

## AGENDA

**29 September 2017**

**10.00 am**

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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 28 July 2017 (herewith)</b>        | 4 – 26  |
| 7. <b>Summary of Progress/Actions Taken following Decisions of Previous Meetings</b><br>To note schedule (herewith) | 27 – 33 |

### PRESENTATION

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| 8. <b>Riverside Tree &amp; Scrub Management</b><br>Presentation and report by Environment and Design Supervisor (herewith) | 34 – 38 |
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### STRATEGY AND POLICY

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| 9. <b>River Wensum Strategy Consultation</b><br>Presentation and report by Senior Waterways & Recreation Officer (herewith)                                     | 39 – 43 |
| 10. <b>Broads Local Plan</b><br>Report by Planning Policy Officer (herewith)  | 44 – 50 |
| 11. <b>Strategic Direction: Progress on Strategic Priorities 2017/18</b><br>Report by Chief Executive (herewith)  | 51 – 56 |
| 12. <b>Financial Performance and Direction Consolidated Income and Expenditure from 1 April to 31 July 2017</b><br>Report by Chief Financial Officer (herewith) | 57 – 67 |

## REPORTS FOR INFORMATION

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| 13. | <b>Peer Review Update</b><br>Report by Chief Executive (herewith)   | 68 – 76 |
| 14. | <b>Annual Report on Partnership Arrangements</b><br>Report by Solicitor & Monitoring Officer (herewith)   | 77 – 91 |
| 15. | <b>General Data Protection Regulation</b><br>Report by Solicitor & Monitoring Officer (herewith)  | 92 – 93 |
| 16. | <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

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| 17. | <b>To receive minutes of the following meetings:</b><br>Navigation Committee – 20 April 2017 (herewith)<br>Broads Forum (Draft) – 27 July 2017 (herewith)<br>Planning Committee – 21 July 2017 (herewith)<br>Planning Committee – 18 August 2017 (herewith)  | 94 -101<br>102 – 112<br>113 – 123<br>124 – 138 |
| 18. | <b>Feedback from Members appointed to represent the Authority on outside bodies</b><br><br><i>Broads Tourism – Mr John Timewell</i><br><i>How Hill Trust – Prof Jacquie Burgess and Mr John Ash</i><br><i>National Parks UK and National Parks England – Prof Jacquie Burgess</i><br><i>Norfolk and Suffolk Broads Charitable Trust –Mr Louis Baugh and Vacancy</i><br><i>Norfolk Mills and Pumps Trust – Prof Jacquie Burgess</i><br><i>Upper Thurne Working Group – Mr Brian Wilkins</i><br><i>Whitlingham Charitable Trust – Mr John Ash, Mr Matthew Bradbury, Mr Vic Thomson and vacancy</i> |  |
| 19. | <b>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</b>   |  |
| 20. | <b>To answer any formal questions of which due notice has been given</b>   |  |
| 21. | <b>To note the date of the next meeting – Friday 24 November 2017 at 10.00 am at Yare House, 62-64 Thorpe Road, Norwich</b>  |  |
| 22. | <b>Exclusion of the Public</b><br>The Authority is asked to consider exclusion of the public from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 1, 3 and 5 of Part 1 of Schedule 12A to the Act as  |  |

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amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.	
23. <b>To receive the Exempt Minutes of the Broads Authority meeting on 28 July 2017 (herewith)</b>	139 – 141
24. <b>To receive the Exempt Minutes of the Navigation Committee meeting on 20 April 2017 (herewith)</b>	142
25. <b>Reference by the Planning Committee</b> Report by Solicitor and Monitoring Officer (herewith)	143 – 159

## **Broads Authority**

Minutes of the meeting held on 28 July 2017

### **Present:**

Mr J Ash	Sir Peter Dixon	Mrs N Talbot
Mr M Barnard	Ms G Harris	Mr H Thirtle
Mr L Baugh	Ms L Hemsall	Mr V Thomson
Mr M Bradbury	Ms S Mukherjee	Mr J Timewell
Prof J Burgess	Mr G Munford	Mrs M Vigo di Gallidoro
Mr W A Dickson	Mr P Rice	

### **In Attendance:**

Dr J Packman – Chief Executive  
Mrs S A Beckett – Administrative Officer  
Ms N Beal – Planning Policy Officer (Minutes 1/14 and 1/15))  
Mr S Birtles – Head of Safety Management  
Mr A Clarke – Senior Waterways and Recreation Officer  
Mr D Harris – Solicitor and Monitoring Officer  
Mr S Hooton – Head of Strategy and Projects  
Ms E Krelle – Chief Financial Officer  
Mr R Leigh – Head of Communications  
Ms A Long – Director of Planning and Resources  
Mr R Rogers – Director of Operations  
Ms C Smith – Head of Planning (Minute 1/14 and 1/15)

**Others Present:** Mr Keith Bacon - Chairman of Broads Forum and Broads Local Access Forum  
Mr Michael Whitaker – Member of the Navigation Committee  
Professor Tom Williamson – Guest speaker (For Minute 1/10)  
Mr James Knight – Member of Navigation Committee

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

The Chief Executive welcomed everyone to the meeting including members of the public.

Apologies were received from Mr Brian Iles and Mr Brian Wilkins. Sarah Mukherjee would be arriving later.

### **1/2 Appointment of Chairman**

The Chief Executive invited nominations for the appointment of Chairman for the forthcoming year.

Haydn Thirtle proposed the nomination of Professor Jacquie Burgess and this was seconded by Gail Harris.

There being no further nominations

RESOLVED

that Professor Jacquie Burgess be appointed as Chairman until the Annual meeting of the Authority in July 2018.

**Jacquie Burgess in the Chair**

Jacquie Burgess thanked everyone for appointing her. She expressed appreciation for their confidence in her.

**1/3 Appointment of Vice-Chairman**

The Chairman invited nominations for the appointment of Vice-Chairman. Nicky Talbot proposed the nomination of Sir Peter Dixon as Vice-Chairman for the Authority for the forthcoming year.

This was seconded by Bill Dickson. There being no further nominations

RESOLVED

that Sir Peter Dixon be appointed as Vice-Chairman until the Annual meeting of the Authority in July 2018.

**1/4 Chairman's Announcements**

- (1) **Openness of Local Government Bodies Regulations 2014**  
The Chairman reminded members that in line with the decision made previously, the proceedings from this meeting would be recorded. She emphasised that the Broads Authority retains the copyright and the purpose of recording was as a back-up for accuracy. The system was still being trialled. If a member wished to receive a copy of the recording, they should contact the Solicitor and Monitoring Officer. Following a request from the Chairman as to whether anyone present intended to record the meeting, Mr Knight, a Member of the Navigation Committee indicated that he would be recording the proceedings.
- (2) **Welcome to New Members: Melanie Vigo di Gallidoro**  
The Chairman welcomed Melanie Vigo Di Gallidoro who had been appointed by Suffolk County Council, to her first meeting of the Authority. The Chairman also welcomed those members who had been re-appointed by their Authorities including those who had been re-elected in the County Council elections.
- (3) **Register of Member Interests**  
The Chairman announced that the Register of members Interests needed to be updated annually. Therefore Members would be receiving an email reminding them to update their form following this meeting. Members were requested to return their form (electronically) to Sarah

Mullarney as soon as possible so they could then be available for signature and publication on the website.

(4) **New Staff: Demelza Craven and Lydia Bennett**

The Chairman welcomed Demelza Craven as the Authority's new recruit to the Communications Team dealing with Media and PR and Lydia Bennett to the HR team.

(5) **Goodbye to Director of Planning and Resources**

The Chairman announced that sadly Andrea Long would be leaving the Authority on 4 August to move to Yorkshire. She had joined the Authority in 2009 when the Authority had just moved to Dragonfly House. On behalf of all Members and in particular the Planning Committee, the Chairman presented her with a hydrangea as an expression of their thanks stating that they all had a tremendous respect for the clarity with which she had given advice. They would miss her robust responses and salty wit. She could be very proud of the work that had been achieved under her leadership culminating in the publication of the new Broads Plan 2017.

In Andrea's appreciative response, she commented that it had been a pleasure to work with such a group of members who gave as much care and consideration as they did in the decisions that they made.

(6) **Broads Plan 2017**

The Chairman announced that copies of the Broads Plan 2017 were available for those unable to attend the launch on Wednesday 26 July 2017 at Whitlingham Country Park. The launch had been very well attended and it had been an excellent opportunity to show case the work being undertaken in the Broads, not only by the Authority but also the other organisations involved in looking after the Broads.

(7) **Dates to Note:**

The Chairman informed members that following the launch of the Broads Plan on 26 July 2017, it had been agreed to have a special event for the Parish Councils. Therefore a Parish Forum to which the Chairman and Clerks of all the Parish Councils had been invited would be held on Wednesday 20 September at the Kings Centre, 63 – 65 King Street, Norwich, the timing of which would change to 6pm to enable as many people as possible to attend.

(8) **General Proceedings.**

The Chairman commented that this was a very full agenda but it was hoped to complete the business by 13.30 pm. As at the last meeting, the Chairman stated that she would take it that Members will have read the papers and therefore the emphasis would be for members to ask questions and debate the issues.

She also emphasised that she would aim to stick to the provisions in the Standing Orders that normally members speak once on a motion.

(9) **Variation in the Order of the Agenda**

The Chairman announced that in accordance with Standing Order No 5(1) (c) she proposed to vary the order of the Agenda to take Item 32 after agenda item 13. This was to ensure that all Members were able to attend and take part in the debate and that the Authority could have the benefit of Michael Whitaker's expertise.

**1/5 Introduction of Members and Declarations of Interest**

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

**1/6 Items of Urgent Business**

There were no items of urgent business.

**1/7 Public Question Time**

No public questions had been received.

**1/8 Minutes of Broads Authority Meeting held on 19 May 2017**

The minutes of the meeting held on 19 May 2017 were approved as a correct record and signed by the Chairman.

**1/9 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 and further progress was included within the Strategic Direction report.

In particular, members received updates concerning:

**Network Rail**

The final reports on Somerleyton and Reedham bridges were very substantial technical documents and a report would be prepared for the Navigation Committee meeting in due course.

**Water Mills and Marshes: Landscape Partnership Scheme**

The date of the decision on the second round application for Heritage Lottery funding was due to be brought forward to September. Indications from HLF were favourable.

## **1/10 Staithes Research Project**

The Authority received a presentation from Professor Williamson on the Staithes Research Project. He explained that the research had been commissioned by the Authority through requests from the Broads Forum and Broads Local Access Forum. The analysis had involved 83 landing places or staithes in the Broads and given the definition and evolution over time, the status of individual sites was not straightforward. He explained the complexities involved and the documents upon which most of the research had relied e.g. the Enclosure Acts and maps, involving the owner of the manor and a set number of people with a right to use, the Tithe awards, maps and schedules from 1840 and the Inland Revenue and Finance Act of 1910 valuation schedules as well as other historical maps.

The Enclosure Act indicated that a public staithe was for example “to be used by the owners and occupiers of Estates in the said parish ... for laying and depositing corn, manure, and other things thereon”, or “for the conveyance of corn, manure and other goods to and from the river by owners and occupiers of the Parish” . It was for the loading and unloading of vessels not specifically for mooring. The right of navigation did not automatically provide a right to moor. He indicated that most staithes were probably “customary” in character and had developed organically. The overwhelming majority of public staithes were on common land or at points where a public road ran down to a river and connected to highways or at points where roads cross rivers, by a ferry or a bridge. Not all staithes would have similar status.

One of the main questions which arose from the research was who was responsible for maintaining the staithes. Over the years the responsibility would have passed through a number of bodies and there was not always an orderly line of succession. It was also doubtful whether lack of use had extinguished the right of use. One of the other questions which arose was whether the use of a staithe by visiting holiday makers could be considered as a contribution to the economic well-being of the parish and thus reflecting what had originally been envisaged by the enclosure awards. The maintenance and rights raised a number of questions and again this was often complex involving legal interpretation. Professor Williamson commented that it was often the role of the historian to complicate matters and for the lawyers to unravel and interpret them.

Members welcomed the interesting and informative presentation and looked forward to seeing the final document which would include maps and photographs. The Chairman thanked Professor Williamson for his enlightening presentation.

## **1/11 Strategic Direction 2017/18 Update**



The Authority received this year's second report on the progress of the Strategic Priorities identified at the January and March meetings for 2017/18; these were guided by the themes within the Authority's Broads Plan 2017 - 2022, adopted in March and officially launched on 26 July 2017. The priorities focused on Authority led projects with high resource needs, having a large impact on the Broads or were politically sensitive. Given the scale of some of these, they were likely to continue over a number of years. It was noted that the event which launched the Broads Plan had been very favourably received. It had been excellent to have the involvement of some of the Authority's partners in delivering and supporting the Plan.

In addition the Strategic Direction report included a progress report on the three main priorities agreed in May 2016 on the Sustainable Tourism Strategy. It was noted that Priority 3 involving the developing and packaging of high profile wildlife experiences would also include the Suffolk Wildlife Trust.

RESOLVED unanimously

that the updates for 2017/18 on the Strategic Priorities ((Appendix 1 of the report) be noted including the progress on the key priorities identified in the Sustainable Tourism Strategy.

## **1/12 Financial Performance and Direction:**

### **(1) Statement of Accounts 2016/17**

The Authority received a report summarising the Broads Authority's Statement of Accounts for the year ending 31 March 2017 for approval. Members had had the opportunity to attend a briefing session on the Authority's financial arrangements and processes for monitoring and compiling the budget and Accounts on 20 July 2017 which had been welcomed. It was noted that the Statement of Accounts and Annual Audit Results had been considered by the Financial Scrutiny and Audit Committee on 25 July 2017 following which there were some minor caveats in making reference to the CANAPE bid. It had to be recognised that the Statement of Accounts was a snapshot of the accounts at 31 March 2017. There had been no subsequent changes to those figures provided in the Financial Performance and Direction report to the Authority in May.

The Chief Financial Officer reported that the Auditors had attended the meeting on 25 July. Since the meeting an omission had come to light. A co-opted member of the Navigation Committee had inadvertently failed to include a declaration of a related third party transaction for the year despite registering an interest. This had involved substantial sums. An amendment covering the point had subsequently been made to Page 56 of the Statement of Accounts to reflect this. She reminded members that it was vitally important that they accurately completed the related transactions forms since this affected the final accounts, the Authority's requirements for openness and transparency and were regularly reviewed by the Auditors. A similar reminder

would be given at the next meeting of the Navigation Committee. The Acting Chairman of the Financial Scrutiny and Audit Committee endorsed this.

Louis Baugh explained that as Guy McGregor had been the Chairman of FSAC and was now no longer a member of the Authority, he had chaired the previous meeting as Vice-Chairman. He reported that the external Auditors had provided an “unqualified” opinion on the Statement of Accounts which was to be welcomed. The majority of the 19 internal audit recommendations identified earlier in the year had now been completed. The Auditors had commented on the high standard of compliance achieved and officers were to be congratulated.

Reference was made to the pension deficit. It was confirmed that the Authority belonged to a stabilising scheme whereby this was being addressed.

Louis Baugh proposed, seconded by Mathew Bradbury and it was

RESOLVED unanimously

that the Statement of Accounts 2016/2017 be adopted and signed by the Chairman.

## **(2) Annual Governance Statement 2016/17**

The Authority received a report setting out the legal requirement, background and purpose of the Annual Governance Statement and the requirement to carry out an annual review of the Authority’s systems of internal control and governance arrangements. The Annual Governance Statement was required to accompany the Statement of Accounts and this had been appended to the report for consideration. The Financial Scrutiny and Audit Committee had considered the AGS at its meeting on 25 July 2017 and recommended that it be approved. It was noted that under the 2016/17 Action Plan Summary of Progress the words “Equality Audit” be included under column 4 (page 15 of the report). It was noted that the draft Annual Governance Statement for 2016/17 was a newly drafted document which reflected recent 2016 changes to CIPFA guidance.

In response to a member’s question, it was clarified that, although the Broads Authority shared many characteristics with local authorities, it was not governed in the same way. The Authority did not operate with political parties and decisions were taken by either the Authority as a whole or delegated to a Committee, such as the Planning Committee or to officers. The Authority had a more collaborative collegiate approach where the members of the Authority collectively had the responsibility for making decisions rather than individual members such as Committee Chairs in a local authority. It was noted that the roles and responsibilities of Members would be examined in detail under the Peer Review on Governance. The Solicitor and Monitoring Officer highlighted from the draft Annual Governance Statement that in the past year the Head of Internal Audit had carried out a review of the decision-making processes and

procedures in the Authority, the results of which had concluded that the Authority performed well.

Members welcomed the clarity of both the report and draft Statement and expressed the view that the new Annual Governance Statement should be part of a new member's induction pack.

Haydn Thirtle proposed, seconded by Mike Barnard and it was

RESOLVED unanimously

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

### **1/13 Anti-Social Behaviour**

The Authority received a report on the recent coverage in the press concerning anti-social behaviour on the Broads and the Authority's priority to manage safety on the waterways to a reasonable level to enable those using them to appreciate and enjoy the special qualities of the National Park. It was noted that although the Authority's Rangers would assist wherever possible in certain instances, the prime responsibility for dealing with severe incidences of anti-social behaviour rested with the police. There was a close working relationship between the Broads Authority's Rangers and the Norfolk Constabulary through the police officers seconded to Broads Beat. The matter had been discussed at the Broads Forum meeting on 27 July 2017 when 4 members of the public who had been witnesses to the particular incident had been present and expressed their significant distress.

Members were mindful of the sensitivities involved and the need to put the incident in context and view the matter proportionately although not to underestimate the seriousness of the issue. It was recognised that such anti-social behaviour should not be tolerated since it could damage the reputation of the area. It was the Authority's duty to attempt to disseminate this message emphasising the special qualities of the area for all to enjoy whilst having consideration for others. It was recognised that it would be difficult to attribute anti-social behaviour solely to those on hired cruisers as it could also be caused by those in private boats or those hiring day boats and the factual evidence of the number of incidents needed to be carefully assembled, scrutinised and a balanced approach taken. The majority of those using the Broads did not cause offence and the Authority would not wish to deter groups from enjoying the Broads National Park. It was also not a new problem

as demonstrated by an article from 1882. It was considered that one of the main ways in which the Authority could address the matter was through emphasis on safety, the need for people using the Broads to have care for themselves as well as others. Broads Tourism would provide an excellent opportunity for taking the message forward. The need to report any incidents to the police by dialling 101 was emphasised.

Members noted the report and the actions discussed with the NSBA and BHBF in response to the recent anti-social incidents, also noting that discussions with the police were vitally important.

Paul Rice proposed seconded by Sarah Mukherjee and it was

RESOLVED unanimously

that a short term working group of Members and officers be set up to look at Anti-Social Behaviour on the Broads engaging with the Hire Boat Federation, the NSBA, Broads Society, PCC (Police and Crime Commissioner) through Lorne Green and report back to the Authority.

**Agenda item 32, following exclusion of the press and public under Section 100A of the Local Government Act 1972 was dealt with at this point in the meeting. Following consideration, the public were invited back into the meeting.**

#### **1/14 Salhouse Neighbourhood Plan**

The Authority received a report setting out the details of the procedures involved in the development of the Salhouse Neighbourhood Plan in accordance with appropriate planning legislation and the referendum held in relation to its acceptance. The Planning Policy Officer reported that the Referendum was held on 19 July 2017 and the vote had been a resounding “yes” with 288 votes in favour and 24 against. The Planning Committee had received this information at its meeting on 21 July 2017 and recommended the adoption of the plan.

RESOLVED unanimously

that the Salhouse Neighbourhood Plan be adopted and therefore become part of the Broads Development Plan.

#### **1/15 Landscape and Landscaping Guide for adoption**

The Authority received a report on the information guide that had been produced to help applicants for planning consent to address landscape and landscaping in relation to their schemes. These had been the subject of consultation and the Planning committee had considered the responses as

well as the proposed guide at its meeting on 21 July 2017 following which they recommended that it be adopted.

RESOLVED unanimously

that the Landscape and Landscaping Guide be adopted.

## **1/16 Feedback from Members' Annual Reviews**

The Authority received a report from the Chairman providing feedback from the Annual Member Reviews carried out in the early Spring. This included a questionnaire and one-to-one interviews offered with the Chairman, Vice-chairman or Chairman of the Navigation Committee. Members welcomed the process, noted the attendance at meetings, the high points and low points from individual members and the general summary of the comments received. They considered that the report was highly informative and reflected the views and full range of opinions expressed in a transparent way. It was considered that the principles in the recommendation would help to improve and build on the collaborative nature of the Authority for the benefit of the Broads.

Bill Dickson proposed, seconded by John Timewell and it was

RESOLVED unanimously

- (1) that the following principles be adopted:
  - (i) a more limited number of workshops/site visits a year be agreed, to include the annual site visit; two strategy development/training type events, the site visit for the Navigation Committee. (Note: two specific training sessions for Members of the Planning Committee are held per annum in addition to the Design Tour);
  - (ii) days are set aside for these informal events/workshops at the same time as the annual calendar of formal meetings is agreed;
  - (iii) informal reference groups drawn from Members with appropriate expertise are used to work with Officers on short term projects related to the Authority's Strategic Priorities;
  - (iv) the induction process for new Members be reviewed and any weaknesses addressed;
  - (v) to enable local authority Members to play a greater role in formulating strategy and policy, substantive presentations on each of the Authority's strategic priorities for 2017-18 be embedded in the agendas of the Broads Authority meetings at a rate of one per meeting; and
- (2) that it be noted that Officers are preparing a training session for Members of the Planning Committee on appeals for October.

## **1/17 Report on Standards Complaints**

The Authority received a report on the complaints dealt with during the past two years under the Members' Code of Conduct. It was noted that the number of complaints by the public about the conduct of Members remained very small at two and this was welcomed. However, there had been a large number of complaints by members against each other which took up a significant amount of the Authority's Monitoring Officer's time as well as costs of £1,500 employing an independent lawyer to investigate complaints which was of concern. All complaints that had been completed had been dismissed. There remained two outstanding.

Members noted that the new Members' Code of Conduct adopted in September 2016 contained provision for the assessment of complaints and this together with the recording of meetings, the use of Independent Persons and the new Social Media policy should help to reduce the number and assist in speedy resolution. There were now procedures and policies in place that built on best practice and high standards of behaviour were expected from all Members.

Louis Baugh proposed, seconded by Bill Dickson and it was

RESOLVED unanimously

that the report be noted and the two outstanding complaints should be concluded before instructing the Solicitor and Monitoring Officer to prepare a paper to review the outcomes of these complaints with recommendations for a way forward.

## **1/18 Committee Membership and Member Appointments**

The Authority received a report setting out the proposals for Committee Membership and Member Appointments to various outside bodies for 2017 - 2018 to the annual meeting of the Authority in July 2018. The Chairman asked Members to consider the recommendations She explained that the membership proposals had been discussed with each of the individuals concerned.

Prior to taking these, Vic Thompson proposed, seconded by Paul Rice the following motion\*:

“That all council appointed members be included on the Planning Committee subject to a Member:

- declining with the permission of their Council Leader; and
- being unable to serve during a period of suspension invoked by the Broads Authority “

The Members in support of the motion explained that the reasoning for this was that the Broads umbrella for planning sat over the District areas. Some representatives on the Authority from their councils covered a number of parishes and were a valuable asset on the Planning Committee since they had close contact with their local communities including attending parish

meetings. It was therefore important that they should be on the Planning Committee in providing links with those communities and putting forward their views to the Authority.

Members acknowledged the experience, knowledge and expertise provided by those Members appointed by local authorities and their contribution to the planning process. However, the view was that once appointed to the Authority, members were not there to represent their local authority or their area specifically but to look after the interests of the Broads in a wider context. It was considered that it was important for the Planning Committee to have a mixture of both Secretary of State and Local Authority appointees acting as individuals to reflect the Authority's purposes and being over-prescriptive could make it exclusive and set a precedent for other Committees. Some members considered that the proposal was unhelpful and could be divisive. It was for the Authority itself to decide who should be on the Planning Committee and it was important to have the most appropriate individuals on the Committee. The view was expressed that the Authority would not wish to be operating on the basis of political control elsewhere. Members considered that it was not appropriate to consider such a proposal without considering it as part of the comprehensive review of governance and therefore it would be more appropriate for it to be included in the context of the forthcoming Peer Review.

Sarah Mukherjee proposed, seconded by Bill Dickson, an amendment to the motion.

That the question recently tabled \*(concerning the composition of the Planning Committee) is considered as part of the forthcoming Governance Peer Review.

On being put to the vote, the amendment (as proposed by Sarah Mukherjee) was carried by 12 votes to 3 against and with 1 abstention.

The Chairman explained that the proposed composition of the Planning Committee reflected the Authority's three different purposes. The Chairman then asked members to consider the recommendations within the report.

Nicky Talbot proposed, seconded by Sarah Mukherjee

RESOLVED (by 13 votes to 2 against and 2 abstentions)

- (i) that the Broads Authority member appointments to the Planning, Financial Scrutiny and Audit, Hearings, Navigation and Local Access Committees, as set out in Table 1 of the report, be confirmed for the period until the Annual Meeting in July 2018 (and attached at Appendix 2 to these minutes)

Sarah Mukherjee proposed seconded by Haydn Thirtle

RESOLVED (unanimously)

- (ii) that the appointments to outside bodies as set out in Section 2 of the report be confirmed for the period until the Annual Meeting in July 2018. (Attached at Appendix 2 to these minutes)

### **1/19 Code of Conduct for Planning Committee Members and Officers**

The Authority received a report providing a review of the Code of Conduct for Planning Committee Members and Officers to ensure consistency with the updated Code of Conduct, other government documentation recently adopted and the latest best practice. The Planning Committee had considered the proposed amendments at its meeting on 21 July 2017 and recommended that they be adopted.

Bill Dickson proposed, seconded by Louis Baugh and it was

RESOLVED by 16 votes to 1 against

that the revised Code of Conduct for Members on Planning Committee and Officers be adopted.

### **1/20 Governance and Peer Review**

The Authority received a report providing an update on progress in preparation for the Peer Review on Governance due to take place in October 2017 and the output to date from meetings of the Reference Group including recommendations with regard to training for new members and a person specification for local authority appointees. Following the three meetings of the Reference Group, it was also noted that a Members' Handbook would be published as a webpage on the Authority's website and a Broads Brief sent to all councillors in the constituent Local Authorities.

Members welcomed the report and gave particular attention to the proposed induction programme as part the Member Development Protocol. A member expressed the view that the last National Park induction conference (2016) which had been attended by three members, had been disappointing, although another member who had attended in a previous year had had a different experience. Therefore it was important that the agenda for the event was scrutinised to ensure that it was inclusive and relevant for all national park authorities. Members also considered that reference should also be made to equalities and diverse communities within the induction programme.

With regard to the guidance for local authorities, this had been discussed with the Chief Executives and considered to be a way of strengthening relationships and demonstrating cooperation. Given the principle that Members of the Broads Authority were all part of that one Authority it was considered that the title of Appendix 3 be altered to reflect that it was a Guide for Local Authorities when they were making their appointments to the Broads Authority. This was welcomed.



The Chairman put the proposals to the meeting.

RESOLVED

- (i) That the progress on the peer review as set out in Appendix 1 to the report be noted:

Sarah Mukherjee proposed, seconded by Lana Hemsall

RESOLVED unanimously

- (ii) that the revised Member Development Protocol set out in Appendix 2 of the report be adopted with the updated induction process in which new members will be required to tick off the ten elements to also include awareness of equalities and diverse communities (under section 4 of the Induction Programme);

Nicky Talbot proposed, seconded by Haydn Thirtle and it was

RESOLVED by 16 votes to 1 against.

- (iii) that the amended Guidelines for Local Authorities set out in Appendix 3 of the report to help the constituent local authorities make their appointments to the Broads Authority, be adopted.

## **1/21 Amendments to Standing Orders: Voting**

The Authority received a report providing a proposed amendment to the Standing Orders which had been adopted at the previous meeting as a result of a “needs attention” recommendation by Head of Internal Audit on the conduct of Authority business in relation to voting.

RESOLVED

that the Broads Authority notes and adopts the amendment on voting as set out below in paragraph 2.2. of the report:

- 14 (1) Save where specifically provided to the contrary within Standing Orders or in circumstances required by law, voting is by a simple majority vote of those present. Save for cases falling within Standing Order 15 (2) voting is by show of hands. But any member who wants the individual votes on any matter recorded to show how each member voted must ask for this to be done either before or immediately after a vote is taken, and the request will be allowed if at least one third of the members present show their support by raising their hand at the time of the request. An individual's vote will only be recorded if the named member says "Yes" or "No" immediately after being called to do so.*
- 14(2) Where an equality of votes occurs during the course of any meeting, the person presiding at that meeting shall have a second or casting vote. For the avoidance of doubt the casting vote is where the person*

*presiding has previously voted or has abstained on the same matter being voted upon.*

## **1/22 Review of Terms of Reference of Committees**

The Authority received a report that provided a review of the Terms of Reference of Committees to ensure consistency with other constitutional documents and a “needs attention” recommendation by the Head of Internal Audit. In particular the proposed amendments concerned inclusion of the terms of reference for the Hearings Committee and related to changes in the planning system. The Financial Scrutiny and Audit Committee had referred to this at their meeting on 25 July 2017. Although the Committee was mostly an advisory Committee it was also a monitoring and Audit Committee and therefore did have powers of approval for the Authority’s Financial Regulations, Standing Orders relating to Contracts and counter fraud, corruption and bribery arrangements. As well as determining payments or honoraria to staff not within the scope of the Chief Executive’s delegated powers up to a maximum of £50,000 per event. The Solicitor therefore proposed additional wording to reflect this which was accepted.

RESOLVED unanimously:

that the amendments highlighted in the Appendix to the report be noted and adopted including alterations to the wording in para 4 to read:

*The Financial Scrutiny and Audit Committee, save for its powers in para (4) and (15) is a consultative non-decision making committee appointed by the Broads Authority .....*

## **1/23 Social Media Policy**

The Authority received a report including a proposed Social Media Policy to provide guidelines for Members and Officers due to the ever increasing use of online communication channels to communicate and engage with the Authority’s stakeholders and the public in an appropriate way so as to nurture and protect the reputation of the Authority.

Members welcomed the report and commended its clarity and readability. It was proposed that at para 6.4 the words “or Officers” should be inserted. Members concurred.

It was suggested that a training session on social media be included within the Member Development Programme.

Gail Harris proposed, seconded by Sarah Mukherjee and it was

RESOLVED unanimously

that the Social Media Policy – Guidelines for Members and Officers is

adopted with the inclusion of “or Officers “ at para 6.4 after “gratuitously abusive comments about other Members”

#### **1/24 Annual Report of Broads Local Access Forum**

The Authority received the Annual Report on the work of the Broads Local Access Forum. The Senior Waterways and Recreation Officer reported that the River Wensum Strategy was launched on Wednesday 26 July 2017. The project demonstrated the excellent relations with Norfolk County Council in terms of the Cycle and Access Plan. Similar relations were being developed with Suffolk County Council.

RESOLVED

that the annual report of the Broads Local Access Forum be welcomed and noted.

#### **1/25 The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code**

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

#### **1/26 Minutes Received**

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

RESOLVED

##### **(i) Planning Committee: 28 April 2017, 26 May and 23 June 2017**

RESOLVED

that the minutes of the Planning Committee meetings held on 28 April 2017, 26 May and 23 June 2017 be received.

The Chairman of the Committee drew attention to the item from 26 May where approval had been given for the replacement of Bureside House adjacent to the Water Works at Water Works Lane, Horning, and on which work had started. He also referred to the fact that Thorpe Island had now been taken off the Enforcement Schedule as compliance had largely been achieved. The results of the Customer Satisfaction Survey received on 23 June 2017 demonstrated a high level of satisfaction from applicants and agents and the service was to be commended.

##### **(ii) Broads Local Access Forum – 1 March 2017**

RESOLVED

that the minutes from the Broads Local Access Forum meeting held on 1 March 2017 be received.

#### **1/27 Feedback from Members appointed to represent the Authority on outside bodies**

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

**Broads Tourism** – Greg Munford reported that a new Member Development Officer – Caroline Groombridge was now in place. It had been necessary to print another 10,000 Eating Out Guides as the publication had been very popular. He thanked the Authority's Communications Team in helping to launch the website and Andrea Long for challenging and invigorating the partnership. He extended an invitation to the Authority Members to attend the next meeting on 21 September 2017.

**Campaign for National Parks** – The Chairman reported that CNP were restructuring their Board and therefore there was no longer a need for the National Park Authorities to nominate a representative member as part of this.

**How Hill Trust**– John Ash reported that there would be a meeting in two weeks' time. The new rose garden was now open and worth a visit.

**National Parks UK and National Parks England.** Jacquie Burgess reported that the discussions concerning Brexit were dominating proceedings. She reported that the Secretary of State for the Environment (Defra) was currently considering the appointment of members to the National Parks. The Authority should be informed of its new appointee shortly.

**Norfolk and Suffolk Broads Charitable Trust** – John Ash reported that there would be a meeting on 31 July 2017 to consider grant applications. The Business and Development Officer was making good progress.

**Norfolk Windmills Trust** – Jacquie Burgess reported that three new council members had been appointed; the new chairman was Martin Wilby from Norfolk County Council.

**Whitlingham Charitable Trust** – Whitlingham Country Park. It was reported that the new tractor had arrived to the delight of staff.

#### **1/28 Items of Urgent Business**

There were no other items of urgent business for consideration.

#### **1/29 Formal Questions**

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

### **1/29 Date of Next Meeting**

The next meeting of the Authority would be held on Friday, 30 September 2017 at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

### **1/30 Exclusion of the Public**

RESOLVED

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

Members of the Public left the meeting

### **Summary of Exempt Minutes**

### **1/31 Exempt Minutes of the Broads Authority meeting – 19 May 2017**

The exempt Minutes of the Authority's meeting on 19 May 2017 were received and signed as a correct record.

### **1/32 Floating Classroom (This item was taken following item 1/13)**

The Authority received a report containing exempt information concerning the opportunities and options of purchasing a boat to be used as a Floating Classroom in association with the Water Mills and Marshes, Landscape Partnership Scheme. A full report from a naval architect on the options available was considered and noted.

Members fully supported the principle of the project but prior to making a commitment wished to receive further details and fuller financial costings.

RESOLVED

that the purchase of a boat for use as Floating Classroom be deferred for further details and fuller financial costings.

### **1/33 Reference from the Planning Committee**

The Authority received a report containing exempt information relating to a blog regarding the principle as to whether moorings should be permitted at the western end of Thorpe Island referred to the Solicitor and Monitoring Officer and the Authority by the Planning Committee on 23 June 2017.

RESOLVED

- (i) that the matter referred from the Planning Committee concerning allegations against staff be noted;
- (ii) that any further steps to be taken are subject to legal advice.

The meeting concluded at 13.35pm

CHAIRMAN

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

**Committee:** Broads Authority 28 July 2017

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest</b> (Please describe the nature of the interest)
Louis Baugh		Trustee of Norfolk and Suffolk Broads Charitable Trust.
Paul Rice		Chairman of Broads Society
Vic Thomson		Director Whitlingham Charitable Trust
Greg Munford		Broads Tourism Ltd (Chairman) Chief Executive of Richardsons Toll Payer and Local Resident
Nicky Talbot		Chair of Navigation Committee Toll Payer, Member of NBYC and NSBA
Peter Dixon		General – Governance Issues
Melanie Vigo-di Gallidoro		<i>None on this agenda</i>
Gail Harris		Whitlingham Charitable Trust Trustee/Director
Bill Dickson		None other than those previously reported
Matthew Bradbury		Director of Whitlingham Charitable Trust Member BC, Toll Payer
John Ash		Toll Payer, Director/Trustee Wherry Yacht Charter Charitable Trust. N&SB Charitable Trust, How Hill Trust
Sarah Mukherjee		Chief Executive of Crop Protection Association None on this agenda.

**Table 1 Appointments to Committees**

<b>Planning Committee</b>	
Eleven Broads Authority members:	
Mr M Barnard	Mr P Rice
Professor J A Burgess	Mr H Thirtle
Mr W A Dickson	Mr V Thomson
Sir P Dixon	Mr J Timewell
Ms G Harris	Mrs M Vigo Di Gallidoro
Mr B Iles	
<b>Financial Scrutiny and Audit Committee</b>	
Eight Broads Authority members:	
Chairman of the Authority	
Chairman of the Navigation Committee	
Mr W A Dickson	
Mr L Baugh	
Ms G Harris	
Ms S Mukherjee	
Mr G Munford	
Mr H Thirtle	
<b>Hearings Committee</b>	
Pool of five members.	
Chair of the Financial Scrutiny and Audit Committee	
Mr W A Dickson	
Sir P Dixon	
Ms S Mukherjee	
Mr H Thirtle	
<b>Navigation Committee</b>	
Five Broads Authority members:	Plus eight co-opted members:
Mr K Allen	Mrs L Aspland
Mr J Ash	Mr A Goodchild
Mr M Bradbury	Mr M Heron
Sir P Dixon	Mr J Knight
Mr G Munford	Mr S Sparrow
	Mrs N Talbot
	Mr B E Wilkins
	Mr M Whitaker



<b>Local Access Forum</b>
Two Broads Authority members: Mr K Allen (Melanie Vigo di Gallidoro – volunteered following the meeting)

## 2 Appointments to Outside Bodies

**Table 2 Recommended External Appointments and Representation**

<b>External appointments</b>	<b>Appointee(s)</b>
Broads Tourism	Mr J Timewell
How Hill Trust	Mr J Ash, Prof J Burgess
National Parks UK National Parks England	BA Chair
National Park Partnerships	Sir P Dixon
Norfolk and Suffolk Broads Charitable Trust	Mr L Baugh, Vacancy
Norfolk Mills and Pumps Trust	Prof J Burgess
Upper Thurne Working Group	Mr B Wilkins
Whitlingham Charitable Trust	Mr J Ash, Mr M Bradbury, Mr V Thomson , Vacancy

The Chair and Vice-Chair of the Planning Committee share the specific responsibilities on external bodies namely appointment to:

- Greater Norwich Development Partnership
- Norfolk Duty to Cooperate Member Forum
- Norfolk Strategic Framework
- Water Management Partnership

The Planning Committee also appoints the Heritage Asset Review Group from its own membership to advise on cultural heritage including historic buildings and Conservations Areas. This meets twice a year or as and when business requires. Membership automatically includes the Chairman and Vice-Chairman of the Planning Committee.

## 3. Working and Reference Groups

**Table 3 Working and Reference Groups**

<b>Area of activity</b>	<b>Member (s)</b>
Tolls Review WG	Mr K Allen, Mr L Baugh, Prof Burgess, Mr W A Dickson, Mrs N Talbot, Mr M Whitaker
Climate Partnership WG	Mr J Ash, Prof J Burgess, Ms S Mukherjee

Safety Management - Lead	Mrs N Talbot (Chair of the Navigation Committee)
Developing and implementing a branding strategy RG	Mr G Munford, Ms S Mukherjee
Developing a medium term external funding strategy RG	Mr K Allen, Mr J Ash, Mr M Bradbury
Peer Review and Governance RG	Prof. Burgess, Mr Louis Baugh, Mr W A Dickson, Mr G Munford, Mrs N Talbot, Mr H Thirtle
Lead Member for Safety	Chairman of Navigation Committee – Nicky Talbot

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

<b>Date of Meeting/ Minute No.</b>	<b>Authority Decision(s)</b>	<b>Responsible Officer(s)</b>	<b>Summary of Progress/ Actions Taken</b>
23 January 2015 Minute 4/18 <b>Chief Executive Report Network Rail: Consultation document: Anglia Route Study, Long Term Planning Process</b>	<ul style="list-style-type: none"> <li>• Proposed Response to Network Rail to be circulated to members for comment prior to being submitted to Network Rail by deadline of 3 February 2015.</li> </ul>	Director of Operations	Network Rail's consultants are currently drawing up final reports of the Multi Criteria Stakeholder Analysis consultation. The outcome will help inform consideration of the options for the renewal, replacement or repair of Somerleyton and Reedham bridges. Copies of the draft reports were received on 12 July 2017. Next meeting with Network Rail scheduled for 11 October 2017.
20 March 2015 Minute 5/27 <b>Lease of Moorings on River Thurne</b>	<ul style="list-style-type: none"> <li>• That the principles for the lease of moorings at Oby on the River Thurne be supported</li> <li>• The Chief Executive delegated to finalise the details and signing of the lease</li> </ul>	Director of Operations	A 40m section of mooring at Boundary Farm, made available under a S106 agreement is now available for use. The area has been brought up to a Broads Authority 24 hour mooring standard, with safety ladders, chains, timbering and mooring posts. The area is fenced to demark the BA mooring and private land, access is available to the footway that runs along the flood bank.  Negotiations with the landowner regarding pontoons will recommence when the sale of the Ludham Fieldbase is complete.
18 November 2016 Minute 3/15 <b>Appointment of External Auditors for</b>	<ul style="list-style-type: none"> <li>• that the Authority agrees to join the national collective scheme, led by the Public Sector Audit Appointment</li> </ul>	Chief Executive/ Chief Financial Officer	PSAA acknowledged receipt of BA's acceptance to become an opted-in Authority.  PSAA confirmed External Auditors to be Ernst

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
2018/19	<p>(PSAA), as recommended by the Financial Scrutiny and Audit Committee on 27 September 2016;</p> <ul style="list-style-type: none"> <li>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</li> </ul>		and Young (15 August 2017)
<p>27 January 2017 Minute 4/8 <b>Using Audio Recording or Webcasting to Increase the Openness and Transparency of Broads Authority Meetings</b></p>	<ul style="list-style-type: none"> <li>that audio recording of all BA public meetings be adopted on a trial basis for the next six months to assist in the preparation of minutes and during that time the Authority's existing equipment is tested to see if it is suitable for the task and issues involved in making recordings available on the Authority's website are investigated.</li> <li>That the webcasting of Broads Authority public meetings be further investigated and officers report back to a future</li> </ul>	Solicitor and Monitoring Officer	<p>Recordings of meetings are being made on a trial basis. Investigations for making available on the website being undertaken.</p> <p>Webcasting also being investigated.</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	meetin		
<p>27 January 2017 Minute 4/14 24 March 2017 Minute 5/8 and</p> <p><b>External Funding Update</b></p>	<ul style="list-style-type: none"> <li>• Submission of CANAPE (Interreg) bid with the BA as lead partner approved. Commitment towards matched funding noted with recognition that if successful the project will divert some of the Authority's practical work towards implementation of Vision for Hickling Broad</li> <li>• That a Member Working Group be established with the task of developing a draft medium term external funding strategy whose aim is to support the delivery of the BA's priority activities in the new Broads Plan. Terms of Reference to be developed by the Working Group and brought back to the Authority for approval.</li> <li>• Landscape Partnership Scheme - second round application to HLF submission</li> </ul>	<p>Director of Operations/Head of Strategy and Projects/Senior Ecologist</p> <p>Chairman/Chief Executive</p> <p>Project Manager</p>	<p>CANAPE Bid has been successful. A 'Kick-Off' meeting with partners has been planned in October 2017. This is the first opportunity for the project group to meet following approval of the project. This meeting will deal with the strict governance and procedures needed to operate a North Sea Regional project. The Broads Authority has recruited a specialist consultant to assist them in setting up the project framework and getting them prepared to be Lead Partner and host this start-up conference</p> <p>The Broads Authority CANAPE project is forecast to start in 2017/18 and will include further enhancements at Hickling and work within the area of Paludiculture.</p> <p>Project Manager and Head of Strategy and Projects to work on potential medium term external funding strategy following submission of LPS. Kelvin Allen, Mathew Bradbury and John Ash volunteered to act as reference group for the work. Aim is to work with Member Group on this in October and report to November meeting.</p> <p>Second round application to HLF submitted at the end of May 2017. Due to be considered by HLF committee at end of September. Official notification of decision expected November</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	supported.		2017
<p>24 March 2017 Minute 5/13 <b>Housing White Paper Planning Fees</b></p>	<ul style="list-style-type: none"> <li>• BA responds to Government indicating that it would accept the offer of a 20% increase in application fees from July 2017</li> <li>• BA commits to spending additional fee income in the planning department on tangible planning benefits</li> <li>• Planning Committee to give consideration to where the additional income should be targeted but that consideration be given to extending the proactive condition monitoring scheme and enforcement.</li> </ul>	<p>Director of Strategy and Sustainable Communities/ Head of Planning</p>	<p>Report to be prepared for Planning Committee for consideration (assuming that the fee increase is confirmed by new Government)</p> <p>Government considering proposed increase in planning fees following Summer recess.</p>
<p>24 March 2017 Minute 5/27 19 May 2017 Minute 6/26 <b>Priority for Moorings 2017/18</b></p> <p><b>(Exempt)</b></p>	<ul style="list-style-type: none"> <li>• that the recommended actions in respect of the moorings at Acle Bridge, Hoveton Viaduct and Boundary Farm as set out in the report be supported and authorised.</li> <li>• that subject to the successful outcome of the authorised actions and negotiations connected with the above, a further report setting out a full</li> </ul>	<p>Director of Operations</p>	<p><b>Moorings at Acle Bridge</b> –The Authority completed the purchase of 620 metres of river frontage at Acle Bridge on 4 August 2017. 200 metres of the river bank is piled and the majority is in reasonable condition. Just over 40 metres will need attention sooner rather than later. The value of this location is that we shall be able to provide free 24 hour moorings for visitors together with a demasting solution for Acle Bridge. The site has further potential, as and when funds become available, to provide additional facilities such as waste disposal, pump-out of chemical toilets, car parking and</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<p>business case be provided to the Authority.</p> <ul style="list-style-type: none"> <li>that when the investment programme for moorings is settled the Authority works with the NSBA and the BHBF River Cruiser Class and the EACC to explain to users at large the priority and programme of works for these moorings.</li> </ul>		<p>possibly a slipway. The buildings on the site are tired and in a neglected state, and will be surveyed to help determine future plans.</p>
<p>19 May 2017 Minute No6/27 <b>Corporate Sponsorship Through National Parks Partnership</b></p>	<ul style="list-style-type: none"> <li>that the Authority confirms its support for the partnership with the international clothing company and recognises the benefits and obligations.</li> <li>That the Authority authorises the Chief Executive, to sign the Letter of Agreement with the National Parks Partnership regarding the commercial partnership agreement with the international company to be the official clothing supplier to the UK's fourteen National Park Authorities and the Broads Authority for 5 years.</li> </ul>	<p>Chief Executive</p>	<p>Letter of Agreement signed.</p> <p>Press Launch of Columbia clothing Sponsorship held in London on 23 May 2017.</p> <p>Clothing sizes and fitting sessions for staff and members have been completed and our order has been placed for the clothing.</p> <p>First large delivery of clothing for over 2,000 staff scheduled for October/November 2017. A second round of delivery for the shirts and tee-shirts is planned for January/February 2018</p> <p>First AGM of the NPP scheduled fo 27 September 2017.</p>
<p>28 July 2017</p>	<ul style="list-style-type: none"> <li>Statement of Accounts</li> </ul>	<p>Chief Financial Officer</p>	<p>Statement of Accounts together with Annual</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
Minute No 1/12 <b>Statement of Accounts And Annual Governance Statement</b>	2016/17 adopted and signed by the Chairman <ul style="list-style-type: none"> <li>Annual Governance Statement for 2016/17 and Action Plan for 2017/18 approved</li> </ul>		Governance Statement 2016/17 signed and published on website
28 July 2017 Minute no 1/13 <b>Anti-Social Behaviour</b>	<ul style="list-style-type: none"> <li>that a short term working group of Members and officers be set up to look at Anti-Social Behaviour on the Broads engaging with the Hire Boat Federation, the NSBA, Broads Society, PCC (Police and Crime Commissioner) through Lorne Green and report back to the Authority.</li> </ul>	Chief Executive	The Member Working Group has been established. This is comprised of: Michael Whitaker as Chair of BHBF, Greg Munford for Richardsons and Broads Tourism, Paul Rice (Member), Nicky Talbot (Chair of Navigation Committee), Brian Wilkins (Vice-Chair of NC and rep NSBA), Bill Dickson as Member of BA, Inspector Rob Wicks of Broads Beat Anti-Social Behaviour Officer from England Co-Op contacted to provide advice. The group will meet on Wednesday 4 October 2017.
28 July 2017 Minute Nos 1/18 <b>Appointment of Members to Committees and to outside bodies</b>	<ul style="list-style-type: none"> <li>Appointments of Members to to Committees and Outside Bodies confirmed until Annual meeting July 2018.( Minutes Appendix 2)</li> </ul>	Chief Executive and Solicitor and Monitoring Officer	The vacancy on the Broads Local Access Forum has been filled by Melanie Vigo di Gallidoro. There are still vacancies on the Norfolk and Suffolk Broads Charitable Trust and Whitlingham Charitable Trust.
28 July 2017 Minute Nos 1/18 and 1/20 <b>Governance and Peer Review</b>	<ul style="list-style-type: none"> <li>Update on Peer Review noted</li> <li>Revised Member Development Protocol adopted</li> <li>Amended Guidelines for Local</li> </ul>	Chief Executive and Solicitor and Monitoring Officer	Report on progress on the Peer Review <b>on the Agenda</b>  Member Development Protocol to be included within the Members Handbook. See below:  The Amended Guidelines for Local Authorities



Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<p>Authorities when appointing members to the Authority adopted.</p>		<p>when appointing members to the Authority have been circulated to our constituent partner authorities. They will also be included on the website and circulated to them again next April for when they will be considering appointments.</p> <p><b>The Members Handbook</b> will be a specific area on the Authority's website to include:</p> <ul style="list-style-type: none"> <li>• Summary of Broads Acts 1988 and 2009</li> <li>• Code of Conduct</li> <li>• Protocol on Member and Officer Relations</li> <li>• Member Development Protocol</li> <li>• Social Media Policy- Guidance for Members and Officers</li> <li>• Ethics in the Authority</li> <li>• Terms of Reference of committees: Committee Structure Chart</li> <li>• Standing Orders</li> <li>• Scheme of Powers Delegated to Officers and Powers Delegated to Chief Executive</li> <li>• Scheme of Member Allowances</li> <li>• (Freedom of Information and Data Protection Regulations)</li> <li>• Port Marine Safety Code</li> <li>• Annual Governance Statement</li> </ul>

**Riverside Tree & Scrub Management**  
Report by Environment & Design Supervisor

<b>Summary:</b>	Management of riverside trees and scrub is required to maintain navigation safety and wind quality whilst retaining environmental features and interests. A five year plan, prioritising the location of riverside management has been produced, incorporating the permissions required, consultation and agreed methodology.
<b>Recommendation:</b>	That the report be noted.

## **1 Background**

- 1.1 The river corridors of the Broads contain a variety of habitats, with trees and scrub occupying a significant proportion, particularly in the upper reaches. This wooded environment provides valuable habitat for birds, fish, bats and otter; forms an important landscape resource; and contributes to ecosystem services in the form of carbon storage. However, encroachment by trees and scrub over and into the water causes safety issues for navigation through the narrowing of the navigation channel and obstruction to sight lines, particularly on river bends. Dense growth of trees and scrub also has the effect of reducing the quality and strength of wind available for sailing vessels.
- 1.2 Some management of riverside trees and scrub is required in order to maintain navigation safety and wind quality, however, the needs of navigation need to be balanced with the other values and interests as noted above. This balance can be achieved through effective prioritisation, consultation and sensitive working practices. It is important to note that tree management in this context refers to a reduction in density of woody species and lowering average height over the medium term, and not the removal of all such growth.

## **2 Legal Framework**

- 2.1 Much of the Broads area is designated for its nature conservation interest to National and European level. As such, any works within these protected areas requires assent from Natural England before work can commence. Consultation is required with the Environment Agency as riverbank tree management falls within the scope of the Water Framework Directive (WFD). An Environmental Permit is also a legal requirement for the use of herbicides near waterbodies, which includes the treatment of cut tree stumps. In addition, the Forestry Commission must be consulted on large scale felling of trees through the felling licence process, although the Broads Authority is exempt where works are required to maintain navigation safety.

- 2.2 The management of riverside trees and scrub is the responsibility of the landowner or tenant. However, as the Broads Authority is responsible for maintaining safe and navigable waterways, the condition of trees along the margins of the rivers and broads is monitored by the Ranger Team. Where remedial work is required, landowners are advised and are expected to make safe any significant hazards to navigation.

### **3 Prioritising Management**

- 3.1 In 2015, an approach to categorising and prioritising riverside tree and scrub management was produced by the Broads Authority. Each river valley was surveyed by a Ranger and Environment Officer to determine the types of habitat present and the work required to make improvements to navigation safety and wind availability. For each stretch of the river a priority class was assigned to reflect when the work should be undertaken. Notes were also taken regarding ecological features such as trees with bat potential and other points of conservation interest.
- 3.2 This survey information was recorded electronically and prioritised maps produced for each river valley. Permissions from statutory bodies and landowners were then obtained for works to proceed during the winter months.
- 3.3 This initial prioritisation work enabled 4100m of riverside trees to be managed during the winter of 2016/17, utilising Broads Authority staff, volunteers and contractors.

### **4. Additional Prioritisation**

- 4.1. To improve efficiency and streamline the consenting process, agreement was reached with Natural England for the Broads Authority to request assent for a five year work period, starting in winter 2017/18. In order to do this, maps delineating the areas to be managed within the next five years were required.
- 4.2 During January 2017, Rangers and Environment Officers worked together to fine tune the prioritisation process with additional criteria added to improve the robustness of the process. The list of parameters utilised in the prioritisation process includes:
- sailing intensity
  - general boat usage
  - presence of moorings
  - position of river stretch (bends or straight)
  - density of riverside growth
  - width of channel lost to tree encroachment

### **5. Results & Methodology**

5.1 The prioritisation has been used to produce maps showing those areas that require management within the next 5 years (see Figure 1). Year 1 (2017/18) priorities have been confirmed pending landowner, Natural England and Environment Agency agreement. However, it should be noted that years 2-5 (2018/19-2021/22) are subject to final operational work planning and budget availability in addition to obtaining further landowner permissions.

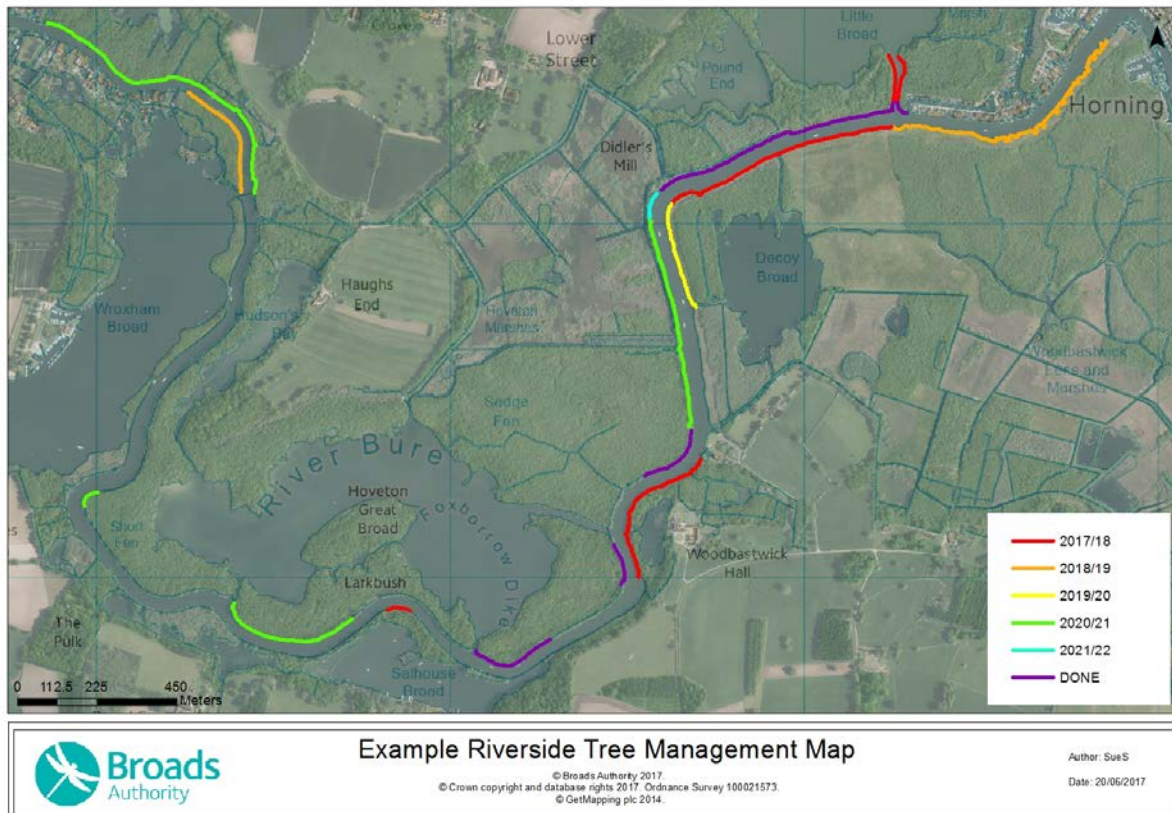


Figure 1 – Example 5 year tree riverside management plan

5.2 Part of the consultation and permissions process has included detailed discussion with Natural England and the Environment Agency regarding the works specification and practical methodology. The following points summarise the permitted approach:

- Trees and scrub will be managed in a zone to a maximum width of 3m from the river edge (*agreed through consultation with the Forestry Commission*)
- Within managed zones, occasional trees and scrub that overhang the river will be retained for the benefit of birds and spawning and overwintering fish; the retained amount should total 20% of the linear distance of the managed stretch.
- Some mature trees are to be retained (particularly where there are no significant safety hazards and contain deadwood and features of use to invertebrates, bats and fungi)
- The occasional young or semi-mature alder and/or oak are to be retained, in the spaces between other retained mature/veteran specimens, to provide replacement specimens for the future.

- Within the zone 1m landward of the bank edge, trees with a 15cm diameter or greater, a maximum of 50% of the cut stumps can be treated with herbicide. Of particular importance, and not to be treated, are those stumps with roots coming out from the bank which offer spawning potential and refuge areas for fish.
- Within the remaining 2m strip (1m to 3m back from the river edge), all cut stumps can be treated with herbicide, but the occasional mature tree stump should not be treated, or young 5 to 10 year old trees should not be felled. This is to provide future specimen trees to replace existing mature trees.

It should be noted that each section of riverbank is assessed annually and further specific actions applied depending on the nature of the habitat present.

## **6. Consultation and Permissions**

- 6.1 To consider the potential impacts of works within a site that has designated features of European importance, the Broads Authority is required to produce a Habitat Risk Assessment (HRA) Screening document. This describes the features for which the site is designated and considers whether the proposed works are likely to have a significant effect upon those features. If this exercise concludes that a significant effect is likely, an Appropriate Assessment is then required.
- 6.2 Consent is also required from the Environment Agency in the form of a Water Framework Directive (WFD) Assessment and formal application is required for permission to use herbicide near water (Aqherb01).
- 6.3 To date, an HRA has been produced and submitted to Natural England with the Authority concluding that the works proposed through the five year plan are not likely to have a significant effect on the European interest features. This conclusion is based upon the scale of the works and specification and methodologies for working, as described in section 4. The WFD Assessment and Aqherb01 permissions are in the process of submission at the time of writing this report.
- 6.4 Once assent from Natural England has been gained, individual landowners will be contacted to request permission for the Broads Authority to undertake the work on their land. A formal agreement will be drawn up between both parties detailing the works, specific methodology and expected timescale.
- 6.5 Consultation will also be required with Broads Authority planning officers where trees fall within planning Conservation Areas and/or have Tree Preservation Orders (TPO).

## **7. Next Steps**

- 7.1 While the consultation and permissions process is underway, work proposed for the coming winter will be assigned between Broads Authority staff, volunteers and contractors.

- 7.2 Assent from Natural England, if awarded, will cover the proposed five-year work programme, whereas Aqherb01 licences are applied for on an annual basis.
- 7.3 For each consecutive year, final decisions will be made over the summer as to the exact stretches that will be managed the following winter and how they are best managed in terms of resource. As part of this process, all areas of completed management will be recorded and any stretches that do not get managed within the proposed year will be re-programmed.
- 7.4 It is anticipated that a further re-prioritisation exercise will take place during 2020/21 to plan the next five year work programme commencing in 2022/23.

Background papers: Riverside Tree and Scrub Management in the Broads 2015-2025

Author: Sue Stephenson  
Date of report: 27 July 2017

Broads Plan Objectives: C.4.2

Appendices: None

**River Wensum Strategy Consultation**  
Report by Senior Waterways and Recreation Officer

**Summary:** This report provides members with details of the draft River Wensum Strategy that is currently being consulted on and highlights the main aims and objectives of the strategy and its proposed action plan.

**Recommendation:** That Members endorse the vision and objectives of the draft strategy and provide officers with comments on the proposed content of the strategy and its action plan for referring to the strategy working group.

## **1 Introduction**

1.1 The River Wensum Strategy Partnership (RWSP) has recently consulted on a draft strategy for the future management of the River Wensum in Norwich with the overarching aim of repurposing and revitalising the river to make it a tourism asset for the City. The RWSP is led by Norwich City Council working in partnership with the Broads Authority, Norfolk County Council, the Environment Agency and the Norwich Society. The draft strategy was informed by an issues and opportunities consultation, and through ongoing dialogue between partners, stakeholders and local residents. The strategy area of the River Wensum extends from Hellesdon Mill in the west to Whitlingham Country Park in the East. Although the formal public consultation on the draft strategy ended on the 15<sup>th</sup> of September it was agreed that the Broads Authority could submit comments after that date. The draft strategy can be viewed at [www.norwich.gov.uk/riverwensum](http://www.norwich.gov.uk/riverwensum)

## **2 Vision and objectives**

2.1 The strategy vision is to: “breathe new life into the river by enhancing it for the benefit of all and increasing access to, and greater use of, this important asset. The river will once again play an important part in the growth and vitality of the city, strengthening the visitor economy and helping to give the city a competitive advantage in attracting inward investment”.

2.2 The objectives set out in the strategy for delivering this vision are:

- improving the management of the river corridor and its surroundings for the benefit of the City, residents of the wider Norwich area, and visitors;
- increasing access to, and use of, the area by all, including enhanced connectivity with the Norfolk Trails network;
- enhancing the natural environment and green infrastructure;

- enhancing the City's environmental, cultural and historic offer in a manner which maximises the attractiveness of the area as a location to do business;
- enhancing heritage, making the most of the unique historic environment within the river corridor;
- addressing social deprivation and inequalities;
- maximising the efficiency of public expenditure in the river corridor, where possible reducing the pressure on stretched public sector budgets; and
- identifying and exploiting external funding opportunities including private sector investment.

### **3 The draft strategy proposals**

3.1 The strategy seeks to deliver the objectives through a number of themed sections which are set out below. Some of the objectives, for example enhancing heritage, and addressing social deprivation and inequalities, are cross-cutting and inform policies and proposals in several chapters, so are not identified as themed chapters in their own right.

#### **3.2 Management**

A well-managed river corridor, with effective joint working between partners, is a pre-requisite for the regeneration of the river corridor and to maximise benefits to the City and wider area. Management proposals in the strategy include:

- closer working between strategy partners (in particular the City Council and Broads Authority) to improve and streamline management of the river corridor. The City Council and Broads Authority have already developed a joint protocol to ensure a co-ordinated approach to key management and enforcement issues including illegal mooring and sunken boats;
- clarification of key partner responsibilities for the river is provided in the strategy (see Appendix 1 within the strategy annex). This shows that primary responsibility for maintenance within the river corridor falls upon the City Council, including grounds maintenance, maintenance of river structures, open spaces and of the riverside walk. In response, the strategy seeks opportunities to maximise volunteer and community input into maintenance and environmental improvements, and to explore potential for sponsorship for some ongoing maintenance where appropriate. The strategy also states that development of individual proposals must fully address maintenance costs and identify how this will be funded so as not to add to future maintenance liabilities;
- establishment of delivery arrangements including a delivery board and a strategic board to oversee implementation and monitoring, involving joint working with key delivery partners;
- Working with external partners and stakeholders, including the business community, to deliver the strategy and access external funding. There is



great potential for partnership working with those external organisations whose objectives complement those of the strategy, which could include development of projects and initiatives to maximise benefits for the river - both physical improvements to access for example, as well as a more joined up approach to issues within the river corridor such as health and wellbeing, and economic development. Paragraph 3.13 in the strategy sets out a list of potential partners which includes Norwich BID which now includes the river within its expanded area, Norfolk Trails and Active Norfolk.

### 3.3 Access for walking and cycling

A key strategy theme is increasing walking and cycling access to the river corridor. The proposed access measures in the strategy seek to encourage increased use of the river corridor by commuters and leisure users, and help to create the conditions for local businesses to thrive through increased footfall and activity including events and festivals, whilst supporting health initiatives which encourage activity. Proposals include:

- completion of the Riverside Walk between New Mills and Trowse Swing Bridge within the strategy lifetime (see policy 2). This includes action plan projects to complete two key 'missing links' (in the vicinity of the Norwich Playhouse, between Duke's Palace Bridge and Blackfriars Bridge; and between Fye Bridge and Whitefriars);
- accessibility improvements are also proposed, including infrastructure improvements to the Riverside Walk to ensure access for people of all ages and abilities (policy 3), and improved signage between the river and key visitor destinations (policy 4). A Community Infrastructure Levy (CIL) funded action plan project has recently commenced which will address these key accessibility issues;
- the strategy also proposes greater connectivity between the Riverside Walk and Norfolk Trails (policy 5) including better links between the Riverside Walk and Marriott's Way at Barn Road to encourage commuters and leisure users (action plan project A4), and enhanced links with the Broads cycling and walking network at Whitlingham Country Park in the longer term. The RWSP is also exploring whether the Riverside Walk could be part of the Norfolk Trails network which could have benefits for promotion and for greater coordination in terms of management and maintenance.

### 3.4 Waterways access and leisure

Perhaps the main way the strategy can deliver its overarching aim of reinvigorating the river is by providing new, and enhancing existing, waterways infrastructure as this will encourage greater recreational use of the river in the heart of the city. This chapter includes a number of action plan projects which are shown on map 12 including:

- an improved slipway at Friar's Quay and enhanced moorings at the Yacht station;
- new short-stay visitor moorings and demasting moorings in a number of locations including at Quayside, between Carrow Bridge and Lady Julian Bridge and Carrow Bridge and Trowse Swing Bridge;
- improved canoeing infrastructure including new canoe access points at New Mills;
- enhancement of angling access and fish habitat;
- increasing the use of the existing river jetties at Elm Hill and the station;
- promotion of river events and trails including a proposed river festival.

### 3.5 Environment

The strategy aims to improve the natural environment, the public realm and open spaces near to the river. The river is a wildlife corridor and its sensitive enhancement has the potential to improve ecology and biodiversity in the heart of the city. Proposals include:

- improvements to water quality in specific stretches of the river including a proposal to reduce the levels of oils and fats entering the river from food related businesses in the Magdalen Street/Fye Bridge Street area;
- protection and enhancement of biodiversity of the river and riverbanks including proposals for floating vegetation platforms; a biodiversity enhancement and non-invasive species management plan and an eel pass at New Mills to assist with migration of this protected species (which has now been installed);
- The enhancement of green infrastructure and areas of open space is also proposed (policy 15). The strategy includes an action plan project to enhance the setting of one of the historic Boom Towers adjacent to Carrow Bridge. The Devil's Tower is a scheduled ancient monument located at one of the historic gateways to the city, with potential for an enhanced open space to serve the rapidly expanding local population and visitors.

## 4 **Longer term opportunities**

- 4.1 The strategy also identifies some potential projects as opportunities for the future which may be developed in the strategy lifetime as opportunities arise. These include the historic New Mills pumping house, the medieval Boom Towers and city walls/wooded ridge in east Norwich, Bishop's Bridge to Cow tower open space, Mary Chapman Court riverside site in the northern city centre, and Wensum Park. Additionally further opportunities for improved access upstream of New Mills have been identified but all these potential

opportunities require detailed investigation in order to establish feasibility and costings.

## **5 Funding**

- 5.1 The strategy aims to deliver improvements to the river corridor over a ten year period. The action plan will identify projects that are likely to be deliverable in the short to medium term. Other projects will require external funding and this is currently being looked at in detail by the RWSP. Potential sources of project funding include Community Infrastructure Levy (CIL), Anglian Water and the Heritage Lottery Fund.

## **6 Conclusions**

- 6.1 The objectives, policies and projects outlined in the draft strategy document propose an integrated approach to managing the Wensum in order to maximise its potential for tourism, navigation, green infrastructure, biodiversity and business development. This approach is to be welcomed as the strategy presents a real opportunity to deliver a wide range of social, environmental and recreational benefits for the City through partnership working particularly through enhancements to land and water access.
- 6.2 Members' comments on the draft strategy are welcomed.

Background paper:	None
Report author:	Adrian Clarke
Date of report:	14 September 2017
Broads Plan Objectives:	Multiple particularly C 4.1 and E 6.1.
Appendices:	None

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

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

**Recommendation:** That Members agree the Local Plan and supporting documents are the subject of public consultation.

**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 have been two rounds of consultation already – the Issues and Options which was completed at the start of 2016 and Preferred Options that was completed at the end of 2016.
- 1.3. The response to these consultations, further evidence as well as an internal assessment of existing policies and policy gaps has resulted in the Publication version of the Local Plan.
- 1.4. Planning Committee and Navigation Committee Members have seen the Publication Local Plan at their September Meetings (see below for more detail).
- 1.5. Accompanying the Publication Local Plan is the Sustainability Appraisal, Habitats Regulation Assessment and various evidence and statements including Viability Assessment and Duty to Cooperate Statement.

**2. The Publication Local Plan**

- 2.1. This combines 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. Please note that there are two versions of the Local Plan appended to this report. One shows the changes since Planning Committee and Navigation Committee, which are shown as tracked changes for clarity (Appendix A). These changes

have come about as a result of the Habitats Regulation Assessment and proof read. The second version is a 'clean' version and incorporates these changes, showing the Local Plan as it will be consulted on (Appendix B).

2.2. Many policies have been rolled forward from the current adopted documents with either no changes, or some changes or large scale changes.

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

- 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 ancillary accommodation
- Custom/self build
- Health and wellbeing
- Safety by the water
- 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-15-september-2018/maps>.

### **3. Sustainability Appraisal**

3.1. A Sustainability Appraisal of the Publication Local Plan 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.

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

- The Rural Enterprise workers 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 and Land at Tiedam, Stokesby rates negative against access to facilities and services as there are few services in the settlement.

See Appendix C.

## **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 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 main housing allocations to deliver the proposed houses over the plan period. See Appendix D.

## **5. Duty to Cooperate**

- 5.1. The Localism Act 2011 imposes upon local planning authorities and others a 'duty to cooperate' on strategic planning matters (i.e. those that affect more than one planning authority area). The Duty requires that a Local Planning Authority engages constructively, actively and on an on-going basis with relevant or prescribed bodies in order to maximise the effectiveness of development plan preparation and strategic matters.
- 5.2. The Authority has produced a statement that summarises how the Broads Authority has met that requirement in terms of the activity of cooperation and the effectiveness of that cooperation insofar as it relates to the proposed Broads Local Plan. This statement sets out how the Broads Authority has cooperated with the Prescribed Bodies as required by The Town and Country Planning (Local Planning) (England) Regulations 2012 (PART 2) Duty to cooperate as well as other National Parks and Neighbouring District Councils. Go here for the Duty to Cooperate Statement: [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0003/991443/Local-Plan-August-Bite-Size-Piece-pc180817.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/991443/Local-Plan-August-Bite-Size-Piece-pc180817.pdf) . The Duty to Cooperate Statement is revised at each stage of plan production to take account of any changes in the cooperation mechanisms since the last Statement, prepared for the previous iteration of the plan.

## **6. Other evidence and statements**

- 6.1. All evidence used to inform the Local Plan can be found on this webpage: <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base2>

## **7. Planning Committee**

- 7.1. Planning Committee has led on the production of the Local Plan (with Navigation Committee and Full Authority involved at relevant stages). Planning Committee has seen 'bite size' pieces of the Local Plan each month and have discussed and generally approved the content of each section of the Local Plan.
- 7.2. The Publication Local Plan and accompanying documents were discussed at the Planning Committee on 15 September. As the deadline for this Full Authority report was before that meeting, the discussions at Planning Committee and any consequent suggested changes will be reported verbally to Full Authority

## **8. Navigation Committee**

- 8.1. Navigation Committee has seen each stage of the Local Plan. Their comments have been reported to Planning Committee on each occasion.
- 8.2. The Publication Local Plan was discussed at the Navigation Committee meeting on 7 September 2017. Navigation Committee's comments are summarised below and were reported to Planning Committee verbally (again to reflect reporting deadlines):
- There should be a Local Plan objective relating to navigation.

## **9. About the consultation**

- 9.1. The Publication Local Plan is set to be published for public consultation between 4 October and 4pm on 15 November 2017. The consultation period covers 6 weeks.
- 9.2. Documents to be consulted on are:
- The Publication 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.

- 9.3. Advanced notice of the consultation has been given to Parish Councils in May, July and September 2017.
- 9.4. Advertising the consultation:
- Email or letter to all on our contact database.
  - Press advertisement by formal notice.
  - Press release to go out at the start of the consultation period.
- 9.5. Versions of the Local Plan:
- Hard copies at libraries and Council offices
  - Summary leaflet. This will include one line description of the thrust of the policy and ask for comments. There will be a link to the main document so people can read the detailed policy if they wish.
  - Copies of the documents will be available on line.
- 9.6. Drop in sessions:
- Advertised through the press release and press advertisement.
  - Parish Councils asked to advertise.
  - Three drop in sessions – on a Saturday am/pm and weekday evening. One in each of the north, central area and south of the Broads.
  - Venues and dates to be confirmed.
- 9.7. Comments form:
- For this stage of the Local Plan, we are introducing a form and related guidance.
  - The comments need to relate to the soundness of the Local Plan and use the tests of soundness accordingly.
  - The comments form and guidance have been agreed by Planning Committee and are at Appendix E.

## **10. Strategic Flood Risk Assessment (SFRA) – timings**

- 10.1. Strategic Flood Risk Assessments (SFRAs) form part of the evidence base of the Local Plan and are used to inform the Sustainability Appraisal. The requirement for the preparation of SFRAs is detailed in paragraph 100 of the National Planning Policy Framework (NPPF).
- 10.2. A consortium of Norfolk LPAs, comprising Broadland District Council, Great Yarmouth Borough Council, the Borough Council of King's Lynn and West Norfolk, North Norfolk District Council, Norwich City Council, South Norfolk Council and the Broads Authority, have commissioned new Level 1 SFRAs to inform strategic planning decisions, the preparation of Local Plans and to inform development management decisions.



- 10.3. The 2017 SFRA document is one of a series of SFRA's that will replace the previous joint North Norfolk District Council, Broadland District Council, the Broads Authority, Norwich City Council and South Norfolk Council SFRA, originally published in 2008.
- 10.4. At the time of writing this report, the final SFRA has not been completed. It is due for completion by the end of September 2017.
- 10.5. One of the main outputs of the SFRA will be the flood zones, comprising – mapping showing the area covered by the different flood zones. This is of relevance to the allocation policies in the Local Plan.
- 10.6. The LPA already holds some information on flood zones in the form of the Environment Agency's maps. These have been used to inform the site allocations process and the draft versions of the flood zones for the housing allocations shows the extent of flooding on those sites to be no worse than shown on the existing Environment Agency maps. On this basis, the policies relating to the housing allocations are not likely to change as a result of the SFRA.
- 10.7. The SFRA needs to be finalised and agreed prior to the commencement of the consultation on the Local Plan. It is proposed to send the SFRA to Planning Committee when it is received by email and give Planning Committee members a week to respond. This could delay the consultation a week or so, depending on when the final SFRA is received.
- 10.8. There may also need to be some changes to text to clarify which flood zone the allocations are in. This can be completed fairly easily, but if there are minor changes this means that the version that Full Authority have seen will be different to the version that goes out for consultation.
- 10.9. It is therefore recommended that authority is delegated to the Chief Executive to agree any minor changes as a result of the SFRA (or any other minor changes or corrections that may need to be made that do not affect the thrust of the document) in consultation with the Chair of the Broads Authority and Chair of Planning Committee. If there are any changes as a result of the SFRA that materially affect the Local Plan, then those changes will not be made prior to further formal consultation with Navigation Committee, Planning Committee and Full Authority.

## 11. Next steps

- If agreed, consultation will begin on 4 October for 6 weeks (although note section 10).
- Responses received will be assessed and replied to.
- We will not change the document, but will suggest some modifications.
- Planning Committee and then Full Authority will agree submitting the Local Plan to the Planning Inspector.
- There will be a Public Examination of the Local Plan.
- It is hoped the Local Plan will be adopted around May 2018.

## 12. Financial Implications

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

Background papers:                      None  
Author:                                        Natalie Beal  
Date of report:                              14 September 2017

Appendices:  
Appendix A     [Publication version Local Plan with tracked changes](#)  
Appendix B     [Publication version Local Plan as it will be consulted on](#)  
Appendix C     [Sustainability Appraisal](#)  
Appendix D     [Habitat Regulation Assessment](#)  
Appendix E     [Response Form and Guidance](#)

**Strategic Direction**  
Report by Chief Executive

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

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

## 1 Strategic reporting

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



Background papers: None

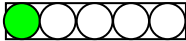
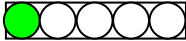
Authors: John Packman, Maria Conti



Date of report: 14 September 2017


Broads Plan Objectives: Multiple


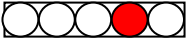


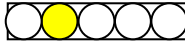

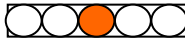
Appendices: APPENDIX 1: Strategic Priorities 2017/18

Broads Authority strategic priorities 2017/18					
	Project	Aim and milestones	Updates (September 2017)	Status	Contact
1	<b>Integrated flood risk management</b>	<p><u>Aim: Profile raised on urgency to develop an integrated approach to flood risk management (Broads and coast).</u></p> <ul style="list-style-type: none"> <li>Engage with stakeholders to help define the next stages of the initiative - by end 2017</li> <li>Create framework for gathering relevant information on key potential actions - by end March 2018</li> </ul>	<p>A task and finish group began preparing the communication and engagement plan in early September. The plan and an outline framework for the Broadland Futures Initiative will be discussed by the Broads Climate Partnership in November. We will carry out more detailed communications work with stakeholders in 2018.</p>		Simon Hooton
2	<b>Catchment management</b>	<p><u>Aim: Facilitated working with farmers and others on catchment management and on the future of agri-environment schemes post-Brexit.</u></p> <ul style="list-style-type: none"> <li>Implement small scale local interventions to reduce soil and nutrient loss from fields</li> <li>Meet with farmers to gauge interest in tailored Broads solution for agri-environment payments post-Brexit - Feb 2017 and as necessary</li> </ul>	<p>As part of the Tesco Water Sensitive Farming project 2017 a Broads site visit for the Tesco Responsible Sourcing Directors and Agriculture team was held. The event was hosted by Louis and Fran Baugh at Neatishead Hall.</p> <p>A project update was followed by a demonstration of the 'Earthwake', which reduces run-off from tramlines in cereal crops. Arla Foods has agreed to engage dairy producers who grow maize in the region and Allied Bakeries will promote the project among their main wheat suppliers.</p> <p>The 'Wonder Wheel' disrupts farm machinery field wheelings to prevent water, soil and nutrient run-off. It has been used in more than 400 acres of potato fields at risk of contributing to water quality problems.</p> <p>To support water sensitive farming after 2018 a continuation of the project, including a farm technology fund, is in a proposed project list submitted to the</p>		Neil Punchard

			national catchment based approach group for the prospective Defra Water Environment Grant fund 2018-2022.		
3	<b>Broads Landscape Partnership Scheme (LPS)</b>	<p><u>Aim: Successful LPS project delivery.</u></p> <ul style="list-style-type: none"> <li>• Submit Landscape Conservation Action Plan and second stage HLF application by May 2017. Decision expected Nov 2017.</li> <li>• Start project delivery from 1 Jan 2018</li> </ul>	There is nothing further to report while we wait for the HLF's decision on our second stage application.		Will Burchnell
4	<b>Hickling Broad Enhancement Project</b>	<p><u>Aim: Hickling Vision implemented.</u></p> <ul style="list-style-type: none"> <li>• Construction work: Next phase priority dredging from navigation channel and land spreading to adjacent land</li> <li>• Win additional resources for delivery – in particular, CANAPE bid (decision expected Jun 2017)</li> <li>• If bid successful, start CANAPE implementation – Jan 2018</li> </ul>	<p>In Phase 1 of the Hickling Vision, reed planting and establishment in the two created reed swamp areas on the edge of Hickling Broad has been completed. 170m of goose proof wave barrier was installed to protect sensitive marginal vegetation. Remaining work over the winter will clear the connecting dykes behind Churchill's Bay.</p> <p>In Phase 2, awaiting an Environmental Permit for winter mud pumping. Groundworks for dewatering lagoons can then begin.</p> <p>Planning is underway for CANAPE Work Package 3: Create Resilient and Integrated Peatland Systems. In October, the Environment and Design Team will develop the design work, landowner agreement and statutory consents for a further reed swamp creation area, as set out in the Vision.</p>		Dan Hoare

	Project	Aim and milestones	Updates (September 2017)	Status	Contact
5	<b>External funding</b>	<p><u>Aim: Medium-term strategy in place for external funding and commercial opportunities to support Broads Plan implementation.</u></p> <ul style="list-style-type: none"> <li>• Draft external funding strategy to BA – Nov 2017</li> </ul>	<p>Following preliminary work by the Authority's officers and management team, the draft external funding strategy will be worked on by a Member group in October and brought to the Authority meeting on 24 November.</p> <p>We are continuing our close working with the Norfolk and Suffolk Broads Charitable Trust (the Broads Trust) and developing two joint initiatives.</p>		Simon Hooton
6	<b>Marketing, promotion and media relations</b>	<p><u>Aim: Raised profile, awareness and reputation of Broads National Park and Broads Authority</u> including through:</p> <ul style="list-style-type: none"> <li>• Proactive media around BA successes</li> <li>• Proactive digital communications</li> <li>• Presence at Norfolk Show</li> <li>• Signage strategy</li> </ul>	<p>Continuing to enhance the Visit the Broads website, with features that reflect the content management plan and additional filtering of the 'things to do' categories.</p> <p>Working with Norwich Airport to install a major piece of artwork in the 'arrivals meet and greet' area. It will be Broads branded with literature for visitors. With Abellio Anglia, we are planning to install branding at busy train stations within the Broads, including Norwich.</p> <p>Discussing road signage with the highways department at Norfolk County Council and signage plans are underway for How Hill and Whitlingham Country Park.</p> <p>A Broads stand at the Great Yarmouth Maritime Festival (8 &amp; 9 September) was very popular.</p> <p>On social media, the number of 'likes' and retweets is growing. The Authority's social media policy is now approved and training is being developed. We have bought software so more colleagues can post updates on social media, while maintaining control through the Communications department.</p>		Rob Leigh

	Project	Aim and milestones	Updates (September 2017)	Status	Contact
			<p>Our PR activity has increased with more press releases and good media take up. Recent features include the Digital Biathlon, Boundary Farm Moorings, Broads Plan launch, life jackets safety reminder (following an incident at Yarmouth Yacht Station), Meeting of the Mayors, cuckoo tracking, and volunteers and work placements.</p> <p>Introduced a monthly Chief Executive's e-newsletter, which is being well received with more than 500 active subscribers. The newsletter is also being discussed in online public forums.</p>		
7	<b>Peer Review of Governance Arrangements</b>	<p><u>Aim: Review of existing governance arrangements undertaken and potential for improvements identified and taken forward.</u></p> <ul style="list-style-type: none"> <li>• Establish Reference Group of Members to review governance arrangements and support peer review process - by end May 2017</li> <li>• Agree date and composition of Peer Review Team with LGA - by end May 2017</li> <li>• Prepare background documents - Jul 2017</li> <li>• Reference Group to report back to the Broads Authority - Sept 2017</li> <li>• Peer Review visit - Oct 2017</li> </ul>	<p>The review will focus on governance. It will also look at the relationship with the constituent local authorities.</p> <p>The Team will interview people either face-to-face or by telephone on 10 and 11 October and present their findings on 12 October at the Authority's offices in Norwich.</p> <p>Invitations have been sent to leaders and Chief Executives of local councils, and to other key partners.</p> <p>A Position Statement, effectively the brief to the Team, has been developed and signed off by the Governance Reference Group.</p>		John Packman/ Maria Conti

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		



**Financial Performance and Direction**  
Report by Chief Financial Officer

**Summary:** This report provides a strategic overview of current key financial issues.

**Recommendation:**

- (i) That the income and expenditure figures be noted.
- (ii) That the additional expenditure from reserves in 5.3 and 5.4 be noted.

**1 Introduction**

1.1 This report covers the Consolidated Income and Expenditure from 1 April – 31 July 2017 and reflects the movement of the monitor lines within the Directorates. These movements are as a result of the changes in line management, the original budget remains the same.

**2 Overview of Actual Income and Expenditure**

Table 1 – Actual Consolidated I&E by Directorate to 31 July 2017

	<b>Profiled Latest Available Budget</b>	<b>Actual Income and Expenditure</b>	<b>Actual Variance</b>
Income	(4,656,658)	(4,722,044)	+ 65,386
Operations	1,365,982	1,277,475	+ 88,507
Planning and Resources	817,319	760,215	+ 57,104
Chief Executive	540,675	476,500	+ 64,175
Projects, Corporate Items and Contributions from Earmarked Reserves	(68,113)	(72,008)	+ 3,895
<b>Net (Surplus) / Deficit</b>	<b>(2,000,794)</b>	<b>(2,279,861)</b>	<b>+ 279,067</b>

2.1 Core navigation income is above the profiled budget at the end of month four. The overall position as at 31 July 2017 is a favourable variance of £279,067 or 13.95% difference from the profiled LAB. This is principally due to:

- An overall favourable variance of £70,835 within toll income:
  - Hire Craft Tolls £37,145 above the profiled budget.
  - Private Craft Tolls £32,958 above the profiled budget.
- A favourable variance within Operations budgets relating to:

- Construction and Maintenance Salaries is under the profiled budget by £23,048 due to vacancies at the start of the financial year.
  - Equipment, Vehicle and Vessels is above the profiled budget by £11,665 due to expected repair costs on the wherries and the weed harvester.
  - Water Management is under the profiled budget by £20,267 due to outstanding Natural England consent.
  - Ranger Services is under profiled budget by £16,122 mainly due to additional income and small underspends within salaries and expenditure.
  - Premises is under profiled budget by £32,358 due to timing differences around the Dockyard Wet Shed repairs and the lease costs for Buttles Barn being invoiced quarterly instead of annually.
- A favourable variance within Planning and Resources budgets relating to:
    - Human Resources is under profiled budget by £15,281 due to vacancies and timing differences on staff training.
    - Project Funding is under profiled budget by £14,164 due to timing differences.
    - Visitor Centres and Yacht Stations is under profiled budget by £16,844 due to additional income and salary savings.
- A favourable variance within Chief Executive budgets relating to:
    - Legal is under profiled budget by £10,662 due to timing differences.
    - Asset Management is under profiled budget by £13,053 due to timing differences.
    - Finance and Insurance is under profiled budget by £38,332 due to an outstanding insurance invoice which has been received in August.

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 2017/18 – deficit	Item 12 27/01/17 (BA)	41,178
Peer review budget	Item 17 24/03/17 (BA)	25,000
Approved budget carry-forwards	Item 11 19/05/17 (BA)	31,245
<b>LAB at 31 July 2017 – deficit</b>		<b>97,423</b>

#### 4 Overview of Forecast Outturn 2017/18

- 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>97,423</b>
Increase in Hire Craft Income	(41,993)
Decrease in Boat Safety Income	7,000
Increase in Moorings Expenditure for Acle Bridge purchase	30,000
Decrease in Visitor Centre Salary costs	(10,500)
Decrease in Telephone expenditure	(3,050)
Decrease in Apprenticeship Levy for government allowance	(15,000)
<b>Forecast outturn deficit as at 31 July 2017</b>	<b>63,880</b>

- 4.2 The main reason for the difference between the forecast outturn and the LAB is the change in predictions for hire craft toll income and moorings expenditure. However if the sale of the Field base is completed prior to the end of the financial year the adjustment for moorings will be removed.

#### 5 Reserves

Table 4 – Consolidated Earmarked Reserves

	Balance at 1 April 2017	In-year movements	Current reserve balance
	£	£	£
Property	(429,005)	(76,500)	(505,505)
Plant, Vessels and Equipment	(214,671)	(48,747)	(263,417)
Premises	(178,942)	(22,927)	(201,869)
Planning Delivery Grant	(194,908)	8,500	(186,408)
Upper Thurne Enhancement	(77,752)	(21,057)	(98,808)
Section 106	(109,020)	7,550	(101,470)
Heritage Lottery Fund	(92,936)	4,562	(88,374)
Catchment Partnership	(94,833)	0	(94,833)
<b>Total</b>	<b>(1,392,066)</b>	<b>(148,618)</b>	<b>(1,540,685)</b>

- 5.1 £668,224 of the current reserve balance relates to navigation reserves.
- 5.2 As with last year the Authority's contributions to the reserves have all been made in full at the end of quarter one. This has resulted in the reserves showing increased balances at the end of July. This will reduce as planned purchases take place throughout the year.
- 5.3 Additional expenditure from the Plant, Vessel and Equipment reserve that was due to occur in 2018/19 to cover the replacement of a pool vehicle has been brought forward to 2017/18. This is due to an accident that resulted in a pool vehicle being written off by the Authority's insurers. This means that £11,323 (net of the insurance settlement) will be used to purchase the Authority's first electric vehicle, a Renault Zoe.
- 5.4 Members will recall at the end of 2016/17 a new reserve was set up for the Catchment Partnership that holds ring-fenced income from partners. This included monies received from Tesco. Part of the Tesco project was to employ an officer who started with the Authority in September. This means that this reserve will start to decrease over the remainder of this financial year to cover their employment costs.

## 6 Summary

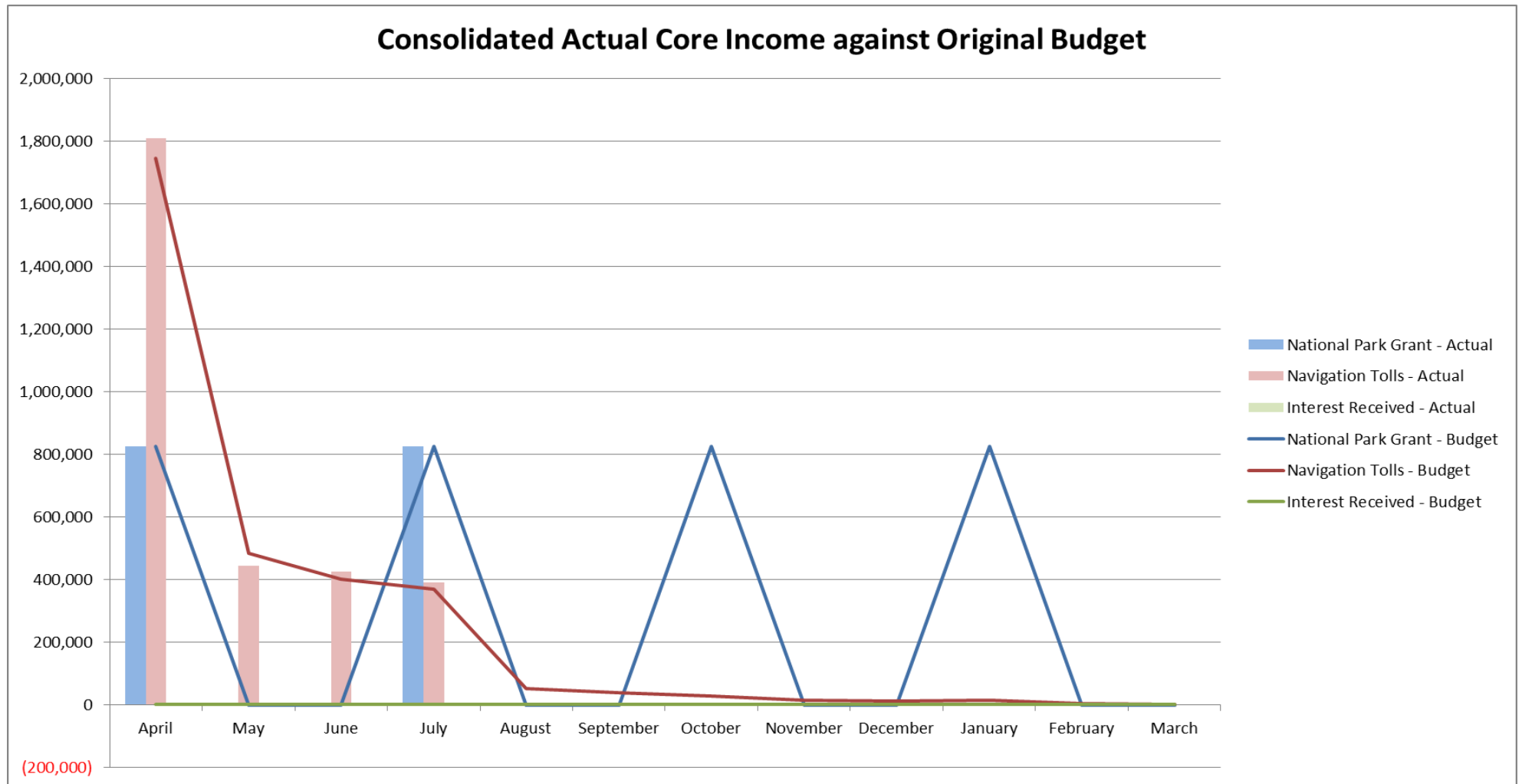
- 6.1 The current forecast outturn position for the year suggests a deficit of £68,124 for the national park side and a surplus of £4,244 on navigation resulting in an overall deficit of £63,880 within the consolidated budget, which would indicate a general fund reserve balance of approximately £974,000 and a navigation reserve balance of approximately £330,000 at the end of 2017/18 before any transfers for interest. This will mean that the navigation reserve will be slightly above the recommended level of 10% of net expenditure during 2017/18.

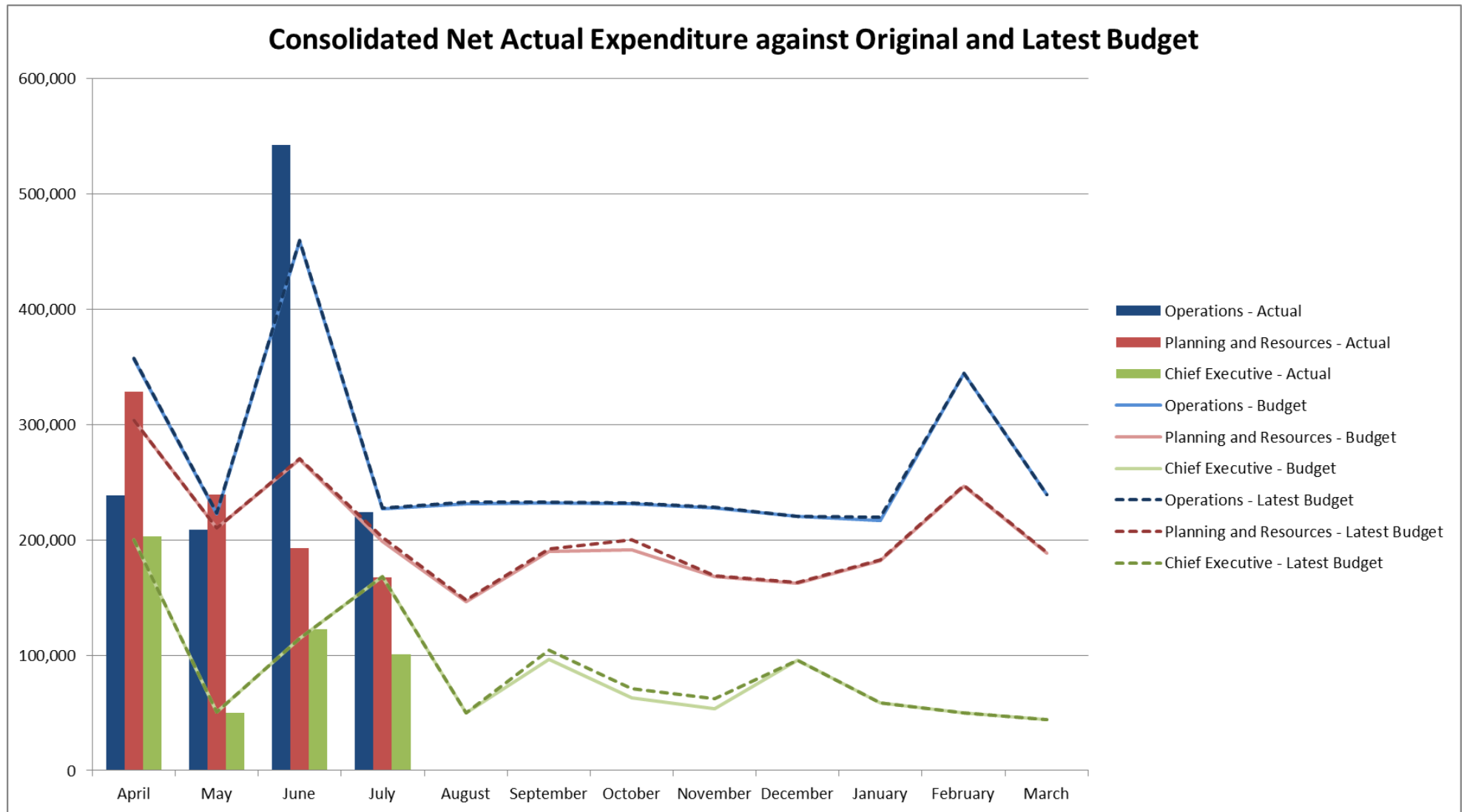
Background papers: None

Author: Emma Krelle  
Date of report: 12 September 2017

Broads Plan Objectives: None

Appendices: APPENDIX 1 – Consolidated Actual Income and Expenditure Charts to 31 July 2017  
APPENDIX 2: Financial Monitor: Consolidated Income and Expenditure 2017/18





To 31 July 2017

Budget Holder (All)

Row Labels	Values				
	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Income	(6,486,595)		(6,486,595)	(6,528,588)	41,993
National Park Grant	(3,299,595)		(3,299,595)	(3,299,595)	0
Income	(3,299,595)		(3,299,595)	(3,299,595)	0
Hire Craft Tolls	(1,073,400)		(1,073,400)	(1,115,393)	41,993
Income	(1,073,400)		(1,073,400)	(1,115,393)	41,993
Private Craft Tolls	(2,040,000)		(2,040,000)	(2,040,000)	0
Income	(2,040,000)		(2,040,000)	(2,040,000)	0
Short Visit Tolls	(39,800)		(39,800)	(39,800)	0
Income	(39,800)		(39,800)	(39,800)	0
Other Toll Income	(18,800)		(18,800)	(18,800)	0
Income	(18,800)		(18,800)	(18,800)	0
Interest	(15,000)		(15,000)	(15,000)	0
Income	(15,000)		(15,000)	(15,000)	0
Operations	3,410,265	5,810	3,416,075	3,453,075	-37,000
Construction and Maintenance Salaries	1,168,140		1,168,140	1,168,140	0
Income	(4,420)		(4,420)	(4,420)	0
Salaries	1,172,560		1,172,560	1,172,560	0
Expenditure			0		0
Equipment, Vehicles & Vessels	497,500		497,500	497,500	0
Income			0		0
Expenditure	497,500		497,500	497,500	0
Water Management	147,500		147,500	147,500	0
Expenditure	147,500		147,500	147,500	0
Land Management	(36,000)		(36,000)	(36,000)	0
Income	(90,000)		(90,000)	(90,000)	0
Expenditure	54,000		54,000	54,000	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Practical Maintenance	433,200	2,565	435,765	465,765	-30,000
Income	(10,500)		(10,500)	(10,500)	0
Expenditure	443,700	2,565	446,265	476,265	-30,000
Ranger Services	698,790	7,300	706,090	706,090	0
Income	(127,130)		(127,130)	(127,130)	0
Salaries	623,420	7,300	630,720	630,720	0
Expenditure	202,500		202,500	202,500	0
Pension Payments			0		0
Safety	119,590		119,590	126,590	-7,000
Income	(9,000)		(9,000)	(2,000)	-7,000
Salaries	64,090		64,090	64,090	0
Expenditure	64,500		64,500	64,500	0
Volunteers	68,800		68,800	68,800	0
Income	(1,000)		(1,000)	(1,000)	0
Salaries	49,800		49,800	49,800	0
Expenditure	20,000		20,000	20,000	0
Premises	198,170	(8,000)	190,170	190,170	0
Income	(20,000)		(20,000)	(20,000)	0
Expenditure	218,170	(8,000)	210,170	210,170	0
Operations Management and Administration	114,575	3,945	118,520	118,520	0
Income	(3,465)		(3,465)	(3,465)	0
Salaries	105,540	3,945	109,485	109,485	0
Expenditure	12,500		12,500	12,500	0
Planning and Resources	2,206,055	21,380	2,227,435	2,224,365	3,070
Development Management	255,270	2,850	258,120	258,120	0
Income	(80,000)		(80,000)	(80,000)	0
Salaries	308,770		308,770	308,770	0
Expenditure	26,500	2,850	29,350	29,350	0
Pension Payments			0		0
Strategy and Projects Salaries	427,155		427,155	437,635	-10,480
Income	(3,500)		(3,500)	(13,980)	10,480



Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Salaries	307,155		307,155	317,635	-10,480
Expenditure	123,500		123,500	133,980	-10,480
Biodiversity Strategy	10,000	400	10,400	10,400	0
Income			0		0
Expenditure	10,000	400	10,400	10,400	0
Strategy and Projects			0		0
Expenditure			0		0
Human Resources	130,590	5,000	135,590	135,590	0
Salaries	71,090		71,090	71,090	0
Expenditure	59,500	5,000	64,500	64,500	0
Waterways and Recreation Strategy	85,920		85,920	85,920	0
Salaries	76,420		76,420	76,420	0
Expenditure	9,500		9,500	9,500	0
Project Funding	105,500		105,500	105,500	0
Expenditure	105,500		105,500	105,500	0
Pension Payments			0		0
Communications	328,330	13,130	341,460	341,460	0
Income	(4,120)		(4,120)	(4,120)	0
Salaries	257,950		257,950	257,950	0
Expenditure	74,500	13,130	87,630	87,630	0
Pension Payments			0		0
Visitor Centres and Yacht Stations	214,070		214,070	203,570	10,500
Income	(237,500)		(237,500)	(237,500)	0
Salaries	319,570		319,570	309,070	10,500
Expenditure	132,000		132,000	132,000	0
Collection of Tolls	128,550		128,550	128,550	0
Salaries	115,850		115,850	115,850	0
Expenditure	12,700		12,700	12,700	0
ICT	304,860		304,860	301,810	3,050
Salaries	181,360		181,360	181,360	0
Expenditure	123,500		123,500	120,450	3,050

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Planning and Resources Management and Administration	215,810		215,810	215,810	0
Income	(1,525)		(1,525)	(1,525)	0
Salaries	142,470		142,470	142,470	0
Expenditure	74,865		74,865	74,865	0
Chief Executive	1,045,653	29,055	1,074,708	1,074,708	0
Legal	106,980		106,980	106,980	0
Income			0		0
Salaries	46,980		46,980	46,980	0
Expenditure	60,000		60,000	60,000	0
Governance	124,440	25,000	149,440	149,440	0
Salaries	72,540		72,540	72,540	0
Expenditure	51,900	25,000	76,900	76,900	0
Chief Executive	110,970		110,970	110,970	0
Salaries	110,970		110,970	110,970	0
Expenditure			0		0
Asset Management	119,890	4,055	123,945	123,945	0
Income	(22,220)		(22,220)	(22,220)	0
Salaries	52,360	(3,945)	48,415	48,415	0
Expenditure	89,750	8,000	97,750	97,750	0
Finance and Insurance	341,680		341,680	341,680	0
Income	(6,490)		(6,490)	(6,490)	0
Salaries	148,170		148,170	148,170	0
Expenditure	200,000		200,000	200,000	0
Premises - Head Office	241,693		241,693	241,693	0
Expenditure	241,693		241,693	241,693	0
Projects and Corporate Items	126,800		126,800	111,800	15,000
Partnerships / HLF	50,000		50,000	50,000	0
Income	(45,736)		(45,736)	(45,736)	0
Salaries	23,945		23,945	23,945	0
Expenditure	71,791		71,791	71,791	0
Corporate Items	76,800		76,800	61,800	15,000

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Expenditure	16,800		16,800	1,800	15,000
Pension Payments	60,000		60,000	60,000	0
Contributions from Earmarked Reserves	(261,000)	0	(261,000)	(271,480)	10,480
Earmarked Reserves	(261,000)	0	(261,000)	(271,480)	10,480
Expenditure	(261,000)	0	(261,000)	(271,480)	10,480
<b>Grand Total</b>	<b>41,178</b>	<b>56,245</b>	<b>97,423</b>	<b>63,880</b>	<b>33,543</b>

**Peer Review Update**  
Report by Chief Executive

<b>Summary:</b>	This report updates the Authority on the progress made on the preparations for the peer review.
<b>Recommendation:</b>	Note the progress on the preparations for the peer review and in particular the content of the Position Statement developed and signed off by the Governance Reference Group.

## 1 Introduction

1.1 At its meeting on the 24<sup>th</sup> March 2017 the Authority resolved unanimously that:

*“A peer review, in line with the recommendations of the Financial Scrutiny and Audit Committee, be undertaken into the governance arrangements of the Authority.”*

At the meeting in July it was reported that the Local Government Association was supporting the Authority in this exercise and good progress had been made, with the appointment of a Team and dates set for the on-site visit. Since then invitations have been sent to key stakeholders to meet the Team, including the Leaders and Chief Executives of all the constituent local authorities. Members have been invited to a focus group on the afternoon of Tuesday 10<sup>th</sup> October and the presentation of the Team’s findings on Thursday 12<sup>th</sup> October 2017.

1.2 The Governance Review Reference Group, which was established following the May Broads Authority meeting and given the task of supporting the preparation for the Peer Review, has developed and signed off a Position Statement which is appended for information. This acts as a brief for the Review Team and has been sent to them.

Background documents: None  
Author: John Packman  
Date of report: 13 September 2017  
Appendices: 1. Position Statement

## Broads Authority Peer Review October 2017: Position Statement

The Broads is a very special National Park within the UK context. Its abundant wildlife that includes 25% of the UK's rarest species, its low-lying open landscape of fens, broads and grazing marshes, and its winding waterways means that, as well as sharing many features with other Members of the National Park family, the Broads Authority also faces unique challenges.

The Authority's governance structure is a modified form of the National Park Authority model based on local authority principles, and with additional functions related to the maintenance of the navigation area.

These governance arrangements have worked well over the last 25 years, since the Authority came into being. However, recently the combination of national changes (such as the removal of the financial contributions from local authorities, and the significant reductions in National Park Grant) and local events (such as a failed devolution bid involving the constituent local authorities, and a contentious planning enforcement case inflamed by a social media campaign) have put the governance structure under strain.

While the Authority continues to implement an ambitious programme of work to enhance the area's special qualities, it is seeking advice on how to improve its governance arrangements which, in the context of its challenging role, are no longer functioning as well as they could.

The Broads Authority has invited an expert peer review team to examine its leadership, governance, policies and procedures, and to advise on changes it might consider for improving the effectiveness of its governance arrangements, including its relationships with its constituent local authorities.

National Park Authorities undoubtedly face similar pressures. The Authority's ambition is that the recommendations from this review will also be of benefit to the rest of the National Park family.

### Terms of Reference

The Terms of Reference for the Peer Review, approved by the Broads Authority on 24 March 2017, are to review:

- (i) The Broads Authority's current leadership, governance, policies and procedures; and**
- (ii) The mechanisms for the Broads Authority's engagement with the broader economic and social agenda across the two counties of Norfolk and Suffolk.**

The National Park Authority Peer Assessment (NPAPA) paralleled the Comprehensive Performance Assessment (CPA) for local authorities. Both assessment processes have now been dropped, and there are no plans for National Park Authorities to undertake a further round of peer reviews. Nevertheless, the Broads Authority has decided to undertake a peer review, and has sought the advice and support of the Local Government Association (LGA).

The LGA's standard process for a Peer Challenge has been adapted to reflect the particular circumstances of the Authority. It will involve peers from National Park Authorities, and a Chief Executive from a local authority with direct experience of working with a National Park Authority.

This document is to brief the Peer Review Team who will visit the Authority on 10-12 October 2017. The review is not of the whole organisation, as in 2005 and 2012, but rather of the specific areas set out below.

## Peer Review Group focus

The Broads Authority established a Governance and Peer Review Reference Group of six Members to examine the Authority's governance and support the peer review process. The group has met four times, developed and signed off this Position Statement ([see Document 1](#)).

The Peer Review Team is asked to examine three issues:

- (i) Whether the Authority's governance structure including its Membership, committees, and other decision-making processes, could be revised to better fit the changing environment within which it operates;**
- (ii) Whether the Authority has the policies and procedures in place to make the most of the skills and knowledge of its Members; and**
- (iii) How the Authority could improve its relationship with the political leadership and Membership of its constituent local authorities.**

## 1. Introduction

The Broads Authority is a high performing organisation with a national and international reputation for areas of its work. Its core values are to be:

- (i) Sustainable – considering the environmental and financial implications in everything we do
- (ii) Exemplary – striving for excellence
- (iii) Caring – considerate and respectful of each other
- (iv) Committed - making a difference to the Broads for the benefit of all
- (v) Open and Honest – inclusive in our decisions and communications

The Authority is committed to ongoing change and improvement to adapt to the fast moving and evolving environment in which it operates. Over the last fifteen years it has:

- (i) Amended the Membership of its board by secondary legislation in 2005 ([see Document 2 - The Norfolk and Suffolk Broads Act 1988 \(Alteration of Constitution of the Broads Authority\) Order 2005](#)).
- (ii) Taken in-house the administration of planning applications in 2007.
- (iii) Brought in-house the dredging and other practical works from May Gurney in 2008.
- (iv) Piloted a Private Bill through Parliament to gain additional powers to improve public safety (Broads Authority Act 2009) - [See Document 3](#).
- (v) Streamlined the management structure and implemented radical change in its frontline services in response to the major reduction in National Park Grant in 2012
- (vi) Transferred responsibility for Breydon Water from the Great Yarmouth Port Authority in 2012.
- (vii) Restructured the charges for boats (tolls) to make them fairer and easier to understand ([see report to the Broads Authority - Document 4](#))

Over the next five years, the Authority has set itself the target to implement an ambitious programme of work, as set out in Broads Plan 2017. Major projects include co-ordinating a £5 million Landscape Partnership Scheme with 38 partners, and acting as Lead Partner for the €5 million CANAPE project with 14 partners in four other European countries.

For this work to succeed, all the Authority's Members need to be engaged and take a balanced approach when challenging, critiquing and supporting the Authority's officers in delivering the strategic direction set by the Authority. In recent years, however, managing the governance structure and specific member issues has

taken up a substantial amount of time and resource. This is stretching the capacity of Authority officers to administer the governance function.

More worryingly, there is evidence that professional /working relationships between Authority Members, between some Authority Members and officers, and between the Authority and some of its constituent local authorities (specifically, the political leadership and Membership) are not as positive as they should/could be. These issues are having a detrimental impact on the Authority's reputation and on its finances.

It is evident, therefore, that the current governance structure is no longer working as well as it might for the good of the Broads Authority and for the wider benefit of the Broads National Park.

## **2. Issues with the Authority's governance structure**

### 2(a) Committees and forums

The Broads Authority was established in 1989, with statutory purposes very similar to those of the National Park Authorities. It is the local planning authority for its executive area. It also has additional functions associated with managing the navigation area and responsibilities as a navigation and harbour authority. Therefore, as well as its 6,500 residents and 7 million visitors, the Authority has a direct stakeholder community of around 10,000 private individuals and a hire boat industry of small and medium-sized companies who together fund the maintenance of the navigation area through the payment of annual tolls.

Water in the Broads is of central importance for biodiversity, landscape, navigation and recreation. The varied uses of this resource are not always wholly compatible and can provoke very different views. The Authority takes an integrated approach to the management and use of its Executive Area (c. 300 km<sup>2</sup>) and to the influence of the wider Broadland catchment (c. 3,000 km<sup>2</sup>). From time to time, it has to make difficult strategic and operational decisions that may not be popular with some communities of interest or place.

The Broads Authority's governance structure is similar to that of the National Park Authorities, with Members appointed by its constituent local authorities and by the Secretary of State. In addition, the Authority has a statutory consultative committee, the Navigation Committee, two of whose Members are appointed to the Broads Authority.

When the Authority was established in 1989, it had 35 Members with the following composition:

- 18 Members appointed by the 8 local authorities
- 15 Members appointed by the following:
  - 2 by the Countryside Commission
  - 1 by the Nature Conservancy Council
  - 2 by the Great Yarmouth Port and Haven Commissioners
  - 1 by the Anglian Water Authority
  - 9 by the Secretary of State
- 2 Members appointed by the Broads Authority from the Navigation Committee

In March 2005, this was amended by secondary legislation following extensive consultation with all relevant parties. The current composition of the Authority is:

- (i) 9 Members appointed by the 8 local authorities
- (ii) 10 Members appointed by the Secretary of State
- (iii) 2 Members appointed by the Broads Authority from the Navigation Committee

In June 2005 the decision making structure was streamlined and the number of committees reduced, such that the Broads Authority is the main decision making body and all Members are involved in all the key strategic decisions. The Planning Committee has delegated authority over planning matters. The Financial Scrutiny and Audit Committee has a limited decision making role, such as on the appointment of auditors.

The Navigation Committee advises the Authority on matters relating to strategic management of the waterways. The 13 Members comprise eight appointed in an open, transparent and competitive process in line with the provisions in the 1988 Act and five Authority Members appointed to the Committee. It considers significant strategic issues only, such as reporting its views about the annual setting of navigation charges to the full Authority. It does not consider detailed operational matters such as individual planning applications, except where they may have strategic or policy importance.

The Authority also has a statutory Local Access Forum and a consultative Broads Forum.

In total, there are 36 committee/forum meetings a year: Broads Authority x 6, Planning Committee x 13, Financial Scrutiny and Audit Committee x 3, Navigation Committee x 6, Broads Forum x 4, and Broads Local Access Forum x 4.

The significant reduction in central support staff following the 2012 cut in National Park Grant means the Authority no longer has the same number of officers in post that previously supported these meetings, as well as administering the training of Members, the distribution of the Annual Report and other governance matters. However, the number of Members and the number of meetings has not reduced accordingly. There is also considerable duplication of effort, with the same reports being considered by various committees and forums before coming before the full Authority.

## 2(b) Funding

The Broads Authority used to receive 25% of its funding through a precept (from its constituent local councils (with those councils then reimbursed by the Department of Environment, later Defra). This created a financial link between the Broads Authority and those councils. This arrangement ceased in 2004, since which time the Authority's National Park Grant has been paid directly from Defra.

The Authority's finances are more complicated than those of the National Park Authorities because of the additional and separate stream of funding from boat tolls, which is hypothecated to navigation purposes. With the reduction in National Park Grant, currently just under half of the Authority's total funding (£3.09m in 2016/17) is from navigation income funded by boat toll payers.

### **Issues for the Peer Review Team**

In an organisation with around 100 FTE employees and an annual budget of £7 million, a Board of 21 Members, although much reduced from its original 35, still seems large. Is the National Park model of Membership still fit for purpose?

The National Park Authorities and the Broads Authority are no longer financially linked to their constituent local councils. What implications does this have for the Membership of the Authority?

Should the Authority's governance structure be amended to take better account of the financial contribution from toll payers, and if so how?

Could the Authority's decision-making structure be simplified to avoid duplication of effort and take account of the Authority's reduced governance support service?



### 3. Issues with member responsibilities and capacity

The Authority carries out an annual comprehensive review process with its Members. This process feeds into the reviews required by Defra for Secretary of State appointees. The Annual Review process was extended to include the co-opted members of the Navigation Committee in 2016. Local Authority Members are encouraged to take part on a voluntary basis; 2017 saw the best take-up to date, with almost all Members taking part. This year, concerns about relationships between Members, and between some Members and officers, dominated the feedback. Paragraph 4.1 of the report by the Chair of the Authority states that:

*“... concerns have been expressed in more than two-thirds of written responses and in all the 1:1 interviews that working relationships between Members, between certain Members and the Officers, and between the Authority and some of the constituent local authorities, have deteriorated over the last year.”* ([See Document 5](#))

#### 3(a) Relationships between Authority Members, and between Members and officers

Members of the Authority are appointed through three routes and bring varied skills, knowledge and stakeholder relationships to assist the Authority in its strategic decision-making.

The Secretary of State appointments and Navigation Committee appointments are made through an open, transparent and competitive process. For Secretary of State Members, the appointment process is managed by DEFRA officials. Following a formal application procedure, a selection panel shortlists and interviews candidates against agreed person specifications. This is largely based on the knowledge and experience that will benefit the Authority's decision making (e.g. topic knowledge such as tourism, navigation or climate change, or experience of key partner agencies). The process of appointing co-opted Members to Navigation Committee is similar, though managed by the Authority itself with an independent chair of the appointment panel.

Local authority Members have been elected to serve on District and/or County Council authorities. Individual appointments to serve as a Member of the Broads Authority are made on an annual basis. Local Authority appointees are accustomed to operating in an adversarial climate, and working in a governance structure in which cabinet Members have direct decision making powers with scrutiny committees to examine those decisions. Member appointments by the Authority's constituent local authorities are usually political decisions made by the Leaders of the Councils. They are often based on an interest in the Broads being expressed by an individual councillor, rather than being selected specifically to match the knowledge and experience needs of the Authority.

Ideally, given the Authority's three statutory purposes, its decision making should be an expert-led process, with Members and officers who have a breadth of understanding and respect for the Authority's responsibilities and cultural ethos, and for the custodianship of the Broads within its wider setting.

At its meeting in July 2017, the Authority approved a revised Guide to Local Authorities on the role of local authority Members. This is to help the local authorities in their appointment process, as well as providing advice to Members appointed by the constituent authorities to the Broads Authority ([see Document 6](#)).

For much of the Authority's 28-year history, most Members have worked well together, and there has been no noticeable distinction between those Members appointed by a local authority, those appointed by the Secretary of State, and the two co-opted Members of the Navigation committee appointed to sit on the full Authority.

The working relationships between the Authority's Members and officers have also generally been excellent. Officers provide advice to Members through written and verbal reports to committee. Occasional working groups and workshops also take place to allow Members and officers to develop strategic thinking. The report by the Chair of the Authority on the 2017 Member Reviews shows that the Secretary of State and Navigation

Committee appointed Members tend to be more engaged in the Authority's wider work. A Scheme of Delegations sets out the decision making structure ([see Document 7](#)).

However, over the last 18 months relationships between some Members, and between a few Members and officers, have been increasingly strained. This is evidenced by a series of Code of Conduct complaints between Members ([see report to the Broads Authority Document 8](#)). The problem has been prompted partly by a long running planning enforcement case with an associated adversarial social media campaign. This combination has created reputational and financial damage to the Authority.

Other examples of adverse behaviour include open criticism by Members of advice from professional planning officers in committee; breached confidentiality on Members' personal social media networks and in the press; and negative comments by Members on the local press (Eastern Daily Press) website about other Members and officers. There have also been complaints by Members about officers, and vice versa.

Steps taken in response to this include:

- A Revised Code of Conduct developed and approved by the Broads Authority ([see Document 9](#)).
- Reviewed Protocol for Member and Officer relations ([see Document 10](#)).
- Approved new policy on Social Media ([see Document 11](#)).

### 3(b) Relationship between the Authority and the political leadership and membership of its constituent local authorities

At an officer level, the working relationships between the Authority and its constituent local authorities are good. The Authority's officers have one-to-one contacts and play an active role in cross-boundary forums such as the Greater Norwich Development Partnership.

At a member level, issues have been highlighted about the effectiveness of engagement between the Authority and some constituent local authorities. This has an impact on the extent to which the local authorities can assist the Authority play a bigger role in the economic development strategies for Norfolk and Suffolk. It also has an impact on the understanding by the local authorities of the Authority's responsibilities and values.

While the Authority's governance shares many characteristics with local government, it is constituted very differently and has a different ethos. Importantly, it is an apolitical body. Its Members are not whipped to vote in a particular direction and decisions are made in a collegiate way, often without Members having to vote. No individual member has decision making powers; rather, it is the 21 Members working together who make decisions.

To work well, Members should provide regular feedback from their Broads Authority duties to their appointing County and District Councils, so that those appointing bodies are informed about, and engaged with, the key issues in the Broads. Likewise, Members should bring county and district matters relevant to the Broads to the attention of the Authority. However, it is evident that Council Leaders (with some exceptions) are not well informed on the Authority's activities. Likewise, the Authority receives little input from Members about Council matters of relevance to the Authority.

Secondly, this two-way communication should be completely apolitical. However, for the first time in its history there has been evidence of party political influence in some of the matters with which the Authority has been dealing, with some local authority Members being directed by their Leaders as to how they should vote. This has been most noticeable in the sudden removal of the Vice-Chair of the Finance, Scrutiny and Audit Committee from the Authority and in the appointments to the Authority's Planning Committee.

### 3 (c) Relationships with residents, Parish Councils and navigation interests/toll payers

Following a major piece of research into the opinions and attitudes of its major stakeholder groups ([see Insight Track presentation - Document 12](#)), the Authority has worked hard to improve its engagement with local people through parish forums and monthly briefings sent to all parish councils and to individuals who sign up to receive them.

The Authority's perception is that its relationship with the main navigation bodies – the Broads Hire Boat Federation (BHBF) and Norfolk and Suffolk Boating Association (NSBA) - has also improved, even though the NSBA did not support the final package of amendments to the structure of the tolls. There is still much to do, and the Landscape Partnership Scheme in particular has a very strong focus on the participation of local people.

#### **Issues for the Peer Review Team**

How could/should the Authority improve its engagement with Members of its constituent local authorities?

Are there examples from other National Park Authorities of how the Authority might become more engaged in the wider social and economic decision making process, taking into account the particular features of its executive boundary?

Does the Authority have all the necessary procedures, processes and mechanisms to use the skills, knowledge and experience of its Members to greatest effect?

How could the Authority's leadership improve its conflict resolution procedures when issues arise between Members?

How could the Authority strengthen the role of its Members to liaise with its different constituencies more effectively?

#### **4. Conclusion**

In this briefing paper, the Broads Authority has outlined and posed some key questions about the functioning of its governance structure.

While the Authority has a unique set of governance arrangements within the National Park family, the issues that have arisen and developed over the last two years will no doubt be familiar to the Peer Review Team of National Park and Local Authority Members and officers.

The Authority is keen to benefit from the guidance and recommendations of the Peer Review Team to help strengthen its governance arrangements, including its relationships between Members and with its constituent local authorities.

Broads Authority  
6 September 2017

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#### Contacts

**LGA:** Ami Beeton, Peer Review Manager, LGA. Phone 07867 852592 or email [ami.beeton@local.gov.uk](mailto:ami.beeton@local.gov.uk)

**Broads Authority:** Maria Conti, Strategy and Projects Officer. Phone 01603 756070 or email [maria.conti@broads-authority.gov.uk](mailto:maria.conti@broads-authority.gov.uk)

## List of appended documents

### Documents referenced in briefing paper

1.	<a href="#">Peer Review - report to the Broads Authority on July 28<sup>th</sup> 2017.</a>
2.	<a href="#">The Norfolk and Suffolk Broads Act 1988 (Alteration of Constitution of the Broads Authority) Order 2005).</a>
3.	<a href="#">Broads Authority Act 2009</a>
4.	<a href="#">Tolls Review 2016 and Proposed Navigation Charges for 2017/18 in the Navigation Area and Adjacent Waters (Broads Authority report, 18 November 2016)</a>
5.	<a href="#">Feedback from Member Annual Reviews (report to Broads Authority, 28 July 2017)</a>
6.	<a href="#">Guide to Local Authorities on the role of local authority Members (Report to Broads Authority, July 2017, Appendix 3)</a>
7.	<a href="#">Scheme of Powers Delegated to Officers, Broads Authority</a>
8.	<a href="#">Code of Conduct complaints – report to the Broads Authority July 2017</a>
9.	<a href="#">Code of Conduct for Members</a>
10.	<a href="#">Protocol for Member and Officer Relations</a>
11.	<a href="#">Social Media Policy</a>
12.	<a href="#">Broads Authority Stakeholder Research, report by Insight Track, 2015</a>

### Other documents

13.	<a href="#">Norfolk and Suffolk Broads Act 1988</a>
14.	<a href="#">Broads Plan 2017</a>
15.	<a href="#">Annual Business Plan</a>
16.	<a href="#">Annual Governance Statement</a>
17.	<a href="#">Broads Authority committee structure chart (diagram)</a>
18.	<a href="#">Terms of Reference of Committees, Broads Authority, 2017 revision</a>
19.	<a href="#">Standing Orders for the Regulation of Authority Business</a>
20.	<a href="#">Code of Conduct for Planning Committee Members</a>
21.	<a href="#">Member Development Protocol, Broads Authority, July 2017</a>
22.	<a href="#">Diagram showing organisational structure (staffing) of Broads Authority</a>
23.	<a href="#">Annual Statement of Accounts</a>
24.	<a href="#">Approved Budget 2017/18</a>
25.	<a href="#">Strategic Risk Register</a>
26.	<a href="#">Safety Management</a>

**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 3.3.</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, 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.

## **2 Definition of “partnership”**

2.1 Throughout this report there is reference to “a partnership”. The concept of a partnership is sometimes considered in a specific narrow way, sometimes for example as the formal arrangements which govern the relationships between individuals in a legal or financial institution. Here, it has a wider and more flexible definition as set out below.

2.2 A partnership is 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. These;

- (i) Seek to achieve a common objective or goal, which will include contributing to the purposes and objectives of the Authority.
- (ii) Create either a formal structure or identifiable process for the purpose of (i).
- (iii) Involve all organisations in contributing to the objective and sharing any risk in proportion to the benefits each receive.
- (iii) Sharing information.

2.3 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).

2.4 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.

### **3 Register of Partnerships and Partnership Action Plan**

3.1 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 perceived benefit to the Broads Authority;
- d. the duration of the partnership;
- e. 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.

- 3.2 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.

- 3.3 The Register of Partnerships and Partnership Action Plan are reviewed by the Management Team on an annual basis. This review was completed on 6 September 2017, 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.
- 3.4 Following a suggestion by a Member at the meeting on 30 September 2016, this year's review by lead officers and Management team has sought to ensure that each partnership named is of benefit to the Broads Authority. This year's Register now contains a column setting out that benefit. It is not considered that the nature of these partnerships requires any further scrutiny by Members as to the benefit they represent as most are clearly identifiable by their very nature as sharing common purposes with the Authority.
- 3.5 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 and Partnership Action Plan at Appendices 1 and 2 respectively.

Background papers:	Nil
Author:	David Harris
Date of report:	06 September 2017
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Register of Partnerships APPENDIX 2 – Partnership Action Plan



## Register of Partnerships

Name and Purpose of Partnership/Partners	Benefit to Broads Authority	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>Partners:</p> <p>Broads Authority Environment Agency Natural England Essex and Suffolk Water Norfolk Wildlife Trust</p> <p>BA Lead Officer – Senior Ecologist (AK)</p>	<p>This allows the BA to assist in a holistic approach to the management of the specific area.</p>	<p>The Partnership has been subject to a term of 5 years of the Trinity Broads Management Plan 2012-2017 and is continuing.</p> <p>The arrangements are not subject to a formal agreement in writing and this is not considered necessary.</p>	<p>The funding for the partnership is primarily financed by the lead partner Essex &amp; Suffolk Water. Additional funding is discretionary for all other partners including the Broads Authority.</p> <p>BA made a contribution of £4,500 last year through PDG, although there is no contribution for this year.</p>	<p><b>Financial Risk.</b> The main financial risk for the Authority is minimal due to this year's absence of BA 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 (Essex and Suffolk Water) 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>This partnership gives a greater collective mouthpiece than the sum of its constituent members. It does, as an example, give access to senior DEFRA officers and a chance to influence regulation.</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 (as was the case in the previous 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 would be from a Defra directive or withdrawal of Defra financial support. Withdrawal of one partner would not necessarily result in the partnership</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>Partners:</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 charitable trusts.</p> <p>BA Lead Officer –Senior Waterways and Recreation Officer (AC)</p>				failing
<p><b>The Broads Landscape Partnership</b></p> <p>To deliver the Water Mills and marshes Scheme.</p> <p>Partners:</p>	<p>In return for a proportionately small contribution by the BA the area as a whole would receive significant funding sufficient to make a real difference and impact. This would</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. The Partnership is now in Stage 2 which was</p>	<p>BA contribution is £50,000 cash in each of 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</p>	<p><b>Financial Risk –</b></p> <p>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>Broads Authority, Broads Society, Broads Tourism, City College, 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 Strategy and Sustainable Communities (M-PT)</p>	<p>enable the delivery of a programme to benefit communities, individual groups and heritage.</p>	<p>submitted in May 2017. A decision is awaited.</p>	<p>contributions will also be made by Project Partners.</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 businesses.</p> <p>Partners:</p> <p>Broads Authority, Norfolk Constabulary, Environment Agency,</p> <p>BA Lead Officer: Head of Ranger</p>	<p>There are many clear operational benefits from a practical day to day liaison with the Police. However, it is felt that over the next 12 months the BA will seek to produce some clear tangible measure in order to demonstrate the benefits of the partnership.</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 contribution is currently £2,500 plus officer time for assisting Broads Beat patrols.</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> <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>

Services (LB)				
<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>	<p>This permits working at a greater scale and impact within the broader catchment area. Partners' activities can be co-ordinated to achieve greater impact and greater collective ability to meet water and other challenges. The well-established nature of this partnership makes its delivery effective.</p>	<p>The partnership was due to expire on 31 March 2015 but the partners agreed to extend this further indefinitely.</p>	<p>BA contribution is approximately £12,400 in respect of officer time. There is no direct financial contribution.</p>	<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, although the member of staff concerned also undertakes other duties</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>National Parks – UK is a 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>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 corporate sponsorship and UK tourism</p>	<p>The partnership is not time limited</p>	<p>The contribution to NP – UK will be £7,750 in 2017/18.</p> <p>All parks contribute equally.</p>	<p><b>Financial Risk.</b> The main financial risk for the Authority would be a future decline in National Park Grant (Defra Funding)</p> <p><b>Partnership Risk.</b> The main risk to the partnership would be the withdrawal of one or 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><b>National Parks England</b></p> <p>National Parks – 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>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>The BA contribution to NP England in will be £19,350 in 2017/18.</p> <p>All parks contribute equally.</p>	<p>Similar to National Parks UK</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 – Sir Peter Dixon</p> <p>BA Lead Officer - Chief Executive (JP)</p>	<p>The initial concept of what became the Tesco Partnership originated from NPP</p> <p>The recently-agreed Columbia clothing deal has originated through NPP which benefits all National Parks and the Broads Authority.</p>	<p>The Partnership is not time limited.</p>	<p>£10,000 in 2014/15 towards the start-up costs.</p> <p>£10,000 in 16/17.</p> <p>No other contribution in the current financial year.</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>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>Partners:</p>	<p>It facilitates, in addition to satisfying our statutory purposes a sustainable tourism strategy. It assists with the general increase of Broads Tourism membership</p>	<p>The Partnership is on-going and not time-limited.</p>	<p>The BA does not provide funds 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><b>Financial Risk.</b> Minimal financial exposure since 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. There is an increasing number of members, so this offers additional mitigation.</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>Broads Authority Broads Tourism</p> <p>BA Lead Officer – Head of Communication (RL)</p>				
<p><b>River Wensum Strategy Partnership</b></p> <p>To promote the Regeneration and management of the River Wensum in Norwich</p> <p>Partners: 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>Allows better management of the River Wensum and opens up opportunities for better funding. Additionally, there are clear advantages in partnership working on matters such as mooring issues, anti-social behaviour, abandoned vessels.</p>	<p>There is no formal partnership agreement in place as the partners are currently consulting on a strategy document and action plan. When complete a delivery board will be set up. This will be taken to the Broads Authority for ratification when it is complete, but before formal commitment.</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. The overall strategy will need to be measured against the strategic objectives of the BA for the River Wensum. 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>Whitlingham Park is important for being one of the gateways to the Broads. It also serves to raise the profile of the Broads especially in relation to its second statutory purpose, with members of the public.</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. A significant amount of funding comes from car parking fees.</p> <p><b>Lack of clarity regarding roles and responsibilities at the operational level.</b> This has</p>

<p>The BA's Chief Executive is a member of the Trust and BA has up to 4 Members on the Board of Trustees</p> <p>Lead officer Director of Operations (RR)</p>				<p>been addressed through the Service Level Agreement.</p> <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>
<p><b>Tesco Partnership –</b> Water sensitive farming partnership</p> <p>BA and Tesco plc with some input by NFU and NE (BA lead officer Senior Ecologist AK)</p>	<p>Provides scope for education and interventions to reduce the impact of nutrients entering into the waters of the Broads executive area</p>	<p>This is a one-year agreement which will end in January 2018.</p>	<p>BA receives funding from Tesco which completely covers the cost of the project. In return, BA designates a Catchment Officer.</p>	<p>The short duration of this agreement together with clear contractual terms and payment already received by BA mean that there is no residual risk beyond the expiry of the agreement.</p>
<p><b>CANAPE –</b></p> <p>Creating a new approach to Peatland Ecosystems</p> <p>EU Interreg North Sea Region project</p> <p>BA is the lead partner on this. There are a number of North Sea Region partners including:</p>	<p>This project falls within the overarching purpose of creating a sustainable North Sea Region; Protecting against climate change and preserving the environment. As well as this benefit, the Authority will receive circa €729,508 grant benefit from the project budget of €1.459m (latter being the BA allocation).</p>	<p>The bid has been successful, but the formal documentation has not yet been set up. Until June 2022.</p>	<p>The BA financial contribution is not yet determined although it will be in the proximity of £200,000.</p>	<p>This project is not affected by European transition in relation to the UK's full membership.</p> <p>AS BA is the lead partner the risks are appreciable due to its complexity and number of partners.</p> <p>There is an established process run by the joint secretariat, which will issue a subsidy contract, setting out all the conditions for the project, together with the aims and completion times for each project.</p> <p>Risk relating to the individual partners will be mitigated through a formal partnership agreement which will be professionally drawn following Interreg guidance and will form the basis of the relationship</p>



<p>Broads Authority</p> <p>VHL University of Applied Sciences (NL)</p> <p>Waterschap Hunze En Aas (NL)</p> <p>Naturstyrelsen (DK)</p> <p>Natuurpunt Beheer VZW (BE)</p> <p>Landkries Diepholz (DE)</p> <p>BA lead officer – Director of Strategy and Sustainable Communities (M-PT)</p>	<p>The monies received from CANAPE will make a significant difference to the BA's ability to sustain the environment, ecosystems and landscape around the Hickling Broad area.</p>			<p>between the individual partners. This is in hand and being drawn by consultants and a start-off meeting is planned for October 2017.</p> <p>The project will be added as a risk to the Strategic Risk Register.</p>
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Updated September 2017

## Review of Partnerships: Action Plan

Issue	Action Taken/To be Taken	Responsible Officer (s)	Timetable (where appropriate)
<b>Trinities Partnership</b>			
No Issues identified	N/A	N/A	N/A
<b>Association of Inland Navigation Authorities</b>			
No Issues identified	N/A	N/A	N/A
<b>Broadland Catchment Partnership</b>			
No Issues identified	N/A	N/A	N/A
<b>Broads Landscape Partnership</b>			
No issues identified	N/A	N/A	N/A
<b>Broads Beat</b>			
	Review of benefits of partnership	Lucy Burchnall	September 2018
<b>National Parks England/National Parks UK/National Parks Partnership</b>			
No Issues identified	N/A	N/A	N/A

Issue	Action Taken/To be Taken	Responsible Officer (s)	Timetable (where appropriate)
<b>Broads Tourism</b>			
No Issues identified	N/A	N/A	N/A
<b>River Wensum Strategy Partnership</b>			
No issues identified	Involvement in setting up	Adrian Clarke	N/A
<b>Whitlingham Charitable Trust</b>	Review Service Level Agreement	Rob Rogers	By September 2018
<b>Tesco Partnership</b>			
No issues identified	N/A	N/A	N/A
<b>CANAPE</b>			
Work related to formal setup	Complete suite of formal documentation relating to partnership with other partners		

Updated September 2017

**General Data Protection Regulation**  
Report by Solicitor and Monitoring Officer

**Summary:** This report provides a summary of important forthcoming changes to data law being implemented from 25 May 2018.

**Recommendation:** That the Broads Authority notes the report.

## **1 Background**

- 1.1 The law relating to the protection of data is currently contained in the Data Protection Act 1998 (DPA). Enforcement and guidance is provided by the Information Commissioner's Office (ICO).
- 1.2 From 25 May 2018 a significant change to data law will be implemented in the UK through the EU General Data Protection Regulation. Although there was some doubt as to whether this law change would take effect following the EU referendum, it has been clarified within the past few months that it will be implemented in full.
- 1.3 It was considered by the Financial Scrutiny and Audit Committee in July that Members should receive a briefing on the significance of the new changes.

## **2. Overview of legal changes**

- 2.1 The changes and effects on the Authority include the following:
  - Definition of data. This is much wider than current DPA and includes matters which could identify an individual such as genetic, mental or economic identity.
  - As the new law increases complexity for data stored outside the EU, there will be a need to consider where data is stored. Officers believe that there is no "cloud storage" used by the Authority outside the EU, which would be the likely place for inadvertent breach.
  - Consent is needed from a parent to process the data of children under 16. The tolls database may include the data of those from age 14.
  - The processing of data will need explicit consent. Accordingly, there will be a greater need to obtain specific consents for data processing on forms and an outline of what the Authority will use the data for.

- By Article 35 of the GDPR, Data Protection Officers must be appointed for all public authorities. It is intended that the Monitoring Officer will take on this responsibility for the Broads Authority.
- Where there is higher risk data processing a risk assessment must be carried out. In terms of this, the Authority would look to ensure that its payroll and pensions information, which are administered by other authorities, are the subject of an assessment.
- There is a strict 72-hour self-reporting requirement for breaches and where the risk to individuals is high from a breach, they must be notified too. This means that there must be procedures in place for reporting up to the Data Protection Officer.
- The “Right to be forgotten” will be a key element of the new law as well as data portability. For compliance, it will be absolutely crucial that data is stored only on appropriate data sets.
- Where an authority processes data for another organisation, then it will be responsible for any breaches and vice-versa.

2.2 Of particular note is that penalties for serious breaches are up to €20,000,000.00 Euros or 4% of turnover. The current maximum is £500,000.00.

### **3 Implementation**

3.1 The Management Team has implemented steps to ensure compliance with the new Regulation. A scoping group has identified a number of steps towards implementation and met on 4 August 2017. A Data Retention Policy is being drawn up by the Solicitor and Monitoring Officer identifying all categories of data and where it is held. This is hoped to be complete by the end of September 2017 in draft form. At that point the group will meet again and decide the next step towards implementation. This will focus on what consents are required for the future processing of data on each database and what changes are required for both electronic and printed forms. In addition which types of data processing will require risk assessments.

### **4 Conclusion and Recommendation**

4.1 Members are invited to note the report.

Author: David Harris

Date of report: 15 September 2017

Appendices: None

## Navigation Committee

Minutes of the meeting held on 20 April 2017

### Present:

Mrs N Talbot (Chairman)

Mr K Allen	Sir Peter Dixon	Mr S Sparrow
Mr J Ash	Mr M Heron	Mr M Whitaker
Ms L Aspland	Mr J Knight	Mr B Wilkins
Mr M Bradbury		

### In Attendance:

Mr S Birtles – Head of Safety Management  
Mrs L Burchnall – Head of Ranger Services  
Mr A Clarke – Senior Waterways & Recreation Officer  
Ms E Guds – Administrative Officer (Governance)  
Mr D Harris – Solicitor & Monitoring Officer  
Dr D Hoare – Head of Construction, Maintenance and Environment  
Ms E Krelle – Chief Financial Officer  
Ms A Leeper – Asset Officer  
Ms A Long – Director of Planning and Resources  
Ms S Mullarney – Administrative Officer (Governance)  
Dr J Packman – Chief Executive  
Mr R Rogers – Director of Operations

### Also Present:

Prof J A Burgess, Chairman of the Authority  
Mr B Dickson – Member

### 1/1 To receive apologies for absence

Apologies for absence were received from Greg Munford and Alan Goodchild.

The Chair announced that the meeting would be recorded and that the copyright remains with the Authority, however a copy of the recording could be requested. The confidential part of the meeting would not be recorded.

James Knight declared that he would make his own recording.

### 1/2 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.

### **1/3 Appointment of Chair**

The Chief Executive invited nominations for the appointment of the Chairman to the Committee.

Brian Wilkins proposed, seconded by Max Heron that Nicky Talbot be appointed as Chairman until 19 April 2018. As there were no other nominations forthcoming, it was

RESOLVED

that Nicky Talbot be appointed as Chairman of the Navigation Committee.

#### **Nicky Talbot in the Chair**

Nicky Talbot thanked Michael Whitaker for his time as Chairman and thanked Members for their support whilst she substituted as Chair in Michael's absence.

### **1/4 Appointment of Vice Chair**

The Chair invited nominations for the appointment of the Vice Chairman to the Committee.

The Chair proposed, seconded by Peter Dixon that Brian Wilkins be appointed as Vice Chairman until the 19 April 2018. As no other nominations were forthcoming it was

RESOLVED

that Brian Wilkins be appointed as Vice Chairman of the Navigation Committee until 19 April 2018.

### **1/5 To receive Declarations of Interest**

Members expressed their declarations of interest as set out in Appendix 1 of these minutes.

### **1/6 Public Question Time**

No public questions were raised.

### **1/7 To receive and confirm the minutes of the Navigation Committee meeting held on 23 February 2016**

A member enquired about whether it was appropriate for the names of members to be referenced in the minutes. The Solicitor and Monitoring Officer referred to the definitive guidance on the preparation of minutes in a reference book entitled 'Knowles on Local Authority Meetings'. This makes clear that "minutes are brief notes of the proceedings of a meeting that in particular record the decisions made." They should be precise and concise, complete, self-contained and decisive. The

Authority's practice is that the names of individual members are only included in the minutes when Members had made a declaration or specifically asked for their name to be referenced. The Solicitor and Monitoring Officer said he would look into the format of the minutes in more detail.

The minutes of the meeting held on 23 February 2017 were confirmed as a correct record and signed by the Chairman.

#### **1/8 Summary of Actions and Outstanding Issues following Discussions at Previous Meetings**

Members received a report summarising the progress of issues that had recently been presented to the Committee.

One Member enquired about the Staithes report and whether the Authority could press for the maps to be forwarded from the author of the report. The Senior Waterways and Recreation Officer hoped to receive the maps by the end of April. He further confirmed that he had invited Professor Williamson to speak at a Navigation Committee meeting in the future.

Members noted the report.

#### **1/9 Appointment of Two Co-opted Members to the Broads Authority**

Members received a report which sought the views and the recommendations of the Navigation Committee on the appointment of two co-opted members to serve on the full Authority until 18 May 2018 as set out in Section 1(3)(c) of the Norfolk and Suffolk Broads Act 1988 as amended.

Schedule 4, paragraph 4(3) of the Norfolk and Suffolk Broads Act 1988 further states that the Committee shall elect a chairman from among those of its members who are members of the Authority and may, if it thinks fit, appoint one of its members to be vice-chairman. With this in mind, given that Mrs Talbot had been elected Chair of the Committee, she would need to take up one of the seats on the Authority.

The Chair proposed, seconded by Peter Dixon that Brian Wilkins be appointed as Co-opted Member to the Broads Authority until 18 May 2018. No other nominations were forthcoming. Therefore it was

**RESOLVED**

that Nicky Talbot and Brian Wilkins be recommended to the Broads Authority for appointment as the co-opted Members to the Broads Authority until 18 May 2018.



## **1/10 Mooring Strategy Update**

At the last meeting of the Committee a number of questions arose concerning the provision of moorings. This report provided Members with an update on the Authority's mooring strategy and the action plan to maintain the Authority's moorings that was adopted by the Broads Authority in November 2014. The Committee reviewed the existing policy principles with active debate to ensure that the Authority is mindful of its responsibilities to users of the waterways.

The report prompted a discussion about encouraging visitors to the Southern Broads which included a suggestion of short breaks to the area. The trial of stern on moorings at the Ferry Inn at Horning was raised and confirmed that it had not been successful for the reasons discussed at the meeting in February. It also raised concerns about the proposal to trial stern on moorings at Bramerton.

The Committee was made aware that the BSMG group was strongly against any suggestion of any stern mooring at Bramerton and proposed that there be no new stern on mooring in designated rowing areas. The Head of Ranger Services clarified that the suggestion of a trial at Bramerton and Brundall had come from the Broads Hire Boat Federation and the NSBA. Officers expected that an evaluation of the potential for stern on mooring at Bramerton was likely to conclude it to be difficult and unsafe.

The discussion moved on to the potential for additional moorings at busy sites such as at Ranworth Broad. The NSBA and BHBF had had discussions with the Ranworth Estate and it was clear the proposal for more free 24 hour moorings at Ranworth Staithe was not supported by the Estate. The Committee also discussed the reasons for the concentration of hire boats on the northern rivers and issues about crossing Breydon Water.

Officers undertook to review suggestions made at the meeting such as the possibility of free 48 hour rather than 24 hour moorings during off peak times on the southern rivers, the remapping of third party moorings as well as examining the existing policy principles as part of the review of the Integrated Access Strategy which would commence later in 2017.

Members wished to see more detail in the schedules of moorings in the Appendices to the paper. The Senior Waterways and Recreation Officer agreed to circulate a table listing the name, length and an indication of the level of use of each mooring to the members of the Committee.

Members noted the report.

## **1/11 Navigation Income and Expenditure 1 April to 31 December 2016 Actual and 2016/17 Forecast Outturn**

The Members received a report providing them with details of the actual navigation income and expenditure for the eleven month period to 28 February 2017, and provides a forecast of the projected expenditure at the end of the financial year (31 March 2017).

It was reported that the collection of tolls for 2017/18 was going well. 9184 private boats had been tolled by 19 April, up from 9117 at 19 April 2016. 72.9% of the budgeted income from private tolls had been received. This was ahead of the position at the same time last year.

The issue of above average tolls increases had been raised with tolls staff by approximately 20 private owners of larger boats.

The Chief Financial Officer confirmed that the Draft Statement of Accounts would be completed by the end of May.

Members noted the report.

## **1/12 Boating Safety Management Group**

Members received the notes of the Boating Safety Management Group meeting held on 27 February 2017 and discussed the safety of paddle boarding on the Broads. It was suggested for the Authority to be more pro-active about the management of paddle boarding and to have a policy in place.

The Chair had asked for the Committee to be kept up-to-date about any issues and policies that arise in regards to paddle boarding. The Head of Safety Management informed Members that a concessionary toll for the Broads Authority Paddle Scheme (BAPS) meant that a discounted toll was available. Members were further informed that conditions had been drafted with BAPS operators to introduce paddle boards into the scheme. One of the proposed conditions currently being consulted upon was a requirement for hirers to be qualified. There are recognised qualifications from the British Stand Up Paddle Board Association and Associations of Surf Instructors.

The Head of Safety Management confirmed that the Authority had no regulation specific to private boarders but that paddle boarding had come up at the PMSC hazard review. NSBA had been present and issues had been discussed by the stakeholders present at the review meeting.

Members noted the report.

## **1/13 Safety Audit 2016 Report**

The Committee received a report providing details of the incidents reported from April 2016 to end of March 2017. There had been eight deaths in 2016, three resulting from Cardiac Arrest, two from carbon monoxide poisoning and three not thought to be suspicious.

Given the large numbers of visitors and users of the Broads these figures demonstrated that serious incidents were a rare occurrence.

Members noted the report.

## **1/14 Construction, Maintenance and Environment Work Programme Progress Update**

The Committee received a report which set out the progress made in the delivery of the 2016/17 Construction, Maintenance and Environment Section work programme. It was noted that due to the complexity of some projects there was a shortfall of total dredged volume output, 38750m<sup>3</sup> to end Feb, compared with the target of 50,000m<sup>3</sup> per annum.

The Head of Construction Maintenance and Environment highlighted that prior to the Authority carrying out any cutting of water plants in Hickling Broad, consent was required from Natural England. This included the development of an Appropriate Assessment against the Conservation (Habitats & Species) Regulations with supporting evidence of no significant effect on the protected features of the site.

A member reported that aquatic plant growth in the Hickling sailing area was earlier than ever and more prolific than anyone can remember at this point in mid-April. It was explained that due to the mild winter and early sun in April, Aquatic growth within Hickling had not 'died back' as hard as expected in other years, meaning aquatic plants already had a strong presence in the water.

Members queried the trigger level for cutting in the marked channel, further cutting trials in the agreed sailing area, and the proportion of the protected Stoneworts and of the more common Milfoil. A meeting of relevant officers and members of the Upper Thurne Working Group (UTWG) would be held on 15<sup>th</sup> May explaining the Broads Authority's decision on making process in regards to managing aquatic plant growth in Hickling.

Members noted the report.

## **1/15 Chief Executive's Report**

This report summarised the current position in respect of a number of important projects and events, including decisions taken during the recent cycle of committee meetings.

Members noted the report.

## **1/16 Current Issues**

One Member was prompted to inform the Committee of difficulties in navigating his boat into central Norwich and how after attempting to communicate with Network Rail he was informed that the swing bridge at Trowse was unable to be opened.

When it was proposed by one Member that a date would be provided at the next meeting for the availability of higher resolution depth charts online it was explained that the GIS Support Officer was currently busy working on the Broads Tourism website which was a priority but that the request by the Member was noted.

One Member mentioned that the Broads Outdoor Festival was being launched next week at the Waveney River Centre and encouraged Members to attend.

**1/17 Items for future discussion**

No items for future discussion were identified.

**1/18 To note the date of the next meeting**

The next meeting of the Committee would be held on Thursday 15 June 2017, however following discussion with the Chair the meeting has subsequently been replaced by a site visit to the River Wensum.

The next Committee meeting will be held on Thursday 7 September 2017 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

**1/19 Exclusion of the Public**

RESOLVED

*The Committee is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information*

Members of the Public left the meeting

**Summary of Exempt Minutes**

**1/20 To receive and confirm the exempt minutes of the Navigation Committee meeting held on 23 February 2017 (herewith)**

The Exempt minutes of the meeting held on 23 February 2017 were confirmed as a correct record and signed by the Chairman.

**1/21 Mooring Priorities for 2017/2018**

The Members received an exempt report updating them on the decisions taken at the last meeting of the Broads Authority regarding the competing priorities between the purchase, leasing and repair of three important moorings for 2017/18.

The meeting concluded at 4.40 pm

Chair

## Code of Conduct for Members

**Declaration of Interests**

Committee: Navigation Committee

Date of Meeting: 20 April 2017

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
Michael Whitaker	10-21	Toll payer, Hire Boat Operator, Chair BHBF, resident	
Simon Sparrow	10-21	Toll Payer, hire boat operator, resident	
James Knight	10-21	Toll payer, Hire Boat Operator and Yacht Club Member	
Brian Wilkins	10-21	Chair NSBA, all issues	
Max Heron	10-21	Toll payer, landowner, Member British RC, NRC, Chair Whitlingham Boathouses	
Nicky Talbot	10-21	Toll Payer, Member of NSBA and NBYC	
Matthew Bradbury	10-21	Toll Payer, BCU Member	
John Ash	10-21	Toll Payer, Chairman and Director of WYCCT,	
Kelvin Allen	10-21	Chair of BASG	
Linda Aspland	10-21	Hunter fleet, Toll payer, NBYC Committee, local resident	
Peter Dixon	14	Weed growth at Hickling	

## Broads Forum Committee

Minutes of the meeting held on 27 July 2017

### Present:

Keith Bacon (Chairman)

Andrew Alston	Robin Godber	Paul Savage
Brian Barker	Peter Jermy	Richard Starling
Julian Barnwell	John Lurkins	Charles Swan
Michael Flett	Peter Mason	John Tibbenham
Tony Gibbons	Philip Pearson	Peter Wall

### In Attendance:

Ms N Beal – Planning Policy Officer  
Ms E Guds – Administrative Officer (Governance)  
Mr S Hooton – Head of Strategy and Projects  
Ms A Kelly – Senior Ecologist  
Ms A Long – Director of Planning and Resources  
Miss S Mullarney – Administrative Officer (Governance)  
Mr J Packman – Chief Executive  
Mr R Rogers – Director of Operations  
Mrs C Smith – Head of Planning  
Ms S Stephenson – Senior Environment Officer

### Also In Attendance:

Mr Brian Wilkins – Chairman of Upper Thurne Working Group and Member of the Broads Authority.

Prof Jacque Burgess – Chairman of the Broads Authority.

### 4/1 To receive apologies for absence

Apologies were received from Ashley Cato, Henry Cator, Martyn Davey, Barbara Greasley, John Hiskett, Jennifer Parkhouse, Simon Partridge, Bryan Read, Hugh Taylor, Anthony Wright.

Members were reminded to send their apologies if unable to attend meetings and to contact their substitutes.

The Forum was also reminded that the meeting was being recorded; no members of the public indicated that they would be recording.

#### 1) Goodbye to Director of Planning and Resources

The Chairman announced that Andrea Long would be leaving the authority and thanked her on behalf of the Forum for her work with the authority.

**2) Welcome to new Member Peter Mason**

The Chairman welcomed new Member Peter Mason who had been appointed to represent the Land Based Recreation Interest Group. Peter is a Member of the Broads Local Access Forum and is a professor of Tourism.

**3) Goodbye to Member Bryan Read**

Members were notified that Bryan Read was retiring from the Forum. The Chairman noted Bryan's long standing Membership of the Forum and his extensive background with the Broads.

**4) Variation in the Order of the Agenda**

The Chairman announced that he proposed to vary the order of the Agenda to take item 5 after agenda item 6. This was to ensure a prompt meeting as Brian Wilkins was unable to attend the meeting until later on.

**5) Report back from the Broads Authority Meeting on 19 May 2017**

The Chairman reported that Nicky Talbot had been appointed Chair of the Navigation Committee and Brian Wilkins was appointed Vice Chair, both of whom were appointed to the full authority as representatives of the Navigation Committee.

The Broads Authority Annual Site Visit took place on 13 July; it concentrated on the Southern Broads and the river Waveney. Members visited Mutford Lock, Geldeston Lock, and Beccles Quay, and had a briefing on the Suffolk Wildlife Trust proposals for Carlton Marshes.

The Chair highlighted a public question that was raised by Richard Holmes regarding the cutting of plant growth in Hickling Broad as it was linked to agenda item 5.

The Director of Operations reported on the operations work regarding fen management and work recently done in Hickling Broad.

Reports were received on Ethical Standards, Code of Conduct, and Member and Officer Relations.

Broads Authority Members received the Annual Health and Safety report and report on Marine accidents.

There were also exempt items on Moorings and Corporate Sponsorship, the latter of which was covered in the Chief Executive's report at item 8.

**4/2 To receive and confirm the minutes of the meeting held on 27 April 2017**

The minutes of the last meeting held on 27 April 2017 were confirmed as a correct record and signed by the Chairman subject to the following amendments suggested by Paul Savage (PS):

Minute 3/7 Mooring Strategy Update 2017

- paragraph 4, fifth line: 'owned' should read 'provided'

- paragraph 4, fifth line: the word '*necessarily*' to be removed.

PS also requested adding clarification on the difference between visitor moorings and Broads Authority owned moorings. As this was not something that was discussed at the last meeting, the Chairman said that this should not be recorded in the 27 April minutes but proposed minuting it at item 12 in the 27 July minutes.

#### 4/3 Public Question Time

No questions were formally received however with the Members' agreement following a decision made at the 2 February 2017 meeting (2/14), Clive Bygrave (CB), a member of the public present at the meeting, was allowed to pose a question to the Forum. The Chairman announced that as the Forum had not received formal notice of the question they may not be able to provide an answer.

CB spoke to the Forum about the recent anti-social behaviour incident on the Broads. He explained that he and his wife were present at the time of the incident and asked the Forum what the Broads Authority was doing in response to the incident and asked if there would be tougher actions in future.

Robin Godber (RG) responded by stating that the issue would be on the agenda for the next Broads Authority meeting.

Tony Gibbons (TG) commented that it was not for the Broads Authority to stipulate what the hirers do and that the boat hirers should take responsibility for issuing conditions to people hiring the boats.

CB further asked how similar issues could be policed as the Broads was such a large area.

Richard Starling (RS) said that he was disappointed by the response of the police and suggested that the Broads Authority was limited in what it could do as it was a police responsibility.

Michael Flett (MF) discussed the difficulty in ensuring a limitation on the number of same sex individuals hiring a boat. He added that the police needed a higher profile on the Broads.

Peter Mason (PM) agreed with other Members that the police and boat owners needed to be more active but added that visitors needed to be educated and suggested a code of conduct be signed before hirers get on the boat.

CB stressed that there was a general lack of knowledge amongst boaters on how to contact Broads Beat and proposed a leaflet with contact details be supplied on all hire boats.

The Chief Executive thanked CB for his question and agreed that the recent behaviour was a significant worry. The Chief Executive stressed the need to be proportionate with how to respond to the incident as the behaviour was not exclusive to young same sex parties. He added that the reports from boat yards



indicated that throughout the year there were between 20-30 same sex parties each weekend and that only between one and three per weekend caused any significant problems.

The Chief Executive provided an update to Members on a recent meeting with the Hire Boat Federation and NSBA, in which they agreed the following actions:

1. All three organisations will encourage boat owners and hirers to contact the police (dialling 101) in the event of encountering severe extreme anti-social behaviour.
2. The Hire Boat Federation will develop a Code of Practice for all hire companies in relation to briefings for non-family groups. The Broads Authority will be notified in advance by boat yards if such parties are expected. Broads Beat will be able to attend the yards to give a briefing to the hirers about what is appropriate.
3. A higher deposit should be required. This could then be used to refund the police and the Broads Authority if there was a significant call on their resources in dealing with such incidents.

CB queried the figures as it had been reported to him that there were 50-60 same sex parties each weekend. The Chief Executive concluded by saying he would look into the differing figures and further added he would ask Broads Beat if they could report on why something more significant was not done in response to this incident. He reiterated that ultimately cases of severe anti-social behaviour were a matter for the police.

Julian Barnwell (JB) commented that pub landlords would also need to be contacted as riverside pubs were hotspots for this behaviour.

#### **4/4 Summary of Progress/Actions/Response taken following discussions at previous meetings**

Members of the Forum received a report summarising the progress of current issues.

The Chairman raised the issue with the Environment Agency's intention to dispose of the area at Ludham Bridge as he said they are trustees of the Staithe so it was not their freehold to do with as they liked. The Chairman intended to contact the Environment Agency regarding this.

PS added that the Environment Agency needed to be aware of the facility to provide demasting moorings in the area.

The Chairman informed Members that Prof Tom Williamson would be giving a presentation at the Broads Authority Meeting on 28 July.

RS enquired when the Staithe Report would be published. Officers replied that they were still waiting for the maps.

RS asked officers for information on flood risk management, referencing his comment at the 2 February 2017 meeting (2/9). The Head of Strategy and Projects

confirmed that Rory Sanderson from the Environment Agency had looked into the data available and had mapping of the Broads where there were deliberate banks to control the water, but said it was difficult to collect comprehensive data as this could only be done with a significant amount of field truthing.

RS stated that people in the area could provide this information. The Chairman asked RS to provide officers with their contact details.

The report was noted by Members.

**Agenda item 6 was dealt with this point.**

**4/5 Upper Thurne Working Group – Update on Hickling**

Members received a presentation from Brian Wilkins (BW). This was followed by photographs of Martham Broad, provided by RS.

BW gave Members some background on the Upper Thurne Working Group and stated that the biggest challenge in the catchment was aquatic plant growth which prompted the question “when is it a plant and when is it a weed?”

BW discussed the Upper Thurne Management plan developed in 2006 which was still in place to deal with the issues.

BW stated that Hickling’s water had been dominated by aquatic plant growth and sedimentation of the channel, and in order to achieve better water depth the Broads Authority developed the Hickling Broads Enhancement Project and attended the Upper Thurne Working Group meetings to discuss priorities for dredging and sediment re use opportunities. The result was a set of proposals which were funded by the Authority, known as the Hickling Vision. This included the Hill Common Bank Restoration project, and creating new wetlands.

BW also discussed the issues affecting the Upper Thurne catchment, including water quality and water levels.

Peter Wall (PW) asked BW if the subject of the trees on the river Thurne opposite High’s Mill had ever come up at the Upper Thurne Working Group. BW confirmed that the issue was on the agenda and agreed that it was not easy to navigate the Thurne.

Philip Pearson (PP) added that from a wildlife perspective the area was doing really well.

The Chairman stated that Hickling was an important area for sailing and asked to what extent the chara should be allowed to grow/cut back for sailing. BW replied that an investigation was in progress to determine the impact of cutting it.

RS said that there was good work by the Broads Drainage Board to reduce saline intrusion through the groundwater, however, nothing had been done about the increasing geese population and the effects on water quality. RS referred to the

pictures at Martham Broad, he said the weed cutting needed to be addressed. He acknowledged that the Broads Authority had cut the weed but commented that it was not collected. RS stressed that boats breaking down in that area were very isolated and that the mobile phone coverage could be poor.

The Chairman further queried if there was a standard method of raising an alarm if someone needed help. BW remarked that it was ultimately the responsibility of the skipper and that boaters should contact Broads Control during the day, and should dial 999 out of hours. He added that safety was also on the agenda for the Upper Thurne Working Group.

Brian Barker (BB), as a member of Hickling Broad Sailing Club commented that the weed was too high to tack through; he reported that it was affecting club membership.

RS asked for feedback from the Broads Authority on weed-cutting. The Director of Operations stated that they were cutting aquatic water plants according to the agreed Standard Operating Procedure and offered to discuss the issue with RS after the meeting to address various points RS had made which he believed were inaccurate. RS declined this meeting.

Regarding Hickling, the Senior Ecologist added that the Broads Authority had negotiated with Natural England to cut 5% of the common aquatic plants to benefit the channel area. This would be done in a controlled area and monitored in order to report back to Natural England if the rarer species could be cut without unacceptable damage to them. The Senior Ecologist acknowledged the importance of the water quality for plant growth. It was emphasised that the cutting was not for conservation but for navigation purposes.

#### **4/6 Riverside Tree and Scrub Management**

Members received a presentation from the Senior Environment Officer on the management of riverside trees and scrubs.

The Senior Environment Officer presented Members with the methods that were used as well as sharing examples of completed work. It was explained to Members that key areas of navigation had been identified so that they could be prioritised for river bank management. The Authority was in consultation with Natural England and the Environment Agency to develop a robust way of managing river bank growth. The Senior Environment Officer made it clear that when they referred to riverside management it was about management and not clearance.

The Senior Environment Officer discussed how decisions were made on what they remove and what they leave, Members were shown an example of an area that they would leave as the overhanging vegetation did not affect the navigation channel. In comparison Members were shown an area with overhanging trees on a bend which had an impact on navigation sight lines so this growth was removed.

**PLEASE NOTE THAT THESE ARE DRAFT MINUTES AND ARE YET TO BE CONFIRMED**

The methodology developed with the Environment Agency stated that within any managed stretch 20% of overhanging vegetation should be retained, the Broads Authority had the discretion to decide where the 20% is left.

Another feature discussed was trees with roots in the water, particularly for fish refuge. An example showed a tree that was encroaching on the water so the branches were taken away, however the roots weren't completely removed in order to maintain a live system.

The presentation concluded with maps of the areas of focus where the work would take place over the next 5 years.

PM asked how much consideration was given to bank management being linked to damage when cutting down trees, making the bank less or more stable. The Senior Environment Officer explained that all was considered and that they did not disturb the root plates of the trees.

The Chair queried if casual mooring occurs where the work takes place causing erosion to the banks. The Senior Environment Officer explained that they were aware of this happening and that they needed to keep an eye on it.

PS asked about the methodology in terms of bays where trees were overhanging preventing the reeds from growing up resulting in a lack of protection of the edge of the riverbank. The Senior Environment Officer responded that different stretches were looked at each year with the work staggered along the bank; they removed some of the trees in a 3 metre zone to help protect the bank.

PP asked how the process was monitored. The Senior Environment Officer explained that the methodology applied this year was based on the previous 2 years, and that the Rangers were able to report back.

Reporting on comments from the NSBA, John Tibbenham (JT) queried if the Broads Authority's policy on clearing was a 10 metre width of trees and scrub or 3 metres, as the report suggested. The Senior Environment Officer confirmed that with consultation from the Forestry Commission, the Broads Authority had an exemption to remove 3 metres back from the river on straights and up to 5 metres back from the river on bends. The Officer confirmed that trees that had fallen into the river were taken into account and removed if they obstructed navigation.

PW expressed difficulty in sailing in the Broads as vegetation was taking over with particular mention to the river Bure. He further questioned why the methodology was set at 3 metres, he stressed that he did not think that sailing vessels had been taken into account and stated that the RYA should also be consulted.

The Senior Environment Officer explained that the agreement with the Forestry Commission was out for consultation. Officers presented the situation to them with the conflicting interests and that was the limitation that they were prepared to give. The Chairman added that he took exception to the Forestry Commission but said that it was beyond the Authority's control.

On behalf of the reed cutters, RS queried the effectiveness of the flood alleviation project by Broadland Environmental Services Limited (BESL) as the scrub was coming back. He further asked if the Broads Authority had reviewed its methods to remove riverside scrub and asked about the removal of larger pieces. The Senior Environment Officer said she was unsure of BESL's methods and added that the Broads Authority had the ability to share its methods with partners. She reported that there were different floats now available (the method for providing a safe working platform for staff when managing the river bank) so a trial of best options could be considered. She further stated that the removal of timber was a high intensity task with high costs but other options were available in terms of equipment so this is something that could be looked at it.

Andrew Alston (AA) mentioned the forestry grant to be announced by Lord Gardiner and he suggested using the grant for a pontoon with a digger with tree clearing capabilities.

PW asked for a definition of the wind quality targets and how the sailing intensity was defined. The Senior Environment Officer explained that a scoring system had been devised with the Rangers. PW disputed the Ranger's figures and stated that boats would go elsewhere if the water was not suitable.

Members welcomed the presentation and commented that they were pleased to receive the report.

#### **4/7 Publication Version Local Plan**

Members received a report on the Broads Local Plan. The Planning Policy Officer explained to Members the process for the plan. It had had 2 consultations and the next steps were for it to be reviewed at the Planning Committee, Navigation Committee, and the full Authority, as well as stakeholders having 6 weeks to respond before being submitted to the planning inspector. Members were informed that they would formally receive notice of the consultation. Members were asked to discuss the plan.

RS questioned the limited responses from parish councils and stated it was due to the length of the plan.

The Planning Policy Officer reassured the Forum that a summary of the plan would be available at the last stage but reiterated that there was a detailed contents page so that stakeholders could read the portions of the plan that was relevant to them.

Members raised the issue of poor attendance at parish meetings to discuss the plan. The Head of Planning addressed this by stating that parishes could contact Officers to meet with them. It was further explained that the length of the document was a requirement due to the very prescribed process. The Planning Policy Officer had strived to make it as accessible as possible to readers by breaking it down into issue focussed chapters.

The Head of Planning further explained that the Plan had to be reviewed by the Planning Committee and that they had looked at it in detail in bite size pieces over the course of 6 months.

AA asked about the landscape impact and if areas outside of the Broads executive area were covered in the plan. The Director of Planning and Resources stated that the Broads Local Plan only covered the executive area and that matters outside of this would fall into adjoining authorities' plans.

#### **4/8 Chief Executive's Report**

Members of the Forum received a report summarising the current position in respect of a number of important projects and events.

Regarding the Broads Climate Partnership Meeting, JB asked if officers of other agencies would be present at the briefings for MPs mentioned. The Head of Strategy and Projects confirmed they would as the Broads Authority was the lead working very closely with the Environment Agency which was the main responsible body.

Members noted the report.

#### **4/9 Parish Issues**

JT asked if the moorings at Acle had been purchased by the Broads Authority. The Director of Planning and Resources was not in a position to comment.

JT also raised concerns with the safety of individuals taking part in paddle boarding on the river Bure. The Director of Planning and Resources advised JT speak to the Head of Safety Management.

BB queried the cutting of footpaths at Somerton. The Chairman stated that as it was a public right of way it was the responsibility of Norfolk County Council.

RG queried the clarity of the signage at Ludham, saying it was not clear that it led to St Benet's Abbey. Officers confirmed that the Senior Waterways and Recreation Officer was arranging signage.

Members also discussed the closures of swing bridges due to hot weather. The Chairman informed the Forum that discussions with Network Rail had taken place.

MF updated Members on the Ludham Bridge, Womack Staithe lease with North Norfolk District Council regarding the emptying of waste. He said it was not clear who owned the land but if the parish council was prepared to lease the land for £1 per year it would not be considered a commercial site so North Norfolk District council would clear it at no direct cost. This was what the parish council had decided to do.

**4/10 Current Issues**

No items were proposed as current issues.

**4/11 To note whether any items have been proposed as items of urgent business**

No items were proposed as items of urgent business.

**4/12 Matters for Chairman to raise at next Broads Authority Meeting**

As mentioned at item 4/2 PS asked that the following statement regarding the Mooring Strategy Update 2017 report presented to the Forum at the 27 April meeting, be raised at the next full Authority meeting:

***Broads Forum 27 April 2017***

***Mooring Strategy Update 2017 (Agenda item 7)***

*1.2 The 2006 strategy was reviewed in 2009 and in 2013 ..... The overarching objective of the mooring strategy: “to maintain as a minimum the present number of moorings available for visitor use” .....*

*1.3 The adoption of the Mooring Strategy in 2006 and the IAS in 2013 has resulted in a significant increase in the length of moorings the Authority provides. Currently the Authority provides 7,535m of visitor and demasting moorings over 63 sites. They are listed in a table in Appendix 2.*

PS comments:

Taken together, these statements give the impression that the total available short-term mooring space must have increased and the objective to, “maintain as a minimum the present number of moorings available for visitor use”, must have been fulfilled. In fact, “moorings available for visitor use” and, “moorings provided by the Authority”, are two separate categories and are shown on separate Maps of the 2006 survey. For various reasons, the total length of “moorings available for visitor use”, has decreased since 2006.

The report goes on to describe as “new” moorings two moorings which the BA will provide at Berney Arms and Rockland Short Dyke. The reality is that they are existing moorings being transferred from one category to the other, with no actual impact on the total available mooring capacity.

Please would the Members consider asking for the annual report they receive on moorings [see section 10.1 under "Auditing and Monitoring, in the 2009 Mooring Strategy] to include not only the “SMART” objectives for new BA moorings – as at present – but also a report on all the objectives, including those for “moorings available for visitor use”.

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**4/13 Matters to be discussed at the next meeting**

Peter Jermy asked for an update on Boundary Farm and the pontoon moorings.

**4/14 To note the date of the next meeting**

The next meeting of the Committee would be held on Thursday 2 November 2017 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

The meeting concluded at 4:53 pm

Chairman

DRAFT



## **Broads Authority**

### **Planning Committee**

Minutes of the meeting held on 21 July 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard (Minute 8(3) onwards)	Mr P Rice
Prof J Burgess	Mr H Thirtle
Mr W Dickson	Mr V Thomson
Ms Gail Harris	

In Attendance:

Ms N Beal – Planning Policy Officer  
Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Bell – for Solicitor  
Ms M Hammond – Planning Officer  
Mr N Catherall – Planning Officer  
Ms A Cornish – Planning Officer  
Mr G Papworth – Planning Assistant  
Mr R Rogers – Director of Operations/on behalf of Director of Planning and Resources  
Ms C Smith – Head of Planning

#### **14/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting. Apologies were received from Mr J Timewell. Mr M Barnard had apologised that he would be slightly late.

#### **14/2 Declarations of Interest**

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes. The Chairman declared an interest on behalf of all members in relation to Applications BA/2017/0190/FUL and BA/2017/0164/FUL since they involved a member of the Navigation Committee and a member of the Authority respectively.

#### **14/3 Chairman's Announcements and Introduction to Public Speaking**

##### **(1) Director of Strategy and Sustainable Communities**

The Chairman welcomed Ms Marie Pierre Tighe as an observer. She would be joining the Authority as the Director of Strategy and Sustainable Communities later in the year.

##### **(2) The Openness of Local Government Bodies Regulations**

The Chairman gave notice that the Authority would be recording this meeting following the decision by the full Authority on 27 January 2017 to record all its public meetings on a trial basis. The copyright remained with the Authority and the recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The minutes would be as a matter of record. If a member of the public wished to have access to the recording they should contact the Monitoring Officer.

- (3) **Introduction to Public Speaking** The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)

**14/4 Minutes: 23 June 2017**

The minutes of the meeting held on 23 June 2017 were agreed as a correct record and signed by the Chairman.

**14/5 Points of Information Arising from the Minutes**

There were no points of information to report.

**14/6 To note whether any items have been proposed as matters of urgent business**

No matters had been proposed as items of urgent business

**14/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer or vary the order of the agenda had been received.

**14/8 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 decision.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' report, and which were given additional attention.

- (1) **BA/2017/0078/FUL Tipperary Cottage, Thimble Hill, Wayford Road, Smallburgh** Single storey dwelling house to be used as an annexe to the existing dwelling house on the site.  
Applicant: Mr Neil Cousins

The Planning Officer provided a detailed presentation with assessment of the application proposing the development of a dwelling house in the form of a 2 bedroomed modest bungalow to be used as an annexe, sited in the curtilage of Tipperary Cottage towards the rear of the site. The annexe was intended as ancillary to the existing dwelling house on the site to accommodate a family member. Members of the Committee had had the benefit of a site visit on 6 July 2017 in order to fully appreciate the relationship between the existing and the proposed units within the local context.

The Planning Officer explained that the application proposed a new form of residential accommodation ancillary to the main dwelling. He explained the complexities involved in this instance since the definition of an annexe in planning terms was not precise and could result in a level of ambiguity as to where a proposal ceased to be an annexe and could in fact be an independent form of residential accommodation. The applicants had signed a Section 106 Agreement in order to protect the main dwelling from being sold separately from the proposed ancillary dwelling and for it to be maintained as integral to the whole unit. The Planning Officer drew attention to the adjacent holiday site, pointing out that the proposal would not be visible from the highway or neighbouring footpath, as well as being well screened. Its siting would ensure that it did not contribute to a cluttered or overdeveloped appearance of the site. Although the extent of the separation of the building from the main dwelling unit was not insignificant, the Planning Officer considered that there were unique circumstances associated with the site. When assessing the application, he emphasised that account had been taken of the context of the site. It was considered that the proposal would not harm or be detrimental to the Broads landscape or have a detrimental effect on the neighbouring amenity. Therefore he concluded that the application could be recommended for approval subject to the Section 106 Agreement and conditions.

In answer to Member's questions, the Solicitor confirmed that the Section 106 Agreement related to securing a restriction on the sale of the dwelling separately from the proposed dwelling and this could not be challenged for five years, although after that period it could be negotiated. Any other issues such as the use would be covered by planning conditions. If a planning condition that had been imposed was not observed, it would be open to the Authority to serve a breach of condition notice for which there was no right of appeal.

A member queried as to the size of the proposed dwelling being modest given that the total floor area appeared to be greater than that of the average three bedroomed modern properties. He considered that in his view it was a substantial property that was not subservient to the main dwelling and could not be described as an annexe. He considered that there were other opportunities within the site. He considered that it was an application for a new build in an

unsustainable location outside the development boundary and could therefore set a precedent and could be of considerable harm.

Other members considered that it was a unique and unusual site and in the context in which it was set would not be out of place, cause harm or set a precedent. They were particularly mindful of the recent appeal decisions and the issues discussed at their previous meeting. They considered that the Officers had provided a thorough assessment, there was a clear justification for approving this scheme and which would not set a precedent given the particular circumstances here (as outlined in the report and presentation) and provided the application was carefully conditioned in association with the Section 106 Agreement should be accepted.

Paul Rice proposed, seconded by Jacquie Burgess and it was

RESOLVED by 5 votes to 2 against

- (i) That the application be approved subject to the prior completion of a Section 106 Agreement and conditions outlined within the report as the proposal is considered to be in accordance with Policy CS1 of the Core Strategy (2007), Policies DP2, DP4, and DP28 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.
  - (ii) That any proposal to vary the section 106 Agreement in relation to this proposal be brought to the Planning Committee for consideration.
- (2) **BA/2017/0103/OUT Hedera House, the Street, Thurne**  
Demolition of existing buildings and redevelopment of Hedera House to form 6 residential dwellings and ten new holiday units.  
Applicant: Burlington Hotel (Great Yarmouth) Ltd.

The Planning Officer provided a detailed presentation of the outline proposal for planning permission to demolish existing buildings and provide a comprehensive redevelopment of the site at Hedera House to provide a mixture of replacement holiday accommodation comprised of 10 new holiday cottages of different building designs and six new residential dwelling houses as enabling development. He explained that a number of objections had been received including those from the Thurne Community Action Group, the Parish Council and the Thurne Archive Group. He provided the assessment giving particular attention to the criteria in Site Specific Policy THU1 that related to Thurne and specifically the Hedera House site.

The issues related to site use distribution, layout and design, landscape, neighbour amenity, biodiversity, landscaping and trees, flood risk, drainage, sewerage, all of which were considered to be

satisfied and in accordance with policy and the development would be appropriate within the existing village and not adversely impact on the surrounding landscape character. He explained that the site was allocated for a mixed holiday/residential use in the Local Plan and the Site Specifics Local Plan allowed for a proportionate amount of enabling development subject to a viability assessment and this had been submitted with the application together with an Ecological and Protected Species Survey. The Viability Assessment had been undertaken by an independent expert and independently reviewed to test the accuracy of the conclusions that a minimum of 6 general market houses would be required to make the proposed development viable. The conclusions of the independent review was that the appraisals had provided a fair assessment to provide both landowner and developer a fair return to ensure that the development of the proposed open market housing would enable delivery of the new holiday accommodation. The Planning Officer concluded that the objections had been adequately addressed and the application could be recommended for approval.

The Planning Officer clarified that the question of affordable housing had been considered in association with Great Yarmouth Borough Council and the site had not been identified as one of the key areas for such a scheme.

Members considered that they had been presented with a lot of information and that the issues were very finely balanced. Thurne was a small community and they considered that a site visit would be useful.

The Head of Planning clarified that the site had been allocated within the Local Plan Site Specifics Policies and therefore the principle of development for the Hedera House site was already established. One of the members noted that the Committee would not be able to consider the principle of viability, but they did request that further information on the detailed submission be provided. Members would need to have regard to whether the proposals met the 8 criteria of the Site Specifics policy and that they could be satisfied with the arguments made about the balance of development and whether the mix and configuration of the proposed units were appropriate given the local context.

Bill Dickson proposed, seconded by Jacquie Burgess and it was

RESOLVED unanimously

That Planning Committee undertake a site visit on Friday 4 August 2017 prior to determination of the application in order to achieve a greater understanding of the development in the context of the village of Thurne to have regard to whether the proposal meets the policy criteria required.

(3) **BA/2017/0147/FUL Peto's Marsh (Compartment 28) Carlton Colville**

Excavation of a series of ponds to provide material for adjacent flood defence improvements.

Applicant: Environment Agency

The Planning Officer provided a detailed presentation of the application to create a series of ponds on an area of flat marshland area to generate material required by BESL to reshape and strengthen the existing flood bank running along the eastern boundary of Peto's Marsh. The area had recently been acquired for the Suffolk Wildlife Trust who had a vision and plans for the future development and management of the area to increase biodiversity and improve the ecology of the site, which had previously been under arable cultivation. Works to the floodbank were not part of the application. Some members had had the opportunity to view the whole site on the Members Annual Site visit, although this application had not been discussed

Having assessed the major issues in relation to the application, the Planning Officer concluded that although the purpose of the application was to generate sufficient material to strengthen and re-profile the existing flood bank on the eastern boundary of the site, part of the overall BESL flood defence programme, the application would also provide welcome biodiversity benefits and significantly improve the habitat value of the land as well as the landscape value. The scheme was therefore recommended for approval.

Having been satisfied on possible safety issues, Members were very supportive of the proposals and commended the application.

The Chairman put the Officer's recommendation to the vote and it was

RESOLVED unanimously

that the application be approved subject to conditions as the development was considered to be in accordance with policies CS1, CS2, CS4 and CS20 of the Core strategy and Policies DP1, DP2, DP11 and DP29 of the Development Management Policies DPD(2011) and an appropriate form of development, with no detrimental impact on ecology and designated sites or the landscape.

(4) **BA/2017/0190/FUL Ferry Marina, Ferry Road, Horning**

Extension to Boatshed

Applicant: Ferry Marina Ltd.

The application was before the Committee as a member of the Navigation Committee was a director of the company submitting the application. It was noted that the Solicitor had confirmed that the

application had been dealt with in accordance with the normal processes and procedures and the recommendation appeared uncoloured by the relationship noted in the report.

The Planning Officer provided a presentation of the application to add a subservient extension to an existing substantial commercial boatshed as part of the Ferry Marina boatyard site, on the northern side furthest from the river. The extension would occupy an area currently open grass, to be used as an additional workshop space and ancillary facilities to the boatyard.

The Planning Officer concluded that on balance and having taken into account the representations received, the extension was acceptable in design, would not result in any unacceptable impacts on amenity and therefore subject to a landscaping condition would comply with policy, including Policy HERR7 and was recommended for approval.

Members concurred with the Officer's assessment and on being put to the vote

RESOLVED unanimously

that the application be approved subject to conditions outlined within the report as the proposal is considered acceptable in accordance with Policies CS1 and CS9 of the adopted Core Strategy (2007), Policies DP2, DP4, DP20, DP28 and DP29 of the adopted Development Management Policies (2011), Policy HOR7 of the adopted Site Specific Policies (2014) and also the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

- (5) **BA/2017/0164/FUL Fineway Cruisers, Fineway Boatyard, The Rhond, Hoveton** Replacement Quay Heading  
Applicant: Richardsons Leisure Ltd.

The application was before the Committee as a member of the Authority was the Managing Director of the company submitting the application - Richardsons Leisure Ltd. It was noted that the Solicitor had confirmed that the application had been dealt with in accordance with the normal processes and procedures and the recommendation appeared uncoloured by the relationship noted in the report.

The Planning Assistant provided a presentation of the part retrospective application to replace approximately 112 metres of timber quayheading at the Fineway Boatyard with steel piling and timber capping and waling. Additional information had since been received which satisfied the Environment Agency and they had no objection. In conclusion, the Planning Assistant recommended approval as the application was in accordance with policy.

Members concurred with the officer's assessment.

RESOLVED unanimously

That the application be approved subject to conditions outlined within the report as the development is considered to be acceptable in respect of Planning Policy and in particular in accordance with policies DP4, DP13 and DP29.

#### **14/9 Enforcement Update**

The Committee received an updated report on enforcement matters previously referred to Committee.

RESOLVED

that the Enforcement Update report be noted.

#### **14/10 Code of Conduct for Planning Committee Members and officers**

The Committee received a report updating the ' Code of Conduct for Planning Committee Members and Officers' which had been revised to ensure consistency with the recent revisions to other governance documents particularly the Authority's Code of Conduct adopted in 2016 and the Protocol on Member and Officer relations adopted in May 2017 and the latest best practice. The Committee was supportive of the proposed amendments and it was

RECOMMENDED to the Authority

that the Code of Conduct for Planning Committee Members and Officers be adopted.

#### **14/11 Broads Local Plan: July Bite Size Piece**

The Committee received a report introducing the latest topics to inform the publication version of the Local Plan set out as the July 2017 Bite Size pieces.

This included policies on Design (Appendix A), the Central Norfolk Strategic Housing Assessment (CNSHMA) (Appendix B) which informed the Revised Housing Topic. (Appendix C).

Members welcomed and endorsed the proposed policies. They noted that the amendments to the proposed policies on Design took account of the discussions at the previous meeting particularly in light of recent appeal decisions.

It was noted that with regard to CNSHMA the Authority's need was calculated on the basis of its neighbouring Districts and Members were pleased to see



the improved cooperation with those adjacent LPA colleagues which were beneficial.

The Planning Policy Officer provided notice of the considerable number of policy items as part of the Broads Local Plan for consideration at the next two Committee meetings.

RESOLVED

that the proposed revised policies within the July Bite Size Pieces on Design and Housing for the Broads Local Plan be noted and endorsed.

#### **14/12 Landscape and Landscaping Guides for Adoption**

The Committee received a report which provided an information guide to help applicants address landscape and landscaping in relation to their schemes. This had been the subject of public consultation, the responses of which were contained in the report at Appendix A.

The Committee endorsed the proposed Guide and recommended that it be adopted. Once approved the Guide would be produced in paper format only on request.

RECOMMENDED to the Authority

that the responses and amendments to the Guide are noted and endorsed and the Broads Authority adopt the Landscape and Landscaping Guides

#### **14/13 Salhouse Neighbourhood Plan for Adoption**

The Committee received a report setting out the details of the referendum held in relation to the Salhouse Neighbourhood Plan. Members noted the progress of the Plan, all of which were in accordance with the statutory procedures including those encompassed in the appropriate Planning legislation. The Referendum was held on 19 July 2017 and in order for the Neighbourhood Plan to be successful, greater than 50% of those that voted on the Plan needed to vote in its favour. The Planning Policy Officer informed members that the Referendum vote had provided a resounding "Yes" with 288 votes in favour and 24 against. It would be up to the Authority as to whether to adopt the Neighbourhood Plan.

RECOMMENDED to the Authority

that the Salhouse Neighbourhood Plan be adopted and therefore become part of the Broads Development Plan, a major consideration in the determination of applications with Salhouse Parish.

#### **14/14 Consultation Documents Update and Proposed Responses**

The Committee received a report on the latest Consultation Document received from South Norfolk council on its proposed Supplementary Planning Document setting out guidelines for recreation provision in new residential developments. The Committee considered the proposed response to the consultation. The local authority members appointed by South Norfolk and North Norfolk Districts commented that the costs of managing recreational areas were increasing and proving to be difficult to sustain.

Members welcomed the proposed response

RESOLVED

that the report be noted and the proposed response be endorsed and forwarded to South Norfolk Council.

#### **14/15 Appeals to Secretary of State**

The Committee received a report on the current appeals against the Authority's decisions since April 2017. The Authority had received a start date of 19 July for the appeal relating to Eagles Nest, Ferry Road, Horning.

RESOLVED

that the report be noted.

#### **14/16 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 9 June 2017 to 4 July 2017. It was noted and welcomed that there was only one application within the schedule which had resulted from the monitoring being undertaken by officers. A report on Monitoring would be brought to a future meeting.

RESOLVED

that the report be noted.

#### **14/17 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 18 August 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 11.35 am

CHAIRMAN

## Code of Conduct for Members

### Declaration of Interests

**Committee:**           **Planning Committee**

**Date of Meeting:**   21 July 2017

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
All Members	Items 8(4) and Item 8(5)	Member of Navigation Committee Director of the Company making the application. Member of the Authority is the Managing Director of the company making the application.
Mr W A Dickson	Item 8(5)	Near Neighbour
Paul Rice	Item 8 (4) Item 8 (2)	Chairman of Broads Society Boat temporarily in Ferry Marina boatyard Member of IDB
Haydn Thirtle	Item 8(2)	Know applicant, have been lobbied. Norfolk County Councillor for area

**Broads Authority**

**Planning Committee**

Minutes of the meeting held on 18 August 2017

Present:

Mr M Barnard	Mr P Rice
Prof J A Burgess	Mr H Thirtle
Sir Peter Dixon	Mr V Thomson
Mr W A Dickson	Mrs M Vigo di Gallidoro
Ms G Harris	

In Attendance:

Ms N Beal – Planning Policy Officer (Minute 1/10 – 1/11)  
Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Bell – for the Solicitor  
Mr N Catherall – Planning Officer (Minutes 1/10)  
Ms A Cornish – Planning Officer (Minute 1/10)  
Ms M Hammond – Planning Officer (Minute 1/10)  
Mr B Hogg – Historic Environment Manager  
Mr G Papworth – Planning Assistant (Minute 1/10)  
Mr R Rogers – Director of Operations  
Ms C Smith – Head of Planning  
Ms K Wood – Planning Officer (Compliance and Implementation)  
(Minute 1/11 and 1/16)

Members of the Public in attendance who spoke:

**BA/2017-0103FUL Hedera House The Street Thurne Report back  
from pc180817**

Mr M Duffield	Agent on behalf of applicant
Mr Delf	The applicant

**BA/2017/0224/FUL Land to north of cemetery, Pyebush Lane, Acle ,  
Upton with Fishley**

Mr Alan Irvine	Agent for the applicant
Mrs Pauline James	Clerk to Acle Parish Council (On Behalf of Applicant)

**BA/2017/0179/FUL Burghwood Barns, Burghwood Road, Ormesby  
St Michael**

Mr Matthew Hollowell	Agent on behalf of The applicant
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## **1/1 Appointment of Chairman**

The Head of Planning welcomed everyone to the meeting. She invited nominations for the Chairman of the Planning Committee for the following year 2017/18.

Paul Rice proposed, seconded by Bill Dickson the nomination of Sir Peter Dixon.

There being no other nominations, it was

RESOLVED unanimously

that Sir Peter Dixon be appointed as Chairman of the Planning Committee for the following year until August 2018.

### **Sir Peter Dixon in the Chair**

The Chairman thanked the Committee for re-appointing him and commented that he was delighted to have the support of such an engaged and well prepared Committee. It was hoped that the Committee would achieve the results required for such an important area.

## **1/2 Appointment of Vice-Chairman**

The Chairman proposed the nomination of Mr Paul Rice as the Vice-Chairman of the Planning Committee. This was seconded by Jacquie Burgess. There being no other nominations, it was

RESOLVED unanimously

that Mr Paul Rice be appointed as Vice-Chairman of the Planning Committee for the forthcoming year until August 2018.

## **1/3 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting.

In particular he formally welcomed Mrs Vigo di Gallidoro, to her first official meeting of the Planning Committee.

Apologies were received from Mr B Iles.

## **1/4 Chairman's Announcements and Introduction to Public Speaking**

### **(1) Proposal for an Award:**

The Chairman reported that although it was not a planning matter he wished to take the opportunity to publicly acclaim a member of staff who had saved the life of a young child earlier in the week. Without

such swift action there could have been a real tragedy. The family involved did not wish to be exposed to publicity and their wishes should be respected. The incident highlighted the need for safety in the Broads as well as the stark reminder that it was essential for people on the water to wear life jackets. Members agreed that the response from the staff was worthy of an award and the Chairman of the Authority had nominated him for the National Parks UK Hero Award. It was suggested that a nomination for a local award would also be appropriate and this would be put forward.

**(2) The Openness of Local Government Bodies Regulations**

The Press correspondent indicated that he intended to record proceedings.

The Chairman gave notice that the Authority would be recording this meeting following the decision by the full Authority on 27 January 2017 to record all its public meetings on a trial basis. The copyright remained with the Authority and the recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The minutes would remain as a matter of record. If a member of the public wished to have access to the recording they should contact the Monitoring Officer.

**(3) Housing White Paper: Planning Fees.**

The Chairman reminded members that at the Authority meeting on 24 March 2017 the Government's proposal as part of the Housing White Paper to increase planning fees by 20% was discussed and the Authority indicated that it would accept this, subject to the increase being spent specifically on Planning and with special reference to enforcement. The increase was intended to come into effect in July 2017. However, this had been deferred due to the election. The Government was proposing to look at this after the summer recess. The Authority expects to hear more in the Autumn and Members would be updated in due course.

**(4) Code of Conduct for Planning Committee Members and Officers (Revised)**

The Chairman reminded members that the Authority had adopted a revised Code of Conduct for Planning Committee Members and Officers at its meeting on 28 July 2017 and this was now in effect. All Committee Members will have received a copy and provided their signature in agreement to abide by the code.

**(5) 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.)

**1/5 Declarations of Interest**

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes. The Chairman declared an interest on behalf of all members in relation to Application BA/2017/0193/HOUSEH as the applicant was a member of the Authority.

**1/6 Minutes: 21 July 2017**

The minutes of the meeting held on 21 July 2017 were agreed as a correct record and signed by the Chairman.

**1/7 Points of Information Arising from the Minutes**

No points of information to report..

**1/8 To note whether any items have been proposed as matters of urgent business**

No items had been proposed as matters of urgent business.

**1/9 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer planning applications had been received.

**1/10 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/2017/0103/OUT Hedera House The Street Thurne Report back pc180817** Demolition of existing buildings and redevelopment of Hedera House to form 6 residential dwellings and ten new holiday units.  
Applicant: Burlington Hotel (Great Yarmouth) Ltd.

Members of the Committee had had the opportunity to visit the site on 4 August 2017, a note of which was attached to the report at Appendix C. The Planning Officer provided a summary presentation of the outline proposal for planning permission to demolish existing buildings and

provide a comprehensive redevelopment of the site to provide a mixture of replacement holiday accommodation comprised of 10 new holiday cottages of different building designs and six new residential dwelling houses as enabling development. The Planning Officer referred to the detailed assessment and reviewed the proposed scheme against the eight criteria in Site Specific Policy THU1 that related to Thurne and specifically the Hedera House site.

The Planning Officer reported that an independent assessor had examined the viability assessment and considered that the proposed development provided an acceptable and proportionate split of holiday accommodation and residential development and suitable enabling development. The scheme was also considered to meet the other provisions within the policies including the scale and design thought to be in keeping with various aspects of the village; the landscaping ensured that the proposal would be well screened and views of the site from outside would be minimal and only glimpses. Although there had been concerns about the loss of Hedera House itself, it was not protected and was in need of significant works and therefore its loss would not be unacceptable. The proposal would improve the appearance of the whole site and therefore it was considered that the proposal would not adversely impact on the surrounding landscape or affect the neighbouring amenity. The IDB had also confirmed that they considered there would be sufficient sewerage capacity and no adverse impact on surface or ground water quality or quantity. The highways would require plans and a 24 hour survey as part of the conditions and indicated that it might be possible to reduce the visibility splays from their original requirements. The Ecologist raised no objections subject to conditions. It was noted that there would be no adverse effects on the SSSI. In conclusion the Planning Officer considered that the scheme was policy compliant, all the concerns raised were adequately addressed and therefore recommended approval subject to conditions.

Mr Duffield the agent for the application provided assurances in relation to the business credentials of the applicants as well as their long association with the village and their hands on approach. The applicants wished to upgrade the site not only for economic benefits to the business but also to benefit the village. His clients were of the view that the development was fully in association with planning criteria in the policies and fully accepted the Planning Officer's report and recommendation.

Members considered that the site visit had been very valuable and welcomed the development. They were given assurance that details relating to the timings of the development would be secured by conditions in order to have safeguards in place to ensure the full scheme was carried out. They also required that there would be sufficient and appropriate parking facilities available as well as emergency vehicle access especially in connection with the disabled



friendly accommodation. They were also concerned that the landscaping for the site was carefully designed to ensure maximum screening.

The Chairman put the officer's recommendation to the vote and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report. The proposal is considered to be in accordance with Policy THU1 of the Site Specific Policies Local Plan, Policies CS1, CS9, CS18 and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP3, DP4, DP11, DP28, and DP29 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application, along with National Planning Practice Guidance.

**(2) BA/2017/0224/FUL Land to north of cemetery, Pyebush Lane, Upton with Fishley**

Change of use from agricultural land to cemetery and playing fields  
Applicant: Acle Parish Council

The Planning Officer gave a detailed presentation of the application that proposed change of use of land within the parish of Upton with Fishley from agricultural land to extensions to the existing cemetery and playing fields in Acle. The site had been allocated in two adopted Site Specific policies and planning permission had been previously been granted in 2014. The permission had expired in March 2017 before the development could be implemented as it had not been possible to obtain the landowner's permission and all other options had been exhausted. The applicants were currently attempting to acquire part of the land through a Compulsory Purchase Order (CPO) which was being considered by the Department for Communities and Local Government. The area covered 3.2 acres of the landowner's 350 acre landholding. It was explained that the existing cemetery site had only 2 to 3 years capacity left and extension would provide a further 60 years capacity. The current application was similar to that which had been granted permission in 2014.

Since the writing of the report, further representations had been received from:

- the Environment Agency who had no objections with regard to ground water discharge and
- two further letters in support of the proposal.

Having provided a detailed assessment of the proposals the Planning Officer concluded that the proposal was acceptable. The proposal would provide the additional space necessary to retain the village cemetery in its current location and enable it to be used by those who would have been living in the vicinity. It was considered that it would be

beneficial to the Broads landscape by providing a buffer between the settlement and open agricultural landscape to the north. Therefore the application was recommended for approval subject to conditions.

Mr Irvine, the agent for the applicants explained that the loss of agricultural land would be regrettable but exhaustive attempts had been made to provide sites elsewhere. It was regrettable that the applicants were having to seek a CPO.

A member who was also on the local IDB commented that the IDB was satisfied with the proposals and considered that if there were any issues, these could be resolved easily.

Members concurred with the Planning Officer's assessment.

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report as the proposal is considered to be in accordance with Policies DP1, DP2, DP3, DP5, DP11, DP14, DP27 and DP28 of the adopted Development Management Policies DPD (2011), Policies CS1, CS6, CS7 and CS11 of the adopted Core Strategy (2007), Policies ACL1 and ACL2 of the adopted Site Specific Policies (2014) and the National Planning Policy Framework which is a material consideration in the determination of this application.

**(3) BA/2017/0179/FUL Burghwood Barns, Burghwood Road, Ormesby St Michael**

Change of use of agricultural land to wildlife garden  
Applicant: Mr D Tucker and Miss S Burton

The Planning Officer provided a detailed presentation of the application for change of use of agricultural land to wildlife garden which was the same land that was the subject of an Enforcement Notice. The Enforcement Notice was currently the subject of appeal. The Planning Officer provided the history of the site and noted the recent decision by the Committee in March 2017 which had followed a site visit. The application sought to retain the land as a wildlife garden as well as retain the existing path and gazebo. The application involved the existing lawn being partly replaced with three different planting specifications and with climbing plants over the gazebo. The grass meadow was designed to enhance biodiversity.

Since the writing of the report, Natural England had provided their response which was one of no objections, since they did not consider there would be a significant effect on the SSSI or the SAC.

The Planning Officer provided a detailed assessment and concluded that the development would change the overall balance of the landscape character, result in loss of the buffer of agricultural land

between the Trinity Broads and the village of Ormesby, the conversion to residential curtilage would result in an erosion of the rural landscape character and provide a more domestic and suburban effect that would have an adverse impact on the landscape. It would also have an impact on the tranquillity, a defining characteristic of the Trinity Broads. It was not considered that the planting proposal throughout the site would be sufficient mitigation or enhancement to outweigh the adverse landscape impact. The application was therefore recommended for refusal as being contrary to Policy CS1 of the Core Strategy, Policy DP2, and Policy XNS1 Trinity Broads and the NPPF. It was also recommended that as the subject of the application was also the subject of an outstanding enforcement appeal, any decision notice should not be issued until after the target date on the application, or, if the appeal decision was received in the meantime, the position be reviewed depending on the outcome of the appeal and a further report be brought to the Planning Committee if necessary.

Mr Hollowell, the agent for the applicant confirmed that the land was in the ownership of the applicant. He acknowledged that the area had been grassed and was currently subject to the Enforcement Notice. However, he explained that other areas in the vicinity of Ormesby village which had previously been used for agriculture had now been given approval for alternative uses, although these fell mainly within the executive area of Great Yarmouth Borough. He referred to the advice provided by the ecologist, and that of Dr Jo Parmenter, who had also been employed by Essex and Suffolk Water and been involved in a number of schemes in the area with the aim of improving biodiversity. He emphasised that Natural England had not objected to the application. It was considered that the use as agricultural land would be more damaging to the SSSI, due to nitrate run-off, than the planting scheme proposed, which would provide more biodiversity and be more beneficial to wildlife. Jo Parmenter had been impressed with the work already carried out to the north of the site and considered that this proposal would enable an extension of that work. It was noted that the principle objection related to the Broads landscape, however, it was considered that this scheme if carried out in strict accordance with the details submitted would not damage the Trinity Broads SSSI or the landscape. He quoted from the Authority's own Ecologist's comments which supported the proposal and emphasised the benefits as well as referring to the changes in attitude and the way in which support was given to farming practices. In view of this, he expressed surprise at the recommendation from the Officers and in conclusion hoped that the Committee would support the views of the Ecologists and accept the proposal as an extension to the good work already carried out on the site.

The Planning Officer was able to read out the views of the Authority's Ecologist to members, a summary of which had been provided within the report in the usual way.

Members noted that the main issue related to the domestication of the plot and the changes in the landscape. Although the biodiversity benefits of including a wildflower meadow were recognised, some members considered that the area was still a vast extension of the curtilage of a private residence. Some Members considered that the proposals were designed simply to soften of the area and were uncomfortable with the proposals, feeling that they should go further to remove the gazebo and the paths. In addition, the area was still the subject of an appeal and therefore they would have wished to have a fuller account of the Ecologists report especially in light of this. Members considered the various scenarios associated with timings and the outcome of the appeal decision. In view of the uncertainties

Paul Rice proposed, seconded by Gail Harris, and it was

RESOLVED by 6 votes in favour and 2 against and 1 abstention

that the application be deferred to await the decision on the pending appeal against the Enforcement Notice in relation to the same site. (BA/2015/0026/UNAUP2 – BA/2017/0001/ENF).

The Head of Planning explained that it was unlikely that a report could be brought back for the September meeting due to the deadline for reports but that Officers would provide a verbal update at that meeting.

- (4) **BA/2017/0193/HOUSEH Freshfields, Priory Road, St Olaves**  
External cladding, replace garage doors with full height windows and replace windows on the front elevation  
Applicant: Greg Munford

The Planning Officer provided a detailed presentation on the proposal for renovations to a 1980s dwelling in order to modernise the front elevation by replacement of the double garage doors, replacing the wooden windows with upvc windows and adding cladding and render to the existing brickwork. She commented that the Authority would encourage applicants to seek the best possible sustainable quality materials to ensure a high standard within the Broads special area. It was also important to be aware of the recent appeal decisions, the need to be pragmatic in approach and to examine applications in the context of the local environment and the architectural quality of the original dwelling. On this basis and on balance and following a full assessment, it was considered that the application could be recommended for approval.

Members concurred with the officer's assessment.

RESOLVED unanimously

that the application be approved subject to conditions outlined within the report as on balance the proposed replacement windows and

cladding whilst not being strictly in accordance with the NPPF guidance and Policy CS4 of the Core Strategy and Policy DP4 of the DMD Policies DPD are not considered to be unacceptable.

**1/11 Enforcement of Planning Control: Item for Noting  
No 1 and 2 Manor Farm House Oby**

The Committee received a report providing an update on the on-going works relating to the unauthorised development to the Grade II Listed Building of Manor House Farm, Ashby with Oby.

Members noted the sensitivities of the situation and the outstanding work required. They endorsed the approach being taken and considered that it would be more appropriate to report any progress to the Heritage Asset Review Group than directly to the Planning Committee.

RESOLVED

that the continued sensitive dialogue with the applicant in order to maintain momentum with the replacement windows and doors be endorsed and the report noted and to amend the scheduling of this to once per annum.

**1/12 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee.

With regard to Marina Quays, officers were in discussions with the landowners about developing the whole of the site including the demolition of part of the buildings in the interim in order to try and reduce vandalism. An update would be provided at the next meeting.

RESOLVED

that the report be noted.

**1/13 Broads Local Plan – (August) Bite Size Pieces**

The Committee received a report introducing a set of the topics/ Bite Size pieces for the Publication version of the Broads Local Plan. These included

Appendix A: Local Development Scheme  
Appendix B: Consultation Plan  
Appendix C: Housing Section  
Appendix D: Duty to Cooperate

Members noted that the text within the proposed policies was the development of the final text as other considerations could come to light between this and the final version to be presented to the Committee.

With reference to **Appendix A the Local Development Scheme** it was noted that this was the fourth timeline for producing the Local Plan as required in order to keep its development up to date. Members considered that the process was progressing well.

RESOLVED:

That the fourth version of the Local Development Scheme be adopted.

With reference to **Appendix B Consultation Plan**, Members noted the guidance provided and the representations form. They particularly welcomed the adaptation of a tried and tested form to receive more formal responses. It was noted that stakeholders including all parish councillors, relevant district councillors, District authorities and other organisations would all receive notification of the public consultation document. They had already had notification in May and July of the proposed consultation period of the publication version. A Parish Forum meeting had also been arranged for 20 September 2017 specifically to launch and discuss the Broads Plan 2017, but this would also be an opportunity to refer to the Local Plan.

Members noted that the links within the document would contain the necessary documents once they had been approved.

With reference to **Appendix C concerning the Housing Section**, it was noted that this reflected the contents of the Housing Topic Paper and SHMA considered and agreed at previous meetings as well as including new policies. Mindful that the Broads Authority was not a housing authority, a full assessment of the objectively assessed housing need had been approved with the Broads Authority's adjoining District authorities. The final Local Plan would include a section on Gypsy Travellers, Travelling Show People, Caravans and Houseboats. With regard to the section on Affordable Housing Policy PUBDM32, and delivering this, it was noted that the Authority would rely on the Districts and defer to them, but also go further than the NPPG to apply commuted sums to schemes for 6-10 dwellings. This would be subject to viability. It was noted that with regard to the Hedera House scheme considered earlier in the meeting, Great Yarmouth Borough had advised that it was not an area where they would support affordable housing.

**Appendix D Duty to Cooperate Statement** set out how the Authority had cooperated during the production of the Local Plan and how it met the requirements of the draft Norfolk Strategic Framework which was currently out for consultation. It was noted that the document was still regarded as Draft as it reflected the current situation and it was an ongoing and developing process. It was noted that the outcomes were important, not just the mechanisms. A member expressed dissatisfaction about the change in the contents of paragraph 2.2 on the Cooperation Mechanisms from the 2016 document. The paragraph reflected the current situation as agreed by the full Authority. The final document for submission would be approved as part of the whole by the Authority.

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.

**1/14 Winterton on Sea neighbourhood Plan: Designating Winterton on Seas as a Neighbourhood Area**

The Committee received a report introducing the Winterton on Sea Neighbourhood Plan and the proposed area to carry this out.

RESOLVED

That the Winterton on Sea Neighbourhood Area be approved in order to produce a Neighbourhood Plan.

**1/15 Consultation Documents Update and Proposed Responses**

The Committee received a report on the Consultation Documents recently received together with the Authority's proposed responses for:

**Waveney District Council First Draft Local Plan.**

Members welcomed the document together with the proposed responses.

RESOLVED

- (i) that the report be noted and the proposed consultation responses be endorsed; and
- (ii) that the responses be forwarded to Waveney District Council.

**1/16 Enforcement of Planning Control: Condition Monitoring**

The Committee received a report and presentation highlighting the process and outcomes of Condition Monitoring following the adoption of the Local Enforcement Plan and in order to help prevent planning breaches. It was intended in future to have a themed approach for example relating to Holiday Accommodation, Annexe accommodation and Landscaping.

Members commended the excellent programme of work and the proactive approach being taken and the open dialogue to ensure successful development.

Members also agreed that appropriate conditions were important at the very outset and officers were mindful of the need for conditions to be necessary and proportionate. This was especially relevant when dealing with

applications for the conversion of buildings and the need to demonstrate that a building, the subject of an application, was capable of being converted.

RESOLVED

that the report be noted and welcomed and the work being undertaken endorsed.

#### **1/17 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 2017. Members had received a copy of the decision letter relating to the appeal concerning the change of use of an outbuilding at **The Workshop, Yarmouth Road, Ludham** which had been dismissed on 4 August 2017. Members welcomed the decision and were assured that officers would engage with the owner to progress matters. There was the possibility of the building being included in the Local List and general discussions on a themed approach for the Local List would be considered at the next meeting of HARG (The Heritage Asset Review Group) to which all members were welcome to attend.

RESOLVED

that the report be noted.

#### **1/18 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 4 July 2017 to 2 August 2017. It was noted that only two applications had resulted from Condition Monitoring for this last month, a definite improvement from when the monitoring programme was first introduced.

RESOLVED

that the report be noted.

#### **1/19 Circular 28/83: Publication by Local Authorities of Information About the Handling of Planning Applications**

The Committee received and welcomed the report setting out the development control statistics for the quarter ending 30 June 2016.

RESOLVED

that the report be noted.

#### **1/20 Date of Next Meeting**



The next meeting of the Planning Committee would be held on Friday 15 September 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 12.20 pm

CHAIRMAN

## Code of Conduct for Members

## Declaration of Interests

Committee: Planning Committee

Date of Meeting: 18 August 2017

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
All Members	1/10(4)	BA/2017/0193/HOUSEH Freshfields, Priory Road, St Olaves Applicant a Member of the Authority
Paul Rice		Chair of Broads Society. NSBA
Bill Dickson	-	None.
Haydn Thirtle	1/10(1)	BA/2017/0103/OUT Hedera House, The Street. NCC Councillor, West Flegg. Known to applicant
	1/10(2)	BA/2017/0224/FUL Upton with Fishley Member of Broad IDB
	1/10(3)	BA/2017/0179/FUL Burghwood Barns Lobbied previously by applicant
Mike Barnard	1/15	Member of Waveney District Local Plan Working Group
Melanie Vigo di Gallidoro	-	None