

Public Question Time

Question submitted by Peter Riches

Renewal of Irrigation Licences near Catfield

The Broads Authority took an active and concerned approach to the application made by Mr Andrew Alston to renew two spray irrigation licences. This policy of active engagement, as one of the two EA statutory consultees led to regular meetings with EA and NE and to the commissioning of Prof Rushton to look at the EA hydrological model and its application to the site. The Broads Authority, as a statutory consultee enjoys a privileged position with preferential access to EA and to its hydrological model and other information and also to Natural England. It is presumably expected that Statutory Consultees respond when consulted or when asked for their observations.

The Authority made a detailed and critical response to the EA prior to the minded to decision being taken. Following that decision significant, additional evidence became available in November 2014 to EA and its statutory consultees. This evidence caused EA to change and widen the grounds of its decision which resulted in the licence applications being refused specifically because of their potential to have an adverse effect upon Catfield Fen, both alone and in combination as well as having a damaging effect upon Snipe Marsh. Your Authority declined an invitation by EA to make further submissions on this additional and compelling evidence. This failure to comment by the BA was in marked contrast to Natural England which submitted a detailed eleven page analysis confirming the relevance and importance of the new evidence which changed the EA's mind.

My question is:

- A. Can you explain why the Authority, as a statutory consultee, failed to make a further submission taking into account the additional and compelling evidence which caused EA to change its mind?
- B. The Authority provided a substantial and at times, a pivotal role in the discussions prior to the minded to stage. What instructions were given to staff, or executive decisions made that resulted in the BA not following through on the earlier good work and making no response to the post minded to consultation?
- C. Does the Authority recognise that there is an existential threat to the nature conservation interests of the Broads from abstraction both to the 25% of the area protected by the Habitats Directive and to the 75% of the area which is not so protected?

The Authority's response will be reported at the meeting and read out by the Chairman.