall favourable variance of £219,713 at the end of July.

Adjustments to the Forecast Outturn were detailed in table 3 where it was highlighted that significant movements related to cancellation of the Whitlingham Project and the movements in tolls, although the tolls adjustment offset one another.

Members were informed that the current forecast outturn position for the year suggested a deficit of £97K for the national park side and a surplus of £6K on navigation resulting in an overall deficit of £91K.

At the end of the year it was therefore anticipated that the navigation reserve balance would be restored to the recommended level of 10% of net expenditure. The impact of both the national park and navigation reserve balances was taken into account when preparing the budget and medium term financial strategy.

Members considered that the reduction in tolls in the hire boat industry was difficult to explain, especially as the revenue had increased and noted that a possible reason for the reduction could be the boating season getting shorter.

RESOLVED

that the report be noted.

## **2/7 Annual Governance Report 2013/14**

Members received a report prepared by the External Auditors, Ernst & Young together with a draft Letter of Representation in connection with the Audit of Financial Statements for 2013/14 which was presented for consideration and approval by the Committee in order for it to be signed and sent to the External Auditors.

Members were reminded that the Authority was responsible for preparing and publishing its Statements of Accounts accompanied by the Annual Governance Statement and for putting in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

Members were informed that there were no matters arising from the specific risk-based work undertaken during the audit which needed to be reported.

The Auditors noted their thanks to officers for their cooperation and support during the audit, and the Committee was informed that an unqualified opinion and Audit Letter would be issued at the conclusion of the audit after the Statement of Accounts had been signed following the Broads Authority meeting on 26 September.

RESOLVED

- (i) that members note the Annual Governance Report 2013/14; and
- (ii) that members approve the Letter of Representation in connection with the Audit of the Financial Statements for 2013/14 to be signed by the Treasurer and Financial Adviser and the Chairman of the FSAC.

## **2/8 Implementation of Internal Audit Recommendations – Summary of Progress**

The Committee received a report which updated them on progress in implementing Internal Audit recommendations arising out of audits carried out since 2013/14.

Members were informed that progress has been made on implementing outstanding recommendations from the previous report to Committee and no Internal Audits have been undertaken since last report.

It was reported that actions to deliver the only outstanding recommendation were underway and that this related to a review of aggregate spend with suppliers, which was underway for 2013/14 and would be undertaken annually as part of year-end work. In response to a question, members were reassured that the 36 suppliers identified for further review did not necessarily represent instances where there were issues with the procurement process, but rather the procurements were being reviewed to ensure that the optimum procurement approach had been adopted in each case.

RESOLVED

that the report be noted.

## **2/9 Audit Committee Self-Assessment Exercise 2014/15**

Members were reminded that The Chartered Institute of Public Finance and Accountancy (CIPFA) advocated that it was good practice for Audit Committees to undertake regular self-assessments.

The Internal Audit Consortium Manager reported that it was the third time the Committee had undertaken this exercise and that the CIPFA's Audit Committee Self- Assessment Checklist focuses on six fundamental areas: Establishment, Operation & Duties; Internal Control; Financial Reporting &Regulatory Matters; Internal Audit; External Audit and Administration.

A query was raised regarding item 6.4 of the Audit Committee Self-Assessment Checklist as a member believed the question '*Are inputs for Any Other Business formally requested in advance from committee members, relevant officers, internal and external audit?*' should have been answered in the negative. Following a discussion, the Internal Audit Consortium Manager confirmed that she was satisfied with the answer being 'yes' as the Authority offered the mechanism for urgent business to be raised, and there had been occasions where this facility had been used in the past.

RESOLVED

that the completed Audit Committee Self- Assessment Checklist be noted.

## **2/10 Annual Review of Strategic Risk Register**

Members received a report which appended the Authority's updated Strategic Risk Register for their comments.

It was explained that the recent Internal Audit of this area of activity had resulted in a recommendation to include an additional column to determine

the risk level following the completion of all additional actions required and that this was to specifically identify those actions in future which would have a significant effect on mitigating/reducing levels of risk to allow resources to be prioritised accordingly.

Members also noted that the Risk Management arrangements for the year ending 31 March 2014 had received a good assurance.

Concern was raised regarding the process and timing involved with the proposed external consultation on the use of the National Parks name, on the basis that this could risk misrepresentation and damage to the Broads Authority's reputation. A member therefore proposed that a new category of risk (Reputational Risk) was included in the Risk Register with a risk (probability x severity) score of 4(P2S2) and that the current risk score concerning 'Ineffective Engagement with Key Partner/Stakeholders' was raised from 4 to 6 (P3S2).

The concerns and risks were discussed in full and the Committee considered that it would be premature to include the new risk and increase the current risk before the outcome of the agenda item 'Branding of the Broads' on the Broads Authority Committee Meeting was determined.

If considered necessary, the Committee would revert to reviewing the Risk Register again at the next meeting and if need be, an additional meeting could be arranged in order to reconsider the Risk Register in the light of the discussions regarding the "branding" of the Broads,

It was also considered that the proposal to shorten the timetable for the production of the Statement of Accounts, and associated earlier deadlines for External Audit work, from the accounts for 2017/18, could result in additional pressure on the Authority's limited resources, and increase the risk of misstatements in the Statement of Accounts.

RESOLVED

that the updated Strategic Risk Register be noted.

## OTHER MATTERS

### 2/11 Procurement Strategy

Members received a report setting out details of an updated Procurement Strategy for the Authority which incorporated a number of changes in legislation and best practice not covered in the previous version. Members were made aware that although a major overhaul had taken place to make the strategy more useful and useable, most of the fundamental principles remained the same.

The key changes summarised in section 2 were highlighted to the members and the strategy had been consulted on with the Treasurer and Financial Adviser, Management Forum, Management Team and Budget Holders, with some amendments being incorporated as a result.

Following a query about whether the Committee had delegated authority to approve the Strategy, members were informed that although the draft Procurement Strategy could have been approved by officers, it was felt appropriate to present it to the Committee due to their previous scrutiny of procurement issues.

RESOLVED

that the draft Procurement Strategy be approved.

**2/12 To consider any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B (4) (b) of the Local Government Act 1972**

There were no further items of business which the Chairman decided should be considered as a matter of urgency pursuant to Section 100B (4) (b) of the Local Government Act.

**2/13 To answer any formal questions of which due notice has been given**

There were no formal questions of which due notice had been given.

**2/14 Date of the next meeting**

The next meeting of the Committee would be held on Tuesday 10 February 2015 at 2.00 pm at Yare House, 62-64 Thorpe Road, Norwich

**2/15 Exclusion of the Public**

that the public be excluded from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by Paragraphs 1 to 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.

**2/16 Exempt minutes of the Financial Scrutiny and Audit Committee meeting held on 24 July 2014**

The minutes of the meeting held on 24 July 2014 were approved as a correct record and signed by the Chairman.

## 2/17 Internal Audit Procurement Process – Update

Members received a report which set out details of the procurement process under the OJEU regulations which was being undertaken by South Norfolk Council to appoint a supplier for Internal Audit Services to the Internal Audit Consortium.

Members were made aware that the Internal Audit Consortium offers significant benefits to the Authority in providing a cost effective means of delivering an appropriate level of Internal Audit Activity.

Members were informed that as the procurement was still underway, no detail of specific bids was currently available, but the procurement timetable was for a decision to be made by all participating Authorities on 3 October in order to allow the contract to be awarded by South Norfolk. Therefore members were asked to delegate authority to officers to determine the preferred Internal Audit solution for the Authority, based on the final outcomes of the procurement.

### RESOLVED

- (i) that the Authority subscribes to the overall outcome of the procurement process managed by South Norfolk Council; and
- (ii) that delegated authority be provided to the Head of Finance in consultation with the Management Team and the Treasurer to determine the model for delivery from the options set out in paragraph 3.1 of the report.

The meeting concluded at 3.00 pm

CHAIRMAN

### Declaration of Interests

Committee: Financial Scrutiny and Audit Committee

Date of Meeting: 31 July 2014

| <b>Name</b><br><br><b>Please Print</b> | Agenda/<br>Minute<br>No(s) | <b>Nature of Interest</b><br>(Please describe the nature of the<br>interest)             | Please tick<br>here if the<br>interest is a<br>Pecuniary<br>Interest<br><input checked="" type="checkbox"/> |
|--|----------------------------|--|---|
| D Broad                                | 4-17                       | Toll payer; Chairman of Navigation Committee; Great Yarmouth Port Consultative Committee |   |

## Navigation Committee

Minutes of the meeting held on 23 October 2014

Please note these draft minutes will be reviewed by the Navigation Committee at its next meeting on 11 December 2014 and may be subject to amendments prior to being confirmed

### Present:

Mr D A Broad (Chairman)

Mr K Allen  
Mr L Betts  
Miss S Blane  
Mr P Durrant

Mr P Greasley  
Mrs L Hempsall  
Mr M Heron

Mr P Ollier  
Mr M Whitaker

### In Attendance:

Mr T Adam – Head of Finance  
Mr F Bootman – Planning Officer  
Mr A Clarke – Senior Waterways & Recreation Officer  
Ms E Guds – Administrative Officer (Governance)  
Mr B Housden – Head of ICT/Collector of Tolls  
Ms A Long – Director of Planning and Resources  
Mr J Organ – Head of Governance and Executive Assistant  
Dr J Packman – Chief Executive  
Mr R Rogers – Head of Construction, Maintenance and Environment  
Mr A Vernon – Head of Ranger Services  
Mrs T Wakelin – Director of Operations

### Also in attendance:

Prof J Burgess – Vice-Chairman of the Authority  
Dr M Gray – Chairman of the Planning Committee  
Dr S Johnson – Chairman of the Authority

### 2/1 To receive apologies for absence and welcome

The Chairman welcomed Dr Gray, Dr Johnson, Prof Burgess and members of the public to the meeting.

Apologies for absence were received from Sir P Dixon, Mr A Goodchild and Mr J Knight.

The Chairman referred to Item 2/15 stating that in accordance with the Openness of the Local Government Bodies Regulations 2014 which came into effect on 6 August 2014, members of the public would be able to take photographs, film and audio-record the proceedings, and report on all public meetings as long as they did not make oral commentary during the meeting. He requested that if someone wished to film the proceedings they let the Authority know and if there were members of the public who objected to being filmed if they could so indicate.

**2/2 To note whether any items have been proposed as matters of urgent business/ Variation in order of items on the agenda**

No items had been proposed as matters of urgent business but, in view of the many concerned members of the public interested in the planning application under Item 14 of the Agenda, the Chairman proposed that this item be brought forward and taken immediately after Item 2/6 of the Agenda for the better convenience of the public.

**2/3 To receive Declarations of Interest**

Members expressed their declarations of interest as set out in Appendix 1 of these minutes.

**2/4 Public Question Time**

A public statement was read out by Mr Crowder concerning planning applications with navigation implications as set out in Appendix 2. The Chairman acknowledged the statement, thanked Mr Crowder for his interest, and assured him that these views would be considered fully by the committee when the relevant item was being dealt with under item 14 of the agenda .

A statement from Upton with Fishley Parish Council had been received but as no representative attended the meeting to present the statement, the statement would be referenced by a member of the committee during the agenda items 8 and 10 that it referred to.

The Committee recommended that the Authority reviewed the Public Question Time policy and consider whether a question, statement or petition could be addressed at a meeting, without the requirement for the member of the public providing the question, statement or petition to be present.

**2/5 To Receive and Confirm the Minutes of the Meetings Held on 4 September 2014**

The minutes of the meeting held on 4 September 2014 were confirmed as a correct record and signed by the Chairman.

## **2/6 Summary of Actions and Outstanding Issues Following Discussions at Previous Meetings**

Members received a report summarising the progress of issues that had recently been presented to the Committee.

Members welcomed and noted the report.

## **2/7 Mooring Strategy Review Update**

The members received a report which provided them with an update on the progress made on the review of the Mooring Strategy that is currently being undertaken. The report identifies a ten year Action plan for re-piling the Broads Authority's existing piled moorings which is informed by the Authority's Asset Management Strategy and takes account of the comments made at the stakeholder mooring workshop held on 22 July 2014.

The 2006 Mooring Strategy was updated in 2009 and developed in 2013 into an Integrated Access Strategy (IAS) for the Broads which resulted in an increased length of free moorings from 5969 to 7730 meters but subsequently also increased the Authority's asset management liabilities. It was also acknowledged that significant informal moorings had been lost to the BESL flood protection works and that more moorings were also being considered for adoption once they were no longer deemed necessary for this function.

Members were informed that £150k p.a. would cover the costs of replacing the piling at the Authority's existing moorings for the next ten years but would give no scope for taking on structural responsibility for additional sites or assets linked to mooring such as boardwalks.

The Chairman referred to written comments from Sir Peter Dixon who supported the strategy but highlighted concerns with dolphins at Ludham Bridge and also to a letter from Mr Paul Savage of the Broads Society referring to past concerns about the shortfall in moorings provision and raising the matter of the Paddy's Lane boardwalk; a concern also shared by a member.

Members were advised that the boardwalk leading from the mooring at Paddy's Lane to Barton Turf has not been prioritised for retention in the asset management strategy and that negotiations are underway to seek to transfer responsibility to the landowner. Due to reduction in National Park Grant there is no scope for continuing to maintain the structure from national park income as it doesn't score highly enough against the IAS criteria.

The view of the members was that the boardwalk at Paddy's Lane did provide a benefit for boaters and that they would therefore be prepared to consider some navigation funding being allocated to its future upkeep.

A member also felt that the question of moorings finance was far from resolved, consider the future demands on the navigation, and that it was worthy of further investigation and proposed that a 'Task and Finish' group be set up to see what funding was available. This was supported by another member who also indicated a willingness to take part.

The Committee recommended that

- (i) an increase in the re-piling budget for moorings to £150,000 per annum (index linked) for the next 10 years to maintain the Authority's existing moorings as set out in the report;
- (ii) an annual budget of £82,700 (index linked) for maintenance and repair of moorings (other than re-piling) for the next ten years;
- (iii) a reduction in the length of the Authority's Hoveton Viaduct mooring by 50%;
- (iv) that the Authority did not renew its lease for the Thorpe River Green mooring when it expires in 2017;
- (v) that further consideration be given to Paddy's Lane boardwalk to possibly be partly funded by navigation funds if the transfer is not successful; and
- (vi) the establishment of a working group to look at ideas in order to raise more capital for moorings and access to the broads and look into the possibility of obtaining EU funding.

## **2/8 Strategic Review of Waste Facilities**

The members received a report which sets out the current position of local District Councils in relation to provision of waste facilities throughout the Broads area.

It was specified that boat waste, where the boat is used for self-catering accommodation, was now classified as commercial waste rather than before when it was classified as household waste and that the "polluter" has to pay for the cost of both the collection and disposal of the waste.

The members were reminded that a letter was received from Great Yarmouth Borough Council (GYBC) on 30 May regarding their intention to cease the provision of waste services at their ten locations from week commencing 16 June 2014 and that The Broads Authority had not been approached or consulted by the Council regarding this action prior to receiving this letter.

Members were informed that on Broads Authority land provision would be withdrawn from Wayford Bridge, Dilham Staithe and Ranworth Staithe so it

has been recommended that as landowner the Broads Authority should continue to provide waste collecting service for Ranworth Staithe.

It was also considered whether to support the continuation of services for Ludham Bridge which was on Environment Agency owned land, to prevent Ranworth from becoming more heavily used which would cost approximately £3k but it was agreed that this would set an untenable precedent.

Members were further advised of the increase in volume of refuse disposal at Great Yarmouth Yacht Station and Norwich Yacht station at an additional £1k per annum and recommended that the public should be informed of the location of waste disposal facilities by use of skipper's manuals, websites, Broad Authority publications and information signs.

A member mentioned that Upton with Fishley Parish Council had asked that the Broads Authority increase the toll prices to raise funding in order to provide more waste collection facilities in the Broads area.

Some members believed it was time to be proactive and take charge of the waste collecting situation, possibly by trying to have a boat waste collecting policy in place, even if this would involve some extra costs. The idea would be the availability of access keys for toll-payers as part of the navigation service

The Chief Executive agreed that having a clear policy in place would be a good idea but that if the Authority was to take a major role in waste collection and disposal that would require an increase in tolls.

Nevertheless, the committee agreed that the problem was not going to go away and wished to consider, for future years, potential options which might involve additional costs.

The Committee supported the principle of the Authority funding the collection of waste at Ranworth, and the Great Yarmouth and Norwich Yacht Stations for an additional £4k per annum and asked officers to look into the possibility of putting a boat waste collection policy in place for future years

## **2/9 Navigation Income and Expenditure: 1 April to 31 August 2014 and 2014/15 Forecast Outturn**

Members received a report which provided them with details of the actual navigation income and expenditure for the five month period to 31 August 2014 and a forecast of the projected expenditure at the end of the financial year, 31 March 2015.

It was highlighted that expenditure was below the profile in April, but that this has been offset by spend in June, and that July and August had been broadly in line with the profiled Latest Available Budget (LAB).

It was noted that income of £2.857m remains slightly ahead of budget due to private tolls being ahead of profile. As the total net expenditure was £1.135m there was a larger surplus at this point (£51k) than budgeted, which represents a 3.05% underspend when compared against the latest budget.

Members were informed that although the LAB has not moved since the last report to the Committee, there had been some movements in the forecast outturn since the last Committee report and the previous positive forecast for Private Tolls variances had been revised down so that it was now at a level where it is expected to offset the negative Hire Toll variance at year end. Consequently income at year end is projected to be in line with budget and the forecast outturn is therefore for a small deficit of £11k which would leave reserves at year end at approximately £279k before year-end adjustments and the interest transfer.

Members were then advised of the navigation earmarked reserves which stood at £691k in August. It was reported that the planned spend from reserves includes payments for the second wherry (with a balance remaining of approximately £60k), and land purchases recently supported by the Committee. Members were informed that approximately £300k of the reserves were ring fenced for Mutford Lock and that further detail around planned use of earmarked reserves would be presented in December as part of the final draft annual Budget paper.

Members noted the report.

## **2/10 Navigation Charges 2015/16 and Draft Financial Strategy to 2017/18**

Members received a report which sets out information for the Committee to consider its views on the shape of the Financial Strategy for navigation income and expenditure for 2015/16 to 2017/18 and options for the Committee to consider both for the Strategy and next year's navigation charges.

It was identified that an increase in navigation income of 1.7% annually for the next three years would allow the Authority to continue to deliver current "baseline" levels of service and make provisions for the necessary replacement of vehicles, vessels and equipment. However, if the Committee wished to progress the project to dredge Hickling Broad, an increase of 2.9% per year for the next three years would be required.

It was reported by the Collector of Tolls that there were changes occurring in boat numbers and dispositions with increased numbers of private motor cruiser, increases in the average size of private motor boats, and weekly hire craft numbers falling. Furthermore it was reiterated that a reduction in hire boat income was being offset in the current financial year by an increase in income for private craft of a similar magnitude.

The Head of Finance outlined the four key factors which formed the foundation of the baseline Financial Strategy, which were the ongoing and sustained pressure on National Park Grant, resourcing the asset management plan, the allocation of practical work, and the reduction in central costs.

It was reported to members that the strategy is highly sensitive to assumptions, in particular around pay awards. It was highlighted that a 1% movement in pay represents a cost of approximately £16,000 to navigation (or half a percent on tolls). Attention was also drawn to the significant impact of National Insurance changes in 2016/17.

Members were advised that 1.7% increase in tolls had been identified as the minimum level as this was the point which enabled a flat rate increase and avoided significant movements in the tolls from year to year. It was considered that a stable rate of increase was more appropriate for the Authority in budget planning terms, and crucially would be clearer and more predictable for toll-payers than volatile changes.

The Director of Operations outlined the options and likely costs associated with progressing dredging at Hickling Broads, which would require a toll increase of 2.9%. It was emphasised that because the remaining balance in the reserve from the Prisma Project was being used to pay for the replacement of essential vessels and equipment, funding from this source would not be available to develop the Hickling project, and so alternative budgets would need to be sought, including from external contributors.

The majority of the members felt that as the proposal for dredging Hickling Broads was still in its development phase and that it was too early to take into account the results of the Stakeholder Surveys that a significant toll increase of 2.9% would not be justified.

There was general support amongst the Committee for the aspiration to progress dredging of Hickling in future, and members proposed that in the event there was capacity within Operations budgets and/or work plans, consideration should be given to whether they could be allocated for this purpose.

Members welcomed the fact that both options of 1.7 % and 2.9% toll increase presented to the Committee were lower than the level included in the 2014/15 Financial Strategy, which had been based on a annual 3% increase.

The Committee recommended to the Authority by 7 votes to 1 and one abstention that tolls be increased by 1.7 % in 2015/16.

## **2/11 Legality of Closed Broads**

The members received a report which sets out the current position in relation to the status of Broads water bodies.

The report highlighted that generally speaking there was a public right of navigation over all rivers which were tidal but this did not automatically extend to artificially created inland waters such as the Broads, even though they may be tidal.

Appendix 1 in the report demonstrated that there were 12 Broads accepted as public and five identified as private (with the largest being Hoveton Great/Hudsons Bay) where no access is permitted as these were either in private ownership or owned by conservation organisations.

It was explained to the members that any further investigation into the potential public access to the five private broads by legal action, would be time consuming and expensive as significant costs would be involved.

The Chairman reported comments received from James Knight concerning the legal background as he understood it which was that there was a widely-held view that there was a public right to navigate on all tidal waters, and that this included the Broads which were currently closed but which were previously open to navigation; he also asked about the situation with regard to Cockshoot Broad, where it was contended that access was planned to be restored after the project was completed.

There was no information available to the meeting on this latter point and the Chairman suggested an officer response to this after the meeting.

Although some members did not believe legal actions would be as involved as had been assumed, the majority of the members decided that rather than the Broads Authority spending money on legal advice it would be preferable to achieve a positive outcome by negotiations and engaging in open discussions with the landowners. It was suggested that contact be made with land-owners emphasising the benefits of better engagement with the Authority to allow greater access in the interests of the land-owner and public alike.

The Committee recommended that further engagement was needed by the Authority to encourage greater public access to private broads.

## **2/12 Geldeston Landholdings**

The members received a report which summarises the current landholdings of the Broads Authority in regard to the Geldeston area which breaks down into three parcels (moorings, woodland and marshes) and identifies reasons for the retention or disposal for each parcel.

Members were informed that Asset Management Strategy requires that assets are reviewed annually to ensure all functions are still being fulfilled.

Following on from this review the Authority suggested that the 24 hour moorings should be retained as they still fulfil a statutory function, however it

is suggested that the woodland would be disposed of and sold whereby the Authority would place a restriction on the sale that allows the continuation of public access to this area.

Members were informed that apart from being used for dredging disposal, the marsh is also being used by a third party for sporting activities and part of the site is used as an informal car park. Furthermore the marsh is also being managed for conservation benefit so therefore it is suggested that the Authority agree to the marsh being retained.

The Committee supported the suggested approach of retaining the 24 hour moorings and the marsh and the disposal of the woodland by selling it with a restriction in place that allowed the continuation of public access to this area.

**2/13 Broadland Flood Alleviation Project: Planning application for piling removal in Compartment 9 – Thurne Mouth to Acle Bridge**

The members were provided with a report which offered them a summary of Broadland Environmental Services Ltd (BESLs) planning application proposals for piling removal in Compartment 9 on the true left bank of the River Bure.

In response to a question as to whether there was a proposal of putting netting to prevent erosion after piling removal, officers replied that the planning application included re-profiling of the banks but that BESL would adopt an erosion monitoring protocol which means that should excessive erosion occur and the intervention trigger level defined in the erosion monitoring protocol were exceeded, BESL would restore the agreed waterways specifications defined in the Authority's Sediment Management Strategy by undertaking the required dredging or making a contribution to the Authority's dredging costs.

Members welcomed the report and supported the planning application provided that appropriate planning conditions were attached to any permission granted for the works as recommended in the report.

**2/14 Planning Application with Navigation Implications: Proposed Mooring Pontoons along River Waveney Frontage to St Olaves Marina Ltd**

This agenda item was addressed earlier after agenda item 2/6 Summary of Progress and before item 2/7 Mooring Strategy Review update.

The members received a report outlining the planning application for the installation of 164m of mooring pontoons and three angling platforms at St Olaves Marina, Haddiscoe, Great Yarmouth.

Members were informed that the moorings would be private moorings as defined by policy DP16 and that 10% of the new moorings created will be dedicated as short stay visitor moorings.

Two principle areas of concern were highlighted which were the width of the river and the right of mooring on the opposite site of the proposed planning application area.

As there was doubt about the accurate width of the river the applicant submitted a survey undertaken by an independent surveyor. This survey confirmed that the original bank to bank measurement sufficiently accurate, with a discrepancy of less than one meter.

The second concern was regarding the right to moor at the opposite bank. The members were informed there were three reasons which would allow right of moorings:

Firstly there is expressed planning permission and officers couldn't find any consent granted.

Secondly is Right to Deed but land registration searches showed that there were no indications of a right to moor in the deeds being found.

Finally there is Established Use. Officers searched historical images from 1945 to 2012 and have consulted the relevant Broads Authority Ranger but have found no proof of boats mooring at the site in question.

Residents were asked to submit details of use by 5<sup>th</sup> November 2014 but nothing has been received so far and it was emphasised that any party knowing of such evidence should supply it by then.

The application was considered by members of the Planning Committee on 10 October and as the proposed pontoons will reduce the width of navigable channel at the River Waveney, there will potentially be an impact on the navigation. Members of the Planning Committee therefore highlighted three specific questions on which input from the Navigation Committee would be welcomed and would assist them in their determination of the application.

The questions the views of the members were sought on are the following:

1. To what extent would the proposed moorings contribute to the network of facilities within the Broads?
2. What comment does the Navigation Committee have regarding the location, quality and type of proposed moorings?
3. Would the moorings be located where they would not have a negative impact on navigation?

After the officer's presentation, the Chairman allowed a member of the public to make a brief response to the case presented, during which time the main points of contention were the supposed 'rights of Riparian Owners' to moor boats and the perceived inaccuracies in the assessment of river width at the site.

It was clarified that there are no absolute rights of moorings arising from Riparian ownership and that the survey had been an independent one and not undertaken by officers. There remained the issue of what part of the tidal range the measures were taken at and the member of the public still believed that it might be less at Spring Low Water.

Members decided that the proposed mooring would contribute very little to the Broads, especially as the application didn't include de-masting moorings and as it was also unclear whether additional mooring is necessary as it is too early for results from the Stakeholder Surveys to be available.

Members noted that the only mention of St Olaves in the Mooring Strategy referred to the provision of de-masting moorings.

Regarding the quality and design of the pontoons, the Committee recognised that they were of industry-standard quality and of a robust nature but the rise and fall of that tidal section would require a much longer and better access ramp than that shown in the application.

Members expressed concerns about the location of the proposed moorings being set off 1 meter from the bank and were advised that the applicant had stated that the reason for this was an ecological and not a financial one, in order to protect the reed beds.

Members remained concerned however that this design would be saving a considerable level of construction costs at the expense of river width for navigation.

The members also stressed their reservation about the application extending beyond the wider section towards the bend and towards the narrower section of the river, where increased tidal currents would make manoeuvres more difficult.

The Navigation Committee unanimously recommended that the planning application for installation of 164 m of mooring pontoons along the River Waveney should be refused as it would have a negative impact on navigation for the following reasons:

1. It restricted the extent of river width for navigation required for the safe turning and mooring of boats in established nearby mooring cuts and for their waiting alongside for tidal access in very strong tidal conditions
2. The proposed pontoons, extending beyond the dog-leg in the river, encroached into a narrower and more restricted part of the navigation that exacerbated these factors
3. The pontoons, by being set out from the bank and not set back by recess within it, further restricted the width of the navigation and hence its safety unnecessarily as further vegetation zones could be located there.
4. There were no significant mitigating factors that would provide any necessary or desirable improvements to the navigation that would in any way ameliorate these safety issues or compensate for them.

## **2/15 Construction, Maintenance and Environment Work Programme Progress Update**

Members received a report which sets out the progress made in the delivery of the 2014/15 Construction, Maintenance and Environment Section work programme.

Early views and comments from the members were sought for a small scale dredging re-use scheme where the proposal aims to capitalise on an opportunity to re-use dredged sediment in the upper navigable reaches of the River Bure, where options for other forms of sediment re-use are limited.

Members welcomed and noted the report.

## **2/16 Broads Safety Management Group: Update**

Members received the minutes and an update of the Boating Safety Management Group meeting held on 23 September 2014.

Members noted the report.

## **2/17 Chief Executive's Report**

The Committee received a report which summarised the current position in respect of a number of projects and events, including decisions taken during the recent cycle of committee meetings.

As key issues the Chief Executive highlighted Hoveton Great Broad, Branding the Broads and Hire Boat Code Development and BA Licencing Conditions.

Regarding the latter the members were informed that the Boat Safety Management Group recently considered that the development of the revised Hire Boat Code had slipped on its proposed timetable which would have an impact on the revision of the Authority's existing Hire Boat License conditions.

Therefore the Members agreed with the recommendation that implementation of any changes to the existing hire boat licence regime should be deferred until April 2016 in order to allow for a considered consultation with the hire boat industry and allow operators to make necessary changes over the quiet period of the 2015 winter.

## **2/18 Current Issues**

Members were informed that river levels on the River Waveney were higher than reached on the previous surge tide last year. River levels on the Mid and Upper Yare were also higher and there was concern that the Environment

Agency had not issued a flood warning and that only a flood alert had been issued. Initial reports showed limited fish kills as a result of the surge.

**2/19 Items for future discussion**

There were no items for future discussion.

**2/20 To note the date of the next meeting**

The next meeting of the Committee would be held on Thursday 11 December 2014 at Yare House, 62-64 Thorpe Road, Norwich commencing at 1pm.

**2/21 Exclusion of the Public**

The Committee was asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information

**2/22 Ludham Field Base Update**

Members were informed that the Partnership has resolved their issue and has found a guarantor. Although the lease was not signed on 1 October 2014, it has now been scheduled to be signed on 1 December 2014.

The meeting concluded at 4.55 pm

Chairman

## Code of Conduct for Members

**Declaration of Interests**

Committee: Navigation Committee

Date of Meeting: 23 October 2014

| <b>Name<br/>Please Print</b> | <b>Agenda/<br/>Minute<br/>No(s)</b> | <b>Nature of Interest<br/>(Please describe the nature of the interest)</b>                           |
|------------------------------|-------------------------------------|--|
| Mr K Allen                   | 2/10                                | Member of the Broads Angling Strategy Group  |
| Mr L Betts                   |                                     | Toll Payer/Landowner/Riverside Piling  |
| Ms S Blane                   | 2/13 – 2/14                         | Member of the Planning Committee   |
| Mr D A Broad                 | 2/6 – 2/17                          | Toll Payer, Member of Great Yarmouth Port Consultative Committee                                     |
| Mr P Greasley                | 2/6 – 2/17                          | Toll Payer/Boat Operator/BHBF Chair  |
| Ms L Hemsall                 |                                     | (No relevant interest)   |
| Mr M Heron                   | 2/6 – 2/17                          | Toll Payer, Landowner, Member of British Rowing, Norwich RC, NBYC, Rec, Chair Whitlingham Boathouses |
| Mr P Ollier                  | 2/13 – 2/14                         | Toll Payer, NSBA Committee member, BA Planning Committee, RYA and various Broads sailing clubs       |
| Mr M Whitaker                | 2/6 – 2/17                          | Toll payer, Hire Boat Operator, BHBF Committee   |

### Statement by Mr Crowder

The Broads National Park has a fleet of traditional sailing craft used by experienced helmsmen and holiday hire craft users. They have typically long, up to 12 metres, low hulls with a bowsprit, low power engines, a narrow beam and bilge or fixed fin keels. They frequent this stretch of the River Waveney on their way from the northern waterways to sailing regattas held on Oulton Broad.

Equally so many modern hire craft, now typically exceeding 14metre in length and without the benefit of bow thrusters or twin engines, as with larger private craft to assist in handling, have to manoeuvre in this restricted navigational waterway to align themselves to face the tide when mooring at the Bell PH moorings by the St Olaves bridge. As Navigation experts you will understand what I am suggesting.

This is bad enough at slack water, but when the tide runs at 3 - 4 knots it is much worse, and when compounded with a south westerly blowing down the river as it so frequently does, making such a turn requires considerable skill and large clearances at bow and stern.

Add to that residents boats moored to their banks awaiting high water to gain access to their mud berth moorings then you will appreciate the river's 'Navigational Width' can be reduced by anything up to 6metres, considering a vessel and fendering. Adding a further 9 metres of restriction in this watercourse would represent an obstruction.

The local residents' moorings will be compromised with access to their berths and the general safety of this watercourse if the application is granted. In a river of 30 metres, bank to bank (the currently advised width) with a tidal flow in excess of 4knts, it will be difficult for a sailing craft with a length of 12m to easily tack against a strong prevailing SW headwind.

With a local residents' boats moored to the bank taking up 5.5 metres plus fendering, reducing the width to 24.5 metres, it will be more difficult to undertake the same activity.

Furthermore, with the residents boat and a proposed pontoon mooring taking up an additional 9 metres in navigable width, reducing down to 15.5 metres, I would suggest the same activity would be impossible.

So the result of such an obstruction to the 'Navigational Width' is to the detriment of sailing boat users and fails the conditions of the Strategy Plan CS 3.

**It comprises the enjoyment of users of the Broads Waterways.**

In a river of 15.5 metres 'Navigable Width', a craft cannot make a safe turn when the vessels' length exceeds 12 metres.

The 'larger' hire fleet craft are anything up to 15 metres. So, handled by totally inexperienced crew, this cannot be considered to be anything but a recipe for disaster.

There has been no written confirmation from the Applicant, up to the time of the Committee Meeting on the 10th October, and more recently the 15th October, as confirmed by the Case Officer, his willingness to restrict his mooring proposal to single run usage. This is an important point.

The pontoons cannot be moored closer to the bank due to high tidal range in the order of 1.6 metres.

At spring lows the pontoons would be aground and tipped on their inner edges, and being under the influence of passing crafts' wake would cause them to be very unstable. This making access along them by berth holders and wheelchair access people almost impossibly and highly dangerous with such equipment potentially veering into the river if not vigilantly supervised.

The pontoons by their very nature, being 2.6m wide and rectangular in shape, have to be positioned close to each other to avoid gaps through which adults, children, pets and wheelchair users could slip through openings.

This brings about an issue of restricted flexibility when providing a run of such units. When installed in a run of river, the inner faces of the pontoons will be a minimum of one metre from the most 'protruding' point, unless it is advocated that bank destruction is to take place.

This means that in many areas due to the natural shape created by water flow, the gap between pontoon and its supportive river bank will be considerably more than one metre and the resultant Navigational Width will be far less than suggested by the BA GPS data.

As the pontoon run approaches the curvature in the river this will cause either a greater gap between pontoons and the bank, resulting in the run needing to be even further positioned into the river, than that suggested, or wider and more dangerous gaps occurring between pontoons. In both cases the Navigable Width of the river will be less than suggested by BA and the Applicant.

**Looking at Policy: Broads Core Strategy CS3 states:**

*'The need for protection of the navigation, and anything having an adverse impact on the enjoyment of navigable water space, will not be permitted'.*

This proposal must have an adverse impact on the enjoyment of navigable water space, sailing boats will no longer be able to tack along this stretch of river. Equally so, longer boats, private or hire craft will no longer be able to safely manoeuvre.

**Development Plan DP16 states:**

*Moorings:*

*Proposals for new moorings will be permitted where:*

- a) They would be located where they would not have a negative impact on navigation.*

This proposal will have a negative impact as already described.

- b) The proposed development would not have an adverse effect on landscape character or protected habitats or species and would meet the requirements of the Water Framework Directive.*

This proposal will have an adverse impact on landscape, removing the view of a natural wetland reed bank. It would also impact on a protected species habitat needing mitigation action to minimise adverse impacts to drive it away.

- c) There is provision for an adequate and appropriate range of services and ancillary facilities, or adequate access to local facilities in the vicinity.*

The only amenities are outside the Marina's gates which are locked during 'out of office' hours. There are no pump out, drinking water, shore power, re-fuelling or shop facilities in the area of the proposal nor have been alluded to!!

Boat users would need to enter the Marina to obtain such facilities and as a result this would not be considered a favoured stop off point for boat users and could not justify such limited use facilities.

It is not a Marina in the true sense, it is a private boat berthing facility for occasional and residential use, and a Boat Sales office.

- d) The proposed development would not adversely affect the amenity of adjoining residents.*

The run of pontoons will adversely affect the amenity of adjoining residents, they will find it much harder to safely turn their vessels when attempt to moor in strong tidal flows due to the potential width restriction.

The presence of the proposed 'additional' boats entering and leaving their pontoon mooring will make it doubly difficult for existing residents. The residents and berth

owners would be disadvantaged by losing the undisturbed views and tranquillity previously enjoyed.

***New Moorings:***

*Broads Authority Development Management Policies, DPD 2011-2012*

*Will therefore only be permitted where they would not have a negative impact on navigation, for example in an off river basin or within a boat yard.*

These proposed mooring, by not being in an 'off river' basin or within a boatyard, in a 'Reducing Width' navigational channel, will produce a 'Net Negative Impact' on navigation and must by definition be ruled, Unacceptable'.

DRAFT