

## **Broads Authority**

Minutes of the meeting held on 19 November 2010

### **Present**

Dr J S Johnson – in the Chair

Mrs S Blane	Mr S Dorrington	Mrs A Haswell
Mr D A Broad	Mr A Duce	Mr A S Mallett
Mrs J Brociek-Coulton	Mr P Durrant	Mr G McGregor
Mr M C Broom	Mr P Frost	Mr J Sharpe
Mr N Dixon	Mr C Gould	Ms R Varma
Sir Peter Dixon	Dr J M Gray	Mr P Woodcock

### **In Attendance**

Dr J Packman – Chief Executive  
Mrs S A Beckett – Administrative Officer  
Mr S Birtles – Head of Waterways Strategy and Safety  
Mr C Brown – For the Solicitor  
Ms H Franzen – Press Officer  
Mr R G Holman – Director of Corporate Services  
Mr S Hooton – Director of Conservation and Countryside Management  
Mrs A Long – Director of Planning and Strategy  
Ms L Marsden – Landscape Architect  
Mr J W Organ – Head of Administration and Executive Assistant  
Mrs L Shute – Administrative Officer  
Ms T Wakelin – Director of Waterways  
Ms C Weller – Communications Manager

### **Also Present**

Mr D Ayre – Chairman, Standards Committee  
Mrs L Barber – Standards Committee  
Ms K le Borgne – Standards Committee  
Mr J Bowman – Chairman, Broads Forum

### **2/1 Apologies**

Apologies for absence were received from Mr G W Jermany and Mrs C Sheridan.

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

### **(1) Welcome**

The Chairman welcomed Don Ayre who had recently been appointed as Chairman of the Standards Committee, together with Kate le Borgne and Linda Barber who were new members of the Standards Committee.

## **2/3 Items of Urgent Business and Variation in Order of Business**

The Chairman proposed to take an Item of Urgent Business on the Network Rail Bridge Position (Legal Undertaking) during Item 7, since a decision was required from members on the next steps to be taken prior to the next Authority meeting in January 2011. It was also proposed that this be taken as an exempt item since it involved on-going legal negotiations. A variation in the order of agenda items 22 and 23 was also proposed to avoid exclusion of the public on two occasions.

RESOLVED

- (i) that an item on the Network Rail Bridge Position be taken as an item of urgent business as a decision was required from the Authority prior to the next meeting on 21 January 2010 and that this be taken as an exempt item in accordance with Section 100A, paragraph 4 of Schedule 12A of the Local Government Act 1972; and
- (ii) that In order that the public are only excluded on one occasion the order of business be varied in accordance with Standing Order 3(2) so that agenda Items 22 and 23, be brought forward and dealt with after agenda item 7, and that the Item of Urgent Business (20) be dealt with at this stage following the minutes and Summary of Progress.

## **2/4 Introduction of Members and Declarations of Interest**

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

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

No questions had been received.

## **2/6 Minutes of the Broads Authority Meeting held on 17 September 2010**

The minutes of the meeting held on 17 September 2010 were approved as a correct record and signed by the Chairman.

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

The Authority considered a schedule of the progress/action taken following decisions of previous meetings. Additional information in response to members' questions was reported on the following:

### **(1) Resource Allocation Working Group**

It was noted that the Group would be considering the draft budget for 2011/12 at the meeting on 4 January 2011.

### **(2) Network Rail: Bridge Position**

It was noted that Somerleyton Bridge and the layby moorings had been in full operation since the weekend of 13/14 November 2010. Incorrect advice had been given to members of the public by Network Rail that complaints about the loss of boating opportunities brought about by the failure of the bridge should be addressed to the Authority. These should be addressed to Network Rail.

A meeting with Network Rail had been arranged for 1 December 2010.

A further report on the position regarding the legal undertaking would be brought to the Authority in January.

RESOLVED

that the public be excluded from the meeting under section 100A of the Local Government Act 1972 for consideration of legal matters in relation to the above item on the grounds that it involved the likely disclosure of exempt information as defined by Paragraph 4 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighed the public benefit in disclosing the information.

**Items 2/22, 2/23 and 2/20 were dealt with at this point in the meeting in accordance with resolution at Minute 2/3.**

The public left for these items and returned after their consideration.

## **2/8 Minutes Received**

### **(1) Navigation Committee: 2 September and 21 October 2010**

RESOLVED

that the minutes of the Navigation Committee meetings held on 2 September and 21 October 2010 be received.

(2) **Broads Local Access Forum: 8 September 2010**

RESOLVED

that the minutes of the Broads Local Access Forum meeting held on 8 September 2010 be received.

(3) **Planning Committee: 10 September and 8 October 2010**

RESOLVED

that the minutes of the Planning Committee meetings held on 10 September and 8 October 2010 be received.

(4) **Broads Forum: 7 October 2010**

RESOLVED

that the minutes of the Broads Forum meeting held on 7 October 2010 be received.

(5) **Financial Scrutiny and Audit Committee: 19 October 2010**

RESOLVED

that the minutes of the Financial Scrutiny and Audit Committee meeting held on 19 October be received.

(6) **Standards Committee: 27 October 2010**

RESOLVED

that the minutes of the Standards Committee meeting held on 27 October 2010 be received.

**2/9 A Way Forward following the Spending Review**

The Authority received a report setting out a proposed approach for the Authority to maximise delivery of its 'national park' responsibilities within the context of the anticipated significant reduction in National Park Grant following the Spending Review. The approach had three main elements: prioritising between different activities funded by National Park Grant; identifying efficiencies and savings from a new way of structuring the organisation; and, integrating all the different functions of the Authority to deliver the best for the Broads and its enjoyment by the public.

The Chief Executive paid tribute to the Resource Allocation Working Group and the Management Team for their hard work in managing the process in preparing for the massive cut in National Park Grant. The Authority should be

notified of its National Park Grant allocation during the week ending 3 December 2010.

In developing the proposals for service delivery, a set of guidelines and principles as agreed at the last Authority meeting and the results of a series of service reviews had been considered. The key conclusion from the process had been that, given the level of service required, there was a need for a fundamental change in how the service was delivered, a significant change to the organisational structure and a need for a clear change in management process and plan.

Members noted the proposed new organisational structures and the key efficiencies identified, together with the financial implications of the changes. There would be an interim structure to manage the change process before implementation of the final structure from April 2013 and the reasons for this were noted.

Members noted why it was important to begin the process now and the proposed timetable for the adoption and implementation of the proposals.

Members agreed that a clear and fair method of dealing with the allocation of central costs for navigation needed to be established and noted that the Authority would be consulting the Navigation Committee regarding the apportionment of shared costs at its December meeting. A draft budget would subsequently be considered by the Navigation Committee at its February meeting.

Members agreed, by 17 votes to nil with two abstentions, that the changes in response to the anticipated reduction in National Park Grant should be approved.

The implications of the reorganisation of the Authority meant that certain posts would be at a lower grade and members considered the level of protection that should be provided to staff.

Members agreed, by 17 votes to 1 with one abstention, that the level of protected salary paid to staff moving to a lower grade as a result of the changes should be retained at three years.

At a time when all the Defra family and other organisations were similarly experiencing cuts, members commended the process of involvement adopted and were supportive of the proposed way forward.

#### RESOLVED

- (i) that in response to the guidance from Defra Ministers, the Authority should plan for a 30% reduction in National Park Grant (NPG) over the next four years as follows:

- (a) that the changes to service provision as set out in the report be approved and that the Chief Executive be authorised to implement the changes, with the flexibility to make minor amendments so that variations in the final National Park Grant settlement could be taken into account;
  - (b) that the Chief Executive be authorised to implement the new organisational structure, as set out in Appendix 2 of the minutes, to meet the required reductions to National Park Grant, and provide efficiencies and savings in most of the Authority's activities;
  - (c) that the Chief Executive be authorised to deal with issues concerning redundancy, early retirement and re-grading of posts, subject to consultation with the Financial Scrutiny and Audit Committee on financial matters;
  - (d) that staff and trade unions be consulted on the proposal to transfer all staff to the Inland Revenue rate for the reimbursement of travel expenses with a consequential saving of at least £25,000 per annum;
  - (e) that staff and trade unions be consulted on the standardisation of terms and conditions of employment to allow greater efficiencies and flexible working; and
- (ii) that the current provision for three year salary protection be applied for staff moving to a lower grade with financial provision being made to fund the scheme for protection and voluntary and potentially compulsory severance costs which are to be implemented.

## **2/10 Navigation Charges 2011/12**

The Authority received a report providing a background to the three year strategy for Navigation Income and Expenditure and details of a suggested increase in the annual tolls. It was noted that the three year strategy for Navigation Income and Expenditure as agreed in 2009 was still robust and had been based on 6% increases in navigation charges to offset the loss of the contribution from National Park Grant to dredging. However, increased income from the hire fleet had meant that a 5% increase could be accommodated to meet the agreed income target.

In addition members noted that the relative cost between large and small private boats could be acting as a deterrent to small boat owners using the Broads. Members noted that the Navigation Committee had supported a proposal to hold down the increase for small boats to 2.5% with larger boat toll charges being increased to approximately 6% giving an overall increase in toll income of 5%.

RESOLVED unanimously

- (i) that navigation charges for 2011/12 be set with the aim to raise income by 5% to partially offset the loss of the National Park Grant contribution towards dredging the navigation area; and

- (ii) that a 5% toll increase be applied to all boats for 2011/12 on a sliding scale with the smallest boats paying roughly 2.5% more and the largest boats paying approximately 6% more.

## **2/11 Governance Review**

The Authority received a report on the latest information from the Government on its intention to review the governance and accountability of national park authorities and setting out the current understanding of the arrangements.

Members received details of the key questions to be posed as part of the review and that Defra had decided that each Authority should consult locally on potential changes which would work best for their areas, whilst at the same time reflecting the status of the Parks as national assets. A copy of the Defra letter and consultation document, as well as the list of consultees, were received.

Given the short timescale for the consultation to take place it was proposed to hold a members workshop in January and invite a wide range of organisations to look at the options. This would be followed by a special meeting of the Authority to consider the responses to the consultation and agree the recommendations. It was expected that the Minister would announce the decision of the Government on the outcome of the consultation and the way forward.

It was suggested that the workshop could also provide an opportunity for consideration of the revised draft Broads Plan.

### **RESOLVED**

- (i) that the draft timetable and list of consultees be noted; and
- (ii) that a proposed workshop to consider the review of governance as well as the Broads Plan be held in January 2011 and a special Broads Authority meeting be arranged for early February 2011.

**Item 15 was dealt with at this stage of the meeting.**

## **2/12 Broads Local Development Framework - Development Management Policies Development Plan Document: Results of Further Consultation on the Preferred Options and Consideration of Proposed Submission Document**

The Authority received a report which provided an update on the preparation of the Development Management Policies Development Plan Document (DPD) and in particular the results of the most recent stage of consultation – Further Preferred Options, officer responses and proposed changes to the DPD.

The consultation had concluded on 16 July 2010 and analysis and assessment of the 259 representations had been completed. The Authority considered these together with officer comments and recommendations and a revised (Proposed Submission) DPD incorporating these and other recommended changes was received. The Planning Committee had given these consideration at its meeting on 5 November 2010, also taking into account the comments from the Navigation Committee. Members noted that some of the main changes since the policies had last been considered related to changes in Government policy and the removal of the Regional Spatial Strategy. It was noted that flexibility had been built into the policies where considered appropriate.

## RESOLVED

- (i) that the consultation responses, officer responses and recommended changes to the DPD and Draft Proposed Submission DPD as contained in Appendices 1 and 2 of the report be endorsed, subject to any agreed amendments;
- (ii) that the Development Management Policies Proposed Submission Document, including any amendments made necessary by Appropriate Assessment/ Sustainability Appraisal/Strategic Environmental Assessment, be published for public consultation for a period of at least six weeks;
- (iii) that the amended Development Management Policies Proposed Submission Document be submitted to the Secretary of State for examination by an appointed Inspector; and
- (iv) that, where the need for minor amendments is identified prior to or following publication, the Director of Planning and Strategy be authorised to make such amendments, in consultation with the Chairmen of the Planning Committee and the Broads Authority.

### **2/13 Proposed Bid Landscape Partnership Funding**

The Authority received a report outlining the scope for a Landscape Partnership Scheme bid to the Heritage Lottery Fund (HLF). This fitted the Authority's medium to long term objectives and would follow on from the successful Heritage Lottery funded Bursary Scheme which trained millwrights and reed and sedge cutters. The scheme had helped to increase the pool of heritage skills resources necessary to manage both the landscape and the built heritage of the Broads and had also provided both the HLF and the Authority with some exceptionally valuable publicity. The proposed scheme would also reinforce links with partners established through the Bursary project and secure external funding to add value to the activities undertaken by the Authority and any potential partners of the scheme. It was noted that applications for the first round were competitive and a Stage 1 bid would need to be submitted to the HLF by 28 February 2011.

Members noted the scheme development costs and that in parallel with the first phase submission, an application could be made for the costs of developing the second round bid. However, if the first phase was successful, given the current economic climate, the submission of a Stage 2 bid would need to be carefully considered. This would provide an excellent vehicle for developing and strengthening partnerships with local organisations and involving local people in some of the big challenges for the future.

#### RESOLVED

- (i) that a Landscape Partnership Scheme first phase bid be submitted by the Authority and partners to the Heritage Lottery Fund (HLF) by 28 February 2011 on the basis of the ideas outlined in the report; and
- (ii) that if the first phase is successful and before submitting a Stage 2 bid, further consideration be given to the financial implications given the significant reduction in Government funding.

#### **2/14 St Benet's Restoration Project**

The Authority received a report setting out its support to the Norfolk Archaeological Trust in its application for a Stage 2 bid to the Heritage Lottery Fund, following on from the Trust's successful Stage 1 bid which provided significant grant aid for the programme of work. The Trust had since been using development money to work up details of what was needed to bring direct benefits for the heritage asset including repair and access; indirect benefit in terms of a greater understanding and appreciation of the site's value; and associated benefits from developing skills in heritage feature restoration and management to educational benefits about the Broads cultural heritage.

Members noted that careful consideration had gone into re-assessing how support for such a project could be committed given the predicted reduction in National Park Grant. It was considered that it could be seen as an example of how public bodies such as the Authority could operate in the future by helping communities in finding external resources and providing the skills and experience to support them. It was also an example of the new evolving emphasis on partnership working, enabling volunteers and supporting community based initiatives.

Given the importance of the St Benet's site to the Broads and its visitors and that the project accorded with the Authority's core purposes, members supported the proposal that the Authority offers its support in-kind to the value of £58,000 so that the Stage 2 bid for funding could go forward, on the basis that the Trust would explore how that commitment might be reduced or its impact ameliorated by support from other funders.

RESOLVED

- (i) that the Norfolk Archaeological Trust be supported in its bid to the Heritage Lottery Fund by offering £58,000 worth of practical and supervisory help towards the St Benet's Abbey project on the basis that the Trust does its best over the next six months to reduce the Authority's actual involvement; and
- (ii) that the scale of commitment be recognised in that, if it cannot be reduced, it would have a significant impact on the Authority's capacity to carry out other practical tasks over the next two years.

**2/15 To consider items of business raised by the Designated Person in respect of the Port Marine Safety code**

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

**2/16 Consolidated Income and Expenditure: 1 April 2010 to 30 September 2010**

The Authority received a report which summarised the actual income and expenditure for the six month period to 30 September 2010 compared to the current profiled budget. It was noted that, although there were a large number of variances as detailed in the report, as a whole the Authority's expenditure at month 6 was generally as budgeted and there were no variances at this stage of the year that suggested a material effect on the general or navigation reserves.

RESOLVED

that the report be noted.

**2/17 Strategic Priorities 2010/11**

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 2010/11.

Members noted that arrangements for continuing the survey work on adjacent waters were now proceeding and it was hoped to bring a report on progress to a meeting of the Navigation Committee in February 2011.

It was also noted that the aim of developing targets to achieve a 10% reduction in the Authority's own carbon footprint was progressing. Unfortunately the data relating to utilities figures for Dragonfly House for all the resident organisations had not yet been made available by Defra Estates and it had not been possible to quantify. However members noted the initiatives being taken to reduce the Authority's carbon footprint.

RESOLVED

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

**2/18 Feedback from Lead Members and those appointed to represent the Authority**

There was no feedback from Lead Members reported to the meeting.

**2/19 Date of Next Meeting**

The next meeting of the Authority would be held on Friday 21 January 2011 at Dragonfly House, 2 Gilders Way, Norwich, commencing at 10.00am.

**2/20 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 apart from that summarised at minute 2/7(2) and within the confidential minute.

**2/21 Formal Questions**

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

**2/22 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 item on the grounds that it involves the likely disclosure of exempt information as defined by Paragraph 4 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.

**2/23 Exempt Minute of the Broads Authority meeting held on 17 September 2010**

The exempt minute of the meeting held on 17 September 2010 was approved as a correct record and signed by the Chairman.

The meeting concluded at 1.15 pm

CHAIRMAN

## Code of Conduct for Members

**Declaration of Interests**

Committee: Broads Authority

Date of Meeting: 19 November 2010

<b>Name</b> <b>Please Print</b>	Agenda/ Minute No(s)	<b>Nature of Interest</b> (Please describe the nature of the interest)	Please tick here if the interest is a Prejudicial Interest ✓
S Dorrington		Toll payer	
P Dixon	2/9, 2/10, 2/11	Toll payer	
G McGregor		Member Suffolk County Council	
C Gould		South Norfolk Council Member	
A Duce		Waveney District Council	
M C Broom	2/9, 2.10, 2/11, 2/12	Toll payer, Member Norfolk and Suffolk Boating Association, Great Yarmouth Port Authority	
D A Broad	2/3 - 2/12	Toll payer and Great Yarmouth Port Consultative Committee	
A S Mallett	2/6 2/8(1)(3)(5) 2/9, 2/10, 2/11, 2/16, 2/17 2/12	As previously declared at meetings. ) )Toll payer ) ) Member of Broadland District Council	
N Dixon	General	Norfolk County Council member	

**Broads Authority Organisational Structure from April 2013<sup>1</sup>**

<b>Operations</b>	<b>Planning &amp; Resources</b>
<b>Looking after the Broads today</b>	<b>Planning for the future of the Broads and managing our resources</b>
<p><b>Construction &amp; maintenance</b></p> <p>Implementing the Sediment Management Strategy including dredging the navigation area and pump dredging isolated broads.</p> <p>Fen Management, tree and scrub cutting, weed clearance building bridges and slipways.</p> <p>Maintaining and improving asset portfolio including for example moorings, car parks, and staithes.</p>	<p><b>Strategy and Projects</b></p> <p>Broads Plan, Local Plan, climate change and sea-level rise and other strategies, research &amp; monitoring.</p> <p>Conservation advice, cultural heritage, landscape and recreation planning, water and navigation planning, external funding, project management Trinities and Lound.</p>
<p><b>Ranger Service</b></p> <p>Patrolling rivers and broads and managing sites used by the public including Whitlingham.</p> <p>Community engagement in practical work, directing volunteers &amp; minor site works for biodiversity and visitor benefit.</p>	<p><b>Development Management</b></p> <p>Planning applications.</p> <p>Enforcement and condition monitoring.</p>
<p><b>Managing the safe use of the Broads</b></p> <p>Port Marine Safety Code and SMS.</p> <p>Health and safety issues across the Authority including asset management.</p>	<p><b>Communicating key messages about the Broads</b></p> <p>Strategic Communications including press, website development and management, and publications.</p> <p>Visitor Centres, boat trips, yacht stations and reception service and Education.</p>
<p><b>Volunteers</b></p> <p>Working with Volunteers to deliver the Authority's purposes.</p>	<p><b>Managing our resources</b></p> <p>Finance, Audit and Insurance, Property Management.</p> <p>Collecting Navigation Charges.</p> <p>Computer services and telephony.</p> <p>Human Resource management including volunteering policy</p> <p>Supporting members Committees &amp; Forum meetings.</p> <p>Legal Advice</p>

<sup>1</sup> Note: This Table shows activities within the new Directorates and does not necessarily indicate the detailed structure within Directorates

### Broads Authority Organisational Structure from May 2011<sup>2</sup>

<b>Operations</b>	<b>Planning &amp; Strategy</b>	<b>Change Management &amp; Resources</b>
<b>Looking after the Broads today</b>	<b>Planning for the future of the Broads</b>	<b>Looking after people and finances</b>
<p><b>Construction &amp; Maintenance</b></p> <p>Implementing the Sediment Management Strategy including dredging the navigation area and pump dredging isolated broads</p> <p>Fen Management, tree and scrub cutting, weed clearance building bridges and slipways.</p> <p>Maintaining and improving asset portfolio including for example moorings, car parks, and staithes</p>	<p><b>Strategy and Projects</b></p> <p>Broads Plan, Local Plan and other strategies, climate change and sea-level rise, research &amp; monitoring.</p> <p>Conservation advice cultural heritage, landscape and recreation planning, Trinities and Lound.</p> <p>External funding, project management including STEP project and BFAP.</p>	<p><b>Communicating key messages about the Broads</b></p> <p>Strategic Communications including press, website development and management, and publications.</p> <p>Visitor Centres, boat trips, yacht stations and reception service</p> <p>Education including partnership with the How Hill Trust</p>
<p><b>Ranger Service</b></p> <p>Patrolling rivers and broads and managing sites used by the public including Whitlingham.</p> <p>Community engagement in practical work, directing volunteers &amp; minor site works for biodiversity and visitor benefit</p>	<p><b>Development Management</b></p> <p>Planning applications,</p> <p>Enforcement and condition monitoring</p>	<p><b>Managing our resources</b></p> <p>Finance, Audit and Insurance,</p> <p>Collecting Navigation Charges</p> <p>Property Management</p> <p>Computer services and telephony</p>
<p><b>Managing the safe use of the Broads</b></p> <p>Port Marine Safety Code and SMS</p> <p>Health and safety issues across the Authority including asset management</p>		<p><b>Looking after our people, members and governance</b></p> <p>Human Resource management including volunteering policy</p> <p>Supporting members Committees &amp; Forum meetings</p> <p>Legal Advice</p>
<p><b>Volunteers</b></p> <p>Working with Volunteers to deliver the Authority's purposes.</p>		

<sup>2</sup> Note: This Table shows activities within the new Directorates and does not necessarily indicate the detailed structure within Directorates