

Broads Authority

Minutes of the meeting held on 22 November 2013

Present:

Dr J S Johnson – in the Chair

Mr K Allen	Prof J A Burgess	Dr J M Gray
Mr M Barnard	Mr N Dixon	Mrs L Hemsall
Miss S Blane	Sir Peter Dixon	Mr G McGregor
Mrs J Brociek-Coulton	Mr P Durrant	Mr R Stevens
Mr D A Broad	Mr C Gould	Mr P Warner

In Attendance:

Dr J Packman – Chief Executive
Mr T Adam – Head of Finance
Mrs S A Beckett – Administrative Officer
Mr S Birtles – Head of Safety Management
Ms M Conti – Strategy and Projects Officer
Ms H Franzen – Press Officer
Ms A Kelly – Senior Ecologist
Ms A Leeper – Asset Officer
Ms A Long – Director of Planning and Resources
Mr J Organ – Head of Governance and Executive Assistant
Ms V McNeil – Solicitor and Monitoring Officer
Ms T Wakelin – Director of Operations
Ms C Weller – Head of Communications

Also in attendance:

Prof R Card – Chairman of Broads Forum
Mr T Harris - Landowner
Mr P Riches – Land agent
Mr B Read – Norfolk Wherry Fleet Trust
Miss H Tew - Boatowner
Mr G Trimmer – Boatowner

3/1 Apologies and Welcome

The Chairman welcomed everyone to the meeting.

Apologies were received from Mr L Baugh, Mr M Jeal, Mr P E Ollier, Mr J Timewell and Mr J Sharpe.

3/2 Chairman's Announcements

(1) Martin Broom

The Chairman announced that since the last Authority meeting, members would be aware of the sad loss of Mr Martin Broom who had been a pivotal figure in the Broads and on the Broads Authority. On his retirement in 2011 he had been a member longer than any other. The Chairman paid tribute to him for his advice in the face of contentious issues. He had been popular with a unique ability to command respect from both the private and commercial sector and was a person with whom officers greatly enjoyed working. The service of Thanksgiving for his life was to be held at St Peter Mancroft Church at 3.15pm.

Members stood in silence for a minute as a mark of respect.

(2) Membership – Michael Jeal

The Chairman announced that Mr Michael Jeal had been reappointed by Great Yarmouth Borough Council in place of Mr Colin Fox who had been unable to attend for personal reasons.

(3) Various Dates to Note as part of the Member Development Programme

The Chairman informed members of the following dates:

- **Steering Group for Survey of Private Boat owners**
This was due to be held on Monday 25 November 2013.
- **UK Power Networks Critical Friends Conference: 12 December in Ipswich**
Guy McGregor had agreed to act as the Authority's representative at this seminar.
- **Planning Committee Design Quality Tour** on 11 April 2014
Following a doodle poll it had been concluded that the most convenient date for the Broads Design Quality tour was Friday 11 April 2014. This was a useful exercise to examine decisions on planning matters made by the Authority and would help to inform future decisions.
- **Member Working Group Meeting on 29 November 2013** to consider governance and improving relations with Navigation Committee.

(4) Broads Authority Email Accounts

Licenses for those 15 members who had requested Broads Authority email accounts had now been ordered and it was hoped that they would be in place in December 2013.

3/3 Introduction of Members and Declarations of Interest

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

3/4 Items of Urgent Business

The Chairman commented that he was pleased to announce the publication of Dr Murray Gray's latest book on Geodiversity. Dr Gray presented the Chairman with a copy for the Broads Authority adding that he had written an article for the Broads Bulletin. Members expressed appreciation.

3/5 Public Question Time

Questions from Mr Tim Harris and Mr Riches

A question was received from Mr Tim Harris concerning the Authority's statutory duties to conserve and enhance the natural beauty, wildlife and cultural heritage of the Broads particularly in relation to habitat management and water levels. A question was also received from Mr Peter Riches in a similar vein relating to concerns about the changes in the Broadland fens and abstraction of water for agriculture and the public water supply particularly in the middle and upper reaches of the rivers which flow into the Broads.

These were read out and the Chairman provided the Authority's response as set out in Appendix 2 to these minutes. Mr Harris and Mr Riches thanked the Authority for allowing them to put their questions and for the responses and were given the opportunity to respond.

Mr Harris and Mr Riches both expressed regret that the Authority was not doing more to address and understand the issues of water abstraction and the significant effects on fenland vegetation and habitats as part of its primary tasks in protecting the environment. Reference was made to work undertaken by two leading hydrologists that had identified vast ecological changes in these important habitats.

The Authority's Senior Ecologist welcomed the comments and concerns commenting on the complex issues involved and explaining that the matter formed part of the significant Habitat Regulations Assessment currently being undertaken. She, endorsed by the Chairman explained that the Environment Agency was the responsible body for water abstraction and that the Authority and Natural England were working in partnership with the Environment Agency on these issues.

Statements from Heather Tew, Norfolk Heritage Fleet Trust and Graham Trimmer

Three statements concerning Navigation Charges 2014/15 from Miss Heather Tew, Mr Bryan Read on behalf of the Norfolk Heritage Fleet Trust and Mr Graham Trimmer were also received by the Authority. Miss Tew and Mr Trimmer explained that they had not had a chance to review the revised proposal from the NSBA/BHBF of Option 4 in detail.

The Chairman advised that these statements would be taken into account when dealing with the item on Navigation Charges.

3/6 Minutes of Broads Authority Meeting held on 20 September 2013

The minutes of the meeting held on 20 September 2013 were approved as a correct record and signed by the Chairman.

3/7 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 addition, members noted the updates concerning:

(1) Visitor Centre Development (Minute 1/11) 12 July 2013

The Authority's Member Working Group for the Whitlingham Country Park Development had received a presentation on the potential options prepared by the Architect in accordance with the Development Brief at their meeting on 19 November 2013. These would be presented and considered at the Whitlingham Charitable Trust meeting on 4 December 2013.

(2) Purchase of Moorings Minute 4/13 18 January 2013

Following the granting of planning permission in August 2013 it was noted that the apparent delay was due to the processing of the Section 106 Agreement. The matter was now with the solicitors who were completing the conveyance of the purchase.

3/8 Minutes Received

(1) Broads Local Access Forum – 11 September 2013

RESOLVED

that the minutes of the meeting of the Broads Local Access Forum held on 11 September 2013 be received.

(2) **Planning Committee: 13 September and 11 October 2013**

In particular attention was drawn to the Minute 4/9(4) and the report received on the Government's proposals for Biodiversity offsetting, which was not considered to be appropriate for the Broads.

RESOLVED

that the minutes of the Planning Committee meetings held on 13 September and 11 October 2013 be received.

(3) **Financial Scrutiny and Audit Committee – 19 September 2013**

RESOLVED

that the minutes of the Financial Scrutiny and Audit Committee held on 19 September 2013 be received.

(4) **Navigation Committee: 24 October 2013 and Special Meeting 22 November 2013**

The comments from the Navigation Committee would be fed into the discussions at this meeting as well as reports for future meetings.

In particular the Chairman of the Navigation Committee referred to the revised proposals from the NSBA and BHBF relating to Navigation Charges for 2014/15, which had been considered at the Special meeting of the Navigation Committee this morning at 9.00am and would be presented and taken into account when considering the setting of tolls.

RESOLVED

that the minutes of the Navigation Committee meeting held on 24 October 2013 be received.

(5) **Broads Forum – 8 November 2013**

The Chairman of the Broads Forum drew particular attention to the first question received by the Forum from Mr Ray Walpole concerning how the Authority should assist to improve green transport links to Whitlingham Country Park and the subsequent detailed discussion. It was noted that the overall funding represented the greatest barrier to the issues raised.

The Forum's views and comments on this together with those on the other matters debated including Strategic Priorities to be considered within this meeting were welcomed.

RESOLVED

that the minutes of the Broads Forum Meeting held on 8 November 2013 be received.

Strategy and Policy

3/9 Strategic Context

The Authority received a report setting out the rapidly changing external environment particularly relating to the further reductions in National Park Grant which provided the context for the following items on the agenda including the mid-term review of the Broads Plan, and would have a bearing on the difficult decisions the Authority was required to make on its strategic priorities for 2014/15. Members noted that the likely maximum reduction would be in line with the Defra departmental reduction between -2% for 2014/15 and - 9.6% for 2015/16 recognising that there was still a considerable element of uncertainty. They noted that the impact of a range of scenarios was being considered by the Management Forum, that all staff were being engaged in the process, and options for raising income and reducing expenditure would be explored with the FSAC. They applauded, welcomed and endorsed the diagrammatic representation of the overall context as it provided a helpful means of focusing attention on those overarching strategic priorities to be considered in delivering effective and efficient services. They particularly endorsed the view that central to this was raising the profile of the Broads and the Authority (set out at Appendix 3).

In line with this and the message from the ANPA conference, members were mindful of the importance of tourism to the area with this being worth £470 million to the local economy and the contribution and part the hire boat industry had to play. Although good progress was being made there were still major challenges and a collective approach was required. Working in partnership as defined in the Broads Plan was essential.

RESOLVED

that the report be noted.

3/10 Broads Plan 2011 – Mid Term Report

The Authority received a summary of progress on the Broads Plan Mid-Term Review attached to the report. Set against the Broads Plan's objectives under the three overarching themes, members noted the main achievements to date as well as the areas for further work. They recognised that the Authority and its partners would be facing considerable pressures on their finances over the next few years and therefore to deliver the remaining actions would require greater emphasis on making the most of external funding opportunities, continued partnership working and a flexible approach to future priorities. The Broads Plan, having been adopted in 2011, as the strategic management plan

for the Broads was due for a full review in 2016 and therefore this would commence in 2015. Members also noted that the review of the State of the Park report had begun and would welcome an early sight of this.

A member expressed the view that the Authority needed to have a clear vision of where it wished to be within 5 – 10 years in order to be able to tap into and obtain the additional resources required.

Members welcomed the report and congratulated staff on the achievements so far which would be used as a springboard for the next five years.

RESOLVED

that the Broads Plan Mid Term Review be noted as a context for future decisions.

3/11 Strategic Direction *including*

- ***Progress on Strategic Direction for 2013/14***

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. These followed 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, projects and key milestones for the Strategic Priorities for 2013/14 and that these were largely on track with six objectives having already been completed.

RESOLVED

- (i) that the performance of the different projects to meet the Strategic Priorities for 2013/14 in the accompanying schedule Appendix 1 to the report be noted.

- ***Strategic Priorities for 2014/15***

Following on from Minute 3/9 and 3/10, the Authority gave consideration to the draft objectives, projects and activities required to meet the objectives of the Broads Plan to form the strategic priorities for 2014/15 and to be adopted in March 2014. They endorsed the continuation of the use of the three key themes together with the organisational priority.

- (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.*

Members noted that the draft objectives and potential actions included items identified following consultation with the Navigation Committee on 24 October

and the Broads Forum on 7 November 2013. They fully supported the potential actions included in Appendix 2 of the report. In relation to their support for the actions in objective 2 concerning developing and encouraging traditional skills possibly through apprenticeships it was suggested this could include involving the Local Enterprise Partnership.

In addition members suggested that the following actions be included as part of the work programme for 2014/15:

Sustainable use and enjoyment of the Broads (3)

- PE3: To further develop and promote opportunities for youngsters to take up boating and sailing and outdoor activities and improve an understanding of the Environment in association with our partners (eg How Hill, Whitlingham Outdoor Education Centre)
- TR1 and TR3: As part of the Integrated Access Strategy improving access for anglers in sustainable sites

With reference to Governance (4) a member suggested that it would be opportune to review the membership and structure of the Broads Authority to consider its representation in light of changes in sources and apportionment of income and funding. Bearing this in mind, members recognised that the Authority had three main objectives and in having regard to support for the local economy this not only included navigation interests but also those of farming. It was agreed that this was part of Priority 4.4 as part of the move to achieving full National Park status and should be included in the strategic priorities in that context.

RESOLVED

- (ii) that in association with the Strategic Context (Minute 3/9) (Appendix 3) the guidance provided by members for inclusion in the Draft Strategic Priorities for 2014/15 be used to generate a consultation draft for consultation with Parish and Town Councils and then further consultation with the Navigation Committee and Broads Forum, prior to a full list being presented to the Authority in March 2014.

3/12 Financial Performance and Direction

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

Section 2: Consolidated Income and Expenditure from 1 April 2013 – 30 September 2013

The Authority received the details of the consolidated actual income and expenditure for the six month period to 30 September 2013, together with the projected expenditure at the end of the financial year (31 March 2014).

It was noted that at the end of September 2013, core income was slightly below the profiled budget due to Private and Hire Tolls income being slightly

below budget and the delay in receipt of investment interest income. The Head of Finance reported that since production of the meeting papers an updated estimate for investment interest had been prepared. The original budget anticipated income of £45,000 for the year, however with current rates available, income of approximately £20,000 was likely to be more realistic. The overall surplus position as the end of September was £1,266,092, an adverse variance of £3,140 when compared to the profiled latest available budget.

It was noted that at the end of September 2013 the forecast outturn indicated that income was expected to be broadly in line with the original budget with total forecast income of £6,477,107 and total expenditure was forecast to be £6,479,128 with a resulting deficit forecast to be £2,021, with the forecast deficit being reduced by £60,935 since the last report to the Authority in September. Members noted the adjustments to the forecast outturn and the reasons for these. They noted that there was an anticipated underspend of approximately £60,000 within the moorings budget due to the deferral of piling works at the Hoveton viaduct and were content with the proposal to use this to provide a contribution to the property reserve, which would then be used to fund piling activity and maintenance in priority areas.

Members also gave consideration to the use of the Planning Delivery Grant, noting such a fund would not always be available and that provision would need to be made in the future for dealing with the preparation and inspection of development plans, once the Planning Delivery Grant reserve was depleted.

RESOLVED

- (i) that the Consolidated Income and Expenditure figures from 1 April 2013 to 30 September 2013 be noted.
- (ii) that the £60,000 reserve contribution for piling activity following a strategic reassessment of the priority areas for moorings and piling maintenance (as set out in paragraph 2.21 of the report) be approved;
- (iii) that the Authority approve the use of the Planning Delivery Grant reserve (as set out in para 2.24 of the report) to fund the following items in 2013/14:
 - (a) a £4,000 subscription to the GRANTFinder funding database
 - (b) the cost of the Examination in Public for the Authority's Sites Specifics Development Plan Documents, scheduled to take place in February 2014. (Estimated at approximately £25,000)

Section 3: Disposal of Broads Authority Launches

The Authority received the report which provided details of a proposed disposal strategy for the Authority's launches that formed a key part of the Launch Replacement Strategy. Members noted the plans for the replacement

of the fleet of ranger launches and that this was based on the use of the proceeds from the sale of older launches to part fund the overall programme.

RESOLVED

- (iv) that the disposal of assets be approved in principle and the disposal process and fall-back arrangements should the reserve for sealed bids not be met, as set out in the report be endorsed .

Section 4: *Outcomes of Internal Audit: Procurement*

The Authority received details of the outcome of the recent Internal Audit of procurement activity and noted the Summary of Audit Recommendations together with management responses set out at Table 5 of the report. Although it was noted that the Auditors had designated procurement training as a “low” priority, some members considered that this should be given high priority. Members also noted the recommendation relating to the replacement of vehicles and dredging works in Heigham Sound where waivers of standing orders were required but had not been completed and/or reported to the Authority. Members accepted the detailed justifications to waive standing orders and were satisfied that value for money had been achieved and that these had been exceptions. They noted that procedures relating to contracts and procurement were now in place to ensure that the appropriate reporting and approvals were completed. . It was noted that the progress of implementing the remaining recommendations would be reviewed by the Financial Scrutiny and Audit Committee as part of their regular report on Internal Audit activity.

RESOLVED

- (v) that the outcomes of the audit of procurement be noted.
- (vi) that the two additional waivers to Standing Orders set out in paragraph 4.6 relating to the replacement of vehicles and dredging (Table 6) of the report be noted.

Section 5: *Related Party Transactions*

The Authority received a report concerning the review of the Authority’s Financial Regulations to be considered by the Financial Scrutiny and Audit Committee in February 2014 with specific reference to the procedures in relation to procurement involving related parties such as businesses operated by or otherwise related to members of the Authority. They noted that all contracts were let solely in accordance with the Authority’s Standing Orders Relating to Contracts and the decision on a preferred supplier would be made on this basis. Members considered that it was important to be transparent and that this had to be balanced against the risk of potential delays. Members were in favour of the principle of receiving notification (for information) in advance of contracts being let but that an electronic means of achieving this ensuring appropriate security measures be investigated.

RESOLVED

- (vii) that in principle option 1 requiring members to receive advance notification of contracts to related parties as set out in para 5.4 of the report be adopted, with investigation being undertaken into an appropriate mechanism for communication to members outside the formal meeting timetable to minimise the risk of delays in the process.

3/13 Navigation Charges 2014/15

The Authority received a report setting out a proposal for an overall increase in navigation charges of 2.8% for 2014/15 as well as four options for consideration of the apportionment of those charges. These included two options submitted by the Norfolk and Suffolk Boating Association (NSBA) and Broads Hire Boat Federation (BHBF); a flat rate increase and a flat rate increase combined with a reduction in the hire boat multiplier. The Navigation Committee had held a special meeting prior to this meeting to reconsider its recommendation from the 24 October in light of the revised proposal received from the NSBA and BHBF since then and included as Option 4 of the report. Members were informed that the Navigation Committee had recommended by 8 votes to 0 with 3 abstentions that the Authority adopt Option 4.

Members were mindful of the varying and multiple demands on the Authority's resources to fulfil its objectives including the overall financial position as received at Minute 3/11 and the issues being raised by the Draft Asset Plan which had provided the background for the Navigation Committee's recommendation for a 2.8% increase in income.

Mr Broad proposed, seconded by Mr Allen and it was

RESOLVED by 15 votes to 0 with 1 abstention

- (i) that Navigation charges for 2014/15 be raised to increase navigation income by 2.8% to approximately £2.92 million in order to make appropriate financial provision for the maintenance of the Authority's assets, and in particular the network of free 24 hour moorings.

In considering the options for apportionment put forward, members took account of the review of the impact from the decisions made in 2012 and the context in relation to other waterways, as well as the set of guiding principles and criteria for tolls which had been adopted by the Authority. They were mindful that following various tolls reviews and advice from stakeholders the Authority had pursued a policy of reducing or holding the charges stable for smaller craft whose fees were high compared to other waterways and reducing the premium paid by the hire boat industry given its contribution to the economy. They were also mindful of the reductions in the number of smaller boats and the increase in the number of larger boats registering on the Broads over the last three years and the question of equity and fairness.

Members expressed appreciation for and welcomed the considerable amount of cooperative work undertaken by the NSBA and BHBF on the tolls structure and particularly the receipt of the moderated proposal at Option 4. Members commented that they were being asked to make a difficult judgment given that there appeared to be little substantial difference in purely monetary terms on individual tollpayers between the options, agreement had been reached between two sectors and good relationships were important, but that there were differences in the underlying principles and direction. They noted that whichever option was chosen there would be dissatisfaction from one or other sector. Members were also aware that the advice of the Navigation Committee as part of the Authority was important to its decision making and they were particularly mindful of the need to work with its stakeholders.

The Chairman of the Navigation Committee presented the recommendation from the Navigation Committee in favour of Option 4 explaining that it was made on the basis of a compromise and mechanism of a way forward to finding a more equitable proposal and before having a more evidence based approach, through the Boat Owners Survey to be carried out in 2014 for the apportionment of tolls in 2015/16. He moved the recommendation. This was seconded by Mr Allen.

Those members in support of Option 4 expressed the view that this was a compromise solution and the basis for a way forward particularly in view of the considerable efforts made by the NSBA and BHBF and in the interests of good relationships with tollpayers and the Navigation Committee. They hoped that the Boat Owners survey would help provide evidence in finding a more equitable apportionment of tolls for 2015/16. However, some members cautioned that this would not provide all the answers and members recognised that they would need to be open minded in addressing the matter.

Some members expressed concerns about deviating from the principles and strategy which had been previously agreed by the Authority. Concerns were also expressed about the economic arguments given the stark shift in the numbers of smaller boats and larger ones, bearing in mind that the impact on the smaller boats would be greater for Option 4 and taking account of the representations received earlier in the meeting. Members wished to support economic development and had sympathy with the hireboat operators in difficult economic times. Therefore, some members considered that option 3 would be preferable in both economic and fairness terms in that it appeared to have a minimal impact on the smaller boats, as well as helping the hire boat industry. Some considered that on this basis there was not a full justification for Option 4.

Following a full debate members were asked to vote on the motion before them.

RESOLVED by 7 votes to 6 with 3 abstentions

- (ii) that the Authority adopt Option 4 for the apportionment of navigation charges for 2014/15 as recommended by the Navigation Committee and as set out in the report.

3/14 External Funding Opportunities and Income Generation

Further to Minute 2/22, the Authority received a report providing details of potential external funding opportunities and income generation options open to the Authority, along with details of research into the indicative amounts that may be available from such sources. The report took into account initiatives undertaken at national level through National Parks UK, and information from income generation from local authorities as well as members' views received following the report submitted to the Financial Scrutiny and Audit Committee on 19 September and the last Authority meeting. Members noted the potential areas identified for income generation specifically relating to advertising and sponsorship, branding, contracting out services, commercial exploitation of TICs and Yacht Stations and charging credit card fees.

Members welcomed the detailed consideration given within the report. They were mindful that the Authority had limited capacity to advance the whole range of suggestions identified within the report and therefore there was a need to prioritise those areas where the maximum returns were anticipated and feasible. It was considered that a project by project approach would be advisable and that consideration be given to piloting some of the ideas in the first instance. Members also considered that further investigations should be made into trademarking the dragonfly logo as identified in para 8.10 of the report.

Members were in favour of considering a more commercial approach to its activities and suggested that the large commercial organisations such as the energy companies and banks might be approached, stressing the Authority's green credentials and requirements. However, it was recognised that there would be resource implications for the Authority and staff capacity was limited. A member commented that it was also beholden on members themselves to take matters forward and make a significant contribution and this was accepted.

In considering the income options summary matrix, members considered that priority should be given to those specific matters identified in the high likelihood and high feasibility areas.

Members were requested to provide the Chairman with any further suggestions, comments and/or expressions of interest in being involved in taking matters forward within the next seven days.

RESOLVED

- (i) 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;

- (ii) that the Authority continues to pursue its main sponsorship initiatives in partnership with the national parks through the medium of National Parks UK;
- (iii) 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;
- (iv) that priority for external funding is given to the priority projects including the potential improvement of public facilities at Whitlingham Country Park and dredging to improve water quality and depth;
- (v) that engagement with New Anglia (the Local Enterprise Partnership), through which European and some other sources of government funding are being channelled, continues to be given a high priority; and
- (vi) that a further report to the Authority be made next year on the outcome of the Defra funded research on *"how national parks can maximise their funding from all sources"*.

3/15 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 Head of Safety Management confirmed that there were no items which needed to be raised under this item.

3/16 Feedback from Lead Members and Those Appointed to Represent the Authority

(1) Tourism Forum

The Lead member for Tourism, Mr Broad reported that he had attended a very interesting meeting on 13 November 2013 at which the following items were discussed:

- Magical waterland – it had been accepted that the magical waterland phrase was valuable and should be continued although there could be changes to some of the graphics
- Broads Quality Charter – very useful presentation with much of the discussion focusing on marketing issues.
- Consideration of a marketing campaign with Archant with the possible production of a supplement
- IAP work in the Broads was now available in trial format

(2) Sustainable Development Fund

The Authority's representative on the Sustainable Development Fund Panel, Mr Allen reported that he had attended his first panel meeting and had been very impressed with the level of scrutiny with which the

members considered applications. However, he was surprised that there were not more applications for funds.

3/17 Date of Next Meeting

The next meeting of the Authority would be held on Friday 17 January 2014 commencing at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

3/18 Items of Urgent Business

There were no items of urgent business.

3/19 Formal Questions

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

3/20 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 following items on the grounds that they involved the likely disclosure of exempt information as defined by Paragraphs 1, 3 and 6 of Part 1 of Schedule 12A of the Act as amended, and that the public interest in maintaining the exemption outweighed the public benefit in disclosing the information.

Members of the public left the meeting during consideration of the following items

Summary of Exempt Minutes

3/21 Exempt Minutes of Broads Authority meeting held on 13 September 2013

RESOLVED

that the exempt minutes of the Broads Authority meeting held 13 September 2013 were agreed as a correct record and signed by the Chairman.

3/22 Update on Proposed Action at Wayford Mill

Further to Minute 6/24, 1/29 and 2/25, the Authority received an update on the situation containing exempt information with regard to the legal proceedings in relation to Wayford Mill and the potential to seek a settlement agreement with the landowner in order to conclude matters. A settlement agreement had now been signed and the court proceedings had been withdrawn. Members welcomed the report.

RESOLVED

that the report together with the contents of the Agreement with the landowner be noted and welcomed .

3/23 Sale of Woodland

The Authority received a report containing exempt information summarising the current situation with regard to the sale of a woodland site.

RESOLVED

that the Authority agrees to a delay in the sale of the woodland until February 2014 to enable one of the possible buyers to consult all parties and finalise their offer.

3/24 Ludham Field Base

The Authority was informed that the Ludham fieldbase was being let on a short term basis in the first instance as from November 2013.

RESOLVED

that the report be noted and welcomed.

The meeting concluded at 14.20 pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Broads Authority 22 November 2013

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
M Barnard	3/23	Approached by two district councilors and owner of Lock Inn
P Dixon	3/13	Representations from Tollpayers
D A Broad	Items 3/2– 3/16	Tollpayer, Member of Great Yarmouth Port Consultative Committee
K Allen	Items 3/2 – 3/16	Angling Trust, BASG Member
J M Gray	3/23	Member of River Waveney Trust (Other interest)
Guy McGregor		Member of Suffolk County Council

QUESTIONS FOR BROADS AUTHORITY MEETING 22 November 2013

Public Question Time

(1) Question submitted by Mr Tim Harris

"It is generally accepted that the Broads are experiencing a widespread decline in the growth of reed and calcareous plants. As the first statutory duty of the Broads Authority is stated to be conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads, please could you inform me:

1. What is the Broads Authority doing to determine the cause of and remedy for this? And
2. Who in the Broads Authority is responsible and accountable for doing this work?"

Broads Authority Response

The Authority considers that the decline in the growth of reed and calcareous plants is most probably because of habitat change, with cessation and change of management, nutrient enrichment of Broadland waters, changes to water flows in some sites and an increase in catchment salinity all playing a part.

To understand the change, the Broads Authority has undertaken a fen survey to assess the condition of the fen vegetation along with the recorded management practices and environmental conditions at these sites. In addition more detailed monitoring takes place in fens owned and managed by the Authority. The Authority has been working with Natural England to ensure that management activities and boundaries are accurately recorded so that the impact of fen management activities can be assessed against environmental factors and fen ecology.

The Broads Plan sets out priorities and shared responsibility for sustainable management of biodiversity, with landowners funded by the agri-environment scheme taking a leading role in fen management. The Authority seeks to work very closely with others, such as through the Broad Biodiversity Group and Water Quality Partnership, to produce fen habitat management policy which integrates the work and knowledge of the Environment Agency, Natural England, the Wildlife Trusts and Conservation charities, the NFU and landowners. This includes funding expert assessment of fen vegetation, invertebrates, water quality and hydrology as well as advising Natural England on all Higher Level Stewardship schemes on fen sites. The Authority organises regular workshops on fen management and in April 2013 ran a workshop with local and national speakers focusing on eco-hydrology. This explored several techniques used to assess the condition of fen habitats including the use of decision support tools.

A programme of fen management is undertaken by the Authority on 15 sites to help reduce the loss of fen. This includes routine ditch clearance to maintain water flows, cutting and grazing management as well as scrub removal and turf ponding to create wetter areas and early succession vegetation. In addition to fen management, the loss of reedswamp on the edge of waterways has been researched over many years resulting in speed enforcement and feral geese grazing management. We are also involved in river restoration projects (including Hall fen bank restoration and Salhouse and Duck Island reed island creation) and over the last 12 months have taken a leading role in the Broadland Rivers Catchment partnership with its integrated interest in water quality and quantity.

Our 2013/14 expenditure including staff costs for operational fen management is £324,200 and £45,300 for research and strategic fen work.

Andrea Kelly, the Senior Ecologist supported by Erica Murray the Ecologist within the Planning and Resources Directorate is the lead for nature conservation matters. This includes developing and influencing policy, commissioning and managing research supporting the Broadland Catchment Partnership and giving ecological advice on Environmental Stewardship schemes.

Within the Operations Directorate Dan Hoare, the Environment and Design Supervisor, is responsible for directing the practical management on owned fens and those under management agreement and monitoring the impacts of this management.

(2) Question Submitted by Mr Peter Riches

There is evidence of significant change in the vegetation of some Broadland Fens and in particular some increase in acidity and possible drying out.

Has the Broads Authority commissioned or done any detailed research into the relationship between change in the Broadland fens and the abstraction of water for agriculture and for the public water supply? In addition has any research been undertaken into the relationship between reduced summer river flows in the Broads basin and abstraction for agriculture and the public water supply in the middle and upper reaches of the rivers which flow into the Broads?

Broads Authority Response

The Environment Agency is responsible for collecting river flow data which is used to assess the combined impact of abstraction on the designated sites, including fen habitats as part of the Review of Consents work. Natural England, as well as being the Government's statutory conservation adviser for England, provides statutory advice to the Environment Agency on the status of and effects to national and international protected sites under the Habitats Directive.

The Broads Authority has not commissioned Broads wide research on the abstraction of water for agriculture and for the public water supply and any impact on the conservation interest of the Broadland fens. However in 2012 the Authority commissioned detailed work on the hydrology of Burgh Common, (a 115 acre fen near Filby Broad) which included assessment of the quality of the fen vegetation and invertebrate community in relation to the water regime and management. As part of this, and the Review of Consents work lead by the Environment Agency, the nearby abstractions were considered. This report recommended that an additional monitoring point is required to assess an abstraction, as well as additional surface water monitoring across the site.

In regard to river flows, the main pieces of work that the Broads Authority has commissioned relates to the upper Thurne. Water and nutrient flow within the drained catchment and river channels in relation to saline tides and climate change were assessed. This work is synthesised and can be found on the Broads Authority website <http://www.broads-authority.gov.uk/authority/publications/conservation-publications.html> The impact of abstractions were not specifically assessed.

Public Question Time
Statement submitted by Miss Heather Tew

At the Navigation Committee meeting on 24th October 2013, I made a statement and asked questions concerning the level of consultation and fairness of the NSBA and BHBF proposal which would see some small/medium sized boats seeing a toll increase well beyond the average percentage, explicitly to reduce the tolls for the larger boats.

I'm afraid I have now got into this issue and wish to make two additional points to my previous statement.

I've looked at the Tolls Guiding Principles and Criteria which state that the structure of charges will take account of, amongst other points, 'Fairness' and 'Value for Money'. The 'Value for Money' principle requires "changes to compare favourably with other waterways whilst generating the required revenue", and the 'Fairness' principle requires the changes to be "justifiably and understandably fair". I have noted that the 'relative' difference in tolls is very significant between waterways such as the Thames and the Broads, with the smaller boats on the Broads having toll charges equivalent to about 95% of a similar sized boat on the Thames. This compares very unfavourably when you look at the larger boats on the Broads which have toll charges of only 55% of those on the Thames. The decisions of the Broads Authority in 2012 started to address the inequalities of these relativities, whereas the NSBA/BHBF proposals seek to reverse this. I would suggest that such a reversal does not fit with the 'Value for Money' strategic principle and therefore also cannot meet the strategic principle of 'Fairness' for smaller/medium sized boats.

Secondly, the Navigation Committee's response to my question told me that the average Hire Boat multiplier on the Environment Agency's waters is 1.8 compared to the Broads 2.65. This seems hugely different. Using the principles above there must be a strong case to reduce the multiplier on the Broads for the hire boat fleets, to allow the hire boat industry to remain viable, thereby providing a boost to the local tourist economy and ensuring continued contributions to tolls income from the hire fleet. Clearly if applied in one year the hike to private toll payers would be excessive. But I do urge the Broads Authority to develop a strategy to work towards this.

Statement submitted by Mr Bryan Read, Chairman of the Norfolk Heritage Fleet Trust

The Trust was not consulted about the proposal for tolls for 2014 put forward by NSBA and BHBF but we have since had the opportunity to study them. The effect of adopting Option 1 in the papers for the Navigation Committee would mean a significant increase above the 2.8% overall for most of our fleet. While we accept that there may be a case for adjustments which will mean some are losers, We regard it as dangerous to depart from a flat rate straight line increase by introducing as steep increase for a selected size of craft, instead of a straight line increase and we do not consider that a case has been made to adopt this strategy.

We understand that the object of the proposal was to reduce the tolls for larger vessels at the expense of the smaller craft. However, we think that the level of tolls for the larger vessels is justified by the increased wear and tear they cause on the infrastructure and in particular for hire boats, the additional space that they take up at moorings.

In addition we feel that the Authority should not discourage smaller craft by imposing an exceptional increase for one group of craft based on an arbitrary size category.

Having studied the other options, we would support Option 3 which retains the straight line relationship but does give some relief for the larger hire craft.

Statement submitted by Mr Graham Trimmer

I am a toll payer and a committee member and past Skipper of The East Anglian Cruising Club as well as being a member of the Yare Valley Sailing Club and a personal member of the Norfolk and Suffolk Boating Association (NSBA). I sail an auxiliary Broads river cruiser with a block area of 21 sq. metres.

I wish to object to the proposals regarding the Tolls round for 2014-15 as presented by the BA Navigation Committee.

The effect of the proposal is to penalise small motorboats of an average size of 15ft long, which could increase their rate of decline on the Broads. These are low budget boats, which can enable families and beginners to boating to access the Broads, and many have not been launched during the difficult economic situation. The proposal will undo the work the Broads Authority has put in since 2008 to try to reduce the percentage these boats pay for tolls and thereby increase the numbers enjoying this activity – particularly the young.

I am alarmed that the Authority may be under the impression that the NBSA has consulted with its membership. That is not the case as far as the two clubs with which I am associated neither am I aware has there been any such consultation with personal members, not all of whom will be members of affiliated clubs.

The claim of 'consultation' may refer to an informal presentation (in as much that the topic of 'tolls' was not announced as being on the agenda) at the annual Flag Officers 'get together' held at the Royal Norfolk and Suffolk Yacht Club in March of this year. I understand that flag officers of just twenty member clubs of the fifty one which are actually affiliates attended!

I call upon the Broads authority to reject the proposals of its Navigation Committee on this occasion – instead applying an 'across the board' increase of no more than the RPI.

