

Broads Authority

Minutes of the meeting held on 22 January 2010

Present

Dr J S Johnson in the Chair

Mrs S Blane	Mr S Dorrington	Mr G W Jermany
Mr D A Broad	Mr A Duce	Mr A S Mallett
Mrs J Brociek-Coulton	Mr P Durrant	Mr J Sharpe
Mr M C Broom	Mr P Frost	Ms C Sheridan
Mrs E A Burrows	Dr J M Gray	Ms R Varma
Mr N Dixon	Mrs A Haswell	

In Attendance

Dr J Packman – Chief Executive
Mrs A Abery – Management Accountant
Mrs S A Beckett – Administrative Officer
Mr S Birtles – Head of Waterways Strategy and Safety
Ms L Harris – Head of Valley Management
Mr R G Holman – Director of Corporate Services
Dr D Hoare – Waterways Conservation Manager
Mr S Hooton – Director of Conservation and Countryside Management
Mr K R Hounsome – Solicitor and Monitoring Officer
Ms A Kelly – Head of Conservation
Ms A Long – Director of Planning and Strategy
Mr J Organ – Head of Administration and Executive Assistant
Mrs L Shute – Administrative Officer
Ms C Weller – Communications Manager

Also Present

Mr J Bowman – Chairman, Broads Forum
Mr M Cook – Chairman, Standards Committee

3/1 Apologies and Welcome

Apologies for absence were received from Mr C Gould, Mr G McGregor and Mr P Woodcock.

3/2 Chairman's Announcements

(1) Future Dates

The Chairman informed members that there were plans to hold an open day event on 10 April 2010 from 11.00 am to 4.00pm and the Annual Public Meeting on Friday evening 21 May 2010 at 7.00pm. Details of both of these events would be confirmed later.

(2) **Broads Plan Review**

He reminded members that the workshop for members on the review of the Broads Plan would be taking place on Thursday 28 January 2010, commencing at 9.15am for 9.30am.

(3) **Mrs Anne Horsefield**

It was with great regret he announced that Mrs Anne Horsefield, wife of the Chairman of the Broads Society, had passed away. It was agreed that a letter of condolence would be sent to the family.

3/3 Items of Urgent Business

There were no items of urgent business.

3/4 Introduction of Members and Declarations of Interest

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

3/5 Public Question Time

No questions were raised by members of the public.

3/6 Minutes of the Broads Authority Meeting held on 20 November 2009

The minutes of the meeting held on 20 November 2009 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 considered and noted a schedule of the progress/action taken following decisions of previous meetings.

3/8 Minutes Received

(1) **Planning Committee: 6 November and 4 December 2009**

RESOLVED

that the minutes of the Planning Committee meetings held on 6 November and 4 December 2009 be received.

(2) Standards Committee: 20 November 2009

RESOLVED

that the minutes of the Standards Committee meeting held on 20 November 2009 be received.

(3) Broads Local Access Forum: 9 December 2009

RESOLVED

that the minutes of the Broads Local Access Forum meeting held on 9 December 2009 be received.

(4) Navigation Committee: 10 December 2009

RESOLVED

that the minutes of the Navigation Committee meeting held on 10 December 2009 be received.

3/9 Implementation of the Broads Biodiversity Action Plan

The Authority received a presentation and report which provided details of some of the projects carried out under the Broads Biodiversity Action Plan. This included the Fen Restoration and Management, Fen Survey, Trinity and Lound Partnership Project, Connecting Wetlands and the Peat Project.

In reply to a member's question regarding proposals for the introduction of sea eagles to coastal areas, it was noted that, although the Authority had developed no official policy, officers were involved in meetings with partner organisations and would be looking at the likely impact its introduction would bring. Members noted that officers were involved with partners on several initiatives including non native species and connecting wetlands and were keen to increase partnership working, especially with land owners, such as the Water Management Alliance. The Authority and its partners shared information where relevant. It was noted that as this was the International Year of Biodiversity, various events would be taking place, including one on 7 March 2010 at the Forum in Norwich.

RESOLVED

- (i) that the content of the Plan be noted; and
- (ii) that plans for Authority involvement in an event to contribute to the international year of Biodiversity be endorsed.

3/10 National Park Additional Grant Fund (AGF) Draft Action Plan and Update

The Authority received a presentation on the projects carried out so far and a report which summarised the draft 2010/11 planned budget and updates in respect of the

Additional Grant Fund (AGF) provided by Defra. It was noted that the Annual Action Plan identified, confirmed and monitored the spending plans to ensure that the purpose of the grant was achieved and that in the 2nd and 3rd years £400,000 had been allocated for “the restoration of aquatic ecosystems”.

The projects identified and addressed all three of the Authority’s purposes including projects that had aided understanding of the impacts of climate change and developing adaptation/resilience. It was noted that greater emphasis in the final (3rd) year would be placed on lake habitat and species management to achieve further water quality and habitat improvements.

A recent development had been the discovery of a bronze age settlement where work was being carried out at Ormesby. Mapping and sampling of the 3,500 year old features would be carried out.

It was noted that further reports would be prepared providing details of the Sediment Management and Lake Restoration Strategies. Other projects were reported in the Broads Biodiversity Action Plan.

In reply to a member’s query relating to the relatively small amount of funding allocated to controlling the source of sediment, it was noted that as the Executive Area was at the end of the catchment there were many projects with partners putting in steps to address the issues.

RESOLVED

that the National Park Additional Grant Fund Action Plan for 2010/11 be endorsed.

3/11 Draft National Park Circular

The Authority received a report which reviewed the draft National Park Circular to replace the Department of the Environment (DoE) Circular 12/96 on National Parks.

Members noted the three key aspects of the circular and a prepared response from the Authority to four particular questions asked and further specific comments relating to the main purposes of the national park authorities and the Broads Authority, including the interests of navigation, planning, conservation, recreation and landscape heritage.

The Authority endorsed the comments contained in the proposed response.

RESOLVED

- (i) that the report be noted; and
- (ii) that the inclusion of the Broads Authority in the draft Defra Circular be welcomed and the comments contained in Appendix 1 to the report be submitted as the Authority’s response with some minor variations to wording.

3/12 Setting the Strategic Priorities 2010/11

The Authority received a report setting out the current strategic priorities together with proposals for 2010/11 and a set of Projects and Key Milestones in association with those priorities.

Members considered that the existing seven high level priorities were still appropriate and relevant within the context of the current Broads Plan. However, specific reference needed to be made to sea level rise within the response to climate change and other minor amendments as identified. Given that the Broads Plan currently under review was not yet at the stage to develop a new set of priorities, it was agreed that the existing priorities should be largely retained pending the completion of the review and subject to some amendments to the wording of Priority 3 to reflect the generally safe environment of the Broads for navigation.

With regard to the key projects and milestones these were considered acceptable subject to any further refinement required. Members were invited to contact the Chief Executive with any further comments before the end of February 2010.

RESOLVED

- (i) that the current strategic priorities for the period 2010/11 be retained largely unchanged for one more year with the intention that a new set be developed as part of the Broads Plan 2010; and
- (ii) that the development of the final wording of the objectives, projects and key milestones be delegated to the Chief Executive.

3/13 Audit Commission Annual Governance Report 2008/09

The Authority received a report setting out the main findings of the Audit Commission on the Authority's accounts for 2008/09 contained in the Annual Governance Statement.

It was noted that this was a retrospective report and that a number of the issues highlighted had been or were now being addressed, namely risk management, partnerships and capital strategy and the development of an asset management plan.

RESOLVED

- (i) that the Audit Commission's expectation to issue an unqualified opinion on the financial statements be welcomed;
- (ii) that the matters raised in the Governance Report were noted.
- (iii) that the adjustments to the financial statements as set out in the Governance Report be noted;

- (iv) that the Letter of Representation on behalf of the Authority be approved, in order that the Audit Commission can issue its formal opinion and conclusion; and
- (v) that the Authority's response to the proposed Action Plan as set out in Appendix C of the report be agreed.

3/14 Consolidated Budget 2009/10 (Revised) – 2010/11

The Authority received a report setting out and explaining the proposals for the consolidated budget for 2009/10 (revised) and 2010/11, based on the three year National Park Grant settlement notified to the Authority in December 2007, together with the report and recommendations of the Navigation Finance and Tolls Review Group.

It was noted that the core funding from Defra was protected for a further year into 2010/11 but the outlook beyond 2011/12 was more uncertain. Therefore it was important to prioritise expenditure, focus activities more carefully and seek more efficient and flexible ways of working. With this in mind, it was noted that the figures contributed to the Authority's strategy to seek to maintain general reserves as a minimum of 5% of net expenditure and navigation reserves at a minimum of 10% of net expenditure, and to seek to achieve a balanced budget by the end of 2012/13.

It was noted that in addition to working with national park authorities to identify potential efficiency savings and opportunities, the Authority would also be exploring ways of working with immediate local authorities as this could be mutually beneficial, particularly in areas of procurement.

RESOLVED

- (i) that the revised budget for 2009/10 be adopted; and
- (ii) that the budget for 2010/11 be adopted in accordance with the figures set out in Appendix 1 of the report.

3/15 Communications Strategy

The Authority received a report on the revisions to the Communications Strategy and Action Plan 2006/07 in light of the appointment of a Communications Manager in 2009. The report included a draft Communications Strategy with a Communication Action Plan for 2010/11 and Emergency Communication Plan. It was noted that the plan would be revised, if necessary, following publication of the Broads Plan 2010 and the completion of the branding exercise for the Broads, both of which would influence the Key Messages element of the Strategy. In this context, it was suggested that reference should be made to the very special qualities of the Broads for wildlife and the Authority's role in climate change given further emphasis.

Members welcomed the Strategy and endorsed the actions being taken to improve communications both internally and externally. In particular members noted the section providing clarification on the name and status of the Authority as well as that

on dealing with the media in accordance with the adopted Protocol on Member and Officer Relations in the Authority.

RESOLVED

- (i) that the Communications Strategy, including the Communications Action Plan for 2010/11 and Emergency Communication Plan, be adopted; and
- (ii) that the Strategy and Action Plan be reviewed and updated on an annual basis.

3/16 Whole Valley Approach

The Authority received a report outlining the progress of the Whole Valley Approach and the proposed future direction for the work. It was noted that the approach focused work at a valley scale and enabled organisations to balance the specific needs within each valley, consider influences through the catchment and propose projects for appropriate locations within them taking account of sustainability and future influences such as climate change. Members applauded the work undertaken on the Ant Valley as the pilot project, particularly the element of community engagement. They supported the proposed next steps and noted the aim to use the Local Access Forum, the investigation of GIS interactive software and the aim of expanding the project further.

RESOLVED

that the next stages of the Whole Valley Approach Project be approved.

3/17 Broads Authority Act 2009: Implementation

The Authority received a report summarising a number of matters connected to the implementation of the 2009 Broads Authority Act which had been considered at the December meeting of the Navigation Committee.

RESOLVED

- (i) that the report be noted; and
- (ii) that the following be agreed:
 - (1) **Licensing Conditions for Powered Hire Craft**
 - (a) that the draft conditions relating to Operators Licences and Vessel Licences as set out in Appendices 2 and 3 of the report be adopted;
 - (b) that the content of the plaque to be displayed by vessels as set out in the report be approved; and
 - (c) that the stability and load testing proposal as set out in the

report be approved.

(2) **Development of the New Arrangements for Waterskiing and Wakeboarding**

that the waterski and wakeboarding zones and times as set out in the consultation contained in the Speed Limit Byelaws be designated under the Broads Authority Act 2009 with effect from 5 April 2010.

(3) **Compulsory Third Party Insurance (Visiting Craft)**

that there should not be an exemption for visiting craft in respect of third party insurance.

3/18 The Port Marine Safety Code, Safety Management System: Hazard Review

The Authority received a report providing details of the outcome of the Safety Management System Annual Hazard Review.

RESOLVED

- (i) that the report be noted;
- (ii) that the following actions and conclusions be endorsed:
 - that the actions associated with the one Category A hazard 016 be implemented as soon as possible;
 - that the actions associated with the remaining non-ALARP hazard be implemented in a timely fashion;
 - that the hazard log remains under continual review, and be updated within one year from the date of publication of the report; (22 January 2010);
 - that seventeen hazards (001, 004, 005, 006, 007, 008, 009, 010, 012, 013, 018, 019, 020, 021, 023, 024 and 029) had been reduced to a level which is ALARP; and
 - that the Hazard Review Action Plan set out at Appendix 3 of the report be implemented.

3/19 Review of Committees and Working Groups

The Authority received a report reviewing the present committee and working group arrangements in the context of the challenges for the coming year. The Authority was committed to a fundamental review of expenditure in the context of priorities developed from the new Broads Plan and would need to respond to likely reductions in National Park Grant from 2011/12. In addition there was the need to prepare for the National Park Authorities' Performance Assessment (NPAPA) in 2011 to ensure that the Authority would get the most out of this review process.

Members discussed the proposals outlined and agreed the recommendations in the report. However, some members felt that not all the issues covered in the report were an accurate reflection of their views, in particular the extent of member

involvement in the consideration of conservation issues at an early stage. Members recognised that the Authority had a duty to balance its three purposes in relation to conserving and enhancing the area, promoting opportunities for understanding and enjoyment and protecting navigation and that the full Authority had a duty to view these in an integrated way. In light of members comments, however, it was suggested that the Authority's structure of committees and working groups should be reviewed within the year.

It was noted that the purpose of the Resource Allocation Member Working Group was to review all the activities and expenditure of the Authority, using the priorities from the Broads Plan to make recommendations to the Authority on future resource allocation as well as to undertake a preliminary review of the assessments in the pilot National Park Authority Performance Assessment documentation. The terms of reference of the group would be brought back to the next Authority meeting. It was agreed that any member who was interested in participating in the working group should contact the Chairman.

RESOLVED

- (i) that the arrangements for Broads Authority meetings be changed , with effect from the next meeting, so that the formal meeting starts at 10:00 a.m. to include presentations by outside speakers;
- (ii) that a short-term Resource Allocation Member Working Group comprising five members to include the Chairman and Vice-Chairman of the Authority plus three others to be confirmed by the Chairman be established; to review all the activities and expenditure of the Authority, using the priorities from the Broads Plan to make recommendations to the Authority on future resource allocation, and also to undertake a preliminary review of the pilot National Park Authority Performance Assessment documentation;
- (iii) that a programme of site visits looking at some of the challenges which go across the Authority's responsibilities be established to enhance members' knowledge of the work of the Authority;
- (iv) that 2010, the International Year of Biodiversity, be used to showcase the work of the Authority on nature conservation; and
- (v) that a review of committees and working groups be carried out within the year.

3/20 Broads Authority Member Development

The Authority received a report setting out possible ways of developing members' understanding of the many issues affecting the Authority. It covered initial induction of members, engagement with outside bodies, the need for wider continuous development and the importance of sharing relevant information within the Authority.

Members endorsed the proposals for member development and appointed Alex Haswell as Lead Member.

RESOLVED

- (i) that new members be assigned a member mentor during their first six months of appointment;
- (ii) that members attend at least one of the Association of National Park Authorities (ANPA) events, and the Association of Inland Navigation Authorities (AINA) Conference, within the first two years of their appointment and attend at least one ANPA or AINA event every three years following their initial attendance at such an event;
- (iii) that a programme of member development, based on four strategic issues from the Broads Plan, be scheduled each year;
- (iv) that all members provide feedback from their individual engagements (including ANPA workshops/conferences, representation on outside bodies and interaction with local authorities), when these have relevance to developing a wider understanding within the Authority;
- (v) that a simplified system of annual member appraisal be introduced to allow the identification of additional individual and collective enhancements towards the development of the Authority; and
- (vi) that Alex Haswell be appointed as Lead Member on Member Development to assist taking forward these recommendations and identify additional ways on how to enhance the future development of the Authority.

3/21 Timetable of Meetings

The Authority received a report proposing a timetable of meetings for the period October 2010 to September 2011.

RESOLVED

that the timetable of meetings as set out in Appendix 1 to the report and enclosed as Appendix 2 to these minutes be approved with the amended start time of the Authority to 10.00am.

3/22 Strategic Priorities for 2009/10

The Authority considered a report by the Chief Executive which set out the projects and actions used to deliver the strategic priorities adopted for the year 2009/10.

RESOLVED

that the performance of the different projects in the schedule accompanying the report be noted.

3/23 To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code

The Head of Navigation Strategy and Safety confirmed that there were no items which needed to be discussed under this item.

3/24 Feedback from Lead Members and those appointed to represent the Authority

In light of the endorsement of the report at minute 3/20, the Chief Executive suggested that a standing item be placed on the agenda to provide members with the opportunity to provide feedback on meetings they had recently attended on behalf of the Authority. This could also be done in more detail through the Members' Bulletin.

RESOLVED

that "Feedback from Lead Members" be a future standing item on the Authority's agenda.

3/25 Investors in People Re-Assessment

The Authority received a report summarising the Authority's re-assessment in December 2009 against the current version of the National Investors in People Standard which highlighted strengths as well as suggestions for further improvement. Members noted and welcomed the positive and complimentary aspects of the report in relation to the way the Authority met its business goals through engagement with people and congratulated the Authority on the bronze status achieved. The Authority also noted the areas which could be improved and that appropriate measures to address these issues would be considered.

RESOLVED

that the report be noted.

3/26 Consolidated Income and Expenditure: 1 April 2009 to 30 November 2009

The Authority received a report which summarised the actual income and expenditure for the four month period to 30 November 2009 compared to the current profiled budget. The report provided a list of major variances and reasons for those variances.

RESOLVED

that the report be noted.

3/27 Date of Next Meeting

The next meeting of the Committee would be held on Friday 19 March 2010 at Dragonfly House, 2 Gilders Way, Norwich, commencing at 10.00am.

3/28 Any Other Items of Business

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.

3/29 Formal Questions

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

3/30 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 item 3/29 below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 1 and 2 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.

Members of the public and officers left the meeting during consideration of the following item

3/31 Exempt Minute of the Broads Authority Meeting held on 20 November 2009

The exempt minute of the meeting held on 20 November 2009 was approved as a correct record and signed by the Chairman.

The meeting concluded at 5.00pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Broads Authority

Date of Meeting: 22 January 2010

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)	Please tick here if the interest is a Prejudicial Interest ✓
G W Jermany		Great Yarmouth Borough Council, Toll payer	
N Dixon	General	Norfolk County Council	
M C Broom	General	Member Norfolk and Suffolk Boating Association, Broads Hire Boat Federation, Toll payer	
J Brociek- Coulton		Norwich City Council	
A S Mallett	General	Appointed by Broadland District Council, Toll payer Minutes BA - Navigation and Planning Committees	
D A Broad	General Items 7 - 27	Toll payer	
S Dorrington		Toll payer	

Committee Timetable 2010/11

2010								2011								
	Day	Time	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept
Planning	Fri	10.00 am	13	10	8	5	3	7	4	4	1/29	27	17*	15	12	9
Planning Cttee Site Visit	Fri	10.00 am	27	24	22	26	17	28	18	25	15	20	10	1/29	26	
Broads Forum	Thurs	2.00 pm			7				10		7			21		
Local Access Forum	Wed	2.00 pm		8			8			9			15			7
Navigation Committee	Thurs	2.00 pm		2	21		9		24		21		2			8
Standards Committee	Wed	2.00 pm			13				9				8			
Financial Scrutiny and Audit Committee	Tues	2.00 pm			19				15				21			
BROADS AUTHORITY	FRI	10.00 am		17		19		21		18		13	24			23
Members Annual Site Visit	Wed													6		
New Members Induction Day	Wed			9												21
ANPA New Members Induction Tues 14 – Thurs 16 September 2010								Bank Holiday Monday 2 May 2011								
ANPA Conference 2010 Mon 20 – Thurs 23 September 2010								County and District Council Elections 5 May 2011								
Christmas Holiday 27 and 28 December 2010								Bank Holiday Monday 30 May 2011								
London Boat Show Friday 7 – Monday 16 January 2011								Bank Holiday Monday 29 August 2011								
ANPA New Members Induction Tues 18 – Thurs 20 January 2011								ANPA New Members Induction Tues 13 – Thurs 15 September 2011								
Good Friday 22 April 2011 Easter Monday 25 April 2011								ANPA Conference 2011 Wed 21 to Fri 23 September 2011 (9am-5pm)								

