

# Broads Authority

## Agenda 26 January 2024

10.00am

King's Centre, 63-75 King Street, Norwich, NR1 1PH

John Packman, Chief Executive – Friday, 19 January 2024

Under the Openness of Local Government Bodies Regulations (2014), filming, photographing and making an audio recording of public meetings is permitted. These activities however, must not disrupt the meeting. Further details can be found on the [Filming, photography and recording of public meetings](#) page.

### Introduction

1. To receive apologies for absence
2. Chairman's announcements
3. Introduction of members and declarations of interest
4. To note whether any items have been proposed as matters of urgent business
5. Public question time – to note whether any questions have been raised by members of the public
6. **To receive and confirm the minutes of the Broads Authority meeting held on 24 November 2023** (Pages 3 - 21)
7. **Summary of actions and outstanding issues following decisions at previous meetings – to note the schedule** (Pages 22 - 27)

### Strategy and policy

8. **Strategic priorities update** (Pages 28 - 36)  
Report by Senior Governance Officer
9. **Funding the waterways of the Broads National Park** (Pages 37 - 42)  
Report by Chief Executive
10. **Budget 2024/2025 and financial strategy to 2026/2027** (Pages 43 - 72)  
Report by Director of Finance

11. **The Levelling-Up and Regeneration Act 2023 and the Government response to the Landscape Review** (Pages 73 - 77)  
Report by Chief Executive and Director of Strategic Services
12. **The Authority's role in Local Nature Recovery Strategies and Biodiversity Duty Consideration** (Pages 78 - 94)  
Report by Environment Policy Advisor
13. **Corporate Health and Safety annual report** (Pages 95 - 99)  
Report by Head of Safety Management
14. **Pilotage Review** (Pages 100 - 158)  
Report by Head of Ranger Services

## Governance

15. **Broadland Futures Initiative Elected Members Forum – appointment of deputy member** (Pages 159 - 160)  
Report by Director of Strategic Services

## Reports for information

16. The Port Marine Safety Code: To consider any items of business raised by the designated person in respect of the Port Marine Safety Code

## Minutes to be received

17. To receive the minutes of the following meetings:

[30 August 2023 – Broads Local Access Forum](#)

[2 November 2023 – Navigation Committee](#)

[10 November 2023 – Planning Committee](#)

[8 December 2023 - Planning Committee](#)

18. Other items of business  
Items of business which the chairman decides should be considered as a matter of urgency pursuant to section 100B (4)(b) of the Local Government Act 1972
19. To answer any formal questions of which due notice has been given
20. To note the date of the next meeting/workshop – **Friday 15 March 2024** at 10.00am at the King's Centre, 63-75 King Street, Norwich, NR1 1PH

For further information about this meeting please contact the [Governance team](#)

# Broads Authority

## Minutes of the meeting held on 24 November 2023

### Contents

1.	Welcome and apologies	2
	Openness of Local Government Bodies Regulations 2014	2
	Apologies	2
2.	Chairman’s announcements	2
3.	Introduction of Members and declarations of interest	3
4.	Items of urgent business	4
5.	Public question time	4
6.	Minutes of last meeting	4
7.	Summary of actions and outstanding issues	4
8.	Strategic priorities for 2024/2025 and update on strategic priorities for 2023/2024	4
9.	Proposed navigation charges for 2024/2025 in the navigation area and adjacent waters	5
10.	Financial performance and direction	14
11.	Digital Boundary	15
12.	Education strategy	16
13.	Corporate partnership register	17
14.	Member report on outside bodies – Broadland Futures Initiative update	17
15.	Items of business raised by the Designated Person in respect of the Port Marine Safety Code	17
16.	Minutes to be received	18
17.	Other items of business	18
18.	Formal questions	18
19.	Date of next meeting	18
	Appendix 1 – Declaration of interests: Broads Authority, 24 November 2023	19

## Present

Bill Dickson – in the Chair, Stephen Bolt, Alan Goodchild, Tony Grayling, James Harvey, Paul Hayden, Siân Limpenny, Kevin Maguire, Leslie Mogford, Greg Munford, Michael Scott, Matthew Shardlow, Vic Thomson, Fran Whymark

### In attendance

John Packman – Chief Executive, Jonathan Goolden – Monitoring Officer, Emma Krelle – Director of Finance, Rob Rogers – Director of Operations, Nick Sanderson – Education Officer (item 12), Vicky Short – GIS Officer (item 11), Lorraine Taylor – Governance Officer, Marie-Pierre Tighe – Director of Strategic Services and Sara Utting – Senior Governance Officer.

## 1. Welcome and apologies

The Chair welcomed everyone to the meeting.

### Openness of Local Government Bodies Regulations 2014

The Chair explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy should contact the Governance Team. The minutes remained the record of the meeting. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated.

The Chair added that he had the right to remove any person that may act in a way that might disrupt the meeting.

**Apologies** were received from Harry Blathwayt, Peter Dixon, Tristram Hilborn, Martyn Hooton, Tim Jickells, Keith Patience, and Melanie Vigo di Gallidoro.

## 2. Chairman's announcements

The Chair confirmed that there was no change to the order of the agenda items, however, there were two items of very good news.

First, a presentation to Andrea Kelly, the Environment Policy Advisor. The Chair said that it was a significant year for Andrea as she celebrated an important anniversary with the Broads Authority, with 25 years of service.

Andrea's skill in building partnerships with landowners, farmers, charities, universities, and public bodies had taken the Broads Authority into many exciting ventures. Most recently there had been huge progress towards peatland restoration, and the Authority would not be where they were without Andrea's dedication and forward thinking. The planning permission

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for peatland restoration at Buttle Marsh at the last Planning Committee was a good example of Andrea's achievements for the benefits of the Broads. Her capacity to adapt and evolve with the fast-changing framework around national environment policy was brilliant and she was rightly recognised by colleagues in DEFRA and across the National Parks as a conservation leader and were fortunate to have her working for the Authority.

The Chair added that behalf of all Members, it was his pleasure to present a small token of the Authority's appreciation to her and hoped that she would wear it with pride. He thanked Andrea for all that she had done and asked that she accepted good wishes on the anniversary of her employment with the Broads Authority.

Andrea thanked the Chair and the Members and added that it had been great working for the Authority on a number of projects, obtaining funding to work on restoration, nature and climate which were the part of the Authority's key priorities under the Broads Plan.

Second, the Chair offered congratulations to Andrew Farrell (Programme Manager – Water Mills & Marshes), Kate Knights (Historic Environment Manager) and Tom Allen (Heritage Carpenter) for their win in the conservation category at the Design and Craftsmanship Awards on 16 November 2023.

The award was in recognition of the restoration work at Mutton's Mill. They were in good company with entries from all the major Norwich architecture firms. In addition, they also won the overall award for sustainability. The Chair said that it was fantastic achievement by Andrew, Kate and Tom, and said a big thank you and congratulations to them and to everyone else who had been involved in delivering a great project.

The historic Mutton's Mill, situated in Halvergate marshes, had been the scene of a five-year project to restore it to its former glory. Andrew, Kate and Tom, as part of the Water, Mills and Marshes project and funded by the Heritage Lottery Fund, had been working on restoring and conserving this valuable part of the Broad's history. He further commented that Members would remember the site visit to Mutton's Mill back in July and were fortunate to see the millwrights working on the sails, which had now been completed.

As part of the restoration, heritage skills using traditional materials and techniques were taught to students at City College, Norwich – including Tom Allen. Tom became a Broads Authority apprentice and then went on to become the site supervisor for the Water, Mills and Marshes project. The Chair congratulated Andrew Farrell and Kate Knights who were present and asked them to hold up the two awards for the Members to see.

Kate thanked the Chair and Members and said that it had been fantastic to work on the project and that the Mill was visible across a wide area of the marshes and could be clearly seen when travelling the A47.

### **3. Introduction of Members and declarations of interest**

Members indicated they had no further declarations of interest other than those already registered, and as set out in Appendix 1 to these minutes.

#### 4. Items of urgent business

There were no items of urgent business.

#### 5. Public question time

No public questions had been received.

#### 6. Minutes of last meeting

The minutes of the meeting held on 22 September 2023 were approved as a correct record and signed by the Chair.

#### 7. Summary of actions and outstanding issues

Members received the latest summary of actions and outstanding issues following decisions at previous meetings. The Chief Executive (CE) noted that in respect of the final, the reduction in office space at Yare House, the tenders had been issued on 8 November 2023 and the closing date was 15 December 2023. It was hoped that the work would start early in the New Year.

A Member asked whether the 'no further update' on Wherryman's Way meant that there was nothing happening or that the previous actions were still ongoing. The Director of Operations (DO) confirmed that it referred to previous actions that were still ongoing and that the habitat assessments were in the process of being done.

**The report was noted.**

#### 8. Strategic priorities for 2024/2025 and update on strategic priorities for 2023/2024

Members received the report of the Senior Governance Officer (SGO) setting out the strategic priorities for 2024/2025 and an update on latest progress in implementing the Authority's annual strategic priorities for 2023/24.

The Chief Executive (CE) said that things were going well in terms of the priorities that had been agreed for the current year. The big issue was the Authority's response to Climate Change and biodiversity loss. The recent flooding had really highlighted to Members and members of the public what the significant risks were to this part of Norfolk. He added that the Authority was continuing to work closely with the Environment Agency on this matter.

A Member commented that there had been talk on a number of occasions about holding a Member workshop on climate change and the sea level rise. He asked whether the Authority would commit to a workshop being held in 2024. The Director of Strategic Services (DSS) confirmed that a workshop would be held in 2024, however, it was likely that it would be later in the year.

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A Member commented that it was good to see that the Authority would be reviewing the biodiversity crisis response next year and asked whether the milestone in relation to the Local Nature Recovery Strategy in Norfolk and Suffolk was right. The CE replied that this was a really important piece of work, and it was something that Norfolk County Council (NCC) was leading on with Suffolk County Council (SCC) and that they had accepted that it had been a bit slow. NCC recently appointed a new Head of Environment (HE) and the CE confirmed that he had been involved in that appointment. He added that in a recent meeting with the DSS and the new HE, the HE understood the frustration that the CE and DSS expressed about the speed at which the critical piece of work had been moving. The CE said that he was pleased to say that he thought that there would be a significant uplift in the councils' activities. The Member replied that he would like to have had a proper discussion about this subject to understand what the Authority thought its priorities were. The CE replied that both councils needed to progress the strategy further and then the discussion could take place.

A Member said that they could not see anything in the report regarding connecting and inspiring communities, or the historic environment and asked whether they were to take it that work would continue on those themes but were not considered priorities. The CE replied that only a few actions were picked from the Broads Plan each year to report on at every meeting so that Members could see the progress. He confirmed that work would continue on the themes identified by the Member, and the big challenge was setting up for a large-scale lottery bid for the next round of funding.

A Member commented that the last proper audit the Authority carried out on biodiversity was in 2011 and suggested that this needed to be revisited.

A Member asked, in respect of the recent flooding, was the Authority still working on the system to reduce field run-off. The CE replied that the Authority was, and it had pioneered a successful system that was a piece of equipment to attach to the back of tractors which would cut lines in potato fields to prevent run-off. The Authority was still working within the top part of the catchment in areas where farmers were growing sugar beet or where the fields were very open. This was where the FiPL project was critical in leading farmers to pioneer new ways of arable farming which would reduce run-off.

Stephen Bolt proposed and Siân Limpenny seconded.

**It was resolved unanimously to agree the strategic priorities for 2024/2025 and note the progress in implementing the 2023/2024 priorities.**

Having declared a Disclosable Pecuniary Interest, Greg Munford left the meeting for item 9.

## 9. Proposed navigation charges for 2024/2025 in the navigation area and adjacent waters

Members received the report from the Chief Executive (CE), Director of Finance (DoF) and Collector of Tolls (CoT). The Chair commented that the decision on charges was the most significant of the year and that there had been a lot of public interest in this agenda item. He



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said that there was an excellent paper to guide Members and that they had been presented with three options, all of which were deliverable but carried different consequences in terms of safety and contributions to the earmarked reserves, and that it was now up to the Members to which of the options they wished to collectively to settle on. He added that there was a thorough discussion at the workshop for all Members and co-opted Members on 13 October 2023, at which no clear consensus emerged. At the Navigation Committee on 2 November 2023, six Members voted for Option C and 4 Members voted against.

The Chair proposed that the Members handled the item in two parts, following the process broadly adopted by the Chair of the Navigation Committee. The Chair said that he would ask the CE to introduce the paper and after that, he would first invite any specific questions relating to matters of fact concerning next year's tolls. For the second part, the Chair proposed to go around the room and ask each Member in turn to speak briefly and state which option they supported. At the end, the Chair said that he would summarise the number of preferences against each option and would then ask for a proposer and seconder and move to the vote.

The Chair invited Alan Goodchild (AG), Chair of the Navigation Committee to comment on behalf of the Committee. AG said that the subject of tolls was discussed in great detail at both the workshop and the Navigation Committee. He added that it was a difficult subject but that there was a lot of debate and careful thought before the Committee recommended Option C and on balance it was a reasonable choice.

The CE introduced the paper and said that some boat owners had complained about the setting of this year's tolls ten months after the Authority's decision in January 2023. He confirmed that the Authority followed the statutory process in consulting the Navigation Committee and had not used navigation income to fund National Park activities. An evidence-based review of the allocation of resources between National Park and navigation budgets took place ahead of the toll-setting process last year and this ensured that the splits were accurate and fair. He added that it was worth remembering that the Authority held a workshop for all Members in October 2022, so that they were well briefed on the issues, at which there was unanimous support for the 13% increase and retention of the additional seasonal Rangers. Following that was the formal consultation with the Navigation Committee where the proposed increase was supported by nine votes to one against, and one abstention. At the Broads Authority meeting the decision was unanimous.

The CE brought to Members' attention Appendix 3 of the paper where the Monitoring Officer had set out the legal background.

The CE then commented on the charges for 2024/2025. He said that the advice of last year's Navigation Committee was to look at the cash increase rather than just the percentage increase. Appendix 2 gave examples of the impact of the three options on the different-sized craft. Most of the boats on the Broads were small and nearly 70% of all private craft were 20m<sup>2</sup> or less, and 530 (5%) were over 40m<sup>2</sup>. The charges for a large private motorboat of 40m<sup>2</sup> had increased substantially since 2007 by 147% and now stood at £680.80. That was because, in November 2016, Members decided to make the charging structure fairer. Over



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the same toll period (2007-2023), for a 5m<sup>2</sup> motorboat the costs rose from £77.70 to £85.10 – an extra £7.40, or about 40p per year. Similarly, a sailing dinghy paid £51.46 in 2007 and £52 in 2023 – an extra 3p per year. When considering that long period, expenditure should also be looked at. The Authority had increased tolls, but it had also used European funding to transform the management of the waterways. On 1 October 2007, the Authority took on the direct responsibility of the practical maintenance of the Broads from May Gurney. The Authority bought the Dockyard in Thorpe, the two newer wherries, took on their staff and May Gurney handed over the rest of the equipment, much of which needed replacing. Since then, the Authority had completely modernised and professionalised the dredging operation using hydrographic surveys and long-reach excavators mounted on Nato floats and greatly reduced the dredging backlog. The total length of free 24-hour moorings provided by the Authority had increased and ensured that all sixty sites were well-maintained and in a safe condition.

Following the tragic accident at Great Yarmouth in 2020, the Authority had increased the number of Rangers so that the service provided to the public was the best it had ever been. Additionally, the Authority had increased its safety messaging in the ever-popular Broadcaster and produced, constantly updated and improved the safety videos, seen on YouTube and the Broads Authority website over 43,000 times last year alone.

Maintaining the Broads had always been expensive and difficult and recognised the owners of larger private boats were now paying a greater proportion of the cost, yet the number of private motor cruisers remained constant at around 5,000. The Authority's costs were rising above the consumer price index and the retail price index. The Authority had considered how best to reduce its expenditure and minimised impact on frontline services. Next year the Authority would be shrinking its occupation of the Yare House office by 60% and the work would be funded by the additional National Park grant received right at the end of the last financial year. The ongoing cost to navigation would be reduced as a result.

Options for next year's increase in tolls were set out in the report for Members to consider. Last year there was general agreement on the approach to be taken, however, this year it had proved to be trickier. All the options in the report were fully deliverable but carried different consequences and it was for the Authority Members to decide which of these options and consequences they wished to pursue. That required a judgement about the ability of the hire boat companies and private boat owners to pay the higher tolls required for the Authority to fulfil its statutory duties maintaining the waterways and responding to safety needs.

A Member asked for clarification on whether Members were being asked to set the toll or to support one of the three options in the paper, because when the workshop was held some Members did not believe that it represented the full range of options that Members might have wished to consider. The CE replied that Members were being asked to set the toll for next year which was normally done at this time of year to allow the Collector of Tolls time to prepare. The Monitoring Officer (MO) confirmed that this was the point at which Members were being asked to set navigation tolls in accordance with the statutory consultation process which Members had before them with the options which were put to the Navigation

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Committee. He added that the process was open to Members to propose an option which was not on the paper but clearly Members would be mindful that those were the options which were considered by the Navigation Committee.

The Chair commented that if the Board did not follow the advice of the Navigation Committee, it was required to provide the reasons why.

A Member said that although he was not at the workshop this year, he did not believe that the Members had been provided enough information to properly go through the figures and had not realistically drilled down into the budget. He added that the Navigation Committee were not a decision-making body; they make a recommendation to the Board and the Board makes the decision and he did not feel that the Members had ever had enough information to make the hard decision and felt that Members should be able to go through the figures line by line to understand what and where savings could be made.

The CE responded that the significant addition to the paper was table 1 which set out the direct pressures on the budget. Following the toll increase last year, obvious places where significant savings could be made were looked at carefully. The first area was a significant reduction in the office space at Yare House. The second area was because of a large capital injection from DEFRA and although that was specifically for biodiversity and improvements, there were benefits for navigation in relation to the purchase of the weed harvester and the 360° excavator which could be used for navigation purposes. Therefore, it was felt that it was possible to go one year without putting money into the earmarked reserves. He added that there were areas that would need to be funded such as replacement of Ranger launches. In addition, the cost in relation to the maintenance and repair of moorings had become increasingly expensive due to the cost of steel and timber being high.

The third area was the difficult decision about Rangers. Following the tragic accident in 2020 the Authority received a MAIB report that drew attention to a number of areas, particularly weaknesses in the hire boat industry. Following that report, the Authority prepared additional videos that went out to the public in advance of them visiting the Broads which had been hugely successful. The hire boat companies were also required to join British Marine's QAB scheme. The other element was to increase the presence on the water by employing additional seasonal Rangers which meant that boats were out patrolling a lot more. One of the Navigation Committee Members had made the comment that with increased use of the water by inexperienced people on paddleboards and kayaks, having more Rangers on the Broads had been a real benefit. Because the level of Ranger patrolling had been increased, it was thought that reducing patrolling was another area that could be looked at.

If one wanted to go further, the CE explained that this would be difficult territory for the Authority because finances were managed tightly and there was very little room for manoeuvre and in terms of the navigation budget, it would mean effectively having to start cutting back on some of the activity at a time when users wanted more, when climate change and improved water quality meant that there were more demands on the Authority.

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The CE went on to say that the third water plant cutter was critical this year and water plants were likely to be a bigger feature going forward. The fact that private boat owners bought bigger boats and the hire boat industry had been building bigger boats meant that the value of the moorings available had diminished due to the size of the boats on the Broads.

The CE said that the Authority had a statutory role to maintain the navigation for the safe use of visitors to the Broads and private boat owners. If Members wanted further options, then it would be necessary to look at cutting back on some of the services provided. If that was what Members wanted, then officers would need time to prepare before presenting at a future meeting, because they were not in the position to do so at the meeting today. Officers believed that the options that Members had in front of them were realistic; that they delivered on value for money and the actual cash increase was relatively low for the 70% that owned boats up to 20m<sup>2</sup>. However, it was acknowledged that this was not the case for large boat owners.

A Member commented that there had been a lot of correspondence around this matter and noted the concerns people had around the increases; the Broads depended on tourism for funding for the area and, in particular, the vulnerability of the private hire industry. However, in the long term, safety was just as important for tourism businesses around the Broads to thrive. He said that there was concern that navigation was being used to underpin the planning operation and asked whether the CE could clarify how much of the navigation fees covered the planning operation. The CE replied that the planning function was entirely funded from the National Park Grant; it did not receive any income from tolls.

The Member then asked what the risks were to the Authority if there were nil contributions to the earmarked reserves. The Director of Finance (DF) replied that one of the benefits of the capital grant received last year was that the Authority could bring forward some of the replacement of equipment that was planned for future years, which meant that the Authority was in the fortunate position of being able to stop contributions into the earmarked reserves for one year. The DF added that there was a risk in relation to increased maintenance on older equipment, but officers were working to a 10-year plan for replacing that equipment and therefore it was achievable to not contribute to the earmarked reserves next year.

A Member said that there were unpalatable choices and that his recollection of the workshop was that the officers would explore some other options, such as less weed control and less dredging, and part of that was to say that these options would be even more unpalatable in terms of biodiversity and navigation. To put them there as another option would show that all options had a downside but did not see any of that in the report. The CE responded that this was done in part, and said that if one looked at the reports to the Navigation Committee, the Head of Construction, Maintenance and Ecology (HCME) had completed some analysis of the balance of practical work and identified that there was the potential of a shift away from some of the dredging operation and onto other practical activities, but the HCME did not believe that there was any scope for reducing the total cost as we were likely to run the risk of having created problems for Broads users in the near future. The CE added that one of the things that the Authority would be doing next year was replacing channel markers in Breydon

Water which was a safety critical area and would be able to do that with some of the equipment currently used for dredging.

A Member said that the role that the Rangers played was going to be increasingly important with climate change and extreme weather hitting the Broads area and safety was paramount. He asked whether there was an opportunity for volunteers to fill the gaps. The Director of Operations (DO) responded that the Authority currently had a number of volunteers, however, they supplemented the service provided but did not replace the service. Under the rules of volunteers, the Authority could not use them for paid services. There were a number of volunteer Rangers who worked alongside and complemented the service rather than replaced it.

A Member commented that the CE had mentioned earlier that a Navigation Committee Member had mentioned the benefits of increased Rangers and asked whether he would provide further feedback from all Broads users and give an indication whether they would value more, or fewer Rangers being needed in the future. The CE replied that he thought that if the Authority were to poll private users there would be some very different views, i.e. those who were very experienced did not get much benefit from Ranger services, however, he added that both he and the Collector of Tolls met with an owner of a large boat earlier in the week and the owner said how much of a benefit the Rangers were to him where they helped him and gave him guidance in navigating from the Southern Broads to the Northern Broads. In terms of visitors, the CE thought that the Rangers were critical and that holiday-makers saw them as essential, as did kayakers and paddleboarders.

With no further questions, the Chair moved on to the second part of the of the process and asked each Member in turn for the option that they supported as recorded below:

- Member: Recognised all the financial pressures and the need to maintain services, however, would like to see in detail how costs could be cut. They added that with the reduction in boats on the Broads, there would be less safety issues and would therefore choose option C.
- Member: As a statutory body, there were things that could not be ignored and that an organisation that dug into reserves would not have a future. They strongly felt that the Authority needed to think about its reserves and the need to function safely. Chose option A.
- Member: The priority should be the level of service and safety on the Broads and therefore chose option B.
- Member: There were three major considerations: the first could the Authority provide a good level of service and safety; second was the Authority putting themselves on a sustainable financial footing; and third what was the impact on the hire boat industry, and added that the toll was a small fraction of owning a boat and therefore chose option A.

- Member: They were unable to support option C and thought that the Rangers did an exceptional job and added that from a private boat owner's perspective, the toll was value for money. Supported option A, but could support option B.
- Member: Safety was paramount and that there was a need to maintain the current patrolling, therefore would support option B.
- Member: Reiterated everything that was discussed at the Navigation Committee and wanted to remind Members that large boat owners could not use nearly 2/3rds of the Broads, so would choose option C.
- Member: Shared the views of the Navigation Committee and chose option C. They commented that they were fearful of a knock-on effect to the hire boat industry and that there were potential savings if the Authority looked at where Rangers were deployed.
- Member: They wanted to ensure that the reserves were looked after and did not want to see the National Park reserves to again underpin navigation functions, but it sounded like that, from a machinery perspective, it was possible to hold off contributing to the earmarked reserves for the year. They were not happy to see a reduction in patrolling. They added that it was lucky that the area had not seen major storms and sea breaches in the Broadland area and thought that there would be a major event in the near future that would need all of the Authority's resources to fix, therefore, it was the wrong time to be reducing manpower. Preference would be option B.
- Member: Must maintain the Rangers on safety grounds and could take a reserves holiday in light of the capital grant received. Option B.
- Member: Thought that it was unfortunate that the Members were not having a debate about the tolls at this meeting and thought it undemocratic. Thought that the Board should look at other proposals beyond the three options and referred to the maximum 2.99% increase which applied to local authorities and that this should be put on the table as a figure to start with. Thought that the hire boat industry was in serious risk and was declining year on year and rises would put significant pressure on them. Did not agree that the Board should look at the options at the meeting, should really drill down on numbers and look at other options. If forced to make a decision, would go for option C.
- Member: The original Broads Act separated navigation and National Park income, however, realised over time things had to change slightly but the rule still applied. At the moment there seemed to be a one-way subsidy from navigation to the National Park function. Believed that there would be a bigger problem if the Board chose option A as that would reduce boats on the water and therefore income. The Member thought that the Board should look more closely at the National Park funding, for example the planning department had income of £100,000 but £500,000 expenditure

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and said that that was not a good business model. The Member chose option C as a maximum but would like more information on the points raised.

The CE replied to the Member's comments regarding subsidies and confirmed that there was no subsidy of National Park functions by navigation and traditionally the subsidy had always worked the other way – for example the Rangers had been funded 70% from navigation and 30% from National Park, but actually only did 20% National Park work. The accounts separated very clearly the navigation from National Park functions. He added that there was no navigation money that went to the planning function and similarly there was not National Park money that went to the collection of tolls. There were a number of areas where there was a shared cost and those were shared fairly on the basis of time or expenditure. Therefore, the suggestion that tolls were propping up National Park functions was entirely erroneous.

In terms of planning, one of the distinctions between the Broads Authority's planning operation and a district council's was that the Authority did not charge for pre-application advice. The reasoning behind this was that the Authority was expecting a higher quality of development in the National Park and therefore providing free pre-application advice was really positive. It also meant that by the time the application was ready for determination, there were generally no issues outstanding, and therefore the Authority's performance figures were very good. The Government recognised that the standard of planning in a National Park area was subject to higher levels of requirement than a mainstream local authority and that was why National Park funding was used for the planning function.

The Chair commented that it was incumbent upon him to now state his preferred option since he had asked Members to declare theirs. He understood all of the issues, and his clear preference was for option B, because safety was paramount. He added that he did not see any correlation between fewer boats and safety, and cause and effect was very difficult to demonstrate in this case. The increase in paddleboarding, which was extremely welcome, introduced an extra burden on Ranger resources.

The Senior Governance Officer (SGO) summarised the options choices stated by Members: of the 13 Members in the room, option A was 3, option B was 5, and option C was 5.

It was proposed by Alan Goodchild, seconded by Leslie Mogford that navigation tolls increase by 6.9% for 2024/2025 as set out in Option C in the officer report.

A Member asked whether the Board was being asked to vote just on the tolls being set at 6.9% or what was detailed in the report under option C. For example, could Members vote for the option of a 6.9% increase but not a reduction in Rangers and officers being tasked with finding savings in another way. The Chair responded that the vote would be for option C in all its entirety.

The Monitoring Officer (MO) confirmed that the Board had a proposal on the table, which was option C as identified in the paper, however, that it was open to any Member to propose an amendment.



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Paul Hayden proposed that the 6.9% increase in tolls put to the Navigation Committee was supported, but that officers would be tasked with further review on how that could be achieved without a reduction in Rangers/safety.

The MO advised that the Chair could now ask the original proposer of the motion whether he would accept the change in wording, however, the proposer did not have to. Bearing in mind that the amendment was in essence suggesting a refinement, that was something that the Chair could ask the proposer to consider. The proposer said that he would support that amendment as the Navigation Committee thought that there were savings that could be made which were not clearly identified in the paper.

For clarity, the MO confirmed that the proposal was option C (6.9%) with a request that officers closely examine whether there was the opportunity for savings to be made which would enable Ranger services to be maintained.

Therefore, the proposal by Alan Goodchild, seconded by Leslie Mogford was that navigation tolls increase by 6.9% for 2024/2025 as set out in option C in the officer report, and officers be asked to closely examine opportunities for savings to be made to enable Ranger services to be maintained.

Member asked would there be further proposals coming back to the Board regarding what the cost savings should be or was this being delegated to the officers. The MO replied that the intent of the discussion was to set the tolls at the meeting and request officers to look closely at the figures and there would be a report back to Members.

The CE confirmed that the Authority was required to consult the Navigation Committee on the draft budget in January and it would be brought to the Board for approval later that month.

A Member commented that before option C was proposed, he was about to propose option B. Had he done so, the Board would be voting on that without amendment, and asked whether that possibility had disappeared.

The MO responded that there was a proposal on the table of 6.9%, however, the Member was able to propose an amendment to that which could be one of the other options. The Board would then vote on that amendment and if that failed would go back to the substantive motion. He clarified that there was a proposal on the table of 6.9% (the substantive motion), and that a Member expressed a wish for that to remain the proposal but for the officers to do some extra work behind the detail of the figures. The refinement of the proposal was accepted by the original proposer of option C and that was the proposal that was on the table. If any Member wished to put forward another option, the means of doing that was to propose an amendment to the substantive motion and that would need to be seconded. The Members would be asked to vote on that and if that was passed, that would become the substantive motion which the Members would then need to vote on. The MO added that there were two options to Members, vote on the proposal on the table and if that was not carried, Members would get the opportunity to propose another option, or Members could propose an amendment to the current proposal.



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An amendment was proposed by Stephen Bolt, seconded by Michael Scott that the words “6.9% for 2024 as set out in Option C in the officer report” be replaced with “8.5% for 2024 as set out in Option B in the officer report” and remove the words “Officers be asked to closely examine opportunities for savings to be made to enable Ranger services to be maintained”.

**The amendment was carried by 8 votes in favour and 5 against and that became the substantive motion.**

The SGO confirmed that the motion on the table now was for option B, as the substantive motion, and Members were required to vote on that motion or propose an amendment.

**It was resolved by 7 votes in favour and 6 against to support Option B – Nil contributions to Navigation Earmarked Reserves for property plant and equipment and an 8.5% increase in navigation charges across the board for 2024/2025 in the officer report.**

The Chair commented that the Board was required to give reasons why it had not agreed with the Navigation Committee’s recommendation. He summarised the discussions as: Members wanted to retain the seasonal Rangers in the interests of public safety particularly in light of the tragic accident in Great Yarmouth in 2020, the increase in paddleboarding, and the increased risk of climate change.

A Member commented that it was important to highlight that the Navigation Committee looked carefully at patrolling and that a reduction was not seen to be of concern and would not affect the safety in Great Yarmouth. A Member responded that he did not feel that the level of reduction in resources proposed in option C could feasibly be met by other measures.

The meeting adjourned at 11.45am and reconvened at 12pm.

Greg Munford re-joined the meeting.

## 10. Financial performance and direction

Members received the report of the Director of Finance (DF). The DF confirmed that the information in the report was up to the end of September and updated Members on the variance as at the end of October. In the report there was a favourable variance of £80,393 and at the end of October this had moved to an adverse variance of £57,231. This was due to a combination of factors across all directorates; however, the latest available budget had remained the same.

A Member asked whether the DF would confirm that the underspend noted on pages 43 and 44 (Operations and Finance & Support Services directorates) would be spent. The DF confirmed that the biggest underspend in the report presented was salaries because the Authority budgeted for the pay rise to be from 1 April and that was only agreed in November, therefore it would be backpaid to all staff in the December payroll and would remove the salary variances from the report. The other variances were through timing differences.

A Member asked whether the Authority was still in the external audit delay and asked whether there was anything that could be done to expedite it. The DF confirmed that that there was still a delay, and nothing could be done to expedite at present.

**Members noted:**

- i. **the income and expenditure figures**
- ii. **the latest on the pay agreement for 2023/24 in paragraph 4.2**
- iii. **the latest position on external audit for 2022/23 and**
- iv. **the prudential indicators in paragraph 6.1.**

## 11. Digital Boundary

Members received the report from the GIS Officer (GISO) accompanied by a PowerPoint presentation. She advised that, since the report had been published, Natural England published the complete dataset on 17 November 2023. This meant that the Authority now had a consistent interpretation of the boundary that could be used but reiterated that the paper map was still the legal boundary.

Members congratulated the GISO on the great work undertaken and how valuable it was.

A Member asked whether neighbouring authorities were happy with the new digital boundary. The GISO confirmed that, from a GIS point of view, she often got requests from GIS colleagues in other authorities asking which version they should use. Her response had always been that the paper map was the legal boundary, and it was up to others to determine which version they used, so she thought that they would appreciate this work.

A Member asked whether any issues had arisen in terms of the Broads' functions as a result of differences/arguments over where lines had been in the past. A Member added that he had previously had issues relating to the planning function of the council that he represented, in terms of the line of the boundary. The Director of Strategic Services (DSS) commented that the Authority had just provided training for Planning Committee Members and one of the first things that was considered in a planning application was whether the property was within the Authority's boundary, so this work would be very helpful to the planning team.

A Member asked what the next stage of the project would be and would there be any opportunity to use other digital datasets to help with decision making, for example mobile datasets to show the intensity of visitors to the National Park. The GISO confirmed that the Authority could now start to do things publicly with the GIS data and said that there was different data available but there would be added costs. The Chief Executive (CE) added that the Authority had some experience looking at mobile data and it could be used to track how many visitors the Broads area had potentially got, and the digital boundary made that a bit easier.

A Member asked if the paper map would be adjusted to reflect any differences in the new digital boundary. The CE replied no, and his understanding was that Natural England's interpretation through the process of creating the digital boundary would assist any debate over boundaries and becomes a substantive piece of data to help resolve any issues.

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The Chair, on behalf of all Members, congratulated the GISO on the project which had been ongoing for twelve years.

**The report was noted.**

## 12. Education strategy

Members received the report from the Education Officer (EO). The EO provided Members with an insight into the Education and discovery work that the Authority provided and highlighted the objectives of the strategy through a PowerPoint presentation.

The Chair commented that the presentation was brilliant and that the EO's commitment and enthusiasm radiated through. He congratulated the EO on his great work.

A Member commented that he was aghast to see how low the number of children who go on school visits was. He asked if Children's Services at the County Council was part of the EO's remit. The EO confirmed that it was.

A Member said that he welcomed the strategy and commented that it was in line with the Authority's statutory purpose, and asked how funding opportunities were being sought. The EO said that he was working closely with the new Partnership and External Funding Manager to look for new opportunities. There was also talk in other National Parks' Education groups to raise a successor project to Generation Green, but it was currently going through a period of development. He added that there were a number of opportunities that they were looking to explore.

A Member said that within the strategy, there did not seem to be any numbers on what the Authority's aspirations were. The current figures on the numbers of children going on school visits to the countryside was 6/7%, but felt it was important to include numbers of schools etc. so that there was something to aim for. The EO said that he could look at the numbers and talk to partners.

A Member commented that the long-term plan talked about people from all walks of life and ages and asked whether the EO had considered a programme for older people into the strategy. The EO replied that the strategy was a snapshot and that there was already learning opportunities for adult groups, including organisations such as Age UK and community groups. He added that although it was not written into the strategy it was implicit in the work that was delivered.

The Member who represented the Broads Authority on the Broads Trust suggested that there might be a potential partnership opportunity there and would discuss it at the next Trust meeting on Monday 27 November 2023.

The Chair commented that it was clear, from what had been said by Members, the depth of appreciation and admiration on how much the EO had achieved with so few resources.

Paul Hayden proposed, and Vic Thomson seconded.

**It was resolved unanimously to adopt the Broads Education Strategy 2023-2028.**

### 13. Corporate partnership register

The Members received the report of the Senior Governance Officer (SGO).

A Member asked for confirmation that all the items in the partnership register were not statutory or legal partnerships where the Authority was bound into a partnership for a long time and were effectively voluntary relationships that we had with other organisations. The Chief Executive (CE) replied that these were proper partnerships where there was a commitment of some sort and agreed strategy.

A Member asked whether there was the potential to work with European partners again now that the Horizon funding was available. The Director of Strategic Services (DSS) said that she was not aware of anything. The CE replied that the Authority had been fortunate to receive European funding in the past and had really added to what the Authority had been able to do over recent years. He said that the Authority had strong links with lots of universities and were currently working with the East of London University on a really interesting £3.5 million bid. He thought that Horizon was very much a research-based programme, so it might well be that one of the Authority's existing university partners would provide that opportunity, but it would not be around the practical work that had already been done such as dredging and peat management. A Member said that it was worth noting that there might be funding opportunities through the Emerald Network.

**The updated Corporate Partnerships Register was noted.**

### 14. Member report on outside bodies – Broadland Futures Initiative update

Members received the report from the Authority's representative on the Broadland Futures Initiative, Matthew Shardlow. The Chair thanked Matthew for his clear and succinct report which made very sobering reading.

A Member commented that the workshop on climate change planned for 2024 should be held early in the New Year. The Director of Strategic Services (DSS) said that the workshop would depend on when the hydrological model was ready and this work could not be rushed, so did not think early 2024 would be possible.

**The report was noted.**

### 15. Items of business raised by the Designated Person in respect of the Port Marine Safety Code

There were no matters to report under this item. The Director of Operations (DO) commented that the Port Marine Safety Code was being audited and that a report would be coming to the Board in the New Year.

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## 16. Minutes to be received

Members received the minutes of the following meetings:

Navigation Committee – 8 June 2023  
Planning Committee – 15 September 2023  
Navigation Committee – 7 September 2023  
Planning Committee – 13 October 2023

## 17. Other items of business

There were no other items of business.

## 18. Formal questions

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

## 19. Date of next meeting

The next meeting of the Authority would be held on Friday 26 January 2024 at 10.00am at the King's Centre, 63-75 King Street, Norwich, NR1 1PH.

The meeting ended at 13:02pm

Signed by

Chairman

Please note these are draft minutes and will not be confirmed until the next meeting.

## Appendix 1 – Declaration of interests: Broads Authority, 24 November 2023

Member	Agenda/minute	Nature of interest
Stephen Bolt, Bill Dickson, Alan Goodchild, Leslie Mogford, Michael Scott	9	Private toll payer. The Member Code of Conduct allowed for these Members to participate and vote.
Greg Munford	9	Commercial hire boat operator. Disclosable pecuniary interest (employment, office, trade, profession, or vocation carried out for profit or gain) and left the room for this item.

DRAFT

# Broads Authority

26 January 2024

Agenda item number 7

## Summary of actions and outstanding issues following discussions at previous meetings

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Wherryman's Way footpath on River Chet	26/07/2019	Rob Rogers	Wherryman's Way footpath by River Chet included in priority actions for new Waterways and Recreation Officer. Discussions ongoing with Norfolk County Council.	<p><b>July 23:</b> The Community Infrastructure Levy funding application was unsuccessful. The project team are scoping options for proceeding with the £216,000 currently available from the previous funding application. Norfolk County Council (NCC) are meeting with GNGB to establish the feasibility of a reapplication for funding. NCC are also actively looking for alternative funding to support the project.</p> <p>At the Hardley Flood site - there are three major ecological considerations (European protected species)</p> <ol style="list-style-type: none"> <li>1. Otters by footpath line - commissioned consultant to report.</li> <li>2. Water vole - a Norfolk Biodiversity Info report has been requested.</li> <li>3. Desmoulin's Whorl Snails – very specialist species – awaiting report.</li> </ol> <p>Once the ecological reports are completed talks will be held with Natural England regarding next steps. NCC have met with NP Law for advice on statutory duties and legislation for priority for Public Rights of Way or Ecology.</p> <p>At the Bramerton Site – the Broads Authority are working with engineering consultants on a gabion basket and rock roll design for the bank restoration.</p> <p><b>August 2023:</b> No further update.</p> <p><b>November 2023:</b> Work still ongoing and habitat assessments are being carried out.</p> <p><b>January 2024:</b> The January 11 meeting of the Wherryman's Way stakeholder group was cancelled as there were no new updates, but:</p> <ul style="list-style-type: none"> <li>• Hardley Flood planning application is being prepared by NCC and it is hope it will be submitted by the end of January 2024.</li> </ul>	31/12/2021



Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
				<ul style="list-style-type: none"> <li>Bramerton planning application is being finalised by NCC and again it is hoped it will be submitted late January 2024.</li> </ul> <p>If both applications are successful the partnership work is expected to be completed by May 2024.</p>	
Responding to Climate Change Emergency	27/09/2019	John Packman	<p>To adopt Climate Change Emergency Statement for the Broads (first report Appendix 1) and principles outlined for BA to:</p> <p>Recognise climate emergency</p> <p>Work toward making the Broads Authority 'carbon neutral' by 2030, with further objective of reducing all carbon emissions to zero by 2040.</p> <p>Establish base line for CO2 emissions using a common methodology with NPAs and develop an Action Plan and Monitoring system.</p> <p>Work with constituent local authorities to reduce emissions from domestic, travel and other sources in the Broads across the two counties.</p> <p>Work with farmers, land managers, NFU and Defra to influence land management practices, to maintain and build organic matter and carbon in soil, improve biodiversity and store water to protect against flooding and drought.</p> <p>Work with boating and tourism organisations to continue promoting and developing environmentally friendly boating and sustainable tourism; and</p> <p>Aspire to offsetting carbon emissions locally within the Broads by a Broads offsetting scheme.</p>	<p><b>13 September 2022:</b> A member workshop was held on the 25th of July, and the full report circulated to members. Work is ongoing on the next steps, with a report anticipated for the November Authority meeting.</p> <p>The next phase of Clean maritime funding, which may allow us to build on the Electrifying the Broads feasibility study, is expected to be announced on the 22nd of September.</p> <p><b>November 2022:</b> We are working on various possible bids for external funding to support our climate change work, including the Norfolk Investment Framework. Unfortunately the Clean Maritime Competition Phase III was not suitable for the Electrifying the Broads project, so we are exploring other avenues.</p> <p><b>December 2022:</b> An update report setting out next steps was presented to the Authority Meeting in December. We will hear in early January the outcome of the bids to the Pioneer Places fund and the Norfolk Investment Framework.</p> <p><b>February 2023:</b> Pioneer Places bid was not awarded. We have a new possibility of funding through the Local Electric Vehicle Infrastructure Fund award, in partnership with Norfolk County Council, that includes funding for electric pillars in the Broads.</p> <p><b>June 2023:</b> We have had discussions with the Canal &amp; Rivers Trust and Environment Agency to see what joint work can be done on boating electrification. Round 4 of the Clean Maritime Demonstration Competition is expected to open in July 2023, we will reach out to partners to determine if we can submit a bid. We are drafting a tender for the installation of solar panels at the Dockyard. We have launched a consultation with Visit The Broads members to identify opportunities to use funding from the Norfolk investment Framework to support sustainable tourism.</p> <p><b>September 2023:</b> We are continuing to work with Norfolk County Council on developing a bid under the Norfolk Investment Framework for Sustainable tourism. Unfortunately the Clean Maritime Demonstration Competition Round 4 has</p>	

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
				not proved suitable for the Electrifying the Broads project as it does not allow for capital expenditure. The Dockyard solar tender is currently open and will close on 15 September 2023. <b>January 2024:</b> No further progress.	
'Broads Peat' - A Nature for Climate Peatland Grant Scheme project	23/07/2021	Andrea Kelly	<p>The Broads Peat Project was awarded £785,668 in December 2021 from Defra, as part of the Nature for Climate Peatland Grants Scheme – Discovery Grant which is administered by Natural England. The project budget was revised to £855,831 in December 2022 (the formal Change Control Notice was received from Natural England on 3 January). The project budget was revised to £1,125,831 in April 2023 (the formal Change Control Notice was received from Natural England on 20 April 2023).</p> <p>Broads Peat was initially expected to close in March 2023 - an extension until 31 August 2023 has been granted. Following the Discovery phase, a restoration grant was awarded for Buttle Marsh on 26 August 2023.</p>	<p><b>Early March 2023:</b> Submission of ~£400k Paludiculture Exploration Fund bid with Norfolk FWAG, Norfolk County Council, NUA, Wetland Products Foundation and Hudson Architects. with support from EA, Broads IDB, Fenland Soil.</p> <p><b>April 2023:</b> The peat project extension to 31 August was approved, with a revised budget of £1,125,831; the formal Change Control Notice was received from Natural England on 20 April 2023. A restoration bid is being prepared for Buttle Marsh, and discussions have taken place for other sites. Field-by-field assessment of carbon emissions in the Broads was presented to the Lowland Peatland Conference in Ely17-18 April. SWT secondment ended at the end of March. The Carbon Reduction Project Manager is providing additional support to the project.</p> <p><b>June 2023:</b> The restoration bid was submitted for Buttle Marsh. Paludiculture Exploration Fund project 'FibreBroads' successful, led by Broads Authority, with Norfolk FWAG, Norfolk County Council, NUA, Wetland Products Foundation and Hudson Architects. with support from EA, Broads IDB, Fenland Soil.</p> <p><b>September 2023:</b> The Broads Peat Discovery project closed at the end of August, and preparation for the final reporting is underway. The Nature for Climate Peatland Restoration Grant has been awarded to Buttle Marsh in August 2023, with co-funding secured from Anglian Water. <a href="#">Peatlands set to be restored to help tackle climate change</a></p> <p>The other Nature for Climate partnership project led by the Broads Authority, 'FibreBroads', ~£500 funded by the Paludiculture Exploration Fund has also started. <a href="#">New investment in peat in fight against climate change</a> It hosted Minister Pow on 11 &amp; 12 August. Minister Spencer visited the FibreBroads stand at the Royal Norfolk Show. The project featured in eight media articles since the launch of the project in June 2023.</p> <p><b>November 2023:</b> Reporting on Broads Peat Project complete. Buttle Marsh Peat Restoration project is securing permissions for water transfer, eels, planning and water voles and</p>	31/03/2023

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
				<p>reviewing project costs for delivery in 2024, subject to permissions.</p> <p><a href="#">FibreBroads</a> a partnership led by the Broads Authority to grow wetland crops, engage with farmers, regulators and fibre product developers is on track. Wetland plants are growing well and many wading birds benefit from the shallow water and damp conditions. Farmer one to ones and workshops in planning stage and 50 NUA students engaged in product awareness.</p> <p>Two further Nature for Climate partnership bids involving the Broads Authority totalling ~£260k have been applied for focusing on water management and farmer collaboration.</p> <p><b>January 2024:</b> Buttle Marsh Peat Restoration project gained planning permission and continues work on securing permissions for water transfer, eels and water voles and reviewing project costs to add in a water storage reservoir for delivery in 2024, subject to permissions. Discussing new wind pump design to comply with eel regulations.</p> <p><a href="#">FibreBroads</a> remains on track. Presented at Defra lowland agriculture workshop in December and hosted the Defra Peat Team. Presenting at January Paludiculture Conference in Manchester. Planning novel acoustic monitoring of wading birds at wetland demonstration site. 12 farmer one-to-ones completed and farm adviser workshops in planning stage.</p> <p><a href="#">Fenland Soil</a> farmers are visiting the Broads for a Farmer's Dialogue visit to the Wet Farming Trials at Horsey on 16 January 2024. Wetland plants are growing well.</p> <p>Awaiting notification of the two further Nature for Climate partnership bids involving the Broads Authority totalling ~£260k have been applied for focusing on water management and farmer collaboration.</p>	
Recommendations from external review into formal complaint	20/01/2023	John Packman	<p>At the Broads Authority meeting on 20 January 2023, it was resolved to:</p> <p>i. Welcome the findings and recommendations of the independent investigation into the formal complaint and in particular that:</p> <p>“In our view officers acted in good faith and professionally throughout”, and that</p> <p>a. The Broads Authority’s governance arrangements are regularly reviewed by Internal and External Audit, both</p>	<p><b>16 Feb 2023:</b> All recommendations were adopted by members at the BA meeting on 20 Jan. The report was published on the website on 20 January (rec. vi).</p> <p>A report will be presented to the Audit &amp; Risk Committee on 14 March, to agree a set of actions to implement the recommendations and the relevant timetable. In addition, to delegate authority to the CE and MO to take all and necessary steps to implement the recommendations and report back to the ARC on progress.</p>	22/12/2023

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
			<p>external to the organisation... There is continuous improvement underway within the realm of governance.</p> <p>b.“any suggestion that there are significant fundamental problems at the Authority and that it is "failing" or similar would be completely incorrect.”</p> <p>ii.In accordance with recommendation a. above and recognising the Authority’s designation as a Best Value Authority it adopts in full the recommendations of the independent review for improvements in the organisation’s governance and procedures as set out in Table 1.</p> <p>iii.Refers the recommendations of the VWV report to the Audit and Risk Committee for detailed consideration and implementation.</p> <p>iv.The Authority recognises the serious impact this process has had upon its officers’ well-being and, while implementing the practical steps in the recommendations, recognises the duty to officers as their employer and commits to protecting its officers in future from unfounded allegations.</p> <p>v.Thank: the Task and Finish Group for its work which has been concluded and its views incorporated into the VWV report; VWV for their independent review and Defra for meeting the costs.</p> <p>vi.To publish the VWV report on the Authority’s website (subject to one redaction of personal information).</p>	<p><b>April 2023:</b> The Audit &amp; Risk Committee agreed the actions and timetable on 14 March. The Senior Governance Officer and Director of Finance subsequently met with the MO and DMO to draw up an action plan on implementing the recommendations, including timescales for presenting draft documents to the relevant committee and full Authority for review and approval. Progress will be reported to the next ARC meeting in July.</p> <p><b>July 2023:</b> Reports to Planning Committee 21/7 and Audit &amp; Risk Committee 25/7 seeking the committees' views on proposals to implement two of the recommendations, for decision at this Authority meeting. The report to ARC also included progress against the timetable on implementing all of the recommendations.</p> <p><b>September 2023:</b> Report on the establishment of a Standards Committee for decision at this Authority meeting. At its meeting on 28 July 2023, the Authority adopted revised ToR for the Audit and Risk Committee (and renamed it the Risk, Audit and Governance Committee), and approved changes to the Scheme of powers delegated to the Chief Executive and other officers, and the Code of Practice for members of the Planning Committee and officers (specifically relating to the "call-in" process for planning applications). A minor change to the wording for <a href="#">complaints about unlawful behaviour or action</a> was approved by Management Team on 22 August 2023.</p> <p><b>November 2023:</b> At its meeting on 22 September, the Authority agreed to appoint a Standards Committee and adopted a Monitoring Officer Protocol. In accordance with the agreed procedure, Members were invited to submit an expression of interest and the following have been appointed: Harry Blathwayt; Stephen Bolt; Paul Hayden; Peter Dixon and Michael Scott.</p> <p><b>January 2024:</b> All 9 recommendations have been completed and implemented with the exception of no. 6 (member appointments) which requires a decision by Defra, as part of the ongoing Landscape Review.</p>	
Capital Programme	28/07/2023	John Packman	Track final two projects of the capital spend: Purchase of Hulver Ground; and repair of drainage structure at Strumpshaw.	<b>September 2023:</b> Repair of drainage structure nearing completion. No change on Hulver Ground purchase.	

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
				<p><b>October 2023:</b> Due to complications connected to the Horning Enclosure (an 1818 restriction on the Hulver Ground) the sale and completed transfer of the land cannot take place until certain conditions within the Closure are satisfied. In order to secure the land purchase and fulfil the conditions set by DEFRA on the Capital Grant money and allow additional time for the seller (Norfolk Community Foundation) to find a resolution. We have agreed to a 'Conditional Sale' where by purchase money is held in trust for 12 months whilst NCF works with the Charity Commission to satisfy conditions within the enclosure and allow the land registry to transfer to the Broads Authority.</p> <p><b>January 2024:</b> Purchase of Hulver Ground complete.</p>	
Reduction in office space at Yare House	28/07/2023	Emma Krelle	Reduce occupation to cut overhead costs and reduce carbon emissions.	<p><b>September 2023:</b> Revised plans for reduced occupation submitted for landlord approval.</p> <p><b>October 2023:</b> Plans approved by landlord. Prequalification stage of works tender complete with tender packs being finalised to be issued in November.</p> <p><b>November 2023:</b> Tenders issued on 8 November 2023 and the closing date was 15 December 2023. It is hoped that the work will start early in the New Year.</p> <p><b>January 2024:</b> Tender responses reviewed 15 December and we are in the final stages of finalising our preferred contractor. Building Control Plans have been submitted with the view to the new lease being agreed and works commencing last week of January.</p>	

Date of report: 12 January 2024

# Broads Authority

26 January 2024

Agenda item number 8

## Strategic priorities- update

Report by Senior Governance Officer

### Purpose

This report sets out the latest progress in implementing the Authority’s annual strategic priorities for 2023/24.

### Broads Plan context

The Broads Plan is a key part of the Authority’s strategic framework.

### Recommended decision

To note the progress in implementing the 2023/24 priorities.

## 1. Introduction

- 1.1. Each year the Broads Authority identifies a small set of strategic priorities, which focus on projects that have high resource needs or a very large impact on the Broads, or that are politically sensitive. Setting these priorities helps target the Authority’s resources and make the most of partnership working and external funding opportunities. Priorities are set each financial year, although some large-scale projects carry across several years.
- 1.2. In addition, Defra has introduced a new requirement for National Park Authorities and the Broads Authority to provide quarterly updates on deliverables against the Business Plan, as part of its grant funding agreement. These update reports on our strategic priorities will assist officers in compiling the information necessary to comply with that requirement.
- 1.3. The latest update on our agreed strategic priorities for 2023/24 is in Table 1.

**Table 1**

Strategic priorities 2023/24– progress update

Themes, aims and milestones	Progress	Lead officer
<b>1. Climate Change crisis response</b> Aim: To implement the next steps of the various projects tackling climate change related issues, including the	Status: <b>on track</b>	Director of Strategic Services

Themes, aims and milestones	Progress	Lead officer
<p>actions in the Authority’s Climate Change Action Plan.</p> <p>Milestones:</p> <ul style="list-style-type: none"> <li>(i) Publish at least two editions of the Broadland Futures Initiative BFI newsletter, by March 2024.</li> <li>(ii) Hold at least two meetings of the BFI Elected Members Forum, by March 2024.</li> <li>(iii) Various technical deliverables from BFI consultant including the new hydraulic model, throughout 2023/24.</li> <li>(iv) Work with partners to secure funding and implement Phase II of the “Electrifying the Broads” project, by March 2024.</li> <li>(v) Deliver the actions set out in the Authority’s Climate Change Action Plan.</li> </ul>	<ul style="list-style-type: none"> <li>(i) 12<sup>th</sup> edition of the <a href="#">newsletter</a> published in June 2023. Next edition under preparation for end 2023/ early 2024.</li> <li>(ii) Elected Members Forum (EMF) workshop on 9 October 2023, where the list of prioritisation for the BFI objectives were agreed. Next meeting on 15 January 2023.</li> <li>(iii) On track. Some deliverables which were planned as sequential activities will be combined to bring forward the most beneficial options for specific locations. The combination will not change the overall timeline of the project.</li> <li>(iv) Round 4 of the Clean Maritime Demonstration Competition was announced in July 2023. Unfortunately, the funding excluded capital spend, so we will seek other sources of funding. Some additional funding for electric pillars has been received through a partnership with Norfolk County Council, which will support new installations at Great Yarmouth and Potter Heigham.</li> <li>(v) The tender for solar panels on the Dockyard closed on 15 September, with the intention of awarding a contract for installation to be carried out by March 2024. Following consultation with Visit The Broads members, we are continuing to work on a potential bid to the</li> </ul>	



Themes, aims and milestones	Progress	Lead officer
	<p>Norfolk Investment Fund. The shape of this will depend on the implementation of the Norfolk Devolution deal. To support the development of these bids, we are working with the wider National Parks on building on the carbon baseline work done with Small World Consulting.</p>	
<p><b>2. Biodiversity crisis response</b></p> <p>Aim: Co-ordinate and implement with partners the development of strategies and projects, including the legacy of the peat project.</p> <p>Milestones:</p> <ul style="list-style-type: none"> <li>(i) Endorsement of Norfolk &amp; Suffolk Nature Recovery Strategies – timings to be confirmed subject to further details expected from government.</li> <li>(ii) To implement the next steps of the Nature for Climate Peat restoration project within agreed budget and timeline, and review lessons learnt by June 2023.</li> <li>(iii) Complete site selection for potential restoration, and support the submission of Restoration Grant Application, if appropriate, by 26 May 2023.</li> </ul>	<p>Status: <b>on track</b></p> <ul style="list-style-type: none"> <li>(i) LNRS expected to be adopted in Summer 2025 with Norfolk and Suffolk County Councils as “Responsible Authorities” and the Broads Authority as “Supporting Authority”. The Partnership met in December and Broads Authority officers will contribute to different working groups.</li> <li>(ii) The Nature for Climate Peatland Discovery project closed on 31 August 2023 and reporting is complete.</li> <li>(iii) A Nature for Climate Peatland Grant Scheme Restoration Grant has been awarded for Buttle Marsh in August 2023 for ~£300k, with co-funding secured from Anglian Water Get River Positive scheme. <a href="#">Peatlands set to be restored to help tackle climate change</a>. It aims to restore peat building conditions at Buttle</li> </ul>	<p>Environment Policy Adviser</p>

Themes, aims and milestones	Progress	Lead officer
	<p>Marsh by holding and transferring water across the site. Discussion with the regulators, Environment Agency and Natural England, is ongoing to address the water and eel transfer issues.</p> <p>A further ~£500k was awarded for a Nature for Climate Paludiculture Exploration Fund – FibreBroads a partnership led by the Broads Authority to grow wetland crops, engage with farmers, regulators, and fibre product developers. The project was presented to a Lowland Agricultural Peatland Workshop. Officers visited peatland projects in Somerset.</p> <p>In addition, two further Nature for Climate partnership bids totalling ~£260k have been applied for focusing on water management and farmer collaboration. In November a ‘Paludiculture Building Materials for Net-Zero’ project within the UKRI Land use for net zero Programme was submitted for ~£40k with the University of East London.</p>	
<p><b>3. Navigation IT</b></p> <p>Aim: To replace current tolls system and provide improved online functionality.</p> <p>Milestones:</p> <p>(i) Develop timetable and specification by May 2023</p>	<p>Status: <b>on track</b></p> <p>(i) Further to meeting with Management Team on 2 May to report on discussions with other waterways, the Navigation Committee was consulted re specific functionality on 8 June.</p> <p>An anonymised version of the</p>	<p>Head of ICT/Collector of Tolls</p>

Themes, aims and milestones	Progress	Lead officer
<p>(ii) Progress workplan for 2023/24 as per agreed timeline.</p>	<p>current internal system was sent to a software company for analysis as to the feasibility of updating it to run on the latest, cloud hosted, software platform.</p> <p>This work has been undertaken and a quotation received for upgrading the software. This is being reviewed with a view to the work being done in Q4 of 2023/24.</p> <p>Further work has confirmed that the present internal system can be upgraded and hosted in the cloud where it will be supported and maintained going forward.</p> <p>A further meeting was scheduled for December 2023 with a view to obtaining indicative costs for replacing the online payment portal used by toll payers, using the same cloud based software as the internal system.</p> <p>The full specification and tender preparation are scheduled for completion by June 2024.</p> <p>(ii) Ongoing</p>	
<p><b>4. Water Mills and Marshes</b></p> <p>Aim: Co-ordinate and implement with partners the WMM programme to latest agreed schedule and budget.</p> <p>Milestones:</p>	<p>Status: <b>on track</b></p> <p>(i) All projects progressing well to adjusted plans. Scheme will close in June 2024.</p> <p>(ii) Preparing for the final claim from NLHF to release remaining grant.</p>	<p>Broads Landscape Partnership Programme Manager</p>

Themes, aims and milestones	Progress	Lead officer
<p>(i) Monitor and report progress (July &amp; Dec 2023).</p> <p>(ii) Submit quarterly claims to National Lottery Heritage Fund (April/Jul/Oct/Jan).</p> <p>(iii) Complete individual project plans with project partners (June)</p> <p>(iv) Complete final project evaluations with external scheme evaluators (September)</p> <p>(v) Hold project legacy partner conference (November)</p> <p>(vi) Prepare final project report</p>	<p>(iii) Most external partner projects now completed.</p> <p>(iv) External scheme evaluators have completed and delivered their report.</p> <p>(v) Planning for the Landscape Partnership legacy conference is ongoing. Conference will highlight the works accomplished since 2018 and look at planned legacy works and opportunities derived from the scheme. Will now hold in the spring to match with NLHF availability.</p> <p>(vi) Evidence for the final scheme report is being gathered and collated. Website is being redeveloped into its legacy, archival form. We have a new student placement starting in January to help complete this work.</p> <p>Major works at Mutton’s Mill are now complete. All four sails are now back on at the mill with all 56 backstays installed. The millwright has recently delivered some of the final parts for the brake and we will be testing the mill in the spring when conditions are more favourable.</p> <p>Repair work to the drainage lane at Strumpshaw Fen is complete apart from some rendering which needs to be applied to the walls next to the sluice gate. This will require lower water levels in the spring.</p> <p>We are anticipating the delivery of Tom Williamson’s new book on history of the Broads, which is the final output</p>	

Themes, aims and milestones	Progress	Lead officer
	<p>from our work on the Broads Hidden Heritage Project. We still expect this to be delivered in the spring from the publisher.</p> <p>The second Tactile Map is now installed at Beccles Quay. The repairs to the map in Whitlingham have proven effective.</p>	
<p><b>5. Local Plan for the Broads</b></p> <p>Aim: To review the Local Plan for the Broads for adoption in 2024 (estimated).</p> <p>Milestones:</p> <ul style="list-style-type: none"> <li>(i) Preparation of the Preferred Options version of Local Plan (with HRA and SA) consultation – towards consultation in autumn 2023.</li> <li>(ii) Preparation of the Publication version of the Local Plan throughout 2024.</li> </ul>	<p>Status: <b>on track</b></p> <ul style="list-style-type: none"> <li>(i) Policies are being drafted and taken to Planning Committee each month. Sites put forward for consideration are being assessed. Consultation on Preferred Options likely to be March/April 2024.</li> <li>(ii) On track.</li> </ul>	<p>Planning Policy Officer</p>
<p><b>6. Farming in Protected Landscapes (FiPL)</b></p> <p>Aim: To run the FiPL programme and allocate Broads grants to farmers and landowners and support the Broads and Norfolk Coast Land Management Board to allocate their funding.</p> <p>Milestones:</p> <ul style="list-style-type: none"> <li>(i) Hold six Land Management Board meetings, by March 2024.</li> <li>(ii) Allocate all grant funding to projects, by December 2023.</li> </ul>	<p>Status: <b>on track</b></p> <ul style="list-style-type: none"> <li>(i) Held Land Management Board meeting on 11 December 2023. In total there are 26 projects that have been approved so far for 23/24.</li> </ul>	<p>Catchment &amp; Farming Officer</p>

Themes, aims and milestones	Progress	Lead officer
<p>(iii) Engagement activities to showcase case studies funded through FiPL, by March 2024.</p>	<p>(ii) Defra has confirmed an increase in the programme budget, meaning that the grant pot for the programme is now £275,986.64 for 23/24. So far £247,884.28 has been allocated to grants.</p> <p>(iii) The FiPL Officer has written case studies for the FiPL webpage and has attended outreach events including the Bure Farm Cluster event and the County Farms AGM.</p>	
<p><b>7. Budget pressures</b></p> <p>Aim: To operate at a level in line with expected income.</p> <p>Milestones:</p> <p>(i) Use January budget report for 2023/24 and the three-year horizon to continue discussions with Defra officials on future funding levels.</p> <p>(ii) Further savings and additional income (including from external funding) for 2024/25 Budget (January 2024)</p>	<p>Status: <b>on track</b></p> <p>(i) Work to start over the summer period on the 2023/24 budget. Establishment (salary) budgeting completed.</p> <p>Annual review meeting with DEFRA scheduled for 20/11/23.</p> <p>Initial conversations held 23 August 2023 with DEFRA around potential new funding model.</p> <p>Balanced budget on this agenda for 2024/25, although further work required from 2025/26 onwards.</p> <p>(ii) The Philanthropy Company has been appointed on behalf of the English National Parks and DEFRA to look at income generation opportunities.</p>	<p>Chief Executive &amp; Director of Finance</p>

Themes, aims and milestones	Progress	Lead officer
	<p>Draft second phase report received 10 July 2023, meeting to discuss scheduled for 14 July 2023.</p> <p>Legal advice sought on the Authority's ability to engage in commercial activity.</p> <p>Options on level of tolls included in proposed navigation charges for 2024/25 committee reports. Considered by Navigation Committee on 2/11/23 and Broads Authority 24/11/23.</p> <p>Expression of interest submitted to DEFRA 21/12/23 for additional capital funding for water in protected landscapes. A decision is expected shortly as it will be a requirement to procure in 2023/24.</p>	

## 2. Financial risks

- 2.1. If the Authority fails to comply with any of its obligations in the Grant Funding Agreement, DEFRA may, at its discretion, reduce, suspend, or terminate payments of grant, or require any part or all of the grant to be repaid.

Author: Sara Utting

Date of report: 09 January 2024

Background papers: None

[Broads Plan](#) strategic objectives: all



# Broads Authority

26 January 2024

Agenda item number 9

## Funding the Waterways of the Broads National Park

Report by Chief Executive

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### Purpose

This report seeks Board approval for the paper setting out a position on the funding of the Broads waterways and support for the Chairman writing to the Secretary of State for the Environment attaching a copy. It also outlines the bid submitted just before Christmas for capital funding.

### Broads Plan context

All strategic actions under Theme C: Maintaining and enhancing the navigation.

### Recommended decision

The Board endorses the paper entitled Funding the Waterways in the Broads National Park and supports the Chairman writing to the Secretary of State for the Environment attaching a copy.

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## Contents

1.	Introduction	1
2.	Funding the Waterways of the Broads National Park	2
3.	Capital Funding Bid	2
	Appendix 1 – Funding the waterways of the Broads National Park	4

### 1. Introduction

- 1.1. This report deals with two separate but related issues: firstly, a paper addressing concerns about the revenue funding available for caring for Broads and in particular the maintenance of the waterways and secondly, details of a bid submitted to Defra for capital funding.

## 2. Funding the Waterways of the Broads National Park

- 2.1. A productive meeting was held with representatives of British Marine and the Broads Hire Boat Industry on 6 December 2024. At that meeting it was agreed that a paper would be prepared arguing the case for Government financial support towards the Authority's costs of maintaining the waterways.
- 2.2. This is critical because Defra has indicated it will be reviewing the basis for the allocation of National Park Grant and it is desirable that any future formula takes account of the special qualities and expense involved in managing Britain's most important wetland and includes funding for the maintenance of the waterways.
- 2.3. The intended audience for the paper is Ministers and their officials. A copy of the draft is included in Appendix 1.
- 2.4. The Navigation Committee was consulted on the Funding paper on 11 January 2024 and unanimously endorsed it. Questions were asked about revenue versus one-off capital funding and whether the paper was proposing the removal of the ring fence for navigation income and expenditure.
- 2.5. As Members will know, normally the Authority funds its capital purchase of equipment through revenue contributions to earmarked reserves. Last year's capital grant from Defra for biodiversity purposes has therefore been very helpful in reducing the need for those revenue contributions. While we hope that our latest bid will be successful, the central focus of the Funding paper is to make a robust case for on-going revenue funding for the Authority's National Park duties and the maintenance of the waterways. The paper is not proposing any change to the ring fence for navigation income and expenditure.
- 2.6. Please see the [Chief Executive's report and current issues \(broads-authority.gov.uk\)](https://broads-authority.gov.uk) for the correspondence with British Marine, the Broads Society, the Norfolk and Suffolk Boating Association and the Broads Hire Boat Federation.

## 3. Capital Funding Bid

- 3.1. Using the arguments set out in *Funding the Waterways of the Broads National Park* a bid has been submitted to Defra for £706,500 of capital funding from the *Water in Protected Landscapes* programme.
- 3.2. This programme consists of up to £5 million capital funding for National Parks and National Landscapes for environmental water projects or land acquisition for the benefit of the water environment. Applications that meet the criteria will be approved on a first come, first served basis until the whole £5 million has been committed, with a reserve list then kept should any of the approved applications drop out for any reason. The funding must be spent in the 2023/24 financial year.
- 3.3. Set out below is the list of items we have bid for.

Item	Cost	Use
Industrial concrete pump	£190,000	Dredging the rivers and broads
Doosan long reach excavator	£165,000	Dredging the rivers and broads
Extension arm & weed bucket for excavator	£16,000	Watercourse and drainage management in Protected Sites
Hitachi Crawler Crane	£80,000	Replacement of marker posts in Breydon Water benefitting wildlife and boating
4 x Nato floats	£30,000	Mounting equipment on the water
NEW Steel welfare unit	£7,000	For operational staff in remote locations
Diggers mats	£8,000	Stabilise heavy equipment on soft ground
Replace 6 vehicles	£193,500	Replace operational vehicles
New launch development	£10,000	Patrol launches at the end of their life need replacement
Harlequin 9250 Litre HVO Fuel Dispenser with Fuel Management	£7,000	Enable the Spirit of Breydon to use HVO fuel and reduce carbon emissions
<b>Total</b>	<b>£706,500</b>	

- 3.4. Most of the items are used partly for National Park purposes and partly for the maintenance of the navigation. For example, the old concrete pump used in the CANAPE project for dredging sediment from the navigation channel in Hickling was employed to recreate reedbed for the benefit of biodiversity and improve water depth for boating.
- 3.5. The demise of commercial traffic into the Port of Norwich at the end of the 1980s means that all navigational use of the Broads is for recreational purposes and is consistent with the Authority's purpose of *"promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public"*. The way the public largely enjoy the special qualities of the Broads is through getting on the water either in their own boats, hired ones or passenger vessels.
- 3.6. Officers have therefore proposed to Defra that the capital items listed above can be described as "funding primarily used to deliver National Park purposes, with a co-benefit to navigation". If successful it will make a significant difference to the Authority's future capital replacement requirements for navigation.

Author: John Packman

Date of report: 12 January 2024

[Broads Plan](#) strategic objectives: All strategic actions under Theme C

Appendix 1 – Funding the Waterways of the Broads National Park

# Appendix 1 – Funding the waterways of the Broads National Park

## FUNDING THE WATERWAYS OF THE BROADS NATIONAL PARK

### Summary

The current funding model for maintaining the waterways of the Broads National Park is outmoded and unsustainable and must change if this national asset is to be preserved for future generations. In an era of climate change, biodiversity loss and a recent pandemic, the rivers and broads are acknowledged to be beneficial for public well-being, wider ecosystem services, and recreational boating. Far from being an entirely private benefit to boat owners the waterways are undeniably a public asset. With Defra's recent commitment to review the funding model for Protected Areas (National Parks and AONBs), now is the time to present Ministers with the reasoned justification for a contribution from public funds towards the maintenance of the waterways.

### Background

When the Broads were recommended for National Park status in 1949 it was recognised that the *“Broads have a special claim to selection as a National Park quite apart from their natural beauty, by reason of their holiday and recreational value and the interest of their plant and animal life. ... On this great system of waterways, ..... thousands of people annually enjoy the quiet adventure and refreshment of water-borne holidays, under sail or in cabin cruisers; while others find waterside accommodation with small-boat sailing, fishing or bathing at their garden's end.”* (Report of the National Parks Committee July 1947).

From the beginning, it was recognised that boating was an integral part of the special qualities justifying National Park designation, and yet, in the summer of 2007, when the Broads Authority Bill was proceeding through Parliament, the Minister's position, contrary to that of the Authority, was that the use of the waterways was a separate, private benefit and *“The Government's policy is that it does not think it should routinely contribute towards navigation costs in the Broads”* (House of Commons Committee 18<sup>th</sup> July 2007).

We now know that freshwater rivers and broads are the reason why the Broads National Park has a higher biodiversity than any other, despite being the smallest. About 17% of Britain's 65,000 – 70,000 species are found here, 1,500 of them threatened, and most of them dependent on freshwaters. We also recognise the great importance of wetlands in sequestering carbon and adapting to flood, drought, and sea-level rise.

The Authority has two main sources of income. In 2022/23, the National Park Grant (including capital funding, access money and Farming in Protected Landscapes grant aid) provided £5.39 million to the Broads Authority, while navigation tolls from boat owners amounted to £3.81 million. The requirement that the Authority must ensure that navigation expenditure equals navigation income in any one year and be accounted for separately from National Park expenditure represents an expensive, risky, and artificial distinction. Only a few lines in the Authority's budget are devoted solely to National Park or Navigation expenditure. Most budget items are a mixture, and evidence-based judgments must be made.

For example, while the cost of staff collecting tolls is clearly 100% navigation, and the planning service is chargeable 100% to the National Park Grant, the picture is less clear when considering the allocation of Ranger expenditure. Their activities are a blend of National Park functions such as providing guided walks and tending conservation sites, and navigation roles such as patrolling the rivers, marking hazards, managing moorings, giving advice to boaters, and removing overhanging trees. To take another, a recent restoration project at Hickling Broad improved biodiversity and water depths for navigation through the restoration of reedbeds using dredged sediment from the channel.

## **Adapting to Change**

Boating on the Broads is often wrongly perceived as exclusively for the rich. This is not the case. The visitor profile of the Broads has changed since Covid, with more first-time visitors and young families engaging with the landscape and nature. While land-based activities remain popular in the Broads, enjoyment of the water is essential too, and we have seen massive increases in 'entry-level' activities such as paddleboarding and kayaking. The number of short visit tolls for paddle/rowing craft has increased by 72% since 2016 and membership of British Canoeing has increased by 259% between 2018 and 2022. This welcome development has a minimal impact on navigation income but increases the demand for the Authority's services to ensure safety for everyone.

When the Authority was hit by above-average inflation in the price of materials and salary increases, it became essential to review the allocation of shared expenditure to ensure it reflected the reality of time and resources spent on activities. This revealed that there were some areas where, over time the split tended to tilt mixed expenditure lines in favour of navigation and was mitigating the impact on toll charges. As a result the National Park budget was in some cases inadvertently cross-subsidising navigation activities. With the National Park Grant in 2023/24 representing just 51.4% of its value in 2005/06, the budget reached breaking point. Activities were assessed objectively and in order to redress the issue costs were shared more fairly between the respective budgets. For example, 80% of the costs of the Rangers are now funded from tolls and 20% from National Park Grant reflecting the time spent on the different activities.

Following the fatal accident at Great Yarmouth in August 2020 the Marine Accident Investigation Branch made recommendations to the industry and the Authority to improve safety on the Broads. Under the Port Marine Safety Code, the Members of the Board are individually and collectively responsible for safety as the 'Duty Holder'. One of the actions the Authority took was to increase the number of Rangers patrolling in the summer. In the debate on the charges for 2024/25 a majority of the Members believed that retaining the additional Rangers was essential in the interests of public safety, which inevitably meant that tolls had to increase above inflation.

One current major challenge which illustrates the growing demands on navigation resources is the exponential increase in the need to manage plant growth within the navigation, caused by improvements in water clarity and the effects of climate change. This activity alone has stretched our operational resources requiring us to reprioritise our ongoing navigation works programme. Doing less is not an option.

The Authority's income from tolls has also suffered from the long-term decline in the number of weekly hire boats in the face of competition from cheaper overseas holidays. In the last ten

years they have fallen by 25% from 869 to 647 registered hire boats, a loss in tolls income of around £325,000. The Authority has had no option but to increase tolls above inflation to pay for the essential maintenance of the waterways. Not to do so would lead to the decay of both the navigation and the landscape, placing the future of the National Park itself in jeopardy.

### **Conclusion**

With waterways management costs rising above inflation, the need to accommodate a wider range of users of the waterways, and the challenges of climate change, the budget will come under inexorable strain, with inevitable consequences for toll payers and, ultimately, the National Park itself. If we consider that visitors to the Broads contribute over £711 million annually to the area's economy, supporting around 7,500 jobs, and that it is largely the waterways that draw 7.5 million people to the National Park each year, the argument of the Minister in 2007 that the “navigation is a private benefit” is incorrect and the notion that it should be funded entirely by its users, is not justified.

Funding the navigation from tolls income alone is unsustainable, and the continuing appeal and prosperity of the National Park and its associated businesses, both water and land-based, is at serious risk. The funding model is a precarious and improper basis for preserving what is a public asset, rather than purely a private benefit, and the maintenance of the navigation should attract a substantial contribution from public funds befitting the unique status of this precious landscape.

# Broads Authority

26 January 2024

Agenda item number 10

## Budget 2024/25 and financial strategy to 2026/27

Report by Director of Finance

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### Purpose

This report provides a strategic overview of current issues and items for decision.

### Broads Plan context

All strategic actions within the plan.

### Recommended decision

To note the actual income and expenditure figures, and adopt the:

- i. 2024/25 Budget, including the endorsement of the assumptions applied in the preparation of the Budget;
  - ii. Earmarked Reserves and Financial Strategy for the period 2024/25 to 2026/27; and
  - iii. Approve the year end transfer of an underspend in Project Funding budget to the Medium-term planning reserve for the Yare House downsizing works as set out in paragraph 5.2.
- 

## Contents

1.	Introduction	2
2.	Overview of actual income and expenditure	2
3.	Latest Available Budget	5
4.	Overview of Forecast outturn 2023/24	5
5.	Reserves	6
6.	2024/25 budget proposals	7
7.	Operations	9
8.	Strategic Services	9
9.	Finance and support services	9
	Broads Authority, 26 January 2024, agenda item number 10	1

10. Central and shared costs and cost apportionment	9
11. Assumptions used for the budget and financial strategy	11
12. Earmarked reserves	12
13. Risk implications	13
14. Conclusion	13
Appendix 1 – Consolidated actual income and expenditure charts to 30 November 2023	16
Appendix 2 – Financial monitor: Consolidated income and expenditure 2023/24	18
Appendix 3 – 2024/25 Budget and Financial Strategy to 2026/27	28
Appendix 4 – Earmarked reserves 2023/24 to 2026/27 for budget	29

## 1. Introduction

- 1.1. This report covers two items: consolidated income and expenditure and the consolidated budget.
- 1.2. Sections 2 to 5 give a summary of the income and expenditure for the consolidated budget up until 30 November, any amendments to the Latest Available Budget (LAB), Forecast Outturn (predicted year end position) and the movements on the earmarked reserves.
- 1.3. Section 6 onwards contains the updated budget for 2024/25 and the draft financial strategy to 2026/27. The draft budget for 2024/25 was the basis of determining the navigation charges for 2024/25 considered by this committee on 24 November 2023. The budget reflects an 8.5% increase in navigation charges, this report now sets out the budget for 2024/25 alongside the financial strategy to 2026/27.

## 2. Overview of actual income and expenditure

**Table 1**

Consolidated actual income and expenditure by Directorate to 30 November 2023

Directorate	Profiled Latest Available Budget £	Actual income and expenditure £	Actual Variance £
Income	(6,856,177)	(6,985,034)	+ 128,857
Operations	3,362,437	2,936,534	+ 425,903
Strategic Services	1,158,555	1,158,612	- 57
Finance & Support Services	1,604,510	1,703,294	- 98,784
Projects, Corporate Items and	(662,826)	(274,152)	- 388,674



Directorate	Profiled Latest Available Budget £	Actual income and expenditure £	Actual Variance £
Contributions from Earmarked Reserves			
<b>Net (Surplus) / Deficit</b>	<b>(1,393,501)</b>	<b>(1,460,746)</b>	<b>+ 67,245</b>

2.1. Core income is above the profiled budget at the end of month eight. The overall position as at 30 November 2023 is a favourable variance of £67,245 or a 4.83% difference from the profiled LAB. This is principally due to:

- An overall favourable variance of £128,857 within income:
  - National Park Grant is £150,000 above the profiled budget due to the previously capital grant unapplied for Hulver Ground has been released to fund the purchase.
  - Hire Craft Tolls is £9,600 below the profiled budget.
  - Private Craft Tolls is £75,273 below the profiled budget.
  - Short Visit Tolls and Other Toll income is £3,052 below the profiled budget.
  - Investment income is £66,782 above the profiled budget.
- An underspend with Operations relating to:
  - Construction, Maintenance and Ecology salaries is under the profiled budget by £56,032 due to the pay award not being implemented until December 2023.
  - Equipment, Vehicles & Vessels is under the profiled budget by £55,525 due to delays in expenditure from the earmarked reserves. This is offset by the overspend on fuel, repairs and maintenance.
  - Land Management is £17,651 above the profiled budget due to a timing difference in the RPA income with it being received in December.
  - Practical Maintenance is under the profiled budget by £97,594 due to a grant being received for the installation of electric charging points, the expenditure has yet to take place. Work at Hoveton Riverside Park has also been deferred until 2024/25.
  - Ranger Services is under the profiled budget by £69,152 due to the pay award not being implemented until December 2023.
  - Premises is under the profiled budget by £58,507 due to delays in expenditure at the Dockyard from the earmarked reserves.

- Project Funding is under the profiled budget by £78,124 due to delays in expenditure on Yare House downsizing.
- An overspend within Strategic Services relating to:
  - Development Management is under the profiled budget by £15,088 due to the pay award not being implemented until December 2023.
  - Strategy and Projects is above the profiled budget by £67,960 due to delays in receiving the FiPL grant income.
  - Communications is under the profiled budget by £48,119 due to the extension to the UK National Parks Communication service being approved after the budget was set. In addition, three grants have been received from Forest Holidays, Green Pathways and Rails, Trails and Sails that were not budgeted for. These variances will decrease as expenditure is incurred.
  - Visitor Centres and Yacht Stations is above the profiled budget by £12,820 due to mooring income being less than budgeted and the lease at Reedham Quay not being finalised so charging this season could not commence. This is offset by the underspend on salaries due to the pay award not being implemented until December 2023.
- An overspend within Finance & Support Services relating to:
  - National Park Grant is over the profiled budget by £150,000 due to the delayed purchase of Hulver Ground. It is offset by the income variance.
  - Legal is over the profiled budget by £43,656 due to increased costs for Reedham Quay lease, Monitoring Officer recharges and increased prosecution costs.
  - Governance is under the profiled budget by £14,075 due to a vacancy at the start of the financial year and the pay award not being implemented until December 2023.
  - Asset Management is under the profiled budget by £31,091 due to delays in earmarked reserve expenditure.
  - ICT is under the profiled budget by £24,774 due to timing differences.
- An underspend within reserves relating to:
  - Premises is under the profiled budget due to delays on Dockyard expenditure.
  - Plant, Vessels and Equipment is under the profiled budget due to delays in vehicle and equipment replacements.
  - Property is under the profiled budget due to the work at Hoveton Riverside Park being transferred to 2024/25.

- Upper Thurne is under the profiled budget due to delays in electric charging point installation.
  - Computer Software reserve is under the profiled budget due to delays in the toll system replacement project.
  - UK Communications reserve is under the profiled budget due to the additional income received for the extension.
- 2.2. The charts at Appendix 1 provide a visual overview of actual income and expenditure compared with both the original budget and the LAB.

### 3. Latest Available Budget

- 3.1. The Authority's income and expenditure is monitored against the Latest Available Budget (LAB) for 2023/24. The LAB is based on the original budget for the year, with adjustments for known and approved budget changes such as carry-forwards and budget virements. Full details of movements from the original budget are in Appendix 2.

**Table 2**

Adjustments to Consolidated LAB

Item	Authorisation reference	Amount £
Original budget 2023/24 – deficit	Broads Authority 20/01/23 Agenda item number 11	18,222
<b>LAB as at 30 November 2023</b>	n/a	<b>18,222</b>

- 3.2. The LAB therefore provides for a consolidated deficit of £18,222 in 2023/24 as at 30 November 2023.

### 4. Overview of Forecast outturn 2023/24

- 4.1. Budget holders have been asked to comment on the expected income and expenditure at the end of the financial year in respect of all budget lines for which they are responsible.
- 4.2. A summary of these adjustment is given in the table below.

**Table 3**

Adjustments to Forecast Outturn

Item	Amount £
Forecast outturn deficit per LAB	18,222
Previously reported 24/11/23	45,669

Item	Amount £
Increase to investment income	(20,000)
Salary recharges to external funded projects	(869)
Increase to bank charges	9,150
Increase to National Park Sponsorship income from BMW	(10,000)
<b>Forecast outturn deficit as at 30 November 2023</b>	<b>42,172</b>

## 5. Reserves

**Table 4**

Consolidated Earmarked Reserves

Reserve Name	Balance at 1 April 2023 £	In-year movements £	Current reserve balance £
Property	(936,361)	(72,462)	(1,008,823)
Plant, Vessels and Equipment	(635,878)	(35,173)	(671,051)
Premises	(376,578)	(35,591)	(412,169)
Planning Delivery Grant	(261,209)	0	(261,209)
Upper Thurne Enhancement	(213,533)	(21,000)	(234,533)
HLF	(171,017)	162,665	(8,352)
Catchment Partnership	(84,887)	836	(84,051)
CANAPE	(463,385)	19,528	(443,857)
Computer Software	(152,592)	(20,000)	(172,592)
UK Communications	(4,820)	(5,120)	(9,940)
Match Funding (EXPERIENCE)	(17,466)	15,874	(1,592)
Medium-Term Planning	(449,623)	74,742	(374,881)
<b>Total</b>	<b>(3,767,349)</b>	<b>84,299</b>	<b>(3,683,050)</b>

- 5.1. As in previous years, the Authority's contributions to the reserves have all been made in full at the end of quarter one. This has resulted in some of the reserves showing increased balances.
- 5.2. Whilst the plans for shrinking the Authority's footprint are continuing with the contractors submitting tenders before Christmas it has been at a slower pace than originally envisaged. Whilst the majority of the works are to be funded from the

Medium-Term Planning reserve some of the costs were to be funded from the Project Funding budget. It is proposed that if there are further delays or there is an underspend this budget line is transferred to the Medium-Term Planning earmarked reserve at the end of the financial year to fund works in 2024/25.

- 5.3. The Property reserve contains the income from the land rental at Oulton Broad. Items funded from the Plant, Vessels and Equipment reserve includes three replacement vehicles and a new crane. The Premises reserve has funded the deposit for the replacement hut at Reedham Quay and the electric works. The Heritage Lottery Fund (HLF), Catchment Partnership, CANAPE, UK Communications and Match funding reserves contains the income and expenditure relating to those projects. The Medium-Term Planning reserve has funded the additional expenditure for the delayed reconfiguration of Yare House. Full details can be found in Appendix 4.

## 6. 2024/25 budget proposals

- 6.1. The draft budget is set out in Appendix 3 and the financial strategy to 2026/27 to provide context.
- 6.2. As with the 2023/24 budget the draft for 2024/25 has been prepared by Management Team rather than the zero-based approach taken in previous years. The main objective of this approach is to reduce underspends at the end of the financial year.
- 6.3. The draft budget takes account of the following factors:
- A provisional pay increase of £1,925 per full time equivalent (FTE) member of staff, this is in line with the pay increase for 2023/24.
  - Despite falling CPI and RPI material and staff costs will continue to increase.
  - Boat numbers will remain at 2023/24 levels.
  - National Park Grant remains at 2019/20 level. This is subject to confirmation from DEFRA.
  - The Authority will move to a smaller Head Office from 1 April 2024 subject to the lease being finalised at the beginning of January.
  - No contributions will be made to the asset replacement earmarked reserves except for vehicles.
  - £50,000 will be transferred from Navigation reserves annually to repay the £250,000 payment from National Park reserves.
  - Maintaining the National Park Reserve at 10% of net expenditure + £100,000
  - Maintaining the Navigation reserve at 10% of net expenditure.
- 6.4. Total core income for 2024/25 is budgeted to be £8,129,008, including £3,414,078 for National Park Grant, £1,436,000 for hire craft tolls and £3,006,000 for private craft tolls.

This income takes account of the latest available information on boat numbers. Net expenditure is budgeted at £7,999,963. This will result in a budget surplus of £129,045. After taking into account the transfer of £108,000 interest to earmarked reserves, and the third instalment of the £50,000, reserves at the end of March 2025 are forecast to be £1,545,283 (£990,759 National Park and £554,524 Navigation), which amounts to 28.4% and 12.3% of net expenditure for the year respectively. This is an acceptable position given that both reserves are expected to remain above the recommended minimums.

6.5. Table 5 sets out an overview of the proposed 2024/25 budget, which is provided in more detail in Appendix 3.

**Table 5**

Draft 2024/24 Budget

Source	National Park £	Navigation £	Consolidated £
National Park Grant	(3,414,078)	0	(3,414,078)
Navigation Tolls	0	(4,534,930)	(4,534,930)
Investment Income	(90,000)	(90,000)	(180,000)
<b>Total Income</b>	<b>(3,504,078)</b>	<b>(4,624,930)</b>	<b>(8,129,008)</b>
Operations	1,531,562	3,408,924	4,940,486
Strategic Services	1,434,554	482,086	1,916,640
Finance & Support Services	986,052	1,137,763	2,123,815
Contributions from earmarked reserves & corporate items	(462,841)	(518,137)	(980,978)
<b>Total Expenditure</b>	<b>3,489,327</b>	<b>4,510,636</b>	<b>7,999,963</b>
<b>Net (Surplus) / Deficit</b>	<b>(14,751)</b>	<b>(114,294)</b>	<b>(129,045)</b>
<b>Opening Reserves (Forecast)</b>	<b>(828,406)</b>	<b>(544,230)</b>	<b>(1,372,636)</b>
(Surplus) / Deficit for the year	(14,751)	(114,294)	(129,045)
Interest transfer	54,000	54,000	108,000
Contribution to National Park (General) Reserve	(50,000)	50,000	0
Closure of HLF reserve	(151,602)	0	(151,602)
<b>Closing Reserves (Forecast)</b>	<b>(990,759)</b>	<b>(554,524)</b>	<b>(1,545,283)</b>

## 7. Operations

- 7.1. The Operations budget has seen an increase to staff costs to reflect the provisional £1,925 per FTE pay increase, subject to negotiations by the NJC. Waterways and Recreation Strategy has seen an increase for the third year of Access for All Funding from DEFRA. Practical Maintenance has seen an increase to expenditure in Mutford Lock repairs and maintenance, gauge boards replacements and structure repairs at How Hill. Launches has seen an increase to maintenance and fuel costs.
- 7.2. As with previous years, however, it is important to recognise that the Operations budget has no capacity to take on additional projects or ad-hoc work in 2024/25.

## 8. Strategic Services

- 8.1. As with the Operations budget, staff costs have increased for the same reasons. Development Management has seen an increase due to increased enforcement and landscape costs. External funding has seen an increase in income and expenditure for the Restoration Grant, Paludiculture Exploration Fund and Farming in Protected Landscapes. Strategy and Projects have been increased to provide a small working budget for external funding bids. Visitor Centres and Yacht Stations has seen a reduction to income to reflect the drop-in mooring fees, although this does assume charging at Reedham will start from the beginning of the season. Again, there is little capacity to take on additional projects or ad-hoc work.

## 9. Finance and support services

- 9.1. As per Operations and Strategic Services, staff costs have increased for the same reasons. Legal costs have been increased to reflect increased legal fees, including the Monitoring Officer. Finance and Insurance has seen an increase due to the rising costs of external audit. The Public Sector Auditor Appointments (PSAA) have confirmed that for the next contract individual authorities will see an 151% increase on audit fees for 2023/24 onwards. The new scale fees were published on 28 November 2023. The fee will be payable for the next five years of audits from 2023/24 to 2027/28. Insurance costs have also increased due to the additional equipment being covered and increased premiums.

## 10. Central and shared costs and cost apportionment

- 10.1. Cost apportionments remains broadly the same as those for 2023/24 and are consistent with the principles agreed by the Resources Allocation Working Group. Full details of apportionments by budget line for 2024/25 are set out in Appendix 3.
- 10.2. The overall split of estimated income and proposed net expenditure in 2024/25 remains broadly the same, 43% National Park and 57% Navigation.

10.3. Table 6 provides further details of central and shared costs. These should not be seen as synonymous with overheads but have been identified in line with those areas specifically examined by the Resource Allocation Working Group. As such, they reflect costs across the Authority included within the budgets of Operations, Strategic Services and Finance and Support Services directorates.

**Table 6**

Central and shared costs

Year	Central and Shared Costs £000's	Apprenticeship levy costs £000's	Total £000's	Percentage split of central and shared costs	Total Core Income £000's	Central and shared costs as percentage of core income
2023/24 National Park	2,051	3	2,054	58%	3,699	56%
2023/24 Navigation	1,458	3	1,461	42%	4,315	34%
<b>2023/24 Consolidated</b>	<b>3,509</b>	<b>6</b>	<b>3,515</b>	<b>100%</b>	<b>8,014</b>	<b>44%</b>
2024/25 National Park	1,517	5	1,522	51%	3,504	43%
2024/25 Navigation	1,455	4	1,459	49%	4,625	32%
<b>2024/25 Consolidated</b>	<b>2,972</b>	<b>9</b>	<b>2,981</b>	<b>100%</b>	<b>8,129</b>	<b>37%</b>
2025/26 National Park	1,541	5	1,546	51%	3,464	45%
2025/26 Navigation	1,478	4	1,482	49%	4,833	31%
<b>2025/26 Consolidated</b>	<b>3,019</b>	<b>9</b>	<b>3,028</b>	<b>100%</b>	<b>8,297</b>	<b>36%</b>
2026/27 National Park	1,562	5	1,567	51%	3,449	45%



Year	Central and Shared Costs £000's	Apprenticeship levy costs £000's	Total £000's	Percentage split of central and shared costs	Total Core Income £000's	Central and shared costs as percentage of core income
2026/27 Navigation	1,500	5	1,505	49%	4,914	31%
<b>2026/27 Consolidated</b>	<b>3,062</b>	<b>10</b>	<b>3,072</b>	<b>100%</b>	<b>8,363</b>	<b>37%</b>

10.4. Central and shared costs have been identified in line with the work of the Resource Allocation Working Group to include operational property, finance and insurance; communications; collection of tolls; ICT; legal; head office; office expenses and pool vehicles; directorate management and administration costs; human resources and staff training; governance and members' allowances; and the Chief Executive. All of these play a vital role in supporting the delivery of front-line services.

## 11. Assumptions used for the budget and financial strategy

11.1. The following key assumptions have been applied in developing the draft budget and financial strategy:

- National Park Grant will remain at 2023/24 allocation.
- Navigation tolls will be collected in line with the budget and boat numbers will remain as forecast.
- Salary negotiations for 2024/25 will be in line with the £1,925 per FTE budgeted and increases from 2025/26 onwards are based on a provisional increase of 3%, subject to negotiations with the NJC.
- Staffing levels will remain at 100% of budget. Staff turnover may result in timing differences between vacancy and appointment. Where these savings arise, the forecast will be adjusted accordingly.
- No contributions will be made to the asset replacement earmarked reserves for one year only, except for vehicle replacements.
- The Authority will move to a smaller Head Office from 1 April 2024.
- The forecast outturn position for 2023/24 will be delivered in line with budget holders' projections; and

- 2024/25 will see the third instalment of £50,000 being transferred back to the National Park reserve.

11.2. A detailed sensitivity analysis for some of these key assumptions is set out below in table 7.

**Table 7**

Budget sensitivity analysis

<b>Assumption</b>	<b>Change in assumption</b>	<b>Approximate financial impact of change £ (+/-)</b>
National Park Budget for 2023/24 will be delivered in line with forecast outturn	1% under/overspend against National Park budget	36,000
Navigation Budget for 2023/24 will be delivered in line with forecast outturn	1% under/overspend against Navigation budget	44,000
Overall salary increases of £1,925 per FTE in 2024/25	1% change in salary inflation	7,610
Boat numbers and distribution remain as predicted in 2024/25	1% change in navigation toll income	44,000
National Park Grant in line with current allocations and no further reductions in 2024/25	1% change in National Park Grant income	34,000
Inflation	1% increase on non-salary budgets	19,000

## 12. Earmarked reserves

12.1. The Authority’s earmarked reserve strategy for the period 2024/25 to 2026/27 is set out in Appendix 4. The strategy details the actual balance of earmarked reserves at the end of November 2023, planned expenditure until the end of the financial year, and provides an analysis of movements in reserves, split between national park and navigation in all years to 2026/27.

12.2. Earmarked reserves stand at £3,683,050 (navigation £1,584,093) at the end of November 2023 and are forecast to decrease to £2,711,373 (navigation £1,204,007) by the end of the financial year due to the planned expenditure being completed by 31 March 2024.

12.3. Appendix 4 reflects the contributions to reserves allowed for in the budget and financial strategy set out in Appendix 3. Planned expenditure from reserves is itemised within Appendix 4 and includes in 2024/25:

- Replacement of four vehicles.
- Replacement of a welfare unit, dipper arm extension and weed bucket for excavators, telescopic handler and a concrete pump.
- Replacement Ranger launch.
- Software development for the new tolls system.
- Replacement Finance system.
- Piling at Repps bank.
- Works at Hoveton Riverside Park.
- Improvements at Bridge Green.
- Partnership and External Funding costs; and
- Project expenditure for the Catchment Partnership and Water Mills and Marshes.

12.4. Planned expenditure from earmarked reserves in 2025/26 and 2026/27 includes the replacement of five further vehicles, NATO floats, Yanmar tracked carrier, mower, deposit for a long reach excavator, clamshell bucket, Takeuchi excavator, iron horse, a hydraulic power pack, Partnership and External Funding and Catchment Partnership.

12.5. Taking account of all these items, the forecast balance of earmarked reserves at the end of 2026/27 is £2,253,846 (navigation £928,957), although it should be noted that expenditure plans for 2025/26 and beyond are likely to be refined again when the financial strategy for 2025/26 is developed later next year.

## 13. Risk implications

13.1. Loss of income is identified in the corporate risk register under risk number four. This is a significant risk to the Authority, table 7 highlights the impact of a 1% movement. The cost-of-living crisis means that many people, including hire boat operators, may face some difficult decision regarding their continued boat ownership.

## 14. Conclusion

14.1. The budget presented here incorporates the navigation charges for 2024/25 and is designed to allow the Authority to continue to deliver priority navigation activities at the required level, while making prudent provision for asset maintenance over the life of the strategy and beyond. Minor adjustments have also been made reflecting the

latest staffing forecasts. As a result of all these factors, there is no capacity within the budget for additional projects.

- 14.2. The National Park part of the budget shows a small surplus for 2024/25 which will cushion the impact of a further year of a flat cash settlement from DEFRA. This will result in a reserve balance of £990,759 at the end of 2024/25. While confirmation on the settlement is awaited, figures for 2025/26 onwards should be viewed with a high degree of uncertainty. Currently from 2025/26 onwards the budget returns to a deficit which will be funded from reserves. Work will be undertaken during 2024/25 to identify further savings and income generation opportunities and brought back to members in due course. The impact of any change (positive or negative) will need careful consideration to make sure National Park expenditure is sustainable.
- 14.3. It is important to recognise that the budget is highly sensitive to changes in salary inflation, with a significant proportion of the budget being made up of staff costs. The budget is based on a £1,925 per FTE increase in salaries for the period April 2024 to March 2025. As in previous years there continues to be uncertainty about the amount and the timing of the likely award.
- 14.4. The consolidated surplus of £129,045 allowed for in the 2024/25 budget will continue to maintain both reserves above the recommended minimum (10% + £100,000 National Park and 10% Navigation). Despite falling inflation, the impact of cost increases should not be underestimated and its effect on purchasing materials and services.
- 14.5. On both sides of the budget the level of reserves held by the Authority provides a cushion to increasing costs and allows time to plan for achievable medium-term savings that will benefit both sides of the budget whilst maintaining appropriate minimum level of reserves.
- 14.6. As in previous years, it remains the case that the indicative tolls increase in 2025/26 and beyond will need to be revisited during next year's budget setting process to ensure they remain appropriate. This could be as a result of any variations from current assumptions or changes to outturn figures for 2023/24.

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Date of report: 03 January 2024

[Broads Plan](#) strategic objectives: strategic objectives: C1, C2, C3, C4

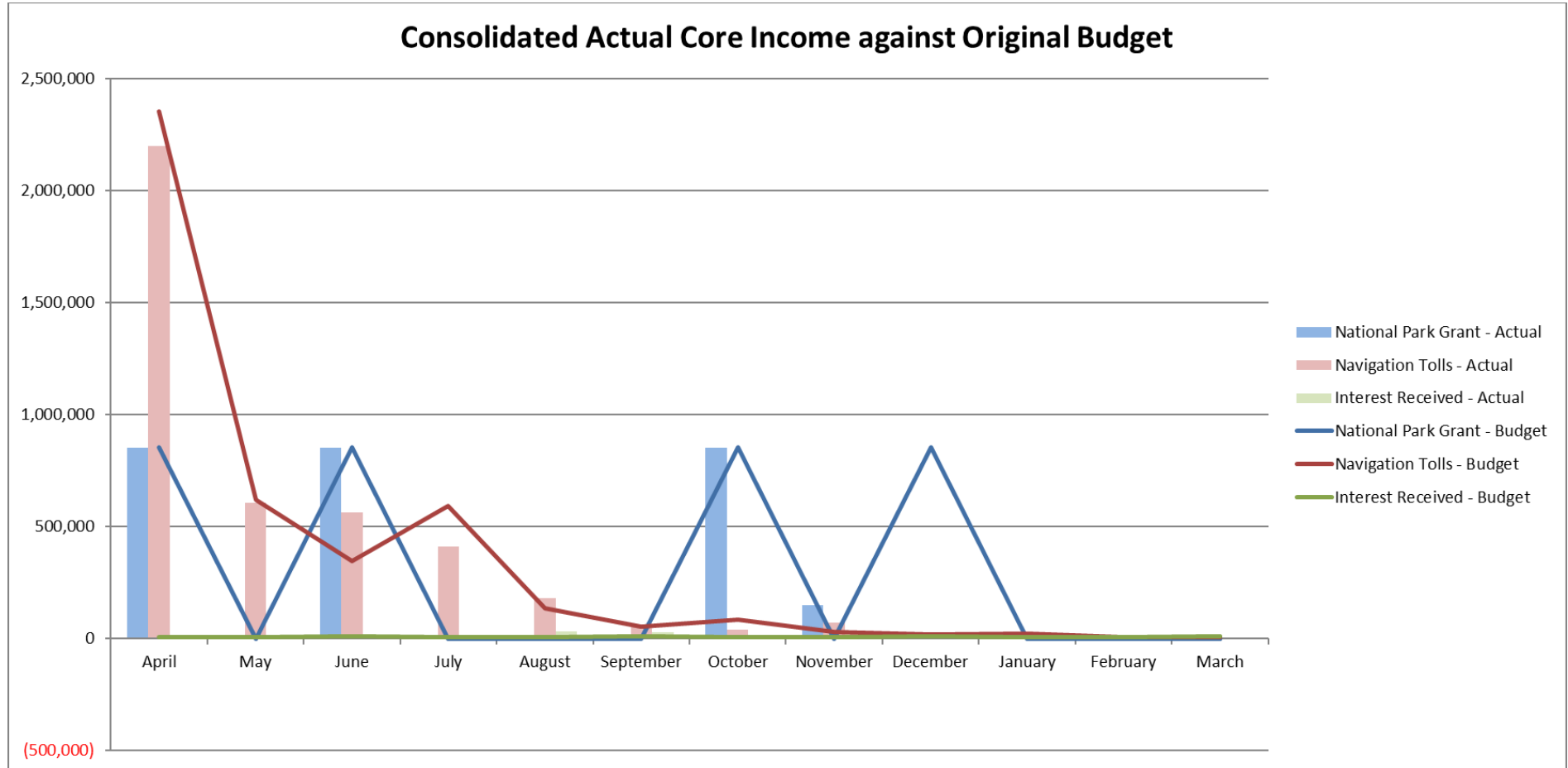
Appendix 1 – Consolidated actual income and expenditure charts to 30 November 2023

Appendix 2 - Financial monitor: Consolidated income and expenditure 2023/24

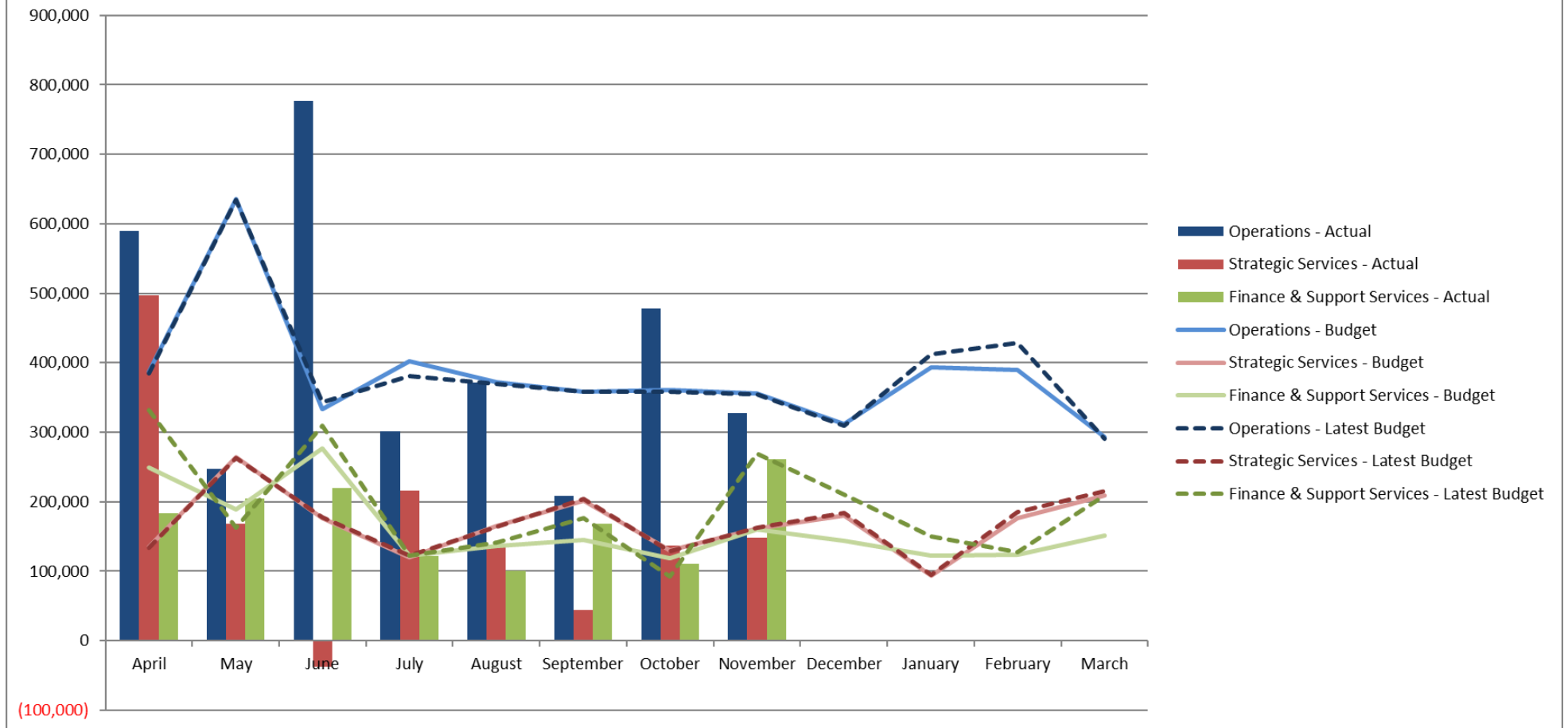
Appendix 3 –2024/25 Budget and Financial Strategy to 2026/27

Appendix 4 –Earmarked reserves 2023/24 to 2026/27 for budget

# Appendix 1 – Consolidated actual income and expenditure charts to 30 November 2023



### Consolidated Net Actual Expenditure against Original and Latest Budget



## Appendix 2 – Financial monitor: Consolidated income and expenditure 2023/24

**Table 1**  
Income

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast outturn variance (Consolidated) £
<b>Total Income</b>	<b>(7,803,688)</b>	<b>0</b>	<b>(7,803,688)</b>	<b>(8,014,112)</b>	<b>210,424</b>
National Park Grant	(3,414,078)	0	(3,414,078)	(3,564,078)	150,000
Hire Craft Tolls	(1,333,000)	0	(1,333,000)	(1,322,781)	-10,219
Private Craft Tolls	(2,844,000)	0	(2,844,000)	(2,769,643)	-74,357
Short Visit Tolls	(55,000)	0	(55,000)	(55,000)	0
Other Toll Income	(32,610)	0	(32,610)	(32,610)	0
Interest	(125,000)	0	(125,000)	(270,000)	145,000



**Table 2**  
Operations

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast outturn variance (Consolidated) £
<b>Total Operations</b>	<b>4,861,285</b>	<b>32,050</b>	<b>4,893,335</b>	<b>4,778,934</b>	<b>114,401</b>
<b>Construction and Maintenance Salaries</b>	<b>1,549,230</b>	<b>0</b>	<b>1,549,230</b>	<b>1,571,849</b>	<b>-22,619</b>
Salaries	1,549,230	0	1,549,230	1,574,610	-25,380
Expenditure	0	0	0	(2,761)	2,761
<b>Equipment, Vehicles &amp; Vessels</b>	<b>769,670</b>	<b>0</b>	<b>769,670</b>	<b>769,670</b>	<b>0</b>
Income	(1,000)	0	(1,000)	(1,000)	0
Expenditure	770,670	0	770,670	770,670	0
<b>Water Management</b>	<b>88,700</b>	<b>0</b>	<b>88,700</b>	<b>88,700</b>	<b>0</b>
Expenditure	88,700	0	88,700	88,700	0
<b>Land Management</b>	<b>(31,145)</b>	<b>0</b>	<b>(31,145)</b>	<b>(32,145)</b>	<b>1,000</b>
Income	(87,500)	0	(87,500)	(87,500)	0
Expenditure	56,355	0	56,355	55,355	1,000
<b>Practical Maintenance</b>	<b>592,475</b>	<b>0</b>	<b>592,475</b>	<b>442,475</b>	<b>150,000</b>
Income	(56,185)	0	(56,185)	(56,185)	0
Expenditure	648,660	0	648,660	498,660	150,000

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast outturn variance (Consolidated) £
<b>Waterways and Recreation Strategy</b>	<b>55,920</b>	<b>0</b>	<b>55,920</b>	<b>54,380</b>	<b>1,540</b>
Income	0	0	0	0	0
Salaries	47,920	0	47,920	46,380	1,540
Expenditure	8,000	0	8,000	8,000	0
<b>Ranger Services</b>	<b>1,117,940</b>	<b>32,050</b>	<b>1,149,990</b>	<b>1,165,800</b>	<b>-15,810</b>
Income	0	0	0	0	0
Salaries	986,990	0	986,990	1,002,800	-15,810
Expenditure	130,700	32,050	162,750	162,750	0
Pension Payments	250	0	250	250	0
<b>Safety</b>	<b>143,315</b>	<b>0</b>	<b>143,315</b>	<b>143,335</b>	<b>-20</b>
Income	(500)	0	(500)	(500)	0
Salaries	87,870	0	87,870	87,890	-20
Expenditure	55,945	0	55,945	55,945	0
<b>Premises</b>	<b>294,450</b>	<b>0</b>	<b>294,450</b>	<b>294,450</b>	<b>0</b>
Income	(2,600)	0	(2,600)	(2,600)	0
Expenditure	297,050	0	297,050	297,050	0
<b>Project Funding</b>	<b>130,600</b>	<b>0</b>	<b>130,600</b>	<b>130,600</b>	<b>0</b>

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast outturn variance (Consolidated) £
Expenditure	118,100	0	118,100	118,100	0
Pension Payments	12,500	0	12,500	12,500	0
<b>Operations Management and Administration</b>	<b>150,130</b>	<b>0</b>	<b>150,130</b>	<b>149,820</b>	<b>310</b>
Salaries	144,030	0	144,030	143,720	310
Expenditure	6,100	0	6,100	6,100	0

**Table 3**  
Strategic Services

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Strategic Services</b>	<b>1,722,479</b>	<b>46,217</b>	<b>1,768,696</b>	<b>1,790,764</b>	<b>-22,068</b>
<b>Development Management</b>	<b>419,510</b>	<b>14,000</b>	<b>433,510</b>	<b>434,830</b>	<b>-1,320</b>
Income	(87,500)	0	(87,500)	(90,500)	3,000
Salaries	459,380	0	459,380	471,920	-12,540
Expenditure	42,930	14,000	56,930	48,710	8,220
Pension Payments	4,700	0	4,700	4,700	0
<b>Strategy and Projects Salaries</b>	<b>264,590</b>	<b>7,478</b>	<b>272,068</b>	<b>257,001</b>	<b>15,067</b>
Income	(209,000)	0	(209,000)	(401,833)	192,833
Salaries	215,230	21,478	236,708	301,650	-64,942
Expenditure	258,360	(14,000)	244,360	357,184	-112,824
<b>Biodiversity Strategy</b>	<b>9,300</b>	<b>0</b>	<b>9,300</b>	<b>20,988</b>	<b>-11,688</b>
Expenditure	9,300	0	9,300	20,988	-11,688
<b>Human Resources</b>	<b>161,810</b>	<b>0</b>	<b>161,810</b>	<b>161,950</b>	<b>-140</b>
Salaries	102,110	0	102,110	102,250	-140
Expenditure	59,700	0	59,700	59,700	0

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Volunteers</b>	<b>75,360</b>	<b>0</b>	<b>75,360</b>	<b>75,950</b>	<b>-590</b>
Salaries	61,860	0	61,860	62,450	-590
Expenditure	13,500	0	13,500	13,500	0
<b>Communications</b>	<b>393,974</b>	<b>0</b>	<b>393,974</b>	<b>427,154</b>	<b>-33,180</b>
Income	(250)	0	(250)	(49,895)	49,645
Salaries	312,910	0	312,910	346,090	-33,180
Expenditure	81,314	0	81,314	130,959	-49,645
<b>Visitor Centres and Yacht Stations</b>	<b>265,175</b>	<b>24,739</b>	<b>289,914</b>	<b>284,704</b>	<b>5,210</b>
Income	(306,550)	0	(306,550)	(306,550)	0
Salaries	444,070	0	444,070	438,860	5,210
Expenditure	127,655	24,739	152,394	152,394	0
<b>Strategic Services Management and Administration</b>	<b>132,760</b>	<b>0</b>	<b>132,760</b>	<b>128,187</b>	<b>4,573</b>
Salaries	130,260	0	130,260	129,960	300
Expenditure	2,500	0	2,500	(1,773)	4,273
<b>Strategy and Projects</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Expenditure	0	0	0	0	0

**Table 4**

## Finance and Support Services

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Finance &amp; Support Services</b>	<b>1,937,520</b>	<b>364,056</b>	<b>2,301,576</b>	<b>2,493,264</b>	<b>-191,688</b>
<b>National Park Grant</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>150,000</b>	<b>-150,000</b>
Expenditures	0	0	0	150,000	-150,000
<b>Legal</b>	<b>104,000</b>	<b>0</b>	<b>104,000</b>	<b>134,000</b>	<b>-30,000</b>
Income	(6,000)	0	(6,000)	(6,000)	0
Expenditure	110,000	0	110,000	140,000	-30,000
<b>Governance</b>	<b>245,350</b>	<b>0</b>	<b>245,350</b>	<b>241,250</b>	<b>4,100</b>
Salaries	185,750	0	185,750	185,450	300
Expenditure	59,600	0	59,600	55,800	3,800
<b>Chief Executive</b>	<b>133,060</b>	<b>0</b>	<b>133,060</b>	<b>130,786</b>	<b>2,274</b>
Salaries	132,060	0	132,060	130,600	1,460
Expenditure	1,000	0	1,000	186	814
<b>Asset Management</b>	<b>153,880</b>	<b>0</b>	<b>153,880</b>	<b>146,100</b>	<b>7,780</b>
Income	(24,300)	0	(24,300)	(24,300)	0
Salaries	53,320	0	53,320	53,740	-420

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
Expenditure	124,860	0	124,860	116,660	8,200
<b>Premises – Head Office</b>	<b>161,940</b>	<b>364,056</b>	<b>525,996</b>	<b>525,996</b>	<b>0</b>
Expenditure	161,940	364,056	525,996	525,996	0
<b>Finance and Insurance</b>	<b>495,510</b>	<b>0</b>	<b>495,510</b>	<b>507,850</b>	<b>-12,340</b>
Income	0	0	0	(10,000)	10,000
Salaries	268,010	0	268,010	268,200	-190
Expenditure	227,500	0	227,500	249,650	-22,150
<b>Collection of Tolls</b>	<b>208,680</b>	<b>0</b>	<b>208,680</b>	<b>210,930</b>	<b>-2,250</b>
Salaries	198,080	0	198,080	200,330	-2,250
Expenditure	10,600	0	10,600	10,600	0
<b>ICT</b>	<b>435,100</b>	<b>0</b>	<b>435,100</b>	<b>446,352</b>	<b>-11,252</b>
Salaries	224,000	0	224,000	235,520	-11,520
Expenditure	211,100	0	211,100	210,832	268

**Table 5**

Projects and Corporate items

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Projects and Corporate Items</b>	<b>28,625</b>	<b>0</b>	<b>28,625</b>	<b>18,405</b>	<b>10,220</b>
<b>Partnerships / HLF</b>	<b>21,925</b>	<b>0</b>	<b>21,925</b>	<b>11,705</b>	<b>10,220</b>
Income	(91,535)	0	(91,535)	(91,535)	0
Salaries	96,460	0	96,460	86,240	10,220
Expenditure	17,000	0	17,000	17,000	0
<b>Corporate Items</b>	<b>6,700</b>	<b>0</b>	<b>6,700</b>	<b>6,700</b>	<b>0</b>
Expenditure	6,700	0	6,700	6,700	0

**Table 6**

Contributions from earmarked reserves

Row labels	Original budget (Consolidated) £	Budget adjustments (Consolidated) £	Latest available budget (Consolidated) £	Forecast outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Contributions from Earmarked Reserves</b>	<b>(727,999)</b>	<b>(442,323)</b>	<b>(1,170,322)</b>	<b>(1,025,082)</b>	<b>-145,240</b>
<b>Earmarked Reserves</b>	<b>(727,999)</b>	<b>(442,323)</b>	<b>(1,170,322)</b>	<b>(1,025,082)</b>	<b>-145,240</b>
Expenditure	(727,999)	(442,323)	(1,170,322)	(1,025,082)	-145,240



**Table 7**

Net (Surplus) / Deficit

Row labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Grand Total</b>	<b>18,222</b>	<b>0</b>	<b>18,222</b>	<b>42,172</b>	<b>-23,950</b>

Row Labels	2022/23			2023/24			2024/25			2025/26			2026/27			2024/25 Apportionment				
	National Park	Navigation	Consolidated	National Park	Navigation	Consolidated	National Park	Navigation	Consolidated	National Park	Navigation	Consolidated	National Park	Navigation	Consolidated	National Park	Navigation			
	2022/23 (Actual)	2022/23 (Actual)	2022/23 (Actual)	2023/24 (Latest Available Budget)	2023/24 (Latest Available Budget)	2023/24 (Latest Available Budget)	2024/25 (Forecast)	2024/25 (Forecast)	2024/25 (Forecast)	2024/25 (Budget)	2024/25 (Budget)	2024/25 (Budget)	2025/26 (Budget)	2025/26 (Budget)	2025/26 (Budget)	2026/27 (Budget)	2026/27 (Budget)	2026/27 (Budget)	National Park	Navigation
<b>Income</b>																				
Income																				
National Park Grant	(4,784,591)	0	(4,784,591)	(3,414,078)	0	(3,414,078)	(3,564,078)	0	(3,564,078)	(3,414,078)	0	(3,414,078)	(3,414,078)	0	(3,414,078)	(3,414,078)	0	(3,414,078)	100%	0%
Hire Craft Tolls	0	(1,204,264)	(1,204,264)	0	(1,333,000)	(1,333,000)	0	(1,322,781)	(1,322,781)	0	(1,436,000)	(1,436,000)	0	(1,515,000)	(1,515,000)	0	(1,546,000)	(1,546,000)	0%	100%
Private Craft Tolls	0	(2,516,714)	(2,516,714)	0	(2,844,000)	(2,844,000)	0	(2,769,643)	(2,769,643)	0	(3,006,000)	(3,006,000)	0	(3,171,330)	(3,171,330)	0	(3,234,757)	(3,234,757)	0%	100%
Short Visit Tolls	0	(54,089)	(54,089)	0	(55,000)	(55,000)	0	(55,000)	(55,000)	0	(60,000)	(60,000)	0	(63,300)	(63,300)	0	(64,566)	(64,566)	0%	100%
Other Toll Income	0	(35,474)	(35,474)	0	(32,610)	(32,610)	0	(32,610)	(32,610)	0	(32,930)	(32,930)	0	(33,260)	(33,260)	0	(33,590)	(33,590)	0%	100%
Interest	(58,570)	(58,570)	(117,141)	(62,500)	(62,500)	(125,000)	(135,000)	(135,000)	(270,000)	(90,000)	(90,000)	(180,000)	(50,000)	(100,000)	(100,000)	(35,000)	(35,000)	(70,000)	50%	50%
<b>Income Total</b>	<b>(4,843,162)</b>	<b>(3,869,111)</b>	<b>(8,712,273)</b>	<b>(3,476,578)</b>	<b>(4,327,110)</b>	<b>(7,803,688)</b>	<b>(3,699,078)</b>	<b>(4,315,034)</b>	<b>(8,014,112)</b>	<b>(3,504,078)</b>	<b>(4,624,930)</b>	<b>(8,129,008)</b>	<b>(3,464,078)</b>	<b>(4,832,890)</b>	<b>(8,296,968)</b>	<b>(3,449,078)</b>	<b>(4,913,913)</b>	<b>(8,362,991)</b>	<b>43%</b>	<b>57%</b>
<b>Net Expenditure</b>	<b>(4,843,162)</b>	<b>(3,869,111)</b>	<b>(8,712,273)</b>	<b>(3,476,578)</b>	<b>(4,327,110)</b>	<b>(7,803,688)</b>	<b>(3,699,078)</b>	<b>(4,315,034)</b>	<b>(8,014,112)</b>	<b>(3,504,078)</b>	<b>(4,624,930)</b>	<b>(8,129,008)</b>	<b>(3,464,078)</b>	<b>(4,832,890)</b>	<b>(8,296,968)</b>	<b>(3,449,078)</b>	<b>(4,913,913)</b>	<b>(8,362,991)</b>	<b>43%</b>	<b>57%</b>
<b>Operations</b>																				
Construction and Maintenance Salaries	549,462	902,955	1,452,417	599,074	998,076	1,597,150	606,384	1,011,844	1,618,229	646,965	1,066,225	1,713,190	668,333	1,106,187	1,774,520	677,329	1,119,251	1,796,580	38%	62%
Construction and Maintenance Salaries (Income)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
Equipment, Vehicles and Vessels	161,938	377,856	539,794	231,201	539,469	770,670	231,201	539,469	770,670	184,980	431,620	616,600	176,580	412,020	588,600	179,580	419,020	598,600	30%	70%
Equipment, Vehicles and Vessels (Income)	(5,343)	(12,468)	(17,811)	(300)	(700)	(1,000)	(300)	(700)	(1,000)	(360)	(840)	(1,200)	(360)	(840)	(1,200)	(360)	(840)	(1,200)	30%	70%
Water Management	2,245	50,311	52,557	4,700	84,000	88,700	4,700	84,000	88,700	5,500	75,000	80,500	5,500	75,000	80,500	5,500	75,000	80,500	7%	93%
Water Management (Income)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
Land Management	68,861	0	68,861	56,355	0	56,355	55,355	0	55,355	57,350	0	57,350	57,350	0	57,350	57,350	0	57,350	100%	0%
Land Management (Income)	(102,663)	0	(102,663)	(87,500)	0	(87,500)	(87,500)	0	(87,500)	(78,235)	0	(78,235)	(78,235)	0	(78,235)	(78,235)	0	(78,235)	100%	0%
Waterways and Recreation Strategy	64,055	6,992	71,047	0	8,000	8,000	0	8,000	8,000	82,851	6,400	89,251	0	6,400	6,400	0	6,400	6,400	93%	7%
Waterways and Recreation Strategy (Income)	(64,055)	0	(64,055)	0	0	0	0	0	0	(82,851)	0	(82,851)	0	0	0	0	0	0	100%	0%
Practical Maintenance	122,812	491,986	614,799	240,900	407,760	648,660	90,900	407,760	498,660	327,140	393,250	720,390	123,140	408,250	531,390	123,140	408,250	531,390	45%	55%
Practical Maintenance (Income)	0	(16,709)	(16,709)	0	(56,185)	(56,185)	0	(56,185)	(56,185)	0	(26,425)	(26,425)	0	(26,425)	(26,425)	0	(26,425)	(26,425)	0%	100%
Ranger Services	277,222	751,208	1,028,430	215,433	934,557	1,149,990	218,595	947,205	1,165,800	231,031	1,192,875	1,423,906	235,146	1,039,334	1,274,480	238,783	1,053,882	1,292,665	16%	84%
Ranger Services (Income)	(101)	(235)	(335)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
Safety	66,224	87,252	153,476	46,363	97,453	143,815	46,270	97,566	143,835	47,390	100,280	147,670	44,529	100,471	145,000	44,910	101,910	146,820	32%	68%
Safety (Income)	(1,005)	(937)	(1,942)	0	(500)	(500)	0	(500)	(500)	0	(500)	(500)	0	(500)	(500)	0	(500)	(500)	0%	100%
Project Funding	11,370	1,126	12,496	129,475	1,125	130,600	129,475	1,125	130,600	0	0	0	0	0	0	0	0	0	0%	0%
Project Funding (Income)	(7,500)	0	(7,500)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
Operational Property	87,097	113,745	200,842	103,074	193,976	297,050	103,074	193,976	297,050	47,812	78,708	126,520	70,087	108,933	179,020	70,087	108,933	179,020	38%	62%
Operational Property (Income)	(3,436)	(8,017)	(11,453)	(780)	(1,820)	(2,600)	(780)	(1,820)	(2,600)	(780)	(1,820)	(2,600)	(780)	(1,820)	(2,600)	(780)	(1,820)	(2,600)	30%	70%
Operations Management and Admin	93,942	46,270	140,213	60,052	90,078	150,130	59,928	89,892	149,820	62,768	94,152	156,920	64,540	96,810	161,350	65,960	98,940	164,900	40%	60%
Operations Management and Admin (Income)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
<b>Operations Total</b>	<b>1,321,126</b>	<b>2,791,335</b>	<b>4,112,461</b>	<b>1,598,047</b>	<b>3,295,288</b>	<b>4,893,335</b>	<b>1,457,302</b>	<b>3,321,632</b>	<b>4,778,934</b>	<b>1,531,562</b>	<b>3,408,924</b>	<b>4,940,486</b>	<b>1,365,830</b>	<b>3,323,820</b>	<b>4,689,650</b>	<b>1,383,264</b>	<b>3,362,001</b>	<b>4,745,265</b>	<b>31%</b>	<b>69%</b>
<b>Strategic Services</b>																				
Development Management	485,026	4,590	489,616	502,089	4,921	507,010	506,418	4,912	511,330	552,955	5,126	558,080	555,287	5,263	560,550	563,860	5,370	569,230	99%	1%
Development Management (Income)	(83,608)	0	(83,608)	(87,500)	0	(87,500)	(90,500)	0	(90,500)	(90,500)	0	(90,500)	(90,500)	0	(90,500)	(90,500)	0	(90,500)	100%	0%
Strategy and Projects Salaries	120,544	10,005	130,550	139,129	28,181	167,310	125,543	25,880	151,423	144,253	29,287	173,540	184,573	30,073	214,646	210,815	30,686	241,500	83%	17%
Strategy and Projects (Income)	91,738	1	91,740	112,280	0	112,280	123,800	0	123,800	172,728	0	172,728	112,454	0	112,454	93,000	0	93,000	100%	0%
Biodiversity Strategy	18,858	0	18,858	9,300	0	9,300	20,988	0	20,988	8,520	0	8,520	8,000	0	8,000	8,000	0	8,000	100%	0%
Biodiversity Strategy (Income)	(14,290)	0	(14,290)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
NCPGS Discovery Grant	682,033	0	682,033	0	0	0	19,580	0	19,580	10,070	0	10,070	0	0	0	0	0	0	100%	0%
NCPGS Discovery Grant (Income)	(709,347)	0	(709,347)	0	0	0	(19,580)	0	(19,580)	0	0	0	0	0	0	0	0	0	0%	0%
NCPGS Restoration Grant	0	0	0	0	0	0	0	0	0	147,120	0	147,120	0	0	0	0	0	0	100%	0%
NCPGS Restoration Grant (Income)	0	0	0	0	0	0	0	0	0	(157,190)	0	(157,190)	0	0	0	0	0	0	100%	0%
Pallidiculture Exploration Fund	0	0	0	0	0	0	27,420	0	27,420	43,450	0	43,450	0	0	0	0	0	0	100%	0%
Pallidiculture Exploration Fund (Income)	0	0	0	0	0	0	(27,420)	0	(27,420)	(43,450)	0	(43,450)	0	0	0	0	0	0	100%	0%
FIPL	169,121	0	169,121	194,000	0	194,000	350,611	0	350,611	488,220	0	488,220	27,700	0	27,700	29,000	0	29,000	100%	0%
FIPL Grant (Income)	(169,121)	0	(169,121)	(194,000)	0	(194,000)	(339,833)	0	(339,833)	(480,320)	0	(480,320)	0	0	0	0	0	0	100%	0%
Environment Land Management System	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
Environment Land Management System (Income)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
Water Environment Grant	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
Water Environment Grant (Income)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0%
Communications	294,050	85,351	379,402	292,554	90,148	382,702	318,426	90,636	409,062	285,569	96,141	381,710	289,186	97,415	386,600	293,981	99,249	393,230	75%	25%
Communications (Income)	(3,680)	0	(3,680)	(250)	0	(250)	(16,000)	0	(16,000)	(250)	0	(250)	(250							



Year	Earmarked Reserves	Property Reserve - National Park	Property Reserve - Navigation	Property Reserve - TOTAL	Plant, Vessels and Equipment Reserve - National Park	Plant, Vessels and Equipment Reserve - Navigation	Plant, Vessels and Equipment Reserve - TOTAL	Premises Reserve - National Park	Premises Reserve - Navigation	Premises Reserve - TOTAL	Other Earmarked Reserves - National Park	Other Earmarked Reserves - Navigation	Other Earmarked Reserves - TOTAL	HLF	CANAPE	Total Earmarked Reserves - National Park	Total Earmarked Reserves - Navigation	GRAND TOTAL Earmarked Reserves	
2024/25	<b>Contributions to Reserves to 31/03/25</b>																		
	Vessels and Equipment (VES000451)	0	0	0	0	0	0	0	0	0	0	0	0			0	0	0	
	Vehicles (VEH000451)	0	0	0	(11,400)	(26,600)	(38,000)	0	0	0	0	0	0			(11,400)	(26,600)	(38,000)	
	Mutford Lock (MLK000451)	0	0	0	0	0	0	0	0	0	0	0	0			0	0	0	
	Mutford Lock Rent (MLK000451)	0	(2,000)	(2,000)	0	0	0	0	0	0	0	0	0			0	(2,000)	(2,000)	
	Launches (LAU000451)	0	0	0	0	0	0	0	0	0	0	0	0			0	0	0	
	Ranger Vehicles (RAN000451)	0	0	0	(2,600)	(10,400)	(13,000)	0	0	0	0	0	0			(2,600)	(10,400)	(13,000)	
	Dockyard Site (PRM009451)	0	0	0	0	0	0	0	0	0	0	0	0			0	0	0	
	Pool Vehicles (PCP000451)	0	0	0	(10,050)	(4,950)	(15,000)	0	0	0	0	0	0			(10,050)	(4,950)	(15,000)	
	Building repairs (PRM000451)	0	0	0	0	0	0	0	0	0	0	0	0			0	0	0	
	Asset Management for Countryside sites (SIM00451)	0	0	0	0	0	0	0	0	0	0	0	0			0	0	0	
	Computer Software (ICT000451)	0	0	0	0	0	0	0	0	0	0	0	0			0	0	0	
	Potter Heigham Chalet Income (UTE000451)	0	0	0	0	0	0	0	0	0	0	(21,000)	0	(21,000)		(21,000)	0	(21,000)	
	Catchment Partnership (CAT000451)	0	0	0	0	0	0	0	0	0	0	(26,330)	0	(26,330)		(26,330)	0	(26,330)	
	Catchment Partnership NRT contribution (CAT000552)	0	0	0	0	0	0	0	0	0	0	(15,000)	0	(15,000)		(15,000)	0	(15,000)	
	Heritage Lottery Fund income last 5% of grant (HLF61X552)	0	0	0	0	0	0	0	0	0	0	0	0	0	(121,875)	(121,875)	0	(121,875)	
	<b>Contributions from Reserves to 31/03/25</b>																		
	Replacement of two Hilux (VEH000450)	0	0	0	18,000	42,000	60,000	0	0	0	0	0	0	0		18,000	42,000	60,000	
	Welfare unit (E8k), Dipper arm extension for fen excavator (E11k), Telescopic handler (E23k), Weed bucket for excavator (E5k) & Concrete pump (E150k)	0	0	0	59,100	137,900	197,000	0	0	0	0	0	0	0		59,100	137,900	197,000	
	Replacement of M/L Yare (LAU000450) (delayed from 2021/22)	0	0	0	0	200,000	200,000	0	0	0	0	0	0	0		0	200,000	200,000	
Replacement of two Hilux vehicles (RAN000450)	0	0	0	12,000	48,000	60,000	0	0	0	0	0	0	0		12,000	48,000	60,000		
Tools system (ICTNAV450)	0	0	0	0	0	0	0	0	0	0	0	30,000	30,000		0	30,000	30,000		
Replacement Finance system (ICT000450)	0	0	0	0	0	0	0	0	0	0	33,500	16,500	50,000		33,500	16,500	50,000		
Piling at Repps bank (MMR000450)	0	50,000	50,000	0	0	0	0	0	0	0	0	0	0		0	50,000	50,000		
Delayed works at Hoveton Riverside Park (SIM000450)	250,000	0	250,000	0	0	0	0	0	0	0	0	0	0		250,000	0	250,000		
Improvements to Bridge Green, Potter Heigham (UTE000450)	0	0	0	0	0	0	0	0	0	0	12,000	0	12,000		12,000	0	12,000		
Partnership & External Funding Manager costs from 1/11/23 for 2 years (SPS00450)	0	0	0	0	0	0	0	0	0	0	49,700	0	49,700		49,700	0	49,700		
Heritage Lottery Fund costs (HLFXXX450)	0	0	0	0	0	0	0	0	0	0	0	0	0	30,000	30,000	0	30,000		
Farming in protective landscapes	0	0	0	0	0	0	0	0	0	0	7,900	0	7,900		7,900	0	7,900		
Catchment Partnership (CAT000450)	0	0	0	0	0	0	0	0	0	0	40,078	0	40,078	151,602	40,078	0	40,078		
<b>Forecast Balance 01 April 2025</b>	<b>(243,967)</b>	<b>(493,394)</b>	<b>(737,361)</b>	<b>(66,171)</b>	<b>(60,041)</b>	<b>(126,212)</b>	<b>(131,118)</b>	<b>(116,417)</b>	<b>(247,535)</b>	<b>(610,486)</b>	<b>(53,705)</b>	<b>(664,190)</b>	<b>0</b>	<b>0</b>	<b>(1,203,344)</b>	<b>(723,557)</b>	<b>(1,926,901)</b>		
2025/26	<b>Contributions to Reserves to 31/03/26</b>																		
	Vessels and Equipment (VES000451)	0	0	0	(27,600)	(64,400)	(92,000)	0	0	0	0	0	0			(27,600)	(64,400)	(92,000)	
	Vehicles (VEH000451)	0	0	0	(15,300)	(35,700)	(51,000)	0	0	0	0	0	0			(15,300)	(35,700)	(51,000)	
	Mutford Lock (MLK000451)	0	(25,000)	(25,000)	0	0	0	0	0	0	0	0	0			0	(25,000)	(25,000)	
	Mutford Lock Rent (MLK000451)	0	(2,000)	(2,000)	0	0	0	0	0	0	0	0	0			0	(2,000)	(2,000)	
	Launches (LAU000451)	0	0	0	0	(30,000)	(30,000)	0	0	0	0	0	0			0	(30,000)	(30,000)	
	Ranger Vehicles (RAN000451)	0	0	0	(3,800)	(15,200)	(19,000)	0	0	0	0	0	0			(3,800)	(15,200)	(19,000)	
	Dockyard Site (PRM009451)	0	0	0	0	0	0	(9,000)	(21,000)	(30,000)	0	0	0			(9,000)	(21,000)	(30,000)	
	Pool Vehicles (PCP000451)	0	0	0	(6,700)	(3,300)	(10,000)	0	0	0	0	0	0			(6,700)	(3,300)	(10,000)	
	Building repairs (PRM000451)	0	0	0	0	0	0	(16,200)	(6,300)	(22,500)	0	0	0			(16,200)	(6,300)	(22,500)	
	Computer Software (ICT000451)	0	0	0	0	0	0	0	0	0	(13,400)	(6,600)	(20,000)			(13,400)	(6,600)	(20,000)	
	Potter Heigham Chalet Income (UTE000451)	0	0	0	0	0	0	0	0	0	(21,000)	0	(21,000)			(21,000)	0	(21,000)	
	Catchment Partnership (CAT000451)	0	0	0	0	0	0	0	0	0	(27,700)	0	(27,700)			(27,700)	0	(27,700)	
	<b>Contributions from Reserves to 31/03/26</b>																		
	Replacement of Hilux (VEH000450)	0	0	0	10,500	24,500	35,000	0	0	0	0	0	0	0		10,500	24,500	35,000	
	Replacement of Hilux (RAN000450)	0	0	0	7,000	28,000	35,000	0	0	0	0	0	0	0		7,000	28,000	35,000	
	Nato floats (E20k), Yanmar tracked carrier (E15k), Mower (E7k), Deposit for long reach excavator (E20k), Clamshell bucket (E12k) & Takeuchi excavator (E15k)	0	0	0	26,700	62,300	89,000	0	0	0	0	0	0	0		26,700	62,300	89,000	
	Partnership & External Funding Manager costs from 1/11/23 for 2 years (SPS00450)	0	0	0	0	0	0	0	0	0	0	22,054	0	22,054		22,054	0	22,054	
	Catchment Partnership (CAT000450)	0	0	0	0	0	0	0	0	0	0	27,700	0	27,700		27,700	0	27,700	
	<b>Forecast Balance 01 April 2026</b>	<b>(243,967)</b>	<b>(520,394)</b>	<b>(764,361)</b>	<b>(75,371)</b>	<b>(93,841)</b>	<b>(169,212)</b>	<b>(156,318)</b>	<b>(143,717)</b>	<b>(300,035)</b>	<b>(622,832)</b>	<b>(60,305)</b>	<b>(683,136)</b>	<b>0</b>	<b>0</b>	<b>(1,250,090)</b>	<b>(818,257)</b>	<b>(2,068,346)</b>	
2026/27	<b>Contributions to Reserves to 31/03/27</b>																		
	Vessels and Equipment (VES000451)	0	0	0	(27,600)	(64,400)	(92,000)	0	0	0	0	0	0			(27,600)	(64,400)	(92,000)	
	Vehicles (VEH000451)	0	0	0	(19,200)	(44,800)	(64,000)	0	0	0	0	0	0			(19,200)	(44,800)	(64,000)	
	Mutford Lock (MLK000451)	0	(25,000)	(25,000)	0	0	0	0	0	0	0	0	0			0	(25,000)	(25,000)	
	Mutford Lock Rent (MLK000451)	0	(2,000)	(2,000)	0	0	0	0	0	0	0	0	0			0	(2,000)	(2,000)	
	Launches (LAU000451)	0	0	0	0	(30,000)	(30,000)	0	0	0	0	0	0			0	(30,000)	(30,000)	
	Ranger Vehicles (RAN000451)	0	0	0	(5,000)	(20,000)	(25,000)	0	0	0	0	0	0			(5,000)	(20,000)	(25,000)	
	Dockyard Site (PRM009451)	0	0	0	0	0	0	(9,000)	(21,000)	(30,000)	0	0	0			(9,000)	(21,000)	(30,000)	
	Pool Vehicles (PCP000451)	0	0	0	(6,700)	(3,300)	(10,000)	0	0	0	0	0	0			(6,700)	(3,300)	(10,000)	
	Building repairs (PRM000451)	0	0	0	0	0	0	(16,200)	(6,300)	(22,500)	0	0	0			(16,200)	(6,300)	(22,500)	
	Computer Software (ICT000451)	0	0	0	0	0	0	0	0	0	(13,400)	(6,600)	(20,000)			(13,400)	(6,600)	(20,000)	
	Potter Heigham Chalet Income (UTE000451)	0	0	0	0	0	0	0	0	0	(21,000)	0	(21,000)			(21,000)	0	(21,000)	
	Catchment Partnership (CAT000451)	0	0	0	0	0	0	0	0	0	(29,000)	0	(29,000)			(29,000)	0	(29,000)	
	<b>Contributions from Reserves to 31/03/27</b>																		
	Replacement of Hilux & AU12 OCN (VEH000450)	0	0	0	22,500	52,500	75,000	0	0	0	0	0	0	0		22,500	52,500	75,000	
	Iron horse (E18k) & Hydraulic power pack (E28k)	0	0	0	13,800	32,200	46,000	0	0	0	0	0	0	0		13,800	32,200	46,000	
	Replacement of AU66 ZL (RAN000450)	0	0	0	7,000	28,000	35,000	0	0	0	0	0	0	0		7,000	28,000	35,000	
	Catchment Partnership (CAT000450)	0	0	0	0	0	0	0	0	0	0	29,000	0	29,000		29,000	0	29,000	
	<b>Forecast Balance 01 April 2027</b>	<b>(243,967)</b>	<b>(547,394)</b>	<b>(791,361)</b>	<b>(90,571)</b>	<b>(143,641)</b>	<b>(234,212)</b>	<b>(181,518)</b>	<b>(171,017)</b>	<b>(352,535)</b>	<b>(657,232)</b>	<b>(66,905)</b>	<b>(724,136)</b>	<b>0</b>	<b>0</b>	<b>(1,324,890)</b>	<b>(928,957)</b>	<b>(2,253,846)</b>	

# Broads Authority

26 January 2024

Agenda item number 11

## The Levelling-Up and Regeneration Act 2023 and the Government response to the Landscape Review

Report by Chief Executive and Director of Strategic Services

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### Purpose

This report briefs the Authority on the measures in the Levelling-Up and Regeneration Act which become enshrined in law at the end of 2023. It also covers the Government's most recent response to the Landscape Review.

### Broads Plan context

Most strategic objectives potentially in scope.

### Recommended decisions

- i. To note the amendments to the Norfolk and Suffolk Broads Act by the Levelling-Up and Regeneration Act and the Government's response to the Landscape Review.
  - ii. To ask Members appointed by local authorities to alert their appointing body to the amendments to the Broads legislation.
- 

## 1. Introduction

1.1. Following agreement by both Houses of Parliament on the text of the Levelling-Up and Regeneration Bill, it received Royal Assent on 26 October 2023. The Government summarises the measures in the following way. It will:

- Put local people at the heart of development – making it easier to put local plans in place and requiring design codes that set out where homes will be built and how they will look. These plans will deliver more homes in a way that works for communities.
- Boost local services – requiring developers to deliver vital infrastructure. This will put an end to lifeless edge-of-town developments with no community assets and ensure developers deliver the schools, doctors' surgeries and public services communities need and expect. Further details on these measures will be set out shortly.

- Rebalance the housing and land markets – giving local councils the power to increase council tax on empty homes and reforming compensation for compulsory purchase orders by removing ‘hope value’ where justified.
  - Encourage developers to get building – giving communities updates on the progress of development and giving councils the chance to consider slow build-out rates when approving planning.
  - Bring high streets back to life – giving councils the powers to work directly with landlords to bring empty buildings back in to use by local businesses and community groups through high street rental auctions. It will also make it faster for local authorities to give hospitality businesses permission to use outdoor seating.
- 1.2. Reports have been and will be provided to the Planning Committee on the planning implications of the Act. This report focuses on the amendments to the Norfolk and Suffolk and Broads Act 1988.

## 2. Amendments to the Norfolk and Suffolk Broads Act

- 2.1. The original amendment to the Levelling Up and Regeneration Bill was tabled by Lord Randall. This was followed by the Secretary of State tabling a Written Ministerial Statement setting out a package of measures to support nature recovery in Protected Landscapes (see below) including a commitment to new legislation through an amendment.
- 2.2. There are three main amendments to the legislation for National Park Authorities and the Broads Authority. For the Broads, the changes are as follows (in red):
- 2.3. **Broads Plan – Section 3 of the Act**  
New Clauses have been inserted under Section 3 regarding the Broads Plan.

(7) The Secretary of State may by regulations make provision—

- (a) requiring the Broads Plan to contribute to the meeting of any target set under Chapter 1 of Part 1 of the Environment Act 2021;
- (b) setting out how the Broads Plan must contribute to the meeting of such targets;
- (c) setting out how the Broads Plan must further the purposes mentioned in subsection (8).

(8) The purposes are the purposes of—

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



## 2.4. Broads Authority officers' comments:

2.4.1. These provisions will depend on a Secretary of State making the necessary regulations; and no timetable has yet been set out. We expect more information on targets through the “Outcomes Framework for protected landscapes” that is under development.

2.4.2. Inevitably each National Parks and their stakeholders are very different and the Management Plans are not only collaborative documents but are also co-produced. It will be interesting to see in due course the relevant guidance and how it tries to resolve these differences.

2.4.3. Through the existing Grant Agreement, the Secretary of State is able to, and does, set out the Government’s ambitions that it wants the Broads Authority to help deliver. It is unclear at this stage how the amendment could impact on Broads Authority activities.

## 2.5. **General duty of public bodies – Section 17A**

The Act amends Section 17A of the Norfolk and Suffolk Broads Act 1988 as follows.

(1) In exercising or performing any functions in relation to, or so as to affect, land in the Broads, a relevant authority ~~shall have regard to~~ **must seek to further** the purposes of—

(a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;

(b) promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and ] 2

(c) protecting the interests of navigation.

**(1A) The Secretary of State may by regulations make provision about how a relevant authority is to comply with the duty under subsection (1) (including provision about things that the authority may, must or must not do to comply with the duty).**

2.6 Broads Authority comment: This seems to be a positive development and provides an opportunity to have discussions with relevant authorities (such as the local authorities) as to how we might work more closely to deliver the Authority’s purposes. Public bodies are now required to take a much more active role in the preparation and implementation of the Broads Plan.

## 2.7 **Duty of public bodies etc to contribute to the Broads Plan**

The second amendment is to insert a new clause 17B.

### **17B Duty of public bodies etc to contribute to the Broads Plan**

**(1) The Secretary of State may by regulations make provision—**

**(a) requiring a relevant authority other than a devolved Welsh authority to contribute to the implementation or review of the Broads Plan;**

**(b) setting out how such a relevant authority may or must do so.**

- 2.8 Broads Authority officers' comment: Again, this seems positive and relatively benign. The key feature of the Broads Plan is that it is a plan for the Broads and all the relevant public bodies, voluntary organisations and businesses have a role in delivering it.

### 3. Government Response to the Landscape Review

- 3.1. On 29 November 2023 the Government set out its [action plan for Protected Landscapes](#), based on responses to the consultation on the Landscapes Review.
- 3.2. The November 2023 publication is a response to the findings of the Landscapes Review led by Julian Glover published in 2019, which set out a case for change to enable England's National Parks and National Landscapes (formerly AONBs) to fulfil their potential. The Government's proposals for implementing the Review's findings were put to public consultation in 2022 and the consultation outcome has been published in November 2023, providing an update on delivery to date and an action plan for the future.
- 3.3. The document contains some interesting policy decisions including:
- 3.4. In response to the request for **long-term sustainable funding** the Government response includes: "We will also work collaboratively with Protected Landscapes Teams to review the long-term funding model to ensure that it is fair and transparent. National Landscapes have a different legal status to National Park Authorities with local authorities key to their governance and important for their financing. We will consider how best to unlock their full potential to deliver on local and national priorities."
- 3.5. As set out above the Government has strengthened the **legislative duties** on other public bodies. However, in response to the questions about strengthening the purposes of national parks the Government states: "We do not believe that amending the statutory purposes is the appropriate tool at this time."
- 3.6. In response to Question 13: Do you support any of the following options to grant National Park Authorities and the Broads Authority **greater enforcement powers** to manage visitor pressures? The Government states: "While the consultation responses and feedback from stakeholders indicate giving these could have unintended consequences, we consider that these powers could be used at the discretion of NPAs. As such, we agree in principle that we should introduce these powers."
- 3.7. On **local governance** the response is: "Having considered the range of responses, we will make changes that balance relevant skills with local input and democratic accountability. We will not impose merit-based criteria for local authority appointments as these members are democratically elected to provide local accountability. We will:
- update guidance and support training to boost relevant skills and an understanding of priorities such as nature recovery and inclusive access
  - continue to reduce board size on a case-by-case basis using existing powers, following discussions with NPAs and relevant local authorities



- increase the proportion of national appointments to secure the diverse skills highlighted by consultation responses and engagement
  - encourage local authorities to appoint their best members to the board, carry out skills audits and provide member training to address gaps.”
- 3.8. On the **general power of competence**, the response is: “Having considered the responses to this section, we agree in principle and will grant NPAs and the Broads Authority a more general power of competence, as and when parliamentary time allows. We believe this will provide them with greater certainty as to what activities they can legally undertake.”
- 3.9. As a final comment the Government response states: “We agree that Protected Landscapes will play a key role in delivering our ambitions to improve nature, tackle climate change, support rural communities, and access to nature.”
- 3.10. The November 2023 announcement also establishes a Protected Landscapes Partnership of National Parks, National Landscapes and National Trails which is tasked with identifying opportunities for collaboration on nature recovery and climate change leadership through large-scale projects and sharing knowledge and evidence.
- 3.11. There is an announcement of an additional £10 million to National Landscapes and Parks in recognition of their increasing role for nature and people. This includes the 1-year extension of the Farming in Protected Landscapes (FiPL) programme until March 2025, “Access for All” funding, and “Water in Protected Landscapes” funding.
- 3.12. The most headline-grabbing announcement was the promise to designate a new National Park in England.

Broads Authority officers’ comments:

- 3.13. Officers will continue to work closely with DEFRA officials as proposals develop into more detail or opportunities arise. Some provisions will depend on new legislation; and no timetable has yet been set out.
- 3.14. The Authority welcomes the addition year of funding for FiPL and will submit bids to both new pots of funding. The funding boost comes against a backdrop of years of cuts to core budgets, and it is far from clear whether plans to mobilise private finance will prove successful in closing the gap between the level of funding from National Park grant, and what is needed.

## 4. Financial and risk implications

- 4.1. No financial implication is anticipated at this stage. No impact is deemed necessary on the Corporate or Directorate Risk Registers.

Author: John Packman and Marie-Pierre Tighe

Date of report: 09 January 2024

# Broads Authority

26 January 2024

Agenda item number 12

## The Authority's role in Local Nature Recovery Strategies and Biodiversity Duty Consideration

Report by Environment Policy Adviser

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### Purpose

This report covers the following provisions under the Environment Act 2021 (and related Guidance & Regulations):

- Broads Authority Supporting Authority role for Norfolk and Suffolk Local Nature Recovery Strategies.
- Responsibilities and reporting under the strengthened Biodiversity Duty

### Broads Plan context

Theme B - Improving landscapes for biodiversity and agriculture.

*Other themes in the Broads Plan will also benefit.*

### Recommended decisions

- Delegate authority to the Chief Executive, in consultation with the Chair of the Authority, to approve and submit a response to the Responsible Authorities (Norfolk County Council and Suffolk County Council) on any pre-consultation draft of a Local Nature Recovery Strategy within 28 days as required by the Authority's role as a Supporting Authority under The Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023;
- Note the briefing on the enhanced Biodiversity Duty in the Environment Act 2021 and its implications for the Authority and other bodies; and
- Note the Authority's "consideration" of the Biodiversity Duty which was endorsed by Management Team on 14 November 2023.

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## Contents

1. Introduction	2
2. Supporting Authority Local Nature Recovery Strategies	3
3. Responsibilities and requirements under the strengthened Biodiversity Duty	3

4.	Broads Nature Recovery context	4
5.	Financial implications	5
6.	Risk implications	6
	Appendix 1 – Local Nature Recovery Strategy - Supporting Authority role specifically relating to the requirement of the Responsible Authority in relation to pre-consultation requirement and pre-publication requirements.	7
	Appendix 2 – Draft Local Nature Recovery Strategy timetable for Norfolk and Suffolk	9
	Appendix 3 – Strengthened Biodiversity Duty – First Consideration	10

## 1. Introduction

- 1.1. The national legislative framework for nature recovery is set through the [25 Year Environment Plan 2018](#), The [Environment Act 2021](#), and the Environmental Improvement Plan 2023. In addition, the Government has committed to protect 30% of the land and sea of the UK for nature’s recovery, by 2030 (30by30). This commitment was agreed under the [UN Convention on Biological Diversity](#) in December 2022.
- 1.2. New provisions are introduced in the Environment Act to restore nature which include Local Nature Recovery Strategies (LNRS), and a strengthened Biodiversity Duty. This paper covers both provisions.
- 1.3. **Local Nature Recovery Strategies (LNRS)** are to be a new system of spatial strategies for nature covering the whole of England. They are designed as tools to drive more coordinated, practical, and focused action to help nature. They will support the delivery of Biodiversity Net Gain (BNG) and provide a focus for the strengthened duty on all public authorities to conserve and enhance biodiversity (see below). Preparation of each LNRS will be led by a “Responsible Authority” appointed by the Defra Secretary of State. These are all Tier 1 Authorities (County Councils or Unitaries). The Broads will be covered by two strategies: Norfolk and Suffolk strategies.
- 1.4. The Environment Act 2021 introduces a strengthened **‘Biodiversity Duty’** requiring all public authorities operating in England to consider what they can do to conserve and enhance biodiversity. [Complying with the biodiversity duty - GOV.UK \(www.gov.uk\)](#). Public authorities are defined as government departments, public bodies and agencies, local authorities and local planning authorities, and statutory undertakers.
- 1.5. Each public authority must:
  1. Consider what it can do to conserve and enhance biodiversity.
  2. Agree policies and specific objectives based on its consideration.
  3. Act to deliver the policies and achieve these objectives.

## 2. Supporting Authority Local Nature Recovery Strategies

- 2.1. There is a total of [48 Responsible Authorities in England](#), which are responsible for preparing, publishing, reviewing and republishing a LNRS following the process set out in The Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023. Norfolk County Council and Suffolk County Council have been appointed as Responsible Authorities for preparing a Local Nature Recovery Strategy (LNRS) under section 105 of the Environment Act 2021.
- 2.2. The Regulations set out the role of Supporting Authorities in the LNRS process. The Broads Authority is a Supporting Authority for the Norfolk LNRS and the Suffolk LNRS.
- 2.3. A Responsible Authority must take reasonable steps to involve all Supporting Authorities in the preparation of the LNRS. The involvement of Broads Authority officers is confirmed through participation to the Norfolk and Suffolk Nature Recovery Partnership steering group and themed groups. The anticipated timeline for adoption is available at Appendix 2.
- 2.4. Responsible Authorities must give Supporting Authorities a statutory consultee role both at pre-consultation and pre-publication phase (Details in Appendix 1). Both requirements give 28-day formal period in which Supporting Authorities are expected to respond.
- 2.5. With the time constraints for the Broads Authority to respond to the pre-consultation phase, delegated authority is requested. This is to delegate authority to the Chief Executive, in consultation with the Chair of the Authority, to approve and submit a response to the Responsible Authorities on any pre-consultation draft of a Local Nature Recovery Strategy within 28 days.
- 2.6. Any response or notice submitted under these delegations shall be reported to the next meeting of the Authority after the response or notice has been submitted. Members will also be kept updated on progress ahead of the pre-publication phase.

## 3. Responsibilities and requirements under the strengthened Biodiversity Duty

- 3.1. Public authorities must consider what they can do to conserve and enhance biodiversity in England. This is the strengthened 'Biodiversity Duty' that the Environment Act 2021 introduces. Government published some [guidance](#) about how to comply with the duty.
- 3.2. The required actions by public authorities are:
  - to complete the first "consideration" of what action to take for biodiversity, by 1 January 2024. Public authorities must also agree its policies and objectives as soon as possible after this.

- to reconsider the actions it can take within 5 years of when it completes its previous consideration. It can decide to do this more often, for example, it could reconsider its actions quarterly, annually, or every 5 years.
  - Some public authorities (local authorities (excluding parish councils) and local planning authorities) are required to publish a biodiversity duty report. The end date of the first reporting period should be no later than 1 January 2026. After this, the end date of each reporting period must be within 5 years of the end date of the previous reporting period. All reports must be published within 12 weeks of the reporting period end date.
- 3.3. The Government has stated that it will provide further guidance on biodiversity duty reporting.
- 3.4. The Broads Authority is a public authority under the terms of the Environment Act 2021 and two key actions are highlighted:
- Complete the first consideration of what action to take for biodiversity by 1 January 2024. The Broads Authority first consideration was agreed by Management Team on 14 November 2023 and is available at Appendix 3.
  - Publish the first biodiversity duty report, at the latest, within 12 weeks after the 1 January 2026, the latest end date of our first reporting period. Officers will present the first biodiversity duty report to members for their approval at a future date.
- 3.5. Other bodies which have an impact on the Broads are also in scope for the Biodiversity Duty. The Government guidance includes proposals that such bodies consider how they comply with the Biodiversity Duty by helping to develop and implement the Management Plan for national parks (the Broads Plan applies in Norfolk and Suffolk) and/or making improvements to nature in national parks.
- 3.6. We welcome the application of the strengthened Biodiversity Duty to the Broads Authority and its application to other bodies which have an impact on the Broads. Officers can offer some support to other bodies, including those represented on the Broads Biodiversity Partnerships, in meeting their biodiversity duty in the Broads. The biodiversity duty requirements could provide an opportunity to improve the way we work together on biodiversity in the Broads.

## 4. Broads Nature Recovery context

- 4.1. The Biodiversity Duty has links to the following Broads policy context:
- i. Broads Plan and Broads Authority annual Business Plans – The new Biodiversity Duty has strong alignment with the Broads Plan, helping justify public authority engagement in developing and implementing the Broads Plan 2022-2027, especially Theme A: Responding to climate change and flood risk and Theme B: Improving landscapes for biodiversity and agriculture.

- ii. The Broads Biodiversity and Water Strategy (2019-2024) is particularly relevant to the Authority's response to the Biodiversity Duty. This Strategy and delivery plan will be revised and a Broads Nature Recovery Strategy and delivery plan for wildlife in the Broads will be developed in 2024. One aspiration of the revised strategy is to streamline reporting in conjunction with the biodiversity duty report.
- 4.2. The development of the Broads Nature Recovery Strategy will be supported by evidence, including the [Broads Biodiversity Audit](#) and the [Norfolk and Suffolk Natural Capital Evidence Compendium](#).
- 4.3. The mechanisms available to discover nature recovery include:
  - Agri-environment payments (FiPL, Countryside Stewardship, Landscape Recovery);
  - Planning requirements (Section 106, Community Infrastructure Levy, Biodiversity Net Gain (BNG));
  - Green finance (for example Revere a partnership with Palladium), Nutrient Neutrality credits, and carbon credits; and
  - Partnership projects (for example the Nature for Climate Peatland Grant projects and Water Mills and Marshes funded by National Lottery Heritage Fund). Nature recovery relies on partnership and collaboration with landowners, managers and farmers as well as joint working with key partners - including local and statutory authorities, environmental charities and trusts, statutory bodies, businesses and communities.

## 5. Financial implications

- 5.1. There are no immediate financial implications apart from officer time related to the development of the LNRS and the reporting requirement on the Biodiversity Duty.
- 5.2. Funding for projects will continue to be derived from multiple sources, including Defra and Lottery grants and other mechanisms.
- 5.3. The Authority's first Biodiversity Duty consideration follows a pragmatic approach. The writing and publication of the required first Biodiversity Duty report will take best value assessment of the approach and will be part of the reporting of the future Broads Nature Recovery Strategy.
- 5.4. Any future proposals or commitments to action as part of fulfilling our Biodiversity Duty will be managed through our existing business and financial procedures. There are currently no plans to procure this piece of work. The Environment Policy Adviser aims to complete the first Biodiversity Duty report as part of the Broads Nature Recovery Strategy which is under development.

## 6. Risk implications

- 6.1. Risk relates to timescale, content, and reputation.
- 6.2. Risk of failure to comply with LNRS Supporting Authority commenting role is mainly in relation to the timescale and content of the Broads Authority's response. The risk around timescale is mitigated through the request for a delegated decision. For the risk around content, Broads Authority officers are already working closely with both relevant Responsible Authorities.
- 6.3. Risk of failure to complete Biodiversity Duty reporting by 12 weeks after 1 January 2026 is mitigated by allocating resources in the 2025/2026 Business Plan and the Environment Policy Adviser workplans.

Author: Andrea Kelly

Date of report: 09 January 2024

[Broads Plan](#) strategic objectives: all strategic objectives in Theme B.

Appendix 1 – Local Nature Recovery Strategy - Supporting Authority role specifically relating to the requirement of the Responsible Authority in relation to pre-consultation requirement and pre-publication requirements.

Appendix 2 – Draft Local Nature Recovery Strategy timetable for Norfolk and Suffolk

Appendix 3 - Strengthened Biodiversity Duty – First Consideration

# Appendix 1 – Local Nature Recovery Strategy - Supporting Authority role specifically relating to the requirement of the Responsible Authority in relation to pre-consultation requirement and pre-publication requirements.

## **Pre-consultation requirements:**

A responsible authority must provide all supporting authorities for the local nature recovery strategy with the consultation draft of its local nature recovery strategy and request their comments.

A supporting authority that has been provided with a consultation draft of a local nature recovery strategy may raise an objection with the responsible authority about:

- a. the local nature recovery strategy; or
- b. the responsible authority's preparation of the local nature recovery strategy, including the extent to which the responsible authority has involved the supporting authority in that preparation.

Any objection must be given before the expiry of 28 days beginning with the day on which the responsible authority provided the supporting authority with the consultation draft of its local nature recovery strategy.

## **Pre-publication requirements:**

A responsible authority may not publish its final local nature recovery strategy under regulation 19 unless the consultation has concluded in relation to the local nature recovery strategy.

A responsible authority may not publish its final local nature recovery strategy unless:

- a. 28 days have expired, beginning with the date on which it provided its local nature recovery strategy to all of the supporting authorities; or
- b. all of the supporting authorities for the local nature recovery strategy confirm in writing they are content for the local nature recovery strategy to be published.

A responsible authority that has received a publication advisory notice in respect of a final local nature recovery strategy may not publish it unless:

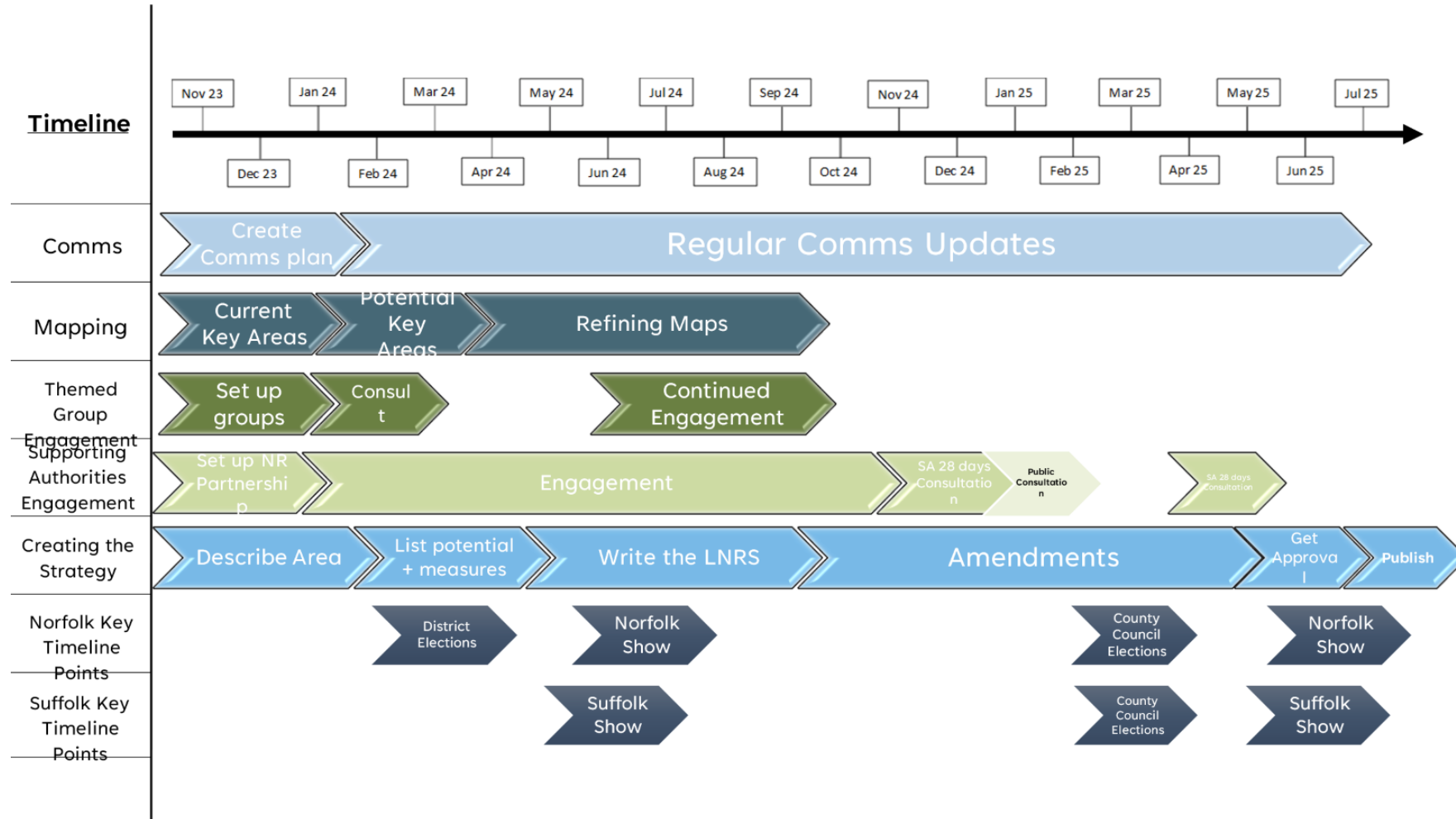
- a. both of the following have occurred:
  - i) 28 days have expired, beginning with the date on which it provided its final local nature recovery strategy to all supporting authorities for the local nature recovery strategy; and



- ii) the supporting authority that gave the publication advisory notice has confirmed in writing that it is content for the final local nature recovery strategy to be published;
- b. all of the supporting authorities for the local nature recovery strategy confirm in writing that they are content for the final local nature recovery strategy to be published; or
- c. where the responsible authority has made a request to the Secretary of State the Secretary of State—
  - i) has decided under regulation 16(7)(a) to permit the responsible authority to publish its final local nature recovery strategy; or
  - ii) has decided under regulation 16(7)(b) to permit the responsible authority to publish its final local nature recovery strategy subject to conditions; and

Where paragraph (c)(ii) applies, the responsible authority may not publish its final local nature recovery strategy under regulation 19 until the conditions have been satisfied.

## Appendix 2 – Draft Local Nature Recovery Strategy timetable for Norfolk and Suffolk



# Appendix 3 – Strengthened Biodiversity Duty – First Consideration

Author: Andrea Kelly, Environmental Policy Adviser

14 November 2023

## 1. Purpose of report

Public authorities who operate in England must consider what they can do to conserve and enhance biodiversity in England. This is the strengthened 'Biodiversity Duty' that the Environment Act 2021 introduces.

The Environment Policy Adviser, working with other relevant officers, will be responsible for the coordination of actions and statutory reporting as regards the Biodiversity Duty.

## 2. Introduction and background

This report sets out the key requirements of the Biodiversity Duty for local authorities as set out in the 2021 Environment Act and considers actions to take by the Broads Authority to comply with the regulations.

The [Environmental Improvement Plan \(EIP23\)](#), published in January 2023, sets out government plans for improving the natural environment. The actions local authorities take for biodiversity will contribute to the achievement of national goals and targets on biodiversity.

By 2030, the government has committed to:

- halt the decline in species abundance
- protect 30% of UK land
- By 2042, the government has committed to:
  - increase species abundance by at least 10% from 2030, surpassing 2022 levels
  - restore or create at least 500,000 ha of a range of wildlife rich habitats
  - reduce the risk of species extinction
  - restore 75% of our one million hectares of terrestrial and freshwater protected sites to favourable condition, securing their wildlife value for the long term

*Note the Biodiversity Duty was originally contained in the 2006 Natural Environment and Rural Communities Act which referred to having to 'have regard to' biodiversity in carrying out our functions. The 2021 Environment Act has strengthened that to a consideration of what we can do to 'conserve and enhance' biodiversity. The Broads Authority has not reported against the 2006 Biodiversity Duty which is probably typical of most local authorities.*

## 3. Biodiversity duty reporting

To meet the Biodiversity Duty the Broads Authority must report on:

- actions taken to conserve and enhance biodiversity.
- achievements resulting from our actions.
- actions we plan to take in the next reporting period.
- reconsider the actions within 5 years of completing the previous consideration.
- Optionally, we could decide to do this more often, for example, we could reconsider our actions quarterly, annually, or every 5 years.

**By 1 January 2024**, there is also a requirement to consider what action to take for biodiversity, and then to agree policies and objectives as soon as possible after this. Table 1 is the Broads Authority Consideration of biodiversity action which needs to be agreed by 1 January 2024.

Table 1 covers our policy and strategic work for conserving and enhancing biodiversity as well as considering how we manage our own land and buildings and how we could influence others in the Broads including residents.

Then the timings are as follows:

- The end date of the first reporting period should be no later than 1 January 2026.
- After this, the end date of each reporting period must be within 5 years of the end date of the previous reporting period.
- The start and end dates of the reporting period must be included in each report.
- We must publish all reports within 12 weeks of the reporting period end date.

A template is provided for the reporting [Reporting your biodiversity duty actions - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/reporting-your-biodiversity-duty-actions). The first three sections of the government guidance are statutory, as well as the section on Biodiversity Net Gain (as the Broads Authority is a Local Planning Authority). The remainder of the guidance outlines optional information.

Reports from local planning authorities must include:

- the actions you've carried out to meet biodiversity net gain obligations.
- details of biodiversity net gains resulting, or expected to result, from biodiversity gain plans approved.
- how you plan to meet biodiversity net gain obligations in the next reporting period.

Guidance on reporting on biodiversity net gain is not available yet.

#### **4. Overarching considerations**

The overarching considerations for the Broads Authority include the Broads Authority purposes that relate directly to the biodiversity duty:

- to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and

- to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
- Protecting the interests of navigation.

The amendment to the Levelling Up and Regeneration Act amends the requirement on public bodies 'have regard' to National Park management plans to a strengthened General Duty in exercising or performing any functions in relation to, or to affect, a relevant authority **must seek to further** the purposes of the National Park Purposes.

## 5. Benefits of Biodiversity duty reporting

The expected benefits of the Biodiversity duty reporting include:

- Communicating the biodiversity reports to help everyone understand how we are collectively meeting shared goals to conserve and enhance biodiversity.
- Demonstrating the actions we are taking to improve biodiversity and show other authorities and the public what they can do for nature recovery.
- Sharing good practice.

## 6. Biodiversity Net Gain information

### 6.1. Summary of the actions carried out to meet biodiversity net gain obligations

We have been working closely in house and with Norfolk and Suffolk Counties and Districts to prepare for the new Biodiversity Net Gain (BNG) duty – the requirement for all new developments to deliver a 10% Net Gain in Biodiversity will become mandatory in January 2023 for large and April 2023 for small developments. We have developed BNG Interim Planning Guidance Note for Suffolk [Biodiversity Net Gain Planning Guidance Note for Suffolk \(broads-authority.gov.uk\)](https://broads-authority.gov.uk) which will need updating. The next Local Plan for the Broads will contain policies relevant to helping to meet the BNG requirement.

### 6.2. Details of biodiversity gains resulting, or expected to result, from approved biodiversity gain plans

No approved biodiversity gains have arisen yet, the expected gains are likely to be small as the applications in the Broads Authority area are few and mainly restricted to small sites. Large developments and infrastructure developers are more likely to meet their liability within their own development footprint, and small developments may decide to purchase BNG offsets. BNG will need to be recorded and quantified data included in the Biodiversity Duty report.

### 6.3. Summary of how you plan to meet biodiversity net gain obligations in the next reporting period

A BNG officer is being appointed and future reports will include data on BNG. A checklist of tasks is being maintained for internal recording.

**Table 1. Broads Authority – summary of current work/action that contributes to the biodiversity duty**

**Date of consideration: November 2023**

Work area	Relevant polices/strategies already in place	Detail	Future plans / comments
Broads Plan	Partnership Management Plan <a href="https://broads-authority.gov.uk">Broads Plan 2022 - 2027 (broads-authority.gov.uk)</a>	Relevant outcomes and reporting against existing plans covers Broads area as well as the work of the Authority.	In 2027 revise the Broads Plan with partners. <i>Assumption that the management plan guidance developed by Defra will incorporate the biodiversity duty.</i> <i>Future plan will need to link to Environment Improvement Plan.</i>
Biodiversity Strategy	<a href="https://broads-authority.gov.uk">Broads Biodiversity and Water Strategy 2019 - 2024 (broads-authority.gov.uk)</a> <a href="https://broads-authority.gov.uk">Broads-Biodiversity-and-Water-Strategy-Action-Plan-2019-24-Aug-23.pdf (broads-authority.gov.uk)</a>	The Guiding Strategy Broads Biodiversity and Water Strategy and updated Action Plan.	In 2024 revise the Broads Biodiversity and Water Strategy and Action Plan with partners and evolve this into a Nature Recovery Strategy.
Annual Business Plan	<a href="https://broads-authority.gov.uk">BA Annual Business Plan 2022/23 (broads-authority.gov.uk)</a>	Annual Business Plan differentiates elements of the management plan which are delivered by the Broads Authority directly and includes its 3-year financial strategy for 2023/24 to 2025/26. The Annual Plan provides detail on the planned biodiversity delivery.	Continue to include biodiversity and environment focus in future Annual Business Plans.
Planning policy	Local plan <a href="https://broads-authority.gov.uk">Local Plan for the Broads (broads-authority.gov.uk)</a>	Present plan 2019. Issues and Options consultation (ended Dec 2022). Preferred Options version consultation planned for early 2024. Policy objectives meeting the first purpose of the Broads: Strategic policies <ul style="list-style-type: none"> <li>• SP1: sustainable development</li> <li>• SP2: Strategic flood risk policy</li> </ul>	In 2024 draft strategic policy on biodiversity.  <i>Informed by the Broads Plan.</i>  <i>Mandatory Biodiversity Net Gain will need to be confirmed after regulations and guidance are provided. A monitoring framework is yet to be provided.</i>

		<ul style="list-style-type: none"> <li>• SP3: Climate change</li> <li>• SP4 Soils</li> <li>• SP6: Biodiversity</li> <li>• SP7: Landscape character</li> <li>• SP8: Getting to and around the Broads</li> <li>• SP9: Recreational access around the Broads</li> <li>• SP12: Sustainable tourism</li> </ul> <p>Monitoring and reporting laid out in the plan. Informed by Species Conservation and Protected Site Strategies. GIRAMS ensures no adverse effects are caused to Habitats Sites (also called European sites).</p>	
Development management	Determination of planning applications in accordance with wildlife related legislation and policy.	Covered by local plan policies above.	
Specific guidance	<p>Various guides apply to what action the Broads Authority could take.</p> <p><a href="#">Sustainability Guide (broads-authority.gov.uk)</a></p> <p><a href="#">Biodiversity Enhancement Guide.pdf (broads-authority.gov.uk)</a></p> <p><a href="#">Guide to understanding and addressing the impact of new developments on peat soil (broads-authority.gov.uk)</a></p> <p><a href="#">Riverbank stabilisation guide (broads-authority.gov.uk)</a></p> <p><a href="#">A guide to integrating development into the Broads Landscape (broads-authority.gov.uk)</a></p> <p><a href="#">Towards-A-Dark-Sky-Standard-V1.1.pdf (southdowns.gov.uk)</a></p> <p><a href="#">Biodiversity Net Gain Planning Guidance Note for Suffolk (broads-authority.gov.uk)</a></p>	<p>Covered by guides on:</p> <ul style="list-style-type: none"> <li>Sustainable design</li> <li>Biodiversity enhancement</li> <li>Impact on peat soils</li> <li>Riverbank stabilisation</li> <li>Landscape integration</li> <li>Dark skies</li> <li>Biodiversity Net Gain Interim Planning Guidance Note for Suffolk</li> </ul>	Review guides as required and create new guides when required.
Access Strategy	<a href="#">Broads-Integrated-Access-Strategy-and-action-plan.pdf (broads-authority.gov.uk)</a>	Integrated Access Strategy designs schemes to deliver biodiversity and habitat improvements.	Adopt reviewed Access Strategy in 2024.

	<a href="https://www.gov.uk">National Trails: management standards - GOV.UK (www.gov.uk)</a>	Link with National Trails, with over 300km of public rights of way, three long distance trails and England Coast Path.	
Waterways Management Strategy	<a href="https://broads-authority.gov.uk">Waterways Management Strategy and Action Plan 2022/23 - 2026/27 (broads-authority.gov.uk)</a>	Over 200km of inland, navigable waterways. The Waterways Management Strategy (2022-2026) provides a framework for sustainable management of the Broads navigable waterways.	In 2026 report and review the Waterways Management Strategy.
Tourism Strategy	<a href="https://broads-authority.gov.uk">Sustainable Tourism in the Broads 2016-20 May 2016.docx (broads-authority.gov.uk)</a>	The Sustainable Tourism Strategy sets out actions to enhance, manage and promote sustainable tourism in the Broads.	In 2024 adopt the revised Tourism and Recreation Strategy.
Education Strategy	<a href="https://broads-authority.gov.uk">Education Strategy for the Broads 2017-22 APPENDIX 1 ba240317 (broads-authority.gov.uk)</a>  <a href="https://broads-authority.gov.uk">Broads Curriculum (broads-authority.gov.uk)</a>  <a href="https://broads-authority.gov.uk">Resources Archive - Water Mills and Marshes</a>  <a href="https://broads-authority.gov.uk">Broadcaster 2023 by Countrywide Publications -</a>	The Education Strategy sets out actions raise awareness of biodiversity in the community. The Broads Curriculum and Water Mills and Marshes provide educational resources. Strategic officers, Ecologists and Rangers provide advice on how to conserve and enhance biodiversity to particular interest groups including farmers, young and disadvantaged people and visitors and Broads users. Staff Development Days and weekly staff briefings provide opportunity for staff updates and for staff to do activities to enhance biodiversity. Visitor Centres, publications and social media promote biodiversity enhancement work to the public.	In 2023 adopt the revised Education Strategy.
Local Nature Recovery Strategy	The Broads Authority is a Supporting Authority for the two Responsible Authorities in the area (Norfolk County Council and Suffolk County Council)	The Broads is supporting the creation of these strategies through provision of evidence and advice. Ensure the Broads targets are ambitious and progress against these is monitored.	In 2023/24 support the Responsible Bodies in delivering the LNRS for Norfolk and Suffolk.
Protected sites and species strategies	<a href="https://broads-authority.gov.uk">The Broads Nature Recovery Prospectus (broads-authority.gov.uk)</a>	The Broads Nature Recovery Prospectus sets out what we could theoretically achieve for habitats and species.	Develop bid for external funding to deliver projects.



where they exist		Enhancement for SSSI, National Nature Reserves. Local Nature Reserve, County Wildlife Site, Section 41 priority habitat and/or species outlined in Broads Plan and Broads Biodiversity and Water Strategy.	
Office estate	<a href="#">Environment Standard Operating Procedures</a>	Our operating procedures outline the likely impacts of each activity and how we minimise them. They are designed to guide both staff and contractors as to the most sensitive working practices, methods and timings to protect the environmental and ecological qualities of the Broad. Buildings incorporate features for birds, such as swallows and other nesting birds and where these are found staff are notified of procedures to protect species. Provide recycling in all main offices to reduce water pollution and air pollution from waste transport and landfill. Collect rainwater for reuse at one facility.	In 2024 install solar at the Dockyard. In 2024 reduce the footprint of the Norwich office by half. Scope approach on how offices and buildings, including artificial lighting and water efficiency measures could be better managed for biodiversity by end of 2025.
Land owned by the Broads Authority and under management agreement, including the waterways under navigation	<a href="#">Environment Standard Operating Procedures</a>	Management Plans are in place to ensure biodiversity enhancement at all 20 owned and management agreement sites. <a href="#">Environment Standard Operating Procedures</a> are in place in all sites for contractors and staff undertaking routing operations. Protected Sites are adequately managed. Monitor fen and water plants in lakes and rivers. <a href="#">Water conservation reports (broads-authority.gov.uk)</a>	Scope approach on how biodiversity enhancements are included (also for moorings) and recorded by end of 2025.
Internal staff policies	<a href="#">Environment Standard Operating Procedures</a>	Personal Biosecurity procedure training and facilitation.	Continue to provide training on biosecurity.
Sustainable Travel	<a href="#">What we are doing in the Broads (broads-authority.gov.uk)</a>	Support sustainable travel, including education visits by rail, to reduce carbon emissions and improve air quality. Move people from private	Along with the wider National parks Family, the BA will join the Race to Zero by the end of 2023 and report on progress annually.

	<a href="#">Climate change (broads-authority.gov.uk)</a> <a href="#">Climate-Adaptation-Plan-Report.pdf (broads-authority.gov.uk)</a>	<p>cars to reduce impacts of road growth and pollution.</p> <p>Operates a fleet of electric pool vehicles and hybrid boat for staff.</p> <p>Adding electric hook up points.</p> <p>Committed to making the Broads National Park into a Zero Carbon area.</p> <p>Use biodiesel for operational machinery.</p>	
Catchment scale	<a href="#">Broadland Catchment Partnership</a>	Broadland Catchment Partnership is tackling issues around water quality, water shortage, flooding and wildlife habitat across the river catchment feeding into the Broads.	<p>In 2024 revise the Broadland Catchment Partnership Plan.</p> <p>In 2024 coordinate training on water resources for partners.</p>
Procurement Strategy	<a href="#">Updated-Procurement-Strategy-June-2020.pdf (broads-authority.gov.uk)</a> <a href="http://basps/sites/intranet/FinancePolicies/Strategies/Procurement%20Strategy%20Jul%202023.aspx">http://basps/sites/intranet/FinancePolicies/Strategies/Procurement%20Strategy%20Jul%202023.aspx</a>	Buy sustainable materials and supplies to reduce the demand on natural resources.	In 2027 review the sustainable procurement strategy.

# Broads Authority

26 January 2024

Agenda item number 13

## Corporate Health and Safety annual report

Head of Safety Management

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### Purpose

This report represents the annual safety report and incidents.

### Broads Plan context

To maintain and improve safety and security standards and user behaviour on the waterways.

### Recommended decision

To note the report.

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## 1. Introduction

- 1.1. Health and safety have always been a high priority for the Broads Authority because of the environment in which it operates. The Broads Authority Act 2009 and the Port Marine Safety Code provide a framework for the safety of visitors. In addition, the health and safety of staff and volunteers is a high priority due to the changing environment employees and volunteers work in and the risks associated with the operation of heavy plant and equipment.
- 1.2. The Authority's commitment to employee health and safety and the arrangements for management and delivery are set out in the Health and Safety Policy which is published on the Authority's intranet and communicated to all staff. Hazards are risk assessed and a series of generic risk assessments and safe systems of work have been developed to control the associated risks. Safe Systems of Work (SSOW) were first introduced in 2020 to highlight significant controls to carry out a specific task safely and are located on the safety pages on the intranet along with the generic risk assessments and codes of practice.

## 2. Training

- 2.1. The authority has continued to deliver health and safety training throughout the year using both internal and external resources.
- 2.2. The provision of health and safety training and refresher training is mandatory under specific health and safety legislation to ensure that staff are competent to operate machinery/equipment safely.

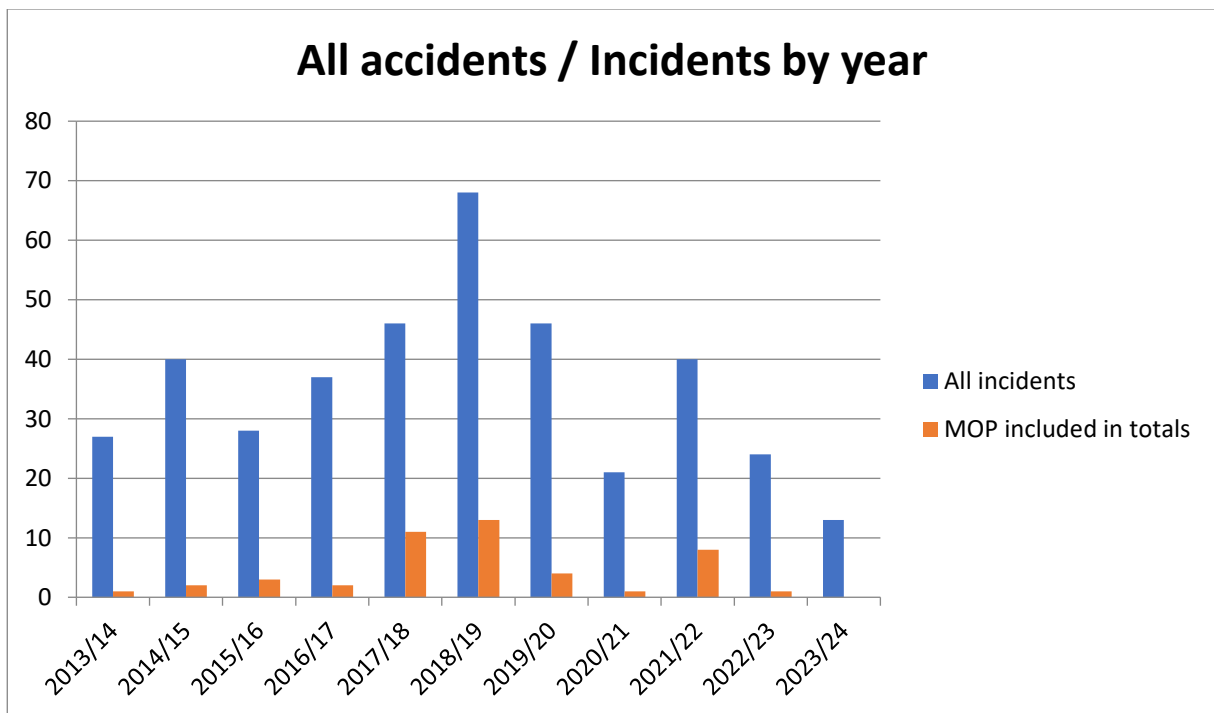
2.3. All staff are required to participate in the safety training e-learning modules on ELMS. ELMS is a web-based platform that the Authority shares with the UK National Parks for online training. The modules include the following and for those which are relevant to their role:

- Introduction to Health & Safety (Broads Authority)
- Manual Handling (Broads Authority)
- Stress Awareness
- Fire Safety
- Display Screen Equipment (DSE)
- Driving Safely
- Control of Substances Hazardous to Health (COSHH)
- Working at Height
- Asbestos Awareness

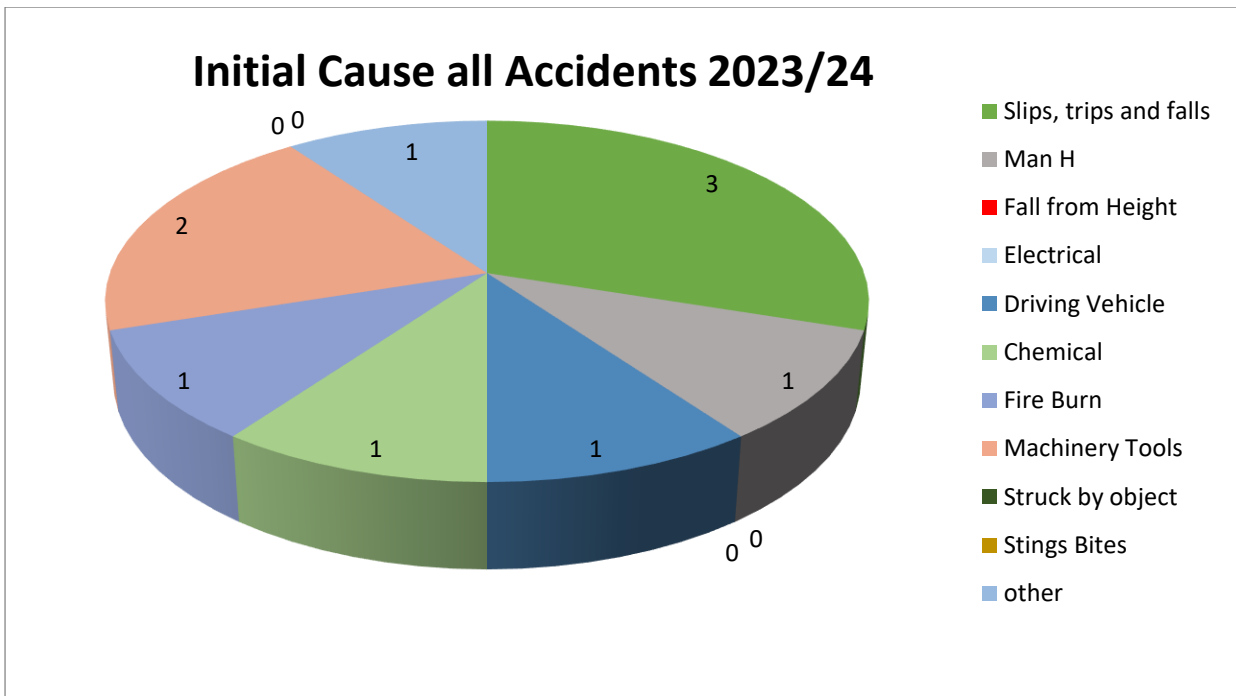
### 3. Accident and Incident Information

3.1. The Authority continues to demonstrate a good safety record of incident and accident rates. The following graph shows the number of accidents reported over the last 11 years.

3.2. The 13 reports for the year 2023/2024 so far, are considerably lower than previous years. Out of the 13 reports, eight members of staff suffered an injury, four required first-aid treatment, one report of a near miss, and four reports involved property damage.



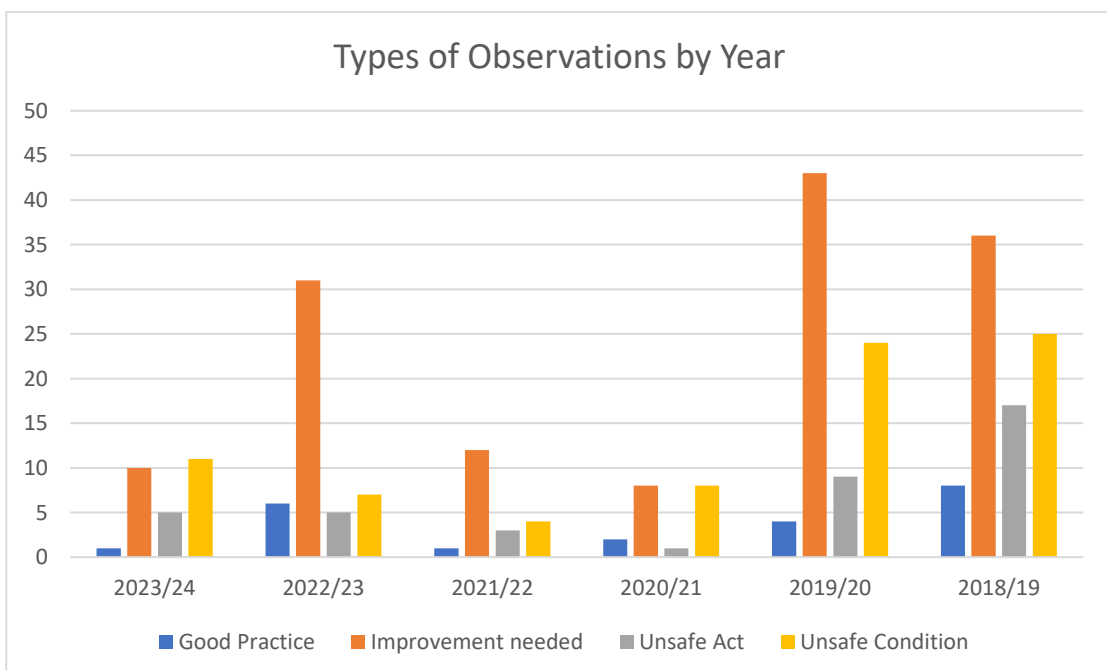
3.3. The following pie chart shows the nature of the accidents which are like previous years in terms of cause.



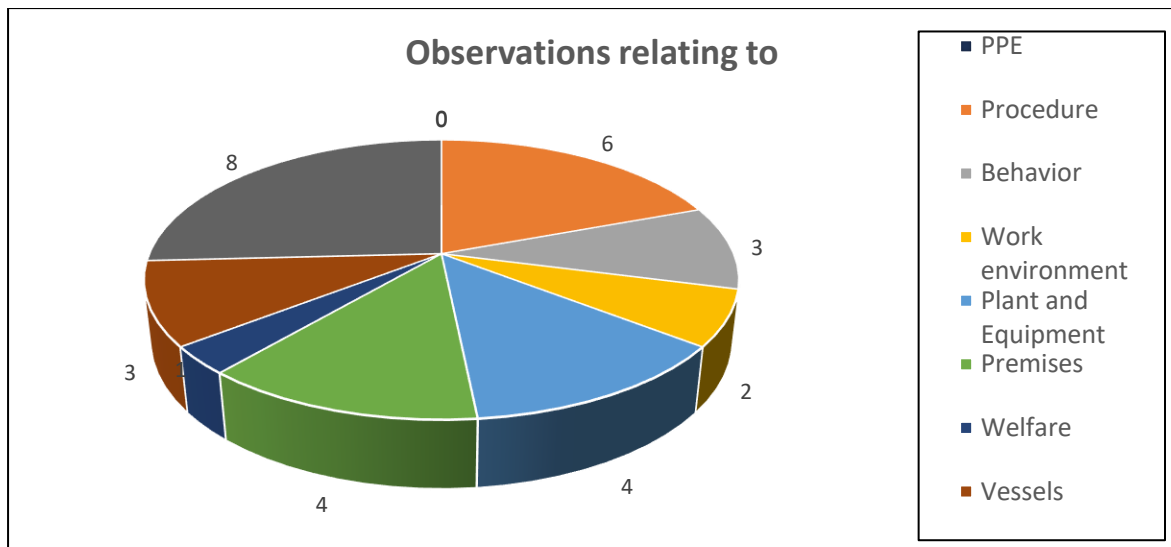
3.4. There were no injuries which were notifiable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) and no days lost through injury.

## 4. Near Miss and Safety Observations

4.1. There have been 24 safety observations (near misses) made by staff over the reporting period. Of the 24 in total, one was an example of good practice, and 23 identified needed follow-up action to prevent the situation from developing into a potential risk of an accident occurring resulting in an injury to a member of staff or damage to plant & equipment.



4.2. The graph below identifies what the safety observations relate to.



4.3. It is the intention to continue to promote the reporting of safety observations as they form the basis of near-miss reporting which in turn will help to reduce the accident figures as corrective and preventative measures are implemented.

## 5. Health & Safety Committee

5.1. During 2023/24 the Safety Committee was well attended and worked on a range of issues: notably the review of the Authority's Lone Working generic risk assessment. As a result of the review, all Operation Technicians have now been issued with smart mobile phones or had their phone upgraded to allow access to the SOS Emergency Call function.

5.2. In the forthcoming year, the Safety Committee will focus on the following areas:

- To continue to promote reporting of safety observation to help influence a positive change in culture and to capture near-miss events.
- To continue to deliver Port Marine Safety Code (PMSC) awareness training to all new starters and roll out refresher training to all staff who have a role in the implementation of the Authority's Safety Management Systems (SMS).
- To undertake a complete review of our Health and Safety Policy to ensure that it is proportionate to the risks and set a clear direction to ensure communication of health and safety duties and benefits to reflect the Authority's responsibilities under the PMSC.
- To undertake a review of our Codes of Practice (COP), particularly, the Control of Substances Hazardous to Health (COSHH) to enable a more structured document management system is introduced to ensure consistency across the Authority.

- To conduct health and safety audits to ensure the Authority is meeting their legal obligations for the health, safety and welfare of employees, volunteers, and non-employees.

## 6. Conclusion

- 6.1. The Health and Safety Executive (HSE) measures accidents and statistics across the UK's workforce and the Authority can benchmark itself against other organisations which encounter similar hazards in their operations.
- 6.2. The sector selected for comparison is 'Construction' which demonstrates a similar hazard profile to that encountered by the Authority in its operations.
- 6.3. Fatal injuries to workers in the construction sector continue to account for the greatest number of workers killed in fatal accidents each year.
- 6.4. In comparison, the Authority has a very low accident and incident rate. For this reporting period, there have not been any notifiable injuries under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) and no lost days through injury.
- 6.5. The Authority continues to demonstrate a good safety record and incident and accident rates are considerably lower than the previous year. This is a positive outcome which by promoting early intervention of safety observations and making improvements to our safety management systems has led to a reduction in incidents and accidents.

Author: Linda Ibbitson-Elks

Date of report: 21 December 2023

[Broads Plan](#) strategic objectives: C4

# Broads Authority

26 January 2024

Agenda item number 14

## Pilotage Review

Report by Head of Ranger Services

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### Purpose

The report sets out proposals as to how the Broads Authority will manage pilotage under the Port Marine Safety Code, following a review by independent Consultants Marico Marine.

### Broads Plan context

Broads Plan objective C4 includes an action to ‘manage adherence to boat safety measures including up to date Safety Management System’ which Pilotage is included within.

### Recommended decision

A General Direction be put in place, to restrict all commercial vessels over 24m from entering the Broads, subject to a risk assessment to see if such vessels could be safely accommodated without a pilot.

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## Contents

1.	Introduction	1
2.	Background	2
3.	Risk implications	2
4.	Consultants Recommendations	2
5.	Further information	3
6.	Open Port Duty	4
7.	Conclusion	4
8.	Appendix 1 - Broads Authority Pilotage Review 2023	5

## 1. Introduction

- 1.1. The Broads Authority contracted Marine and Risk Consultants Limited (Marico Marine) to review the pilotage provisions which are currently in place on the Broads, but presently inactive.



## 2. Background

- 2.1. The Broads Authority is a “Competent Harbour Authority” (CHA) as defined by the Pilotage Act 1987. This arises from The Broads Authority (Pilotage Powers) Order 1991 which remains extant. The Authority has not issued any pilotage directions, and there is currently no demand for conventional pilotage.
- 2.2. There is no expectation that large freight vessels which may require pilotage will return to the waterways in the foreseeable future.
- 2.3. It should be noted that there are three locations on the Broads where “Bridge Pilotage” is provided to leisure vessels (hire craft). However, these pilots and services are not provided by the CHA, nor are they operating under the provisions of the Pilotage Act, and these services are not considered in this review.
- 2.4. The current pilotage arrangements are not sustainable, nor do they meet the requirements as set out in the PMSC, which is why this review was undertaken. Currently this risk is being managed using Special Directions which allow the Authority to put in place conditions on individual vessels to ensure the ‘ease, convenience or safety of navigation or the safety of persons or property in the navigation area’ (Broads Authority Act 2009).
- 2.5. No ships requiring pilotage have entered the Broads within the last 8 years.

## 3. Risk implications

- 3.1. A high-level navigation risk assessment was undertaken to support this review, by formally establishing the potential risks to navigation both with and without a pilotage service in place.
- 3.2. The risk assessment has produced the following conclusions:
  - All navigation hazards identified for vessels where it has been assumed a pilot would be required but scored without pilotage as a risk control measure were assessed to be in the ALARP or LOW risk bands.
  - A qualitative assessment of the risk reducing effectiveness of pilotage has shown that pilotage reduces navigation by only 5%; and
  - Pilotage is most effective at reducing the risk of the hazard “Commercial vessel greater than 20m contacts harbour infrastructure (Quay, fixed navigation aid etc.)”

## 4. Consultants Recommendations

- 4.1. Considering the current and expected future traffic profile of the Broads Navigation Area, and the result of the navigation risk assessment, the following recommendations were made to the Authority by the consultants as set out in their report:

- Engage with Great Yarmouth Port Authority to confirm whether providing pilotage under a joint arrangement is feasible.
  - Assuming the above is not an option, undertake a full review of the Safety Management System to document formal arrangements for the discontinuation of any form of pilotage, while still maintaining the status of a Competent Harbour Authority.
  - Seek specialist marine legal advice to support the above review, including amending Vessel Dimension byelaws, or issuing a General Direction; and
  - Clarify the procedures which will be followed (based on full risk assessment) should any vessels of greater size than defined in the revised byelaws / Directions wish to enter the navigation area.
- 4.2. Alternatively, if there is no appetite for maintaining CHA status consider the formal removal of CHA powers by application to the Secretary of State.

## 5. Further information

- 5.1. In relation to the recommendations made in the report, as set out above, further investigations have been made as follows:
- Discussions with Peel Ports about sharing pilotage have been made previously, 5 years ago and more recently last year. While the Port has not declined to provide a service, at an operational level there is very little appetite to take this forward. Training of pilots and maintaining their competence in the Broads navigation area (as required under the PMSC and at a cost to the Broads Authority), when there is likely to be no, or extremely low, need for this service would not be cost-effective.
  - The issuing of a General Direction or the updating of the Vessel Dimension Byelaws, to restrict all vessels requiring a pilot from entering the Broads would allow the Authority to remove this requirement while still retaining the 'Competent Harbour Authority' status. The length of 20m was proposed in the report. This is relevant as the Pilotage Act applies to vessels 21m and over.
  - The original recommendation in the report includes the ability for the Authority to carry out a risk assessment on vessels over 20m entering the Broads to determine what safety measures would be needed to allow safe passage for these vessels on a case-by-case basis. This may include ensuring any passage would be undertaken with a suitably qualified crew, or the vessel being escorted by a patrol launch.
  - At the Navigation Committee, Members raised concerns that many vessels over 20m enter the Broads and by setting the limit at 20m this would be too restrictive. It was instead suggested to use 24m as the limit which falls in line with MGN280 which requires commercial vessels up to 24 metres load line length to comply with the Maritime and Coastguard Agency (MCA) Small Commercial Vessel and Pilot Boat Code of Practice.

- The Authority does not currently request vessels up to 24m have either a pilot or an escort when moving around the Broads (subject to restrictions set out in the Vessel Dimension Byelaws) and so the risk of increasing the length of vessels to be restricted to 24m and above is low.
- If a large vessel wished to enter the Broads and the risk assessment deemed it necessary to have a pilot on board, this proposed method would allow time to put suitable measures in place.

## 6. Open Port Duty

- 6.1. A possible objection to this recommended option is the often quoted “Open Port Duty” which applies to Harbour Authorities by virtue of the Harbours, Docks and Piers Clauses Act 1847. At the time of writing, we are seeking clarification on this clause as it is not clear if this section of the HDPC Act 1847 applies to the Broads Authority.

## 7. Conclusion

- 7.1. From the advice obtained and the consultation with the Navigation Committee (subject to clarification on the HDPC Act as above) the preferred option is to use a General Direction to limit the size of vessels entering the Broads to 24m, negating the need for a pilotage service.
- 7.2. As set out in 5.1, a risk assessment for vessels over 24m would be carried out to ensure they could be safely accommodated. This would be on a case-by-case basis, in line with current practices.
- 7.3. While the Authority has the powers within the Broads Authority Act 2009, a General Direction, has not been used before, so further advice would need to be sought if this process was deemed necessary.
- 7.4. Under the proposals set out in Section 5 above the Authority would remain a Competent Harbour Authority, and could consider the re-introduction of pilotage, should future demand and risk assessment justify the issuing of new Directions.

Author: Lucy Burchnell

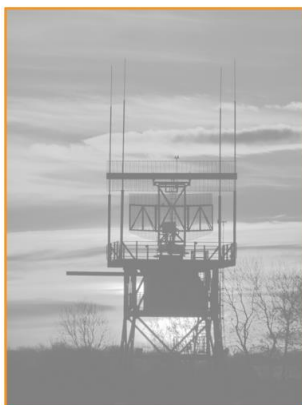
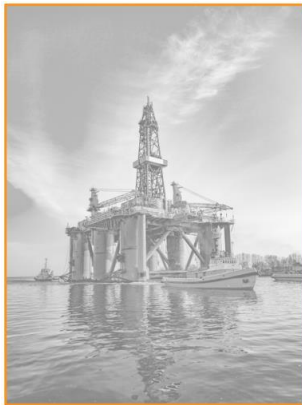
Date of report: 16 January 2024

[Broads Plan](#) strategic objectives: Strategic Objectives: C4

Appendix 1 – Broads Authority Pilotage Review 2023

**BROADS AUTHORITY**

**PILOTAGE REVIEW 2023**



**Report Number:** 23UK1953  
**Issue:** 01  
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## EXECUTIVE SUMMARY

The Broads Authority has contracted Marine and Risk Consultants Limited (Marico Marine) to review the pilotage provisions which are currently in place on the Norfolk and Suffolk Broads, but presently inactive.

This review considers pilotage provision by:

- Giving an overview of the Authority's responsibilities for navigation safety, and current levels of activity on the Broads;
- Undertaking a brief review of applicable legislation;
- Considering the historical and current requirements for the provision of a pilotage service, and possible options for the future of the service;
- Undertaking a simple navigation risk assessment to establish the effectiveness of pilotage as a risk control measure and identify additional or alternative mitigations; and finally
- Making recommendations to the Authority.

The Norfolk and Suffolk Broads are not a Statutory Harbour Authority, but the Broads Authority is designated a "Special Statutory Authority", affording the same level of protection as National Park status, but with tailor-made legislation relating to navigation. The Authority therefore balances the navigational duties and powers of a harbour authority with the conservation and recreational duties and powers of a National Park authority. These duties and powers are principally set out in the Norfolk and Suffolk Broads Act 1988.

Additionally, the Authority is a "Competent Harbour Authority" as defined the Pilotage Act 1987. This arises from The Broads Authority (Pilotage Powers) Order 1991 which remains extant.

The Authority has not issued any pilotage directions, and there is currently no demand for conventional pilotage.

There is no expectation that large freight vessels which may require pilotage will return to the waterways in the foreseeable future.

It should be noted that there are three locations on the Broads where "Bridge Pilotage" is provided to leisure vessels (hire craft). However, these pilots and services are not provided by the CHA, nor are they operating under the provisions of the Pilotage Act, and these services are not considered in this review.

It is clear that current pilotage arrangements are not fit for purpose and are due for review.

A high-level navigation risk assessment was undertaken to support this review, by formally establishing the potential risks to navigation both with and without a pilotage service in place.

The risk assessment has produced the following conclusions:

- All navigation hazards identified for vessels where it has been assumed a pilot would be required but scored *without* pilotage as a risk control measure were assessed to be in the ALARP or LOW risk bands;
- A qualitative assessment of the risk reducing effectiveness of pilotage has shown that pilotage reduces navigation by only 5%; and
- Pilotage is most effective at reducing the risk of the hazard "Commercial vessel greater than 20m contacts harbour infrastructure (Quay, fixed navigation aid etc.)"

Taking into account the current and expected future traffic profile of the Broads Navigation Area, and the result of the navigation risk assessment, the following recommendations are made to the Authority:

- Engage with Great Yarmouth Port Authority to confirm whether providing pilotage under a joint arrangement is feasible;
- Assuming the above is not an option, undertake a full review of the MSMS to document formal arrangements for the discontinuation of any form of pilotage, while still maintaining the status of a Competent Harbour Authority;
- Seek specialist marine legal advice to support the above review, including amending Vessel dimension byelaws, or issuing a General Direction; and
- Clarify the procedures which will be followed (based on full risk assessment) should any vessels of greater size than defined in the revised byelaws / Directions wish to enter the navigation area.

Alternatively, if there is no appetite for maintaining CHA status:

Give consideration to the formal removal of CHA powers by application to the Secretary of State.

## CONTENTS

Executive Summary.....	ii
Contents .....	iv
1 Introduction.....	1
1.1 Background.....	1
1.2 Guidance and Information Sources.....	2
2 Norfolk and Suffolk Broads Overview .....	3
2.1 Description.....	3
2.2 Navigation Authority .....	3
2.3 Navigation and Vessel Traffic.....	4
2.4 Competent Harbour Authority and “Bridge Pilots” .....	7
3 Legislative Review.....	8
3.1 National Legislation.....	8
3.1.1 Harbour Docks & Pier Clauses Act 1847 .....	8
3.1.2 The Pilotage Act 1987 .....	9
3.1.3 The Marine Navigation Act 2013 .....	10
3.2 Local Legislation.....	11
3.2.1 Harbour Legislation.....	11
3.2.2 Byelaws.....	11
3.2.3 Pilotage District – Pilotage Directions.....	11
3.3 Guides and Codes of Practice.....	12
3.3.1 Port Marine Safety Code.....	12
3.3.2 A Guide to Good Practice on Port Marine Operations February 2018.....	13
3.3.3 MCA Guidance on Vessel Traffic Services and Local Port Services .....	14
4 Requirements of Providing a Pilotage Service .....	15
4.1 Safety Assessment.....	15
4.2 Agents and Joint Arrangements .....	16
4.3 Pilotage Directions.....	16
4.4 Other Requirements .....	17
5 Current Status of the Pilotage Service .....	18
5.1 Challenges.....	18
5.2 Options.....	18



---

5.2.1	Maintain Current Pilotage Arrangements.....	19
5.2.2	Continue to Provide Pilotage Under New Arrangements .....	19
5.2.3	Cease Pilotage Provision .....	21
6	Risk Assessment .....	22
6.1	Risk Assesmnt Overview.....	22
6.2	Stage 1: Hazard Identification.....	23
6.2.1	Generic Risk Control Measures .....	23
6.2.2	Local Risk Control Measures.....	25
6.2.3	Hazard Definitions.....	25
6.3	Stage 2: Incident Frequency.....	26
6.4	Stage 3: Effectiveness of Pilotage as a Risk Control.....	27
6.4.1	Pilotage Effectiveness - Collision .....	27
6.4.2	Pilotage Effectiveness – Grounding .....	28
6.4.3	Pilotage Effectiveness – Contact.....	28
6.5	Stage 4: Hazard Scoring.....	29
6.5.1	Interpretation of Risk Calculation Scores.....	29
6.5.2	Risk Ranked Summary – Without Pilotage.....	30
6.5.3	Risk Reduction of Pilotage.....	31
6.6	Stage 5: Results of Risk Reduction Assessment.....	32
6.6.1	Comparison .....	32
6.6.2	Risk Assessment Conclusions .....	33
6.6.3	Risk Assessment - Recommendation .....	34
7	Revised Options.....	35
7.1	Advantages and Disadvantages of Options .....	35
7.2	Preferred Option.....	36
7.2.1	Open Port Duty .....	37
8	Recommendations .....	38

## FIGURES

Figure 1: Broads Authority Executive Area.....	4
Figure 2: General Risk Matrix.....	30

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## TABLES

Table 1: Private Boat Numbers (Source, Broads Authority) .....	5
Table 2: Hire Boat Numbers (Source, Broads Authority) .....	5
Table 3: List of Hazards Identified for Assessment.....	29
Table 4: Risk Score Descriptors .....	30
Table 5: Ranked hazard List Without Pilotage in Place (Baseline). .....	31
Table 6: Risk Reduction Effectiveness of Pilotage. ....	32
Table 7: Pilotage Options – Advantages and Disadvantages.....	35

## ANNEXES

Annex A	Risk Assessment Methodology.....	A-1
Annex B	Risk Data .....	B-1

## ABBREVIATIONS

Abbreviation	Detail
<b>AIS</b>	Automatic Identification System
<b>ALARP</b>	As Low as Reasonably Practicable
<b>CHA</b>	Competent Harbour Authority
<b>COLREGs</b>	International Regulations for Preventing Collisions at Sea
<b>FSA</b>	Formal Safety Assessment
<b>GtGP</b>	Guide to Good Practice
<b>GYPA</b>	Great Yarmouth Port Authority
<b>HMCG</b>	HM Coastguard
<b>IMO</b>	International Maritime Organisation
<b>LPS</b>	Local Port Service
<b>m</b>	Metre
<b>MAIB</b>	Marine Accident Investigation Branch
<b>Marico Marine</b>	Marine and Risk Consultants Ltd
<b>MCA</b>	Maritime and Coastguard Agency
<b>MSMS</b>	Marine Safety Management System
<b>NRA</b>	Navigation Risk Assessment
<b>PMSC</b>	Port Marine Safety Code
<b>RNLI</b>	Royal National Lifeboat Institution
<b>SHA</b>	Statutory Harbour Authority
<b>SPB</b>	Self Propelled Barge
<b>SUP</b>	Stand Up Paddleboard
<b>VTS</b>	Vessel Traffic Service

## 1 INTRODUCTION

The Broads Authority has contracted Marine and Risk Consultants Limited (Marico Marine) to review the pilotage provisions which are currently in place on the Norfolk and Suffolk Broads, but presently inactive.

This review will consider the pilotage provision as follows:

- Give an overview of the Authority's responsibilities for navigation safety, and current levels of activity on the Broads;
- Undertake a brief review of applicable legislation;
- Consider the historical and current requirements for the provision of a pilotage service, and possible options for the future of the service;
- Undertake a simple navigation risk assessment to establish the effectiveness of pilotage as a risk control measure and identify additional or alternative mitigations; and finally
- Make recommendations to the Authority.

### 1.1 BACKGROUND

The Norfolk and Suffolk Broads are not a Statutory Harbour Authority, but the Broads Authority is designated a "Special Statutory Authority", affording the same level of protection as National Park status, but with tailor-made legislation relating to navigation. The Authority therefore balances the navigational duties and powers of a harbour authority with the conservation and recreational duties and powers of a National Park authority. These duties and powers are principally set out in the Norfolk and Suffolk Broads Act 1988.

Additionally, the Authority is a "Competent Harbour Authority" as defined the Pilotage Act 1987. This arises from The Broads Authority (Pilotage Powers) Order 1991 which remains extant.

Consequently, it would be reasonable to assume that the Authority should manage navigation in compliance with the UK Port Marine Safety Code as suggested in paragraph 3 of the Executive Summary of the Code – despite not being a statutory harbour authority. However, by virtue of the Competent Harbour Authority powers, it is clear that compliance with the Code is expected and indeed the Authority has clearly and publicly committed to compliance, with a statement on the website<sup>1</sup>. As such, the Authority has undertaken a Navigational Risk Assessment and has developed a Marine Safety Management System based on the identified risks.

The Authority has not issued any pilotage directions, and there is currently no demand for conventional pilotage. There is only one "pilot" said to be able to provide pilotage, who has retired from the Authority but is retained to provide a Pilot service. One individual is said to be under training.

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<sup>1</sup> <https://www.broads-authority.gov.uk/boating/navigating-the-broads/safety/port-marine-safety-code>

However, in the absence of Directions, sufficient qualifying experience and a formal authorisation process it is considered that the Authority would be unable to demonstrate that the two individuals concerned were “Pilots” under the meaning of the Pilotage Act. It is therefore probable that the individuals providing the advice would not be protected by the Pilots indemnity described in the Act.

There is no expectation that large freight vessels which may require pilotage will return to the waterways in the foreseeable future.

It should be noted that there are three locations on the Broads where “Bridge Pilotage” is provided to leisure vessels (hire craft). However, these pilots and services are not provided by the CHA, nor are they operating under the provisions of the Pilotage act (albeit the services may be useful mitigations to reduce navigational risk).

It would be ideal if these individuals were not referred to as Pilots, but it is accepted that this is unlikely to change given the long-standing use of the terminology.

## 1.2 GUIDANCE AND INFORMATION SOURCES

The following documents and information informed this review:

- The Norfolk and Suffolk Broads Act 1988
- The Broads Authority (Pilotage Powers) Order 1991
- The Pilotage Act 1987
- The Port Marine Safety Code (November 2016)
- A Guide to Good Practice on Port Marine Operations Prepared in conjunction with the Port Marine Safety Code 2016 (February 2018)
- “Broads Passage Plan External”
- Section 7 of the Broads Authority MSMS: Pilotage
- The Authority’s website: <https://www.broads-authority.gov.uk/>
- Information provided by, and discussions with, officers of the Authority.

## 2 NORFOLK AND SUFFOLK BROADS OVERVIEW

### 2.1 DESCRIPTION

The Broads are situated in the counties of Norfolk and Suffolk on the east coast of England and are managed and protected as one of the UK's 15 National Parks. The Broads were originally dug out in medieval times to provide peat for fuel. In the 14th century, these peat diggings flooded, creating the waterways we see today.

By the 19th century, the rich boating heritage of these waterways made them an obvious destination for those who enjoyed the increasingly popular pastime of pleasure boating. Today, the Broads is Britain's third largest inland navigation area and attracts around eight million visitors every year.

The following summary of management arrangements is taken from the MSMS:

- *The Broads is Britain's largest nationally protected wetlands, comprising rivers, broads, marshes, fens and carr woodland. There are over 200km of navigable waterways and over 25% of the area has a European designation, Special Area of Conservation or Special Protection Area, incorporating many National and Local Nature Reserves and Sites of Special Scientific Interest. The Broads is listed under the Ramsar Convention on Wetlands of International Importance, and are home to a diverse variety of rare birds, animals and plants.*
- *The Broads Authority ("The Authority") was established as a non-statutory body in 1978 following a report by the Nature Conservancy Council regarding degradation of the Broads.*
- *The Broads Authority was formalised as a statutory authority by the Norfolk and Suffolk Broads Act 1988 (Reference 1), ("The Broads Act"), and began operating as such in 1989, for the purpose of conserving and enhancing the natural beauty of the Broads, promoting the enjoyment of the Broads by the public, and protecting the interests of navigation.*
- *The Authority is designated a "Special Statutory Authority", affording the same level of protection as National Park status, but with tailor-made legislation relating to navigation. The Authority therefore balances the duties and powers of a harbour authority with those of a National Park authority.*

### 2.2 NAVIGATION AUTHORITY

The extent of the Broads Authority executive area is shown in **Figure 1**.

The Navigation area is defined in the Norfolk and Suffolk Broads Act 1988 as subsequently amended, and in summary includes:

- a. those stretches of the rivers Bure, Yare and Waveney, and their tributaries, branches and embayments (including Oulton Broad) which, at the passing of this Act, were in use for navigation by virtue of any public right of navigation;
- b. the banks of the waterways which make up those stretches; and
- c. Haddiscoe New Cut and its banks;
- d. Breydon Water and the Lower Bure;

- e. Mutford Lock and the adjoining land as defined in article 2 of the Broads Authority (Transfer of Mutford Lock) Harbour Revision Order 2021.

Figure 1: Broads Authority Executive Area



### 2.3 NAVIGATION AND VESSEL TRAFFIC

The Broads are exceptionally busy with vessel traffic, but this is predominantly leisure craft of all kinds (powered and unpowered), and including kayaks, SUPs, sailing and rowing dinghies, private yachts and motor vessels (Table 1). In addition, there are very significant numbers of hired craft using the waterway, including



small motorised day boats, motor cruisers and sailing yachts, many of which are under the command of, and crewed by, inexperienced and unqualified visitors (Table 2).

**Table 1: Private Boat Numbers (Source, Broads Authority)**

Class of Private Boats	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Change	% Change
Motor Cruisers	4,967	5,059	5,091	5,086	5,110	5,079	5,083	5,004	5,237	5,142	-95	-1.81%
Auxiliary Yachts	1,166	1,168	1,152	1,127	1,132	1,093	1,107	965	1,048	1,024	-24	-2.29%
Day Launches	521	514	504	495	556	574	558	562	582	600	18	3.09%
Outboard Dinghies	1,043	1,062	1,016	962	1,064	1,060	1,058	1,051	1,140	1,185	45	3.95%
Workboats	188	180	172	156	158	156	153	144	142	166	24	16.9%
Passenger Vessel SPB	0	0	0	0	22	21	23	13	19	20	1	5.26%
<b>Total Motor Boats</b>	<b>7,885</b>	<b>7,983</b>	<b>7,935</b>	<b>7,826</b>	<b>8,042</b>	<b>7,983</b>	<b>7,982</b>	<b>7,739</b>	<b>8,168</b>	<b>8,137</b>	<b>-31</b>	<b>-0.38%</b>
Sailing Craft	1,214	1,230	1,191	1,107	1,076	1,081	1,023	844	920	861	-59	-6.41%
Rowing Craft	1,636	1,578	1,532	1,513	1,483	1,513	1,545	1,800	2,039	2,054	15	0.74%
Houseboats	33	27	33	45	45	49	52	49	52	67	15	28.85%
<b>Total Unpowered Boats</b>	<b>2,883</b>	<b>2,835</b>	<b>2,756</b>	<b>2,665</b>	<b>2,604</b>	<b>2,643</b>	<b>2,620</b>	<b>2,693</b>	<b>3,011</b>	<b>2,982</b>	<b>-29</b>	<b>-0.96%</b>
<b>Total</b>	<b>10,768</b>	<b>10,818</b>	<b>10,691</b>	<b>10,491</b>	<b>10,646</b>	<b>10,626</b>	<b>10,602</b>	<b>10,432</b>	<b>11,179</b>	<b>11,119</b>	<b>-60</b>	<b>-0.54%</b>

**Table 2: Hire Boat Numbers (Source, Broads Authority)**

Class of Hire Boats	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Change	% Change
Motor Cruisers	869	842	821	789	802	806	801	734	729	673	-56	-7.68%
Auxiliary Yachts	46	47	43	44	45	46	44	39	45	45	-	0.00%
<b>Total All cabin hire boats</b>	<b>915</b>	<b>889</b>	<b>864</b>	<b>833</b>	<b>847</b>	<b>852</b>	<b>845</b>	<b>773</b>	<b>774</b>	<b>718</b>	<b>-56</b>	<b>-7.24%</b>
Day launches	289	299	290	295	290	301	297	261	326	363	37	11.35%
Outboard Dinghies	7	8	10	11	9	9	8	4	4	4	-	0.00%
Passenger Vessels MCA	11	10	10	6	6	6	6	5	6	6	-	0.00%
Passenger Vessels SPB	0	0	0	0	6	7	7	4	8	8	-	0.00%
<b>Total Motor Boats</b>	<b>1,222</b>	<b>1,206</b>	<b>1,174</b>	<b>1,145</b>	<b>1,158</b>	<b>1,175</b>	<b>1,163</b>	<b>1,047</b>	<b>1,118</b>	<b>1,099</b>	<b>-19</b>	<b>-1.70%</b>
Sailing Craft	109	110	108	102	101	95	87	74	88	73	-15	-17.05%
Rowing Craft	188	175	184	192	191	194	193	182	227	230	3	1.32%
Houseboats	16	16	16	16	28	26	26	27	27	28	1	3.70%
<b>Total</b>	<b>1,535</b>	<b>1,507</b>	<b>1,482</b>	<b>1,455</b>	<b>1,478</b>	<b>1,490</b>	<b>1,469</b>	<b>1,330</b>	<b>1,460</b>	<b>1,430</b>	<b>-30</b>	<b>-2.05%</b>



Overall traffic levels are assessed every four years through census<sup>2</sup> carried out over a three-day period in August. The 2018 census counted over 9,000 vessel movements on the northern rivers (where commercial activity would most likely occur) in the census period, confirming the very busy nature of the waterway.

Present day commercial traffic includes a small number of large vessels serving the leisure industry (excursions, traditional Wherrys) and commercial workboats engaged in waterway maintenance (dredgers, reed cutters, small tugs and barges etc). All of the above are generally restricted to the inland waterway.

The owners and operators of hire craft are subject to clear licencing procedures (<https://www.broads-authority.gov.uk/boating/owning-a-boat/hire-boat-licensing>), and these same procedures set the qualification standards for the “skippers” of passenger vessels (Less than 12 passengers must be qualified in accordance with The Merchant Shipping (Inland Waterway and Limited Coastal Operations) (Boatmasters’ Qualifications and Hours of Work) Regulations 2012; and vessels with 12 or more passengers are covered by MCA regulations MSN 1823 (M) Safety code for passenger ships - GOV.UK ([www.gov.uk](http://www.gov.uk)). None of these categories of vessel would be intended to be subject to pilotage.

While some leisure craft enter from seaward (and indeed are encouraged to do so: see <https://www.broads-authority.gov.uk/boating/owning-a-boat/bringing-your-boat-from-overseas> ), it is understood that traditional freight carrying commercial traffic ceased approximately 15 years ago.

There are two points of access to the inland waterway system from the sea: Mutford Lock (Lowestoft) which is only suitable for recreational craft, or via Great Yarmouth which gives access to both the Northern and Southern Broads and is suited to larger craft.

Historically most commercial traffic would have been bound for Norwich on the River Wensum / Yare or Cantley Sugar Beet Refinery also on the River Yare. In practice, the vast majority of the Broads are not navigable by commercial freight vessels.

It is understood that none of the former commercial quays are either active, or suitable for accepting commercial vessels at the current time.

It is conceivable, however, that large vessels may seek to navigate on the waterway in the future, for example in connection with projects or new developments, however the MSMS states that *“In practice, such vessels are not usually piloted, but escorted by Broads Authority launches. These launches operate to their own published procedures”*.

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<sup>2</sup> [Boat Census 2018 Report nc170119 \(broads-authority.gov.uk\)](https://www.broads-authority.gov.uk/boating/owning-a-boat/bringing-your-boat-from-overseas)

## 2.4 COMPETENT HARBOUR AUTHORITY AND “BRIDGE PILOTS”

As noted in **section 1.1** above, the Authority is a Competent Harbour Authority by virtue of the Broads Authority (Pilotage Powers) Order 1991. However, in the absence of published pilotage directions it is not clear which vessels pilotage applies to, nor in which area pilotage is provided / required.

Historically however, pilotage was “strongly recommended” for (or provided to) seagoing commercial vessels bound for any berth within the navigation area (usually Norwich or Cantley). As such vessels approached through the Great Yarmouth CHA area, the limits of the Broads are assumed to be the boundary with Great Yarmouth harbour area.

As also noted in **section 1.1** the term pilotage is widely used on the waterway to describe a service provided to hire boats navigating through two bridges over the inland waterways (at Potter Heigham and Wroxham).

The MSMS states in respect of these bridges:

*“The Broads Authority believes that pilotage is not necessary for experienced helmsmen to safely navigate these bridges. However, it is accepted that the majority of hire vessels are helmed by novices. As such, the hire boat operators have provided pilotage services to protect their own assets and to assist their customers. The Broads Authority does not authorise or regulate these pilots”.*

These services are not therefore pilotage under the meaning of the Pilotage Act, and while they do provide an effective risk mitigation for specific hazards, they will not be considered further in this review.

### 3 LEGISLATIVE REVIEW

This section details relevant national and local legislation relevant to this review as listed below:

#### 3.1 NATIONAL LEGISLATION

There is a wide variety of legislation relevant to harbour operations, which is listed elsewhere (see the Port Marine Safety Code and associated Guide to Good Practice, for example) (**Sections 3.3.1 and 3.3.2** refer). The legislation briefly described below is most relevant to the provision of a Pilotage service by a Competent Harbour Authority.

##### 3.1.1 Harbour Docks & Pier Clauses Act 1847

Relevant sections of the Harbour Docks & Pier Clauses Act are detailed below:

###### 3.1.1.1 Section 52 (extract)

*“The Harbour Master may give Directions for all or any of the following purposes:*

*For regulating the time at which and the manner in which any vessel shall enter into, go out of, or lie in or at the harbour, dock or pier, and within the prescribed limits, if any, and its position, mooring or unmooring, placing and removing, whilst therein;*

*For regulating the position in which any vessel shall take in or discharge its cargo or any part thereof, or shall take in or land its passengers, or shall take in or deliver Ballast within or on the harbour dock or pier;*

*For regulating the manner in which any vessel entering the harbour or dock or coming to the Pier shall be dismantled as well for the safety of such vessel as for preventing Injury to other vessels and to harbour, dock, or pier, and the moorings thereof;*

*For removing unseaworthy vessels and other obstructions from the harbour, dock, or pier, and keeping the same clear; and*

*For regulating the quantity of ballast, or dead weight in the hold which each vessel in or at the harbour, dock, or pier shall have during the delivery of her cargo or having discharged the same.”*

As the Broads Authority is not a Statutory Harbour Authority, a Harbour Master has not been appointed, but the Broads Act 1988 does make provision for the appointment of a “Navigation Officer” (and deputy). Section 19 of Schedule 5 of that Broads Act states in respect of “Seagoing Freight Traffic”:

*(1) The navigation officer shall exercise his powers under this Part of this Schedule with the object of securing, so far as is reasonably practicable and consistent with the maintenance of safety, that any seagoing freight vessel which is in, entering or leaving the Norwich navigation has a safe passage and is given priority over other traffic.*

*(2) The navigation officer shall, in controlling the movement of any vessel, comply with any directions given (with the object mentioned in sub-paragraph (1) above) by the harbour master of Great Yarmouth unless he considers, in a particular case, that it is inadvisable on grounds of safety to do so.*

In practice, Schedule 5 of the Broads Act 1988 gives the Authority many of the same powers as a Statutory Harbour Authority.

### 3.1.2 The Pilotage Act 1987

The Pilotage Act 1987 is an Act of Parliament that governs the operation of marine pilotage. The Act requires the CHA to keep under consideration what pilotage services are needed to secure the safety of ships and gives them powers to:

- Make pilotage compulsory within their pilotage district and levy charges for the use of a pilot;
- Grant PECs, to any bona fide deck officer of a ship, including its master or first mate, who may hold one provided the relevant competent harbour authority is satisfied that that person has the skill, experience and local knowledge, and sufficient knowledge of English for safety purposes, to be capable of piloting one or more specified ships within its harbour; and
- Authorise pilots within their district.

The CHA has a duty to keep under regular review the need for and implementation of Pilotage in the area for which it has responsibility. It has to set the level of Pilotage required, develop and promulgate Pilotage Directions, and satisfy itself that prospective Pilots for authorisation meet the required standards that it has determined, in respect of age, physical fitness, time of service, local knowledge, skill, and character.

With relevance to this study, Section 2(1) and 2(2) of the Act requires the CHA to keep under consideration whether:

- Any and, if so, what pilotage services need to be provided to secure the safety of ships navigating in or in the approaches to its harbour; and
- In the interests of safety, pilotage should be compulsory for ships navigating in any part of that harbour or its approaches. If so, for which ships under which circumstances and what pilotage services need to be provided for those ships. N.B. The Act states (Section 7 (3) that: *"A pilotage direction shall not apply to ships of less than 20 metres in length or to fishing boats of which the registered length is less than 47.5 metres"*.

#### 3.1.2.1 Review of Pilotage Act 1987

In 1997 following the [Sea Empress](#) disaster in 1996, the [Department for Environment, Transport and the Regions](#) undertook a review of the Act which concluded that *"Pilotage should rightly remain the responsibility of the CHAs and become integrated with other port marine activity under the management and responsibility of one Statutory Authority"*. The principal recommendation of the Review was for the establishment of the [Port Marine Safety Code](#) (see **Section 3.3.1**).

### 3.1.3 The Marine Navigation Act 2013

The Marine Navigation Act 2013 amends legislation relating to pilotage, harbour authorities, the general lighthouse authorities and the manning of ships. With regards to pilotage the Act has addressed the problems as outlined below:

#### 3.1.3.1 Clause 1: Power to remove harbour authorities' pilotage functions

Clause 1 amends the Pilotage Act 1987 to provide the appropriate national authority with power to specify by order that a harbour authority in England, Wales or Scotland is not a CHA within the meaning of that Act. Making such an order in respect of a CHA will mean it is no longer required to carry out certain duties set out in the Pilotage Act. The relevant duties include keeping under review whether any, and, if so, what pilotage services need to be provided for the safety of ships in its harbour or its approaches and whether pilotage should be compulsory. The appropriate national authority in this context is the Secretary of State as regards harbours in England and Wales and the Scottish Ministers as regards harbours in Scotland. In England and Wales, the order making power is subject to the applicable negative resolution scrutiny procedure.

#### 3.1.3.2 Clause 2: Pilotage Exemption Certificates: grant

Clause 2 amends the Pilotage Act 1987 to remove the restriction whereby only the master or first mate of a ship may hold a pilotage exemption certificate. Any bona fide deck officer of a ship, including its master or first mate, may hold one provided the relevant CHA is satisfied that that person has the skill, experience and local knowledge, and sufficient knowledge of English for safety purposes, to be capable of piloting one or more specified ships within its harbour.

#### 3.1.3.3 Clause 3: Pilotage Exemption Certificates: suspension and revocation

Clause 3 extends the circumstances in which a CHA can, by written notice, suspend or revoke a PEC. The authority may do this if:

- An event occurs that gives it reason to believe that the holder of the certificate no longer meets the requirements for holding a certificate;
- It thinks that the holder of the certificate has provided false information; and
- It thinks that the holder of the certificate has been guilty of professional misconduct while piloting the ship; or the certificate has been misused in circumstances where an act of pilotage is undertaken by an unauthorised person.

### 3.1.3.4 Clause 4: Pilotage notification

Clause 4 amends the Pilotage Act 1987 by substituting a new section 15(3) which makes it an offence by the master of a ship not to give a pilotage notification before the ship is navigated in an area for which a pilotage direction is in force. That notification must either request an authorised pilot or notify the authority that the ship will be piloted by a specified person in accordance with a pilotage exemption certificate.

## 3.2 LOCAL LEGISLATION

### 3.2.1 Harbour Legislation

The overarching legislation is the Norfolk and Suffolk Broads Act 1988, as amended. While this act covers all aspects of the Authority's constitution, duties and powers; specific reference is made to Navigation specifically:

- Part II – Navigation (includes: the navigation area, defines the navigation committee, describes functions of the Authority in relation to the navigation area);
- Part III – Finance refers to navigation charges;
- Schedule 4 - gives detail of the navigation committee; and
- Schedule 5 – gives detail on powers and duties in the navigation area.

### 3.2.2 Byelaws

Schedule 5, Part I, Byelaws, Paragraph 4 gives the Authority power to make byelaws for the purposes of ensuring safe navigation.

Four such byelaws have been made and are published on the website: <https://www.broads-authority.gov.uk/boating/navigating-the-broads/byelaws-and-speed-limits>

- Navigation Byelaws 1995
- Speed Limit Byelaws 1992
- Vessel Dimension Byelaws 1995
- Vessel Registration Byelaws 1997

None of the above byelaws refer to pilotage.

### 3.2.3 Pilotage District – Pilotage Directions

While the pilotage Act 1987 gives a Competent Harbour Authority powers to make directions, there is no compulsion on the CHA to do so. However, there seems little advantage in obtaining the legal powers to provide pilotage and make directions if there is no intention of the making use of those powers. Nevertheless, there is no evidence that the Broads Authority has ever made pilotage directions, and any pilotage that did

historically take place was not subject to formal direction. In effect the authority gained the necessary powers but has not formally made use of them. Following this review, it would be relatively easy to formally introduce directions, following appropriate consultation, as the legal framework is in place.

### 3.3 GUIDES AND CODES OF PRACTICE

There are two principal documents guiding the UK ports industry's compliance with legislation and good practice, as well as additional guidance published by the MCA.

#### 3.3.1 Port Marine Safety Code

The Port Marine Safety Code (the Code) applies to all harbour authorities in the UK that have statutory powers and duties. The Code is primarily intended for "the duty holder" who is directly accountable for the safety of marine operations in their waters and approaches.

The current version of the PMSC is dated November 2016.

The Code establishes a national standard for every aspect of port marine safety and aims to enhance safety for those who use or work in ports, their ships, passengers and the environment.

It was developed following the grounding of the *MV Sea Empress* and a review of the arrangements for harbour pilotage under the Pilotage Act 1987 (see **Section 3.1.2**).

The Code applies the well-established principles of risk assessment and safety management systems to port marine operations. Ports and harbours (and other organisations with responsibilities for navigation) are required to produce a Safety Management System (SMS) based on the ALARP ("as low as reasonably practicable") principle - that is managing marine operations in harbours to reduce risk "as low as reasonably practicable".

The Code embraces some fundamental principles.

- The promotion of nationally agreed standards;
- Recognising that best practice is built on experience and is therefore evolutionary; and
- Focus upon those risks affecting the safety of life, property and the environment.

##### 3.3.1.1 The Port Marine Safety Code and Pilotage

With regards to pilotage the Code states the following:

###### ***Pilotage and Pilotage Directions***

*4.11 Under the Pilotage Act 1987, a Competent Harbour Authority ("CHA") has a duty to assess what, if any, pilotage services are required to secure the safety of ships, and to provide such services as it has deemed necessary<sup>31</sup>. CHAs should determine these matters through risk assessment.*

4.12 CHAs must issue pilotage directions if they decide, based on their assessment of the risks, that pilotage should be made compulsory. The pilotage directions must specify to which ships they apply and the area and circumstances in which they apply.

#### **Authorisation of Pilots**

4.13 A CHA may authorise suitably qualified pilots in its area. Authorisations may relate to ships of a particular description and to particular parts of the harbour. The CHA determines the qualifications for authorisation in respect of medical fitness standards, time of service, local knowledge, skill, character and otherwise. Qualifications of EEA State nationals must be recognised. The CHA may also – after giving notice and allowing a reasonable opportunity to make representations – suspend or revoke an authorisation in certain circumstances.

4.14 CHAs are encouraged to implement the international recommendations on the training and certification and operational procedures for pilots contained within International Maritime Organisation resolution A960.

#### **Pilotage Exemption Certificates.**

4.15 CHAs must grant a 'Pilotage Exemption Certificate' ("PEC") to a ship's deck officer (including the Master who applies for one if they demonstrate they have sufficient skill, experience and local knowledge to pilot the ship within the compulsory pilotage area.

The requirements for granting a PEC must not exceed or be more onerous than those needed for an authorised pilot.

4.16 A CHA may suspend or revoke a PEC if it ceases to be satisfied that the holder possesses the required skill, experience and local knowledge, or in cases of professional misconduct or the provision of false information.

### **3.3.2 A Guide to Good Practice on Port Marine Operations February 2018**

This document is a supplement to the Code. It contains more detailed guidance on issues relevant to harbour authorities including pilotage. It is designed to provide general guidance and examples of how a harbour authority can meet its commitments in terms of compliance with the Code. The guidance applies to all harbour authorities in the UK that have statutory powers and duties.

Section 9 of the guide gives detailed guidance on the interpretation of the Code with respect to pilotage according to the following general principles:

- A. *Harbour authorities are accountable for the duty to provide a pilotage service; and for keeping the need for pilotage and the service provided under constant and formal review.*
- B. *Harbour authorities should therefore exercise control over the provision of the service, including the use of pilotage directions, and the recruitment, authorisation, examination, employment status, and training of pilots.*
- C. *Pilotage should be fully integrated with other port safety services under harbour authority control.*



- D. Authorised pilots are accountable to their authorising authority for the use they make of their authorisations: harbour authorities should have contracts with authorised pilots, regulating the conditions under which they work – including procedures for resolving disputes.*

### 3.3.3 MCA Guidance on Vessel Traffic Services and Local Port Services

Vessel Traffic Service (VTS) is a service implemented by a Harbour Authority, designed to improve the safety and efficiency of vessel traffic and to protect the environment. The service should have the capability to interact with the traffic and to respond to traffic situations developing in the VTS area.

MGN 401 (M+F) Amendment 3 Navigation: Vessel Traffic Services (VTS) and Local Port Services (LPS) in the UK, published by the MCA on 22 March 2022 gives full guidance to assist Statutory Harbour Authorities in considering the implementation of a VTS or LPS and in reviewing an existing VTS.

Not all harbours require a full VTS service, and Harbour Authorities should determine through a process of risk assessment what level (if any) of traffic management service should be provided within their geographic area of responsibility.

The Broads Authority does not operate any form of active traffic monitoring or control, but does provide advice and assistance through “Broads Control”, mobile rangers and information points and yacht stations (see **Figure 1** for locations).

There is therefore no direct interaction in real time between the navigation authority and pilotage that may take place, with the exception that any large vessels would routinely be provided with an escort by a ranger patrol launch, which could intervene upon the request of a pilot (e.g. in a developing close quarters situation).

## 4 REQUIREMENTS OF PROVIDING A PILOTAGE SERVICE

The Competent Harbour Authority (CHA) should provide the pilotage services it considers to be needed. This duty is not discharged simply by authorising one or more pilots: it includes the management of the service, ensuring that the person assigned as pilot to every vessel taking one is fit and appropriately qualified for that task.

The 1987 Pilotage Act requires that the pilotage service provided by any CHA should be based upon a continuing process of risk assessment. Operating a pilotage service will involve consideration of the following factors:

- Safety assessment;
- Agents and joint arrangements;
- Pilotage directions;
- Boarding and landing arrangements;
- Consultation;
- Pilotage regulations;
- Authorisation of pilots;
- Contracts with authorised pilots;
- Training;
- Rostering pilots; and
- Incident and disciplinary procedures.

### 4.1 SAFETY ASSESSMENT

Section 2(1) and 2(2) of the Pilotage Act requires CHAs to keep under consideration whether:

- Any and, if so, what pilotage services need to be provided to secure the safety of ships navigating in or in the approaches to its harbour; and
- In the interests of safety, pilotage should be compulsory for ships navigating in any part of that harbour or its approaches. If so, for which ships under which circumstances and what pilotage services need to be provided for those ships.

The hazards involved in the carriage of dangerous goods, pollutants or harmful substances by ship have to be particularly considered and are best addressed as part of an authority's overall risk assessment and safety management system.

An authority with the powers to provide an effective and efficient pilotage service must be satisfied that it can do so competently. This means, firstly, that the authority has the competence to assess and oversee authorised pilots, and those who may apply for pilotage exemption certificates; and secondly, that they will have sufficient pilotage work to maintain their skills adequately.

An authority which identifies the need to provide a pilotage service, incurs an obligation to find and maintain the resources and expertise.

The Authority has considered pilotage in its formal safety assessment, and by virtue of commissioning this report, is keeping those arrangements under review.

## 4.2 AGENTS AND JOINT ARRANGEMENTS

The Pilotage Act provides for a CHA to use an agent for pilotage services, and for formal joint arrangements between CHAs for the discharge of pilotage functions.

There are important limitations to the power to make such arrangements, and key functions must be retained by each CHA. It is especially important to have a robust agreement about the resourcing of any operations conducted jointly or through another undertaking.

Any delegation or joint arrangement should be subject to a formal contract with any other body used in this way (including another harbour authority) which fully recognises statutory obligations which cannot be delegated or shared. The contract should set out the decisions which the delegated or joint body may make, and any conditions to which this is to be made subject. There should be provision in such a contract to terminate the arrangement at any time in order to enable an authority to carry out delegated or joint functions itself, or to make some other permissible arrangement instead.

The Authority does not currently have joint arrangements.

## 4.3 PILOTAGE DIRECTIONS

Pilotage directions should specify how and to which vessels they apply, and in what circumstances. It may be that pilotage is appropriate for a class of vessels in some circumstances and not others.

There is no provision for pilotage directions, once given, to be waived or not applied - other than by the making of new directions by the authority, or by formally removing the harbour authorities' pilotage functions (see **section 3.1.3.1**).

The Authority has not issued Directions.

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#### 4.4 OTHER REQUIREMENTS

Of the remaining requirements listed above (Boarding and landing arrangements; Consultation; Pilotage regulations; Authorisation of pilots; Contracts with authorised pilots; Training; Rostering pilots; and Incident and Disciplinary Procedures), it is observed that the MSMS provides extremely limited detail, and it is not clear whether all of the requirements have been met.

## 5 CURRENT STATUS OF THE PILOTAGE SERVICE

### 5.1 CHALLENGES

As described in the introduction (**Section 1**) to this report, the Broads Authority is a CHA.

However, this status is providing several operational challenges to the Authority:

- In the absence of formal directions it is unclear as to which vessels or classes of vessels pilotage is intended to be applied to, nor is it clear to what standards, or how, pilots should be trained and authorised;
- Commercial traffic levels have fallen to such an extent that the requirement for vessels to take pilots has become extremely infrequent;
- It is not considered economically feasible to employ even one full time pilot, so the Authority is reliant on part time personnel who may require considerable notice periods to ensure availability (and who may not in fact be authorised Pilots under the Pilotage Act);
- It is not considered economically feasible to maintain required infrastructure such as a coded pilot vessel, although the nature of the pilotage district means this is not a significant consideration;
- The numbers of vessels requiring pilots has fallen to such an extent, that it is very difficult for existing personnel providing advice to maintain the required levels of competency through undertaking a minimum required number of voyages each year. (Although in the absence of Pilotage Directions these fundamental requirements are unclear);
- The Authority no longer employs any officers suitably qualified to train or assess new pilots or PEC applicants. It is considered that the current “pilot” would be unable to fulfil this function (noting age profile and local experience limitations), and it will therefore be difficult to authorise further Pilots in the future;
- Potentially, the level of pilotage actually undertaken cannot generate sufficient revenue to cover the ongoing costs incurred – but under the pilotage Act, cost is not a valid reason for not providing a service that has been assessed as necessary; and
- The Authority cannot demonstrate that it is currently meeting all of the requirements for providing a pilotage service as described in **Section 4** above.

### 5.2 OPTIONS

The high-level options open to the Authority are:

- 1) No change to current arrangements;
- 2) Continue to provide pilotage, but update arrangements to address the challenges listed above (section 5.1); or
- 3) Cease pilotage provision.

These options are discussed below.

### 5.2.1 Maintain Current Pilotage Arrangements

Maintaining current arrangements for pilotage is not considered a viable option for the reasons set out in **section 5.1** above and is not considered further.

### 5.2.2 Continue to Provide Pilotage Under New Arrangements

If Pilotage is to be continued, a fundamental review of how the service will be provided and maintained will be required. As a first stage a pilotage risk assessment must be undertaken (or reviewed if an existing one can be located) to establish whether pilotage is still an effective risk control for the harbour.

If Pilotage is to continue to be provided, the possible options (excluding maintaining current arrangements) are:

- Drafting Pilotage Directions to make the requirements for pilotage and authorisation clear (unlikely to solve fundamental issue, and not recommended without additional mitigations);
- Provide the service jointly with another authority, both for economy, and to provide greater opportunities for Pilot training and authorisation; or
- Introduce new procedures to address the challenges identified, while maintaining the future option to provide a pilotage service.

#### 5.2.2.1 Issue Pilotage Directions

As noted above, issuing Pilotage Directions would be a relatively easy process given that the legislation is in place, and the Authority already has the necessary powers to do so. However, the Directions would need to be developed based on a contemporary risk assessment, to establish the current need for the service. The Directions would need to give due regard to the training and authorisation of suitable pilots, and the practicalities of actually delivering the service.

In practice, simply issuing Directions may only have the effect of formalising current arrangements as discussed in **section 5.2.1** above and would not address the fundamental issues identified in **section 5.1**.

Therefore, simply issuing Directions is not recommended, without additional actions being identified and put in place.

#### 5.2.2.2 Joint Arrangements

The Pilotage Act provides for a CHA to use an agent for pilotage services, and for formal joint arrangements between CHAs for the discharge of pilotage functions (see **section 4.2**).

There are important limitations to the power to make such arrangements, and key functions must be retained by each CHA. It is especially important to have a robust agreement about the resourcing of any operations conducted jointly or through another undertaking.

Any delegation or joint arrangement should be subject to a formal contract with any other body used in this way (including another harbour authority) which fully recognises statutory obligations which cannot be delegated or shared. The contract should set out the decisions which the delegated or joint body may make, and any conditions to which this is to be made subject. There should be provision in such a contract to terminate the arrangement at any time in order to enable an authority to carry out delegated or joint functions itself, or to make some other permissible arrangement instead.

The only feasible local CHA with which such joint arrangements could be made is Great Yarmouth Port Authority. It is understood that approaches have been made to GYPA in the past, but informal discussions have not progressed.

Advantages of a joint arrangement may include:

- Financial economies;
- Coordinated provision of pilotage across neighbouring / overlapping pilotage districts (simplification for mariners);
- Opportunities for Pilots to gain more experience in arranging of vessels in different areas; and
- Greater resilience of the service for both parties, better pilot availability at short notice.

Disadvantages may include:

- Commercial conflicts between the two participating authorities (attracting vessels to each other's facilities);
- Unequal contributions / advantages gained from the arrangement;
- Contractual complexities of coming to an arrangement; and
- The practicalities of providing the service may be just as challenging for GYPA as they are for the Broads Authority.

### **5.2.2.3 Introduce New Procedures**

Consideration may be given to managing the current situation more formally, while still maintaining the ability to provide pilotage in the future, should circumstances change. For example, subject to the requirements of Open Port Duty, it may be possible to disallow vessels over a certain size on the basis that no suitable facilities exist for them. This could be formalised through new or amended byelaws (such as the Vessel Dimension Byelaws 1995), although simply stating that vessels over a certain size cannot be accepted without additional consideration, may be sufficient.

### 5.2.3 Cease Pilotage Provision

The final option is to cease pilotage provision completely. This is not an option to be considered lightly and can only be pursued following risk assessment.

Should risk assessment show that pilotage is no longer a significant risk reduction factor, the Authority would then need to instigate the legal procedures necessary to remove the harbour authorities' pilotage functions. This option became realistic as a result of the Marine Navigation Act 2013 (**Section 3.1.3**). Clause 1 of that act amends the Pilotage Act 1987 to ease the removal of a harbour authorities' pilotage functions.

However, there is a requirement for consultation and approval by the Secretary of State.

Therefore, robust evidence will be necessary to demonstrate pilotage is no longer necessary (nor likely to be so in the foreseeable future). It should also be considered that having the powers (albeit in abeyance) may prove very useful, and save considerable future expense, should a currently unforeseen requirement for pilotage arise in the future.

The following section of this report comprises a high-level assessment of pilotage in the navigation area.



## 6 RISK ASSESSMENT

### 6.1 RISK ASSESMSNT OVERVIEW

The Broads Authority has recognised the challenges summarised in the preceding sections of this report and the need for an assessment to inform the preferred options for the future.

A full Navigation Risk Assessment undertaken in compliance with the recommendations within the PMSC and GtGP (following IMO Formal Safety Assessment methodology) is not within the scope of this report and considered unnecessarily onerous at this stage of pilotage service review.

Nevertheless, it is considered appropriate to review potential risks to safe navigation posed by those commercial vessels which would be expected to utilise a pilotage service, and to consider some of the risk mitigation which may be necessary if pilotage is unavailable or ineffective.

A full navigation risk assessment (focusing on the need for pilotage) would typically be broken down into five stages:

- Stage 1: Hazard identification:
  - Baseline risk assessment “without pilotage”;
  - Identify generic and local risk controls; and
  - Hazard definition.
- Stage 2: Quantify incident frequency:
  - Review of all available incident data and incident records; and
  - Consultation with local stakeholders.
- Stage 3: Consider pilotage effectiveness in respect of:
  - Grounding;
  - Collision; and
  - Contact.
- Stage 4: Hazard scoring:
  - Baseline assessment made in consultation with navigation officer / stakeholders; and
  - Review and adjustment of baseline assessment with Navigation Officer.
- Stage 5: Results of Risk Reduction Assessment:
  - Comparison between baseline and residual risk scores; and
  - Conclusions and recommendations.

A methodology for a full FSA compliant assessment is given at **Annex A**.

The following sub-sections consider the 5-stage assessment at high level, in order to draw meaningful conclusions, albeit in the absence of a detailed assessment informed by stakeholder consultation and quantifiable data.

## 6.2 STAGE 1: HAZARD IDENTIFICATION

Stage 1 seeks to identify navigational hazards within the Pilotage district, related to vessels that may be expected to take pilots. In practice, of course, the vast majority of navigational activity in the navigation area is undertaken by non-pilotage vessels (mainly leisure craft) and the hazards affecting those vessels have been separately assessed in the Authority's PMSC compliant NRA.

- Vessel types likely to require pilotage (if directions were in place):
  - Commercial (freight) vessels greater than 20m LOA; and
  - Fishing vessels greater than 47.5m LOA.

However, there is no expectation that large fishing vessels may use the waterway, and they will not be considered.

- As well as the (very remote) possibility of two freight vessels colliding, such vessels may also collide with other vessels using the waterway. For this assessment "other vessels" have been divided into two categories:
  - Leisure / fishing / workboat /vessel carrying more than 12 pax in CHA area; and
  - Leisure / fishing / workboat /vessel carrying less than 12 pax in CHA area.
- The relevant hazards (i.e. those most likely to be mitigated by the presence of a marine Pilot) for each of the above vessel types are:
  - Collision;
  - Grounding; and
  - Contact.

### 6.2.1 Generic Risk Control Measures

A baseline of risk control measures within the control of the harbour authority, as identified below, have been considered relevant for the assessment:

- Operations are to be planned to the extent necessary to ensure safety:
  - Updated vessel information;
  - Clear communications; and

- Passage plans.
- Operations are to be fully compliant with legislation, guidance and best practice;
  - Register of relevant legislation/guidance maintained.
- All those involved in operations to be competent persons;
- All the necessary information is provided to undertake the movement safely:
  - Updated charts; and
  - Relevant port information promulgated via Notice to Mariners, websites and other publications.
- All equipment provided is fit for purpose:
  - Vessel to declare defects prior to arrival; and
  - Procedure in place to postpone operation pending rectification of defect.
- All necessary resources are allocated to mitigate identified risks;
- Operations are undertaken in accordance with up-to-date written procedures:
  - Navigation procedures and policies regularly reviewed and updated; and
  - All those tasked with undertaking the operation are familiar with current policies and procedures.
- Any exceptions to safe practice are reported:
  - Reports reviewed and procedures/risk assessments reviewed accordingly.
- Incidents and near misses are investigated:
  - Incident/near miss reporting procedure in place; and
  - Incident investigation procedure in place.
- A planned response to emergencies is available:
  - Emergency plans maintained, exercised and updated.

When scoring the hazards it is assumed that the above risk control measures are in place – relevant plans and procedures have been seen to be maintained by the Authority, although given the very infrequent pilotage operations, it must be considered that some aspects such as incident response, passage planning and vessel handling are seldom practised.

## 6.2.2 Local Risk Control Measures

Local risk control measures in place that are solely attributed to the Broads Authority include (but may not be limited to) the following:

- Lighting and marking of channels;
- Regular hydrographic survey;
- Risk assessments undertaken by organisers of large recreational events; and
- Harbour / Ranger patrols during high periods of activity within the navigation area.

## 6.2.3 Hazard Definitions

The following sections define:

- Collision;
- Grounding; and
- Contact.

### 6.2.3.1 Collision

Vessel collision is the structural impact between two moving vessels (including vessels not under pilotage).

The main reasons attributed to collisions include:

- Officer of the watch failure to observe the Navigation Byelaws;
- Fatigue, particularly on smaller coastal vessels;
- Met ocean conditions;
- Propulsion/steering/navigation system failure;
- Non - adherence to the (Vessel) Company's Safety Management System; and
- A combination of inexperience and systematic failure in the shipboard organisation.

The primary mitigation measure against the hazard of vessels colliding with one another is the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs). This risk assessment, in considering measures to minimise the risk of collision in respect of navigation, makes the assumption that vessels will be compliant with the COLREGs. However, the COLREGs do not apply on the Broads, but for this purpose it is considered that the navigation byelaws have the same mitigating effect.

### 6.2.3.2 Grounding

Grounding is a type of marine accident that involves the impact of a vessel on the seabed, resulting in damage of the submerged part of her hull and, in particular, the bottom structure.

Grounding accidents can be attributed to the following scenarios as follows:

- Human error, i.e. poor decision making, fatigue; inexperience;
- Insufficient passage planning;
- Failure to alter course at a given turning point near a underwater obstruction;
- Taking evasive actions near the obstruction and consequently run aground or make contact with the underwater obstruction;
- Met ocean conditions;
- Loss of propulsion through unexpected problems with the propulsion/steering system that occur in the vicinity of the underwater obstruction; and
- Dragging anchor resulting in the vessel going aground.

The complex and tidal nature of the channels in the navigation area makes grounding a very real hazard, and one for which pilotage is likely to be a very effective mitigation.

### 6.2.3.3 Contact

Contact is defined as an event wherein a vessel hits a fixed object, such as a quay wall or fixed navigation mark (e.g. Pile or Perch). For such an event to happen one of two scenarios must have occurred. Either the vessel failed to detect the fixed object, or it was unable to avoid hitting and can be attributed to:

- Human error;
- Defective/mechanical failure;
- Inadequate propulsion or steering; and/or
- Adverse weather conditions.

Given the complex and constrained waterways, and infrequent passages, contact must be considered a probable occurrence.

## 6.3 STAGE 2: INCIDENT FREQUENCY

The likely frequency at which the assessed hazards might be realised in the future may be assessed by means of:

- A review of third-party incident data and incident records (for example, from the MAIB, RNLI, HMCG, Police);
- A review of Internal (broads Authority) incident data and incident records;
- Application of professional judgement; and
- Consultation with the navigation officer.

In practice, there have been so few relevant movements of “pilotage” vessels in the CHA area within the last 15 years, that incident data is effectively non-existent, with more historic data being unreliable. It is therefore necessary to rely on professional judgement when assessing risks, including knowledge of incident rates in similar harbours to benchmark the assessment of frequencies with which hazards may occur.

For the purposes of this assessment a baseline traffic density for commercial traffic has been assumed at one vessel arrival and departure per week.

Of course, the actual traffic density at present is zero – there are no commercial vessel movements at all, and therefore the risk associated with such movement is also zero. However, to realistically assess the requirement for pilotage – some level of vessel traffic has had to be assumed.

## **6.4 STAGE 3: EFFECTIVENESS OF PILOTAGE AS A RISK CONTROL**

There should be a sense of increased confidence when the pilot comes on board the ship. Not only does the pilot bring local expertise that reduces the risk of navigating in constrained waters, but he should also add to the effectiveness of the bridge team.

The local knowledge, integration into the bridge team and expertise of the pilot may therefore contribute to a meaningful reduction in the “frequency” of a collision, contact or grounding event occurring.

However, it has been assumed that if the hazard is realised (a collision, grounding or contact occurs) pilotage will have a negligible effect in reducing consequence.

Given the lack of recent pilotage experience in the navigation area, it is difficult to quantify pilotage effectiveness locally, but the following paragraphs discuss effectiveness in general terms and propose realistic values for effectiveness.

### **6.4.1 Pilotage Effectiveness - Collision**

Whilst in transit a pilot may be considered to reduce the likelihood of a vessel colliding with another vessel. The pilot will be aware of other shipping movements and any constraints they may have on his manoeuvre. He will also be familiar with local maritime activities in the waterway such as diving, fishing, maintenance activities and recreational vessel behaviours.

However, in consideration of the pilot's effectiveness, it should not be overlooked that a competent mariner navigating his vessel in the navigation area without the benefit of a pilot would still be well placed to command a vessel that he is likely to be experienced at handling.

The effectiveness of pilotage in reducing the frequency of collision events is therefore somewhat limited as long as the master of the vessel correctly adheres to the COLREGs and is competent.

**The effectiveness of pilotage in reducing collision frequency has been estimated at 25% for this assessment.**

### 6.4.2 Pilotage Effectiveness – Grounding

It is considered that a Pilot would be most effective in mitigating against grounding incidents in the complex tidal channels of the Broads. While other mitigations such as marking and lighting, survey and charting, availability of real time and predicted tidal levels, and passage planning may all be effective and useful, local knowledge and experience is probably the most effective mitigation available and would normally be available through advice from a pilot. A competent mariner should be able to undertake the passage without advice but, combined with the need to keep a good lookout, and the likely density of inexpert leisure vessels, there is a danger of overload, and local advice would likely be very effective in mitigating against the possibility of grounding.

It is noted that historically, Broads pilots are locally known as “Mud Pilots” for good reason.

**The effectiveness of pilotage in reducing grounding frequency has been estimated at 75% for this assessment.**

### 6.4.3 Pilotage Effectiveness – Contact

The pilot will be familiar with the port and berth layout including mooring arrangements, any restrictions alongside, as well as important details such as the availability and contact details of linesmen. In the event that a tug or pushing assistance may be required the pilot should understand the characteristics and capabilities of the tug. The pilot may also have a broader range of ship handling experience. However, taking into consideration events which are outwith the pilots' control, such as engine or steering failure, human error (e.g. helmsman puts the wheel the wrong way), extremes of weather and tug error (and the very rare use of tugs), then the effectiveness of pilotage in reducing the frequency of “contact” may be somewhat limited.

**The effectiveness of pilotage in reducing contact frequency has been estimated at 50% for this assessment.**

## 6.5 STAGE 4: HAZARD SCORING

Notwithstanding the fact that a full NRA is not within the scope of this report, a high-level assessment is still considered useful and has been prepared using the principle outlined above.

A baseline risk assessment has been developed and scored jointly by Marico Marine navigation experts, with existing generic and local mitigation measures (see **Sections 6.2.1** and **6.2.2**) in place but *without* any allowance for pilotage as a risk control measure.

The exercise was then repeated but with the introduction of Pilotage as a control measure – with the effectiveness of pilotage in reducing the risk for each hazard using the figures given in **Section 6.4** above.

The Hazman II software used by Marico Marine to assess navigational risk allows risk reduction effectiveness to be applied to each hazard assessed, and thus calculates baseline risk (without pilotage) and residual risk (with pilotage implemented as a risk reduction measure). The user inputs to the calculation for each hazard being:

- Hazard frequency;
- Hazard consequence (to people, property, the environment and business reputation); and
- Additional control measure effectiveness (only pilotage is considered in this short assessment).

Five hazards have been assessed to test the effectiveness of Pilotage as a risk control measure (**Table 3**).

Detail of the scoring exercise is given at **Annex B**.

**Table 3: List of Hazards Identified for Assessment**

Hazard Title	Category
Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying more than 12 pax in CHA area	Collision
Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying 12 or less pax in CHA area	Collision
Commercial vessel greater than 20m contacts harbour infrastructure (Quay, fixed navigation aid etc.)	Contact
Commercial vessel greater than 20m collides with another commercial vessel underway within CHA area	Collision
Commercial vessel greater than 20m grounds in CHA area	Grounding

### 6.5.1 Interpretation of Risk Calculation Scores

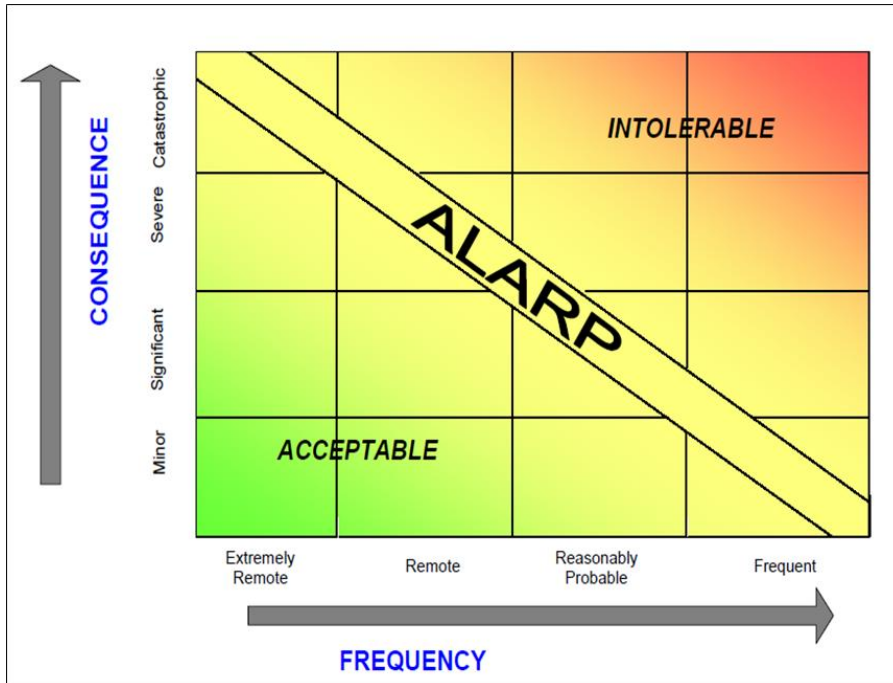
A detailed methodology is provided in **Annex A**.

The combination of consequence and frequency of occurrence of a hazard is combined using a risk matrix (see **Figure 2**, below), which enables hazards to be ranked and a risk score assigned. The resulting scale can be divided into three general categories:



- Acceptable;
- As Low As Reasonable Practicable (ALARP); and
- Intolerable.

**Figure 2: General Risk Matrix**



The risk scores resulting from the assessment process are interpreted as shown in

**Table 4**, below:

**Table 4: Risk Score Descriptors**

Risk Number	Risk
0 to 1.9	Negligible
2 to 3.9	Low Risk
4 to 6.9	As Low as Reasonably Practical
7 to 8.9	Significant Risk
9 to 10.0	High Risk

### 6.5.2 Risk Ranked Summary - Without Pilotage

A summary of the ranked hazards, *without* pilotage as a control measure are detailed below in **Table 5**.

The two highest risks were collision with other vessels (either more or less than 12 passengers). The risk associated with these hazards are highest, chiefly due to the potential for injury – especially to those in smaller vessels (hire craft).

The risk of two commercial vessels colliding is lower, both due to the lower assessed consequence (particularly injuries), but mainly due to the very low likelihood (frequency) of this event occurring, even with the assumed traffic levels.

The assessment demonstrates that even without pilotage, all of the hazards fall within the “Low” or “ALARP” risk regions in terms of risk assessment and are therefore considered to be acceptable.

The highest scoring hazard was assessed to be a Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying more than12 pax in CHA area, with an assessed score of 4.45.

**Table 5: Ranked hazard List Without Pilotage in Place (Baseline).**

Rank	Hazard Title	Category	Risk
1	Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying more than12 pax in CHA area	Collision	4.45
2	Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying 12 or less pax in CHA area	Collision	4.05
3	Commercial vessel greater than 20m contacts harbour infrastructure (Quay, fixed navigation aid etc.)	Contact	3.06
4	Commercial vessel greater than 20m collides with another commercial vessel underway within CHA area	Collision	2.24
5	Commercial vessel greater than 20m grounds in CHA area	Grounding	2.07

### 6.5.3 Risk Reduction of Pilotage

By using the baseline risk assessment as a starting point (**Section 6.5.1**), the risk reduction values of pilotage and the methodology contained in **Section 6.4**, it was possible to calculate the residual risk with the pilotage risk control added.

The effectiveness of pilotage was deemed to have only a negligible (if any) impact upon the “consequence” of a hazard occurring and so only the “frequency” reduction is estimated, as effective pilotage will result in fewer incidents occurring. (See **Section 6.4** for discussion).

The results of the modified risk assessment are shown in **Table 6**.

The table shows the initial baseline/inherent risk without pilotage in place alongside the new residual risk with pilotage, and the difference between the two.

**Table 6: Risk Reduction Effectiveness of Pilotage.**

Rank	Hazard Title	Category	Risk		
			(Baseline / Residual)		Difference
1	Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying more than 12 pax in CHA area	Collision	4.45	4.34	-0.11
2	Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying 12 or less pax in CHA area	Collision	4.05	3.94	-0.11
3	Commercial vessel greater than 20m contacts harbour infrastructure (Quay, fixed navigation aid etc.)	Contact	3.06	2.78	-0.28
4	Commercial vessel greater than 20m collides with another commercial vessel underway within CHA area	Collision	2.24	2.22	-0.02
5	Commercial vessel greater than 20m grounds in CHA area	Grounding	2.07	1.85	-0.22

As expected, the addition of pilotage as a control measure does result in an overall reduction of assessed risk for each hazard; however the reduction is very low – and in fact close to negligible. This is chiefly the result of the very low level of traffic which requires pilotage, meaning the control, while potentially effective, is little used, combined with the fact that pilotage can only reduce the frequency, with little reduction in consequence, of any hazard being realised.

One of the hazard scores (Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying 12 or less pax in CHA area) changes from the ALARP to the Low risk region, but the difference is slight overall.

Similarly, the score for “Commercial vessel greater than 20m grounds in CHA area” falls from the low to negligible risk band, but again the overall difference is slight.

## 6.6 STAGE 5: RESULTS OF RISK REDUCTION ASSESSMENT

### 6.6.1 Comparison

A direct comparison of the risk for each of the identified hazards “with” or “without” pilotage in place can be made:

- Overall inherent navigational risk without pilotage – 15.87; and
- Overall residual risk with pilotage in place – 15.13.

These figures indicate that providing pilotage reduces the overall navigation risk by 5%. Therefore, for the identified hazards, pilotage is assessed as being only slightly effective at reducing the overall risk score when compared to operating without pilotage.

While pilotage is applicable to all the identified hazards it is evident that varying levels of reductions are spread across all hazards, with some hazards showing only slight reductions.

For all hazards, none of the risk scores exceeded “ALARP”, either with or without pilotage in place.

The highest scoring hazard, both with and without pilotage in place was “Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying more than 12 pax in CHA area”, with Pilotage reducing the risk by only 0.11 (a very small reduction).

The greatest reduction in risk achieved through the implementation of pilotage was only assessed to be 0.28 (again, a very small reduction) for the hazard “Commercial vessel greater than 20m contacts harbour infrastructure (Quay, fixed navigation aid etc.)”, which produced a score reduced to 3.06 from 2.78 after the pilotage control was applied.

## 6.6.2 Risk Assessment Conclusions

The risk assessment has produced the following conclusions:

- All navigation hazards identified for vessels that it has been assumed would require a pilot but scored *without* pilotage as a risk control measure were assessed to be in the ALARP or LOW risk bands;
- A qualitative assessment of the risk reducing effectiveness of pilotage has shown that pilotage reduces navigation by only 5%; and
- Pilotage is most effective at reducing the risk of the hazard “Commercial vessel greater than 20m contacts harbour infrastructure (Quay, fixed navigation aid etc.)”

It is emphasised that the apparent lack of effectiveness of pilotage as a risk control is very strongly driven by the frequency with which the control might be effective.

In simple terms, the control measure is expected to be so little used (due to the rarity of vessels requiring pilotage), that effectiveness is outweighed by other control measures which apply to all vessel types, including the majority which do not require pilots to be embarked.

It is also necessary to consider "perception" as well as risk. It is increasingly common that vessel Masters, company/owner and insurer are unlikely to be willing to commit vessels to challenging passages and harbour areas passage without a pilot being available. They will simply take business elsewhere.

It should be noted that this assessment has not attempted to undertake a cost-benefit analysis and has exclusively examined the comparative benefits on the safety of navigation of providing a pilotage service or not as the case may be.

### 6.6.3 Risk Assessment - Recommendation

The quantitative assessment of those hazards to navigation within the Navigation Area which could be realistically mitigated through the provision of pilotage as a control measure has demonstrated that:

- The baseline level of risk without Pilotage is ALARP or Low; and
- Pilotage only reduces the risk very slightly, still within the ALARP to Negligible risk bands.

While Harbour Authorities should always strive to reduce the level of risk associated with operations in their area to the lowest level practicable, there is no clear evidence that the current pilotage service (if used) would contribute significantly to a reduction of risk, all other control measures being maintained and remaining effective.

It is recommended that consideration should be given to formalising the current status of pilotage service as, despite the minimal contribution to risk reduction at present, the current arrangements are unsustainable.

However, it is considered that the ability to provide Pilotage may be useful in the future, and the Authority may wish to retain CHA powers (making clear that they are not currently used), to allow for the possibility that large vessels may wish to use the waterway in the future (e.g. a potential re-instatement of the Sugar Refinery wharf, given current policy to move freight from road to sea, or potential future large projects in the area which may require water based freight options).

Alternatively, the authority could apply to the Secretary of State to cease pilotage provision, and in the event of future need, re-apply to become a pilotage authority once again.

It is finally recommended (and required by the PMSC) that before any commercial vessel (over 20m loa) is permitted to use the waterway in future, the vessel / project should be subject to full navigation risk assessment taking into consideration realistic traffic densities, once they are known.

## 7 REVISED OPTIONS

Considering the risk assessment results and recommendations above, the three options for the pilotage service on the Broads identified in **section 5.2** of this report are reviewed below:

- No change to current arrangements;
- Continue to provide pilotage, but update; or
- Cease pilotage provision.

### 7.1 ADVANTAGES AND DISADVANTAGES OF OPTIONS

The following table (**Table 7**) shows the principal advantages and disadvantages of each of the options described above.

**Table 7: Pilotage Options – Advantages and Disadvantages**

Options	Advantages	Disadvantages	Recommendation
No change to current arrangements	The CHA retains autonomy on all pilotage matters.	Number of future pilotage acts is not considered high enough to maintain level of required competency.	Not recommended – unsustainable.
		Lack of suitable personnel.	
	No administrative burden associated with reviewing Directions.	Need to maintain formal training scheme and competence of pilot(s).	
		Direct and fixed employee costs unsustainable.	
		Administrative burden of maintaining service.	
No legal costs.	Pilotage has been shown to be a minimally effective risk reduction control		
Continue to provide pilotage, but update arrangements	Entering a joint arrangement with another Harbour Authority <i>may</i> be a practical way to address the challenges of providing a pilotage service.	Not considered possible, as GYPC unlikely to enter into such an agreement.	Not recommended – not considered feasible – but GYPC might be approached formally to seek confirmation of this conclusion.
		Legal challenges and associated costs.	
		In practice, unlikely to be a workable solution	

Options	Advantages	Disadvantages	Recommendation
	<p>Reviewing Directions to clarify that while still a CHA, no pilotage is provided and no commercial vessels &gt;20m loa are currently accepted on the waterway would clarify current situation.</p> <p>Would be a cost effective solution (no ongoing costs for a “sleeping” CHA).</p> <p>Would allow pilotage to be re-introduced with minimal costs in the future.</p> <p>No need to maintain pilots and training scheme while service not provided.</p>	<p>May require legal advice and confirmation.</p> <p>New guidance would need to be issued and potentially supported by amended byelaws</p>	<b>Recommended Option</b>
Cease pilotage provision	Positively addresses all current challenges of providing service.	Does not allow re-introduction of service at short notice if trading conditions change	
	Reversible decision – the PMSC requires the need for pilotage to be kept under review, so service could be re-introduced in the future if required.	Requires additional attention to ensure other controls remain effective.	Not recommended but would be a feasible (but more costly) second choice option.
	Would have no effect on navigational risk, while no vessels require pilotage	Legal process and significant associated costs to remove and /or reinstate CHA status.	

## 7.2 PREFERRED OPTION

The results of this assessment have identified the formal updating and clarification of pilotage provision as the preferred option available to the Broads Authority.

If this option is pursued it will be essential to continue to keep all other risk control measures under review (as is required in any event to maintain compliance with the PMSC). In particular, those risk controls associated with management of marine traffic in the harbour area should be reviewed and, if possible, improved to raise effectiveness still further. However, pilotage should no longer be one of those control measures.

In order to achieve the objectives of this option, it is recommended that:

- The MSMS is updated to make clear that due to the lack of facilities for commercial freight traffic, and the consequent lack of demand, pilotage is not currently offered;

- The MSMS should explicitly state that Pilotage Directions are not currently made, and that this decision has been reached following formal risk assessment (this report);
- Similarly, it should be made clear that no officers are currently authorised to provide pilotage services;
- The maximum size of vessels permitted to enter the harbour should be defined (for example through byelaws or a General Direction) (See note in section 7.2.1 below);
- It should be made clear that the Authority remains a CHA, and will consider the re-introduction of pilotage, should future demand and risk assessment justify the issuing of new Directions; and
- The new status should be clearly and publicly promulgated – a suggested text (used by another UK Harbour Authority taking a similar approach to pilotage) is as follows: *“The Broads Authority is a Competent Harbour Authority (CHA) and has the authority to require pilotage. The Authority assesses the risk of the movement of shipping into and out of the harbour. With no large commercial traffic, there are no extant pilotage directions and any movements will be assessed on an individual basis”*.

### 7.2.1 Open Port Duty

A possible objection to this recommended option is the often quoted “Open Port Duty” which applies to Harbour Authorities by virtue of the Harbours, Docks and Piers Clauses Act 1847.

Section 33 of that act states that *“Upon payment of the rates made payable by this and the special Act, and subject to the other provisions thereof, the harbour, dock, and pier shall be open to all persons for the shipping and unshipping of goods, and the embarking and landing of passengers”*.

This clause is often taken to mean that a harbour must allow any vessel access under any circumstances – but clearly other constraints are in place, not least the facilities that the harbour can offer in terms of available berths and channel depths and dimensions.

It is therefore not only acceptable, but necessary to give clear guidance with regard to the maximum size of vessels a port can accept, and for the Broads this could be achieved through amendment to existing vessel dimension byelaws, or the issue of a General Direction (both of which would require consultation).

However, it is recommended that external and specialist legal advice be taken on these matters, especially as it is not certain that this section of the HDPC act applies to the Broads Authority.



## 8 RECOMMENDATIONS

Taking in to account the current and expected future traffic profile of the Broads Navigation Area, and the result of the navigation risk assessment forming Section 6 of this document, the following recommendations are made to the Authority:

- Engage with Great Yarmouth Port Authority to confirm whether providing pilotage under a joint arrangement is feasible;
- Assuming the above is not an option, undertake a full review of the MSMS to document formal arrangements for the discontinuation of any form of pilotage, while still maintaining the status of a Competent Harbour Authority;
- Seek specialist marine legal advice to support the above review, including amending Vessel dimension byelaws, or issuing a General Direction;
- Clarify the procedures which will be followed (based on full risk assessment) should any vessels of greater size than defined in the revised byelaws / Directions wish to enter the navigation area.

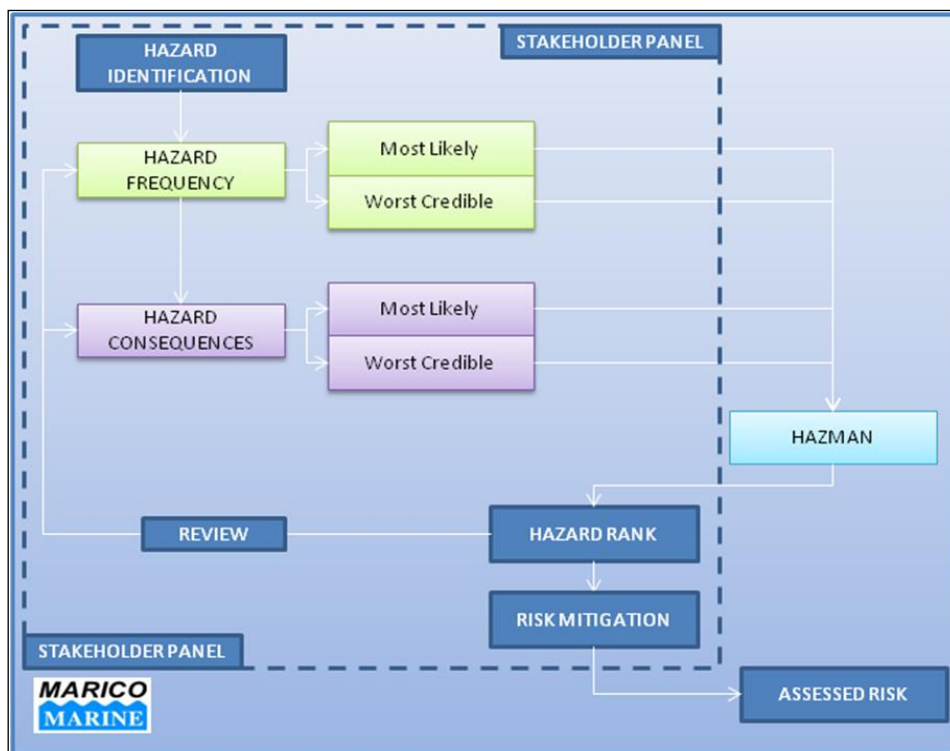
Alternatively, if there is no appetite for maintaining CHA status:

- Give consideration to the formal removal of CHA powers by application to the Secretary of State.

## **Annex A Risk Assessment Methodology**

**Risk Assessment Methodology**

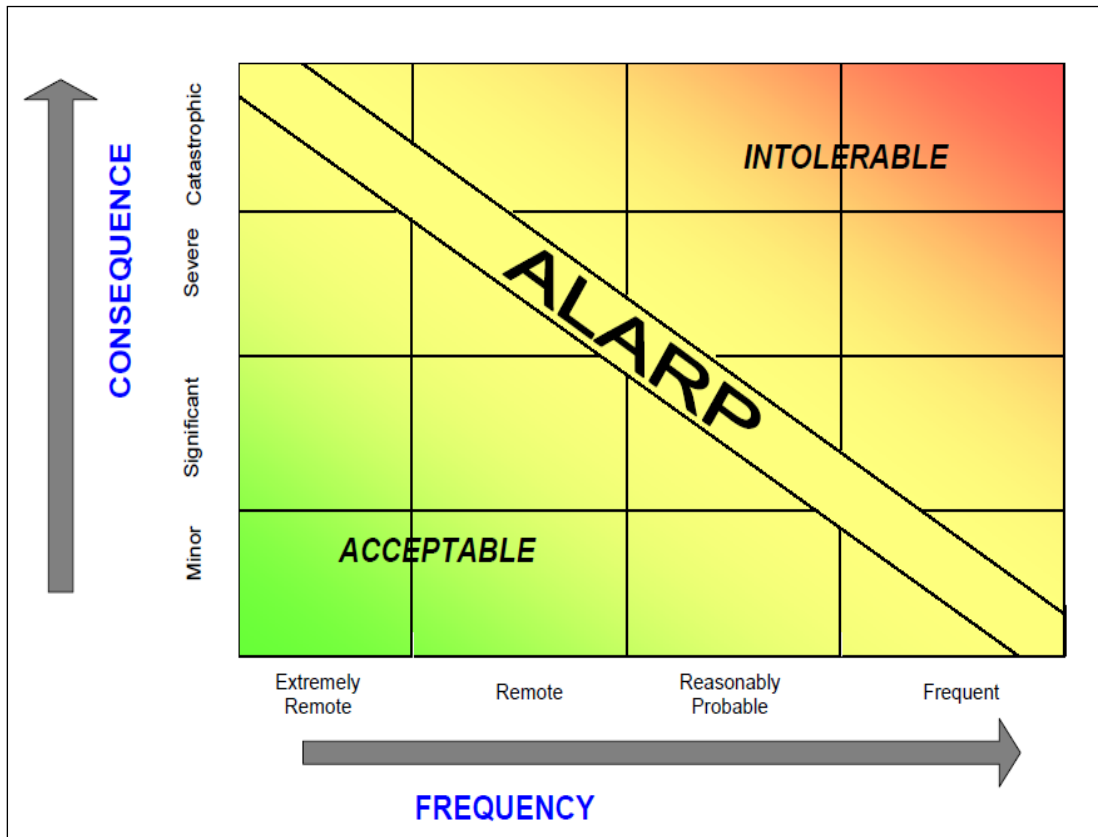
This Navigation Risk Assessment (NRA) identifies possible mitigation measures, where appropriate, and makes recommendations. The process starts with the identification of all potential hazards. It then assesses the likelihood (frequency) of a hazard causing an incident and considers the possible consequences of that incident. It does so in respect of two scenarios, namely the “most likely” and the “worst credible”. The quantified values of frequency and consequence are then combined using the Marico HAZMAN II software to produce a Risk Score for each hazard. These are collated into a “Ranked Hazard List” from which the need for possible additional mitigation may be reviewed.



**Marico Marine hazard identification process**

**Criteria for Navigation Risk Assessment**

Risk is the product of a combination of consequence of an event and the frequency with which it might be expected to occur. In order to determine navigational risk a Formal Safety Assessment (FSA) approach to risk management is used. International Maritime Organisation (IMO) Guidelines define a hazard as “*something with the potential to cause harm, loss or injury*”, the realisation of which results in an accident. The potential for a hazard to be realised can be combined with an estimated or known consequence of outcome. This combination is termed “risk”. Risk is therefore a measure of the frequency and consequence of a particular hazard.



**General risk matrix**

The combination of consequence and frequency of occurrence of a hazard is combined using a risk matrix (see above), which enables hazards to be ranked and a risk score assigned. The resulting scale can be divided into three general categories:

- Acceptable;
- As Low As Reasonable Practicable (ALARP); and
- Intolerable.

At the low end of the scale, frequency is extremely remote and consequence minor, and as such the risk can be said to be “acceptable”, whilst at the high end of the matrix, where hazards are defined as frequent and the consequence catastrophic, then risk is termed “intolerable”. Every effort should be made to mitigate all risks such that they lie in the “acceptable” range. Where this is not possible, they should be reduced to the level where further reduction is not practicable. This region, at the centre of the matrix is described as the ALARP region. It is possible that some risks will lie in the “intolerable” region, but can be mitigated by measures, which reduce their risk score and move them into the ALARP region, where they can be tolerated, albeit efforts should continue to be made when opportunity presents itself to further reduce their risk score.

**Hazard Identification**

Hazard identification is the first and fundamental step in the risk assessment process. In order to ensure that the process was both structured and comprehensive, potential hazards were reviewed using the incident categories identified as being relevant to this study:

- Collision
- Grounding; and
- Contact.

**Risk Matrix Criteria**

As indicated earlier, frequency of occurrence and likely consequence are both assessed for the “most likely” and “worst credible” scenario. Frequencies and consequences of occurrences were assessed using the same criteria as adopted by Dorset Council for other harbour assessments for consistency.

Frequency was assessed according to the levels set out in the table below.

**Frequency criteria**

Scale	Description	Operational Interpretation
F5	Almost Certain	More than once a month
F4	Likely	More than once in 6 months
F3	Possible	Once per year
F2	Unlikely	Less than once in 10 years
F1	Rare	Less than once in 100 years

Using the assessed notional frequency for the “most likely” and “worst credible” scenarios for each hazard, the probable consequences associated with each are assessed in terms of damage to:

- People
- Property
- Environment
- Business (Adverse publicity, impact on normal business activities and reputation)

The magnitude of each is then assessed using the consequence categories given in the table below.

**Consequence Categories and Criteria.**

Cat.	People	Property	Environment	Business
C1	Negligible			
	Very minor injury (e.g. bruising).	Very minor damage to property.	No effect of note. Tier 1 <u>may</u> be declared but criteria not necessarily met.	Very short-term disruption to services (1-2hrs) with ensuing loss of revenue.
		Costs <£10k	Costs <£10k	Costs <£10k
C2	Minor			
	Single minor injury.	Minor damage to property.	Tier 1 – Tier 2 criteria reached. Small operational (oil) spill with little effect on environmental amenity.	Adverse local publicity. Short-term loss of revenue including minor disruption to commercial activities (<1 day).
		Costs £10k –£100k	Costs £10K–£100k	Costs £10k – £100k
C3	Moderate			
	Multiple minor or single major injury.	Moderate damage to property.	Tier 2 spill criteria reached but capable of being limited to immediate area within area.	Adverse regional publicity. Temporary suspension of commercial activities and/or prolonged restrictions (1≥7 days).
		Costs £100k - £1M	Costs £100k -£1M	Costs £100k - £1M
C4	Major			
	Multiple major injuries or single fatality.	Major damage to property.	Tier 3 criteria reached with pollution requiring national support. Chemical spillage or small gas release.	Adverse national publicity. Medium-term suspension of operations or prolonged restrictions, major disruption to commercial activities.
		Costs £1M -10M	Costs £1M - £10M	Costs £1M -£10M
C5	Catastrophic			
	Multiple fatalities	Catastrophic damage to property.	Tier 3 oil spill criteria reached. International support required. Widespread shoreline contamination. Serious chemical or gas release. Significant threat to environmental amenity.	Adverse international publicity. Long-term suspension of operations, prolonged restrictions, and/or termination of commercial activities.
		Costs >£10M	Costs >£10M	Costs >£10M

**Hazard Data Review Process**

Frequency and consequence data are assessed for each hazard for both most likely and worst case scenarios.

Having decided in respect of each hazard which frequency and consequence criteria are appropriate for the five consequence categories in both the “most likely” and “worst credible” scenarios, ten risk scores are obtained using the following matrix (see below).

**Risk factor matrix used for hazard assessment.**

<b>Consequences</b>	Cat 5	5	6	7	8	10
	Cat 4	4	5	6	7	9
	Cat 3	3	3	4	6	8
	Cat 2	1	2	2	3	6
	Cat 1	0	0	0	0	0
	<b>Frequency</b>	<b>Rare</b>	<b>Unlikely</b>	<b>Possible</b>	<b>Likely</b>	<b>Almost Certain</b>

Where:

<b>Risk Number</b>	<b>Risk</b>
0 to 1.9	<i>Negligible</i>
2 to 3.9	<i>Low Risk</i>
4 to 6.9	<i>As Low as Reasonably Practical</i>
7 to 8.9	<i>Significant Risk</i>
9 to 10.0	<i>High Risk</i>

It should be noted that occasionally, a “most likely” scenario will generate a higher risk score than the equivalent “worst credible” scenario; this is due to the increased frequency often associated with a “most likely” event. For example, in the case of a large number of small personal injuries, the total number of accidents might be of greater significance than a single fatality at a lesser frequency.

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**Hazard Ranking**

The risk scores obtained from the above process are then analysed further to obtain four indices for each hazard as follows:

- The average risk score of the four categories in the “most likely” set;
- The average risk score of the four categories in the “worst credible” set;
- The maximum risk score of the four categories in the “most likely” set; and
- The maximum risk score of the four categories in the “worst credible” set.

These scores are then combined in Marico Marine’s hazard management software “HAZMAN II” to produce a single numeric value representing each of the four indices. The hazard list is then sorted in order of the aggregate of the four indices to produce a “Ranked Hazard List” with the highest risk hazards prioritised.



## Annex B Risk Data

**Residual Risk Data: 23UK1953 Broads Pilotage Review**

Rank	Ref	Accident Category	Hazard Title	Possible Causes	Consequence Descriptions		Risk By Consequence Category										
					Most Likely (ML)	Worst Credible (WC)	ML					WC					Risk Overall
							Frequency	Environment	People	Property	Reputational	Frequency	Environment	People	Property	Reputational	
1	5	Collision	Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying more than 12 pax in CHA area	Avoidance of 3rd party vessel; Restricted visibility; communication difficulties; severe weather; mechanical failure; equipment failure; navigation error; failure to observe COLREGs; failure to keep a proper lookout; persons navigating under influence of drugs/alcohol; unlit vessel;	Negligible environmental impact; multiple minor or single major injury; minor damage to commercial, moderate to smaller vessel; Adverse regional publicity.	Minor environmental impact; multiple fatalities; minor damage to commercial, major to smaller vessel; Adverse international publicity.	3	1	3	2	3	2	2	5	4	5	4.34
2	3	Collision	Commercial vessel greater than 20m collides with a leisure / fishing / workboat /vessel carrying 12 or less pax in CHA area	Restricted visibility; communication difficulties; severe weather; mechanical failure; equipment failure; navigation error; failure to observe COLREGs; failure to keep a proper lookout; persons navigating under influence of drugs/alcohol; unlit vessel;	Negligible environmental impact; multiple minor or single major injury; minor damage to commercial, moderate to smaller vessel; Adverse regional publicity.	Minor environmental impact; multiple major injury or single fatality; minor damage to commercial, major to smaller vessel; Adverse national publicity.	3	1	3	2	3	2	2	4	4	4	3.94
3	10	Contact	Commercial vessel greater than 20m contacts harbour infrastructure (Quay, fixed navigation aid etc.)	severe weather; mechanical failure; equipment failure; navigation error; Inaccurate hydrographic information; persons navigating under influence of drugs/alcohol;	(Contact with a pile / nav aid or jetty). Negligible environmental impact, negligible injuries, minor damage (to pile), negligible reputational damage.	(Contact with a pile / nav aid or jetty). Tier 1 oil spill (minor); Single minor injury, moderate damage (to vessel and quay), adverse regional publicity	4	1	1	2	1	3	2	2	3	3	2.78
4	1	Collision	Commercial vessel greater than 20m collides with another commercial vessel underway within CHA area	Avoidance of 3rd party vessel; Restricted visibility; communication difficulties; severe weather; mechanical failure; equipment failure; navigation error; failure to observe COLREGs; failure to keep a proper lookout; persons navigating under influence of drugs/alcohol; unlit vessel;	Negligible pollution, Minor injury, Minor damages, adverse local publicity.	Tier 2 pollution; Multiple minor injuries or single major; Moderate damage to both vessels; Adverse Regional publicity.	2	1	2	2	2	1	3	3	3	3	2.22
5	7	Grounding	Commercial vessel greater than 20m grounds in CHA area	Avoidance of 3rd party vessel; Restricted visibility; communication difficulties; severe weather; mechanical failure; equipment failure; navigation error; uncharted obstruction; Inaccurate hydrographic information; persons navigating under influence of drugs/alcohol;	Negligible environmental effects, negligible injuries, negligible costs, negligible publicity	Tier 2 pollution (moderate), very minor injuries, major property losses, adverse regional publicity.	4	1	1	1	1	2	3	2	4	3	1.85

# Broads Authority

26 January 2024

Agenda item number 15

## Broadland Futures Initiative Elected Members Forum- appointment of deputy member

Report by Director of Strategic Services

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### Purpose

The Broadland Futures initiative (BFI) aims to agree a framework for future flood risk management that better considers our changing climate and rising sea level over approximately the next 100 years.

### Broads Plan context

**A1** - Prepare a long-term integrated flood risk strategy for the Broads, Great Yarmouth and interrelated coastal frontage and maintain current adaptive coastal, tidal and fluvial flood risk management approaches for the area.

### Recommended decision

To appoint a deputy member to the BFI Elected Members Forum.

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## 1. Introduction

- 1.1. The BFI is a partnership that includes the key statutory bodies: the Environment Agency has lead responsibility and is working with Natural England, county and district councils, Internal Drainage Boards, Broads Authority, National Farmers Union, and voluntary bodies. The Broads Authority also has a key facilitatory role, providing staff support to the Initiative Project Team and governance.
- 1.2. The BFI Elected Members Forum (EMF) comprises one appointed representative from each local authority within the BFI area, to provide a strategic steer, receive advice and recommendations, review progress and reach agreements based on financial, environmental, and technical evidence.
- 1.3. The authorities represented are:
  - North Norfolk District Council
  - Great Yarmouth Borough Council
  - Broadland District Council
  - Norwich City Council
  - East Suffolk Council

- South Norfolk Council
- Norfolk County Council
- Suffolk County Council
- Broads Authority

## 2. Broads Authority membership

- 2.1. The Broads Authority membership to the EMF was agreed at the July 2023 AGM, and Matthew Shardlow was appointed as the Broads Authority representative for 2023/24. Matthew Shardlow presented an [update report](#) to the Authority at the November meeting. There was no deputy member appointed to the EMF in July 2023.
- 2.2. The BFI EMF terms of reference say that: *“This is a Member-driven Forum and it is expected that Councils will have a member representative at each meeting with an officer in support, if required. Forum members are expected to attend each meeting, supplying a deputy member if not available.”*
- 2.3. At the last EMF meeting on 15 January 2024, it was recommended for all deputy members to attend at least one EMF meeting as an observer, so that they are as prepared as possible if they should cover and attend a future EMF to represent their local authority. Matthew Shardlow was in attendance at that meeting.
- 2.4. The next meetings are the EMF are 22 April (online) and 8 July (face to face).
- 2.5. It is recommended to appoint a Broads Authority deputy member to the EMF until the July AGM on 26 July 2024, where the membership to the EMF (member and deputy member) for 2024/25 will be agreed.

Author: Marie-Pierre Tighe

Date of report: 16 January 2024

[Broads Plan](#) strategic objectives: A1