

## AGENDA

18 November 2016

10.00am

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| 1. <b>To receive apologies for absence and welcome</b>  |         |
| 2. <b>Chairman's Announcements</b>  |         |
| 3. <b>Introduction of Members and Declarations of Interest</b>  |         |
| 4. <b>To note whether any items have been proposed as matters of urgent business</b>                                |         |
| 5. <b>Public Question Time</b><br>To note whether any questions have been raised by members of the public           |         |
| 6. <b>To receive and confirm the minutes of the Broads Authority meeting held on 30 September 2016 (herewith)</b>   | 4 – 21  |
| 7. <b>Summary of Progress/Actions Taken following Decisions of Previous Meetings</b><br>To note schedule (herewith) | 22 – 28 |

### STRATEGY AND POLICY

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| 8. <b>Tolls Review 2016 and Proposed Navigation Charges for 2017/18 in the Navigation Area and Adjacent Waters</b><br>Report by Chief Executive, Head of Finance and Head of ICT and Collector of Tolls (herewith) | 29 – 79 |
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### PRESENTATION

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| 9. <b>Landscape Partnership Scheme</b><br>Presentation by Project Manager |  |
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### STRATEGY AND POLICY

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| 10. <b>Broads Local Plan: Preferred Options Local Plan, Sustainability Appraisal, Habitats Regulation Assessment for Consultation</b><br>Report by Planning Policy Officer (herewith)<br><i>including:</i> | 80 – 84 |
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<ul style="list-style-type: none"> <li>• <i>Appendix A - Broads Local Plan</i></li> <li>• <i>Appendix B - Sustainability Appraisal</i></li> <li>• <i>Appendix C - Habitat Regulations Assessment</i></li> <li>• <i>Accompanying draft Policies Maps</i></li> </ul>	
11. <b>Broads Local Plan: New Flood Risk Supplementary Planning Document – Consultation Version</b> Report by Planning Policy Officer (herewith)	85 – 135
12. <b>Broads Local Plan: Adopting Biodiversity Enhancement and Waterside Chalet and Bungalow Guides</b> Report by Planning Policy Officer (herewith)	136 – 145
13. <b>Strategic Direction</b> Report by Chief Executive (herewith) <i>To include:</i> <i>(1) Progress on Strategic Priorities 2016/17</i>	146 – 153
14. <b>Financial Performance and Direction</b> Report by Head of Finance (herewith) <i>To include:</i> <i>(1) Consolidated Income and Expenditure from 1 April to 30 September 2016</i>	154 – 164
15. <b>Appointment of External Auditors</b> Report by Head of Finance (herewith)	165 – 168

#### REPORTS FOR INFORMATION

16. <b>Annual Report on Partnership Arrangements</b> Report by Solicitor and Monitoring Officer (herewith)	169 – 178
17. <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

18. <b>To receive minutes of the following meetings:</b>	
Navigation Committee – 8 September 2016 (herewith)	179 – 187
Planning Committee – 16 September 2016 (herewith)	188 – 201
19. <b>Feedback from Members appointed to represent the Authority on outside bodies</b>	
Broads Tourism – Prof Jacquie Burgess and Mr John Timewell Campaign for National Parks – Mr Peter Warner 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

20. **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**
21. **To answer any formal questions of which due notice has been given**
22. **To note the date of the next meeting – Friday 27 January 2017 at 10.00 am at Yare House, 62-64 Thorpe Road, Norwich**
23. **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 they involve the likely disclosure of exempt information as defined by Paragraphs 1, 2 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.
24. **To receive the Exempt Minutes of the Broads Authority meeting held on 30 September 2016 (herewith)** 202 – 204
25. **Landscape Partnership Scheme Procurement Report by Programme Manager (herewith)** 205 – 208

## **Broads Authority**

Minutes of the meeting held on 30 September 2016

Professor Jacquie Burgess – in the Chair

### **Present:**

Mr K Allen	Ms G Harris	Mr P Rice (Minute 2/1 – 2/12)
Mr J Ash	Mrs L Hemsall	Mr H Thirtle
Mr M Barnard	Mr G McGregor	Mr V Thomson
Mr L Baugh	Ms S Mukherjee	Mrs N Talbot
Mr M Bradbury	Mr G Munford	Mr P Warner
Mr W Dickson		
Sir Peter Dixon (Excluding Minutes 2/20 – 2/25 and 2/29)		

### **In Attendance:**

Dr J Packman – Chief Executive  
Mrs S A Beckett – Administrative Officer  
Mr A Clarke – Senior Waterways and Recreation Officer (Minute 2/9)  
Ms M Conti – Policy and Strategy Officer (Minute 2/1 – 2/10)  
Mr D Harris – Solicitor and Monitoring Officer  
Mr S Hooton – Head of Strategy and Projects  
Ms E Krelle – Head of Finance  
Ms A Kelly – Senior Ecologist (Minute 2/1 – 2/9 and Minute 2/28)  
Ms A Long – Director of Planning and Resources  
Ms L Marsh – Head of Communications  
Ms J Penn – Treasurer and Financial Adviser  
Mr N Punchard – Water Catchment Partnership Officer (Minute 2/8)  
Ms T Wakelin – Director of Operations

**Also in attendance:** Dr K Bacon – Chairman, Broads Forum and Chairman of Broads Local Access Forum

### **2/1 Apologies and Welcome**

The Chairman welcomed everyone to the meeting including members of the public, Keith Bacon, Chairman of Broads Forum and Jill Penn, Treasurer and Financial Adviser.

Apologies were received from Mr B Iles, Mr J Timewell and Mr M Whitaker. Ms S Mukherjee would be arriving a little later in the meeting.

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

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

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

### **(2) Membership**

The Chairman announced that Mr Nigel Dixon's appointment by Norfolk County Council (NCC) had not been renewed. The new member appointed by NCC was Mr Brian Iles, who unfortunately was unable to attend today but had sent in some comments on the Code of Conduct to the Solicitor and Monitoring Officer.

Mr McGregor wished to place on record his sincere thanks for the excellent contribution Mr Nigel Dixon had made to the Authority and to the Financial Scrutiny and Audit Committee as its Vice-chairman in particular. He would be a hard act to follow. Members endorsed his comments.

## **2/3 Introduction of Members and Declarations of Interest**

Members introduced themselves and expressed declarations of interest as set out in Appendix 1 to these minutes. It was noted that some Members had received an email relating to Agenda Item no 19 from Mr David Broad.

## **2/4 Items of Urgent Business**

There were no items of urgent business.

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

No public questions had been received.

## **2/6 Minutes of Broads Authority Meeting held on 8 July 2016**

The minutes of the meeting held on 8 July 2016 were approved as a correct record subject to an amendment to Appendix 1 relating to Declaration of Interests from Mr L Baugh to amend Broads Boating Society to Broads Trust. The Minutes were then signed by the Chairman.

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

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

In particular, members received updates concerning:

### **Member Allowances**

The Chief Executive reported that the matter of Member Allowances for National Parks and the Broads relating to care was now being investigated further by Defra officials.

### **Member Workshops**

- **Planning Committee - 14 October 2016** the meeting would be followed by briefings as part of Member Development and training. This would be on legal issues, the framework within which the Authority operated as well as an update on the Housing and Planning Act. All members of the Authority were invited to attend.
- **Member and Stakeholder Workshop 3 November 2016** at Carrow Road. In light of the forthcoming publication of the Report commissioned by the Broads Climate Change Partnership on the “High Level Review on Flood Management for the Coast and the Broads”, there would be a Workshop on 3 November 2016 between 5pm – 8pm to consider the ways forward. The event would enable the consultants to present their findings and enable parties to receive the information at the same time. The event would have the benefit of a facilitator.
- **Budget and Broads Business Plan Development 2017/18 and Priorities** Further to Minute 1/6 and the decisions made on 12 May, a workshop to consider priorities for the next five years would be arranged for November/December 2016 and a doodle poll to assess the most convenient date for all parties would be set up.
- **Statement of Accounts** – As part of the regular briefing for Members, The Head of Finance would provide a workshop between May and July 2017 to include the new members and to coincide with the new CIPFA arrangements for dealing with the accounts.
- Site Visit for Members – to be arranged

### **Network Rail**

The Director of Operations reported that Network Rail had received the draft report and proposed to send it to the Authority once the report was finalised, which was expected in November. The status of the document for circulation was not clear at this point.

## **2/8 Water Catchment Partnership**

The Authority received a presentation from the Broadland Catchment Partnership Officer with an introduction from the Senior Ecologist on the progress in relation to the Broadland Water Catchment Partnership Project. In particular Members noted the emphasis on collaborative working through the different working groups and multiple agencies within Norfolk and Suffolk, all of which contributed to the Broadland Catchment Partnership. The aim was to encourage and promote the uptake of cost effective sustainable measures and therefore encourage changes in attitude and behaviour; and to target the right measures in the right places for multiple benefits. This was being achieved through the Slow the Flow project, the EU WaterLIFE/WWF-UK and Coca-Cola Freshwater Partnership and Water Sensitive Farming as well as the use of improving technology including GIS mapping to enable targeting of those areas at greatest risk.

The presentation provided examples of some of the achievements through demonstration schemes for potential solutions to extreme weather conditions with the aim of finding long term solutions and achieving good practice. Members were mindful that the achievements of the project were set against the backdrop of European support and the implications of Brexit and therefore the use of ecosystem services would help in providing further opportunities especially as there was a move within agriculture to provide more sustainable food production.

Members welcome the achievements of the Broadland Catchment Partnership which was considered to be pioneering. They congratulated all the officers involved for their excellent work.

RESOLVED

that the presentation be welcomed and noted.

## **2/9 Broads Plan Review: Revised Draft for Consultation**

The Authority received a report and presentation on the second revised Draft Broads Plan following consultation between February and April 2016. As the key strategic management plan for the Broads, it was intended to set the vision until 2030 and provide a high level strategy not just for the Authority but other partners and organisations within the Broads area. Therefore the involvement of partners, key stakeholders and local communities was also a key part of the plan review process. It was noted that the Navigation and Recreation sections of the proposed revised draft Broads Plan were considered by the Navigation Committee at its meeting on 8 September 2016 and given support. It was intended that following deliberations at this Authority meeting, the revised draft plan would be published for consultation between October and December with the intention of formal adoption in March 2017. All the consultations received would be published together with responses and circulated with the revised consultation document. The document would also include graphics to illustrate the themes and aspirations.

Members gave thorough consideration to each of the 8 themes and 10 headline aspirations noting that the emphasis was on providing certainty of delivery. Members praised the contents of the report, considering it to be an excellent document in highlighting the strategic actions and key outputs up until 2022 as well as identifying the lead/joint delivery partners, funding sources and indicators.

In providing comments on each of the sections, Members considered that it would be worthwhile referring to Defra's 25 year plan for the environment and highlighting the links of each of the sections in relation to the National Parks & Point Plan. It was also considered important to provide links and cross referencing to other sections within the Plan in order to emphasise the inextricable links between each of the themes. It was noted that this could be provided through the graphics and in particular the Ecosystems Diagram. Members noted the emphasis on the catchment approach and the importance of long term data sets such as those provided by the Lake Review. They also recognised that the Landscape Partnership Scheme would provide a significant benefit and legacy for the rest of the Broads as it involved a number of additional organisations in delivering the Broads Plan and would provide multiple benefits. It was therefore considered that this should be given greater emphasis within the consultation document. It could also provide scope for providing facilities for such schemes as Junior Rangers and possibly the Duke of Edinburgh Award scheme. A member suggested that there should be some consideration given to the consequences of "Brexit" although it was recognised that these would be heavily linked directly into the environmental sections, and risks associated with climate change.

It was also noted that in delivering some of the aspirations these were included within the Authority's strategies; for example the Sustainable Tourism and Integrated Access Strategies. These took account of tourism within the southern Broads as well as the provision of moorings throughout the system, about which a member commented that unless a more imaginative solution was found there would be constraints on developing tourism and business in general. With regard to noise, light pollution and dark skies, it was clarified that these issues were dealt with in more depth within the Broads Local Plan. A member suggested that reference should also be made to water based heritage assets as well as those that were land based.

Members commented on the health benefits that could be provided through the Broads particularly with access to water and queried the Authority's ability to provide these and its involvement with other organisations in promoting health benefits. The Director of Planning and Resources commented that it had not been possible to do as much as officers would have wished to in this area due to lack of resources and the fact that the Authority had a facility it did not own and was reliant on others for its provision. It was very much an aspiration reliant on other organisations and therefore referred to within the Access Strategy and could be included in Section 10 of the Plan.



Members provided some detailed comments on some wording within the document and potential omissions such as mention of the Whitlingham Charitable Trust as one of the Broads Plan partners.

Members received the Draft State of the Park Monitoring data set and noted that the challenge for the Authority in obtaining some data was due to the area's boundary cutting into and being part of other areas where data was collected.

Members welcomed the progress made and congratulated the officers on the work they were doing.

RESOLVED

that the Draft Broads Plan be endorsed for public consultation subject to the incorporation of some amendments to take account of comments made.

## **2/10 Strategic Direction**

The Authority received a report setting out the Broads Authority's activities in delivering progress against the Broads Plan 2011 through the six key Strategic Priorities agreed at the Authority's meeting on 18 March 2016, where the Authority had been identified as the lead partner for the year 2016/17. The strategic priorities helped to target resources and make the most of partnership working and external funding opportunities. There were also other projects not specifically mentioned but were still ongoing.

Members noted that the Authority was broadly on track. In particular, it was noted that the Authority was still awaiting a decision on the funding application for the CANAPE project.

RESOLVED

that the performance of the different projects to meet the Strategic Priorities for 2016/17 in the table at Appendix 1 to the report be noted.

## **2/11 Annual Governance Statement 2015/16**

The Authority received the Annual Governance Statement for 2015/16 the production of which was a legal requirement in order to provide an annual review of the Authority's systems of internal control and governance arrangements, and had to be approved by the Authority, signed by the Chairman and accompany the Statement of Accounts. The Financial Scrutiny and Audit Committee had recommended approval of the Annual Governance Statement at their meeting in July 2016 and this had been the subject of internal audit. It was pleasing to note that the Head of Internal Audit had provided the overall opinion that the framework of governance, risk management and control at the Broads Authority for 2015/16 was deemed to be "reasonable".

In particular Members attention was drawn to the Action Plan for 2016/17. The Chairman of the Financial Scrutiny and Audit Committee (FSAC) reported that at its meeting on 27 September 2106 the Committee had given this extensive consideration and the matter of training (as referred to at Minute 2/7) was considered to be very important particularly on the Statement of Accounts since all members were responsible. Planning training was also important in light of recent matters before the Authority. Although the training scheduled for 29 September on Governance had been cancelled, it was noted that the Solicitor would be arranging training on the Code of Conduct and protocols. Members recognised that there was an obligation on all to attend such training sessions, but that in practice it might not be achievable. It was agreed that the programme for member development be examined with the suggestion that training days be built into the meetings timetable to ensure all members have plenty of advance warning in order to maximise attendance.

Louis Baugh proposed, seconded by Guy Mcgregor and it was

RESOLVED unanimously:

- (i) that the Annual Governance Statement for 2015/16 and Action Plan for 2016/17 are approved;
- (ii) that the Authority confirms, 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;
- (iii) that the Authority notes likely forthcoming changes to the CIPFA/SOLACE governance framework during 2016 and that these are likely to require a consequential review and update of key Authority governance documents;
- (iv) that the programme for member development be reviewed with the aim of a set of dates being allocated for Training Days with the obligation on all members to attend.

## **2/12 Statement of Accounts 2015/16**

The Authority received a report setting out the Statement of Accounts for the year ended 31 March 2016 together with the final outturn figures for general and navigation income and expenditure. The FSAC had scrutinised the accounts on 5 July 2016 and recommended them for approval. There had been no changes to the figures since the Authority had met and seen them at the meeting on 8 July 2016. The External Auditors had undertaken and completed the audit of the accounts by the end of July 2016. The Annual Audit Results Report had been prepared and had been considered and approved by the FSAC at its meeting on 27 September 2016. Members noted that this would be the last time the Authority would receive the Statement of Accounts in September due to the changes in the CIPFA rules for next year when they would need to be signed off in July.

Members noted that at the end of 2015/16 the navigation reserves increased by £53,000 and national park reserves by £91,000. Both of these were above the recommended minimum (Navigation 11.3% and National Park 33.6%).

The Chairman of the FSAC assured Members that the amended presentation of the accounts was working well and the controls and checks provided had resulted in few problems to the satisfaction of the Auditors. He considered that the Authority could be assured that the accounts were in good order and that it was getting good value. A member commented that to receive an “unqualified” comment from the Auditors was excellent.

Guy McGregor proposed, seconded by Mike Barnard and it was

RESOLVED unanimously

that the Statement of Accounts 2015/16 be adopted and the revenue account outturn figures be noted.

### **2/13 Financial Performance and Direction**

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 July 2016 which also provided figures for the latest available budget and the overview of Forecast Outturn 2016/17. The Head of Finance also provided Members with the most up to date figures in Table 1 of the report to the end of 31 August 2016.

These provided a favourable variance of £136,089. There were no changes to the Latest Available budget or the forecast at this point. The consolidated earmarked reserves balance stood at £1,514,724. The Financial Scrutiny and Audit Committee had noted these figures at their meeting on 27 September 2016.

RESOLVED

that the income and expenditure figures for 1 April 2016 to 31 August 2016 be noted.

### **2/14 Draft Policy on Waste Collection and Disposal in the Broads National Park**

The Authority received a report setting out the current position on waste facilities throughout the Broads following the amendments to the definitions of commercial waste in the Controlled Waste Regulations 2011 and subsequent changes to the charging policy by Norfolk County Council and the District Councils reviewing their provision of waste facilities in the Broads. Members noted the deliberations and presentations from the workshop held on 15 July 2016 and the subsequent correspondence and meetings held with local MPs.

Members noted the proposed approach for partnership arrangements with the District and Parish Councils to identify strategic sites and that this had been supported by the Navigation Committee on 8 September 2016. Members noted the current provision set out in Appendix 3 of the report as being the minimum acceptable to form the basis of the agreed strategic network with the possible additional inclusion of Stokesby. The proposed Strategic Sites which indicated those of priority were set out at Appendix 6.

A member requested that South Walsham and Upton be included in the list of strategic sites as they were some of the key access points to the Broads. Members considered that although the Authority would have preferred to include all sites, the definition of strategic was to ensure a reasonable geographic spread across the whole area and the sites proposed had been given thorough consideration at the workshop and at subsequent meetings as well as support from the Navigation Committee. With the adoption of the policy and in terms of specific sites, the Authority, districts and parish councils would be working together and there may be the possibility of expanding the list to include Upton in the future. The aim was to take the partnership approval forward.

It was noted that the Controlled Regulations were due to be reviewed by the Government in 2017. Members agreed that the changes to the 2011 regulations had appeared to have had unintended consequences for the Broads National Park. It was proposed that the Authority work with the local authorities and local MPs to jointly seek an amendment to the regulations so that waste from hired boats in the Broads is classified as Domestic rather than Commercial Waste.

Louis Baugh proposed, seconded by Haydn Thirtle and it was

RESOLVED by members (18) with one abstention

that the Draft Policy as set out below, and proposed actions set out in Section 2 of the Report (with reference to Appendix 6 of the document concerning strategic sites) be approved.

*“The Broads Authority will work with the constituent county, district and parish councils and local businesses to encourage visitors and residents to minimise the creation of waste and recycle as much material as possible.*

*The Authority recognises that nevertheless a network of appropriate waste collection facilities is required across the Broads National Park for use by visitors and local people visiting the Park. It will work in partnership with the local authorities and local businesses to ensure that a network of strategic sites is in place. The Broads Authority will fund the costs of appropriate facilities and the disposal of rubbish from such strategic sites that it owns or controls. On other sites it will work in partnership with the county, district and parish councils as well as commercial operators within the Park to make appropriate provision.”*

## **2/15 Asset Management Plan: Vessel and Equipment Strategy Update Purchase of replacement equipment**

The Authority received a report providing an update to the vessels and equipment strategy within operational use following reassessment of the plant and changes in monitoring health, safety and performance.

It was noted that the Authority made an annual contribution to the reserve for vessels and equipment of £92,000 of which £64,400 from Navigation income and £27,600 from National Park Grant and that at 1 April 2016 the reserve stood at £162,000. It was proposed that the following expenditure was required in addition to the final 10% on the third wherry (£11,333):

- Purchase of second hand Berky weedharvester – £30,000
- Purchase of Volkerbrook (new set of link floats) – £116,000
- Replacement of small equipment to reduce hand arm vibration impact £20,000

This would leave a balance of £77,535 in the reserve. At its meeting on 8 September 2016, the Navigation committee was very supportive of the proposal.

Nicky Talbot proposed, seconded by Gail Harris and it was

RESOLVED unanimously

that the spend from reserves as detailed in Section 5 of the report be approved for this financial year 2016/17, namely that the authority approves the additional expenditure of £166,000 to the plant vessels and equipment reserve.

## **2/16 Great Place Scheme**

The Authority received a report providing information on a potential funding opportunity through a Scheme for 12 pilot areas to form a partnership to put arts, culture and heritage into strategic planning, targeting and implementation of specific locations as a tool to help social and economic development. There was potential for £0.5 to £1.5m grant aid from Arts Council England, HLF and Historic England with a 10% cash minimum contribution. The funding would be allocated through a competitive bidding process to be spent from 1 April 2017 to the end of March 2020. Expressions of interest were required to be registered by 6 October 2016.

Members noted that the Scheme appeared to fit the aspirations and objectives of developing the brand of the Broads National Park. It was designed to fund projects in areas where there was already a strong local partnership approach and commitment to embed arts culture and heritage into the strategies. The Head of Strategy and Projects reported that discussions had been held with an eclectic mix of organisations and people including a

local writer who had expressed interest in being involved. It could run in parallel with the Landscape Partnership Scheme.

Members were supportive of the idea in principle, recognising that the Broads was a unique landscape that embraced cultural assets and the project would raise awareness of the area's national status in cultural terms. However, some concerns were expressed about the commitment of resources that may be required in the future given the other priority demands on the Authority. They were therefore very supportive of submitting an expression of interest but asked that the whole project be reviewed in detail should the Authority be successful in being asked to submit a detailed bid.

RESOLVED unanimously

that the Authority submit an expression of interest under the Great Place Scheme in time for the deadline of 6 October 2016 and if successful the details and implications to be reviewed by the BA to ensure the Authority has sufficient resources to commit to a full scale project.

## **2/17 Updating Enjoy the Broads Visitor Website.**

The Authority received a report that followed on from the approval of the new Sustainable Tourism Strategy for the Broads (Minute 6/14 of 13 May 2016) where updating of the Enjoy the Broads visitor website as a high quality destination website had been identified as one of the top three priorities for the first year. This was also included in the Business Plan 2016/17. In order to take account of the Tourism Strategy's aims, Members had also wished to review the need to strengthen the Communications Team and this was currently being undertaken by the Director of Planning and Resources and Head of Communications.

With regard to the development of the website, the provisional estimated cost had been £30,000 in addition to staff time. However, in working with Broads Tourism, it was now proposed to use a Broads' tailored version of the National Parks UK website design in association with a company called Headscape, saving around £5,000. A further £13,700 of existing ICT budget (funded from the Planning Delivery Grant) was now available and Broads Tourism have pledged £3,000. This left a shortfall of £10,000 that could be funded from the National Park Planning Delivery Grant Reserve.

A member commented that Broads Tourism was very much in favour of collaborating and aligning with the National Parks and this approach would enable and guarantee a high standard of design to be achieved as well as contributing to the efficiency of marketing the facilities of the area.

Some members commented on the functionality of the Authority's own website and that of the National Parks suggesting areas for improvement in clarity particularly for those with visual impairment and ease of access for donations. It was noted that it would be possible to address these matters when considering a review of the Communications Team.

Peter Dixon proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

- (i) that the expenditure of £10,000 from the National Park Planning Delivery Grant budget for the redesign and updating of the content on the Enjoy the Broads visitor website be approved;
- (ii) that Headscape be commissioned to help design the website in order to align the Enjoy the Broads Website with the National Parks portal;
- (iii) that a review of resourcing of the Communications Team is underway be noted.

## **2/18 Review of Code of Conduct for Members**

Further to Minute 1/16 the Authority received a report updating Members on the new Draft Code of Conduct for Members. The Solicitor explained that he had not provided any detailed examples because he had not been able to find local authority or national park authorities that had taken that approach. Consideration had been given to various scenarios in order to “road test” the Code of Conduct and as a result some amendments had been made to the Hearings Procedure. Following consultation, changes were made and minor corrections undertaken. The Draft was provided to the two Independent Persons and discussed with them on 9 September 2016 and no further amendments were made. The Financial Scrutiny and Audit Committee had considered the Draft at its meeting on 27 September 2016.

It was noted that the Protocol on Member and Officer Relations in the Broads Authority would supplement the code. Additional comments had been received from the new member Brian Iles concerning the definition of confidentiality – this was set out in Schedule 100 Section 12 A of the Local Government Act, as well as leadership. Members gave consideration to the proposed changes highlighted in the report. It was noted that there was no appeals procedure. A member commented that the word “dismissed” in para 4.10 could be interpreted as being without foundation. It was clarified that this was not the intention. It was suggested it could be substituted with alternative wording such as “not upheld”. Another member queried whether sanctions that might include the removal from a Committee should also include the removal of privileges and/ or other functions such as appointments to outside bodies. It was suggested that any complaint should include a declaration with signature in order to meet legal standards.

Guy McGregor proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

- (i) that the revised Draft Code of Conduct for Members subject to amendments be adopted with immediate effect and

- (ii) that all Members including co-opted Members sign the new Code.

## **2/19 Appointments to the Navigation Committee**

The Authority received a report setting out a series of minor changes to the appointments procedures for the eight co-opted members to the Navigation Committee following consultation with the officers of the Broads Hire Boat Federation (BHF) and Norfolk and Suffolk Boating Association (NSBA). Since the procedures had been modernised in 2008, they had worked well and the minor changes were intended to streamline and improve the process. Members were mindful that the appointments to the Committee were governed by the Broads Act. The report included seven recommendations and the Chief Executive provided an explanation for each and expressed thanks to Richard Card, President of the NSBA and Emeritus professor of law, for his assistance.

In particular the Chief Executive addressed the issue raised by a former member concerning the interpretation of category (d). It had been contended that the nominee under category (d) should not be interpreted as representing "tollpayers in general" but should be filled by commercial members. However, from the evidence examined through the minutes and various background papers since 1988, in practice the consultation had been wide ranging (including the Norfolk and Suffolk Yachting Association, the Broads Society, Norfolk Canoeing Association and Suffolk Water Sports Association) and the members appointed under that category had not all represented commercial interests. Category (d) had therefore been interpreted as representing toll payers in general.

Members considered that the most important element of the appointments procedures was that the best and most appropriate candidates able to speak on behalf of a cross section of user interests should be selected.

Members were satisfied with the amendments particularly on the basis that the procedures allowed for an extensive pool of people to participate in the consultation and a wide range invited to apply and that the best candidates would be appointed in line with the requirements of the 1988 Act.

Mike Barnard proposed, seconded by Nicky Talbot that the recommendations in the report be accepted

(The vote on this matter was taken after consideration of agenda items 2/26 and 2/29)

RESOLVED with one member, Mrs Lana Hempsall voting against

- (i) that the Authority continues to interpret category (d) of the Act as referring to organisations representing the payers of tolls on craft in general;



- (ii) that the point of consultation with listed organisations be amended so that they are informed of the process and timetable at the outset but then consultation on the appointments takes place only once, when the Appointments Panel has short listed the applicants;
- (iii) that the Independent Chair of the Appointments Panel be one of the two Independent Persons;
- (iv) that the Navigation Committee be consulted once, at the shortlisting stage, before the Panel interviews the shortlisted candidates;
- (v) that the maximum term of office be amended to ten years for Co-opted Members of the Navigation committee to realign it with the return to the arrangement for Secretary of State appointees;
- (vi) that appointments to the Committee to be made from 1 April and the timetable for the process designed to meet that deadline.
- (vii) that the current vacancy on the Navigation Committee be advertised for a replacement in October with an appointment running concurrently with the existing appointments until March 2019.

**The Chairman agreed to vary the order of Business to take items 2/26 – 2/29 at this juncture to enable Sir Peter Dixon to provide information (as a member of the National Parks Partnership) for the discussion.**

**2/20 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 Director of Operations reported that there were no items which needed to be raised under this item.

**2/21 Minutes Received**

The Chairman stated 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: 21 April 2016**

RESOLVED

that the minutes of the Navigation Committee meeting held on 21 April be received.

(ii) **Planning Committee: 24 June 2016, 22 July 2016, 19 August 2016**

RESOLVED

that the minutes of the Planning Committee meetings held on 24 June, 22 July and 19 August 2016 be received.

*In view of the Chairman of the Planning Committee having to leave before this item was dealt with, he subsequently sent round a note highlighting some of the key issues considered at these three recent meetings.*

(iii) **Broads Local Access Forum – 8 June 2016**

RESOLVED

that the minutes of the Broads Local Access Forum meeting held on 8 June 2016 be received.

**2/22 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.

**World Canals Conference – Inverness 20 – 22 September 2016**

Bill Dickson provided a brief account of the conference he had attended with the Chief Executive and the Head of Construction, Maintenance and Environment. He concluded that he had been impressed by Scottish Canals but that the Broads Authority was a very different organisation from many of the others represented. He was very proud to have been able to represent the Authority.

**2/23 Items of Urgent Business**

There were no other items of urgent business for consideration.

**2/24 Formal Questions**

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

**2/25 Date of Next Meeting**

The next meeting of the Authority would be held on Friday 18 November 2016 at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

The following items of Business were taken before items 2/22 – 2/25

## **2/26 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 Paragraph 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.

Members of the Public left the meeting

## **2/27 Exempt Minutes of the Broads Authority meeting – 8 July 2016**

The exempt Minutes of the Authority's meeting on 8 July 2016 were received

## **2/28 Water Sensitive Farming Project – Potential Funding**

The Authority received a report containing exempt information concerning a potential source of funding with a major retailer for a Water Sensitive Farming Project. This was in accordance with the Government's encouragement for National Park Authorities and the Broads Authority to look for new sources of funding and the work of the National Park Partnerships to engage with the corporate sector.

Following careful and considerable debate taking account of the risks and the benefits, Sarah Mukherjee proposed, seconded by Kelvin Allen and it was

RESOLVED by 13 votes to 1 against

- (i) that the principle of a project in association with a major retailer to deliver a Water Sensitive Farming Project in the Broads Catchment be supported;
- (ii) that the outline details of the Project as set out in Section 2 of the Report be approved; and
- (iii) that a one year project as a first phase or "proof of concept" be approved to focus on providing a farm technology fund and latest practical information to all farmers who farm in the Broadland catchment.

**The Head of Finance left the meeting for the next item**

## **2/29 Appointment of Chief Finance Officer Section 17 of the Norfolk and Suffolk Broads Act 1988**

The Authority received a report containing exempt information concerning the appointment of the Chief Finance Officer under Section 17 of the Norfolk and

Suffolk Broads Act 1988 when the present service level agreement with Broadland District Council comes to an end on 31 March 2017.

Members considered the risks of bringing the role in-house and the consultations received, notably those from Broadland District Council, the Internal Auditor and External Auditor, all of whom were supportive provided an exit strategy was agreed. The Financial Scrutiny and Audit Committee had also been supportive of the proposal.

It was noted that both parties intended to continue their good working relationships over a wide range of issues.

#### RESOLVED

- (i) that the Head of Finance be appointed as the Chief Finance Officer for the Broads Authority with effect from 1 April 2017 when the present service level agreement with Broadland District Council comes to an end;
- (ii) that the Chief Executive writes to Broadland District Council's Chief Executive and Treasurer thanking both of them for their support; and
- (iii) that the Head of Finance investigates the appointment of an appropriate deputy Chief Finance Officer from one of the National Park Authorities.

The meeting concluded at 2.00pm

CHAIRMAN

## Code of Conduct for Members

## Declaration of Interests

Committee: Broads Authority 30 September 2016

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Kelvin Allen		Member of Broads Angling Strategy Group Member of Waveney River Trust
Greg Munford	-	Richardson , Broads Tourism, BMBS, Moorings, BCLMSH Marine Toll Payer
Gail Harris		Whitlingham Charitable Trust Trustee Director Cllr Norwich City Council
Paul Rice	19	Lobbied by email – NSBA Member, Broads Society Trustee Broads River Watch Founder
Bill Dickson		Broads resident. Property owner, Toll payer, Chairman of Local owners association
John Ash	19	Lobbied by Email. Toll Payer, Director/Trustee Wherry Yacht Charter Charitable Trust. N&SB Charitable Trust, How Hill Trust
Guy McGregor		Member of Suffolk County Council
Matthew Bradbury		Toll Payer, BCU Member, Director of Whitlingham Charitable Trust
Nicky Talbot	-	Lobbied by email, NSBA, NBYC, Toll Payer
Louis Baugh	-	Trustee Norfolk and Suffolk Boating Trust Trustee of Whitlingham Country Park
Jacquie Burgess	-	Toll Payer

**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>
18 January 2013 Minute 4/8(4) (Broads Local Access Forum Minute 1/9) <b>Ludham Bridge Footpath link to St Benets</b>	<ul style="list-style-type: none"> <li>• Formal agreement with landowner to be signed</li> </ul>	Senior Waterways and Recreation Officer	Formal footpath agreements all completed. Accommodation works in progress prior to opening of footpath for this season.  Works complete. Lease agreement signed with new landowner. Signage to be installed with potential path opening in November.
23 January 2015 Minute 4/18 <b>Chief Executive Report Network Rail: Consultation document: Anglia Route Study, Long Term Planning Process</b>	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.	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. The final reports are expected sometime in November 2016.
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>	Head of Planning/Asset officer	The completed lease papers are with the landowner for agreement and signature.  Footpath diversion agreed by Planning Committee on 1 May 2015 out for consultation. Footpath Diversion Order confirmed 28 August 2015.  Planning application considered by Committee

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
			<p>on 27 May 2016 and approved. Section 106 Agreement signed and permission issued.</p> <p>Negotiations with Landowner ongoing</p>
<p>15 May 2015 Minute 6/2(3) And Minute 1/9 13 May 2016 Minute 6/8 <b>Member Allowances</b></p>	<ul style="list-style-type: none"> <li>• Query relating to Member Allowances for National Parks and the Broads relating to Care</li> <li>• Matter to be raised directly with Ministers and at the September Conference on Women in Public Services (to be attended by Jacquie Burgess)</li> </ul>	<p>Solicitor and Monitoring Officer</p>	<p>Matter has been followed up with Defra. The Chief Executive has recently 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 and Equalities legislation.</p>
<p>25 September 2015 Minute 2/26 <b>Marine Management Organisation Licensing of Works in the Broads</b></p>	<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>	<p>Director of Operations</p>	<p>MMO has agreed to meet to explore the issues in more detail, still awaiting confirmation of date. Accord has been signed with PLA, and officers are chasing the draft accord with Broads Authority to be finalised, which will delegate some of the MMO decisions to the BA to streamline the process for third parties.</p>
<p>20 November 2015 Minute 3/9 <b>Fen Management, Strategic Priorities, Opportunities and Fen Survey</b></p>	<ul style="list-style-type: none"> <li>• Contents of report noted</li> <li>• Programme of Work under MultiPLE Intereg North Sea regional bid to be further considered for a potential future more focused bid</li> <li>• Continue to work with partners</li> </ul>	<p>Senior Ecologist</p>	<p><b>CANAPE:</b> bid was submitted end of March 2016, and this Expression of Interest stage has been successful. Deadline for full submission is end of January 2017. <i>See Agenda Item no 8 (Navigation Charges) and Item no 13 (Strategic Priorities).</i></p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	to agree a programme of work for the fen survey and seek necessary funding		<b>Fen survey:</b> Broads partners (BA, EA, NE, NWT) identified options for taking the Fen Survey forward. BA successful in gaining £7,000 from NE. Contractor appointed to support the Senior Ecologist with the development of fen monitoring, research and management projects with partner organisations.
13 May 2016 Minute 6/10 <b>Broads National Park: Outcome of the Judicial Review</b>	<ul style="list-style-type: none"> <li>• that the Judge's ruling on the Judicial Review Hearing and the confirmation it provided for the legality of the decision the Authority took in January 2015 be welcomed</li> <li>• that the leave to appeal to the High Court by Mr Harris be noted</li> </ul>	Chief Executive/Solicitor	Decision expected on Mr Harris's application for leave to appeal to the Court of Appeal expected October/November. <b>Still Awaited.</b>
13 May 2016 Minute 6/16 <b>Guidance from Members' Annual Review</b>	<p>Key points raised by Members be noted as follows:</p> <p><b>Governance</b></p> <p>(a) To note that in line with the Internal Audit recommendations, the Code of Conduct for Members, training for Members including the induction of new Members and the Complaints procedures will be reviewed this summer.</p> <p>(b) a common understanding be built amongst all members</p>	<p>Chief Executive/ Management Team</p> <p>Solicitor and Monitoring Officer</p>	<p>The Authority adopted a revised Code of Conduct at its meeting on 30 September 2016. All members including co-opted Members are required to sign this.(Minute 2/18) before they can participate as a member.</p> <p>Detailed guidance on Code to go into a Members' Handbook to be prepared later in the year.</p>



Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<p>about the role, responsibilities and duties of being a Member, whether appointed by the Secretary of State, a local authority or by the Broads Authority.</p> <p>(c) To consider whether it would be appropriate to seek agreement from the local authorities to time limit the appointment of any individual Member on the same basis as the Secretary of State and Navigation Members.</p> <p><i>To ensure that the Local Authorities are informed of the skill sets required of a member to be appointed to the Broads Authority and for them to be mindful of consistency where possible.</i></p> <p><b>Planning</b></p> <p>(a) To ensure that all Members have a thorough knowledge of the Authority's responsibilities as the local planning authority for an area that has an equivalent status to that of a National Park.</p> <p><b>Communications</b></p> <p>(a) that the Chief Executive review the level of staffing in the</p>		<p>This to be included in the Members Induction Programme.</p> <p>Regular training sessions provided to members. Session took place after Planning Committee meeting on 14 October 2016 which provided an update on legal issues including the framework within which the Authority works and the Housing and Planning Act.</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
<p><b>30 September 2016</b> Minute 2/11</p>	<p>Communications Team to consider how the Authority can be more proactive in the press, PR and social media. (Recommendation (v) of Minute 6/9)</p> <p><b>Workshops and Site Visits</b> (a) That the Chairman and Chief Executive review and come back with proposals to the next meeting on how the Authority manages its business to streamline the arrangements to reduce the number of meetings in order to increase the number of workshops, briefings and site visits.*</p>		<p>Director of Planning and Resources and Head of Communications reviewing the resources available to the Communications Team for report to January 2017 meeting</p> <p>The following workshops and training sessions have been scheduled and/or taken place.</p> <ul style="list-style-type: none"> <li>• Statement of Accounts - to be arranged in Spring 2017 when new members confirmed and in time for next Statement of Accounts (2016/2017).</li> <li>• High Level Review on Flood Management for Coast and Broads – report commissioned by Broads Climate Change Partnership. Workshop – 3 November 2016, to consider ways forward</li> <li>• Priorities for next 5 years, Budget and Broads Business Plan development 2017/18 – confirmed for <b>8 December 2016</b>.</li> <li>• Programme for member development to be reviewed – aim to allocate Training Days within the Timetable for meetings *for consideration in January 2017</li> </ul>
<p>30 September 2016 Minute 2/16 <b>Great Place Scheme</b></p>	<p>that the Authority submit an expression of interest under the Great Place Scheme in time for the deadline of 6 October 2016 and if successful the details and implications to be reviewed by the</p>	<p>Head of Strategy and Projects</p>	<p>An Expression of interest was submitted but we have not been encouraged to submit a full application. Contact made with the Great Yarmouth/Lowestoft bid (who will progress) to see how we can support them.</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	BA to ensure the Authority has sufficient resources to commit to a full scale project.		
30 September 2016 Minute 2/17 <b>Updating the Enjoy the Broads Visitor Website</b>	<ul style="list-style-type: none"> <li>• Expenditure of £10,000 from the National Park Planning Delivery Grant budget for the redesign and updating of the content on the Enjoy the Broads visitor website approved;</li> <li>• Headscape be commissioned to help design the website in order to align the Enjoy the Broads Website with the National Parks portal.</li> </ul>	Chief Executive/ Head of Communications	Headscape engaged in design work and workshop carried out. Finished designs due by end of November 2016 for integration into the content management system and National Parks Portal. Invitation to quote for content work sent to eight consultants. Work scheduled to start late November/early December. Full website launch anticipated early March 2017.
30 September 2016 Minute 2/19 <b>Appointments to the Navigation Committee</b>	<ul style="list-style-type: none"> <li>• Minor changes to the Appointments Procedures for 8 co-opted members to Navigation Committee adopted.</li> <li>• Current vacancy on Committee to be advertised for replacement in October with appointment running concurrently with existing appointments until March 2019.</li> </ul>	Chief Executive/ Solicitor and Monitoring Officer	Process for appointment of vacancy under category(d) commenced: Organisations being contacted and advertisement being prepared

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
30 September 2016 Minute 2/28 <b>Water Sensitive Farming            Project in Broads            Catchment            (Exempt)</b>	<ul style="list-style-type: none"> <li>• Principle of Project in association with major retailer supported</li> <li>• Outline details of Project as set out in report approved.</li> <li>• One year project as first phase or “proof of concept” approved to focus on providing a farm technology fund and latest practical information to all farmers who farm in the Catchment.</li> </ul>	Senior Ecologist	Project Management ongoing (contract, schedule etc) Project ‘Advice Group’ formed Advertising for Farm Liaison Officer post Site visit arranged for 25 November 2016

**Tolls Review 2016 and Proposed Navigation Charges for 2017/18  
in the Navigation Area and Adjacent Waters**

Report by Chief Executive, Head of Finance and Collector of Tolls

**Summary:** After a year of deliberation and engagement with key stakeholders the recommendations of the Tolls Working Group for a simpler, fairer and more flexible structure for the calculation of charges in the navigation area and adjacent waters are presented (in Appendix 1) for the Authority to consider along with a draft set of charges for 2017/18. The Navigation Committee was consulted on both the Working Group's report and the proposed level of charges in accordance with Section 13 (3) of the Norfolk and Suffolk Broads Act 1988 on the 27 October 2016. The Committee supported the three main recommendations, five of the subsidiary proposals and the proposed set of charges. The Committee recommended two changes to the recommendations on Mutford Lock and hybrid boats.

**Recommendations:**

- (i) Adoption of the recommendations of the Tolls Working Group with the amendments regarding Mutford Lock and electric boating as proposed by the Navigation Committee and set out in Section 6.
- (ii) Adoption of the proposed charges for the navigation area and adjacent waters as set out in Table 6 of this covering report.
- (iii) Undertake an evaluation of the impact of the changes to the tolls structure in the autumn of 2019 as part of a second round of stakeholder research, the first round of which informed this tolls review.

**1 Introduction**

- 1.1 This report examines progress over the last six months following decisions on tolls for 2016/17 by the Broads Authority in November 2015, in line with recommendations of the Navigation Committee. It then introduces the report of the Tolls Working Group. Finally, it considers the level of income required to maintain the current level of services, taking into account the predicted fall in the number of hire boats, and combined with the Working Group's proposals to develop a schedule of navigation charges for 2017/18.
- 1.2 If the recommendations of the Working Group are accepted, they will probably represent the most significant change in the way navigation charges are levied since 1981, which saw a move to charging on the basis of area of the craft rather than tonnage. The two main effects will be:

(a) The change in the calculation of the charge from fixed and variable components to a purely variable element will reduce the costs for small boats, whose numbers have been in decline, and increase the costs for the larger boats.

(b) The removal of multipliers and discounts will provide a more flexible system, able to adapt to the changes in different fleets.

## 2 Progress over the last year

2.1 Last year the Authority faced a difficult decision after the very low toll increase in 2015/16 of 1.7%, the continuing reduction in hire boat numbers, and pressures on expenditure. Members of the Authority adopted the Navigation Committee's recommendation of a 4.5% increase in income combined with a reduction in the hire boat multiplier from 2.62 to 2.55. This was part of a package that involved £93,000 of additional expenditure (Table 1). It included £30,000 for the Hickling Enhancement Project, an extra £49,000 for operational works, and the cancellation of the removal of the Dickey Works.

**Table 1 Areas of Additional Expenditure**

<b>Additional Expenditure</b>	<b>Amount</b>
Extra Operational Works	+£49,000
Hickling dredging this year and next	+£30,000
Salary increase +1%, additional pension costs	+£28,000
Increased costs of maintaining Mutford Lock	+£6,000
Cancel work on removal of the Dickey Works	-£20,000
<b>Additional Expenditure</b>	<b>+£93,000</b>

2.2 The Hickling Enhancement Project is on target for delivery, with 3,500m<sup>3</sup> of priority dredging being carried out in the winter of 2015/16, as well as a trial area using geotextiles recreating eroded land at Hill Common. In October 2016 the Authority began the first phase of constructing bays using timber posts and geo-textiles to form a perimeter wall into which dredged material will be pumped. These areas, in Churchill's Bay and the Studio Bay, will be planted with reed and mace to recreate land lost to erosion and restore habitat. The next phase in 2017/18 is to develop agricultural land to receive pumped dredgings into lagoons, where it can be naturally dried, spread and used to replenish low lying agricultural land, as well as trialling geotextiles as a temporary barrier to wind and wave erosion.

2.3 In 2015/16 dredging to restore rivers and broads to their required profiles and specification saw sediment removal exceed the target of 50,000 cubic metres by 1,435 cubic metres. Total volumes removed reached 103% of the estimated target volume.

- 2.4 The Authority's Environment Officers mapped and developed priority areas for tree clearance along the River Ant, targeting bankside trees, encroaching vegetation and areas of 'wind-shadow'. In 2015/16 the Authority cleared over 4km of trees and is continuing to target problem areas on the middle Bure and the Thurne so that a similar operation can take place over the winter of 2016.
- 2.5 Table 2 shows the number of weekly hired cruisers by year. The temporary recovery in numbers shown in the table was the result of the company 'Le Boat' bringing a total of 42 boats from Ireland, most of which arrived for the 2009/10 season but have since gone.

**Table 2 Number of Hired Motor Cruisers**

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016
No.	803	843	878	904	894	869	842	821	789

- 2.6 The established pattern of change in the private fleet also continues, as shown in Table 3, with a fall in the number of small motor boats and an increase in the number of larger ones.

**Table 3 Private Motor Boat Numbers by Size**

Size m <sup>2</sup>	2008	2009	2010	2011	2012	2013	2014	2015	△ 2008-15	%△ 2008-15
<b>1-10</b>	2292	2130	1930	1940	1866	1844	1828	1775	<b>-517</b>	<b>-22.6%</b>
<b>11-20</b>	1795	1923	1956	1991	1958	1983	1960	1950	+155	8.6%
<b>21-30</b>	1427	1487	1529	1566	1603	1614	1642	1630	+203	14.2%
<b>31-40</b>	736	765	800	814	819	865	865	893	+157	21.3%
<b>41-50</b>	283	294	289	296	304	319	343	364	+81	28.6%
<b>51-60</b>	39	46	44	51	60	63	65	65	+26	66.7%

### 3 Proposed New Charging Structure

- 3.1 Over the last year a group of seven members of the Broads Authority, five of whom were also members of the Navigation Committee have, at the request of the Broads Authority, undertaken a comprehensive review of the structure of the charges levied in the navigation area and adjacent waters. A copy of their report is at Appendix 1.
- 3.2 The Group makes three main recommendations for the Broads Authority to consider:
- (i) A new set of Guiding Principles for Tolls.
  - (ii) A revised structure for the tolls in which for each class of vessel the owner will pay a set amount per square metre. Wherries, rowing boats, canoes and kayaks will pay a flat rate charge.
  - (iii) A flexible charging structure, such that the different fleets on the Broads can be levied different rates per square metre.

3.3 In addition, the Group makes seven subsidiary recommendations:

- (i) Wherries should be charged a flat rate, to reduce their overall costs, promote their important cultural heritage and reflect their iconic status. (There are eight wherries on the Broads system as at October 2016).
- (ii) Electric boating should continue to be encouraged through lower rates for private motor boats. However, any boats using diesel generators to power electric engines should be charged at the normal commercial/private motor boat rate. (NOTE: Amendment suggested by Navigation Committee)
- (iii) The current discount for early payment offered to the larger hire boat operators should be discontinued but the provision for staged payments should be retained.
- (iv) The non-display of toll plaques trial should be extended for a further year.
- (v) The charges for craft in adjacent waters should remain identical to those in the Broads Navigation Area to account for the interconnected relationship between the two.
- (vi) The charges for passing through Mutford Lock should recover the annual costs involved. (NOTE: Amendment suggested by Navigation Committee)
- (vii) The current charging policies for short visit tolls and boats removed from the Broads system should be retained.

#### **4 Draft Income and Expenditure for 2017/18**

- 4.1 In the coming year, with the proposed restructuring of the tolls and the continuing loss of income from the hire fleet, the officer view is that there is little or no margin for any additional activity.
- 4.2 In developing draft income and expenditure figures for 2017/18, the outturn for this year's budget has been reviewed. Table 4 shows that Navigation Income for the current year 2016/17 is below the forecast and is anticipated to be approximately £22,100 below the budgeted figure at the end of the financial year. While income from private boats has generally been above the estimate, income from the hire boat fleet is continuing to fall. The provision for a reduction of £20,000 in hire boat income has proved too optimistic, with a reduction of 32 registered weekly hire boats and two passenger boats giving rise to a loss in income from commercial craft of around £46,000.
- 4.3 Net expenditure is predicted to be down by £15,546 at the end of the year. This is a combination of additional income from the electric charging cards and small savings on a number of budgets, i.e. legal, safety management, IT, governance, vehicles and Yare House. The predicted outturn for 2016/17 is therefore a slightly increased deficit of £8,947. The Navigation Reserve is predicted to remain just above the minimum level of 10.0%



- 4.4 Turning to income for 2017/18, the advice from the Broads Hire Boat Federation is that at least a further 20 hire boats will be taken out of the fleet next year. Taking an average income from a weekly hire craft this year of just over £1,000 this equates to the loss of a further over £20,000 next year. From the information supplied, this change appears to be at the bigger yards where the investment programmes involve building new boats and removing a larger number of older vessels from the fleets.

**Table 4 Budget for 2016/17 and Predicted Outturn compared to Draft Income and Expenditure for 2017/18**

	Latest Available Budget 2016/17	Predicted Outturn 2016/17	Draft Income & Expenditure 2017/18
Navigation Income	£3,119,839	£3,097,739	£3,179,500
Expenditure	£3,122,233	£3,106,687	£3,178,333
<b>(Surplus)/ Deficit</b>	<b>£2,394</b>	<b>£8,947</b>	<b>(£1,167)</b>
Transfer of accrued interest to ear-marked reserves	£5,000	£3,750	£3,750
Opening Reserves	£333,090	£333,090	£320,392
Closing Reserves	£325,695	£320,392	£317,809
<b>Reserves as % of Expenditure</b>	<b>10.4%</b>	<b>10.3%</b>	<b>10.0%</b>

- 4.5 At this stage in the financial year there are a significant number of unknowns around the Authority's expenditure for next year. One of these is the outcome of the triennial review of the pension fund, which is unlikely to be known until the end of November. A detailed draft budget for 2017/18 will be brought to the next meeting in December when more is known.
- 4.6 In terms of expenditure for next year, the Hickling Enhancement Project is one of the Authority's strategic priorities and involves a commitment of £60,000 per annum, shared equally between National Park and Navigation expenditure. This commitment continues until 2019/20.
- 4.7 The current plan for 2017/18 is for mud-pumping in the marked channel with discharge to an arable field. This involves signing an agreement with the landowner before Christmas 2016 to give him confidence that the Authority is going to progress the project, and adequate time to adjust his cropping regime. The Authority's Environment Officers have started the evidence gathering process for the submission of an application for an Environmental Permit in February 2017 for the storage and land-spreading of sediment. Site preparation and lagoon construction on the field is planned for August 2017. An external contract is to be let for the mud-pumping work programmed to start in November 2017. The tendering process for the mud-pump contract is planned to start in April 2017.
- 4.8 The Authority submitted a bid for European funding to support the Hickling Project, and on 5 October was told that the Expression of Interest had been accepted and approval for the submission of a full application given. However the RSPB, as lead

partner, is now questioning whether, in the light of the decision for the UK to leave the European Union, it is appropriate for the application to be led by a partner based in this country. The full implications of this and a potentially successful bid will be re-evaluated over the coming weeks and a report brought back to this Committee.

- 4.9 Other pressures acting on the expenditure include cost of living increases and increments for staff salaries, increased pension contributions, the apprenticeship levy, and upward pressure on the costs of equipment and materials.
- 4.10 The apprenticeship levy is to be introduced from 6 April 2017 and requires all employers, both public and private sector whether with apprentices in their workforce or not, operating in the UK with a pay bill over £3 million to contribute 0.5% of their annual pay bill. For the Broads Authority this is a sum of £16,500, £9,900 funded from National Park Grant and £6,600 from Navigation Income.
- 4.11 This Committee, key stakeholder organisations such as the Broads Hire Boat Federation (BHBF) and Norfolk and Suffolk Boating Association (NSBA), and boat owners in general, as evidenced through the 2014 stakeholder survey, all want more work carried out and more services delivered. The removal of the Dickey Works was delayed last year at a cost of £20,000. The provision of new moorings, waste collection costs and electronic signage have all been considered but ruled out this year because of the other pressures on the budget. However, £10,000 of additional expenditure for signage has been included for the 24 hour moorings sign upgrade. Work on identifying potential new mooring sites is on-going and proposals with the financial implications will be brought forward in due course.
- 4.12 The difference between the level of Expenditure in the Latest Available Budget for the current year and the Draft Budget for next year as shown in Table 4 is £56,100 and the detail is shown in Table 5 below.

**Table 5 Proposed Areas of Change in Expenditure for 2017/18**

<b>Expenditure Change</b>	<b>Amount</b>
Salary increase +1%, draft pension costs	+56,201
Apprenticeship Levy (0.5% salary costs)	+6,600
Vehicles savings	-6,300
Mutford Lock routine maintenance & operational costs	+7,000
Electric Charging Points additional Income	-1,500
Signage	+10,000
Standby	+1,675
Oil spill	+1,500
Asset Management Building survey 1 off in	-4,500

2016/17	
Yare House Lease adjustment	-3,728
Whitlingham Charitable Trust recharge	-6,982
Photocopier lease savings	-2,706
Other minor savings	-1,160
<b>Additional Expenditure</b>	<b>+£56,100</b>

- 4.13 To accommodate the Hickling project and the items listed above, total income and expenditure will both need to be in the order of £3.18 million (see Table 4) to maintain services at the existing level with reserves at the recommended minimum level of 10.0% of expenditure.
- 4.14 The decline in the number of hire boats and passenger boats, although small in the context of the total number of boats using the Broads, is significant because of the amounts they pay. A key question is how the continuing reduction in income from the hire fleet, predicted to be at least £21,000 for the coming year, should be accounted for against the 14 categories of boats proposed in the new tolls structure. To date the loss of income in the hire fleet has been spread across all 12,000 boats. Given the magnitude of the changes proposed to the charging structure, this practice has continued in developing the draft schedule of navigation charges for 2017/18.
- 4.15 These charges have also been calculated on the basis that the income sought in 2017/18 for each of the 14 categories of vessel is broadly in line with that received for 2016/17 plus the amount necessary to meet the increase of £56,100 of cost pressures. The proposed new structure of charges has helped not only in simplifying the arrangements but making them more transparent. Table 6 below summarises the proposed charge for each category, the number of boats currently in each category and the income produced.
- 4.16 Appendix 2 contains the same information broken down by size of vessel in each category. It shows the toll paid for that size of vessel this year, what the toll would have been under the proposed new structure and the cash difference. The following column has the proposed charge for next year and difference with what was paid this year. This will allow individual toll payers to look at the implications of this report for boats on the system.
- 4.17 Table 6 shows that the category contributing the largest proportion of the tolls is private motor boats (diesel, petrol and electric), which account for approximately 54% of the total income. The weekly hired motor craft account for 27% and private sailing craft, including motorised sailing craft, 7%.

**Table 6 Proposed Charges for the Navigation Area and Adjacent Waters in 2017/18**

**Commercial Fleet**

<b>Category</b>	<b>Proposed Charge</b>	<b>Number of Boats (30/09/16)</b>	<b>Total Income £000's</b>
1. Weekly hired motor craft	£28.95 per m <sup>2</sup>	789	£860.3
2. Day hired	£44.30 per m <sup>2</sup>	251	£121.2
3. Day hired Electric	£30.90 per m <sup>2</sup>	43	£15.0
4. MCA Passenger Boats and small passenger boats	£38.10 per m <sup>2</sup>	16	£24.0
5. Motorised Sailing Craft	£23.50 per m <sup>2</sup>	44	£24.2
6. Sailing Boats	£17.50 per m <sup>2</sup>	102	£13.8
7. Houseboats	£14.95 per m <sup>2</sup>	16	£10.7
8. Rowing, canoes etc.	£65.70	192	£12.6
<b>Sub Total</b>			£1,081.8
Other tolls (Trade plates, Hire Paddling scheme etc.)			£13.3
Predicted reduction in hire fleet			-£21.7
<b>Total Income</b>			<b>£1,073.4</b>

**Private Fleet**

<b>Category</b>	<b>Proposed Charge</b>	<b>Number of Boats (Forecast March 16)</b>	<b>Total Income £000's</b>
9. Motor Boats - petrol & diesel	£12.85 per m <sup>2</sup>	6,384	£1,693.2
10. Motor Boats Electric	£10.00 per m <sup>2</sup>	244	£17.3
11. Motorised Sailing Craft	£9.50 per m <sup>2</sup>	1128	£161.0
12. Sailing Boats	£8.00 per m <sup>2</sup>	1061	£62.5
13. Houseboats	£5.15 per m <sup>2</sup>	58	£9.5
14. Rowing, canoes etc.	£32.85	1576	£51.8
<b>Sub Total</b>			£1,995.3
Other Toll (Work & Safety Boats, Youth Schemes, BCU, Wherries etc.)			£44.7
Short Visit Tolls			£39.8
<b>Total Income</b>			<b>£2,079.8</b>

**Total Predicted Income**

Other Income (Interest, Mutford Lock, Ski Permits, Boat licencing etc.)	£26.3
<b>Total Navigation Income</b>	<b>£3,179.5</b>

## 5 Evaluation and Risk Analysis

- 5.1 The impact of the proposed structure has been tested by replicating the 2016/17 charges using the new structure, and this is summarised in the Working Group's report. The calculations have been repeated using the proposed charges for 2017/18 and boat numbers for 2016/17. The results are shown in Table 7 below.

**Table 7 Implications of the new structure for individual vessels.**

	<b>Category</b>	<b>Pay Less</b>	<b>Pay More</b>
1.	Weekly Hire	189	600
2.	Day Hire	99	152
3.	Day Hire Electric	18	25
4.	MCA Passenger / Small Passenger	7	9
5.	Motorised Sailing Hire	10	34
6.	Sailing Boats Hire	81	21
7.	Houseboats Hire	2	14
8.	Rowing Hire	0	192
9.	Private Motor Boats	3009	3375
10.	Private Motor Boats Electric	214	30
11.	Private Motorised Sailing	807	321
12.	Private Sailing Boats	764	297
13.	Houseboats	57	1
14.	Rowing, Canoes etc.	0	1576

- 5.2 If implemented as set out above the effect of using a variable rather than a fixed and variable calculation would mean that the larger boats using the Broads would see an increase in their charges. Overall, with the provision of the rates in Table 6 applied, Table 7 shows that 44% of all the boats listed would see a reduction in their toll even with the overall increase in income. So for example the owners of 764 (72%) sailing boats would see a reduction in their charge even though there would be an increase in the total contribution from that category.
- 5.3 47% of the category with the largest number of boats, the private motor boats, would also experience a reduction in the toll. On the other hand 1,576 rowing, canoes and kayaks not affected by the structural changes would all see an increase of £0.97 as their contribution to the additional expenditure.
- 5.4 For commercial boats, 24% of the hire boats would experience a reduction in the charge for 2017/18. The big new boats, which are the most profitable, would pay more. For day boats, 40% would see a reduction.
- 5.5 When considering the impact of the changes, it is worth considering that the stakeholder survey research in 2014 (Insight Track) shows that the charges are a small part (9% on average, larger for small boats and smaller for bigger boats) of the cost of owning and maintaining a boat. Mooring/marina fees, maintenance and repair costs and fuel are all, on average, a bigger part of the cost of owning a private boat. In the light of this, the proposed changes are not expected to have a significant impact on the number of large private boats in the area. The research showed that most private boat owners (70%) think they will own the same number

of boats in the next five years (12% more; 9% fewer); in particular those in the age category 18-34 thought they were most likely to own more boats.

- 5.6 Any change to the tolls contains some element of risk. The Authority has minimised the impact of the changes by consulting the main boating organisations on several occasions, so that it can gauge the likely reaction to the reform of the structure. It has also modelled the impact, so that it has a good understanding of the boats that will be affected and the degree of increase/decrease in the charge for individual boats.
- 5.7 The proposals in this report represent a significant change in the charging structure for boats on the Broads. A judgement was made, using Insight Track's research findings, as to whether the proposals should be subject to an equality impact assessment. However, the research evidence, for example that for the average private boat owner the toll represents only 9% of the total costs of owning a boat, suggests that there will not be a disproportionate impact to any specific characteristic groups as a result of the toll review proposals.
- 5.8 A Member of the Tolls Working Group has compared the proposed schedule of charges with those levied on other inland waterways and reported his findings to the meeting of the Navigation Committee. The analysis showed that when the Broads Authority's charges were compared to the Environment Agency's Anglian Waterways:

In 2013

Tolls for Hired Motorcraft in the Broads were in general 8% more expensive;  
Tolls for Private Motorcraft in the Broads were in general 40% less expensive

whereas:

In 2017, if the proposed charges are implemented:

Tolls for Hired Motorcraft will be in general 11% more expensive  
Tolls for Private Motorcraft will be in general 23% less expensive

- 5.9 Clearly the impact of the proposals, if implemented, will be closely monitored both next season and beyond. The Insight Track research has provided a very valuable insight into the opinions of private boat owners and the hire boat companies as well as statistically valid data on costs of owning and maintaining a boat. It is suggested that it would be good practice to repeat the exercise in the autumn of 2019 to examine how opinions and costs have changed.

## **6 Consultation with the Navigation Committee**

- 6.1 The Authority consulted the Navigation Committee on 27 October, in accordance with Section 13(3) of the Norfolk and Suffolk Broads Act 1988, on both the report of the Tolls Working Group and the draft schedule of charges for 2017/18. After extensive consideration all three main recommendations and five of the seven subsidiary proposals by the Member Group were supported by the Committee. On Mutford Lock the Committee supported the proposal that the income should ideally balance the annual costs of operation, but would like to see this achieved via

greater use of the Lock. Therefore, in order to encourage users in the short term and publicise the service more fully the Committee suggested that the existing charge should be maintained for 2017/18, better data gathered and then reviewed again at the end of the season. Since the Navigation Committee, a meeting has been arranged with the Royal Norfolk and Suffolk Yacht Club to see how the Authority can work in partnership on greater promotion of the Lock. With regard to electric boating, the Committee thought that where the primary means of propulsion was an electric motor a lower rate should be charged. There are four weekly hired craft in this position and it is proposed to charge them at a rate of £20.30 per m<sup>2</sup> (Note: Appendix 2 has been amended to take this into account but Table 4 has Table 6 have not been changed to reflect the reduced income.)

- 6.2 At the Navigation Committee questions were asked about the charges for ferries and outboard motors. Ferries will continue to be charged on the current basis this being the private motor boat rate. The Outboard Motor toll, which allows you to exchange one outboard motor between vessels as opposed to paying the motor craft toll on each one will remain as an option for owners. The toll is only applicable if an owner has paid tolls on three or more rowing or sailing craft of 5m or less in length.

## **7 Consultations**

- 7.1 Section 7 of the Tolls Working Group report sets out the consultation process by which the Authority has gauged the opinion of private and commercial boat owners and engaged with the two main representative bodies, the Broads Hire Boat Federation (BHBF) and the Norfolk and Suffolk Boating Association (NSBA). Appendix 3 contains the correspondence received from these organisations and the Broads Angling Strategy Group (BASG). Members will see that the BHBF and BASG are broadly content with the proposals.
- 7.2 The NSBA in its most recent letter to the joint chairs of the Tolls Review Group (dated 9<sup>th</sup> October) said that “it was happy to support much of the work of the Group” but expressed concern about the impact of the new structure on private boat owners, and advocated the retention of a fixed + variable calculation for the charges for private boats only. It has accepted the argument for a more flexible system i.e. the removal of multipliers and discounts. The Chair of the Broads Authority wrote in response to a letter circulated by the NSBA Chairman to all Members of the Association on 7<sup>th</sup> November suggesting that if they “are unhappy about these proposals please drop an email to the BA’s chief executive and tell him how you feel”.
- 7.3 There have been other ways in which the proposals have been put in the public domain. The report to the Finance, Scrutiny and Audit Committee on 5<sup>th</sup> July prompted an article on the proposals in the Eastern Daily Press. On 20 October the report to the Navigation Committee was highlighted by the Authority on one of the social media forums and a link to the report provided. That evening an ‘Ask JP’ event provided an on-line opportunity for the Forum’s members to ask questions on the proposals of the Working Group.

## 8 Conclusions

- 8.1 The Member Working Group has spent a year reviewing the charging structure for the tolls. The recommendations are probably the most radical since 1981 but if adopted by the Authority will in the view of the members on the Working Group provide a fairer, simpler and more flexible arrangement which should stand the test of time.
- 8.2 Any significant change to the charging structure for Broads tolls will inevitably see some boat owners who will pay more and others less than under the current system. This should not obscure the overall fairness and greater flexibility and simplicity of the new proposals which can be more responsive to the changing composition of the Broads' fleets. The judgement the Authority needs to make is whether the recommendations of the Tolls Working Group and the proposed charges for 2017/18 are fair and reasonable.

Background papers:	None
Author:	John Packman, Emma Krelle, Bill Housden
Date of report:	4 November 2016
Broads Plan Objectives:	None
Appendices:	Appendix 1 – Tolls Working Group Report Appendix 2 – Draft charges for 2017/18 Appendix 3 – Letters from Main Stakeholder Organisations



# **Proposals for a fairer, simpler structure for tolls in the Broads navigation area and adjacent waters**

Report of the Tolls Working Group 2016

Jacquie Burgess (Joint Chair)  
Michael Whitaker (Joint Chair)  
Kelvin Allen  
Louis Baugh  
Bill Dickson  
Phil Durrant  
Nicky Talbot

October 2016

Final

## Executive Summary

Process: The seven members of the Tolls Working Group have comprehensively reviewed the existing tolls structure. After consultation with key stakeholders they make the following recommendations for consultation with the Navigation Committee and consideration by the Broads Authority.

Context: The basis for the appropriate navigation charge is that the payment of a toll buys the customer a time-limited right of access to the waterways in the Broads.

### Recommendation 1: New Guiding Principles for Tolls

The Broads Authority adopts a new set of Guiding Principles for Tolls based on:

- (i) The Authority's 'statutory responsibility';
- (ii) 'Flexibility';
- (iii) 'Fairness, based on economic costs and benefits';
- (iv) 'Simplicity'; and
- (v) 'Efficiency'

### Recommendation 2: A simple charging structure

It is proposed that for each class of vessel (see Recommendation 3), the owner will pay a set amount per square metre. This moves away from using the fixed and variable element in the calculation of charges introduced in 1981 to a single, variable element related to the size of the vessel. Wherries, rowing boats, canoes and kayaks will pay a flat rate charge.

### Recommendation 3: A flexible charging structure

It is proposed that different types of vessel in each of the two fleets, commercial and private, should be given independent costs per square metre. For example it is suggested that there should be a rate per square metre for weekly hired motor boats that is different from that for private motor boats. This would replace the current system of multipliers and discounts, and provide the Authority with the flexibility to respond to changes in the composition and number of boats in the different fleets.

### Subsidiary Recommendations

- (i) Wherries should be charged a flat rate, to reduce their overall costs, promote their important cultural heritage and reflect their iconic status. (There are eight wherries on the Broads system as at October 2016).
- (ii) Electric boating should continue to be encouraged through lower rates for private motor boats. However, any boats using diesel generators to power electric engines should be charged at the normal commercial/private motor boat rate.
- (iii) The current discount for early payment offered to the larger hire boat operators should be discontinued but the provision for staged payments should be retained.
- (iv) The non-display of toll plaques trial should be extended for a further year.
- (v) The charges for craft in adjacent waters should remain identical to those in the Broads Navigation Area to account for the interconnected relationship between the two.
- (vi) The charges for passing through Mutford Lock should recover the annual costs involved.
- (vii) The current charging policies for short visit tolls and boats removed from the Broads system should be retained.

## 1. Introduction

- 1.1 This is the report of the 2016 Tolls Working Group which was established in September 2015 by the Broads Authority to “review the current tolls structure”. The Group comprised seven Broads Authority Members, five of whom were also Members of the Navigation Committee, and brought together a wide range of interests and experience.

MEMBER	ROLE	INTERESTS
Prof J A Burgess	Joint Chairman	Chair, Broads Authority toll payer; member NBYC
Mr M Whitaker	Joint Chairman	Chair, Navigation Committee Broads Authority member, Chair BHBF, toll payer
Mr K Allen	BA member	Broads Authority member Navigation Committee Broads Angling Strategy Group
Mr L Baugh	BA member	Broads Authority member, Finance Scrutiny & Audit Committee
Mr W A Dickson	Co-opted member, BA Member from 1.07.16	Navigation Committee, toll payer
Mr P Durrant	BA member (until 31.03.16)	Broads Authority member, Navigation Committee. <i>(Retained as a member of the Group until completion of work)</i>
Mrs N Talbot	Co-opted member; BA Member from 18.03.16	Navigation Committee, NSBA, toll payer, member NBYC

- 1.2 The driver for the review came from the stakeholder research carried out by Insight Track<sup>1</sup> in 2014, which identified significant concerns about the hire boat multiplier amongst the commercial operators, as well as statistically representative findings on owners’ views on the charges. This was followed up by a Tolls Workshop in September 2015 which identified two main issues for investigation, namely whether:
- (i) a more flexible structure should be adopted for hire boats rather than the current system of multipliers and discounts linked to the private motor boat rate; and
  - (ii) the present fixed plus variable calculation should be replaced by a variable calculation, based on the area of the vessel.

<sup>1</sup> Insight Track Ltd., a research company based in Norwich, was commissioned in 2014 to carry out surveys so as to provide a fact-base about private boat-owners, hire boat operators, residents and visitors in the Broads, in order to inform management decision-making (notably in respect to tolls planning and management),

- 1.3 The Group (hereafter TR-16) met ten times (see Annex 1 for details of the work programme) and has:
- (i) Reviewed the overarching strategic principles from 2012 and developed a new set of Guiding Principles;
  - (ii) Examined closely the basis for the calculation of the navigation charges;
  - (iii) Considered whether a more flexible system should replace the current arrangement of multipliers and discounts for different categories of vessels;
  - (iv) Examined the charges in adjacent waters;
  - (v) Reviewed the current discounts for early payments and discounts;
  - (vi) Reviewed the trial instituted in February 2016 not to issue toll plaques;
  - (vi) Considered the charges for the electric boats, boats with electric engines powered by diesel generators and the eight wherries; and,
  - (vii) Examined short visit tolls, the charges for transiting Mutford Lock and policies on refunds for boats leaving the Broads.
- 1.4 This report will be presented to the Navigation Committee for its views on 27 October 2016 before the Broads Authority makes a decision on the matters at its meeting on 18 November.
- 1.5 The Broads Authority has regularly reviewed the structure for tolls as the number and type of boats has changed and the needs for expenditure in different areas have put pressures on the budget. Four major reviews have been carried out over the last 10 years and full documentation is available on the Authority's website. The reviews are referenced in this report in the following way:

**1. Tolls Working Group 2005 (TR-05)**

Key stakeholder organisations took part in seven independently facilitated workshops to debate:

- i. the structure and level of charges for a revised tolls system;
- ii. the use of the tolls as a policy instrument; and
- iii. the overall funding requirements for the maintenance of the navigation and provision of facilities for those using the waterways.

(see Broads Authority papers for 22 April 2005, agenda item 5).

**2. Tolls Review 2008 (TR-08)**

The 2008 review was a short process with three meetings held with a range of stakeholders. Issues were:

- i. how to toll craft of different sizes;
- ii. the hire boat multiplier;
- iii. the need for 10% navigation reserves; and
- iv. uncertainty about DEFRA funding.

(see report to Navigation Committee, 23 October 2008).

**3. The Navigation Finance and Tolls Review Group 2009 (TR-09)**

This was a Member Group whose terms of reference were to:

- i. review all aspects of navigation income and expenditure, setting a three year financial strategy;
- ii. determine the relative changes for different size vessels; and
- iii. discuss the future of the hire boat multiplier.

(See BA 20 November 2009, agenda item 14).

#### 4. **Tolls Working Group 2012 (TR-12)**

This involved key stakeholder groups, was independently facilitated and met four times. After a good start when the current Principles and Criteria were agreed, there were significant differences of view between participants about the relative charges for vessels and the multiplier which could not be resolved.

(See BA, 23 November 2012, Agenda item 13).

- 1.6 From this history it can be seen that the two main issues identified in the 2015 Workshop, the hire boat multiplier and the relative charges for large and small craft, have been on the agendas for tolls reviews for the last decade. The TR-16 Member Group was committed to trying to resolve these issues, so that a new structure that could form the basis for the calculation of tolls for the foreseeable future. The Group started with a review of the underpinning principles before tackling the charging structure.

## 2 **Guiding Principles for Tolls**

- 2.1 TR-16 examined what lay behind the adoption of the 8 Guiding Principles and Criteria which underpin the current tolls structure. Ten 'attributes' of a good structure were first established in Tolls Review 2005 (TR-05) [BA, 22.04.2005, item 9, sect. 3.3 of Report appendix]. Several referred to the delivery of the Tolls service whilst three others linked the level of charge to the environmental impact of vessels; to the size of vessel with larger boats paying more than smaller; and to the volume of usage of the vessel.
- 2.2 TR-05 recast the 'multiplier', which had been developed originally in negotiation with the hire boat industry as a mechanism to generate additional income for extra facilities such as moorings, into a 'charge linked to usage'. The rationale for the multiplier was that hire boats used the Broads system more intensively than private boats and should, therefore, pay proportionately more towards its management. At the same time, the 2005 review noted the sensitivity of the multiplier to fluctuations in economic circumstances.
- 2.3 Following through to the Tolls Review in 2012 (TR-12), a draft set of Guiding Principles and Criteria were put forward to the Broads Authority for discussion as part of setting the 2013-14 Tolls [BA 23.11.12, item 13, Appendix 1]. The draft list was less comprehensive than that in TR-05 in that specific assessment tools were not included. There was also a change in the prioritisation of principles.
- 2.4 All eight draft guiding principles put forward by TR-12 represented discrete justifications for levying a toll on different classes of vessel. Principle 1 addressed the **size of vessel** and stated that larger boats should pay a higher toll than smaller boats because their impacts on the system were greater. Principle 2 was based on **usage of the navigation area**: owners of hire boats should pay more on the basis that their boats used the system and facilities more than private boats. Principles 3, 4 and 5 picked up the Broads Plan 2004 sustainable development principles, endorsing TR-05's '**environmental impact**' and '**social impact**' attributes while adding a new '**economic impact**' principle.

- 2.5 TR-12 proposed two additional principles: P6 **Fairness** required that the Tolls structure should be 'justifiably and understandably fair when applied and encompass the full spectrum of users and uses'. P7 **Value for Money** required that charges should compare favourably with other waterways while also generating the required revenue.
- 2.6 TR-16 reviewed the existing lists of principles and attributes, concentrating on TR-12 as these underpinned the current tolls structure. The Group felt these should be simplified to provide a clearer strategic framework and a more robust mechanism for appraising new proposals for the tolls structure. Discussion focused on the fundamental principles that justified levying navigation charges. The aim of these principles was to provide a fair and simple framework and to recognize the value of the entire fleet to the Broads navigation.
- 2.7 There was agreement that tolls income should generate sufficient income to maintain the navigation system at a level that reflected and met the strategic purposes of the Broads Authority in terms of the requirements of the Broads Act. Equally, the Group agreed that navigation charges should be used to support policy developments, such as promoting greater sustainable use of the waterways although it was considered that such a principle should be used to incentivize good behaviour rather than to penalize either hire boat operators or private owners. The Group noted that relatively little robust evidence existed to date to demonstrate that offering incentives through toll charges materially affected the behaviour of toll payers.
- 2.8 They also noted that the navigation charges were required to maintain the navigation system for the area and, unlike the other major waterways in the UK, the Broads navigation was entirely funded by its users all of whom pay for its maintenance and management. TR-16 agreed there should be a higher charge for commercial boats but debated whether the existing rationale (P2) that hire boats used the system and the facilities of the system more often than private boats was the right one. Members argued that it was more appropriate to base it on the direct economic benefit commercial operators obtain from using the system rather than level of use.
- 2.9 Five new Guiding Principles were developed under the headings of: Statutory Responsibility, Flexibility, Fairness, based on Economic Costs and Benefits, Simplicity and Efficiency. These principles were tested at two workshops with members and in written consultation with the Broads Hire Boat Federation and the Norfolk and Suffolk Boating Association. Most of the discussions were focused on Principle 3 Fairness, based on Economic Costs and Benefits. The key point that emerged was the need to be explicit about the basis for the transaction between the Broads Authority and its customers, i.e. the payment of a toll buys the customer a time-limited right of access to the Broads waterways, the Navigation Area and adjacent waters.
- 2.10 As with vehicle road tax, how often an individual boat owner chooses to exercise their right to use the facilities is entirely a personal matter. The Group therefore replaced the 'usage' principle used previously to justify the multiplier between the private and the commercial fleets. The new Principle 3 states that the direct economic benefit commercial operators derive from the Broads waterways should be used to justify higher tolls charges for the commercial fleet.

## **Recommendation 1**

### **Guiding Principles to underpin the Tolls structure**

1. Navigation charges should generate sufficient income to maintain the navigation area for the purposes of navigation to such standard as appears to the Authority to be reasonably required and to take such steps to improve and develop the navigation area as the Authority thinks fit (Section 10 of the Broads Act 1988). **['STATUTORY RESPONSIBILITY']**
2. Navigation charges should be used as a policy instrument, ensuring that the tolls structure is sufficiently flexible to protect the economic and social interests of those who live or work in the Broads. **['FLEXIBILITY']**
3. In recognition of the direct economic benefit derived by the commercial fleet<sup>2</sup> from the Broads navigation, operators should pay more than private boat owners for an equivalent sized boat. **['FAIRNESS, BASED ON ECONOMIC COSTS AND BENEFITS']**
4. The rationale and structure of navigation charges should be transparent and easily understood by all toll payers. **['SIMPLICITY']**
5. The cost of collecting navigation charges should be as low as reasonably possible. **['EFFICIENCY']**

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<sup>2</sup> Commercial includes all those boats whose use generates an income for their owners, not just hire boats but also for example the ice cream boat.

### 3. Basis for the calculation of the charges: a simple charging structure

- 3.1 The structure of the Tolls has evolved over the last 30 years or so, with incremental changes being made at stages over this period. In 1981 the Port and Haven Commissioners made a fundamental change, moving from charges based on the tonnage of the vessel to charges based on the size of the boat in complete square metres using the overall length multiplied by the beam. This is the basis for the present charging structure.
- 3.2 The Commissioners were anxious to minimise the impact of this change and calculated the new charges based on **Fixed and Variable components**, the latter being a multiple of the size of the vessel in square metres, so that the differences with the tonnage charges were small. In 1981 the charge for a private motor vessel was calculated using a fixed amount of £8.80 plus £1.10 per complete square metre. Sailing vessels paid 50% of this rate - £4.40 plus 55 pence per complete square metre.
- 3.3 The current structure is built on a set of relationships with private motor vessels as the base equalling 100%. A number of **discounts** are then applied, for example the rate for auxiliary yachts (i.e. sailing craft with an engine) is 75% of the motor vessel toll; and, for sailing and unpowered houseboats it is 50%.
- 3.4 The Tolls Workshop in September 2015 involving Broads Authority and Navigation Committee Members and representatives of British Marine, the Norfolk Hire Boat Federation and the Norfolk and Suffolk Boating Association, examined this element of the structure. It compared the current fixed and variable calculation with one based on a purely variable relationship. Under the fixed plus variable calculation smaller boats paid relatively more for their size than larger vessels. In the current year a small (5 m<sup>2</sup> and under) private motor craft pays £94.28 and large boats then pay an extra £9.70 for each additional square metre added.
- 3.5 It was noted that 90% of the tolls income came from motor boats (private as well as hire) as opposed to sailing craft. There were 6,462 private motor boats registered in 2014. In addition, in terms of private boats overall, the Broads had a 'small-boat' fleet with over half of boats under 18 m<sup>2</sup>. The Group reviewed changes in the composition of the private boat fleet with respect to size, finding that over the last seven years the number of small private motor boats had fallen by 20% while the number of larger boats had increased (see Table 1).

**Table 1 Private motor boat numbers by size**

Size m <sup>2</sup>	2008	2009	2010	2011	2012	2013	2014	2015	△ 2008-15	%△ 2008-15
<b>1-10</b>	2292	2130	1930	1940	1866	1844	1828	1775	<b>-517</b>	<b>-22.6%</b>
<b>11-20</b>	1795	1923	1956	1991	1958	1983	1960	1950	+155	8.6%
<b>21-30</b>	1427	1487	1529	1566	1603	1614	1642	1630	+203	14.2%
<b>31-40</b>	736	765	800	814	819	865	865	893	+157	21.3%
<b>41-50</b>	283	294	289	296	304	319	343	364	+81	28.6%
<b>51-60</b>	39	46	44	51	60	63	65	65	+26	66.7%

- 3.6 The Group reviewed the Insight Track research findings, in particular the evidence on the relative importance of the tolls in the total annual cost of keeping a boat on



the Broads. This evidence is important because it allowed an evaluation of the possible impacts of replacing the fixed and variable rate with a variable-only structure and the removal of discounts.

- 3.7 Taking the **Private Boat Owners (PBOs)** first, TR-16 took note of the statistically significant samples that Insight Track recruited to achieve its sample of 747 private boat owners (PBOs), drawn from the Authority’s database of 10,797 PBOs.
- a. The Authority’s database shows that 77% of private boat owners (PBOs) own one boat and 23% own multiple boats. In the Insight Track sample, 68% of the sample of PBOs owned one boat, 18% owned two, 8% owned three, and 5% owned four or more vessels.
  - b. The Authority’s data base shows that 83% of PBOs own a motor craft; 9% own a motorized sailing craft; 4% own a non-powered sailing craft; and 3% owned a rowing boat/canoe /kayak. To ensure a statistically representative sample to allow analysis, Insight Track interviewed more owners of auxiliary yachts (29% of total sample); rowing boats, etc. (26%); and non-powered sailing craft (18%).
  - c. The length of time that respondents had owned a boat on the Broads ranged from less than a year (6%), 1-5 years (26%); 5-10 years (18%); 10-15 years (15%), to more than 15 years (35%).
  - d. In the sample, 11% of respondents were aged between 18-34; 39% were aged between 35-54; and just under half (49%) aged over 55. The vast majority of PBOs in the sample were men (83%).
  - e. In terms of ‘social grade’, the majority of PBOs (56%) were within social category ABC1 (i.e. professional, managerial and clerical) and 37% within social categories C2DE category (skilled manual workers, manual workers, semi-skilled, unskilled, casual workers and non-workers, including pensioners).
  - f. Gross household incomes varied accordingly, with 4% of PBOs recording incomes less than £15,500 a year, and 14% between £15,500-£24,999. The largest group, at 28%, fall within a gross household income category of £25,000-£49,999. At the upper end of the range, 11% of PBOS report a gross household income between £50,000-£74,999 and 11% were above this figure.
  - g. PBOs were asked to provide details of the costs of owning a boat. Table 2 shows the costs reported by PBOs.

**Table 2 Costs reported by Private Boat Owners (PBOs) of owning a boat.**

Category of expenditure	Percentage
Mooring/marina fees	32%
Maintenance /repairs	29%
Fuel	11%
Broads Authority tolls	9%
Insurance	9%
Miscellaneous	7%
BSS compliance	2%

- 3.8 The three most significant costs for the private boat owner were mooring/marina fees (32%), maintenance and repairs (29%) and fuel (11%). The Broads Authority’s tolls accounted for an average 9% of the annual cost. There were some minor fluctuations around this average: for boats less than 10 feet long the tolls accounted

on average for 14% of total costs, for boats 10 – 19 feet long the figure was 12%, whilst for motorised sailing vessels the toll contributed 8% of total annual boat ownership costs.

- 3.9 The research showed there were no significant differences in terms of the proportion of total annual boat ownership costs attributed to tolls by demographic groups among the PBOs such as respondent age, social grade, etc.). The researchers reported that there was no clear or strong perception among PBOs as to whether the toll was better value for money for different sizes of boats. This suggested to TR-16 that the current structure is not sufficiently transparent.
- 3.10 Just over half of the PBOs agreed that BA toll represented good value for money but a quarter disagreed. Individual owners of larger, particularly non-powered sailing boats, were less likely to agree the toll was good value for money.
- 3.11 Twenty five **Hire Boat Operators (HBOs)**, again a statistically significant sample, were interviewed over the phone by Insight Track researchers and asked the same questions as the PBOs to allow for comparisons to be made. Table 3 shows the proportion of total annual fleet running costs averaged across the sample.

**Table 3 Costs reported by Hire Boat Operators (HBOs) of operating a boat**

Category of expenditure	Percentage
Staff	35%
Misc. costs	12%
Maintenance /repairs	11%
Premises	11%
Broads Authority tolls	11%
Insurance	7%
Fuel	5%
Business rates	5%
New boat investment	3%

- 3.12 The majority of HBOs (56%) did not agree that the Broads Authority tolls were good value for money, while a further 36% were neutral on the question. One of the major issues for the HBOs was the multiplier, with 72% of interviewees not supporting it, and a further 20% expressing a neutral opinion. A number of HBO interviewees were also critical of other aspects of the Broads Authority performance in relation to the management of the navigation which TR-16 took into account in its deliberations. Particular weight was given to the BHBF advice that a substantial number of hire boats would be lost in 2016-17 as a consequence of yard closure and rationalization of the fleet.
- 3.13 The Group noted that a decision to implement the fixed and variable rate had been taken back in 1981 when the Port and Haven Commissioners changed from charges based on vessel tonnage to size of boat in complete square metres (see paras. 3.1-3.2 above). This was done for a political reason, i.e. to ensure the differences between the tonnage charges were small, rather than for any underlying

structural reason. The fixed and variable calculation does not relate to different lines in the Authority's expenditure nor do they relate to fixed or variable costs. After extensive discussion, reviewing evidence from financial modelling of alternative approaches, and comparing Broads Authority charges with other UK inland waterways, the Member Group reached the conclusion that the current structure of fixed and variable rates should be replaced by a single variable rate.

- 3.14 In particular the Group was concerned that the current fixed and variable rate impacted more on small boats than on larger boats. The Group took note of the declining number of small boats being tolled over the last 7 years and the evidence that the charges for small boats on the Broads are higher than those on other inland waterways. At the same time, the data show a growing trend of private individuals and hire boat operators purchasing and/or building larger vessels.
- 3.15 TR-16 considered that the adoption of a calculation for the charges based purely on the variable rate, as used by the Environment Agency on the River Thames, would be fairer. Smaller motor boats in particular would pay less, with the smallest private motor boats likely to pay between £60-£70 rather than the current £99.32, bringing the Broads more into line with comparable waterways. It was also thought that it would be easier to explain and justify the charges to toll payers; the calculation of the toll for any given boat would be transparent; and it would enable the Authority to respond to changes in the fleet in a more strategic way. Finally, TR-16 accepted that the administrative costs would be similar although there could be a potential marginal saving in time.

## **Recommendation 2**

### ***Basis for the Calculation of the Charges: A Simple Charging Structure***

The Group is recommending that, in future, charges for most vessel types should be based entirely on a calculation based on the square metre size of the craft without a fixed element. The charge would be different for each class of vessel. Within each class, the owner will pay a set amount for each square metre. A small number of vessel classes (wherries; rowing boats, canoes and kayaks) will pay a flat rate charge, regardless of the block size of the vessel.

#### 4. **Basis for the calculation of the charges: a flexible charging structure**

4.1 **The Multiplier.** One of the main drivers for the review of the tolls structure was the concern registered by the hire boat industry about the hire boat multiplier. The multiplier was first introduced in 1974, at the suggestion of the Broads Hire Boat Federation, to provide additional income to the Port and Haven Commissioners for the provision of extra facilities such as free moorings. Since that time the multiplier rate has varied and on other waterways where it exists, is now substantially below that on the Broads. In the year 2015-16 the annual toll for a hire vessel in the Broads was the equivalent private vessel toll multiplied by:

x 2.95 for day hire boats and passenger craft

x 2.62 for all other motorized craft and sailing craft or 11m<sup>2</sup> and above

x 2 for sailing dinghies and rowing boats of 10 m<sup>2</sup> and under.

The multiplier for the weekly hired craft was reduced to 2.55 in 2014-15.

4.2 The Insight Track research showed that the hire boat multiplier was well supported by around 70% of private boat owners (PBOs), on the basis of justifications such as 'hire boats are used more' (36%); 'they cause more damage' (19%); and hire boat operators (HBOs) 'make profit from use' (13%). Very small numbers of PBOs who did not support the multiplier cited reasons such as 'damages tourism/local economy' (2%), 'it's not fair to hire boat operators' (1%) and 'it damages profitability' (1%).

4.3 The HBOs expressed very different views about the multiplier to the Insight Track researchers, with 9 of the 25 interviewees saying they did not support it at all, and a further 9 saying they did not support it very much; 5 interviewees were 'neutral' and only 2 HBOs supported it 'quite a lot'. Combined with critical comments made by HBOs in other sections of the stakeholder survey research, these findings gave cause for concern.

4.4 A meeting between the Authority and the hire boat industry was held on 25<sup>th</sup> June 2015 to listen to the operators' concerns. Three options were debated at the subsequent workshop in September 2015: no change; changing the percentages (for example, that the multiplier should be reduced by 0.1% annually); and changing to a more flexible structure. The majority of Broads Authority Members supported the option of scrapping the multiplier altogether.

4.5 **Categorisation of vessels.** TR-16 reviewed the size of the boats and numbers within the commercial and private fleets and the interrelationship through the multiplier. The Group noted that the two fleets were very different: the majority of private boats were small. This is particularly true of sailing craft where 479 of the 1061 are 5m<sup>2</sup> or less in area and 764 are 8m<sup>2</sup> or less. In the case of private motor boats 3,725 are 20m<sup>2</sup> or smaller. The opposite was the case for the commercial craft where the larger weekly hired craft were the most significant component and the largest groupings around 37-38m<sup>2</sup> and 44-48m<sup>2</sup>. After a period of stability, the number of weekly hired motor boats was once again in decline (Table 4). The temporary recovery in numbers was the result of the company 'Le Boat' bringing a total of 42 boats from Ireland, most of which arrived for the 2009/10 season but which have since gone. This year the total number of hired motor cruisers has dropped below 800 for the first time, even though it is reported that some yards have had an exceptionally good year.

**Table 4 Number of Hired Motor Cruisers**

Year	2008	2009	2010	2011	2012	2013	2014	2015	2016
No.	803	843	878	904	894	869	842	821	789

- 4.6 TR-16 looked at the sensitivity of the present system which revolves around the rate for the private motor boat with a series of multipliers and discounts for other categories. This highlighted the sensitivity of changes to the private motor rate on other classes of vessel. It provided an illustration of how any reduction in the multiplier for hire boats would lead to a need to increase charges in the private fleet to offset the losses in income from the hire fleet. The Group felt the current structure was unnecessarily complicated, difficult to understand, and liable to produce financial shocks for the Broads Authority should the number of tolled hire boats continued to decline.
- 4.7 The Group concluded that there was a clear distinction to be drawn between ‘commercial craft’ and ‘private craft’ and between different categories of vessel within the two fleets. After careful analysis, TR-16 concluded that there would be considerable advantages in ascribing different costs per square metre to the different categories of vessels rather than using multipliers and discounts. Different types of vessel in each fleet would be given independent costs per square metre. By removing all multipliers and discounts, the Authority would have greater flexibility to respond to changes in the composition and number of boats in the different fleets, as well as having a simpler and more transparent toll structure.
- 4.8 TR-16 concluded that the use of discounts complicated the calculation of charges. The Group appreciated that discounts had been introduced at various times over the last 15 years, usually with an aspiration to affect some kind of change in patterns of boat ownership and use. The Group sought confirmation that this had been an effective policy: however, there was little hard evidence to support this assumption.
- 4.9 Initial proposals for a reclassification of vessels in the two fleets were presented to the two member/stakeholder workshops held in April and June 2016 (see Appendix 1). The Group was asked to re-consider its initial recommendation that auxiliary yachts (i.e. sailing boats with an onboard engine) be included in the category of motor vessel and that the reduced charges for vessels using electric propulsion be discontinued.
- 4.10 Arguments put forward by workshop participants that auxiliary yachts were essentially sailing vessels which required the occasional use of an engine to navigate around the Broads system and for safety reasons, were accepted by TR-16. The proposal is to treat auxiliary yachts as a separate class of vessel with a different square metre charge rate.
- 4.11 The case of electric boats was discussed at length within the Group, and then again, following questions from stakeholders and members at the two workshops. The Group considered that the provision of additional infrastructure such as charging points could have a greater impact on the take-up of electric boats. But it was also acknowledged it was important that the Authority’s commitment to promote sustainability should not be compromised. TR-16 decided to separate electric motor-powered motor boats as a different class of vessel, with a different square metre charge rate. After lengthy debate, the Group put auxiliary yachts which had an electric engine in the same category as ‘motorized sailing vessels’ as

the primary method of propulsion for both was sail. This has the effect of removing the 'double discount' such vessels have received under the current structure.

- 4.12 Having reviewed and then rejected an internal argument for applying a 'commercial' operating license fee to replace the multiplier, TR-16 decided the most rational, simple, transparent and flexible tolls structure would be one in which each class of vessel both in the private fleet and the commercial fleet were tolled on the basis of a charge per square metre.
- 4.13 The Group concluded that 14 different categories of craft should be identified, as shown in Table 5. Each category would be allocated a different charge per square metre or a flat rate charge.

**Table 5 Categories of vessel for charging purposes**

<b>Commercial Craft</b>	<b>Private Craft</b>
1. Weekly Hired Motor Boats	9. Motor Boats (petrol and diesel)
2. Day Hire	10. Motor Boats Electric
3. Day Hire – Electric	11. Motorised Sailing Craft
4. MCA Passenger boats and BA – Small Passenger Boats	12. Sailing Boats
5. Motorised Sailing Craft	13. Houseboats
6. Sailing Boats	14. Rowing/canoes etc.
7. Houseboats	
8. Rowing/canoes etc.	

- 4.14 In practice, this would mean that all private or commercial boat owners would be able to follow a simple procedure to determine the toll to be charged for their vessel(s). Fourteen tables would be produced: Tables 1-8 would deal with classes of vessel in the Commercial Fleet and Tables 9-14 would deal with classes of vessel in the Private Fleet. Each Table would state what the block area/per m<sup>2</sup> charge is for that class of vessel. This new arrangement would dramatically reduce the number of individual charging categories from around 195 to around 60, demonstrating the degree of simplification involved.

### **Recommendation 3**

#### ***Basis for the calculation of the charges: a flexible charging structure***

Different types of vessel in each fleet should be given independent costs per square metre. For example, there will be a rate per square metre for weekly hired motor boats which will be different from that for private motor boats. This will replace the current arrangements of multipliers and discounts, and provide the Broads Authority with the flexibility to respond to changes in the composition and number of boats in the different fleets.

## **5. Subsidiary matters**

5.1 In the course of its deliberations, TR-16 discussed a number of additional issues which are considered below.

### **5.2 *Wherries***

In the context of the proposed changes the Group examined the impact on different sized vessels. This highlighted the position of the eight wherries currently using the Broads navigation. These are currently classed as private vessels, as those wherries let-for-hire belong to not-for-profit organisations. However, they fit into three different categories: sailing, motorized sailing and motor. They also vary in size from 59 m<sup>2</sup> to 98m<sup>2</sup>. The result of these two factors is that the tolls vary from £325 to £992. The Group recommended that these were iconic vessels and that all eight wherries should be charged a flat rate and the rate set at a level to reduce the costs for most of the wherries.

### **5.3 *Electric Propulsion***

The Broads Authority has a history of supporting the development and use of electric boating. After extensive discussion, TR-16 recommended that, despite concerns about the limitations of the current technology, the Authority should continue to encourage the use of electric power through lower rates. However it was agreed any boats using diesel generators to power electric engines should be charged at the commercial/private motor boat rate as the consumption of diesel was apparently not very different to that of a conventional diesel powered vessel.

### **5.4 *Boats sold out of the Broads system***

The toll plaque is not transferable to any other vessel and no return of tolls is made in the event of cancellation of the plaque before the end of the tolls year. No refund is available should the vessel be sold and leave the Broads system. TR-16 supported the retention of this policy.

### **5.5 *Adjacent Waters***

The Group reviewed the charges for craft in adjacent waters. There are certain exemptions set out in the Broads Authority Act 2009. Recent court cases have clarified the position in respect of adjacent waters and made clear that the Authority has the powers to levy charges in adjacent waters and that the process it has used for setting those charges, to reflect the interconnected nature with the Broad system and the associated usage, is reasonable. Members considered and confirmed that the charges in these areas should continue to replicate those in the Navigation Area.

### **5.6 *Early payment discount***

The Group examined the basis for the early payment discount for the larger hire boat operators and came to the view that while the staged payment facility for these operators was reasonable, the discount could not be justified and should therefore be withdrawn.

### **5.7 *Toll plaques***

Following the successful trial of the non-display of toll plaques in 2016, TR-16 recommended the trial continues for a further year.

### **5.8 *Short Visit Tolls***

The Group examined the current method for calculating short visit tolls. A 14-day toll is approximately one-third of the full charge. A boat can have up to 28 days in short visits which approximates to two-thirds of the appropriate toll. The Group

concluded this was still a sensible approach. It is therefore recommended that the cost of a short visit toll should be on a similar basis as it is currently. However, it was noted that with the proposed structural changes there is likely to be a reduction in short visit income as most short visits are by the smallest size category of boats of under 5 square metres.

#### 5.9 *Mutford Lock*

The current fee for passage through Mutford Lock is £13; an increase from £12 charged in 2015/16. A summary of the income over past 5 years is:

**Table 6 Income from Mutford Lock**

Year	Income
2015/16	£ 5,436
2014/15	£ 6,523
2013/14	£ 9,350
2012/13	£ 8,239
2011/12	£ 7,673

- 5.10 The current annual maintenance budget (including operation fees) is £18,000. The Authority also puts £25,000 from navigation income annually into the Mutford Lock reserve fund. Therefore 30% of annual costs was covered by income from the Lock last year. The Group considered a range of possible charging scenarios based on the 600 lock passages annually. These are shown in Table 7 below.

**Table 7 Charging options for Mutford Lock**

<b>Current Fee</b>	<b>£ 13</b>
Passage income to balance current operation and maintenance cost	£ 30
Passage income to balance with current operation and maintenance cost and contribution to reserves	£ 72
Passage income to balance with operation and maintenance cost (if operation increased to £20,000) and contribution to reserves	£ 93
**Free passage through the lock, as a trial, to see if there is an increase in short visits toll income. Navigation expenditure to absorb running costs.	£ 0

*\*\* Short visit toll books and receipts are issued to the Harbour Master at Oulton Broad who then splits them between the Yacht Station and Lock Office. No distinction is made in the receipt book as to which office issues the licence. We are unable to accurately state which licences relate to vessels passing through the lock.*

- 5.11 The Members recommended that the income should ideally balance the annual costs of operation, i.e. approximately £30 for a one way passage and £45 for a



return ticket. In order to encourage some owners to use this access to the Broads more frequently, a multi-trip discount should be investigated.

## 6. Evaluation of Proposals

- 6.1 TR-16 has evaluated its proposals as they have developed by testing them against the proposed Guiding Principles. This has been an iterative process with minor modifications made to clarify the meaning of the Principles whilst questioning, rejecting, adapting or accepting proposals according to how well they express the Principles.
- 6.2 A more formal evaluation was been undertaken by modelling the two primary recommendations and examining the implications for individual boats. A test frame was developed using the same boat numbers used a year ago to formulate the recommendations on charging for 2016-17 and maintaining the same level of income. Income within the 14 proposed boat categories was also kept at similar levels. Different rates per square metre were tested, such that changes in the toll charge for any individual boat were kept below 50%. This showed that based on the identical level of income overall, the number of boats seeing a reduction in the charges would exceed those seeing an increase.

Category	Pay Less	Pay More
Weekly Hire	417	395
Day Hire	146	100
Private Motor Boats	3337	3106
Private Sailing Boats	850	302
Private Motorised Sailing	904	142
Private Electric Motorised Sailing	19	88

- 6.3 TR-16 judged that overall and in the light of the research findings from Insight Track the changes would be affordable for the majority of boat owners and could encourage more small boat use.

## 7. Consultations

- 7.1 The Group has consulted with Members of the Broads Authority, its Navigation Committee, representatives of key stakeholder organisations and private boat owners. Consultation has included:
- 7.2 *Stakeholder Survey*  
The evidence from the Insight Track research has been crucial in getting a handle on factual evidence on the costs of owning a boat and the level of usage. The findings have been widely shared.
- 7.3 *Tolls Workshop in September 2015*  
This critical event included contributions from the Broads Hire Boat Federation (BHBF), British Marine, and the Norfolk and Suffolk Boating Association (NSBA). This identified the key issues and established a degree of consensus about the direction of travel.

#### 7.4 *Tolls Workshop in April 2016*

A second workshop was held with Members on 21 April 2016 at which initial reactions and views were sought on the outline proposals from Member Working Group. There was widespread support for the changes being proposed but the Group was asked to consider particular points in further detail – notably, the wording of Guiding Principle 3; the proposals for dealing with electric/hybrid vessels; and the categorization of auxiliary sailing craft.

#### 7.5 *Tolls Workshop in June 2016*

A further workshop for key stakeholders was held on 14 June 2016 to:

- Update stakeholders on progress made by TR-16
- Seek views on the revised set of principles
- Seek feedback on the main proposals being developed by TR-16

#### 7.6 *Comments Received*

Representatives from the BHBF, the NSBA and other external stakeholder organisations were invited to submit their comments on the draft proposals by the end of July 2016. Responses were received from the BHBF, NSBA and Broads Angling Strategy Group (BASG).

7.7 The **BASG** welcomed the proposed changes and the *“removal of the fixed charge which had resulted in higher costs for the ownership of small craft under 10 square metres representing 28% of the private craft fleet”*. The BASG was concerned about the availability of facilities for small boats, slipways in particular and suggested that *“any reduction in charges for small craft could be offset and used to create a specific improvement fund for implementing improved slipway access. ... This fund would be voluntary in nature, but part of the tolls collection.”*

7.8 TR-16 welcomed the response of BASG and was noted that under the new proposals, Broads tolls would be more directly comparable with those applied elsewhere on East Anglian waterways, particularly for small boats. The BASG idea of a voluntary fund to support the installation of slipways was discussed but TR-16 thought it could not be included as a proposal within this review and needed further consideration.

7.9 The **Broads Hire Boat Federation (BHBF)** *“welcomed the proposed simplification of the tolls charging structure, the decoupling of the rates for hire and private craft and the flexibility that the structure would provide to react to changing circumstances in the future, particularly the size and makeup of the fleets.”*

7.10 The BHBF *“queried whether full consideration was given to the opportunity to separate single screw and twin screw motor boats with a view to levying higher charges on the latter due to the perceived unsuitability for general Broads cruising and higher impact on the environment – e.g. speed, wash draft?”*

7.11 As this second point primarily related to private boats the NSBA was consulted on the proposition. The suggestion was not supported by the Association’s officers and TR-16 took the view that it ran counter to the ambition for a simpler system. In addition larger boats, which tend to be those with twin screws, would already be charged a higher toll under the new proposals.

7.12 The **NSBA** participated in the 2 interim workshops (24 April and 14 June 2016) and the Association’s key points were re-affirmed in their letter of 19 July 2016. The

Group met Officers of the NSBA and the BHBF on 2<sup>nd</sup> September to discuss their concerns and feedback.

- 7.13 The suggestions made by NSBA to help *clarify the proposed principles so the tolls can be better judged against them* were very helpful and the majority have been incorporated in the Guiding Principles being presented for consideration in this report.
- 7.14 In its letter of 19 July 2016, the NSBA says they *do not agree* [the proposed structure] is *a better system than one including a fixed base element and believe it is contrary to the objective of fairness*. Their case is based on 4 points which had been heard and discussed in both workshops exploring the TR-16 proposals, and were expressed in their letter of 19 July as follows:
- a) *A fixed element recognises that some costs are not dependent on the size of the vessel. That element should be fixed on the basis that each vessel shares equally in the fixed costs incurred in respect of all vessels, regardless of size, such as the costs of administering the tolls system and the costs of the navigational size of the ranger service.*
  - b) *Even with a fixed element, by adopting an additional amount per square metre, the toll calculation is still simple to understand.*
  - c) *The indicated reduction in tolls for small boats (possibly over 62% lower) is unnecessarily generous.*
  - d) *Larger sailing cruisers, an important part of the local heritage of Broadland, will see significant increases (possibly almost 40% more).*
- 7.15 As shown in Section 3 above, TR-16 discussed at length how the ‘fixed’ and ‘variable’ elements of the toll had arisen. Officers explained that there had never been an assumption or an accounting principle that allocated the ‘fixed’ component of the toll against specific items of the Authority’s navigation expenditure. Rather, the total annual income from boat tolls is allocated according to the policy needs and strategic purposes as agreed by the Broads Authority. By moving to a single variable rate for the charge, TR-16 remains firm in its view that this is a simpler, more easily understood structure, not least because it clarifies the basis upon which navigation income and expenditure is determined.
- 7.16 The NSBA’s perspectives on the fairness of the new proposals in relation to the current structure have also been discussed in depth by TR-16 and at the two workshops. This is a matter of judgement. The Group’s view is that the current structure has an unjustified bias against small boats. As the evidence presented in Section 3 above shows, the tolls represents 14% of total annual boat costs for the smallest boats, compared with the 9% average over the whole fleet. The smallest boats represent the segment of the Broads fleet in steepest decline. The TR-16 group queried the NSBA estimate of a 62% reduction; financial modelling showed the smallest motor boats, instead of paying around £100 per annum would, under TR-16 proposals, be paying in the order of £60-£70, likely to be a 30-40% reduction. This would also bring the Authority’s charge for these vessels more in line with charges elsewhere.
- 7.17 NSBA’s point about the important contribution that river cruisers make to the local heritage of Broadland was supported by other participants in the two workshops. TR-16 took note of these views and have amended their initial proposals so that these boats are treated more favourably than other boats with an engine (see Section 4 above). The majority of auxiliary yachts will see either reductions or fairly modest increases in their tolls. There are currently 107 electric powered auxiliary

yachts that are in receipt of a double discount under the present structure, one discount for being a yacht and a second for having electric propulsion. TR-16 decided to remove what it considered was an anomaly and therefore in this group, 19 vessels will see a reduction in their charge while the majority will see an increase.

- 7.18 In conclusion, the TR-16 has taken NSBA arguments into account during its discussions and, as reflected above, has made some adjustments to its proposals in response.
- 7.19 A report on the proposed new tolls structure was considered by the Authority's Finance, Scrutiny and Audit Committee, on 5 July 2016. The Committee resolved to support both the Guiding Principles and the new Proposals.
- 7.20 At its final meeting on 17 August 2016, TR-16 considered feedback from the BHBF, the NSBA and the BASG; examined a number of outstanding minor matters; and reviewed the outline structure for the Draft Report to be presented to the Navigation Committee.

## **8. Conclusions**

- 8.1 At the outset of the process, it was envisaged that only a few meetings of this Tolls Working Group would be required to come to a decision about the structure of the tolls. In practice it took ten meetings and nearly a year. This was necessary because of the complex inter-related nature of the issues under discussion and the importance of engaging other Members and key stakeholders in the process. The Group has carefully considered the thorny problems of the hire boat multiplier and the fixed and variable calculation and commends its conclusions for consultation with the Navigation Committee and decision by the Broads Authority.

## Annexe 1: List of items discussed at the Tolls Working Group Meetings

Date	Meeting	Main items discussed
5.10.15	1	Reviewed outcomes from Tolls Workshop; Terms of Reference; scoped the context and determined the breadth of the enquiry; reviewed lessons from 2005, 2008, 2009 and 2012 Tolls Reviews; examined the fixed and variable elements in the navigation charges.
6.11.15	2	Examined 2012 Tolls Review <i>Principles, Criteria and Attributes</i> and performance of current Tolls system; discussed what standards of service could be provided from navigation charge income; decided to explore potential changes to the existing structure on the basis of raising sufficient income for current level of service.
1.12.15	3	Approved Amended Terms of Reference; accepted draft, revised Principles as the basis for the tolls structure; compared the existing fixed and variable method of calculation with a purely variable arrangement; examined justifications for the hire boat multiplier.
15.01.16	4	Considered emerging proposal that the toll could be based solely on a fixed square metre charge for all boats; tested on private motor cruiser fleet; questioned the effectiveness of current discounts; completed the same analysis for the commercial fleet; discussed stakeholder engagement strategy.
25.02.16	5	Continued analysis of the potential impact of a single variable rate per square metre as the basis for the charges; detailed consideration of levels of charges for different types of craft including sailing craft, electric boats, wherries and house boats; debated whether to recommend a single or staged introduction of new structure.
21.03.16	6	Continued detailed analysis of impacts of TRG's proposals on both the private and hire fleets; agreed to hold second workshop to seek views of all B.A. Members /co-opted Members and invited stakeholders on the draft proposals.
13.04.16	7	Decided the format and presentations for 2 <sup>nd</sup> Tolls Workshop.
21.04.16	2 <sup>nd</sup> Tolls Workshop	AIMS: to present the draft proposals of the TRG, seeking feedback on the 5 new Principles; the emerging new tolls structure; possible impacts of the new structure on the B.A.'s Financial Strategy of maintaining the current level of service.
6.05.16	8	Addressed feedback from the Members' workshop, including amendments to the draft set of Principles, and the categorisation of different vessels in the private and hire fleets.
23.05.16	9	Further analysis of categorisation of commercial and private craft; discussed administration of the new structure; discussed format and presentations for a tolls workshop for key stakeholder organisations.
14.06.16	3 <sup>rd</sup> Tolls Workshop	Presented revised principles and proposals to Members/co-opted Members and key stakeholder organisations for discussion and feedback; invited written feedback from key stakeholders.
05.07.16	FSAC	Proposals for new tolls structure considered by FSAC and approved.
17.08.16	10	Discussed all points raised by BHBFB/ BASG / NSBA in their written feedback; addressed outstanding issues – charges in adjacent waters; discounts for early payments/refunds; visiting tolls; plaques and registration marks; considered timescale for submitting TRG report to Navigation Committee and the full Authority; and tolls setting for 2017.

## Appendix 2 Schedule of Draft Charges for 2017/18

### Hired Craft

- Category 1 Weekly Hire Craft £28.95 per metre<sup>2</sup>
- Category 2 Day Hired boats £44.30 per metre<sup>2</sup>
- Category 3 Day hired electric £30.90 per metre<sup>2</sup>
- Category 4 MCA Passenger Boats and small passenger boats £38.10 per metre<sup>2</sup>
- Category 5 Motorised Sailing craft for hire £23.50 per metre<sup>2</sup>
- Category 6 Sailing Boats for Hire £17.50 per metre<sup>2</sup>
- Category 7 Houseboats for hire £14.95 per metre<sup>2</sup>
- Category 8 Rowing boats, canoes etc. for hire £65.70 per boat

### Private Craft

- Category 9 Motor Boats – petrol and diesel £12.85 per metre<sup>2</sup>
- Category 10 Motor Boats – electric £10.00 per metre<sup>2</sup>
- Category 11 Motorised sailing craft £9.50 per metre<sup>2</sup>
- Category 12 Sailing Craft £8.00 per metre<sup>2</sup>
- Category 13 Houseboats £5.15 per metre<sup>2</sup>
- Category 14 Rowing boats, canoes etc. £32.85 per boat

### Category 1 Weekly Hired Motor Craft – charged at £28.95 per square metre

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
12	11	435.69	337.20	-98.49	347.40	-88.29
13	3	461.75	365.30	-96.45	376.35	-85.40
15	8	512.11	421.50	-90.62	434.25	-77.86
17	1	560.72	477.70	-83.02	492.15	-68.57
18	5	585.02	505.80	-79.22	521.10	-63.92
19	10	609.32	533.90	-75.42	550.05	-59.27
20	15	633.62	562.00	-71.62	579.00	-54.62
21	9	657.92	590.10	-67.83	607.95	-49.97
22	17	682.22	618.20	-64.03	636.90	-45.32
23	10	706.52	646.30	-60.23	665.85	-40.67
24	3	730.83	674.40	-56.43	694.80	-36.03
25	4	755.13	702.50	-52.63	723.75	-31.38
26	5	779.43	730.60	-48.83	752.70	-26.73
27	9	803.73	758.70	-45.03	781.65	-22.08
28	37	828.03	786.80	-41.24	810.60	-17.43
29	10	852.33	814.90	-37.44	839.55	-12.78
30	19	876.64	843.00	-33.64	868.50	-8.14
31	13	900.94	871.10	-29.84	897.45	-3.49
32	11	925.24	899.20	-26.04	926.40	1.16
33	21	949.54	927.30	-22.24	955.35	5.81
34	17	973.84	955.40	-18.44	984.30	10.46
35	23	998.14	983.50	-14.65	1013.25	15.11
36	20	1022.44	1011.60	-10.85	1042.20	19.76
37	73	1046.75	1039.70	-7.05	1071.15	24.40
38	59	1071.05	1067.80	-3.25	1100.10	29.05

39	26	1095.35	1095.90	0.55	1129.05	33.70
40	20	1119.65	1124.00	4.35	1158.00	38.35
41	19	1143.95	1152.10	8.14	1186.95	43.00
42	23	1168.25	1180.20	11.94	1215.90	47.65
43	20	1192.55	1208.30	15.74	1244.85	52.30
44	55	1216.86	1236.40	19.54	1273.80	56.94
45	10	1241.16	1264.50	23.34	1302.75	61.59
46	57	1265.46	1292.60	27.14	1331.70	66.24
47	11	1289.76	1320.70	30.94	1360.65	70.89
48	59	1314.06	1348.80	34.73	1389.60	75.54
49	5	1338.36	1376.90	38.53	1418.55	80.19
50	30	1362.67	1405.00	42.33	1447.50	84.83
51	16	1386.97	1433.10	46.13	1476.45	89.48
52	19	1411.27	1461.20	49.93	1505.40	94.13
54	2	1459.87	1517.40	57.53	1563.30	103.43
40	Diesel powered generator - 1	783.76	1124.00	340.24	<del>1158.00</del> 812.00	<del>374.24</del> 28.24
48	Diesel powered generator - 3	919.85	1348.80	428.95	<del>1389.60</del> 974.4	<del>469.75</del> 54.55

#### Category 2 Day Hired boats £44.30 per metre<sup>2</sup>

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
5	4	292.99	215.00	-77.99	221.50	-71.49
6	2	323.14	258.00	-65.14	265.80	-57.34
7	3	353.29	301.00	-52.29	310.10	-43.19
8	17	383.44	344.00	-39.44	354.40	-29.04
9	27	413.59	387.00	-26.59	398.70	-14.89
10	46	443.74	430.00	-13.74	443.00	-0.74
11	52	473.89	473.00	-0.89	487.30	13.41
12	71	504.04	516.00	11.96	531.60	27.56
13	13	534.19	559.00	24.81	575.90	41.71
14	5	564.34	602.00	37.67	620.20	55.86
15	6	592.45	645.00	52.55	664.50	72.05
16	2	620.56	688.00	67.44	708.80	88.24
17	1	648.68	731.00	82.32	753.10	104.42
21	2	761.13	903.00	141.87	930.30	169.17

### Category 3 Day hired electric boats £30.90 per metre<sup>2</sup>

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
7	3	247.30	210.00	-37.30	216.30	-31.00
9	3	289.51	270.00	-19.51	278.10	-11.41
10	12	310.62	300.00	-10.62	309.00	-1.62
11	9	331.72	330.00	-1.72	339.90	8.18
12	6	352.83	360.00	7.17	370.80	17.97
14	4	395.03	420.00	24.97	432.60	37.57
15	6	414.71	450.00	35.29	463.50	48.79

### Category 4 MCA Passenger Boats and small passenger boats £38.10 per metre<sup>2</sup>

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
5	1	292.99	185.00	-107.99	190.50	-102.49
6	1	323.14	222.00	-101.14	228.60	-94.54
8	1	383.44	296.00	-87.44	304.80	-78.64
9	2	413.59	333.00	-80.59	342.90	-70.69
10	1 (Electric)	311.45	300.00	-11.45	309.00	-2.45
16	1	620.56	592.00	-28.56	609.60	-10.96
18	1	676.79	666.00	-10.79	685.80	9.01
23	2	817.36	851.00	33.64	876.30	58.94
72	2	2194.92	2664.00	469.08	2743.20	548.28
84	1	2532.28	3108.00	575.72	3200.40	668.12
89	2	2672.85	3293.00	620.15	3390.90	718.05
98	1	2925.87	3626.00	700.13	3733.80	807.93

### Category 5 Motorised Sailing craft for hire £23.50 per metre<sup>2</sup>

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
12	1	336.35	273.60	-62.74	282.00	-54.35
13	1	350.19	296.40	-53.79	305.50	-44.69
15	1	382.22	342.00	-40.22	352.50	-29.72
16	3	400.40	364.80	-35.60	376.00	-24.40
17	1	418.58	387.60	-30.98	399.50	-19.08
18	3	436.76	410.40	-26.36	423.00	-13.76
21	4	491.31	478.80	-12.51	493.50	2.19
22	1	509.49	501.60	-7.89	517.00	7.51
23	4	527.67	524.40	-3.27	540.50	12.83
24	3	545.85	547.20	1.35	564.00	18.15



25	8	564.03	570.00	5.97	587.50	23.47
26	8	582.22	592.80	10.58	611.00	28.78
29	1	636.76	661.20	24.44	681.50	44.74
30	2	654.94	684.00	29.06	705.00	50.06
34	1	727.67	775.20	47.53	799.00	71.33
35	2	745.85	798.00	52.15	822.50	76.65

#### Category 6 Sailing Boats for Hire £17.50 per metre<sup>2</sup>

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
5	70	99.32	85.00	-14.32	87.50	-11.82
6	1	109.54	102.00	-7.54	105.00	-4.54
8	1	129.98	136.00	6.02	140.00	10.02
10	4	150.42	170.00	19.58	175.00	24.58
11	10	204.82	187.00	-17.82	192.50	-12.32
14	2	243.91	238.00	-5.91	245.00	1.09
16	10	268.23	272.00	3.77	280.00	11.77
22	4	341.22	374.00	32.78	385.00	43.78

#### Category 7 Houseboats for hire £14.95 per metre<sup>2</sup>

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
23	2	353.38	333.50	-19.88	343.85	-9.53
29	1	426.36	420.50	-5.86	433.55	7.19
31	1	450.69	449.50	-1.19	463.45	12.76
36	4	511.50	522.00	10.50	538.20	26.70
40	2	560.16	580.00	19.84	598.00	37.84
41	1	572.32	594.50	22.18	612.95	40.63
43	4	596.65	623.50	26.85	642.85	46.20
176	1	2214.39	2552.00	337.61	2631.20	416.81

#### Category 8 Rowing boats, canoes etc. for hire £65.70 per boat

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
All	192	63.76	63.76	0.00	65.70	1.94

**Category 9 Private Motor Boats – petrol and diesel £12.85 per metre<sup>2</sup>**

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
5	662	99.32	62.35	-36.97	64.25	-35.07
6	226	109.54	74.82	-34.72	77.10	-32.44
7	168	119.76	87.29	-32.47	89.95	-29.81
8	147	129.98	99.76	-30.22	102.80	-27.18
9	131	140.20	112.23	-27.97	115.65	-24.55
10	169	150.42	124.70	-25.72	128.50	-21.92
11	256	160.64	137.17	-23.47	141.35	-19.29
12	271	170.86	149.64	-21.22	154.20	-16.66
13	163	181.08	162.11	-18.97	167.05	-14.03
14	199	191.30	174.58	-16.72	179.90	-11.40
15	268	200.83	187.05	-13.78	192.75	-8.08
16	221	210.36	199.52	-10.84	205.60	-4.76
17	128	219.89	211.99	-7.90	218.45	-1.44
18	147	229.42	224.46	-4.96	231.30	1.88
19	103	238.95	236.93	-2.02	244.15	5.20
20	142	248.48	249.40	0.92	257.00	8.52
21	201	258.01	261.87	3.86	269.85	11.84
22	344	267.54	274.34	6.80	282.70	15.16
23	251	277.07	286.81	9.74	295.55	18.48
24	95	286.60	299.28	12.68	308.40	21.80
25	87	296.13	311.75	15.62	321.25	25.12
26	101	305.66	324.22	18.56	334.10	28.44
27	131	315.19	336.69	21.50	346.95	31.76
28	176	324.72	349.16	24.44	359.80	35.08
29	124	334.25	361.63	27.38	372.65	38.40
30	111	343.78	374.10	30.32	385.50	41.72
31	87	353.31	386.57	33.26	398.35	45.04
32	72	362.84	399.04	36.20	411.20	48.36
33	110	372.37	411.51	39.14	424.05	51.68
34	88	381.90	423.98	42.08	436.90	55.00
35	105	391.43	436.45	45.02	449.75	58.32
36	66	400.96	448.92	47.96	462.60	61.64
37	98	410.49	461.39	50.90	475.45	64.96
38	110	420.02	473.86	53.84	488.30	68.28
39	80	429.55	486.33	56.78	501.15	71.60
40	71	439.08	498.80	59.72	514.00	74.92
41	94	448.61	511.27	62.66	526.85	78.24
42	77	458.14	523.74	65.60	539.70	81.56
43	36	467.67	536.21	68.54	552.55	84.88
44	23	477.20	548.68	71.48	565.40	88.20
45	14	486.73	561.15	74.42	578.25	91.52
46	61	496.26	573.62	77.36	591.10	94.84

47	27	505.79	586.09	80.30	603.95	98.16
48	25	515.32	598.56	83.24	616.80	101.48
49	16	524.85	611.03	86.18	629.65	104.80
50	9	534.38	623.50	89.12	642.50	108.12
51	10	543.91	635.97	92.06	655.35	111.44
52	17	553.44	648.44	95.00	668.20	114.76
53	3	562.97	660.91	97.94	681.05	118.08
54	16	572.50	673.38	100.88	693.90	121.40
55	11	582.03	685.85	103.82	706.75	124.72
56	2	591.56	698.32	106.76	719.60	128.04
57	4	601.09	710.79	109.70	732.45	131.36
60	5	629.68	748.20	118.52	771.00	141.32
62	4	648.74	773.14	124.40	796.70	147.96
63	4	658.27	785.61	127.34	809.55	151.28
64	2	667.80	798.08	130.28	822.40	154.60
65	1	677.33	810.55	133.22	835.25	157.92
67	1	696.39	835.49	139.10	860.95	164.56
69	3	715.45	860.43	144.98	886.65	171.20
70	2	724.98	872.90	147.92	899.50	174.52
71	1	734.51	885.37	150.86	912.35	177.84
76	1	782.16	947.72	165.56	976.60	194.44
84	1	858.40	1047.48	189.08	1079.40	221.00
86	2	877.46	1072.42	194.96	1105.10	227.64
94	1	953.70	1172.18	218.48	1207.90	254.20
96	1	972.76	1197.12	224.36	1233.60	260.84
105	1	1058.53	1309.35	250.82	1349.25	290.72

### Category 10 Private Motor Boats – electric £10.00 per metre<sup>2</sup>

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
5	160	69.52	48.75	-20.77	50.00	-19.52
6	15	76.68	58.50	-18.18	60.00	-16.68
7	10	83.83	68.25	-15.58	70.00	-13.83
8	8	90.99	78.00	-12.99	80.00	-10.99
9	10	98.14	87.75	-10.39	90.00	-8.14
10	3	105.29	97.50	-7.79	100.00	-5.29
11	8	112.45	107.25	-5.20	110.00	-2.45
12	4	119.60	117.00	-2.60	120.00	0.40
13	7	126.76	126.75	-0.01	130.00	3.24
14	4	133.91	136.50	2.59	140.00	6.09
15	2	140.58	146.25	5.67	150.00	9.42
16	2	147.25	156.00	8.75	160.00	12.75
17	1	153.92	165.75	11.83	170.00	16.08
18	1	160.59	175.50	14.91	180.00	19.41

19	1	167.27	185.25	17.99	190.00	22.74
21	1	180.61	204.75	24.14	210.00	29.39
22	4	187.28	214.50	27.22	220.00	32.72
23	1	193.95	224.25	30.30	230.00	36.05
28	1	227.30	273.00	45.70	280.00	52.70
30	1	240.65	292.50	51.85	300.00	59.35

**Category 11 Motorised sailing craft £9.50 per metre<sup>2</sup>**

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
6	15	99.32	55.50	-43.82	57.00	-42.32
7	16	104.75	64.75	-40.00	66.50	-38.25
8	41	110.18	74.00	-36.18	76.00	-34.18
9	21	115.61	83.25	-32.36	85.50	-30.11
10	87	121.04	92.50	-28.54	95.00	-26.04
11	83	126.47	101.75	-24.72	104.50	-21.97
12	88	131.90	111.00	-20.90	114.00	-17.90
13	70	137.33	120.25	-17.08	123.50	-13.83
14	75	142.76	129.50	-13.26	133.00	-9.76
15	67	149.89	138.75	-11.14	142.50	-7.39
16	56	157.02	148.00	-9.02	152.00	-5.02
17	116	164.15	157.25	-6.90	161.50	-2.65
18	56	171.28	166.50	-4.78	171.00	-0.28
19	19	178.41	175.75	-2.66	180.50	2.09
20	70	185.54	185.00	-0.54	190.00	4.46
21	37	192.67	194.25	1.58	199.50	6.83
22	25	199.80	203.50	3.70	209.00	9.20
23	16	206.93	212.75	5.82	218.50	11.57
24	5	214.06	222.00	7.94	228.00	13.94
25	17	221.19	231.25	10.06	237.50	16.31
26	16	228.32	240.50	12.18	247.00	18.68
27	7	235.45	249.75	14.30	256.50	21.05
28	9	242.58	259.00	16.42	266.00	23.42
29	5	249.71	268.25	18.54	275.50	25.79
30	3	256.84	277.50	20.66	285.00	28.16
31	2	263.97	286.75	22.78	294.50	30.53
35	1	292.49	323.75	31.26	332.50	40.01
37	1	306.75	342.25	35.50	351.50	44.75
<b>Motorised sailing craft with electric motors:</b>						
6	2	69.52	55.50	-14.02	57.00	-12.52
7	5	73.33	64.75	-8.57	66.50	-6.82
8	9	77.13	74.00	-3.13	76.00	-1.13
9	7	80.93	83.25	2.32	85.50	4.57

10	9	84.73	92.50	7.77	95.00	10.27
11	20	88.53	101.75	13.22	104.50	15.97
12	13	92.33	111.00	18.67	114.00	21.67
13	4	96.13	120.25	24.12	123.50	27.37
14	6	99.93	129.50	29.57	133.00	33.07
15	1	104.92	138.75	33.83	142.50	37.58
16	6	109.91	148.00	38.09	152.00	42.09
17	4	114.91	157.25	42.35	161.50	46.60
18	6	119.90	166.50	46.60	171.00	51.10
19	5	124.89	175.75	50.86	180.50	55.61
20	4	129.88	185.00	55.12	190.00	60.12
23	2	144.85	212.75	67.90	218.50	73.65
25	1	154.83	231.25	76.42	237.50	82.67

### Category 12 Private Sailing Craft £8.00 per metre<sup>2</sup>

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
5	479	49.66	39.00	-10.66	40.00	-9.66
6	115	54.77	46.80	-7.97	48.00	-6.77
7	58	59.88	54.60	-5.28	56.00	-3.88
8	112	64.99	62.40	-2.59	64.00	-0.99
9	28	70.10	70.20	0.10	72.00	1.90
10	48	75.21	78.00	2.79	80.00	4.79
11	143	80.32	85.80	5.48	88.00	7.68
12	37	85.43	93.60	8.17	96.00	10.57
13	8	90.54	101.40	10.86	104.00	13.46
14	15	95.65	109.20	13.55	112.00	16.35
15	2	100.42	117.00	16.58	120.00	19.58
16	3	105.19	124.80	19.61	128.00	22.81
17	2	109.96	132.60	22.64	136.00	26.04
18	3	114.73	140.40	25.67	144.00	29.27
19	1	119.50	148.20	28.70	152.00	32.50
21	2	129.04	163.80	34.76	168.00	38.96
23	2	138.58	179.40	40.82	184.00	45.42
24	1	143.35	187.20	43.85	192.00	48.65
32	1	181.51	249.60	68.09	256.00	74.49
34	1	191.05	265.20	74.15	272.00	80.95

**Category 13 Private Houseboats £5.15 per metre<sup>2</sup>**

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
10	1	75.21	50.00	-25.21	51.50	-23.71
11	3	80.32	55.00	-25.32	56.65	-23.67
12	2	85.43	60.00	-25.43	61.80	-23.63
14	1	95.65	70.00	-25.65	72.10	-23.55
15	2	100.42	75.00	-25.42	77.25	-23.17
17	3	109.96	85.00	-24.96	87.55	-22.41
18	1	114.73	90.00	-24.73	92.70	-22.03
19	3	119.50	95.00	-24.50	97.85	-21.65
20	1	124.27	100.00	-24.27	103.00	-21.27
21	2	129.04	105.00	-24.04	108.15	-20.89
22	1	133.81	110.00	-23.81	113.30	-20.51
24	2	143.35	120.00	-23.35	123.60	-19.75
25	1	148.12	125.00	-23.12	128.75	-19.37
26	2	152.89	130.00	-22.89	133.90	-18.99
28	3	162.43	140.00	-22.43	144.20	-18.23
29	1	167.20	145.00	-22.20	149.35	-17.85
30	1	171.97	150.00	-21.97	154.50	-17.47
31	1	176.74	155.00	-21.74	159.65	-17.09
32	1	181.51	160.00	-21.51	164.80	-16.71
33	2	186.28	165.00	-21.28	169.95	-16.33
35	2	195.82	175.00	-20.82	180.25	-15.57
36	4	200.59	180.00	-20.59	185.40	-15.19
37	1	205.36	185.00	-20.36	190.55	-14.81
38	2	210.13	190.00	-20.13	195.70	-14.43
40	1	219.67	200.00	-19.67	206.00	-13.67
41	2	224.44	205.00	-19.44	211.15	-13.29
42	1	229.21	210.00	-19.21	216.30	-12.91
44	1	238.75	220.00	-18.75	226.60	-12.15
45	1	243.52	225.00	-18.52	231.75	-11.77
46	1	248.29	230.00	-18.29	236.90	-11.39
48	1	257.83	240.00	-17.83	247.20	-10.63
49	2	262.60	245.00	-17.60	252.35	-10.25
50	1	267.37	250.00	-17.37	257.50	-9.87
61	1	319.84	305.00	-14.84	314.15	-5.69
62	1	324.61	310.00	-14.61	319.30	-5.31
75	1	386.62	375.00	-11.62	386.25	-0.37
110	1	553.57	550.00	-3.57	566.50	12.93

**Category 14 Private Rowing boats, canoes etc. £32.85 per boat**

Size in Meter <sup>2</sup>	Number of craft	Toll Paid (£) in 2016/17	Toll (£) 16/17 under new structure	Difference in cash (£) terms	Proposed toll (£) for 2017/18	Difference in cash (£) terms
All	1576	31.88	31.88	0.00	32.85	0.97

# The Broads Hire Boat Federation

Tony Howes  
Secretary

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18<sup>th</sup> July 2016

Dr. J. Packman,  
Chief Executive,  
The Broads Authority,  
Yare House, 62-64 Thorpe Road,  
Norwich NR1 1RY

Dear John,

## Tolls Review Group Proposals 2016

The summary of the Group's recommendations put to the Stakeholder Workshop on 14<sup>th</sup> June was circulated to committee members of the Broads Hire Boat Federation and discussed in detail at our meeting on 13<sup>th</sup> July.

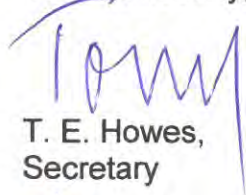
I am pleased to confirm that members particularly welcomed the proposed simplification of the tolls charging structure, the decoupling of the rates for hire and private craft and the flexibility that the structure would provide to react to changing circumstances in the future, particularly the size and make-up of the two fleets.

Proposed rates were, of course, not available to members but the separate charging categories were noted and it was understood that, under such a system, raising tolls to produce the same total income as 2016 could have been achieved with marginal benefit to most hire fleets.

Regarding the proposed Categories, it was queried whether full consideration was given to the opportunity to separate single screw and twin screw motor boats with a view to levying higher charges on the latter due to their perceived unsuitability for general Broads cruising and higher impact on the environment – eg speed, wash, draft?

We look forward to hearing of any further development of these proposals during consultation with the Navigation Committee and consideration by the Authority, after which we assume that detailed proposals on toll rates applied to the new structure for 2017 would be published. In this connection we should advise now that on the basis of current information from our member operators there is likely to be a further reduction of around 20 in total hire fleet numbers for the 2017 season.

Yours sincerely,



T. E. Howes,  
Secretary





www.basgonline.org

Broads Angling Strategy Group (BASG)

Contact us at [info@basgonline.org](mailto:info@basgonline.org)

In partnership with:



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To Jacquie Burgess and Michael Whitaker Co Chairs of the Tolls Working Group

### **BASG Response to Tolls Review**

The Broads Angling Strategy Group (BASG) is the representative body for Angling across the Norfolk and Suffolk Broads, working in partnership towards objectives that include the sustainable growth of Broads angling and its significant contribution to the local economy.

BASG met on the 20th July and Kelvin Allen presented the stakeholder presentation and the resultant impact on small boat owners within the Broads.

Overall the members welcomed the changes and removal of the fixed charge which had resulted in higher costs for the ownership of small craft under 10 Sqm representing 28% of the private motor craft fleet.

The 20% drop in small craft numbers was noted and many felt that with increased crime and theft, the ability to trailer and launch craft kept securely at home was a key factor in this. Many felt that the provision of facilities for small boats was still lacking in terms of slipways and access points to the water and more should be done on the provision of these to attract and restore the fleet volume.

After much discussion it was felt that any reduction in charges for small craft could be offset and used to create a specific improvement fund for implementing improved slipway access.

This fund would be voluntary in nature, but be part of the tolls collection. Whether this is feasible within the current system needs to be considered. But with many priorities on the existing Navigation Budget, Anglers felt this was a potential way forward and value for money if the facilities could be provided over a 5 year program and marketed as such.

Is this option of a voluntary contribution fund something that could be considered as part of the review.

Mark Casto

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Vice Chair BASG

22nd July 2016



# NORFOLK & SUFFOLK BOATING ASSOCIATION

President: R I Card      Chairman: B E Wilkins  
[www.thegreenbook.org.uk](http://www.thegreenbook.org.uk)

19 July 2016

Prof Jacquie Burgess and Mr M Whitaker  
Joint-chairs, Tolls Member Working Group  
Broads Authority  
Yare House  
62-64 Thorpe Road  
NORWICH  
NR1 1RY

Dear Jacquie and Michael

## **Tolls Review**

Thank you for the opportunity to attend the stakeholder workshop on 14 June. We have now had the opportunity to discuss the proposals amongst a wider group of our colleagues. As agreed we are writing to share our feedback.

Your working group are to be commended on avoiding some of the more complex ideas which have been suggested and we are fully supportive of the desire to simplify the toll setting process.

However, unlike the present system, the proposed structure does not have fixed relationships between many of the toll categories. This means the number of variables to be considered each year when setting toll levels will be much greater than at present. As a consequence much more reliance will need to be placed on the underlying principles. Our initial comments on the proposed principles are:

- Although the present 'Guiding Principles and Criteria' adopted by the Authority on 23 November 2012 refer to the charges taking into account both the size of vessel and also usage of the navigation area, these are not mentioned in the new proposed principles.
- The 2012 principles stated that 'owners of hire boats should pay more on the basis that their boats use the system and facilities more than private boats'. This is more explicit and easier to interpret than the proposed statement that 'commercial operators should contribute on a different basis to private boat owners.'
- The proposed principles mention the economic benefits in connection with commercial operators. The contribution made to the local economy by private boat owners, who spend a considerable sum locally each year in maintaining their vessels, in paying the associated costs of running them and in the course of their boating, should not be overlooked.

- The proposed principle states that navigation charges should be used as a policy instrument, without indication of what policies are to be promoted.

The main element of the proposed structure is stated to be a simple straight line relationship between the size of vessel and the toll paid. We do not agree that this is a better system than one including a fixed base element and believe that it is contrary to the objective of fairness.

- a) A fixed element recognises that some costs are not dependent on the size of vessel. That element should be fixed on the basis that each vessel shares equally in the fixed costs incurred in respect of all vessels, regardless of size, such as the costs of administering the tolls system and the costs of the navigational side of the ranger service.
- b) Even with a fixed element, by adopting an additional amount per square metre, the toll calculation is still simple to understand.
- c) The indicated reduction in tolls for small boats (possibly over 62% lower) is unnecessarily generous.
- d) Larger sailing river cruisers, an important part of the local heritage of Broadland, will see significant increases (possibly almost 40% more)

We are disappointed that the proposals seem unnecessarily biased against larger craft. It should be remembered that many larger craft are unable to use the full extent of the waterways. Furthermore some smaller craft create more harm by wash and noise than larger craft.

We are concerned that rather than simplifying the process, by having 14 main categories of craft to set individual tolls, the toll setting process will be more complex and controversial. No indication is given of any savings to be achieved by the new efficient process.

We urge you to consider revising your proposals as follows:

1. Strengthen the proposed principles to give stronger guidance to future toll setting groups, including linking tolls to the size of vessels and usage of the navigation area and related facilities.
2. Clarify the proposed principles so that tolls can be better judged against them.
3. Include a fixed element in the toll formula to remove the unfairness of the present proposals.

Yours sincerely

*Brian Wilkins*

Brian Wilkins  
Chairman, NSBA



# NORFOLK & SUFFOLK BOATING ASSOCIATION

President: R I Card

Chairman: B E Wilkins

[www.thegreenbook.org.uk](http://www.thegreenbook.org.uk)

9<sup>th</sup> October 2016

Prof Jacquie Burgess and Mr M Whitaker  
Joint-chairs, Tolls Member Working Group  
Broads Authority  
Yare House  
62-64 Thorpe Road  
NORWICH  
NR1 1RY

Dear Jacquie and Michael

## Tolls Review

Following our meeting on 2<sup>nd</sup> September, our NSBA tolls group have had a chance to meet and discuss the progress made by your working group.

We are happy to support much of the work of the group, but still have concerns in two key areas: the statement of principles and the proposed toll calculation for private boats.

Firstly looking at the principles, which are so important as they will be the measure by which future tolls are judged. The most recent version I believe is that circulated by John Packman on 5<sup>th</sup> September. Our comments on this version are:

1. We have no problem with the use of “shall” rather than “should” as suggested.
2. We agree with Jacquie’s suggestion (email 5 September) that principle 2 should end after “square metres”, but are also concerned about the shift from usage to access. We are reminded that the power to charge tolls comes from the Harbours Act 1964, which includes in the definition of “ship, passenger and goods dues” the words “charges in respect of any ship for entering, using or leaving the harbour”. This supports the view that a toll permits usage, rather than access.
3. It may be clearer in principle 2 to refer to category of vessel rather than type. Principle 2 as amended would then read:

*The payment of the appropriate navigation charge shall permit use by a vessel of the Broads waterways and is calculated on the basis of the category and size of the vessel in square metres.*

4. As stated in our July letter, principle 3 states that navigation charges shall be used as a policy instrument, without indication of what those policies may be. Please advise what the intended policies are to be.

5. Principle 4 implies that the sole reason why hire boat operators will pay more is because of direct economic benefit. We believe some reference to usage (see point 2 above) is required.
6. It may also be less confusing to refer to “hire boats” rather than “commercial”, as this has a different meaning in the Broads Act. Principle 4 would then read:

*In recognition of the greater use of the Broads waterways by hire boats and the direct economic benefit derived by their operators, the operators will pay more than private boat owners for an equivalent sized boat.*

Turning to the proposed calculation of tolls, you have emphasised that one of the benefits of the new proposals is flexibility and the ability to address the different concerns of the hire and private fleets.

It is clear that the hire fleet have two distinct components, weekly hire and dayboats. Because most dayboats are smaller boats and the weekly hire are larger, it is possible to use the two different rates to achieve a proposed tolls structure which appears fair to the majority of hire boats.

For private boats, we feel that the proposed approach of a single flat multiplier is overly simplistic and will give rise to an unfair number of variations from the present system. We suggest that a simple two part calculation with a fixed and variable element will still be easily understood and yet will achieve a significantly fairer result.

Our table attached shows how this might work across the main categories of private craft, whilst achieving the same total level of income.

For example replacing a flat rate of £12.47 per sqm for motor craft with a fixed element of £50 + £9.85 per sqm will achieve almost exactly the same level of toll income as 2016. This applies across all the categories where variations in income for the category in total might have been an increase of 20.5% (Aux electric yachts) to a reduction of 18.2% (electric motorboats) under the “flat rate” multiplier proposed.

We have a full table of all craft sizes available if this would be helpful.

We urge you to consider our suggestions.

Yours sincerely

Brian Wilkins,  
Chairman, NSBA

**Toll Proposals  
NSBA workings**

	Number	2016 Income	Proposed Flat rate	Proposed Fixed & Variable	Change		Proposed Flat Rate	Proposed	
					Flat	Fix & Var		Fixed	Variable
Motor	6443	1,612,808.82	1,634,280.79	1,613,061.45	1.3%	0.0%	£ 12.47	£ 50.00	£ 9.85
Motor - Elec	251	21,071.26	17,238.00	21,161.00	-18.2%	0.4%	£ 9.75	£ 35.00	£ 7.00
Sail	1152	70,511.43	65,293.80	70,655.00	-7.4%	0.2%	£ 7.80	£ 25.00	£ 5.00
Houseboats	43	7,513.30	6,585.00	7,482.60	-12.4%	-0.4%	£ 5.00	£ 27.00	£ 4.80
Aux Yacht	1046	160,629.53	146,825.25	160,236.40	-8.6%	-0.2%	£ 9.25	£ 50.00	£ 6.80
Aux Elec	107	10,173.19	12,256.25	10,242.50	20.5%	0.7%	£ 9.25	£ 40.00	£ 4.50
	<u>9042</u>	<u>1,882,707.53</u>	<u>1,882,479.09</u>	<u>1,882,838.95</u>	0.0%	0.0%			
		Change on 2016	0.0%	0.0%					

**Broads Local Plan**  
**Preferred Options Local Plan, Sustainability Appraisal, Habitats Regulation**  
**Assessment for consultation**  
Report by Planning Policy Officer

**Summary:** This report discusses the Preferred Options version of the Local Plan, the accompanying Sustainability Appraisal and Habitats Regulation Assessment.

**Recommendation:** That the Local Plan documents be subject to public consultation from 5 December 2016 to 3 February 2017.

## **1 Introduction**

- 1.1 The Broads Local Plan will contain strategic, development management and site specific policies to help determine planning applications in the Broads Authority Executive Area.
- 1.2 There has been one round of consultation already – the Issues and Options which was completed at the start of 2016. This included broad issues and some potential options to address those issues.
- 1.3 The responses received to that consultation, plus further evidence as well as an internal assessment of existing policies and policy gaps has resulted in the Preferred Options version of the Local Plan.
- 1.4 Members have seen the majority of the Preferred Options of the Local Plan as bite size pieces between April and October 2016. Accompanying the Preferred Options is the Sustainability Appraisal, Habitats Regulation Assessment and the Viability Assessment.

## **2 The Preferred Option Version of the Local Plan**

- 2.1 This document combines the strategic, development management and site specific policies of the current three separate development plan documents into one place. The Local Plan runs to around 250 pages with over 100 policies (see Appendix A).
- 2.2 Many policies have been rolled forward from the current adopted documents with no changes, whilst some have had minor or larger scale changes.



2.3 The Local Plan tackles some issues for the first time in the Broads, including:

- Boat wash down facilities
- Water efficiency
- Open space
- Staithes
- Peat
- Land raising, excavated materials and settlement fringe
- Light pollution and dark skies
- Changes to the Acle Straight
- Housing need
- Gypsy, Traveller and Travelling Show People
- Residential annexes
- Custom/self build housing
- Health and wellbeing
- Safety by the water
- New site specific policies in Beccles, Ditchingham, Fleggburgh, Horning, Hoveton
- Rail halts
- Local green space

2.4 The maps that are referred to in the Local Plan can be found here:

<http://www.broads-authority.gov.uk/broads-authority/committees/planning-committee/planning-committee-11-november-2016>

### **3 Sustainability Appraisal**

3.1 A Sustainability Appraisal of the Preferred Options has been prepared and is also published for consultation. The Planning and Compulsory Purchase Act 2004 requires a Sustainability Appraisal (SA) to be undertaken for Local Plans. The Broads Local Plan SA will examine whether the effects of the specific sites/areas allocations and policies, individually or collectively, give rise to sustainability benefits or dis-benefits. This has been completed in house. The findings of the SA for each policy is summarised in the Local Plan.

3.2 To summarise, the SA identifies that each policy has a positive or neutral impact on the SA Objectives when taken as a whole. Many impacts are uncertain as it would depend on the final proposal. There are some negative impacts:

- The Rural Enterprise workers policy rates negative against access to facilities as these are in rural areas away from facilities and services
- Woodbastwick Fen Moorings rates negative against housing as the policy promotes the removal of residential moorings
- Hedera House, Thurne rates negative against access to facilities and services as there are few services in the settlement.

3.3 The Sustainability Appraisal is attached at Appendix B.

## **4 Habitats Regulation Assessment**

- 4.1 Directive 92/43/EEC (the Habitats Directive) on the Conservation of Natural Habitats and of Wild Fauna and Flora, and the UK regulations that give effect to this, require the preparation of an 'Appropriate Assessment' (AA) or Habitats Regulations Assessment (HRA) of the potential impacts of land-use plans (including the Broads Local Plan) on European designated habitat sites to ascertain whether they would adversely affect the integrity of such sites. This has been completed by Footprint Ecology.
- 4.2 To summarise, the plan has been screened to check for 'likely significant effects', i.e. risks to European sites as a result of the plan and the implementation of its policies. The results of the screening are set out in Section 3 of this report, where a number of recommendations have been made to modify and strengthen the plan wording, both within policy and also as part of the supporting text. Risks were identified in terms of the progression of new housing and the promotion of tourism, boating and water's edge development and navigation. Disturbance to wildlife, and deterioration of habitat, particularly through nutrient enrichment, arising or increasing as a result of the plan should be avoided in order to rule out likely significant effects, and suggestions are made relating to additional protective wording in policy and the requirement for adequate recreation provision as part of the three main housing allocations to deliver the proposed 212 houses over the plan period.
- 4.3 The Habitats Regulation Assessment is set out at Appendix C.

## **5 Viability Assessment.**

- 5.1 The National Planning Policy Framework (NPPF) at paragraph 173 says: '...the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.' Accordingly, the Broads Authority has commissioned the preparation of a Viability Assessment report to assess the financial viability of the new Broads Local Plan.
- 5.2 At the time of writing the final Viability Assessment had not been received, but the consultants indicated that there were no major concerns.
- 5.3 When the report is received, it will be sent to members and the findings reported back verbally at Planning Committee.

## **6 About the Consultation**

- 6.1 The Preferred Options is set to be published for public consultation between 5 December 2016 and 3 February 2017. The consultation period covers nine weeks as it includes the Christmas period.

- 6.2 The documents that will be the subject of the consultation are:
- The Preferred Options version of the Local Plan
  - The Sustainability Appraisal
  - The Habitats Regulation Assessment
  - The various pieces of evidence and the topic papers are also available for comment.
- 6.3 Advanced notice of the consultation has been given through an email to the Parish Councils in July and September 2016. A reminder of the consultation will go out with the Broads Plan email/letter in October 2016 and the Flood Risk SPD consultation in November 2016.
- 6.4 The consultation will be publicised by sending an email or letter to everyone on the contact database. A Press advert will be placed in the Eastern Daily Press and a Press Release will go out at the start of the consultation period as well as in early January to act as a reminder.
- 6.5 The following will be undertaken to make the document available in a number of formats:
- Hard copies at libraries and Council offices in the Broads area
  - Summary leaflet  
(This will include one line description of the approach of the policy and ask for comments. There will be a link to the main document so people can read the detail of the policy if they wish.)
  - Copies of the documents will be available on line
- 6.6 In addition, there will be three drop in sessions, with one each in the north, central and southern areas. These will be held on a Saturday morning and afternoon and on a weekday evening and will be publicised through posters to go on Parish notice boards, a press advertisement and a Press Release.

## **7 Next steps**

- 7.1 Subject to approval by the Authority for consultation, the formal process will commence on 5 December 2016 and will run for nine weeks. All representations received will be acknowledged and an assessment sent.
- 7.2 There may be some changes as a result of the comments received.
- 7.3 There are also some studies being worked on over the coming months relating to Gypsy and Traveller, non Gypsy and Traveller caravan need and houseboat need. These will be reported to Planning Committee when they are completed and will be included in the next version of the Plan.
- 7.4 The next version of the Local Plan to be produced will be the Publication version.

## 8 Financial Implications

- 8.1 Generally officer time in producing these policies and any associated guidance as well as in using the policies in determining planning applications. There is a budget for up to £1,000 for the consultation.

Background papers: None

Author: Natalie Beal  
Date of report: 27 October 2016

Appendices: Appendix A: Preferred Options Local Plan  
Appendix B: Sustainability Appraisal  
Appendix C: Habitats Regulation Assessment  
Accompanying draft Policies Maps

These can all be found here: <http://www.broads-authority.gov.uk/broads-authority/committees/planning-committee/planning-committee-11-november-2016>

**Broads Local Plan: New Flood Risk Supplementary Planning Document –  
Consultation Version**

Report by Planning Policy Officer

**Summary:** A new Flood Risk Supplementary Planning Document (SPD) has been drafted. It is intended that this be the subject of public consultation in November and December 2016.

**Recommendation:** That the Draft Flood Risk Supplementary Planning Document be subject to public consultation from 21 November 2016 to 16 December 2016.

## **1 Introduction**

- 1.1 The purpose of this Supplementary Planning Document (SPD) is to increase awareness of the nature of flood risk in the Broads area, give advice to developers and others about the Authority's approach to the issue of development and flood risk, and stress the need to maintain a high standard of design in new waterside development.

## **2 The Need for a New Flood Risk SPD**

- 2.1 This SPD will replace the previous SPD which was produced in 2008. The current 2008 SPD is being reviewed because:
- the current SPD is out of date. It initially bridged the policy gap between 2007 Core Strategy and 2011 Development Management Policies Development Plan Document (DMDPD)
  - the current SPD was based on PPS25. This has been withdrawn with national flood risk policy and guidance now contained in the NPPF and NPPG
  - the Broads Authority has explored climate change issues in more detail
- 2.2 The SPD seeks to clarify and expand on Policy DM29 from the adopted DMDPD. It sets out a local approach to some national guidance. Furthermore, there are templates and checklists relating to small scale Flood Risk Assessments and Flood Response Plans.

## **3 Producing a SPD**

- 3.1 With regards to producing a supplementary planning document, the NPPF paragraph 155 says:

*‘Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development’.*

3.2 The Authority considers that this SPD will help applicants prepare schemes that consider the issue of flooding in an appropriate way. The SPD should be read alongside policy DP29 of the DMDPD and is a material consideration in the determination of planning applications. The advice and guidance herein will not add financial burden to development. The new SPD will provide guidance and advice in advance of the adoption of the new Local Plan in early 2018.

#### **4 Timeline**

4.1 The process and proposed timeline is summarised below.

<b>Stage</b>	<b>Timeline</b>
To Planning Committee	14 October 2016
To Full Authority	18 November 2016
Consult for at least 4 weeks	21 November until 4pm on 23 December 2016
Make consultation statement	Until 13 January 2017
Amend if need be	
To Planning Committee	3 February 2017
Adopt by Full Authority	24 March 2017
Advise interested parties of adoption	After adoption

#### **5 Consultation and Conclusion**

5.1 The consultation on this SPD runs from 21 November until 4pm on 16 December. That is a period of five weeks and reflects the build up to Christmas as well as the next version of the Local Plan being out for consultation on 4 December for 9 weeks. The statutory minimum period for consultation for a SPD is four weeks.

5.2 Members of the Planning Committee considered the report at their meeting on 14 October 2016 and recommended to the Authority that the new Supplementary Planning Document on Flood Risk be approved for consultation.

#### **6 Financial Implications**

6.1 Cost of hard copies for the consultation as well as the cost of a press advert. This is estimated to cost around £3,000 in total but likely to be much less.

Background papers: None

Author: Natalie Beal  
Date of report: 19 October 2016

Broads Plan Objectives: CC3, CC4

Appendices: Appendix A: The draft Flood Risk SPD for consultation



# New Broads Flood Risk Supplementary Planning Document 2016

**Consultation version**  
**Consultation runs from 21 November to  
4pm on 23 December**

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## 1. Introduction

The purpose of this SPD is to increase awareness of the nature of flood risk in the Broads area, give advice to developers and others about the Authority’s approach to the issue of development and flood risk, and stress the need to maintain a high standard of design in new waterside development.

Flooding can cause damage to property and infrastructure. Coastal flooding can be particularly damaging. In extreme cases, flooding can lead to loss of life. The threat of flooding can also cause fear and distress to local residents. On the other hand, flooding is also a natural process within a floodplain. In some circumstances it can be beneficial to wildlife.

The Broads Authority is the Local Planning Authority within the Broads area and this Supplementary Planning Document (SPD) applies only to land within the Authority’s executive boundary. The Authority takes advice from the Environment Agency (EA) on flood related issues concerning development. The EA is responsible for flood defence and has permissive powers to carry out work to construct and improve flood defences.

This SPD will replace the 2008 SPD. We are reviewing the current 2008 SPD because:

- The current SPD is out of date. It initially bridged the policy gap between 2007 Core Strategy and 2011 DM DPD.
- The current SPD was based on PPS25. This has been withdrawn with national flood risk policy and guidance contained in the NPPF and NPPG.
- The Broads Authority has explored climate change issues in more detail.

With regards to producing a supplementary planning document, the NPPF paragraph 155 says:

*‘Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development’.*

The Authority considers that this SPD will help applicants prepare schemes that consider the issue of flooding in an appropriate way. The SPD should be read alongside policy DP29 of the Development Management DPD and is a material consideration in the determination of planning applications. The advice and guidance herein will not add financial burden to development. The new SPD will provide guidance and advice in advance of the adoption of the new Local Plan in early 2018. The process and timeline is summarised below.

Stage	Timeline
To Planning Committee	14 October
To Full Authority	18 November
Consult for at least 4 weeks	21 November until 4pm on 23 December
Make consultation statement	Until 13 January
Amend if need be	
Adopt by Full Authority	27 January
Let those know it is adopted who wanted to know it is being adopted	After adoption

## 2. About this Consultation

The consultation on this SPD runs from 21 November until 4pm on 16 December. That is a period of 5 weeks and reflects the build up to Christmas as well as the next version of the Local Plan being out for consultation on 4 December for 9 weeks. The minimum period for consultation for a SPD is 4 weeks.

The consultation version of the SPD is available at <http://www.broads-authority.gov.uk/broadsconsultations>.

There are printed copies of this document and the Sustainability Appraisal at these locations. For opening times, please contact the venue or check on their website:

- Broads Authority, Yare House, 62-64 Thorpe Road, Norwich NR1 1RY
- Broadland District Council, 1 Yarmouth Road, Norwich NR7 ODU
- Great Yarmouth Borough Council, Town Hall, Hall Plain, Great Yarmouth, Norfolk NR30 2QF
- North Norfolk District Council, Holt Road, Cromer NR27 9EN
- Norwich City Council, City Hall, St Peter's St, Norwich NR2 1NH
- South Norfolk Council, Swan Lane, Long Stratton NR15 2XE
- Waveney District Council, Riverside, 4 Canning Road, Lowestoft NR33 0EQ
- Norfolk County Council, County Hall, Martineau Lane, Norwich NR1 2DH
- Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich IP1 2BX
- Whitlingham Broads Visitor Centre, Whitlingham Lane, Trowse, Norwich NR14 8TR
- Toad Hole Cottage Museum, How Hill, Ludham NR29 5PG (Mar-Apr)
- Hoveton Visitor Centre, Station Road, Hoveton NR12 8UR (Mar-Apr)
- Acle Library, Bridewell Lane, Acle NR13 3RA
- Beccles Library, Blyburgate, Beccles NR34 9TB
- Brundall Library, 90 The Street, Brundall NR13 5LH
- Bungay Library, Wharton Street, Bungay NR35 1EL
- Cromer Library, Prince of Wales Road, Cromer NR27 9HS
- Great Yarmouth Library, Tolhouse Street, Great Yarmouth NR30 2SH
- Loddon Library, 31 Church Plain, Loddon NR14 6EX
- Lowestoft Library, Clapham Road South, Lowestoft, NR32 1DR
- Oulton Broad, Library Council Offices, 92 Bridge Road, Oulton Broad NR32 3LR
- Norwich Millennium Library, The Forum, Millennium Plain, Norwich NR2 1AW
- Stalham Library, High Street, Stalham NR12 9AN
- Wroxham Library, Norwich Road, Wroxham NR12 8RX

**The consultation ends at 4pm on 23 December 2016.**

### 3. Development Management Policy DP29

The Development and Flood Risk SPD is in conformity with the Core Strategy, Development Management DPD and the National Planning Policy Framework (NPPF). It expands on DM policy DP29:

#### **DP29 Development on Sites with a High Probability of Flooding**

Development will only be permitted in Environment Agency Flood Zones 2 and 3 and those areas deemed to be at risk of flooding in the Authority's Strategic Flood Risk Assessment, where appropriate and when the Sequential Test and Exception Test (parts (a), (b) and (c)) where applicable, as set out in PPS25, have been satisfied. Development proposals should be supported by a Site Specific Flood Risk Assessment.

The Flood Risk Assessment will need to meet the requirements of PPS25 and give consideration to the following:

- (a) Whether the proposed development will make a significant contribution to achieving the objectives of the Core Strategy and other policies of the Development Plan;
- (b) Whether the development involves the redevelopment of previously developed land or buildings and would result in environmental improvements over the current condition of the site;
- (c) Whether appropriate measures to ensure resilience to potential flooding have been incorporated into the development;
- (d) Whether appropriate measures to reduce the risk of flooding (on and offsite), including sustainable drainage systems with effective attenuation of flows to adjoining land or waterways, have been incorporated;
- (e) The impact of the proposal on flood risk elsewhere and on the effectiveness of flood alleviation or flood defence schemes; and
- (f) Where the proposal involves the replacement of an existing building, whether the replacement building is located and/or designed without increasing flood risk and, where possible, to reduce the risks and effects of flooding.

The relocation of existing development to an undeveloped site with a lower probability of flooding will be permitted where:

- (g) The vacated site would be reinstated as naturally functioning flood plain;
- (h) The benefits of flood risk reduction outweigh the benefits of leaving the new site undeveloped; and
- (i) The development of the new site is appropriate when considered against the other policies of the Development Plan.

Surface water run-off proposals should address the requirements of the Flood and Water Management Act 2010.

## 4. Understanding Flood Risk

### 4.1. What is flood risk?

According to the National Planning Practice Guidance (NPPG), “flood risk” is a combination of the probability and the potential consequences of flooding from all sources – including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources.

### 4.2. What are flood risk zones?

Flood Zones refer to the probability of river and sea flooding, ignoring the presence of defences. They are shown on the Environment Agency’s Flood Map for Planning (Rivers and Sea)<sup>1</sup> and defined in the table below (taken from the NPPG).

Flood Zone	Definition
Zone 1 Low Probability	Land having a less than 1 in 1,000 (0.1%) annual probability of river or sea flooding. (Shown as ‘clear’ on the Flood Map – all land outside Zones 2 and 3)
Zone 2 Medium Probability	Land having between a 1 in 100 (1%) and 1 in 1,000 (0.1%) annual probability of river flooding; or Land having between a 1 in 200 (0.5%) and 1 in 1,000 (0.1%) annual probability of sea flooding. (Land shown in light blue on the Flood Map)
Zone 3a High Probability	Land having a 1 in 100 (1%) or greater annual probability of river flooding; or Land having a 1 in 200 (0.5%) or greater annual probability of sea flooding. (Land shown in dark blue on the Flood Map)
Zone 3b The Functional Floodplain	This zone comprises land where water has to flow or be stored in times of flood. Local planning authorities should identify in their Strategic Flood Risk Assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency. (Not separately distinguished from Zone 3a on the Flood Map)

### 4.3. EA flood risk

The Environment Agency (EA) flood risk maps depict the current probability or likelihood of flooding without defences in place. They therefore show a ‘worst case’ scenario. However, the EA maps do not include climate change predictions of rising sea levels, increase in peak river flow, or increased peak rainfall intensity. Also, the EA flood risk maps just show areas identified as Flood Zone 3 and do not distinguish between zones 3a and 3b. Consequently the EA maps are not sufficient to use to consider the impact of flooding to an individual property. Site-specific flood risk assessments (FRA) are required to consider the impacts of all sources of flooding on an individual property, and these should also include climate change considerations.

Whilst most of the Broads Authority area is covered by the river and coastal flood map, those areas outside of it (e.g. Flood Zone 1) should also look at the updated surface water flood map on the EA

<sup>1</sup> [http://maps.environment-agency.gov.uk/wiyby/wiybyController?x=357683.0&y=355134.0&scale=1&layerGroups=default&ep=map&textonly=off&lang=\\_e&topic=floodmap](http://maps.environment-agency.gov.uk/wiyby/wiybyController?x=357683.0&y=355134.0&scale=1&layerGroups=default&ep=map&textonly=off&lang=_e&topic=floodmap)

website. This shows surface water flooding but also indicates a proxy risk for fluvial flooding experienced from an ordinary watercourse until a specific FRA is undertaken (i.e. where the EA fluvial modelling could not extend as the catchments were too small to include (those smaller than 3km<sup>3</sup>)).

#### **4.4. Strategic Flood Risk Assessment**

A Strategic Flood Risk Assessment is a study carried out by one or more local planning authorities to assess the risk to an area from flooding from all sources, now and in the future, taking account of the impacts of climate change, and to assess the impact that land use changes and development in the area will have on flood risk.

In accordance with advice from the Environment Agency the Broads Authority, jointly with Broadland District Council, North Norfolk Council, Norwich City Council and South Norfolk District Council, commissioned a Strategic Flood Risk Assessment (SFRA) to inform preparation of the LDF and also to provide further details of varying levels of flood risk within the area. The Inception Report was completed in 2006 with the stage two report completed in 2008<sup>2</sup>.

At the time of writing, all the Norfolk Authorities were working together to plan strategically across Norfolk. One particular cross boundary issue is that of flood risk. Working together also offers the opportunity for efficiency savings when commissioning evidence bases to support Local Plans. The potential to work together to update the SFRA's around the county was being explored.

#### **4.5. The Broads Flood Risk Alleviation Project**

The Broadland Flood Alleviation Project (BFAP) is a long-term project to provide a range of flood defence improvements, maintenance and emergency response services within the tidal areas of the Rivers Yare, Bure, Waveney and their tributaries.

Appointed by the Environment Agency Broadland Environmental Services Ltd deliver these services and, in partnership with the Environment Agency, are responsible for implementing the 20-year programme of works. This contract was awarded in May 2001 as a Public Private Partnership Programme.

The main aim of project work was to strengthen existing flood defences and restore them to a height that existed in 1995 (a level defined by the Environment Agency) and make additional allowances for sea level rise and future settlement of the floodbanks.

This aim has largely been achieved, through a phased programme of improvement works comprising:

- Strengthening the existing floodbanks, restoring them to agreed levels where excessive settlement has occurred
- Replacing existing erosion protection that is in a poor condition using more environmentally acceptable methods wherever possible
- Providing new protection where erosion is currently threatening the integrity of the flood defences

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<sup>2</sup> This is available to see at the main office of the Broads Authority – paper version only.

- Carrying out works at undefended communities

#### **4.6. Nature of flood risk in the Broads**

Approximately 95% of the Broads Authority area is at some risk of flooding. This includes more than 2000 properties and almost 30,000 hectares. The Broads Authority boundary is tightly drawn around the edge of the floodplain.

The flood risk in the Broads is mainly from both fluvial and tidal sources and the whole character and development in the Broads over many hundreds of years has been closely associated with the water environment and flood risk. Much of the Broads area is defended by flood defence embankments, which are maintained by the Environment Agency to reduce flooding. The flood defences, where they exist, only reduce the risk of flooding and will never eliminate it; this has been the historic case within the Broads.

Working, living and visiting the Broads have been, and will continue to be, activities that have co-existed with the risk of flooding. However, any new development (which includes change of use, etc) must be in line with government policy and minimise flood risk. In the Broads area, this means identifying the risks from flooding and ensuring that they are at as low a level as possible compatible with the wetland and water-based environment.

The Broads is not subject to open sea conditions (relating to tidal range and wave action). Therefore, although parts of the Broads are tidally influenced, for flood risk assessment purposes the river flooding probabilities are used to define the Flood Zones.

The SFRA (2008) shows that coastal flooding and flooding associated with defence failure are likely to produce the most significant consequences and greatest hazard because of the speed of onset of the flood, the high water velocities and the deep water. Settlements towards the east of the Broads which are at risk of flooding from failure of the coastal defences are indicated on the Environment Agency maps.

The flood probability mapping carried out within the SFRA does not represent the degree of hazard likely to be experienced in the Broads Authority area, especially in the more upstream catchment areas and those areas not at risk of breaching of coastal defences, because it does not quantify depth or water velocity.

Hazard is very site specific and could vary greatly over a relatively small area due to the presence of drains, dykes, quay-headings, flood banks, etc., all of which could be masked by turbid floodwaters. The effect of climate change on hazard was also not assessed in the SFRA.

The flood probability mapping indicates in some areas that the functional floodplain extends to the boundary of the Broads Authority area. Intuition, or engineering judgement, indicates that this is likely to be the case in reality, with the functional floodplain as defined as the 1 in 20 year event.

It is suggested in the 2008 SFRA that if hazard mapping were to be carried out in order to quantify depth and water velocity at the various flood events (hazard, or “danger to people”, is a function of

depth and velocity) it would quite likely indicate that both flood depth and velocity are not great. As a result of this, hazard is generally likely to be low. However, site specific factors significantly contribute to risk and a site-specific Flood Risk Assessment will need to quantify this.

The 2008 SFRA suggests flooding from the tidally influenced Broads' river systems is likely to be less hazardous because of the slower onset. This may be an oversimplification due to the interaction of site specific factors and the condition of winds and tides. The above notwithstanding, hazard and risk does tend to be predictable on the Broads and this has implications for how these are managed.

Fluvial flooding associated with upstream areas of individual catchments within the Broads is not normally "flashy" and the hazard from these floods, excepting unusual meteorological conditions, is least onerous. Consideration of the flood risk at a particular location should also take account of climate change as highlighted in section x below.

The typical Broads river has a permeable catchment, is groundwater dominated, and is a slow responding watercourse with a slow increase and decrease of flow in response to rainfall. Although tidal surges can develop rapidly within 6-12 hours as a result of the movements of weather systems in the North Sea, the Environment Agency Flood Warning System covers the whole of the Broads area which could provide some measure of early warning, however, uptake of the service is voluntary and is not enforceable within the context of planning.

It is also the case that existing flood defences in the Broads area offer a very low standard of defence (typically up to a 1 in 7 year standard) so that overtopping events, or events in which defences are outflanked or breached, are likely to produce a slow speed of approach of the flood, slow water velocities, shallow depth and low hazard. The majority of people living and working within the Broads are historically familiar with the water environment and are unlikely to be surprised or alarmed by the prospect of floods or rising water levels. Measures will need to be in place to ensure effective communication with visitors - an issue which is already addressed on many sites locally.

Any development encroaching within any of the plotted Flood Zones may increase flood risk to adjacent areas, and the effect on flood risk of a number of small encroachments is cumulative. If the requirements of the NPPF and NPPG are met in full, then additional development should not increase flood risk elsewhere.

#### **4.7. Other Sources of flood risk**

##### **i) Surface runoff**

The Flood and Water Management Act 2010 (FWMA) defines surface runoff as; rainwater (including snow and other precipitation) which (a) is on the surface of the ground (whether or not it is moving), and (b) has not entered a watercourse, drainage system or public sewer.

Intense rainfall, often of short duration, that is unable to soak into the ground or enter drainage systems, can run quickly off land and result in local flooding.

There are several stakeholders identified by the FWMA who have a role in the management of surface runoff flooding, these are; Lead Local Flood Authorities, Local Planning Authorities, Water Utilities Companies, Highways Authorities, Riparian Owners.

#### ii) Ordinary Watercourses

Ordinary Watercourses are defined as; every river, stream, ditch, drain, cut, dyke, sluice, sewer (other than a public sewer) and passage through which water flows and which does not form part of a main river. These watercourses, although not shown at risk on the Environment Agency river flood map, can be a source of fluvial flooding. The Environment Agency River Flood map can only model and hence show risk of flooding on catchments sized greater than 3km<sup>2</sup>. Appropriate site specific risk assessment would still need to consider ordinary watercourse as a source of flood risk.

In the County of Norfolk for example there are approximately 7,178 km of mapped ordinary watercourses that are included in the Environment Agency's Detailed River Network dataset. This is undoubtedly a conservative figure as many ordinary watercourses in Norfolk remain unmapped.

In terms of local flood risk management, these watercourses are still largely influenced by the Land Drainage Act 1991. This Act identifies three key stakeholders in the management of ordinary watercourses, these are; Internal Drainage Boards, Local District Authorities and Riparian Owners.

#### iii) Groundwater

The Flood and Water Management Act 2010 defines groundwater as; water below the surface of the ground and in direct contact with the ground or subsoil. It is worth noting that this definition does not include water in buried pipes or other containers.

The UK Groundwater Forum describes groundwater flooding as a result of water rising up from the underlying rocks or from water flowing from abnormal springs.

Flooding from groundwater is classed as a Local Flood Risk and as such is the responsibility of the Lead Local Flood Authority which in Norfolk is Norfolk County Council.

#### 4.8. Functional Flood Plain

The NPPG describes the Functional Flood Plain<sup>3</sup> as:

*The identification of functional floodplain should take account of local circumstances and not be defined solely on rigid probability parameters. However, land which would naturally flood with an annual probability of 1 in 20 (5%) or greater in any year, or is designed to flood (such as a flood attenuation scheme) in an extreme (0.1% annual probability) flood, should provide a starting point for consideration and discussions to identify the functional floodplain.*

*A functional floodplain is a very important planning tool in making space for flood waters when flooding occurs. Generally, development should be directed away from these areas using the*

<sup>3</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/strategic-flood-risk-assessment/how-should-a-strategic-flood-risk-assessment-be-used-to-identify-the-functional-floodplain/>



*Environment Agency's catchment flood management plans, shoreline management plans and local flood risk management strategies produced by lead local flood authorities.*

*The area identified as functional floodplain should take into account the effects of defences and other flood risk management infrastructure. Areas which would naturally flood, but which are prevented from doing so by existing defences and infrastructure or solid buildings, will not normally be identified as functional floodplain. If an area is intended to flood, e.g. an upstream flood storage area designed to protect communities further downstream, then this should be safeguarded from development and identified as functional floodplain, even though it might not flood very often.*

#### **4.9. The Coast**

The Broads Authority has a small stretch of coast in the Executive Area (Winterton/Horseley area). The Kelling to Lowestoft Ness Shoreline Management Plan unit 6.13 covers Eccles to Winterton Beach Road. The general approach to coastal erosion along this stretch is to hold the line. This is dependent on the option continuing to be technically and economically deliverable.

*'Due to the considerable assets at risk and the uncertainty of how the coastline could evolve, the policy option from the present day is to continue to hold the line of the existing defence. This policy option is likely to involve maintenance of existing seawalls and reef structures, replacing groynes as necessary and continuing to re-nourish beaches with dredged sand. This policy option will provide an appropriate standard of protection to all assets behind the present defence line, and, with the recharge, a beach will be maintained as well as a supply of sediment to downdrift areas.'*

## 5. Making and assessing a planning application

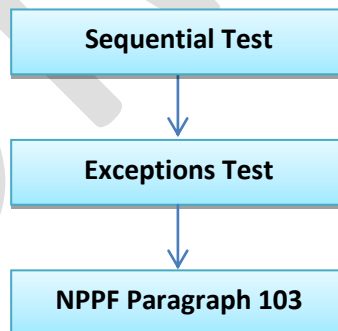
### 5.1. Section introduction

Proposals for developments in areas at risk of flooding are subject to appropriate detailed requirements and must be accompanied by an appropriate Flood Risk Assessment (FRA). The basic requirements of the FRA are set out in the NPPG<sup>4</sup>.

The Broads Authority encourages all applicants to seek pre-application advice on their proposals and officers can provide advice on which proposals will require an FRA. The Environment Agency<sup>5</sup> can provide some of the necessary data for an FRA and offer a pre-application advice service, subject to charges. The Environment Agency offer one free preliminary opinion to developers which outlines the nature of the information required to accompany an application<sup>6</sup>. Further detailed advice, which may include a technical review of documents prior to submission, is available from the Environment Agency as part of a charged service.

Developers should assess carefully the full range of issues associated with all sources of flood risk when considering and formulating development proposals. Failure to consider these issues is likely to lead to delay or to refusal of planning permission. Developers must demonstrate that development both minimises flood risk both on and off site and will still be of a scale and design appropriate to its Broads setting. Flood risk mitigation, resilience and resistance measures should be considered at an early stage and integrated into a high quality design which satisfies the objectives of other planning policies.

The NPPG sets out a Sequential Test<sup>7</sup> to development and flood risk that is undertaken by the planning authority to direct development away from flood risk areas. It also sets out an Exception Test<sup>8</sup> for development located in zones of higher flood risk to provide a method to manage flood risk, while still allowing necessary development to occur, subject to appropriate risk reduction and mitigation measures. In essence the steps taken to assess an application for development in flood zones 3a and 3b are:



### 5.2. Land Use and Development in Areas of Flood Risk

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<sup>5</sup> You can email@ [ensenquiries@environment-agency.gov.uk](mailto:ensenquiries@environment-agency.gov.uk)

<sup>6</sup> see <https://www.gov.uk/government/publications/pre-planning-application-enquiry-form-preliminary-opinion>

<sup>7</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/the-sequential-risk-based-approach-to-the-location-of-development/>

<sup>8</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/the-exception-test/>

The NPPG sets out clearly what are acceptable land uses in different flood zones. There is a distinction between proposed development in flood risk zones 1, 2 and 3a and proposed development in flood risk zone 3b. In the case of the former, the NPPG is very clear on circumstances in which the Sequential and Exception tests must be applied. In terms of proposed development in Flood Zone 3b the NPPG sets out (in the table below, copied from the NPPG) which types of development are water compatible and may therefore be acceptable<sup>910</sup>.

Although the sequential test must be applied, due to the limited availability of sites in Flood Zone 1, the main objective, as applied to the Broads, is likely to be to reduce flood risk to new development through the application of the sequential approach and to maximise opportunities to build in resilience both at the site and buildings level through design. The improvement of safety and management of risk, including response to risk, must be addressed at the design stage.

Any development being promoted in Flood Zone 1 should also consider flood risk from other sources (not just river and sea flooding). This means that the updated surface water flood map on the environment agencies flood map should also be consulted to apply the sequential approach and sequential test when making decisions. The 1:1000 year surface water map can be seen as equivalent probability to Flood zone 2 (river and sea map) and the 1:100 year surface water map can be seen as equivalent to Flood Zone 3 (river and sea flood map). This is only practical to apply to significant flow paths show on the surface water flood map and not to small areas of ponding.

Flood Zones	Flood Risk Vulnerability Classification				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	✗	Exception Test required	✓	✓
Zone 3b *	Exception Test required *	✗	✗	✗	✓*

Key:

✓ Development is appropriate

✗ Development should not be permitted.

The approach in any particular case will depend on the nature of the land and the specific functionality of the floodplain, taking into account the presence of built structures and site infrastructure. The following principles will apply to development in flood zone 3.

<sup>9</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-2-flood-risk-vulnerability-classification/>

<sup>10</sup> For more detail, go here: <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-3-flood-risk-vulnerability-and-flood-zone-compatibility/>

a) Greenfield sites

In the case of a 'green field' site which has not been the subject of any previous development, the site could function as an unconstrained, open floodplain, subject to the presence of any 'defences'. It may provide areas for water storage in times of flood and may have other value associated with this, for example as wet woodland.

b) Brownfield sites which have been previously developed

Sites categorised as "brownfield sites which have been previously developed" will typically cover sites larger than a single plot and may have been in use for a variety of uses, often employment based. Typically these will be characterised by areas of built development, including buildings and hardstandings, with undeveloped areas which might include vegetated margins or open areas. Parts of the site may function as functional floodplain and parts will not. The functionality of any part will depend on the way in which the water would behave in times of flood. If flood waters which inundate the site in a 1:20 (5%) annual probability event can pass under or through a building or sit on land this will be defined as functional floodplain, but where an existing building or structure acts as a barrier to flood water then its functionality is compromised and it will not be classified as Flood Zone 3b and can be described as Flood Zone 3a.

When considering development proposals for brownfield sites which have been previously developed, the objective is to locate development in a sequentially appropriate manner on the site and to reduce risk through design. An initial site appraisal should identify the different flood risk zones on the site (where applicable) and differentiate between areas of Flood Zone 3a and Flood Zone 3b, as described above.

A comprehensive and accurate site appraisal will be essential as part of an FRA in order to identify constraints and potential areas for development on a site within the floodplain. The appraisal as part of a Flood Risk Assessment should identify:

- i) Flood risk zones 1 – 3 within the site with reference to the SFRA/EA Flood Zone maps;
- ii) The boundaries between areas of Flood Zone 3a and the Flood Zone 3b;
- iii) The boundaries within mapped areas of Flood Zone 3b where water has to flow or be stored and land areas where buildings and other infrastructure restrict this functionality. The following will need to be considered in identifying these boundaries:
  - Extent of buildings on site and their footprints
  - Extent of hardstandings on site and their coverage
  - Permeability of the buildings and hardstandings on site, including the contribution of voids
  - Extent of open areas and drainage infrastructure on site and their capacity
  - Flow pathways and patterns within and off-site

Any site specific FRA also include an assessment of historical flooding.

Provision of this information will allow an accurate calculation to be made of the extent and location of Flood Zone 3a and Flood Zone 3b within the site. The objective of the appraisal is to identify the location and extent of the site that would be appropriate for development, so that the Broads Authority can ensure that it does not increase flood risk either off site or to the development.

Understanding how a site is affected at times of flooding can identify opportunities to allow a development to go ahead, reduce flood risk and identify mechanisms to improve flood storage capacity through layout and design. The appraisal will demonstrate where this is required.

Development should be located in a sequentially appropriate manner (which considers areas of lower flood risk first as discussed in the following section) across any flood risk zones, in accordance with the NPPG. Where there is existing development within Flood Zone 3a or 3b, opportunities to improve flood risk should follow the following hierarchy:

- i) relocate development to Flood Zone 1 (subject to other sources of flooding as discussed previously)
- ii) relocate development to a lower flood risk zone
- iii) ensure there is no net increase in the development area within Flood Zone 3a.

Land uses or development which is of a higher level of vulnerability, as defined in the NPPG, than existing or previous uses on the site will only be permitted if It complies with table 3 of the NPPG and all the other policy requirements (such as safety and not increasing flood risk elsewhere).

The objective when looking at development proposals on previously developed brownfield sites is to seek opportunities to restore the functionality of the floodplain. This must, however, be balanced against the need to maintain the land uses and development which support the economic and social viability of the Broads communities. So the over-riding principle in respect of development is that it should not increase risk above the existing level.

c) Brownfield sites which are currently developed

Sites categorised as “brownfield sites which are currently developed” will typically cover individual sites where replacement development is proposed. Typically these will be smaller plots and are owner occupied with limited (if any) opportunity for relocating development to an area of lesser flood risk, either on-site or elsewhere.

When considering proposals for replacement development, an initial appraisal should identify whether the development is located in Flood Zone 3a or Flood Zone 3b.

If the site is in Flood Zone 3b, new water compatible development and essential infrastructure that has been subject to the Exception Test (as defined in the NPPG) will be permitted or a like-for-like replacement of an existing use. As detailed above, existing built development on site may prevent parts of the site from functioning as Flood Zone 3b, meaning it will be considered as Flood Zone 3a. In those cases, it may be acceptable to locate development appropriate to Flood Zone 3a within the extent of the previously developed footprint. This will be subject to the usual considerations in terms of safety of the development.

If the site is in Flood Zone 3a, new development for water compatible uses, less vulnerable uses or more vulnerable subject to the Exception Test (as defined in the NPPG) will be permitted or a like-for-like replacement of an existing use. In all cases the safety of the proposed development would need to be considered.

The objective when looking at development proposals on brownfield sites which are currently developed is to ensure that development does not increase flood risk to the site or the building or elsewhere above the existing level. Opportunities to reduce flood risk should also be considered.

### 5.3. Sequential Test

The sequential test is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. The Sequential Test will be carried out by the Broads Authority on relevant applications located in Flood Zones 2 and 3 in accordance with the NPPF (except for minor development or changes of use – excluding a change of use involving camping and caravans), drawing on information provided by the developer. Sites must be reasonably available to be considered as part of the Sequential Test. The Environment Agency advises that the Sequential Test should be undertaken in isolation and judged on flood risk issues only. The results of the test should then be compared to other non-flood risk matters. A site may therefore pass the Sequential Test but still be considered inappropriate for other reasons, such as being contrary to the Local Plan.

The Authority will aim to minimise flood risk by directing development away from areas of high risk. However, this does not override other Core Strategy, Development Management or Site Specific policies which may indicate the unsuitability, for other reasons, of land in Flood Zones 1 or 2.

The following sections elaborate on how various elements of the Sequential Test should be addressed. The NPPG says:

*The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the Exception Test if required. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the Exception Test if required.*

#### a) Area of search

The area of search should be guided by the requirement for the proposed development in a particular area and should be discussed with the Broads Authority at the pre-application stage.

The Authority considers the following areas of search to be reasonable:

- The rest of the particular district within the Broads Authority Executive Area.
- Within the entire Parish
- Other settlements/parishes that are nearby (that may be out of the district)

It is acknowledged that the area of search could be outside of the Broads Authority Executive Area and would require discussions with other Local Planning Authorities. However sites that are at less risk of flooding could be in the non-Broads part of the settlement.

The Authority acknowledges that some schemes are site specific, such as the regeneration of a particular brownfield site or extension of a building. So it is impractical to change the location.

In all cases the developer must justify with evidence to the LPA what area of search has been used when making the application.

b) Passing the sequential test

If there are found to be other reasonably available sites at a lower risk of flooding, then the development has failed the Sequential Test and this could lead to refusal of planning permission. Failing to pass the Sequential Test is sufficient grounds for refusal, as it would make the proposal contrary to the NPPF and Local Plan policies.

If however there are no other reasonably available sites, then the development can be deemed as passing the Sequential Test. The Exception Test may also need to be undertaken at this point (if required).

c) Reasonably available sites

A site is considered to be reasonably available if all of the following apply:

- The site is available to be developed
- The site is within the agreed area of search
- The site is of comparable size in that it can accommodate the requirements of the proposed development
- The site is not safeguarded in the relevant Local Plan for another use
- It does not conflict with any other policies in the Core Strategy, Development Management DPD or Sites Specifics Local Plan.

A site is not considered to be reasonably available if they fail to meet all of the above requirements or already have planning permission for a development that is likely to be implemented.

#### **5.4. Exception Test**

The NPPF says that '*applications for minor development<sup>11</sup> and changes of use should not be subject to the Sequential or Exception Tests (except for any proposal involving a change of use to a caravan, camping or chalet site, or to a mobile home or park home site, where the Sequential and Exception Tests should be applied as appropriate) but should still meet the requirements for site-specific flood risk assessments*'.

The requirements of the Exception Test are set out in the NPPG. Table 3<sup>12</sup> of the NPPG sets out when the Exception Test needs to be carried out. The Broads Authority has considered these tests and has clarified how they will be interpreted locally in the context of the landscape character and spatial vision. Again, the developer must provide the evidence to enable the Exception Test to be applied by the Authority.

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<sup>11</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/what-is-meant-by-minor-development-in-relation-to-flood-risk/>

<sup>12</sup> For more detail, go here: <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-3-flood-risk-vulnerability-and-flood-zone-compatibility/>

The following conditions must be met in order for the Authority to be sure that a proposal is appropriate, in flood risk terms, if an Exception Test is required:

- a) The NPPF at paragraph 102 says that for the Exception Test to be passed ‘it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared’. To assess this, the Authority will use the most up to **date Local Plan Sustainability Appraisal Objectives**. These are set out at [Appendix C](#).
- b) The NPPF at paragraph 102 says that for the Exception Test to be passed ‘a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall’. The Broads Authority will presume **100 years for residential development** as per the National Planning Policy Guidance. The Authority requires **developers to set out the anticipated lifetime of non-residential development and justify this**.

In addition to these conditions, the following will also be applied as part of the Exception Test:

- c) The development must not compromise future flood alleviation or flood defence schemes;
- d) The Flood Risk Assessment must demonstrate how resilience to flooding has been incorporated through a design which does not detract from the character of the locality;
- e) The site-specific Flood Risk Assessment must demonstrate how the development will be compatible with the nature of flooding in the Broads, taking into account climate change and sea level rise over the planned life of the development (see section x on Climate Smart Thinking; and, in the case of the replacement of a residential property
- f) A residential development must be on a like-for-like basis, with no increase in the number of bedrooms, on the same sized footprint<sup>13</sup>, potentially being relocated in a less vulnerable part of the site.

The Authority may permit the relocation of existing development out of Flood Zone 3b to an undeveloped site with a lower probability of flooding where the vacated site is reinstated as naturally functioning floodplain, and where the benefits to flood risk outweigh the benefits of leaving the new site undeveloped. Such proposals will be considered against adopted planning policies.

The management of residual risk is another area that has to be addressed. There is no definition of what is deemed to be ‘safe’, but there is information from various sources that can provide a guide to what is acceptable in respect of flood depths and velocities.

A key document in this respect is the Defra/EA Research Report FD2320, ‘Flood Risk Assessment Guidance for New Development’<sup>14</sup>. Advice on the flood resistance and resilience of buildings can be found at section x of this SPD.

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<sup>13</sup> The “footprint” is the aggregate ground floor area of the existing on site buildings, including outbuildings which affect the functionality of the floodplain but excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

<sup>14</sup> [http://sciencesearch.defra.gov.uk/Document.aspx?Document=FD2320\\_3364\\_TRP.pdf](http://sciencesearch.defra.gov.uk/Document.aspx?Document=FD2320_3364_TRP.pdf)



### 5.5. Information for Flood Risk Assessments

Guidance on when an FRA is required and on preparing an FRA is available from the Environment Agency<sup>15</sup>. The NPPG<sup>16</sup> sets what is required in an FRA with a useful checklist.

The flood maps on the Environment Agency website show the flood zones and other sources of flood risk, highlighting when an FRA is required for flood risk from a main river or the sea. Further more detailed information will be required to consider the specific risk to the site and how it should be managed. Other documents should be consulted to assess risk of flooding from other sources and historical accounts such as Strategic Flood Risk Assessments, Surface Water Management Plans or local studies.

Climate change is an important consideration in producing FRAs. An allowance for climate change must be included as part of any submitted flood risk assessment. Guidance on the allowances to use can be found by using the following hyperlink <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>.

Redevelopment proposals in FZ3a & 3b should seek to demonstrate an improvement should seek to demonstrate an improvement in flood risk management (taking into account climate change over the development lifetime). For example, a building may be redesigned to be more flood resistant or have habitable areas raised. The frequency of flooding to the surrounding land may become greater and more hazardous with time, therefore offsetting any improvement to the design of the building and challenging the overall sustainability of the location for the given land use. These issues will need to be addressed in the site-specific Flood Risk Assessment. Some landowners may decide that risk management is too onerous and seek to relocate.

The table below shows Sea level allowance for each period of time in millimeters (mm) per year with cumulative sea level rise for each time period in brackets (using 1990 baseline/ as at April 2016)

<a href="#">Area of England</a>	1990 to 2025	2026 to 2050	2051 to 2080	2081 to 2115	Total sea level rise 1990 to 2115 / metres (m)
East, east midlands, London, south east	4 (140 mm)	8.5 (255 mm)	12 (360 mm)	15 (450 mm)	1.21 m

For certain application types the Environment Agency has prepared Flood Risk Standing Advice. Considerable additional information for developers and landowners can be found in the Environment Agency’s Standing Advice Development and Flood Risk<sup>17</sup>. Developers should refer to these sources of information so they are fully informed of the requirements at the time of their application.

<sup>15</sup> <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

<sup>16</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/strategic-flood-risk-assessment/>

For minor development, a Local Flood Risk Tick Sheet has been produced. This will assist applicants in producing a flood risk assessment for minor developments. It is in conformity with the NPPG FRA guidance and is designed to be user friendly for the applicant yet provide the information the BA needs to determine applications. See [Appendix F](#).

#### **5.6. Without increasing flood risk elsewhere**

The NPPF at paragraph 203 says *‘when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere...’*. One of the key objectives of a Flood Risk Assessment is to establish if a proposal will increase flood risk elsewhere. This may happen where development causes flows to be diverted, or where development takes up additional space within the floodplain causing floodplain storage capacity to be reduced. A Flood Risk Assessment should consider whether this will happen and propose mitigation measures. These may include for example the provision of compensatory floodplain storage, although this can be difficult to achieve in The Broads area. Sustainable drainage (SuDS) proposals should also be included within an assessment where a development would increase the impermeable area that would increase the surface water runoff from the site. This will ensure that flood risk is not increased elsewhere. For Brownfield sites, proposals should be put forward to limit the surface water discharge as close to greenfield runoff rates.

#### **5.7. Flood response plan template.**

A Flood Response Plan will always be required for development in flood zone 3. The client/developer responsibilities for health and safety and facilities management may also require a site-specific flood response plan. These are important considerations on commercial sites and are potential requirements for compliance with the Construction (Design and Management) Regulations 201518.

They can form one means of managing residual risk where a development is found to be acceptable in flood risk terms and is a valuable document for owners and occupiers of all property at risk of flooding to have in place. The Authority has produced guidance and a suggested structure for these plans. The guidance and structure can be found at [Appendix D](#).

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<sup>18</sup> [www.hse.gov.uk/construction/cdm.htm](http://www.hse.gov.uk/construction/cdm.htm)

## 6. Reducing Flood Risk to Development

### 6.1. Section introduction

Developers must demonstrate that development both appropriately manages flood risk and will still be of a scale and design appropriate to its Broads setting. The Authority will not permit development where the accommodation of measures to reduce flood risk leads to other, unacceptable, consequences. These may include an intrusive scale of building or land raising which is inappropriate in the landscape or built environment.

Developers should also note that, in accordance with advice in the NPPG, any necessary flood defence works required because of the development form part of that development and should be funded by the developer.

It should be noted that all aspects of the development need to comply with policies of the Core Strategy, Development Management DPD and Sites Specifics Local Plan and that conformity with Core Strategy policy CS20/DP29 does not override applicability of other plans.

The Authority will continue to give considerable weight to the advice of the Environment Agency with regard to the appropriateness of development and necessary flood alleviation measures.

### 6.2. Raising Floor Levels

This involves setting the building floor level above an appropriate flood level. This approach provides a partial solution by giving protection to people and accommodation, provided that the flood level does not exceed the floor level provided.

A development could be designed to allow the site to flood beneath a raised building. This method does not protect the building curtilage or access roads. In addition, flooding may prevent the effective operation of local drainage and sewage systems, with potential adverse environmental and amenity consequences. It is also difficult to apply new floor levels to building conversions.

The appropriate minimum floor levels to manage flood risk will be determined through the site-specific Flood Risk Assessment. The use of raised floor levels has significant implications for development. Firstly, it can lead to a raising of the ridge level and overall height of the building. Secondly, it affects the relationship between the floor level and the surrounding site and therefore the means of access into the building, including access for all. These aspects need careful consideration by the architect at an early stage to ensure that the resulting development will be acceptable in terms of its design in relation to its surroundings and that it complies with legal and policy requirements with regard to access for all.

### 6.3. Raising Plot Levels

Developers may seek to reduce the risk of flooding by raising the level of the land, either in isolation or in combination with a minimum floor level. This approach is unlikely to be a viable option in the Broads. The Authority and the Environment Agency have a preference against raising land levels, because:

- (i) It can serve to divert flood water onto neighbouring plots, particularly in areas primarily affected by fluvial flooding.

- (ii) Land in the Broads area is often wet and of poor load bearing capacity. Raising land by adding soil or other material may lead to the site sinking over a period of time.
- (iii) It affects the relationship of the site to surrounding plots, and to access roads. On waterside sites, the relationship to the river or broad is changed, often leading to the need for higher piling and quay heading, affecting the visual quality of the water's edge.
- (iv) It can be damaging to ecology, geomorphology, trees and other vegetation on the site.
- (v) It can change the character of the landscape. Land raising can increase the height and prominence of new buildings.
- (vi) It may be difficult to ensure that any replacement of lost flood storage capacity behaves in the same manner.

Compensatory floodplain storage may be required as a mitigation measure, but this can be difficult to achieve on small plots and the impact off-site would always need to be assessed.

#### **6.4. Bunds or Flood Walls**

In some exceptional cases it may be appropriate to consider the use of earth bunds or flood walls to reduce the risk of flooding of development or to protect existing development. This approach is less likely to be applicable to small-scale developments.

While acceptable in some locations, bunds or flood walls are likely to be damaging to the character of the landscape or built environment in others.

As with land raising, bunds can divert flood water onto neighbouring land, particularly in areas primarily affected by fluvial flooding. The provision of alternative flood storage capacity in the drainage compartment will be a requirement in the use of this technique. Careful consideration will be needed to ensure that the engineering requirements for bunds or flood walls are met and that, as far as possible, they are designed to be sympathetic to the local character. In addition, it will be important to ensure that a bund or flood wall does not prejudice the operational requirements of the site, for example at a boatyard or other employment site.

An Environmental Permit may be required under the Environmental Permitting (England and Wales) Legislation 2010. Check the information at <https://www.gov.uk/topic/environmental-management/environmental-permits> for advice.

#### **6.5. Floating/Amphibious Structures**

Another option to explore is a fixed but floating solution to development for commercial uses or replacement residential properties. Development might be located on land or in a mooring cut within a currently developed plot giving connectivity with the landscape, retaining the feeling of intimacy on the waterway and the sense of space between development experienced throughout the Broads system.

For such development to be acceptable, it must also not increase flood risk elsewhere; reduce flood risk overall wherever possible; and be safe for its lifetime taking into account climate change. Solutions would have to address design issues, including height and the visual impact of floats, as well as consideration of safe access and egress at times of flood and infrastructure requirements.

Impact on navigation is also an important consideration. The new Local Plan (in production at the time of this SPD) seeks to address floating buildings.

The appropriateness of such development must be considered based upon its Flood Risk Vulnerability Classification from Table 2 of the Flood Risk and Coastal Change Planning Practice Guidance.

Such development would also need to consider Water Framework Directive impacts through an assessment of direct effects on river morphology.

### **6.6. Resilience and Resistance**

Flood-resilient buildings are designed and constructed to reduce the impact of flood water entering the building so that no permanent damage is caused, structural integrity is maintained and drying and cleaning is easier. Flood-resistant construction can prevent entry of water or minimise the amount that may enter a building where there is short duration flooding outside with water depths of 0.6 metres or less.

Consideration should be given at the design stage to the potential effects of flooding on the electrical, foul drainage and other key aspects of the development.

Developers may also put forward innovative approaches towards reducing the risks or effects of flooding. The Broads Authority will give careful consideration to such proposals which:

- Build in resilience and allow sites to flood, for example in commercial non-residential buildings and voids around or under replacement chalets or extensions to buildings for example.
- Utilise floating walkways as a safe means of escape.
- Use soft river edge protection measures which absorb water, reduce erosion from wake and encourage plant growth<sup>19</sup>.
- Provide compensatory flood storage capacity or washlands (which are areas provided to be deliberately flooded).

Further information can be found in the following documents:

- Improving the Flood Performance of New Buildings: Flood Resilient Construction (CLG 2007)<sup>20</sup>
- SIX STEPS TO PROPERTY LEVEL FLOOD PROTECTION - Guidance for property owners<sup>21</sup>
- Flood Protection and your property. A guide to protecting your home (Property Care Association, 2014)<sup>22</sup>

### **6.7. Sustainable Drainage Systems (SUDS)**

<sup>19</sup> See Design Guides: <http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides>

<sup>20</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7730/flood\\_performance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7730/flood_performance.pdf)

<sup>21</sup> [http://www.smartfloodprotection.com/wp-content/uploads/dlm\\_uploads/2014/09/property\\_owners\\_guidance\\_revised.pdf](http://www.smartfloodprotection.com/wp-content/uploads/dlm_uploads/2014/09/property_owners_guidance_revised.pdf).

The guidance has been endorsed by the National Flood Forum, the Association of British Insurers, Defra, the Environment Agency, the Flood Protection Association, and the Local Government Association and was produced through the EUFP7 funded SMARTeST Project (further details: [www.floodresilience.eu](http://www.floodresilience.eu) and [www.tech.floodresilience.eu](http://www.tech.floodresilience.eu)).

<sup>22</sup> <http://www.property-care.org/wp-content/uploads/2015/03/FPG-Leaflet-A5-Folded-to-A3-Draft-3-FINAL-WEB.pdf>

Surface water drainage systems developed in line with the ideals of sustainable development are collectively referred to as Sustainable Drainage Systems (SuDS). Approaches to manage surface water that take into account water quantity (flooding), water quality (pollution), amenity and biodiversity issues are collectively referred to as Sustainable drainage. The philosophy of SuDS is to replicate, as closely as possible, the natural drainage from a site before development. Including the use of shallow surface structures to mimic the pre development scenario and manage water close to where it falls. SuDS can be designed to slow water down (attenuate) before it enters streams, rivers and other watercourses, they provide areas to store water in natural contours and can be used to allow water to soak (infiltrate) into the ground, evaporate from surface water or transpired from vegetation (known as evapotranspiration).

All major development is expected to include Sustainable Drainage (SuDS) to manage surface water runoff, unless it is demonstrated to be inappropriate. The written Ministerial Statement (December 2014) can be found at <https://www.gov.uk/government/speeches/sustainable-drainage-systems>

Where any SuDS are proposed it is important to demonstrate that the SuDS hierarchy has been followed both in terms of:

- surface water disposal location, prioritised in the following order: disposal of water to shallow infiltration, to a watercourse, to a surface water sewer, combined sewer / deep infiltration (generally greater than 2m below ground level),
- the SuDS components used within the management train (source, site and regional control)

At least one feasible proposal for the disposal of surface water drainage should be demonstrated and in many cases supported by the inclusion of appropriate information. It is recognised that many areas in the Broads Authority area may not be suitable for infiltration SuDS due to the location in low lying areas very close to main rivers or due to high ground water levels. However, other SuDS disposal locations are likely to be available and there are many SuDS components which can attenuate and treat water quality without relying on infiltration. Careful consideration would be needed to ensure that any development would not remove flood water storage in areas of fluvial flood risk (e.g. Flood Zone 3). There may also be constraints to surface water discharges relating to high water levels in a receiving watercourse especially those which are tidal.

There are various sources of technical information that can be used when addressing surface water and designing SuDS:

- NPPG<sup>23</sup>
- Non-statutory technical standards for the design, maintenance and operation of sustainable drainage systems<sup>24</sup>
- SuDS manual produced by CIRIA<sup>25</sup>.
- With regards to adopting SuDS, Anglian Water's current standards for SuDS adoption are available to view at the following address: <http://www.anglianwater.co.uk/developers/suds.aspx>

<sup>23</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/reducing-the-causes-and-impacts-of-flooding/why-are-sustainable-drainage-systems-important/>

<sup>24</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/415773/sustainable-drainage-technical-standards.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf)

<sup>25</sup> In delivering SuDS there is a requirement to meet the framework set out by the Government's 'non statutory technical standards' and the revised SuDS Manual complements these but goes further to support the cost-effective delivery of multiple benefits. [http://www.ciria.org/Resources/Free\\_publications/SuDS\\_manual\\_C753.aspx](http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx)

## 7. Other Important Considerations

### 7.1. Planning permission does not guarantee insurance cover

Future insurance cover (in terms of adequate value and at a reasonable cost) for development in flood zones should be an important consideration for the applicant/developer of the scheme. If a scheme was to get planning permission, there is no guarantee that it will successfully get adequate insurance cover at a reasonable cost to the owner or occupier. The Broads Authority strongly recommends that prior to application and delivery on site an insurance provider is contacted and the likelihood of a development getting insured for an adequate value at an acceptable cost is investigated.

### 7.2. Check Building Regulation requirements

A development proposal could seek to address flood risk through its design and seem acceptable from a planning point of view, but there could be issues with meeting the requirements of Building Regulations. The Broads Authority strongly recommends that any design measures to mitigate against or manage flood risk and make a development resilient or resistant to flood risk is discussed with a Building Regulations professional prior to application and delivery on site.

### 7.3. Consents

Under the Environmental Permitting (England and Wales) Regulations 2010, an environmental permit may be required for works in, under, over or within 8m of a main river or flood defence; or within 16m of a tidally influenced main river or associated flood defence. In the Broads, main rivers are usually tidally influenced so the wider distance will most likely apply.

'Flood Risk Activities' may require the Environment Agency to issue a bespoke permit, or may be covered by a standard rules permit which includes a set of fixed rules. Activities identified as lower risk may be excluded from the need for a permit or may need to be registered as an exempt activity and comply with certain rules.

Further information on Flood Risk Activity permits is available from:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

To apply or seek further advice, contact the Environment Agency by email:

[floodriskactivity@environment-agency.gov.uk](mailto:floodriskactivity@environment-agency.gov.uk) or by telephone: 03708 506 506.

Land drainage consent may also be required for any culverts or works affecting the flow of an ordinary watercourse (non-main river). It should be noted that the Broads Authority seeks to avoid the use of culverts, and consent for such works will not normally be granted watercourses due to the adverse impacts on ecology and the potential for an increase in flood risk, except when used as part of water control structures within drainage systems on marshes or fen sites and occasionally for access for equipment over marsh drainage dykes. Culverts are generally pipes through which the watercourse is channelled and can potentially restrict the flow. If the use of a culvert cannot be avoided then their size should be designed such that they have capacity for high flow conditions (and this specification might be a matter for the IDB or Environment Agency to consider). It should be noted that these approvals are separate from the planning process.

#### 7.4. Flood Warnings

It is emphasised that the application of measures referred to in this document is not a guarantee against flooding. While the risk of flooding can be reduced, a residual risk will always remain.

Individual dwellings and whole sites can be registered with the Environment Agency's flood warning service 'Floodline Warnings Direct'. The Floodline Warnings Direct (FWD) service provides information concerning the current and future flooding danger. In the event that flooding in your area is anticipated, the Environment Agency will issue a flood warning by phone, text or email.

The Environment Agency endeavour to give 10 to 12 hours' notice of Tidal Flooding through the Flood Warning Service to the coast, estuaries and Broads. This may vary depending on the conditions on the day, timing of the tide in question and your particular location in the Broads (due to the time the tide takes to travel up the Broadland rivers). However the notice given for potential flooding problems will be no less than 2 hours and will usually be a lot more. Further information can be obtained via: <https://flood-warning-information.service.gov.uk>.

It is not possible for the EA to warn for a 'Breach' of defences. This should be considered a part of the Flood Response Plan.

#### 7.5. Climate Smart Approach

To consider how to ensure your development is suitably proofed against a changing climate you may wish to take a Climate-Smart Approach. The Approach takes you through a series of simple steps to consider how a difference in the climate might impact on the way you live or work and what options you could develop to help build resilience or adapt to a changing regime.

These are summarised in this diagram and more detail is given in [Appendix E](#).

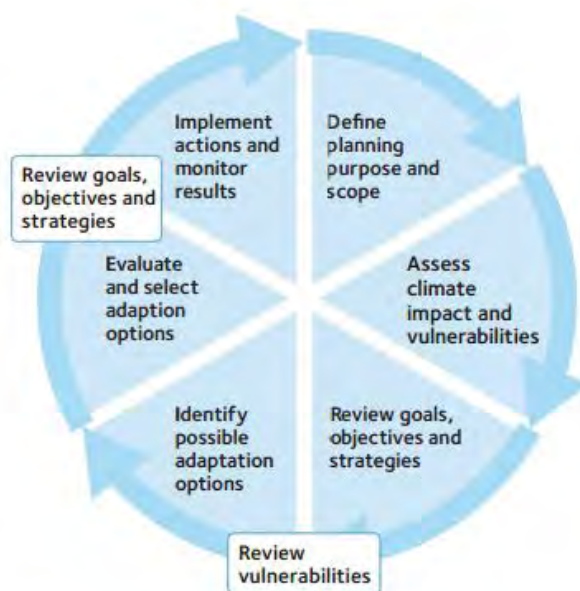


Figure 1 Climate-smart planning cycle

The uncertainty about climate change should not be a reason to avoid preparing for it. However, we need climate adaptation responses that are robust, informed and



flexible. To help develop adaptation planning in the Broads we are suggesting using a 'climate-smart' approach.

The long-term aim of climate-smart planning is to sustain the environment and the multiple benefits it provides for people. Adaptive actions should also seek to reduce greenhouse gas emissions and improve evidence and understanding of climate change processes and impacts.

We can test whether our plans will help us adapt to changes in weather, climate change and sea level rise by:

- \* Focusing on future possibilities rather than trying to retain the past
- \* Being flexible enough to cope with climate uncertainties
- \* Avoiding adaptation actions that actually makes (other) things worse – sometimes known as 'maladaptation'

Climate-smart planning can be done at an individual site level or a larger area level. It should help identify adaptive options within the proposed development or identify when there needs to be changes to the proposed goals because climate (flood) risks means the original intentions become unachievable – perhaps due to cost or technical issues. Climate-smart planning is therefore a repeating cycle.

An increased risk of flooding (from a rising sea level and more extreme rainfall events) is probably the greatest changing risk but consideration of all extreme events, periods of increased temperature and more cloud free days could all have impacts. Warmer weather and less days of frost could be opportunities that might help a development and could be easily adapted to. A simple table of likely risks and some initial thinking about adaptation options can be found in the Full and Summary Broads Climate Adaptation Plans<sup>26</sup>.

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<sup>26</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0005/709160/Climate-Adaptation-Plan-Report.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/709160/Climate-Adaptation-Plan-Report.pdf)

## 8. Summary and Conclusions

The purpose of this SPD is to increase awareness of the nature of flood risk in the Broads area, give advice to developers and others about the Authority's approach to the issue of development and flood risk, and stress the need to maintain a high standard of design in new waterside development.

This SPD will replace the 2008 SPD. We are reviewing the current 2008 SPD because:

- The current SPD is out of date. It initially bridged the policy gap between 2007 Core Strategy and 2011 DM DPD.
- The current SPD was based on PPS25. This has been withdrawn with national flood risk policy and guidance contained in the NPPF and NPPG.
- The Broads Authority has explored climate change issues in more detail

The SPD seeks to clarify and expand on Policy DM29. It sets out a local approach to some some national guidance. Furthermore, there are templates and checklists relating to small scale Flood Risk Assessments and Flood Response Plans.

The consultation on this SPD runs from 21 November until 4pm on 16 December. That is a period of 5 weeks and reflects the build up to Christmas as well as the next version of the Local Plan being out for consultation on 4 December for 9 weeks. The minimum period for consultation for a SPD is 4 weeks.

The consultation version of the SPD is available at <http://www.broads-authority.gov.uk/broadsconsultations>.

## Appendix A: Glossary and Abbreviations

### Catchment

The area contributing surface water flow to a point on a drainage or river system. It can be divided into sub-catchments.

### Climate Change

Any long-term significant change in the average weather that a given region experiences. Average weather may include average temperature, precipitation and wind patterns.

### Environment Agency

Are a UK non-departmental public body of DEFRA with the principle aim of protecting and enhancing the environment to make a contribution towards the objective of achieving sustainable development. The Agency has principle responsibility for river flooding.

### Exception Test

If, following application of the Sequential Test (see below), it is not possible for proposed development to be located in zones of lower probability of flooding, the Exception Test should be applied. For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

### Flood Resilience

Measures that minimise water ingress and promote fast drying and easy cleaning, to prevent any permanent damage.

### Flood Resistance

Measures to prevent flood water entering a building or damaging its fabric. This has the same meaning as flood proof.

### Flood Risk

The level of flood risk is the product of the frequency or likelihood of the flood events and their consequences (such as loss, damage, harm, distress and disruption).

### Flood Zone

Flood Zones show the probability of flooding, ignoring the presence of existing defences

#### Zone 1: Low Probability of flooding

Land having a less than 1 in 1,000 (0.1%) annual probability of river or sea flooding.

#### Zone 2: Medium Probability of flooding

Land having between a 1 in 100 (1%) and 1 in 1,000 (0.1%) annual probability of river flooding; or Land having between a 1 in 200 (0.5%) and 1 in 1,000 (0.1%) annual probability of sea/tidal flooding.

#### Zone 3a: High Probability

Land having a 1 in 100 (1%) or greater annual probability of river flooding; or

Land having a 1 in 200 (0.5%) or greater annual probability of sea/tidal flooding.

### **Zone 3b: The Functional Floodplain**

This zone comprises land where water has to flow or be stored in times of flood, during a flood event with an annual probability of 1 in 20 (5%) or greater.

### **Functional Floodplain**

Land where water has to flow or be stored in times of flood.

### **Floodplain**

Land adjacent to a watercourse that is subject to repeated flooding under natural conditions.

### **Flood Risk Assessment (FRA)**

An assessment of the risk of flooding, particularly in relation to residential, commercial and industrial land use. FRAs are required to be completed according to the NPPF alongside planning applications in areas that are known to be at risk of flooding.

### **Fluvial flooding**

Flooding from a watercourse (brooks, streams, rivers and lakes etc) that occurs when the water features cannot cope with the amount of water draining into them, from the land. When rainfall is heavy and / or prolonged, a large amount of run-off reaches the rivers and eventually causes them to overtop their banks.

### **Lead Local Flood Authority (LLFA)**

Established through the Flood and Water Management Act as the body responsible for managing local flood risk from surface runoff, ordinary watercourses and groundwater.

### **Main River**

Main rivers are usually larger rivers and streams. In England, the Environment Agency decides which watercourses are main rivers. It consults with other risk management authorities and the public before making these decisions. The main river map is then updated to reflect these changes.

### **Material Consideration**

A legal term describing a matter or subject which is relevant (material) for a local authority to consider when using its powers under planning law in dealing with a planning application.

### **Ordinary Watercourse**

An 'ordinary watercourse' is a watercourse that is not part of a main river and includes rivers, streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows

### **Pluvial Flooding**

Flooding that result from rainfall generated overland flow before the runoff enters any watercourse or sewer. It is usually associated with high intensity rainfall events. Also referred to as surface water flooding.

### **Residual Flood Risk**

The remaining flood risk after risk reduction measures have been taken into account. Or the risk

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following the failure of defence/flood protection measures.

### **River Morphology**

The shape of the river channel, including the form of the bed and banks.

### **Run-off**

Water flow over the ground surface to the drainage system. This occurs if the ground is impermeable, is saturated or if rainfall is particularly intense.

### **Section 106 (Town and Country Planning Act 1990)**

A section within the Town and Country Planning Act 1990 that allows a planning obligation to a local planning authority to be legally binding.

### **Sequential Test**

The NPPF advocates that planners use a sequential test when considering land allocations for development to avoid flood risk where possible. The Sequential Test aims to steer development to Flood Zone 1, which is an area at low risk of flooding. Where it is not possible to locate development in such locations sites in Flood Zone 2 will be considered. Only where it is not possible to locate development within Flood Zones 1 and 2 will development in Flood Zone 3 be considered.

### **SUDS (Sustainable Drainage Systems)**

A sequence of management practices and control structures designed to drain surface water in a more sustainable fashion than some conventional techniques. Surface water management - The management of runoff in stages as it drains from a site.

### **Watercourse**

A term including all rivers, streams ditches drains cuts culverts dykes sluices and passages through which water flows.

### **Water Framework Directive**

The Water Framework Directive (WFD) is legislation to protect and improve water resources. It requires an integrated approach to the management of water; including rivers, streams, lakes, estuaries and coastal waters, as well as surface water and groundwater.

## Appendix B: The Broads Planning Policy Context

### National Planning Policy

The National Planning Policy Framework sets out government's planning policies for England and how these are expected to be applied. In relation to flood risk, paragraph 100 generally summarises the approach taken to flood risk:

**100.** Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:

- applying the Sequential Test;
- if necessary, applying the Exception Test;
- safeguarding land from development that is required for current and future flood management;
- using opportunities offered by new development to reduce the causes and impacts of flooding; and
- where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations.

The National Planning Practice Guidance is an on-line resource that elaborates and gives more detail of policies in the NPPF. For example, the NPPG has vulnerability classification tables as well as information on what a Strategic Flood Risk Assessment should address.

The NPPF and NPPG have replaced PPS25 in relation to the Government's planning policy on flood risk and flooding.

The NPPG pages on flood risk and coastal change can be found here:

<http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/>

The NPPF can be found here:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

### Core Strategy

The Core Strategy was adopted in 2007. Within the Core strategy are strategic policies. Flood risk related policies of relevance are listed below.

**CS18** Development will be located to protect the countryside from inappropriate uses to achieve sustainable patterns of development, by concentrating development in locations:

- with local facilities;
- with high levels of accessibility; and
- where previously developed land is utilised.

**CS20** Development within the Environment Agency’s flood risk zones will only be acceptable when it is:

- compatible with national policy and when the sequential test and the exception test, where applicable, as set out in PPS25 have been satisfied,
- demonstrated that it is necessary to support the social and economic needs of the local community,
- would not increase flood risk elsewhere; and
- would not affect the ability for future flood alleviation projects to be undertaken.

**CS23** A network of waterside sites will be maintained throughout the system in employment use, providing:

- boating support services;
- provision of visitor facilities;
- access to the water;
- wider infrastructure to support tourism;
- recreational facilities; and
- community facilities.

Limited redevelopment of boatyards and other waterside employment sites for tourism or leisure-based operations will be permitted, subject to retention of a network of boating services and to the use for employment purposes of the major part of the sites.

Please note that these three policies have been assessed against the NPPF, which came into force in March 2012:

- CS18: Generally consistent, but potential for a degree of inconsistency only if this is used to exclude all development elsewhere (see, e.g., NPPF para 29).
- CS20: Generally consistent, but potential for a degree of inconsistency only if this is used too rigidly (for instance in relation to minor development, non- „new“ development, development, etc.), and reference to PPS25 is redundant. No action required ahead of Plan review.
- CS23: policies are considered to be wholly consistent with the NPPF and can be afforded full weight in decision making.

### **Development Management DPD**

The Development Management DPD was adopted in 2011. The policies within this document provide detail to help determine planning applications.

### **DP4 – Design**

All development will be expected to be of a high design quality. Development should integrate effectively with its surroundings, reinforce local distinctiveness and landscape character and preserve or enhance cultural heritage. Innovative designs will be encouraged where appropriate.

Proposals will be assessed to ensure they effectively address the following matters (*iInter ali*)

(i) Flood Risk and Resilience: Development should be designed to reduce flood risk but still be of a scale and design appropriate to its Broads setting. Traditional or innovative approaches may be employed to reduce the risks and effects of flooding.

**DP24 – Replacement Dwellings**

Replacement dwellings outside of the development boundary will be permitted on a one-for-one basis provided that: (*inter alia*)

(b) The replacement would be located within the same building footprint as the existing dwelling or in an alternative location within the same curtilage, which would be less visually prominent and/or at a lower risk of flooding.

**DP29 - Development on Sites with a High Probability of Flooding**

See section 2 for policy text.

Please note that these three policies have been assessed against the NPPF, which came into force in March 2012:

- DP4 and DP29: policies are considered to be wholly consistent with the NPPF and can be afforded full weight in decision making.
- DP24: Policy issues not specifically reflected in NPPF. However general thrust of housing policies in the NPPF would be less restrictive than this policy. Continue to apply weight to policy. No action required ahead of Plan review. See para 3.2 of main report.

**Sites Specifics Local Plan**

The Sites Specifics Local Plan was adopted in 2014. The allocations range from open space and mixed use development to areas of tranquillity. No additional local policy on flood risk is included. Where flood risk has the potential to be a consideration on a particular site, the policy emphasises this and directs towards national flood risk policy.

**Neighbourhood Plans**

At the time of writing, Acle and Strumpshaw Neighbourhood Plans were adopted. The Neighbourhood Plans do not include an additional policy on flood risk, but where flood risk has the potential to be a consideration on a particular site, the policy emphasises this and directs towards Broads Authority and national flood risk policy.

**The New Broads Local Plan**

At the time of writing, a new Local Plan was being produced for the Broads. This Local Plan will bring together strategic, development management and site specific policies. Some existing adopted policies will be rolled forward and some new issues will be addressed. Flood risk will be one of the issues addressed in the new Local Plan. The Local Plan is due for adoption in spring 2018.



## Appendix C: Strategic Environmental Assessment

The Strategic Environmental Assessment (SEA) Directive is a European Union requirement that seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing certain plans and programmes. Its aim is “to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”

With regards to a SPD requiring a SEA, the NPPG says:

*Supplementary planning documents do not require a sustainability appraisal but may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already have been assessed during the preparation of the Local Plan.*

*A strategic environmental assessment is unlikely to be required where a supplementary planning document deals only with a small area at a local level (see regulation 5(6) of the Environmental Assessment of Plans and Programmes Regulations 2004), unless it is considered that there are likely to be significant environmental effects.*

*Before deciding whether significant environment effects are likely, the local planning authority should take into account the criteria specified in Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies.*

The following is an internal assessment relating to the requirement of the Flood Risk SPD to undergo a Strategic Environmental Assessment.

The Environmental Assessment of Plans and Programmes Regulations 2004 requirement	Assessment of the Flood Risk SPD
<b>Environmental assessment for plans and programmes: first formal preparatory act on or after 21st July 2004</b>	
Is on or after 21st July 2004.	Yes. The SPD will be completed in 2016.
The plan or programme sets the framework for future development consent of projects.	No. It elaborates on already adopted policy.
The plan or programme is the subject of a determination under regulation 9(1) or a direction under regulation 10(3) that it is likely to have significant environmental effects.	See assessment in this table.
<b>CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT</b>	
<b>1. The characteristics of plans and programmes, having regard, in particular, to</b>	
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The SPD expands on adopted policy. It will be a material consideration in determining planning applications. The SPD does relate to location (in referring to flood zones 3a and 3b) and size (of replacement dwellings) as well as operating conditions (in relation to resilience and guidance for flood response plans).
the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD does not influence other plans, rather expands on adopted policy. That is to say, it has been influenced by other plans or

The Environmental Assessment of Plans and Programmes Regulations 2004 requirement	Assessment of the Flood Risk SPD
	programmes.
the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	The adopted policy and the SPD (which expands on adopted policy) seek to promote sustainable development.
environmental problems relevant to the plan or programme	The SPD relates to adopted policies on flood risk. The environmental problem is flood risk.
the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD relates to adopted policies on flood risk. The environmental problem is flood risk.
<b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to</b>	
the probability, duration, frequency and reversibility of the effects	The SPD will not affect the probability, duration or frequency of the causes of flood events. That is down to the weather or tide in the main. The impact of flooding on development (and people) already in place is not likely to be affected by this SPD (unless an application is submitted to change the existing development in some form). The adopted policy (on which this SPD expands) could affect the scale of flooding and impact on flooding although the development in the Broads tends to be minor in scale. If the SPD is followed, this could be a positive effect when compared to a development that does not follow a revised SPD.
the cumulative nature of the effects	Flood risk can be increased because of other developments. The SPD refers to the issue of increasing flood risk elsewhere which is linked to cumulative effects.
the transboundary nature of the effects	The Broads Authority sits within six districts so by its very nature there are transboundary considerations, in relation to administrative boundaries. Flood plains are identified for watercourses so to some extent, the transboundary nature of fluvial flooding is known. The transboundary nature of surface water flooding is an area of work which the Lead Local Flood Authorities either have or are working on.
the risks to human health or the environment (for example, due to accidents)	The SPD seeks to elaborate on adopted policies relating to flood risk. Flood risk can affect human health and the environment. The contents of the SPD seek to reduce flood risk and therefore reduce impacts on human health and the environment.
the magnitude and spatial extent of the effects (geographical area and size of the population)	The SPD will cover the Broads Authority which includes 6,000 permanent residents. There are

The Environmental Assessment of Plans and Programmes Regulations 2004 requirement	Assessment of the Flood Risk SPD
likely to be affected)	also visitors throughout the year.
the value and vulnerability of the area likely to be affected due to— <ul style="list-style-type: none"> <li>• special natural characteristics or cultural heritage;</li> <li>• exceeded environmental quality standards or limit values; or</li> <li>• intensive land-use;</li> </ul>	The Broads is special in its natural characteristics and cultural heritage. Unsure if standards or limits have been exceeded in the Broads Not relevant
The effects on areas or landscapes which have a recognised national, Community or international protection status.	The area to which the SPD applies is the Broads with an equivalent status to that of a National Park.

The environment bodies were consulted in April 2016. Their responses are below.

- **Natural England:** It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), that there are unlikely to be significant environmental effects from the proposed plan on sensitive sites that Natural England has a statutory duty to protect.
- **Historic England:** It does not appear that the historic environment is affected, which would be the primary focus for Historic England. In light of the points raised by other statutory consultees such as the Environment Agency in particular then I would conclude that an SEA is unlikely to be required. If the Broads Authority are minded to undertake an assessment against the existing SA objectives that are being developed for the Local Plan, then Historic England would conclude that this is beneficial to the assessment of any significant impacts
- **Environment Agency:** I've considered the question on whether the Broads Flood Risk SPD requires SEA; and in my opinion it does not. This is based primarily on the assertion (which I support) that it is not the SPD that is setting the framework for future consents and projects. The SPD is not setting policy, it is assisting with the interpretation and application of existing policy primarily that contained in the National Planning Policy Framework, but also the policy approach as detailed in the Planning Practice Guidance and reflected in the Local Plan.

As such, an SEA has not been completed on the Flood Risk SPD. The SPD has been assessed against the Broads Local Plan Sustainability Appraisal Objectives however.

The SA Scoping Report was consulted on between October 2014 and 14 November 2014 with the following organisations, as required by legislation: Historic England, Natural England and The Environment Agency. In the spirit of Duty to Cooperate, the constituent district and county councils have also been consulted: Norfolk County Council, Suffolk County Council, North Norfolk District Council, Waveney District Council, Great Yarmouth Borough Council, Norwich City Council, South Norfolk District Council and Broadland District Council. The Authority also consulted the RSPB, New Anglia, Wild Anglia and Marine Management Organisation to ascertain their views. The organisations generally supported the objectives.

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SA Objective	Assessment
ENV1: To reduce the adverse effects of traffic (on roads and water).	- Does not directly address traffic
ENV2: To improve water quality and use water efficiently.	A flood event can result in some water quality issues if drains, sewers or toilets are flooded.
ENV3: To protect and enhance biodiversity and geodiversity.	Highlights that some forms of resilience could impact wildlife.
ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.	Highlights that some forms of resilience could impact on landscapes.
ENV5: To adapt to and mitigate against the impacts of climate change.	Flooding is a potential consequence of climate change.
ENV6: To avoid, reduce and manage flood risk.	The SPD is on the subject of flood risk.
ENV7: To manage resources sustainably through the effective use of land, energy and materials.	- Does not directly address land, energy and materials.
ENV8: To minimise the production and impacts of waste through reducing what is wasted, re-using and recycling what is left.	- Does not directly address waste.
ENV9: To conserve and enhance the cultural heritage, historic environment, heritage assets and their settings	Highlights that some forms of resilience could impact on heritage.
ENV10: To achieve the highest quality of design that is innovative, imaginative, and sustainable and reflects local distinctiveness.	Design is addressed in the SPD.
ENV11: To improve air quality and minimise noise, vibration and light pollution.	- Does not directly address these forms of pollution.
ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape	- Does not directly address energy.
ENV13: To reduce vulnerability to coastal change.	- Does not directly address climate change.
SOC1: To improve the health of the population and promote a healthy lifestyle.	There can be impacts on health from flooding.
SCO2: To reduce poverty, inequality and social exclusion.	- Does not directly address poverty.
SOC3: To improve education and skills including those related to local traditional industries.	- Does not directly address education.
SOC4: To enable suitable stock of housing meeting local needs including affordability.	Housing is referred to in the SPD.
SOC5: To maximise opportunities for new/ additional employment	Employment development is referred to in the SPD.
SOC6a: To improve the quality, range and accessibility of community services and facilities	- Does not directly address access to services.
SOC6b: To ensure new development is sustainably located with good access by means other than a private car to a range of community services and facilities.	
SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.	- Does not directly address crime or community identity.
ECO1: To support a flourishing and sustainable economy	Employment development is referred to in the SPD.
ECO2: To ensure the economy actively contributes to social and environmental well-being.	Employment development is referred to in the SPD.
ECO3: To improve economic performance in rural areas.	- Does not directly address economic performance.
ECO4: To offer opportunities for Tourism and recreation in a way that helps the economy, society and the environment.	Employment development is referred to in the SPD.

## Appendix D: Flood Response Plan Guidance and Structure



### Broads Authority

### Flood Response Plan Guidance and Suggested Structure

#### Chapter 1: Flood Response Plan Guidance

##### 1. Introduction

This guidance has been prepared for the purpose of assisting the preparation of Flood Response Plans (FRP). Such Plans should be provided as part of a Flood Risk Assessment where this is necessary to accompany a planning application or, if not submitted with an application, are often required by planning condition if permission is issued. All residents and businesses in flood risk areas are encouraged to prepare and maintain a Flood Response Plan so they are prepared in the event of a flood.

Floods present a danger to health and life and can damage property. It is important to be prepared in advance to limit the dangers and damage. At times of flooding, emergency and other local services will be under significant pressure and the better prepared you are as an individual, the less pressure they will be under so they can attend to the most vulnerable in the community. Even if you are not physically injured in a flood, the consequences can have an emotional impact due to the shock and disruption and damage to, or loss of, property and possessions. Being proactive and having a Plan you are familiar with in advance can help you take prompt, effective action when warnings are issued and enable an easy and efficient recovery.

Every effort has been made to ensure this guidance is accurate and comprehensive as at the date it was prepared, however it is the responsibility of the developer to ensure that any additional risks relevant to a particular property development are fully considered. The Broads Authority will not accept responsibility for any errors, omissions or misleading statements in this guidance or for any loss, damage or inconvenience caused as a result of relying on this guidance.

##### 2. Flood Response Plans - considerations

The Environment Agency is responsible for the provision of flood warnings to the public. Anyone can register with the Environment Agency's flood warning service 'Floodline Warnings Direct'<sup>27</sup>. The Floodline Warnings Direct (FWD) service provides information concerning the current and future flooding danger. In the event that flooding in your area is anticipated, the Environment Agency will issue a flood warning to registered users by telephoning a pre-arranged number with a recorded message or by sending a text or email.

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<sup>27</sup> <https://fwd.environment-agency.gov.uk/app/olr/register>

The 3 flood warning codes are:



**Severe Flood Warning**  
Severe flooding. Danger to life.



**Flood Warning**  
Flooding is expected. Immediate action required



**Flood Alert**  
Flooding is possible. Be prepared.

When drafting a FRP you are strongly encouraged to liaise with the owners/occupiers of any neighbouring and nearby sites in the drafting of their FRPs to coordinate procedures and so minimise confusion during an incident.

FRPs should reflect the fact that people should evacuate *prior* to a flood occurring. Once an area has been *inundated* staying put, rather than evacuating, could be the safer option in the event of flooding because of the dangers of moving in flooded areas such as lifted manhole covers and contaminated water, but it is important to note that in the Broads area, flood waters may take a longer time to subside which can cause difficulties for those taking refuge within buildings. Your FRP should reflect the local circumstances.

Consideration should be given to informing appropriate response organisations, such as Social Services, about any elderly or vulnerable people who may require extra assistance in the event of an emergency such as a flood.

Ensure that the FRP deals with the potential difficulties involved in immediate evacuation which may need to be carried out in inclement weather and require the provision of transport to reach local authority designated rest centres.

Particular attention should be given to the communication of warnings to vulnerable people including those with impaired hearing or sight and those with restricted mobility.

### **3. Other sources of useful information**

Emergencies web pages of the County and District Councils contain useful information which you may wish to consult/refer to in your FRP:

- Norfolk County Council:  
[http://www.norfolk.gov.uk/safety\\_emergencies\\_and\\_accidents/index.htm](http://www.norfolk.gov.uk/safety_emergencies_and_accidents/index.htm)

- Suffolk County Council and Waveney District Council:  
<https://www.suffolk.gov.uk/emergency-and-rescue/>
- South Norfolk Council:  
<http://www.south-norfolk.gov.uk/environment/1507.asp>
- Broadland Council:  
<http://www.broadland.gov.uk/environment/316.asp>
- Norwich Council:  
[https://www.norwich.gov.uk/info/20226/emergency\\_planning](https://www.norwich.gov.uk/info/20226/emergency_planning)
- North Norfolk Council:  
<https://www.northnorfolk.org/environment/18874.asp>
- Great Yarmouth Council:  
<http://www.great-yarmouth.gov.uk/article/2512/Emergency-planning>

#### 4. Your Flood Response Plan

Flood Response Plans may be different for different buildings. This would reflect the time of day someone might be there, how many people are in or around the building and what the building is used for.

- **Businesses** can follow the Environment Agency's guide 'Would your business stay afloat? A guide to preparing your business for flooding'<sup>28</sup>.
- **Community organisations** can follow the Environment Agency's guide 'Flooding - minimising the risk. Flood plan guidance for communities and groups. Practical advice to help you create a flood plan'<sup>29</sup>.



The following suggested structure is for the production of Plans for residential, holiday and other development which includes overnight accommodation.

<sup>28</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/410606/LIT\\_5284.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410606/LIT_5284.pdf)

<sup>29</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/292939/LIT\\_5286\\_b9ff43.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/292939/LIT_5286_b9ff43.pdf)

## **Chapter 2: Suggested structure for your Flood Response Plan**

### **1. Introduction**

- Describe the location of the site fully and accurately.
  - State the name and address of the property.
  - Attach a site plan to identify the location and size of the site to those using the plan.
  - Identify what type of development it is (a residential dwelling, holiday let, second home, etc.) and the size (number of storeys, number of bedrooms, any outbuildings, etc).
  - Identify where the access into the site and into the building is
  - Identify where people could safely be rescued from in an emergency if a flood occurs before the building is evacuated.
- Identify potential sources of floodwater and what to look out for.
- What timescale are people likely to have to respond to flood warnings?
- State who will be responsible for implementing the Flood Response Plan and who will review it and how regularly.
- State which flood zone the site is in (as identified in a Flood Risk Assessment or on the Environment Agency's website<sup>30</sup>). A flood zone identifies how likely the site is to flood.

#### **Zone 1: Low Probability of flooding**

Land having a less than 1 in 1,000 (0.1%) annual probability of river or sea flooding.

#### **Zone 2: Medium Probability of flooding**

Land having between a 1 in 100 (1%) and 1 in 1,000 (0.1%) annual probability of river flooding; or  
Land having between a 1 in 200 (0.5%) and 1 in 1,000 (0.1%) annual probability of sea/tidal flooding.

#### **Zone 3a: High Probability**

Land having a 1 in 100 (1%) or greater annual probability of river flooding; or  
Land having a 1 in 200 (0.5%) or greater annual probability of sea/tidal flooding.

#### **Zone 3b: The Functional Floodplain**

This zone comprises land where water has to flow or be stored in times of flood, during a flood event with an annual probability of 1 in 20 (5%) or greater.

### **2. Warning arrangements**

- Is the site registered with the Environment Agency's Floodline Warnings Direct service?
- Who receives these warnings and how? What if they are away?
- Where will a copy of this Plan be kept? How will all residents/tenants know where to find it?
- How will response organisations (like the police and fire service) be made aware of elderly or vulnerable people who may require extra assistance in the event of an emergency such as a flood?

### **3. Instructions to residents/tenants in the event of a flood warning**

The plan needs to set out clear instructions and actions for each stage of warning. This needs to form an easy-to-refer-to plan that can be followed in an emergency, providing all the necessary information and identifying who is responsible for doing what.

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<sup>30</sup> <http://watermaps.environment-agency.gov.uk/wiyby/wiyby.aspx?topic=floodmap#x=357683&y=355134&scale=2> v



It needs to identify at which stage the property should be evacuated, how and where to. A plan showing a safe exit route needs to be included.

If refuge is to be taken within the property, the plan needs to identify the circumstances when this should take place, where there is safe refuge and where any resources such as a flood kit (see below) will be found. Single storey properties may not have a place of safe refuge, so evacuating at an early stage to a safe place is more important.

The following table shows the stages of flood warning. What will you do at each stage?

 <p><b>Flood Alert</b> Flooding is possible. Be prepared.</p>	<ul style="list-style-type: none"> <li>• How will you respond to this alert?</li> <li>• What will you need to do to be prepared?</li> <li>• Is any other action necessary?</li> <li>• Who do you need to tell there is an alert in place? What will they need to do?</li> </ul>
 <p><b>Flood Warning</b> Flooding is expected. Immediate action required.</p>	<ul style="list-style-type: none"> <li>• How will you respond to this warning?</li> <li>• What is the immediate action you need to take?</li> <li>• Who do you need to tell there is a warning in place? What will they need to do?</li> </ul>
 <p><b>Severe Flood Warning</b> Severe flooding. Danger to life.</p>	<ul style="list-style-type: none"> <li>• How will you respond to this severe warning?</li> <li>• What action(s) do you need to take?</li> <li>• Who do you need to tell there is a severe warning in place? What will they need to do?</li> </ul>
<p><b>Warnings no longer in force - no flooding occurred</b></p>	<ul style="list-style-type: none"> <li>• How will you know when warnings are no longer in force?</li> <li>• Who do you need to tell the danger has passed?</li> <li>• What action is necessary?</li> </ul>
<p><b>Warnings no longer in force - flooding has occurred</b></p>	<ul style="list-style-type: none"> <li>• How will you know when warnings are no longer in force?</li> <li>• Who do you need to tell the danger has passed?</li> <li>• What action is necessary?</li> <li>• Re-occupation of flooded premises should only be carried out following consultation with the emergency services and appropriate authorities. This is because of any residual hazards. Identify who needs to be consulted, when and how.</li> </ul>

### Chapter 3: Important Considerations for your Flood Response Plan

The following considerations may be of relevance and importance to your Flood Response Plan, think about what you need to include in your plan. They could help reduce the impact of a flood on people and property. A comprehensive and effective Plan should identify all actions that would be necessary before, during and after a flood event.

#### Be Proactive

- Do not wait for a flood – be proactive and consider what can be permanently moved to a safer higher level. Produce a checklist of remaining items that must be moved if there is a flood event. E.g. important documents, IT or vehicles.
- Check your insurance policy covers flooding.
- Look at the best way of stopping floodwater entering your property. There are a range of flood protection products on the market, a directory of these is available from the National Flood Forum at [www.bluepages.org.uk](http://www.bluepages.org.uk)
- Find out where you can get sandbags.
- Identify who can help you and who you can help.
- Understand the different flood warning levels.

#### Familiarisation

Emphasise the need to be familiar and comfortable with the Plan and its contents. Consider practicing your response to warnings and how to evacuate. Become familiar with the safest route from the property to any local evacuation centre. Get to know your local volunteer Emergency Co-ordinator.

#### Actions to consider (to identify at each stage of warning)

The plan should identify which actions will be undertaken when a flood alert is issued, which will be done when a flood warning is issued, etc.

- Check at what time the flooding is expected. If the site is vulnerable to tidal flooding, there can be 6 to 12 hour warning.
- Stay calm and tune in to BBC Radio Norfolk/Suffolk for weather forecasts and local information.
- Fasten your outer doors and fix any flood protection devices.
- Shut off your gas/electric supplies – show on a plan where this is as well as give details of how to do this. Do not touch electrics if already wet.
- Fill bath and buckets with water in case supply is shut off. Drinking water should be stored in clean containers.
- Move any important documents, valuables and sentimental items above the flood level or protect them by placing them in sealed plastic bags.
- Move furniture and electrical items if possible. Roll up carpets and rugs. Remove curtains, or hang them over rods.
- Consider moving vehicles to higher ground and make safe or secure any large or loose items outside that could cause damage if moved by floodwater.
- Ensure any hazardous materials are safe and secure and do not create any additional risks by coming in contact with flood waters
- Tie or anchor down equipment that could potentially float and cause an additional hazard (e.g. containers used for storage).
- Tell your neighbours about the warning, especially if they are elderly or vulnerable. Consider coordinating plans with neighbours.

- If advised to do so, move to an identified Evacuation Centre or other safe place (such as a friend or relative). If it is not possible to evacuate, move to a safe refuge. If the property is single storey, move to an identified refuge place with nearby neighbours with safe, higher level accommodation.
- Take essential medicines, infant care items, personal documents/identification for each member of the family when you evacuate.
- Take food, clothes, blankets, candles/torches with you when you evacuate.
- Remember any pets (and their needs such as food, cages and litter trays).
- Notify visitors to the site that it is not safe.

### Flood Kit

The flood kit should include essential items, be stored in the refuge area and be as easily accessible as possible. The flood kit could contain:

- Copies of insurance documents
- A torch with spare batteries (or a wind up torch)
- Portable radio (wind-up preferred)
- Warm, waterproof clothing.
- Rubber gloves
- Wellingtons
- Blankets
- First aid kit with essential prescription medication/repeat prescription form
- Bottled water and high energy food snacks (non-perishable and check use by dates)
- Flood response plan
- List of important contact numbers
- Wash kit and essential toiletries (such as toilet paper and wet wipes)
- Children's essentials (such as milk, baby food, sterilised bottles, wipes, nappies, nappy bags, clothing, comforter, teddy or favourite toy)
- Food and cages for pets
- Laminated copy of the emergency card in the FRP
- Plus anything else you consider important.

### Dangers of flood water

Include the dangers associated with flooding in your FEP. Do not assume that every flood event will be the same, just because flood water hasn't been deep or flowed fast in the past, it doesn't mean it won't in future. A brief guide is given below:

#### **REMEMBER!**

- **Don't walk through flowing water** – currents can be deceptive. Shallow and fast moving water can knock you off your feet!
- **Don't swim through fast flowing water** – you may get swept away or struck by an object in the water.
- If you **have** to walk in standing water, **use a pole or stick** to ensure that you do not step into deep water, open manholes or ditches. Use the stick to 'feel' your way.
- **Don't drive through a flooded area.** You may not be able to see obstacles under the water or abrupt drop-offs. Even half a meter of flood water can carry a car away.
- **Avoid contact with water** as it may be contaminated with sewerage, chemicals, oil or other substances.

### Re-occupation after a flood

Re-occupation of flooded premises should only be carried out following consultation with the emergency services and appropriate authorities. This is because of any residual hazards. A statement to this effect could usefully be included in the response plan.

When you can reoccupy, you shall need to:

- Safely throw away food that has been in contact with flood water – it could be contaminated.
- Open doors and windows to ventilate your property.
- Call your insurance company Emergency Helpline as soon as possible.
- Make notes of what the insurers say and keep correspondence with the insurers.
- Keep a record of the flood damage (use photographs or videos).
- Commission immediate emergency pumping/repair work if necessary, to protect your property from further damage. Check that you can do this without your insurance company's approval.
- Keep receipts of work paid for.
- Where detailed or lengthy repairs needed, get advice. Your insurer or loss adjuster can give advice on reputable contractors/tradesmen. Always check references of tradesmen.
- Check with your insurer regarding cost of alternative accommodation, if you need to move out. Ensure the insurer knows where to contact you.

Cleaning up...

- Find out where you can get help to clean up. Look on the internet for suppliers of cleaning materials and equipment to dry out your property. As a guide, it can take a brick house one month per inch to dry out.
- Don't attempt to dry out photos or papers – place in a plastic bag and if possible store in a fridge
- The Citizens Advice Bureau may be able to help.
- **Don't think flooding will not happen again – restock supplies and review your plan!**

### Advice and information

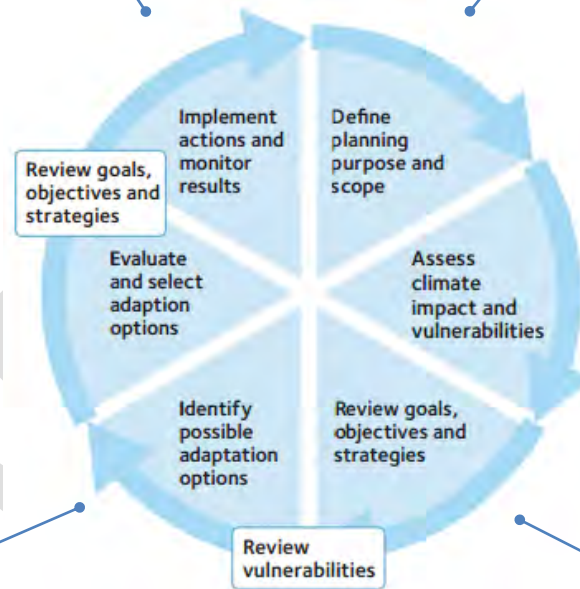
- List useful telephone numbers and website - including responsible persons, emergency contacts, utilities providers, insurance companies and sources of information such as the local radio station.
- Provide residents/tenants with information on how to register with the Environment Agency's Floodline Warnings Direct service.
- It is good practice to display notices within properties (translated where foreign visitors may be present), outlining procedures to be followed, escape routes and evacuation plans.

It may be sensible to keep an accurate record of your options and decisions so that you can go back to the assumptions made if the adaptation choice is not working. The changes in the weather and climate can be recorded to give an accurate picture of any changes. Keep informed of changing predictions for climate change as well as monitor what happens to you development over the years. Different results as to what was expected may suggest it would be sensible to go through the steps again to see what needs to, or could, be modified.

## Appendix E: Climate smart planning cycle

Is it the whole development or just a part that could be at risk of flooding? Climate change predictions are based on what could happen, rather than people knowing what will happen. As such, do you want to consider the most likely changes or be prepared for the most extreme conditions just in case they arise? You probably need to understand the lifetime of your development (see section 5.4) and how things could change over the timescale.

Make the choice about which option to follow. This may be immediate action of perhaps you can identify triggers as to when you are going to act (e.g. you are willing to live with the driveway being flooded a few times a year at very high tides but when it's happening monthly it will be time to act).



Taking the preferred projections (See the Met Office/UKCIP09 projections website) consider what the climate differences are likely to be and how they may impact on the proposed development. List, and possibly rank, the likely things that could create an adverse impact as well as any opportunities a changing climate might offer for your development and how it is used.

Are there actions that you can implement now that would help you cope with a new climate regime? Can you alter construction or management choices that minimise any risks? Perhaps what you construct can be altered easily in the future if predictions and/or on site experience is worse than you planned for? Are there different technologies that could be applied that would lessen risks? If no options seem possible you may wish to go back through the steps and modify your goals or objectives.

What do you want to achieve? What will you have at the end of the timescale being considered? For example, how often will you use the development and at what time of year? Perhaps the flood impacts will be negligible or not manifesting themselves in the short-term. Be clear about what you would prefer to have in the future – a development that never floods or one that floods a few times a year for example.

## Appendix F: Flood Risk Assessment Tick Sheet

### **Flood Risk Assessments for Householder and other minor extensions in Flood Zones 2 & 3**

Applications for planning permission within either Flood Zones 2 & 3 should be accompanied by a flood risk assessment. This guidance is for domestic applications and non-domestic extensions where the additional footprint created by the development does not exceed 250 sq. metres (minor development<sup>31</sup>). It does NOT apply if an additional dwelling is being created e.g. a self-contained annex. This Tick Sheet is consistent with the Environment Agency's Standing Advice. It is a pragmatic and proportionate response to low risk developments in order to reduce the burden on applicants, the LPA and consultees.

Make sure that **floor levels are either no lower than existing floor levels or 300 millimetres (mm) above the estimated flood level**. If your floor levels aren't going to be 300mm above existing flood levels, you will need to consider appropriate flood resistance and resilience measures. If floor levels are proposed to be set lower than existing floor levels they should be above the known or modelled 1 in 100 annual probability river flood (1%) or 1 in 200 annual probability sea flood (0.5%) in any year.

Further information and guidance on flood resistance and resilience measures is available in the Flood Risk SPD and here <https://www.gov.uk/guidance/flood-risk-assessment-in-flood-zones-2-and-3#extra-flood-resistance-and-resilience-measures> & <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

State in your Flood Risk Assessment all levels in relation to Ordnance Datum (the height above average sea level). You may be able to get this information from the Ordnance Survey<sup>32</sup>. If not, you'll need to get a land survey carried out by a qualified surveyor.

**Applicants/Agents: Please complete the table overleaf and include it with the planning application submission. The table, together with a plan showing the finished floor levels and estimated flood levels, will form the Flood Risk Assessment (FRA) and will act as an assurance to the Local Planning Authority that flood risk issues have been adequately addressed.**

You may be able to get the estimated flood level from the Environment Agency. Please contact [ensenquiries@environment-agency.gov.uk](mailto:ensenquiries@environment-agency.gov.uk). If not, you'll need a flood risk specialist to calculate this for you.

You can use the Tick Sheet over page or provide your written flood risk assessment in another format but it must include the relevant plans, surveys and assessments.

Any proposed works or structures, in, under, over or within 8m of the top of the bank of a main river, or 16m of a tidal main river, may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency. This was formerly called a Flood Defence Consent. Some activities are also now excluded<sup>33</sup> or exempt<sup>34</sup>. A permit is separate to and in addition to any planning permission granted.

Further details and guidance are available at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Or by contacting: [floodriskpermit@environment-agency.gov.uk](mailto:floodriskpermit@environment-agency.gov.uk)

<sup>31</sup> <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/what-is-meant-by-minor-development-in-relation-to-flood-risk/>

<sup>32</sup> <https://www.ordnancesurvey.co.uk/>

<sup>33</sup> <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits#check-if-what-you-are-doing-is-an-excluded-activity>

<sup>34</sup> <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits#check-if-there-is-an-exemption-for-your-flood-risk-activity>

## Flood Risk Assessment

### Flood Risk Assessments for Householder and other minor extensions in Flood Zones 2 & 3

Applicant to choose one or other of the flood mitigation measures below	Applicant to indicate their choice in the box below. Enter 'yes' or 'no'
<p><b>Either;</b></p> <p><b>Floor levels within the proposed development will be set no lower than existing levels AND, flood resilient and/or flood resistant measures have been incorporated in the proposed development where appropriate</b></p>	
<p><b>Or;</b></p> <p><b>Floor levels within the proposed development will be set 300mm above the known or modelled 1 in 100 annual probability river flood (1%) or 1 in 200 annual probability sea flood (0.5%) in any year. This flood level is the extent of the Flood Zones. Please remember to include a plan showing the finished floor levels and the estimated flood levels.</b></p>	

Site Address	
Proposal Description	
Estimated flood level (i.e. The 1 in 100 year flood level)	
Details of flood resilience and resistance measures	

**Broads Local Plan: Adopting the Biodiversity Enhancements  
and Waterside Chalets and Bungalows Guides**

Report by Planning Policy Officer

<p><b>Summary:</b> Information guides have been produced to help applicants meet any requirement placed upon them to enhance wildlife as part of their development proposals as well as provide guidance and advice to those intending to alter waterside chalets or bungalows. These have been the subject of public consultation</p> <p><b>Recommendation:</b> That the responses and amendments to the guides are noted and the revised guides as shown at Appendix B are adopted by the Broads Authority.</p>
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## **1 Introduction**

- 1.1 Biodiversity enhancements are often required as part of planning proposals. The purpose of this guide is to help applicants design and deliver enhancements as part of their scheme to help wildlife.
- 1.2 Waterside chalets and bungalows are an important feature and asset to the Broads Authority Executive Area and its communities. It is recognised that they may need changes over time. This document provides guidance on making these changes to the bungalows/chalets.

## **2 About the Guides and Work Completed to Date**

- 2.1 The Biodiversity Enhancements guide seeks to provide information, images and further links on different types of wildlife enhancements that could be provided as part of schemes. The enhancements range from bird and bat boxes, to log piles and ponds. It is envisaged that applicants will be directed to the guide to help implement enhancements to meet their planning conditions.
- 2.2 The Waterside Chalets and Bungalows guide describes the history of the properties as well as discusses their importance. In part two, it discusses changes that are often proposed for waterside bungalows/chalets ranging from new windows and extension to total replacements.
- 2.3 Both guides were subject to public consultation between 8 July 2016 and 4pm on Friday 26 August 2016. The comments received and the proposed response from the Authority are included at Appendix A.
- 2.4 The final guides, highlighting changes that have come about as a result of the consultation, are included at Appendix B. Please note that following adoption



by Full Authority, the guide will be edited and formatted to make a final electronic version for the website.

#### **4 Recommendation from Planning Committee**

- 4.1 The Planning Committee considered the responses and amendments to the guides at its meeting on 14 October 2016 and recommended that the responses and amendments to the guides are noted and the revised guides as shown at Appendix B are adopted by the Broads Authority.

#### **5 Financial Implications**

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

#### **6 Conclusion**

- 6.1 The guides address enhancements for wildlife as well as guidance on changes to waterside bungalows/chalets.
- 6.2 To give the guide more weight in the planning system, the guides have been consulted on and it is proposed that they are adopted by Full Authority.
- 6.3 Having up to date guides like this (and the already adopted Riverbank Stabilisation and Mooring Guides) 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:	19 October 2016
Broads Plan Objectives:	LC1, LC2
Appendices:	APPENDIX A – Comments received through the consultation APPENDIX B – Biodiversity Enhancement Guide and Waterside Chalets <a href="http://www.broads-authority.gov.uk/broads-authority/committees/broads-authority/broads-authority-18-november-2016">http://www.broads-authority.gov.uk/broads-authority/committees/broads-authority/broads-authority-18-november-2016</a>

**APPENDIX A** Comments received as part of the consultation on the Guides. Sorted in alphabetical order of respondent.

Organisation	Section Heading	Representation	BA Officer Summary of Representation	BA comment	Which Guide
Anglian Water		On this occasion, we have no comments to make.	No comment.	Noted.	Biodiversity Enhancements Guide
Environment Agency		<p>Developments which contribute to and enhance their environments can be shown to add value to projects. A longer quotation from paragraph 109 of the National Planning Policy Framework may give developers a wider understanding of the benefits of addressing biodiversity.</p> <p>Incorporating green and/or brown roofs and walls can be effective means of providing habitat in circumstances where this may otherwise be problematic. They can provide valuable habitats, increase the energy efficiency of buildings and the attenuation of rain water. Research from the journal 'Environmental Science and Technology' claims that green walls deliver cleaner air at street level where most people are exposed to the highest pollution. They can also add to an attractive street scene if designed well.</p> <p>Developers should use a sustainable drainage approach to surface water management (SUDS). SUDS are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site.</p> <p>SUDS can include grassed swales, ponds and wetlands promoting groundwater recharge, improving water quality and amenity, provide local habitat opportunities and provide linkages and connectivity between habitat sites.</p> <p>Our Fisheries, Biodiversity and Geomorphology (FGB) team can provide guidance on the stocking of ponds and fisheries and on preventing the spread of invasive aquatic species. In some circumstances our consent is required.</p> <p>For developments adjacent to rivers the Anglian river basin district management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Depending on the development and its impact we may require watercourse to be restored and enhanced to a more natural state. Measures can include bankside tree planting to provide shade and installing woody debris and berms in the water course. Applicants should consider the provision of "buffer zones" between the water course and the development. Our FBG team can advise on these measures.</p>	<p>1: longer quotation from paragraph 109 of the National Planning Policy Framework may give developers a wider understanding of the benefits of addressing biodiversity.</p> <p>2: Incorporating green and/or brown roofs and walls can be effective means of providing habitat in circumstances where this may otherwise be problematic.</p> <p>3: Developers should use a sustainable drainage approach to surface water management (SUDS).</p> <p>4: Our Fisheries, Biodiversity and Geomorphology (FGB) team can provide guidance on the stocking of ponds and fisheries and on preventing the spread of invasive aquatic species. In some circumstances our consent is required.</p> <p>5: For developments adjacent to rivers the Anglian river basin district management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies..</p>	<p>1: Not needed as the quote already in the document gets the message across adequately.</p> <p>2: Agree to some extent but consider it more relevant to city locations where there is limited green space. Officers at the Broads are aware of these roofs and walls and can advise accordingly.</p> <p>3: Noted. There are many guides already in relation to SuDS. SuDS tend to be a response to flood risk but the aim of this guide is for those applications which are required to specifically have a biodiversity enhancement.</p> <p>4: Noted. No change to guide however.</p> <p>5: Noted. However, the aim of this guide is for those applications which are required to specifically have a biodiversity enhancement. No change to guide.</p>	Biodiversity Enhancements Guide
Environment Agency		<p>We understand that the focus of the document is heritage and conservation. As such most of the matters within our remit can be addressed through the development management process. The following 3 observations are offered:</p> <p>Foul water disposal: For chalets not connected to the foul sewer and where improvements or replacement is proposed applicants should seek to make a connection. Normally we would require a connection if a sewer is available within 30m of the site boundary. Where it is not reasonable to connect to the public foul sewer we will grant an environmental permit, as long as the proposed discharge is otherwise environmentally acceptable.</p> <p>The applicant should consider disposal in this order of preference: sewer connection, package sewage treatment plant (which can be offered to the Sewerage Undertaker for adoption), septic tank and if none of these are feasible a cesspool.</p> <p>Flood risk: We also encourage early engagement with ourselves where flood risk is an issue; initial advice is free and detailed advice is on a cost recovery basis. Where replacements are being considered and part of the site may be outside of the flood zones then applicants should take a sequential approach when determining the new location.</p> <p>Flood Defence Consents now fall under the new Environmental Permitting (England and Wales) Regulations 2010 system (EPR). Applicants may need an environmental permit for flood risk activities if they want to do work in, under, over or within 16m of a main river and of any flood defence structure or culvert within 8m of the river.</p>	Provides information relating to flood defence consent, foul water and flood risk.	Comments noted but these relate to site specific proposals and issues. Foul water disposal, flood risk - not remit of guide and will be addressed through the Local plan. No change.	Waterside Chalets Guide
Great Yarmouth Borough Council		Thank you for consulting Great Yarmouth Borough Council on these two documents. The Borough Council has no comments to make on them.	No comment.	Noted.	General comment on the guides
Health and Safety Executive		While there is often overlap between environmental and health and safety issues, HSE's primary responsibility is for hazards caused by people in their work and so in this case we have no direct comment to make concerning the biodiversity enhancements guide. However, the environmental improvements should not include measures which would conflict with the requirements of the	No comment.	Noted.	Biodiversity Enhancements Guide

Organisation	Section Heading	Representation	BA Officer Summary of Representation	BA comment	Which Guide
		Health and Safety at Work etc. Act 1974 and its relevant statutory provisions.			
Health and Safety Executive		<p>HSE is a statutory consultee on relevant developments within the consultation distance of a hazardous installation or a major accident hazard pipeline. Planning Authorities should use the new HSE's Planning Advice Web App to consult HSE on such applications and produce a letter confirming HSE's advice. This service replaces PADHI+ HSE's on-line software decision support tool.</p> <p>Some chalet developments would be considered as residential in respect of this consultation process; others would be considered as temporary or holiday accommodation. In either case, we would need to be consulted if the development was in the consultation distance of a major hazard site or major hazard pipeline.</p>	We would need to be consulted if the development was in the consultation distance of a major hazard site or major hazard pipeline.	Noted although no change to guide.	Waterside Chalets Guide
King Line Cottages	Hedgerows	Hedges in a village community are not as important as a non-village location where hedges are more natural and should be encouraged. Fencing should be allowed up to 2 metres in height for privacy but should be consistent with other fencing the locality.	Hedges in a village community are not as important as a non-village location where hedges are more natural and should be encouraged. Fencing should be allowed up to 2 metres in height for privacy but should be consistent with other fencing the locality.	Comment noted. This is more detailed than the guide is intended for. Proposals will need to respond to the characteristics of the site. No change.	Biodiversity Enhancements Guide
King Line Cottages	Bird Boxes	I agree with the comments, but have noted at my new boathouse in Horning, where we have only quay headed to the ground on one side, but have left a gap of 1 metre to the water side (instead of quay heading), we have gained a large colony of swifts that are nesting under a walkway above the water. They use this open-sided section, thus allowing us to keep the boathouse doors shut and a flow of water that stops the boathouse silting up. We have had two fledglings from four nests this year, the latest on 20th July 2016. The use of hardy plank or similar product, as recommended for bird boxes is excellent.	General support.	Support noted.	Biodiversity Enhancements Guide
King Line Cottages	Part 1: On the waterfront	All waterside new building should be consistent with others in the locality, not like in Horning where a modern, out of place building next door to the Horning Yacht Club is completely out of character. This building has had scaffolding round it all summer for painting/maintenance. No buildings of brick construction should be allowed, unless it is an annex to an existing brick built building.	All waterside new building should be consistent with others in the locality. No buildings of brick construction should be allowed, unless it is an annex to an existing brick built building.	Comment noted. The guide gives general principles, but the actual detail will be down to the planning application and the characteristics of the site. The Authority considers design to be a very important aspect. No change to the guide.	Waterside Chalets Guide
King Line Cottages	Part 2: Repair, alteration or replacement	<p>By my experience of making repairs to an old building, it is by far better to demolish the building, as expensive unknown repairs are very frequent. I have learnt this to my cost. Advantages in re-building are: The building should be built on piles driven into the chalk layer, not the hard sandstone layer that sometimes can be found 3 metres above the chalk in the Horning location. These should finish a metre above the high water mark and land around the property raised to help minimise the flood risk, if allowed. All flooring can then be on a concrete suspended floor (this stops vermin and floor rotting), main construction in tantalised timber, all doors and windows should be of uPVC or the new wood manufactured uPVC type finish, these stand up to building 'movement' better than timber and stands up to the environment better. It also matches 95% of the windows seen on riverside buildings at the present time. All doors should be to the accessible criteria for wheelchairs.</p> <p>Cladding to replacement and new buildings: Modern materials that can be obtained are far better than wood, as you state in the Bird Boxes [section] of the biodiversity guide (boxes made from woodcrete a mixture of cement and wood are best - they can last over 20 years, wood lasts about four years) and woodcrete requires little or no maintenance and therefore eliminates the need for toxic painting.</p> <p>Cladding of buildings: Timber cladding is going out of favour, although of a traditional method, it is virtually impossible to obtain well-seasoned cladding that will last in good condition. It requires wood treatment every 3 years (which can entail scaffolding for health and safety in painting). This wood treatment kills insects and spiders that do not return for a year (spiders live off the mosquitoes which pester us). From experience, the cladding shrinks 10% over the years, dries out, causing expensive replacements to keep up a good appearance. The use of woodcrete planking, that is difficult to distinguish the difference between it and wood, as recommended in the biodiversity guidance, does not require any treatment, fades to a natural look, and will last years longer and give insects a more stable environment. It also does not shrink or warp and stands up</p>	Detailed comments relating to cladding, demolition, replacement and plastics.	<p>The Authority has policies in place to determine replacement buildings. Construction and design are site specific issues. It is important to understand that the historic environment is a finite resource so demolishing may not always be appropriate. No change to the guide.</p> <p>Woodcrete - the two guides are separate. We have policies about design... do not aim to be prescriptive.</p> <p>Use of plastic - have policies on design.</p> <p>Case by case basis</p>	Waterside Chalets Guide

Organisation	Section Heading	Representation	BA Officer Summary of Representation	BA comment	Which Guide
		<p>to the damp atmosphere near water. It also has an A2 fire rating making it safer for the environment and other buildings close by. When seen from over 2 metres away it is difficult to distinguish from real wood. The use of colour coated aluminium, for doors and windows, is very expensive, uses vast amount of electricity to produce. UPVC is a better alternative.</p> <p>The use of plastics: We have to use plastic gutters and soffits as no other material can be found to replace them. The use of the flat weather boarding can be a big problem near waterside since asbestos boarding was outlawed. The weather boarding in the damp atmosphere, although painted, will delaminate and look very unkempt (as can be seen from the river in many places at the moment). When this happens, flat plastic sheeting works well and keeps up appearances. White plastic plank type boarding looks bad after a few years. White Hardy planking or similar, which is made from woodcrete, is far better. Plastic hand rails from square gutter down, pipe filled with wood are ideal as they are easy to clean and in time do not have splinters.</p> <p>I have commented on this document as King Line Cottages have had experience of waterside wooden construction buildings since 1971 replacing buildings with new in 1987, 1988, 1994 and 2010. I have also noted that the use of wooden door frames and doors produced at this time grow substantially in winter and cannot be closed. Then in summer they shrink and doors will not latch to as they should. UPVC door frames stand up to the seasons better. The use of both should be allowed.</p>			
Natural England		Natural England welcomes the production of these guides which will help developers and owners make good informed choices, respectively, regarding biodiversity and the protection of the special landscape features of the Broads.	Support for guides.	Support noted.	General comment on the guides
Norfolk Constabulary		This office has no specific comment regarding the comment of this guide.	No comment.	Noted.	Biodiversity Enhancements Guide
Norfolk Constabulary		<p>Expertise in crime prevention processes, products and criminal methodology helps the police fight crime; protect properties, businesses and visitors from unnecessary loss. We recommend the Waterside Chalet guide recognises the security principles of deterring, delaying, denying and detecting criminal activity. Designing in good security processes and protection with owners, developers and builders at all stages of development or restoration is essential to combat criminality and its consequences. Please consider the following comments in parallel to proactive policing and activity/initiatives across Norfolk where Waterside Chalets are located:- The adoption of Crime Prevention Through Environmental Design (CPTED) principles in building design and development would help protect the cultural heritage of the Waterside Chalet buildings.- Screened boundary treatments should be considered proportionate to existing criminal statistics and not be measured against a dominant aesthetic. Overgrown frontages and gardens whilst visually pleasing can also provide hiding places for criminality to occur. Visually open gardens helps deter criminal activity and can identify suspicious activity early. This is encouraged.- Waterside Chalets feature nonstandard construction with inherent security features much less robust than contemporary brick build dwellings. The effective attack resistance of the building(s) may be limited where traditional features and materials are not enhanced or up graded, putting the properties at increased risk from intrusion. Traditional wooden features are attractive but contemporary materials can aesthetically compete and provide increased protective strength to the property.- New, bespoke or replacement doors and windows should reflect traditional designs and materials but crucially should include attack resistant features (Secured by Design, Homes 2016), particularly where a greater threat of criminal attack occurs at the rear.- Isolated boat moorings and ancillary buildings attract criminal attention both waterside and roadways and they will use the same highways and byways to commit crime and escape detection. Suitable security lighting provides safety for occupiers and visitors, reduces the fear of crime (Secured by Design, Homes 2016) and is a significant deterrent for the criminal, who seeks to avoid being seen.- Of utmost importance is the ongoing vigilance of owners and users of these chalets to the possibility of crime. By providing and maintaining effective natural surveillance together with the speedy reporting of emergency, urgent or suspicious activity, the owners and users of the Waterside Chalets will continue to enjoy and protect these wonderful places. By promoting the spirit of CPTED principles and practices</p>	Security is an important consideration and should be addressed in the guides.	Agree. Will add this text: Waterside bungalows/chalets can be quite isolated. The adoption of Crime Prevention Through Environmental Design (CPTED) principles in building design and development could help protect the cultural heritage of the Waterside Bungalows/chalets. <a href="http://designforsecurity.org/about/crime-prevention-through-environmental-design">http://designforsecurity.org/about/crime-prevention-through-environmental-design</a>	Waterside Chalets Guide

Organisation	Section Heading	Representation	BA Officer Summary of Representation	BA comment	Which Guide
		within the Waterside Chalet Guide, it will be a significant step towards future proofing our Waterside Chalet heritage, a delightful feature of the Broads National Park.			
Norfolk County Council		Thank you for consulting Norfolk County Council on the above Biodiversity Enhancements Guide and Waterside Chalet Guide. At this stage it is not considered that the Biodiversity Enhancements Guide and Waterside Chalet Guide. raises any strategic issues with Norfolk County Council. Obviously you would consult the County Council when you review your Local Plan. I assume, under your statutory duty to co-operate (Localism Act 2011), that if you feel there are any strategic issues arising or likely to arise that you would seek further discussion with Norfolk County Council	No comment.	Noted.	General comment on the guides
River Thurne Tenants Association and Thurne Bungalows Management Company		<ul style="list-style-type: none"> <li>• Object to term 'chalet'. Would prefer bungalow, holiday homes or properties.</li> <li>• Guide covers too much</li> <li>• What properties does it address? The large homes at Wroxham set well back from the water?</li> <li>• Make the document more specific about what writing about</li> <li>• Sort into areas?</li> <li>• Query where document says 'were set as far back as possible'.</li> <li>• Some areas of bungalows are unique such as those in the Potter Heigham Bridge area. Could have their own document.</li> <li>• Emphasise in document the range of styles</li> <li>• Make more obvious what refer to – maybe using a map</li> <li>• Thereius a grey area between maintenance and planning permission</li> <li>• Add page numbers</li> <li>• More detail on raising height – case by case basis</li> <li>• Most significant part of property in aesthetics terms is floor level. Need to raise the land as well otherwise look silly.</li> <li>• Part of charm is the variation in the bungalows</li> <li>• Plot does not sink but river level increases</li> <li>• Wartime retreats – not all were refugees. Some people chose to live there as felt safer. Also servicemen were billeted there. Some refugees.</li> <li>• Is detailed history needed?</li> <li>• If add history be careful as danger in using what is accepted as history.</li> <li>• Potter Heigham design not just due to being windswept – economic as well as cheap to construct.</li> <li>• Rather see tick or cross and diagrams</li> <li>• There are no photos of bungalows from the Potter Heigham Bridge area</li> <li>• Tone – care as comes across as 'good old days' and might give wrong impression.</li> <li>• Balance between history and advice</li> <li>• Historical accuracy an important consideration</li> <li>• Potter Heigham area bungalows – info regarding foundations and rafts</li> <li>• Encourage innovative solutions</li> </ul>	Numerous details comments.	Chalet will be replaced by bungalow. Early on, it will be clarified what this guide refers to: For the purposes of this guide, the term Bungalow relates to small/low light-weight buildings which are generally at the water's edge. Clear in document that there are different types and areas and characters. Replace current wording with: Chalets were sometimes set back from the water's edge on their plot allowing natural vegetation to develop at the waterside. New title – Wartime use of the Bungalows/chalets. The two world wars brought new uses for the bungalows/chalets. On occasion people from some of the larger towns in the area, such as Great Yarmouth, used the bungalows/chalets as permanent residences when their main homes were under greater threat from bombing. There is also evidence of a bungalow/chalet in Wroxham, Closeburn, being used as a Red Cross unit for recuperating soldiers. Within this period the bungalows/chalets in some areas also started to be used more generally as permanent residences, resulting in the mix of use we see today, as both holiday and permanent accommodation. History is needed. References included. History text taken from a Thesis which earned a distinction. Simpler and smaller chalets which were cheap to construct were built in settlements such as Potter Heigham, within higher densities and smaller plots. Keen to avoid tick and cross as design is not a tick box exercise and reflects the site specifics. Guide refers to contemporary solutions.	Waterside Chalets Guide
Sanford, Mr D W	General Comment	1 I am not sure that the overall balance of the document is in proportion. This document devotes 50% of its text to explaining the history of the waterside properties 2 I think a working definition of "waterside" needs to be made either in words or perhaps more clearly in a simple map. 3 The term "chalet" (a hut or cabin on the Swiss mountains, where cattle are lodged in the summer, and where cheese is made; hence, the small wooden house or cottage of the Swiss peasant; gen. a house or villa built in the style of a Swiss cottage) has a history (from the Thurne bungalows	1: Queries why so much history. 2: What does water side mean? 3: Disagrees with 'chalet'. 4: Ensure photos do not have plastic. 5: Document is muddled 6: Should say no more bungalows at Thurne.	1: The history sets scene and shows how important they are and not everyone has the knowledge. 2: We do not intend for this to cover houses set far back with large gardens such as at Wroxham. 3: Wil; change from chalet to bungalow. For the	Waterside Chalets Guide

Organisation	Section Heading	Representation	BA Officer Summary of Representation	BA comment	Which Guide
		owners' point of view) as being pejorative. Chalets they most certainly are not. I have taken the liberty of changing the word 'chalet' for the more generalised term, 'property' throughout this document.4 Given the anti-plastic message contained in the document, the BA will need to be 100% sure that none of the photographs selected for publication show upvc fenestration or doors. It wouldn't surprise me to learn that the front cover photograph illustrates my point where, I believe, both windows and doors are upvc.5. My overall impression of the document is that it reads muddled in concept and execution. Is this a history of a disparate man-made landscape, a description of a globally unique vernacular, a set of planning guidelines descriptive or prescriptive? It cannot be all things to all men. If the BA wishes to write a history then it should publish the already authored dissertation. If it wishes to publish planning guidelines, perhaps it should do so in a separate, two sided leaflet with illustrations and bullet pointed wish lists.6. Given that this is a document produced by the BA's planning department, I would have expected a note to the effect that no new waterside development is permitted on the Thurne.		purposes of this guide, the term Bungalow relates to small/low light-weight buildings which are generally at the water's edge.4: Photos have been checked and the Authority believes there are no upvc windows or doors.5. The document has two parts. It is a summary of the history based on the dissertation as well as giving advice on the kind of things looked into when considering applications. 6. There is a policy in the Local Plan relating to the Upper Thurne area.	
Sanford, Mr D W	Part 1: Changing perceptions	I am not at all sure that such a simple sentence adequately or accurately describes what actually happened. Similarly the issue of Lease B property proposed clearance in 1999 ought to be addressed if the 1982 controversy is to be included. It was actually the River Thurne Tenants Association (established in 1948) that, not unsurprisingly perhaps, took exception to any clearance of the riverside properties both in the 1980s and again in the late 1990's.	More detail regarding the threat of removing the bungalows needed.	This is a summary of the situation. It is not intended to go into detail. No change.	Waterside Chalets Guide
Sanford, Mr D W	Part 1: Entrepreneurs	And so they may have been but where is the actual documentary evidence that any of the waterside properties were erected by boat-building tradesmen? Apart from anything else, in planning terms, who cares who built them? Does it matter?	Where is the actual documentary evidence that any of the waterside properties were erected by boat-building tradesmen?	Agree. Sentence removed.	Waterside Chalets Guide
Sanford, Mr D W	Part 1: Wartime refugees	They were only "permanent" if the "refugees" did not return to their Great Yarmouth permanent residences. "There is also evidence of a property in Wroxham, Closeburn, being used as a Red Cross unit for recuperating soldiers." Interesting perhaps, but its relevance in the context and purpose of this document? All of the riverside properties at Potter, bar two, are restricted by lease covenant to non-permanent residences, holiday use only. These covenants have been in existence for more than sixty years.	They were only "permanent" if the "refugees" did not return to their Great Yarmouth permanent residences.	Text relating to refugees changed. New title – Wartime use of the Bungalows/chalets. The two world wars brought new uses for the bungalows/chalets. On occasion people from some of the larger towns in the area, such as Great Yarmouth, used the bungalows/chalets as permanent residences when their main homes were under greater threat from bombing. There is also evidence of a bungalow/chalets in Wroxham, Closeburn, being used as a Red Cross unit for recuperating soldiers. Within this period the bungalows/chalets in some areas also started to be used more generally as permanent residences, resulting in the mix of use we see today, as both holiday and permanent accommodation.  Disagree. This is an interesting story that gives an idea of how the chalets have been used in different ways. No change.	Waterside Chalets Guide
Sanford, Mr D W	Part 1: Controversial assets	Unless the BA has documentary evidence in support of the italicised statement above [entire 'Controversial assets' section quoted], I see absolutely no reason for including it in this document.	Queries justification for text.	Evidenced in dissertation: The locals were not comfortable with seeing the chalets 'spring up among the alder carrs and meadows' (Malster 1933.109) , and observing natural banks being developed, and often saw the chalets as vulgar and over the top (Watts 2003). Dutt, for example, described Wroxham as being spoilt by 'the erection of unsightly	Waterside Chalets Guide

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				modern houses for the accommodation of visitors' (Dutt 1903 in Williamson 1997.159).	
Sanford, Mr D W	Part 1: Location, location, location	'However it doesn't explain the property development in the open landscape around Potter Heigham and Martham, which was and remains a working landscape.' What, exactly, is a working landscape? 'Agriculture predominates and the banks are clear of trees'. They may be now, but in the early part of last century almost every plot had a large tree yet there was an abundance of property development.	Queries some text and wording.	Agree and removed.	Waterside Chalets Guide
Sanford, Mr D W	Part 1: Natural habitat	None of this paragraph relates to development at Potter. Properties here were built on the artificial flood bank (the rhond or rand) of the River Thurne.	None of this paragraph relates to development at Potter.	Noted. 'in some instances' will be added to the start of this section. The next section relates more to the Potter bungalows/chalets.	Waterside Chalets Guide
Sanford, Mr D W	Part 1: On the waterfront	I would like to see explained the reason for the Thurne properties being located so close to the river's edge. The fact is that all of these surviving properties are built on the artificially created flood banks of the Thurne. By definition each is a rand property (b. Eng. regional (chiefly E. Anglian). Usu. in form rond. A marshy, reed-covered strip of land lying between the natural river bank and an artificial embankment; (also) land of this nature. The size and shape of these properties was determined by the size and shape of the rand - that piece of land between river and soke dyke. 'Typical forms included regular, well-proportioned features. The roof was usually the dominant surface with generously overhanging low eaves and overhanging gables.' I can find no photographic evidence that such properties ever existed and certainly were never 'typical' Some of the early waterside boathouses may have had dominant roofs with generously overhanging eaves and gables, but this was due to their dependence on locally and cheaply available reed for thatching which required a steep angle and overhanging eaves to fulfil its purpose. 'The early properties were generally built at ground level and were single storey.' Aren't all buildings built at 'ground level'. 'As issues with flooding became apparent the properties were raised on piles to avoid seasonal flooding. 'There surely here ought to be a reason given for the increased risk of flooding of properties on the functioning flood plain. River levels at Potter Heigham have risen by almost a foot in the last twenty years. 'On the River Bure, boathouses were often integral to the design, sometimes with the boathouse below and the living accommodation above. Treatment at the waterside varied but often the banks were retained by timber quay heading or natural banks in the calmer reaches of the system. Traditionally mooring was provided offriver, within the plot of each property. This offered more protection to boats, with less potential for obstruction to navigation.' Not at Potter it wasn't. Few of the plots leased for decades had (have) an associated boat dock. Historically, many of the leased plots had neither boat dock of bungalow on them. Rather a boat was permanently moored in the river at each plot and this served as holiday, short stay accommodation.	Many queries about current text.	New section to replace current. The age and design of the chalets varies across the Broad with the more elaborate qualities of the chalets upstream at Wroxham and the smaller and simpler looking chalets downstream at Potter Heigham. Chalets siting right on the waterfront, such as those on the River Thurne, were traditionally simple in shape; the size and shape of these properties was determined by the size and shape of the rand (that piece of land between river and soke dyke). Typical characteristics of bungalows/chalets across the Broads included regular, well-proportioned features. The roof was usually the dominant feature with generously overhanging low eaves and overhanging gables. The early chalets were generally were single storey and not raised off the land. As issues with flooding became apparent (for example River levels at Potter Heigham have risen) the chalets were raised on piles to avoid seasonal flooding.	Waterside Chalets Guide
Sanford, Mr D W	Part 1: A sense of proportion	I doubt that builders of the Potter properties thought, we're a bit exposed to the elements out here, we'd better build a simple form. Surely the reason for the simple form is both economic and geographic. Transporting building materials to a riverbank location without road access is what determines what you build and to what scale. 'A greater variety of design and styles can be seen at Potter Heigham and the properties in this area are more individual; one is even constructed from the top of a helter-skelter from the Britannia Pier at Great Yarmouth.' No it isn't. Omit the words "the top of" to improve the accuracy of the text. In fact all but the very top of the original helter skelter are on the riverbank plot. The helter-skelter property is locally listed - with upvc windows all round.	Many queries with text.	Changes made to address concern regarding elements.'the top of' has been removed.	Waterside Chalets Guide
Sanford, Mr D W	Part 1: Simple and fun	'The properties often had a sense of fun, reflecting holiday use, and sympathy for the landscape and their location close to the waterside.' Where is the evidence for this value judgement? A building built with a sense of 'fun' seldom reflects either landscape of location or is this a matter of inadequate punctuation? The helter skelter is an example of just such a fun piece of waterside architecture. Fun it may be. Vernacular it isn't.	Many queries with text.	The Authority considers that fun is an acceptable way to describe these bungalows/chalets. As Malster outlines 'some of these buildings were based on piles that were	Waterside Chalets Guide

Organisation	Section Heading	Representation	BA Officer Summary of Representation	BA comment	Which Guide
		<p>'All of the properties were lightweight in construction and timber predominated as a building material for many elements. Some were constructed on piles driven into the ground to form a foundation.' Not one of the riverside properties at Potter was ever constructed on timber piles driven into the ground. Timber piles did not appear on the Thurne until the modular cedar bungalows of the late 1960s and were the authority's idea of more suitable foundations. Timber piles were not used because locals knew that wood rotted – not if kept permanently wet or permanently dry, but where it alternated wet to dry on a daily cycle. By the 1990s, bungalows built on timber piles were showing signs of being seriously compromised. Most of such properties at Martham, Potter Heigham, Ludham, Repps with Bastwick and Womack have received structural modification to overcome the ignorance of people who ought to have known better in the 60s and 70s.</p> <p>The vast majority of waterside properties at Potter had foundations that consisted of nothing more than a dozen or so poured concrete pads little more than a couple of feet square and four bricks.</p> <p>'Others were constructed on timber rafts.' I'm not altogether sure what constitutes a 'timber raft' but I cannot think of one constructed on one. Where is the evidence for such a statement?</p> <p>'On most early examples the roofs were thatched in local reed.' 'most' – really? The evidence at Potter is where?</p> <p>'...but others had metal sheet roofs such as corrugated iron and later felt roofs were also used. Boundary fences were designed to blend with their surroundings and have a minimal impact. Traditional fencing materials included cleft chestnut fencing and hurdles made from close woven osiers, hazel wattle or reeds.' And the evidence for such a statement is where? At Potter, many of the early boundary treatments were, indeed, rustic, but this very much reflected Edwardian tastes where at home the waterside property's owners would have had rose trellising constructed from tree branches. As well as being a la mode, such fencing was cheap and locally available.</p>		<p>driven down through the peat to a firm foundation' and others were constructed on either timber or concrete rafts (1993.108) (Figure 7). E.g. Whiteslea Lodge.</p> <p>Will add concrete pads and concrete rafts to text.</p> <p>The roofs were, in most cases, thatched and others had metal sheet roofs such as corrugated iron (Malster 1993 and Williamson 1997) and felt roofs were also seen (Broads Authority 1989).</p>	
Sanford, Mr D W	Part 1: Local sources	But whose buildings were never designed to take account of the fact that they would ever be placed on blanchmange and have to travel by water to arrive at their eventual location. As for being 'lightweight', please take it from me, as someone who has lifted in excess of thirty of the waterside properties at Potter, the Boulton & Paul bungalows are, by far, the heaviest.	Refers to weight of some bungalows and the ground conditions they were places on.	Noted.	Waterside Chalets Guide
Sanford, Mr D W	Part 1: Limited services	There are no wells on the Potter riverbanks. Rainwater was gathered, then pumped up to storage tanks in the loft from where it was piped to the kitchen. In the case of all bungalows except one, permanent residence on the banks of the Thurne has been specifically prohibited by lease burden for at least a documented half a century and probably a lot more.	Extra information provided.	Will add in about the rainwater harvesting.	Waterside Chalets Guide
Sanford, Mr D W	Part 2: Then and now	Should not 'total replacement' and 'work to a property' not be more carefully differentiated? To me the paragraph above reads that the BA would prefer total replacement to reflect the materials and detailing of the property the new build replaces. I am confident the BA planners do not intend such. On the other hand I can see that the BA would wish to preserve the integrity of both materials and detailing for repair work to existing buildings.	Should not 'total replacement' and 'work to a property' not be more carefully differentiated?	Do not fully understand the point being made. The text in this section seeks retention. There are also other policies on the issue of replacement dwellings. No change to be made.	Waterside Chalets Guide
Sanford, Mr D W	Part 2: Repair, alteration or replacement	'Costs of these various materials are not dissimilar.' But the on-going maintenance costs are. Again the non-differentiation of materials for cladding from fenestration is confusing. 'Colour coated aluminium' wall cladding? We seemed to have jumped from description to prescription in style. Do we have the hand of a second author here whose motivation and objectives are different?	Confusion between windows, doors and cladding.	'for windows and doors' will be added after 'to that of timber'.	Waterside Chalets Guide
Sanford, Mr D W	General comment	<p>I have thought a lot about the anti-upvc stance seemingly being adopted by the BA planning department. I did a little research too. Of 220 riverside properties, more than three quarters have upvc windows and/or doors. Some of these date back twenty or more years.</p> <p>My suggestion would be for the BA to take a much more practical and pragmatic approach to upvc as construction material by pointing people in the direction of the better end of the upvc window market. If its the aesthetics that matter rather than the construction material itself, there are companies, including some local ones, who make windows that are all but indistinguishable from timber originals. It is interesting that people seldom pick up on guttering and its importance in</p>	Queries the anti-upvc stance seemingly being adopted by the BA planning department	Noted. Basis for further future discussion. But this guide reflects the current situation. Case by case basis.	Waterside Chalets Guide



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		architectural detailing. All of the riverside buildings gutters are upbv. In many cases the upvc guttering perfectly mimics the original ogee cast iron guttering which it replaces.			
South Norfolk Council		<p>Recommend a mix of at least seven species in new hedgerows. The rationale being that if the hedgerow gets to be at least 30 years old, then the fact that it has at least seven woody species will mean that it is more likely to be classified as 'important' (and therefore protectable) under the Hedgerows Regulations.</p> <p>It might be worth adding the Latin plant names (possibly in an appendix), as often there are several common names for the same plant, for example it would be hard to know whether the cited 'wild rose' is the native <i>Rosa canina</i> (dog rose) or native <i>Rosa arvensis</i> (field rose).</p>	<p>Recommend a mix of at least seven species in new hedgerows.</p> <p>Add the Latin plant names (possibly in an appendix).</p>	<p>Agree regarding 7 species.</p> <p>Agree re latin names.</p>	Biodiversity Enhancements Guide

**Strategic Direction**  
Report by Chief Executive

**Summary:** This report sets out progress in implementing the Authority's Strategic Priorities for 2016/17.

**Recommendation:** That the updates for 2016/17 be noted (Appendix 1).

**1 Progress on Strategic Priorities 2016/17**

- 1.1 Each year, the Broads Authority identifies a small set of strategic priorities. These priorities focus on Authority-led projects that have high resource needs or a very large impact on the Broads, or that are politically sensitive. The strategic priorities help target resources and make the most of partnership working and external funding opportunities.
- 1.2 Alongside these priorities and as resources allow, the Authority will continue to work with partners and local communities to deliver Broads Plan actions and routine works. All Broads Plan updates are posted online at: [www.broads-plan.co.uk](http://www.broads-plan.co.uk).
- 1.3 An update on the Strategic Priorities for 2016/17 is outlined in Appendix 1.
- 1.4 A list of the key Broads Authority Strategic Documents is attached at Appendix 2.

Background papers: None

Author: Maria Conti

Date of report: 1 November 2016

Broads Plan Objectives: Multiple

Appendices: APPENDIX 1: Strategic Priorities 2016/17  
APPENDIX 2: Key Broads Authority Strategic Documents

## Strategic Priorities 2016/17

### 1. Broads Plan Review

Review and update the Broads Plan, the strategic management plan for the Broads. Work with partners, local communities and other stakeholders to assess achievements (Broads Plan 2011) and set aspirational strategy for 2017-22.

### 2. Broads Landscape Partnership Scheme: Water, Mills and Marshes

Implement development stage of Broads Landscape Partnership Scheme (LPS), including production of Landscape Conservation Action Plan (LCAP), and prepare second stage application to Heritage Lottery Fund.

### 3. Hickling Broad Enhancement Project

Develop a long-term approach for the management of Hickling Broad, building on scientific evidence from the Broads Lake Review. In the short term, progress development of a number of smaller projects to meet immediate concerns.

### 4. Promoting the Broads

Produce and implement Broads National Park branding guidelines.

### 5. Stakeholder Action Plan

Implement multiple actions in response to the issues identified in the 2014 stakeholder surveys of hire boat operators, private boat owners, residents and visitors.

### 6. Integrated flood risk management and 'climate-smart' communities

Support EA review of short-term flood risk management strategy towards developing a longer-term integrated strategy for the coast and Broads. Develop approaches to climate adaptation planning and action within protected landscapes for local communities and visitors.

Broads Authority strategic priorities 2016/17					
	Project	Milestones	Progress	Status	Contact
1	<b>Broads Plan review</b>	Consult on revised draft Broads Plan 2017 by end Jul-October 2016 (min. 8 weeks) Adopt final plan Mar 2017; implement Apr 2017	Revised draft Broads Plan out to public consultation from 17 Oct-30 December 2016.		Maria Conti
2	<b>Broads Landscape Partnership Scheme: Water, Mills and Marshes</b>	Hold 'drop in' events in Apr/May/Nov 2016 in Landscape Partnership Scheme area Hold partner/stakeholder LPS events by end Jul 2016	Partner and stakeholder workshop held in July attended by 50 organisations.		Will Burchnell
		Landscape Conservation Action Plan (LCAP): <ul style="list-style-type: none"> <li>Submit draft LCAP to LPS Board by end Nov 2016</li> <li>Carry out LCAP consultation in Dec 2016/ Jan 2017</li> <li>Submit final draft LCAP to LPS Board in Mar 2017</li> <li>Submit LCAP and second stage HLF application by May 2017</li> </ul>	Landscape Character Assessment in draft stage and awaiting design guidance from BA Comms team. First draft LCAP prepared for LPS Board (10 Nov) and HLF mid-term review (22 Nov).  The 42 projects to be delivered by the LPS have been costed and programmed. Additional consultancy work commissioned to test education strategy, develop heritage skills training group and award schemes with construction industry training board.		
3	<b>Hickling Broad Enhancement Project</b>	Submit planning application for Stage 2 in Apr 2016	Application submitted and approved.		Trudi Wakelin
		Start Phase 2 construction in Nov 2016	Work underway.		
		Develop full funding application for CANAPE (Creating a new approach for peatland ecosystems) project by Jan 2017	Expression of Interest approved. Development of full application under discussion and lead partner to be identified; Submission deadline 31 Jan 2017.		
4	<b>Promoting the Broads</b>	Review outcome of Judicial Review (Apr 2016)	Branding guidelines developed by BA and Broads Tourism Marketing Group. BA guidelines disseminated. Signage and uniforms with National Park branding on order.		Lorna Marsh

Broads Authority strategic priorities 2016/17					
	Project	Milestones	Progress	Status	Contact
5	<b>Stakeholder Action Plan</b>	Send regular updates from Chief Executive to Parish Clerks and other stakeholder groups	Regular Chief Executive updates in progress; now forwarded to parish clerks. Formal branding of Chief Executive communications still in development due to resource issues.		Lorna Marsh
		Hold min x2 issue/project focused Parish Forums: <ul style="list-style-type: none"> <li>• Waveney/Yare in Apr/May and Nov 2016 - Landscape Partnership Scheme (LPS)</li> <li>• Ant/Bure or Thurne/Bure in Sept/Oct 2016 (Hickling project or flood risk mgt strategy)</li> </ul>	Parish forums not held; however a LPS partner workshop was held in July and a flood risk management workshop (special meeting of Broads Forum and other invitees) in November.		Maria Conti/ Will Burchnall
		Provide updates on activities to promote area to Broads Tourism and to BA as part of biannual Broads Plan/ BA strategic priorities reporting	BA strategic priorities updates provided. Tourism Strategy Annual Action Plan updates provided by Broads Tourism Marketing Group to monthly BT executive meetings.		Lorna Marsh
6	<b>Integrated flood risk management and 'climate-smart' communities</b>	Report on outcome of EA high level review to Broads Forum and BA by Autumn 2016	Report taken to special Broads Forum mtg 3 Nov; results reported to BA at this meeting		Simon Hooton
		Identify next steps to engage public on flood risk management and saline incursion issues - by Dec 2016	Analysis of response to High Level Review will inform next steps. In the meantime, pilot work started in Broadland on helping communities build in adaptation thinking to resilience plans.		
		Report on engagement and adaptation planning process to Broads Forum and BA - Autumn 2016 and Spring 2017			
		Establish core group and prepare external funding bid for climate interpretation in protected landscapes. Submit bid by end 2016.	Pilot project plans reviewed by internal BA process (Oct); feedback used to refine pilot ideas.		

Key	Progress	Key	Progress
	Project completed		Unlikely project will be delivered on time, significant worries
	Project on track, no causes for concern		Project will not be delivered on time, major concerns
	Good progress, some challenges in delivery		Direction of progress since last meeting
	Project timetable slipping, plan in place to address concerns		

### Key Broads Authority Strategic Documents

The table below sets out for members a list of the key strategic documents that guide and inform the work of the Authority (and in many cases that of its partners)

This is not an exhaustive list of all strategies that the Authority either produces itself or contributes to, however these are the higher level guiding strategies that set the direction for various aspects of the Authority's work. The strategies in this table are Broads Wide (and in some cases wider) Many are underpinned by more detailed thematic or site specific strategies or action plans which then translate into specific projects on the ground.

It is proposed to update members on the progress being made on the implementation of these strategies at the May and November Broads Authority meetings annually.

The table sets out the progress made this financial year (2016-17) on the implementation of these key strategies.

Strategy/Plan	Scope of Strategy/Plan (Geographic Area covered is Broads  Executive Area unless specifically advised)	Lead BA Officer	Status	Key Delivery Partners
Broads Plan	Strategic Management Plan for the Broads Executive Area	Maria Conti	Adopted 2011 (2011-2016) Revised draft – Consultation in progress October-December 2016	All Stakeholders
Broads Local Plan	Planning policy document used in determining planning applications within the Executive Area	Natalie Beal	Under review Preferred Options - Consultation proposed – See Agenda	Landowners, applicants, agents, communities, statutory/non statutory bodies
Broads Biodiversity and Water Strategy	Implementation of the National Biodiversity 2020 Strategy with in the Broads	Andrea Kelly	Adopted 2013 1. Lake enhancement projects include reed swamp at Hickling, biomanipulation at Barton, Sotshole and Ranworth, assessment of nutrient input at Cromes– in progress 2. Programme of fen monitoring, research management – ongoing	Broads Conservation Partnership/Broads Biodiversity Group

			<p>3. External funding bids developed including Water Sensitive Farming (Tesco), Wet Grassland (HLF), CANAPE (Interreg)</p> <p>4. LPS projects, WildCompost, Wetland Life - ongoing</p> <p>5. Assessment of recreational disturbance on EU protected sites - complete</p> <p>6. Research of carbon capture in fens , salinity reconstruction of the Upper Thurne Broads and mink management, via supervision of three PhD students – complete/ongoing</p>	
Broadland Rivers Catchment Plan	Water Management within the whole of the Broadland Rivers Catchment	Neil PUNCHARD	<p>Adopted 2014</p> <ul style="list-style-type: none"> <li>• Water Sensitive Farming project 2016-2018 and Norfolk Rural SuDS project 2016-17 underway. 3 silt traps constructed. 2 in design stages</li> <li>• Farmer soil and water innovation workshop organised. Web map in development for run-off risk and water quality opportunity mapping</li> </ul>	Broadland Catchment Partnership (BCP)
Broads Climate Change Adaptation Plan	Planning for Climate Change Adaptation within the Broads	Simon Hooton	<p>Adopted 2016</p> <ol style="list-style-type: none"> <li>1. <b>High level review of flood management:</b> report finished and shared with Broads Forum on Nov 3 as starting point for future plans</li> <li>2. <b>Raising community awareness:</b> pilot project with Broadland DC and NRF to encourage community resilience planning. Workshop held 1/10/16 and now considering next steps. Trying to work with a parish council on a specific</li> </ol>	Broads Climate Change Partnership

			<p>plan</p> <p>3. <b>PhD on flood and saline incursion modelling:</b> probation period successful; model methodology nearly confirmed ; exploring engagement with stakeholders</p> <p><b>Protected landscape climate interpretation:</b> first ideas not supported by BA's PDG process so being reviewed.</p>	
Integrated Access Strategy	Improving access in all forms to land and water within	Adrian Clarke	<p>Adopted 2013 Revised Action Plan Adopted by BLAF in September 2016</p> <ul style="list-style-type: none"> <li>• Rockland Short Dyke and Berney Arms 24-hour moorings leases agreed in principle.</li> <li>• Clayrack marshes permissive path to Crowe's Staithe accommodation works programmed</li> <li>• River Wensum Strategy draft being produced for final consultation and project delivery.</li> <li>• Canoe Launch Geldeston design and landowner discussions in progress</li> </ul>	Broads Local Access Forum (BLAF)
Sustainable Tourism Strategy	Promotion and management of Sustainable Tourism within the Broads Executive Area	Bruce Hanson	<p>Adopted January 2016</p> <p>Three key priorities selected for action in first year:</p> <ul style="list-style-type: none"> <li>➤ Rebuilding Enjoy the Broads website – work underway and good progress to date</li> <li>➤ Social media – some current activity by tourism officer but plans under development for Broads Tourism to take lead on this</li> <li>➤ Develop outstanding wildlife</li> </ul>	Broads Tourism



			experiences – work scheduled with partner organisations during next three months	
Education Strategy	Strategic Guidance for the delivery of Environmental Education in the Broads	Nick Sanderson	Adopted 2012 (2012-2016) Currently under review Draft expected to BA in Jan 2017	Broads Environmental Education Network (BEEN)
Volunteer Strategy	Strategic guidance for the promotion and delivery of the BA Volunteer Service	Beth Williams	Adopted 2012 (2012-2016) Currently under review Draft expected to BA in Jan 2017	Broads Volunteers and BA Staff
Financial Strategy	Strategy for the use of resources within the Broads Authority	Emma Krelle	Adopted 2016  Plan period (2016/17-2017/18)	Broads Authority
Asset Management Strategy	Sets out the practices and procedures to ensure that the Authority's land, property and other assets are managed and maintained effectively	Angie Leeper	Plan Period 2016/17 Adopted 20 November 2015 Updated report to BA 27/1/2017 Review 2017/18	Broads Authority
Business Plan	Provides an annual overview of the Broads Authority's planned activities	BA Management Team	Adopted Annually in May  Member Workshop on Priority Projects planned for 8 Dec 2016	Broads Authority

**Financial Performance and Direction**  
Report by Head of Finance

**Summary:** This report provides a strategic overview of current key financial issues and items for decision.

**Recommendation:** That the income and expenditure figures be noted.

**1 Introduction**

1.1 This report covers the Consolidated Income and Expenditure from 1 April – 30 September 2016.

**2 Overview of Actual Income and Expenditure**

Table 1 – Actual Consolidated I&E by Directorate to 30 September 2016

	<b>Profiled Latest Available Budget</b>	<b>Actual Income and Expenditure</b>	<b>Actual Variance</b>
Income	(4,649,397)	(4,629,399)	- 19,998
Operations	1,780,659	1,668,279	+ 112,380
Planning and Resources	1,627,422	1,476,164	+ 151,259
Chief Executive	226,808	227,323	- 515
Projects, Corporate Items and Contributions from Earmarked Reserves	(29,275)	(31,933)	+ 2,657
<b>Net (Surplus) / Deficit</b>	<b>(1,043,783)</b>	<b>(1,289,566)</b>	<b>+ 245,783</b>

2.1 Core navigation income is behind of the profiled budget at the end of month six. The overall position as at 30 September 2016 is a favourable variance of £245,783 or 23.55% difference from the profiled LAB. This is principally due to:

- An overall adverse variance of £20,877 within toll income:
  - Hire Craft Tolls £26,542 below the profiled budget.
  - Private Craft Tolls £10,056 above the profiled budget.
- A favourable variance within Operations budgets relating to:
  - Water Management is under profiled budget by £42,377 due to timing differences on the Hickling project.
  - Practical Maintenance is under the profiled budget by £20,609 due to timing differences on various projects.

- Ranger Services is under profiled budget by £17,684 mainly due to the trial of the revised Ranger structure.
- Premises is under profiled budget by £18,007 due to delayed invoicing on the Dockyard old workshop repairs.
- A favourable variance within Planning and Resources budgets relating to:
  - Strategy and Projects is under profiled budget by £60,303 due to timing differences on the Local Plan and the Landscape Architect. Additional Catchment income has also been received.
  - Project Funding is under profiled budget by £37,475 due to the difficulties of profiling the project pot budget because of the uncertain nature of when projects will be submitted and spent.
  - Heritage Lottery Fund (Landscape Partnership) is behind profiled budget by £13,473 due to expenditure being slightly behind following the mill survey savings.
  - ICT is behind profiled budget by £13,041 due to savings on the photocopier leases and timing differences.
  - Planning and Resources Management and Administration is under profiled budget by £17,620 due to the delayed franking machine contract which has delayed the top ups to the machine on postage. Additional income has also been received for staff recharges.

2.2 The charts at Appendix 1 provide a visual overview of actual income and expenditure compared with both the original budget and the LAB.

### 3 Latest Available Budget

3.1 The Authority's income and expenditure was being monitored against the latest available budget (LAB) in 2016/17. The LAB is based on the original budget for the year, with adjustments for known and approved budget changes such as carry-forwards and budget virements. Details of the movements from the original budget are set out in Appendix 2.

Table 2 – Adjustments to Consolidated LAB

	<b>Ref</b>	<b>£</b>
Original budget 2016/17 – deficit	Item 12 18/03/16 (BA)	10,347
Approved budget carry-forwards	Item 13 13/05/16 (BA)	26,031
<b>LAB at 30 September 2016 – deficit</b>		<b>36,378</b>

#### 4 Overview of Forecast Outturn 2016/17

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

Table 3 – Adjustments to Forecast Outturn

Item	£
<b>Forecast outturn deficit per LAB</b>	<b>36,378</b>
Previously reported adjustments 30/09/16	(24,283)
Increase to Hire Craft Income	(3,224)
Decrease to Private Craft Income	4,196
Increase to Vessel & Equipment Income	(500)
Decrease to Yare House expenditure for rent initiative	(12,855)
Increase to Water Management Income for EA contribution towards Hickling Project	(10,000)
Increase to Water Management Income for staff recharges	(6,500)
Increase to Planning Management & Admin Income for staff recharges	(7,000)
Increase to Operations Management & Admin Income for staff recharges	(2,000)
<b>Forecast outturn surplus as at 30 September 2016</b>	<b>(25,788)</b>

- 4.2 The main reason for the difference between the forecast outturn and the LAB is the change in predictions for navigation toll income and interest. There is also additional income predicted for planning income and a number of smaller savings within other budgets.

#### 5 Reserves

Table 4 – Consolidated Earmarked Reserves

	Balance at 1 April 2016	In-year movements	Current reserve balance
	£	£	£
Property	(360,603)	(77,000)	(437,603)
Plant, Vessels and Equipment	(302,225)	(102,364)	(404,589)
Premises	(201,675)	(21,291)	(222,965)
Planning Delivery Grant	(290,865)	98,242	(192,623)
Upper Thurne Enhancement	(56,552)	(18,930)	(75,481)
Section 106	(76,469)	(31,972)	(108,440)

Heritage Lottery Fund	(55,956)	(3,753)	(59,708)
<b>Total</b>	<b>(1,344,343)</b>	<b>(157,067)</b>	<b>(1,501,410)</b>

5.1 £779,446 of the current reserve balance relates to navigation reserves.

## 6 Summary

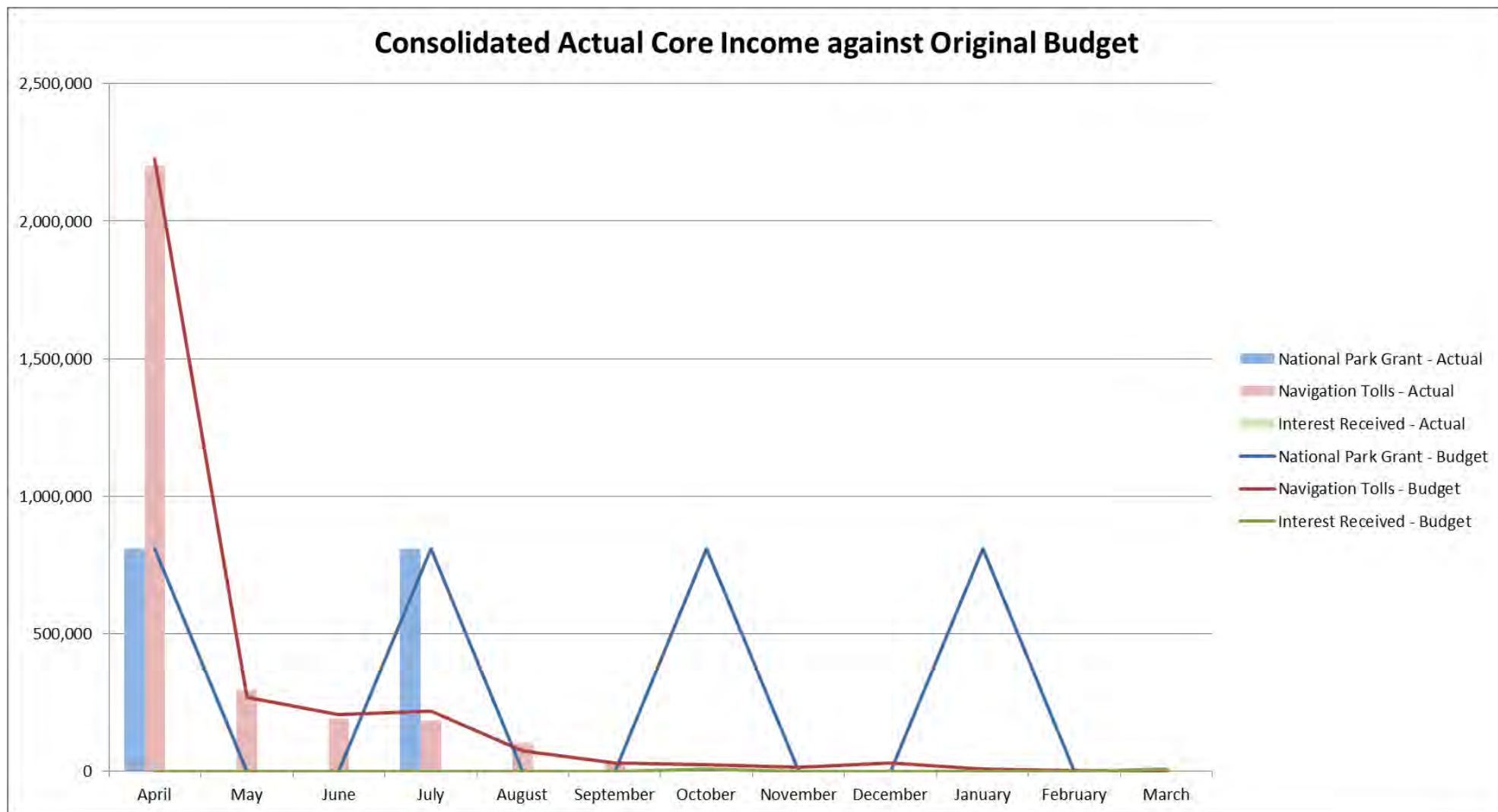
6.1 The current forecast outturn position for the year suggests a surplus of £27,884 for the national park side and a deficit of £2,096 on navigation resulting in an overall surplus of £25,788 within the consolidated budget, which would indicate a general fund reserve balance of approximately £1,072,000 and a navigation reserve balance of approximately £331,000 at the end of 2016/17 before any transfers for interest. This will mean that the navigation reserve will be just above the recommended level of 10% of net expenditure during 2016/17.

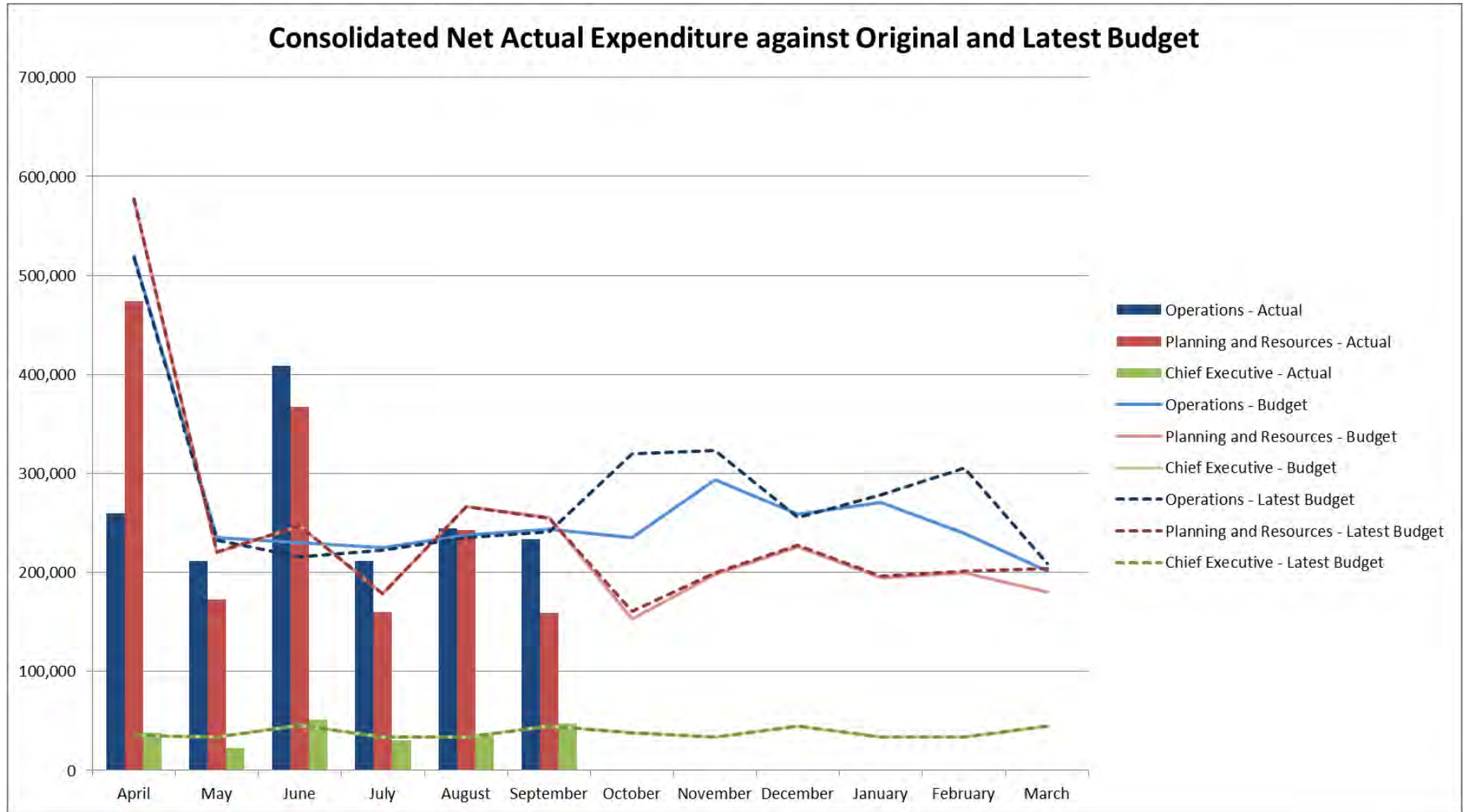
Background papers: None

Author: Emma Krelle  
Date of report: 1 November 2016

Broads Plan Objectives: None

Appendices: APPENDIX 1 – Consolidated Actual Income and Expenditure Charts to 30 September 2016  
APPENDIX 2 – Financial Monitor: Consolidated Income and Expenditure 2016/17





To 30 September 2016

Budget Holder (All)

Row Labels	Values				
	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Income	(6,373,641)		(6,373,641)	(6,347,672)	-25,969
National Park Grant	(3,243,802)		(3,243,802)	(3,243,802)	0
Income	(3,243,802)		(3,243,802)	(3,243,802)	0
Hire Craft Tolls	(1,079,000)		(1,079,000)	(1,053,484)	-25,516
Income	(1,079,000)		(1,079,000)	(1,053,484)	-25,516
Private Craft Tolls	(1,972,000)		(1,972,000)	(1,976,547)	4,547
Income	(1,972,000)		(1,972,000)	(1,976,547)	4,547
Short Visit Tolls	(40,089)		(40,089)	(40,089)	0
Income	(40,089)		(40,089)	(40,089)	0
Other Toll Income	(18,750)		(18,750)	(18,750)	0
Income	(18,750)		(18,750)	(18,750)	0
Interest	(20,000)		(20,000)	(15,000)	-5,000
Income	(20,000)		(20,000)	(15,000)	-5,000
Operations	3,347,498	163,430	3,510,928	3,483,098	27,830
Construction and Maintenance Salaries	1,122,050	0	1,122,050	1,122,050	0
Salaries	1,122,050	0	1,122,050	1,122,050	0
Expenditure			0		0
Equipment, Vehicles & Vessels	419,833	166,000	585,833	576,333	9,500
Income	0		0	(500)	500
Expenditure	419,833	166,000	585,833	576,833	9,000
Water Management	147,500		147,500	131,000	16,500
Income	0		0	(16,500)	16,500
Expenditure	147,500		147,500	147,500	0
Land Management	(38,000)		(38,000)	(38,000)	0
Income	(95,000)		(95,000)	(95,000)	0
Expenditure	57,000		57,000	57,000	0



Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Practical Maintenance	419,200		419,200	417,700	1,500
Income	(9,000)		(9,000)	(10,500)	1,500
Expenditure	428,200		428,200	428,200	0
Ranger Services	721,315		721,315	721,315	0
Income	(47,000)		(47,000)	(47,000)	0
Salaries	596,860		596,860	596,860	0
Expenditure	171,455		171,455	171,455	0
Pension Payments			0		0
Safety	125,600		125,600	123,650	1,950
Income	(9,000)		(9,000)	(1,000)	-8,000
Salaries	59,600		59,600	62,000	-2,400
Expenditure	75,000		75,000	62,650	12,350
Asset Management	151,280	2,880	154,160	157,780	-3,620
Income	(1,000)		(1,000)	(1,000)	0
Salaries	41,530	2,880	44,410	48,030	-3,620
Expenditure	110,750		110,750	110,750	0
Premises	152,170		152,170	152,170	0
Income	(20,000)		(20,000)	(20,000)	0
Expenditure	172,170		172,170	172,170	0
Operations Management and Administration	126,550	(5,450)	121,100	119,100	2,000
Income	0		0	(2,000)	2,000
Salaries	114,050	(5,450)	108,600	108,600	0
Expenditure	12,500		12,500	12,500	0
Planning and Resources	2,738,835	38,159	2,776,995	2,754,040	22,955
Development Management	249,550	6,710	256,260	259,610	-3,350
Income	(60,000)		(60,000)	(80,000)	20,000
Salaries	284,550	6,710	291,260	291,260	0
Expenditure	25,000		25,000	48,350	-23,350
Pension Payments			0		0
Strategy and Projects Salaries	286,990	(4,140)	282,850	282,850	0
Income	(3,500)		(3,500)	(3,500)	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Salaries	202,490	(4,140)	198,350	198,350	0
Expenditure	88,000		88,000	88,000	0
Biodiversity Strategy	10,000	600	10,600	10,600	0
Income			0		0
Expenditure	10,000	600	10,600	10,600	0
Strategy and Projects	113,030	24,989	138,019	138,019	0
Income			0		0
Salaries	76,530		76,530	76,530	0
Expenditure	36,500	24,989	61,489	61,489	0
Waterways and Recreation Strategy	144,460		144,460	144,460	0
Salaries	69,960		69,960	69,960	0
Expenditure	74,500		74,500	74,500	0
Project Funding	105,500		105,500	105,500	0
Income	(19,000)		(19,000)	(19,000)	0
Expenditure	124,500		124,500	124,500	0
Pension Payments			0		0
Partnerships / HLF	50,000		50,000	50,000	0
Income	(231,846)		(231,846)	(231,846)	0
Salaries	48,960		48,960	48,960	0
Expenditure	232,886		232,886	232,886	0
Volunteers	66,620		66,620	66,620	0
Income	(1,000)		(1,000)	(1,000)	0
Salaries	47,620		47,620	47,620	0
Expenditure	20,000		20,000	20,000	0
Finance and Insurance	337,750		337,750	339,500	-1,750
Income			0		0
Salaries	137,750		137,750	139,500	-1,750
Expenditure	200,000		200,000	200,000	0
Communications	268,250	23,700	291,950	291,950	0
Income			0		0
Salaries	188,750		188,750	188,750	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Expenditure	79,500	23,700	103,200	103,200	0
Visitor Centres and Yacht Stations	214,930		214,930	214,930	0
Income	(232,500)		(232,500)	(232,500)	0
Salaries	315,430		315,430	315,430	0
Expenditure	132,000		132,000	132,000	0
Collection of Tolls	122,230		122,230	122,230	0
Salaries	109,530		109,530	109,530	0
Expenditure	12,700		12,700	12,700	0
ICT	300,117	(13,700)	286,417	278,217	8,200
Salaries	143,730		143,730	143,730	0
Expenditure	156,387	(13,700)	142,687	134,487	8,200
Premises - Head Office	254,548		254,548	241,693	12,855
Expenditure	254,548		254,548	241,693	12,855
Planning and Resources Management and Administration	214,860		214,860	207,860	7,000
Income	0		0	(7,000)	7,000
Salaries	133,660		133,660	133,660	0
Expenditure	81,200		81,200	81,200	0
Chief Executive	454,630	442	455,072	441,072	14,000
Human Resources	117,730	442	118,172	119,542	-1,370
Income			0		0
Salaries	58,230		58,230	59,600	-1,370
Expenditure	59,500	442	59,942	59,942	0
Legal	109,970		109,970	96,900	13,070
Income			0		0
Salaries	49,970		49,970	36,900	13,070
Expenditure	60,000		60,000	60,000	0
Governance	123,290		123,290	120,990	2,300
Salaries	69,090		69,090	69,090	0
Expenditure	54,200		54,200	51,900	2,300
Chief Executive	103,640		103,640	103,640	0
Salaries	103,640		103,640	103,640	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Expenditure			0		0
Projects and Corporate Items	137,000		137,000	137,000	0
Corporate Items	137,000		137,000	137,000	0
Pension Payments	137,000		137,000	137,000	0
Contributions from Earmarked Reserves	(293,975)	(176,000)	(469,975)	(493,325)	23,350
Earmarked Reserves	(293,975)	(176,000)	(469,975)	(493,325)	23,350
Expenditure	(293,975)	(176,000)	(469,975)	(493,325)	23,350
<b>Grand Total</b>	<b>10,347</b>	<b>26,031</b>	<b>36,378</b>	<b>(25,788)</b>	<b>62,166</b>

**Appointment of External Auditors**  
Report by Head of Internal Audit

**Summary:** This report outlines the Local Audit and Accountability Act (2014) and the necessity for local authorities to establish an auditor panel and manage their own procurement. The report explores the options available, the associated benefits, and concludes with a preferred route for the Authority for the appointment of the External Auditor.

**Recommendations:**

- (i) 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.
- (ii) That delegated authority be given to the Section 17 Officer to communicate the willingness of the authority to join the scheme to PSAA and to enter into the scheme after a satisfactory examination / negotiation of the proposed terms and conditions is concluded.

**1 Introduction**

- 1.1 The Local Audit and Accountability Act 2014 (the Act) introduced the necessity for local authorities to establish an auditor panel and manage their own procurement.
- 1.2 Therefore all local authorities will need to decide how their auditors will be appointed in the future, whether they make the appointment themselves, or in conjunction with other bodies, or join a national collective scheme.
- 1.3 The current audit contracts are administered by Public Sector Audit Appointments (PSAA), which is a not-for-profit organisation established by the Local Government Association (LGA). These powers are time limited and will cease when these contracts with audit firms expire with the completion of the 2017/18 audits.
- 1.4 Thereafter the Authority will need to have exercised a choice about whether to opt in to the authorised national scheme, or whether to make arrangements to appoint their own auditors.
- 1.5 The LGA has played a leadership role in anticipating the changes and influencing the range of options available to local bodies. In particular it had lobbied to ensure that, irrespective of size, scale, responsibility or location, local government bodies can, if they wish, subscribe to a specially authorised

national scheme which will take full responsibility for local auditor appointments which offer a high quality professional service and value for money.

- 1.6 PSAA is leading the development of this national option and ideally are looking for principal bodies to give firm commitment to join during autumn 2016.
- 1.7 High quality independent audit is one of the cornerstones of public accountability, it gives assurance that taxpayers' and Toll Payers' money has been well managed and properly expended. It helps inspire trust and confidence in the organisations and people responsible for managing public money.

## **2 Options**

- 2.1 The Authority can appoint auditors directly but this is not recommended as it would be costly to run our own procurement exercise, and being an individual authority we would be unlikely to benefit from economies of scale and achieve a competitive price. In addition an auditor panel would need to be set up to undertake the functions as set out in the Act.
- 2.2 Auditors can be appointed in conjunction with other local authorities. This was initially explored with Norfolk County Council leading on a potential County-wide procurement exercise. However again this is not recommended as it would incur procurement costs for the authorities involved and would also mean each authority would need to manage and monitor the performance of the contract that was entered into. Again an auditor panel would need to be set up.
- 2.3 To avoid prohibitive costs and ensure a sound contractual framework is in place for the assessment of auditors it is recommended that the Authority join the national collective scheme, subject to the applicable terms and conditions being acceptable to the Authority.
- 2.4 To do nothing is not recommended as this would contravene the Act.

## **3 Expected Benefits**

- 3.1 Auditors must be independent of the bodies they audit, to enable them to carry out their work with objectivity and credibility, and in a way which commands public confidence. PSAA will ensure that every auditor appointment passes this test.
- 3.2 The scheme will endeavor to appoint the same auditor to bodies which are involved in formal collaboration / joint working initiatives or within combined authority areas thereby avoiding duplication or effort wherever possible.
- 3.3 PSAA will only contract with firms which have a proved track record in undertaking public audit work. In accordance with the Act the firms must be

registered with one of the chartered accountancy institutes acting in the capacity of a Recognised Supervisory Body (RSB), and the quality of the work will be subject to scrutiny by both the RSB and the Financial Reporting Council (FRC).

#### **4 Reasons for Chosen Option / Recommendation**

- 4.1 A top priority for PSAA is to seek to obtain the best possible price; the current thinking is that this can be achieved by letting a three year contract, with the option to extend to five years, to a relatively small number of appropriately registered firms in two or three large contracts nationally. By having contracts with a number of firms PSAA will be able to ensure independence and avoid dominance of the market by one or two firms.
- 4.2 The procurement strategy will prioritise the importance of demonstrably independent appointments, in terms of both the audit firm appointed to each audited body and the procurement and appointment processes used.
- 4.3 PSAA will ensure that fee levels are carefully managed by securing competitive prices from firms and by minimising PSAA's own cost. PSAA will pool scheme costs and charge fees to audited bodies in accordance with a fair scale of fees which has regard to size, complexity and audit risk. Pooling therefore means that everyone within the scheme will benefit from the most competitive prices (current fees are set on this basis).

#### **5 Conclusion**

- 5.1 Due to the expected benefits, as outlined in the report, the Authority should agree to join a national collective scheme for the appointment of the External Auditors.

Background papers:	PSAA Corporate Plan 2015-2018
Author:	Emma Hodds, Internal Audit Consortium Manager
Date of report:	27 October 2016
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 - Objectives of PSAA

## Public Sector Audit Appointments Limited

Public Sector Audit Appointments Limited (PSAA) is an independent company limited by guarantee incorporated by the Local Government Association in August 2014, without any share capital and is a subsidiary of the Improvement and Development Agency (IDeA) which is wholly owned by the LGA.

The Secretary of State for Communities and Local Government delegated statutory functions (from the Audit Commission Act 1998) to PSAA by way of a letter of delegation issued under powers contained in the Local Audit and Accountability Act 2014.

The company is responsible for appointing auditors to local government, police and local NHS bodies, for setting audit fees and for making arrangements for the certification of housing benefit subsidy claims.

Before 1 April 2015, these responsibilities were discharged by the Audit Commission.

PSAA has been tasked with ensuring that the company delivers the following objectives:

- appointing auditors to all relevant authorities;
- setting scales of fees, and charging fees, for the audit of accounts of relevant authorities and consulting with relevant parties in relation to those scales of fees;
- making arrangements for the certification of claims or returns in respect of housing benefit subsidy from audited bodies;
- helping to ensure a smooth transition to the new audit regime to be established under the Local Audit and Accountability Act 2014;
- ensuring that public money continues to be properly accounted for and protected during the transition to the new local appointment regime to be established under the Local Audit and Accountability Act 2014;
- overseeing the delivery of consistent high quality and effective audit services to relevant authorities;
- ensuring effective management of contracts with audit firms for the delivery of audit services to relevant authorities;
- be financially responsible having regard to the efficiency of operating costs and transparently safeguarding fees charged to audited bodies; and
- Leading its people as a good employer, ensuring that it continues to be fit-for-purpose; motivating and supporting its staff; and communicating with them in an open, honest and timely way.



**Annual Report on Partnership Arrangements**  
Report by Solicitor and Monitoring Officer

<p><b>Summary:</b> This report provides details of the Strategic Partnerships which are currently registered with the Broads Authority. Where actions are required to address weaknesses and manage risk, these are detailed within the Partnership Action Plan.</p> <p><b>Recommendation:</b> That the Authority notes the current Register of Partnerships and Partnership Action Plan, at Appendices 1 and 2 respectively, and the results of the Management Team's annual review of the Partnerships at paragraph 2.3.</p>
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## **1 Introduction**

- 1.1 The Broads Authority is increasingly involved in joint working with outside organisations which can cover the full range of the Authority's activities. These arrangements, usually referred to as partnerships, go beyond traditional contractual working relationships and can be very effective in delivering key objectives and priorities and fostering joint working with key partner organisations.
- 1.2 Partnerships should improve the quality of services provided by the Authority and/or contribute towards the attainment of the Authority's statutory objectives and priorities. Partnerships can deliver outcomes for which the Authority does not have the resources and expertise to deliver on its own, and can achieve benefits greater than the sum of what could be achieved by the individual partners. Ideally they should 'add value' to the work being carried out by the Authority. They can do this in a number of ways, including:
- a. improving services through better coordination, especially where these are delivered by a range of organisations;
  - b. tackling complex, cross-cutting and Broads wide issues;
  - c. facilitating and increasing community engagement through improved information, consultation and participation;
  - d. ensuring that services are developed in line with customer needs, through community involvement;
  - e. encouraging more creative approaches through bringing together people with different backgrounds and skills, and sharing risks;

- f. wielding greater influence than individual partners could achieve;
- g. achieving economies of scale and reducing waste and duplication through pooling resources;
- h. gaining access to new resources;
- i. meeting statutory requirements; and
- j. providing opportunities for learning through working with people from different organisations.

1.3 A partnership can be defined as an arrangement involving the Authority and one or more other external organisations, from any sector, who share the responsibility for agreeing and then delivering a set of actions and outcomes which contribute to the purposes and objectives of the Authority. The following do not constitute partnerships for this purpose:

- a. a traditional contractual arrangement where the delivery of services or a project has been awarded to a contractor (with or without a competitive tendering exercise);
- b. groups of elected members and/or officers from local authorities and others who come together to discuss forthcoming issues, policy and strategy;
- c. ongoing and day to day liaison with other agencies which have statutory responsibilities which impact on and in some cases link closely to the work of the Authority, such as the Environment Agency and Natural England (although occasionally the relationship with some bodies may constitute a partnership).

1.4 The Authority should only enter into a partnership if it is able to invest the necessary resources (staff time, assets, knowledge and money) required to play a full and constructive role in the partnership. Before entering into a formal partnership arrangement, officers complete a Partnership Protocol Checklist to ensure that:

- a. the aims and objectives of the partnership are clearly set out;
- b. it can be demonstrated how the aims and objectives contribute to the Authority's statutory purposes and objectives;
- c. there are clear terms of reference setting out how the partnership proposes to achieve these aims and objectives;
- d. the financial responsibilities of the respective parties are clearly established;

- e. the partnership represents value for money, and the Authority could not achieve the same outcome more cost effectively;
- f. there is a clear exit strategy should the partnership fail to meet its objectives;
- g. there is a nominated responsible officer (who should be at least Head of Section level); and
- h. the need for member involvement in any Partnership Board is considered

Management Team approval, and on occasion full Authority approval in appropriate instances, is obtained prior to entering into the Partnership agreement.

## **2 Register of Partnerships and Partnership Action Plan**

2.1 The Authority maintains a Register of Partnerships which includes the following details in respect of each partnership:

- a. the name and purpose of the partnership;
- b. the partners involved and Broads Authority Lead Officer;
- c. the duration of the partnership;
- d. the financial arrangements, including details of the funding contributed by the Broads Authority; and
- e. the operational risks and mitigation measures in place.

The current Register of Partnerships is at Appendix 1.

2.2 Six months after the commencement of a new partnership the Management Team commission an evaluation of the internal management and governance arrangements which are in place in order to:

- a. ensure that these are adequate and appropriate;
- b. assess whether the partnership is meeting its original aims and objectives; and
- c. assess whether the operational risks are being effectively managed.

The conclusions of this exercise are considered by the Management Team, together with a summary of strengths and weaknesses and any remedial action which is considered necessary to address the weaknesses and manage the risks. These are set out in the Partnership Action Plan identifying the responsible officer and target dates. The current Partnership Action Plan

is at Appendix 2. Where any significant actions are identified through the Management Team review, these will normally be picked up and included within the Annual Governance Statement Action Plan.

- 2.3 The Register of Partnerships and Partnership Action Plan are reviewed by the Management Team on an annual basis. This review was completed on 31 October 2016, where the Management Team confirmed that the remaining partnerships were still meeting their original aims and objectives; that the internal management and governance arrangements were adequate and appropriate; and that the various partnerships continued to represent value for money.
- 2.4 It is good practice for the Authority to receive an annual update on the Strategic Partnerships and the Authority is requested to note the current Register of Partnerships at Appendices 1.

Background papers: Nil

Author: David Harris  
Date of report: 28 October 2016

Broads Plan Objectives: None

Appendices: APPENDIX 1 – Register of Partnerships

## Register of Partnerships

Name and Purpose of Partnership	Partners Involved/ BA Lead Officer	Duration of partnerships	Financial Arrangements/BA Contribution	Operational Risks and Mitigation Measures
<p><b>Trinities Partnership.</b></p> <p>To safeguard and enhance the Trinity Broads for wildlife and people through the delivery of improved water quality, biodiversity and public access.</p>	<p>Broads Authority</p> <p>Environment Agency</p> <p>Natural England</p> <p>Northumberland Water Ltd (T/A Essex and Suffolk Water)</p> <p>The Norfolk Naturalists Trust (T/A Norfolk Wildlife Trust)</p> <p>BA Lead Officer – Senior Ecologist (AK)</p>	<p>The Partnership is subject to a term of 5 years of the Trinity Broads Management Plan 2012-2017 through a Draft Statement of Joint Working which is yet to be finalised.</p> <p>The Statement of Joint Working will terminate on the fifth anniversary of the commencement date or earlier if terminated under the partnership agreement.</p>	<p>The funding for the partnership is primarily financed by the lead partner Northumberland Water Ltd trading as Essex &amp; Suffolk Water. Additional funding is discretionary for all other partners including the Broads Authority.</p> <p>BA has made a contribution of £4,500 for the current year.</p>	<p><b>Financial Risk.</b> The main financial risk for the Authority is minimal due to the low value of the BA expected funding and the fact that the BA is not formally committed to future contributions.. Regular reporting by project officers will further reduce risk.</p> <p><b>Partnership Risk.</b> The Statement of Joint Working limits liabilities and also sets out provisions for the withdrawal and termination of the partnership statement. Partners are therefore able to amend their discretionary funding of the partnership if funding streams decay and ultimately withdraw from the partnership. However there is little risk to the Authority as the landowner Northumberland Water ltd will ultimately be responsible for the management of the site if the partnership were to fail.</p>
<p><b>Association of Inland Navigation Authorities (AINA).</b></p> <p>(i) To represent the collective views of navigation authorities to Government, regulators, other policy makers, funders and stakeholders;</p>	<p>18 partners - They include Canal &amp; River Trust, the Environment Agency and the Broads Authority, in addition to national park authorities, local government authorities, private canal companies, internal drainage boards, and a variety of public and</p>	<p>The Partnership has no specific end date although a recent review of the Constitution has taken place.</p>	<p>BA contribution is £3,280 for the current financial year.</p>	<p><b>Financial Risk.</b> There is a limited financial risk for the Authority. The key risk would be expenditure incurred above the contribution. The withdrawal of other partners wouldn't necessarily incur a higher financial contribution for the BA.</p> <p><b>Partnership Risk.</b> The main risk to the partnership is the loss of members and consequential subscriptions.</p>

<p>(ii) To provide information, advice and good practice for the management, operation and development of inland waterways for navigation and wider use.</p>	<p>charitable trusts.  BA Lead Officer – Senior Waterways and Recreation Officer (AC)</p>			
<p><b>The Broads Landscape Partnership</b></p>	<p>Broads Authority, Broads Society, Broads Tourism, Easton and Otley College, Farm Conservation Limited, Great Yarmouth Preservation Trust, New Anglia LEP, Natural England, Norfolk County Council, Norfolk Windmills Trust, RSPB, Voluntary Norfolk, WLMA, Workers' Educational Association</p> <p>BA Lead Officer: Director of Planning and Resources (AL)</p>	<p>Partnership was originally time limited to October 2015 and was dependent on a successful first stage HLF bid which has now been confirmed and the partnership period extended to May 2017. The Partnership is now in Stage 2 which was submitted in May 2017.</p>	<p>BA contribution is £50,000 cash in 2015/15, 16/17 and 17/18 as outlined in the current financial strategy.</p> <p>There will also be in kind contributions of officer time and it is envisaged that financial and in kind contributions will also be made by Project Partners.</p>	<p><b>Financial Risk –</b> There is a limited financial risk for the Authority. The key risk would be expenditure incurred above the contribution. Current committed budget for preparation and submission will be up to £50,000 plus officer time. (Identified in the Financial Strategy) As this is relatively small compared to the £2.6million asked for, the risk is considered acceptable.</p> <p><b>Partnership Risk –</b> Should the later stages of the bid be unsuccessful, the partnership will be at risk. However, working closely in partnership from the beginning and getting BA members and the Project Board to sign off the bid, the reputational element can be minimised.</p>
<p><b>Broads Beat</b></p> <p>This is a dedicated Police presence for the Broads and is funded by a combination of the BA and other boating</p>	<p>Broads Authority, Norfolk Constabulary, Environment Agency,</p> <p><b>BA Lead Officer:</b> Head of Ranger Services (LB)</p>	<p>The Partnership is ongoing and not time-limited.</p>	<p>The funding for the partnership is primarily financed by the lead partner Norfolk Police Service. Additional funding is discretionary for all other sponsors including the Broads Authority. The annual BA</p>	<p><b>Financial Risk –</b> There is a limited financial risk for the Authority. The key risk would be additional expenditure (time and resource) incurred should the service be discontinued. The withdrawal of other partners wouldn't necessarily incur a higher financial contribution for the BA.</p>

businesses.			contribution is currently £2,500 plus officer time for assisting Broads Beat patrols.	<p><b>Partnership Risk –</b> The main risk to the partnership would be from the Police deciding to terminate Broads Beat directive or withdrawal of financial support. Withdrawal of one partner would not necessarily result in the broads beat failing. However if all sponsors withdraw, the partnership might be at serious risk of ending.</p>
<p><b>Broadland Catchment Partnership.</b></p> <p>To provide steering of the Broadland Catchment approach to source funding, agree targets/projects in collaboration with partners. It is an informally constituted partnership.</p>	<p>Broads Authority Norfolk Rivers Trust Environment Agency Natural England Water Management Alliance Anglian Water Essex and Suffolk Water NFU RSPB Defra</p> <p>BA Lead Officer – Broadland Catchment Partnership Officer (NP)</p>	The partnership was due to expire on 31 March 2015 but the partners agreed to extend this further indefinitely.	BA contribution was £12,471 for 2015/16 which is the calculated value of officer time. There is no direct financial contribution.	<p><b>Financial Risk.</b> The main financial risk is that funding can be terminated by DEFRA, NE and EA if the work is not delivered. However, there is little risk to the BA financial or otherwise which relates to its involvement in the Partnership. There is a potential risk of redundancy for the allocated BA staff member in future if the partnership is terminated.</p> <p><b>Partnership Risk.</b> The risk is that partners withdraw, but the relatively informal nature of the arrangement and lack of direct financial contribution makes the risk low.</p>
<p><b>National Parks – UK</b></p> <p>Partnership with the UK parks principally to deliver training and development for members and branding for the family as a whole. More recently a strong focus on</p>	<p>National Parks – UK is partnership of the 15 national park authorities in Great Britain (10 in England including the Broads Authority, 3 in Wales and 2 in Scotland).</p> <p>National Parks –</p>	The partnership is not time limited	<p>The contribution to NP – UK will be £7,750 in 2016/17.</p> <p>The BA contribution to NP England in 2015/16 will be £19,350 in 2016/17.</p> <p>All parks contribute equally.</p>	<p><b>Financial Risk.</b> The Authority's financial risk and its subscription is limited.</p> <p><b>Partnership Risk.</b> The main risk to the partnership would be the withdrawal of one of more of the Parks from the partnership thus potentially increasing the financial burden on the remaining members. The strength of the partnership is through the comprehensive membership of all parks.</p>

<p>corporate sponsorship and UK tourism.</p> <p><b>National Parks England</b></p> <p>Brings the English Parks mainly together to coordinate their interaction with Defra and the Westminster Government, developing policy positions and working with agencies such as Natural England and Visit England. It raises the profile of the National Parks</p>	<p>England is a partnership of the 10 parks in England including the Broads Authority.</p> <p>The Chair of the BA sits on the Chairs Groupings for both bodies. In the case of NPE he/she is a Director of the limited company. The Chief Executive is a member of the two Chief Executive Groups.</p> <p>BA Lead Officer – Chief Executive (JP)</p>			
<p><b>National Parks Partnership</b></p> <p>The 15 National Park Authorities and Broads Authority have established a Limited Liability Partnership (LLP) to jointly pursue engagement with the corporate sector.</p>	<p>The 15 Members of the National park family in the UK</p> <p>BA Lead Member – Peter Dixon</p> <p>BA Lead Officer - Chief Executive (JP)</p>	<p>The Partnership is not time limited.</p>	<p>£10,000 in 2014/15 towards the start-up costs.</p> <p>No contribution in the current or previous financial years.</p>	<p><b>Financial Risk</b> – no return on investment, low risk given limited financial contribution</p> <p><b>Partnership Risk</b> – Reputational risk if the LLP linked up with unsuitable sponsors. Mitigated by Peter Dixon’s position on the Board. Collaboration between the parks is at the heart of the arrangement and this depends on continuing goodwill.</p>
<p><b>Broads Tourism</b></p>	<p>Broads Authority</p>	<p>The Partnership is on-</p>	<p>The BA does not provide funds</p>	<p><b>Financial Risk.</b> Minimal financial exposure since</p>



<p>To develop and promote a high quality and environmentally-friendly tourism industry in the Broads, fulfilling its second statutory purpose and the underlying duty to foster the economic and social well-being of those who live and work in the Broads.</p>	<p>Broads Tourism  BA Lead Officer – Tourism Promotion Officer. (BH)</p>	<p>going and not time-limited.</p>	<p>but instead provides in-kind administrative support to Broads Tourism, as well as occasionally producing leaflets or other publications and attending shows or other promotional events.</p>	<p>contributions are limited to in-kind support from staff who could be re-deployed elsewhere, plus occasional publications etc. In addition, there is an annual external audit undertaken by the organisation.</p> <p><b>Partnership Risk.</b> This is minimal since the BA could simply cease tourism activities through this vehicle if Broads Tourism were to be dissolved or choose not to work with the Broads Authority any more.</p>
<p><b>River Wensum Strategy Partnership</b></p> <p>To promote the Regeneration and management of the River Wensum in Norwich</p>	<p>Norwich City Council, Norfolk County Council, Environment Agency, Norwich HEART Norwich Society</p> <p>BA Lead Officer – Senior Waterways and Recreation Officer (AC)</p>	<p>There is no formal partnership agreement in place as the partners are currently at the stage of drafting an agreed strategy document and action plan and this will be taken to the Broads Authority for ratification when it is complete.</p>	<p>Project delivery and funding is something that is still under negotiation between partners.</p> <p>It is anticipated that a significant part of any project costs will be raised from external funding applications or CIL.</p>	<p><b>Financial &amp; Partnership Risks.</b></p> <p>Whilst the partnership is still in its inception, it is difficult to fairly assess what risks may arise. When the proposed Partnership agreement is presented to members, a report will articulate any potential/foreseeable financial and partnership risks.</p>
<p><b>Whitlingham Country Park.</b></p> <p>To secure the effective management of the country park, including the development of policies and provision of services.</p>	<p>Broads Authority Whitlingham Charitable Trust (WCT)</p> <p>BA Lead Officer – Director of Operations (TW)</p> <p>The BA's Chief Executive is a member of the Trust and BA has 4 Members on the</p>	<p>The partnership is subject to a rolling three year Service Level Agreement. The current SLA was dated 26 September 2015.</p>	<p>The WCT is responsible for meeting the costs of managing the Country Park, including BA employee costs (principally Rangers). These costs are met by interest from the Endowment provided by the landowners, grant aid, and income from the public. The BA is responsible for the running costs of the visitor centre and associated cafe.</p>	<p><b>Financial Risk.</b> The WCT could run into financial difficulties leaving BA to pick up the running costs. An annual budget is drawn up setting out the projected income and expenditure. The budget is monitored through the BA's monthly management statement and a quarterly report is made to Trustees and there is regular feedback to BA Meetings.</p> <p><b>Lack of clarity regarding roles and responsibilities at the operational level.</b> This has been addressed through the Service Level Agreement.</p>

	Board of Trustees.			<p><b>Risk of injury/accident to staff/members of the public.</b> All field work is carried out in accordance with the BA's policies and Codes of Practice relating to health and safety at work. Risk assessments are undertaken where necessary in accordance with the BA's procedures. Staff are appropriately trained to carry out all activities. BA officers have worked with the Trust to develop a WCT risk register to ensure a strategic view is taken to manage risk across all leases etc. which was updated in September 2016.</p>
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Updated October 2016

## Navigation Committee

Minutes of the meeting held on 8 September 2016

### Present:

Mr M Whitaker (Chairman)

Mr J Ash

Sir P Dixon

Mr G Munford

Ms L Aspland

Mr A Goodchild

Mrs N Talbot

Mr M Bradbury

Mr M Heron

Mr B Wilkins

Mr W Dickson

Mr J Knight

### In Attendance:

Mrs L Burchnall – Head of Ranger Services

Mr A Clarke – Senior Waterways and Recreation Officer

Ms E Guds – Administrative Officer (Governance)

Ms M Hammond – Planning Officer

Mr D Hoare – Environment & Design Supervisor

Ms E Krelle – Head of Finance

Ms A Leeper – Asset Officer

Ms A Long – Director of Planning and Resources

Dr J Packman – Chief Executive

Mr R Rogers – Head of Construction, Maintenance and Environment

Ms C Smith – Head of Planning

Ms T Wakelin – Director of Operations

### 2/1 To receive apologies for absence

Apologies for absence were received from Kelvin Allen and Alan Goodchild.

The Chair reported that comments received from Kelvin Allen would be incorporated into the discussion.

### 2/2 To note whether any items have been proposed as matters of urgent business/ Variation in order of items on the agenda

No items had been proposed as matters of urgent business

### 2/3 To receive Declarations of Interest

Members expressed their declarations of interest as set out in Appendix 1 of these minutes.

### 2/4 Public Question Time

There were no public questions.

**2/5 To receive and confirm the minutes of the Navigation Committee meeting held on 21 April 2016**

The minutes of the meeting held on 21 April 2016 were confirmed as a correct record and signed by the Chairman.

**2/6 Broads Plan Review: Draft for Consultation – Navigation and Recreation Sections**

Members received a report which set out the progress on the current review of the Broads Plan, the key strategic management plan for the Broads. The current Plan was adopted in May 2011 and its review was identified as a Strategic Priority for 2015/16. It was anticipated that the revised Plan would be adopted in March 2017.

A first draft of the revised plan was subject to public consultation between February and April 2016. All responses received from this consultation were considered and a second revised draft Plan was now being prepared.

The report introduced the Navigation and Recreation sections of the proposed revised draft Broads Plan. The full revised draft Plan would be considered by the Broads Authority on 30 September 2016 and would be subject to public consultation between October and December 2016.

Members were informed that the section on navigation had been strengthened and made more ambitious as requested and it was explained that the focus had been on projects which had some degree of certainty. It was pointed out that as a high level plan, the Broads Plan was not just a plan for the Broads Authority but for other organisations as well and that more detail would be added to the Plan at a later stage.

Comments with regards to aligning the Broads Angling Strategy to the Broads Plan were taken on board, pending the outcome of the forthcoming angling meeting and other comments made would be looked at as part of the Landscape Partnership Bid.

Although it was recognised that it was difficult to comment on a Plan which had not been completed yet, Members were pleased that the Plan identified the benefits of sediment removal and included a proposal to review access to closed broads and opening them up for navigation.

Members noted the report.

**2/7 Waterways Specification Update, Irstead**

Members received a report which summarised the technical and regulatory feasibility of deepening the channel of the River Ant at Irstead Shoals to meet the Waterways Specification of 1.8 m. This would involve dredging the natural river bed rather than the normal removal of deposited sediment and therefore

would be classed as capital dredging with a different suite of regulatory controls to satisfy.

The cost of deepening the channel would be in the order of £60,000. The number of boats affected was very small and the number of times of the year when it was an issue was small.

The Committee was asked for its view as to whether the deepening of this stretch of river should be pursued and its relative priority so that this could be taken into account when officers were compiling the 2017/18 dredging programme, which would be brought to the October meeting for consultation.

One Member believed that there was a considerable risk for vessels to get stuck on the riverbed and another believed it would be justified to spend some funds on tree clearance on the east bank as it would make navigation safer. Concern was raised about the accuracy of the mean water level and the cost involved in deepening the channel. It was clarified that the difference in cost between normal dredging and capital dredging was approximately £30,000, but as the Authority had not scheduled to do any dredging in the Shoals, the real cost would be £60,000.

Members supported the suggested provision of signage to indicate water depth at the Shoals to forewarn boaters and urged the Authority as a priority to improve the signage currently in place, preferably to be replaced by electronic signage at a future date.

Some concern was raised whether removal of the natural gravel bed would have an impact on the river ecology and the majority of the Members questioned the need to deepen the channel where only a very small number of deep keeled craft experienced difficulties. The majority agreed that spending a high level of expenditure on a small stretch of water was not a priority.

Members noted the report.

## **2/8 Issues on the River Chet**

Members received a report which gave a summary of the latest position regarding Norfolk County Council's proposals for the extinguishment of the Wherryman's Way on the true left bank of the River Chet and the results of water level monitoring that the Broads Authority had been carrying out since May 2016. The report highlighted that the BLAF resolved to advise the County Council under Section 94 (4) of the Countryside and Rights of Way Act 2000 to place a traffic regulation order (TRO) on the route rather than extinguishing it.

Members were in agreement that working together with Parish and District Councils to find a solution to prevent the bank from collapsing would be the correct approach. They also agreed that hydraulic modelling was essential to get a better idea of what to expect in the future. The BA and County Council

are working on a joint tree scrub clearance project. A meeting will take place in October to explore a number of options. Likely cost of carrying out this work is to be considerably reduced from an initial estimate cost of £3M.

Following complaints, officers have looked into the feasibility and cost of removing the navigation channel markers on the River Chet and Members were invited to comment on the options available.

It was proposed that all 37 posts should be removed, as there was not a significant saving to be made by leaving a small number of them in. Members were informed that because the Environment Agency didn't have the necessary equipment to remove the channel posts the Authority was better placed to undertake the work.

Members were made aware that the Boat Safety Management Group (BSMG) and the Broads Hire Boat Federation (BHBF) had been consulted by email and supported the removal of the channel posts.

Considering the high mobilisation cost involved it was suggested that it would be sensible to see whether there were other tasks in the area could be carried out at the same time.

It was noted that the Environment Agency was willing to discuss making a financial contribution towards the cost of removing the posts and the Head of Planning would continue discussions with the Agency's officers.

Members supported the officer suggestion that the Broads Authority should:

- (i) undertake this work at an estimated cost around £60,000 in the 2017/18 work programme so it would not have any implications on the existing program.
- (ii) remove all posts, given the limited savings which would be achieved through removal of only half of them; and
- (iii) provide the commitment sought by the Environment Agency (outlined at 3.4 (a) – (c)) in order to allow the removal of the posts.

## **2/9 Purchases from Plant, Vessel and Equipment Reserve**

Members received a report outlining the opportunity to purchase a second hand weed-harvester, linkflotes and replacement small tools. The proposal was to spend £166,000 from the Plant, Vessels and Equipment Reserve not previously budgeted in this financial year. This required consultation with the Committee and authorisation from the Authority at its next meeting.

It was clarified that the linkfloats that needed replacement were part of the equipment gifted to the Authority by May Gurney much of which the Authority knew at the time had a limited life.

The replacement of some of the hand held equipment would remove some of the restrictions to its use by staff and volunteers due to vibration hazards.

One of the two weed-harvesters owned by the Authority needed to be replaced and Members were informed that a second hand vessel in good condition, suffering from only minor cosmetic issues, was being offered for sale at £30,000. Although the weed-harvester would have to be transported from Scotland, it was confirmed that transport would only cost approximately £2,000.

Members recognised that having to keep repairing the current weed harvester would not be cost effective and that a new second hand machine could help with the management of water plants on Hickling Broad.

The Committee agreed that it was imperative for staff and volunteers in the field to have suitable equipment available to them to enable them to carry out the challenging tasks they have in front of them. Members supported the additional expenditure and asked for future reviews to identify where changes are made to earlier versions, for improved transparency. In this review, it would have clearly demonstrated that the linkflotes were originally programmed for purchase in 2017/18.

Members noted the report.

## **2/10 Draft Policy on Waste Collection and Disposal in the Broads National Park**

Members were briefed on the current position with relation to waste facilities throughout the Broads and members' views were sought on the proposed policy and actions set out within the report.

Potential ways forward on some of the issues had emerged from discussions with officers from Norfolk County Council and North Norfolk District Council which officers were pursuing.

Members supported the draft policy including the proposal that the Authority should work together with the local authorities and local MPs to put pressure on Defra to amend the Regulations such that waste from hired boats in the Broads is in future classified as domestic rather than commercial waste.

Members strongly expressed the view that it was essential to have appropriate collection and disposal arrangements before the beginning of the 2017 season. A member suggested that a very small surcharge on tolls (e.g. £5) could be introduced if it should be necessary for BA to fund some element of waste disposal.

Members noted the report.

**2/11 Planning application with Navigation Implications:  
Variation of Conditions 2, 3 and 19 and Removal Conditions 7, 11, 12, 20  
and 24 from Permission BA/2014/0248/FUL**

Members of the Committee received a report which outlined a planning application to vary and remove the conditions of an existing planning permission which allowed for the creation of fen and installation of temporary fish barriers to facilitate the lake restoration at Hoveton Great Broad, Hudson's Bay and Wroxham Island, River Bure, Hoveton and Wroxham. The reason given by the applicant for amending the scheme was that the Wroxham element would not be funded by the HLF or the LIFE funding.

Members in general felt disappointed as one of the advantages and the only public benefit of the initial planning application was that Wroxham Island would be improved, however without sediment it would remain in a terrible state. When queried it was explained that less sediment was now required to be removed and the application stated that the sediment could be accommodated in the three proposed sites within Hoveton Great Broad.

Members of the Committee recognised, reluctantly, that there was no clear planning reason for the application to be refused and accepted that the removal of the approved temporary sediment pumping pipeline from the scheme would result in a marginal benefit to navigation, however they regretted the removal of the Wroxham Island element of the scheme as it was the area that had the most public benefit.

As the Heritage Lottery Fund seemed to be sympathetic to projects with public interest and might recognise Wroxham Island as a restoration project of an important site within a National Park, the Committee suggested that the Chief Executive should consider approaching them.

It was explained that this was not an issue directly relevant to the planning application.

Members noted the report.

**2/12 Annual Income and Expenditure Report 2015/16**

Members received a report which set out a summary of the Authority's income and expenditure for the 2015/16 financial year, analysed between national park and navigation funds. Original and Latest Available Budget information was provided for comparison.

It was noted that the total navigation surplus for 2015/16 was a little higher than budgeted and higher than forecast, with a result that the balance of the navigation reserve at the end of 2015/16 was slightly above the recommended minimum reserve balance of 10% at 11.3%.

Members noted the report.



## **2/13 Navigation Income and Expenditure 1 April to 30 June 2016 Actual and 2016/17 Forecast Outturn**

Members received a report which provided them with details of the actual navigation income and expenditure for the three month period to 30 June 2016, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2017).

The Committee received a verbal update up to 31 July 2016 which indicated a forecast surplus of £7,080. They were further informed that the Authority would participate in a benchmarking exercise carried out by all National Parks combined. This would enable the Authority to feedback how they compared to other National Parks.

Members noted the report.

## **2/14 Construction, Maintenance and Environment Work Programme Progress Update**

Members received a report which set out the progress made in the delivery of the 2016/17 Construction, Maintenance and Environment Section work programme and included an update on the Hickling Enhancement Project.

With regard to Hickling it was queried whether more work could be done in managing water plant growth, especially at the surface. It was explained that the initial approach had been to gain agreement to the maintenance of the channel across the Broad to the Pleasure Boat Inn. The next step was to look at an agreed process for cutting plants beyond the channel.

A Member asked a question about floating plant material and it was explained that the removal of this did not require consent and could therefore be collected if it was causing difficulties.

It was agreed that a wider discussion around water plant growth and cutting outside the channel in Hickling Broad was needed, involving the Environment Agency and the Norfolk Wildlife Trust.

Members noted the report.

## **2/15 Chief Executive's Report**

The Committee received a report which summarised the current position in respect of a number of projects and events, including decisions taken during the recent cycle of committee meetings.

Members were informed that the Tolls Working Group had now completed its discussions and that a report would be presented at the Navigation Committee meeting in October.

A member asked about the trial stern-on mooring at the Ferry Inn, Horning. Officers agreed to bring a report on the matter to a future meeting.

Members noted the report.

## **2/16 Current Issues**

### **Reedham and Somerleyton Bridges**

Members were updated on how Network Rail was progressing and were informed that the next meeting with Network Rail was on 20 September 2016. As soon as the Authority had more information this would be fed back to the Committee. However it is unclear whether the report will be confidential or published more widely.

### **Ludham Bridge**

It was mentioned that navigation at Ludham bridge was becoming more difficult, especially when sailing with a lowered mast. It was therefore queried whether additional Ranger support would be necessary, especially at busy times.

It was explained that Rangers were aware of the situation at Ludham Bridge and had on occasion moored further up and offered assistance on the bank when issues were arising.

## **2/17 Items for future discussion**

No items for future discussion were mentioned.

## **2/18 To note the date of the next meeting**

The next meeting of the Committee would be held on Thursday 27 October 2016 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

The meeting concluded at 4.35pm

Chairman

**APPENDIX 1**

## Code of Conduct for Members

**Declaration of Interests**

Committee: Navigation Committee

Date of Meeting: 8 September 2016

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)	Please tick here if the interest is a Prejudicial interest
James Knight	2/6 - 2/15	Hire Boat Operator, Toll Payer, member of NSBA, NBYC, RYA, WODYC	
Brian Wilkins	2/6 - 2/15	NSBA Chairman, Toll Payer, various sailing clubs and organisations	
Greg Munford	2/6 - 2/15	Toll Payer, Hire Fleet, Residence Mooring	
Nicky Talbot	2/6 - 2/15	Toll Payer, Member of NSBA and NBYC	
Max Heron	2/6 - 2/15	Toll Payer, Landowner, Member of British Rowing, NRC, NSBA, RCC, Chair Whitlingham Boathouses	
Matthew Bradbury	2/6 - 2/15	Toll Payer, Trustee of WCT, BCU Member	
John Ash	2/6 - 2/15	Toll Payer, Chairman and Director of WYCCT, Trustee of How Hill and NSBCT	
Michael Whitaker	2/6 - 2/15	Toll payer, Hire Boat Operator, BHBF Chairman	

**Broads Authority**  
**Planning Committee**

Minutes of the meeting held on 16 September 2016

Present:

Sir Peter Dixon – in the Chair

Prof J Burgess  
Mr W Dickson

Ms G Harris  
Mr H Thirtle

In Attendance:

Ms N Beal – Planning Policy Officer (Minute 3/11)  
Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Bell – for the Solicitor (Minute 3/1 – Minute 3/8 - Minute 3/11))  
Miss M Hammond - Planning Officer (Minute 3/8)  
Ms A Long – Director of Planning and Resources  
Mr G Papworth – Planning Assistant (Minute 3/8)  
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke:

**BA/2016/0194/CU Hall Farm, Hall Lane, Postwick**

Mr Peter Cranness	On behalf of Objectors
Mr Fergus Bootman	The Applicant's agent
Mr Chris Langridge	The Applicant
Mrs Lana Hemsall	On behalf of Local District Member

**BA/2016/0228/COND Hoveton Great Broad and Hudson's Bay,  
Lower Street, Hoveton**

Mr Chris Bielby	Natural England	On behalf of the applicant,
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**BA/2016/0165/COND The Ice House, The Shoal, Irstead, Barton Turf**

Mr Luke Frost	}	On behalf of the applicant,
Mr Kevin Cole	}	
Ms Barbara McGoun		Local District Member

**3/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting. Apologies were received from Mr M Barnard, Mr P Rice, Mr V Thomson and Mr J Timewell.

**3/2 Chairman's Announcements and Introduction to Public Speaking**

(1) No members of the public indicated that they intended to record proceedings.

(2) **Planning Training**

The Chairman reported that Members were due to receive some training following the next Planning Committee meeting in October. This would include updates on legal issues including the Housing and Planning Act. Members were requested to suggest any other specific topics on which they wished to be briefed.

(3) **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.)

**3/3 Declarations of Interest**

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes.

**3/4 Minutes: 19 August 2016**

The minutes of the meeting held on 19 August 2016 were agreed as a correct record and signed by the Chairman.

**3/5 Points of Information Arising from the Minutes**

None to report

**3/6 To note whether any items have been proposed as matters of urgent business**

No items had been proposed as matters of urgent business.

**3/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer planning applications had been received.

The Chairman stated that he intended to vary the order of business to enable Mrs Hemsall, who was unfortunately delayed, to attend for the discussion on Application BA/2016/0194/CU as she had registered to speak on behalf of the Local Ward member, Mr Proctor.

**3/8 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' reports, and which were given additional attention.

- (1) **BA/2016/0228/COND Hoveton Great Broad and Hudson's Bay, Haugh Lane, Lower Street Hoveton**  
Variation of conditions 2, 3 and 19 and removal of conditions 7, 11, 12, 20 and 24 from permission BA/2014/0248/FUL.  
Applicant: Natural England

The Planning Officer provided a detailed presentation of the application involving the variation of conditions relating to planning permission granted for BA/2014/0248/FUL to facilitate the large scale restoration project on Hoveton Great Broad and Hudson's Bay, both of which had multiple conservation designations in part of the Bure marshes National Nature Reserve. The removal of the conditions in effect would remove any work associated with Wroxham Island and the disposal of sediment in this area and therefore amend the phasing schedule for the project. The project had been amended as Natural England had not been able to secure funding for this part of the project and partly due to additional scientific evidence received with the need for the removal of sediment not being as such a high priority as previously considered in achieving biodiversity enhancements in this location.

Since the writing of the report, the Navigation Committee had considered the proposals at its meeting on 8 September 2016. They had expressed extreme disappointment that this part of the original proposals was not now included in the project but did understand that there was no planning rationale to refuse the application. Salhouse Parish Council had no objection and an objection had been reiterated from a private individual objecting to the whole scheme and for public money being spent for a private benefit.

The Planning Officer emphasised that it would not be appropriate to revisit the whole scheme. It was understood that the applicant would be investigating the possibility of protecting Wroxham Island with other partners and by alternative means. Although regrettable that the amendments would mean that the project would not provide the full list of benefits originally planned for, there would not be an adverse impact on ecological benefits to the area or affect the amenity or landscape and therefore there was no justification in planning terms to require the Wroxham Island part of the development to be carried out. In conclusion the Planning Officer recommended approval.

Chris Bielby from Natural England explained that when putting in the initial planning application, the disposal of sediment was considered to be crucial. However, since receiving planning permission the evidence

partly from the findings and new conclusions of the Lake Review Project (2015) carried out over the last thirty years on Broads restoration, was that the maximum removal of sediment would not be as beneficial as expected and some benefits may only be short term. Bio-manipulation was a more crucial element than the sediment removal. In addition the HLF or LIFE would not fund those works for Wroxham Island. Chris Bielby explained that the landowners for Wroxham Island still wished to strengthen it, but if they decided to proceed with the project it would be supported by, but not paid for or lead by Natural England. Much would depend on other priorities. The landowners would also be required to submit a new planning application.

Members recognised that the project had been and was politically very controversial but they were required to make a judgement on the planning merits of what was before them. A member commented that in terms of public interest and on the basis of the scientific evidence, there would be considerable conservation benefits from the proposals especially bearing in mind the important designations of the area – Ramsar, SPA, SAC and SSSI. Members agreed to accept the officer's recommendation.

RESOLVED unanimously

that the application be approved subject to detailed conditions as outlined within the report. The proposal is considered to be acceptable in accordance with Policies DP1, DP2, DP3 and DP28 of the adopted Development Management Policies DPD (2011) and Policies CS1, CS2, CS4, CS13 and CS15 of the adopted Core Strategy (2007). The proposal is also considered acceptable in accordance with the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

- (2) **BA/2016/0194/CU Hall Farm, Hall Lane, Postwick, Norwich**  
Change of use of outdoor venue for weddings and celebrations, to include retention of existing outdoor timber seating and wood shack, introduction of new service track and extension to existing turning area, creation of new passing places on public and private roadways and associated parking, access and landscaping.  
Applicant: Mr and Mrs C & E Langridge and Fairbank

Members of the Committee had had the benefit of a site visit on 9 September 2016, attended by the Highways Officer and the Environmental Health Officer, a note of which had been circulated. Members had also received videos of access to the site and heard representations from the objectors and parish council at the previous meeting. Members had also received information from the applicant's agent providing further justification for the diversification scheme following the splitting up of the farm as well as an amended Noise Management Plan (NMP). The Head of Planning provided a brief

presentation to remind members of the application for the permanent operation of a rural wedding venue, details of which had been received at the previous meeting.

Since the writing of the report, two further letters of objection had been received relating largely to highways and noise and one letter of support stating that they had not experienced any problems. Following the site visit, comments had also been received from three members of the Committee. One member of the Committee, John Timewell had drawn attention to the requirements for possible site licenses and the Solicitor had provided subsequent correspondence cautioning members to deal with the planning issues, pointing out that licensing came under separate regulations and authorities but that this could be drawn to the attention of the applicant through an informative on any potential permission.

The Head of Planning drew attention to the main issues of concern to members at the previous meeting relating to agricultural diversification, impact on the highways, noise impact and impact on residential amenity. On the question of agricultural diversification, the further information provided by the applicant was considered to be in accordance with Policy DP19 and the NPPF.

The Head of Planning reported that since the last meeting, the Environmental Health Officer (EHO) had examined the updated Noise Management Plan (NMP) and also examined the sound system provided by the owners when in operation. This was to be used exclusively by all clients and to be supervised by the owner's acoustics engineer for all events. The EHO had subsequently reported that he considered the amended NMP to be comprehensive and now that the sound system was to be controlled and operated by a dedicated sound engineer, he no longer had uncertainty associated with band behaviour and inappropriate sound systems. He still recommended that the noise criteria within the NMP be legally binding and the venue be operated in accordance with the NMP.

The Highways Officer had provided further information following examination of the traffic surveys provided. Any increase in traffic under 20% was considered to be acceptable and on the basis of up to 200 guests, (usually 80 - 100), the peak increase being over the summer months, the Officer considered that the percentage increase would be well below this. The Highways officer was therefore very clear that he had no objections. However, he did recommend that a passing place be provided on that part of the access route where the adopted highway met the private road. The Highways Authority had no jurisdiction over the private roads.

The Head of Planning concluded that officers were very mindful of the concerns of local residents. Given that the Highways Authority and EHO now had no objections, on balance, there was no justification for



refusal on these grounds. Officers had examined the applicant's submission that a temporary consent to monitor the operation of the business, was unnecessary and the investment costs would be disproportionate. However, given the concerns expressed, the potential increase in the number of events and the new system not having been in operation long term, on balance, the recommendation was for approval but on the basis of a temporary consent in order to monitor the situation.

Mr Cranness, on behalf of objectors commented that the applicants' impassioned plea was for providing a tranquil setting, yet their proposals would be destroying that tranquil environment. He referred to the loss of amenity of the local residents and the purchase of houses having been halted once potential buyers were aware of the application, as well as the petition signed by 50 villages objecting to the application. He referred to the potential increase in traffic, and considered that the traffic survey did not provide an accurate picture. He referred to comments from a previous Highways officer. Car parking, the access and increase in traffic movements provided residents with severe concerns. He also queried who would monitor and enforce the NMP. He urged members to reject the application or alter the access road to the venue.

Mr Bootman, the agent for the applicants stated that no complaints had been received by the EHO over the two years that the site had been operating under the 28 day rule. The Highways had considered the survey and data submitted, were of the view that there would not be an unacceptable rise in traffic movements and confirmed they had no objections. The applicants had built up a successful environmentally sensitive business with significant economic benefits to the area and the EHO had confirmed that the NMP was a robust document which would be legally binding. Therefore he argued that the proposal did not require a temporary consent. The NPPF supported rural enterprise and the application was in accordance with sustainable development. He was also of the view that a temporary consent would not satisfy the six tests stated by the NPPF and therefore would be inappropriate. .

Mr Langridge provided an outline of the history to the application explaining that they had been restoring the woods and infrastructure of the site since 2011 and had held their first event in 2014. They had then operated under the 28 day rule and once it was considered that the business could be viable wished to regularise it on a permanent basis. He expressed confusion as to the need for a temporary consent given the updated views of the EHO without stating the need for a temporary trial, the mitigation measures now in place and in order to ensure the ongoing viability of a farming business in the special Broads area.

Mrs Lana Hemsall on behalf of Mr Proctor, the local District member stressed that it was important to consider the impact on Highways and

the impact of noise on a destination small rural village of an electorate of 600. The influx of 200 visitors for an event amounted to an additional third of the village and therefore she queried the traffic survey provided and the conclusions of the Highways Authority. The assessment of noise was very difficult to control, even within a brick building let alone a marquee. Although the EHO was apparently supportive, she did not consider that the argument was sufficiently robust. The application for a venue for 200 guests would result in being one of the largest in Norfolk but in an inappropriate location. With regard to diversification, Broadland District Council was very supportive of business ventures but it was considered that this one was inappropriate in this location. Although it might not offend highway safety, the scheme should comply with other policies and she considered that it offended these, it would not be an enhancement but detrimental to the area and urged the Committee to listen to the concerns of the local people.

Members sought clarification on the number events held so far – there had been one private event in 2014, four in 2015 and 12 in 2016, with an average attendance of 120 guests. It was anticipated that there would be no more than 26 events in total, that most would be within the summer months and no more than one a week as this would be detrimental to the ethos of the venue. In relation to car parking there had been no more than 30 cars using the parking area for the events in 2016. Members were also provided with details as to where the survey was carried out but were mindful that the Highways Officer was the responsible expert and he had made a qualified judgement on the data provided and made his own assessment. With regard to the operation of the sound system it was clarified that its control was not based on decibels but would be set up in accordance with the weather conditions and managed by an acoustic engineer and there would be no base speakers.

Members acknowledged and were very mindful of the concerns raised by the Parish Council and local residents and had sympathy with these. They found making a decision on this application very difficult. However, they were obliged to take account of the recommendations from the experts on Highways and the EHO both of whom did not now have objections and were satisfied with the proposals subject to conditions. They welcomed the amended NMP incorporating the services of a sound technician for every event. The operation of the sound system while on the site visit had also provided some reassurances. Members also had some sympathy with the applicant in relation to investment in the business and some members queried whether a temporary consent was reasonable or appropriate. Some members expressed doubt as to the diversification argument and one expressed concern about the potential increase in traffic and movements with the narrowness of the access. Even if there were only 30 cars using the parking area, this did not account for movements of taxis or mini buses.

Having given detailed consideration to the proposal, Prof Burgess proposed that the temporary element of the officer's recommendation be removed. This was seconded by Bill Dickson and agreed by 3 votes to 2.

The Chairman then requested Members to vote on the Officer's recommendation subject to the removal of the temporary consent condition.

On being put to the vote, it was

RESOLVED by 3 votes in favour and 2 against.

that the application be approved subject to conditions as outlined within the report.

The development is considered to be acceptable and in accordance with Policy DP19 of the Development Management Policies and NPPF. The proposal is also considered to be in accordance with Policy DP11 of the Development Management Policies DPD and NPPF.

(3) **BA/2016/0165/COND The Ice House, The Shoal, Irstead, Barton Turf**

Retrospective variation of condition 2 of pp BA/2013/0208/FUL to change the materials required for the windows and external cladding to gables and amend the elevations  
Applicant: Mr and Mrs Andrew Lodge

The Planning Officer gave a detailed presentation of the application for regularising amendments to a development for a holiday dwelling granted permission in 2014. This was allowed under exceptional circumstances as a departure from the development plan to secure the restoration of a dwelling recognised as a traditional Broads riverside property identified as a non-designated heritage asset and which was now registered on the Local List. The restoration works to the main dwelling as Phase 1 of the schedule associated with the Section 106 Agreement had been completed to a high standard. The application related to the holiday dwelling and included amended plans to retain the use of wood effect UPVC windows in place of the timber windows submitted with the original planning documents and replace fibre cement boarding with timber.

Following careful assessment of the main issues particularly relating to the acceptability of the materials and the impact on the setting on the non-designated asset, on balance the Planning Officer concluded that the proposal to retain the existing windows and doors could be allowed in the interests of securing the complete restoration of the main dwelling. The changes to the elevations were considered minor and acceptable and the applicant's offer to replace the unauthorised boarding with high quality, locally distinct timber cladding was

welcomed. The application was therefore recommended for approval subject to advertisement as a departure from the development plan and a repeat of the other original conditions (minus condition 2) and the inclusion of timber cladding to be replaced within one year, and a section 106 agreement.

Mr Frost on behalf of the applicant explained that the materials used for the windows and doors as well as the boarding of the new property, the subject of the application, had been approved under building regulations. They were of high quality as required under the planning permission although it was accepted that they were not timber. He alleged that this had not been specified in the conditions. Mr Cole, also on behalf of the applicant explained that the consent for the holiday cottage had certainly been an enabling permission and proved its worth as Mr Lodge was able to carry out the work on the Ice House to the standard required. There was still a considerable amount of work to be done on the Ice House and this would be deferred and inhibited if he had to remove the windows and doors already in place on the new dwelling due to the considerable costs to be incurred.

Mrs McGoun, the Local District Members spoke in support of the applicant, Mr Lodge, expressing disappointment about the way in which he had been dealt with, pointing out that there had apparently been misunderstandings with Broads Authority officers, and monitoring had not been thorough. Even although it was acknowledged that there had been misunderstandings, she considered that the results of Mr Lodge's efforts were of a high standard and it would be unreasonable and unfair for him to amend the materials on the new property at this stage, given the considerable costs to be incurred. She urged members to accept the retrospective variation without further cost.

The Planning Officer clarified that the original permission was based on the plans provided, which included the use of timber materials and therefore conditioned as such. The Head of Planning acknowledged that there had been deficiencies in the monitoring process due to lack of resources and changes in staff. She explained that the Authority now had a robust Condition Monitoring Programme in place, which would help to avoid such situations in the future. However, officers had taken a pragmatic approach and hence the recommendation before members.

Members expressed concern that there seemed to be a lack of certainty and clarity as to what the applicant required and what members were being asked to approve.

**RESOLVED** unanimously

that the application be deferred due to the lack of clarity and uncertainties concerning the intentions of the applicant and the permission required and therefore the potential issues of enforcement.

**(4) BA/2016/0287/HOUSEH Ropes Hill House, 4 Lower Street, Horning,**

Rear extension and lift enclosure  
Applicant: Mr Len Funnell

The Chairman commented that the application was before the Committee as the applicant was related to a previous member of the Authority and member of the Navigation Committee. No objections had been received.

Members were satisfied with the assessment in the report and considered that as no conflicting issues arose, and policies were satisfied, the application could be approved.

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report as the development is considered to be acceptable in respect of Planning Policy and in particular in accordance with policies DP2, DP4 and DP28 of the Development Management Policies (2011)

**3/9 The Norfolk Mead**

The Committee received a report on the current issues at the Norfolk Mead Hotel following an Open Letter raising a series of complaints about its operation. Members welcomed the report, considered it to be very helpful and expressed disappointment about the problems incurred, but noted the attempts to resolve the situation. It was noted that an application for a revised parking plan would be submitted to the Planning Committee.

RESOLVED

that the report be noted.

**3/10 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee.

**With reference to Thorpe Island**, it was noted that 24 September 2016 was the deadline for receipt of a planning application in accordance with the Planning Inspector's decision and criteria. If an application capable of validation was not forthcoming, the landowner would have one month to clear the site. All Members as well as Norwich City Council, Broadland District Council and Thorpe Town council would be advised once the deadline date had passed.

RESOLVED

that the report be noted.

### **3/11 Broads Local Plan – Preferred Options (September) Bite Size Pieces**

The Committee received a report introducing the fifth set of the topics/ Bite Size pieces of the Preferred Options version of the Broads Local Plan relating to draft policies for:

Appendix A: Residential Development within Development Boundaries  
Appendix B: DM Policies  
Appendix C: Economy  
Appendix D: Flood Risk  
Appendix E: Green Infrastructure  
Appendix F: Houseboats and Floating Buildings  
Appendix G: Housing Topic Paper  
Appendix H: Housing: OAN, affordable housing, housing for older people, second homes, self build  
Appendix I: Landscaping (Part of Design Policy (Landscaping Policy)  
No Appendix J  
Appendix K: Light Pollution and Dark Skies  
Appendix L: Local Green Space  
Appendix M: Peat  
Appendix N: Remaining sites specifics policies: ACL1, ACL2, CAN1, GTY1, TSA3  
Appendix O: Residential Mooring Nominations and Assessment and Policy  
Appendix P: Residential Moorings Policy  
No Appendix Q  
Appendix R: Settlement Fringe  
Appendix S: Sites from Issues and Options  
Appendix T: Soils  
Appendix U: Staithes  
Appendix V: Strategic Policies  
Appendix W: Strategic Sustainable Development Policy  
Appendix X: SuDS  
Appendix Y: Thorpe Island  
Appendix Z: Tourism

They considered each of these in turn. With regard to many policies, including Appendix C, Economy, the Authority would be using data from the Districts, especially as the Broads Authority's was quite unusual. The Tourism Strategy would be part of this.

Likewise in relation to Housing (Appendix G and H) this would need to be addressed in relation to the housing market with Waveney, Great Yarmouth and Central Norfolk. Members accepted the proposed approach.

It was noted that some of the proposed Policy papers were holding papers. It was noted that Appendix U on Staithes may be amended in light of the final version of the report by Professor Williamson, particularly in the context of

rights of access. Members requested that they be provided with the final report on staites when available.

It was noted that these policies did not necessarily represent the final text or approach but were part of its developments prior to the final version being presented to Planning Committee in November 2016. They would be subject to further consultation prior to the final version being submitted.

Members thanked the Planning Policy Officer and other colleagues for the thorough work being undertaken.

RESOLVED

- (i) that the report be noted; and
- (ii) that the topics inform the draft policy approach in the Preferred Options for the Broads Local Plan.

### **3/12 Heritage Asset Review Group HARG – 19 August 2016**

The Committee received the notes of the meeting of the Heritage Asset Review Group held on 19 August 2016, particularly noting the topic on the Staites Research Paper referred to in Minute 3/11 above.

RESOLVED

that the report be noted.

### **3/13 Appeals to Secretary of State Update**

The Committee received a report on the appeals to the Secretary of State against the Authority's decisions since 1 April 2016.

RESOLVED

that the report be noted.

### **3/14 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 3 August 2016 to 2 September 2016.

RESOLVED

that the report be noted.

**3/15 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 14 October 2016 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich. This would be followed by a Members' briefing session.

The meeting concluded at 13.05 pm

CHAIRMAN



## Code of Conduct for Members

### Declaration of Interests

**Committee:**           **Planning Committee**

**Date of Meeting:**   16 September 2016

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
Haydn Thirtle		None
Bill Dickson		Toll Payer, Private owner of property within Broads, Chairman of Local Residents Association.
Jacque Burgess	3/8(1)	Toll Payer and Member of Norfolk Broads Yacht Club
Peter Dixon	3/8(1)	Toll Payer Member of Norfolk Broads Yacht Club, Member of Navigation Committee.
Gail Harris		Director of Whitlingham Charitable Trust