

Broads Authority

Minutes of the meeting held on 20 September 2024

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Present

Harry Blathwayt – in the Chair, Stephen Bolt, Peter Dixon, Andrée Gee, Alan Goodchild, Tony Grayling, James Harvey, Paul Hayden, Tristram Hilborn, Martyn Hooton, Tim Jickells, Siân Limpenny, Kevin Maguire, Michael Scott, Matthew Shardlow.

In attendance

John Packman – Chief Executive, Emma Krelle – Director of Finance, Rob Rogers – Director of Operations, Lorraine Taylor – Governance Officer, and Marie-Pierre Tighe – Director of Strategic Services.

1. Welcome and apologies

The Chair welcomed everyone to the meeting.

Openness of Local Government Bodies Regulations 2014

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

Apologies were received from Leslie Mogford, Vic Thomson, and Fran Whymark.

2. Chairman’s announcements

The Chair confirmed that there was no change to the order of the agenda items.

3. Introduction of members and declarations of interest

Members indicated they had no further declarations of interest other than those already registered.

4. Items of urgent business

There were no items of urgent business.

5. Public question time

No public questions had been received.

6. Minutes of last meeting

The minutes of the meeting held on 26 July 2024 were approved as a correct record and signed by the Chair.

7. Summary of actions and outstanding issues

Members received the latest summary of actions and outstanding issues following decisions at previous meetings. The Chief Executive (CE) confirmed that there were no further updates to the report.

A Member asked whether there had been any response from the Minister to the letter which was sent by the Chair. The CE confirmed that nothing had been received, however, he had made contact with colleagues at DEFRA this week and would follow that up.

A Member commented about the workshop on Responding to Climate Change Emergency in 2022 and the Electrifying the Broads project, and asked whether there would be a final report presented to the Members. The Director of Strategic Services (DSS) said that the bid for funding for this scheme was unsuccessful which meant that no work was completed. The CE said that should funding become available, the project was ready to go.

A Member commented that the Haven Bridge was still not fully operational and asked whether the Authority could put some more pressure on the parties involved. The CE said that although Great Yarmouth Port Authority had initially been positive about holding a meeting, they had since written to the CE to defer the meeting until they have had their AGM. The Member confirmed that the AGM was held on 18 September. The CE said that the Monitoring Officer had written to the Port Authority pointing out their statutory responsibilities in relation to the bridge and he was hopeful that a meeting would take place.

A Member asked whether there was any progress on the Environment Agency's (EA) report on flood risk in the Broads and how the Authority was working with other organisations on this. The CE said that the EA anticipated that the report would be published in October. The CE provided some background information, and said that the long-term work by the Broadland Futures Initiative (BFI) was looking at flood risk and this was in addition to a big piece of work by the EA. The Authority was looking to hold a workshop for Members in January to look at various issues, including long-term flood risk. The CE said that climate models had consistently shown over the last 20 years that the Broads area was likely to get 20% less rain in summer and 20% more in winter and that rain would be more intense. In addition, there would be more unpredictable weather and added that in the last year, the sheer volume of rain was unprecedented. The CE said that the system would become more difficult to maintain and the workshop would look at the long-term management of the Broads.

The report was noted.

8. Strategic priorities – update on 2024/25 and draft strategic priorities for 2025/26

Members received the report providing an update on the Strategic Priorities. The Chief Executive (CE) said that the progress on the 2024/25 priorities was good, in particular the FiPL

project in terms of the grant aid that had been given out to landowners. The CE said that there was good progress being made on the update to the Tolls system.

Members were also being requested to consider what the strategic priorities should be for 2025/26. Some of the priorities, such as the biodiversity crisis and climate change, which had a big impact on the Broads, would likely stay the same for a number of years, therefore, the Management Team had developed a slightly longer list for Members' discussion. The CE asked for Members views on the number and nature of the priorities.

A Member thanked the Management Team for providing initial ideas and thought that they were useful and interesting projects which would provide a long-term strategic direction. However, they were mindful of DEFRA's five new priorities which were relevant to the Broads Authority: to clean up rivers, lakes and seas; create a roadmap to move Britain to a zero waste economy; to boost food security; to ensure nature's recovery; and protect communities from the dangers of flooding. The Member said that when finalising the Authority's strategic priorities it would be sensible to give some consideration to the DEFRA priorities and get those aligned. A Member agreed with this and said that in terms of the quarterly performance reviews, it would be helpful to align priorities to provide a connection with things that the Government wanted to fund.

A Member suggested that there should be fewer priorities and asked whether it would be possible to group some of the related priorities together.

There was a discussion on the possibility of including safety on the waterways as a strategic priority. The CE said that there was a lot of promotion and messaging work done on safety in the Broads which was effective, and was not sure how much more could be done to prevent the rare fatal incidents that occurred. A Member commented that although the CE said that there was not much more that could be done on safety, there could be significant pressure to do less when funding was discussed, and suggested that having safety as a high level priority might combat that pressure. The CE said that safety was paramount to the Broads Authority and was something that the Rangers and other officers worked really hard on. He confirmed that he would give some thought to the suggestion.

A Member suggested that the Authority should look at broadening access to the Broads. However, if that became a priority this would relate to the point about safety as there would be new groups accessing the Broads who would be unfamiliar with the area which meant that the safety message would be paramount. The CE said that the Education Officer had done a lot of work to bring in non-traditional visitors to the Broads and added that it would be good to do more, however, land-based access to the Broads had suffered the most due to the cuts in resources in 2011. A Member commented that he would like to see all priorities linked to encourage more people to visit and use the Broads.

A Member commented that there was more that could be done on achieving Net Zero by 2050, and suggested that there should be a plan for achieving this with milestones included, as well as suggestions on how it could be funded. The CE said that there were some hurdles to overcome, such as the requirement by DEFRA for National Parks to move to electric vehicles

quicker than was originally envisaged. However, the cost of replacing the larger 4x4 vehicles used by the Rangers was hugely expensive and the Authority did not have the resource to do that at present. It was therefore an opportunity to speak to DEFRA to highlight that to meet their requirements and targets, the Authority needed further resources.

A Member commented that in terms of climate change the Authority should look to shift focus to adaptation.

The CE thanked Members for their comments which would be taken into consideration when drafting the revised priorities and targets for adoption at the next meeting.

9. Financial performance and direction

Members received the report of the Director of Finance (DF) who advised that the figures shown were up to the end of July. At the end of August the variance in table 1 of the report had increased to £529,602 - an increase in £70,018 compared to July, which was in part due to the pay award that had not yet been agreed by the Unions and was likely to continue for some time until that was resolved. There was no change to the latest available budget on table 2, however, the forecast in table 3 had decreased slightly by £1,634 and predicted a consolidated surplus of £137,763.

Earmarked expenditure had decreased slightly and the total balance to the end of August was £3,234,001 although this would reduce as and when expenditure took place. The difference between July and August related to invoices received for the works at Yare House as part of the downsizing project. The DF referred Members to paragraph 5.2 of the report, and said that the Authority sought to have permission to spend some additional money from earmarked reserves to carry out the Dockyard's solar feasibility study. The request was for an additional £7,500 to be funded from the premises earmarked reserves for 2024/25.

The DF referred Members to table 5 of the report and the list of prudential indicators and capital expenditure. The DF said that much of this was due to IFRS16, where leases would be added to the balance sheet, although that work was yet to be completed it would be on the balance sheet by the end of the financial year. As a result of the latest forecast, reserves would be at approximately 20% for National Park and 12.9% for Navigation before year-end adjustments. Based on any adjustments, the forecast was that National Park would stand at 23.7% and Navigation at 10.6%.

The DF provided an update on the Local Government Audit. The Authority had been waiting for legislation to be laid, and the DF confirmed that it had been made on 5 September and would be coming into force at the end of September. The legislation had set the dates for the next five financial years for when accounts needed to be approved. The 2023/24 accounts would need to be approved by 28 February 2025; 2024/25 approved by 27 February 2026; 2025/26 approved by 31 January 2027; 2026/27 and 2027/28 approved by 30 November 2027/2028. The deadlines were being moved back slowly over a period of five years to help build resilience in for audit and get them back on track.

A Member commented that the Authority had year to date lower than expected tolls income and asked what that meant for budget assumptions in future years – would the Authority think that this would be a long-term thing. The DF said that the toll income was lower this year, however, this had been balanced by delaying some of the planned works. The Authority was currently preparing figures for 2025/26 tolls and looking at what assumptions needed to be made in terms of private fleet and other boat numbers.

A Member asked that, in terms of the year to date expenditure variances, how realistic did the DF think that the Authority would catch up by year end. The DF said that the big variance on expenditure was salaries and the Authority was currently waiting on the pay award to be agreed, however, it was unknown when that would happen. Where the Authority had delayed expenditure to offset the toll income, that variance would continue - there would be roughly £120,000 less on toll income but there would be £100,000 less on expenditure to balance that side. The DF said that budget holders were optimistic that they would catch up, however, it was dependent on some projects and whether they went ahead.

A Member asked how healthy the reserves were. The DF said that the Authority worked to a recommendation of 10% reserve for Navigation and were expecting 10.6% by the end of the financial year. The DF said that the National Park reserve was quite healthy, however, when the budget plan was prepared a five-year forecast would be looked at and it very much depended on what the Government decided future National Park grants would be in the long-term.

Tony Grayling proposed, seconded by Kevin Maguire.

It was resolved unanimously to:

- i. Note the income and expenditure figures and the prudential indicators in paragraph 6.1.**
- ii. To approve the additional earmarked expenditure as set out in paragraph 5.2.**

10. Revised Health, Safety and Wellbeing Policy

Members received the report of the Director of Operations (DO). The DO thanked Siân Limpenny who helped him prepare the paper and also with input into the policy.

The DO said that there were a number of regulations and guidance that the Broads Authority had to abide by which was set out in section 1.4 of the report, and because the Authority employed more than five people, it must have a Health and Safety policy in place and it must be written down. The DO said that the Authority had always had a policy but it had been revised, including the addition of wellbeing, and was a key component to the Health and Safety policy. The Authority had the health and safety of its own staff which fell under the Health and Safety at Work etc. Act 1974, but it was also a Harbour Authority so had wider responsibilities under the Port Marine Safety Code and a Safety Management System to back it all up – all of these documents set out what the Authority does, why it does it, and how it does it and the DO confirmed that there was no change to that.

The Broads Authority used a top down system of responsibility. It started with the Broads Authority, then to the Chief Executive (CE), and then down to all staff. The DO confirmed that the Board's responsibility for Health and Safety was to ensure that the CE was resourced enough to fulfil the duties which were laid out in the policy.

In response to a question asking for clarification on what was meant by the term 'resourced', the DO said that it was to make sure that what the Authority provided was adequate for safety, and therefore resource could be an allocation of time, money etc. The CE said the policy was essentially about how the Authority looked after its staff and volunteers especially due to the high-risk activities associated with working on the Broads. The CE said that when legislation around the use of equipment that vibrate became much tougher, the Authority had to adapt its working practices. This meant that old equipment such as chain saws had to be retired as they did not meet the new standards. The HR team then put in measures to monitor staff using the equipment to ensure that they were not suffering any ill-effects. It was, therefore, the Authority's responsibility to ensure that the Health and Safety policy was used to ensure that staff were safe.

A Member said that safety had to be taken very seriously and asked whether the 'lessons learned from an accident' was the responsibility of the safety committee. The DO said that it happened in a number of ways: the internal safety committee which was made up of the Head of Safety Management and a number of staff across all directorates; the Boat Safety Management Group which was an external body which the Chair of the Navigation Committee hosted and they reviewed all accidents that happen on the Broads; and the Navigation Committee who also reviewed serious accidents. The DO said that whenever there was an accident on the Broads, the first thing that the Authority would do would be to look at policies and review them to see whether there were any improvements that could be made. The DO said that it was a continuous process.

A Member commented that as a Board, they needed to understand their responsibilities, and said that maybe the word used should be accountability rather than responsibility. There would be some tough choices ahead and when budgets got tight, the Board would need to make sure that there was sufficient budget to allow the Authority to operate safely. The Member added that now the policy had been updated, the Board needed to ensure that the Authority was taking steps to assure itself that it was operating safely, and asked how the Board would ensure safety compliance in the field. The DO said that there were a number of ways that this would happen which all helped to build up a picture of where accidents happened, and what the accidents were. There was a system in place where the Head of Safety Management would carry out internal audits on all aspects of the Broads Authority's operation. The Authority ran a continuous improvement policy where any member of staff could report near misses as well as both good and bad practice that they see. A continuous and robust training programme. The Health and Safety Committee, the Boat Safety Management Group, and the Navigation Committee all looked at trends in safety. The DO added that the most accidents in the Broads were slips, trips and falls. The Members said that the Board should look to support the Authority to help move the culture and ensure that the policy was implemented.

There was a wider discussion on resourcing with the consensus that some Members were uncomfortable with the wording used within the policy, in particular the word 'responsibility'. A Member said that the Board had a real duty in respect of safety. A Member agreed with an earlier comment that the wording be changed from 'responsible' to 'accountable' to make the policy clearer in section 2.1.3.

A discussion was held on how the change to the document would be handled and it was suggested that the report and policy be approved excluding section 2.1.3. This section would be rewritten in line with Members' concerns and brought back to the next meeting for approval.

Andrée Gee proposed, seconded by Michael Scott.

It was agreed unanimously that the revised Health, Safety & Wellbeing Policy was endorsed with exclusion of paragraph 2.1.3 which would be revised and brought back to the November meeting, and support the Authority's objective of providing a safe and healthy workplace and working environments for all its employees, volunteers, Members, contractors and others affected by its undertakings.

11. Review of Standing Orders for the regulation of the Authority proceedings

Members received the report of the Senior Governance Officer (SGO). The Director of Finance (DF) presented the report and said that as the report stated, it was good practice to review the Standing Orders for how Authority meetings proceeded. The Standing Orders required notice to be provided of any proposed changes and this was the purpose of the report. The DF said that if Members had any queries, comments or anything that they would like to raise, they were to email the SGO, and confirmed that the report would be brought back to the Authority meeting in November, where it could be debated and revised Standing Orders agreed.

A Member commented that it was great that the Authority had good governance, but thought that it was not just about how the Board was run, but it should also look at the composition of the Board and increase diversity, and asked, in advance of the next round of Secretary of State recruitment, whether there was more that could be done and offered help in this regard. The CE thanks the Member for the offer and confirmed that he would discuss this with the Member outside of the meeting.

Tim Jickells proposed, seconded by Sian Limpenny.

It was agreed unanimously that in accordance with Standing Order 17, the proposed revisions to the Standing Orders stand adjourned without discussion to the next ordinary meeting of the Authority on 29 November 2024.

12. Safety on the Broads – Safety Update

Members received the report of the Chief Executive (CE). The CE said it had been a difficult August, particularly for the Rangers and he had therefore produced a report for Members' information giving a summary of incidents over the month. The CE said that it was not appropriate to comment on individual incidents until the Coroner had established the precise reasons for the fatalities.

The CE said that August experience was worth a reminder that the Broads was safe and there were hundreds of thousands of people who visited the Broads for boating and went home safely. Unfortunately, on occasion there was a fatality on the Broads which not only had a dramatic effect on the family and friends of that person, but Broads Authority staff also. In terms of the Health, Safety and Wellbeing policy, when incidents happen, the Authority provide support to the staff who would be directly engaged with any incident to make sure that they are able get the support they need.

The Chair commented that he recently met with the Royal National Lifeboat Institution (RNLI) about sea safety and said that Royal Society for the Prevention of Accidents (ROSPA) was doing some work on accidents on water and he hoped that the Authority could get involved in that. The CE said that that he was a member of the National Water Safety Forum which included organisations such as MAIB, ROSPA, and RNLI, as well as the lead Chief Fire Officer for Great Britain. This group met on a regular basis to review all fatalities around the country involving water and there was a good, strong working relationship with all of those organisations in terms of messaging about cold water shock and the Respect the Water campaign. In addition, the Head of Ranger Services represented the Broads Authority on the Norfolk Water Safety Forum.

A Member welcomed the report and requested that the information was provided to Members on a regular basis. A Member said that on behalf of the Authority, thanks should be given to the members of staff who were involved in the incidents.

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

Other than item 12, there were no matters to report under this item.

14. Minutes to be received

Members received the minutes of the following meetings:

Broads Local Access Forum – 5 June 2024

Navigation Committee – 6 June 2024

Planning Committee - 19 July 2024

Planning Committee - 16 August 2024

15. Other items of business

There were no other items of business.

16. Formal questions

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

17. Date of next meeting

The next meeting of the Authority would be held on Friday 29 November 2024 at 10.00am at Dragonfly House, 2 Gilders Way, Norwich NR3 1UB.

The Chair said that, before he closed the meeting, as it was Kevin Maguire's last meeting, he wanted to thank him for his valued input in planning and the Broads Authority.

The meeting ended at 11:22am

Signed by

Chairman