

## AGENDA

28 July 2017

10.00 am

Page

1. **To receive apologies for absence and welcome**
2. **Appointment of Chair**
3. **Appointment of Vice-Chair**
4. **Chairman's Announcements**
5. **Introduction of Members and Declarations of Interest**
6. **To note whether any items have been proposed as matters of urgent business**
7. **Public Question Time**  
To note whether any questions have been raised by members of the public
8. **To receive and confirm the minutes of the Broads Authority meeting held on 19 May 2017 (herewith)** 4 – 20
9. **Summary of Progress/Actions Taken following Decisions of Previous Meetings** 21 – 26  
To note schedule (herewith)

## PRESENTATION

10. **Staithe Research Project**  
Presentation by Prof Tom Williamson

## STRATEGY AND POLICY

11. **Strategic Direction** 27 – 32  
Report by Chief Executive (herewith)  
*To include:*  
(1) *Progress on Strategic Priorities 2017/18*  
(2) *Sustainable Tourism Strategy*
12. **Financial Performance and Direction**  
Report by Chief Financial Officer (herewith)  
*To include:*  
(1) *Statement of Accounts 2016/17* 33 – 114  
(2) *Annual Governance Statement (2016/17)* 115 – 130

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13. <b>Anti-Social Behaviour</b> Report by Chief Executive (herewith)	131 – 132
14. <b>Adopting the Salhouse Neighbourhood Plan</b> Report by Planning Policy Officer (herewith)	133 – 159
15. <b>The Landscape and Landscaping Guide for adoption</b> Report by Planning Policy Officer (herewith)	160 – 191

## GOVERNANCE

16. <b>Feedback from Member Annual Reviews</b> Report by Chair (herewith)	192 – 208
17. <b>Report on Standards Complaints</b> Report by Solicitor and Monitoring Officer (herewith)	209 – 211
18. <b>Committee Membership and Member Appointments</b> (to outside bodies) Report by Chief Executive (herewith)	212 – 215
19. <b>Code of Conduct for Members on Planning Committee and Officers</b> Report by Director of Planning and Resources and Solicitor and Monitoring Officer (herewith)	216 – 236
20. <b>Governance and Peer Review</b> Report by Chief Executive (herewith)	237 – 251
21. <b>Amendment to Standing Orders: Voting</b> Report by Solicitor and Monitoring Officer (herewith)	252 – 253
22. <b>Review of Terms of Reference of Committees</b> Report by Solicitor and Monitoring Officer (herewith)	254 – 267
23. <b>Social Media Policy – Guidance for Members and Officers</b> Report by Head of Communications (herewith)	268 – 275

## REPORTS FOR INFORMATION

24. <b>Annual Report of the Broads Local Access Forum</b> Report by Senior Waterways and Recreation Officer (herewith)	276 – 284
25. <b>The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code</b>	

## MINUTES TO BE RECEIVED

26. **To receive minutes of the following meetings:**
- |   |           |
|---|-----------|
| Planning Committee – 28 April 2017(herewith)        | 285 – 296 |
| Planning Committee - 26 May 2017 (herewith)         | 297 – 305 |
| Planning Committee – 23 June 2017(herewith)         | 306 – 323 |
| Broads Local Access Forum – 1 March 2017 (herewith) | 324 – 330 |
27. **Feedback from Members appointed to represent the Authority on outside bodies**
- Broads Tourism – Greg Munford and Mr John Timewell*  
*Campaign for National Parks –*  
*How Hill Trust – Ms S Mukherjee and Mr J Ash*  
*National Parks UK and National Parks England – Prof Jacquie Burgess*  
*Norfolk and Suffolk Broads Charitable Trust – Mr John Ash and Mr Louis Baugh*  
*Norfolk Mills and Pumps Trust – Prof Jacquie Burgess*  
*Upper Thurne Working Group – Mr Kelvin Allen*  
*Whitlingham Charitable Trust – Mr Louis Baugh, Mr Matthew Bradbury, Ms Gail Harris and Mr Vic Thomson*
28. **To consider any other 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**
29. **To answer any formal questions of which due notice has been given**
30. **To note the date of the next meeting – Friday 29 September 2017 at 10.00 am at Yare House, 62-64 Thorpe Road, Norwich**
31. **Exclusion of the Public**  
 The Authority is asked to consider exclusion of the public from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.
32. **To receive the Exempt Minutes of the Broads Authority meeting on 19 May 2017 (herewith)** 331 – 332
33. **Floating Classroom** 333– 382  
 Report by Project Manager (herewith)
34. **Reference by the Planning Committee** 383 – 384  
 Report by Solicitor and Monitoring Officer (herewith)

## **Broads Authority**

Minutes of the meeting held on 19 May 2017

Professor Jacquie Burgess – in the Chair

### **Present:**

Mr K Allen  
Mr J Ash  
Mr M Barnard  
Mr L Baugh  
Mr M Bradbury

Mr W Dickson  
Sir Peter Dixon  
Ms G Harris  
Ms S Mukherjee  
Mr G Munford

Mrs N Talbot  
Mr H Thirtle  
Mr V Thomson  
Mr J Timewell  
Mr B Wilkins

### **In Attendance:**

Dr J Packman – Chief Executive  
Mrs S A Beckett – Administrative Officer  
Mr S Birtles – Head of Safety Management  
Mr D Harris – Solicitor and Monitoring Officer  
Dr D Hoare – Head of Construction, Maintenance and Environment  
Mr S Hooton – Head of Strategy and Projects  
Ms E Krelle – Chief Financial Officer  
Mr R Leigh – Head of Communications  
Ms A Long – Director of Planning and Resources  
Mr R Rogers – Director of Operations

**Others Present:** Mr Keith Bacon - Chairman of Broads Forum and Broads Local Access Forum  
Mr Richard Holmes – for the Public Question

### **6/1 Apologies and Welcome**

The Chairman welcomed everyone to the meeting including members of the public.

Apologies were received from Mr B Isles, Mr G McGregor and Mr P Rice

### **6/2 Chairman's Announcements**

#### **(1) Openness of Local Government Bodies Regulations 2014**

The Chairman reminded members that in line with the decision made previously, the proceedings from this meeting would be recorded. She emphasised that the Broads Authority retains the copyright and the purpose of recording was as a back for accuracy. The system was still being trialled. If a member wished to receive a copy of the recording, they should contact the Solicitor and Monitoring Officer. Following a request from the Chairman, no members of the public indicated that they would be recording or filming the proceedings.

(2) **General Proceedings**

The Chairman remarked that while conducting the annual reviews a number of members had praised the excellent quality and detail of the officers' reports and considered it was not necessary for officers to spend as much time going through the content of their reports as hitherto. This would save some time in meetings. Accepting this point, the Chairman said that she would take it that Members had read the papers and therefore the emphasis would be for members to ask questions and debate the issues. This was agreed.

(3) **Welcome to New Staff: Rob Leigh and Tom Waterfall**

The Chairman welcomed Rob Leigh as the Authority's new Head of Communications and Tom Waterfall as Digital Communications Officer. Rob Leigh had a decade of experience managing local authority communications and had recently been running the communications and engagement activity at Luton Borough Council. Tom Waterfall had studied at the Norwich Business School UEA and since graduating with a first class honours degree in Marketing Management in 2016 had worked as Marketing Assistant for M&H Plastics in Beccles before coming to the Authority.

(4) **Recognition of Twenty-Five Years' service**

The Chairman announced with great pleasure that Matt Dane had reached the milestone of having been with the Authority for 25 years. He had worked up through the system from being a Seasonal Warden at Toad Hole Cottage How Hill in 1992, a River Inspector (River Works) in 1996, Navigation Works Technician and now as Maintenance Team Supervisor of a very dedicated team who had 189 years of experience between them. The Chairman presented Matt with a small token of appreciation from the Authority as a recognition of his achievement.

(5) **Dates to Note:**

The Chairman informed members of the following events:

- Broads Planning Design Quality Tour: Friday 16 June 2017. This was for the Planning Committee but all members were invited.
- Broads Plan – Launch scheduled for 5 July 2017
- Members Annual Site Visit: 13 July 2017. This would focus on the Southern Broads and all Members were encouraged to attend.

**6/3 Appointment of Two Co-opted Navigation Committee Members to the Broads Authority**

The Authority received a report concerning the appointment of the two co-opted Members from the Navigation Committee to the Authority in accordance with the procedures and following the recommendation of the Navigation Committee on 20 April 2017.

The Navigation Committee agreed to appoint Mrs Nicky Talbot as Chairman and Mr Brian Wilkins as Vice-Chairman of the Navigation Committee and had recommended that they both be appointed to the Authority for the forthcoming year.

RESOLVED unanimously

that Mrs Nicky Talbot and Mr Brian Wilkins be appointed to the Authority until the Broads Authority meeting on 18 May 2018.

#### **6/4 Introduction of Members and Declarations of Interest**

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

#### **6/5 Items of Urgent Business**

There were no items of urgent business.

#### **6/6 Public Question Time**

A public question had been received from Mr Richard Holmes concerning plant cutting in Hickling Broad. This was read out and the Chairman provided the Authority's response as set out at Appendix 2 to these minutes. In being invited to ask a supplementary question, he commented that he did not feel that it was a full enough answer in explaining the role and responsibilities of the Authority and carrying out its previous obligations. He considered that another survey, which appeared to change the methodology would make the issue more confusing. He considered that the best survey would be by taking a boat out on the water and therefore it was important to listen to those using the Broad.

The Director of Operations commented that a number of the concerns would be addressed in the presentation to be given at Agenda Item 9. Mr Holmes commented that unfortunately he would not be able to stay to listen to the presentation. Officers undertook to provide Mr Holmes with a further written response.

#### **6/7 Minutes of Broads Authority Meeting held on 24 March 2017**

The minutes of the meeting held on 24 March 2017 were approved as a correct record and signed by the Chairman.

#### **6/8 Summary of Progress/Actions Taken Following Decisions of Previous Meetings**

The Authority received and noted a schedule of progress/actions taken following decisions of previous meetings. It was noted that a number of the items on this agenda were very much interrelated.

In particular, members received updates concerning:

**Network Rail** - The Authority had recently received notification from Network Rail that the final report concerning Somerleyton and Reedham swing bridges had been completed but the Authority had not yet received a copy. The Authority was continuing to press for sight of the report. The Authority was liaising closely with Norwich City Council on information concerning Trowse Bridge.

**CANAPE** – the bid had passed the first technical test and a decision as to whether it had been accepted was due sometime in June 2017.

**Landscape Partnership Scheme** - The Heritage Lottery Fund second round application was being delivered at 2.00pm this afternoon 19 May 2017.

**External Funding** – It was clarified that as a result of the proposed Peer Review and the resources it would involve, it had been considered that development of an external funding strategy would have to be postponed. However, with the submission of the HLF Landscape Partnership scheme, this would free up the Project Manager together with the Head of Strategy and Projects to scope and develop a medium term funding strategy between now and October. Kelvin Allen, John Ash and Mathew Bradbury had agreed to act as an informal 'Member Reference Group' [MRG] for this.

Kelvin Allen was pleased to announce that the Angling Trust had secured a substantial external grant offer and there would be a meeting to take the matter forward.

## **6/9 Conservation Management – Update on practical work and monitoring with special reference to Hickling Broad.**

As a result of the requests from members to be provided with more information on the practical conservation and operational work of the Authority the Head of Construction, Maintenance and Environment provided a report on the practical conservation work delivered by the Authority from its revenue budgets and operational workforce during the 2016/17 financial year together with an outline of the key work areas for delivery in 2017/18. This reflected the integrated work being planned, managed and undertaken by the Environment and Design team in the Operations Directorate to deliver a range of corporate priorities and projects.

The Head of Construction, Maintenance and Environment provided a more detailed presentation on the work and complexities of the unique environment of Hickling Broad, which he emphasised, was only one small section of the team's work but did reflect the integrated approach and the sensitivities

required. He explained that with the technology now being used the subsequent mapping of aquatic water plants across Hickling was very accurate and provided illustrations of the areas of water plant predominance, the species of those plants, the water depths indicating the channel areas and the areas for open sailing. It was emphasised that as Hickling Broad was of national and international importance it had to be managed appropriately. Members noted that this involved all three of the Authority's purposes and required it to provide evidence to the designated regulator, Natural England in terms of the Habitats and Birds Directives in order to gain consent to carry out any work in a sustainable way and demonstrate that there would be no adverse impacts. Hickling Broad was a site that was not in the best of ecological conditions in terms of the Directive, but a complete cutting of all the water plants would have a significant adverse impact on the whole of the Broad by upsetting the ecological state of those plants and the area could lose those special unique plants altogether, affect the water quality and the other forms of biodiversity. In addition, changing the management in one area could have an effect on the species elsewhere.

Members noted that the Authority had to be mindful of all the sensitivities of the site, take account of all the stakeholders as well as its statutory duties. They also noted that they, as the Members of the Broads Authority, collectively who had the responsibility to work with all parties in the best interests of the site.

Members thanked the Head of Construction, Maintenance and Environment for such a comprehensive presentation in aiding the understanding of the complexities and sensitivities of the Hickling Broad and the fragilities of the ecosystem. They recognised that it was one of the biggest challenges for the Authority and demonstrated the need for better communication of the complexities involved and in particular the uniqueness of the plant species to this area.

Members expressed considerable appreciation for the update on all the work being undertaken by the team, which had provided them with a greater understanding. In particular they noted the fen management work being undertaken, specifically with the fen harvester and that the marketing and energy conversion required further investigation and development. The importance of tackling invasive species was also noted together with the need to explore the financial implications. They considered that the report and presentations had provided an excellent demonstration of the practical integration of the Authority's three purposes.

**RESOLVED** unanimously

that the update on the Authority's practical conservation work and the current practice regarding Hickling Broad be noted and that such reports be provided on a regular basis.

## **6/10 Strategic Direction 2017/18 Update**



The Authority received this year's first report on the progress of the Strategic Priorities identified at the January meeting for 2017/18, noting that the key topics were similar to those for the previous year but also included the Peer Review as agreed at the previous meeting in March (Minute 5/16)

In addition the report included a progress report in table form on the Authority's strategic documents all of which guided and informed the work of the Broads Authority. It was noted that this also helped to inform and guide other organisations within the Broads Area. The table set out the expected progress for the financial year 2017 – 18. It was noted that the principal strategy was the Broads Plan 2017 – 2022 which had been adopted in March 2017. The other strategic documents in the table contributed to the delivery of different aspects of the Broads Plan. The Biodiversity Strategy and Integrated Access Strategy were due to be reviewed in 2017-18.

Members noted that MRGs had been established for two of the priorities – the branding project and external funding, both of which were due to start in June 2017. They also agreed with the proposal to set up a further reference group to examine the governance arrangements in advance of the Peer Review and that this should include a member of the FSAC, a senior local authority member and two members with governance experience, to be agreed by the Chair.

Bill Dickson proposed, seconded by Sarah Muckerjee and it was

RESOLVED unanimously

- (i) that the updates for 2017/18 on the Strategic Priorities and the Authority's strategic documents ((Appendix 1 and Appendix 2 of the report) be noted.
- (ii) that a small Reference Group of Members be established by the Chair to:
  - (a) Review the governance of the Broads Authority and develop proposals on how the arrangements could be improved in both the short and long term;
  - (b) Advise and support the Chief Executive in the preparation for the Peer Review in October 2017.

#### **6/11 Financial Performance and Direction: Income and Expenditure from 1 April 2016 to 31 March 2017.**

The Authority received a report providing a strategic overview of the current key financial issues and items for decision. This included the consolidated income and expenditure figures from 1 April 2016 to 31 March 2017, which also provided figures for the latest available budget and the overview of Forecast Outturn 2016/17.

The figures in the report in relation to Sections 2 – 7 of the report would form the basis of the draft Statement of Accounts and include the year-end adjustments. The deficit on the national park side was £810 and £1,531 on navigation, resulting in a consolidated deficit of £2,341. After the year end adjustment for interest to the earmarked reserves the general fund reserve was £1,041,796 and the navigation reserve £325,955. This meant that the navigation reserve sat slightly above the recommended 10% at 10.5% of net expenditure at the end of 2016/17.

Members were particularly pleased to note that with a budget of approximately £6 million, the Authority had a consolidated deficit of just £2,341 for the year. Officers were congratulated on the quality of their financial budgeting.

Members noted the timetable for the Statement of Accounts 2016/17 which involved these being completed by 31 May 2017, being scrutinised by the FSAC on 25 July, following the external audit in June and to be formally adopted at the Authority's meeting on 28 July 2017. The Chief Financial Officer emphasised that it was important for members to receive briefings on the Statement of Accounts prior to them being formally adopted and a date was being trawled. *(subsequently confirmed for 20 July 2017)*

Haydn Thirtle proposed, seconded by Nicky Talbot and it was

RESOLVED unanimously

- (i) that the income and expenditure figures for 1 April 2016 to 31 March 2017 and the draft year end position (Table 4) and timetable (7.1) in Sections 2 – 7 of the report be noted.
- (ii) that the recommended carry forward requests in Section 8.2 of the report be approved and added to the 2017/18 budget as additional expenditure
- (iii) that the amended split to the earmarked reserves in Section 9 of the report be noted.

## **6/12 Ethical Standards in the Broads Authority**

The Authority received a report that considered the requirements for meeting and maintaining high ethical standards in the context of governance, reviewed current available guidelines and gave consideration to appropriate recommendations. This followed a low-priority recommendation made by internal audit in 2016 and consideration by members at the workshop on Code of Conduct in January 2017.

Members welcomed the report and considered that together with the other reports on the agenda were timely. In particular the Chairman drew attention to the aim to have the Authority's core values embedded in all that it undertook and that the next stakeholder survey in 2019 should make

reference to how the Authority demonstrated its core values. In relation to procurement, it was noted that reference to the core values would be included in the tender specifics but details were still required.

With regard to accountability e.g. bullying, it was clarified that the Authority did have policies and procedures in place to deal with such issues. In addition staff had access to an independent organisation from which they could seek advice on a number of matters. This was totally confidential.

Bill Dickson proposed, seconded by John Timewell and it was

RESOLVED unanimously

that the report is noted and that the recommendations as to areas where the Authority could improve its use of or further demonstrate its commitment to ethical standards are supported:

*These include:*

- *The Members Induction programme to include reference to ethical standards*
- *That reviews of procedures and policies include the use of Independent Persons appointed under the Localism Act 2011 to provide external scrutiny of processes where appropriate.*
- *The current review of the Code of Corporate Governance includes a full implementation of those elements of the CIPFA framework as address ethical standards and procedures.*
- *The Broads Authority seeks to engage in dialogue with stakeholders and outside bodies to allow itself to draw a picture of how its ethical standards are perceived by those bodies.*
- *In the event of the Broads Authority repeating the stakeholder survey by Insight Track, or equivalent exercise, that this should include an assessment of ethics within it.*
- *Ensuring that when procuring contracts for the supply of goods and services to the Authority or on behalf of the Authority, that appropriate questionnaires are used and documents provided to it , to allow the Authority to be satisfied that it deals only with organisations which themselves have high ethical standards.*

## **6/13 Protocol on Member and Officer Relations**

The Authority received a report providing amendments to the Protocol on Member and Officer Relations to take account of the Localism Act 2011 which put certain obligations on members and also took account of the Nolan principles as well as the developments in social media.

Members welcomed the report and considered that all members should be reminded of its content, particularly with reference to the revised Section 4 on Expectations, where all Members should show leadership and take responsibility for the decisions taken by the Authority, as well as Section 8 on

Communications at para 8.2 to ensure that the Authority was correctly represented whatever the communication medium being used. There was a request that para 8.3 should be redrafted to be consistent with para 4.3. A member raised the capacity of all members where they ran a private blog but commented on matters involving Authority business and whether the protocol should reflect the legal position. The Solicitor and Monitoring Officer clarified that this protocol served to define the relative responsibilities of members and officers and the situation raised by the member would be addressed in detail within the protocol on social media at present being developed.

With reference to Section 9 concerning the Provision of Information, Members considered that it was a general right for all members to be kept informed of all relevant matters, not just chairs, vice-chairs and lead members. Therefore it was suggested that the style and wording be amended in para 9.1 and that it would be useful to have a preamble in order to illustrate that the Authority was transparent and not exclusive or hierarchical.

Members commended and welcomed the proposed Protocol but requested some amendments be made before being finally adopted.

#### RESOLVED

that the Solicitor and Monitoring Officer be delegated to make amendments to the proposed draft Protocol on Member and Officer Relations as outlined in the discussion, to circulate these to all members for consultation and following consultation authorise for the Protocol to be adopted.

### **6/14 Amendments to Standing Orders**

The Authority received a report on the proposed amendments to the Authority's standing orders for the regulation of Authority proceedings to include those amendments necessary as the result of the recent decision to audio record Authority meetings. The amendments also included specific provision for the Hearings Committee. It was clarified, that as for other reports reference had also been made to other National Parks and Local Authorities.

Members commended the need for members to have read all the reports before the meeting and the need to be respectful, courteous and pay attention to the debates within the meeting as indicated at Para 12 concerning the Recording of meetings and use of hand held electronic devices.

Members raised the issue of using Twitter and Facebook within meetings as in some organisations the use of this type of social media was being encouraged as part of increasing accessibility and transparency. The Head of Communications commented that officers would be developing a social media policy for members, clarifying that there was already one in place for staff. The parameters would need to be defined while acknowledging the Authority's core values.

Although it was recognised that the wording of the originally drafted standing orders was of necessity legalistic and could be difficult to understand, in future it would be worth considering whether the language in such documents could be made more accessible. The Solicitor and Monitoring Officer confirmed that the use of Plain English was the preferred method when drafting new documents.

Haydn Thirtle proposed, seconded by Mathew Bradbury and it was

RESOLVED unanimously

that the proposed draft amendments to the Authority's Standing Orders attached to the report, be approved to take effect from the next meeting or committee meeting of the Authority.

## **6/15 Health and Safety**

The Authority received a report providing the annual information on health and safety together with the annual review of marine incidents. In addition, due to the recent changes in the membership of the Navigation Committee and subsequent membership of the Broads Authority there was a vacancy for the lead member responsible for safety. As acting Chairman of the Navigation Committee, Nicky Talbot had been attending these meetings. Now being Chairman and being an active sailor, she expressed willingness to continue to attend the meetings and be the lead member. This was welcomed.

Members noted the annual Health and Safety Report 2016 as well as the Annual Marine Incident Statistics that had been considered by the Navigation Committee. Members gave attention to the dangers of carbon monoxide poisoning and were assured that considerable efforts were being made to raise awareness of this through the boatyards and hirers, with the aid of the leaflets having been updated and their distribution, engagement with the public by the Rangers and through Super Safety days, through the Tourist Information Centres and Yacht Stations as well as through social media. As a parallel to this, the Boat Safety Technical Committee was reviewing the issue and over the coming months would be carrying out varying tests on equipment. The matter was due to be discussed at the next Safety Committee meeting in association with the need to consider management of risk to third parties. It was noted that British Marine was considering whether carbon monoxide detectors should be considered as essential equipment and therefore it being mandatory to have these fitted to all closed boats.

Members welcomed the report and the Chairman put the proposals to the meeting.

RESOLVED

- (i) that Nicky Talbot be appointed to represent the Authority as lead member for safety

- (ii) that the following priorities for action on internal health and safety for the coming year be noted:
  - (a) To continue to monitor application of the condition monitoring system on all Broads Authority navigation area assets;
  - (b) To continue to promote the safety observations system to help to influence a positive change in culture and to capture near miss events;
  - (c) To carry out five internal audits of key processes to audit control measures; and
- (iii) that the Annual Marine Incident Statistics be noted.

#### **6/16 Summary of Formal Complaints 2016/17**

The Authority received a report providing a summary of the formal complaints received within the last year, between 1 April 2016 to 31 March 2017 made by members of the public and service users, together with the outcome of those complaints. It was noted that there were 10 complaints received in the last year, mostly relating to planning applications and tolls, and two complaints referred to the ombudsman, both of which were dismissed.

RESOLVED

that the report be noted.

#### **6/17 Annual report on Requests to Waive Standing Orders**

The Authority received a report providing the annual summary of instances where Contract Standing Orders had been waived by the Chief Executive during 2016/17.

RESOLVED:

that the annual report of instances where standing orders have been waived be noted.

#### **6/18 The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code**

The Head of Safety reported that there were no items which needed to be raised under this item.

#### **6/19 Minutes Received**

The Chairman indicated that she would assume that members had read these minutes and the Chairman of each of the Committees would be available to answer any questions.

RESOLVED

(i) **Navigation Committee: 23 February 2017**

RESOLVED

that the minutes of the Navigation committee meeting held on 23 February 2017 be received.

(ii) **Planning Committee: 3 March and 31 March 2017**

RESOLVED

that the minutes of the Planning Committee meetings held on 3 March and 31 March 2017 be received.

(iii) **Broads Forum – 27 April 2017**

The Chairman of the Committee drew attention to the very helpful and interesting presentation from the Broads Angling Strategy Group and Environment Agency on saline incursion and management of fisheries received at the meeting.

RESOLVED

that the Draft Broads Forum minutes from the meeting held on 27 April 2017 be received.

**6/20 Feedback from Members appointed to represent the Authority on outside bodies**

Members of the Authority appointed to outside bodies were invited to provide feedback on those meetings they had attended on behalf of the Authority.

**Broads Tourism** – Greg Munford reported that a membership in excess of 175 was expected by November 2017. Broads Tourism was now a limited company. At the last Directors' meeting, the members were very impressed by the activity of the Broads Authority through social media. A strategy was now in place and social media was being delivered exceptionally well. Broads Tourism was all about collaboration between the member organisations in order to promote the area in 2018 and the Authority must be commended on the hard decisions it had taken in helping in its promotion. He commended Lorna Marsh as former Head of Communications in helping in this regard.

**Norfolk and Suffolk Broads Charitable Trust** – John Ash reported that the Trust had taken on another employee with the help of the Authority and John Organ was now on board as a Trustee. There was now a new Chairman.

**Norfolk Windmills Trust** – Jacquie Burgess reported that as the Trust had limited funds, this demonstrated the importance of the Landscape Partnership Scheme in promoting and facilitating the restoration of mills.

**Whitlingham Charitable Trust** – Whitlingham Country Park. It was reported that the diary of events had been published and the swift tower was now successfully in place.

#### **6/21 Items of Urgent Business**

There were no other items of urgent business for consideration.

#### **6/22 Formal Questions**

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

#### **6/23 Date of Next Meeting**

The next meeting of the Authority would be held on Friday, 28 July 2017 at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

#### **6/24 Exclusion of the Public**

RESOLVED

that the public be excluded from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the items below on the grounds that they involved the likely disclosure of exempt information as defined by Paragraphs 1, 3, 5 and 6 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.

Members of the Public left the meeting

#### **Summary of Exempt Minutes**

#### **6/25 Exempt Minutes of the Broads Authority meeting – 24 March 2017**

The exempt Minutes of the Authority's meeting on 24 March 2017 were received and signed as a correct record.

#### **6/26 Priority for Moorings 2017/18**

The Authority received a report containing exempt information concerning the opportunities and options of purchase, leasing and repair of three different mooring sites for 2017/18. The Navigation Committee had considered the progress on the matter at its meeting on 20 April 2017 and had wholeheartedly supported the proposed actions.



Vic Thomson proposed, seconded by Nicky Talbot and it was

RESOLVED

- (i) that the recommended actions in respect of the moorings at Acle Bridge, Hoveton Viaduct and Boundary Farm as set out in the report be supported and authorised.
- (ii) that subject to the successful outcome of the authorised actions and negotiations connected with the above, a further report setting out a full business case be provided to the Authority.

## **6/27 Corporate Sponsorship**

The Authority received a report containing exempt information relating to the progress made by National Park Partnerships in its negotiations with an international clothing company.

RESOLVED

- (i) that the Authority confirms its support for the partnership with the international clothing company and recognises the benefits and obligations.
- (ii) That the Authority authorises the Chief Executive, to sign the Letter of Agreement with the National Parks Partnership regarding the commercial partnership agreement with the international company to be the official clothing supplier to the UK's fourteen National Park Authorities and the Broads Authority for 5 years.

The meeting concluded at 13.16 pm

CHAIRMAN

**Code of Conduct for Members  
Declaration of Interests**

**Committee:** Broads Authority 19 May 2017

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest</b> (Please describe the nature of the interest)
Kelvin Allen		Chair of Broads Angling Strategy Group Member of Waveney River Trust
Greg Munford		Chairman Broads Tourism CEO Richardsons Toll Payer and Local Resident
Vic Thomson		Director Whitlingham Charitable Trust
Matthew Bradbury		Director of Whitlingham Charitable Trust Member BC, Toll Payer
John Ash		Toll Payer, Director/Trustee Wherry Yacht Charter Charitable Trust. N&SB Charitable Trust, How Hill Trust
Gail Harris		Whitlingham Charitable Trust Trustee/Director Cllr Norwich City Council
Nicky Talbot		Chair of Navigation Committee Toll Payer, Member of NBYC and NSBA
Bill Dickson		None on this agenda
Peter Dixon	6/9 And 6/27	My boathouse access affected by weed growth  National Parks Partnership Board Member
Louis Baugh		Director of Whitlingham Charitable Trust Norfolk and Suffolk Broads Charitable Trust.
Sarah Mukherjee		Chief Executive of Crop Protection Association None on this agenda.
Brian Wilkins	6/9	Chairman of NSBA, Upper Thurne Working Group

**Public Question Time**

**Question submitted by Richard Holmes**

Last year I raised the issue of water plants and the impact it has with sailing at the Hickling Broad area, it seems little action has been taken by the Broads Authority apart from a partial refund of my Broads Licence toll payment after I was told there were no actions to be taken by the Broads Authority apart from monitoring.

I read this year that it has again been brought to the attention of the Broads Authority by the Hickling Sailing Club and local business, highlighting this issue and safety aspects.

I would like to know what the role and responsibility of the Broads Authority is in this matter and what the future plan is and if any previous obligations required by the Broads Authority have not been met.

***The Authority's response***

Thank you for your question regarding the growth of water plants in Hickling Broad. You will see that there is reference to the topic in the report at Item No 9 on this agenda.

This is a matter where the Authority remains committed to a proactive stance, bringing together local interests, the landowner and the statutory agencies to achieve sustainable management of the Broad.

The Broads Authority fully appreciates the importance of Hickling Broad for sailing and also has a duty to consider its rare water plant community and birdlife which is of European significance for nature conservation and as such is protected by the Habitats and Birds Directives. Last year the Authority was granted consent by Natural England, the designated regulator, to carry out management of water plants within the marked channel.

In order to balance the needs of the sailing community with our obligations to conserve and enhance the wildlife and natural beauty of the Broads, the Authority is currently seeking the required statutory consent for managing a priority area for sailing in Hickling Broad. This may involve the cutting of some of the common water plants or even some of the protected stoneworts to establish the impacts of such action.

Water plants are growing well in the North Bay. The Authority continues to advise hirers to remain within the marked channel in Hickling where there are very few water plants. Overall, the distribution of the plants this spring is largely the same as last year.

An hydroacoustic survey has just been completed and as soon as the results are plotted the Authority will share the maps with all stakeholders including the Upper Thurne Working Group, the Hickling Broad Sailing Club (HBSC) and the Norfolk & Suffolk Boating Association (NSBA) so that so that they can set racing courses appropriately.

**Summary of Progress/Actions Taken following Decisions of Previous Meetings**

<b>Date of Meeting/ Minute No.</b>	<b>Authority Decision(s)</b>	<b>Responsible Officer(s)</b>	<b>Summary of Progress/ Actions Taken</b>
23 January 2015 Minute 4/18 <b>Chief Executive Report Network Rail: Consultation document: Anglia Route Study, Long Term Planning Process</b>	<ul style="list-style-type: none"> <li>Proposed Response to Network Rail to be circulated to members for comment prior to being submitted to Network Rail by deadline of 3 February 2015.</li> </ul>	Director of Operations	Network Rail's consultants are currently drawing up final reports of the Multi Criteria Stakeholder Analysis consultation. The outcome will help inform consideration of the options for the renewal, replacement or repair of Somerleyton and Reedham bridges. Copies of the final reports were received on 12 July 2017
20 March 2015 Minute 5/27 <b>Lease of Moorings on River Thurne</b>	<ul style="list-style-type: none"> <li>That the principles for the lease of moorings at Oby on the River Thurne be supported</li> <li>The Chief Executive delegated to finalise the details and signing of the lease</li> </ul>	Director of Operations	<p>Negotiations with Landowner ongoing.</p> <p>A 40m section of mooring at Boundary Farm, made available under a S106 agreement is now available for use. The area has been brought up to a Broads Authority 24 hour mooring standard, with safety ladders, chains, timbering and mooring posts. The area is fenced to demark the BA mooring and private land, access is available to the footway that runs along the flood bank.</p>
15 May 2015 Minute 6/2(3) And Minute 1/9 13 May 2016 Minute 6/8 24 March 2017 Minute 5/7	<ul style="list-style-type: none"> <li>Query relating to Member Allowances for National Parks and the Broads relating to Care for dependents</li> <li>Matter to be raised directly</li> </ul>	Solicitor and Monitoring Officer	<p>Matter has been followed up with Defra. The Chief Executive has been in touch with officials who are now investigating the matter.</p> <p>The Solicitor will investigate the matter further, querying compliance with the Human Rights Act</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
<b>Member Allowances</b>	with Ministers and at the September Conference on Women in Public Services (to be attended by Jackie Burgess)		and Equalities legislation.  Matter to be referred to in the Secretary of State Annual Reviews
25 September 2015 Minute 2/26 <b>Marine Management Organisation Licensing of Works in the Broads</b>	<ul style="list-style-type: none"> <li>That the Authority continue negotiations seeking discussions at a higher level in order to seek resolution and greater recognition from the MMO of the Authority's status as a Harbour Authority and the area's special qualities</li> </ul>	Director of Operations	Since initial discussion with MMO, they have simplified the system for small applicants which covered most third party activities in the Broads. The BA could issue & manage the MMO's licencing requirements as part of our works licencing BUT to do so would mean a whole raft of other responsibilities would need to be covered (as per the MMO) which could put a large burden on the Authority. It was decided to keep the status quo, and the BA works licences will carry advice for others to ensure they comply with other regulation (EA, MMO, NE)
18 November 2016 Minute 3/15 <b>Appointment of External Auditors for 2018/19</b>	<ul style="list-style-type: none"> <li>that the Authority agrees to join the national collective scheme, led by the Public Sector Audit Appointment (PSAA), as recommended by the Financial Scrutiny and Audit Committee on 27 September 2016;</li> <li>that delegated authority be given to the Section 17 Officer to communicate the willingness of the authority to</li> </ul>	Chief Executive/ Chief Financial Officer	PSAA acknowledged receipt of BA's acceptance to become an opted-in Authority.

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	join the scheme to PSAA and to enter into the scheme after a satisfactory examination / negotiation of the proposed terms and conditions is concluded		
27 January 2017 Minute 4/8 <b>Using Audio Recording or Webcasting to Increase the Openness and Transparency of Broads Authority Meetings</b>	<ul style="list-style-type: none"> <li>that audio recording of all BA public meetings be adopted on a trial basis for the next six months to assist in the preparation of minutes and during that time the Authority's existing equipment is tested to see if it is suitable for the task and issues involved in making recordings available on the Authority's website are investigated.</li> <li>That the webcasting of Broads Authority public meetings be further investigated and officers report back to a future meeting</li> </ul>	Solicitor and Monitoring Officer	Recordings of meetings are being made on a trial basis. Investigations for making available on the website being undertaken.  Webcasting also being investigated.
27 January 2017 Minute 4/14 24 March 2017 Minute 5/8 and <b>External Funding Update</b>	<ul style="list-style-type: none"> <li>Submission of CANAPE (Interreg) bid with the BA as lead partner approved. Commitment towards matched funding noted with recognition that if successful the project will divert some of the Authority's practical work</li> </ul>	Director of Operations/Head of Strategy and Projects/Senior Ecologist	CANAPE Bid has been successful. The Broads Authority, as Lead Partner, is awaiting the official offer letter from the Joint Technical Secretariat (JTS). This letter will contain details of the actions that need to follow. The partners have been informed of this and we are waiting the letter. The Broads Authority CANAPE project is forecast to start in 2017/18

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<p>towards implementation of Vision for Hickling Broad</p> <ul style="list-style-type: none"> <li>• That a Member Working Group be established with the task of developing a draft medium term external funding strategy whose aim is to support the delivery of the BA's priority activities in the new Broads Plan. Terms of Reference to be developed by the Working Group and brought back to the Authority for approval.</li> <li>• Landscape Partnership Scheme - second round application to HLF submission supported.</li> </ul>	<p>Chairman/Chief Executive</p> <p>Project Manager</p>	<p>and will include further enhancements at Hickling and work within the area of Paludiculture.</p> <p>Project Manager and Head of Strategy and Projects to work on potential medium term external funding strategy following submission of LPS. Kelvin Allen, Mathew Bradbury and John Ash volunteered to act as reference group for the work.</p> <p>Second round application to HLF submitted at the end of May 2017. Due to be considered by HLF committee at end of September. Official notification of decision expected November 2017</p>
<p>24 March 2017 Minute 5/13 <b>Housing White Paper Planning Fees</b></p>	<ul style="list-style-type: none"> <li>• BA responds to Government indicating that it would accept the offer of a 20% increase in application fees from July 2017</li> <li>• BA commits to spending additional fee income in the planning department on tangible planning benefits</li> <li>• Planning Committee to give consideration to where the</li> </ul>	<p>Director of Planning and Resources/ Head of Planning</p>	<p>Report being prepared for Planning Committee for consideration (assuming that the fee increase is confirmed by new Government)</p>



Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	additional income should be targeted but that consideration be given to extending the proactive condition monitoring scheme and enforcement.		
19 May 2017 Minute 6/13 <b>Protocol on Member and Officer Relations</b>	that the Solicitor and Monitoring Officer be delegated to make amendments to the proposed draft Protocol on Member and Officer Relations as outlined in the discussion, to circulate these to all members for consultation and following consultation authorise for the Protocol to be adopted.	Solicitor and Monitoring Officer	Amended Protocol taking account of points made in the discussion sent to all members on 25 May 2017 for consultation. Responses received but no further amendments considered appropriate.  Protocol adopted in accordance with power delegated to Solicitor and Monitoring Officer and included on website.
24 March 2017 Minute 5/27 19 May 2017 Minute 6/26 <b>Priority for Moorings 2017/18</b>  <b>(Exempt)</b>	<ul style="list-style-type: none"> <li>that the recommended actions in respect of the moorings at Acle Bridge, Hoveton Viaduct and Boundary Farm as set out in the report be supported and authorised.</li> <li>that subject to the successful outcome of the authorised actions and negotiations connected with the above, a further report setting out a full business case be provided to the Authority.</li> <li>that when the investment</li> </ul>	Director of Operations	Any further progress to be updated at the meeting (At Agenda Item no 32)

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	programme for moorings is settled the Authority works with the NSBA and the BHBF River Cruiser Class and the EACC to explain to users at large the priority and programme of works for these moorings.		
19 May 2017 Minute No6/27 <b>Corporate Sponsorship Through National Parks Partnership</b>	<ul style="list-style-type: none"> <li>that the Authority confirms its support for the partnership with the international clothing company and recognises the benefits and obligations.</li> <li>That the Authority authorises the Chief Executive, to sign the Letter of Agreement with the National Parks Partnership regarding the commercial partnership agreement with the international company to be the official clothing supplier to the UK's fourteen National Park Authorities and the Broads Authority for 5 years.</li> </ul>	Chief Executive	<p>Letter of Agreement signed.</p> <p>Press Launch of Columbia clothing Sponsorship held in London on 23 May 2017.</p> <p>Clothing sizes and fitting sessions for staff and members have been completed and our order has been placed for the clothing.</p> <p>First large delivery of clothing for over 2,000 staff scheduled for October/November 2017. A second round of delivery for the shirts and tee-shirts is planned for January/February 2018</p>

**Strategic Direction**  
Report by Chief Executive

**Summary:** This report sets out progress in implementing the Authority's Strategic Priorities for 2017/18.

**Recommendation:** That the updates are noted (Appendix 1).

## **1 Strategic reporting**

- 1.1 The Broads Authority uses two cyclical reporting processes on the strategic objectives for the Broads and annual priorities for the Authority.
- 1.2 **Broads Plan:** The Broads Plan is the partnership management plan for the Broads. It contains a long-term vision for the area and shorter-term guiding objectives for the Broads Authority and its partners working in the Broads. The current Plan was adopted in March 2017 and covers the period 2017-22.
- 1.3 Updates on implementing the Broads Plan and linked strategies are reported to the Authority in March and November each year and published on the Authority's website at [www.broads-authority.gov.uk](http://www.broads-authority.gov.uk). We also report changes and new actions as we go through the Plan period.
- 1.4 **Broads Authority priorities:** Each year the Authority identifies a small set of its own strategic priorities, guided by the Broads Plan. The priorities focus on Authority-led projects that have high resource needs or a very large impact on the Broads, or that are politically sensitive. Setting these priorities helps us target our resources and make the most of partnership working and external funding opportunities. Although priorities are set each year, the scale of many projects means they are likely to continue for a number of years.
- 1.5 Strategic priorities for 2017/18 were agreed at the Authority's meeting in January. Following the meeting in March, they also include the Peer Review of Governance Arrangements. A progress report is in Appendix 1.

## **2 Sustainable Tourism strategy**

- 2.1 At the Broads Authority meeting on 13 May 2016, Members considered key actions for year 1 of the Sustainable Tourism Strategy. Minute 6/14 stated that:

The Authority will be working closely with Broads Tourism in the delivery of these actions. The Authority is identified as the sole lead partner for priorities 1 and 2 and will need to consider the funding, timescale and staff resource necessary to deliver these effectively.

Priority 3 is led jointly by Broads Tourism and the Authority and close working with organisations such as the RSPB and the Wildlife Trusts will be necessary to deliver this action. It is proposed to bring a further update on the implementation of the three priorities to a future meeting.

2.2 Progress on these three priority actions is shown below.

Priority action	Progress to date	Lead
Priority 1: Develop and maintain a high quality up-to-date destination website	New Visit the Broads website in place from April 2017 at <a href="http://www.visitthebroads.co.uk/">http://www.visitthebroads.co.uk/</a> . Further work being scoped to improve listings structure, search content and site navigation.  Initial site performance statistics given to Broads Tourism to assist further improvement planning.	BA
Priority 2: Develop and maintain a strong digital/social media presence and PR activity	Daily social media updates and ongoing conversations on BA and Visit the Broads accounts; increase in Twitter followers (now up to 6,000). Urgent Boating News and Yacht Station Updates now posted on Broads Authority account.  Further development work required to allow controlled postings from Rangers and other staff. Policies and training on protocols to be provided.	BA
Priority 3: Develop and package high profile wildlife experiences	Actions in work programme for 2017/18.  Initial meetings set up for BA Communications team, RSPB and Norfolk Wildlife Trust.	BA and Broads Tourism

2.3 The Authority's Communications Team has recently been reorganized, with two new posts created and filled: Digital Officer (Tom Waterfall) and Media Officer (Demelza Craven). Rob Leigh is Head of Communications, replacing Lorna Marsh.

Background papers: None



Authors: John Packman, Maria Conti, Andrea Long




Date of report: 12 July 2017


Broads Plan Objectives: Multiple


Appendices: APPENDIX 1: Strategic Priorities 2017/18


# APPENDIX 1

Broads Authority strategic priorities 2017/18					
	Project	Aim and milestones		Status	Contact
1	<b>Integrated flood risk management</b>	<p><u>Aim: Profile raised on urgency to develop an integrated approach to flood risk management (Broads and coast).</u></p> <ul style="list-style-type: none"> <li>Engage with stakeholders to help define the next stages of the initiative - by end 2017</li> <li>Create framework for gathering relevant information on key potential actions - by end March 2018</li> </ul>	<p>Broads Climate Partnership, acting as client steering group, met in June to scope the Broadland Futures Initiative, outlining likely outcomes, governance choices and core stakeholders. Task and finish groups will develop this and prepare a framework and engagement plan to share with stakeholders. The Environment Agency is looking into resources to support this work.</p> <p>Preliminary briefings held with some local councils and MPs and more will be followed up in the autumn.</p> <p>Trials of story-telling and other 'soft' public engagement methods around flood risk issues are being developed.</p>		Simon Hooton
2	<b>Catchment management</b>	<p><u>Aim: Facilitated working with farmers and others on catchment management and on the future of agri-environment schemes post-Brexit.</u></p> <ul style="list-style-type: none"> <li>Implement small scale local interventions to reduce soil and nutrient loss from fields</li> <li>Meet with farmers to gauge interest in tailored Broads solution for agri-environment payments post-Brexit - Feb 2017 and as necessary</li> </ul>	<p>BA Members and officers met with new Environment Secretary Michael Gove at the Norfolk Show on 28 June. Local farmer and BA Member Louis Baugh highlighted the importance of agri-environment payments to local grassland farmers in maintaining and enhancing the landscape and biodiversity of the Broads. The case was made for a bespoke, better rewarded and simpler system.</p> <p>A farmers' workshop was held at Marsham on 20 April to discuss techniques to reduce water usage and run-off in potatoes. As part of the Tesco Water Sensitive Farming project 2017,</p>		Neil Punchard

Broads Authority strategic priorities 2017/18					
	Project	Aim and milestones		Status	Contact
			six farmers have taken up free trials of the 'Wonder Wheel', which disrupts wheelings to prevent water, soil and nutrients run off.		
3	<b>Broads Landscape Partnership Scheme (LPS)</b>	<u>Aim: Successful LPS project delivery.</u> <ul style="list-style-type: none"> <li>Submit Landscape Conservation Action Plan and second stage HLF application by May 2017. Decision expected Nov 2017.</li> <li>Start project delivery – from 1 Jan 2018</li> </ul>	The second round application was submitted on 19 May 2017. The HLF decision is due by early November.		Will Burchnall
4	<b>Hickling Broad Enhancement Project</b>	<u>Aim: Hickling Vision implemented.</u> <ul style="list-style-type: none"> <li>Construction work: Next phase priority dredging from navigation channel and land spreading to adjacent land</li> <li>Win additional resources for delivery – in particular, CANAPE bid (decision expected Jun 2017)</li> <li>If bid successful, start CANAPE implementation – Jan 2018</li> </ul>	<p>Churchill's Bay and Studio Bay infill areas are completed.</p> <p>The CANAPE bid was successful.</p> <p>The process and procedures for acting as Lead Partner in a European Bid is being understood. A project team is being assembled to take this four-year project through to completion.</p>		Dan Hoare
5	<b>External funding</b>	<u>Aim: Medium-term strategy in place for external funding and commercial opportunities to support Broads Plan implementation.</u> <ul style="list-style-type: none"> <li>Draft external funding strategy to BA – Nov 2017</li> </ul>	<p>Internal scoping of external funding strategy is underway and an outline framework will be submitted to Management Team. This will be used as the basis for discussion with lead members by Autumn 2017 and submission of a draft strategy to the Authority in Nov 2017.</p> <p>Support for local small charitable trusts led to two training sessions with them and closer working with Broads Charitable Trust. Ideas on further support to be scoped as part of strategy.</p>		Simon Hooton

Broads Authority strategic priorities 2017/18					
	Project	Aim and milestones		Status	Contact
6	<b>Marketing, promotion and media relations</b>	<p><u>Aim: Raised profile, awareness and reputation of Broads National Park and Broads Authority including through:</u></p> <ul style="list-style-type: none"> <li>• Proactive media around BA successes</li> <li>• Proactive digital communications</li> <li>• Presence at Norfolk Show</li> <li>• Signage strategy</li> </ul>	<p>Proactive press releases on a range of activities are being complimented by website and social media posts, and relationships are being forged with local journalists. The recent recruitment of the Communications Officer (Media and PR) will enable further progress in this area.</p> <p>Following the Spring launch of the 'Visit the Broads' website we have identified further content and navigation improvements for the site, which are ongoing. Social media activity has increased, with a healthy growth in 'likes' and 'follows'.</p> <p>Protocols are in place to allow colleagues to contribute to corporate accounts in a controlled way. A new set of social media policy guidelines have been written (pending approval at Broads Authority).</p> <p>Presence at the Norfolk Show Broads Village was increased this year with 21 partner stands and a larger range of BA activities. Environment Secretary Michael Gove visited the stand on the first day of the show. Follow-up meetings are being planned to consider further improvements for next year.</p> <p>Scoping of potential options for a Broads National Park signage strategy is underway, with specific site audits planned/taking place.</p>		Rob Leigh

Broads Authority strategic priorities 2017/18					
	Project	Aim and milestones		Status	Contact
7	<b>Peer Review of Governance Arrangements</b>	<p><u>Aim: Review of existing governance arrangements undertaken and potential for improvements identified/taken forward.</u></p> <ul style="list-style-type: none"> <li>Establish Reference Group of Members to review governance arrangements and support peer review process - by end May 2017</li> <li>Agree date and composition of Peer Review Team with LGA - by end May 2017</li> <li>Prepare background documents - by end Jul 2017</li> <li>Reference Group to report back to the Broads Authority - Sept 2017</li> <li>Peer Review visit - Oct 2017</li> </ul>	<p>A scoping meeting was held with Local Government Association (LGA) Peer Review team managers. They have drafted a timetable of activities for the review, to be held at the BA offices in Norwich on 10-12 Oct.</p> <p>The focus of the review will be:</p> <p>(i) The Broads Authority's current leadership, governance, policies and procedures</p> <p>(ii) The mechanisms for the Authority's engagement with the broader economic and social agenda across the two counties of Norfolk and Suffolk</p> <p>The Member Reference Group met three times in June and is making recommendations to the Authority including changes to the training of new members and a Person Specification for local authority appointees (see report on today's agenda).</p>		John Packman/ Maria Conti

Key	Progress
	Project on track, no causes for concern



## **Financial Performance and Direction**

### **Statement of Accounts 2016/17**

Report by Chief Financial Officer

**Summary:** This report summarises the Broads Authority's Statement of Accounts for the year ended 31 March 2017 for approval.

**Recommendation:** That the Statement of Accounts 2016/17 be adopted.

## **1 Introduction**

- 1.1 The Statement of Accounts and the Annual Audit Results was considered by the Finance Scrutiny and Audit Committee on 25 July 2017. A verbal update will be provided during the meeting.
- 1.2 Members will recall that the Financial Performance and Direction report to the Authority on 19 May 2017 provided the draft year end figures for 2016/17 which detailed a deficit of £2,341. These figures were then used to produce the Statement of Accounts.
- 1.3 There have been no subsequent changes to these figures and the draft Statement of Accounts was signed on 31 May 2017. Ernst and Young (external audit) then undertook their onsite work between 5 and 16 June 2017.

## **2 Changes to the 2016/17 Accounts**

- 2.1 This year sees the introduction of the Expenditure and Funding Analysis under IAS 1, which can be found on page 13 of the Statement of Accounts. The introduction of this statement is to help users understand how the Authority is funded and how resources are allocated across the Directorates. In addition the Comprehensive Income and Expenditure Statement now reflects the internal reporting structure against Directorates; this is a change to previous years where this was reported against CIPFA SeRCOP (Service Reporting Code of Practice). As a result this has meant the 2015/16 Comprehensive Income and Expenditure Statement has been restated.
- 2.2 The departure from the SeRCOP will make future comparisons against other National Parks slightly more labour intensive, however the Authority has retained the ability to reproduce the Accounts in this format if required.
- 2.3 The introduction of the Expenditure and Funding analysis has meant that amounts reported for resource allocation decisions is no longer included (previously note 22 in the 2015/16 Accounts). However this note has been

reproduced below to help members understand the additional adjustments made at year end.

<b>Income and Expenditure 2016/17</b>	<b>Operations £</b>	<b>Planning &amp; Resources £</b>	<b>Chief Executive £</b>	<b>Corporate Amounts £</b>	<b>Total £</b>
Fees charges and other service income	(228,441)	(779,160)	(8,706)	(3,111,791)	(4,128,097)
Contribution from reserves	0	0	0	(417,313)	(417,313)
Government Grants	0	0	0	(3,243,802)	(3,243,802)
<b>Total Income</b>	<b>(228,441)</b>	<b>(779,160)</b>	<b>(8,706)</b>	<b>(6,772,906)</b>	<b>(7,789,212)</b>
Employee expenses	1,920,661	1,771,709	272,127	150,203	4,114,700
Other service expenses	1,789,947	1,697,790	189,116	0	3,676,854
<b>Total expenditure</b>	<b>3,710,608</b>	<b>3,469,499</b>	<b>461,243</b>	<b>150,203</b>	<b>7,791,553</b>
<b>Net expenditure</b>	<b>3,482,167</b>	<b>2,690,339</b>	<b>452,537</b>	<b>(6,622,703)</b>	<b>2,341</b>

1. Net expenditure above	2,341
2. Amounts in the Comprehensive Income and Expenditure Statement not reported to management in the analysis	781,685
3. Amounts included in analysis not in Comprehensive Income and Expenditure Statement	2,775,092
<b>Cost of Services in the Comprehensive Income and Expenditure Statement</b>	<b>3,559,119</b>

2.4 Items that are included in the amounts in the second line under Comprehensive Income and Expenditure Statement which are not reported to management include year end adjustments for the Pension scheme. The Accounts are adjusted to reflect the difference between the actual costs as assessed by the actuary and the contributions paid over during the year. Further adjustments are also made for untaken staff leave, depreciation and movements on revaluations.

2.5 The main adjustments in the third line which is in the analysis above but not the Comprehensive Income and Expenditure Statement is the removal of the DEFRA grant, interest and investment income, interest payable and expenditure in relation to investment properties. These items are added back in the lines under the cost of services. Further adjustments relate to the accounting treatment of capital expenditure, reserve expenditure and finance leases.

2.6 The table below analyses these adjustments in more detail and agrees back to the Comprehensive Income and Expenditure Statement on page 14 in the Statement of Accounts.

	Service Analysis £	Not reported to Management £	Not included in CIES £	Cost of Services £	Other Operating Expenditure, Financing & Investment Income and Government grant £	Deficit on Provision of Services £
Fees, charges and other service income	(4,113,326)	0	0	(4,113,326)	0	(4,113,326)
Interest and Investment income	(14,771)	0	14,771	0	(14,771)	(14,771)
Contributions from reserves	(417,313)	0	(40,319)	(457,632)	0	(457,632)
Government Grants	(3,243,802)	0	3,243,802	0	(3,243,802)	(3,243,802)
<b>Total Income</b>	<b>(7,789,212)</b>	<b>0</b>	<b>3,218,254</b>	<b>(4,570,958)</b>	<b>(3,258,573)</b>	<b>(7,829,531)</b>
Employee expenses	4,114,700	159,193	0	4,273,893	187,000	4,460,893
Other service expenses	3,676,854	0	(443,161)	3,233,692	0	3,233,692
Depreciation, amortisation & impairment	0	622,492	0	622,492	0	622,492
Interest payments	0	0	0	0	36,039	36,039
Expenditure in relation to investment properties	0	0	0	0	(13,435)	(13,435)
Loss on disposal of Fixed Assets	0	0	0	0	1,041	1,041
<b>Total Operating Expenditure</b>	<b>7,791,553</b>	<b>781,685</b>	<b>(443,161)</b>	<b>8,130,077</b>	<b>210,645</b>	<b>8,340,722</b>
<b>Deficit on Provision of Services</b>	<b>2,341</b>	<b>781,685</b>	<b>2,775,092</b>	<b>3,559,119</b>	<b>(3,047,928)</b>	<b>511,191</b>

### **3 Balance Sheet**

- 3.1 This year sees the Balance Sheet move to a net Liability position of £537,000. This is not the first time this has happened as the Broads Authority Balance Sheet had a net liability of £293,000 in 2015. The cause of this movement is due to the movement in the Pension Fund liability which has increased from £5.3m to £7.8m. These fluctuations are due to maintaining contributions at a consistent rate to minimise the impact on the Authority's cash flows. The Authority makes additional contributions to the fund to reduce the deficit over the next 20 years. Funding levels are monitored on an annual basis whilst the contributions and the annual deficit payments are recalculated as part of triennial valuation. The next valuation will take place on 31 March 2019. Additional information about the Pension Fund Assets and Liabilities can be found within the Statement of Accounts under Note 33.
- 3.2 The bottom section of the Balance Sheet on page 17 splits the reserves between useable and non useable reserves. The useable reserves can be used to fund future operating expenditure whilst the unusable reserves are kept to manage accounting processes such as unrealised gains or acquisitions of Fixed Assets and the movements on the Pension Reserve.
- 3.3 The closing position on the National Park (General), Navigation and Earmarked reserves remain at the same levels as reported on 19 May 2017. The individual balances that make up the Earmarked reserve can be found within the Statement of Accounts under note 10, page 37. The year end balances of the reserves are:
- National Park £1,041,796
  - Navigation £325,955
  - Earmarked £1,392,066 of which £589,915 relates to Navigation

### **4 Other Significant Issues**

- 4.1 There are no other significant issues arising from the preparation of the accounts which it is considered need to be drawn to the attention of the Committee.

### **5 Annual Governance Statement**

- 5.1 The Accounts and Audit (England) Regulations 2015 contain a requirement that an Annual Governance Statement, prepared in accordance with proper practices in relation to internal control, must be approved by the relevant body and must accompany the Statement of Accounts. The draft Annual Governance Statement will be considered under agenda item number 12 (2).

### **6 Audit of the Statement of Accounts**

- 6.1 The Authority's external auditors, Ernst & Young, have completed the audit and the audit report will be inserted into pages 10-12 prior to signing.

## **7 Financial Implications**

- 7.1 The Statement of Accounts for 2016/17 shows revenue reserves of £1,367,751 (general reserves £1,041,796, navigation reserves £325,955) that are considered to be adequate. The navigation reserve at the end of 2016/17 stands at 10.5% of net expenditure. This is marginally higher than the Financial Strategy forecast for the end of 2016/17. With these taken alongside the significant earmarked reserve balances, the Authority's reserves are therefore considered to be sound. The outturn figures for 2016/17, and their implication for the overall level of reserves, will be taken into account in future budgeting proposals, and when making decisions about income and expenditure in 2017/18.

Background Papers:	Annual Governance Statement 2016/17 Annual Audit Results Report 2016/17
Author:	Emma Krelle
Date of Report:	11 July 2017
Broads Plan Objectives:	None
Appendices:	APPENDIX 1: Statement of Accounts 2016/17

**BROADS AUTHORITY**

STATEMENT OF ACCOUNTS

2016/17

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Broads Authority Statement of Accounts  
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## **Narrative Report**

### Introduction

The purpose of the foreword is to offer interested parties an easily understandable guide to the most significant matters reported in the accounts. It contains a commentary on the major influences affecting the Authority's income and expenditure and cash flow, and information on the financial needs and resources of the Authority.

### The Background to the Accounts 2016/17

The Statement of Accounts represents the financial transactions of The Broads Authority.

The Broads Authority was set up under the Norfolk and Suffolk Broads Act 1988.

Its duties, as subsequently amended by the Natural Environment and Rural Communities Act 2006, are to manage the Broads for the purpose of:

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

This brought the first two purposes into line with those of the English National Park Authorities, as recommended in the Department for Environment, Food and Rural Affairs (Defra) report 'Review of English Park Authorities' published in July 2002.

In discharging its function, the Authority should have regard to:

- the national importance of the Broads as an area of natural beauty and one which affords opportunities for open air recreation;
- the desirability of protecting the natural resources of the Broads from damage; and
- the needs of agriculture and forestry and the economic and social interests of those who live and work in the Broads.

In respect of its navigation area the Authority is required to:

- maintain the navigation area for the purposes of navigation to such a standard as appears to it to be reasonably required; and
- take such steps to improve and develop it as it thinks fit.

The Broads Authority Act 2009 amended the 1988 Act and is primarily concerned with augmenting the Authority's powers to ensure safety on the Broads, including the application of the Boat Safety Scheme and compulsory third party insurance. It also made provision for the transfer of responsibility for the navigation in Breydon Water to the Authority which was implemented in 2012. The 2009 Act removed the need for the Authority to maintain a separate navigation account and contained provisions which require the Authority to ensure that, taking one year with another, expenditure on navigation matters is equal to navigation income.



### The Accounting Statements

The Broads Authority's accounts for the year 2016/17 are set out on pages 8 to 73. They consist of:

#### **Statement of Responsibilities for the Statement of Accounts**

#### **Statement of Corporate Governance**

**Expenditure and Funding Analysis** – This statement shows how annual expenditure is used and funded from resources (government grants and rents) in comparison with those resources consumed or earned in accordance with generally accepted accounting practices. It also shows how this expenditure is allocated for decision making purposes between the Authority's directorates. Income and expenditure accounted for under generally accepted accounting practices is presented more fully in the Comprehensive Income and Expenditure Statement. The Expenditure and Funding Analysis is a note to the Financial Statements, however its position next to the Comprehensive Income and Expenditure Statement is to provide a link from the figures reported in the Review of the Year within the Narrative Report.

**Comprehensive Income & Expenditure Statement** – This statement shows the accounting cost in the year of providing services in accordance with generally accepted accounting practices.

**Movement in Reserves Statement** – This statement shows the movement in the year on the different reserves held by the Authority, analysed into 'usable' reserves and 'other' reserves. The 'surplus / deficit on the provision of services' line shows the true economic cost of providing the Authority's services, more details of which are shown in the Comprehensive Income & Expenditure Statement. The 'net increase / decrease before transfers to earmarked reserves' line shows the statutory General Fund balance before any discretionary transfers to or from earmarked reserves undertaken by the Authority.

**Balance Sheet** – The Balance Sheet shows the value as at the Balance Sheet date of the assets and liabilities recognised by the Authority. Reserves are reported in two categories. The first category of reserves are 'usable' reserves, i.e. those reserves that the Authority may use to provide services, subject to the need to maintain a prudent level of reserves and any statutory limitations on their use (for example the Capital Receipts Reserve may only be used to fund capital expenditure or repay debt). The second category of reserves is those that the Authority is not able to use to provide services. This category of reserves includes reserves that hold unrealised gains and losses (for example the Revaluation Reserve), where amounts would only become available to provide services if the assets are sold, and reserves that hold timing differences shown in the Movement of Reserves Statement line 'adjustments between accounting basis and funding basis under regulations'.

**Cash Flow Statement** – The Cash Flow Statement shows the changes in cash and cash equivalents of the Authority during the reporting period. The statement shows how the Authority generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flows arising from operating activities is a key indicator of the extent to which the operations of the Authority are funded by way of tolls and grant income or from the recipients of services provided by the Authority. Investing activities represent the extent to which cash outflows have been made for resources which are intended to contribute to the Authority's future service delivery. Cash flows arising from financing activities are useful in predicting claims on future cash flows by providers of capital (i.e. borrowing) to the Authority.

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Broads Authority Statement of Accounts  
**Narrative Report**

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These accounts are supported by the Statement of Accounting Policies in Note 1, which follows the Accounting Statements, and various notes to the accounts.

The information included in these accounts incorporates spending relating to the Broads Navigation. The Navigation income and expenditure is separately accounted for in the records to ensure the proper control of income from toll payers and to ensure it is spent primarily to benefit the users of the navigation. Navigation income and expenditure is shown in full at note 37 on page 73.

#### Changes to the 2016/17 Accounts

This year sees the introduction of the Expenditure and Funding Analysis under IAS 1. The introduction of this statement is to help users understand how the Authority is funded and how resources are allocated across the Directorates. In addition the Comprehensive Income and Expenditure Statement now reflects the internal reporting structure against Directorates; this is a change to previous years where this was reported against CIPFA SeRCOP (Service Reporting Code of Practice). As a result this has meant the 2015/16 Comprehensive Income and Expenditure Statement has been restated.

#### Current Borrowing Facilities and Capital Borrowing

On 20 November 2007, the Authority took out a £290,000 loan from the Public Works Loan Board. The repayment period of the loan is 20 years at a fixed interest rate of 4.82%, repayable by equal instalments of principal. The Public Works Loan Board has advised that the fair value of the debt as at 31 March 2017 is £189,087.

The purpose of this loan was to finance the purchase of the Dockyard Operation from May Gurney to enable the Authority to continue to dredge the Broads in an economical and efficient manner.

#### Review of the Year

##### *General Income and Expenditure*

The Authority received National Park Grant of £3,244k from Defra (£3,189k in 2015/16). In addition to this, the income received from external grant support, sales, fees, charges and interest totalled £869k (£712k in 2015/16). Total income for 2016/17 was £4,113k (£3,901k in 2015/16).

The Authority set a budget for 2016/17 with a forecast deficit of £27k (£84k deficit for 2015/16). The Authority monitors its budget throughout the year against a forecast outturn which is updated on a monthly basis. The final forecast outturn for the year indicated an anticipated surplus of £50k. The actual outturn saw a deficit of £1k (an adverse variance of £51k). The Authority has a policy for carry forward requests in respect of underspends. These have been subsequently approved by the Authority for £22k (£26k for 2015/16) and will be added to the 2017/18 budget.

##### *Navigation Income and Expenditure*

Income from tolls was £3,075k (£2,986k in 2015/16), other income received for the year from external grant support, yacht stations charges, sales of tide tables, works licences and other miscellaneous services was £176k, (£159k in 2015/16) and interest was £7k (£11k in 2015/16). Total income for 2016/17 was £3,258k (£3,156k in 2015/16).

The Authority set a budget with a forecast surplus of £16k for 2016/17 (surplus of £56k for 2015/16). The Authority monitors its budget throughout the year against a forecast outturn

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Broads Authority Statement of Accounts  
**Narrative Report**

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which is updated on a monthly basis. The final forecast outturn for 2016/17, which took account of approved budget changes, indicated an anticipated deficit of £26k. The actual outturn saw a deficit of £1k (a favourable variance of £25k). The Authority has a policy for carry forward requests in respect of underspends. These have been subsequently approved by the Authority for £9k (£181 for 2015/16) and will be added to the 2017/18 budget

### Financial Outlook

The Authority received notification in January 2016 that its National Park Grant would be protected in real terms and received an increase of 1.72% per annum over the period 2016/17 to 2019/20. This is the first time since 2009/10 that the Authority has seen an increase to its National Park Grant. The settlement has meant that the Authority can now plan for this period with a higher degree of certainty.

Income from navigation tolls has continued to hold up reasonably well despite continued pressures on Hire Craft numbers. Despite the decline in Hire Craft, the Private Craft increase means that income is broadly in line with the projections made in the Authority's current Financial Strategy for the period up to 2020/21, which was adopted by the Broads Authority in January 2018.

The current Financial Strategy was drawn up having regard to the Authority's grant settlement and the priorities in the Broads Plan. It sets out a prudent strategy for managing the limited resources available in order to build on the work underway across the organisation and to continue to deliver the Authority's key priorities over the next three years. The focus in developing the Financial Strategy has been to deliver the maximum possible efficiencies and savings in order to minimise the impact on front-line activity. The Authority recognises that without its employees continued commitment and hard work this would not be possible. The Authority continues to focus on identifying opportunities to raise income, make efficiencies and find further savings.

2016/17 saw the continued focus on raising additional income through external funding. This was reflected in 3 of the 6 strategic priorities for the year (further details can be found at [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0007/912832/Strategic-Priorities-2016-17-Update.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/912832/Strategic-Priorities-2016-17-Update.pdf)).

Development phase work on Water Mills and Marshes – our Heritage Lottery funded Landscape Partnership Scheme is almost completed with submission of our second round application in May 2017. A successful second round application will unlock an additional £2.44 million of grant funding from the Heritage Lottery Fund, which along with cash and in-kind contributions from partners creates a scheme worth £4.01 million over the 5 year delivery phase. The HLF decision is expected in November and if successful, we will start delivery of Water, Mills and Marshes in January 2018.

An additional bid was submitted in January 2017 to the EU for the project named CANAPE (Creating a New Approach to Peatland Ecosystems). This is a joint project with Hunze en Aa's Regionaal Water Authority in the Netherlands, Regional Landschap De Voorkempen, an organisation maintaining and enhancing the natural landscape in the Netherlands, Landkreis Diepholz, Northern Institute of Thinking and the Danish Nature Agency with the Authority acting as the Lead Partner.

The Authority's focus within the project will be the continuation of delivering the Hickling vision with the opportunity to explore the potential reuse of fen materials such as composting or biofuels. The total Broads Authority bid is for €1,165,000 of this €582,000 is the Authority's match contribution made up of staff time and existing budgets. The total partnership bid totals €5,858,471.

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Broads Authority Statement of Accounts  
**Narrative Report**

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If the bid is successful it will bring additional income to the Authority of €582,000 over the 5 year project. Following the UK's decision to exit the EU it is likely to be the Authority's last bid from this funding stream. However if the Authority is successful CANAPE will be guaranteed over the life of the project regardless of the UK's progress in leaving the EU. The decision is expected in June 2017.

National Parks Partnership LLP continues to promote corporate partnerships for the UK National Parks with the aim to make a significant, sustainable and discernible contribution to the improved quality of UK National Parks and the benefits they offer for generations to come. For the Authority this has meant securing additional funding from Tesco to work in partnership on Water Sensitive Farming in the Broadland Catchment. Throughout the year NPP has also been working to secure the first major corporate sponsorship for all of the UK Parks to provide clothing for all front line staff over 5 years. This is the first major sponsorship deal and is with Columbia with the launch held on 23 May 2017.

In setting its Strategic Priorities and Financial Strategy the Authority is mindful of the risks it faces. These are monitored on a regular basis with actions being taken to mitigate any possible impacts. Reports to the Authority highlight risks on potential new areas of activity. The Financial Scrutiny and Audit Committee receive detailed reports on the current risks with details of the individual risks, risk owner and actions.

In developing the Financial Strategy, a number of assumptions have been made in respect of National Park Grant allocations, future boat numbers and the level of staff pay inflation. The Strategy follows the general principle that the Authority should seek to maintain the general reserve at a minimum of £100,000 plus 10% of net expenditure, and the navigation reserves at a minimum of 10% of net expenditure. It also expects that General and Navigation income and expenditure should be broadly in balance across the life of the Financial Strategy.

Navigation funding is currently projecting a small deficit of £8k in 2017/18 (after taking into account carry forward requests), with reserves at 9.9% of net expenditure at the end of the year. For General funding there is a projected deficit of £89k (after taking into account carry forwards requests) in 2017/18, with reserves at 28% of net expenditure.

The Strategy also covers capital expenditure with the majority being funded from Earmarked Reserves and the rest from National Park Grant and Navigation income.

There are a significant number of variables – and some unknown quantities, such as future inflation – which could impact on these figures. The Financial Strategy will therefore be reviewed and updated by the Authority, having regard to any changes in circumstances and the annual outturn figures, at its meeting in January 2018. The annual toll increase for 2017/18 was set at an overall 2.7%. A review of the new charging structure as implemented by the Tolls Working Group recommendations will need to be taken into account when setting the future strategy and will continue to be subject to consultation with the Navigation Committee and other stakeholders.

## **Statement of Responsibilities for the Statement of Accounts**

### *The Authority's Responsibilities*

The Authority is required to:-

- (a) Make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of those affairs. In this Authority, that officer is the Chief Financial Officer.
- (b) Manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets.
- (c) Approve the statement of accounts.

### *The Chief Financial Officer's Responsibilities*

The Chief Financial Officer is responsible for the preparation of the Authority's Statement of Accounts in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2016/17 (the Code).

In preparing this Statement of Accounts, the Chief Financial Officer has:-

- selected suitable accounting policies and then applied them consistently;
- made judgements and estimates that were reasonable and prudent; and
- complied with the Local Authority Code.

The Chief Financial Officer has also:

- kept proper accounting records which were up-to-date; and
- taken reasonable steps for the prevention and detection of fraud and other irregularities.

### *Chief Financial Officer's Certificate*

I certify that the Statement of Accounts gives a true and fair view of the financial position of the Broads Authority at 31 March 2017 and its income and expenditure for the year ended 31 March 2017.

Emma Krelle (Chief Financial Officer)

**Certificate of Committee Resolution**

I confirm that these accounts were approved by The Broads Authority at its meeting held 28 July 2017.

Signed on behalf of The Broads Authority:

Prof J A Burgess

(Chair of meeting approving the accounts)

28 July 2017

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Broads Authority Statement of Accounts  
**Independent Auditor's Report to the Members of the Broads Authority**

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**Independent Auditor's Report to the Members of the Broads Authority**







Broads Authority Statement of Accounts  
**Expenditure and Funding Analysis**

**Expenditure and Funding Analysis**

This statement shows how funding available to the Authority for the year has been used in providing services in accordance with generally accepted accounting practices.

2015/16				2016/17		
Net Expenditure Chargeable to the General and Navigation Fund Balances £000	Adjustments between the Funding and Accounting Basis * £000	Net Expenditure in the Comprehensive Income and Expenditure Statement £000		Net Expenditure Chargeable to the General and Navigation Fund Balances £000	Adjustments between the Funding and Accounting Basis * £000	Net Expenditure in the Comprehensive Income and Expenditure Statement £000
945	53	998	Operations	982	65	1,047
1,694	111	1,805	Planning and Resources	1,814	26	1,840
329	12	341	Chief Executive	284	6	290
67	0	67	Corporate Amounts	95	0	95
229	(61)	168	Broads Navigation Account	22	265	287
<b>3,264</b>	<b>115</b>	<b>3,379</b>	<b>Net Cost of services</b>	<b>3,197</b>	<b>362</b>	<b>3,559</b>
(3,161)	241	(2,920)	Other Income and Expenditure	(3,235)	187	(3,048)
<b>103</b>	<b>356</b>	<b>459</b>	<b>Surplus or (Deficit)</b>	<b>(38)</b>	<b>549</b>	<b>511</b>
(1,232)			Opening General and Navigation Fund Balance	(1,378)		
103			Less/Plus Surplus or (Deficit) on General and Navigation Balance in Year	(38)		
(249)			Transfer (to)/from Earmarked Reserves	48		
<b>(1,378)</b>			<b>Closing General and Navigation Fund Balance at 31 March</b>	<b>(1,368)</b>		

\* Further details on the adjustments between Funding and Accounting Basis can be found in Note 7.

The Expenditure and Funding Analysis is a note to the Financial Statements, however it is positioned here as it provides a link from the figures reported in the Review of the Year within the Narrative Report to the Comprehensive Income and Expenditure Statement.

Broads Authority Statement of Accounts  
**Comprehensive Income and Expenditure Statement**

**Comprehensive Income and Expenditure Statement**

This statement shows the accounting cost in the year of providing services in accordance with generally accepted accounting practices.

2015/16 Restated				Note	2016/17		
Gross Expenditure £000	Income £000	Net Expenditure / (Income) £000			Gross Expenditure £000	Income £000	Net Expenditure/ (Income) £000
1,147	(149)	998	Operations	37	1,177	(130)	1,047
2,336	(531)	1,805	Planning and Resources		2,568	(728)	1,840
359	(18)	341	Chief Executive		294	(4)	290
67	0	67	Corporate Items		95	0	95
3,310	(3,142)	168	Broads Navigation Account		3,525	(3,238)	287
<b>7,219</b>	<b>(3,840)</b>	<b>3,379</b>	<b>Cost of services</b>		<b>7,659</b>	<b>(4,100)</b>	<b>3,559</b>
		15	(Gains)/Losses on the disposal of non-current assets	11			1
		254	Financing and investment income and expenditure				195
		(3,189)	DEFRA National Park grant income				(3,244)
		459	(Surplus) or deficit on provision of services				511
		(21)	(Surplus) or deficit on revaluation of fixed assets				(230)
		(2,641)	Actuarial (gains) / losses on pension assets / liabilities				2,166
		(2,662)	Other comprehensive income and expenditure				1,936
		<b>(2,203)</b>	<b>Total comprehensive income and expenditure</b>				<b>2,447</b>

Broads Authority Statement of Accounts  
**Movement in Reserves Statement**

**Movement in Reserves Statement**

This statement shows the movement in the year on the different reserves held by the Authority, analysed into 'usable' reserves (i.e. those that can be applied to fund expenditure) and 'other' reserves. The 'surplus or (deficit) on the provision of services' line shows the true economic cost of providing the Authority's services, more details of which are shown in the Comprehensive Income and Expenditure Statement.

2015/16	General Fund and Navigation Fund Balance £000	Earmarked Reserves £000	Total Useable Reserves £000	Unusable Reserves £000	Total Authority Reserves £000
Balance at 31 March 2015 (A)	1,232	1,593	2,825	(3,118)	(293)
Total comprehensive income and expenditure	(459)	0	(459)	2,662	2,203
Adjustments between accounting basis and funding basis under regulations (Note 9)	356	0	356	(356)	0
Transfers to or from Earmarked Reserves (Note 10)	249	(249)	0	0	0
Increase or (decrease) in 2015/16 (B)	146	(249)	(103)	2,306	2,203
<b>Balance at 31 March 2016 (=A+B)</b>	<b>1,378</b>	<b>1,344</b>	<b>2,722</b>	<b>(812)</b>	<b>1,910</b>

Broads Authority Statement of Accounts  
**Movement in Reserves Statement**

2016/17	General Fund and Navigation Fund Balance £000	Earmarked Reserves £000	Total Useable Reserves £000	Unusable Reserves £000	Total Authority Reserves £000
Balance at 31 March 2016 (A)	1,378	1,344	2,722	(812)	1,910
Total comprehensive income and expenditure	(511)	0	(511)	(1,936)	(2,447)
Adjustments between accounting basis and funding basis under regulations (Note 9)	549	0	549	(549)	0
Transfers to or from Earmarked Reserves (Note 10)	(48)	48	0	0	0
Increase or (decrease) in 2016/17 (B)	(10)	48	38	(2,485)	(2,447)
<b>Balance at 31 March 2017 (=A+B)</b>	<b>1,368</b>	<b>1,392</b>	<b>2,760</b>	<b>(3,297)</b>	<b>(537)</b>

Broads Authority Statement of Accounts  
**Balance Sheet**

**Balance Sheet**

The Balance Sheet shows the value as at the Balance Sheet date of the assets and liabilities recognised by the Authority. The net assets of the Authority (assets less liabilities) are matched by the reserves held by the Authority.

As at 31 Mar 16 £000		Note	As at 31 Mar 17 £000
4,453	Property, Plant & Equipment	12	4,439
340	Investment Property Held for Sale	13	275
0	Intangible Assets	14	43
10	Long term debtors		3
4,803	Long term assets		4,760
10	Short term investments		2,001
104	Inventories	15	88
494	Short term debtors	16	549
4,137	Cash and cash equivalents	17	1,981
4,745	Current assets		4,619
(15)	Short term borrowing		(15)
(1,944)	Short term creditors	18	(1,761)
(43)	Provisions	19	(63)
(2,002)	Current liabilities		(1,839)
(152)	Long term borrowing		(137)
(5,484)	Other long term liabilities		(7,940)
(5,636)	Long term liabilities		(8,077)
<b>1,910</b>	<b>Net assets/(liabilities)</b>		<b>(537)</b>
	<u>Useable reserves</u>		
1,045	General Account fund balance		1,042
333	Navigation Account fund balance		326
1,344	Earmarked Reserves	10	1,392
	<u>Unusable reserves</u>	21	
1,426	Revaluation Reserve		1,641
3,079	Capital Adjustment Account		2,892
(5,274)	Pension Reserve		(7,780)
(43)	Accumulated Absence Reserve		(50)
<b>1,910</b>	<b>Total reserves</b>		<b>(537)</b>

I certify that the statement of accounts gives a true and fair view of the financial position of the authority at 31 March 2017 and its income and expenditure for the year ended 31 March 2017. These financial statements replace the unaudited statements certified by the Chief Financial Officer on 31 May 2017.

Emma Krelle (Chief Financial Officer)

28 July 2017

Broads Authority Statement of Accounts  
**Cash Flow Statement**

**Cash Flow Statement**

The Cash Flow Statement shows the changes in cash and cash equivalents of the Authority during the reporting period. The statement shows how the Authority generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities.

2015/16 £000	Revenue Activities	Note	2016/17 £000
(459)	Net surplus or (deficit) on the provision of services		(511)
833	Adjustments to net surplus or deficit on the provision of services for non-cash movements		815
(5)	Adjust for items in the net surplus or deficit on the provision of services that are Investing and Financing Activities		(14)
369	Net cash flows from Operating Activities	22	290
(478)	Investing Activities	23	(2,383)
(66)	Financing Activities	24	(63)
(175)	Net increase or (decrease) in cash and cash equivalents		(2,156)
4,312	Cash and cash equivalents at the beginning of the reporting period		4,137
<b>4,137</b>	<b>Cash and cash equivalents at the end of the reporting period</b>	<b>17</b>	<b>1,981</b>

## Notes to the Statement of Accounts

### 1. Accounting Policies

#### i. General Principles

The Statement of Accounts summarises the Authority's transactions for the 2016/17 financial year and its position at the year end of 31 March 2017. The Authority is required to prepare an annual Statement of Accounts by the Accounts and Audit (England) Regulations 2015, which those regulations require to be prepared in accordance with proper accounting practices. These practices primarily comprise the Code of Practice on Local Authority Accounting in the United Kingdom 2016/17 and the Service Reporting Code of Practice 2016/17, supported by International Financial Reporting Standards (IFRS).

The accounting convention adopted in the Statement of Accounts is principally historical cost, modified by the revaluation of certain categories of non-current assets and financial instruments.

#### ii. Accruals of Income and Expenditure

Activity is accounted for in the year that it takes place, not simply when cash payments are made or received. In particular:

- Revenue from the sale of goods is recognised when the Authority transfers the significant risks and rewards of ownership to the purchaser and it is probable that economic benefits or service potential associated with the transaction will flow to the Authority.
- Revenue from the provision of services is recognised when the Authority can measure reliably the percentage of completion of the transaction and it is probable that economic benefits or service potential associated with the transaction will flow to the Authority.
- Supplies are recorded as expenditure when they are consumed – where there is a gap between the date supplies are received and their consumption, they are carried as inventories on the Balance Sheet.
- Expenses in relation to services received (including services provided by employees) are recorded as expenditure when the services are received rather than when payments are made.
- Interest receivable on investments and payable on borrowings is accounted for respectively as income and expenditure on the basis of the effective interest rate for the relevant financial instrument rather than the cash flows fixed or determined by the contract.
- Where revenue and expenditure have been recognised but cash has not been received or paid, a debtor or creditor for the relevant amounts is recorded in the Balance Sheet. Where debts may not be settled, the balance of debtors is written down and a charge made to revenue for the income that might not be collected. Specific bad debt provisions are reviewed annually.

#### iii. Cash and Cash Equivalents

Cash is represented by cash in hand and deposits with financial institutions repayable without penalty on notice of not more than 24 hours. Cash equivalents are investments that mature in 7 days or less from the date of acquisition and that are readily convertible to known amounts of cash with insignificant risk of change in value.



In the Cash Flow Statement, cash and cash equivalents are shown net of bank overdrafts that are repayable on demand and form an integral part of the Authority's cash management.

iv. Exceptional Items

When items of income and expense are material, their nature and amount is disclosed separately, either on the face of the Comprehensive Income and Expenditure Statement or in the notes to the accounts, depending on how significant the items are to an understanding of the Authority's financial performance.

v. Prior Period Adjustments, Changes in Accounting Policies and Estimates and Errors

Prior period adjustments may arise as a result of a change in accounting policies or to correct a material error. Changes in accounting estimates are accounted for prospectively, i.e. in the current and future years affected by the change and do not give rise to a prior period adjustment.

Changes in accounting policies are only made when required by proper accounting practices or the change provides more reliable or relevant information about the effect of transactions, other events and conditions on the Authority's financial position or financial performance. Where a change is made, it is applied retrospectively (unless stated otherwise) by adjusting opening balances and comparative amounts for the prior period as if the new policy had always been applied.

Material errors discovered in prior period figures are corrected retrospectively by amending opening balances and comparative amounts for the prior period.

vi. Charges to Revenue for Non-Current Assets

Services, support services and trading accounts are debited with the following amounts to record the cost of holding fixed assets during the year:

- depreciation attributable to the assets used by the relevant service;
- revaluation and impairment losses on assets used by the service where there are no accumulated gains in the Revaluation Reserve against which the losses can be written off; and
- amortisation of intangible fixed assets attributable to the service.

vii. Employee Benefits

*Benefits payable during employment*

Short-term employee benefits are those due to be settled within 12 months of the year-end. They include such benefits as wages and salaries, paid annual leave and paid sick leave, bonuses and non-monetary benefits (e.g. cars) for current employees and are recognised as an expense for services in the year in which employees render service to the Authority. An accrual is made for the cost of holiday entitlements (or any form of leave, e.g. time off in lieu) earned by employees but not taken before the year-end which employees can carry forward into the next financial year. The accrual is made at the wage and salary rates applicable in the following accounting year, being the period in which the employee takes the benefit. The accrual is charged to Surplus or Deficit on the Provision of Services, but then reversed out through the Movement in Reserves Statement so that holiday benefits are charged to revenue in the financial year in which the holiday absence occurs.

### *Termination Benefits*

Termination benefits are amounts payable as a result of a decision by the Authority to terminate an officer's employment before the normal retirement date or an officer's decision to accept voluntary redundancy and are charged on an accruals basis to the appropriate service line in the Comprehensive Income and Expenditure Statement when the Authority is demonstrably committed to the termination of the employment of an officer or group of officers or making an offer to encourage voluntary redundancy.

Where termination benefits involve the enhancement of pensions, statutory provisions require the General Fund balance to be charged with the amount payable by the Authority to the pension fund or pensioner in the year, not the amount calculated according to the relevant accounting standards. In the Movement in Reserves Statement, appropriations are required to and from the Pensions Reserve to remove the notional debits and credits for pension enhancement termination benefits and replace them with debits for the cash paid to the pension fund and pensioners and any such amounts payable but unpaid at the year-end.

### *Post-Employment Benefits*

Employees of the Broads Authority are members of Norfolk Pension Fund for civilian employees (the Local Government Pension Scheme), administered by Norfolk County Council. This is a funded defined benefit final salary scheme, meaning that the Authority and employees pay contributions into a fund, calculated at a level intended to balance the pension liabilities with investment assets.

#### viii. Events After the Balance Sheet Date

Events after the Balance Sheet date are those events, both favourable and unfavourable, that occur between the end of the reporting period and the date when the Statement of Accounts is authorised for issue. Two types of events can be identified:

- Those that provide evidence of conditions that existed at the end of the reporting period – the Statement of Accounts is adjusted to reflect such events.
- Those that are indicative of conditions that arose after the reporting period – the Statement of Accounts is not adjusted to reflect such events, but where a category of events would have a material effect, disclosure is made in the notes of the nature of the events and their estimated financial effect.

Events taking place after the date of authorisation for issue are not reflected in the Statement of Accounts.

#### ix. Fair Value Measurement

The Authority measures some of its non-financial assets such as investment properties and some of its financial instruments such as borrowings at fair value at each reporting date. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. The fair value measurement assumes that the transaction to sell the asset or transfer the liability takes place either:

- In the principal market for the asset or liability, or
- In the absence of a principal market, in the most advantageous market for the asset or liability.

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The Authority measures the fair value of an asset or liability using the assumptions that market participants would use when pricing the asset or liability, assuming that market participants act in their economic best interest.

When measuring the fair value of a non-financial asset, the Authority takes into account a market participant's ability to generate economic benefits by using the asset in its highest and best use or by selling it to another market participant that would use the asset in its highest and best use.

The Authority uses valuation techniques that are appropriate in the circumstances and for which sufficient data is available, maximising the use of relevant observable inputs and minimising the use of unobservable inputs.

Inputs to the valuation techniques in respect of assets and liabilities for which fair value is measured or disclosed in the Authority's financial statements are categorised within the fair value hierarchy, as follows:

- Level 1 – quotes prices (unadjusted) in active markets for identical assets or liabilities that the Authority can access at the measurement date;
- Level 2 – inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly;
- Level 3 – unobservable inputs for the asset or liability.

x. Financial Instruments

Financial instruments are defined as contracts that give rise to a financial asset of one entity and a financial liability or equity instrument of another entity. The term financial instrument covers both financial assets and financial liabilities and includes the most straightforward financial assets and liabilities such as trade receivables and trade payables and the complex ones such as derivatives.

Financial liabilities are recognised on the Balance Sheet when the Authority becomes party to the contractual provisions of a financial instrument and are initially measured at fair value and carried at their amortised cost. Long term loans are shown in the balance sheet as the capital element outstanding at the year end, split between amounts due within the current year and amounts due outside the year. Any interest paid is taken directly to the income and expenditure account. The 'fair value' of any loans is disclosed in the notes to the accounts with accompanying explanations.

Financial assets are classified into two types:

- Loans and Receivables – assets that have fixed or determinable payments, but are not quoted on an active market.
- Available for Sale Assets – assets that have a quoted market price and / or do not have fixed or determinable payments.

The Authority has not made any material loans.

xi. Foreign Currency Translation

Where the Authority has entered into a transaction denominated in a foreign currency, the transaction is converted into sterling at the exchange rate applicable on the date the transaction was effective. Where amounts in foreign currency are outstanding at the year-end, they are reconverted at the spot exchange rate at 31 March. Resulting gains or losses are recognised in the Financing and Investment Income and Expenditure line in the Comprehensive Income and Expenditure Statement

xii. Government Grants and Contributions

Whether paid on account, by instalments or in arrears, government grants and third party contributions and donations are recognised as due to the Authority when there is reasonable assurance that:

- the Authority will comply with the conditions attached to the payments; and
- the grants or contributions will be received.

Amounts recognised as due to the Authority are not credited to the Comprehensive Income and Expenditure Statement until conditions attached to the grant or contribution have been satisfied. Conditions are stipulations that specify that the future economic benefits or service potential embodied in the asset acquired using the grant or contribution are required to be consumed by the recipient as specified, or future economic benefits or service potential must be returned to the transferor.

Monies advanced as grants and contributions for which conditions have not been satisfied are carried in the Balance Sheet as creditors. When conditions are satisfied, the grant or contribution is credited to the relevant service line (attributable revenue grants and contributions) or Taxation and Non-Specific Grant Income (non-ringfenced revenue grants and all capital grants) in the Comprehensive Income and Expenditure Statement.

Where capital grants are credited to the Comprehensive Income and Expenditure Statement, they are reversed out of the General Fund Balance in the Movement in Reserves Statement.

Where the grant has yet to be used to finance capital expenditure, it is posted to the Capital Grants Unapplied reserve. Where it has been applied, it is posted to the Capital Adjustment Account. Amounts in the Capital Grants Unapplied reserve are transferred to the Capital Adjustment Account once they have been applied to fund capital expenditure.

xiii. Intangible Assets

Expenditure on non-monetary assets that do not have physical substance but are controlled by the Authority as a result of past events is capitalised when it is expected that future economic benefits or service potential will flow from the intangible asset to the Authority.

Internally generated assets are capitalised where it is demonstrable that the project is technically feasible and is intended to be completed (with adequate resources being available) and the Authority will be able to generate future economic benefits or deliver service potential by being able to sell or use the asset. Expenditure is capitalised where it can be measured reliably as attributable to the asset and is restricted to that incurred during the development phase (research expenditure cannot be capitalised).

Expenditure on the development of websites is not capitalised if the website is solely or primarily intended to promote or advertise the Authority's goods or services.

Intangible assets are measured initially at cost. Amounts are only revalued where the fair value of the assets held by the Authority can be determined by reference to an active market. In practice, no intangible asset held by the Authority meets this criterion, and they are therefore carried at amortised cost. The depreciable amount of an intangible asset is amortised over its useful life to the relevant service line(s) in the Comprehensive Income and Expenditure Statement. An asset is tested for impairment whenever there is an indication that the asset might be impaired – any losses recognised are posted to the relevant service line(s) in the Comprehensive Income and Expenditure Statement. Any gain

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or loss arising on the disposal or abandonment of an intangible asset is posted to the Other Operating Expenditure line in the Comprehensive Income and Expenditure Statement.

Where expenditure on intangible assets qualifies as capital expenditure for statutory purposes, amortisation, impairment losses and disposal gains and losses are not permitted to have an impact on the General Fund Balance. The gains and losses are therefore reversed out of the General Fund Balance in the Movement in Reserves Statement and posted to the Capital Adjustment Account and (for any sale proceeds greater than £10,000) the Capital Receipts Reserve.

xiv. Investment Property

Investment properties are those that are used solely to earn rentals and / or for capital appreciation. The definition is not met if the property is used in any way to facilitate the delivery of services or production of goods or is held for sale.

Investment properties are measured initially at cost and subsequently at fair value, based on the amount at which the asset could be exchanged between knowledgeable parties at arm's length. Properties are not depreciated but are revalued annually according to market conditions at the year-end. Gains and losses on revaluation are posted to the Financing and Investment Income and Expenditure line in the Comprehensive Income and Expenditure Statement. The same treatment is applied to gains and losses on disposal.

Rentals received in relation to investment properties are credited to the Financing and Investment Income line and result in a gain for the general reserve balances. However, revaluation and disposal gains and losses are not permitted by statutory arrangements to have an impact on the general reserve balances. The gains and losses are therefore reversed out of the general reserve balance in the Movement in Reserves Statement and posted to the Capital Adjustment Account and (for any sale proceeds greater than £10,000) the Capital Receipts Reserve.

xv. Inventories

Inventories are included in the Balance Sheet at the lower of cost or net realisable value. The cost of inventories is assigned using the FIFO (first-in, first-out) costing formula.

xvi. Leases

Leases are classified as finance leases where the terms of the lease transfer substantially all the risks and rewards incidental to ownership of the property, plant or equipment from the lessor to the lessee. All other leases are classified as operating leases.

Where a lease covers both land and buildings, the land and buildings elements are considered separately for classification.

Arrangements that do not have the legal status of a lease but convey a right to use an asset in return for payment are accounted for under this policy where fulfilment of the arrangement is dependent on the use of specific assets.

The Authority as Lessee

*Finance Leases*

Property, Plant and Equipment held under finance leases is recognised on the Balance Sheet at the commencement of the lease at its fair value measured at the lease's inception (or the present value of the minimum lease payments, if lower). The asset recognised is matched by a liability for the obligation to pay the lessor. Initial direct costs of the Authority

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are added to the carrying amount of the asset. Premiums paid on entry into a lease are applied to writing down the lease liability. Contingent rents are charged as expenses in the periods in which they are incurred.

Lease payments are apportioned between:

- a charge for the acquisition of the interest in the property, plant or equipment – applied to write down the lease liability; and
- a finance charge (debited to the Financing and Investment Income and Expenditure line in the Comprehensive Income and Expenditure Statement).

Property, Plant and Equipment recognised under finance leases is accounted for using the policies applied generally to such assets, subject to depreciation being charged over the lease term if this is shorter than the asset's estimated useful life (where ownership of the asset does not transfer to the Authority at the end of the lease period).

Depreciation and revaluation and impairment losses are therefore substituted by a revenue contribution in the General Fund Balance, by way of an adjusting transaction with the Capital Adjustment Account in the Movement in Reserves Statement.

#### *Operating Leases*

Rentals paid under operating leases are charged to the Comprehensive Income and Expenditure Statement as an expense of the services benefitting from use of the leased property, plant or equipment. Charges are made on a straight-line basis over the life of the lease, even if this does not match the pattern of payments (e.g. there is a rent-free period at the commencement of the lease).

#### The Authority as Lessor

##### *Operating Leases*

Where the Authority grants an operating lease over a property or an item of plant or equipment, the asset is retained in the Balance Sheet. Rental income is credited to the Other Operating Expenditure line in the Comprehensive Income and Expenditure Statement. Credits are made on a straight-line basis over the life of the lease, even if this does not match the pattern of payments (e.g. there is a premium paid at the commencement of the lease). Initial direct costs incurred in negotiating and arranging the lease are added to the carrying amount of the relevant asset and charged as an expense over the lease term on the same basis as rental income.

#### xvii. Property, Plant and Equipment

Assets that have physical substance and are held for use in the production or supply of goods or services, for rental to others, or for administrative purposes, and that are expected to be used during more than one financial year are classified as Property, Plant and Equipment.

##### *Recognition*

Expenditure on the acquisition, creation or enhancement of Property, Plant and Equipment is capitalised on an accruals basis, provided that it is probable that the future economic benefits or service potential associated with the item will flow to the Authority and the cost of the item can be measured reliably. Expenditure that maintains but does not add to an asset's potential to deliver future economic benefits or service potential (i.e. repairs and maintenance) is charged as an expense when it is incurred. A de minimis limit of £5,000 is used to recognise fixed assets.

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*Measurement*

Assets are initially measured at cost, comprising:

- the purchase price; and
- any costs attributable to bringing the asset to the location and condition necessary for it to be capable of operating in the manner intended by management.

The Authority does not capitalise borrowing costs incurred whilst assets are under construction.

The cost of assets acquired other than by purchase is deemed to be its fair value, unless the acquisition does not have commercial substance (i.e. it will not lead to a variation in the cash flows of the Authority). In the latter case, where an asset is acquired via an exchange, the cost of the acquisition is the carrying amount of the asset given up by the Authority.

Donated assets are measured initially at fair value. The difference between fair value and any consideration paid is credited to the Taxation and Non-Specific Grant Income line of the Comprehensive Income and Expenditure Statement, unless the donation has been made conditionally. Until conditions are satisfied, the gain is held in the Donated Assets Account. Where gains are credited to the Comprehensive Income and Expenditure Statement, they are reversed out of the General Fund Balance to the Capital Adjustment Account in the Movement in Reserves Statement.

Assets are then carried in the Balance Sheet using the following measurement bases:

- infrastructure, community assets and assets under construction – depreciated historical cost.
- all other assets – current value, determined as the amount that would be paid for the asset in its existing use (existing use value – EUV).

Where there is no market-based evidence of current value because of the specialist nature of an asset, depreciated replacement cost (DRC) is used as an estimate of current value.

Where non-property assets that have short useful lives or low values (or both), depreciated historical cost basis is used as a proxy for current value.

Assets included in the Balance Sheet at current value are revalued sufficiently regularly to ensure that their carrying amount is not materially different from their current value at the year-end, but as a minimum every five years. Increases in valuations are matched by credits to the Revaluation Reserve to recognise unrealised gains. Exceptionally, gains might be credited to the Comprehensive Income and Expenditure Statement where they arise from the reversal of a loss previously charged to a service.

Where decreases in value are identified, they are accounted for by:

- where there is a balance of revaluation gains for the asset in the Revaluation Reserve, the carrying amount of the asset is written down against that balance (up to the amount of the accumulated gains).
- where there is no balance in the Revaluation Reserve or an insufficient balance, the carrying amount of the asset is written down against the relevant service line(s) in the Comprehensive Income and Expenditure Statement.

The Revaluation Reserve contains revaluation gains recognised since 1 April 2007 only, the date of its formal implementation. Gains arising before that date have been consolidated into the Capital Adjustment Account.

### *Impairment*

Assets are assessed at each year-end as to whether there is any indication that an asset may be impaired. Where indications exist and any possible differences are estimated to be material, the recoverable amount of the asset is estimated and, where this is less than the carrying amount of the asset, an impairment loss is recognised for the shortfall.

Where impairment losses are identified, they are accounted for by:

- where there is a balance of revaluation gains for the asset in the Revaluation Reserve, the carrying amount of the asset is written down against that balance (up to the amount of the accumulated gains).
- where there is no balance in the Revaluation Reserve or an insufficient balance, the carrying amount of the asset is written down against the relevant service line(s) in the Comprehensive Income and Expenditure Statement.

Where an impairment loss is reversed subsequently, the reversal is credited to the relevant service line(s) in the Comprehensive Income and Expenditure Statement, up to the amount of the original loss, adjusted for depreciation that would have been charged if the loss had not been recognised.

### *Depreciation*

Depreciation is provided for on all Property, Plant and Equipment assets by the systematic allocation of their depreciable amounts over their useful lives. An exception is made for assets without a determinable finite useful life (i.e. freehold land and certain Community Assets) and assets that are not yet available for use (i.e. assets under construction).

Depreciation is calculated on the following bases:

- dwellings and other buildings – straight-line allocation between 5 and 50 years, as advised by a professional valuer;
- vehicles, plant, furniture and equipment – straight-line allocation between 5 and 10 years, as advised by a suitably qualified officer; and
- infrastructure – straight-line allocation between 20 and 25 years, as advised by a suitably qualified officer.

Where an asset has been acquired under a finance lease arrangement, and the lease term is shorter than the asset's estimated useful life, the asset is depreciated over the lease term.

Where an item of Property, Plant and Equipment asset has major components whose cost is significant in relation to the total cost of the item, the components are depreciated separately.

Revaluation gains are also depreciated, with an amount equal to the difference between current value depreciation charged on assets and the depreciation that would have been chargeable based on their historical cost being transferred each year from the Revaluation Reserve to the Capital Adjustment Account.

Receipts below £5,000 arising from the sale of fixed assets are allocated to revenue. The Broads Authority has a policy of not depreciating assets in the first year of ownership.

### *Disposals and Non-current Assets*

Assets that are to be abandoned or scrapped are not reclassified as Assets Held for Sale. When an asset is disposed of or decommissioned, the carrying amount of the asset in the Balance Sheet (whether Property, Plant or Equipment) is written off to the Other Operating Expenditure line in the Comprehensive Income and Expenditure Statement as part of the gain or loss on disposal. Receipts from disposals (if any) are credited to the same line in the



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Comprehensive Income and Expenditure Statement also as part of the gain or loss on disposal (i.e. netted off against the carrying value of the asset at the time of disposal). Any revaluation gains accumulated for the asset in the Revaluation Reserve are transferred to the Capital Adjustment Account.

Amounts received for a disposal in excess of £10,000 are categorised as capital receipts. A proportion of receipts relating to housing disposals (75% for dwellings, 50% for land and other assets, net of statutory deductions and allowances) is payable to the Government. The balance of receipts is required to be credited to the Capital Receipts Reserve, and can then only be used for new capital investment, or set aside to reduce the Authority's underlying need to borrow (the capital financing requirement) (England and Wales). Receipts are appropriated to the Reserve from the General Fund Balance in the Movement in Reserves Statement.

The written-off value of disposals is not a charge against the general fund, as the cost of fixed assets is fully provided for under separate arrangements for capital financing. Amounts are appropriated to the Capital Adjustment Account from the General Fund Balance in the Movement in Reserves Statement.

xviii. Provisions, Contingent Liabilities and Contingent Assets

*Provisions*

Provisions are made where an event has taken place that gives the Authority a legal or constructive obligation that probably requires settlement by a transfer of economic benefits or service potential, and a reliable estimate can be made of the amount of the obligation. For instance, the Authority may be involved in a court case that could eventually result in the making of a settlement or the payment of compensation.

Provisions are charged as an expense to the appropriate service line in the Comprehensive Income and Expenditure Statement in the year that the Authority becomes aware of the obligation, and are measured at the best estimate at the balance sheet date of the expenditure required to settle the obligation, taking into account relevant risks and uncertainties.

When payments are eventually made, they are charged to the provision carried in the Balance Sheet. Estimated settlements are reviewed at the end of each financial year – where it becomes less than probable that a transfer of economic benefits will now be required (or a lower settlement than anticipated is made), the provision is reversed and credited back to the relevant service.

Where some or all of the payment required to settle a provision is expected to be recovered from another party (e.g. from an insurance claim), this is only recognised as income for the relevant service if it is virtually certain that reimbursement will be received if the Authority settles the obligation.

*Contingent Liabilities*

A contingent liability arises where an event has taken place that gives the Authority a possible obligation whose existence will only be confirmed by the occurrence or otherwise of uncertain future events not wholly within the control of the Authority. Contingent liabilities also arise in circumstances where a provision would otherwise be made but either it is not probable that an outflow of resources will be required or the amount of the obligation cannot be measured reliably.

Contingent liabilities are not recognised in the Balance Sheet but are disclosed in a note (note 34) to the accounts.

### *Contingent Assets*

A contingent asset arises where an event has taken place that gives the Authority a possible asset whose existence will only be confirmed by the occurrence or otherwise of uncertain future events not wholly within the control of the Authority.

Contingent assets are not recognised in the Balance Sheet but disclosed in a note to the accounts where it is probable that there will be an inflow of economic benefits or service potential.

### xix. Reserves

The Authority sets aside specific amounts as reserves for future policy purposes or to cover contingencies. Reserves are created by appropriating amounts out of the General Fund Balance in the Movement in Reserves Statement. When expenditure to be financed from a reserve is incurred, it is charged to the appropriate service in that year to score against the Surplus or Deficit on the Provision of Services in the Comprehensive Income and Expenditure Statement.

Certain reserves are kept to manage the accounting processes for non-current assets, financial instruments and retirement and employee benefits and do not represent useable resources for the Authority – these reserves are explained in the relevant policies.

### xx. Operating Segments

In accordance with IFRS 8 and the Code, the Broads Authority keeps the general fund and navigation fund separately. Under the Code, the Authority has prepared a single income and expenditure account for 2016/17, however in note 37 to the accounts the navigation income and expenditure is shown.

### xxi. Allocation of Costs

Salary, vehicle and other revenue costs are reallocated within the general expenditure to major projects that are grant aided partially or wholly by sources other than Defra grant. The method of allocation is kept as simple as possible and is either made on usage, such as number of hours spent on a project, or estimated on a percentage basis.

Recharges between the general and navigation funds are based on staff time and usage.

### xxii. Revenue Expenditure Funded from Capital Under Statute

Expenditure incurred during the year that may be capitalised under statutory provisions but that does not result in the creation of a non-current asset has been charged as expenditure to the relevant service in the Comprehensive Income and Expenditure Statement in the year.

### xxiii. VAT

VAT payable is included as an expense only to the extent that it is not recoverable from Her Majesty's Revenue and Customs. VAT receivable is excluded from income.

## **2. Accounting Standards that have been issued but have not yet been adopted**

The 2017/18 Code of Practice on Local Authority Accounting adopts the following amendments to International Accounting Standards and International Financial Reporting Standards, which will be required from 1 April 2017:

- IAS 26 Accounting and Reporting by Retirement Benefit Plans requires the amendment to the reporting of pension fund scheme transactions costs and of the investment concentration. Both of these are minor and are not expected to have a material effect on the Authority's Statement of Accounts.

### 3. Critical judgements in applying accounting policies

In applying the accounting policies set out in note 1, the Authority has had to make certain judgements about complex transactions or those involving uncertainty about future events. The critical judgements made in the Statement of Accounts are:

- Despite the remaining three years of the original four year settlement from DEFRA there remains a degree of uncertainty about the longer term levels of funding for National Parks. However, the Authority has determined that this uncertainty is not yet sufficient to provide an indication that the assets of the Authority might be impaired as a result of a need to close facilities and reduce levels of service provision.
- The Authority is a member of Whitlingham Charitable Trust of which there are four members. The Authority can appoint up to four trustees and there shall be no more than nine in total. The Trust is limited by guarantee in which each member agrees to contribute £1 in the event of it being wound up. Whitlingham Charitable Trust was established to manage and maintain Whitlingham Country Park for public benefit. Whilst the Authority does have significant influence in the management of the Trust, it does not have a controlling influence, and it does not have any share equity, or any share in profits or losses. It is considered therefore that International Public Sector Accounting Standard (IPSAS) 7 – Accounting for Investments in Associates - does not apply as the charity has no formal equity structure, and the Authority does not derive any financial benefit from the Trust.

### 4. Assumptions made about the future and other major sources of estimation uncertainty

The preparation of financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for assets and liabilities as at the balance sheet date and the amounts reported for the revenues and expenses during the year. However, the nature of estimation means that actual outcomes could differ from those estimates. The key judgements and estimation uncertainty that have a significant risk of causing material adjustment to the carrying amounts of assets and liabilities within the next financial year are:

Item	Uncertainties	Effect if actual results differ from assumptions
Property Plant and Equipment	Assets are depreciated over useful lives that are dependent on assumptions about the level of repairs and maintenance that will be incurred in relation to individual assets. The current economic climate makes it uncertain that the Authority will be able to sustain its current spending on repairs and maintenance, bringing into doubt the useful lives assigned to assets.	<p>If the useful life of assets is reduced, depreciation increases and the carrying amount of the assets fall.</p> <p>It is estimated that the annual depreciation charge would increase by £44,000 for every year that useful lives had to be reduced.</p>

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Item	Uncertainties	Effect if actual results differ from assumptions
Pensions Liability	Estimation of the net liability to pay pensions depends on a number of complex judgements relating to the discount rate used, the rate at which salaries are projected to increase, changes in retirement ages, mortality rates and expected returns on pension fund assets. A firm of consulting actuaries is engaged to provide the Authority with expert advice about the assumptions to be applied.	The effects on the net pensions liability of changes in individual assumptions can be measured. For instance, a 0.5% decrease in the discount rate assumption would result in an increase in the pension liability of £3,319,000. Further details are set out in the sensitivity analysis in note 33.

## 5. Material Items of Income and Expense

There are no material items of expense in relation to 2016/17 which are not disclosed elsewhere within the Statement of Accounts.

## 6. Events after the balance sheet date

The Statement of Accounts was authorised for issue by the Chief Financial Officer on 28 July 2017. Events that occur after this date are not reflected in the financial statements or notes.

Subsequent to the approval of the draft accounts, the Authority has received further information regarding the contingent liabilities disclosed in note 34 on page 68.

### *Appeal against Adjacent tolls decision*

The Defendant's application for Judicial Review was refused on 24 May 2017 which concluded the matter. The Authority did not receive notice of this decision until 13 June 2017. The High Court ordered the Defendant to pay a contribution towards the Authority's costs.

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**7. Note to the Expenditure and Funding Analysis**

Adjustments from General and Navigation Fund to arrive at the Comprehensive Income and Expenditure Statement Amounts

2015/16					2016/17			
Adjustments for Capital Purposes (Note 1)	Net change for the Pensions Adjustments (Note 2)	Other Differences (Note 3)	Total Adjustments		Adjustments for Capital Purposes (Note 1)	Net change for the Pensions Adjustments (Note 2)	Other Differences (Note 3)	Total Adjustments
£000	£000	£000	£000		£000	£000	£000	£000
(9)	62	0	53	Operations	38	28	(1)	65
19	96	(4)	111	Planning and Resources	(29)	49	6	26
0	13	(1)	12	Chief Executive	0	7	(1)	6
0	0	0	0	Corporate Items	0	0	0	0
(193)	131	1	(61)	Broads Navigation Account	194	69	2	265
(183)	302	(4)	115	<b>Net Cost of Services</b>	203	153	6	362
				Other income and expenditure from the				
0	241	0	241	Expenditure and Funding Analysis	0	187	0	187
				<b>Difference between General and Navigation Fund surplus or deficit and Comprehensive Income and Expenditure Statement Surplus or Deficit on the Provision of Services</b>				
(183)	543	(4)	356		203	340	6	549

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Note

1. Adjustments for capital purposes – this column adds in depreciation and impairment and revaluation gains and losses in the services line, and for:
  - Other operating expenditure – adjusts for capital disposal with a transfer of income on disposal of assets and the amounts written off for those assets.
  - Financing and investment income and expenditure – the statutory charges for capital financing ie Minimum Revenue Provision and other revenue contributions are deducted from other income and expenditure as these are not chargeable under generally accepted accounting practices.
2. Net change for the removal of pension contribution and the addition of IAS 19 Employee Benefits pension related expenditure and income:
  - For services this represents the removal of the employer pension contributions made by the authority as allowed by statute and the replacement with current service costs and past service costs.
  - For Financing and investment income and expenditure – the net interest on the defined benefit liability is charged to the CIES.
3. Other differences between amounts debited/credited to the Comprehensive Income and Expenditure Statement and amounts payable/receivable to be recognised under statute including accumulated absences.

Income received on a segmental basis is analysed below:

Service	2015/16 Income from Services £000	2016/17 Income from Services £000
Operations	(149)	(130)
Planning and Resources	(531)	(728)
Chief Executive	(18)	(4)
Corporate Items	0	0
Specialist Ringfenced Account (Navigation)	(3,142)	(3,238)
<b>Total income analysed on a segmental basis</b>	<b>(3,840)</b>	<b>(4,100)</b>

## 8. Expenditure and Income Analysed by Nature

The Authority's expenditure and income is analysed as follows:

Expenditure/Income	2015/16 £000	2016/17 £000
Expenditure		
Employee benefits expenses	4,425	4,310
Other services expenses	2,974	3,384
Depreciation, amortisation, impairment	329	623
Interest payments	40	36
Expenditure in relation to investment properties	(4)	(13)
Loss on the disposal of assets	16	1
<b>Total expenditure</b>	<b>7,780</b>	<b>8,341</b>
Income		
Fees, charges and other service income	(3,845)	(4,113)
Interest and investment income	(23)	(15)
Contributions from reserves	(264)	(458)
Government grants and contributions	(3,189)	(3,244)
<b>Total income</b>	<b>(7,321)</b>	<b>(7,830)</b>
<b>Surplus or Deficit on the Provision of Services</b>	<b>459</b>	<b>511</b>

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**9. Adjustments between accounting basis and funding basis under regulations**

This note details the adjustments that are made to the total comprehensive income and expenditure recognised by the Authority in the year in accordance with proper accounting practice to the resources that are specified by statutory provisions as being available to the Authority to meet future capital and revenue expenditure.

General Fund & Navigation Fund 2015/16 £000	Movement in Unusable Reserves 2015/16 £000		General Fund & Navigation Fund 2016/17 £000	Movement in Unusable Reserves 2016/17 £000
		<b>Adjustments primarily involving the Capital Adjustment Account:</b>		
		<b>Reversal of items debited or credited to the Comprehensive Expenditure and Income Statement:</b>		
330	(330)	Charges for depreciation and impairment of non-current assets	315	(315)
0	0	Revaluation losses on property, plant and equipment	307	(307)
0	0	Amortisation of intangible assets	0	0
(1)	1	Movements in the fair value of investment properties	6	(6)
22	(22)	Amounts of non-current assets written off on disposal or sale as part of the gain/loss on disposal to the Comprehensive Income and Expenditure Statement	15	(15)
		<b>Insertion of items not debited or credited to the Comprehensive Income and Expenditure Statement:</b>		
(67)	67	Statutory provision for the financing of capital investment	(63)	63
(467)	467	Capital expenditure charged against the General Fund	(378)	378



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General Fund & Navigation Fund 2015/16 £000	Movement in Unusable Reserves 2015/16 £000		General Fund & Navigation Fund 2016/17 £000	Movement in Unusable Reserves 2016/17 £000
1,117	(1,117)	<b>Adjustments involving the Pensions Reserve:</b> Reversal of items relating to post-employment benefits debited or credited to the Surplus or Deficit on the Provision of Services in the Comprehensive Income and Expenditure Statement (see note 33)	937	(937)
(574)	574	Employer's pension contributions and direct payments to pensioners payable in the year	(597)	597
(4)	4	<b>Adjustments involving the accumulated Absences Account:</b> Adjustments in relation to short-term compensated absences	7	(7)
0	0	<b>Adjustments involving the Capital Grant Unapplied Account:</b> Capital grants and contributions unapplied credited to the Comprehensive Income and Expenditure Statement	0	0
<b>356</b>	<b>(356)</b>	<b>Total Adjustments</b>	<b>549</b>	<b>(549)</b>

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**10. Transfers to / from earmarked reserves**

This note presents details of the amounts set aside in earmarked reserves to provide financing for future expenditure and the amounts posted back from earmarked reserves to meet expenditure in 2016/17. A description of each of the earmarked reserves follows in the table below.

	Balance at 31 March 2015 £000	Transfers in 2015/16 £000	Transfers out 2015/16 £000	Balance at 31 March 2016 £000	Transfers in 2016/17 £000	Transfers out 2016/17 £000	Balance at 31 March 2017 £000
Property	(587)	(30)	256	(361)	(75)	7	(429)
Plant, Vessels and Equipment	(240)	(320)	259	(301)	(175)	262	(214)
Premises	(170)	(32)	0	(202)	(31)	54	(179)
Planning Delivery Grant	(354)	(3)	65	(292)	(54)	151	(195)
Upper Thurne Enhancement Scheme	(53)	(3)	0	(56)	(22)	0	(78)
Section 106 Agreements	(16)	(64)	4	(76)	(33)	0	(109)
Heritage Lottery Fund	0	(77)	21	(56)	(217)	180	(93)
Catchment Partnership	0	0	0	0	(95)	0	(95)
Mobile Phone Upgrade/IT reserve	(1)	0	1	0	0	0	0
PRISMA	(172)	(1)	173	0	0	0	0
<b>Total</b>	<b>(1,593)</b>	<b>(530)</b>	<b>779</b>	<b>(1,344)</b>	<b>(702)</b>	<b>654</b>	<b>(1,392)</b>

Earmarked reserves

*Property*

A reserve account set up to provide for the ongoing maintenance of the Authority's major assets, moorings and operational property assets, including Mutford Lock.

*Plant, Vessels and Equipment*

Reserve established to provide for the maintenance and replacement of the Authority's plant and equipment, including launches, construction and maintenance vessels and equipment, pool vehicles and fen management equipment.

*Premises*

A reserve account established to provide for the maintenance and development of the Authority's Dockyard facility and other buildings throughout the Broads.

*Planning Delivery Grant*

Balance of Defra and OPDM grants awarded to deliver the planning service.

*Upper Thurne Enhancement Scheme*

Reserve established to hold the balance of ring-fenced Environment Agency funding for enhancement works in the Upper Thurne.

*Section 106 Agreements*

A reserve account established to hold ring-fenced developers' contributions relating to planning application conditions.

*Heritage Lottery Fund*

A reserve account established for the Landscape Partnership project funded by the Heritage Lottery Fund.

*Catchment Partnership*

A reserve account set up to hold ring-fenced income from various partners within the Catchment Partnership.

*Mobile Phone Upgrade / IT Reserve*

A reserve set up for holding the balance of ring-fenced Defra "INSPIRE" grant funding provided to support the Authority in meeting regulatory requirements for publishing geospatial information related to the environment under the European INSPIRE Directive. At the end of 2015/16 this grant funded project was finished.

*PRISMA*

A reserve account set up for European grant part funded projects and trials relating to the development of sustainable techniques and methods for the dredging, treatment and reuse of sediment. At the end of 2015/16 this grant funded project was finished and transferred to the Plant, Vessels and Equipment Reserve which helped initially set up the reserve.

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## 11. Financing and Investment Income and Expenditure

2015/16 £000		2016/17 £000
40	Interest payable and similar charges	36
241	Net interest on the net defined benefit liability (asset)	187
(23)	Interest receivable and similar income	(15)
(4)	Income and expenditure in relation to investment properties and changes in their fair value	(13)
<b>254</b>	<b>Total</b>	<b>195</b>

## 12. Property, Plant and Equipment

### Movements on balances 2015/16

Cost or valuation	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total Property, Plant and Equipment £000
At 1 April 2015	2,690	2,504	302	323	19	5,838
additions	123	194	0	0	150	467
revaluation increases / (decreases) recognised in the Surplus / Deficit on the Provision of Services	22	0	0	0	0	22
derecognition – disposals	0	(66)	0	0	0	(66)
<b>At 31 March 2016</b>	<b>2,835</b>	<b>2,632</b>	<b>302</b>	<b>323</b>	<b>169</b>	<b>6,261</b>

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Accumulated depreciation and impairment	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total Property, Plant and Equipment £000
At 1 April 2015	62	1,286	178	0	0	1,526
depreciation charge	17	298	15	0	0	330
derecognition – disposals	0	(48)	0	0	0	(48)
<b>At 31 March 2016</b>	<b>79</b>	<b>1,536</b>	<b>193</b>	<b>0</b>	<b>0</b>	<b>1,808</b>

Net Book Value	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total Property, Plant and Equipment £000
<b>At 31 March 2016</b>	<b>2,756</b>	<b>1,096</b>	<b>109</b>	<b>323</b>	<b>169</b>	<b>4,453</b>
At 31 March 2015	2,628	1,218	124	323	19	4,312

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Movements on balances 2016/17

Cost or valuation	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total Property, Plant and Equipment £000
At 1 April 2016	2,835	2,632	302	323	169	6,261
additions	0	304	0	0	30	334
revaluation increases / (decreases) recognised in the Revaluation Reserve	213	(58)	0	0	0	155
revaluation increases / (decreases) recognised in the Surplus / Deficit on the Provision of Services	(303)	(6)	0	0	0	(309)
derecognition – disposals	(13)	(99)	0	0	0	(112)
asset reclassification (to)/from Assets Under Construction	0	169	0	0	(169)	0
<b>At 31 March 2017</b>	<b>2,732</b>	<b>2,942</b>	<b>302</b>	<b>323</b>	<b>30</b>	<b>6,329</b>

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Accumulated depreciation and impairment	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total Property, Plant and Equipment £000
At 1 April 2016	79	1,536	193	0	0	1,808
depreciation charge	4	296	15	0	0	315
derecognition – disposals	(13)	(84)	0	0	0	(97)
depreciation written out to the Revaluation Reserve	(55)	(76)	0	0	0	(131)
depreciation written out to the Surplus/Deficit on the Provision of Services	(2)	(3)	0	0	0	(5)
<b>At 31 March 2017</b>	<b>13</b>	<b>1,669</b>	<b>208</b>	<b>0</b>	<b>0</b>	<b>1,890</b>

Net Book Value	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total Property, Plant and Equipment £000
<b>At 31 March 2017</b>	<b>2,719</b>	<b>1,273</b>	<b>94</b>	<b>323</b>	<b>30</b>	<b>4,439</b>
At 31 March 2016	2,756	1,096	109	323	169	4,453

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Depreciation

The following useful lives and depreciation rates have been used in the calculation of depreciation:

Category of Asset	Depreciation method	Depreciation period
Operational Land and Buildings	Straight line. (20% assumed land value, where no split available)	Between 5 to 50 years as per professional advice
Community Land	Not depreciated	Not depreciated
Infrastructure Asset	Straight line	Between 20 to 25 years
Vehicles, Vessels and Equipment	Straight line	Between 5 to 10 Years
Computer and Office Equipment	Straight line	5 years

Capital Commitments

The Authority was committed to one significant capital contract as at the balance sheet date. Details of the amounts outstanding under this contract are set out in the table below.

Contract	Total contract value £000	Payments made to 31 March 2017 £000	Outstanding commitments £000
Linkflote Pontoons	223	112	111
<b>Total</b>	<b>223</b>	<b>112</b>	<b>111</b>

Impairments

In accordance with IAS 36 and the Code, Directors have undertaken an annual impairment review. No assets were considered to be impaired.

Revaluations

The Authority carries out a rolling programme that ensures that all Property, Plant and Equipment required to be measured at current value is revalued every five years. Valuations were carried out internally and externally. Valuations of land and buildings were carried out externally by Concertus Design and Property Consultants, in accordance with methodologies and bases for estimation set out in the professional standards of the Royal Institution of Chartered Surveyors. Valuations of vehicles, plant, furniture and equipment are based on current prices where there is an active second-hand market or latest list prices adjusted for the condition of the asset.

Significant assumptions applied in estimating the current values are:

Property, Plant and Equipment of a specialised nature were valued on the basis of what it would cost to reinstate the service, suitably adjusted to reflect for age, wear



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and tear and obsolescence of the existing asset (Current Value less depreciated replacement cost).

Infrastructure Assets and Community Assets have been valued at historic cost rather than fair value.

Property leases have been split between finance and operating leases and valued accordingly depending upon whether the Authority is lessor or lessee.

	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total £000
Carried at historical cost	0	0	94	323	0	417
Valued at current value as at:						
31 March 2017	2,218	353	0	0	30	2,601
31 March 2016	336	265	0	0	0	601
31 March 2015	27	234	0	0	0	261
31 March 2014	138	190	0	0	0	328
31 March 2013	0	231	0	0	0	231
<b>Total cost or valuation</b>	<b>2,719</b>	<b>1,273</b>	<b>94</b>	<b>323</b>	<b>30</b>	<b>4,439</b>

### 13. Investment Properties

The following items of income and expense have been accounted for in the Financing and Investment Income and Expenditure line in the Comprehensive Income and Expenditure Statement.

2015/16 £000		2016/17 £000
14 (10)	Rental income from investment property Direct operating expenses arising from investment property	20 (7)
<b>4</b>	<b>Net gain / (loss)</b>	<b>13</b>

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There are no restrictions on the Authority's ability to realise the value inherent in its investment property or on the Authority's right to the remittance of income and the proceeds of disposal. The Authority has no contractual obligations to purchase, construct or develop investment property or repairs, maintenance or enhancement.

The following table summarises the movement in the fair value of investment properties over the year.

2015/16 £000		2016/17 £000
339	Balance at start of the year	340
1	Net gains / losses from fair value adjustments	(65)
<b>340</b>	<b>Balance at end of the year</b>	<b>275</b>

Fair Value Hierarchy

Details of the Authority's investment properties and information about the fair value hierarchy as at 31 March 2016 and 2017 are as follows:

	Significant observable inputs (Level 2) £000s	Fair Value 31 March 2016 £000s	Significant observable inputs (Level 2) £000s	Fair Value 31 March 2017 £000s
Fieldbase (Held for Sale)	340	340	275	275
	<b>340</b>	<b>340</b>	<b>275</b>	<b>275</b>

Valuation techniques used to determine Level 2 fair values for Investment Properties

The fair value of investment properties has been based on the market approach using current market conditions and recent sales prices and other relevant information for similar assets in the local authority area. Market conditions are such that information for similar properties are actively purchased and sold and the level of observable inputs are significant, leading to properties being categorised at Level 2 in the fair value hierarchy.

There has been no change in valuation techniques used during the year for investment properties.

Highest and best use of Investment Properties

In estimating the fair value of the Authority's investment properties, the highest and best use of the properties is their current use.

### Valuation Process for Investment Properties

The investment property has been valued by Concertus Design and Property Consultants in accordance with the methodologies and bases for estimation set out in the professional standards of the Royal Institution for Chartered Surveyors.

### **14. Intangible Assets**

The Authority internally generated a website [www.visitthebroads.co.uk](http://www.visitthebroads.co.uk) which would be classified as an intangible asset as it meets strict IAS 38 requirements to be recognised on the balance sheet. The useful life of the website is 5 years and the carrying amount is amortised on a straight line basis.

The movement on Intangible Assets balances during the year is as follows:

	Internally Generated Assets £000	Other Assets £000	2016/17 Total £000
Balance at start of year:			
Gross carrying amounts	0	0	0
Accumulated amortisation	0	0	0
Net carrying amount at start of year	0	0	0
Additions:			
Internal development	13	0	13
Purchases	30	0	30
Amortisation for the period	0	0	0
<b>Net Carrying Amount at the end of the year</b>	<b>43</b>	<b>0</b>	<b>43</b>
Comprising:			
Gross carrying amounts	43	0	43
Accumulated amortisation	0	0	0
	<b>43</b>	<b>0</b>	<b>43</b>

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### 15. Inventories

	Consumable Stores		Maintenance Materials		Total	
	2015/16 £000	2016/17 £000	2015/16 £000	2016/17 £000	2015/16 £000	2016/17 £000
Balance outstanding at start of year	44	34	68	70	112	104
Purchases	27	26	80	85	107	111
Recognised as an expense in year	(28)	(29)	(78)	(98)	(106)	(127)
Written off balances	(9)	0	0	0	(9)	0
<b>Balance outstanding at year-end</b>	<b>34</b>	<b>31</b>	<b>70</b>	<b>57</b>	<b>104</b>	<b>88</b>

### 16. Debtors

31 March 2016 £000		31 March 2017 £000
95	Central government bodies	134
0	Other local authorities	3
326	Prepayments	327
73	Other entities and individuals	85
<b>494</b>	<b>Total</b>	<b>549</b>

### 17. Cash and Cash Equivalents

The balance of Cash and Cash Equivalents is made up of the following elements:

31 March 2016 £000		31 March 2017 £000
2	Cash held by the Broads Authority	2
2,750	Investments with Broadland District Council	0
1,385	Bank current accounts	1,979
<b>4,137</b>	<b>Total Cash and Cash Equivalents</b>	<b>1,981</b>

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## 18. Creditors

31 March 2016 £000		31 March 2017 £000
65	Central government bodies	69
6	Other local authorities	15
1	NHS bodies	1
1,586	Accruals	1,337
0	Public corporations and trading funds	0
286	Other entities and individuals	339
<b>1,944</b>	<b>Total</b>	<b>1,761</b>

## 19. Provisions

2015/16			2016/17		
Accumulated Absences Provision £000	Total £000		Accumulated Absences Provision £000	Redundancy Provision £000	Total £000
47	47	Balance at 1 April	43	0	43
43	43	Additional provisions made in year	50	13	63
(47)	(47)	Settlements or cancellation of provision made at end of preceding year	(43)	0	(43)
<b>43</b>	<b>43</b>	<b>Balance at 31 March</b>	<b>50</b>	<b>13</b>	<b>63</b>

The redundancy provision made in 2016/17 was for the costs of organisational restructuring. The provision relates to a redundancy payment for a post leaving the Authority in April 2017. The post effected was notified in January 2017 and the payment was made during 2017/18.

For more information on the Accumulated Absence Account, see note 21.

## 20. Usable reserves

Movements in the Authority's usable reserves are detailed in the Movement in Reserves Statement.

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**21. Unusable reserves**

31 March 2016 £000		31 March 2017 £000
1,426	Revaluation reserve	1,641
3,079	Capital Adjustment Account	2,892
(5,274)	Pensions Reserve	(7,780)
(43)	Accumulated Absences Account	(50)
<b>(812)</b>	<b>Total unusable reserves</b>	<b>(3,297)</b>

Revaluation Reserve

The Revaluation Reserve contains the gains made by the Authority arising from increases in the value of its Property, Plant and Equipment (and Intangible Assets). The balance is reduced when assets with accumulated gains are:

- revalued downwards or impaired and the gains are lost;
- used in the provision of services and the gains are consumed through depreciation; or
- disposed of and the gains are realised.

The Reserve contains only revaluation gains accumulated since 1 April 2007, the date that the Reserve was created. Accumulated gains arising before that date are consolidated into the balance on the Capital Adjustment Account.

2015/16 £000			2016/17 £000
1,426	Balance at 1 April		1,426
22	Upward revaluation of assets	234	
0	Downward revaluation of assets	(3)	
22	Surplus or deficit on revaluation of non-current assets not posted to the Surplus or Deficit on Provision of Services		231
(15)	Difference between current value depreciation and historical cost depreciation	(16)	
(7)	Asset disposed of 2014/15, balance still on reserve	0	
(22)	Amount written off to the Capital Adjustment Account		(16)
<b>1,426</b>	<b>Balance at 31 March</b>		<b>1,641</b>

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Capital Adjustment Account

The Capital Adjustment Account absorbs the timing differences arising from the different arrangements for accounting for the consumption of non-current assets and for financing the acquisition, construction or enhancement of those assets under statutory provisions. The Account is debited with the cost of acquisition, construction or enhancement as depreciation, impairment losses and amortisations are charged to the Comprehensive Income and Expenditure Statement (with reconciling postings from the Revaluation Reserve to convert current value figures to a historical cost basis). The Account is credited with the amounts set aside by the Authority as finance for the costs of acquisition, construction and enhancement.

The Account contains accumulated gains and losses on Investment Properties and gains recognised on donated assets that have yet to be consumed by the Authority. The Account also contains revaluation gains accumulated on Property, Plant and Equipment before 1 April 2007, the date that the Revaluation Reserve was created to hold such gains. Note 9 provides details of the source of all the transactions posted to the Account, apart from those involving the Revaluation Reserve.

2015/16 £000			2016/17 £000
2,875	Balance at 1 April		3,079
	Reversal of items relating to capital expenditure debited or credited to the Comprehensive Income and Expenditure Statement:		
(330)	Charges for depreciation and impairment of non current assets	(315)	
0	Revaluation losses on Property Plant & Equipment	(307)	
1	Movements in the market value of investment properties	(6)	
0	Amortisation of intangible assets	0	
(22)	Amounts of non-current assets written off on disposal or sale as part of the gain / loss on disposal to the Comprehensive Income and Expenditure Statement	(15)	
(351)		(643)	
21	Adjusting amounts written out of the revaluation reserve	16	
(330)	Net written out amount of the cost of non-current assets consumed in the year		(627)
	Capital financing applied in the year:		
67	Statutory provision for the financing of capital investment charged against the General Fund	63	
467	Removal of Finance Lease Liability for assets returned in year		
	Capital expenditure charged against the General Fund	377	
534			440
<b>3,079</b>	<b>Balance at 31 March</b>		<b>2,892</b>

### Pensions Reserve

The Pensions Reserve absorbs the timing differences arising from the different arrangements for accounting for post-employment benefits and for funding benefits in accordance with statutory provisions. The Authority accounts for post-employment benefits in the Comprehensive Income and Expenditure Statement as the benefits are earned by employees accruing years of service, updating the liabilities recognised to reflect inflation, changing assumptions and investment returns on any resources set aside to meet the costs. However, statutory arrangements require benefits earned to be financed as the Authority makes employer's contributions to pension funds or eventually pays any pensions for which it is directly responsible. The debit balance on the Pensions Reserve therefore shows a substantial shortfall in the benefits earned by past and current employees and the resources the Authority has set aside to meet them. The statutory arrangements will ensure that funding will have been set aside by the time the benefits come to be paid.

2015/16 £000		2016/17 £000
(7,372)	Balance at 1 April	(5,274)
2,641	Remeasurements of the net defined benefit liability / (asset)	(2,166)
(1,117)	Reversal of items relating to retirement benefits debited or credited to the Surplus or Deficit on the Provision of Services in the Comprehensive Income and Expenditure Statement	(937)
574	Employer's pension contributions and direct payments to pensioners payable in the year	597
<b>(5,274)</b>	<b>Balance at 31 March</b>	<b>(7,780)</b>



### Accumulated Absences Account

The Accumulated Absences Account absorbs the differences that would otherwise arise on the General Fund balance from accruing for compensated absences earned but not taken in the year, e.g. annual leave entitlement carried forward at 31 March. Statutory arrangements require that the impact on the General Fund balance is neutralised by transfers to or from the Account.

2015/16 £000		2016/17 £000
(47)	Balance at 1 April	(43)
47	Settlement or cancellation of accrual made at the end of the preceding year	43
(43)	Amounts accrued at the end of the current year	(50)
4	Amount by which officer remuneration charged to the Comprehensive Income and Expenditure Statement on an accruals basis is different from remuneration chargeable in the year in accordance with statutory requirements	(7)
<b>(43)</b>	<b>Balance at 31 March</b>	<b>(50)</b>

## **22. Cash Flow Statement – Operating Activities**

The cash flows from operating activities include the following items:

2015/16 £000		2016/17 £000
(23)	Interest received	(24)
40	Interest paid	36
<b>17</b>	<b>Net cash flows from operating activities</b>	<b>12</b>

### 23. Cash Flow Statement – Investing Activities

2015/16 £000		2016/17 £000
(467)	Purchase of property, plant and equipment, investment property and intangible assets	(378)
0	Purchase of short term investments	(2,000)
(6)	Other payments from investing activities	9
(5)	Proceeds from the sale of property plant and equipment, investment property and intangible assets	(14)
<b>(478)</b>	<b>Net cash flows from investing activities</b>	<b>(2,383)</b>

### 24. Cash Flow Statement – Financing Activities

2015/16 £000		2016/17 £000
(52)	Cash payments for the reduction of the outstanding liabilities relating to finance leases	(49)
(14)	Repayments of short and long term borrowing	(14)
<b>(66)</b>	<b>Net cash flows from financing activities</b>	<b>(63)</b>

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## 25. Members' Allowances

The Authority paid the following amounts to Members of the Authority during the year:

2015/16 £000		2016/17 £000
40	Allowances	37
5	Expenses	9
<b>45</b>	<b>Total</b>	<b>46</b>

## 26. Officers' Remuneration

The remuneration paid to the Authority's senior employees is as follows:

		Salary, Fees and Allowances £000	Bonuses £000	Expenses Allowances £000	Pension Contribution £000	Total £000
Chief Executive	2015/16	83	0	0	13	<b>96</b>
	2016/17	84	0	0	13	<b>97</b>
Director of Planning & Resources	2015/16	58	0	0	9	<b>67</b>
	2016/17	59	0	0	9	<b>68</b>
Director of Operations	2015/16	58	0	0	9	<b>67</b>
	2016/17	51	0	0	7	<b>58</b>

The Director of Operations resigned with effect from 5 February 2017.

The number of employees receiving more than £50,000 remuneration for the year (excluding employer's pension contributions) is shown below:

2015/16 Number of Employees		2016/17 Number of Employees
0	£50,000 - £54,999	1
2	£55,000 - £59,999	1
0	£60,000 - £64,999	0
0	£65,000 - £69,999	0
0	£70,000 - £74,999	0
0	£75,000 - £79,999	0
1	£80,000 - £84,999	1

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Exit Packages

The number and cost of exit packages agreed, analysed between compulsory redundancies and other departures, are disclosed in the table below:

Exit package cost band	Number of compulsory redundancies		Number of other departures agreed		Total number of exit packages by cost band		Total cost of exit packages in each band	
	2015/16	2016/17	2015/16	2016/17	2015/16	2016/17	2015/16 £000	2016/17 £000
£0 - £20,000	0	1	0	0	0	1	0	13
£20,001 - £40,000	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>13</b>

The total cost in the table above for exit packages have been charged to the authority's Comprehensive Income and Expenditure Statement in the current year.

## 27. External Audit Costs

The Broads Authority has incurred the following fees relating to audit of the Statement of Accounts, certification of grant claims and statutory inspections and to non-audit services provided by the Authority's external auditors:

2015/16 £000		2016/17 £000
13	Fees payable to external auditors with regard to external audit services carried out by the appointed auditor for the year	13
<b>13</b>	<b>Total</b>	<b>13</b>

## 28. Grant Income

The Authority credited the following grants, contributions and donations to the Comprehensive Income and Expenditure Statement:

2015/16 £000		2016/17 £000
3,189	Credited to taxation and non-specific grant income: Defra National Park Grant	3,244
19	Credited to services: Heritage Lottery Fund – Landscape Partnership Scheme	166
<b>3,208</b>	<b>Total</b>	<b>3,410</b>

## 29. Related Parties

The Broads Authority is required to disclose material transactions with related parties, bodies or individuals that have the potential to control or influence the Authority or to be controlled or influenced by the Authority. Disclosure of these transactions allows readers to assess the extent to which the Authority might have been constrained in its ability to operate independently or might have secured the ability to limit another party's ability to bargain freely with the Authority.

### Central Government

Central government has effective control over the general operations of the Authority – it is responsible for providing the statutory framework within which the Authority operates, provides the majority of funding in the form of grants and prescribes the terms of many of the transactions that the Authority has with other parties.

### Members

Members of the Broads Authority have direct control over the Authority's financial and operating policies. Members of the Navigation Committee have a consultative role in respect of navigation matters. The Authority wrote to all Members requesting details of any related party transactions. Details of Members' expenses are included in note 25.

A number of members of the Broads Authority are appointed by Local Authorities within the Broads area. The Authority transacts with these other Local Authorities for items such as rates in the normal course of business. There were no material transactions with Local Authorities which are not disclosed elsewhere within the Statement of Accounts.

Mr Alan Goodchild is a member of the Navigation Committee and is a Director of 'Goodchild Marine' which was contracted by the Authority to build a new launch and complete refits along with supplying diesel fuel and mooring facilities. The Authority paid £55,851 for the new launch, £347 for refits and £5,653 for fuel and moorings during 2016/17 (£53,183 for the launch, £3,267 for dredging, £3,023 for refits, and £6,770 for fuel and moorings in 2015/16). £192 was outstanding at 31 March 2017. Goodchild Marine paid £565 in navigation tolls to the Broads Authority in 2016/17. Mr Goodchild took no part in the decision-making process associated with these contracts.

Mr James Knight is a member of the Navigation Committee and is a Director of 'Waveney River Centre (2003) Ltd' which paid £8,628 navigation tolls to the Broads Authority in 2016/17 (£6,643 in 2015/16). The Authority also made fuel purchases of £1,256 (£1,217 in 2015/16) and used mooring facilities of £2,300 (£2,250 in 2015/16) during 2016/17. £71 was outstanding at 31 March 2017. Mr Knight took no part in the decision-making process associated with these contracts.

Mr Greg Munford is a member of the Broads Authority and Navigation Committee and is Chief Executive of 'Richardson's Leisure Ltd' which also wholly owns 'Moonfleet Marine Ltd'. Richardson's Leisure paid £360,631 and Moonfleet Marine Ltd paid £4,315 navigation tolls to the Broads Authority in 2016/17. The Authority paid £432 to Richardson's Leisure Ltd for lifting a boat during the year 2016/17 and Richardson's Holiday Group provided £5,700 to the Authority for tourism event sponsorship. The Authority made purchases from Moonfleet Marine Ltd of £8,516 in respect of refits and £1,282 fuel. No amounts were outstanding at 31 March 2017. Mr Munford took no part in the decision-making process associated with these contracts.

Mr Michael Whitaker is a member of the Broads Authority and Navigation Committee and is a partner of 'Herbert Woods LLP' which paid £170,128 navigation tolls to the Broads Authority in 2016/17 (£172,446 in 2015/16). The Authority also made fuel purchases of

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£1,661 (£1,488 in 2015/16) and paid £400 for a boat hire in 2016/17. No amounts were outstanding at 31 March 2017. Mr Whitaker took no part in the decision-making process associated with these contracts.

Mr Brian Wilkins is a member of the Navigation Committee and is a contractor via 'Windwood Solutions Ltd' to 'Canham Consulting Ltd', which was contracted for engineering design services. The Authority paid £3,144 during 2016/17 (£2,550 in 2015/16). No amounts were outstanding at 31 March 2017. Mr Wilkins took no part in the decision-making process associated with this contract.

#### Officers

The Chief Executive represents the Broads Authority on the board of the Whitlingham Charitable Trust. Officer remuneration is detailed in note 26.

#### Whitlingham Charitable Trust

During the year the Authority provided administration services for Whitlingham Charitable Trust of £43,294 (£41,549 in 2015/16). The balance outstanding at 31 March 2017 was £7,646 (£21,590 at 31 March 2016).

The Broads Authority also provides a recharge service for purchase invoices and salaries of £48,803 (£30,995 in 2015/16). The balance outstanding at 31 March 2017 was £4,466 (£4,196 at 31 March 2016).

The Whitlingham Charitable Trust also invoiced the Authority £15,264 (£15,264 in 2015/16) for rental income for the lease of the visitor centre and moorings. The balance outstanding at 31 March 2017 was £864 (£864 in 2015/16).

#### Other Public Bodies

Broadland District Council provided financial services for the Broads Authority until 31 March 2017. The Broads Authority was charged £3,062 in 2016/17 for the provision of this service (£3,546 in 2015/16). The balance outstanding at 31 March 2017 was £281 (£954 in 2015/16).

The Council also provided treasury management of the Authority's investments until 31 March 2017. No investments were placed with the Council as at 31 March 2017 (£2,750,000 as at 31 March 2016).

The Authority also recharged the Council for staff time of £10,797 during 2016/17 (£13,667 in 2015/16). The balance outstanding at 31 March 2017 was £2,541 (No amounts were outstanding at 31 March 2016).

The Head of Finance and Revenue Services for Broadland District Council served until 31 March 2017 as the Treasurer and Financial Adviser (Section 17 Officer) for the Broads Authority.

Norfolk County Council provides legal services to the Broads Authority via its legal practice, NPLaw. The Authority paid £179,462 for legal services in 2016/17 (£83,968 in 2015/16). The Practice Director of NPLaw served as the Solicitor and Monitoring Officer to the Broads Authority until end of May 2016. The balance outstanding at 31 March 2017 was £3,378.

Norfolk County Council also provides payroll services to the Broads Authority. The Authority paid £7,168 for this in 2016/17 (£6,954 in 2015/16). The balance outstanding at 31 March 2017 was £2,411 (No amounts were outstanding at 31 March 2016).

### 30. Capital expenditure and capital financing

The total amount of capital expenditure incurred in the year is shown in the table below (including the value of assets acquired under finance leases and PFI/PP contracts), together with the resources that have been used to finance it. Where capital expenditure is to be financed in future years by charges to revenue as assets are used by the Authority, the expenditure results in an increase in the Capital Financing Requirement (CFR), a measure of the capital expenditure incurred historically by the Authority that has yet to be financed. The CFR is analysed in the second part of this note.

2015/16 £000		2016/17 £000
347	Opening Capital Finance Requirement	280
	<u>Capital Investment</u>	
467	Property, Plant and Equipment	377
	<u>Sources of Finance</u>	
	Sums set aside from revenue:	
(467)	Direct revenue contributions	(377)
(67)	MRP	(63)
<b>280</b>	<b>Closing Capital Finance Requirement</b>	<b>217</b>
	<u>Explanation of movements in year</u>	
(67)	Increase / (decrease) in underlying need to borrow (unsupported by government financial assistance)	(63)
0	Assets acquired under finance leases	0
<b>(67)</b>	<b>Increase / (decrease) in Capital Financing Requirement</b>	<b>(63)</b>

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### 31. Leases

#### Authority as Lessee

##### *Finance Leases*

The Authority has a number of vehicles, plant and office equipment acquired under finance leases. The assets acquired under these leases are carried as Property, Plant and Equipment in the Balance Sheet at the following net amounts:

2015/16 £000		2016/17 £000
0	Other Land and Buildings	0
136	Vehicles, Plant, Furniture and Equipment	85
<b>136</b>	<b>Total</b>	<b>85</b>

The Authority is committed to making minimum payments under these leases comprising settlement of the long-term liability for the interest in the property acquired by the Authority and finance costs that will be payable by the Authority in future years while the liability remains outstanding. The minimum lease payments are made up of the following amounts:

2015/16 £000		2016/17 £000
48	Finance lease liabilities (net present value of minimum lease payments):	37
74	• Current	37
6	• Non-current	3
	Finance costs payable in future years	
<b>128</b>	<b>Minimum lease payments</b>	<b>77</b>

The minimum lease payments will be payable over the following periods:

	Minimum Lease Payments		Finance Lease Liabilities	
	31 March 2016 £000	31 March 2017 £000	31 March 2016 £000	31 March 2017 £000
Not later than one year	51	39	48	37
Later than one year and not later than 5 years	77	38	74	37
Later than 5 years	0	0	0	0
	<b>128</b>	<b>77</b>	<b>122</b>	<b>74</b>

The minimum lease payments do not include rents that are contingent on events taking place after the lease was entered into, such as adjustments following rent reviews. In 2016/17, no (£nil) contingent rents were payable by the Authority (2015/16 £nil).



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*Operating Leases*

The Authority has acquired vehicles by entering into operating leases, with typical lives of 7 years. The Authority has also established operating leases in relation to land and buildings with typical lives between 10 and 20 years. The future minimum lease payments due under non-cancellable leases in future years are:

2015/16 £000		2016/17 £000
148	Not later than one year	150
281	Later than one year and not later than 5 years	513
453	Later than 5 years	128
<b>882</b>	<b>Total</b>	<b>791</b>

The expenditure charged to the Comprehensive Income and Expenditure Statement during the year in relation to these leases was:

2015/16 £000		2016/17 £000
175	Minimum lease payments	175
<b>175</b>	<b>Total</b>	<b>175</b>

Authority as Lessor

*Finance Leases*

The Authority has no leased out property on a finance lease.

*Operating Leases*

The Authority leases out land and property under operating leases for the following purposes:

- For the provision of community services, such as tourism services; and
- For an outdoor education and study centre.

The future minimum lease payments receivable under non-cancellable operating leases in future years are:

2015/16 £000		2016/17 £000
55	Not later than one year	53
191	Later than one year and not later than 5 years	191
7	Later than 5 years	8
<b>253</b>	<b>Total</b>	<b>252</b>

The minimum lease payments receivable do not include rents that are contingent on events taking place after the lease was entered into, such as adjustments following rent reviews.

### **32. Termination Benefits**

The Authority terminated the contract of one employee who was made redundant at the beginning of 2017/18 as part of the Broads Authority's organisational restructuring. In terminating these contracts the Authority incurred liabilities of £13,203, of which £nil related to enhanced pension benefits. This liability was recognised within the Provision Account in 2016/17. No liabilities relating to termination benefits were incurred during 2015/16 and no provision for any future redundancy payments was established in the year.

### **33. Defined Benefit Pension Schemes**

#### Participation in Pension Schemes

As part of the terms and conditions of employment of its officers and other employees, the Broads Authority makes contributions towards the cost of post-employment benefits. Although these benefits will not actually be payable until employees retire, the Authority has a commitment to make future payments and thus these need to be disclosed as a future entitlement. The Authority participates in one pension scheme:

- The Norfolk Pension Fund for civilian employees (the Local Government Pension Scheme), administered locally by Norfolk County Council. This is a funded defined benefit final salary scheme, meaning that the Authority and employees pay contributions into a fund, calculated at a level intended to balance the pension liabilities with investment assets.

#### Transactions Relating to Post-Employment Benefits

The Authority recognises the cost of retirement benefits in the reported cost of services when they are earned by employees, rather than when the benefits are eventually paid as pensions. However, the charge the Authority is required to make against tolls and Defra grant is based on the cash payable in the year, so the real cost of post-employment benefits is reversed out via the Movement in Reserves Statement. The following transactions have been made in the Comprehensive Income and Expenditure Statement and via the Movement in Reserves Statement during the year:

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2015/16 £000		2016/17 £000
	Comprehensive Income and Expenditure Statement	
876	Cost of services: <ul style="list-style-type: none"> <li>• current service cost</li> </ul>	750
241	Financing and investment income and expenditure <ul style="list-style-type: none"> <li>• net interest expense</li> </ul>	187
<b>1,117</b>	<b>Total post-employment benefits charged to the surplus or deficit on the provision of services</b>	<b>937</b>
	Other post-employment benefits charged to the Comprehensive Income and Expenditure Statement:	
150	<ul style="list-style-type: none"> <li>• return on plan assets (excluding the amount included in the net interest expense)</li> </ul>	(2,709)
0	<ul style="list-style-type: none"> <li>• actuarial gains and losses arising on changes in demographic assumptions</li> </ul>	(223)
(2,687)	<ul style="list-style-type: none"> <li>• actuarial gains and losses arising on changes in financial assumptions</li> </ul>	5,676
(104)	<ul style="list-style-type: none"> <li>• other experience</li> </ul>	(578)
<b>(2,641)</b>	<b>Total post-employment benefits charged to the Comprehensive Income and Expenditure Statement</b>	<b>2,166</b>
	Movement in Reserves Statement	
1,117	<ul style="list-style-type: none"> <li>• reversal of net charges made to the surplus or deficit on the provision of services for post-employment benefits in accordance with the Code</li> </ul>	937
	Actual amount charged against the General Fund balance for pensions in the year:	
(574)	<ul style="list-style-type: none"> <li>• employers' contributions payable to scheme</li> </ul>	(597)

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Pension Assets and Liabilities Recognised in the Balance Sheet

The amount included in the Balance Sheet arising from the Authority's obligation in respect of its defined benefit plan is as follows:

2015/16 £000		2016/17 £000
(25,845)	Present value of the defined benefit obligation	(31,888)
20,571	Fair value of plan assets	24,108
<b>(5,274)</b>	<b>Net liability arising from defined benefit obligation</b>	<b>(7,780)</b>

Reconciliation of the Movements in the Fair Value of Scheme (Plan) Assets

2015/16 £000		2016/17 £000
20,011	Opening fair value of scheme assets	20,571
641	Interest income	721
(150)	Remeasurement gain / (loss): <ul style="list-style-type: none"> <li>The return on plan assets, excluding the amount included in the net interest expense</li> </ul>	2,709
574	Contributions from employer	597
204	Contributions from employees into the scheme	198
(709)	Benefits paid	(688)
<b>20,571</b>	<b>Closing fair value of scheme assets</b>	<b>24,108</b>

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Reconciliation of Present Value of the Scheme Liabilities (Defined Benefit Obligation)

2015/16 £000		2016/17 £000
27,383	Balance at 1 April	25,845
876	Current service cost	750
882	Interest cost	908
204	Contributions from scheme participants	198
0	Remeasurement (gains) and losses:	
	• Actuarial gains / losses from changes in demographic assumptions	(223)
(2,687)	• Actuarial gains / losses arising from changes in financial assumptions	5,676
(104)	• Other	(578)
(709)	Benefits paid	(688)
<b>25,845</b>	<b>Balance at 31 March</b>	<b>31,888</b>

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Local Government Pension Scheme Assets

Local Government Pension Scheme assets comprised:

Fair value of scheme assets 2015/16 £000				Fair value of scheme assets 2016/17 £000		
Quoted prices in active markets	Quoted prices not in active markets	Total		Quoted prices in active markets	Quoted prices not in active markets	Total
-	443.9	443.9	Cash and cash equivalents:	-	694.5	694.5
			• All cash and cash equivalents			
			Equity instruments:			
1,476.2	-	1,476.2	• Consumer	1,795.4	-	1,795.4
1,072.0	-	1,072.0	• Manufacturing	1,401.0	-	1,401.0
462.0	-	462.0	• Energy and utilities	669.7	-	669.7
1,346.0	-	1,346.0	• Financial institutions	1,549.5	-	1,549.5
657.0	-	657.0	• Health and care	728.9	-	728.9
618.7	-	618.7	• Information technology	689.1	-	689.1
-	-	-	• Other	-	-	-
			Bonds (Debt securities):			
-	-	-	• Corporate bonds (investment grade)	-	-	-
-	-	-	• Corporate bonds (non-investment grade)	-	-	-
			Private equity:			
-	1,322.6	1,322.6	• All private equity	-	1,506.7	1,506.7
			Property:			
-	2,344.6	2,344.6	• UK property	-	2,250.3	2,250.3
-	317.0	317.0	• Overseas property	-	376.3	376.3
			Other investment funds and unit trusts:			
5,282.4	-	5,282.4	• Equities	6,403.0	-	6,403.0
5,292.2	-	5,292.2	• Bonds	6,093.5	-	6,093.5
			Derivatives:			
-	-	-	• Other derivatives	-	-	-
(63.6)	-	(63.6)	• Foreign exchange	(49.9)	-	(49.9)
<b>16,142.9</b>	<b>4,428.1</b>	<b>20,571.0</b>		<b>19,280.2</b>	<b>4,827.8</b>	<b>24,108.0</b>

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Basis for estimating assets and liabilities

Liabilities have been assessed on an actuarial basis using the projected unit method, an estimate of the pensions that will be payable in future years dependent on assumptions about mortality rates, salary levels, etc. The Fund liabilities have been assessed by Hymans Robertson, an independent firm of actuaries, estimates for the fund being based on the latest full valuation of the scheme as at 31 March 2016.

The principal assumptions used by the actuary have been:

31 March 2016		31 March 2017
	Long term expected rate of return on assets in the scheme:	
3.5%	• Equity investments*	2.6%
3.5%	• Bonds*	2.6%
3.5%	• Property*	2.6%
3.5%	• Cash*	2.6%
	Mortality assumptions:	
	Longevity at 65 for current pensioners:	
22.1 years	• Men	22.1 years
24.3 years	• Women	24.4 years
	Longevity at 65 for future pensioners:	
24.5	• Men	24.1
26.9	• Women	26.4
2.2%	Rate of inflation	2.4%
3.2%	Rate of increase in salaries	2.7%
2.2%	Rate of increase in pensions	2.4%
3.5%	Rate for discounting scheme liabilities	2.6%
	Take up of option to convert annual pension into retirement lump sum:	
50%	Pre- April 2008 service	50%
75%	Post- April 2008 service	75%

\*The expected rates of return are set equal to the discount rate (per the revised version of IAS19).

The estimation of the defined benefit obligation is sensitive to the actuarial assumptions set out in the table above. The sensitivity analyses below have been determined based on reasonably possible changes of the assumptions at the end of the reporting period and assumes for each other change that the assumption analysed changes while all the other assumptions remain constant. The assumptions in longevity, for example, assume that life expectancy increases or decreases for men and women. In practice, this is unlikely to occur, and changes in some of the assumptions may be interrelated. The estimations in the sensitivity analysis have followed the accounting policies for the scheme, i.e. on an actuarial basis using the projected unit credit method. The methods and types of assumptions used in preparing the sensitivity analysis below are consistent with those adopted in the previous period.

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Sensitivity analysis – impact on the defined benefit obligation in the scheme

Change in assumptions at 31 March 2017	Approximate % increase to employer liability	Approximate monetary amount £000
0.5% decrease in real discount rate	10%	3,319
1 year increase in member life expectancy	3-5%	Dependent on revised assumption
0.5% increase in the salary increase rate	1%	429
0.5% increase in the pension increase rate	9%	2,848

Techniques used to manage risk

The Pensions Committee of Norfolk County Council considers long term liabilities when setting its investment strategy but does not follow a specific liability matching investment approach having taken appropriate professional advice. The Committee has agreed an asset allocation benchmark, a performance target and various controls on the Fund's investments. These reflect their views on the appropriate balance between maximising the long-term return on investments and minimising short-term volatility and risk. The Committee monitors and reviews the performance of investments and the overall strategy on a regular basis, supported by advice from professional advisers as required. A large proportion of the Fund's assets relate to equities (61% of scheme assets) and bonds (25%). These percentages are materially the same as the previous year. The scheme also invests in properties as part of the diversification of the scheme's investments.

Further details of the Fund's investment approach are outlined in the Statement of Investment Principles and Funding Strategy Statement that are published on the Fund's website [www.norfolkpensionfund.org](http://www.norfolkpensionfund.org).

Impact on the Authority's cash flows

The objectives of the scheme are to keep employers' contributions at as constant a rate as possible. The Administering Authority has agreed a strategy with the scheme's actuary to achieve a funding level of 100% over the next 20 years. Funding levels are monitored on an annual basis. The next triennial valuation will take place on 31 March 2019.

The scheme will need to take account of the national changes to the scheme under the Public Pension Services Act 2013. Under the Act, the Local Government Pension Scheme in England and Wales may not provide benefits in relation to service after 31 March 2014. The Act provides for scheme regulations to be made within a common framework, to establish new career average revalued earnings schemes to pay pensions and other benefits to certain public servants.

The Authority anticipates paying contributions of approximately £603,000 to the scheme in 2017/18.

The weighted average duration of the defined benefit obligation for scheme members is as follows:



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	Liability split	Weighted average duration
Active members	47.1%	21.7
Deferred members	26.4%	23.4
Pensioner members	26.5%	12.0
<b>Total</b>	<b>100.0%</b>	<b>19.0</b>

### 34. Contingent Liabilities

The Authority has identified two material contingent liabilities:

#### *Postwick Tip*

The Authority uses a site "Postwick Tip," which is included in the Authority's Fixed Asset Register, for the treatment of sediment material from dredging operations. This natural treatment process involves the drying of sediment so that mercury content is absorbed. As such there would be no clean-up costs at the end of the site's life. However, if the Authority were to stop using the site, there would be a cost of £33,000 to surrender the license. There is currently no expectation that the Authority will cease using the site. The Authority's use of the site is the subject of a bond / financial provision to the Environment Agency in the amount of £6.4m. This covers the estimated cost of restoration which could arise if there were to be a catastrophic event at the site. Defra are the guarantors for this bond and the Authority would not itself anticipate making any payment under the terms of this agreement.

#### *Appeal against Adjacent tolls decision*

In 2015/16 the Authority applied to the High Court to appeal against a Crown Court decision which overturned a conviction against an individual for failing to pay the appropriate toll for mooring. This was subsequently overturned by the High Court and referred back to the Crown Court to determine the reasonableness of the charge. The Defendant's appeal was heard by the Crown Court on 15 July 2016 who held that the Authority's toll was reasonable, thereby concluding the appeal in the Authority's favour. The Court ordered the Defendant to pay a contribution towards the Authority's costs. The Defendant is now seeking a Judicial Review of the Crown Court itself in relation to this decision. Currently the costs of such action cannot be determined.

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	Long-term		Current	
	31 March 2016 £000	31 March 2017 £000	31 March 2016 £000	31 March 2017 £000
Investments				
Loans and receivables	0	0	2,760	2,001
<b>Total investments</b>	<b>0</b>	<b>0</b>	<b>2,760</b>	<b>2,001</b>
Debtors				
Loans and receivables	10	3	168	222
<b>Total debtors</b>	<b>10</b>	<b>3</b>	<b>168</b>	<b>222</b>
Borrowings				
Financial liabilities at amortised cost	152	138	15	15
<b>Total borrowings</b>	<b>152</b>	<b>138</b>	<b>15</b>	<b>15</b>
Other Long Term Liabilities				
Finance lease liabilities	74	37	48	37
<b>Total other long term liabilities</b>	<b>74</b>	<b>37</b>	<b>48</b>	<b>37</b>
Creditors				
Financial liabilities carried at contract amount	0	0	1,896	1,724
<b>Total Creditors</b>	<b>0</b>	<b>0</b>	<b>1,896</b>	<b>1,724</b>

### 35. Financial Instruments

The following categories of financial instrument are carried in the Balance Sheet:

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Income, Expense Gains and Losses

2015/16				2016/17		
Financial Liabilities measured at amortised cost £000	Assets and Liabilities at Fair Value through Profit and Loss £000	Total £000		Financial Liabilities measured at amortised cost £000	Assets and Liabilities at Fair Value through Profit and Loss £000	Total £000
40	0	40	Interest Expense	36	0	36
40	0	40	Total expense in Surplus or Deficit on the Provision of Services	36	0	36
0	(23)	(23)	Interest Income	0	(15)	(15)
0	(23)	(23)	Total Income in Surplus or Deficit on the Provision of Services	0	(15)	(15)
<b>40</b>	<b>(23)</b>	<b>17</b>	<b>Net (gain) / loss for the year</b>	<b>36</b>	<b>(15)</b>	<b>21</b>

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Fair Values of Assets and Liabilities

Financial liabilities, financial assets represented by loans and receivables and long term debtors and creditors are carried in the Balance Sheet at amortised cost. Their fair value can be assessed by calculating the present value of the cash flows that will take place over the remaining term of the instruments. These valuations are all classified as Level 2, where market prices are not available, with valuation techniques using inputs based significantly on observable market data. The following assumptions should be noted:

- Fixed interest rate of 4.82% over the 20 year PWLB loan;
- No early repayment or impairment is recognised; and
- The fair value of trade and other receivables is taken to be invoices or billed amount.

The fair values calculated are as follows:

	31 March 2016		31 March 2017	
	Carrying Amount	Fair Value	Carrying Amount	Fair Value
	£000	£000	£000	£000
Financial Liabilities	227	280	175	226

	31 March 2016		31 March 2017	
	Carrying Amount	Fair Value	Carrying Amount	Fair Value
	£000	£000	£000	£000
Long term Debtors	10	10	3	3

Available for sale assets and assets and liabilities at fair value through profit and loss are carried in the balance sheet at their fair value. These fair values are based on public quotations where there is an active market for the instrument.

Short term debtors and creditors are carried at cost as this is a fair approximation of their value.

### 36. Nature and Extent of Risks Arising from Financial Instruments

The Authority's activities expose it to a variety of financial risks:

Credit Risk	The possibility that other parties might fail to pay amounts due to the Authority.
Liquidity Risk	The possibility that the Authority might not have funds available to meet its commitments to make payments.
Market Risk	The possibility that financial loss might arise for the Authority as a result of changes in such measures as interest rates and stock market investments.

Foreign Exchange Risk      The possibility that financial loss might arise for the Authority as a result of changes in the exchange rate (GBP and Euro).

The Broads Authority's overall risk management programme focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the resources available to fund services.

#### Credit Risk

Credit risk arises from deposits with banks and financial institutions, as well as credit exposures to customers. Deposits are only made in line with the Treasury Management Strategy which requires that deposits are not made with banks and financial institutions unless they are highly rated. Therefore the Broads Authority does not consider there to be any quantifiable risk in relation to investments.

The Authority's standard terms and conditions for payment of invoices are 30 days from invoice date. The Authority does not allow credit for customers, and only a small proportion of invoices were overdue and outstanding as at 31 March 2017 for which a bad debt provision had not been put in place.

#### Liquidity Risk

The current three year agreement from DEFRA means the Broads Authority has some certainty over the next few years. Longer term uncertainty still remains and future changes in government brings further uncertainty whether future three-year funding will be available. Given the significant cash balances there is no significant risk that it will be unable to meet its commitments under financial instruments. All financial liabilities are due to be repaid within one year with the exception of the 20 year PWLB loan. Therefore there is no risk of having to borrow at unfavourable rates in future to replenish borrowings.

#### Market Risk

With the exception of the PWLB loan, the Broads Authority is debt free. Excess cash is invested at variable or fixed money market rates depending on forecasts for interest rates under the period of review.

#### Foreign Exchange Risk

The Authority's Annual Investment and Capital Financing Strategy for 2016/17 states that if the Authority enters into any contractual arrangements above £100,000 which involve foreign currency, the advice of the Chief Financial Officer will be sought on the advisability of hedging the exchange risk before entering into the contract.

Broads Authority Statement of Accounts  
Notes to the Statement of Accounts

**37. Navigation Income and Expenditure Account**

2015/16				2016/17		
Gross Expenditure £000	Income £000	Net Expenditure / (Income) £000		Gross Expenditure £000	Income £000	Net Expenditure / (Income) £000
3,310	(3,142)	168	Navigation Fund	3,525	(3,238)	287
<b>3,310</b>	<b>(3,142)</b>	<b>168</b>	<b>Net cost of services</b>	<b>3,525</b>	<b>(3,238)</b>	<b>287</b>
		(1) 122	Other operating expenditure			(2) 101
		289	Financing and investment income and expenditure			386
			<b>(Surplus) or deficit on the provision of services</b>			
		(22) (1,151)	(Surplus) or deficit on revaluation of fixed assets			(242)
			Actuarial (gains) / losses on pension assets / liabilities			981
		<b>(884)</b>	<b>Total comprehensive income and expenditure</b>			<b>1,125</b>

## **Glossary of Terms**

### **ACCOUNTING PERIOD**

The period of time covered by the accounts, a period of twelve months commencing on 1 April. The end of the accounting period is the Balance Sheet date.

### **ACCOUNTING POLICIES**

The basis on which an organisation's financial statements are based to ensure that those statements 'present fairly' the financial position and transactions of that organisation. Accounting concepts include 'materiality', 'accruals', 'going concern' and 'primacy of legislative requirements'.

### **ACCRUALS**

Sums included in the final accounts to recognise revenue and capital income and expenditure earned or incurred in the financial year, but for which actual payment had not been received or made as at 31 March.

### **ACTUARIAL GAINS AND LOSSES**

These may arise on both defined benefit pension scheme liabilities and assets. A gain represents a positive difference between the actuarial assumptions and actual experience (e.g. liabilities during the period were lower than estimated). A loss represents a negative difference between the actuarial assumptions and actual experience (e.g. liabilities during the period were higher than estimated).

### **AMORTISATION**

The measure of the wearing out, consumption, or other reduction in the useful economic life of an intangible long term asset.

### **AMORTISED COST**

This is cost that has been adjusted for amortisation.

### **ASSET**

An item owned by the Authority which has a value, for example, premises, vehicles, equipment, cash.

### **BUDGET**

The statement of the Authority's policy expressed in financial terms usually for the current or forthcoming financial year. The Revenue Budget covers running expenses (see also: revenue income and expenditure), and the Capital Budget plans for asset acquisitions and replacements (see also: capital income and expenditure).

### **CAPITAL INCOME AND EXPENDITURE**

Expenditure on the acquisition of a long term asset, which lasts normally for more than one year, or expenditure which adds to the life or value of an existing long term asset.

### **CAPITAL FINANCING**

Funds raised to pay for capital expenditure. There are various methods of financing capital expenditure including borrowing, leasing, direct revenue financing, usable capital receipts, capital grants, capital contributions, revenue reserves and earmarked reserves.

### **CASH EQUIVALENTS**

These are short term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Cash equivalents are held for the purpose of meeting short term cash commitments rather than for investment purposes.

**CHARTERED INSTITUTE OF PUBLIC FINANCE AND ACCOUNTANCY (CIPFA)**

The Chartered Institute of Public Finance and Accountancy (CIPFA) is the professional accountancy institute that sets the standards for the public sector. CIPFA publishes the Accounting Codes of Practice for local government.

**CODE OF PRACTICE ON LOCAL AUTHORITY ACCOUNTING (the Code)**

Based on International Financial Reporting Standards, the Code aims to achieve consistent financial reporting between all English local authorities and National Park Authorities. It is based on generally accepted accounting standards and practices.

**COMMUNITY ASSETS**

Community assets are assets that the Authority intends to hold for an unlimited period of time, have no determinable finite useful life and may have restrictions on their disposal.

**CONTINGENT LIABILITIES**

Potential costs that the Authority may incur in the future because of something that happened in the past.

**CREDITORS**

Amounts owed by the Authority for goods and services provided for which payment has not been made at the end of the financial year.

**CURRENT VALUE**

This is the cost of an asset if bought in the current year.

**DEBTORS**

Sums of money due to the Authority but not received at the end of the financial year.

**DEFICIT**

Arises when expenditure exceeds income or when expenditure exceeds available budget.

**DEPRECIATION**

The measure of the wearing out, consumption, or other reduction in the useful economic life of a long term asset.

**EXPECTED RETURN ON PENSION ASSETS**

For a funded defined benefit scheme, this is the average rate of return, including both income and changes in fair value but net of scheme expenses, which is expected over the remaining life of the related obligation on the actual assets held by the scheme.

**FAIR VALUE**

The price at which the Authority could buy or sell an asset in a transaction with another organisation, less any grants received towards buying or using that asset.

**FINANCIAL ASSET**

A right to future economic benefits.

**FINANCIAL INSTRUMENT**

Any contract that gives rise to a financial asset in one organisation and a financial liability in another.

**FINANCIAL LIABILITY**

An obligation to transfer economic benefits.



**FINANCE LEASE**

A lease which transfers all of the risks and rewards of ownership of a long term asset to the lessee. Where these leases are entered into, the assets acquired have to be included with the Authority's long term assets in the balance sheet at the market value of the asset involved (see also: operating lease).

**LONG TERM ASSETS**

Assets that yield benefits to the Authority and the services it provides for a period of more than one year.

**GOVERNMENT GRANTS**

Grants paid by the Government. These can be for general expenditure or a particular service or initiative.

**HISTORIC COST**

The cost of an asset when originally bought.

**IAS19 RETIREMENT BENEFITS**

An International Financial Reporting Standard which requires local authorities to reflect the true value of the assets and liabilities relating to the Pension Fund in their financial statements.

**IMPAIRMENT**

A reduction in the value of a long term asset to below its carrying amount in the Balance Sheet. Impairment of an asset is caused either by a consumption of economic benefits e.g. physical damage (fire at a building) or a deterioration in the quality of the service provided by the asset, or by a general fall in prices of that particular asset or type of asset.

**INFRASTRUCTURE ASSETS**

Long term assets that are inalienable, expenditure on which is recoverable only by continued use of the asset created. Examples of infrastructure assets are highways and footpaths.

**INTANGIBLE ASSETS**

Intangible assets are non-financial long term assets that do not have physical substance but are identifiable and are controlled by the Authority through custody or legal rights.

**INTERNATIONAL FINANCIAL REPORTING STANDARDS (IFRS)**

International Financial Reporting Standards (IFRS) are issued by the International Accounting Standards Board. All local authorities apply international accounting regulations when preparing accounts. The Authority's accounts follow these standards where they apply to local authorities.

**INVESTMENT PROPERTIES**

Assets that the Authority owns but which are not used in the direct delivery of services.

**LIABILITY**

An obligation to transfer economic benefits. Current liabilities are usually payable within one year.

**MARKET PRICE**

This is the price at which another organisation is prepared to buy or sell an asset.

**MINIMUM REVENUE PROVISION (MRP)**

The minimum sum charged to the Authority's revenue account each year to provide for the repayment of loans.

**NET BOOK VALUE**

The amount at which long term assets are included in the Balance Sheet, i.e. their historical costs or current value less the cumulative amounts provided for depreciation.

**NON DISTRIBUTED COSTS**

These are specific overheads relating to unused assets and certain pension costs for employees' service in previous years. These are not allocated to service departments because they do not relate to the in-year cost of providing the service.

**OPERATING LEASE**

A lease whereby the ownership of the asset remains with the leasing company and an annual rent is charged to the relevant service. The assets involved are not included within the Authority's long term assets in the balance sheet (see also: finance lease).

**OUTTURN**

The actual amount spent in the financial year.

**PENSION FUND**

A fund which makes pension payments on retirement of its participants.

**PROVISION**

An amount set aside to provide for a liability, which is likely to be incurred, but where the exact amount and the date on which it will arise are uncertain.

**RESERVES**

An amount set aside for a specific purpose in one financial year and carried forward to meet expenditure in future years.

**REVENUE INCOME AND EXPENDITURE**

Expenditure which relates to day to day expenses, such as salaries and wages, general running expenses and the minimum revenue provision. Revenue income includes charges made for goods and services.

**SURPLUS**

Arises when income exceeds expenditure or when expenditure is less than available budget.

**VALUE ADDED TAX (VAT)**

A tax on consumer expenditure, collected on business transactions at each stage in the supply, but ultimately borne by the final customer.

**VARIANCE / VARIATION**

A difference between budgeted income or expenditure and actual outturn, also referred to as an 'over-' or 'underspend'.

## **Financial Performance and Direction**

### **Annual Governance Statement 2016/17**

Report by Solicitor and Monitoring Officer

**Summary:** This report explains the legal requirement, background and purpose of the Annual Governance Statement, and the requirement to carry out an annual review of the Authority's systems of internal control and governance arrangements. The draft Annual Governance Statement for 2016/17 is attached, for members' consideration and approval.

**Recommendations:**

- (i) That the views and comments of the Authority are sought on the internal control systems and governance arrangements in place.
- (ii) That the Annual Governance Statement for 2016/17 and Action Plan for 2017/18 are approved.
- (iii) That the Authority notes, subject to implementation of the improvements identified in the Action Plan, that the Authority's internal control systems and governance arrangements are considered to be adequate and effective.

## **1 Introduction**

- 1.1 The Accounts and Audit Regulations 2015 ("the Regulations") contain a requirement that an Annual Governance Statement, prepared in accordance with proper practices in relation to internal control, must be approved 'by the relevant authority' (in this case the Broads Authority) and must accompany the Statement of Accounts. The draft for this year is attached.
- 1.2 For this year the Regulations specify a new, earlier date for publication of an Annual Governance Statement, to be no later than 31 July of the financial year immediately following the end of the financial year to which the Statement relates. The draft Annual Governance Statement has been approved by Management Team and provided to the Head of Internal Audit.
- 1.3 The implementation of the Regulations is undertaken by the Authority following advice, guidance and recommendations of the Chartered Institute of Public Finance & Accountancy (CIPFA) in particular the CIPFA/SOLACE joint working group framework '*Delivering Good Governance in Local Government*'.
- 1.4 The Regulations require local authorities to conduct a review at least once a year of the effectiveness of their systems of internal control and risk management, so as to give assurance on their effectiveness and/or to produce a management action plan to address identified weaknesses. The

Regulations require an authority to ensure that it has a sound system of internal control which:

- (a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;
- (b) ensures that the financial and operational management of the authority is effective; and
- (c) includes effective arrangements for the management of risk

- 1.5 The Authority has received the Assurance Review of Corporate Governance by the Head of Internal Audit for 2016/17 as set out in the attached draft Annual Governance Statement at paragraph 8.7. The overall opinion was that:

*“The overall opinion is that the framework of governance, risk management and control is deemed to be **reasonable**, indicating a continued stable environment.”*

- 1.6 A further annual report setting out the Opinion of the Head of Internal Audit will be available for the AGM of the Authority on 28 July 2017. The draft Annual Governance Statement sets out further details from the annual report and any recommendations and improvements are contained in the Action Plan for 2017/18 (a number of recommendations contained in the annual report had already been undertaken and completed at the time of this report and where that is the case, they have not been included on the Action Plan).
- 1.7 Internal Audit work during the year has not identified any weaknesses that are significant enough for disclosure within the Annual Governance Statement.
- 1.8 Once agreed, the Annual Governance Statement should be signed by the Chairman of the Authority and the Chief Executive.

## **2 Code of Corporate Governance**

- 2.1 The Authority’s systems for delivering good governance are set out in the Code of Corporate Governance which was adopted by the Broads Authority at its meeting in November 2009. This document was prepared in accordance with the guidance set out in the CIPFA/SOLACE framework ‘*Delivering Good Governance in Local Government*’. (“the Framework”)
- 2.2 The principles and standards set out in the Framework are aimed at helping local authorities to develop and maintain their own codes of governance and discharge their accountability for the proper conduct of business. The Framework emphasises the importance of good governance to the wider outcomes of good management, good performance, and good public engagement. It puts high standards of conduct and leadership at the heart of good governance, placing responsibility on Members and Officers to demonstrate leadership by behaving in ways that exemplify high standards of conduct, and so set the tone for the rest of the organisation.

- 2.3 The Authority's Code of Corporate Governance is signed by the Chairman and Chief Executive. This is currently undergoing a comprehensive review in order to meet with the new 2016 CIPFA/Solace Framework, which itself has been updated considerably to reflect the changes implemented by the Accounts and Audit Regulations 2015.

### **3 Role of the Chief Financial Officer**

- 3.1 In 2010 CIPFA issued a document entitled '*The Role of the Chief Financial Officer in Local Government*'. The Statement supports CIPFA's work to strengthen governance and financial management across the public services, and sets out five principles that define the core activities and behaviours that belong to the role of Chief Financial Officer (CFO) in local government and the governance requirements needed to support them. These are set out in paragraphs 3.2 and 3.3 below.

- 3.2 The CFO in a local authority:

- is a key member of the leadership team, helping it to develop and implement strategy and to resource and deliver the authority's strategic objectives sustainably and in the public interest;
- must be actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risk are fully considered, and alignment with the authority's financial strategy;
- must lead the promotion and delivery by the whole Authority of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.

- 3.3 To deliver these responsibilities the CFO:

- must lead and direct a finance function that is resourced to be fit for purpose;
- must be professionally qualified and suitably experienced.

- 3.4 It is further recommended that, in their Annual Governance Statements, local authorities should 'include a specific statement on whether the authority's financial management arrangements conform with the guidance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010) and, where they do not, explain why and how they deliver the same impact'. This statement is set out in paragraph 3.11 of the Annual Governance Statement.

### **4 Annual Review of Governance Arrangements**

- 4.1 The production and publication of the Annual Governance Statement is the result of an on-going review of the adequacy of internal control systems and governance arrangements, and is not an activity which should be viewed in isolation.

- 4.2 The review has been informed by the work of Officers of the Authority, who have responsibility for the maintenance and review of the internal control environment, internal audit reports and the recommendations made by external auditors and inspectors. The review of Partnership arrangements and the review of the Strategic Risk Register also contributes towards the review.
- 4.3 Where significant weaknesses have been identified these are set out in the Action Plan (Appendix 1b). It should be noted that this Action Plan does not cover all the activities which will be undertaken during the year and which will contribute towards good governance, but focuses on those activities, and especially new initiatives and those issues identified by auditors, which will address weaknesses, ensure continuous improvement of the system and generally 'add value' to the arrangements.
- 4.4 A copy of the 2016/17 Action Plan is also appended (Appendix 2), with progress to date added. Where the appropriate action is still outstanding, it has been carried forward into the 2017/18 Action Plan.
- 4.5 The Financial Scrutiny and Audit Committee will be reviewing the Annual Governance Statement and Action Plan at its meeting on 25 July and should there be any amendments proposed by the Committee, those amendments along with the Committees' recommendations shall be presented to the Authority for approval.

## **5 Summary**

- 5.1 The Authority is asked:
- to review and comment on the internal control systems and governance arrangements in place;
  - to approve the Annual Governance Statement and confirm that it represents a true reflection of the control environment present in the Authority; and
  - to note that, subject to implementation of the improvements identified in the Action Plan, these are adequate and effective.
- 5.2 The Action Plan will be implemented during 2017/18 in order that there is on-going review and improvement of the systems of internal control and governance arrangements. Progress in implementing the Action Plan will be reported in the next Annual Governance Statement.

Author: David Harris

Date of report: 7 July 2017

Broads Plan Objectives: None

Appendices: APPENDIX 1a– draft Annual Governance Statement 2016/17  
APPENDIX 1b – 2017/18 Action Plan  
APPENDIX 2 – 2016/17 Action Plan: Summary of Progress

# Broads Authority

## Annual Governance Statement 2016/17

### 1 The requirement for an Annual Governance Statement

- 1.1 The Broads Authority, as a relevant authority, is required to produce an Annual Governance Statement. This requirement is found in Regulation 6 (1)(a) and (b) of the Accounts and Audit Regulations 2015. It consists of a review of the effectiveness of internal control and the inclusion of a statement reporting on the review with any published Statement of Accounts.

### 2 The CIPFA/Solace Framework guidance

- 2.1 The Broads Authority acknowledges its responsibility for ensuring that there is a sound system of governance together with appropriate internal control systems to achieve this, including for the management of risk.
- 2.2 The Broads Authority implements the guidance contained in the CIPFA/Solace framework document “*Delivering Good Governance in Local Government*”. This guidance was updated by CIPFA in 2016, following the introduction of the Accounts and Audit Regulations 2015.
- 2.3 The framework defines the principles that should underpin the governance of each authority. Authorities should test their governance structures and partnerships against the principles in the framework by:
- Reviewing existing governance arrangements.
  - Developing and maintaining an up-to-date local code of governance, including arrangements for ensuring ongoing effectiveness.
  - Reporting publicly on compliance with their own code on an annual basis, and on how they have monitored their effectiveness of their governance arrangements in the year and on planned changes.
- 2.4 The framework sets out a number of core and sub-principles against which authorities should demonstrate the compliance of their governance structures. These core principles are:
- Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law
  - Ensuring openness and comprehensive stakeholder engagement
  - Defining outcomes in terms of sustainable economic, social and environmental benefits
  - Determining the interventions necessary to optimise the achievement of the intended outcomes
  - Developing the entity’s capacity, including the capability of its leadership and the individuals within it.
  - Managing risks and performance through robust internal control and strong public financial management

- Implementing good practices in transparency, reporting and audit to deliver effective accountability

2.5 The Authority has approved and adopted a Code of Corporate Governance in accordance with the previous CIPFA guidance. This Code is in the process of being updated and reviewed against the new 2016 guidance. A copy of the Code is available on the Authority's website at [www.broads-authority.gov.uk](http://www.broads-authority.gov.uk) or from the Monitoring Officer at Yare House, 62-64 Thorpe Road, Norwich NR1 1RY.

### **3 The governance framework of the Broads Authority**

3.1 The Broads Authority is an independent body working within the framework of local government. It is constituted as a body corporate by the Norfolk and Suffolk Broads Act 1988 with three general duties:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the Broads
- To promote opportunities for the understanding enjoyment of the special qualities of the Broads by the public
- To protect the interests of navigation

Section 2(4) sets out the matters the Authority must have regard to in carrying out these functions. These include the national importance of the area as an area of natural beauty, desirability of protecting it from damage and the needs of agriculture, forestry and the local economic and societal needs.

In relation to the interests of navigation, section 10 (a) and (b) sets out specific requirements to maintain the navigation area to such standard as appears to be reasonably required and to develop and improve it as it thinks fit.

The Broads Authority is also the local planning authority for the area and a harbour and navigation authority.

3.2 The Broads Authority has unique governance arrangements that combine elements of accountability to central government (via DEFRA) and to local communities. This reflects the needs and interests of both national and local stakeholders. In relation to the former, 10 Members are appointed by the Secretary of State. Local accountability is achieved by the appointment of nine Members who are also locally elected County and District Councillors. In addition, the Authority has a number of co-opted Members to its Navigation Committee to advise it in protecting the interests of navigation, and 2 of these Members are appointed to the Broads Authority. In total, the Broads Authority has 21 Members and meets six times a year.

3.3 All matters, other than the Planning Committee and those matters specifically delegated to the Chief Executive, are dealt with by the full Broads Authority as the prime decision maker. The framework consists of decision making carried out by Members of the Authority at its meetings, which are held every two months. Day-to-day routine decision making is delegated by Members to Officers of the Authority through the Scheme of Delegated Powers. This scheme is available as one of many constitutional documents, from the Monitoring Officer.



- 3.4 The Financial Scrutiny and Audit Committee consists of up to 7 Members of the Authority and meets three times a year. It has responsibility for financial scrutiny, including a review of the Statement of Accounts and Annual Governance Statement, financial planning, audit and risk management. It takes a strategic view on whether the resources allocated to the Authority are used effectively. This is an advisory committee to the Authority and does not make decisions.
- 3.5 The Authority's functions as a local planning authority are carried out by its Planning Committee of 11 members, with powers delegated to Officers in accordance with nationally established legislation. The Planning Committee is a decision-making committee and normally meets 4-weekly. Planning decisions, whether made at Committee or through delegated powers, are published on the Authority's website.
- 3.6 The Authority's Navigation Committee of 13 Members and co-opted Members advises on the navigation function of the Authority and meets six times a year. It is an advisory committee to the Broads Authority and does not make decisions. However, if the Broads Authority does not accept recommendations by the Navigation Committee it is required to give reasons.
- 3.7 The Broads Local Access Forum is a semi-independent body to advise the Authority on the improvement of public access to land within the Broads executive area.
- 3.8 The Broads Forum is a consultative body of 25 Members with membership being made up from around 50 key stakeholder groups. The Forum offers advice and comment on the Broads Authority's strategic aims and objectives.
- 3.9 The Authority has two Independent Persons, appointed in July 2016, who are regularly consulted to enable the Authority to achieve high ethical standards.
- 3.10 The Authority has three Officers as required by statute, who carry out specific duties, namely the Head of Paid Service (the Chief Executive), the Monitoring Officer (the Solicitor and Monitoring Officer) and the Section 17 Officer (Chief Financial Officer). The last two posts were taken in-house during the last financial year, having previously been provided by other authorities. The Chief Financial Officer manages the financial arrangements and internal financial controls on a day-to-day basis. Along with the Director of Strategy and Sustainable Communities and the Director of Operations, these Officers comprise the Authority's Management Team.
- 3.11 It is considered that the authority's financial management arrangements conform with the guidance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010).
- 3.12 There are a number of procedures to ensure that the Authority obtains best value for money in all that it does, including Financial Regulations, Standing Orders Relating to Contracts and a Procurement Strategy. These are all reviewed and updated on a regular basis. The Financial Regulations are currently undergoing a review to reflect that the Section 17 Officer and Treasury is now managed in-house. The Standing Orders Relating to Contracts were updated in May 2015 to reflect the transition to two Directorates. The Authority also adopted a Counter Fraud Bribery and Corruption Strategy, which was updated in February 2016.
- 3.13 The Authority monitors the effectiveness of internal control systems through the consideration of regular internal audits, performance management and budget monitoring reports, and through monitoring and receiving reports on the work of the Financial Scrutiny and Audit Committee.

## **4 Arrangements for decision making and openness**

- 4.1 The Authority's arrangements for decision making were the subject of an internal audit in 2016/17 and are set out in publicly available documents. These include Standing Orders, Scheme of Delegated Powers, a description of the role of Members and of co-opted Members, and a Protocol on Member and Officer Relations.
- 4.2 The Authority and its committees have distinct terms of reference. Meetings of the Authority and its committees are in public (save for items which are exempt under legislative guidance). In January 2017 the Authority approved a trial recording of all its meetings, with a view to potentially greater public access to those recordings or live streaming of its meetings at a future date. Members of the public may ask questions at meetings.
- 4.3 Officer responsibilities are defined through their job descriptions and a clear set of policies and procedures, including core values, that Officers are expected to follow. An Officer code of conduct and appraisal system underpins effective delivery of service and performance standards, as well as setting out areas of decision-making responsibility.
- 4.4 As a recommendation from internal audit, the Authority has, in relation to delegated decisions, implemented a Register of certain categories of delegated decisions. This register is available for inspection and will be published on the Authority's website. The Authority has also reviewed its implementation of the Local Government Transparency Code 2015 in the last 12 months. This includes the publication of specified categories of information on its website, such as information on procurement, assets, salaries and pay multiples, and is found on the 'Transparency' page of the Authority's website.
- 4.5 Standing Orders for Procurement of contracts set out arrangements governing the award of contracts, to ensure that procurement processes are fair, transparent and lawful and that value for money is being obtained.
- 4.6 The Protocol on Member and Officer Relations was due to be reviewed and updated by the Authority in May 2017. (This has been completed at the date of this report).
- 4.7 The Standing Orders for the regulation of Authority Business were due to be reviewed and updated in May 2017. (This has been completed at the date of this report).

## **5 Core values, ethics and behaving with integrity**

- 5.1 The Localism Act 2011 transferred to local authorities the duty to promote and maintain high standards, previously exercised by Standards for England. Accordingly the Broads Authority seeks to achieve this throughout the spectrum of its governance documentation. For example, the Nolan Principles feature in the Members' code of conduct, reviewed in September 2016, and the Authority's Independent Persons provide external scrutiny of its standards processes.
- 5.2 In May 2017 the Solicitor and Monitoring Officer undertook a review of ethics within the Authority, which was considered by Members. His report considered the broad question of ethical standards at the Authority in the context of governance, reviewing available guidelines and making appropriate recommendations. A number of these recommendations are in the forthcoming year's action plan.

- 5.3 The Broads Authority has adopted the following set of core values as a local ethics code:

**Sustainable** – We consider the environmental and financial implications in everything we do

**Exemplary** – We strive for excellence in all we do

**Commitment** – We are committed to making a difference for the Broads for the benefit of everyone

**Caring** – We are considerate and respectful of each other

**Open and Honest** – We are open, honest and inclusive in all our decisions and communications

- 5.4 The Authority uses these core values in its codes of conduct for Officer and Members, recruitment, staff interviews and appraisals, in the Protocol on Member and Officer Relations, and in staff and Member development programmes.

## 6 Engaging with stakeholders and the Broads Plan

- 6.1 The Broads Plan is the management strategy for the Broads, drawing together and guiding a wide range of partnership plans and programmes relevant to the area. The Plan sets out the long-term vision for the area and short-term actions for the benefit of the natural and cultural environment, local communities and visitors. While the Authority is responsible for its production, many organisations and local interest, amenity and community groups are involved in its implementation and review. Broads Plan 2017-22 was adopted in March 2017, following an 18-month review and consultation process.
- 6.2 Progress on all actions in the Plan is reported to full Authority meetings, which are open to the public, and published on the Authority's website. Updates are also sent to Plan partners and to the Broads Forum, a quarterly committee representing around 50 local interest and user groups.
- 6.3 Monitoring indicators, including a 'State of the Park' report, help assess progress and changes in the Broads over time, and are updated and reported in line with the Broads Plan 5-year review cycle.
- 6.4 The views of users have been sought through a number of means, including the visitor centres annual survey, inviting comment and feedback at parish forums, an on-going survey of users of the corporate website and the annual Broads Outdoors Festival feedback forms.
- 6.5 A major stakeholder survey of hire boat operators, private boat owners, residents and visitors took place in 2014. Members support the view of repeating this exercise in 2019 as part of strategic approach in formulating the Broads Plan and its priorities for the following five year period. Public consultations were undertaken during February and April 2016 on the draft Broads Plan and on the Issues and Options of the Broads Local Plan. All comments received were made publicly available.
- 6.6 The Authority communicates the results of surveys, and other relevant information, through its website and social media, and through its regular publications including Broad Sheet (aimed at toll payers), Broadcaster (visitor newspaper) and the Annual Report. It also holds community and stakeholder events, such as parish forums and stakeholder workshops, which are open to the public and attended by Members and

Officers of the Authority. Members and Officers may also be invited to community and partner meetings and events, to provide information and respond to questions.

## **7 Managing risk and performance**

- 7.1 The responsibility of the Financial Scrutiny and Audit Committee includes obtaining assurances from a range of measures and reports that value for money is obtained in the use of the Authority's resources and that risk and performance are actively managed to achieve best results. Specifically, this includes the effective development and operation of risk management, and reviews the Authority's Strategic Risk Register.
- 7.2 The Authority's Strategic Risk Register is reviewed six-monthly by risk owners so that the Management Team can provide assurance that key strategic and operational risks have been identified, monitored and reviewed during the year and that key controls to mitigate the identified risks have operated effectively throughout the year. It is also on the agenda of the Financial Scrutiny and Audit Committee for each meeting. In addition the Risk Management Strategy is reviewed annually.
- 7.3 The Strategic Risk Register was the subject of a comprehensive review in January 2017. New risks were identified and analysed and the Register was reformatted, with risks analysed in terms of numeric probability and severity both before and after the application of risk mitigation factors. The Strategic Risk register has had a further 6-monthly review in June 2017 by Risk Owners.
- 7.4 The Authority has a Business Continuity Plan, which is reviewed annually to mitigate the effects of a major incident affecting some or all of the Authority's operations. In February 2017, to test the Plan, Management Forum undertook a simulated incident of systems failures causing an evacuation in a table top exercise that also involved the representatives of the landlord. The Authority also has specific continuity plans for finance and IT.
- 7.5 A Partnerships Protocol and Register of Partnerships have been developed, and the Management Team has identified and reviewed the governance arrangements in respect of all significant partnerships. Identified weaknesses are being addressed through an Action Plan, with responsibility for action and timescales. It has also been agreed to provide an annual report on Partnerships to the Broads Authority. The next one will be provided in September 2017.
- 7.6 The Authority has in place a series of internal financial controls, including approved budgets, separation of duties and authorised signatures, to reflect good practice and ensure that its finances are managed securely to minimise risk.
- 7.7 The Authority has data of all its land and property assets on a consolidated Excel database and an Asset Management Strategy which includes a full asset disposal policy.
- 7.8 The Authority's performance across its operations is the subject of regular meetings of the Management Team, with financial reports and budgets considered fortnightly and reports provided to Members at each meeting.
- 7.9 The Authority has a whistleblowing policy for its staff, and its Monitoring Officer has a duty to write a report if the Authority or any of its committees proposes action that would be unlawful or amount to maladministration.

## **8 Sources of Assurance and Internal audit conclusions**

- 8.1 The main independent sources of assurance on the operation of the governance framework are the work of the Authority's Internal and External Auditors, supported by other external organisations such as Investors in People. Independent scrutiny in relation to implementation of a number of procedures is provided by the Independent Persons.
- 8.2 Internal audit reports are considered by the Management Team and other Officers as appropriate. A management response is submitted in respect of each recommendation, setting out whether the recommendation is accepted, what action will be taken, which Officer is responsible and the timetable for action. Each audit report contains an independent assurance of opinion on the adequacy and effectiveness of controls in place to mitigate risks. The agreed actions are followed up to ensure implementation, thus ensuring that the Authority's risks are properly managed. A summary of all internal audit work carried out during the year is received by the Financial Scrutiny and Audit Committee, together with regular reports setting out progress made in implementing internal audit recommendations. Any significant issues of concern are brought to the attention of the Broads Authority.
- 8.3 The Head of Internal Audit develops annually a strategic audit plan, using a risk based approach.
- 8.4 The Accounts and Audit Regulations 2015 require that the Authority must undertake an annual review of the effectiveness of its internal audit function, and that this review must be carried out by the same body that reviews the effectiveness of the system of internal control. The aim is not only to make the Authority more aware of the work of Internal Audit and its key role in governance, but also to make those charged with governance more able to understand the connection between, and the Authority's responsibility for, risk management, internal control and the function of internal audit.
- 8.5 Internal audit work is divided into 4 broad categories:
- Annual opinion audits;
  - Fundamental financial systems that underpin the Authority's financial processing and reporting;
  - Service area audits identified as worthy of review by the risk assessment processes within internal audit;
  - Significant computer systems which provide the capability to administer and control the Authority's main activities.
- 8.6 Additionally, the Broads Authority is informed of the work of the appointed auditors and inspectors, including receipt of the [Audit Results report](#) and annual audit and inspection letter from the external auditors. The Head of Internal Audit is required to provide an annual opinion on the overall adequacy and effectiveness of the Authority's internal control environment, including its corporate governance framework and risk management arrangements, identifying any weaknesses that qualify this opinion and highlighting significant issues.
- 8.7 The Authority has received the Annual Report and Opinion 2016/17 by the Head of Internal Audit. It contains the following statement:

*“The overall opinion is that the framework of governance, risk management and control is deemed to be **reasonable**, indicating a continued stable environment.”*

- 8.8 A specific review of Corporate Governance was concluded within the year and it was found specifically *“that there are areas where sound controls are in place and operating consistently”*. These were in the areas of executive and non-executive decision making and systems and processes in place for the preparation of reports requiring executive and non-executive decisions. There was one “Important” and “two “needs attention” matters raised, which have been included in the 2017/18 action plan, all of which should be complete by 31 July 2017.
- 8.9 The Authority is accredited by Investors in People (IIP), having met indicators at *Developed* level at an assessment in December 2016. As part of the reassessment under IIP6, the Authority is required to demonstrate evidence against seven indicators at *Established* by December 2017 to retain its current accreditation of “Silver”.

## **9 Review and implementation of interventions**

- 9.1 An Action Plan has been developed to address any governance issues identified as needing review or improvement, and to secure continuous improvement in the Authority’s governance arrangements. This is set out at Appendix 1 in two parts.
- 9.2 This Action Plan has been informed by the results of audit and other reports, and by the results of a self-assessment assurance statement. The statement was circulated to all senior managers, inviting them to assess the Authority’s performance across a range of governance issues to identify any gaps and weaknesses and add value to the Authority’s governance arrangements.
- 9.3 The Authority proposes over the coming year to take steps to address the above matters to further enhance its governance arrangements. It is satisfied that these steps will address the need for improvements identified in the review of effectiveness, and will monitor their implementation and operation as part of its next annual review.

Signed .....  
Professor J Burgess, Chair

Date .....2017

Signed.....  
Dr J Packman, Chief Executive

Date .....2017

## Annual Governance Statement 2016/17

## 2017/18 Action Plan

Action	Lead Officer(s)	Target Date	Priority
Implement the provisions required of the Authority by the new General Data Protection Regulation, which comes into effect on 25 May 2018. Nominate Data Protection Officer.	Head of IT and Collector of Tolls, Head of Communications and Solicitor and Monitoring Officer	31 March 2018	H
Update Standing Orders on Committees specifically to address issue concerning terms of reference of FSAC raised by internal audit	Solicitor and Monitoring Officer	31 July 2017	H
Review and implement specific guidance on majority and casting vote to Standing Orders regulating Authority Business raised by internal audit	Solicitor and Monitoring Officer	31 July 2017	H
Produce Members Handbook on Induction to incorporate key Member documents	Solicitor and Monitoring Officer	30 September 2017	L
Produce Register of delegated decisions under Openness Regulations 2014 and place on web page as recommended by internal audit March 2017	Solicitor and Monitoring Officer	31 July 2017 (Register completed March 2017)	H
Implement requirement of ethical principles into procedures and standing orders for procuring contracts	Solicitor and Monitoring Officer	31 March 2018	L
Implement core values and continue to define a set of behaviours and embed them in recruitment, appraisal, 360 appraisal, survey and management training	Chief Executive to co-ordinate	30 November 2017	M

<b>Action</b>	<b>Lead Officer(s)</b>	<b>Target Date</b>	<b>Priority</b>
as recommended by IIP			
Management Team to introduce more transparency in monitoring of key Performance Indicators (KPIs) in terms of continuous improvement and innovation as recommended by IIP	Chief Executive to co-ordinate	30 November 2017	M
Completion of phase 2 of internal HR policies and procedures	Head of HR	31 December 2017	M
Equalities Working Group to report on an equality analysis of employment policies and practices	Head of HR, Volunteer Co-ordinator and Solicitor and Monitoring officer.	30 November 2017	L
Completion of updated procurement training to Officers who have responsibilities for conducting procurements to include updated processes of procuring intermediaries under the IR35 legislation.	Chief Financial Officer	30 November 2017	M



## Annual Governance Statement 2015/16

### 2016/17 Action Plan Summary of Progress

Action	Lead Officer(s)	Target Date	Priority	Status
Formulate a data quality policy	Solicitor and Monitoring	31 December 2016	L	This has been superseded by forthcoming legislative change requiring implementation of the new GDPR and this will be incorporated into that process
Completion of updated procurement training to Officers who have responsibilities for conducting procurements.	Chief Financial Officer	31 October 2016	M	This has been carried forward to 2017/18 to include updated processes of procuring intermediaries under the IR35 legislation.
Review of Ethical standards and recommendations on any improvements	Solicitor and Monitoring officer	31 March 2017	L	Completed, report to BA in May 2017
Collect data about staff and volunteers to enable an to be carried out	Head of HR, Volunteer co-ordinator, both co-ordinated by Solicitor and Monitoring Officer	31 December 2016	L	This will form part of the Equalities Working Group remit in which the Volunteer Co-ordinator will be involved in 2017/18 work on which is scheduled to commence.
Completion of phase 2 of internal HR policies and procedures	Head of HR	31 March 2017	M	Incomplete due to the need to cover over several months a vacancy in the HR team. This will be carried forward to 31 <sup>st</sup> December 2017
Guidance to be introduced for informal treatment of complaints against Members and updating formal complaints process	Solicitor and Monitoring Officer	31 July 2016	M	Completed 8 July 2016, new policy adopted September 2016 and training provided January 2017.
Members Code of Conduct and complaints form to be updated	Solicitor and Monitoring Officer	31 July 2016	M	Completed 8 July 2016, new policy adopted September 2016
Members Training on new Code of Conduct and disclosable interests	Solicitor and Monitoring Officer	31 December 2016	M	Completed January 2017

<b>Action</b>	<b>Lead Officer(s)</b>	<b>Target Date</b>	<b>Priority</b>	<b>Status</b>
Produce Members Handbook on Induction	Solicitor and Monitoring Officer	31 March 2017	L	Partially complete in draft form; carry forward to September 2017

**Anti-Social Behaviour**  
Report by Chief Executive

<b>Summary:</b>	In the last couple of weeks there has been coverage in the press about anti-social behaviour on the Broads. This report is designed to provide a vehicle for Members to discuss this topical issue of concern.
<b>Recommendation:</b>	That the Broads Authority notes the current action taken to prevent and respond to anti-social behaviour.

**1 Background**

- 1.1 The priority for the Broads Authority has been to manage safety on the waterways to a reasonable level for both private boat owners and visitors to facilitate users to appreciate the special qualities of the National Park and enjoy themselves. The emphasis is not necessarily to increase the total number of visitors but rather to promote the area to a wider audience and retain and maintain the number of private boat owners and visitors to the Broads.
- 1.2 The vast majority of visitors to the Broads National Park have a lovely time and many return year after year. There are always a few visitors and some private boat owners whose behaviour spoils the experience for others, whether it is private boats speeding, hired craft running their engines at moorings in the evening or non-family groups disturbing other users. The Rangers, working closely with Broads Beat police officers, do what they can to both prevent and address these issues. So, for example, Broads Control is given advance notice of single sex parties on hire boats, and Broads Beat officers or a Ranger will where possible provide these hirers with a briefing at the start of their visit highlighting behaviour that might bring them into danger or adversely impact on others.
- 1.3 The Broads is popular for stag and hen occasions, and Members will have seen the pirate and other fancy costumes typical of these parties. At this time of the year there are typically 20-30 single sex groups on the water at the weekend. Most enjoy themselves without causing any nuisance to others. However, typically around 10%, 2-3 per weekend are a problem for other users, local people, the Rangers and Broads Beat and they cause a disproportionate amount of disturbance to other people and time for the Rangers and Broads Beat. Alcohol is often a major factor in influencing behaviour.
- 1.4 Unfortunately, there will always be a minority of people whose behaviour is unacceptable and this is seen ashore in our towns and cities even more than afloat. However, in recent weeks there does appear to be an increase in the

levels of extreme anti-social behaviour and this has been picked up by the press locally and nationally. Although the Broads Authority Rangers will of course assist wherever possible on the water, the prime responsibility for dealing with anti-social behaviour rests with the police.

- 1.5 If any boat hirers or owners come across extreme anti-social behaviour, then they should dial 101 and report it to the police. The Broads Authority has one of the longest partnerships of its type with the Norfolk Constabulary and there is a close working relationship between the Authority's Rangers and the police officers of Broads Beat.
- 1.6 The Broads Authority takes any anti-social behaviour very seriously and will continue to work very closely with the police to deal with this issue.
- 1.7 On the 12<sup>th</sup> July the Chair and Chief Executive of the Authority met the Chairman and Secretary of the Broads Hire Boat Federation (BHBF), and the Chairman and Vice Chairman of the Norfolk and Suffolk Boating Association (NSBA). Three actions were discussed in response to the recent anti-social incidents:
  - 1) All three organisations would encourage boat owners and hirers to contact the police by dialling 101 in the event of encountering severe examples of anti-social behaviour.
  - 2) The BHBF would develop a code of practise for all hire companies in relation to the briefings provided to non-family groups.
  - 3) The hire boat companies would consider raising the deposits required from non-family groups and contributing towards costs incurred by the Broads Authority and the Police for time spent dealing with exceptional anti-social behaviour.
- 1.8 It is hoped that the on-going close cooperation with the police and hire boat companies can prevent these isolated incidents in the future. Members' views on these issues are sought.

Author: John Packman  
Date of report: 18th July 2017  
Appendices: none  
Background documents: none

**Adopting the Salhouse Neighbourhood Plan**  
Report by Planning Policy Officer

**Summary:**

This report provides details of the referendum held in relation to the Salhouse Neighbourhood Plan.

**Recommendation:**

Dependent upon the outcome of the referendum, and if the result is one of support, the report recommends that the Broads Authority adopts the Neighbourhood Plan as part of the Broads Authority's Development Plan.

**1. Introduction**

- 1.1 The Salhouse Neighbourhood Plan began in 2015 and was submitted to Broadland District Council and the Broads Authority at the end of 2016. The Neighbourhood Plan was prepared by a steering group of volunteers which has been overseen by the parish council.
- 1.2 Part of Salhouse's neighbourhood area falls within the administrative boundary of the Broads Authority.
- 1.3 The Neighbourhood Plan has been developed in consultation with residents and businesses in the parish, as well as landowners, developers and other stakeholder organisations. The Plan seeks to guide the future development of each parish over the next few years. It includes a vision and a set of objectives for the parish, as well as a series of policies that look to shape development.
- 1.4 The table on the following page illustrates the date at which Broadland District Council and the Broads Authority approved the submitted documents, undertook the required six week publication of the Plan, and approved the subsequent recommendations of the appointed independent examiner (as detailed in their report).

	Approval of submitted Plan	Publication of Plan	Approval of examiners recommendations
Broadland Council	20/12/2016	09/01/2017 – 20/02/2017	11/05/2017
Broads Authority	6/01/2017	09/01/2017 – 20/02/2017	28/4/2017

- 1.5 Following approval of the examiners' recommendations and the necessary revisions being made details of the forthcoming referendums have been published on the Broadland District Council website. These details have also

been made available at the Broadland District Council offices, at local libraries and village locations, and the Broads Authority offices.

- 1.6 The Electoral Services team have sent out polling cards to those on the electoral register and have made other statutory preparations for the referendum.
- 1.7 The Neighbourhood Plan referendum will be held on 19<sup>th</sup> July 2017. In order for the Neighbourhood Plan to be successful at referendum, greater than 50% of those that vote on the Plan need to vote in its favour.
- 1.8 A similar report was taken to Planning Committee on 21 July 2017 regarding recommending Full Authority adopt the Neighbourhood Plan and the outcomes of that meeting will be passed on verbally at the Full Authority meeting on 28 July.

## **2 The issues**

- 2.1 Assuming the referendum results in a successful outcome, Broadland District Council and the Broads Authority will be able to formally adopt or 'make' the Neighbourhood Plan (included as Appendix A).
- 2.2 Following a successful referendum, the Plan will form part of the statutory development plan for Broadland District and the Broads Authority.
- 2.3 The Plan will therefore be used, alongside existing Local Plan documents, in the determination of planning applications that fall within the Neighbourhood Area (parish boundary).
- 2.4 If the referendum result is a failed outcome, then the Council and Authority will not be able to adopt the Neighbourhood Plan.

## **3 Discussion**

- 3.1 Even if a referendum results in a successful outcome, Broadland District Council and the Broads Authority can refuse to adopt that Neighbourhood Plan if it considers that the Plan would breach, or would otherwise be incompatible with any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998). In this instance the Neighbourhood Plan would cease to be part of the Development Plan.
- 3.2 However, it is not considered that the Neighbourhood Plan is in breach of this legislation. The examiner of the Salhouse Neighbourhood Plan stated that, subject to the modifications recommended, they are satisfied that the Neighbourhood Plan meets the basic conditions and other statutory requirements.

## **4 Recommendation**

- 4.1 It is proposed that the Broads Authority adopts the Salhouse Neighbourhood Plan, where they have received a successful outcome at referendum. Information on the outcome of the referendum will be tabled for Planning

Committee meeting of 21 July and Full Authority meeting of 28 July.

## **5 Financial implications**

- 5.1 Adoption of the Neighbourhood Plans requires a small amount of officer time in order to publicise the fact that the Plans will now form part of the criteria for determining planning applications within the respective parish.
- 5.2 Planners will have to consider the adopted Neighbourhood Plans alongside existing Local Plan documents when determining planning applications within the two parishes. However, this will form part of the existing process in determining applications and should not require extra resources.
- 5.3 The costs of the referendums have been met by Broadland Council from the 'Neighbourhood Planning New Burdens funding' for local planning authorities, provided by DCLG (currently amounting to £20,000 for each Neighbourhood Plan that reaches the referendum stage) and therefore there is no direct cost to the Council.

## **6 Legal implications**

- 6.1 The steps outlined in this report comply with appropriate legislation within the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012. They also have regard to the Environmental Assessment of Plans and Programmes Regulations 2004 and The Conservation of Habitats and Species Regulations 2010. If adopted, the Neighbourhood Plan will become part of the Development Plan and, where relevant, a major consideration in the determination of applications within Salhouse Parish.

Background papers: None

Author: Natalie Beal

Date of report: 29 June 2017

Appendices: APPENDIX A – Salhouse Neighbourhood Plan

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# SALHOUSE 2020+

A vision for a thriving village

May 2017

[@Salhouse2020](#)

## SALHOUSE NEIGHBOURHOOD PLAN

2016-2026 Referendum version







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# Preface



The process of producing the Neighbourhood Plan is being undertaken by a working group which is accountable to the parish council.

The document is based on over 24 months of research, consultation with the community and a rolling process of drafting, review and refinement. This version of the Plan follows the Independent Examination and incorporates all the amendments recommended by the examiner.

The Neighbourhood Plan for Salhouse has been prepared over the course of 2013 to 2016. The working group comprises of a wide cross-section of residents from the local community, including a Parish Councillor and former Parish Councillors, the local CPRE Chairman, and former Salhouse 2000 committee members. The group covers a range of occupations, including surveyors, insurance broking, creative marketing and PR, and an environmental consultant. The group members are:

Nick Taylor	Ian Moulton	Linda Smith
Chris Dady	Nick Ball	Jeremy Bavistock
Peter Treglown	Sue Simpson	Lynn Fielder
Mike Harding	James Cleaver	Barbara Bye

Whilst the working group has led on the preparation of the Plan it is felt that the document accurately reflects the community's vision and aspirations for the future of Salhouse.

In order to create the Plan that reflects these visions and aspirations the working group has drawn upon several sources including the Parish Plan, several open days and feedback from numerous reports in the thrice yearly parish magazine. Meetings have also been held with various village groups and interested parties.







# Introduction



The Salhouse Neighbourhood Plan provides a vision for the future of the Parish of Salhouse from 2016 to 2026. Fundamentally, the Plan also provides a number of policies that future development must take into account which will help to ensure that the vision is achieved.

The Salhouse Neighbourhood Plan provides policies that complements existing local, national and strategic planning policy. The policies in this Plan are intended to provide additional detail and subtlety that reflect the special characteristics of the village that cannot reasonably be addressed by higher level policies.

The Plan has been made possible by new powers contained within the Localism Act (2011) which seek to decentralise policy making and increase the extent to which local neighbourhoods and communities can determine their own future. The Salhouse Neighbourhood Plan has been strongly influenced by the views of the community expressed at a series of consultation events, discussions with local groups, and detailed research by the Neighbourhood Planning Working Party.

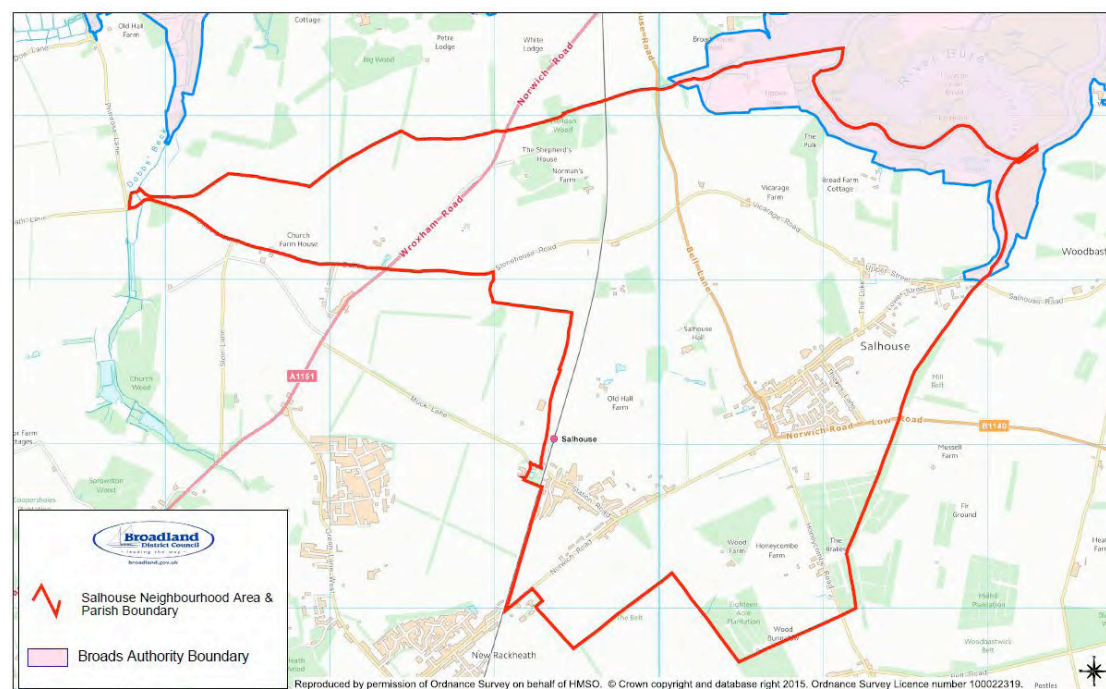
The remainder of this document is set out as follows:

**Salhouse 2016** – providing a summary of the social, environmental and economic trends in Salhouse and helps to illustrate the basis for some of the policies.

**Vision and Objectives** – sets out the vision and objectives of the Plan

**Policies** – sets out a series of policies and the background to those policies under the broad headings of Environment, Employment and Housing

## SALHOUSE NEIGHBOURHOOD AREA







Salhouse 2016



The parish of Salhouse is in the Norfolk District of Broadland and lies adjacent to the Broads which have the equivalent status to a National Park by virtue of Salhouse Broad. Part of the Broads Authority's Executive area overlaps the north-eastern part of the parish. Salhouse Parish is part of the Broadland District Council Wroxham Ward which also contains Belaugh, Wroxham and Rackheath and lies south of the River Bure. The Parish covers some 5.6 sq. miles.

### SETTLEMENT PATTERN

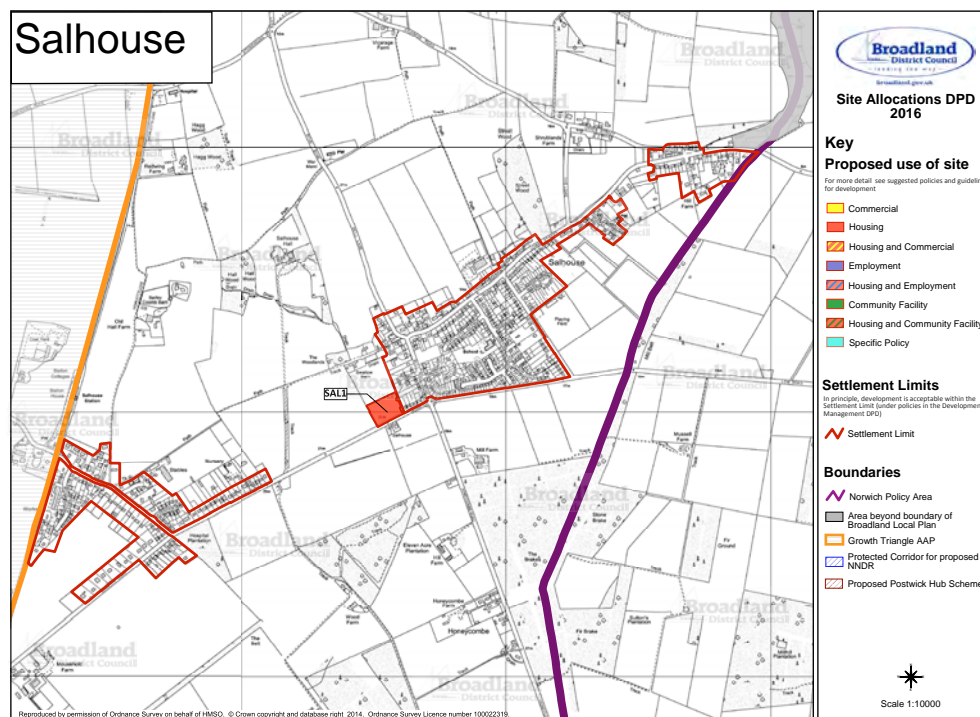
From early maps it can be seen that the village of Salhouse was formed from scattered development along the main roads of Upper and Lower Street running roughly in an east west orientation but particularly at the junction of the two main streets and around farms such as Shrublands Farm. The shape of the village changed little until the 20th Century when residential development consolidated the strong linear layout of the current village. The exception to this is the area between the main Norwich Road and Lower Street, including Farman Close, Cheyney Avenue and Thieves Lane, at the centre of which is the current school. The gaps in the modern developments are important in the street scene and help to maintain the feel of the original settlement that is important to the reading of the development of the modern village of Salhouse.

Situated in an agricultural area approximately 6 miles northeast of Norwich on the edge of the popular tourist area of the Norfolk Broads, the majority of the dwellings are located in the easterly part of the village around Mill Road and Lower Street although there is a sizeable community living about ½ mile away to the west at Station Road, linked only by the main Norwich Road, which lacks a pavement, or by a rural footpath through fields. This geographical separation has a significant impact on community cohesion.

### BUILT ENVIRONMENT

The character of the village centres on its mix of housing, encompassing traditional with more modern property set in established gardens, tree lined roads and a generally open aspect revealing its rural setting. The nearby Salhouse Broad, owned by a local landowner, is a popular tourist attraction and wildlife conservation area.

The village is fortunate in that the emerging Broadland Local Plan has a settlement limit boundary which is currently tightly drawn around the existing village in order to protect it from disproportionate future development.





Salhouse has, for many years, seen a number of individual houses and relatively modest housing schemes constructed in the village. This has averaged out at around five new houses in the parish per year over the last 40 years.

In December 2003 the older parts of the village along Lower and Upper Streets, Vicarage Road and Salhouse Broad were designated a Conservation Area by Broadland District Council. This embraced all the older buildings including the Grade I listed All Saints Church, and 15 other Grade II Listed buildings, including Salhouse Hall and its outbuildings.

### NATURAL ENVIRONMENT

Part of the parish lies within the Broads which have the equivalent status to a National Park. Hence part of the Executive area of the Broads Authority extends into part of the north east of the parish, encompassing the privately owned Salhouse Broad, one of the key natural assets to be found within the parish.



The Broadland District Council Local Development Framework Landscape Character Assessment Supplementary Planning Document (2013) identifies that the Salhouse NP area lies within 'Wooded Estate land E4: Rackheath and Salhouse'. The primary landscape planning guidelines of this area include 'seeking to conserve and enhance the landscape structure within the area, including blocks and belts of woodland, copses of mature trees, mature parkland trees and intact hedgerows alongside conserving the landscape setting of villages and where possible seek to screen harsh settlement edges and existing visual detractors.'

Part of Salhouse is also impacted by the Broads Landscape Character Assessment by virtue of partially being within the Broads Authority Executive area.

### DEMOGRAPHY

There are 638 households within the parish and a population of 1,486. Of the population, 25.8% are aged over 65, 56.7% between 20 and 64 and 17.4% aged between 0 and 19. The largest age category within



the parish is 45-49, which equates to 26.2% of the population (2011 Census).

### DEPRIVATION

77 households are in receipt of Housing benefit (BDC 2015). 61.6% of the population are in employment and 32.5% are retired. There are 13.2% of families with dependent children and 5.1% single parent families with dependent children. 1.8% of the population of Salhouse are unemployed (2011 Census).

Salhouse ranks extremely low in the Index of Multiple Deprivation 2015 (20,895) and is a relatively affluent Broadland parish.

### HOUSING

50% of homes within the parish are owned outright and 32% owned with a mortgage. There is a social rental sector amounting to 6.4% and private rental sector of 10.7% of all households (2011 Census).



## EMPLOYMENT AND QUALIFICATIONS

Some 62% of the population are in employment, 32% retired and 2% unemployed. The industries that the majority of the working population are employed in are wholesale/retail trade (15.6%), health/social work activities (12.8%) and manufacturing (10.9%). 28% of those employed are in professional or managerial positions (2011 Census).

21% of the population have no specific qualifications, 5% hold apprenticeships and the remainder hold qualifications ranging from level one to level four.



## FACILITIES, SERVICES AND LOCAL BUSINESSES

The village church of All Saints is situated ¼ mile north of the village and there is also a Baptist Chapel just off Lower Street, and a Plymouth Brethren meeting house in Station Road. Salhouse has a thriving primary school, a small village shop/Post Office, a craft shop/ tea room, a hairdresser, dressage and riding schools, and two public houses. The busy village hall supports many local groups and activities.

Local businesses include a thatcher, potter, garden

centre, boarding kennels, cattery and bed and breakfast accommodation. There is also a small industrial estate off Station Road.

The nearest library is in Wroxham although a mobile library visits the village regularly.

The village has a playing field and children's play area and access to Salhouse Broad. Several clubs and activities take place at the village hall and school.

The village is served by a GP surgery 3 miles away in Hoveton and the nearest library is in Wroxham.



## EDUCATION

Salhouse has a thriving Primary school and pre-school club. The 'local' secondary school is in Hoveton and there is a bus service provided to take children to and from school. A 6th form college exists in North Walsham accessible by train.

Some 4.9% of the population over age 16 are in full time education (2011 Census).

## TRANSPORT AND ACCESS

A regular bus service links Salhouse to both Norwich and Wroxham and a train service runs between Norwich and the north Norfolk coast via Salhouse Station. Salhouse station is located to the west of the parish, off of Station Road.

Car ownership is high in the parish compared to the district, with 56.7% of households owning at least two cars or vans (2011 Census). Those households with just one car or van (38.9%) is below the district average.



## VILLAGE COMMUNICATIONS

Communication within the village is through a well-established, comprehensive magazine, the Salhouse SAGA, the village website ([www.salhousevillage.org.uk](http://www.salhousevillage.org.uk)) and a number of notice boards. Recently fibre optic broadband has become available but mobile phone coverage is very poor with some parts of the village having virtually no signal at all. Over many years, as Norwich has expanded into the countryside, Salhouse has increasingly become a commuter village.





# Vision and Objectives

The vision for the Salhouse Neighbourhood Plan, and the objectives within, have been developed by the Neighbourhood Plan Working Party and, importantly, informed and tested with the local community. The intended lifespan of the Salhouse Neighbourhood Plan, the vision and objectives is from 2016 to 2026. This reflects the lifespan of the Broadland District Council Joint Core Strategy.

### NEIGHBOURHOOD PLAN - VISION

The vision for the Neighbourhood Plan is to ensure that Salhouse remains a thriving village with a clear village identity, enhanced links between the two parts of the village, and good opportunities for walking and cycling.

### NEIGHBOURHOOD PLAN - OBJECTIVES

The objectives for the plan are designed to address issues identified as specific to Salhouse and issues identified by the local community. They provide a starting point for the development of policies and a framework for the future, which if fulfilled, can help to achieve the vision for Salhouse. The objectives are that:

1. The character of the Parish remains rural and agricultural and the predominant land uses reflect this, including Salhouse Broad as a key natural asset.
2. The shops and post office, places of worship, public houses, playing field, play equipment, school and Jubilee Hall are all retained and supported to provide a thriving village.
3. New development is appropriate to the character of Salhouse, reflecting its rural location.
4. Key buildings and features important to the village of Salhouse are retained.
5. Appropriate commercial development is allowed to provide jobs and services within Salhouse.
6. The village serves all generations with facilities including those for the younger and older residents.
7. Additional cycle/foot/bridle paths linking key parts of village are provided for the use of local people and tourists alike.
8. There is well connected mobile telecommunication with improved broadband speeds.





# Policies



# POLICIES FOR THE ENVIRONMENT

## Conserving our natural heritage and improving village connections

### CONTEXT AND JUSTIFICATION



Salhouse is a rural parish of high landscape and environmental value. There are important areas of semi-natural habitat, with the northern edge of the Parish lying within the Broads area which has the equivalent status of a National Park. Here, the Parish boundary is shared with the Bure Broads and Marshes Site of Special Scientific Interest. The SSSI is also protected by a range of international designations because of its importance for wildlife. Although Salhouse Broad itself is not designated, it is an important natural asset for the village and provides a safe and readily accessible means for people to engage with wildlife. Recent work by the Broads Authority has improved the value of the Broad margins, and the adjacent Hoveton Great Broad is currently undergoing a major restoration project which will benefit Salhouse. The River Bure forms the northern Parish boundary.

The farmed upland is an important environment, too, with a range of small woods, mixed hedges and ancient trees. In recent years, good agricultural practices have enhanced the farmed landscape with hedges and woodland planting, wide field margins and retention of small features. There are remnant areas of acid grassland, meadows and wood pasture, and wetland areas in the form of village ponds, ditches and wet hollows. Within the village itself, there are important old trees, grassland and woodland, and scattered fragments of habitats and open space. In addition to their importance for wildlife, these natural features are important in maintaining the visual quality of the character as recognised by the Salhouse Conservation Area Character Statement 2003.

As a village with little street lighting and few night lit buildings, Salhouse is a good place to enjoy the night sky. From our consultations on the Neighbourhood Plan it is clear that residents value our dark skies and wish to keep them. The Broads Authority survey shows Salhouse Broad area to be in one of the darkest categories, and the Campaign to Protect Rural England has determined that The North and East of Salhouse are in the second darkest category with the main village being in the third lowest category of light pollution. This plan supports the retention of dark skies at these levels.

Likewise, the plan supports Salhouse remaining in one of the most tranquil areas in the UK as measured by the Campaign to Protect Rural England.

In this document natural heritage includes wildlife populations, habitats, green infrastructure and our landscape, whether or not it has been previously recognised through designations.

Although the village has an abundance of natural environmental and buildings heritage, there are areas of concern. Many of these habitats are fragmented, or have lost some of their wildlife value through lack of management. More could be done to link up isolated areas of habitat and to develop a network of “green infrastructure” linked by accessible footpaths and bridleways. The condition of our habitats could be improved by changing the management. Our understanding of the current landscape and wildlife of the Parish is too general to effectively manage the resource. A comprehensive parish survey is needed. The special features of Salhouse including the ponds and the old waiting room at the railway station must be protected.

Salhouse Parish is large, oddly shaped and has a diverse range of village facilities and both built and natural assets which are often poorly connected and with limited access. The absence of footways or cycle tracks to many of the core village locations means users are forced into cars. Village roads become busier and less safe, and our living environment becomes less attractive. The carbon footprint of our village is also raised. Some car parking is up to or beyond capacity – the Broad car park, the pull-ins by the café, parking around the school and on-street parking – limiting further growth for these facilities.

Access can cause congestion and even unsafe road conditions at peak times. The popular bus route, which is an enormous benefit to the village, does create safety, noise and air quality problems for pedestrians, especially where there is no footpath. Getting to the village recreation ground and children's play area by foot means walking on the road which is also the main bus route. Parts of the village which are especially poorly served by foot and cycle path access are:

- Salhouse Garden Centre, and the cluster of houses nearby
- The Railway Station and the hamlet around the Station
- Salhouse Broad
- The recreation ground and children's playground
- The route to Woodbastwick village
- A wide variety of the natural assets of the village which exist in isolation of the access network
- The path along Lower Street is rather narrow in places, sometimes forcing users into the road. Some widening would help, as long as the valued grass verge is not sacrificed. A narrower road may help reduce traffic speeds

A series of walks around the village, linking village assets, wildlife sites and heritage features, and connecting to gateways into the village such as the Broad, the railway station, bus stops and the Church car park, could be a significant asset. These walks would be an amenity for the village itself and they could attract visitors to support village services. Overall, better connectedness would be better for local enterprises and village amenities, would help integrate the village and would make Salhouse a better place to live.

It is appreciated however that in many of these places, space to insert a new access route is limited. New paths could cause loss of valued green verges, hedges and other assets that contribute to the attractive rural village ambience. New paths would have to be carefully planned and designed.

The foregoing should be used as priorities for Policy OE6.

### INTENT

The aim for this Plan is to ensure all development in the parish contributes to sustaining our natural heritage. The Plan seeks associated outcomes of development which include connecting isolated habitats, creation of new natural areas and improvements to the condition of existing green infrastructure, both in the village and the wider countryside. Included within nature is the dark night sky over Salhouse, which the Plan intends to preserve. Knowledge and understanding of our natural assets needs improvement in order to provide a better information base for all our planning work.

A particular concern is with Parish-level natural heritage which falls outside the protection of land and wildlife that has been designated by legislation and higher level planning policy.

The Plan aims to provide better and safer pedestrian and cycle connections between key focal points and assets within the village. New developments should contribute positively to better connectedness, either directly as part of the development design or through enhancements to independent access projects. Developments which reduce connectivity, promote unnecessary car use or make the village less safe for foot or cycle users will be resisted. In improving connectedness, the impacts on landscape or heritage

assets that any new access works will have will be considered carefully. The Salhouse Conservation Area Character Statement 2003 will be the benchmark against which proposals will be assessed.



## POLICIES

### OE1: Development, Natural Heritage and Countryside

Development that avoids significant harm to the landscape or biodiversity, or to green areas which are of value in terms of landscape, wildlife or quiet enjoyment, will be supported. Within the Conservation Area, the Salhouse Conservation Area Character Statement 2003, or any approved successor to it will be used to assess the extent of harm.

Proposals that have an impact on such sites will be supported if they meet the following criteria:

- The impact is temporary and can be restored back to the condition prior to development, or better, within 3 years of the completion of the development
- Mitigation measures are undertaken on or abutting the development site. For example by adding additional land to the green space or by undertaking capital restoration works on parts of the site that are not developed. Mitigation measures should maintain or improve the site in terms of size, quality and or public access. Such mitigation measures will be expected to be made available on a permanent basis
- If mitigation is not possible within or abutting the site, any damage to natural heritage or loss of green space shall be offset by restoration of natural heritage or replacement of green space elsewhere in the village. The replacement must be similar in terms of scale, character and quality, accepting some natural attributes will take time to accrue

The developer will be expected to provide evidence with their planning application that their proposal meets conforms to this policy.

### OE2: Enhancement of our Natural Heritage and Countryside

Proposals which have an overall net benefit for the natural environmental heritage, either through increasing the natural heritage resource, improving its condition or its quality, or by making it more accessible for local people, will be supported. The benefit can arise directly, from proposals whose intent is natural heritage improvement, or indirectly, from development that provides suitable mitigation or funding that improves natural heritage. Proposals that link fragmented green space, change land use from intensive practises to uses more sympathetic to natural heritage or restore areas that have been destroyed or damaged in the past, will be welcomed.

### OE3: Protecting Our Dark Night Skies

Development proposals should include provisions for conserving dark skies, which is a highly valued feature within the village. Proposals for street lighting will be avoided unless required by the Highway Authority where the need can be justified, given the value attached to the village's dark skies.

### OE4: Managing Land Use Change

Development which provides additional recreational or environmental assets, including allotments, sports fields, village green or public open space, while also maintaining the quality of the village landscape, will be supported. Changes of use to these uses from commercial uses will be supported where the benefit outweighs the loss of business activity or there is no realistic prospect of employment uses. Changes of use from agriculture to these uses will be supported where it does not involve the loss of the best and most versatile land or the benefits outweigh this loss and there is no alternative site available.

### OE5: Promoting Improved Connectedness in the Parish

The Neighbourhood plan encourages developments which improve foot and cycle connections between village assets, subject to the provisions of Policy OE1. Developers will be encouraged to improve connectedness where opportunity allows.

### OE6: Promoting a Safer Village

Development proposals which reduce conflict between pedestrians, cyclists and motorised traffic, or proposals which directly improve safety in the village, will be supported.



# POLICIES FOR EMPLOYMENT

## CONTEXT AND JUSTIFICATION

Business outlets in Salhouse have been very limited, largely for historic reasons as the village grew from a predominantly agricultural environment. A few businesses have built up within an old granary complex adjacent to the railway line on the Parish fringe and, over the last 20-30 years, this area at Wood Green has expanded to form a small industrial estate.

There are two public houses and a garden centre. Smaller businesses range from a care home (Milestones), office premises, a village shop, ladies hairdresser, to Bed & Breakfast and roadside stalls operating from domestic properties. In total there just over 20 businesses within the Parish.

The Parish Plan showed that there was generally support for limited expansion of business but this to be in keeping with the character of the village. This support has been confirmed from consultations for the Neighbourhood Plan.

There seems to be little scope for bringing business into the village but some would inevitably follow if, for example, a sheltered home or environmental centre near to the broad were to be forthcoming.

## INTENT

The policies relating to Business and Employment seek to protect and enhance the provision of small traditional retail business within the village and ensure that any small scale employment sites are developed in an appropriate way to give a mix of employment and not in any way be detrimental to the attractiveness of the village.

## POLICIES

### EMP1: Existing facilities

Proposals for the expansion of existing businesses or the development of starter units in the Wood Green commercial area will be supported where they do not result in harm to the living conditions of neighbouring residents, have a harmful visual impact in views from the surrounding countryside or generate traffic that would clearly be harmful to road safety.

Existing businesses and commercial uses will be retained in that use unless the existing use is not viable; there are environmental or community benefits that outweigh the loss; or, alternative provision is provided elsewhere within the village in an appropriate location.

### EMP2: New facilities

The Neighbourhood Plan encourages small scale employment uses provided they are appropriate to a rural area and do not have a significant adverse impact on the character of the area or the amenity of residents.



# POLICIES FOR HOUSING

## CONTEXT AND JUSTIFICATION

Salhouse has, for many years, seen a number of individual houses and relatively modest housing schemes constructed in the village. This has averaged out at around five new houses in the parish per year since 1974. This figure excludes the large schemes of the 1960s and 1970s, such as the building of the Cheney Avenue estate. If these schemes are included the average over the same period is approximately seven per year.

Some 25.8% of the population of Salhouse is over 65, which is higher than the average across the Broadland District Council area.

## RECENT DEVELOPMENTS

The new development on the former Salhouse Service Station garage site has added 15 new dwellings. The current Ingram Homes development at Barn Piece on Norwich Road will add a further 19 new houses figure when completed.

This latter housing development is allocated in the District Local Plan to meet the requirement for additional houses in Salhouse.

## FUTURE DEVELOPMENTS

It is accepted that to attempt to 'preserve the village in aspic' and prevent all new developments is both unrealistic and ultimately detrimental to the future health of the village, its community and its facilities, such as its popular school, well used Jubilee Hall, shops, garden centre, hairdresser, pub and other outlets. In fact, with an ageing population, new houses will attract people to the village, or enable the next generation of residents to remain here and maintain a thriving community.

However, this should be balanced with the view that any future developments should be appropriate to the size of the village and the maintenance of its character as a small, rural Broadland community.

This is said against the background of the imminent building of the Norwich Northern Distributor Road (NDR), which will pass through the neighbouring parish of Rackheath and major 'infill' housing developments on land inside and outside the NDR, to meet the requirement for new homes in the Broadland District Council area, as identified in the District Local Plan.

With such a growth of population and housing density within the whole north east Norwich quadrant, it is the view of the Parish Council and Neighbourhood Planning Group that the conservation and preservation of the outlying villages is absolutely vital to prevent creeping urbanisation, the loss of villages and the destruction of their communities, increased traffic, strain on local infrastructure, increase in crime and anti-social behaviour and loss of the beauty and character of the Broads.

## INTENT

These policies place the common interest at the heart of any village growth. This underpins high quality place making, a generous landscape framework and high quality design. It balances the maintenance of the village's character, landscapes, streetscapes and movement of people and traffic with the optimisation of land use.

The policies optimise existing investment in infrastructure by maintaining the shape and form of the village and eliminating concentrations of additional vehicle and pedestrian traffic.

The policies encourage any new housing to dovetail in with existing local services and layouts that encourage walking / cycling where possible for local trips and avoids the generation of significant additional traffic throughout the village or any new concentration of additional traffic caused by a larger singular development. They allow everyone within the village good access to local facilities, services, amenities and maintains the existing community. They also encourage the maintenance of accessibility to essential services, facilities and jobs and maintains and enhances the quality of landscapes, streetscapes and the historic environment.

New or improved infrastructure will generally be funded / delivered through CIL and/or S106 / S128 agreements (including use of planning conditions) having regard to the Greater Norwich Growth Board (GNGB) and the Greater Norwich Infrastructure Plan (GNIP).

# POLICIES FOR HOUSING

By avoiding larger developments the policies improve environmental amenity, including air quality. The policies reduce the effect of traffic on the environment and build and maintain community identity, maintain and improve social welfare and work to maintain the current very low level of crime and anti-social activity. They maintain and improve accessibility to essential services, facilities and jobs.

With a higher than average population over 65 years old the development of sheltered housing will enable older people and whole families to remain in the village and use its services and facilities. This will assist in freeing up of existing housing stock and will enable the maintenance of the village's character, keeping the need for new housing development in check.

This policy will generate a number of local jobs e.g. warden, cleaner, carers, gardener etc.

## POLICIES

### H1: New Housing Development

New housing development will be within the defined settlement limits for Salhouse unless it is consistent with other development plan or national policies for housing in the countryside. Development proposals will be small in scale and expected to demonstrate a high quality of design which will maintain and contribute to local distinctiveness by respecting the character of neighbouring development and the village as a whole in terms of height and density.

In the context of this policy 'small scale' will reflect the organic growth the village has been subject to since records are available from 1974, being circa 5 new houses per annum this being the average rate of annual development.

### H2: Housing Mix

A mix of house types that suits differing life stages and economic positions will be supported, along with self-build and custom-build houses in order to encourage a greater diversity of house types and smaller developments.

### H3: Provision of Sheltered Housing within the village

The development of new sheltered housing will be encouraged. Sheltered housing will be permitted where it is compatible with the local surrounding area, is of an appropriate size and respects the amenities of neighbouring uses.

Proposals outside the settlement limit will be acceptable if they are justified by meeting a specific need of the parish.



# PROJECTS TO SUPPORT THE NEIGHBOURHOOD PLAN

## THE INFORMATION BASE

Salhouse Parish Council will develop an improved information base to better inform decision making and to enable sustainable management of the village. This will include survey and mapping of environmental features of the village. The information resource will be available to any interested parties.

Part of this information base will be a register of village assets that are important to the well being of the village, and will include the village ponds and waiting room at Salhouse railway station.

## DEVELOPING AN INTEGRATED VILLAGE PATH NETWORK

We will identify new permissive paths that contribute to the development of a village path network which links the village core and its gateways with the rural hinterland and our natural and built heritage features. Infrastructure needed for the path may include path surfacing, signs, path-side furniture and structures such as footbridges and gates. These should be located and designed in sympathy with the village landscape. We will use opportunities arising from development or other land use and planning changes to further this project.

This specifically will include consideration of a foot and cycle path directly to Salhouse Station via Howletts Loke avoiding the railway bridge which is narrow, has no footpath and is prone to flooding, from Bell Corner.

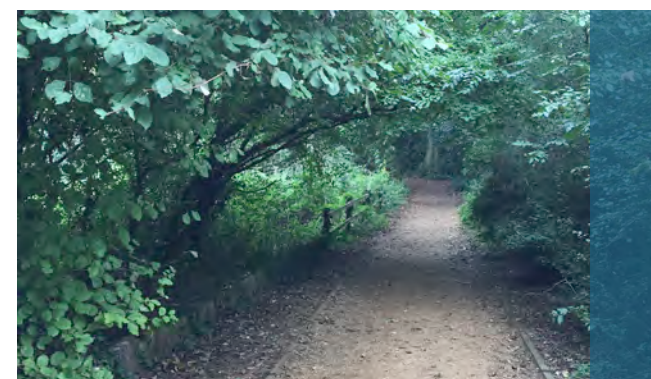
## ENHANCEMENT OF THE PLAYING FIELD

There is demand for making the playing field more of a community asset.

Planning permission has already been granted for the replacement of the current changing rooms and, following a recent consultation the Parish Council are investigating the possibility of re-siting the changing rooms elsewhere on the field, increasing the size of the car park, enabling more access and planting and the installation of a multi-use games area and telephone mast. This is an ongoing project and at the time of preparing the Neighbourhood Plan, firm plans are not available. The enhancement of the playing field is important to the village and has been regularly raised at consultations.

## SHELTERED HOUSING

Efforts will be made to find a suitable site for such a development.







# Implementation and Monitoring



The implementation of the Salhouse Neighbourhood Plan will require co-ordinated input and cooperation of a number of statutory and non-statutory agencies, private sector organisations and the local community. It is intended as a starting point to ensure the continuation of the rural identity of Salhouse and implement positive physical change within the village.

Salhouse Parish Council will monitor the implementation of the Neighbourhood Plan. Subject to available resources the Parish Council will prepare regular monitoring reports, which will be published on the village website and issued to Broadland District Council and the Broads Authority.



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# **SALHOUSE** **2020+**

A vision for a thriving village

 @Salhouse2020 | [salhouse2020@gmail.com](mailto:salhouse2020@gmail.com)

**The Landscape and Landscaping Guide for adoption**  
Report by Planning Policy Officer

**Summary:** Information guide has been produced to help applicants address landscape and landscaping in relation to their schemes. These have been the subject of public consultation

**Recommendation:** That the Authority adopt the guide.

**1. Introduction**

- 1.1 The Broads is a nationally designated landscape and development should seek to protect and enhance the landscape of the Broads. The purpose of this draft guide is to help applicants understand and address landscape impacts of their schemes and design and deliver high quality landscaping schemes.

**2. About the guides and work completed to date**

- 2.1 The Broads Authority's landscape consultant has produced the draft Landscape and Landscaping Guide with support from the communications and planning team. The guide seeks to provide information, images and further links to help would-be applicants understand and address the landscape impacts of their development proposals. There is also guidance and processes set out in relation to landscaping schemes.
- 2.2 The guide was subject to public consultation between 28 April 2017 to 4pm on Friday 9 June 2017. The comments received and the proposed responses from the Authority are included at Appendix A.
- 2.3 The final guide is included at Appendix B.
- 2.4 The Planning Committee will be considering a report on the Landscape and Landscaping Guide at its meeting on 21 July 2017 and their comments will be reported to the Authority.

**3 Recommendation**

- 3.1 It is recommended that the responses and amendments to the guide are noted and the revised guide as shown at Appendix B is adopted by the Broads Authority.

**4 Financial Implications**

- 4.1 It is intended that the guides will be hosted on the Broads Authority website and produced in paper format only on request.



## **5 Conclusion**

- 5.1 The guide addresses landscape impacts and landscaping of development proposals.
- 5.2 To give the guide more weight in the planning system, the guide has been consulted on and it is proposed that they are adopted by Full Authority.
- 5.3 Having up to date guides like this will provide developers and landowners with useful guidance on what is deemed useful and acceptable in the Broads.

Background papers: None

Author: Natalie Beal

Date of report: 29 June 2017

Appendices: APPENDIX A – Comments received through the consultation  
APPENDIX B – Final Landscape and Landscaping Guide

## Draft Broads Landscape and Landscaping Guide – Consultation Responses

### General Comment

#### Norfolk Constabulary – Broadland and North Norfolk

As ‘crime’ has a potentially adverse economic, social and environmental impact upon any development, the National Planning Policy Framework reinforces the need and importance of a safe and secure external environment. Stating planning policies and decisions should ensure “safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas”. (England NPPF and NPPG, Section 8, paragraph 69). Crime and anti-social behaviour are more likely to occur if the following attributes of sustainable communities are not incorporated:

- Access and movement: places with well-defined and well used routes with spaces and entrances that provide for convenient movement without compromising security
- Structure: places that are structured so that different uses do not cause conflict
- Surveillance: places where all publicly accessible spaces are overlooked
- Ownership: places that promote a sense of ownership, respect, territorial responsibility and community
- Physical protection: places that include necessary, well-designed security features
- Activity: places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times
- Management and maintenance: places that are designed with management and maintenance in mind, to discourage crime in the present and the future. Clarity in defining the use of space can help to achieve a feeling of wellbeing and limit opportunities for crime.

It is stated that ‘Landscaped Spaces will need to increase biodiversity and wildlife enhancement and provide accessible routes and networks to facilitate connections (for people, plants and animals) to surrounding areas’.

SBD\* Principles associated with Landscaping Strategy are:

#### Access & movement:

- Access to the countryside and local amenity areas must be balanced by the potential for the criminal to use the same highways & byways to commit crime and escape detection, therefore unnecessary pedestrian and vehicular permeability should be reconsidered or removed
- Location and adjoining land use: Security may be affected by the type of land use or property immediately adjoining the site. For example: Wooded areas or open fields can make the grounds easier to access by trespassers and in contrast, dwellings adjoining the boundary can generate natural surveillance increasing the likelihood of crime or anti-social behaviour being observed and reported.
- Surveillance: Ongoing vigilance, effective natural surveillance and speedy reporting of emergency, urgent or suspicious activity will benefit all who live, work and visit the Broads National Park.
- Improperly placed landscaping can give a potential criminal a place to hide. Planting around dwellings or other structures should not impede the opportunity for natural surveillance and must avoid the creation of potential hiding places. Although plant growth above 1m and below 2m should

be absent to provide a window of surveillance, this does not preclude the use of hedging plants and feature shrubs and trees, providing surveillance opportunity is maintained. For example: Plant growth below 500mm will be required in respect to car parks to deter vehicle interference.

**Ownership: (Territorial Reinforcement)**

- Trees and shrubs, planters, walkways, fences and walls, and other landscape features help define a space into public, semi-public, and private areas. The landscape design should be created with this in mind.

**Physical Protection:**

- Secure boundary treatments should be considered proportionate to criminal statistics and not solely aesthetic considerations

**Activity:**

- The provision of public open amenity space should make a valuable contribution towards the quality of the development and the character of the neighbourhood. In order to do this it must be carefully located and designed to suit its intended purpose.
- The open space should be designed with due regard for natural surveillance, and be assessed to prevent the occurrence of anti-social behaviour.

**Management: Landscaping in new developments to create attractive environments is supported and is encouraged providing:**

- Future maintenance requirements are adequately considered at the design stage and management programmes are put in place to ensure that the maintenance will be properly carried out.
- The planting design takes full account of opportunities for crime.

**SBD\* Principles associated with Landscape Scheme and Management are:**

**Access and movement:**

- Planting next to footpaths: Planting immediately abutting the path should generally be avoided as the plants could have a tendency to grow over the path creating pinch points, places of concealment, reduction of visibility and unnecessary maintenance.

**Structure:**

- Landscaping used for screening purposes should be designed based upon the adjacent land uses and for what is being screened. For example, when screening parking lots from adjacent roadways, screening only needs to be high enough to shield vehicle headlights.

**Surveillance:**

- Footpath Design: Isolated footpaths should be straight, wide, and avoid potential hiding places. It is important that the pedestrian has good visibility along the route of the footpath.

- Where necessary and where space permits, segregated footpaths should be at least 3 metres wide (to allow people to pass without infringing each other's personal space).
- Lighting of roads and segregated footpaths: Suitable security lighting provides safety for occupiers and visitors, reduces the fear of crime and is a significant deterrent for the criminal, who seeks to avoid being seen.
- Roads and segregated footpaths for adopted highways and footpaths, private estate roads and car parks must comply with BS 5489-1:2013. However it is recognised that some local authorities have 'dark sky' policies and deliberately light some of their rural, low crime areas to very low levels of illumination.

Physical protection: Where required places & structures should include necessary, well-designed security features e.g. the securing of bicycles left unattended must be considered within the design of any new design.

- External and preferably roofed bicycle stores with individual stands for securing bicycles are best located close to supervised areas.
- The cycle stand should facilitate the locking of both wheels and the crossbar.

The promotion of 'crime prevention through environmental design' principles and practices will greatly assist towards protecting the Broads National Park for future generations to use and enjoy.

**Broads Authority summary of response:** General comments on the relationship between landscape, landscaping and crime.

**Broads Authority comment:** Will add a paragraph relating to secured by design principles with some further links.

## **General Comment**

### **Waveney District Council**

The intention of the document to provide guidance about how to identify landscape sensitivity and how this should be approached in the context of a planning application should assist prospective applicants during their preparations. Landscape areas in locations administered by neighbouring local authorities can contribute towards and affect the Broads landscape and its setting. The document could acknowledge that neighbouring authorities may have their own landscape character assessments which could be used to help identify landscape sensitivities support the preparation of a landscape strategy. If the proposed document is to be formally adopted by the Broads Authority then this could provide additional weight to these documents if required. It may worth considering being more specific when discussing different stages of the planning process so the reader so it is clear to the reader if the text is referring to an outline application or reserved matters application. The document ends quite abruptly. It could be useful to provide some context about how such an assessment/strategy will be considered as part of the planning process and what the next steps may be. The document in its current format does not come across as being very user friendly. Improved formatting of the document and simplifying some of the sentences could make the document more accessible to potential applicants.

**Broads Authority summary of response:**

1: Neighbouring authorities may have their own landscape character assessments which could be used to help identify landscape sensitivities support the preparation of a landscape strategy.

- 2: It may worth considering being more specific when discussing different stages of the planning process so the reader so it is clear to the reader if the text is referring to an outline application or reserved matters application.
- 3: The document ends quite abruptly. It could be useful to provide some context about how such an assessment/strategy will be considered as part of the planning process and what the next steps may be.
- 4: mproved formatting of the document and simplifying some of the sentences could make the document more accessible to potential applicants.

**Broads Authority comment:**

- 1: Will add text along these lines.
- 2: Noted although the processes as identified can be applied to full, outline or reserved matters applications. No change.
- 3: Will add text along these lines.
- 4: Document will be formatted and read again following end of consultation.

**General Comment**

**Forestry Commission**

Thank you for asking the Forestry Commission for comment on this consultation. We have looked at the guide and it appears to be very comprehensive, we would like to suggest a couple of things that you may like to consider including in some way.

Firstly: We have particular concerns over unlicensed tree/woodland removal in preparation for submission of a planning application, this is on the increase. Therefore you may like to add something about:

No tree removal prior to application, removal may be allowed with a felling licence or be exempt depending on circumstance, but check with the Forestry Commission first otherwise a restock notice may be issued which will then be a material consideration in determining an application for permission.

Secondly: We are particularly concerned about the import of plants and trees for developments which may come from nurseries outside the UK from areas where particular diseases/pests are endemic. So you might like to include something like this:

When landscaping with new plantings consider the issues of bio-security especially if using imported stock and ensure records are kept in order for traceability to occur should there be a plant/tree disease outbreak in planted stock.

**Broads Authority summary of response:**

- 1: No tree removal prior to application, removal may be allowed with a felling licence or be exempt depending on circumstance, but check with the Forestry Commission first otherwise a restock notice may be issued which will then be a material consideration in determining an application for permission.
- 2: When landscaping with new plantings consider the issues of bio-security especially if using imported stock and ensure records are kept in order for traceability to occur should there be a plant/tree disease outbreak in planted stock.

**Broads Authority comment:**

1: The scale and type of development in the Broads does not tend to meet the threshold that would require involvement of the Forestry Commission. The guide is aimed at landscape and landscaping in general. By incorporating such detail about trees it might be prudent to include more about trees and the various scenarios that could arise. There could be merits in a tree and development in the Broads guide and we will consider this. However, we consider the

implications of removal of trees as well as generally monitor trees and the impacts of development throughout the area. Other than considering the need for a tree guide, no change.

2: Noted and we will add something along these lines.

#### **General Comment**

##### **Great Yarmouth Borough Council**

The Borough Council commends the Broads Authority on a well written document which should be of practical help in ensuring new development is well integrated into the nationally important landscape of the Broads.

**Broads Authority summary of response:** General support.

**Broads Authority comment:** Support noted.

#### **General comment**

##### **Beccles Society**

Thank you for consulting Beccles Society on the above document which we considered at length at our recent meeting. The draft guide sets out in clear detail very much what currently happens (or is supposed to happen) in practice, and therefore we could find very little to add to what you have described. We look forward to seeing the final Guide when it is published.

**Broads Authority summary of response:** General support.

**Broads Authority comment:** Support noted.

#### **General comment**

##### **Broads Reed and Sedge Cutters Association**

The need to have some guidance to avoid development having an adverse impact on the landscape should be welcome by those participating in the planning process and also by those who reside near any planned development or building change. This could, in the main, be achieved now by having simple discussions with planning officers prior to completing an actual planning application. During the planning process, each application is subject to public comment and in particular local or neighbour scrutiny at the Parish Council consultation stage. This is another opportunity to have local input regarding any landscape implications or concerns and also to make any suggestions for improvements. The proposals should not apply to simple alterations or minor works but only to new or large size developments. This would avoid applicants having to incur further costs to carry out what could be minor works or improvements. Conservation area status would or should prevent any impact on the landscape by development and many parts of The Broads also have habitat protection regulation which again prevents major landscape changes. It is therefore reasonable to question just why there is a need to implement these proposals and perhaps it would help if more details were stipulated as when and when not the proposals would apply.

**Broads Authority summary of response:**

1: The need to have some guidance to avoid development having an adverse impact on the landscape should be welcome by those participating in the planning process and also by those who reside near any planned development or building change.

- 2: This could, in the main, be achieved now by having simple discussions with planning officers prior to completing an actual planning application.
- 3: During the planning process, each application is subject to public comment and in particular local or neighbour scrutiny at the Parish Council consultation stage. This is another opportunity to have local input regarding any landscape implications or concerns and also to make any suggestions for improvements.
- 4: The proposals should not apply to simple alterations or minor works but only to new or large size developments. This would avoid applicants having to incur further costs to carry out what could be minor works or improvements.
- 5: Conservation area status would or should prevent any impact on the landscape by development and many parts of The Broads also have habitat protection regulation which again prevents major landscape changes.
- 6: It is therefore reasonable to question just why there is a need to implement these proposals and perhaps it would help if more details were stipulated as when and when not the proposals would apply.

**Broads Authority comment:**

- 1: Noted.
- 2: The Authority does offer free pre-application advice.
- 3: Noted.
- 4: The guidance expands on adopted policy, rather than setting policy. This guide seeks to provide assistance once it is deemed that landscaping is required and that impact on landscape could be an issue that can be mitigated. It is the policy itself (in the Local Plan) that will set criteria relating to landscape impact. BRASCA are recommended to look at that policy when the next version of the Local Plan is out for consultation. Turning to the detail of the comment, this seems to be saying that the requirement to consider landscape impacts and landscaping of a scheme depends on size only. This is true for some schemes, but it also depends on what the proposal is and where it is and therefore the impact it will have on the landscape of the Broads - size is one consideration. Turning to costs, the guide promotes a method of addressing landscaping that requires the majority of the detailed work to be undertaken once permission is given and the scheme is certain to go ahead. This minimises cost of landscape work prior to an application being approved and when it is not certain if the money is going to be spent on something that will come to fruition. This approach saves money for the applicant until they know they need to undertake landscaping work.
- 5: Noted.
- 6: This seems to question the need for this guide. It also seems to suggest the need for explanation of threshold to which proposals are required. Please see answer to point 4.

**General comment**

**Brundall Parish Council**

Brundall Parish Council discussed the document in the consultation and has no comments to make other than to add it is a good guide for applicants.

**Broads Authority summary of response:** General support.

**Broads Authority comment:** Support noted.

**General comment (Environment)****Norfolk County Council**

In general the Natural Environment Team (NET) consider the content of the Guide as good.

**Broads Authority summary of response:** General support.

**Broads Authority comment:** Support noted.

**General comment (Flood and water management)****Norfolk County Council**

There is not much in the Guide regarding flood and water management, but what there is it seems fine. It is noted, however, that there is no mention of Compensatory storage – i.e. if there is an existing area of surface flooding this could be resolved by creating a hollow feature (adjustment to the localised ground levels / ground re-profiling) to accommodate it to ensure that flood risk is not increased elsewhere. As such it is felt that there should be regard to this in the emerging Guide.

**Broads Authority summary of response:** There is no mention of Compensatory storage – i.e. if there is an existing area of surface flooding this could be resolved by creating a hollow feature (adjustment to the localised ground levels / ground re-profiling) to accommodate it to ensure that flood risk is not increased elsewhere.

**Broads Authority comment:** Noted. Will add something to questions listed at section A4 to reflect that existing features could be surface water and if existing features could provide flood water storage.

**General comment (Public health)****Norfolk County Council**

Access to the natural environment is an important factor to support good physical and mental health and can support objectives around, for example, weight management, physical activity and good mental health. This is referenced for example in lines 35 and 127.

As a starting point Public Health would wish to highlight some recommendations within NICE guidance on physical activity and the built environment from 2008 (Public health guidance PH8). While these are general suggestions, some are worthy of note:

Recommendation 1 includes: “Ensure planning applications for new developments always prioritise the need for people (including those whose mobility is impaired) to be physically active as a routine part of their daily life. Ensure local facilities and services are easily accessible on foot, by bicycle and by other modes of transport involving physical activity. Ensure children can participate in physically active play.” However, as well as active modes of transport it is important to recognise other barriers to reaching the Broads due to physical impairment, lower levels of cycling amongst certain income groups and geographic distance. Consequently, without compromising commitments to active travel and low carbon access, guidance which recognises and encourages access by other means such as bus or promotes car share or engages community transport options for example would be welcome. This is echoed within Recommendation 4: Ensure public open spaces and public paths can be reached on foot, by bicycle and using other modes of transport involving physical activity. They should also be accessible by public transport; Ensure public open spaces and public paths are maintained to a high standard. They should be



safe, attractive and welcoming to everyone. Public Health are therefore particularly interested in how the aspirations at lines 68 and 69 to assess how a proposal “affects specific individuals or groups of people”. The draft considers the need for accessibility in terms of footpaths at lines 122 and 123. However this needs to be explicit beyond, for example, level access, use of stiles and gates and include the needs of residents with a learning disability or visual impairment for example and therefore related changes around signage, language, travel and toilet facilities. For example, data on the number of people known to GPs with a learning disability puts Norfolk as highest in the region and above the England average, at 0.60% in 2013/14. With an estimated total population of over 540,000 across the five districts mentioned above that could represent a large number of people requiring consideration of their needs to access the Broads. Traditionally access to open spaces, especially away from the local area, has been worse amongst income deprived households. Both Great Yarmouth and Norwich as district authorities have approximately 1 in 4 children living in income deprived households. Some parts of Great Yarmouth have estimated poverty levels running at over 1 in 3 households. At the same time an estimated 1 in 4 adults in Great Yarmouth are inactive. Physical, cultural and financial access to the Broads should be considered within any landscape and design changes. Consequently I would welcome guidance which supports or enhances accessibility across a range of users generally less likely to use the Broads as part of any landscape changes. We are also keen to be able to utilise our information to work with the Authority to identify potential areas at risk of exclusion from revision to landscapes.

#### **Broads Authority summary of response:**

- 1: Access to the natural environment is an important factor to support good physical and mental health and can support objectives around, for example, weight management, physical activity and good mental health. This is referenced for example in lines 35 and 127. As a starting point Public Health would wish to highlight some recommendations within NICE guidance on physical activity and the built environment from 2008 (Public health guidance PH8). While these are general suggestions, some are worthy of note.
- 2: Recommendation 1 includes: “Ensure planning applications for new developments always prioritise the need for people (including those whose mobility is impaired) to be physically active as a routine part of their daily life. Ensure local facilities and services are easily accessible on foot, by bicycle and by other modes of transport involving physical activity. Ensure children can participate in physically active play.” However, as well as active modes of transport it is important to recognise other barriers to reaching the Broads due to physical impairment, lower levels of cycling amongst certain income groups and geographic distance. Consequently, without compromising commitments to active travel and low carbon access, guidance which recognises and encourages access by other means such as bus or promotes car share or engages community transport options for example would be welcome. This is echoed within Recommendation 4: Ensure public open spaces and public paths can be reached on foot, by bicycle and using other modes of transport involving physical activity. They should also be accessible by public transport; Ensure public open spaces and public paths are maintained to a high standard. They should be safe, attractive and welcoming to everyone. Public Health are therefore particularly interested in how the aspirations at lines 68 and 69 to assess how a proposal “affects specific individuals or groups of people”.
- 3: The draft considers the need for accessibility in terms of footpaths at lines 122 and 123. However this needs to be explicit beyond, for example, level access, use of stiles and gates and include the needs of residents with a learning disability or visual impairment for example and therefore related changes around signage, language, travel and toilet facilities. For example, data on the number of people known to GPs with a learning disability puts Norfolk as highest in the region and above the England average, at 0.60% in 2013/14. With an estimated total population of over 540,000 across the five districts mentioned above that could represent a large number of people requiring consideration of their needs to access the Broads. Traditionally access to open spaces, especially away from the local area, has been worse amongst income deprived households. Both Great Yarmouth and Norwich as district authorities

have approximately 1 in 4 children living in income deprived households. Some parts of Great Yarmouth have estimated poverty levels running at over 1 in 3 households . At the same time an estimated 1 in 4 adults in Great Yarmouth are inactive.

4: Physical, cultural and financial access to the Broads should be considered within any landscape and design changes. Consequently I would welcome guidance which supports or enhances accessibility across a range of users generally less likely to use the Broads as part of any landscape changes. We are also keen to be able to utilise our information to work with the Authority to identify potential areas at risk of exclusion from revision to landscapes.

**Broads Authority comment:** Clarity asked for. Concerned that accessible is taken to focus primarily on physical and sensory barriers (level access, well lit etc.) and not to other barriers so anything which at least prompts people to think across a range of accessibility criteria would be welcomed. Line 68 and 69 is about the person or people who are the receptors of the visual impact rather than those groups who have specific access requirements. 122 and 123 mention accessible routes, so is it covered.

#### **General comment**

##### **South Norfolk Council**

Thank you for consulting South Norfolk Council on this document. In this instance we do not wish to comment further.

**Broads Authority summary of response:** No comment.

**Broads Authority comment:** Noted.

#### **General Comment**

##### **Natural England**

The Broads Landscape and Landscaping Guide will be a useful and helpful document for guiding the design of new development to provide a high quality environment in this protected landscape. However, we suggest that there is mention of the wider benefits that can be provided by landscape and landscaping, such as ecosystem services and natural capital enhancement opportunities. It would be helpful to include a map showing the boundary of the Broads National Park and a list of the 'special qualities' of the National Park. You may also like to include a reference to our document NE's National Character Area no 80: The Broads (see our website <http://publications.naturalengland.org.uk/publication/11549064> ).

**Broads Authority summary of response:** General support for the document. Mention wider benefits. Include map of the Broads. List special qualities. Add link.

**Broads Authority comment:** Support noted. Link added. Will include the special qualities of the Broads. Regarding map, other guides do not include maps and maps are included in the various planning policy documents. No map to be added. In general the guide does refer to other benefits of landscape and landscaping.

#### **General comment**

##### **SUSTRANS**

It is encouraging that you are creating a Landscaping Guidance. It is important that both walking and cycling opportunities are included to enable residents of new developments to enjoy safe and attractive sustainable access through the beautiful landscapes of the Broads.

**Broads Authority summary of response:** General comment about guide. General support.

**Broads Authority comment:** Support noted.

### **A5 Environment and Green Infrastructure 119**

#### **SUSTRANS**

Sustrans would ask that the following additions are included:

Green Infrastructure: There is comment about accessibility in the covering paragraph. Could emphasis be given to encourage sustainable access. Could an additional sentence 'Reference to the benefit of footpaths, cycle paths and shared use paths to enable people to enjoy access and connectivity, sustainably through landscaped areas' be added.

**Broads Authority summary of response:** Could an additional sentence 'Reference to the benefit of footpaths, cycle paths and shared use paths to enable people to enjoy access and connectivity, sustainably through landscaped areas' be added

**Broads Authority comment:** It is not clear how this could be worked into this paragraph which covers many aspects of GI. This wording is quite specific. However we understand the thrust of the comment. Whilst this is inferred in this section anyway, we will add 'provide accessible routes and networks to facilitate connections (for people walking and cycling, plants and animals)'.

### **A3 Integrating development into surroundings 83**

#### **SUSTRANS**

Sustrans would ask that the following additions are included: Add 'What footpath and cyclepath links are possible to create safe and attractive links with the wider networks?'

**Broads Authority summary of response:** Add 'What footpath and cyclepath links are possible to create safe and attractive links with the wider networks?'

**Broads Authority comment:** Noted. We understand the thrust of the comment. Will amend to say 'ii) How is the site accessed? Are there any routes through the site? Is there potential for appropriate routes to be provided?'.

### **A3 Integrating development into surroundings 105**

#### **SUSTRANS**

Sustrans would ask that the following additions are included: Add 'What footpath and cyclepath links are possible to create safe and attractive links with the wider networks?'

**Broads Authority summary of response:** What footpath and cyclepath links are possible to create safe and attractive links with the wider networks

**Broads Authority comment:** This is about the specific characteristics of that site and existing features. The thrust of the comment has been addresses through changes to section A3. No change to this section.

### **Part B: Guidance on the production of detailed design proposals for landscaping schemes 156**

## Norfolk County Council

The Natural Environment Team support the principle and general content of the draft guidance, although offer comments on the following:

Part B relates to additional information which may need to be submitted in order to discharge a condition. Lines 170 and 171 refer to Arboricultural Impact Assessment and Tree Protection Plans. BS5837: 2012 Trees in Relation to design, demolition and construction – Recommendations identifies that these details should be agreed prior to scheme approval. Whether trees are able to be retained and protected throughout the construction process is a material consideration and should therefore be agreed prior to approval, and alongside any Landscape Strategy (within Part A). Arboricultural Method Statements can, however, be subject of condition provided that there is reasonable certainty that a scheme is practicable.

Consideration should be given to off-site works, particularly Highway improvements and visibility. Any potential effects on landscape or trees which may result in undesirable landscape effects or requirement for mitigation should be considered prior to approval. The County Council in responding, as a statutory consultee (Highway Authority), will have regard to its own Planning Obligations Standards including the section on Green Infrastructure (Section 8 page19 – see attached). As such it is felt that it may be helpful to reference the above Standards in the emerging Guide.

### Broads Authority summary of response:

1: The Natural Environment Team support the principle and general content of the draft guidance, although offer comments on the following

2: Part B relates to additional information which may need to be submitted in order to discharge a condition. Lines 170 and 171 refer to Arboricultural Impact Assessment and Tree Protection Plans. BS5837: 2012 Trees in Relation to design, demolition and construction – Recommendations identifies that these details should be agreed prior to scheme approval. Whether trees are able to be retained and protected throughout the construction process is a material consideration and should therefore be agreed prior to approval, and alongside any Landscape Strategy (within Part A). Arboricultural Method Statements can, however, be subject of condition provided that there is reasonable certainty that a scheme is practicable.

3: Consideration should be given to off-site works, particularly Highway improvements and visibility. *Clarity asked for: Often when development proposals come forward, site surveys and reports such as LVIAs, AIAs and Ecological surveys do not take account of visibility splays or areas where offsite highway works are required (the latter is sometimes not able to be pre-empted by the applicant). For example, we often see landscape assessments which perceive no adverse effects on landscape character, but in fact the site access requires removal of large numbers of trees / hedgerow in order to achieve visibility, something which hasn't been considered within the scope of the LVIA. We have also encountered similar with AIAs. Equally these works will often require landscape mitigation although often not enough space is left to implement a scheme due to lack of site space or poorly planned drainage and service runs etc. We just felt that it would be good to try and get prospective applicants to think about these types of issues early on in the process. We understand that the Broads does not receive such large scale growth due to the nature of the land However as the landscape character can be particularly sensitive in the Broads area, and these items generally appear to be rarely considered early on, we felt these considerations could be particularly pertinent.*

4: Any potential effects on landscape or trees which may result in undesirable landscape effects or requirement for mitigation should be considered prior to approval.

5: The County Council in responding, as a statutory consultee (Highway Authority), will have regard to its own Planning Obligations Standards including the section on Green Infrastructure (Section 8 page19 – see attached). As such it is felt that it may be helpful to reference the above Standards in the emerging Guide.

### Broads Authority comment:

- 1: noted.
- 2: Agree a Method Statement could be subject of a condition but AIA needs to be upfront.
- 3: Agree. Will add some wording to the guide.
- 4: Noted. This is what a landscape strategy does as set out in Part A.
- 5: Reference to Standards could be added to Guide.

#### Line 6

##### Natural England

In addition to a high quality environment, the wider benefits that can also be provided by landscape and landscaping do not clearly come through the text. Consideration of the full range of ecosystem services and natural capital enhancement opportunities would be good to see.

**Broads Authority summary of response:** Consideration of the full range of ecosystem services and natural capital enhancement opportunities would be good to see.

**Broads Authority comment:** Noted. The suggested amendments introduces terms which would need further explanation adding to the length of the document. The overall thrust of ecosystem services is brought out through the guide in a subtle way rather than mentioning it explicitly. Therefore for simplicity and brevity it is not proposed to amend the document along these lines.

#### Line 11

##### Natural England

As above, landscaping should be delivering more than just attractiveness, such as a wide range of beneficial services; it would be good to encourage this recognition from the start. As noted in the paragraph above, it can help to achieve a higher environmental quality, so this should be explained further here.

**Broads Authority summary of response:** landscaping should be delivering more than just attractiveness, such as a wide range of beneficial services; it would be good to encourage this recognition from the start

**Broads Authority comment:** Later in the document, there are criteria and guiding questions relating to other benefits of landscaping schemes. As such this comment is generally covered in the document.

#### Line 35

##### Natural England

Suggested amendment: ...can have 'ecosystem service benefits that include' biodiversity...

**Broads Authority summary of response:** Suggested amendment: ...can have 'ecosystem service benefits that include' biodiversity...

**Broads Authority comment:** Noted. The suggested amendments introduces terms which would need further explanation adding to the length of the document. The overall thrust of ecosystem services is brought out through the guide in a subtle way rather than mentioning it explicitly. Therefore for simplicity and brevity it is not proposed to amend the document along these lines.

**Line 36**

**Natural England**

Suggested amendment: Add ... National Character Area Profile (NCA 80 The Broads) <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making> ...

**Broads Authority summary of response:** Add National Character Area Profile (NCA 80 The Broads) to the list of links.

**Broads Authority comment:** Will add this link.

**Line 57**

**Natural England**

Natural processes could be added.

**Broads Authority summary of response:** Natural processes could be added.

**Broads Authority comment:** Later in the document, there are criteria and guiding questions relating to other benefits of landscaping schemes. As such this comment is generally covered in the document.

**Line 66**

**Natural England**

Re LVIA, (lines 66 – 70) we expect that every LVIA should clearly state:

- a) the level of sensitivity it has assigned to the protected landscape;
- b) the level of sensitivity assigned to the visual amenity of those enjoying its natural environment;
- c) the magnitude of change based on the likely effects of the proposal, and how it may change the protected landscape and its amenity (including views); and
- d) the significance that is attached in the assessment process to the effects of the proposed changes;
- e) the implications of these changes in respect of the special qualities, the natural beauty of the protected landscape and its visual amenity

**Broads Authority summary of response:** States expectations of a LVIA.

**Broads Authority comment:** Noted. Will add to the footnote.

**Line 67**

**Waveney District Council**

The diagram on page 4 could be more clear for the reader if a frame was paced around each respective option.

**Broads Authority summary of response:** Place a frame around the diagrams.

**Broads Authority comment:** The document will be formatted as it is finalised. The graphic designed will ensure the format is useful and clear.

**Line 93**

**Natural England**

Suggested addition: What ecosystem services are provided by the site?

**Broads Authority summary of response:** Suggested addition: What ecosystem services are provided by the site?

**Broads Authority comment:** This is generally covered through the various guidance criteria. No change.

**Line 97****Natural England**

Suggested amendment: ... character and function of an area

**Broads Authority summary of response:** Suggested amendment: ... character and function of an area

**Broads Authority comment:** Will make amendment.

**Line 110****Natural England**

We should be considering more than just wildlife habitats – include other services.

Suggested amendment: 'Do these provide habitat? What ecosystem services are provided?'

**Broads Authority summary of response:** Suggested amendment: 'Do these provide habitat? What ecosystem services are provided?'

**Broads Authority comment:** Noted. The suggested amendments introduces terms which would need further explanation adding to the length of the document. The overall thrust of ecosystem services is brought out through the guide in a subtle way rather than mentioning it explicitly. Therefore for simplicity and brevity it is not proposed to amend the document along these lines.

**Line 121****Natural England**

Expand on sustainability?

Suggested addition: ... the principles of 'ecosystem service provision, natural capital enhancement and' sustainability. Wherever possible, landscaped spaces will need to increase 'ecosystem service provision including' biodiversity...

**Broads Authority summary of response:** Suggested addition: ... the principles of 'ecosystem service provision, natural capital enhancement and' sustainability. Wherever possible, landscaped spaces will need to increase 'ecosystem service provision including' biodiversity...

**Broads Authority comment:** Noted. The suggested amendments introduces terms which would need further explanation adding to the length of the document. The overall thrust of ecosystem services is brought out through the guide in a subtle way rather than mentioning it explicitly. Therefore for simplicity and brevity it is not proposed to amend the document along these lines.

**Line 126****Natural England**



'By definition, green infrastructure can provide a variety of functions' This is good. Services?

Suggested addition: ...in addition to providing an attractive landscape 'and sense of place'.

**Broads Authority summary of response:** Suggested addition: ...in addition to providing an attractive landscape 'and sense of place'.

**Broads Authority comment:** Will make amendment.

#### Line 130

##### Natural England

Native? Might be better to describe these as 'characteristic landscape features'.

**Broads Authority summary of response:** Might be better to describe these as 'characteristic landscape features'.

**Broads Authority comment:** Will make amendment.

#### Line 133

##### Natural England

Should include 'native' otherwise you might just get a mixture of non-natives.

Suggested addition: ...mixed 'native' species...

**Broads Authority summary of response:** Suggested addition: ...mixed 'native' species...

**Broads Authority comment:** Will make amendment.

#### Line 144

##### Natural England

Could also include the ecosystem services?

**Broads Authority summary of response:** Could also include the ecosystem services?

**Broads Authority comment:** Noted. Landscape is an element of ecosystem services to some extent and therefore ecosystem services are addressed. This guide is about landscape and landscaping – by referring to ecosystem services in general, it would widen the impact of the guidance beyond that which is intended. Furthermore, the current policies and future local plan address ecosystem services. No change.

#### Line 168

##### Waveney District Council

In section B (B2) how (or at what stage) will it be established if an impact assessment will be required or not? Clarity could be provided if this is done through discussion with officers, is it decided as part of pre-application discussions, or is a screening assessment will be undertaken etc?

**Broads Authority summary of response:** In section B (B2) how (or at what stage) will it be established if an impact assessment will be required or not

**Broads Authority comment:** Noted. Will add some clarification, but it depends on the proposal and local characteristics.

**Line 171**

**Natural England**

Spelling correction: 'details'

**Broads Authority summary of response:** Spelling correction: 'details'

**Broads Authority comment:** Noted and changed

**Page 7, Section A4, item xi). Historic England**

Historic environment is not given specific mention, except on page 7, Section A4, item xi). I would suggest additional text: “Are there any registered parks and gardens or locally listed designed landscapes on or around the site?” Also, it may be useful to also add reference to undesignated heritage assets and/or HER entries.

**Broads Authority summary of response:** Are there any registered parks and gardens or locally listed designed landscapes on or around the site

**Broads Authority comment:** Agree. Will add reference to the Historic Environment.





## **A guide to integrating development into the Broads Landscape.**

Adopted July 2017

### **Introduction**

This guidance provides information and best practice for planning applicants on landscape and landscaping design principles and policy requirements.

This is to ensure early consideration is given to landscape matters so that your development will have a stronger sense of place and character and will help you to achieve a higher quality environment.

Alongside this guidance, you can find more detailed information on what you will need to submit with your planning application (including drawings and other supporting documents) in the Broads Authority's validation requirement checklist. The checklist tells you what details are needed for each type of document in line with the type, scale and size of your proposal.

Adherence to the Broads Local Plan policies is a material consideration in the assessment of all planning applications in the Broads, and you should therefore consider relevant policies when preparing your application.

### **The importance of landscape in the Broads**

In this guidance, the term landscape refers to a zone or area whose visual features and character are the result of the action of natural and or cultural factors. Landscaping is the process of making a scheme more attractive, such as planting, changing the existing terrain, and building structures.

The Norfolk and Suffolk Broads is an internationally protected wetland and the UK's third largest inland waterway. It has an equivalent status to a National Park, and is a member of the UK National Parks family. As such, the landscape impact of all developments must be considered at the design stage, and most development proposals will need to be accompanied by landscaping proposals.

A well designed development with appropriate landscaping can minimise its impact on the immediate landscape and may even benefit the wider area. The right types and forms of hard surfaces and structures or soft landscaping (planting) can create biodiversity, amenity and recreation benefits appropriate to the Broads Executive Area. Development on a site needs to suit the location and setting, with landscaping design proposals that reflect the area's key positive characteristics.

The protection of landscape character and the importance of high quality design are key threads running through the Broads Local Plan.

### Landscape character

The Broads area is divided into 31 Local Character Areas, with a unique set of characteristics that combine to give each area its distinct sense of place.

The Landscape Character Assessment<sup>1</sup> of the Broads (LCA) was developed to support decisions that might affect the area's condition or visual quality. It is supported by the Landscape Sensitivity Study<sup>2</sup>, which assesses the impact of wind turbines and solar panels to provide criteria to planning applicants and policy makers. Its baseline is the LCA and it should be read in conjunction with that document.

It is important to note that neighbouring authorities (North Norfolk, South Norfolk, Great Yarmouth, Norwich, Broadland and Waveney Councils) may have their own landscape character assessments. These can be used to help identify landscape sensitivities when preparing a landscape strategy.

### Trees

Where there are trees on site, these trees may be affected by the proposed development. An assessment of the

trees on site and how the development proposals will affect those trees will need to be submitted with the planning application. This information will include an Arboriculture Impact Assessment, Tree Protection Plan and Arboriculture Method Statement. Your landscaping strategy or scheme will need to take account of the findings and recommendations of these surveys and assessments.

### Secured by design

Landscaping can have crime and security implications. For example, some planting can affect surveillance or provide places for criminals to hide, while the right types and locations of planting can provide additional security. For more information, visit the Secured by Design website [www.securedbydesign.com/industry-advice-and-guides](http://www.securedbydesign.com/industry-advice-and-guides). The interactive design guide is particularly useful [www.securedbydesign.com/industry-advice-and-guides/interactive-design-guide](http://www.securedbydesign.com/industry-advice-and-guides/interactive-design-guide).

### Native species

Throughout this guide, we refer to the value of native species planting. Non-native species can compete with native species, affecting the wildlife that relies on native species for shelter and food.

<sup>1</sup>Broads Landscape Character Assessment <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments> <sup>2</sup>Landscape Sensitivity Study <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies>

## The special qualities of the Broads

The following set of ‘special qualities’ was developed through several public consultation processes for the Broads Plan, the key management plan for the Broads. Together, the qualities represent the distinctiveness of the Broads landscape.

- Rivers and open water bodies (‘broads’)
- Fens, reed beds and wet woodlands
- Grazing marshes and dyke networks
- Flood plains, estuary and coast
- Navigable, lock-free waterways
- Special wildlife
- Countryside access on land and water
- Views, remoteness, tranquillity, wildness and ‘big skies’
- The people, the visitors, the activities
- History: Geo-heritage, heritage assets, archaeology , historic structures
- Cultural assets, skills and traditions.
- People’s interactions with the landscape
- The settlements
- Variety of patterns and textures of the landscape.

## The structure of this guidance

This guidance is in two parts.

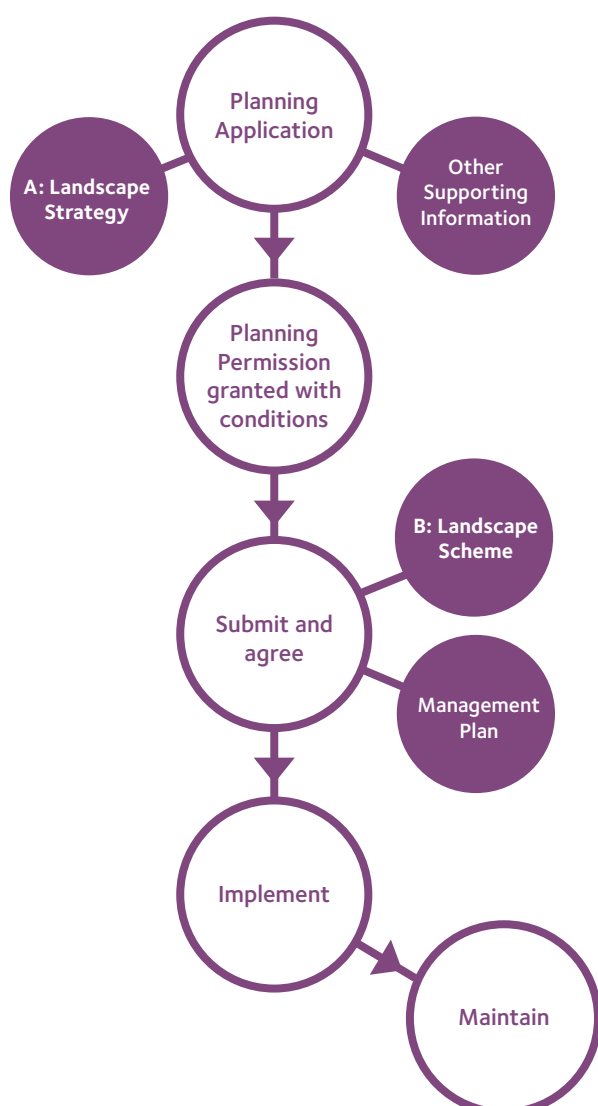
**Part A** gives advice on **producing a landscaping strategy** to accompany your planning application. This can be a high level plan that sets out broad principles for landscaping the scheme, such as the layout of the external areas including areas of hard and soft landscaping and boundary treatments like fences, walls, gates and hedges, etc. Doing this will save you the time, effort and cost of preparing a fully detailed scheme up front. If your application is successful, the finer details (as set out in Part B) can then, if required, be made a condition of planning permission.

**Part B** provides guidance on producing additional information about the detail of the landscaping strategy, including types of planting, surfacing and boundary treatments. This is called the **landscape scheme and management plan** and is usually required as a condition of a planning permission if it has not already been provided up front as a part of a comprehensive scheme.

The following diagram shows two potential routes for providing this information.

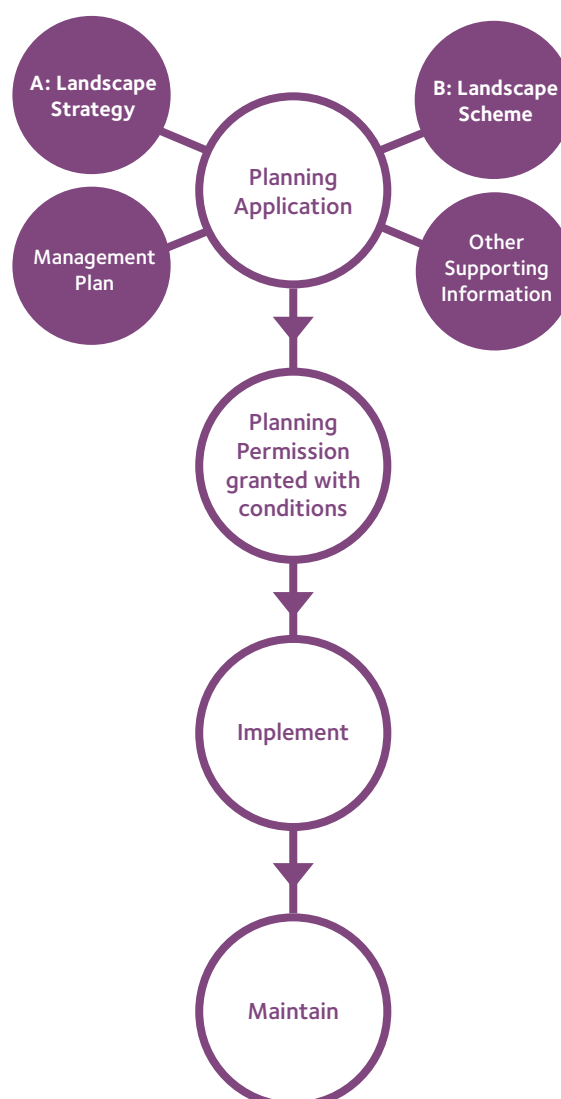
## Option 1: Submit a Landscape Strategy with the planning application. If permission is granted you may then submit and agree B: Landscape Scheme and Management Plan.

The broad principles of a landscape strategy are provided as part of the planning application with the detail conditioned as part of the permission. This option can save the cost, time and effort and indeed negotiations relating the detail of the scheme until after permission is granted.



## Option 2: Submit a Landscape Strategy, Landscape Scheme and Management Plan with the Planning Application

This option could be suitable for larger schemes or in response to a particular concern raised at the pre-application stage. Alternatively your planning agent may advise this route.





### Further information and advice

We hope this guidance will give you the information you need to address landscape and landscaping as part of your application. If you would like further information or assistance, please contact the Broads Authority's planning team by emailing [planning@broads-authority.gov.uk](mailto:planning@broads-authority.gov.uk) or calling 01603 610734.

You may find it necessary or helpful to employ a landscape consultant to help you prepare the information required to support your planning application. The Landscape Institute (<http://landscapeinstitute.org/about/>) can provide you with a list of registered landscape practices in your area.

### Other sources of information

#### Landscape Visual Impact Assessment:

[www.landscapeinstitute.org/technical/glvia3-panel/](http://www.landscapeinstitute.org/technical/glvia3-panel/) (purchase only)

#### Broads Landscape Character Assessment:

[www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments)

#### Broads Landscape Sensitivity Study:

[www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies](http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies)

#### Broads Development Management Development Plan Document:

[www.broads-authority.gov.uk/\\_\\_data/assets/pdf\\_file/0008/414368/Development-management-policies.pdf](http://www.broads-authority.gov.uk/__data/assets/pdf_file/0008/414368/Development-management-policies.pdf)

#### Broads Core Strategy:

[www.broads-authority.gov.uk/planning/planning-policies/development/current-documents/core-strategy-development-plan](http://www.broads-authority.gov.uk/planning/planning-policies/development/current-documents/core-strategy-development-plan)

#### Broads Authority Biodiversity Enhancements Guide:

[www.broads-authority.gov.uk/\\_\\_data/assets/pdf\\_file/0011/823583/Biodiversity-guide\\_18\\_11\\_2016.pdf](http://www.broads-authority.gov.uk/__data/assets/pdf_file/0011/823583/Biodiversity-guide_18_11_2016.pdf)

#### Broads Authority Riverbank Stabilisation Guide:

[www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/river-bank-stabilisation)

#### Broads Authority Moorings Guide:

[www.broads-authority.gov.uk/planning/Planning-permission/design-guides/mooring-design-guide](http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides/mooring-design-guide)

#### The Landscape Institute:

[www.landscapeinstitute.org/about/](http://www.landscapeinstitute.org/about/)

#### National Planning Practice Guidance on design:

[planningguidance.communities.gov.uk/blog/guidance/design/how-should-buildings-and-the-spaces-between-them-be-considered/](http://planningguidance.communities.gov.uk/blog/guidance/design/how-should-buildings-and-the-spaces-between-them-be-considered/)

Guidelines for landscape and visual impact assessment, published by Routledge on behalf of the Landscape Institute & Institute of Environmental Management, 2013:

[www.landscapeinstitute.org/technical/glvia3-panel/](http://www.landscapeinstitute.org/technical/glvia3-panel/)

The County Council in responding, as a statutory consultee (Highway Authority), will have regard to its own Planning Obligations Standards:

[www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/planning-obligations](http://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/planning-obligations) and <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/section-106-planning-obligations/>

National Character Area Profile (NCA 80 The Broads):

<https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

## Part A

# Guidance on the production of a Landscaping Strategy

## Introduction

For certain types of development, details for the landscaping proposals may be required as a planning condition as part of the planning permissions.

Where landscaping proposals are an important consideration, the

applicant may be required to submit a landscaping strategy alongside the planning application, prior to submitting more detailed landscaping proposals. By adopting this two stage approach, the Broads Authority (as the planning authority) can assess and comment on the general approach that the applicant is taking to landscaping to ensure it is appropriate, before the detailed design is drawn up.

The principles below provide guidance on basic design issues relevant to most sites. However, the landscaping strategy will need to be specific to each site. The principles also illustrate aspects considered by the Broads Authority's planning officers in assessing an application.

## Landscape site assessment and analysis

This is the first step in producing the landscaping strategy. The aim is to assess and fully understand the site characteristics, the landscape character and the impact the proposals will have on the landscape. Landscape assessments should include the survey and analysis of both built and natural features and elements. If trees are present on or around the site, a tree survey and arboricultural impact assessment, together with details of how existing trees will be protected, will be needed.

National guidance can be found at:

[www.gov.uk/guidance/design](http://www.gov.uk/guidance/design)

The Broads Authority Landscape Character Assessment is an important source of information for this stage of the process.

The production of the assessment and analysis will be proportionate to the scale of the development proposals. It could be included in the design and access statement (if this is required), in a habitat management plan that includes landscape features, or in a standalone document. The level of information relating to landscape assessment and proposals submitted will also be dictated by the nature and type of the application.

Larger developments likely to have a significant impact may require a Landscape and Visual Impact Assessment. This looks at how changes in the landscape could alter the nature and extent of visual effects and qualities relating to locations and proposals, and how it affects specific individuals or groups of people. Guidance on the preparation of these assessments is in the 3rd edition of the Guidelines for Landscape and Visual Impact Assessment<sup>3</sup>.

The following principles should be

considered to develop an understanding of the site and how it fits into the wider landscape to help inform the landscaping strategy. This process will also help identify features that should be retained and areas for enhancement.

### Integrating development into surroundings

All sites form part of a wider landscape. Any change has the potential to positively or negatively impact the surroundings. New developments should seek to enhance the local character and positively link to their surroundings.

Consideration and analysis of a site's context and setting will help identify the important factors beyond the site that have an influence on it. It will also help establish associated design opportunities and constraints for the site. To understand the relationship between the site and its surroundings, desktop studies of local environment and local plan context should be supported by on-site analysis of the local landscape character.

### Some questions to help you:

- a) Where is the site? What is it currently used for?

<sup>3</sup>Guidelines for Landscape and Visual Impact Assessment published by Routledge on behalf of the Landscape Institute & Institute of Environmental Management, 2013. <https://www.landscapeinstitute.org/technical/glvia3-panel/> Please note that in their response to the consultation on this guide, Natural England stated that they expect that every LVIA should clearly state: **a)** the level of sensitivity it has assigned to the protected landscape; **b)** the level of sensitivity assigned to the visual amenity of those enjoying its natural environment; **c)** the magnitude of change based on the likely effects of the proposal, and how it may change the protected landscape and its amenity (including views); and **d)** the significance that is attached in the assessment process to the effects of the proposed changes; **e)** the implications of these changes in respect of the special qualities, the natural beauty of the protected landscape and its visual amenity.

- b) How is the site accessed? Are there any routes through the site? Is there potential for appropriate routes to be provided?
- c) How does it sit within the wider landscape?
- d) What is the landscape character of the area? Highlight any locally distinctive features of the built environment and natural environment. (See the Broads Landscape Character Assessment as well as that of the neighbouring Council).
- e) How enclosed or open is the site? What is the level of screening?
- f) Where can you see the site from? What can you see from inside the site and where can you see to?
- g) What do the policies of the Broads Local Plan seek to achieve regarding the landscape and landscaping on this site and for the proposed type of development?

### **Making good use of the site and existing features**

When undertaking a site analysis, take account of characteristics and features within the site that could influence design. Existing features which provide a positive contribution to the character and function of an area should be identified, assessed and incorporated into designs where possible. These features could include wooded areas, mature

trees and hedgerows, watercourses, and other ecologically valuable features.

Developments should make efficient use of land and topography, and retain or enhance existing features of value. Developments should be designed to take advantage of the site itself and its location.

Analysis of site topography will also highlight constraints or opportunities for a development, especially in relation to the treatment of site boundaries.

### **Some questions to help you:**

- a) What are the characteristics of the site? Such as the type, location, spread of existing trees, areas of woodland, shelter belts, hedgerows, ground cover, meadows, fen, water bodies or existing surface water, geological features, vegetation to be retained, links through the site, public or civic spaces including the river system?
- b) Are there any particular natural features on and surrounding the site? What are these? Do these provide habitat or potential for flood water compensatory storage? Could they be improved?
- c) What are levels like within the site? Do they vary? How do they relate to the surrounding area?
- d) Is the site covered by any habitat designations (e.g. SSSI)? Are there

are any trees subject to a Tree Preservation Order? Is the site in a Conservation Area? Are there any listed or locally listed buildings or non-designated heritage assets on or around the site? Are there any registered parks and gardens or locally listed designed landscapes on or around the site? Is there known to be any archaeological interest on or around the site?

e) How are the boundaries of the site formed?

### Environment and Green Infrastructure<sup>4</sup>

Healthy green infrastructure provides a variety of services and benefits, including biodiversity enhancements, water and soil management, connectivity for people and wildlife, health and wellbeing, an attractive landscape and a sense of place.

Good planning can help create these benefits through landscaping designs that incorporate the principles of sustainability. Where possible, landscaped spaces will need to increase biodiversity and wildlife enhancement and provide accessible routes and networks to facilitate connections (for people walking and cycling, for plants and for animals) to surrounding areas. Developments should also aim to make

space for trees. Wherever possible, sites should link their boundaries to surrounding landscapes through green infrastructure.

Existing vegetation on sites can often provide important, established habitats. Developments should seek to retain characteristic landscape features and consider opportunities to extend similar or provide new types of habitats in key locations so that ecology is an integral part of the site proposals and wider ecological network. Consideration should be given to the selection of boundary treatments such as mixed native species hedges that have potential to improve biodiversity rather than prohibit wildlife. Sites that have boundaries with rivers or other water courses also present opportunities for habitat enhancement. For further information see our guide on Biodiversity Enhancements.

### Landscaping Strategy

If a landscaping strategy is required it needs to provide comprehensive detail of the landscaping scheme, including information about all external areas in sufficient detail to show the quality of landscaping design and address key issues about the landscape in which the scheme is set.

<sup>4</sup>You can find more information about Green Infrastructure here: [publications.naturalengland.org.uk/publication/35033](https://publications.naturalengland.org.uk/publication/35033) but a simple definition is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.



If a design and access statement is required, you could include the information within the landscaping strategy or in a standalone document.

This should include the following sections:

- a) The findings of landscape site assessment and analysis;
- b) The landscape features ( natural and built) which are likely to be affected as a result of the development;
- c) Links to take account of any arboricultural assessment;
- d) The principles of the approach to the landscaping design of the areas external to the buildings;
- e) The layout of external areas and an outline of the landscaping strategy which should include both the soft (planting) and (hard) paving/ built external elements and show at least indicatively the treatment of different areas through hatching and simple notation. This should be submitted in plan and if relevant cross sectional format;
- f) Any basic details of proposed phasing should also be included if known;
- g) Indicatively highlight any significant level changes or areas of cut and fill, for example bunding, mounds, dyke construction; and
- h) A strategy relating to the landscaping

management and maintenance.

## Part B

### Guidance of the production of detailed design proposals for Landscaping Schemes

#### Introduction

You may need to submit the detail of the landscaping proposals so the Broads Authority can discharge a landscape/ landscaping condition on a planning application that has received approval. To be able to discharge conditions, the precise detail of the landscaping scheme is needed. This must include planting details, types of trees, boundary treatments, hard surfacing and external construction materials.

Examples of information that could be included or may be required are set out below. The types of information about the detailed landscape design proposals should be proportionate to the size and nature of the development.

#### Detailed Landscaping Proposals

The Broads Authority may require the following information depending on the scheme proposal and local characteristics.

If trees are present on or around the site you will need a tree survey and arboricultural impact assessment, together with details of how existing trees will be protected.

For planting proposals, we need to know which areas of the site will be planted and with what. You will need to think about how the ground will be prepared for planting and how it will be maintained in the longer term to ensure a successful scheme. You should also think about when the planting will take place relative to the progress of any building works. The level of information required will be proportionate to the scale of the landscaping scheme and development, but may include the following.

#### **For soft landscaping:**

- a) Detailed planting plans showing the location, species and numbers of proposed new trees, hedging, shrubs and other planting on the site;
- b) Planting schedules, noting the species planting sizes (at time of planting) and proposed numbers/densities where appropriate;
- c) Written specifications (including cultivation and other operations associated with plant and grass establishment) (see specification section below); and
- d) An implementation programme clearly indicating a timescale for the completion of all landscaping works

#### **For hard landscaping:**

- a) Detailed plans showing existing and proposed levels, contours and profiles and cross sections through changes in level (including water edge);
- b) Existing or proposed services, land drainage (including SUDS) and boundary treatments.
- c) Types of materials for surfaced areas, including manufacturer, product type and colour, layout (hard surfacing bond where applicable), build up;
- d) Drainage details for hard surfaced areas<sup>5</sup>;
- e) Information on any root protection measures proposed;
- f) Proposed and existing functional services above and below ground (e.g. power and communication cables, pipelines, indicating manholes, supports etc.);
- g) Details about new boundary treatments at the site, including the material and colour finish of any walls, fences or railings;
- h) Details of car parking layouts and cycle parking provision;
- i) Details of any furniture, play equipment, refuse or other storage units, signs etc; and

<sup>5</sup> National Policy seeks to ensure that surface water run-off is discharged as high up the following hierarchy (as set out in the NPPG) as possible: into the ground (infiltration); to a surface water body; to a surface water sewer, highway drain, or another drainage system; to a combined sewer.



- j) Details of existing and proposed external lighting including supply runs<sup>6</sup>.

Importantly, the impact of requirements for safe visibility splays for access into and out of the site needs to be considered. For example, do trees or hedges need to be removed on site or off site to aid visibility and what effect on landscape and landscaping mitigation does this have?

### B3 Specifications/details

Specifications/details are essential to ensure the appropriateness, quality and success of a scheme. Written specifications can be incorporated into a drawing where information is concise and brief; where there is more extensive information this could be a stand-alone document, or could be combined with the Landscaping Management Plan.

**Specifications should include the following information as applicable to the scheme:**

- Ground/soil preparation
- Quality of topsoil
- Methods of planting
- Weed control/mulching
- Quality of plant stock

- Grass seeding/turf
- Protection of existing trees, shrubs and hedges
- Remedial work to existing trees, shrubs and hedges
- Basic information on maintenance of the scheme
- Defects liability period
- Relevant British Standards

### B4 Landscaping Management Plan

Maintenance and management for both hard (surfacing and built external features) and soft (planting) landscaped areas are necessary to maintain attractive and successful landscape settings, and this needs to be an integral part of the landscaping scheme/strategy. Consideration should be given at a design stage to who will take over the landscaping management responsibility for the site.

An initial defects liability period<sup>7</sup> and short term maintenance plan<sup>8</sup> will be required on all developments to ensure the establishment of planting. This should be referenced on the Detailed Landscaping Proposals plan. For more comprehensive schemes where a written document forms the Landscaping

<sup>6</sup> Please note that there are areas of very dark skies in the Broads and the New Local Plan will seek to address light pollution. You can go here for more information: [http://www.broads-authority.gov.uk/\\_\\_data/assets/pdf\\_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf](http://www.broads-authority.gov.uk/__data/assets/pdf_file/0007/757402/Broads-Authority-Dark-Skies-Study-March-20161.pdf) <sup>7</sup>an initial 12 months defects period to be applied to all landscape elements of developments – so if any feature fails, they will be replaced promptly by the developer. <sup>8</sup>a 5 year management plan <sup>190</sup>ensure the establishment of schemes

Management Plan, this should include the following information as applicable:

a) General details

- i) Statement of overall design vision to explain the long-term vision of the developed landscape
- ii) Identification of sub-areas specific to the characteristics/ properties of each area
- iii) Highlight any specific or specialised areas/habitats
- iv) Suggested actions required in the maintenance/management of the areas identified (see list below)
- v) Frequency and timing of maintenance actions
- vi) Monitoring – a timed/programmed method for reviewing the quality/ success of planned operations
- vii) Plan review process to include a way in which the community can be involved

b) Specific maintenance/management actions

- i) Planting establishment period (should cover native and ornamental shrubs, hedges and mass planting, grass, trees), what operations should be carried out within that time and how often, replacement of failures and the length of the liability period.

- ii) Maintenance of hard landscaped areas (could include-cleaning, repainting, relaying, sweeping, re-levelling, litter removal, removal of temporary items)
- iii) Special design features (water features, public art, lighting, play facilities, specialist equipment)

Contact us:

For more information and advice please contact the Broads Authority on 01603 610734 or visit our website [www.broads-authority.gov.uk/contact-us](http://www.broads-authority.gov.uk/contact-us)

**Feedback from Member Annual Reviews**  
Report by Chair

**Summary:** This report considers the feedback from the Annual Member Reviews.

**Recommendations:**

Members are invited to discuss the summary of the feedback from the member reviews;

and it is proposed that:

1. a more limited number of workshops/site visits a year be agreed, to include the annual site visit; two strategy development/training type events, the site visit for the Navigation Committee. (Note: Two specific training sessions for Members of the Planning Committee are held per annum in addition to the Design Tour);
  2. days are set aside for these informal events/workshops at the same time as the annual calendar of formal meetings is agreed;
  3. informal reference groups drawn from Members with appropriate expertise are used to work with Officers on short term projects related to the Authority's Strategic Priorities;
  4. the induction process for new Members be reviewed and any weaknesses addressed;
  5. to enable local authority Members to play a greater role in formulating strategy and policy, substantive presentations on each of the Authority's strategic priorities for 2017-18 be embedded in the agendas of the Broads Authority meetings at a rate of one per meeting;
- and to note that:
6. Officers are preparing a training session for Members of the Planning Committee on appeals for October (which will be open for other Members to attend if they wish).

**1. Introduction**

- 1.1 The Authority is required to carry out an annual appraisal of each Member appointed by the Secretary of State, which is sent to Defra in May. There is no equivalent process in place for councillors appointed by the constituent local authorities. However, for a number of years, all Members of the Authority have been encouraged to take part in a focused one-to-one discussion with either the Chairman or Vice-Chairman of the Authority, or with the Chairman of the Navigation Committee. In January 2016, the Authority decided to include co-opted Members of the Navigation Committee in the annual review.

The aims of the annual review process are:

- a) To encourage critical reflection by each Member on their personal performance as a Member of the Authority or its Navigation Committee in relation to the performance of the Authority and its Committees and forums over the last 12 months.
- b) To develop plans/actions to strengthen the contribution each Member will make to the achievement of their personal goals and the collective goals of the Authority over the next 12 months.
- c) To provide information/evidence to allow a useful summary of Member performance for the ten Secretary of State Members to be sent to DEFRA.

1.2 The questionnaire used for the 2015-16 review was further refined (see Appendix 1) and then emailed to all 21 Members of the Broads Authority and seven then current co-opted Members appointed to the Navigation Committee. Interviews were offered with the Chairman, Vice-Chairman or Acting Chairman of the Navigation Committee and these were held in February-March 2017.

1.3 In total 96% of Members and co-opted Members (hereafter 'Members') took part. Questionnaires were returned promptly and discussions, lasting between 45-90 minutes were frank and informative. Written feedback on each interview was provided by the interviewer and agreed with each Member before sign-off. The analysis and recommendations contained in this report are based entirely on material gathered through this year's reviews and I am grateful for the commitment shown by everyone to ensure the process was worthwhile.

## **2. Attendance at Meetings and Workshops**

2.1 Section A of the form summarises recorded information on each individual's membership of Committees, representation on external bodies and attendance at workshops and training events. One Member of the Authority has been away on extended sick leave and so information has been collated for 25 of the 26 Members and Co-opted Members of the Authority.

2.2 The programme of meetings in 2016-17 included formal Committees, informal training events/site visits and strategic policy workshops.

2.3 Attendance at formal Committee meetings of the Authority has been high, exceeding the DEFRA target for Members to attend a minimum of 75% of meetings and for 75% of the Committee to be present at each meeting. As the figures in Table 1 show, Members are achieving a nearly 90% turnout in every case which is a very positive sign of the seriousness and commitment with which all Members are taking their responsibilities.

**Table 1 Attendance at Meetings (from the AGM 2016 to end of March 2017)**

<b>Formal Committee</b>	<b>Meetings per year</b>	<b>Size of committee</b>	<b>% attendance</b>	<b>Assessment of effectiveness</b> <i>(Scored from 1=not effective to 5+ completely effective) - mean score</i>
Broads Authority	5	21	86%	3.7
Planning Committee	11	9	88%	3.8
Navigation Committee	4	13	89%	3.7
Financial Scrutiny Audit Committee	2	5	87%	[not asked]

- 2.4 A decision was taken following the 2015 Members Annual Review report (13 May 2016, item 16) to increase the number of informal workshops and site visits. Members had commented on the value of such events as opportunities for individuals to become more fully engaged in the work of the Authority through customised training, to be able to contribute to strategic policy development at an earlier stage, to deepen Members knowledge and understanding of the Broads ecology, landscape and communities, area, and to strengthen working relationships between Members, and between Members and Officers.
- 2.5 The programme of informal events run in 2016-17 is shown in Table 2 below.
- 2.6 Comparing tables 1 and 2, two points stand out. Firstly, there are wider variations in attendance/participation in the informal events. Training linked specifically to the work of individual committees was well attended: for example, all Members of Planning Committee attended training on the legal framework and the provisions of the new Housing and Planning Act 2016; 75% of FSAC attended CIPFA audit/governance training.
- 2.7 Secondly, numbers attending other events fluctuated quite widely ranging from a disappointing 44% attendance at the second tolls workshop to 64% for the Navigation Committee site visit to Hickling Broad, training on the requirements of the Authority's new Code of Conduct, and the major event for stakeholders, hosted by the Broads Forum, to receive and discuss the findings of a strategic research report on the medium and long-term implications of climate change and flood risk management.

**Table 2 Attendance at informal events**

<b>Training Events</b>	<b>Date</b>	<b>All members /specific committee attendance</b>	<b>% attendance</b>	<b>% Categories of members attending event</b>	<b>Assessment of effectiveness</b> <i>(Scored from 1=not effective to 5+ completely effective) - mean score</i>
Hickling visit	02.06.16	NC [n=13]	62%	SoS= 60% Co-opt = 62%	4.7
BA Members Annual Site Visit to How Hill	21.07.16	All [n=25]	56%	SoS+ = 72% Cllrs = 44% Coopt = 25%	4.8
Planning Legal Framework H&P Act	14.10.16	PC [n=9]	100%	SoS= 100% Cllrs = 100%	4.4
CIPFA Training for FSAC (external provider)	02.11.16	FSAC [n=4]	75%	n/applicable	3.0
Code of Conduct and Safety Management Code	20.01.17	All [n=25]	64%	SoS + = 72% Cllrs = 67% Co-opt = 25%	4.0
<b>Strategic /policy events</b>					
Tolls workshop	21.04.16	All [n=25]	52%	SoS+=64% Cllrs = 33% Co-op= 38%	3.5*
Tolls workshop	13.06.16	All [n=25]	44%	SoS+= 64% Cllrs = 0% Co-opt=50%	3.8
High Level Flood Management	03.11.16	All [n=25]	64%	SoS+=64% Cllrs= 56% Co-opt= 50%	4.2
Budget and business plan development priorities	08.12.16	BA Members [n=20]	50%	SoS+=64% Cllrs= 33%	3.9

- 2.8 A break-down of the categories of Members attending informal events in 2016-17 shows a consistent attendance of between 60-74% of Members appointed by the Secretary of State or by the Navigation Committee. As Table 2, col 4 shows, there was more variability in the levels of attendance by appointed councillors, ranging to none at the second tolls workshop held on 13 June 2016 to approximately one third

of councillors at the workshop which agreed the strategic priorities for the Budget and Business Plan Development, and the first Tolls Workshop.

- 2.9 It is apparent from the last column of Tables 1 and 2 that average scores for the perceived effectiveness of formal committees, workshops and informal events are higher for the latter. Comments from the 1:1 interviews highlight the benefits individuals perceive from having opportunities to use their expertise in informal settings where debate and discussion is less constrained than it can be in a formal committee; where Members can see the work being carried out by staff on the ground; and where it is possible to strengthen working relationships between Members, and between Members and Officers.

### **3. High points for individual Members and for the Authority.**

- 3.1 Members referred to many different events and activities which they regarded as high points, illustrating the volume and diversity of work completed by Authority staff during the year. Some were events where an individual felt they had made a real difference in helping the Officers make progress in resolving contentious local issues such as maintenance of the Wherryman's Way along the River Chet, responsibilities for the removal of waste from boats, and the future provision of moorings at Thurne Mouth. The reinvigoration of Broads Tourism was regarded as a high point in the year with expectations that this area of the Authority's activities will continue to grow strongly in 2017-18. Other notable events for individual Members included opportunities to represent the Broads Authority at public events such as the public consultations for the Broads Plan, the EDP Tourism Awards ceremony, and meeting the Authority's volunteers.
- 3.2 Several complimentary comments were made about the quality of work being done by the Planning Committee and the Authority's planning Officers, including the Heritage Asset Review Group's monitoring of 'buildings at risk', and the excellent work which has gone into the preparation of *Water, Mills and Marshes* Stage 2 bid to the Heritage Lottery Fund.
- 3.3 Ranked by the number of Members who referred to the event, the top high points of 2016-17:
1. **Tolls Review Group and implementation of new navigation charging structure.** (10 Members).
  2. **Branding the Broads Executive area as the Broads National Park / successful conclusion from the Judicial Review.** (6 Members).
  3. **Hickling Broad Partnership Project and Navigation Committee site visit to Hickling** (6 Members).
  4. **Annual Site visit – to How Hill, River Ant and Barton Broad.** (5 Members).
  5. **Hosting the Broads Village at the Norfolk Show.** (3 Members).
- 3.4 Other events mentioned included:
- **Environment and landscape:** The Broads Landscape Partnership (3). High Level Flood Risk Management Evening (3); strategy for Wherryman's Way/River Chet (2).



- **Planning:** new Broads Plan; meetings of HARG; Reduction in the number of buildings at risk; Good progress in scanning mills; well chaired meetings with very thorough reports.
- **Navigation;** moving to resolution of boat waste issues; hope to resolve Thurne Mouth moorings issue; good well- resourced and well-chaired Navigation Committee meetings (3 Members)
- **Governance:** excellent standard of reports; Broads Authority meetings; GNDP and Duty to Cooperate meetings; Annual Financial Statement on time; good interactions with staff; welcome decision to record meetings.
- **Community /volunteering:** attending Volunteer Celebration Day; helping Broads Charitable Trust to grow; launch of the *Access for All* video.
- **External/National Park activities:** attending International Canals Conference; RSPB Wallasea Island site visit; attending NPUK AGM Dinner and meeting Members/CEOs from National Park Authorities across the UK; success of National Park Partnerships; receiving EDP Tourism Award on behalf of Authority.

#### 4 Low points for individual Members and for the Authority.

- 4.1 During 2016-17 some of the difficult issues raised in last year's Annual Review have been resolved. A successful outcome to the Judicial Review was achieved in November 2016; difficulties with Jenner's Basin dragged on throughout the year but with significantly less public and social media comment to a final resolution in April 2017; and the appointment of the new Solicitor and Monitoring Officer in 2016 has led to the drawing up and acceptance of a new Code of Conduct for Members which was also the subject of one of the 2 best attended training sessions during the year.
- 4.2 However, concerns have been expressed in more than two-thirds of written responses and in all the 1:1 interviews that working relationships between Members, between certain Members and the Officers, and between the Authority and some of the constituent local authorities, have deteriorated over the last year. Members will be familiar with these matters and it is not proposed to go into any more detail here other than to inform Members that the Annual Individual Performance Reviews for senior staff have also identified similar issues: Member issues have also caused stress to staff and wasted resources.
- 4.3 The Authority has responded by agreeing unanimously at its March 2017 meeting to commission an independent peer review of governance to be conducted, with LGA support in October 2017. Views about governance will be dealt with in section 6 below.
- 4.4 Other low points were linked to navigation issues. Four individuals were critical of aspects of the Tolls Review process: there was concern that stakeholders were not brought into the process early enough, that the expert knowledge of individual Members could have been used more effectively, and that the outcome in relation to passenger boat tolls should have been considered more critically by Navigation Committee before recommending approval.
- 4.5 The length of time taken by the Authority and its partner local authorities to find a workable solution to the problem of collection/disposal of waste from boats was

raised by three individuals, as was difficulty of supplying more mooring berths, especially in the heavily used areas of the Northern Broads.

## 5. The year ahead, 2017-18.

5.1 The Authority's Strategic Priorities for 2017-18 as agreed at the Authority meeting (27.01.17, item 10) are as follows:

- **Integrated flood risk management**, securing support for medium-long term strategies.
- **Catchment management**, with particular reference to farmers and developing new agri-environment arrangements.
- **Broads Landscape Partnership Scheme**, HLF second stage to be submitted in May 2017.
- **Hickling Broad Enhancement Project**, with decision on Interreg (CANAPE) project expected June 2017.
- **External Funding**, develop a medium-term strategy for external funding and commercial activities.
- **Marketing, promotion and media relations**, to raise profile, awareness and reputation of the Broads Authority.
- **Peer Review** was added at the March meeting.

5.2 Members were invited to contribute to the forward planning of the Authority's work by offering specific skills and interests which they felt could be made better use of by the Authority; and what additional training/events would they like to help improve their knowledge and understanding of any aspect of the strategic priorities.

5.3 There were offers of support for Officers from individual Members in areas such as catchment management, dredging technology, agri-environment schemes, marketing and promotion, and a number of the councillors and co-opted Members of Navigation Committee commented on their willingness to work to improve communication between their local communities and the Authority. These are welcomed by Officers and will be taken forward.

5.4 In terms of training and Member development, one theme to emerge from the 1:1 interviews was the patchy and somewhat ad hoc nature of the Authority's current induction processes for new Members. It was felt that the role and responsibilities of the Authority and its Members in looking after the Broads National Park could be better explained, particularly in relation to the similarities and differences between the Authority as a member of the National Park family and the local authorities. Some Members would welcome more information and knowledge about the work of the other National Parks in the UK; others would like to see more discussion about how the work of the Authority meshes with the plans and programmes of the local authorities (as picked up in the governance section below).

5.5 In terms of specific training, three people would like to have additional training on the Authority's finance and accounting procedures, and Members of the Planning Committee would like a training session to focus on and review the appeals

process, particularly as it relates to the Broads Authority's national park purposes.

- 5.6 Individual Members would also welcome opportunities to learn more as the strategic priorities and partnerships develop this year. Some would like to strengthen this by having a theme/invited presentation (which may be an external speaker) given at a regular slot in the Authority's formal agenda addressing each of the 6 strategic themes as they develop over 2017-18. Given the near 90% attendance at Authority meetings, this would be an excellent mechanism for sharing knowledge across the whole Authority.
- 5.7 There is widespread support for continuation of the Annual Site visit, and Navigation Committee Members appreciated the replacement of one of its committee meetings with the site visit to Hickling.

## **6. Governance Arrangements**

- 6.1 During February-March 2017, while the annual reviews were being carried out, the FSAC gave consideration to a proposal that it recommend to the Authority that a peer review of the governance of the Authority be undertaken. The paper was taken to the Authority meeting in March and passed unanimously.
- 6.2 Section C2 of the questionnaire asked the following question. At the Authority meeting on 27<sup>th</sup> January, the majority of Members voted for the following motion: *We ask that the Finance Scrutiny and Audit Committee considers the need, scope and terms of reference for a peer review involving the National Park Authorities and independent experts into the governance arrangements of the Broads Authority and how they can be modernised.* What are your views about the current governance arrangements of the Broads Authority?
- 6.3 Views expressed in Section C2 of the questionnaire were explored further in the 1:1 interviews. With approval of Members, these views will be shared with the Peer Review team in October. In summary, there was widespread support for a peer review process to examine the current governance arrangements of the Authority, although some Members questioned the necessity for a major review. There was concern it would deflect Officers from important areas of business, and would require resources that would be better expended in progressing the Authority's work programme. Others commented they felt there was insufficient evidence of need to justify a peer review, and that any tensions between different categories of Members could be resolved through negotiation.
- 6.4 Several strands of argument were used to justify the expenditure of resources on commissioning the Review. A small number of Members commented that restructuring, following the 40% cut to the National Park Grant in 2012, had reduced the number of staff employed by the Authority but that the governance structure of the Authority itself remained unchanged. This was felt to merit scrutiny by the Peer Review team. The views of the majority of Members supporting the Peer Review reflected concerns that an unhelpful schism seemed to be emerging between the Authority's Secretary of State Members appointed by the DEFRA Minister and local councilors appointed to the Broads Authority by the Leaders of their District or County Council. There are differences between the ways in which the two categories of Members are chosen; the terms of service on the Authority are different; and there are differences between individuals' understanding of their role

and responsibilities as a Broads Authority Member. There was also a view that the existing relationships between the Authority (a non-political public authority) and the eight constituent local authorities where the majority political party in overall control is responsible for appointing councillors to the Authority should be addressed as part of the peer review.

- 6.5 As with all the authorities in the National Park family in England, the terms of appointment for appointed councillors and Secretary of State Members are different. Appointed councillors, subject to the four year electoral cycle, are appointed/re-appointed to the Authority on an annual basis without a time limit for service. Secretary of State Members are appointed by national government for a maximum of two four year terms, subject to satisfactory annual performance reviews. All Members of the Authority are volunteers, balancing BA demands with their other professional/personal responsibilities.
- 6.6 Concern was expressed that some councillors were perhaps not as fully involved in developing the Authority's strategy as they should be, having insufficient input into the papers which come to the full Authority and that 'Member-only' meetings would help forge a stronger bond between the different categories of Authority Members. The counter argument put was that this important work is done in the informal seminars, workshops and site visits such that formal papers to the full Authority represent the final stage of determination of strategy and policy; and that Member cohesion is built through participation in these events.
- 6.7 It became clear from the 1:1 interviews that councillors' flexibility to attend Authority training and informal workshops is strongly constrained by their council responsibilities and ward/parish business. Making space in diaries for informal Authority events is even more challenging for those individuals who also hold seats on either Norfolk or Suffolk County Council. When shown the summary attendance figures, councillors commented that the Authority's committees' dates are set for the year ahead and can therefore be planned into their annual schedules. This goes some way to explaining the consistently high levels of attendance at formal meetings and the much more variable attendance at other kinds of events. There was a clear view that greater participation might be encouraged if the need for additional events was fully justified and that **all** the dates required for Authority activities could be scheduled annually in advance. Some councillors expressed a strong interest in becoming more closely involved in the strategic work of the Authority – the challenge is to find an appropriate mechanism to enable this to happen.
- 6.8 Secretary of State Members took a different view, praising the range and quality of the informal workshops/seminars and site visits. The appointment of Secretary of State Members is determined by a nationally-run, competitive application process; individuals are appointed on the basis of the expertise they can bring to the Broads Authority, and their knowledge and commitment to the UK's Protected Landscapes. Expectations are therefore high among the Secretary of State Members that they will be able to contribute effectively to the development of strategic programmes and policies, and this is a major motivation in attending workshops and informal training events. The work of the Tolls Review Group over 2015-16 bears out this point. The group met 10 times over 9 months, committing more than 260 hours per person to the process of offering the Authority a simpler and fairer system which was accepted and implemented in 2017.

- 6.9 The challenge now is to find other ways by which to harness the expertise and enthusiasm of all Members, if they are able to commit to additional work. In the 1:1 interviews, Members identified topics including governance, conservation activities, external funding, communications and promotion of the Broads National Park, and moorings where they felt they could contribute usefully to the development of policy. But there was little support for anything on the scale of TRG. Rather Members supported the idea of setting up more informal, small working groups of perhaps 3 or 4 Members, as required, who work closely with Officers and stakeholders on specific issues would be preferable.

## **7. Conclusions**

- 7.1 The specific recommendations from this year's annual review are as follows:

1. a more limited number of workshops/site visits a year be agreed, to include the annual site visit; two strategy development/training type events, the site visit for the Navigation Committee. (Note: Two specific training sessions for Members of the Planning Committee are held per annum in addition to the Design Tour);
2. days are set aside for these informal events/workshops at the same time as the annual calendar of formal meetings is agreed;
3. informal reference groups drawn from Members with appropriate expertise are used to work with Officers on short term projects related to the Authority's Strategic Priorities;
4. the induction process for new Members be reviewed and any weaknesses addressed;
5. to enable local authority Members to play a greater role in formulating strategy and policy, substantive presentations on each of the Authority's strategic priorities for 2017-18 be embedded in the agendas of the Broads Authority meetings at a rate of one per meeting.

- 7.2 Other matters will be raised as the Authority prepares for the Peer Review which will take place in October 2017 (see item 18 on this agenda). I would like to thank everyone who took part in the annual review this year. It was a time-consuming process for us all but I am optimistic that the outcomes will both support the Peer Review process and help strengthen our governance as we move into the first year of implementation of the new Broads Plan.

Background paper: None

Author: Jacquie Burgess  
Date of report: 29 June 2017

Broads Plan Objectives: None

Appendices: Appendix 1 Copy of Review Questionnaire

## In Confidence

### Broads Authority: Member Annual Review for April 2016 - March 2017

The Authority is required to send an annual appraisal of the performance of those Members appointed to the Authority by the Secretary of State to Defra. In recent years the local authority appointees have also taken part in the annual review process and their participation is encouraged. In 2016, the Authority agreed to extend the Annual Review to include the co-opted Members of Navigation Committee.

#### Purposes of the Annual Review

1. To encourage critical reflection by each member on their personal performance as a member of the Authority or its Navigation Committee in relation to the performance of the Authority and its committees and forums over the last 12 months.
2. To develop plans/actions to strengthen the contribution each member will make to the achievement of their personal goals and the collective goals of the Authority over the next 12 months.
3. To provide information/evidence to allow a useful summary of member performance for the ten Secretary of State members to be sent to DEFRA.

#### Arrangements for the 2017 Members' Annual Review

All full and co-opted Members are invited to review the personal information recorded in Section A for accuracy. All members and co-opted members should complete Sections B and C. Secretary of State members should also complete Section D which forms part of their annual report to DEFRA.

Jacquie Burgess, Peter Dixon and Nicky Talbot will be available for 1:1 interviews during the second half of February and early March. Meetings will be held in Yare House. Please use the doodle poll to book an appointment.

Please complete this form and send it to your reviewer a few days in advance of your meeting. *It will help the reviewers considerably if you complete the form electronically rather than by hand.*

After the meeting, the reviewer will draft an account of your discussion and return it to you for comment and agreement. Answers to question C2 will be summarized to support any review that follows the FSAC consideration of the motion passed at the January Broads Authority meeting.

The Chair of the Authority will prepare a paper for the May meeting of the Broads Authority which will draw together the key points and recommendations from the reviews. Individual forms will be retained with other confidential information for a period of five years.

## Section A. Personal Information

<b>Name</b>						<b>Member Tolls Review Group</b>					
<b>Appointing Body</b>											
<b>Date Joined</b>											
<b>Date Current Appointment Expires</b>											
<b>Committee Membership</b>		<b>BA</b>		<b>FSAC</b>		<b>PC</b>		<b>NC</b>		<b>BLAF</b>	
<b>Additional responsibilities</b>		Chairman/ Vice-Chairman		Chairman/ Vice-Chairman		Chairman/ Vice-Chairman		Chairman/ Vice-Chairman		Member	
<b>Attendance</b>											
<b>Representation on external bodies</b>		<b>BT</b>	<b>CNP</b>	<b>HHT</b>	<b>NPUK</b>	<b>NPP</b>	<b>NSBCT</b>	<b>NWT</b>	<b>UTWG</b>	<b>WCT</b>	<b>CCAP</b>
<b>Workshops /training events / site visits</b>	<b>Tolls Workshop 21/04/16 ALL Mbrs</b>	<b>Hickling Visit for NC members 02/06/16</b>	<b>Tolls Workshop with Stakeholders 13/06/16 ALL Mbrs</b>	<b>BA Mbrs Annual SV 21/07/16 ALL Mbrs</b>	<b>Planning legal Framework H&amp;P Act 14/10/16 PC Mbs only</b>	<b>CIPFA training for FSAC Members only 02/11/16</b>	<b>High Level Flood Management 3/11/16 ALL Mrs</b>	<b>Budget and Business Plan Devel Priorities 8/12/16 BA Mbrs</b>	<b>Code of Conduct and Safety Management Code 20/01/2017 ALL Mbs</b>		
<b>Attendance</b>											



## Section B. Review of the last year (2016-17)

1. What have been the high points (events, activities, etc.) for ***you personally***, and for ***the Authority***, over the last year? Please explain why you have chosen these examples.

2. Similarly, what have been the low points for ***you personally***, and for ***the Authority***, over the last year? Please explain why you have chosen these examples.

3. Thinking about the Broads Authority's committees, forums, working groups and other events **in which you participated**, how effectively did they complete their business?

	Place ' x' in the appropriate column				
01.04.16 – 31.03.17	Not effective 1	2	3	4	Completely effective 5
Authority Meetings					
Planning Committee					
Planning Committee Site Visits					
Navigation Committee					
Broads Local Access Forum					
Tolls Workshop (21.04.16)					
Hickling Visit for Nav Com (02.06.16)					
Tolls Workshop with Stakeholders (13.06.16)					
BA Members Annual Site Visit to How Hill (21.07.16)					
Planning Legal Framework H&P Act (14.10.16)					

CIPFA Training for FSAC (02.11.16)					
High Level Flood Management (03.11.16)					
Budget and Business Plan Development Priorities (08.12.16)					
Code of Conduct and Safety Management Code (20.01.17)					

4. What reasons underpin your assessments in Question 3?

## Section C. The year ahead 2017-2018

1. The Authority's Strategic Priorities for 2017-18 as agreed at the BA meeting (27.01.17, item 10) are as follows:
  - **Integrated flood risk management**, securing support for medium-long term strategies
  - **Catchment management**, with particular reference to farmers and developing new agri-environment arrangements
  - **Broads Landscape Partnership Scheme**, HLF second stage to be submitted in May 2017
  - **Hickling Broad Enhancement Project**, with decision on Interreg (CANAPE) project expected June 2017
  - **External Funding**, develop a medium-term strategy for external funding and commercial activities
  - **Marketing, promotion and media relations**, to raise profile, awareness and reputation of the Broads Authority

In the context of these strategic priorities,

1.2. Do you have interests and/or skills which you would like the Authority to make better use of in 2017-18?

1.3 What would you like the officers to do to help increase your knowledge, understanding and engagement with these 6 Strategic Priorities? Options could include targeted training sessions; member-officer workshops; site visits; invited

speakers. Please **be specific** as this will assist with planning the Member Development programme.

## 2. Governance Arrangements

At the BA meeting on 27<sup>th</sup> January, the majority of members voted for the following motion: *We ask that the Finance Scrutiny and Audit Committee considers the need, scope and terms of reference for a peer review involving the National Park Authorities and independent experts into the governance arrangements of the Broads Authority and how they can be modernised.*

What are your views about the current governance arrangements of the Broads Authority? Please **be specific** as this will help any review that follows the FSAC consideration of the motion passed at the January Broads Authority meeting.

## Section D. For completion by Secretary of State Members.

<p><b>Secretary of State Member's Objectives:</b></p> <ol style="list-style-type: none"> <li>1. Meeting the Authority's three statutory purposes.</li> <li>2. Meeting the priorities and objectives set within the Broads Plan</li> <li>3. Effective contributions within committees and other working groups of the Authority</li> <li>4. Making informed and balanced decisions</li> <li>5. Showing initiative, developing policy direction and strategic thinking</li> <li>6. Effective representation on Outside Bodies and engagement with other key stakeholders</li> <li>7. Effective communication with other members and staff.</li> </ol> <p>In meeting these Objectives, Members should:</p> <ol style="list-style-type: none"> <li>1. Constructively challenge and contribute to the development of strategy and objectives.</li> <li>2. Scrutinise the performance of management in meeting agreed objectives and monitor the reporting of performance.</li> <li>3. Satisfy themselves that financial information is accurate and that financial controls and systems of risk management are robust and defensible</li> </ol> <p>In this section please provide a self-appraisal (maximum aggregates of 500 words) on how you have contributed towards meeting these objectives.</p>	
<p><b>1. Meeting the Authority's three statutory purposes</b></p>	
<p><b>2. Meeting the priorities and objectives set within the Broads Plan</b></p>	
<p><b>3. Effective contributions within committees and other working groups of the Authority</b></p>	
<p><b>4. Making informed and balanced decisions</b></p>	
<p><b>5. Showing initiative, developing policy direction and strategic thinking</b></p>	
<p><b>6. Effective representation on Outside Bodies and engagement with other key stakeholders</b></p>	
<p><b>7. Effective communication with other members and staff</b></p>	

**Section D. Comments by the Reviewer**

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**Section E. Issues to be raised with Chief Executive /Other actions to be taken**

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Date of Review Meeting: .....

Member's Signature: .....

Reviewer's Signature: .....  
Chairman/ Vice-Chairman / Chairman Navigation Committee

**Report on Standards Complaints**  
Report by Solicitor and Monitoring Officer

<b>Summary:</b>	This report outlines the complaints dealt with during the past two years under the Members' Code of Conduct. The number of complaints by the public about the conduct of Members remains very small at two. There has been a large number of complaints by members against each other. All complaints which have been completed have been dismissed.
<b>Recommendation:</b>	That the Broads Authority notes the report and considers what action, if any, needs to be taken about the number of complaints by Members.

## **1 Background**

- 1.1 The Code of Conduct for Members and Complaints Procedure ("the Code"), most recently adopted by the Authority in September 2016, sets out the conduct which is expected of members and co-opted members ("Members") of the Broads Authority ("the Authority") when they are acting in that capacity, as required by section 27 of the Localism Act 2011.
- 1.2 The Nolan Report sets out the seven Principles of Public Life, which are incorporated into the Code as required by section 28 Localism Act 2011. The Authority also has a statutory duty under section 27 of the Act to promote and maintain high standards of ethics and conduct by its Members.
- 1.3 The Localism Act provides that, where there are complaints of misconduct, the Authority must have in place arrangements under which allegations can be investigated and arrangements under which decisions on allegations can be made. The Authority's procedure, set out applies to complaints made against a Member by another Member, or by officers or any other person.

## **2 Code of Conduct Complaints**

- 2.1 At the last meeting Members considered a report on formal complaints by the public about the services provided. There were just ten in the last year. This report deals with complaints about the conduct of Members under the Members' Code of Conduct. References to Members in this report include co-opted members of the Navigation Committee, who are also subject to the Members' Code of Conduct. Due to the confidential nature of the process, it is not appropriate to set out the details of these complaints.

- 2.2 The Broads Authority has historically had very few complaints about the conduct of its Members and from the records it has been possible to find only one Code of Conduct Complaint in the years since 1989. In December 2015 the Authority received a single complaint from a member of the public which was investigated by Victoria McNeil, the Authority's then Monitoring Officer, and dismissed. There has been only one complaint by a member of the public since and that has also been dismissed.
- 2.3 Things changed significantly from the beginning of 2016, since when there have been 15 complaints by Members against the conduct of other Members. Of these, 11 complaints were dealt with by the previous Monitoring Officer, Victoria McNeill. Since the new Code of Conduct adopted in September 2016 there have been 2 complaints made by Members and 1 by an Officer.
- 2.4 In terms of analysis of the numbers in the previous paragraph, the Member complaints have been made by 5 different Members. One has made 8 complaints, one 3, one 2 and three Members have made one each. One has been made by an Officer and two by members of the public. However, some of the complaints have been against more than one Member, but arising out of the same issue, so the actual number of complaint subjects could be regarded as smaller. All the complaints to date that have been through the Authority's due process, including reference to one of the two Independent Persons, under the new code, have been dismissed.
- 2.5 Underlying the statistics are a range of complaint subjects and it is difficult to single out one sole matter as a cause of a large proportion of the complaints. Undoubtedly the use of social media has been a significant background element in at least 7 of the complaints. There have been at least 7 different subjects of the complaints made and 2 additional complaints covered a number of subjects.
- 2.6 The new Social Media Policy which is elsewhere on the agenda should reduce the number of complaints in the future.
- 2.7 The use of the Independent Persons to scrutinise matters such as whether complaints are dismissed, investigated or referred to the local resolution process provides a valuable transparency to the process.
- 2.8 Recording of meetings, which is continuing, should considerably reduce complaints about what is said by Members and when those complaints do arise, that there is evidence immediately available which will assist in a speedy resolution.
- 2.9 The new Members' Code of Conduct adopted in September 2016 contains provisions for the assessment of complaints, including local resolution and for the dismissal of complaints which are vexatious, such as tit-for-tat complaints in consultation with one of the Authority's Independent Persons.

### **3 Financial Implications**

- 3.1 The Code of Conduct complaints have taken up a significant proportion of my time since I was appointed in May 2016. It has also demanded the attention of senior Officers. On top of that an independent lawyer has been used to carry out an investigation into a complaint at a cost of £1,500. He has been asked to consider a further case and his report is awaited.



#### **4. Conclusion and Recommendation**

- 4.1 The Authority's Code of Conduct makes it clear that high standards of behaviour are expected from all Members. As an organisation we have now put in place procedures and policies that build on best practice and all Members have received training on the new Code of Conduct. It is pleasing that the number of complaints by members of the public regarding the conduct of Members has been so small and all of those made have been dismissed.
- 4.2 However, the number of complaints by Members on the conduct of other Members is surprising especially when Members have been given training and there have not been any findings of breach of the Code of Conduct against Members to date.
- 4.3 These complaints are taking valuable time and resources and Members may wish to consider how this is avoided in the future.

Author: David Harris

Date of report: 26th June 2017

Appendices: none

Background documents: Members' Code of Conduct

**Committee Membership and Member Appointments**  
Report by Chief Executive

**Summary:** This report seeks approval for the Broads Authority member appointments to committees and outside bodies until the Annual Meeting in July 2018.

**Recommendations:**

- (i) That the Broads Authority member appointments to the Planning, Financial Scrutiny and Audit, Hearings, Navigation and Local Access Committees, as set out in Table 1 of this report, be confirmed for the period until the Annual Meeting in July 2018.
- (ii) That the appointments to outside bodies as set out in Section 2 of this report, be confirmed for the period until the Annual Meeting in July 2018.

**1 Committee Membership**

- 1.1 The membership of committees and external appointments for the forthcoming year, are formally reviewed at the Authority's Annual Meeting. This is a year when there is little change in the Authority's membership with just three new members. The outcome of the new Secretary of State appointment will be known in the near future. There is just one new local authority appointment Melanie Vigo Di Gallidoro by Suffolk County Council, and one new appointment from the co-opted members of the Navigation Committee, Brian Wilkins.
- 1.2 The recommendations in this report are those of the current Chair of the Authority taking into account the feedback from the annual member review process.

**Table 1 Recommended Appointments**

<b>Planning Committee</b>													
<p>Eleven Broads Authority members:</p> <table> <tr> <td>Mr M Barnard</td><td>Mr P Rice</td></tr> <tr> <td>Professor J A Burgess</td><td>Mr H Thirtle</td></tr> <tr> <td>Mr W A Dickson</td><td>Mr V Thomson</td></tr> <tr> <td>Sir P Dixon</td><td>Mr J Timewell</td></tr> <tr> <td>Ms G Harris</td><td>Mrs M Vigo Di Gallidoro</td></tr> <tr> <td>Mr B Iles</td><td></td></tr> </table>		Mr M Barnard	Mr P Rice	Professor J A Burgess	Mr H Thirtle	Mr W A Dickson	Mr V Thomson	Sir P Dixon	Mr J Timewell	Ms G Harris	Mrs M Vigo Di Gallidoro	Mr B Iles	
Mr M Barnard	Mr P Rice												
Professor J A Burgess	Mr H Thirtle												
Mr W A Dickson	Mr V Thomson												
Sir P Dixon	Mr J Timewell												
Ms G Harris	Mrs M Vigo Di Gallidoro												
Mr B Iles													
<b>Financial Scrutiny and Audit Committee</b>													
<p>Eight Broads Authority members:</p> <p>Chairman of the Authority  Chairman of the Navigation Committee  Mr W A Dickson  Mr L Baugh  Ms G Harris  Ms S Mukherjee  Mr G Munford  Mr H Thirtle</p>													
<b>Hearings Committee</b>													
<p>Pool of five members.</p> <p>Chair of the Financial Scutiny and Audit Committee  Mr W A Dickson  Sir P Dixon  Ms S Mukherjee  Mr H Thirtle</p>													
<b>Navigation Committee</b>													
<p>Five Broads Authority members:</p> <p>Mr K Allen  Mr J Ash  Mr M Bradbury  Sir P Dixon  Mr G Munford</p>	<p>Plus eight co-opted members:</p> <p>Mrs L Aspland  Mr A Goodchild  Mr M Heron  Mr J Knight  Mr S Sparrow  Mrs N Talbot  Mr B E Wilkins  Mr M Whitaker</p>												

<b>Local Access Forum</b>
Two Broads Authority members:
Mr K Allen Vacancy

## 2 Appointments to Outside Bodies

**Table 2 Recommended External Appointments and Representation**

<b>External appointments</b>	<b>Appointee(s)</b>
Broads Tourism	Mr J Timewell
How Hill Trust	Mr J Ash, Prof J Burgess
National Parks UK National Parks England	BA Chair
National Park Partnerships	Sir P Dixon
Norfolk and Suffolk Broads Charitable Trust	Mr L Baugh, Vacancy
Norfolk Mills and Pumps Trust	Prof J Burgess
Upper Thurne Working Group	Mr B Wilkins
Whitlingham Charitable Trust	Mr J Ash, Mr M Bradbury, Mr V Thomson , Vacancy

- 2.2 It is also worth noting that the Chair and Vice-Chair of the Planning Committee share the specific responsibilities on external bodies namely appointment to:

Greater Norwich Development Partnership  
Norfolk Duty to Cooperate Member Forum  
Norfolk Strategic Framework  
Water Management Partnership

- 2.3 The Planning Committee also appoints the Heritage Asset Review Group from its own membership to advise on cultural heritage including historic buildings and Conservations Areas,. This meets twice a year or as and when business requires. Membership automatically includes the Chairman and Vice-Chairman of the Planning Committee.

## 3. Working and Reference Groups

- 3.1 The Authority has refined and developed the engagement of members on particular topics and now distinguishes between a Working Group, a more formal arrangement for major reviews where minutes are taken, and Reference Groups where Members support and work with officers on short term projects related to the Authority's Strategic Priorities. The Authority has

retained just one lead role – that for safety partly because of the requirements of the Port Marine Safety Code and partly because of the critical importance of the issue itself.

**Table 3 Working and Reference Groups**

<b>Area of activity</b>	<b>Member (s)</b>
Tolls Review WG	Mr K Allen, Mr L Baugh, Prof Burgess, Mr W A Dickson, Mrs N Talbot, Mr M Whitaker
Climate Partnership WG	Mr J Ash, Prof J Burgess, Ms S Mukherjee
Safety Management - Lead	Mrs N Talbot (Chair of the Navigation Committee)
Developing and implementing a branding strategy RG	Mr G Munford, Ms S Mukherjee
Developing a medium term external funding strategy RG	Mr K Allen, Mr J Ash, Mr M Bradbury
Peer Review and Governance RG	Prof. Burgess, Mr Louis Baugh, Mr W A Dickson, Mr G Munford, Mrs N Talbot, Mr H Thirtle

#### **4. External Groups with Officer Representation**

- 4.1 It is worth noting that where the other representatives on partnership are predominantly officers of their organisations the Authority is represented by officers.

#### **4 Financial Implications**

- 4.1 There are no additional financial costs associated with these appointments.

Background papers: Nil

Author: John Packman after consultation with Jacquie Burgess  
Date of report: 18 July 2017

Broads Plan Objectives: None

Appendices: None

**Code of Conduct for Members on Planning Committee and Officers**  
(Revised draft for Comment)  
Report by Director of Planning & Resources

**Summary:** This report presents a revised draft of the Code of Conduct for Members on Planning Committee and Officers. The Planning Committee will have considered this at their meeting on 21 July 2017 and their comments and recommendation will be reported to the Authority.

**Recommendation:** That the revised Code of Conduct for Members on Planning Committee and Officers be adopted subject to any amendments and the recommendations from the Planning Committee.

**1 Introduction**

- 1.1 Members will be aware that the Authority has been reviewing its governance documentation including the Member Code of Conduct. A separate Code of Conduct for Members on Planning Committee and Officers is also in place and this requires updating to ensure consistency with the Code of Conduct for Members and the latest best practice.

**2 Revised Document**

- 2.1 The Code of Conduct for Members on Planning Committee and Officers has been revised to ensure consistency with other governance documentation that the Authority has recently adopted. The existing code had been in place for some time and required considerable updating. In addition to Authority governance documentation the Broads Authority has a Protocol on Member and Officer Relations which sets out the respective roles of Members and Officers and what they can expect from each other. Regard has been had in revising this document to "Openness and transparency on personal interests" published by the Department for Communities and Local Government and "Probity in Planning" issued by the Local Government Association.
- 2.2 The revised Code is shown in tracked changes at Appendix A. Members of the Planning Committee will be considering the revised code at its meeting on 21 July 2017 and therefore following receipt of their comments further changes will be made to the document. The Committee's comments and amendments with recommendation will be reported to the Broads Authority meeting on 28 July 2017.

Background papers: Openness and transparency on personal interests” - Department for Communities and Local Government  
“Probity in Planning” issued by the Local Government Association.

Author: Andrea Long, Director of Planning and Resources

Date of report: 22 June 2017

Appendices: Appendix A - Code of Conduct for Members on Planning Committee and Officers



## Broads Authority

### Code of Conduct for Members on Planning Committee and Officers

#### The Status of The Code

The aim of the Code of Conduct is to give clear guidance to Broads Authority Members and Officers who become involved in operating the planning system and to ensure the public have confidence that decision-making is open and fair.

The successful operation of the planning system by the Broads Authority relies on mutual trust and an understanding of Members' and Officers' respective roles. It also relies on each ensuring that they act in a way which is not only fair and impartial but is also clearly seen to be so. Members should follow the Seven Principles of Public Life (the "Nolan Principles") at all times.

This code is supplementary to the Authority's "Code of Conduct for Members" and the rules on the Declaration of Disclosable Pecuniary and Other Interests. (\*Other interests relate to membership of lobby groups, clubs and societies, gifts and hospitality and to toll paying. Once declared the member may still speak and vote on the matter. A Disclosable Pecuniary Interest in a matter requires the member to leave the room while it is discussed.)

Members should also refer to the guide on "Openness and transparency on personal interests" published by the Department for Communities and Local Government. For further guidance Members should refer to "Probity in Planning" issued by the Local Government Association.

The code covers:

#### Part A Members and Officers

- 1 The role and conduct of Members and Officers
- 2 Development proposals submitted by Members and Officers
- 3 Broads Authority's own development
- 4 Predetermination
5. Pre and post application discussions
- 6 Decisions contrary to officer recommendations and/or the development plan

#### Part B Members

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- 7 Training
- 8 Declaration and registration of interests
- 9 Delegated decisions
- 10 Lobbying of and by Members
- 11 Public speaking at Planning Committee
- 12 Committee site visits
- 13 Regular review of decisions
14. Predetermination and bias
15. Gifts and Hospitality

## Part C Officers

- 16 Officer reports to committee
- 17 Complaints and record keeping
18. Gifts and Hospitality

Failure to follow recommendations contained in this [Code](#) could be taken into account in investigations into allegations of maladministration and might also indicate a breach of the Members' Code of Conduct.

## Part A Members and Officers

### 1 The Role and Conduct of Members and Officers

Members and Officers have different, but complementary, roles. [The Broads Authority has a Protocol on Member and Officer Relations which sets out the respective roles of Members and Officers and what they can expect from each other. In the context of planning:](#)

- All [Officers](#) and advisors acting on behalf of the Authority are expected to follow their appropriate code of professional conduct.
- Members are expected to follow the Authority's [Code of Conduct for Members](#)
- Members will take due note of [Officers'](#) recommendations but it is Members of the Authority who take decisions. Members must represent the interests of the Broads as a whole taking decisions based firmly on policies of the development plan unless other material considerations indicate otherwise.

### 2 Development Proposals Submitted by Members and Officers

The Broads Authority recognises that proposals by serving and former Members and [Officers](#) and their close friends and relations could easily give rise to suspicion of impropriety. [It is important](#) to ensure that applications are handled in a way which gives no grounds for accusations of favouritism:

- The Authority's Solicitor [and Monitoring Officer](#) will be informed of such proposals.
- Such proposals will be reported to the Planning Committee and not be dealt with under delegated powers.

- As part of the report, the Solicitor will confirm whether the proposal has been processed [in accordance with the usual practice](#).
- Serving Members of the Authority who act as paid agents for people pursuing a planning matter or who submit planning proposals in their own right must play no part in the decision-making process for that proposal.
- A [Member](#) has a Disclosable Pecuniary Interest in their own application (and those made by a spouse, civil partner or partner or another local authority of which they are a [Member](#) and from whom they receive an allowance) and must withdraw from the meeting. The [Members' Code](#) also provides that they shall not improperly influence the decision, although this does not prevent them from explaining or justifying the proposal to Officers.
- [Members and Officers who have submitted their own planning applications should refrain from contact or correspondence with Members of the Planning Committee in respect of that application from the submission of the application until the decision notice has been issued.](#)
- Members of the Planning Committee who serve on bodies which make or initiate or who are otherwise closely associated with applications to the Planning Committee (or who have family members who do so) must declare that fact and withdraw from the meeting.
- (For the avoidance of doubt a [Member](#) does not have a Disclosable Pecuniary Interest in an application submitted by a third party just because an authority of which they are a Member has commented on it. Similarly a Member does not have a Disclosable Pecuniary Interest in a matter on which the other authority is seeking the Broads Authority's comments.)

### 3 Broads Authority's Own Development

Proposals for the Broads Authority's own development will be treated in the same way as those of a private developer. In the interests of openness and taking into consideration the environmental sensitivity of the Broads, there is no provision for delegated approval.

### 4 Consideration by another Committee of the Authority

- 4.1 Members sitting on another Committee of the Authority at which a planning application is under discussion should avoid unqualified expressions of support or opposition which might lead a fair minded and informed member of the public to think that the Member has already made up their mind before the application comes to the Planning Committee. If Members do wish to participate and vote at full Authority or the Navigation Committee and at Planning Committee, [Members must](#) declare at full Authority and the Navigation Committee:

- (a) That they understand that they are considering the proposals within the remit of the full Authority or the Navigation Committee and not coming to a decision on all, nor even necessarily any, of the matters which are material to a planning application.

- (b) Notwithstanding participation in debate or voting at full Authority or the Navigation Committee they will when the matter comes before the Planning Committee consider any planning application afresh and take into account any representations for and against the proposal in the light of up to date circumstances.

4.2 Any Member who is unable to consider the proposal afresh at the Planning Committee should withdraw ~~when from~~ the item is considered at the Planning Committee.

4.3 More general advice on predetermination and bias is contained in paragraph 14.

## 5 Pre and Post Application Discussions

5.1 Discussions between developers and the Authority can be of considerable benefit and are encouraged by government. Applicants may also organise their own form of consultation to which Members may be invited. The following guidelines should be followed:

5.2 Where an application has not been submitted:

- (i) Members should refer those who approach them for planning, procedural or technical advice to Officers.

(ii) Exceptionally, and generally only in the case of major applications raising significant issues, it may be appropriate for Members to be involved in an application prior to its submission. Any meeting with a member should be minuted and the minutes attached for committee. Such involvement will, however, be limited to:

- (a) ~~Public exhibitions or public meetings.~~ Members should however not attend a planning presentation without requesting an Officer to be present.
- (b) Committee site visits as part of the pre-application process.
- (c) (Very exceptionally) private meetings between the applicant and the Authority or third parties. However, Members should be accompanied by the relevant Officer and not attend such meetings alone.

(ii) In the case of all such meetings:

- (a) The remit of Members and the purpose of their involvement to identify issues and understand local concerns should be made clear.

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- (b) Members must maintain an impartial listening role and avoid expressing an opinion or giving advice beyond outlining adopted planning policies.
- (c) Any discussion should not develop into negotiations and it must be made clear that they are not part of the determination process.
- (d) Discussions should not touch on commercially sensitive or confidential information, bearing in mind the need for transparency and the requirements of the Freedom of Information Act.
- (e) Officers of appropriate seniority should attend and written notes of the proceedings should be kept on file; and
- (f) Members' involvement should, wherever possible, be authorised by the Planning Committee and their involvement recorded in any subsequent committee report.

### 5.3 Where an application has been submitted:

- (i) Following the submission of a planning application, Members' involvement prior to consideration at Committee will be limited to public meetings and [Committee](#) site visits referred to in paragraph 5.2 i) (a) and (b) above.
- (ii) If approached, Members should advise applicants to contact the Planning Officer for further guidance.
- (iii) In the case of meetings between the developer and Planning Officer:
  - (a) Officers should clarify at the outset that discussions will not bind the Authority to making a particular decision.
  - (b) No views will be expressed on the outcome of the application since not all information will be to hand, neither will consultation have taken place.
  - (c) Advice should be consistent and based on the development plan and material considerations.
  - (d) Advice should be, and be seen to be, impartial.
  - (e) A written note should be made of all meetings and telephone discussions.
  - (f) Applicants should be met on Authority premises except in exceptional cases and other than for site familiarisation purposes.

- 5.4 Members should not seek to influence or put pressure on [Officers](#) to support a particular form of action.
- 5.5 These guidelines apply also to meetings to discuss planning applications or development proposals called by third parties, including attendance at parish council or other public meetings.
- 5.6 Generally, Members should not say anything which gives the appearance that they have made up their mind on an application and they should not accept any hospitality offered by the applicant or other interested party at a public meeting or public exhibition unless it is also offered to the public at large.
- 6 Decisions Contrary to Officer Recommendations and/or the Development Plan**
- 6.1 The law requires that where the development plan is relevant, decisions should be taken in accordance with it unless material considerations indicate otherwise.
- 6.2 All applications which are not in accordance with the [development](#) plan must be advertised [as a Departure](#) in accordance with statutory procedures. If it is intended to approve such an application:
- material considerations must be clearly identified;
  - reasons for overriding the development plan clearly demonstrated in the committee report;
  - [referral to the Secretary of State](#) considered.
  - [referral to the Secretary of State](#) considered.
  - [referral to the Secretary of State](#) considered.
- 6.3 If the planning committee makes a decision contrary to the [Officers'](#) recommendation:
- a detailed minute of the reasons [for the contrary decision](#) should be made and kept on the application file;
  - the officer should have the opportunity to explain the implications of the contrary decision;
  - ~~appropriate conditions or the~~ reasons for refusal should be [set out by the Planning Committee and](#) agreed at that committee meeting;
  - [appropriate conditions should be agreed at the committee meeting](#);
  - the Solicitor or their representative should ensure that procedures have been properly followed.
- 6.4 In the case of applications where there are adverse policy implications, when new issues are raised on the day of the committee, or if Members are under undue pressure the application [may](#) will be deferred at the discretion of the Chair of the committee. This will allow additional advice to Members to be compiled.

## Part B Members

### 7 Training

- 7.1 All Members of the Authority's Planning Committee are required to participate in training ~~in~~ the planning system as it applies in the Broads as soon as possible after their appointment and ~~it applies in the Broads either~~ before serving on the committee.
- 7.2 Regular update briefings will be provided as appropriate.

### 8 Declaration and Registration of Interests

- 8.1 The provisions of the Members Code of Conduct including those relating to Disclosable Pecuniary and Other Interests are [Here](#).
- 8.2 The Local Government Association publication "Probity in Planning for councillors and officers" has detailed further guidance on the registration and disclosure of interests, including a Flowchart to assist members on what to disclose and on the extent of any further involvement once they have made such a declaration.
- 8.2 All matters required to be recorded in the Register of Members Interests relating to an agenda item before the Planning Committee must be disclosed to the meeting. There will be an opportunity to declare interests at the start of each meeting.
- 8.3 A member who has a Disclosable Pecuniary Interest must: -
- (a) Withdraw from the room whenever it becomes apparent that the matter is being considered at that meeting unless the member has obtained a dispensation from the Monitoring Officer.
  - (b) Not seek improperly to influence a decision about that matter.
- 8.4 A member who has a disclosable Pecuniary Interest in a matter may, provided that it is in accordance with the public speaking arrangements and provided that there is no discussion of the matter, make a statement before withdrawing from the room.

### 9 Delegated Decisions

- 9.1 Members may request within 7 days of the publication of the Authority's weekly list of planning applications that any application with a wider public interest be placed before the committee for decision.

### 10 Lobbying of and by Members

- 10.1 Lobbying of Members is a normal and perfectly proper part of the political process. However, lobbying can lead to the impartiality and integrity of a



Member being called into question. If a Member is approached by applicants, objectors or supporters they should:

- listen but not express views or opinions on any application nor negotiate;
- refer the lobbyist to a professional Officer or meet the lobbyist in the presence of an Officer;
- notify an Officer of the lobbying approach and the summary of any discussions;
- If Members receive any correspondence on an application, between the Agenda having being published and consideration of the item at Committee they should forward this to the relevant Officers, in case the Officers have not been made aware of the content of the correspondence
- confirm they will only be able to make a decision after having heard all the relevant evidence and arguments at committee;
- in any reply to a letter either supporting or opposing an application, explain their neutral position and pass any relevant written information to Officers for the file;
- before speaking at Planning Committee, declare any lobbying approaches, attendance at an informal site visit or a meeting on an application or other planning issue in the company of an applicant or consultee;
- if a Member has gone public in support of a particular outcome or campaigned actively for it they may well have pre-determined the issue and should withdraw from discussion of the item. (See para 14).

10.2 In addition, Members shall not put pressure on Officers for a particular recommendation.

10.3 Members should not themselves become a member of, lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals unless it is the Member's intention openly to campaign on the matter and to step away from consideration of the matter at Planning Committee. This does not prevent Members joining general interest groups which reflect their area of interest and which concentrate on issues beyond particular planning proposals (e.g. a Wildlife Trust, CPRE, or a local civic society) but Members should seek to disclose that interest on the grounds of transparency where the organisation has made representations on a particular proposal.

## **11 Public Speaking at Planning Committee**

11.1 Public speaking will be allowed in accordance with the agreed protocol (As set out in Appendix 1. *Public Speaking at Planning Committee does not apply to Enforcement matters, applications dealt with under delegated powers or policy matters or consultations*.)

- 11.2 At the beginning of each meeting the Chair should reiterate the procedures and guidelines to be applied for public speaking.

11.3 Members should not allow members of the public to communicate with them during the Committee's proceedings, other than through the agreed protocol, as this may give the appearance of bias. This includes the use of mobile or other electronic devices for communicating during meetings.

## **12 Committee Site Visits**

- 12.1 Committee site visits will be held where the expected benefit is substantial. Reasons could include: the impact of the proposed development being difficult to visualise, comments of the applicant and objectors cannot be expressed adequately in writing and a site visit would demonstrate to the public or the applicant that Members have listened to their argument, or the proposal is particularly contentious. The reason for holding a site visit will be minuted.

- 12.2 Site visits will be held in accordance with the agreed protocol.

## **13 Regular Review of Decisions**

The Planning Committee will regularly review decisions to ensure quality and consistency of decision-making across a range of categories of applications. The committee will subsequently decide whether there is a need to review any policies or practices.

## **14 Predetermination, predisposition and Bias**

- 14.1 It is not a problem for councillors to be predisposed (as opposed to predetermined) in respect of a particular— planning matter. Predisposition is where a Member holds a preliminary view in favour of or against an issue, such as an application for planning permission, but they have an open mind to the merits of the argument before they make the final decision at the committee meeting.
- 14.2 This includes having formed a preliminary view about how they are likely will to vote before they attend the meeting, and/or expressing that preliminary view publicly. They may even have been elected specifically because of their views on this particular issue.
- 14.3 On the other hand, predetermination or bias can lead to problems. It occurs where a Member is closed to the merits of any arguments relating to a particular issue, such as an application for planning permission, and makes a decision on the issue without taking them into account. This could lead to a challenge to the decision made through a judicial review application to the courts.
- 14.4 Members must not even appear to have already decided how they will vote at the meeting, so that nothing will change their mind. This impression can be created in a number of different ways such as quotes given in the press,

[comments to Officers](#) and what they have said at meetings or written in correspondence.

- 14.5 Rarely will membership of an organisation, such as a national charity, amount to predetermination or bias on its own unless it has a particular vested interest in the outcome of a specific decision that a Member is involved in making.
- 14.6 There is an important difference between those Members who are involved in making a decision and those [Members](#) who are seeking to influence it. This is because [Members](#) who are not involved with making a decision are generally free to speak about how they want that decision to go.
- 14.7 When considering whether there is an appearance of predetermination or bias, [Members](#) who are responsible for making the decision should apply the following test: Would a fair-minded and informed observer, having considered the facts, decide there is a real possibility that the [Member](#) had predetermined the issue or was biased?
- 14.8 However, when applying this test, they should remember that it is legitimate for a [Member](#) to be predisposed towards a particular outcome on the basis of their support of a general policy, even giving a view. This is as long as they are prepared to be open-minded and consider the arguments and points made about the specific issue under consideration and have not committed themselves to voting a particular way. [Members should be aware that there can be a fine line between predisposition and predetermination and should exercise caution and be clear in expressing themselves where they are predisposed.](#)
- 14.9 Appendix 3 sets out [the examples of the](#) different circumstances in which predetermination and bias can arise.
- 14.10 In conclusion, [Members](#) are entitled to have and express their own views, as long as they are prepared to reconsider their position in the light of all the evidence and arguments, [giving what they feel is the right weight to those material considerations](#)– They must not give the impression that their mind is closed.

## 15 Gifts and Hospitality (Members)

- 15.1 The Members of Code of Conduct requires any Member receiving any gift or hospitality over the value of £25 in their capacity as Members to register the details within 28 days [with the Monitoring Officer](#).
- 15.2 A Member should treat with extreme caution any offer or gift, favour or hospitality which is made to a Member personally. In this respect the person or organisation making the offer may be doing, or seeking to do, business with the Authority, or may be applying to the Authority for planning permission or some other kind of decision. Gifts or hospitality includes any opportunity to acquire goods or services at a price or on terms at which they are not readily available to the general public. [Members and Officers should avoid placing](#)

themselves in situations where the impression could be gained that this is taking place.

## **Part C Officers**

### **16 Officer Reports to Committee**

- 16.1 To ensure adequate consideration of the issues, consistency of decision-making, clarity of reasoning behind the recommendation and public confidence, the following information should be contained in reports:
- accurate information with representations by consultees adequately summarised;
  - a clear explanation of the development plan, site or related history and other material considerations;
  - a technical appraisal which clearly justifies the recommendation;
  - a full justification of material considerations if the recommendation is contrary to the development plan;
  - a written recommendation of action.
- 16.2 Oral reporting (except to update a report) should be extremely rare and carefully minuted when it does occur.

### **17 Complaints and Record Keeping**

- 17.1 Every planning application file must contain an accurate account of events throughout its life. Particular care needs to be taken with applications determined under Officers' delegated powers. The principles of complete and accurate record keeping apply equally to enforcement and development plan matters.
- 17.2 Complaints will be fully investigated in accordance with the Authority's adopted protocol.

### **18 Gifts and Hospitality (Officers)**

- 18.1 Officers must refuse offers of hospitality from people with an interest in a planning proposal. The only exception is in respect of offers of token hospitality (ie non-alcoholic beverages with or without biscuits) which are part of usual social courtesy. Any offers shall be recorded within 28 days in accordance with arrangements made by the monitoring officer.
- 18.2 An Officer must refuse any offer or gift, favour or hospitality which is made to an Officer personally. In this respect the person or organisation making the offer may be doing, or seeking to do, business with the Authority, or may be applying to the Authority for planning permission or some other kind of decision. Gifts or hospitality includes any opportunity to acquire goods or services at a price or on terms at which they are not readily available to the general public. Officers should avoid placing themselves in situations where the impression could be gained that this is taking place.

## APPENDIX 1

### **The Broads Authority Public Speaking at Planning Committee (as amended on 16 March 2012)**

#### **The Public Speaking Scheme**

##### **1 Introduction**

The scheme relates to matters where the Broads Authority is the decision maker and not where it is asked to respond as a consultee to a proposal.

The public speaking scheme does **not** apply to enforcement matters (because these do not involve any public consultation as such) nor to applications where the proposal is dealt with under delegated powers or if the proposal is refused under delegated powers. The scheme also does not apply to policy matters or consultations ~~eg: Local Development Framework (LDF). Thee the~~ Local Plan Development Plan

##### **2 Making an Objection**

Objectors to applications are encouraged to follow the procedure of making written submissions which can be referred to in reports submitted to the Planning Committee. In addition, the opportunity also to speak in front of the Committee is available if a formal objection has previously been made.

It is important to stress that there will be no disadvantage to objectors who prefer not to, or are unable to, present their objection in person. Planning officers will ensure that objections received are fairly reported and Members will take the matters raised fully into consideration when making a decision.

##### **3 Other Authorities**

The views of County and District Councils, Parish Councils and the Highway Authority will be reported to the Planning Committee when received in time for the agenda.

Objectors include individuals and interest groups and organisations. Parish Councils and Ward or Division members of District Councils and the County Council are also able to address the Planning Committee as part of the public speaking procedure.

#### **4 Supporting an Application**

The applicant or agent and supporters, will have the opportunity at the meeting to speak. Applicants are however encouraged to work with the Planning Officer to ensure sufficient information has been submitted in advance to enable Planning Committee to make a fully informed decision.

## 5 Making a Presentation

It is the responsibility of objectors and the applicant to contact the Planning Case Officer to follow the progress of the application and arrange to attend the relevant meeting. Progress on applications, together with the agendas and reports to the Authority's Committees can be viewed on the Authority's website at [www.broads-authority.gov.uk](http://www.broads-authority.gov.uk)

It is helpful if a request to speak is made to the Committee Secretary as soon as possible prior to the commencement of the meeting, (Preferably at the latest by 3.00pm the day before the meeting). The Committee Secretary will convey the wish to notify the Chairman and the Case Officer.

Any additional comments or material on any applications **or Enforcement Matters** ~~should~~ **must** be received a minimum of three days before the meeting otherwise they ~~may~~ **will not** be taken into account. This is to give Members sufficient time to consider all relevant information. This does not preclude those who have registered to speak from making the points (~~made in their correspondence~~) within the allotted time for public speaking. **Any** correspondence for Members concerning an application before the Committee **must also** be addressed to the Planning Officer **in order that professional advice can be provided to Members**. A failure to follow this procedure may result in items in the future either being deferred or for late information to be discounted.

A table will be set aside within the room to enable speakers to address the meeting. At the beginning of the consideration of the planning applications, the Chairman will ask members of the public who wish to speak to come up to the public speaking desk at the beginning of the presentation of the relevant application. Consideration can be given to changing the order of the agenda items if this is helpful in cases of exceptional public interest.

Any person exercising the right to speak under the scheme will have the opportunity to speak immediately **after** full presentation of the relevant planning application by the Planning Officer. Representations will be heard in the following order:

**Planning Officer provides description of application, responses received, full assessment with recommendation**

Parish Councillor(s) (5 mins)

Objectors (5 mins)

Applicant/agent/Supporter (5 mins)

Ward or Division Councillor (s) (5mins)

**Discussion and Consideration of Decision**

Objectors and applicants addressing the Committee will be expected to make their presentations within a maximum of five minutes. Extensions of time will be agreed with the Chairman beforehand.

Facilities are available for persons exercising the right to speak to show slides or a presentation to the Planning Committee, however it is necessary to notify the Committee Secretary of this by 3.00pm on the previous day so that the arrangements can be made for the necessary equipment to be available. If the information is available in a form other than as a PowerPoint or a Word file it may not be possible to view it, so it is essential that contact is made with the Committee Secretary.

If there are several objectors they should agree beforehand on sharing or delegating their time. The Chairman will try to ensure that points are not repeated. If there are exceptional circumstances of public interest, the Chairman will have the discretion to increase the time allocated.

With the Chairman's permission, Members of the Committee or Officers will be allowed to ask questions of the objector and/or applicant to seek clarification about the points raised. This will be additional time to that allocated for public speaking and should only be used to seek clarification on the point being made, not for the purpose of facilitating speaking.

*Speakers will not be allowed to question other speakers, Officers or Members. The Planning Officer will respond to comments and answer Members' questions where required.*

## **6 Deferral**

If new evidence is brought to the Committee which could significantly affect or influence a decision, it may be necessary to defer consideration of the application to a subsequent meeting for Members and Officers to make a full assessment of the case.



## APPENDIX 2

### Broads Authority – Planning Committee Site Visits

(as amended 6 December 2013)

#### 1. Selection of Site Visits

Committee site visits are used as one means of ensuring that [Members](#) have sufficient information about the site and the surrounding area to reach a decision on a particular application. They are used selectively as fact-finding exercises (similar to Planning Inspector site visits) to supplement [Officers](#) reports and other information. They may not be appropriate where matters of fundamental planning policy are involved and there are no significant other material considerations to take into account. As information gathering exercises, they are not formal Committee meetings and no decisions or recommendations are made.

The decision to hold a site visit is at the Committee's discretion. Site visits may be appropriate where:

- Officers recommend a site visit because of specific aspects of the application;
- The issues are finely balanced and Member assessment and judgement can only be concluded by a site inspection;
- The details are complex or the impacts on neighbour amenity or the wider landscape are difficult to envisage other than by site assessment;
- It is expedient in the interests of local decision-making to demonstrate that all aspects of a proposal have been considered on site.

Determination of the great majority of applications does not involve the holding of a Committee site visit.

#### 2. Member Attendance

All Planning Committee Members are invited to attend site visits and are urged to do so wherever possible. Members will be sent details of the visit in advance, including a site location map. Members who are able to attend the Site Visit but are unable to attend the subsequent Committee [meeting where the application will be considered](#) are invited to send any comments that they may have to the Administrative Officer prior to the Committee meeting.

#### 3. Site Visit Dates

These are published in advance and are normally two weeks before a Planning Committee meeting. The first site visit is normally scheduled for 10.00 am.

#### 4. Invitations to Site Visits

In addition to Committee Members, the following are invited to the site meeting in a consultative capacity:

- a representative from the Parish Council;
- the local District Council member;
- a representative from the Broads Society (as an observer).

The applicant's agent is notified of the proposed site visit date and permission is requested for access to the land, informing them of the fact finding nature of the visit.

#### 5. Conduct of Site Visit

The site visit proceeds as follows:

- (i) Chairman welcomes those attending, stressing that the site visit is for fact finding, no decision will be made on site and the application will be considered for determination at a future Committee meeting. The aim is not to debate the issues, but to ensure that all participants are satisfied that Members have seen all the appropriate details of the site and its surroundings. He/she should remind Members of the issues in Notes section below.
- (ii) Apologies.
- (iii) Planning Officer describes the application giving details of the site, the development proposed and any updated information. He/she should show and explain any relevant drawings and should pay particular attention to the context of the site in the Broads area.
- (iv) Comments from other Officers, where appropriate, including:
  - County Council (Highways) Officer;
  - Other Broads Authority officers if present, e.g. Conservation Officer, or Waterways Officer.
- (v) Questions from Broads Authority Members.  
  
**Note** At the Chairman's discretion, the applicants, other invitees or third parties may be asked to provide factual information concerning the application, but will not be invited to "put their case". Representation in support of or objection to the application should be made in writing to the Authority.
- (vi) Opportunity for Members and others to walk around the site as a

group, if considered necessary. At each stop, the Chairman should ask if everyone is satisfied that all appropriate factual matters have been seen:

- (vii) Chairman concludes and closes the meeting by reminding the group when the application will be heard by the Planning Committee (if known) when public speaking will be in operation:

The Chairman may wish to ask whether anyone (other than the applicant) wishes to refer to any points which require clarification before the Committee meeting;

A summary note of the site meeting is taken on the day and is included with the agenda papers for the relevant Committee meeting. The note of the site meeting is available on the public record of the application.

#### ***Notes for Members***

1. In view of the fact-finding nature of the site visit Members should be as impartial as possible before, during and after the site visit.
2. When moving round a site, Members and other participants should keep together as a one group.
3. Members should avoid discussing the application with applicants, objectors etc. before, during or after a site visit. If Members wish to ask questions of any party this should take place when the whole group is present.
4. Members should politely deflect any attempts at lobbying, by suggesting that comments should be put in writing to the Authority or that the points should be made during public speaking at the Planning Committee.
5. Members are encouraged to attend official site visits, but where this is not possible and individuals wish to view a site at another time, they are advised to do so only from public vantage points and not to enter into discussions with applicants within the site.

### Predetermination and Bias

Predetermination and bias can arise in a number of ways:

(i) **Connection with someone affected by a decision**

This sort of bias particularly concerns administrative decision-making, where the [A](#) authority must take a decision which involves balancing the interests of people with opposing views. It is based on the belief that the decision-making body cannot make an unbiased decision, or a decision which objectively looks impartial, if a member serving on it is closely connected with one of the parties involved.

(ii) **Improper involvement of someone with an interest in the outcome**

This sort of bias involves someone who has, or appears to have, inappropriate influence in the decision being made by someone else. It is inappropriate because they have a vested interest in the decision.

(iii) **Prior involvement**

This sort of bias arises because someone is being asked to make a decision about an issue [with](#) which they have previously been involved ~~with~~. This may be a problem if the second decision is a formal appeal from the first decision, so that someone is hearing an appeal from their own decision. However, if it is just a case of the person in question being required to reconsider a matter in the light of new evidence or representations, it is unlikely to be unlawful for them to participate.

(iv) **Commenting before a decision is made**

Once a lobby group or advisory body has commented on a matter or application, it is likely that a Member involved with that body will still be able to take part in making a decision about it. However, if the Member has made comments which suggest that they have already made up their mind, they may not take part in the decision. If the Member is merely seeking to lobby the meeting at which the decision is taking place, they are not prevented by the principles of predetermination or bias from doing so. There is no particular reason why the fact that Members can do this, in the same way as the public, should lead to successful legal challenges.

**Governance and Peer Review**  
Report by Chief Executive

**Summary:** This report updates the Authority on the progress made on the preparation for the peer review and the output to date from the meetings of the Governance Reference Group including recommendations regarding the training of new members and a person specification for local authority appointees.

**Recommendation:**

- (i) Note the progress on the peer review (See Appendix 1).
- (ii) Adopt the revised Member Development Protocol set out in Appendix 2 with the updated induction process in which new members will be required to tick off the ten elements;
- (iii) Adopt the amended Guidelines for Members Appointed by Local Authorities set out in Appendix 3 to help the constituent local authorities make their appointments to the Broads Authority.

**1 Introduction**

- 1.1 At its meeting on the 24<sup>th</sup> March 2017 the Authority unanimously resolved that:  
“A peer review, in line with the recommendations of the Financial Scrutiny and Audit Committee, be undertaken into the governance arrangements of the Authority.”  
The Local Government Association is supporting the Authority in this exercise and good progress has been made, with the appointment of a Team and dates set for the on-site visit. The key elements are set out in Appendix 1.

**2. Governance Review Reference Group**

- 2.1 At its meeting on 19 May 2017 the Authority resolved:  
*That a small Reference Group of Members is established to:*  
*(a) Review the governance of the Broads Authority and develop proposals on how the arrangements could be improved in both the short and long term;*  
*(b) Advise and support the Chief Executive in preparing for the Peer Review in October 2017.*
- 2.2 The Chair of the Authority identified a number of willing volunteers from the membership with an interest and experience in the issue and from the different

appointing backgrounds, Local Authority, Secretary of State and Navigation Committee. They are:

Louis Baugh  
Jacquie Burgess  
Bill Dickson  
Greg Munford  
Nicky Talbot  
Haydn Thirtle

- 2.3 The Group has met three times so far on 7, 14 and 30 June 2017. The main work to date has been to review the Broads Authority's performance against the guidance provided by CIPFA on "Delivering Good Governance in Local Government 2016" whose framework is specifically applicable to 'national park authorities'. The Group has examined the seven core principles of good governance:

- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.***
- B. Ensuring openness and comprehensive stakeholder engagement.***
- C. Defining outcomes in terms of sustainable economic, social and environmental benefits.***
- D. Determining the interventions necessary to optimise the achievement of the intended outcomes.***
- E. Developing the entity's capacity, including the capability of leadership and the individuals within it.***
- F. Managing risks and performance through robust internal control and strong public financial management.***
- G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability.***

They have also reviewed the relevant sub-principles. Their analysis has shown that while the Authority performs well against many of the sub-principles, there are a number of areas where improvements could be made and these early proposals are summarised below for the Authority to consider.

- 2.4 Under Core Principle E – Developing the entity's capacity is the following sub-principle:

Developing the capabilities of members and senior management to achieve effective leadership and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks by: ensuring members and staff have access to appropriate induction tailored to their role and that ongoing training and development matching individual and organisational requirements is available and encouraged ensuring members and officers have the appropriate skills, knowledge, resources and support to fulfil their roles and responsibilities and ensuring that they are able to update their knowledge on a continuing basis ensuring personal, organisational and system-wide development through shared learning, including lessons learnt from governance weaknesses both internal and external.

- 2.5 This prompted a discussion about the Authority's induction process for new Members and specifically for new local authority Members appointed to the Broads Authority

who will have experienced a very different, often strongly political and adversarial culture in their home authorities. (Note: this is also referenced in the report on the Member Annual Reviews).

- 2.6 The Authority has an existing Induction Programme set out in the Member Development Protocol which was updated in February 2017. But with the very significant reduction in the central support staff of the organisation following the large cut in National Park Grant in 2012 onwards, and delays in the appointment of new Secretary of State appointments the induction process has slipped.
  - 2.7 A revised version of the **Member Development Protocol** is attached in Appendix 2 taking on board both the suggestions from the Member reference group and the feedback from the Annual Review interviews. One of the key points that came out of the discussion was a recommendation that the Authority should insist that all new Members, both Broads Authority Members and co-opted Members of the Navigation Committee, complete a comprehensive induction and that the responsibility for that should rest with the Members themselves, ticking off each of the ten elements as it is completed.
  - 2.8 Another issue discussed by the Group concerned the appointment process for local authority Members and how this could be improved. The existing Guidelines for Members appointed by Local Authorities (See Appendix 3) have been amended and the document is recommended for adoption by the Authority for the purpose of assisting the constituent local authorities in making their appointments.
  - 2.9 Two further suggestions from the Group that the Chief Executive agreed to implement were: the development of the Members' Handbook as a webpage on the Authority's website and the circulation of a Broads Brief to all councillors of the constituent local authorities twice a year so that they are better acquainted with the work of the Authority. The first of these is in development and the aim for the second is the preparation of a first issue for September.
- 3. Financial Implications**
- 3.1 There are costs associated with the new local authority newsletter but they are relatively minor and will be accommodated within existing budgets.
- 4. Conclusions**
- 4.1 The first three meetings of the Reference Group have been very productive, hence the recommendations in this report. The Group will continue to assist the Chief Executive in preparing for the Peer Review in October, in line with LGA guidance and the Peer Team requirements.

Background documents:	None
Author:	John Packman
Date of report:	16 July 2017
Appendices:	Appendix 1 – Details for the Peer Review Appendix 2 – Member Development Protocol Appendix 3 – Guidelines for Members appointed by Local Authorities

## Details for the Peer Review

### Scope of the Review

- (i) The Broads Authority's current leadership, governance, policies and procedures;
- (ii) The mechanisms for the Broads Authority's engagement with the broader economic and social agenda across the two counties of Norfolk and Suffolk.

### Approach

- (i) The production of a position statement by the Broads Authority which will act as the framework for the Review
- (ii) A review of relevant policy documentation by the Team
- (iii) A series of one to one and/or facilitated group discussions with Members of the Broads Authority and appropriate members of staff
- (iv) A series of one to one and/or facilitated group discussions with relevant partners and stakeholders.

### Composition of the Team

#### *Member peers*

- (i) Cllr. Glen Sanderson, Chairman of Northumberland National Park Authority and member of Northumberland County Council;
- (ii) Nick Holliday, Secretary of State appointee to the Exmoor National Park Authority since 2009.

#### *Officer peers*

- (iii) Penny James, joint Chief Executive for both Taunton Dean and West Somerset Councils.
- (iv) Richard Leafe, Chief Executive of the Lake District National Park Authority, who will lead the Team.

#### *Independent peer*

- (v) Simon Smith, appointed as one of the two independent persons for the Broads Authority in July 2016.

### Support for the Team

Ami Beeton, Programme Manager, Local Government Association.

Maria Conti, Strategy and Projects Officer, Broads Authority

### Timetable

Team on site – 10<sup>th</sup> to 12<sup>th</sup> October 2017





# **Broads Authority Member Development Protocol**

**July 2017**

Version 2.1

Next review date: July 2018

## **1. Introduction**

- 1.1 Welcome to the updated Members' Development Strategy for 2017. The Broads Authority is committed to supporting the development of its entire staff, Members and co-opted Members to achieve continuous improvement of its services. It will ensure that it has the processes and resources in place to deliver the Member Development Strategy.
- 1.2 Members and co-opted members (hereafter collectively referred to as Members) bring a wide range of skills and knowledge to the Broads Authority, many of which complement and enhance the existing effectiveness, efficiency and capabilities of the Authority. An effective development strategy is necessary to help enhance their understanding of key issues which affect the Authority. A well-structured and targeted development strategy should assist the Authority to make more informed decisions and demonstrate to stakeholders that the Authority has a wider understanding of the key issues affecting the Broads.
- 1.3 The use of Members' Annual Reviews will inform and contribute to the delivery and content of this strategy.

## **2 Purpose**

- 2.1 This Member Development Strategy outlines the skills and knowledge that a Member will need to acquire to carry out their role effectively. This will provide both for initial induction and for a longer-term development of skills and knowledge. It may be that Members will not need to undertake every development opportunity, depending on their previous experience, but the opportunity to refresh existing knowledge and skills is an important element of the strategy and is to be encouraged.

## **3 Key Principles**

- 3.1 Members will have:
  - (i) Access to a Member Induction Programme and a Continuous Development Programme which enables them to fulfil their responsibilities.
  - (ii) Access to information about all induction and development opportunities.
  - (iii) A mechanism to help them identify their individual development needs and identify ways in which they can contribute to the Authority's work.
  - (iv) An opportunity to be mentored by a more experienced member of the Broads Authority under the Authority's mentoring scheme.
  - (v) An opportunity to provide feedback on the effectiveness of each development opportunity, share good practice and contribute to the future framework of the development programme.
  - (vi) Opportunity to contribute to an annual review of the development programme to ensure that both the content and the administrative arrangements meet the needs of Members and the Authority.

- (vii) Opportunity to attend member development activities each year in response to individual and/or Authority development requirements. However, it is recognised that some Members will find it difficult to commit time towards development and every effort will be made to accommodate individual development needs where possible.

## **4 Member Induction and Continuous Development Programme**

4.1 The Member Development Strategy is supported by a Member Induction and Continuous Development Programme which is designed to follow the developmental path of a Member, from core induction through to a stage where members can develop ways of contributing to the Authority; by taking on additional responsibilities or making their expertise available to the Authority through representation on external bodies. It comprises three main stages as detailed below.

### **4.2 Induction Programme for Members**

The Broads Authority shares a number of characteristics with other organisations: it has a similar legislative framework to the national park authorities; it shares some processes with local authorities; and has comparable responsibilities to other major navigation authorities. But the Broads Authority has a unique combination of responsibilities, structures and procedures. It is therefore crucial that every new member of the Authority, whether appointed by the Secretary of State, one of the constituent local authorities or a co-opted member of the Navigation Committee, is provided with a comprehensive induction. This should involve both group and 1:1 briefings as well as site visits and will be tailored to the needs and interests of individual members.

A comprehensive Member Induction Pack, prepared by the Governance Team, will be provided to each new member as soon as they are appointed to the Authority.

The Induction Programme is set out in Annex 1 and the expectation is that new members will tick off the different elements of the induction programme as they are delivered.

New members will also be offered the opportunity to:

- (i) Have a Member mentor for the first six months of appointment to aid the new member in developing their understanding of the Broads Authority. It is suggested that pairing Local Authority appointees with Secretary of State appointees would be beneficial.
- (ii) Attend the National Parks UK New Members' Induction course.

### **4.3 Continuous Development: The National and International Perspective**

National Parks UK (NPUK) hosts both the National Park Workshop and a Conference as bi-annual events for Members to attend. NPUK runs a Member Induction programme each March and September. Member attendance at these events is important as this aids a more collective understanding of the work of the UK's National Park Authorities and facilitates a network of expertise to discuss and address

particular and generic topics as they arise. Members will be given the opportunity to attend at least one of the NPUK events in the first two years of joining the Authority.

#### **4.4 Continuous Development: Special Areas of Interest**

To facilitate a more collective understanding of strategic issues surrounding the Authority, a Continuous Development Programme will be scheduled each year. This programme will be based around special areas of interest which will come from either the main headings in the Broads Plan or other strategic issues affecting the Authority. These will include presentations, a site visit and in-depth debate to examine current delivery methods and provide the opportunity for discussion on the need to adjust policy; such sessions would allow more 'free thinking' with Members not being constrained in a similar way which might occur within a full Authority meeting. The output from such a programme could be forwarded to full Authority meetings for a formal debate and decision, should this be considered necessary. A programme of Continuous Member Development, based on four strategic issues, will be scheduled each year, with the dates of the Member Development Days included within the Annual Committee Timetable.

- 4.5 The Member Induction and Continuous Development Programme is intended to take Members through their first term of office over approximately four years. However, more experienced Members will be able to refresh their skills at any point, and also take advantage of any opportunities they missed, or which have been added to the programme or updated. Their participation in the Strategic member development Days is particularly welcome. The emphasis is on continuous development rather than acquiring all skills in the first year and the development programme should therefore be seen as a long-term commitment.
- 4.6 The Authority recognises that not all Members will be able to commit a significant amount of time to development because of professional or personal commitments. Members will be supported in identifying specific opportunities which will help them make a personal contribution to the work of the Authority.
- 4.7 Development activities will be delivered in a variety of formats, both office /centre based, or by fieldwork and site visits where appropriate. There may be facilitated workshops, one to one support under the mentoring programme, or attendance at an external training event. The Authority's professional staff will play a major part in the delivery of the programme, allowing Members and officers the opportunity to work together in a less formal setting. When appropriate, external trainers will be engaged to deliver some development opportunities.
- 4.8 At the end of each development opportunity, members will be asked to provide feedback, in order that the programme can be monitored, evaluated and developed in response to members' and the organisation's needs. Attendance at development opportunities will be recorded to provide information useful to the completion of each Member's Annual Review.

### **5 Development Needs Analysis**

- 5.1 The Broads Authority is committed to providing relevant and up to date development for its members, and will review development needs on an annual basis. A Development Needs Analysis will be carried out to ascertain collective and individual needs through the following methods:

- a. Feedback from Members' Annual Review.
- b. Requests from Members at any point during the year.
- c. International or national changes in legislation or guidance.
- d. In response to any local issues.
- e. Issues raised by the Authority's staff.

## **6 Members' Annual Reviews**

- 6.1 In order to support the Authority and individual members in continuous development, every Member and co-opted member of the Authority will complete a Members Annual Review in February each year. Individual meetings will then be scheduled for each member as part of this review process, carried out by the Chair or Vice-Chair of the Authority or the Chair of the Navigation Committee. The purpose of the Annual Review will be to:
- a. Review and evaluate Authority and individual performance and identify ways in which these could be potentially improved.
  - b. Review and evaluate the Development programme and identify development opportunities for the future.
- 6.2 The Members' Annual Review will also raise any strategic issues which need to be brought to the attention of the Chief Executive and other actions to be taken to increase the performance, effectiveness and development of the Authority.

## **7 Review by Management**

This Member Development Strategy shall be reviewed by Management Team annually in March following the receipt of the Members Annual Reviews in 6.1 above (during which Members will contribute to an annual review of the development programme). This will enable appropriate adjustments to be made to development, training and allocation of appropriate resources as part of the Development Needs Analysis. The Chairman (in association with the Chief Executive) will provide a report for the Broads Authority in May with suggestions for the Development Programme for the next year from July.

Date: July 2017

Review Date: February 2018

## Annex 1. Induction Programme for Members

Area of knowledge	Outcome	Delivery	Received v
1. The history of national parks and the background to the establishment of the Broads Authority;	An understanding of the origins of national parks, the history of the Broads and the special qualities.  Corporate branding and Columbia sponsorship	Chief Executive	
2. The purposes, functions and responsibilities of the Broads Authority;	Understanding of the provisions and requirements in the 1988 Act and other relevant legislation		
3. The Broads Plan, Annual Business Plan and Strategic Priorities;	Understand the concept of the golden thread and the role of the different documents. Strategic priorities for the year and main challenges. Organisational Structure – Roles and responsibilities of Management Team		
4. Being a member of the Broads Authority	Role and responsibilities of members, committee structure and membership. Communication Strategy and key events in the year and expectations around the Annual Member Review process.	Chair of the Authority	
5. Code of Conduct, Member Officer Protocol and conduct of meetings etc.	Introduction to the Members' Handbook. Commitment to the Authority's core values and Nolan Principles as set out in the Members' Code of Conduct, Protocol on Member and Officer relations, Standing Orders and conduct at meetings.	Solicitor and Monitoring Officer	
6. Financial arrangements specific to the Broads Authority.	Main sources of income, distinction between National Park Grant and Navigation Income and Expenditure and how that it is managed. Members' responsibilities for Finance (Statement of Accounts, Budget approval). Role of FSAC  BA Assets	Chief Financial Officer	
7. Strategy and Community Engagement	Introduction to the responsibilities of the Directorate. Awareness of the Authority's role as a Local Planning Authority.	Director of Strategy and Sustainable Communities	
8. Operations	Understanding of the breadth of the practical operations, the priority of the work programme and role of the Rangers	Director of Operations & Head of Construction	

	& Environment Officers  Members' responsibilities under the Port Marine Safety Code.	Maintenance & Environment	
9. Members and ICT	Protocols on use of BA equipment; passwords and BA accounts	Head of ICT and Collector of Tolls, Senior ICT Support Officer	
10. Site visits	Key challenges for the future plus awareness of the range of practical and customer facing operations	These should be tailored to the new members' needs and will cover a range of services and draw out key challenges	



## **Guidelines for Members Appointed by Local Authorities**

### **1 Introduction**

- 1.1 The Broads Authority was set up under the Norfolk and Suffolk Broads Act 1988. The area has an equivalent status to that of a national park and the Broads Authority has similar roles and responsibilities to that of a national park authority, with the added responsibility for navigation. More information about national parks can be found through the National Parks UK website at [www.nationalparks.gov.uk](http://www.nationalparks.gov.uk) and the Broads Authority itself at [www.broads-authority.gov.uk](http://www.broads-authority.gov.uk)
- 1.2 The Broads Authority is a statutory body. It has some similarities to local government but is non-political and therefore operates in a different way. Members are appointed not to represent a particular interest, area or authority but rather to participate in decisions to guide the Authority in delivering its statutory purposes. Their key role is to contribute leadership, knowledge and direction together with scrutiny and responsibility in the decision making and strategic direction of the Authority. Local authority appointees have an important role in making links back to their council and briefing councillors on the work of the Broads Authority.

### **2. Functions**

- 2.1 The 1988 Act has been amended several times and two of the most significant are the re-alignment of its national park purposes with the national park authorities (Natural Environment and Rural Communities Act 2006) and the Broads Authority Act 2009, whose primary purpose was to give the Authority greater powers to manage safety on the Broads.
- 2.2 Section 2 of the 1988 Act gives the Authority the general duty to manage the Broads for 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;

while having regard to:

- a) the national importance of the Broads as an area of natural beauty and one which affords opportunities for open-air recreation;



- b) the desirability of protecting the natural resources of the Broads from damage; and
- c) the needs of agriculture and forestry and the economic and social interests of those who live or work in the Broads.

Section 10 provides for more specific functions in relation to the navigation area namely that:

(1) The Authority shall—

- (a) maintain the navigation area for the purposes of navigation to such standard as appears to it to be reasonably required; and
- (b) take such steps to improve and develop it as it thinks fit.

2.3 The Authority is also the statutory local planning authority for the Broads area and a competent harbour authority. It is a member of National Parks UK, AINA (the Association of Inland Navigation Authorities) and the worldwide Living Lakes network, set up by the Global Nature Fund.

### **3 Committee Structure and Membership**

3.1 The appointment is to the Board of the Broads Authority which has a membership of 21. Nine Members are appointed by Norfolk and Suffolk County Councils and the six district councils whose boundaries fall within the Authority's executive area. Ten are appointed by the Secretary of State for the Environment, Food and Rural Affairs. Two are appointed by the Authority from the co-opted members of the Navigation Committee.

3.2 There are six meetings annually of the main Board together with four-weekly meetings of the Planning Committee, associated site visits, and training and development requirements. There is also a Financial Scrutiny and Audit Committee which meets three times a year.

The statutory Navigation Committee is a consultative body on navigation issues and meets 5-6 times a year. A Broads Forum, a consultative body with membership being made up from key stakeholder groups, meets four times a year as does the Broads Local Access Forum, a consultative body whose main function is to be a statutory advisory body to provide guidance and advice to relevant authorities on the improvement of public access to the countryside of the Broads Executive Area.

A Committee Structure Chart detailing the function of the Authority and its committees is attached at Appendix 1.

### **4 Outside Bodies**

4.1 The Authority is invited by various organisations, groups and bodies to appoint a member to represent the interests of the Authority on that body. The appointments to outside bodies are determined at the Broads Authority's annual meeting in July.

### **5 Expectations of Councillors Appointed to the Broads Authority**

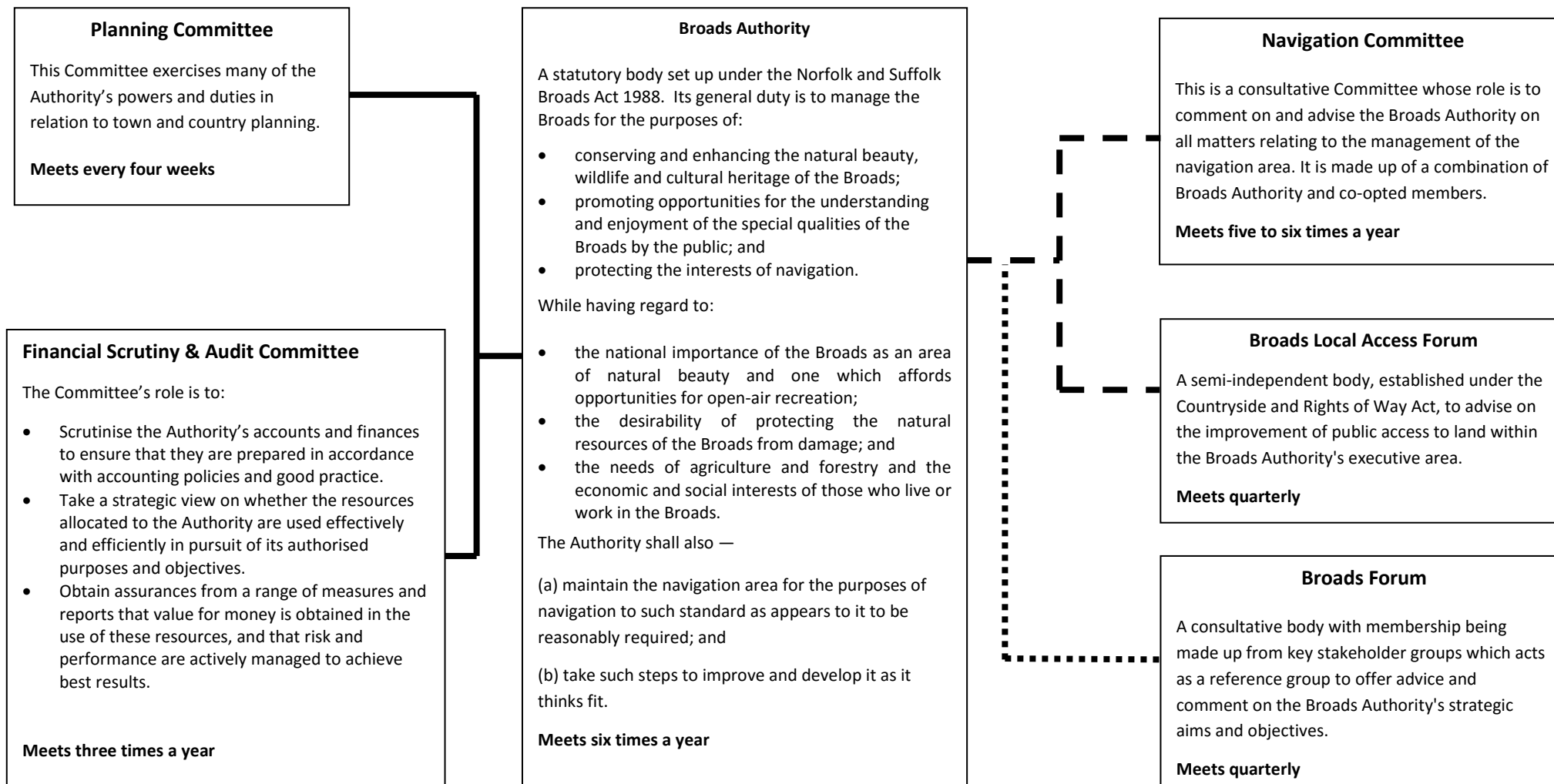
5.1 The special qualities required for Members are:-

- (1) An enthusiastic willingness to develop an understanding of the unique and global importance of The Broads and the many facets needed to create and maintain a National Park.
- (2) To be the conduit for the two way flow of information, knowledge and understanding between districts, boroughs and parishes and the Broads Authority.
- (3) To be an ambassador, acting as the public face of the Broads Authority in a professional, non-political manner.
- (4) A willingness to attend training and development sessions and mandatory training where appropriate, for example on planning or the Port Marine Safety Code, attaining a successful outcome and with a commitment to ongoing training and development, including the Members' annual review process.
- (5) An analytical, creative approach to problem solving, and the ability to challenge in a constructive manner and also be prepared to be challenged.
- (6) To work and contribute as a team member, working towards common goals.
- (7) To bring and impart your own experiences and inspirations to assist in the evolving development of the Broads.
- (8) Adhere to the Standards of Conduct, Accountability and Openness of the Authority and the Protocol on Member and Officer Relations.

**Rewards:-**

To be an integral part of a successful, productive team nurturing and developing a nationally important environment for the enjoyment and benefit of society and future generations. A small allowance is also available to Appointed Members.

**Updated 6<sup>th</sup> July 2017**



**Amendment to Standing Orders: Voting**

Report by Solicitor and Monitoring Officer

**Summary:** Following a “needs attention” recommendation by Head of Internal Audit, an amendment to the Standing Orders on the conduct of Authority business is proposed on voting.

**Recommendation:** That the Broads Authority notes and adopts the amendment on voting as set out below in paragraph 2.2.

**1 Background**

- 1.1 As part of the Internal Audit Annual for 2016/17, an audit review was undertaken of the decision-making process within the Authority. In particular, executive and non-executive decision-making in accordance with the constitution and the systems and processes in place for the preparation of reports requiring executive and non-executive decisions.
- 1.2 One of the “needs attention” recommendations was as a result of an analysis of the current terms of reference of Committees. It was concluded by the Head of Internal Audit that an amendment to Standing Orders should be made to stipulate that decisions are made by a majority vote and who has a casting vote.
- 1.3 It is considered standard practice within local government framework for decisions to be made by simple majority voting (with some limited exceptions), with the Chairman having a casting vote. In practice this has been observed by the Broads Authority.

**2 Amendments to Standing Orders**

- 2.1 The proposed amendments are small and it is considered appropriate to set out the amendment proposed, rather than attach the entire Standing Orders. The current relevant wording in the Standing Orders is below:

**14 Voting**

*Except in cases falling within Standing Order 15 (2) voting is by show of hands. But any member who wants the individual votes on any matter recorded to show how each member voted must ask for this to be done either before or immediately after a vote is taken, and the request will be allowed if at least one third of the members present show their support by raising their hand at the time of the request. An individual's vote will only be recorded if the named member says "Yes" or "No" immediately after being called to do so.*

2.2 The proposed new wording is:

#### **14 Voting**

*14 (1) Save where specifically provided to the contrary within Standing Orders or in circumstances required by law, voting is by a simple majority vote of those present. Save for cases falling within Standing Order 15 (2) voting is by show of hands. But any member who wants the individual votes on any matter recorded to show how each member voted must ask for this to be done either before or immediately after a vote is taken, and the request will be allowed if at least one third of the members present show their support by raising their hand at the time of the request. An individual's vote will only be recorded if the named member says "Yes" or "No" immediately after being called to do so.*

*14(2) Where an equality of votes occurs during the course of any meeting, the person presiding at that meeting shall have a second or casting vote. For the avoidance of doubt the casting vote is where the person presiding has previously voted or has abstained on the same matter being voted upon.*

### **3 Conclusion and Recommendation**

3.1 The Authority is asked to approve the amendments highlighted above.

Author: David Harris

Date of report: 11th July 2017

Background documents: Standing Orders for the Regulation of Authority Business

Appendices: None

**Review of Terms of Reference of Committees**  
Report by Solicitor and Monitoring Officer

**Summary:** Following a “needs attention” recommendation by Head of Internal Audit, an amendment to the Terms of Reference of Committees is proposed.

**Recommendation:** That the Broads Authority notes and adopts the amendments highlighted in the document attached.

**1 Background**

- 1.1 As part of the Internal Audit Annual for 2016/17, an audit review was undertaken of the decision-making process within the Authority. In particular, executive and non-executive decision-making in accordance with the constitution and the systems and processes in place for the preparation of reports requiring executive and non-executive decisions.
- 1.2 One of the “needs attention” recommendations was as a result of an analysis of the current terms of reference of Committees. It was concluded by the Head of Internal Audit that the terms of reference of the Financial Scrutiny and Audit Committee should reflect that it is a consultative committee.

**2 Amendments to the Terms of Reference of Committees**

- 2.1 The small amendment required is set out in the attached document at Appendix 1. at 4 (1) by the inclusion of that additional paragraph.
- 2.2 The opportunity has also been taken to incorporate the terms of reference of the Hearings Committee into the draft documents, including the wording from Standing Orders. In addition there are a number of minor amendments to reflect appropriate document name changes, as set out. The numbering of the document has also been redone, as a minor detail improvement.

**3 Conclusion and Recommendation**

- 3.1 The Authority is asked to approve the amendments highlighted in the attached document.

Author: David Harris  
Date of report: 26th June 2017  
Appendices: Draft Amended Terms of Reference of Committees

## **Broads Authority**

### **Terms of Reference of Committees**

#### **General Duty**

It is the general duty of the Authority to manage the Broads for 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.

In discharging its functions the Authority shall have regard to-

- (a) the national importance of the Broads as an area of natural beauty and one which affords opportunities for open-air recreation;
- (b) the desirability of protecting the natural resources of the Broads from damage; and
- (c) the needs of agriculture and forestry and the economic and social interests of those who live or work in the Broads.

#### **Powers Reserved to the Full Broads Authority**

##### **A Policy**

- (1) To set the Authority's overall policy and direction, including adopting and varying key documents such as the Broads Plan.
- (2) To adopt the Broads Local Development Scheme and the Broads Local Plan and approve any revisions which have policy implications.
- (3) To approve the list of annual strategic priority and key milestones.
- (4) To initiate special policy studies and investigations of particular significance to the Broads.
- (5) To approve the Authority's response to consultation papers which have strategic or policy importance for the Broads or the work of the Authority.

## **B Finance**

- (6) To appoint an officer to be responsible for the proper administration of the Authority's financial affairs in accordance with section 17 of the Norfolk and Suffolk Broads Act 1988.
- (7) To approve the annual consolidated (general and navigation income and expenditure) budget (the latter after consultation with the Navigation Committee), to fix navigation tolls (after consultation with the Navigation Committee) and to approve additional expenditure over and above that provided for in the approved budgets.
- (8) To adopt the annual Statement of Accounts.
- (9) To monitor the resources of the Authority, and to have responsibility for the following specific matters:
  - (i) making decisions about raising, varying or redeeming loans;
  - (ii) approving individual grants which are not within the scope of the powers delegated to the Chief Executive;
  - (iii) writing off any obsolete stores or equipment, loss of property or debt owing to the Authority insofar as such matters are not within the scope of the powers delegated to the Treasurer and Financial Adviser;
  - (iv) approving the Annual Investment Strategy.
- (10) To monitor projects undertaken by the Authority, with particular regard to the letting of and compliance with contracts.

## **C Navigation**

- (11) To apply for and object to Harbour Revision Orders (after consultation with the Navigation Committee).
- (12) To approve the closure of navigations for conservation purposes (except in cases of emergency, after consultation with the Navigation Committee).
- (13) To perform the role of Duty Holder under the Port Marine Safety Code, and to appoint the Designated Person.



## **D Conservation**

- (14) To make decisions about the exercise of the Authority's functions in respect of conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads in accordance with the powers and duties set out under Sections 4 and 5 the Norfolk and Suffolk Broads Act 1988.

## **E Recreation and Tourism**

- (15) To make decisions about the exercise of the Authority's functions in respect of promoting the enjoyment of the Broads by the public as set out in Schedule 3 of Part II of the Norfolk and Suffolk Broads Act 1988.

## **F Committees and Members**

- (16) To approve the setting up of any standing committees.
- (17) To approve the terms of reference of all committees.
- (18) To appoint members to any standing committee of the Authority (subject, in respect of the Navigation Committee, to prior consultation with that committee).
- (19) To appoint members to outside bodies where this function does not stand referred to another committee.
- (20) To approve the annual timetable of Authority and committee meetings.
- (21) To approve the Code of Conduct for Members.
- (22) To appoint the Authority's Monitoring Officer.
- (23) To consider and if necessary act on recommendations from the Hearings Committee in respect of matters relating to complaints of non-compliance with the Authority's Code of Conduct.
- (24) To set members allowances.
- (25) To make Standing Orders in relation to the business of the Authority.

## **G Personnel Matters**

- (26) To determine the grading, salary and terms and conditions of service of the Chief Executive.
- (27) To make arrangements for and approve the appointment of the Chief Executive.

- (28) To adopt amendments to local conditions of service where there are unresolved objections from members of staff and/or trade unions.
- (29) To determine any ex-gratia payments or honoraria to staff which are not within the scope of the powers delegated to the Financial Scrutiny and Audit Committee.

## **H General**

- (30) To make byelaws (after consultation with the Navigation Committee in the case of byelaws relating to the navigation area).
- (31) To make proposals for:
  - (i) the variation of the area of the Authority;
  - (ii) the variation of the navigation area (after consultation with the Navigation Committee); and
  - (iii) the alteration of the Authority's constitution.
- (32) To promote and oppose local Bills.
- (33) To exercise Compulsory Purchase Powers.
- (34) To take decisions:
  - (i) to exercise powers not hitherto exercised by the Authority;
  - (ii) to cease to exercise any power of the Authority;
  - (iii) involving the exercise of any powers of the Authority by any body other than the Authority or the Committee of the Authority to which those powers then stand delegated; and
  - (iv) involving the endowment of the Authority with powers not hitherto held by it.

### **Powers Reserved to Committees: General Clauses**

- (1) Any mention in the following terms of reference and delegations of any Act or statutory instrument or of any section or clause shall be deemed to refer to the same as at any time amended. Where that Act, instrument, section or clause has been replaced, consolidated or re-enacted, with or without amendment, such mention shall be deemed to refer to the relevant provisions of the replacing, consolidating or re-enacting statute or instrument.

- (2) References to powers and duties under any Act include powers and duties under any statutory instrument made under that Act.
- (3) No general reference of a power, duty, function or other matter to a committee shall include any matters specifically referred to another committee.
- (4) It is a condition of all delegations to all committees that they must report all important steps taken by them in exercise of their delegated powers to the extent necessary to ensure that all members of the Authority are broadly aware of the progress and the problems of the Authority in every sphere.
- (5) All delegated powers must be exercised in accordance with the approved Business Plan and budgets and the Standing Orders and Financial Regulations of the Authority.

## **1 Navigation Committee**

### **Matters Arising from the 1988 Act (as amended by the 2009 Act)**

- (1) To be consulted on:
  - (i) proposals to vary the navigation area (section 8(4) and the area of jurisdiction of the Authority (schedule 7 paragraph 5);
  - (ii) all the matters listed in section 9 (6) namely:
    - (a) before delegating any function of the Authority in relation to the navigation area to any person;
    - (b) before appointing any member of the Navigation Committee under this section;
    - (c) before proposing, determining or bringing into force any new policy, plan, strategy or procedure or any change to an existing policy, plan, strategy or procedure which may significantly affect the use or enjoyment of the whole or any part of the navigation area;
    - (d) before determining any application for planning permission which may significantly affect the use or enjoyment of the whole or any part of the navigation area and which materially conflicts with any policy, plan, strategy or procedure of the Authority;
    - (e) on the preparation of the annual budget, including in particular any income or expenditure attributable to the navigation area;
    - (f) (except in case of urgency) before incurring expenditure which may have a significant effect on the use or enjoyment of the whole or any part of the navigation area and which has not been specifically provided for in the annual budget approved by the Authority;
    - (g) before applying for any amendment of or alteration to the Navigation Committee's constitution as set out in this

section or the Authority's constitutions as set out in section 1 of this Act or any change to the functions of the Authority in relation to the navigation area as set out in Part II of and Schedule 5 to this Act and under Parts 2 and 3 of the 2009 Act.

- (iii) making, varying or revoking any byelaws under subsection 10(3) (see section 10(17) (a));
- (iv) making any appointment under subsection 10(7) (see section 10(17)(b));
- (v) determining any application for a works licence (see section 11 (13)).
- (vi) determining the level of any tolls or other charges to be imposed in respect of the navigation area or adjacent waters. (see section 13 (3)).
- (vii) The exercise of the powers under Part I of Schedule 5 (as required by paragraph 16 of Schedule 5). These functions are:
  - (a) Maintenance and improvement;
  - (b) Dredging;
  - (c) Communication with vessels ;
  - (d) Byelaws;
  - (e) Supplementary provisions in relation to byelaws;
  - (f) Contravention of byelaws
  - (g) Information as to navigation by pleasure craft;
  - (h) Temporary closure of waterways;
  - (i) Repair of landing places etc;
  - (j) Removal of wrecks etc;
  - (k) Nature conservation.
- (viii) The exercise of the powers under Part III of Schedule 5 (as required by paragraph 16 of Schedule 5) concerning New rights of navigation (see paragraph 23 of Schedule 5).

### **Broads Authority Act 2009**

- (2) To be consulted on:
  - (i) any proposal to give, amend or revoke a general direction (see sections 4 and 5 and schedule 1);
  - (ii) designating under section 14 any category of small unpowered vessels (see section 16(5)).

- (iii) designating, amending or revoking any part of the navigation area as a zone where waterskiing or wake boarding is to be permitted (see section 26(5)).

## **Other**

- (3) To be consulted on:
  - (i) applications for harbour revision orders.

## **Matters Arising from the Legal Agreements with National Boating Bodies in respect of the Broads Authority Act 2009**

(Note that these overlap the provisions listed above)

- (4) To be consulted on:
  - (i) implementation of the provisions in the 2009 Act;
  - (ii) information to be included on the application forms for registration and payment of tolls;
  - (iii) introduction of the Boat Safety Standards;
  - (iv) inspection procedure for vessels;
  - (v) removal of vessels procedures;
  - (vi) request for information procedure (including visiting craft);
  - (vii) hire boat licensing conditions;
  - (viii) policy for the temporary closure of waterways for recreational purposes.
- (5) To agree changes to the exemptions in respect of Boat Safety Standards as set out in section 16(6). (NB: This provision in the Agreement was intended to prevent the removal of any of the exemptions, which the 2009 Act now secures. However, the wording of the Agreement means that the Committee's agreement is required to add to the exemptions in section 16(6).
- (6) To agree exemptions from the need for compulsory insurance for small unpowered craft (see also section 16(5)).
- (7) To agree the format of financial reporting on navigation matters.

(Note: The requirement to consult under the legal Agreements extends to changes to anything previously agreed by the Authority following consultation).

## **2 Planning Committee**

In accordance with the Code of Practice for Members of the Planning Committee and Officers:

- (1) To make recommendations to the Broads Authority on plan making functions with the objective of contributing to the achievement of sustainable development.
- (2) To prepare a statement of community involvement for the preparation and revision of **the Broads Local Plan** and for the exercise of the Authority's functions in relation to development control.
- (3) To make recommendations to the Authority on the preparation and maintenance of the Local Development Scheme and on the contents of the **Broads Local Plan**.
- (4) To respond to consultations from Government and other agencies and organisations in respect of any matter for which powers are delegated to this Committee.
- (5) To keep under review matters which are likely to affect the development of the area or the planning of its development including relevant matters in any neighbouring area and make representations accordingly.
- (6) In accordance with the policies and any directions of the Authority, to exercise the powers and duties of the Authority relating to:
  - (i) development control, including the determination of planning applications, enforcement, revocation, modification and discontinuance orders, completion notices and Section 106 Agreements;
  - (ii) buildings of architectural and historic interest and town schemes (including their grant aid);
  - (iii) conservation areas;
  - (iv) ancient monuments;
  - (v) trees;
  - (vi) derelict and waste land;
  - (vii) advertisements;
  - (viii) the stopping up and diversion of public paths affected by development proposals and the downgrading of highways for amenity purposes;
  - (ix) hazardous substances;
  - (x) certificates of appropriate alternative development;

- (xi) litter, abandoned motor vehicles and rubbish;
  - (xii) goods vehicles operator's licences;
  - (xiii) conservation of buildings and vessels, etc., under paragraph 42 of Schedule 3 to the Norfolk and Suffolk Broads Act 1988;
  - (xiv) spatial plans;
  - (xv) determining whether approval be given for the exercise of permitted development rights within a European Site, following consultation with Natural England, under the terms of the Conservation (Natural Habitats Etc) Regulations 1994.
- (7) To agree with an adjoining planning authority that individual cross-border planning applications be wholly determined by either the Authority or the relevant Council.
  - (8) To consider and confirm Neighbourhood Area Plans and the designation of "neighbourhood areas" and to make recommendations to the Authority for their adoption.

### **3 Hearings Committee**

- (1) The function of the Committee is to hear and determine allegations of breaches of the Members Code of Conduct referred to it by the Monitoring Officer and in conducting hearings the Committee shall follow procedures prescribed by the Monitoring Officer.
- (2) The Hearings Committee shall be convened by the Monitoring Officer when required under the Members' Code of Conduct and this shall include one of the Authority's Independent Persons (as a non-voting co-opted member) and three other members from five nominated by the Authority at its annual meeting which will include the Chairman of the Financial Scrutiny and Audit Committee. The Independent Person shall not Chair the Committee.
- (3) The Hearings Committee shall make such recommendations to the Broads Authority as appear to it appropriate following the determination of any Code of Conduct complaints, including recommendations in relation to sanctions under the Code of Conduct.

### **4 Financial Scrutiny and Audit Committee**

- (1) The Financial Scrutiny and Audit Committee is a consultative non-decision making committee appointed by the Broads Authority and which shall have the following functions.

## **Financial Scrutiny**

- (2) To review and recommend the Annual Statement of Accounts to the Authority for approval, to ensure that appropriate accounting policies have been followed and to consider whether there are any specific concerns which need to be brought to the attention of the full Authority.
- (3) To review and recommend the Annual Governance Statement to the Authority for approval, and to consider whether there are any specific concerns which need to be brought to the attention of the full Authority.
- (4) To approve the Authority's Financial Regulations, Standing Orders relating to Contracts and counter fraud, corruption and bribery arrangements.

## **Financial Planning**

- (5) To monitor and oversee the Authority's medium term financial planning, including the annual Business Plan, and to bring to the attention of the full Authority any specific issues or concerns.

## **Audit**

- (6) To oversee the scope and depth of internal and external audit work and ensure it is appropriate and provides value for money.
- (7) To consider the external auditor's Annual Audit Letter, and any other reports to the Authority and those charged with its governance.
- (8) To receive and consider the Head of Internal Audit's Annual Written Report and Opinion.
- (9) To consider Internal Audit's Terms of Reference, Code of Ethics and Strategy, together with the 5 year Strategic Internal Audit Plan and Annual Internal Audit Plan.
- (10) To consider specific reports from external and internal auditors.
- (11) To consider any reports from internal audit on agreed recommendations not implemented within a reasonable timescale.
- (12) To receive regular updates on progress in implementing the recommendations of external and internal auditors.
- (13) To monitor the performance of the providers of the internal audit service, and advise on whether effective systems of internal control are in operation.



## **Risk Management**

- (14) To monitor the effective development and operation of risk management, and review the Authority's Strategic Risk Register.

## **Other**

- (15) To determine any payments or honoraria to staff which are not within the scope of the powers delegated to the Chief Executive up to a maximum of £50,000 per event.
- (16) To consider any matters referred to the Committee by the Broads Authority or the Chief Executive which are appropriate to its Terms of Reference.

Originally adopted by Broads Authority: 21 November 2014

**Revisions *to be adopted* by Authority on 28 July 2017**

**Next review date: July 2020**

**BROADS AUTHORITY**  
**Broads Local Access Forum**  
**Terms of Reference**

- 1 The Broads Local Access Forum will have the following terms of reference:
  - (i) To be a statutory advisory body to provide guidance and advice to relevant authorities on the improvement of public access to the countryside of the Broads Executive Area and to contribute to opportunities for the enjoyment of the area.
  - (ii) To comment on draft maps of open countryside and registered common land for the Broads as will be produced by the Countryside Agency.
  - (iii) To provide a consultative forum for and advising on issues relating to access land, exclusions, restrictions and the appointment of access wardens on land where new rights of access exist.
  - (iv) To contribute (in an advisory capacity) to the development of Rights of Way Improvement Plans which cover any part of the Broads Executive Area, together with any other strategies or plans relating to rights of way and open access.
  - (v) To advise on all other aspects of improvement of public access to land in the Broads for the purposes of open air-recreation.
  - (vi) To advise on issues relating to public access to water.
  - (vii) To advise on the promotion and appropriate use of opportunities for all types of user to enjoy access to the countryside.
  - (viii) To promote closer liaison and understanding between the various interest bodies and organisations which have an interest in access to the Broads and its wider catchment area.
- 2 In providing advice, the Forum will have regard to:
  - (i) the needs of land management;
  - (ii) the conservation of the natural beauty of the area;

- (iii) the management and maintenance of recreational access whilst balancing this against the needs of nature conservation, agriculture, the interests of landowners and managers, navigation and countryside management projects within the Broads;
  - (iv) the general duty of the Authority to manage the Broads for 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.
- 3 In providing such advice and comment the Forum shall also bear in mind the Authority's requirement to have regard to:
  - (i) the national importance of the Broads as an area of natural beauty and one which affords opportunities for open-air recreation;
  - (ii) the desirability of protecting the natural resources of the Broads from damage; and
  - (iii) the needs of agriculture and forestry and the economic and social interest of those who live or work in the Broads.

**Social Media Policy - Guidance for Members and Officers**  
Report by Head of Communications

**Summary:** The Authority is increasingly using online communications channels to communicate and engage with stakeholders and the public. There is a need to put in place a **Social Media Policy – Guidelines for Members and Officers** so that the ever expanding range of social media channels can be used appropriately by officers and Members for both corporate and private accounts. This is of particular importance to nurture and protect the positive reputation of the Authority.

**Recommendation:**

That the Broads Authority formally adopts the Social Media Policy – Guidelines for Members and Officers.

## **1 Background**

- 1.1 The Broads Authority is embracing social media as a means of communicating and engaging with stakeholders and the public. The use of social media is becoming an increasingly vital element of our communications strategy. This is reflected in the appointment of a Communications Officer with specific responsibility for digital communication and social media earlier this year.
- 1.2 The Authority has developed corporate accounts which are growing in popularity with increasing numbers of followers who are 'liking' and sharing content to their own networks. Members and Officers also have their own personal social media accounts. In some cases individuals may choose to state that they are employees or Members of the Authority within their personal accounts or may express and attract views that do not reflect those of the Authority.
- 1.3 It is important to offer guidance so that
  - Corporate accounts are managed to ensure consistency and accuracy of messaging, style of content and speed of response. This is of particular importance in emergency situations where people need information from a trusted, credible source
  - There is a clear distinction between corporate Broads Authority accounts and personal accounts
  - There is a clear distinction between the personal views of officers and Members and information from the Authority

- Members and Officers have a sound understanding of their roles and responsibilities regarding their personal and professional use of social media
- Members and Officers are aware of the potential pitfalls and legal issues that can be encountered
- The positive reputation of the Authority is nurtured and protected

1.4 The Social Media Policy – Guidelines for Members and Officers has been prepared and drafted in consultation and with input from the Solicitor and Monitoring Officer.

## **2 Related policies and procedures**

2.1 The Authority offers some policies and protocols on social media within the Members Code of Conduct, Employees Code of Conduct and Protocol on Member and Officer Relations and the Social Media Policy – Guidelines for Members and Officers complements and links to these.

**Background papers:** None

Author: Rob Leigh, Head of Communications with input from the Solicitor and Monitoring Officer

Date of report: 12 July 2017

Broads Plan Objectives: This Policy contributes to all corporate priorities but in particular supports the priority partnership actions to:

- Raise awareness and understanding
- Connect and inspire people

Appendices:

Appendix 1 – Social Media Policy – Guidelines for Members and Officers

## **Social Media Policy**

### **Guidance for Members and Officers**

#### **1. Introduction and purpose**

- 1.1 This guidance is designed to help Members and officers use social media in an appropriate way. For convenience, reference to Members includes co-opted members of the Navigation Committee and Officers includes all the employed staff of the Authority.
- 1.2 It should be read in conjunction with the following documents:
  - For Members, the Members' Code of Conduct
  - For Officers, the Authority's Code of Conduct for Employees
  - For both Members and Officers, the Protocol on Member and Officer Relations
- 1.3 When used well social media is an excellent way for the Broads Authority to engage and communicate with residents, visitors, businesses, professionals and other stakeholders.
- 1.4 Many people prefer to receive their information via social media and for some, but not all sections of society, it has replaced traditional channels such as newspapers, email and telephone.
- 1.5 More importantly, many people now expect to be able to communicate with organisations via social media, just as they do by telephone, email and other traditional channels. This demand is likely to increase even further over time.
- 1.6 It is for all these reasons that the Broads Authority is increasing the use of social media through corporate accounts managed by the Communications Team.
- 1.7 There is also potential for developing the organisation's social media identity through personal use by staff and Members however this has to be done carefully.

## Quick stats

- 73% of UK internet users have a social media profile (22% in 2007)
- 81% of these people use social media at least once a day (30% in 2007)
- 64% of all adults use social media at least once a week (the percentage for 16-24 yr olds is 99%!)
- Adults spend 1 hour and 16 minutes a day using social media

*Source: Ofcom 2016*

The UK's most popular social media sites:

- 40 million use YouTube
- 35.1 million use Facebook
- 11.9 million use Twitter
- 11.3 million use LinkedIn
- 8.8 million use Google Plus

*Source: Ofcom 2014*

## 2. Scope

- 2.1 This guidance applies to professional use of social media on behalf of the Broads Authority by its Communications Team as well as personal or private use of social media by Members and Officers when referencing or identified as being affiliated with the Broads Authority.
- 2.2 The definition of social media continues to evolve as platforms and technologies develop. On the whole, it refers to any web-based practices which can be used to share content.
- 2.3 Social media platforms include all social networking sites, including but not exclusive to, Twitter, Facebook, Instagram, YouTube, LinkedIn, Snapchat, Yammer, Pinterest, Flickr and other sites and services such as blogs that permit users to share information with others online.

## 3. Accounts in the Broads Authority's name

- 3.1 Management of social media is a cornerstone to reputation management, strengthening the brand and creating advocates. It takes a great deal of time, resource and energy to manage a social media account effectively and building your network can take a long time. It is also important to ensure consistency in messaging and tone of voice.
- 3.2 This is why the official Broads Authority corporate social media accounts are managed by the Communications Team and these should be used for the majority of Authority related social media activity. No additional corporate

accounts should be set up without consultation with the Communications Team.

- 3.3 The Communications Team will work with colleagues to encourage more social media use and will provide guidance and training where required.
- 3.4 Administrators of corporate social media accounts and Officers should not be named within authority online posts. This is to avoid compromising personal accounts with inappropriate followers or 'trolling' (a term used to describe the posting of inflammatory, extraneous, or off-topic messages in an online community)

#### **4. Personal social media accounts**

- 4.1 There is often a fine line between the use of social media as a work tool and your personal use as an individual outside of your work or Member role. Sometimes your opinions may conflict so you must take care to separate the two when it happens.
- 4.2 We recognise that many Members and Officers make use of social media in a personal capacity. While you may not be acting on behalf of the organisation, you must be aware that you can influence the perception of the Authority by linking personal accounts to the Authority through posts.
- 4.3 If you use social networks or blogs for personal use and have indicated that you work at the Broads Authority, or in the case of Members that you are a Member, you should consider using a disclaimer that states that opinions on this site are your own. An example: "The views expressed are my own and don't reflect the views of the Broads Authority" (or "the views of my employer", as applicable).
- 4.4 Sometimes Members of the Broads Authority are members of another authority or body and their profile indicates this. In those situations, you should make clear in what capacity you are expressing any view.
- 4.5 See also the section on Members' capacity.

#### **5. Guidelines to Members and Officers for all accounts**

- 5.1 The following applies to Officers and those Members whose social media account identifies them as a Member of the Authority.
- 5.2 Always be mindful of the impact your contribution might make to the reputation of the Broads Authority.
- 5.3 You are personally responsible for content you publish.



- 5.4 Never disclose commercially sensitive, anti-competitive, private or confidential information. Also do not breach copyright for example by; using someone else's images or written content without permission.
- 5.5 What you publish will be around for a long time so consider the content carefully and also be sensible about disclosing personal details.
- 5.6 Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Members and Officers should refer these enquiries to the Communications Team.
- 5.7 If you identify inaccuracies about the Broads Authority please politely and sensitively point out the situation as you see it. You must also advise the Communications Team that you have identified information that is inaccurate or could damage the reputation of the organisation.
- 5.8 Ensure compliance with data protection legislation – for example move the discussion to private message (Facebook) or Direct Message (Twitter) when personal details need to be discussed; or ask them to contact us another way (ie telephone). Delete any information posted on our sites that contains personal details.
- 5.9 You may 'block', 'hide' or 'ban' abusive users.

## **6. Guidelines to Members on capacity**

- 6.1 Members, can feel in a grey area as to whether they are covered by the Members' Code of Conduct or not, when using social media. The following guidance should assist.
- 6.2 The Members Code of Conduct will apply if you are undertaking your role as a Member when using social media. Whilst the Members' Code of Conduct is not there to police your freedom of expression or your personal social media accounts, it can nevertheless potentially apply to situations when you are using social media other than in a purely private capacity.
- 6.3 Each situation is fact-specific and no hard and fast rules can be set out which will cover every eventuality. However, you especially should take care if you use a private account to comment on or disclose the Authority's business or make personal comments about other Members or Officers or write about things which you only know through being a Member. You run the risk that such comments will fall within the Members' Code of Conduct.
- 6.4 In serious cases, your use of a private social media account to disclose confidential information about Authority business or make gratuitously abusive comments about other Members, would be a clear breach of the Code of Conduct. In those circumstances you would not be able to claim that you are doing so in a private capacity.<sup>1</sup>

<sup>1</sup> see for example the case of *Heesom v Public Service Ombudsman for Wales* [2014]

## **7. Some legal issues**

- 7.1 Use of social media can bring the same legal issues as the use of any other media. The key difference is that with social media, breaches of the law can become apparent very quickly and to a potentially huge audience.
- 7.2 You should be familiar with legal risks. These can include:
- Breach of copyright by using a third party image without permission. Make sure you have permission to use any photographs or printed material which is not your own.
  - Defamation – writing something about an individual or body which is considered to harm reputation can and does lead to significant claims for damages in the courts.
  - Breach of the Malicious Communications Act 1988 or section 127 of the Communications Act 2003 – these include sending messages which are designed to cause anxiety or distress, or are of an offensive or menacing character. These are criminal offences.
  - Unfair Trading Regulations – these forbid fake blogs, falsely representing oneself as a customer and falsely advertising on social media sites.
  - Making comments which suggest that you are predetermined or biased in relation to a planning issue.
- 7.3 Never upload, post, link to or forward any abusive, obscene, discriminatory, harassing, derogatory or defamatory content. This includes your colleagues, members of the public or the Broads Authority as an organisation. It could result in disciplinary action.
- 7.4 Do not take or use any photographs of children who appear to be under the age of 18 years without permission from a parent or guardian.

## **8. Top Tips for using social media**

- 8.1 Only set up a social media account if you are able to manage it and give speedy and appropriate replies to correspondence. People expect quick responses on social media so it should be prioritised similarly (if not over) other incoming messages. Think of a query as if it's a media enquiry or being asked in a public meeting.
- 8.2 Followers don't automatically appear. The single biggest trick to getting the most from social media is to build your online communities by sharing, listening, being active and being social. You will need to provide interesting things to read, watch or listen that your target audience values and wants. Keep accounts updated regularly. There should be activity at least every day or two.
- 8.3 There are a large number of social media platforms. You should only create profiles on ones that are relevant. It is better to do one really well, than several poorly.

- **Be human** - be approachable in your language and tone. Write in plain English
- **Be friendly** - Use warm and welcoming language.
- **Be engaging and helpful** - Respond to questions and post/contribute when you can move the conversation on or help
- **Be professional and respectful**
- **You can't control, only contribute** - You cannot stop conversation amongst your audience. You can only contribute to it
- **Be strategic by planning ahead** – who do you want to engage with, why and how? What do you want to achieve?
- **Listen** - social media is designed to be a two-way channel, just like any good conversation
- **Monitor and adapt** - Keep records of 'likes', 'mentions' 'popular content' and 'analytics' for future analysis - use this recorded data to see what works and what doesn't to help make decision in the future
- **Post questions** - You'll find that many people on social media are very happy to help if you post questions to your community or followers
- **Don't be afraid to ask for help** – The communications team will be happy to provide you with advice on your social media use

## 9. Golden rule

*“Don't post any message on social media that you wouldn't happily say in a public meeting”*

## 10. What happens if you get it wrong?

10.1 It's possible to make a mistake and get it wrong. If it happens to you as an Officer tell your line manager immediately and consult with them and the communications team to agree remedial action to avoid embarrassment or reputational damage.

10.2 If you are a Member, contact the Communications Team for advice.

10.3 If you make a mistake, be open and honest whilst quick to correct it.

## 11. Further information and contacts

11.1 Guidance produced by the Communications Team in conjunction with the Solicitor and Monitoring Officer.

11.2 Contact Rob Leigh, Head of Communications on 01603 756049  
[Rob.leigh@broads-authority.gov.uk](mailto:Rob.leigh@broads-authority.gov.uk)

July 2017

**Annual Report of the Broads Local Access Forum**  
Report by Senior Waterways and Recreation Officer

**Summary:** This report presents for members' information the key matters considered by the Broads Local Access Forum during the last year relating to the development and improvement of public access within the Broads.

**Recommendation:** That the work of the Forum be noted.

**1 Introduction**

- 1.1 The purpose of this report is to inform Members of the key matters considered by the Broads Local Access Forum during the last year relating to the development and improvement of public access within the Broads.

**2 Annual Report**

- 2.1 The draft Broads Local Access Forum annual report is attached to this covering report as Appendix 1.
- 2.2 The key issues considered by the Forum included the review and adoption of the Integrated Access Strategy action plan which is delivering projects like the new 24-hour mooring recently built at Rockland Short Dyke and permissive paths and the County Council's review of its Rights of Way Improvement Plan and Cycling and Walking Action plan both of which present opportunities for partnership working to improve access in the Broads.

Background papers: Minutes of the Local Access Forum

Author: Adrian Clarke  
Date of Report: 12 July 2017

Broads Plan Objectives: 6.1, 6.2

Appendices: APPENDIX 1 – The Broads Local Access Forum Annual Report 2017

# The Broads Local Access Forum Annual Report 2017

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# 1. Broads Local Access forum

## 1.1 Statutory purposes

The Broads Local Access Forum is an independent advisory body established by the Broads Authority in 2003 under the Countryside and Rights of Way Act 2000.

The Act states that the purpose of the forum is to be a statutory advisory body to provide guidance and advice to the Broads Authority and other organisations on the improvement of public access within the Broads and to contribute to opportunities for open air recreation and the enjoyment of the area. In providing advice, the forum will have regard to:

- The needs of land management
- The conservation of the natural beauty of the area
- The management and maintenance of recreational access whilst balancing this against the needs of nature conservation, agriculture, the interests of landowners and managers, navigation and countryside management projects within the Broads.

## 1.2 The forum's vision

The Broads is an unrivalled wetland of natural diversity, heritage and special character. It is a place where people come to explore, enjoy and find spiritual refreshment. Access to the Broads should be clear and easy to use, respectful of wildlife and land management, meet users' needs and promote responsible and harmonious behaviour. The Broads Local Access Forum will champion access improvements and management, represent a wide range of interests and contribute to sustainability for environment, communities and the economy.

# 2. What has happened during the year?

## 2.1 The forum at work

The forum has delivered its purpose in a number of ways:

- i The forum has held four public meetings to agree its advice to the Broads Authority and other organisations.
- ii The forum provided representation on the Broads Forum, the Norfolk Local Access Forum, the Joint LAF meeting (Broads and Norfolk) and at Regional and National LAF meetings.
- iii Forum members provided advice by individual correspondence on consultation documents.
- iv Forum members are expected to use and develop their own networks of contacts to gather information and opinion, and to offer advice and information on access.

## 2.2 Challenges faced by the forum

The forum faced the following challenges:

The main challenge faced by the Forum has been the continuing pressure on public funding for countryside access across all local authorities which has meant some paths have received little maintenance. Additionally as Agri-Environment Access payments to landowners have come to an end some permissive paths have closed resulting in a more fragmented access network.

### 2.3 Advising the Broads Authority

The forum has given advice on the following issues:

The Forum has given advice to a number of bodies over the year. The Forum has advised Norwich City Council on the proposed River Wensum Strategy. Further advice was given to Norfolk County Council on its review of the County Rights of Way Improvement Plan, the proposed Norfolk Countryside Access Improvement Plan and the Norfolk Cycling and Walking Action Plan particularly regarding the importance of recognising the benefits of access in the Broads National Park and opportunities for partnership working with the Broads Authority on strategic routes in the Broads like the 3 Rivers Way and Wherryman's Way.

The forum has also given further advice to the Broads Authority on its Integrated Access Strategy Action Plan and the Hickling Broad Enhancement Project.

### 2.3 Responding to consultations

The forum has responded to the following consultations:

- PROW Improvement Plan (Norfolk County Council)
- Cycling and Walking Action Plan (Norfolk County Council)
- Countryside Access Improvement Plan (Norfolk County Council)

### 2.4 Access reports

- Wherryman's Way - River Chet
- Draft Integrated Access Strategy Action Plan
- Hickling Broad Project Update
- Norfolk County Council Rights of Way Improvement Plan Strategic Review
- Wherryman's Way Update
- Access All Areas
- Registration of Unrecorded Rights of Way – Deregulation Act 2016
- River Wensum Strategy Update
- Staithes Research project
- Blue Book for Roads
- British Horse Society – Auditing the List of Streets
- Proposal for new Town and Parish Councils for Lowestoft and Oulton Broad
- River Chet Condition Update Including Wherryman's Way and Water Level Monitoring
- Broads Forum updates
- Norfolk County Council Access Updates

### 2.5 Partnership working

The forum has worked with the following organisations:

- Norfolk County Council
- Wensum River Parkway Partnership
- Norwich City Council
- Natural England
- River Wensum Strategy Group

## 2.6 Observers and advisors to the forum

- Andrew Hutcheson, Norfolk County Council
- Karen Sayer, Broads Authority
- Martin Sullivan, Norfolk Local Access Forum
- Kevin Hart, Norfolk Wildlife Trust
- Kirsty Webber-Walton, Norfolk County Council
- Russell Wilson, Norfolk County Council
- Andrea Long, Broads Authority
- Adrian Clarke, Broads Authority
- Rob Rogers, Broads Authority

## 3 Who makes up the forum?

### 3.1 Chair and Vice-Chair

In December 2015 Keith Bacon was re-appointed as Chair and Alec Hartley was appointed as Vice-Chair of the Broads Local Access Forum.

### 3.2 Members and representation

Membership of the Broads Local Access Forum was reviewed and the following members were appointed in December 2015:

#### **Keith Bacon** – Catfield

Tel: 01692 581314

keithbacon@keme.co.uk, keithbacon@broadland.net

Representing: Archaeology and landscape heritage

Keith a native of Catfield, is a retired teacher and runs the family holiday business at Potter Heigham. He is a member of the Broads Forum and a former member of the Broads Authority. He is Vice-Chairman and former Chairman of the Broads Society and is a committee member of the North Norfolk group of CPRE. He has been Chairman of Catfield Parish Council for over 20 years and has been a district councillor. His other interests include local history (with a PhD in agricultural history), fen conservation in Catfield and being church warden of Catfield church.

#### **Olly Barnes** – Bungay

Tel: 01986 892074

barnes@cockrill.fsnet.co.uk



Representing: Local Authority / Waterborne recreational users

**Louis Baugh – Neatishead**

Tel: 07785 224589

lbaugh@netcom.co.uk

Representing: Landowners and managers

Louis farms a mixed arable and dairy unit on the River Ant neighbouring the How Hill and Alderfen nature reserves. He is a Trustee of the Village Poors Trust, a member of the Broads Internal Drainage Board and a Trustee of the Royal Norfolk Agricultural Association. He has an extensive Countryside Stewardship Scheme in place on his farm, which includes a network of permissive footpaths which connect the statutory public rights of way and the communities of Horning and Neatishead. Louis is a member of the Broads Authority.

**Liz Brooks – Ludham**

Tel: 01692 678674

elizabeth@brooks96.wanadoo.co.uk

Representing: Equestrian riding and driving

Liz has lived in the Norfolk Broads all her life where she has owned and ridden horses from a young age. She believes that every equestrian should have access to safe, enjoyable, off-road routes. Her work with older people and interest in conservation, wildlife, walking and cycling gives her an insight into the needs of other user groups.

**Tony Brown – Lowestoft**

Tel: 01502 740639

tonybrownrwt@gmail.com

Representing: Nature conservation

**Robin Buxton - Lingwood**

Tel: 01493 750102

robin.buxton@ukgateway.net

Representing: Landowners and managers / Tourism and local business

Robin is a chartered surveyor involved with land and property management, particularly in the Broads. He is a member of the Broads Internal Drainage Board and Upper Thurne Working Group. He is also Chairman of the British Reed Growers' Association.

**Nick Dennis – St Ives**

Tel: 01480 382731

nickdennis1@virginmedia.com

Representing: Waterborne recreational users (canoe users)

Nick is a self-employed Chartered Surveyor based in Cambridge. He spent many a summer holiday as a child fishing and exploring the Broads at Barton Turf, Wroxham, Hickling. More recently he has become involved with canoeing as Head of the Wooden Canoe Heritage Association for the UK. Nick regularly organises trips and meetings on the Broads for members of the Open Canoe Association seeking out new areas and canoe routes.

**Mike Flett – Ludham**

Tel: 01692 678560

mikeandjeanne@btinternet.com

Representing: Local Authority (Parish Councils)

Mike, although born in Surrey, has been resident in Norfolk since 1974, mostly in Ludham. He has been a Parish Councillor for more than 25 years, Chairman for more than 15 years, and a past Chairman and Governor of Ludham First School. He is Chairman and a founding Trustee of the Womack Charitable Trust, set up in 2001, operating a substantial mooring facility in the village of Ludham. He was appointed Trustee of the How Hill Trust in 2014 whose primary objective is to promote, maintain, improve and advance public education in Broadland by the provision of education facilities at How Hill in Norfolk and the conservation of How Hill House for the benefit of the public. His recreation activities include walking, boating, railways and 20<sup>th</sup> century military history.

**Tony Gibbons – Norwich**

Tel: 01603 400973

tonygibbons.ndaa@gmail.com

Representing: Angling

**Dawn Hatton – Norwich**

Tel: 01603 433174

stock.dawn@gmail.com

Representing: Walking / People with disabilities and access for all

Dawn has lived in Norwich for over 30 years and as a frequent visitor the Broads, she has experienced changing access requirements as her family has grown; from pushchairs and child friendly walks, safe cycling routes, boat and canoe leisure activities 'teen trudges' and wheelchair mobility access. Dawn hopes her experiences will help with the planning and improving of access to the Broads for others. Dawn is an active member of several local charities.

**Alec Hartley – Norwich**

Tel: 01603 452884

alecandkathie@gmail.com

Representing: Wensum River Parkway Partnership

Alec is a former Chairman of the Norwich Society, a Director of the Norwich Preservation Trust and Chairman of the Wensum River Parkway Partnership which aims to bring back life to the river in Norwich between Whitlingham and New Mills. He is a keen walker and campaigner for public access to both Norwich's unique heritage and the river which runs through the city.

**Lana Hemsall – Acle**

Tel: 01493 751562

lana.hemsall@broads-authority.gov.uk

Representing: Broads Authority

**Peter Mason – Catfield**

Tel: 01692 583152

peter.mason51@sky.com

Representing: Walking / Tourism and local business

**Stephen Read – Oulton Broad**

Tel: 07720 808715

stevereadcon@btinternet.com

Steve is a chartered civil engineer with extensive experience providing infrastructure within the

public sector and promoting new public rights of way. He takes a keen interest in sustainable issues but recognises the importance of commercial enterprise to support tourism within the Broads. He is a walk leader with the Waveney Group for 'Go Active Health Walks' and is also enthusiastic in promoting cycling facilities within the Broads area. He has a strong affiliation with the Broads, is a Friend of the Hunters Fleet and became a member of the Broads Local Access Forum in 2010.

**George Saunders – Norwich**

Tel: 01603 413485

georgesaunders@btinternet.com

Representing: People with disabilities and access for all

George came to Norfolk in 1989 after becoming disabled and joined the disability movement. He works for various charities which champion greater equality for disabled people including the Norwich Access Group and Norwich Shopmobility. Having been a keen walker he became interested in wheelchair access to the countryside and has worked in a number of ways to promote this over the years.

**Charles Swan – Oulton Broad**

Tel: 01502 588915

clerkoultonparishsuffolk@hotmail.co.uk

Representing: Local Authorities (Parish Councils) / Educational establishments

Charles has been involved with the Broads Authority for many years, starting with the Consultative Committee under the Chairmanship of Mr James Hipwell. He is a parish councillor for Oulton (Suffolk) dealing with footpath and access matters. He is the Pools Trustee for Oulton Marshes, a keen angler and walker and also a boat owner. As a supporter of the Suffolk Wildlife Trust, he works with primary school nature projects in the parish.

**Martin Symons – Poringland**

Tel: 01508 494205

martin.symons1@btinternet.com

Representing: Cycling / People with disabilities and access for all

**Ray Walpole – Norwich**

Tel: 01603 300221

r.walpole05@tiscali.co.uk

Representing: Walking / Cycling

Ray was born in Reedham and has spent most of his life around the Broads before moving to the Greater Norwich fringe. He is a member of the Norfolk Ramblers, Norwich Cycling and Norfolk Workers Education Association (WEA). He is particularly interested in promoting adult education in the Broads environment and heritage.

**Peter Warner – London**

Tel: 02086 700999

Peter.warner@broads-authority.gov.uk

Representing: Broads Authority

**Richard Webb – Norwich**

Tel: 01603 505362

dickwebb@talktalk.net

Representing: Walking

**Christopher Yardley** – Burnham Thorpe

Tel: 01328 738705

[chris.yardley@cjyardley.co.uk](mailto:chris.yardley@cjyardley.co.uk)

Representing: Waterborne recreational users / Nature conservation

Chris has been intimately involved with the Broads for many years. He was a former Countryside Officer with local government and continues to be involved with the ecology, history and wider land management of the area through his interests in wildlife conservation, cycling, walking and sailing. He is a member of a practical countryside management group which maintains footpaths and undertakes some conservation management works for landowners and local authorities. He has a special interest in access for all issues.

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**Broads Authority**  
**Planning Committee**

Minutes of the meeting held on 28 April 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard  
Prof J Burgess  
Mr W Dickson  
Ms G Harris

Mr P Rice  
Mr H Thirtle  
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)  
Ms N Beal – Planning Policy Officer  
Mr N Catherall – Planning Officer  
Ms A Long – Director of Planning and Resources  
Mr G Papworth – Planning Assistant

Members of the Public in attendance who spoke:

**BA/2017/060/CU Eagle's Nest, Ferry Road, Horning**

Mr Mark Brown	Agent for the Applicant
Mr Robert King	The Applicant

**BA/2016/0323/FUL Bureside, Water Works Lane, Horning**

Mr Evert Amador	Agent on behalf of applicant
Prof Erika Denton	The Applicant

**11/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting. Apologies were received from Mr J Timewell. He also welcomed Mr Tom Waterfall who had recently been appointed as Digital Communications Officer and was attending part of the meeting as an observer.

**11/2 Declarations of Interest**

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes. Mr Rice commented that as Chairman of the Broads Society he would not take part in the debate or vote on application BA/2016/0323/FUL where an objection had been received from the Society. He explained that although he did not sit on the Planning committee for the Society, which had provided the representations, he considered it prudent not to take a view on this occasion. He would be

formally writing to the Authority explaining the structure and processes of the Society.

### **11/3 Chairman's Announcements and Introduction to Public Speaking**

The Chairman reported on the following:

#### **(1) The Openness of Local Government Bodies Regulations**

The Chairman gave notice that the Authority would be recording this meeting following the decision by the full Authority on 27 January to record all its public meetings on a trial basis. Investigations of ways of making recordings available on the website were being made. The recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The copyright remained with the Authority and the minutes would be as a matter of record. If a member of the public wished to have access to the recording they should contact the Monitoring Officer.

- (2) **Introduction to Public Speaking** The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)

### **11/4 Minutes: 31 March 2017**

The minutes of the meeting held on 31 March 2017 were agreed as a correct record and signed by the Chairman.

### **11/5 Points of Information Arising from the Minutes**

#### **Minute 10/14 Appeals to Secretary of State including Annual Review.**

It was noted that a report on a response to Design issues raised on Appeal would be prepared for the next meeting.

### **11/6 To note whether any items have been proposed as matters of urgent business**

No items had been proposed as matters of urgent business.

### **11/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer or vary the order of the agenda had been received.

### **11/8 Applications for Planning Permission**

The Committee considered the following applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also

having regard to Human Rights), and reached decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' report, and which were given additional attention.

- (1) **BA/2017/060/CU Eagles Nest, Ferry Road, Horning** Change of use of first floor of boathouse to residential managers accommodation (Class C3) associated with the adjacent King Line Cottages.  
Applicant: Mr Robert King

The Planning Assistant provided a detailed presentation of the application seeking retrospective consent for the change of use of the first floor of the boathouse known as Eagle's Nest to residential accommodation associated with the adjacent King Line Cottages enterprise, the site of which had been the subject of enforcement action. The existing boathouse had received consent in March 2010 and had replaced an earlier much smaller structure. The permission was conditioned to limit the use solely for the mooring of boats and storage of equipment required for incidental use of the boathouse, these having been three electrical boats. The site had been the subject of enforcement proceedings and a breach of condition notice whereby the first floor had been converted for holiday use and for manager's accommodation.

Ninety seven letters of representation supporting the provision of the manager's accommodation had been received. Since the writing of the report further correspondence had been received from the applicant's agent in response to the Officer's assessment and reasons for refusal in the report with emphasis on criteria (a) and (d) of Policy DP 26, details of which had been received by members.

The Planning Assistant explained that as the proposal was outside the development boundary it was contrary to Policy DP22. He therefore assessed where exceptions could be made in line with criteria set out in other Policies in particular Policy DP26 as well as the NPPG and Flood Risk SPD.

The Planning Assistant concluded that the essential need for a worker to live on site had not been satisfactorily demonstrated given that the business had been operating without an onsite manager for 46 years and the level of customer service required had been provided by either the owner or an employee living locally. It was considered that the accommodation need could be provided by the local housing stock in Horning. In addition, the proposed change of use was not an acceptable form of development in a functional flood plain (being in Flood Risk Zone 3b) and therefore was contrary to flood risk policies. He therefore recommended that the application be refused.

Mr Brown as Planning Agent on behalf of the applicant considered that there was a clear justification and need for a Manager being resident on site at all times due to the nature of the business specialising in providing holiday facilities for the disabled and elderly. It was not an additional customer service but essential due to the business's clientele. In response to members' questions he explained that the proprietor/applicant who lived near now wished to retire and would not be able to deal with the day to day requirements. It was claimed that the need could not be met by an existing dwelling on the site or in the locality as there was no affordable accommodation in the area and no rental properties available at present. There were other cottages on the premises but taking one out for a site manager would not be viable for the business. Mr King clarified that only one property was not suitable for disabled customers as it was nearest the river. It was explained that although the owner was retiring he would still have an interest in the business.

The planning agent also did not agree with the officer's assessment relating to flood risk and considered that there would be no impact on the floodplain as the accommodation would be on the first floor. Mr Brown also considered that there would be no ecological, navigational or visual impact. He urged members to take a balanced and holistic approach and to approve the application in accordance with the Authority's Tourism Strategy as well as the Authority's policies. He suggested that if members were minded to approve the application conditions could be imposed restricting the use of the building to a manager's flat and provision of flood risk mitigation.

Members noted the comments from the Environment Agency providing an objection in principle as the proposed development fell into a flood risk vulnerability category. They also noted that access and egress from the property was the important issue and a member suggested that a suitable evacuation plan would be needed. Members also noted the Environment Agency's response in relation to the Joint Position Statement on Development in the Horning Water Recycling Centre Catchment where they would have no objection on the basis that if the current boat house was already connected to the mains sewer, it was unlikely that the proposed impact would be significant. It was confirmed that the existing development was connected to the mains sewerage.

Mr Rice commented that having been involved in the development of the Joint Position Statement as he was Chair of the Flood Forum, to be cautionary he would declare an interest in the matter and abstain.

Members considered that it was very laudable to have suitable staff available to support the business and for clients to have sent in letters of support, although it was noted that the site Manager had only been



occupying the first floor of the boathouse since December 2016. They considered that the business had not altered and it was not a new situation since the previous manager had lived in the village and been on call. In general they concurred with the officer's recommendation and considered that there was not sufficient justification to warrant approval of the application.

The Chairman put the officer's recommendation to the vote and it was  
RESOLVED by 6 votes to 1 with one abstention.

that the application be refused for the following reasons:

- (i) The application site is outside a development boundary and there are not considered to be exceptional circumstances to justify the siting of a dwelling. The proposal is therefore contrary to Policy CS24 of the adopted Core Strategy (2007), Policy DP22 of the adopted Development Management Policies (2011)
  - (ii) There is said to be a need for a worker to live on site in order to provide service to the customers, however it has not been satisfactorily demonstrated that there is an existing need for a full time worker to be available at all times for the enterprise to function properly and the proposal is contrary to criterion (a) of Policy DP26 of the adopted Development Management Policies DPD (2011)
  - (iii) Insufficient information has been submitted to satisfactorily demonstrate whether or not the stated need for a worker to live at the site can be met by an existing dwelling in the locality. The proposal is therefore contrary to criterion (d) of Policy DP26 of the adopted Development Management Policies DPD (2011)
  - (iv) The proposed development for residential accommodation, classified as more vulnerable development, is not considered an acceptable form of development in Flood Risk Zone 3b (functional floodplain) and is therefore contrary to Policy DP29 of the Development Management Policies (2011), Flood Risk Supplementary Planning Document (2017) and National Planning Policy Guidance.
- (2) **BA/2016/0323/FUL Bureside, Water Works Lane, Horning NR12 8NP** Replacement dwelling and associated works  
Applicant: Prof. Erika Denton and Mr Rupert Cavendish

Mr Rice, having declared an interest took no part in the debate or voting on this item.

The Planning Officer stated that members had had the benefit of a site inspection on 20 April 2017 where members had the opportunity to

view the site from both the land and the water to gain a full appreciation of the context of the application. A note of the site visit had been circulated.

The Planning Officer provided a detailed presentation of the application for the demolition of an existing early 20C dwelling and associated garage, originally associated with the Horning Water works, to be replaced with a new dwelling house on a larger footprint sited a short distance to the west and south of the existing. This would be of a more contemporary design. A scheme had originally been submitted last year, since when the plans had substantially changed following detailed discussions with officers. Objections had been received from the Broads Society and the Authority's Landscape Officer.

Having provided a detailed assessment, addressing the main issues of siting, design, landscaping, flood risk and the cultural environment the Planning Officer concluded that the demolition of the existing dwelling, whilst a familiar presence in the landscape, was acceptable. The replacement dwelling would be an improvement, less visually prominent and the landscaping proposals would mitigate concerns expressed by consultees. There would be no impact on the neighbouring amenity. It was acknowledged that there would be potential damage to the road surface on the Waterworks Lane and the applicant was prepared to be responsible for running repairs during the construction period (although this could not be conditioned as it was not part of the application site). The mooring cut extension would be beneficial, the boathouse was an acceptable design set back from the river and not over burdensome or cumbersome. It would also provide safe mooring of vessels off the river. He therefore recommended that the application be approved subject to conditions as overall it was considered to represent a reasonably inconspicuous presence in the river scene. It would provide a positive redevelopment of the site and balance between being visually pleasing but not dominating and therefore an asset in this section of the River and in keeping with the character and appearance of development in this locale.

Professor Denton, the applicant explained that they had begun the planning process in 2014 with early discussions with the previous owners, builders and then the planning officers. They found that the existing house was not suitable enough to be developed or extended and as applicants they were completely committed to providing a dwelling and development that would fit in with its setting, help to declutter the site of the numerous buildings, and accommodate two vintage boats, and ultimately provide a functional property for their family that would leave a legacy for the future of the Broads. They also wished to provide a landscaping scheme that was in conjunction with advice on what was native and appropriate for this site. Professor Denton confirmed that they had no desire to run a commercial business, particularly given her and her partner's committed and busy

occupations. She explained the need for the parking arrangements in association with their family, and the requirement for them to be hidden from the river. She explained that part of the quay heading belonged to Northumbrian Water to whom they would make an annual contribution for the lease of the land adjoining the application site. The applicants would repair all the quayheading as part of the whole scheme using a local contractor in order to provide consistency and Northumbrian Water would provide reimbursement for that which was in their ownership. The applicants wished to do what was right for this area of the Broads, to have a comfortable and appropriate living space whilst able and to leave a legacy for the future.

Members had noted the comments from the Landscape Officer based on former landscape character assessments. They considered that the site visit had been very beneficial. Overall they considered that the proposals would provide a very welcome development as the design took reference from Broads buildings and setting and the landscaping scheme was exceptionally appropriate. The existing and the proposed tree planning would help to break up the final development. Some members commented that it would be unfortunate if the property was screened altogether from the river. It was considered that in future the development could become a distinctive iconic and positive feature of the landscape character of this part of the River Bure and a potential asset to the Broads and was therefore to be commended.

Jacquie Burgess proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously (Mr Rice not having participated or voted)

that the application be approved subject to the conditions outlined in the report including timber quay heading (as indicated in the plans). The proposal is considered to be in accordance with Policies CS1, CS5, and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP4, DP12, DP13, DP24, and DP28 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

Members requested that once built this property be included in the Authority's Quality Design Tour.

## **11/9 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee. Further information was provided on the following:

**Thorpe Island:** The sale of Thorpe Island had been completed on 31 March 2017 and the site was in the process of being cleared in compliance with the enforcement notices. As far as officers were aware the new owners had no aspirations to develop the site as a marina or other development that required

planning permission. Members welcomed the progress made after such a considerable time.

The Chairman referred to a recent posting by James Knight on social media concerning the enforcement matter at Thorpe Island, which falsely claimed that members had been kept in the dark and not been fully informed or that they had been misled by officers and the matter had been mishandled. He took great exception to this and wished to emphasise and for it to be noted that the matter had been carried out throughout with the full involvement of Members, the full involvement of the Planning Committee as well as being the subject of High Court proceedings where it had been found to have been handled in an exemplary fashion. He considered it to be totally unacceptable for a member of the Authority's Navigation Committee to have made such statements and allegations against the Authority which were blatantly false.

**Ferry Inn, Horning:** Members were pleased to note that the unauthorised development including refrigerated container, portacabin and static caravan had been removed and therefore compliance achieved.

**Burghwood Barns, Burghwood Road, Ormesby St Michael:** Unauthorised development of agricultural land as residential curtilage – Enforcement Notice served on 8 March 2017, compliance to be achieved by 19 July. An appeal had been submitted.

RESOLVED

that the Enforcement Update report be noted.

#### **11/10 Salhouse Neighbourhood Plan - proceeding to Referendum**

The Committee received a report providing an update on the progress of the development of the Salhouse Neighbourhood Plan. Representations received on the submitted Plan during the 6 week publication stage had been the subject of an independent examination. The examiner's report had concluded that subject to certain specified modifications, the Neighbourhood Plan should proceed to a referendum with the neighbourhood area. As the area also fell largely within Broadland District, the Examiner's report would also be available on its website.

Members noted the findings of the Examiner's report and agreed with the Examiner's conclusions. Should the Plan receive support from 50% of those voting in the referendum, it could be made a Neighbourhood Plan and form part of the statutory development plan.

RESOLVED

- (i) that the findings and conclusions of the Examiner's report (as detailed in Appendix to the report )be endorsed and approved.

- (ii) that the Salhouse Neighbourhood Plan be endorsed and proceed to a referendum within the neighbourhood area (the civil Parish of Salhouse).

#### **11/11 Thorpe St Andrew Neighbourhood Plan – Designating Thorpe St Andrew as a Neighbourhood Area**

The Committee received a report on the proposal to designate Thorpe St Andrew as a Neighbourhood Area for the purposes of a Neighbourhood Plan. The nomination was received on 23 March 2017 and there were no known or obvious reasons to not agree the Neighbourhood Area. It was noted that the Neighbourhood area included the whole of Thorpe St Andrew Parish and included Thorpe Island.

Members endorsed the proposal

**RESOLVED**

That Thorpe St Andrew be designated as a Neighbourhood Area in order to produce a Neighbourhood Plan.

#### **11/12 Broads Local Plan: Recreation Impacts Study**

The Committee received a report providing an update on the progress of evidence to support and inform the preparation of the Broads Local Plan relating to the Recreation Impacts Study – Visitor Surveys at European Protected Sites (January 2017, Footprint Ecology). Through analysis of visitor surveys it provided a strategic overview to aid the understanding of the relationship between population growth (including new housing growth and tourist growth) and the potential impacts on internationally designated wildlife sites throughout Norfolk. It was noted that the study established the number and behaviour of visitors at designated sites as well as providing analysis around routes and distances travelled and frequency. It helped to assess the links between new housing development and recreation use which would provide evidence to inform the Local Plan including development of appropriate monitoring and mitigation measures. The Local Plan was required to conform to the Conservation of Habitats and Species Regulations 2010 as amended. The study would help to provide updated base line data to inform the assessment and potential source of mitigation measures for the Habitats Regulations Assessment and Appropriate Assessment. The survey highlighted the key facts and also indicated that more work on the details of specific sites would be useful.

Members commended the excellent report as a valuable source of evidence and endorsed its publication.

A member commented that it would be useful to consider how we engage positively with local communities to take ownership and responsibility for the local environment particularly through such activities as dog walking and referred to work being undertaken in the South Downs where they were

training dog walkers to act as informal wardens and volunteers to talk to other dog walkers.

A member wondered whether the Authority at times might be being too restrictive in certain locations relating to the interaction of people and wildlife. It was recognised that a proportionate approach needed to be taken on a site by site basis and positive advice provided.

**RESOLVED**

that the report on the Recreation Impacts Study is published as a source of evidence to support the emerging Local Plan.

### **11/13 Landscape Strategy and Guidance**

The Committee received a report on the draft guides to be produced to help potential applicants to understand and address the landscape impacts of their proposals as well as provide guidance on landscaping proposals with the aim of delivering high quality schemes. It was noted that reference was made to the Authority's Landscape character Assessment and Landscape Sensitivity Study that would be important sources of information for applicants and their agents and this was welcomed.

Members were provided with the draft content of the guides and informed that it would not be possible to format them with the illustrations and final graphics prior to consultation due to pressures on the communications team. However, following consultation the guides would be designed appropriately and produced in a similar style to other Authority guides already adopted such as the Moorings Guide, Biodiversity Enhancement and Waterside Chalet/Bungalow guides.

- . Responses would be brought back to the Committee prior to formal adoption by the Authority.

Although a designed guide for consultation would have been preferable, Members recognised the limited resources available for such production at this time.

**RESOLVED**

- (i) That the content of the Draft Guides be endorsed.
- (ii) That the Draft Landscape and Landscaping Guide be published for public consultation for a six week period prior to adoption by the Authority.

### **11/14 Appeals to Secretary of State**

The Committee received a report on the current appeals against the Authority's decisions since January 2017. Members noted that the Appeal by

*BCK Marine at Griffin Lane, Thorpe St Andrew* had been dismissed on 21 April, the decision having been circulated to members.

It was noted that receipt of decisions from the Planning Inspectorate had been very slow of late. It was also noted that PINS had recently recruited a number of new Inspectors and some of the recent decisions made had been inconsistent.

RESOLVED

that the report be noted.

#### **11/15 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 15 March 2017 to 18 April 2017.

RESOLVED

that the report be noted.

#### **11/16 Circular28/83: Publication by Local Authorities of Information About the Handling of Planning Applications.**

The Committee received the development control statistics for the quarter ending 31 March 2017.

RESOLVED

that the report be noted.

#### **11/17 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 26 May 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 11.35 am.

CHAIRMAN

## Code of Conduct for Members

### Declaration of Interests

**Committee:**            **Planning Committee**

**Date of Meeting:**    28 April 2017

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
Chairman on behalf of All Members	Minute 11/8 (1)	Application BA/2017/060/CU Eagle's Nest, Horning : Correspondence received from Applicant's agent
Paul Rice	Minute 11/8(1) and (2)	Chair of Broads Society, NSBA member, Application BA/2017/060/CU Eagle's Nest Involved in preparing Horning Joint Position Statement on Flood Risk.  Application BA/2016/0323/FUL As Chair of Broads Society – Objections raised by Broads Society Planning Committee (although personally was not on that Committee)



**Broads Authority**  
**Planning Committee**

Minutes of the meeting held on 26 May 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard  
Prof J Burgess  
Mr W Dickson

Mr H Thirtle  
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)  
Ms N Beal – Planning Policy Officer  
Mr B Hogg – Historic Environment Manager  
Ms A Long – Director of Planning and Resources  
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke:

**BA/2017/065/CUHall Farm, Staithe Road, Repps with Bastwick**

Mr Sam Mitchell                      The Applicant

**12/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting. Apologies were received from Mr P Rice and Ms Gail Harris.

**12/2 Declarations of Interest**

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes.

**12/3 Chairman's Announcements and Introduction to Public Speaking**

The Chairman reported on the following:

**(1) The Openness of Local Government Bodies Regulations**

The Chairman gave notice that the Authority would be recording this meeting following the decision by the full Authority on 27 January to record all its public meetings on a trial basis. The copyright remained with the Authority and the recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The minutes would be as a matter of record. If a member of

the public wished to have access to the recording they should contact the Monitoring Officer.

- (2) **Introduction to Public Speaking** The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)
- (3) **Planning Design Tour- 16 June 2017** All members were requested to confirm whether or not they would be able to attend. Further details with a programme would be sent out nearer the event.

#### **12/4 Minutes: 28 April 2017**

The minutes of the meeting held on 28 April 2017 were agreed as a correct record and signed by the Chairman.

#### **12/5 Points of Information Arising from the Minutes**

There were no further points of information to report.

#### **12/6 To note whether any items have been proposed as matters of urgent business**

No items had been proposed as matters of urgent business.

#### **12/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer or vary the order of the agenda had been received.

#### **12/8 Applications for Planning Permission**

The Committee considered the following application submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decision.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' report, and which were given additional attention.

- (1) **BA/2017/065/FUL Hall Farm, Staithe Road, Repps with Bastwick**  
Poultry unit with egg store, packaging room and welfare facilities  
Applicant: Mr Sam Mitchell

The Head of Planning explained that no objections had been received but the proposal was before the Committee as it was a major application. She provided a detailed presentation of the application

proposing the development of a free-range egg producing unit as part of a farm diversification scheme. This involved the erection of a unit to accommodate 32,000 birds with associated egg store, packaging room, office and welfare facilities. The building would open on to a roaming area of 16 hectares (not 17 hectares as stated in the report), which would conform to the minimum requirement. The building would be orientated in order to minimise its presence within the landscape particularly from the views from various public vantage points. The application also included a comprehensive landscaping scheme of indigenous planting that would result in planting along site boundaries, around the proposed unit and as copses within the site. No further comments had been received since the report had been written.

Having provided a detailed assessment having regard to the main issues of the principle, landscape impacts weighed against the in principle support deriving from the economic benefits, design and amenity, waste disposal, ecology and impact on the highway network, the Head of Planning concluded that there would be no significant adverse effects on the special quality of the area in landscape or neighbourhood amenity terms and the benefit to the rural economy was to be welcomed. Any neighbourhood amenity aspects could be dealt with by way of a Management plan to be submitted and agreed to ensure the operation complied with good practice. Therefore, the Head of Planning recommended approval as the application was in accordance with NPPF and local planning policies.

Mr Mitchell, the applicant was able to provide assurances in response to members' questions concerning the management of the enterprise particularly in relation to disposal of waste and risks from pollution. The solar panels would face south and would not provide glare from the river view. He also confirmed that there would be traffic movements with two collections of the eggs per day plus traffic dealing with the removal of waste, but these would not be significantly more than previously since the farm was no longer producing potatoes and had reduced its sugar beet quota, both of which generated traffic movements.

Members noted that the site had the benefit of planning permission for a pig unit although this as yet, had not been built and therefore they wished to have clarification that if permission was granted for the egg production unit, the permission for the pig unit would not be implemented in order to protect the interests of the area. The applicant commented that there was no intention of implementing the permission for the pig unit since chickens and pigs were not compatible and he would willingly comply with however the Authority decided to deal with the extant permission.

Members considered that the proposals had been well thought out and were acceptable subject to the applicant undertaking to only implement one permission ie for the egg production unit. They requested that the

Solicitor provide advice on the most straightforward way of dealing with the extant permission.

The Chairman put the officer's recommendation to the vote and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report and for the applicant to undertake implementing only one permission by means to be determined after consultation with the Solicitor. The proposed development is considered to be acceptable in respect of Planning Policy and in particular in accordance with Policies DP1, DP2, DP3, DP4, DP7, DP11, DP18, DP19 and DP28 and the NPPF.

## **12/9 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee. The Head of Planning provided further information on the following together with photographs to illustrate where compliance was being achieved:

**Thorpe Island: (Western end formerly known as Jenners Basin)** The site was in the process of being cleared in compliance with the enforcement notices and the Injunction. Two boats remained in the basin but the owners had now signed these over to the new landowners and the boats were in the process of being disposed of. The quayheading was being removed and the bank was to be re-profiled. It was understood that the landowners intended to remove the remaining two sunken vessels, in order to comply with the requirement of the Injunction. A meeting was due to take place with officers, including the Authority's ecologist, and the landowners within the next two weeks. It was noted that Policy TSA2 (Thorpe Island) had been amended in accordance with the Planning Inspector's decision. The costs awarded to the authority by the courts had been received following the sale of the site.

Members welcomed the successful progress made after such a considerable time.

**Staithe N Willow:** Unauthorised erection of fencing. Members noted the visual improvements that had been made in lowering the height of the majority of the fencing and that the advice from the Authority had been taken. Although the result was not fully in accordance with the enforcement notice, Members were reluctantly satisfied that no further action should be taken.

**Marina Quays Great Yarmouth:** Section 215 Notice Untidy land and buildings. Members welcomed the considerable efforts that had been made by the owners to tidy up the buildings through the removal of the graffiti, replacement of cladding and painting. There were still some further details for improvement although it was recognised that the site was a magnet for and vulnerable to vandalism. The site was allocated for some redevelopment

although the use would need to reflect the flood risk nature of the site. Officers had been in discussions with the owners over the last year. Members wished to thank Great Yarmouth Borough for their advice and collaboration on this matter and were satisfied with the progress. They agreed that officers should continue to encourage the owner to make the necessary outstanding repairs and requested that monitoring of the site be continued.

## RESOLVED

that the Enforcement Update report be noted.

### **12/10 Broads Local Plan: Preferred Options**

The Committee received a report introducing the latest topics to inform the publication version of the Local Plan set out as the May 2017 Bite Size pieces.

These included:

- Appendix A: Preferred Options – responses including Comments on those responses
- Appendix B: Local Green Space – revised topic paper
- Appendix C: SFRA position statement
- Appendix D: Flood Risk – revised policy
- Appendix E: Surface water – revised policy
- Appendix F: Spinnakers St Olaves – revised policy
- Appendix G: TSA2 Thorpe Island, Thorpe St Andrew– revised policy
- Appendix H: Hoveton Town Centre Policy
- Appendix I: Thunder Lane, Thorps St Andrew site assessment
- Appendix J: Stokesby site assessment

Members gave detailed attention to the reports. Members gave particular attention to the comments received under Appendix A and endorsed the responses. It was noted that the Authority's consultation process went beyond those required by the regulations and therefore members were satisfied that suitable efforts were being made to constructively engage with communities and there was sufficient liaison with the neighbouring local authorities. It was noted that many of the comments received as indicated, would be taken into account when revising the policies and this was endorsed.

Members noted that with regard to the SFRA there was a gap as the BESL model was in the process of being revised and would not be available until 2019. However, this did not prohibit the progression of the Local Plan as the

Environment Agency had contributed to the position statement and the Flood risk section took on board the Supplementary Planning Document (SPD).

With reference to Appendix G Policy TSA2 Thorpe Island, it was noted that the policy had been amended to reflect the various decisions by the Planning Inspectorate. It was intended to have a follow-up focussed consultation with stakeholders. Members were satisfied with the approach being taken.

With reference to Appendix I, Thunder Lane, this was an open space at present with a green infrastructure function, very accessible on the edge of Norwich but effectively in a flood plain. Members gave careful consideration to the assessment which had focussed on consultation with various stakeholders. The Planning Policy Officer reported on the additional points which the landowner's agent had requested be drawn to the attention of the Committee. These were that the site was capable of development which would be designed appropriately for the Conservation Area and the Broads, retaining the views of the landscape and minimising impact and would help to meet housing needs. There were sufficient public transport facilities and additional parking could be provided. However, members considered that these matters had been addressed and well covered in the assessment and did not alter the overall conclusion provided by officers which they endorsed.

Appendix J Tiedam, Stokesby site assessment. Members supported the recommendation that the site be allocated for residential development and endorsed the Draft Policy.

Members noted that the documents would not necessarily be the final text or approach, but were part of the development of that text. There could be other considerations that came to light between now and the final version to be presented to the Planning Committee.

#### RESOLVED

that the comments and responses in Appendix A and the proposed revised policies within the May Bite Size Pieces (Appendices B to J) for the Broads Local Plan be endorsed.

#### **12/11 Wroxham Neighbourhood Plan - Designating Wroxham as a Neighbourhood Area**

The Committee received a report on the proposal to designate Wroxham as a Neighbourhood Area for the purposes of a Neighbourhood Plan. The nomination was received on 5 May 2017 and there were no known or obvious reasons to not agree the Neighbourhood Area.

Members endorsed the proposal but suggested that those developing the Neighbourhood Plan should work closely with the residents of Hoveton.

#### RESOLVED

that Wroxham be designated as a Neighbourhood Area in order to produce a Neighbourhood Plan.

## **12/12 Appeals: Response to Design Issues raised on Appeal**

The Committee received a report and presentation which provided a review of three recent planning appeal decisions where the issues of design, particularly relating to the use of upvc for windows and cladding, and roller shutter doors had been highlighted. It was noted that the Authority had previously had success on such appeals and therefore the most recent decisions by the Planning Inspectors were disappointing.

Members recognised and emphasized that the aim of the Authority's policies was to promote the use of traditional materials where possible and in particular to achieve a high standard of design. It was recognised that the use of upvc was popular because it was readily available and was beneficial to applicants in cost terms. However, the material was not without its problems and members considered it would be useful to have a life cycle analysis and discuss the matter with the industry. Members recognised that there was a variety of standards of upvc and technology was constantly enabling improvements to be made. There were also good and bad examples in all materials, although at present traditional materials were hard to replicate in upvc. One main issue was around sustainability in a protected landscape.

Members agreed that it was important to consider the local context of any proposed development. In Conservation Areas and for Listed Buildings the use of traditional materials should always be advocated. Where sites and developments were open and/or iconic, or of a large scale the use of traditional materials may be more significant but there may be occasions when the Authority need not be too prescriptive. What was considered important was to assess the design of the upvc where proposed in terms of its colour and texture and overall visual quality whilst taking account of the location as well as the scale of the development. The use of upvc for cladding was considered to be more of an issue than its use for windows. Detailed design advice guidance might be useful both in making this assessment and clarifying the position for agents and applicants. It would be useful if guidance could include detailed life cycle analysis.

Members concluded that there did not need to be a change in the Authority's policies but care taken in their interpretation, always bearing in mind the aim of achieving high standards of design in a designated area. Members also considered that the policies in relation to roller shutter doors be considered in the same vein as for the use of upvc taking account of location, context, materials, practicalities and quality.

### **RESOLVED**

that the report and presentation be noted and that the Authority take a pragmatic approach in interpreting policies but always aim to achieve a high standard of design in a protected area.

### **12/13 Appeals to Secretary of State**

The Committee received a report on the current appeals against the Authority's decisions since January 2017. It was noted that start dates had been received for appeals relating to:

- BA/2016/0343/FUL The Workshop at Ludham – 18 May 2017 Appeal against refusal for change of use of outbuilding to residential dwelling.
- BA/2015//0026/UNAUP2 Burghwood Barnes, Ormesby St Michael – 22 May 2017, Appeal against enforcement for unauthorised development of agricultural land as residential curtilage.

An additional appeal had been received concerning BA/2017/0060/CU Eagles Nest, Horning – appeal against refusal for Change of use of first floor of boathouse to residential manager's accommodation (Class C3) associated with the adjacent King Line Cottages.

RESOLVED

that the report be noted.

### **12/14 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 18 April 2017 to 11 May 2017. It was noted that two applications for reroofing a boathouse in Ranworth and alterations to a previous permission at a property in Beech road Wroxham had come about as a result of the Authority's monitoring programme.

RESOLVED

that the report be noted.

### **12/15 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 23 June 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 12.40 pm.

CHAIRMAN



## Code of Conduct for Members

## Declaration of Interests

**Committee:** Planning Committee

**Date of Meeting:** 26 May 2017

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
Bill Dickson	-	-
Haydn Thirtle	12/10	Broads Local Plan APPENDIX I Land at Stokesby Assessment. ( <i>Great Yarmouth Borough Councillor and Norfolk County Councillor for the Area</i> )
Vic Thomson	12/10	Broads Local Plan May Bite Size pieces – Chedgrave ( <i>South Norfolk and Norfolk County Councillor for the area</i> )

**Broads Authority**

**Planning Committee**

Minutes of the meeting held on 23 June 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard  
Prof J Burgess  
Mr W A Dickson

Ms Gail Harris  
Mr P Rice  
Mr H Thirtle

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Bell – for Solicitor  
Ms A Long – Director of Planning and Resources  
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke: None

**13/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting. Apologies were received from Mr V Thomson.

**13/2 Declarations of Interest**

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes.

**13/3 Chairman's Announcements and Introduction to Public Speaking**

**(1) Director of Planning and Resources: Andrea Long**

The Chairman wished members to note with much regret that this would be Andrea Long's last Planning Committee meeting with the Authority as she would be leaving us for pastures very new. He commented that she had been a fantastic support to him as Chairman and to the Planning department as well as to the Authority in general. It would be hard to ask for more. He wished her the very best of luck for her future.

The Committee endorsed the Chairman's comments.

**(2) The Openness of Local Government Bodies Regulations**

The Chairman gave notice that the Authority would be recording this meeting following the decision by the full Authority on 27 January to record all its public meetings on a trial basis. The copyright remained with the Authority and the recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The minutes would be as a matter of record. If a member of the public wished to have access to the recording they should contact the Monitoring Officer.

- (3) **Introduction to Public Speaking** The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)

#### **13/4 Minutes: 26 May 2017**

The minutes of the meeting held on 26 May 2017 were agreed as a correct record and signed by the Chairman.

#### **13/5 Points of Information Arising from the Minutes**

There were no further points of information to report.

#### **13/6 To note whether any items have been proposed as matters of urgent business**

The Chairman commented that Members would be aware of a recent blog post made by Mr James Knight making accusations against the Committee and Authority staff in relation to Thorpe Island and Policy TSA2. Therefore, he had asked the Director of Planning and Resources to investigate the factual accuracy of the Blog and to obtain legal opinion. The resulting report had been circulated to all members and he proposed to take this at Agenda Item 9 in relation to the Enforcement Update as it needed to be a matter of public record. Members had also received a further email from Mr Knight.

The Committee concurred.

#### **13/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer or vary the order of the agenda had been received.

#### **13/8 Applications for Planning Permission**

The Committee considered the following application submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached decisions as set out below.

Acting under its delegated powers the Committee authorised the immediate implementation of the decision.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' report, and which were given additional attention.

- (1) **BA/2017/0078/FUL Tipperary Cottage, Thimble Hill, Wayford Road, Smallburgh** Single storey dwelling house to be used as an annexe to the existing dwelling house on the site.  
Applicant: Mr Neil Cousins

The Head of Planning provided a brief presentation of the application proposing the development of a dwelling house in the form of a 2 bedroomed bungalow to be used as an annexe sited in the curtilage of Tipperary Cottage towards the rear of the site. The annexe to the existing dwelling house on site was intended to accommodate a relative.

The Head of Planning explained that the application proposed a new form of residential accommodation in the form of a detached annexe. However, the definition of an annexe in planning terms was not precise and could result in a level of ambiguity as to where a proposal ceased to be an annexe and could in fact be an independent form of residential accommodation. Should members decide to grant planning permission this would require a Section 106 Agreement to ensure that the new unit was used only as an annexe.. Therefore it was recommended that members undertake a site visit in order to fully appreciate the relationship between the existing and the proposed units within the local context before determining the application.

Paul Rice proposed that the officer's recommendation be accepted. The Chairman put this to the vote and it was

RESOLVED unanimously

that the Committee undertake a site visit on Thursday 6 July 2017 in order to fully appreciate the relationship between the existing and the proposed building within the local context prior to determination of the application at the next scheduled meeting. (Apologies from Sir Peter Dixon)

### **13/9 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee. The Head of Planning provided further information on the following :

**Thorpe Island: (Western end formerly known as Jenners Basin)** The new landowners had made good progress on the removal of the unauthorised vessels and in complying with the injunction and all that had been required had been completed to the officers' reasonable satisfaction. It was therefore proposed to remove this item from the Enforcement Update Schedule and to provide the Committee with any further updates in 3 – 4 months' time.

Members accepted the proposal to delete Thorpe Island from the schedule as compliance had been achieved, welcomed the successful progress made after such a considerable time and commended all who had been involved in the process.

As stated in Minute 13/6 above, the Chairman referred to the piece that had been posted on social media in Mr Knight's Blog in association with Thorpe Island and amended Policy TSA2 in the Broads Local Plan. He thanked the Solicitor and the Director of Planning and Resources for providing such a prompt note in response and proposed that this be noted. He proposed that the issues raised were not matters for discussion by the Planning Committee and they were more appropriate for consideration by the Monitoring Officer and should be treated as an Authority matter.

Members concurred with the approach proposed by the Chairman and agreed:

- (i) to note the response to Mr Knight's Blog at Appendix 2 to these minutes and
- (ii) that the matter concerning the Blog be referred to the Monitoring Officer and the Authority.

**Former Marina Keys, Great Yarmouth Untidy land and buildings**

There had been correspondence with the owners explaining why some of the works the Authority had requested had not been done and queried whether some of the buildings might be demolished. The Authority's officers were in dialogue with Great Yarmouth Borough Council. Members welcomed the progress.

**RESOLVED**

that the Enforcement Update report be noted.

**13/10 Broads Local Plan: Preferred Options**

The Committee received a report introducing the latest topic to inform the publication version of the Local Plan set out as the June 2017 Bite Size piece.

This included policies on Soils with particular reference to Peat, a key matter for the Broads, given its abundance in the area and as it provided so much to ecosystem services. The policy had been developed in discussion with the

Authority's Ecologist with the aim of protecting this as much as possible so that development did not have a disproportionate impact on that resource. This would be taken through to the publication version of the Local Plan

Members welcomed and strongly endorsed the proposed policy. The capacity for carbon capture was very significant with regards to climate change and in relation to responding to government on the high risk flood risk strategy. It was hoped that this could be taken further.

It was noted that the survey on soils had been undertaken a few years ago and conditions could well have changed. It was therefore suggested that there be an examination of whether the current survey still had significant relevance and the potential for undertaking further survey work be examined and costed.

**RESOLVED**

that the proposed revised policies within the June Bite Size Piece on Soils for the Broads Local Plan be endorsed.

### **13/11 Customer Satisfaction**

The Committee received a report which provided the results of the recently undertaken Customer Satisfaction Survey and the Agent's Forum in order to gauge how the Authority's planning service was performing in the eyes of its clients. Both of these showed a high level of satisfaction with the planning service, which was to be welcomed and commended. Members requested that the results be included within the Chief Executive's Briefing note and placed on the website as well as specifically drawing attention to it at the next Broads Authority meeting.

**RESOLVED**

that the report be noted

### **13/12 Appeals to Secretary of State**

The Committee received a report on the current appeals against the Authority's decisions since April 2017 as well as a presentation providing an analysis of appeal decisions over the last three years.

Members had received notification of the decision received in connection with Violet Cottage at Irstead where the appeal had been allowed and the Head of Planning had provided members with a history of the site and an analysis of the Inspector's decision in relation to the Authority's policies.

The Head of Planning also provided an analysis of appeal decisions by the Inspectorate in relation to the Authority's policies over the last three years: 2014-2015, 2015-2106 and 2016- 2017. Three of the appeals allowed had been Committee decisions where the Officers had originally recommended

approval. There was one other case where further information had been provided at the appeal stage which if provided earlier would have resulted in the application being approved. It was also worth noting that some of the Inspector's decisions within this period had come a considerable time after the the original decision had been made by the Authority.

Over the last year there appeared to be a definite change in approach from the Planning Inspectorate. This had also been experienced by other Local Planning Authorities including National Parks where there had been some unexpected decisions.

The Authority's policies had included a presumption against new residential development in that part of a village outside the development boundary, such areas being treated in policy terms as countryside. However, it appeared that the Inspectors were now taking a more pragmatic stance and examining whether proposed development, although outside the development boundary but "not in the countryside" (ie within or adjacent to a village) would cause "harm".

It was noted that the Broads Local Plan set out a local hierarchy of settlements and identified service villages where there was a more distinct level of development. The Authority would not necessarily wish to promote development where there were no services but it was recognised that there could be gaps. Members considered that the Authority did not necessarily need to change its policies but concluded that it should take a more pragmatic approach, examine the context of the proposed development, taking a character based approach, consider carefully the materials and design (as previously agreed and considered at its last meeting, Minute 12/12), consider whether there was an issue of harm, be less reliant on "evidence/justification not demonstrated", and be less purist.

Members were mindful that the Authority had an elongated boundary and did not have whole settlements within it, unlike within the boundaries of other National Park areas. It was therefore important for the Authority to communicate with its neighbouring District authorities to ensure consistency. This could be achieved through the duty to cooperate and other bodies such as the Greater Norwich Development Partnership.

Members welcomed the report and the benefits gained from the analysis in establishing a more pragmatic, character based approach in its decision making on planning applications.

## RESOLVED

- (i) that the report be noted, reinforcing the requirement to take a pragmatic approach in interpreting policies always aiming to achieve a high standard of design in a protected area (*as agreed at the previous meeting*).

- (ii) that officers investigate further, the experiences of the other National Parks as well as those of the Authority's neighbouring authorities and ensure there is consistency with those neighbouring authorities where appropriate.

### **13/13 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 12 May 2017 to 8 June 2017.

RESOLVED

that the report be noted.

### **13/14 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 21 July 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 11.55 am

CHAIRMAN



**APPENDIX 1**

**Code of Conduct for Members**

**Declaration of Interests**

**Committee:**           **Planning Committee**

**Date of Meeting:**   23 June 2017

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
Paul Rice		Chairman of Broads Society

## APPENDIX 2



### **Jenner's Basin, Thorpe Island – Planning Policy Draft TSA2** **Clarification of position for Members**

Members may be aware of a recent Broads Blog from James Knight dated 17.06.17

<http://www.thebroadsblog.co.uk/2017/06/thorpe-island-planning-policy-update.html>

The article relates to Thorpe Island and proposed draft Policy TSA2, currently the subject of focussed consultation prior to reconsideration by Members later this year. It also relates to the discussion at the last Planning Committee (26 May 2017) when Members first considered draft TSA2. It makes a number of allegations including that Members were misled by Officers. This is not the first time James Knights has stated publicly that Officers have misled Members and the Chairman of the Committee has therefore asked Officers to provide a response.

This note is that response and has been put together by Officers and it has been approved by Steven Bell from Nplaw.

#### 1. River frontage Mooring:

***James Knights alleges that the Proposed Policy TSA2 is an attempt to ban mooring along the river, re-writes history and that there is a long established mooring right along the river bank.***

In fact, there is no planning permission for mooring here. Any mooring use that did exist (in conjunction with the basin) has been abandoned. That point has been proven through the courts. There may have been riverside mooring in the 1960s and 1970s but there has not been anything above an occasional use since 1985 (when the Section 52 was signed). For an established use to be in place then it would need to be proved that there was continuous mooring for a period of 10 years. Aerial photos presented to the 2 public inquiries by the BA taken in 1999, 2003, 2006 show no mooring on the river frontage. Photographs supplied to both inquiries by an objector living opposite show no boats moored in 1985, 1986 and 2003. The same objector bought his house in 1985 and in his witness statement he said there had been virtually no mooring between 1998 and 2006. In fact he could only recall Puma (now sunk in the basin) being moored near the entrance of the basin in 1989 shortly before it was moved into the basin. Boats only started mooring along the river after 2011 (when Mr Wood was actively advertising mooring in the basin as he reacted to being served with an Enforcement Notice). There were no boats mooring on the river frontage when the Enforcement Notice was served in 2011 (or they would have been included within it).

If mooring were to take place here then it would need the benefit of planning permission (and the permission of the landowner for it to be implemented).

The area is still covered by the Injunction (See Appendix A) granted in June 2016, which prevents residential mooring. The draft policy is not preventing a use that is currently lawful and does not impinge any riparian rights. It should be noted that riparian rights are not planning permissions and do not confer any planning rights.

2. Appropriateness of mooring in this location.

***James Knight alleges that Officers have wrongly attributed statements to the Inspectors in respect of the impact of mooring on the river on adjacent residents and that the 2012 Inspector's decision cannot be used to support any planning policy and to do so would result in maladministration.***

In, 2012 Inspector (Wharton) talked about mooring in the basin being “harmful to both the character and appearance of the conservation area and to residential amenity in the locality” Para 58 of his report refers. However he goes on to say “some form of mooring facility as long as no harm is caused to the character and appearance of this part of the island or to the living conditions of nearby residents” – this indicates that he had concerns about the amenity of the residents opposite.

The 2014 Inspector (Grainger) says in his decision at para 50 “boats moored on the river bank would be more prominent than ones in the basin and would reduce any effect the others had”. Again an implied concern from the Inspector, that the boats on the river would have the greater impact on the amenity of the residents opposite.

The 2012 Inquiry did touch directly on the impact of the boats moored on the river on the amenity of the residents because the local residents raised it in their verbal evidence. The Inspector did agree that the impact of the river mooring would be greater than the basin because it was closer. However he did say it was out of his jurisdiction as the boats moored there by the time of the hearing, were not included in the Enforcement Notice (served in 2011) because they weren't there in 2011. (para 58)

The Broads Authority has discretion to base its planning policies on whatever it sees fit and can give weight to an inspector's decision if it so wishes even if that decision was quashed. In this case the 2012 Inspector's decision was quashed only on a technical point relating to the enforcement notice not the rationale behind the decision or the Inspector's reasoning. The 2<sup>nd</sup> Inspector also agrees with the reasoning in para 59 of his report. No maladministration point here and the BA is within its rights to assign as much weight as it considers appropriate to that Inspector's reasoning.

The BA does however need to ensure that its planning policies are consistent with any injunctions that may be in force on the land covered by the policy.

3. Historical Established Use

***James Knight argues that there is a long established mooring use here and that it is “unarguable”.***

This point is factually and legally incorrect. There is no established mooring use here. Evidence provided to both Inquiries by a local resident together with aerial photos was accepted by the Inspector and proves that there was no continuous mooring taking place between 1988 and 2006 and the mooring use was abandoned together with the use of the basin. No lawful mooring use currently exists, no planning permission exists and the Injunction preventing residential mooring is still in effect.

4. Access

***James Knight refers to anyone mooring on the riverbank being able to easily access the mainland via the bridge.***

The bridge does provide an access and this was discussed at the Planning Committee meeting however this would only be with the landowner's permission. Without landowner permission to use the bridge then the riverside moorings could only be accessed by boat. The northern riverbank is characterised by private gardens and the only public access would be at River Green.

5. Draft Policy TSA2

***James Knight alleges that the Inspector's decision had no powers to dictate planning policy for the riverbank and that a policy could be created to allow for mooring here.***

The policy for the basin needs to reflect the Inspector's decision (as upheld by High Court and Court of Appeal) and is a material consideration of significant weight – this also applies to the Injunction which also covers the riverbank (see above).

A policy to create mooring here could only survive Public Examination if there was a realistic prospect of the use coming forward and that would require landowner consent and support. The purpose of the current focussed consultation is to elicit the views of the community and landowners and the responses received will be reviewed in that light. However it should be noted the Injunction is still in place.

6. Mooring on Northern side of the river

***James Knight alleges that the mooring on the northern side of the riverbank is comparable to the mooring on the Thorpe Island side.***

Mooring on the northern riverbank over a period of time is evidenced by photos submitted to the inquiry and corroborated by local people. Mooring is associated with the domestic dwellings where the landowners moor their own boat at the end of their garden. This doesn't require planning permission.

Mooring on the other side of the river was not associated with a domestic dwelling, was being run as a commercial business and did require planning permission which it didn't have. In addition there is now a live injunction on this area. Norwich City Council were interested in trespass mooring over their land where someone was receiving a financial gain by using their land rather than domestic use. It is unclear whether James Knight is

advocating that he would like the BA/Norwich City Council/Crown Estate to pursue all those who moor their boats at the end of their garden?

Summary:

- a) There is no lawful mooring use here. There may have been in the 1960s and 1970s but certainly not since 1985 (over 30 years) .That use is abandoned but if someone wants to challenge that then they could submit a Certificate of Lawfulness application with evidence to suggest otherwise. The land is covered by a live injunction. Planning permission and landowner consent would be required before a mooring use could happen here. The Injunction would also have to be lifted.
- b) Norwich City Council were interested in someone receiving a financial gain through permitting trespass moorings over their land.
- c) There is no lawfully established mooring use here. Riparian rights are enjoyed by the owners. But no rights to moor exist without their permission.
- d) Inspector's reports (quashed or otherwise) can be afforded as much as much weight as the LPA sees fit in terms of policy development. The Inspector's decision was quashed on the technical point relating to the enforcement notice. His reasoning was not attacked by the challenge. The 2012 Inspector's reasoning was given weight by the 2014 Inspector and in turn by the Courts.
- e) The right to navigate is not impeded by this policy. It would be incorrect for anyone to say otherwise.

Other points to note:

- 1. The new landowners are not close personal friends of any BA Officer or Member
- 2. None of the key objectors were known to the BA officers or members prior to the unauthorised mooring use taking place
- 3. No BA officer or Member has been in receipt of any monies/bungs from any of the objectors and/or the new landowners.
- 4. The BA position has been upheld by 2 Inspectors, High Court and the Appeal Court.
- 5. There are no personal agendas from officers in respect of this case – it is simply a case of responding to complaints of unauthorised development and following it through.
- 6. James Knight's brother Bill Knight appeared at the 2012 Public Inquiry as a witness on behalf of Roger Wood. He was appointed in 2002 by the previous landowners as their agent and he acted for them and facilitated the sale to Roger Wood, when Mr Wood bought the eastern end of the island in 2004 and the basin in 2007. He also provided professional advice on the planning status of the basin when Roger Wood purchased the basin in 2007. Bill Knight acted for Roger Wood in respect of the

recent sale (March 2017) and contributed to the now withdrawn planning application submitted in October 2016.

7. The Broads Authority has been represented by Steven Bell (nplaw) and William Upton (Counsel) throughout this matter. They both act for the Broads Authority and not individuals within the Broads Authority. If there were concerns Steven Bell/William Upton (in acting in the best interests of the Broads Authority) would have raised those with the Monitoring Officer (at the time Victoria McNeill of nplaw).

CLAIM NO: HQ 16X00618

IN THE HIGH COURT OF JUSTICE  
QUEEN'S BENCH DIVISION

IN THE MATTER OF  
SECTION 187B OF THE TOWN AND COUNTRY PLANNING ACT 1990

BEFORE MR JUSTICE MITTING  
On 16<sup>th</sup> June 2016

B E T W E E N:-



BROADS AUTHORITY

Claimant

-and-

- (1) ROGER WOOD
- (2) CAYENNE MARINE LIMITED

Defendants

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ORDER

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**UPON HEARING** Mr William Upton for the Claimant and Mr Ned Westaway for the Defendants

**IT IS ORDERED THAT**

1. There shall be an injunction in the form attached to this Order;
2. The Defendants shall pay two-thirds of the Claimant's costs, to be subject to detailed assessment if not agreed.

Dated 16<sup>th</sup> June 2016

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**BROADS AUTHORITY**

**Claimant**

**-and-**

- (1) ROGER WOOD**
- (2) CAYENNE MARINE LIMITED**

**Defendants**

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**INJUNCTION ORDER**

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**PENAL NOTICE**

**TO THE DEFENDANTS AND  
ANYONE SERVED WITH A COPY OF THIS INJUNCTION ORDER**

**IF YOU DISOBEY THIS ORDER YOU MAY BE HELD IN CONTEMPT OF COURT  
AND MAY BE IMPRISONED, FINED OR HAVE YOUR ASSETS SEIZED.**

**ANY OTHER PERSON WHO KNOWS OF THIS ORDER AND DOES ANYTHING  
WHICH HELPS OR PERMITS THE DEFENDANTS OR ANYONE SERVED WITH A  
COPY OF THIS ORDER OR EACH OF THEM TO BREACH THE TERMS OF THIS  
ORDER MAY ALSO BE HELD TO BE IN CONTEMPT OF COURT AND MAY BE  
IMPRISONED, FINED OR HAVE THEIR ASSETS SEIZED.**

**WHEREAS:-**

This Order sets out the terms of the injunction restraining the use of the Land at the western end of Thorpe Island, Norwich NR7 0TH as defined in this Order and referred to in the Interim Order of the High Court dated 16<sup>th</sup> March 2016



## **IT IS ORDERED THAT:-**

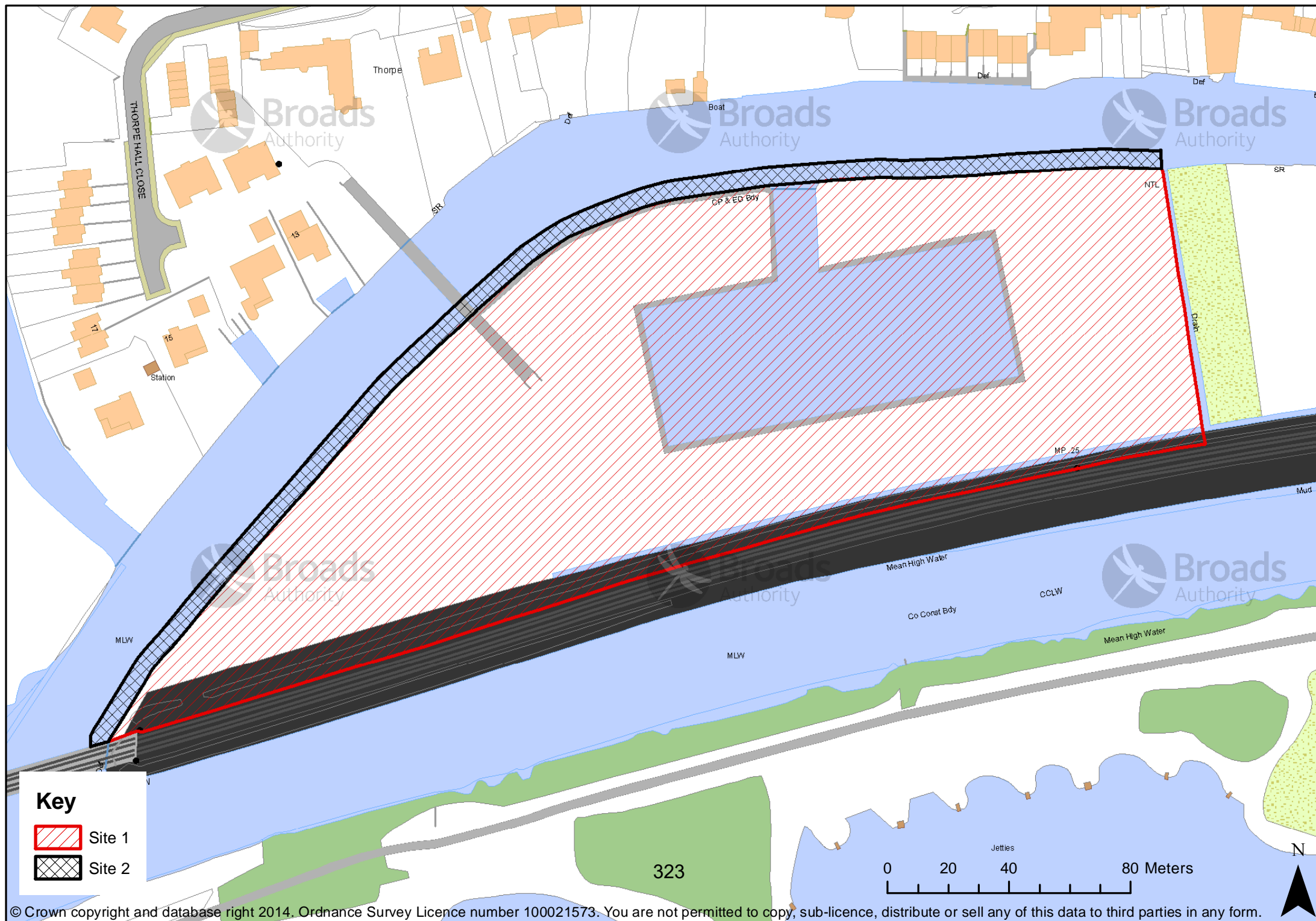
In relation to the land and riverbank at the western end of Thorpe Island, Norwich NR7 0TH, and shown as Sites 1 and 2 on the Plan attached to this Order ("the Land") the Defendants whether by themselves or by authorising any other person must:

1. Not permit the mooring of more than 21 vessels at any one time in the basin in Site 1;
2. Not permit the occupation of any vessel as a main residence or for more than 28 days in a year;
3. Within four months, remove all boats and pontoons in the basin in Site 1 and cease the use of the basin for mooring, unless
  - a. within three months, details capable of being consistent with those required by the planning conditions set out in the decision letter of the Planning Inspector dated 20 October 2014 are submitted as part of a planning application to the Broads Authority.
4. Not move any vessels moored in Site 1 to Site 2 unless they are moored in Site 2 for no more than four days;
5. Remove all the sunken vessels in the basin in Site 1 by 31 December 2016;
6. Remove the green container on Site 1 within four months unless a planning application is made under and in accordance with paragraph 3, and, in the event that such an application is made, must remove it within one month following final determination of the planning application.

### **Interpretation of this Order**

1. In this Order the words "the Land" means the Sites 1 and 2, as shown on the Plan attached to this Order.
2. Site 1 is hatched red on the Plan attached to this Order
3. Site 2 is cross-hatched black on the Plan attached to this Order
4. In this Order, where there is more than one Defendant, (unless otherwise stated) references to "the Defendant" means both or all of them.
5. A requirement to serve on "the Defendant" means on each of them. However, the Order is effective against any Defendant on whom it served.
6. An Order requiring "the Defendant" to do or not to do anything applies to all Defendants.

7. In this Order “final determination” includes the final determination of any appeal and/or statutory challenge.



**Broads Authority**  
**Broads Local Access Forum**

Minutes of the meeting held on 01 March 2017

**Present:**

Dr Keith Bacon (Chairman)

Mr Olly Barnes	Dr Peter Mason
Miss Liz Brooks	Mr Stephen Read
Mr Mike Flett,	Mr Charles Swan
Mr Tony Gibbons	Mr Ray Walpole
Mr Alec Hartley	Mr Chris Yardley
Mrs Dawn Hatton	

**In Attendance**

Ms Lottie Carlton – Administrative Officer  
Mr Adrian Clarke – Senior Waterways and Recreation Officer (SWRO)  
Mr Mark King - Waterways and Recreation Officer (WRO)  
Mrs Andrea Long – Director of Planning and Resources

**Also In Attendance**

Dr Andy Hutcheson – Norfolk County Council

**3/1 To receive apologies for absence and welcome new members**

Apologies for absence were received from Mr Louis Baugh, Mr Nick Dennis, Mr George Saunders, Mr Martin Symons, Mr Peter Warner and Mr Richard Webb. Members were welcomed to the meeting.

**3/2 To receive declarations of interest**

There were no declarations of interest at this point in the meeting. Mr Olly Barnes subsequently declared an interest at item 9, AOB regarding Martham Cess Staithe – a non-pecuniary working relationship with Martham Development.

**3/3 To receive and confirm the minutes of the meeting held on 07 December 2016**

The minutes of the meeting held on 07 December 2016 were confirmed as a correct record and signed by the Chairman.

**3/4 To receive any points of information arising from the minutes**

**(1) Minute 2/5 (1) Ludham Footpath**

The signed agreement had been received and all invoices settled. Signage is now being put in and once completed the footpath can be opened. A formal opening will take place at Easter with invitations going to landowners, parish councils and others. A guided walk from How Hill to St Benet's, including the Ludham section of footpath and led by the SWRO, will be included in the Broads Outdoors Festival in May.

**(2) Minute 2/5 (2) How Hill Footpath**

The path has been cleared. Wet areas have been identified where work is needed to raise levels. Once this work, along with some stock-proof fencing, has been completed the path from How Hill Staithe to Crowes Staithe can be opened. People counters along the path will help to provide evidence of use to Natural England (NE) regarding the possible clearing of the path along the riverbank northwards from Crowe's Staithe to Mud Point. NE is more likely to agree if the numbers are not too high. The Wood End Staithe to Mud Point section of the footpath is already well maintained.

**(3) Minute 2/5 (3) Herringfleet**

The WRO had recently visited the site and was able to report that the many gates on the path were all open. Signs on each gate give information about who to contact if they are shut. Paths had been strimmed and there were no obstructions. The landowner was therefore not currently in any breach of Open Access requirements. The car park was still locked and contained a burnt out car. A report has been sent to the parish council. The SWRO agreed to attend a Ashby, Herringfleet and Somerleyton parish council meeting to explain Open Access and landowner responsibilities.

**(4) Minute 2/5 (4) Cycling and Walking investment Strategy**

The report has still not been published, however the Norfolk Cycling and Walking Action Plan is to be published very soon.

**(5) Minute 2/5 (5) Hickling Project update**

Work has progressed well. An extension of the work period had been agreed due to the water temperatures remaining below the set limit. Techniques are working well and the project is on target to achieve expected results.

**(6) Minute 2/5 (7) River Wensum Strategy update**

The draft strategy document should be signed off by the Strategy Group on the 14<sup>th</sup> April after which it will go to Norwich City Council for approval prior to going out to partners' committees. Once all parties have agreed, the draft

strategy document will go out to public consultation in May. It is recognised that anglers need to be properly consulted and Mr Tony Gibbons has agreed to look over the document to provide angling input to the strategy on behalf of the Forum.

**(7) Minute 2/6 Staithes Research**

Although the Staithes Research report has been completed and is available the accompanying photos and maps are still not ready. Once these have been received the report will be published on the Broads Authority website and comments will be welcomed. The research is based on academic study of historical data and does not include any anecdotal evidence. It is hoped that parishes will become more interested in their staithes as a result of the research. It was agreed to notify Forum members and parish councils once the photos/maps have been received and the report available to view online.

**(8) Minute 2/9 Blue Book for Roads**

A letter with feedback had been sent advising on a better structure for some otherwise very good ideas.

**(9) Minute 2/10 British Horse Society – Auditing the list of streets**

Norwich City Council was sent the two questions posed by the British Horse Society. So far no response has been received.

**(10) Minute 2/12 Mutford Lock**

There has been no development on the land transfer. BLAF will be updated as soon as there is any progress.

**3/5 Broads Tourism update**

Unfortunately Mr Greg Munford, Chairman of Broads Tourism, had to send his apologies and a replacement could not be found at short notice. It is hoped to have a presentation at a future meeting to explain how Broads Tourism, a membership group of Broads businesses and organisations, has been reinvigorated over the last year with a growing membership now numbering over 100 members

**3/6 Norfolk County Council update**

Dr Andy Hutcheson, Norfolk County Council, gave an update on Norfolk Trails projects as follows:

**(1) Pathmakers Burgh Castle Project**

Pathmakers is a charity set up by Norfolk Local Access Forum to help improve access infrastructure. Their first project, in partnership with Norfolk County Council and funded by WREN, is installation of a boardwalk at Burgh Castle to improve access at this section of the Angles Way. The footpath had become very muddy and difficult to maintain due to flooding and work has been carried out to make this section more accessible for all. Due to the historic significance and environmental importance of the site many consents were required which had been a very time consuming part of the project. After clearing the line, work began to install the boardwalk. Non slip wire mesh is still to be added and work is expected to be completed by 13<sup>th</sup> March 2017.

**Comments and answers to questions as follows:**

- The work is being publicised as part of the Angles Way with extra publicity to come. The Norfolk Archaeological Trust will also be helping to promote the project.
- The Forum discussed the merits of plastic wood as an alternative to timber. While approximately 3 to 4 times the cost of timber, plastic wood is thought to have twice the life span, but this is unconfirmed until sufficient time has passed for current installations to show wear over time.
- Pathmakers was set up as a charity to enable access to funding and grants that would not be available directly to Norfolk County Council. The Museum Service also uses this option.
- It is possible to access the boardwalk as part of a circular walk from the monument.

**(2) Wherryman's Way (Loddon section)**

The floodbank at the Loddon section of the Wherryman's Way was reinstated by the Environment Agency. The path on the top of the old floodbank had surface problems. This surface has now been replaced, the work being carried out just before Christmas. The path runs from the Loddon moorings up to Chedgrave and is finished with a gravelled, easy access surface. The footpath came about as the Environment were replacing the bank as part of the BESL scheme so completed the path at the same time.

**(3) 'Pushing Ahead' Project**

'Pushing Ahead' is a Department for Transport funded project aimed at encouraging more cycling and walking. A successful bid for funding produced £1.6million over three years for venue work (promotion and information) in Great Yarmouth. A cycle map has been produced similar to the Pedalway map. One side of the map has circular tourist routes into the Broads with accompanying descriptions and the reverse side has commuter access routes in Great Yarmouth that highlight safer/quieter routes. The maps are made of plastic/waterproof material.

### **Comments and answers to questions as follows:**

- The Broads routes do not all start in Great Yarmouth but are within the Borough Council area.
- It was queried if the Martham route would be affected by the current issue at Cess Road. Dr Andy Hutcheson to clarify and report back to the Forum.
- There is scope for further additions and updates to the current routes as the funding covers a three year period. However, due to the constraints of the funding, only those within the area specified can be included.
- Although currently just map based there could be scope to include signage at a later date. The maps are also available online, but so far apps have not been explored as an option.
- Cycle hire is being set up at both Somerleyton and Great Yarmouth Stations. The link to these and the 'Pushing Ahead' cycle routes themselves would help encourage more sustainable use of the Broads area.
- Visit Norfolk is helping to promote the project and four thousand copies of the map will be available in Tourist Information Centres and libraries. It will also be publicised on the Norfolk Trails. Broads Tourism and Visit the Broads National Park websites were suggested as additional places to publicise the routes.
- There is scope to investigate how the HLF Landscape Partnership Scheme on the Halvergate marshes could work together with this project. Mills trails discussions could link into this.
- The riverside walk in Norwich was suggested as a potential cycle route to link with the Marriot's Way and the Wherryman's Way. Norfolk County Council would be keen to help promote this as a project idea.

### **3/7 River Chet condition update including Wherryman's Way and water level monitoring**

The SWRO gave a presentation updating the Forum on the Hardley Flood section of the Wherryman's Way.

Currently a diversion route is in place to take walkers around this section of the Wherryman's Way and a temporary traffic order has been placed on the path in order to give time for partner organisations to investigate options.

Potential hydrological effects of any proposed work, including changes to the bank, river and Hardley Flood itself (an SSSI), needs to be known before any decisions are made. An hydraulic modelling brief is being put out to tender to BESL and two other contractors to get costs for such work. The Broads Authority is willing to contribute to the costs of this work and it is hoped that the other agencies involved will be equally willing to contribute.



Water level monitoring has been taking place. This has shown that Hardley Flood is not adversely affecting water levels along the river. Tidal range is also unaffected.

Photos and a map were shown of work already carried out by the Broads Authority to help stabilise the bank through scrub clearance and tree felling. As part of their dredging programme along the Chet the Broads Authority will also be able to deposit dredged material onto this bank to help raise and strengthen some of the lower, narrower sections of the path.

**Comments and answers to questions as follows:**

- The Forum were pleased to see positive progress and agreed that it was desirable to try to retain the footpath. Compliments were given to BA and NCC and other for their work so far. This was a much better situation than previously reported.
- It was confirmed that further scrub removal along the banks/footpath would be needed, including any regrowth from already cut material. In the wider sections, and on the Hardley Flood side, scrub and trees were being left for wildlife habitat, particularly important due to the site's SSSI status.
- The two gaps in the bank had been in place for decades. Ideally water should only spill into the Flood at the top of the tide as happens with the more newly installed weir.
- If the bank failed altogether it was unknown for sure if sediment would move into the river system, but it seemed very likely considering the strong flow and impact of tidal levels. Dredging would have to increase if this happened. Maintaining the bank is crucial to access, navigation, tourism and the local economy.
- The dredged material would take approximately a year to stabilise. Dredged material here tend to dry quickly and has sufficient nutrient content for vegetation regrowth to occur.
- Seven scenarios are listed in the hydraulic modelling brief.

**Reedham update:**

The Reedham section of the Wherryman's Way had potential to be re-opened with a new landowner agreement. Works would be needed on the path to make it safe and an annual payment would need to be made to the landowner. A CIL funding application has been submitted for the works, but the agreement needs to be sufficiently long to ensure a secure future. The Parish Council may be interested in holding the permitted route agreement with the landowner. NCC is happy to facilitate the process between the parish council and the landowner who is yet to agree to the proposals.

**3/8 Broads Forum updates**

The Broads Forum met in on 02 February and the main items discussed were as follows:

- (1) Boat waste. Potential leases for waste disposal facilities are being negotiated between Ludham Parish Council and North Norfolk District Council.
- (2) Presentation by UEA PhD student Ulysse Pasquier on modelling flooding risk and climate change in the Broads.
- (3) Presentation by Ian Holman and Giles Bloomfield, Water Management Alliance, on the Brograve Catchment Project including regulation of drainage and reduction of ocre experiments.
- (4) Presentation by Rory Sanderson, Environment Agency on how to make their water quality research statistics more accessible to the general public.
- (5) An update on progress with CEOs and other high level officers following on from the flood risk workshop held in November 2016.

### **3/9 To receive any other items of urgent business**

**Cess Staithe, Martham:** An application had been submitted to divert the path at Cess Staithe Martham. Agreement could not be reached with Norfolk County Council and so this would now have to go to a public enquiry.

**Publicity:** Two posts are being recruited within Broads Authority's Communications Team to cover print media and digital media.

**BLAF membership:** Peter Warner is a Broads Authority appointed member of the Broads Local Access Forum. He ceases to be a BA member from the end of March 2017 and so a new appointment will be made by the Authority.

### **3/10 To note the date of the next meeting**

It was noted that the next meeting was scheduled to take place on Wednesday 07 June 2017 at 2pm. A request was made to include a site visit with this meeting.

The meeting concluded at 3.50pm.

Chairman