

Broads Authority

Minutes of the meeting held on 23 January 2015

Present:

Dr J S Johnson - in the Chair

Mr K Allen	Mr N Dixon	Mrs L Hempsall
Mr M Barnard	Sir Peter Dixon	Mr P Ollier
Mr L Baugh	Mr G McGregor	Mr J Timewell
Miss S Blane	Dr J M Gray	Mr J Sharpe
Mr D A Broad	Mr G W Jermany	Mr P Warner
Prof J A Burgess		

In Attendance:

Dr J Packman – Chief Executive
Mrs S A Beckett – Administrative Officer
Mr S Birtles – Head of Safety Management
Mr A Clarke – Senior Waterways and Recreation Officer
Ms M Conti – Strategy and Projects Officer
Mr S Hooton – Head of Strategy and Projects
Ms E Krelle – Head of Finance
Ms A Long – Director of Planning and Resources
Ms L Marsh – Head of Communications
Ms V McNeil – Solicitor and Monitoring Officer (Minute 4/9)
Mr D Johnson – For Solicitor
Mr J Organ – Head of Governance and Executive Assistant
Ms K Sayer – Design and Information Supervisor
Ms T Wakelin – Director of Operations

Also in attendance:

Dr K Bacon	Chairman, Broads Forum and Chairman of Broads Local Access Forum
Ms H Edwards	Insight Track

Public in attendance who spoke: Mr Tim Harris – Catfield Hall

4/1 Apologies and Welcome

The Chairman welcomed everyone to the meeting including members of the public and those who wished to provide Questions and also Hannah Edwards from Insight Track.

The Chairman also welcomed and congratulated Emma Krelle who had been appointed as Head of Finance following Titus Adam's departure.

The Chairman informed Members that Piero Ionta was due to start with the Authority in February as Solicitor and Monitoring Officer.

Apologies were received from Mrs J Brociek-Coulton, Mr C Gould, Mr P Durrant and Mr R Stevens. Mr McGregor would be arriving later.

4/2 Chairman's Announcements

(1) Openness of Local Government Bodies Regulations 2014

Following a request from the Chairman, no members of the public indicated that they would be recording or filming the proceedings.

(2) Various Events and Future Dates to Note

The Chairman confirmed the following dates:

Memorial Service for Jonathon Peel – former Chairman of the Broads Authority – 6 February 2015

The Memorial Service for Jonathon Peel, a former Chairman of the Authority would be held in Norwich Cathedral on Friday 6 February 2015 at 2.30pm.

Planning Committee Training/Briefing following meeting on 6 February 2015

The session would be on the issues taken into account when assessing planning applications for conservation and navigation implications.

Lake Review Workshop for Members – 17 April 2015

A Member Workshop on the Lake Review was now confirmed for Friday 17 April 2015 to be held at Dragonfly House, 2 Gilders Way, Norwich. The morning would be specifically designed for members while the afternoon would be aimed at lake managers and academics. Timings and an agenda would be confirmed.

Utilities Site: Private Pre-Application Briefing for Members

Members of the Authority were invited to join Norwich City Council Members on 29 January 2015 at 9.30am in the Mancroft Room at City Hall for a private briefing on the Utilities site, an application for which

was due to be submitted in the Autumn. Those interested were requested to inform Alison Macnab (Planning Officer).

(3) Electronic Agendas and Reports

The Chairman commented that this would be the first meeting when members had received their papers electronically as part of the measures to make savings as a result of the Government Spending Review.

(4) Recognition of Twenty- Five Years' Service with the Broads Authority

The Chairman announced that Bill Housden, Head of IT and Collector of Tolls had been with the Broads Authority for twenty-five years and in recognition presented him with a tie. He paid tribute to Bill's dedication and the professional and stalwart way in which he had dealt with developments in IT and sometimes challenging customers. He had been one of only two collectors of Tolls the Authority had had. Bill thanked the Authority and also expressed his appreciation to a brilliant team.

(5) Navigation Committee

The Chairman announced that the Selection Panel for the appointment of co-opted Members to the Navigation Committee had recommended 8 people: Linda Aspland, William Dickson, Alan Goodchild, Max Heron, James Knight, Nicky Talbot, Brian Wilkins and Michael Whitaker. All had confirmed that they were willing to accept the appointment subject to the necessary consultations under Section 9 of the 1988 Act including the current Navigation Committee on 26 February 2015 and the formal adoption by the Authority on 20 March 2015. Their formal appointments would be from 20 March 2015.

The Chairman expressed thanks and appreciation to the other members of the Selection Panel – Chairman Mr John Edmunds, Richard Card from the RYA, and Alan Morgan representing the British Marine Federation.

4/3 Introduction of Members and Declarations of Interest

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

4/4 Items of Urgent Business

No items of urgent business had been received.

4/5 Public Question Time

A question had been received from Mr Tim Harris relating to the assessment of applications for water abstraction licenses and the monitoring and protection of wetlands in particular. Mr Harris read out his question. The Chairman provided the Authority's response (as attached at Appendix 2 to these minutes).

Mr Harris expressed his concern that the deficiencies highlighted in association with the Catfield area water license abstraction demonstrated that if not satisfactorily managed or monitored by the statutory authorities then these special wetland areas could not be saved and the special qualities which made up the Broads would be lost.

The Chief Executive supported by a member clarified that the Environment Agency had issued their "minded to" decision and this was out for consultation. It was not for the Authority to intervene. It was for the Environment Agency to issue the final decision which was due in February. The Authority had provided information for that decision with Professor Rushton's advice as the Authority's consultant. He had not been employed to review the Environment Agency's processes. The Chairman emphasised that the Authority recognized the deficiencies and as a result it was necessary to fully understand the complexities of the issues and was therefore committed to convening a workshop with the statutory bodies responsible following the issuing of the decision.

4/6 Minutes of Broads Authority Meeting held on 21 November 2014

The minutes of the meeting held on 21 November 2014 were approved as a correct record and signed by the Chairman.

4/7 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.

Members noted that some of these also linked in with the Strategic Priorities report at Minute 4/10. In particular, members noted the updates concerning:

Purchase of Moorings

The Authority was investigating other options for moorings within the Thurne Mouth vicinity.

External Funding Opportunities

A date had been fixed for a meeting with Phil Durrant and Kelvin Allen and relevant officers to examine priorities for eligible external funding.

Broads Lake Review and Hoveton Great Broad Restoration Project

A member queried whether the Authority would be able to express a view on the proposed access arrangements as part of Natural England's bid for Heritage Lottery Funding for the Lake Restoration Project following its decision in September that its support was conditional on the achievement of better public access to the project area. It was noted that the first phase application was due for submission in February. Although the Authority's comments had been forwarded, the Authority had not received any further information relating to increased access other than the planning application to provide elements to facilitate a canoe trail, which had not yet been determined. Details on public access per se were not the subject of the planning application. A variety of strong views was expressed concerning the contribution of public funds and requirement for increased provision of public access particularly the potential increase to navigable areas of water. However, it was also recognised that the area was of considerable conservation interest and sensitivity and therefore required sensitive management. Some members commented that this could still be achieved as with other Broads areas, with improved access to justify the expenditure of such public funds.

It was confirmed that the Authority's formal view was that which had been stated in September in that it recognised the major contribution that the Hoveton Great Broad Restoration Project would provide in the delivery of objectives of the Authority's Biodiversity and Water Strategy and that the Authority supports Natural England's applications for external funding conditional on the achievement of better public access to the project area.

The Chairman emphasised the importance of members attending the Lake Review Seminar on 17 April 2015 as this would provide fundamental information relating to case studies on all Broads.

The Broads Landscape Partnership Scheme Application

Over 68 potential proposals for involvement in the Landscape Partnership scheme had been received. These would be reviewed and considered at the next project board meeting scheduled for 5 February 2015.

4/8 Stakeholder Surveys Analysis

The Authority received a report from the Senior Waterways and Recreation Officer and presentation from Hannah Edwards from Insight Track summarizing the outcome of the four Stakeholders Surveys that were carried out in Autumn 2014 by Insight Track, a local reputable market research company and which had been the subject of a briefing and workshop for Members on 6 January 2015. The aim of the surveys had been to provide the Authority with a statistically robust evidence base of the views and opinions of private boat owners (PBOs), hire boat operators (HBOs), visitors and, for the first time, residents, in order to inform future decision making and contribute to the setting of strategic priorities and the Authority's Navigation Strategy.

Members noted the main themes from the findings with broadly positive messages in respect of customer perceptions from the PBOs, residents and visitors but less positive with the HBOs. The HBOs in particular appeared to feel unsupported and the Chief Executive had met with the Chairman and Secretary of the Broads Hire Boat Federation to discuss this and identify actions. Members also considered it important that the new Navigation Committee take the findings and concerns expressed on board and help to improve understanding. This was also notable with regard to the uncertainties relating to tolls, which required further consideration as well as improved communication and understanding.

The results had provided indicators for setting of future priorities with the most notable being associated with dredging, wildlife conservation and education. It was significant that walking appeared as the key leisure activity undertaken on the Broads with bird watching being very popular and therefore improved access facilities were identified in the survey for priority attention. Members considered that this was particularly important to address given that there had been a reduction in resources for public footpaths. It was also noted that residents and visitors had indicated that better communication with them was required. Members were also interested to note the responses in relation to Direct Elections, which identified, amongst local residents, a low awareness of the plan for public consultation but a very high level of willingness to vote. The concern about flooding risks amongst residents and boat owners alike was also noted.

Members noted that the main challenges would be in responding to the outcomes in the context of the Authority's ability and capacity to deliver those areas which had been identified. They were therefore very supportive of the proposals to develop an action plan in order to be able to take matters forward in a positive manner.

Members considered the presentation provided a very useful and clear summary and that the exercise had been very interesting, accurate and worthwhile. It would be helpful in the review of the Broads Plan as well as contributing to the development of planning policies. Members provided their thanks to Insight Track for their detailed and comprehensive work and analysis. It was also suggested that with a base of data having been established, it would be very useful to repeat the surveys in five years' time provided conditions and resources allowed. This could help provide an independent assessment of the impact of any measures the Authority had undertaken to address the issues raised.

RESOLVED

- (i) that the contents of the report and the findings from the surveys be noted and welcomed;
- (ii) that the development of an action plan in response to the survey results be supported; and

- (iii) that the Authority supported the ambition to repeat the exercise in five years' time as part of the strategic approach in formulating its Broads Plan and its priorities, provided finances allowed.

4/9 Branding the Broads

The Authority received a report setting out the background and framework as well as the results of the consultation on Branding the Broads area as the "Broads National Park" in order to make the most of a brand which was internationally recognized. An addendum to the report had been circulated separately but was also included as part of the full report on the website. This specifically included the responses from the Broads Forum and the Navigation Committee as well as the Reed and Sedge Cutters Association. Members had also been provided with a summary of the responses at a Member Workshop on 6 January 2015. Members also noted the responses from the Stakeholder Surveys relating to the awareness of the status of the area, whether more should be done to promote that status and whether having the status equivalent to that of a National Park made the Broads more appealing.

The Chief Executive emphasised that the branding and use of the term Broads National Park was intended to raise the profile of the Broads nationally and internationally and would not involve changing the name of the Broads Authority or its constitution and its three main functions all of which were given equal weight. The use of the National Park brand would help facilitate the discharge of all three functions, for example through supporting the commercial viability of the hire boat industry which was an important user of the navigation area. There was no suggestion, nor ever had there been, any suggestion that the Sandford Principle as it applies to the National Park Authorities should apply to the Broads Authority with or without National Park status in law. It was considered that the Habitats Regulations provided the required level of protection for the biodiversity of the Broads against damaging activities. The concerns raised within the navigation community were acknowledged and therefore it was proposed that if the Authority agreed to accepting the use of the brand Broads National Park, that it would no longer pursue the ambition stated within the Broads Plan for the Broads Authority to become a national park in law.

The Solicitor and Monitoring Officer referred to the legal advice provided in the report and provided assurances on the legalities of the proposal. Having sought counsel's opinion, particularly in terms of the specific challenges referred to in the responses, she confirmed that there was nothing unlawful in pursuing the use of the brand Broads National Park. Although this would not be without the possibility of legal challenge, it was considered that the chances of any challenge being successful were remote.

In addition, in terms of planning policy there would be no change as to how matters were dealt with. The Authority was guided by the Planning Acts.

Members reviewed the responses and noted that of the 160 organisations consulted 35% had responded of which 79% were in support and 8% did not object. It was also noted that of those parish councils who had responded, although the majority were supportive there was a higher proportion in this category in relation to all respondents which had been against the proposal. This appeared to reinforce the findings of the stakeholders' survey of the need to improve communication and understanding with them. In addition it was important to address the question of trust among some of the respondents.

Members gave detailed consideration to the proposal and sought reassurances and clarification on a number of issues. A member commented that Suffolk County and Waveney District Councils were strongly in support of the proposal given that it was inclusive of the whole area and not just those Broads within Norfolk.

A member expressed reservations in relation to a specific Section 106 Agreement for development in Acle where Broadland District Council had required developer contributions to offset the impact of the development on the environment. The Member considered that reference to the use of the branding exercise for increasing visitors to the Broads should be deleted. Officers advised that the requirements for developer contributions towards infrastructure were not linked to the branding exercise and that the promotion of enjoyment and understanding was the Authority's second statutory purpose. However, it was recognized that by using the brand Broads National Park this would raise the awareness of the public to its special qualities and the aim was for the area to become well known and attractive. It was accepted that there may be occasions where this would need to be managed and mitigating measures considered and implemented.

Members were mindful that the area did not have easily recognisable entry and exit points, and that this was a challenge in terms of signage. However, this could be accommodated through strategically placed signs on or near the main waterways.

A number of members spoke strongly in support of the proposal along with the proposed recommendations stating that the use of the Broads National Park was for branding the area and would help to raise its profile. They considered that the recommendations recognised the reservations and concerns of the NSBA and Broads Society as well as those stated by the Navigation Committee and provided the brand was used for marketing related purposes this would be acceptable. A member commented that the adoption of the brand should renew the Authority's vigour in covering each of the Authority's objectives equally. Other members agreed, commenting that it was important not to adopt the Sanford Principle as the Authority needed to work within the mechanisms of its own policies and objectives. Therefore dropping the aspiration to become a national park in law was an important concomitant to the branding principle. Members particularly noted the letter from Lord De Mauley and considered that by adopting the brand Broads National Park this would be in the interests of the Broads area as a whole.

A member expressed concern that the name Broads National Park could lead to increased public expectations, particularly of certain facilities which might not be deliverable. The Authority was already part of the National Park family but its uniqueness and special qualities were more than a National Park and adopting the brand name might be misleading.

It was clarified that from an international perspective in terms of IUCN classification the National Parks within the UK would not fit their definition. However, it was recognised that the definition of National Parks around the world varied. The UK National Parks were seen as protected landscapes and the term still ensured that they were viewed as being special.

Another member expressed strong opposition to the proposals, considering that to use the brand name would be a falsehood and as a public body, this should not be promulgated.

One member considered that reliance on the Habitats Directive (a European Directive) for the protection of the nature conservation interest was not sufficient as it was restricted to the designated areas which only covered part of the Broads area, bearing in mind that the whole area was important for its wildlife, conservation and landscape.

Given the concerns expressed by some members and in some of the responses received, Members in favour of the proposal advocated that the adoption of the brand Broads National Park should be implemented gradually. It was important to be sensitive to those views and also to provide proper guidelines on the use of the brand.

The Chairman in summing up commented that the Authority had sought reassurances from the Solicitor and Monitoring Officer on the legalities and had received the views from the Defra National Park Minister, Lord De Mauley. In reaching their decision Members had to be satisfied that the Broads National Park Brand would be adopted for marketing related purposes and that the ambition to become a National Park in law including the adoption of the Sanford Principle (which never had been part of the Authority's ambitions) would no longer be pursued. In making the decisions, Members also needed to be satisfied that the branding would be conducive to the discharge of its functions and that the Authority was acting reasonably.

Mr Jermany proposed, seconded by Sir Peter Dixon to accept all recommendations as amended and in accordance with legal advice.

RESOLVED by 11 votes in favour and 3 against with 2 abstentions

- (1) Having reviewed the comments made in response to the consultation set out in the appendices, the Authority:
 - (i) noted and confirms that the proposal does not involve any change in the legal name or functions of the Broads Authority;

- (ii) noted the generally positive response from the majority of stakeholder organisations who had responded;
 - (iii) resolved that the use of the brand “Broads National Park” will be conducive to the achievement of the three general duties in section 2 (1) of the Norfolk and Suffolk Broads Act 1988, particularly to the enjoyment and understanding of the Broads special qualities and that the use of the brand will have a positive effect on the factors set out in section 2(4) of the 1988 Act;
 - (iv) that the brand “Broads National Park” be adopted for marketing related purposes with immediate effect using the powers in Section 111 of the Local Government Act 1972; and
 - (v) that branding guidelines be produced for both staff and other organisations use and an additional £5,000 be allocated to the Communications budget for 2015/16 for the implementation of appropriate signage in collaboration with other organisations where possible.
- (2) That, in accepting the above, the Authority also:
- (vi) resolved, in line with the suggestions from the Broads Hire Boat Federation & the Norfolk and Suffolk Boating Association, not to pursue the ambition in the Broads Plan 2011 for the Broads to become a national park in law;
 - (vii) for the avoidance of doubt, the Authority indicates that it has no intention of seeking the application of the Sandford Principle to the Broads Authority’s functions because it is of the view that the Habitats Regulations provide sufficient protection for the very special qualities of the area; and
 - (viii) delegated to the Chief Executive, in consultation with the Chairman as appropriate, the power to take such steps and obtain any advice required to protect the Authority’s position and to implement the project in accordance with the resolution and legal advice.

4/10 Strategic Direction: Strategic Priorities 2014/15

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

Members noted that eight of the objectives had reached completion and the remaining projects were on track apart from four, but that these were progressing as indicated in some of the reports to this meeting. The Strategic Priorities for 2015/16 were receiving further consultation for consideration and adoption at the next Authority meeting in March.

The Chief Executive reported that in line with the Authority's ambition to undertake benchmarking with the other National Parks, at the last National Park Chief Executive's meeting it had been agreed to carry out a joint exercise to see how the National Parks might cooperate further to reduce costs.

RESOLVED

that the performance of the different projects to meet the Strategic Priorities for 2014/15 in the accompanying schedule Appendix 1 to the report be noted.

4/11 Financial Performance and Direction

The Authority received a report providing a strategic overview of current financial issues.

Section 2: Consolidated Income and Expenditure from 1 April – 31 October 2014

The Authority received the details of the consolidated actual income and expenditure for the seventh month period to 31 October 2014 together with a forecast of the projected expenditure at the end of the financial year 31 March 2015 for the whole Authority (National Park and Navigation). It was noted that core income was in line with the profiled budget at the end of the seventh month period. Members noted that the Operations Revenue budget was in a slight overspend position compared with the profiled budget particularly relating to equipment vehicles and vessels, an overspend in land management and a small underspend on water management. However, there was still an underspend against profile within the Planning and Resources directorate budgets for reasons previously stated. The overall position as at 31 October 2014 showed a favourable variance of £144,718 against the profiled latest available budget.

Members noted that the forecast outturn indicated income was expected to be broadly in line with budget with total forecast income of £6,233,961. Total expenditure forecast was £6,357,290 resulting in a forecast deficit for the year to be £123,330 (£101,437 national park and £21,892 navigation). The forecast outturn anticipated a lower deficit the £157,087 allowed for in the latest budget. Members noted that the main differences reflected the reduction in the salary budget that had been forecast and this would impact on reserves.

The Chairman of the Financial Scrutiny and Audit Committee commented that the Authority received tremendous value from its staff and commended them.

RESOLVED

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

Section 3 Amendment to Standing Tender List – Fen Management Contractors

Members received notice that since the creation of the Standing List for Contractors to deliver the fen management work, two contractors had expressed an interest in being included on this list: Mathew Lee and Stephen Lee. Both had satisfactory credentials and met the requirements for inclusion.

RESOLVED

- (ii) that the two additions to the Standing Tender List – Fen Management Contractors be approved.

4/12 Budget 2015/16 and Financial Strategy to 2017/18

The Authority received a report providing members with information on the consolidated income and expenditure budget for 2015/16 based on an overall increase of 1.7% in navigation charges formally adopted by the Authority on 21 November 2014. The Chief Executive emphasised that the Authority was in a difficult position in that Defra had not yet decided on the National Park Grant for 2015/16 although a decision was due by the end of January 2015. Therefore the budget had been based on the previous notification from Defra. Although it was hoped that the Secretary of State announcement would be in line with that previously indicated, there were considerable uncertainties for future levels of funding relating to the outcome of the General Election in May 2015. The National Parks were working together to provide a collective positive representation to Defra concerning the necessary finances and resources to fulfil the purposes and objectives and Members were mindful that there was a need to act expeditiously and efficiently.

It was noted that in light of the previous decision to bring part of legal services in house and directly employ the Authority's own Solicitor and Monitoring officer, legal services would now come under the Chief Executive's budget heading.

It was also noted that due to the uncertainties and limited resources, there was limited capacity to carry out additional larger projects. Most of the work would be directed at maintenance and to projects already committed. Minor adjustments could be undertaken but not major changes.

Members welcomed the Financial Strategy proposed recognising that this could alter depending on other factors as previously identified.

RESOLVED

- (i) that the uncertainties regarding the National Park Grant be noted, the assumptions applied in the preparation of the budget be endorsed and the draft 2015/16 Budget be adopted;
- (ii) that the Earmarked Reserves Strategy for the period 2015/16 to 2017/18 be adopted and the proposed contributions to and from Earmarked Reserves for the period 2015/16 to 2017/18 be approved; and
- (iii) that the Authority approves the principle that any underspends within the Moorings Maintenance and Repair budget (within the Practical Maintenance line) be transferred to the dredging/moorings/Piling (Property) reserve to fund maintenance in future years and that any underspends within the Policy Planning budget area be transferred to the Planning Delivery Grant Reserve annually as set out in paragraph 8.7 of the report in line with the Authority's Asset Management Strategy.

4/13 National Parks UK Commercial Sponsorship Project

The Authority received a report providing members with an update on the National Parks UK proposal to establish a new Company Limited by guarantee called the National Park Partnerships Limited, with the purpose of taking forward the joint commercial sponsorship initiative for the National Park Authorities and the Broads Authority in the UK. It was noted that the American national parks had a parallel such organization US National Parks Foundation which was able to raise considerable sums.

Members noted that the proposal was in line with the Government encouraging National Park Authorities to seek other sources of income including commercial sponsorship/income from business and the decision by the National parks to collaborate in making the most of the brand at national level.

Members noted that the Chief Executives of the National Parks had considered the business case and the proposed Business Model and Structure as well as the ethics, the benefits and the risks.

Members considered that the potential benefits of the cooperative venture with its limited risks appeared to be a worthwhile project and considered it appropriate to support the initiative in principle. However, they wished to be satisfied that the details contained within the draft Articles of Association were satisfactory. It was therefore suggested that the proposal be accepted subject to detailed scrutiny by the Financial Scrutiny and Audit Committee due to meet on 10 February 2015.

RESOLVED

- (i) that, in principle, the Authority endorses the establishment of a new Company Limited by Guarantee (CLG), 'National Park Partnerships Limited' to oversee the development of commercial sponsorship on behalf of the National Park Authorities and the Broads Authority in the UK subject to scrutiny by the Financial Scrutiny and Audit Committee ;
- (ii) that, subject to the scrutiny of the details by the Financial Scrutiny and Audit Committee, the Authority should become a signatory to the Members' Agreement, which binds all 14 of the UK National Park Authorities and the Broads Authority in respect of the new Company Limited by Guarantee;
- (iii) that, subject to the above, approval be given for the Authority to sign the agreement with Dartmoor National Park Authority in respect of the equal distribution of licence fees from use of the Britain's Breathing Spaces brand; and
- (iv) the initial investment of £10,000 in the development of a commercial sponsorship company on behalf of the fifteen UK National Park (Authorities) for which provision has already been made in the 2014/15 budget be approved and provision be made in 2015/16 for the potential need for a second payment of £10,000.

4/14 Sediment Management Plan: Dredging Programme for 2015/16

The Authority received a report which provided an update on the Sediment Management Strategy including details of the Authority's most recent assessment of priority dredging sites and the proposed dredging programme for 2015/16. The Navigation Committee had considered the matter on 11 December and supported the proposals. Members noted the summary providing the most up to date analysis of hydrographic survey data based on the new methodology adopted for assessing Waterway Specification Compliance and the details on the proposed dredging programme.

It was noted that the proposed dredging programme for 2015/16 would achieve the Authority's target of removing 50,000m³ and deal with some of the initial list of priority sites.

Members welcomed the updates and the proposed programme and were pleased that decisions were being made based on rational sound statistical data.

RESOLVED

- (i) that the contents of the report be noted and welcomed including the proposed priority sites for dredging and
- (ii) that the dredging programme for 2015/16 be endorsed.

4/15 Draft Climate Adaptation Plan

The Authority received a report which set out the progress and current position on the Draft Climate Adaptation Plan and provided a draft summary for members to consider whether it should be sent out for wider consultation. It was noted that the draft was a simplified version suitable for all, with a more technically detailed plan being developed to be sent to Defra in due course. Members noted that the non-technical version was to be redesigned as a 12 page booklet with illustrations.

Members were shown a short video to be used as part of the proposed consultation at various events in order to raise awareness and stimulate debate. This was welcomed and members expressed appreciation for the way in which the message was being depicted. It was also intended to use a case study and possibly add a SMART diagram as part of the consultation events. Although it was clarified that transport infrastructure was being dealt with by other organisations, members considered that it would be useful to refer to this within the document and make this clear. It was also suggested that in terms of consultation this should ask direct questions rather than invite general views.

Members were very supportive of the work and progress on the Draft Climate Adaptation Plan and welcomed that this would include consideration of the alternatives provided for flood protection, including the possible use of tidal barriers, to mitigate salt water incursion in preserving the important fresh water habitat.

RESOLVED

- (i) that the report be noted and the Draft Plan be supported.
- (ii) that the plan be sent out to key stakeholders for their comments;
- (iii) that the responses received be used to refine the draft plan as necessary and a final version be created for consideration later in the year; and
- (iv) that the responses received be also used to refine the more technical version of the Plan prior to submission to Defra in the Spring 2015.

4/16 Making the Acle Neighbourhood Plan part of the Development Plan for the Broads Authority

The Authority received a report on the outcome of the Acle Neighbourhood Plan referendum. Members noted that there was a majority yes vote of 85%, with 299 residents voting in favour of the plan and 53 against. This met the requirements of the Localism Act 2011. The electorate turnout was 16.29%. The Planning Committee was informed of this at its meeting on 9 January and

recommended that in line with the Neighbourhood Planning (General) Regulations (2012) the Acle Neighbourhood Plan should be adopted.

The member appointed by Broadland District Council expressed thanks to the Authority, particularly the Planning Policy Officer for the help and advice received during the process.

RESOLVED

that the Acle Neighbourhood Plan be adopted and made part of the Development Plan/Local Plan for the Broads Authority.

4/17 Timetable of Meetings 2015/16

The Authority received a report proposing the timetable of meetings for the period July 2015 to the annual meeting in July 2016. This followed a similar pattern to year 2014/15.

RESOLVED:

- (i) that the timetable of meetings for 2015/2016 as set out in Appendix 3 to these minutes be approved.
- (ii) that the New members Induction date set for 23 April 2015 be noted.

4/18 Chief Executive Report

The Authority received a report from the Chief Executive that summarised the current position in respect of a number of important projects and events. This included an update on matters relating to Network Rail including the Trowse Bridge and the consultation document Anglia: Route Study, Long Term Planning Process as well as the Cycling Ambition in National Parks: Request for Funding relating to the Three Rivers Way between Hoveton to Horning.

(1) Bridges Update

With reference to Trowse bridge, members considered that it was important for the Authority to continue to press Network Rail on the importance of this being opened for navigation purposes in line with the Legal agreement with Network Rail to ensure access for navigation at railway bridges. It was noted that the Authority's officers would be providing a response to the consultation document and this could be circulated to members for comment and approval prior to submission by the deadline of 3 February 2015.

(2) Cycling Ambition in National Parks: Request for Funding – Three Rivers Way Hoveton to Horning

Members noted that the Authority in conjunction with Norfolk County Council had submitted a revised bid to the Department for Transport to

fund the development of the first section of the proposed Three Rivers Way cycle route linking Wroxham/Hoveton and Horning. In line with members' previous agreement to the Authority's match funding element, members endorsed the proposal that should the bid be successful the £65,000 match funding required be covered from the Planning Delivery Grant Reserve.

Members noted that no information relating to the Authority's National Park Grant Settlement for 2015/16 had as yet been received from Defra.

RESOLVED

- (i) that the report be noted;
- (ii) that the proposed response to Network Rail's Consultation Document Anglia: Route Study, Long Term Planning Process be circulated to members for comment prior to being submitted to Network Rail by the deadline of 3 February 2015; and
- (iii) that, if the bid to the Department for Transport for the Wroxham/Hoveton to Horning Section of the Three Rivers Way Cycle Route is successful, the £65,000 match funding required be endorsed.

4/19 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 reported that there were no items which needed to be raised under this item.

4/20 Feedback from Lead Members and Those Appointed to Represent the Authority

Guy McGregor reported that he had attended a meeting of Network Rail in relation to the Anglian Route proposals.

4/21 Minutes Received

(1) Broad Forum: 6 November 2014

RESOLVED

that the minutes of the Broads Forum meeting held on 6 November 2014 be received.

(2) Planning Committee: 7 November and 5 December 2014

In particular the Chairman of the Planning Committee referred to Minute number 5/13 of the 7 November relating to the Norfolk coast

Area of Outstanding Natural Beauty Management Plan 2014-2019. The Planning Committee were satisfied with the Plan and recommended that the Authority adopt it.

RESOLVED

- (i) that the minutes of the Planning Committee meetings held on 7 November and 5 December 2014 be received.
- (ii) that the Norfolk Coast AONB Management Plan 2014-2019 be adopted.

(3) Financial Scrutiny and Audit Committee: 21 November 2014

RESOLVED

that the minutes of the Special meeting of the Financial Scrutiny and Audit Committee meeting held on 21 November 2014 be received.

(4) Broads Local Access Forum: 3 December 2014

RESOLVED

that the minutes of the Broads Local Access Forum meeting held on 3 December 2014 be received.

(5) Navigation Committee: 11 December 2014

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

It was noted that the timbers had now been found within the UK for the repairs to the Turntide Jetty and therefore the repairs could be started in the current financial year.

RESOLVED

that the minutes of the Navigation Committee meeting held on 11 December 2014 be received.

4/22 Date of Next Meeting

The next meeting of the Authority would be held on Friday 20 March 2015 commencing at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

4/23 Items of Urgent Business

There were no items of urgent business.

4/24 Formal Questions

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

4/25 Exclusion of Public

RESOLVED

that the public be excluded from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by Paragraph 1 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.

4/26 Exempt Minutes of the Special Financial Scrutiny and Audit Committee – 21 November 2014

RESOLVED

that the Exempt Minutes of the Financial Scrutiny and Audit Committee meeting held on 21 November 2014 be received.

4/27 Exempt Minutes of the Navigation Committee – 11 December 2014

RESOLVED

that the Exempt Minutes of the Navigation Committee held on 11 December 2014 be received.

The meeting concluded at 14.05pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Broads Authority 23 January 2015

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
John Sharpe	Item 4/9	RSPB Employee (Organisation a consultee on Branding)
Kelvin Allen	-	Broads Angling Strategy Group member
David Broad	Items 4/3 - 4/26	Toll Payer, Member of Great Yarmouth Port Consultative Committee
Philip Ollier	Item 4/3 – 4/26 General	BA Navigation and Planning Committees NSBA Committee, RYA and several Broads Sailing Clubs. Toll Payer

Public Question Time

Question submitted by Tim Harris

The Catfield Fen water abstraction licence case which has now been running for well over six years, has highlighted significant deficiencies in the way the statutory bodies monitor wetland sites. In particular there is now evidence that Natural England's Condition Assessment Reporting and the Environment Agency's AMEC owned and operated Hydrological Model are simply not fit for purpose in the exceptional environment of the Broads.

To give but one example of many, Prof Rushton, the eminent hydrologist employed by the Broads Authority to review the Environment Agency's processes, has recently commented (22.9.14):

"Most of the issues which I have raised have not been examined critically or constructively."

He goes on to say that key statements quoted by the Environment Agency are "Unsubstantiated judgements by AMEC. They are not appropriate for a scientific investigation."

I have only quoted Prof Rushton because he is the Broads Authority's consultant. He is not alone, there is a great deal more of a similar nature from many other eminent experts in hydrology, hydrogeology and the related ecology.

Does the Broads Authority recognise these deficiencies and accept that it is now time for a full and, most importantly, open review of how the statutory bodies are fulfilling their statutory obligation to monitor and protect the UK's top wetland sites a great number of which are in the Broads?

Broads Authority Response

Mr Harris is correct in identifying that the very particular circumstances at Catfield Fen have identified weaknesses in the established processes for understanding the impact of water abstraction on fen sites. What is not clear is the extent to which such circumstances are replicated. The Broads Authority has committed to arranging a workshop of experts to consider the evidence to try and assess the implications of this for the Broads and other wetland sites in East Anglia.

APPENDIX 3

Committee Timetable 2015/16

	2015								2016							
	Day	Time	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug
Planning	Fri	10.00 am	24	21	11	9	6	4	8	5	4	1/2 9	27	24	22	19
Planning Cttee Site Visit *	Fri	10.00 am	17	7		2/23	27	18	29	19		15	20	10	15	5
Broads Forum	Thurs	2.00 pm	30				5			4		28			28	
Local Access Forum	Wed	2.00 pm			9			9			2			8		
Navigation Committee	Thurs	1.00 pm			3	22		10		25		21		2		
Financial Scrutiny and Audit Committee	Tues	2.00 pm	7		22					9					5	
BROADS AUTHORITY	FRI	10.00 am	10		25		20		22		18		13		8	
Member Development Day																
New Members Induction Day	Wed															

Bank Holidays	29 August 2015; 2 and 30 May 2016
Good Friday	25 March 2016
Easter Monday	28 March 2016
National Parks UK New Members Induction Courses	22-24 September 2015 Pembrokeshire Coast 19-21 January 2016 Dartmoor 20-22 September 2016 North York Moors

* Scheduled dates if required