

**AGENDA**

**27 July 2018**

**10.00am**

	Page
1. <b>To receive apologies for absence and welcome</b>	
2. <b>Appointment of Chair</b> <i>Nominations for Chair have been received for:</i>  <i>Haydn Thirtle</i> proposed by Bill Dickson, seconded by Melanie Vigo di Gallidoro <i>Lana Hempsall</i> proposed by Kelvin Allen seconded by Brian Wilkins	
3. <b>Appointment of Vice-Chair</b> <i>Nominations for Vice-Chair have been received for:</i>  <i>Bill Dickson</i> proposed by Haydn Thirtle, seconded by Louis Baugh	
4. <b>Chairman’s Announcements</b>	
5. <b>Introduction of Members and Declarations of Interest</b>	
6. <b>To note whether any items have been proposed as matters of urgent business</b>	
7. <b>Public Question Time</b> To note whether any questions have been raised by members of the public	
8. <b>To receive and confirm the minutes of the Broads Authority meeting held on 18 May 2017 (herewith)</b>	5 – 22
9. <b>Summary of Progress/Actions Taken following Decisions of Previous Meetings</b> To note schedule (herewith)	23 – 27

STRATEGY AND POLICY

10. <b>Strategic Direction: Strategic Priorities 2018/19</b> Report by Chief Executive (herewith)	28 – 34
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11. <b>Annual Governance Statement 2017/18</b> Report by Solicitor and Monitoring Officer (herewith)	35 – 52
12. <b>Financial Performance and Direction: Statement of Accounts 2017/18</b> Report by Chief Financial Officer (herewith)	53 – 136
13. <b>Submission of Expression of Interest to the New Anglian Local Enterprise Partnership seeking funding for the Broads Cycling Country Dutch Cycling Signage Scheme</b> Report by Senior Waterways and Recreation Officer (herewith)	137 – 145
14. <b>Local Plan – Habitats Regulation Assessment – amended version</b> Report by Planning Policy Officer (herewith)	146 – 230
15. <b>River Wensum Strategy for Adoption</b> Report by Senior Waterways and Recreation Officer	231 – 240

#### GOVERNANCE

16. <b>Committee Membership and Member Appointments</b> Report by Chief Executive (herewith)	241 – 244
17. <b>Terms of Reference of Committees</b> Report by Solicitor and Monitoring Officer (herewith)	245 – 261
18. <b>Updated Scheme of Powers Delegated to Officers</b> Report by Solicitor and Monitoring Officer (herewith)	262 – 281

#### REPORTS FOR INFORMATION

19. <b>Annual Report of the Broads Local Access Forum</b> Report by Senior Waterways and Recreation Officer (herewith)	282 – 290
20. <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

21. <b>To receive minutes of the following meetings:</b>	
Financial, Scrutiny and Audit Committee – 14 November 2017 (herewith)	291 – 296
Navigation Committee – 19 April 2018 (herewith)	297 – 308
Planning Committee – 27 April 2018 (herewith)	309 – 322
Planning Committee – 25 May 2018 (herewith)	323 – 334
Broads Local Access Forum – 7 March 2017 (herewith)	335 – 341

**22. Feedback from Members appointed to represent the Authority on outside bodies 2017/18**

*Broads Tourism –Mr John Timewell*

*How Hill Trust – Prof Jacquie Burgess and Mr John Ash*

*National Parks UK and National Parks England – Prof Jacquie Burgess*

*Norfolk and Suffolk Broads Charitable Trust – Mr Bruce Keith and Mr Louis Baugh*

*Norfolk Mills and Pumps Trust – Prof Jacquie Burgess*

*Upper Thurne Working Group – Mr Brian Wilkins*

*Whitlingham Charitable Trust – Mr John Ash, Mr Matthew Bradbury, Mr Bruce Keith, and Mr Vic Thomson*

*Local Authority Feedback – John Timewell, Haydn Thirtle, Charles Reynolds, Lana Hempsall, Paul Rice, Vic Thomson, Gail Harris, Mike Barnard, Melanie Vigo di Gallidoro*

**23. 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**

**24. To answer any formal questions of which due notice has been given**

**25. To note the date of the next meeting – Friday 23 November 2018 at 10.00 am at Yare House, 62-64 Thorpe Road, Norwich**

**A workshop is due to be held on 28 September 2018**

**26. Exclusion of the Public**

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

**27. To receive the Exempt Minutes of the Broads Authority meeting on 18 May 2018 (herewith)**

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**28. Purchase of Land for Site Improvements**  
Report by Asset Officer (herewith)

343 - 346

Public to be invited back into the meeting

PRESENTATION

29. **Acle Bridge Architectural Competition: Announcement of the Winner and a Presentation from the winner**

## Broads Authority

Minutes of the meeting held on 18 May 2018

### Present:

Professor Jacquie Burgess – In the Chair

Mr J Ash	Mrs L Hemsall	Mrs N Talbot
Mr K Allen	Mr B Keith	Mr H Thirtle
Mr M Barnard	Ms S Mukherjee	Mr V Thomson
Mr L Baugh	Mr G Munford	Mrs M Vigo di Gallidoro
Mr W A Dickson	Mr P Rice	Mr B Wilkins
Ms G Harris		

### In Attendance:

Dr J Packman – Chief Executive  
Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Birtles – Head of Safety Management  
Ms M Conti – Strategy and Project Officer  
Mr D J Harris – Solicitor and Monitoring Officer  
Ms E Krelle – Chief Financial Officer  
Mr R Leigh – Head of Communications  
Mr H Mach – CANAPE Project Manager  
Mr R Rogers – Director of Operations  
Ms M-P Tighe – Director of Strategic Services

### 6/1 Apologies and Welcome

The Chairman welcomed everyone to the meeting.

Apologies had been received from Mr Matthew Bradbury, Mr John Timewell

### 6/2 Chairman's Announcements

(1) **Openness of Local Government Bodies Regulations 2014**  
The Chairman reminded members this meeting would be recorded and that the Broads Authority retained the copyright with the purpose of the recording being as a back-up for accuracy. If a member wished to receive a copy of the recording, they should contact the Solicitor and Monitoring Officer. No-one else indicated they would be recording or filming the meeting.

(2) **Dates to Note:**

**Statement of Accounts Training:** Thursday 19 July 2018 at 10.00am at the Dockyard, Griffin Lane, Norwich. An email will be sent to all members to gauge response and to provide further details.

**Parish Forum: Wednesday 19 September 2018.**

This would be held at Yare House, 62-64 Thorpe Road, Norwich at 6.00am. Members were invited to attend and to inform the Governance team if they were able to do so for catering purposes. Further details would follow.

**National Parks UK: Induction Course for new Members 11 – 13 September 2018.** Those interested and able to attend and who have not had the benefit of this course, were requested to inform the Governance Team. Greg Munford stated that he would be attending. The Chairman commented that the interviews for the Secretary of State appointments would be taking place at the end of May and the Authority should be informed before the Annual Meeting of its new Member.

(3) **General Proceedings.**

The Chairman commented that she would take it that Members had read the papers and therefore the emphasis would be for members to ask questions and debate the issues.

**6/3 Appointment of Vice-Chairman until the Annual Meeting**

The Chairman invited nominations for the Vice-Chairman of the Authority until July 2018.

Bill Dickson proposed the nomination of Haydn Thirtle and this was seconded by Melanie Vigo di Gallidoro.

There being no other nominations, it was

RESOLVED

that Haydn Thirtle be appointed as Vice-Chairman until the Annual meeting on 27 July 2018.

**6/4 Appointment of Two Co-opted Members to the Broads Authority**

The Authority received a report setting out the recommendation from the Navigation Committee on 19 April 2018 concerning the appointment of two co-opted members to the Authority. The Committee had resolved to appoint Mrs Nicky Talbot as Chair of the Committee and Mr Brian Wilkins as Vice-Chairman and was recommending that these be the two appointed members to the Authority.

RESOLVED:

that Mrs Nicky Talbot and Mr Brian Wilkins be appointed to the Authority for one year until 17 May 2019.

**6/5 Introduction of Members and Declarations of Interest**

Members indicated they had no further declarations of interest other than those already registered, and as set out in Appendix 1 to these minutes.

**6/6 Items of Urgent Business**

There were no items of urgent business.

**6/7 Public Question Time**

No public questions had been received.

**6/8 Minutes of Broads Authority Meeting held on 16 March 2018**

The minutes of the meeting held on 16 March 2018 were approved as a correct record and signed by the Chairman.

**6/9 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. A number of the subjects listed were also covered as separate items on the agenda. Further updates were provided on the following matters.

**Data Protection Regulations** – Training for the majority of members had taken place on 11 May 2018 and 15 May 2018.

**Broads Local Plan** – The dates for the public examination had been confirmed for two weeks in July: the 2 – 6 July 2018 and 16 – 19 July 2018 from 10.00 am to 1.00 pm and 2.00 pm to 5.00 pm. Katie Childs had been appointed by the Planning Inspectorate as the Inspector for the hearing. A member asked for clarification on the status of the policies relating to the specific site of Acle cemetery in light of a recent decision by the Secretary of State. Officers undertook to investigate the matter and provide clarification following the meeting.

Members noted the report.

**6/10 Use of Technology: GIS interface, Data Gathering and Monitoring**

Following Minute 5/10(i) the Authority received a presentation on the progress being made through the use of technology to increase the efficiency in data gathering and monitoring the functions of the Authority. The presentation highlighted the use and application of the two main software systems of GIS (Geographical Information Systems) and DMS (Document Management Systems) and their integration to achieve this more comprehensive and

consistent approach. Examples were provided of how this was achieved for the Authority's assets, through linking in with the work of the Rangers and the subsequent workflow for construction staff as well as staff within the Authority as a whole to enable prioritising the workflow and sharing of data. It was noted that the GIS and IT Officers had worked very closely with the Rangers in developing the interactive programme.

Members noted and welcomed the use of such systems, recognizing the complexities, the need for consistency and also the significant investment required. They welcomed that such a system could help in prioritising where specific works were required.

It was anticipated that the system would be extended to include the hydrographic surveys and eventually enable public access to the programme, although it was emphasized there was only one GIS Officer. A Member expressed appreciation for the application of the GIS interactive mapping particularly for the Water Catchment Plan which had provided an innovative engagement tool taking matters to a new level.

The Chief Executive emphasised that the Authority had a small group of talented and skilled staff who were in effect pioneers. However, the scale of work was much greater than the resources available. Such an application of the integrated project was significant in helping to prioritise works taking account of the Broads Plan and could be reflected in the Annual Business and Work plans for implementation.

The Chairman thanked the GIS Officer and IT Projects Manager for their impressive presentation and noted the potential application.

## **6/11 Strategic Direction**

### **Broads Plan Strategic Update, Strategic Priorities 2018/19 and Annual Business Plan 2018/19**

The Authority received the sixth month update on the progress on implementing the Broads Plan and the first report for the year for the Strategic Priorities for 2018/19 which were guided by the themes within the Authority's Broads Plan 2017 - 2022, adopted in March 2018. The latter also provided the updates on the Peer Review Action Plan especially concerning engagement with the broader economic and social agenda and work with external partners, particularly Local Authorities and New Anglia LEP with regular meetings now being set up and increased collaboration taking place.

Members also noted the progress on the arrangements at Acle Bridge together with the progress and details of the architectural competition. This had proved to be of much greater interest than originally anticipated especially given the acknowledged complexities of the site and the challenges involved. In addition indications of interest had been given from two major potential funding partners and the Vice-Chancellor of the Norwich University of Arts had agreed to be on the Panel of Judges. Other panelists included a



representation of New Anglia and the Group Director of Anglian Water. Due to the interest expressed, the arrangements for the process had had to be carefully reviewed in order to deal with the potential scale. Having taken advice, it would be the Panel of Judges who would draw up the short list and make the final decision. Eight members had volunteered to help indicate their preferences for the long list, some of whom were on the Planning Committee. As they would not be involved in the final decision of selection, this was considered feasible. The 4 June 2018 was set aside for the applications to be presented to those Members. The Panel would meet on 6 June 2018, to examine the applications, also considering the views of the member group. Greg Munford had agreed to the invitation to be the member of the Authority on the Judging Panel and members were asked for their approval.

Members were assured that the entrants would be anonymous to the Panel and there would be a consistent and transparent approach to the selection with set criteria requiring weighting, particularly accounting for how the candidates had responded to the brief, the functionality and deliverability of the potential project. Contact had been made with the Highways Authority due to the potential concerns and they had indicated that some form of development would not cause an objection. A presentation to and of the winning application would be given at the Authority meeting in July 2018.

Members welcomed the six-monthly update on the Broads Plan which set out the action by the Broads Authority and its partners in the implementation of the Plan. They expressed appreciation to the Strategy and Projects Officer on the clarity and format of the newsletter which they considered should be more widely publicised. It was suggested that this should be sent to the Minister as an excellent example of good practice. Members were also made aware of the uncertainties concerning the potential implications of the Hobhouse Review of National Parks and AONBs.

The Chief Executive drew attention to the Broadland Futures Initiative especially relating to flood risk and the Environment Agency's possible future arrangements following the completion of the Broadland Flood Alleviation Project. This was a potential topic for discussion at a workshop.

A member commented that the LEP strategy had not included the Broads and Tourism. It was considered important for the Authority to be involved in such a strategy, and it was suggested that Chis Starkie, Chief Executive from LEP be invited to talk to the Authority.

Members received a separate more detailed report on the CANAPE project at Agenda item 11(ii) when they were introduced to Harry Mach, the Project Manager. Members were assured that the funds from the CANAPE project, following the UK's departure from the European Union, were guaranteed. The Treasury had stated that any projects approved before leaving the EU would be honoured. The risk element had and was being carefully considered. The Authority's share in the project was €1.5 million of the total €5.5 million, although the Authority's contribution was not all in cash terms. The benefits of the whole project were not just in money terms but also the knowledge and

understanding gained from engaging with the other partners. Members were also assured that the funds would be directed to Hickling as part of the Authority's overall dredging programme. It was noted that there was a very limited window as to when work could be carried out on Hickling broad as the temperature needed to be below 8°C in order to avoid the risks of prymnesium parvum and disturbance to over-wintering birds.

Members noted that the major projects listed were in addition to the regular maintenance work for which the Authority was responsible.

The Chairman put the recommendations to the vote and it was

RESOLVED unanimously

- (i) that the report on the strategic updates including the more detailed progress relating to the Peer Review Action Plan, Acle Bridge Architectural Competition, the Water Mills and Marshes (Appendices 1, 2 & 4) and CANAPE Projects (Item 11(ii)) be noted and endorsed.
- (ii) that the Annual Business Plan 2018/19 at Appendix 3 be endorsed and its clarity welcomed.
- (iii) that Mr Greg Munford be invited to represent Members on the Judging Panel for the Acle Bridge Architectural competition.

## **6/12 Financial Performance and Direction:**

### **(1) Consolidated Income and Expenditure from 1 April to 30 November 2017**

The Authority received a report providing a strategic overview of current key financial issues and items for decision. This included the consolidated income and expenditure with the draft year end position for 1 April 2017 – 31 March 2018 together with the variances and the timetable for dealing with the Statement of Accounts and the carry forward requests.

It was noted that the figures would form the basis of the draft Statement of Accounts and include the year-end adjustments. This included an additional adjustment to create a provision of £15,880 to cover the cost of six years' worth of tax and NI due to HMRC on expenses that were likely to become payable in 2018/19. The surplus on the national park side was £19,815 and £50,943 on navigation, resulting in a consolidated surplus of £70,308. After year-end adjustments the general fund reserve was £1,058,321 and the navigation reserve was £367,662. Therefore the navigation reserve was above the recommended 10% at 11.5% of net expenditure at the end of 2017/18.

The carry forward requests related to the work relating to premises and ring-fenced income for apprenticeship training received in February that could only be spent on apprentice training.

There would be a slight change to the Accounts with a redrafting of the Summary at the beginning. The Auditing of the Accounts was due to begin after the May Bank Holiday weekend on 29 May 2018, with the Draft Audit being completed at the end of June.

Members were assured that discussions were ongoing in association with the National Parks and representations were being made about the tax implications for Members expenses.

Members were informed that it was hoped to complete the sale of the Ludham field base very shortly.

Members welcomed the report considered to be very clear and commendable.

The Chairman put the recommendations to the vote and it was

RESOLVED unanimously

- (i) that the income and expenditure figures and the draft year end position and timetable be noted;
- (ii) that the carry forward requests in paragraph 8.2 (Table 5) relating to premises, and human resources be approved and added to the 2018/19 budget as additional expenditure.

### **6/13 Standing Orders relating to Contracts including Annual Report on Requests to Waive Standing Orders**

The Authority received a report providing the updated Standing Orders relating to contracts, the amendments being set out as track changes, and the annual summary of instances where they had been waived by the Chief Executive during 2017/18.

It was noted that there were fewer waivers approved by the Chief Executive in 2017/18 compared to the four in 2016/17. There were two waivers to Standing Orders approved by the Authority for the construction of the Chet Boat and the National Park Experience business support and only one approved by the Chief Executive relating to the repair of the Ludham bridge fendering. All three approved waiver requests were considered to be justified and on the grounds of achieving the best outcome for the Authority at the best possible price. Members welcomed the report.

The Chairman put the recommendations to the vote and it was

RESOLVED unanimously

- (i) that the amendments to the Standing Orders relating to contracts be approved.

- (ii) that the annual report of instances where Standing Orders had been waived in 2017/18 be noted.

#### **6/14 Review Code of Corporate Governance**

The Authority received a report concerning the complete redrafting of the Code of Corporate Governance to reflect the 2016 CIPFA framework, particularly the advice in the publication “Delivering Good Governance in Local Government Framework”. Members noted the requirement to take account of the seven Core Principles and that the revised Code had taken into account the recent Peer Review and review of existing governance arrangements as well as the adoption of the shared set of Core Values. It was noted that the Draft Code of Corporate Governance was reviewed by the FSAC in March 2018 and incorporated the comments from the Head of Internal Audit.

Members welcomed the clear and succinct style of the revised Code.

RESOLVED unanimously

that the revised Code of Corporate Governance be adopted subject to approval by the Chair of the Financial Scrutiny and Audit Committee and being signed by the Chairman and Chief Executive.

#### **6/15 Peer Review Action Plan: Review of the Authority’s Governance Structure**

The Authority received a report providing proposals on governance arrangements for the Authority in response to the recommendations from the Peer Review Team and the subsequent deliberations by Members at meetings on 30 January and 8 March 2018. Members of the FSAC had since worked with the Chief Executive in developing a set of proposals with the aim of streamlining the Authority’s business and taking account of the Peer Review team’s feedback. A paper was tabled together with the Peer Review document which was designed as an aide memoire setting out the recommendations of the Peer Review, the detailed advice provided and how the proposed action by the Authority linked to these. It was noted that the proposals were designed to increase informal engagement between Members, between Members and Officers through workshops and site visits to include all members and co-opted members, and focus the formal Broads Authority meetings on decision making.

The proposals also included re-defining the role of the Financial Scrutiny and Audit Committee (FSAC) to an Audit and Risk Committee, following consultation with the Internal Auditor and other local authorities; using a more formal and open process for the appointment of the Chairs, Vice-Chairs and members on Committees and outside bodies; establishing a Chair’s Group to support the Chair of the Authority, steer the organisation and work with the Chief Executive and Management Team; and adopting a more streamlined process for dealing with member issues.

The date set aside for the Annual Site Visit on 13 July 2018 would be an opportunity for Members to take part in an informal engagement event. The site visit would view examples of the practical work being undertaken as part of the Catchment Partnership project. It would provide Members with a greater understanding of the Project, its purpose and potential ways forward. Future informal sessions could be focused on specific strategic topics in order to understand and further the aspirations in the Broads Plan.

The Chairman asked each of the Members in turn for their views. The majority of the members were supportive, considered that the proposals were sound and satisfied the recommendations of the Peer Review, should lead to better engagement between members and staff and provide the necessary checks and balances in a professional and productive way. In general, they considered that the proposed process for annual appointments to Committees, outside bodies and Chairs and Vice-Chairs would provide greater clarity and transparency. As members would be democratically appointing the Chairs and Vice-Chairs, proposal 5 for a Chairs group was welcomed and considered beneficial in providing support for the Chair and the executive. It should not be tightly structured so as to become a threat to the decision making process which remained with the Authority, but a more informal sounding board to provide balance. Members also considered that the Chairs Group would provide pastoral support for the Chairman and the Chief Executive.

Some members expressed concerns relating to Proposals 1 and 2. Some felt that there could be a danger that these could result in the formal meetings becoming a rubber stamping exercise. Some felt that these two proposals did not go far enough in providing Members with “safe space” and opportunities for more informal discussion. Although generally commendable, a few members considered that the comprehensive and far reaching nature of the proposals was premature and that details required further clarification. It was also considered that the risks had not been set out. Although site visits were helpful and good opportunities for discussion, they were not as advantageous in that regard as workshops, and therefore Proposal 2 required further development. Other members considered that meeting stakeholders and members of the community on site visits would be valuable in that it would demonstrate the commitment of Members. There was concern that there would need to be documented outcomes from the workshops linked to strategies. There was also concern that the six proposals did not address the management of stakeholders and the greater engagement with the LEP. In response to this it was suggested that some workshops could be expanded to include joint working with stakeholders such as the LEP representatives or farming community to focus on future opportunities. Stakeholder engagement was addressed under the next agenda item.

In response to a Member’s concern that the Finance Committee should still involve scrutiny, it was explained that “scrutiny” had been developed following the Local Councils establishing cabinet-style arrangements. This was confusing and unhelpful to the Authority, which was a-political and where the

decisions were made by members of the Authority collectively. It was emphasised that officers had taken advice from other Local Authorities and the proposal had arisen from advice from the Head of Internal Audit.

Members generally considered that the proposals should be embraced as they were a culmination and development of their own deliberations. It was also considered that it was important that following implementation, the arrangements were reviewed in a year's time particularly with regard to Proposals 1 and 2 which required further development and when the practicalities of implementation would be apparent. It was also considered important to focus on the achievements and benefits and move forward in a positive way. Members considered that the views of the Navigation Committee should be sought with regard to Proposals 1 and 2 as suggested, and that rather than hold a site visit, as had been mooted at the last meeting, this be discussed at its next scheduled meeting on 14 June 2018. The schedule of dates, as set out in Appendix 3 would be dependent on the views of Navigation Committee.

With regard to the process for appraising and supporting the welfare of the Chief Executive, the current process was that there was an annual interview and written report by the Chairman of the Authority. The Chief Executive commented that he did not believe that this was fit-for-purpose and therefore he had contacted the Local Government Association (LGA) and the Chief Executive of Norwich City Council for advice to implement a new system based on Best Practise guidance. The appraisal would be run and organised independently by the LGA, with an independent person to work with the Chair and three of the Chairs Group who would also provide support to the Chief Executive and Management Team. This would involve a cost of £1,000 per annum but this would also provide access to specialist advice from the LGA on other HR matters. Members strongly supported this way forward.

Members recognised that the proposals would be subject to some adjustments but considered that they be adopted as a way forward.

In response to Members' request, the Chief Executive undertook to report the outcomes agreed to the Peer Group.

Bill Dickson proposed, seconded by Greg Munford and it was

RESOLVED by 15 votes to 2 against.

that the proposals 1 – 6 in the report be adopted, including the revised timetable for Broads Authority and Audit and Risk Committee meetings in Appendix 3 to the report. The Navigation Committee will be consulted on the number of its meetings on 14 June 2018 with respect to Proposals 1 and 2. The new arrangements will be reviewed in a year's time:

- (i) that the Authority moves to a quarterly cycle of meetings: four meetings each of the Broads Authority and Navigation Committee to be held per

annum, (subject to consultation with the Navigation Committee). The timetable set to meet the key business deadlines;

- (ii) that the Authority runs site visits/workshops days, a minimum of four to be part of the annual committee cycle in addition to the quarterly business meetings;
- (iii) that the Financial Scrutiny and Audit Committee be re-purposed to the Audit and Risk Committee with amended Terms of Reference as outlined in the report;
- (iv) that a new process be implemented for the annual appointment of Chairs and Vice-Chairs, Committee membership and appointments to outside bodies as stated in the report through nomination forms and expressions of interest, in advance of the Annual meeting in July;
- (v) that a Chairs and Vice-Chairs Group (Chairs Group) be established to deal with various matters relating to Members including annual performance appraisals, overseeing training and development, advising on Member appointments and providing informal advice to the Chief Executive. (Items for business may be referred by any Member to the Chairs Group and added to the next agenda if appropriate.); and
- (vi) that the Local Resolution Procedure in the Code of Conduct be amended to allow for informal resolution of an issue referred, with a preference for informal resolution without the lodging of a formal complaint as set out in the report.

## **6/16 Future Arrangements for the Broads Forum**

The Authority received a report and presentation providing the feedback from the survey of Broads Forum stakeholder organisations about the effectiveness of the Forum as required by the Authority at its meeting on 24 November 2017. It was noted that at an open Forum meeting on 26 April 2018, the report and presentation before Authority members were provided. Members noted the three key ideas from the stakeholders:

- the need to focus on the significant Broads issues – e.g. climate change, water quality, tourism, biodiversity, understanding and supporting the agricultural industry
- the need to assemble the right people with influence, knowledge and expertise and those who are affected
- the need to consider the purpose of the Forum and change the format for those stakeholder organisations to be able to share information, expertise and gain a better understanding of the challenges and opportunities for them as well as the Authority to make a difference.

The proposal to replace the current format with twice-yearly workshops to discuss topics of significant interest to stakeholders and the Authority was generally welcomed by those at the open forum and rejected only by a small

number of people. The aim would be to focus on strategically important topics linked to Broad Plan objectives and that Authority members be encouraged to attend the workshops as a valuable opportunity to meet and talk to stakeholders.

There was general welcome from Members for the workshop style for the Forum with the suggestion that the Authority should act as a facilitator for the stakeholders. It was recognised that the Broads stakeholder organisations covered a wide variety of interests and skills whose contributions would be of considerable benefit. One member advocated having a conference organised by the Authority once a year with perhaps 2 workshops, recognising that this involved considerable work. Members considered that the present format for the Broads Forum had run its course and the time was right for change given that there was a strong desire for this and to extend its role. Therefore they were supportive of the proposal and the recommendations within the report and agreed that following its introduction, it should be reviewed. The Chairman stated that the Authority had undertaken research with its stakeholder organisations, as directed by Members at the 24 November 2017 Authority meeting. The recommendation was based on strong, factual evidence.

Melanie Vigo di Gallidoro proposed, seconded by Bill Dickson and it was

RESOLVED by 15 votes to 1 against.

- (i) that the Authority retains the Broads Forum as one of many mechanisms for engaging with stakeholder organisations and moves to twice yearly Broads Forum workshops, each focussing on a key issue facing the Broads;
- (ii) All organisations represented on the Broads Forum to be invited, together with Authority Members and officers; and experts and partner organisations with relevance to the issue under discussion also to attend.

## **6/17 External Funding Working Group: Terms of Reference**

The Authority received a report on the recent meeting of the Members External Funding Working Group held on 12 April 2018 when they discussed the role of the group and its terms of reference for consideration by the Authority as well as the benefits to be aimed at for developing an external funding strategy. The Authority gave consideration to the proposed terms of reference. Members of the Group were of the view that the working group should be more permanent rather than a Task-and-Finish Group.

Some members questioned the rationale for an External Funding Working Group, since this expertise was available among Authority staff. Others questioned the need for a permanent Member working group which, under these Terms of Reference would seem to be in danger of duplicating the role of the Authority. There was concern that the Working Group was proposing to



meet ahead of each full Authority meeting which would incur substantial extra work for staff. This was anomalous, given the Authority had decided that the total number of meetings per year should be reduced. It was noted that the Authority had recently taken on two major programmes of work enabled by acquiring external funding, one of which involved a number of other projects and one in which the Authority was the lead partner. The Chief Executive informed Members that the Authority was also in the process of supporting the RSPB and NWT in bids for external funding from the Water Environment Grant. As a public authority, there were considerable limitations on what could be done, and it was more complex than for a charitable trust. This was a major reason why the Broads Charitable Trust had been set up.

Members of the External Funding Group spoke passionately in support of the proposals explaining that the aim was to assist officers in obtaining funding, given the experience of the individuals who had volunteered to join the group. The aim for the group to become a permanent entity was to provide a pipeline for projects to be taken-off-the-shelf when funding became available, to obtain best value and look at new ways of working. Other members supported this saying that it was important to be aware of funds that could become available.

Concerns relating to credibility and reputation were expressed. Some considered that it was important to identify what the Authority wanted to do and achieve those goals rather than chase funds. Others had the opposite view. The view was expressed that seeking external funding was for the Authority as a whole to consider; the proposed terms of reference were not considered appropriate and there was doubt as to whether the proposal was the best way forward. A member commented that in the absence of a full paper it would be appropriate to hold an in-depth discussion at a workshop on the subject.

Vic Thomson proposed, seconded by John Ash, the recommendation within the report “that it be noted and the Terms of Reference of the External Funding Group be adopted as set out in the report.”

There were 5 votes in favour and 10 against with one abstention. Therefore the recommendation was lost.

The Chairman thanked the Working Group for their deliberations and requested that officers think further about holding a workshop to consider ways forward.

## **6/18 Health and Safety**

### **Corporate Health and Safety Annual report**

The Authority received a report concerning the Annual Health and Safety Report for the whole of the Authority. Members of the Navigation Committee had received the report relating to issues concerning navigation at their meeting on 19 April 2018. It was noted that the majority of the incidents related to embarking and disembarking from boats and mooring up.

RESOLVED

- (i) that the priorities for action on internal health and safety for the coming year are noted:
  - a) To continue the promotion of a safety reporting system to help to influence a positive change in culture and to capture near miss events (Opportunity for Improvement)
  - b) To focus on reducing the number of incidents resulting from slips, trips and falls.
  - c) To commence monthly health and wellbeing communications with staff and volunteers
- (ii) that the Annual Marine Incident Statistics are noted.

**6/19 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 Management raised the following matter in respect of the Port Marine Safety Code and provided a report

**Broads Authority Safety Management System Internal Audit Findings**

The Authority received a report that set out the findings from the recent internal audit of the implementation of the Hydrographic Policy contained in the Authority's Safety Management System. The Navigation Committee was consulted on the Audit report at its meeting on 19 April 2018 and supported both the findings and the recommendations. It was proposed that the findings from the external and internal audit reports be summarised in an annual report to the Broads Authority in future and that if there were any instances that the Duty Holders considered required consideration these would be dealt with by the Safety Management Group.

Members concurred.

RESOLVED unanimously

- (i) that the Audit report as set out in Appendix 1 to the report be noted; and
- (ii) that in future the findings from the External Audit and the Internal Audit reports be summarised and provided to the Authority in an Annual Report.

## 6/20 Minutes Received

The Chairman indicated that she would assume that members had read these minutes and were invited to ask any questions.

RESOLVED

### (i) **Navigation Committee – 22 February 2018**

RESOLVED

That the minutes from the Navigation Committee held on 22 February 2018 be received.

### (ii) **Planning Committee: 2 March and 23 March 2018**

RESOLVED

that the minutes of the Planning Committee meetings held on 2 March and 23 March 2018 be received.

## 6/21 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.

**Norfolk and Suffolk Broads Charitable Trust** – Keith Bruce reported that the Trust would be meeting on 21 May 2018 and discussing applications for grant, two projects to carry forward and 11 new applications for potential projects.

Louis Baugh commented that he would be sending apologies for the Trust meeting as he would be attending a parliamentary lobbying meeting in London with George Eustace concerning the Broads grazing marsh schemes.

**Horning Boat Show** – Brian Wilkins commented that the presence of the Broads Authority in Nick Sanderson, the Education Officer together with volunteers had been well received and engaged the public in a very positive way.

### **Local Authority updates:**

Haydn Thirtle (appointed by **Norfolk County Council**) reported that the Leader together with the Chief Executive of Norfolk County Council would be pleased to accept the invitation to have a site visit with the Chairman and Chief Executive of the Authority. He also reported that James Bensly had stood down from the Authority and that Charles Reynolds would take his place as the **Great Yarmouth** appointee.

Melanie Vigo di Gallidoro (appointed by **Suffolk County Council**) reported that she had received a very positive and appreciative note from Carlton Colville Town Council stating that they were very proud to support the Suffolk Wildlife Trust's project which had recently received funding for the development of the Carlton Marshes Nature Reserve and to be associated with the Broads National Park.

Lana Hemsall (appointed by **Broadland District Council**) commented that the final report on the feasibility of South Norfolk Council and Broadland District Council working collaboratively was due to be published. It was anticipated that this could provide joint opportunities from which the Authority might also benefit.

#### **6/22 Items of Urgent Business**

There were no items of urgent business for consideration.

#### **6/23 Formal Questions**

In accordance with Section 6(2) of the Standing Orders a Member had given written Notice of a Question for answer in the Confidential Section of the Agenda concerning a Code of Conduct complaint. The Chairman stated that the question would be put and answered by the Solicitor and Monitoring Officer in the confidential section of the meeting without discussion.

#### **6/24 Date of Next Meeting**

The next meeting of the Authority would be held on Friday 27 July 2018 at 10.00 am at Yare House, 62 – 64 Thorpe Road, Norwich.

#### **6/25 Exclusion of the Public**

The Chairman proposed, seconded by Nicky Talbot and it was

RESOLVED

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

*The audio recording was suspended.*

## Summary of Exempt Minutes

### **6/26 Exempt Minutes of the Broads Authority meeting – 16 March 2018**

The exempt Minutes of the Broads Authority meeting held on 16 March 2018 were confirmed.

### **6/28 Exempt Minutes of the Navigation Committee meeting – 22 February 2018**

The exempt Minutes of the Navigation Committee meeting held on 22 February 2018 were received.

### **6/29 Question provided under Section 6(2) of the Standing Orders:**

The Question provided by a Member was put to the meeting and the Solicitor and Monitoring Officer provided an answer.

### **6/30 Chairman's Announcement**

Jacquie Burgess announced that she would not be offering herself as Chair of the Authority in July as she would be undertaking a joint degree in Literature and History at the UEA, starting in September 2018. She thanked Members for their support and confidence in her leadership over the last three years.

Members of the Authority expressed gratitude for all her hard work for the Authority, especially in the light of some difficult challenges.

The meeting concluded at 14.10 pm.

CHAIRMAN

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

**Committee:** Broads Authority 18 May 2018

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest</b> (Please describe the nature of the interest)
Mike Barnard		<i>None other than those already declared</i>
Paul Rice		Chairman of Broads Society
Bruce Keith		Whitlingham Charitable Trust and Broads Charitable Trust
Kelvin Allen		Director / Chair BASG
Bill Dickson		<i>None other than those already declared.</i>
John Ash		Trustee Director of Wherry Yacht Charter Trust, Trustee Whitlingham Charitable Trust, and How Hill Trust
Greg Munford		CEO and Director of Richardsons. President of British Marine Association(?)
Brian Wilkins		<i>As previously disclosed</i>
Lana Hemsall		<i>As previously disclosed</i>
Nicky Talbot		Chair of Navigation Committee, NSBA, NBYC, Toll Payer
Melanie Vigo di Gallidoro		<i>None other than those already declared</i>
Sarah Mukherjee		CEO Crop Protection Association

**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>
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	Investigating alternative options for mooring provision in the area.
24 March 2017 Minute 5/13 <b>Housing White Paper Planning Fees</b>	<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>	Director of Strategic Services /Head of Planning	Report to be prepared for Planning Committee for consideration.  Government has confirmed increase in planning fees as from 17 January 2018.

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
19 May 2017 Minute No6/27 <b>Corporate Sponsorship Through National Parks Partnership</b>	<ul style="list-style-type: none"> <li>That the Authority confirms its support for the partnership with the international clothing company and recognises the benefits and obligations.</li> <li>That the Authority authorises the Chief Executive, to sign the Letter of Agreement with the National Parks Partnership regarding the commercial partnership agreement with the international company to be the official clothing supplier to the UK's fourteen National Park Authorities and the Broads Authority for 5 years.</li> </ul>	Chief Executive	<p>Clothing delivered and allocated to staff and Members. We are now in the 'snagging' period and in contact with Columbia to swap items and obtain the correct fit.</p> <p>At a recent meeting of the UK's National Parks it was resolved to establish a national charity to respond to the opportunities for charitable giving from the corporate sector identified by National Parks Partnership.</p>
29 September 2017 Minutes 2/15 <b>Data Protection Regulations</b>	<ul style="list-style-type: none"> <li>From 25 May 2018 a significant change to data law will be implemented in the UK through the EU General Data Protection Regulation. Report and action required noted .</li> </ul>	Solicitor and Monitoring Officer	<p>A Data Asset Register has been drawn up identifying all categories of data being held and their location. A Retention Policy has also been developed with a view to deleting general data not in accordance with regulations by May 2018.</p> <p>Training for Staff took place on 13 and 15 February 2018 and training for Members took place on 11 and 15 May 2018.</p>
26 January 2018 Minute 4/24 <b>Transfer of Mutford Lock</b>	<ul style="list-style-type: none"> <li>The two Harbour Revision Orders are submitted and the tripartite agreement noted in the report be completed in all</li> </ul>	Solicitor and Monitoring Officer	<p>Legal procedures to effect transfer progressed through Authority's external lawyers and ready for submission. Fair split of costs being discussed with all parties.</p>



Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	respects, to give effect to completing the transfer of the Lock in the Navigation Area and the ownership to the Broads Authority.		
16 March 2018 Minute 5/11 <b>Broads Local Plan</b>	<ul style="list-style-type: none"> <li>Broads Local Plan endorsed for submission to the Planning Inspectorate for the Examination in Public</li> </ul>	Planning Policy Officer	Examination took place on the 2 and 3 July 2018 but unfortunately could not be completed due to the Inspector being taken ill . The sessions programmed on 4, 5, 17 and 18 July (as in the <a href="#">Hearing Programme (v3)</a> ) will now be held in the Autumn. We will let you know about the rearranged programme as soon as possible.
16 March 2018 Minute 5/19 <b>Pilot Agri-Environment Scheme for the Broads</b>	<ul style="list-style-type: none"> <li>Contents of submission to Defra for pilot agri-environment scheme for the Broads, which builds on the partnership work with the National Farmers Union and local land managers and prepared with assistance of local conservation NGOs welcomed and noted.</li> </ul>	Head of Strategy and Projects/ Broadland Catchment Partnership Officer	Defra invited those bodies with ideas for tests and trials to submit a summary pro-forma by the end of June. Following rapid discussion with farmers and conservation bodies BA submitted a partnership response. BA will facilitate further local discussion.
18 May 2018 Minute 6/14 <b>Peer Review Action Plan: Review of the Authority's Governance Structure.</b>	<ul style="list-style-type: none"> <li>Moving to a quarterly cycle of meetings – four meetings of the Authority per annum; the timetable set to meet the key business deadlines. (Meetings of the Navigation Committee to be determined following this</li> </ul>	Chief Executive/Solicitor and Monitoring Officer	At its meeting on 14 June 2018 ,the Navigation Committee agreed to have 5 meetings per annum with one site visit.  Process for Nomination of Chair and Vice-Chair introduced and actioned.

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<p>meeting)</p> <ul style="list-style-type: none"> <li>• Creating more informal opportunities for members and officers to interact through a minimum of four site visit/workshops for all members of the Authority in addition to the quarterly business meetings.</li> <li>• The Financial Scrutiny and Audit Committee to be re-purposed to the Audit and Risk Committee with amended Terms of Reference.</li> <li>• More formal and open process for the annual appointment of Chairs and Vice-Chairs, Committee membership and outside bodies through nominations and expressions of interest, in advance of the Annual meeting in July.</li> <li>• Establishing a Chairs Group comprising the Chairs and Vice-Chairs to support the Chair, steer the organisation and work with and support the Chief Executive. (This will not be a decision making group and items for business may be referred by any Member and added to the next business</li> </ul>		<p>Preferences for Committees considered by the Chairs Group on 3 July. These are taken account of in the report on appointments in this agenda. <b>(Item 16)</b></p> <p>Terms of Reference for Audit and Risk Committee and Hearings Committee are on this agenda for approval. <b>(Item17)</b></p> <p>Code of Conduct has been amended to include a less formal process for the Local Resolution Procedures and the opportunity has been taken to include a reference to the Social Media Policy and to insert a Data Privacy Notice on the Complaints Form. Also to correct an error in a cross referenced paragraph (No 4.16) <a href="http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/429551/Code-of-Conduct-for-Members.pdf">http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/429551/Code-of-Conduct-for-Members.pdf</a></p> <p>Timetable for 2018/19 has now been finalised as adopted by the Authority on 18 May and taking account of the requests from the Navigation Committee on 14 June 2018.</p> <p>The outcome of the Peer Review Group has been sent to Local MPs, copy to Lord Gardner, the Peer Reivew Goup and all Local Authority partners together with the update on the Broads Plan 2017.</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<p>agenda if appropriate).</p> <ul style="list-style-type: none"> <li>Adopting a less formal process as part of the Local Resolution Procedure in the Code of Conduct to resolve members issues quicker and avoid them escalating.</li> </ul>		<p>Members Handbook is now available. <a href="http://www.broads-authority.gov.uk/about-us/who-we-are/members/members-handbook">http://www.broads-authority.gov.uk/about-us/who-we-are/members/members-handbook</a></p> <p>Topics for Member Workshops being considered to cover:</p> <ul style="list-style-type: none"> <li>Broadland Futures Initiative – Flooding post Brexit</li> <li>Integrated Access</li> <li>Sediment Management</li> <li>Swing Bridges</li> </ul>
<p>18 May 2018 Minute 6/15 <b>Future arrangements for the Broads Forum. – Engagement with stakeholders</b></p>	<ul style="list-style-type: none"> <li>to retain the Broads Forum as one of many mechanisms for engaging with stakeholder organisations and move to twice yearly Broad Forum Workshops, each focussing on a key issue facing the Broads;</li> <li>All organisations represented on the Broads Forum to be invited, together with Authority Members and Officers; and experts and partner organisations with relevance to the issue under discussion also to attend.</li> </ul>	<p>Chief Executive/Strategy and Policy Officer</p>	<p>All Broads Forum Members and Stakeholders have been informed of the decision and thanked for their contributions.</p> <p>New Format being adopted for the next event.</p>

**Strategic Direction**  
Report by Chief Executive

**Summary:** This report sets out progress in implementing the Authority's Strategic Priorities for 2018/19



**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. The latest Broads Plan update is at [www.broads-authority.gov.uk/broads-authority/how-we-work/strategy](http://www.broads-authority.gov.uk/broads-authority/how-we-work/strategy).
- 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 The second report on our 2018/19 strategic priorities is at Appendix 1.



Background papers:	None
Authors:	John Packman, Maria Conti
Date of report:	17 July 2018
Broads Plan Objectives:	Multiple
Appendices:	APPENDIX 1: Strategic Priorities 2018/19

**Broads Authority strategic priorities 2018/19**




	Project	Aim and milestones	Progress	Status	Reporting officer
1	<b>Water, Mills and Marshes</b> (HLF Landscape Partnership Scheme)	<u>Aim: WMM partnership projects implemented to agreed schedule</u> <ul style="list-style-type: none"> <li>Monitor and report progress of scheme projects - Sept 2018 &amp; Mar 2019</li> <li>Submit quarterly claims to HLF (Apr/Jul/Oct/ Jan</li> <li>Establish working group to review WMM legacy and produce initial report by end Mar 2019</li> </ul>	<ul style="list-style-type: none"> <li>Q1 HLF return payment received.</li> <li>Broads Album launched and published online via SoundCloud <a href="https://soundcloud.com/user-445182179/sets/the-broads-album-2018">https://soundcloud.com/user-445182179/sets/the-broads-album-2018</a>.</li> <li>NUA Student Art Exhibition held at Dove St Studios. 25 Year 2 illustration students produced work based on the Broads landscape.</li> <li>Lowestoft School education programme completed. 12 schools, 620 pupils and 34 teachers received one in-school roadshow, half day boat trip, half day nature reserve visit and 1.5 day Broads in a Box landscape creation activity. The finale was a showcase of all 44 Broads in a Box creations at Red Oak Primary School.</li> <li>Drainage mill restoration work started - currently working on North Mill, Reedham and Six Mile House, Halvergate.</li> <li>Augmented Reality Sandbox purchased and already shown to be an extremely successful engagement tool at Royal Norfolk Show.</li> <li>Archaeology programme launched with 140 people attendees. All places on day schools filled for 2018, with 80 people attending training. The 2019 programme is being expanded due to popularity.</li> </ul>		WMM Project Manager (Will Burchnell)
2	<b>CANAPE</b> (project management and delivery of Hickling Broad vision)	<u>Aim: CANAPE project implemented to agreed schedule</u> <ul style="list-style-type: none"> <li>Monitor and report progress of project activities - Apr &amp; Oct 2018</li> <li>Submit claim to</li> </ul>	<ul style="list-style-type: none"> <li>Project Partnership Agreement signed by all partners. Revised project application form approved by Programme Secretariat and our first payment claim submitted on schedule. Next Project Steering Group meeting scheduled for end Oct.</li> <li><i>Work package 3: Lake and Bog Restoration</i> Planning permission requested for work at Hickling Broad - to be determined at August meeting of BA Planning Committee.</li> </ul>		CANAPE Project Manager (Harry Mach)

		INTERREG Programme - Oct 2018	<ul style="list-style-type: none"> <li>Literature review carried out to identify likely carbon savings from creating new reedbed at Hickling Broad – to feed into project-wide carbon monitoring methodology being developed by partners in Van Hall Larenstien University and Danish Nature Agency.</li> <li><i>Work package 4: Paludiculture</i> Tenders published for contractors to support development of Citizen Science activity and Business Engagement work to promote reed briquettes, compost and biochar. Initial meeting held with potential customer for arisings from Whitlingham Fen. Peat Cores taken to test suitability of Turf Pond site. Compost and turf pond samples to be sent for laboratory testing.</li> </ul>		
3	<b>Broadland Futures Initiative</b> (Integrated flood risk management)	<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>Confirm planned funding resources from EA for next 5 years –</li> <li>Agree stakeholder engagement plan (Broads Climate Partnership) – by June 2018</li> <li>Establish governance arrangements – by Sept 2018</li> <li>Report on stakeholder engagement outcomes – by Nov 2018</li> <li>Produce outline of agreed</li> </ul>	<ul style="list-style-type: none"> <li>Environment Agency bid for resources secured</li> <li>Broads Climate Partnership meeting 30 July to agree draft strategy, communications and engagement plan. Main engagement programme now likely to now start near end of 2018</li> </ul>		Head of Strategy & Projects (Simon Hooton)

		key work areas to 2022 - by end March 2019			
4	<b>Broadland catchment management</b>	<p><u>Aim: Catchment water and land management improved through on-site measures, advice and investment</u></p> <ul style="list-style-type: none"> <li>Implement Broadland Rivers Catchment Plan actions incl. trialling 3 pieces of erosion reduction machinery with 6 farmers on c.300 acres; 6 river enhancement and natural flood management projects; production of website material, mapping and quarterly newsletter</li> </ul>	<p>The Creyke Combi erosion reduction machinery was purchased and offered to farmers on free trial. The machinery won first prize in the Norfolk Farm Machinery Club 'New Ideas Competition' at this year's Royal Norfolk Show. One farmer in the Waveney catchment trialled the Creyke Combi in maize and potatoes (c. 10 acres) and the Lland Ho Earthwake in maize. Four farmers in the Bure catchment are using Wonder Wheel to reduce run-off in potato beds (c. 225 acres).</p> <p>Four Natural Flood Management projects are underway: Wensum – Worthing; Yare – Marlingford; Bure – Ingworth; Bure (Camping Beck) - Buxton.</p> <p>Water Environment Grant bids were submitted for projects in the the following catchments:</p> <ul style="list-style-type: none"> <li>Upper Bure: National Trust as lead partner working with Norfolk Rivers IDB to deliver river and drain habitat improvements to meet WFD objectives.</li> <li>Lower Ant around Catfield and Sutton Fen: RSPB as lead partner working with Broads Authority for habitat improvements and invasive species control to meet SSSI objectives.</li> </ul>		Broadland Catchment Officer (Neil Punchard)
5	<b>External funding and capacity building</b>	<p><u>Aim: BA external funding and capacity building strategic framework in place</u></p> <ul style="list-style-type: none"> <li>Member/Officer working group to draft framework</li> </ul>	Item withdrawn from Strategic Priorities - see para 6/17 in BA minutes 18 May 2018.		Chief Financial Officer (Emma Krelle)

		for external funding strategy by end Dec 2018. Next stages to be confirmed.			
6	<b>Marketing, promotion and media relations</b>	<p><u>Aim: Increased public awareness of Broads National Park brand</u></p> <ul style="list-style-type: none"> <li>Implement Broads National Park branding guidelines and action plan incl. promotion through NPUK Partnership, Broads Tourism, Discover England Fund, National Park Experiences project, and supporting BA-led projects incl. WMM and CANAPE; BA annual events programme; news and events through print and social media.</li> </ul>	<p>6-month report to 10 July:</p> <ul style="list-style-type: none"> <li>New Broads National Park artwork installed at Great Yarmouth railway station and application for similar artwork at Norwich railway station underway.</li> <li>Summer events season in full swing, with Royal Norfolk Show a notable highlight - revamped Broads Village highly popular and debuted new family activity trail and branded events equipment.</li> <li>Updated tourism leaflets (Easier Access Guide, How Hill and Whitlingham visitor guides), new entrance signs for Whitlingham Country Park and interpretation panels at How Hill. Rolling out rebranded 24 hour mooring signs.</li> <li>Subscriptions to new Visit the Broads e-newsletter (highlighting tourism related events, news and competitions) grown quickly to 3,800+ subscribers.</li> <li>BA supporting Broads National Park experiences within Discover England Fund English National Park Experience Collection.</li> <li>Monitoring of local media items featuring BA (Jan'18-Jul '18) shows 68 stories recorded, of which 63 were positive or neutral. Broads National Park social media accounts show increases of 7% (Twitter), 12% (Facebook) and 193% (Instagram) in followers over 6 months and numbers of followers engaged with content remains positive.</li> </ul>		Head of Communications (Rob Leigh)
7	<b>Peer Review Action Plan</b>	<p><u>Aim: Peer Review recommendations developed and implemented</u></p>	<p>A set of proposals in response to the Peer Review was agreed by the Authority on 18 May (see minute 6/15). Navigation Committee considered the proposals on 14 June and voted to reduce the number of their committee meetings from 6 to 5 p.a.</p>		Chief Executive (John Packman)



		<ul style="list-style-type: none"> <li>Prepare and implement action plan</li> </ul>			
8	<b>Acle Bridge site development</b>	<p><u>Aim: Acle Bridge site redeveloped</u></p> <ul style="list-style-type: none"> <li>Manage processes to allow temporary (seasonal) onsite catering operation during 2018</li> <li>Run architectural design competition for site proposals (Summer 2018)</li> <li>Next stages to be agreed.</li> </ul>	<ul style="list-style-type: none"> <li>BA ran successful tender process but chosen caterer could not fulfil its commitment. Second caterer offered contract but due to short-term availability for site did not take up it up.</li> <li>Successful competition attracted entries from more than 100 UK and overseas architects, and 3 shortlisted designs went before Judging Panel on 5 July. Presentation on winning design and details on next stages of process on today's agenda.</li> </ul>	 	Director of Operations (Rob Rogers)
9	Agri-environment scheme (post-Brexit)	<p><u>Aim: Proposals identified on agreed future of agri-environment schemes post-Brexit</u></p> <ul style="list-style-type: none"> <li>Develop pilot agri-environment scheme in liaison with farming community and other stakeholders</li> </ul>	More details about the pilot agri-environment scheme that could be tested were provided to Defra by the June deadline. The proposal was developed with farming representatives and environmental organisations, and focuses on testing and trialling options for lowland grazing and fen management.		Director of Strategic Services (Marie-Pierre Tighe)
10	Hobhouse Review of National Parks and AONBs	Milestones to be confirmed following Hobhouse Review (identified in 25 Year Environment Plan)	<p>Julian Glover, a former Downing Street advisor, has been appointed to lead the review advisory group, which will consider 8 areas:</p> <ul style="list-style-type: none"> <li>the existing statutory purposes for National Parks and AONBs and how effectively they are being met;</li> <li>the alignment of these purposes with the goals set out in the 25-Year Plan for the Environment;</li> <li>the case for extension or creation of new designated areas;</li> </ul>		Chief Executive (John Packman)

		<ul style="list-style-type: none"> <li>• how to improve individual and collective governance of National Parks and AONBs, and how that governance interacts with other national assets;</li> <li>• the financing of National Parks and AONBs;</li> <li>• how to enhance the environment and biodiversity in existing designations;</li> <li>• how to build on the existing eight-point plan for National Parks and to connect more people with the natural environment from all sections of society and improve health and wellbeing; and</li> <li>• how well National Parks and AONBs support communities.</li> </ul> <p>The Terms of Reference are available at:  <a href="http://www.gov.uk/government/publications/designated-landscapes-national-parks-and-aonbs-2018-review/terms-of-reference">www.gov.uk/government/publications/designated-landscapes-national-parks-and-aonbs-2018-review/terms-of-reference</a></p>		
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**Annual Governance Statement 2017/18**  
Report by Solicitor and Monitoring Officer

**Summary:** This report explains the legal requirement, background and purpose of the Annual Governance Statement, and the requirement to carry out an annual review of the Authority's systems of internal control and governance arrangements. The draft Annual Governance Statement for 2017/18 is attached, for members' consideration.

**Recommendations:**

- (i) That the Annual Governance Statement for 2017/18 and Action Plan for 2018/19 are approved.
- (ii) That the Authority notes, subject to implementation of the improvements identified in the Action Plan, that the Authority's internal control systems and governance arrangements are considered to be adequate and effective.

## **1 Introduction**

- 1.1 The Accounts and Audit Regulations 2015 ("the Regulations") contain a requirement that an Annual Governance Statement, prepared in accordance with proper practices in relation to internal control, must be approved 'by the relevant authority' (in this case the Broads Authority) and must accompany the Statement of Accounts.
- 1.2 As effective from last year the Regulations specify a new, earlier date for publication of an Annual Governance Statement than in the past, now to be no later than 31<sup>st</sup> July of the financial year immediately following the end of the financial year to which the Statement relates.
- 1.3 The implementation of the Regulations is undertaken by the Authority following advice, guidance and recommendations of the Chartered Institute of Public Finance & Accountancy (CIPFA).
- 1.4 The Regulations require local authorities to conduct a review at least once a year of the effectiveness of their systems of internal control and risk management, so as to give assurance on their effectiveness and/or to produce a management action plan to address identified weaknesses. The Regulations require an authority to ensure that it has a sound system of internal control which:
  - (a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;

- (b) ensures that the financial and operational management of the authority is effective; and
- (c) includes effective arrangements for the management of risk

1.5 The Authority has received the Assurance Review of Corporate Governance by the Head of Internal Audit for 2017/18 as set out in the attached draft Annual Governance Statement at paragraph 8.9. The overall opinion was stated as follows:

*“The overall opinion in relation to the framework of governance, risk management and controls at the Broads Authority is **reasonable**, with all audits concluding with a reasonable opinion. We therefore have no Internal Audit considerations for the Annual Governance Statement.*

*It is worth noting that the Authority recently participated in a Peer Review, with one the recommendations stating that the governance arrangements need to be reviewed to ensure that the structure is fit for the future. An action plan is in place to address, with six proposals being progressed. The Head of Internal Audit will monitor progress over the forthcoming year and consider if further internal audit review is required.*

*In providing the opinion the authority’s risk management framework and supporting processes, the relative materiality of the issues arising from the internal audit work during the year and management’s progress in addressing any control weaknesses identified therefrom have been taken into account.”*

1.6 A further annual report setting out the Opinion of the Head of Internal Audit will have been considered by the Financial Scrutiny and Audit Committee at its meeting on 24<sup>th</sup> July 2018. The draft Annual Governance Statement sets out further details from the annual report and any recommendations and improvements are contained in the Action Plan for 2018/19.

1.7 Once agreed, the Annual Governance Statement should be signed by the Chairman of the Authority and the Chief Executive.

## **2 Code of Corporate Governance**

2.1 The Authority’s systems for delivering good governance are set out in the Code of Corporate Governance which has been completely rewritten in the light of the 2016 CIPFA/Solace Framework ‘*Delivering Good Governance in Local Government*’. (“the Framework”). The new Code was reviewed by the Broads Authority at its meeting on 18<sup>th</sup> May 2018 and welcomed by Members as a clear and concise document.

2.2 The principles and standards set out in the Framework are aimed at helping local authorities to develop and maintain their own codes of governance and discharge their accountability for the proper conduct of business. The Framework emphasises the importance of good governance to the wider outcomes of good management, good performance, and good public engagement. It puts high standards of conduct and leadership at the heart of good governance, placing responsibility on members and officers to

demonstrate leadership by behaving in ways that exemplify high standards of conduct, and so set the tone for the rest of the organisation.

- 2.3 The Authority's Code of Corporate Governance is signed by the Chairman and Chief Executive.

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

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

- 3.2 The CFO in a local authority:

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

- 3.3 To deliver these responsibilities the CFO:

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

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

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

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

- 4.2 The review has been informed by the work of officers of the Authority, who have responsibility for the maintenance and review of the internal control environment, internal audit reports and the recommendations made by external auditors and inspectors. The review of Partnership arrangements and the review of the Strategic Risk Register also contribute towards the review.
- 4.3 Where significant weaknesses have been identified these are set out in the Action Plan (Appendix 1b). It should be noted that this Action Plan does not cover all the activities which will be undertaken during the year and which will contribute towards good governance, but focuses on those activities, and especially new initiatives and those issues identified by auditors, which will address weaknesses, ensure continuous improvement of the system and generally 'add value' to the arrangements.
- 4.4 A copy of the 2017/18 Action Plan is also appended (Appendix 2), with progress to date added. Where the appropriate action is still outstanding, it has been carried forward into the 2018/19 Action Plan.
- 4.5 The Financial Scrutiny and Audit Committee will have reviewed the Annual Governance Statement and Action Plan at its meeting on 24 July 2018 and should there be any amendments proposed by the Committee, those amendments along with the Committees' recommendations shall be presented to the Authority for approval.

## **5 Summary**

- 5.1 The Financial Scrutiny and Audit Committee will be asked:
- to review and comment on the internal control systems and governance arrangements in place;
  - to recommend the Annual Governance Statement for approval by the Broads Authority and confirm that it represents a true reflection of the control environment present in the Authority; and
  - to note that, subject to implementation of the improvements identified in the Action Plan, these are adequate and effective.
- 5.2 The Action Plan will be implemented during 2018/19 in order that there is ongoing review and improvement of the systems of internal control and governance arrangements. Progress in implementing the Action Plan will be reported in the next Annual Governance Statement.
- 5.3 The recommendations from the Financial Scrutiny and Audit Committee will be reported to the Authority.

Background papers:

Author: David Harris

Date of report: 25<sup>th</sup> May 2018

Broads Plan Objectives: None

Appendices: APPENDIX 1a – draft Annual Governance Statement 2017/18  
APPENDIX 1b – 2018/19 Action Plan  
APPENDIX 2 – 2017/18 Action Plan: Summary of Progress

## Broads Authority

### Annual Governance Statement 2017/18

#### 1. The requirement for an Annual Governance Statement

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

#### 2. The CIPFA/Solace Framework guidance

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



- Implementing good practices in transparency, reporting and audit to deliver effective accountability
- 2.5. The Authority has approved and adopted a Code of Corporate Governance in accordance with the previous CIPFA guidance. This Code has been completely revised and rewritten during 2018 and was reviewed by the Broads Authority at its meeting on 18<sup>th</sup> May 2018. A copy of the Code is available on the Authority's website at [www.broads-authority.gov.uk](http://www.broads-authority.gov.uk) or from the Monitoring Officer at Yare House, 62-64 Thorpe Road, Norwich NR1 1RY.

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

- 3.1. The Broads Authority is an independent body working within the framework of local government. It is constituted as a body corporate by the Norfolk and Suffolk Broads Act 1988 with three general duties:
- To conserve and enhance the natural beauty, wildlife and cultural heritage of the Broads
  - To promote opportunities for the understanding enjoyment of the special qualities of the Broads by the public
  - To protect the interests of navigation
- 3.2. Section 2(4) sets out the matters the Authority must have regard to in carrying out these functions. These include the national importance of the area as an area of natural beauty, desirability of protecting it from damage and the needs of agriculture, forestry and the local economic and societal needs.
- 3.3. In relation to the interests of navigation, section 10 (a) and (b) sets out specific requirements to maintain the navigation area to such standard as appears to be reasonably required and to develop and improve it as it thinks fit.
- 3.4. The Broads Authority is also the local planning authority for the area and a harbour and navigation authority.
- 3.5. The Broads Authority has unique governance arrangements that combine elements of accountability to central government (via DEFRA) and to local communities. This reflects the needs and interests of both national and local stakeholders. In relation to the former, 10 members are appointed by the Secretary of State. Local accountability is achieved by the appointment of nine members who are also locally elected County and District Councillors. In addition, the Authority has a number of co-opted members to its Navigation Committee to advise it in protecting the interests of navigation, and 2 of these members are appointed to the Broads Authority. In total, the Broads Authority has 21 members and meets four times a year, with two additional workshops.
- 3.6. All matters, other than the Planning Committee and those matters specifically delegated to the Chief Executive, are dealt with by the full Broads Authority as the prime decision maker. The framework consists of decision making carried out by Members of the Authority at its meetings, which are held every two months. Day-to-day routine decision making is delegated by Members to officers of the Authority through the Scheme of Delegated Powers. This scheme is available as one of many constitutional documents, from the Monitoring Officer.

- 3.7. The Audit and Risk Committee (previously known as Financial Scrutiny and Audit Committee) consists of up to 7 members of the Authority and meets three times a year. It has responsibility for financial scrutiny, including a review of the Statement of Accounts and Annual Governance Statement, financial planning, audit and risk management. It takes a strategic view on whether the resources allocated to the Authority are used effectively. This is an advisory committee to the Authority and does not make decisions.
- 3.8. The Authority's functions as a local planning authority are carried out by its Planning Committee of 12 members, with powers delegated to officers in accordance with nationally established legislation. The Planning Committee is a decision-making committee and normally meets 4-weekly. Planning decisions, whether made at Committee or through delegated powers, are published on the Authority's website.
- 3.9. The Authority's Navigation Committee of 13 members and co-opted members advises on the navigation function of the Authority and meets five times a year. It is an advisory committee to the Broads Authority and does not make decisions. However, if the Broads Authority does not accept recommendations by the Navigation Committee it is required to give reasons.
- 3.10. The Broads Local Access Forum is a semi-independent body to advise the Authority on the improvement of public access to land within the Broads executive area.
- 3.11. The Broads Authority is currently reviewing its engagement with stakeholders and this has in past years been carried out through the Broads Forum. New arrangements are currently being considered by Members.
- 3.12. The Authority has two Independent Persons, appointed in July 2016, who are regularly consulted to enable the Authority to achieve high ethical standards.
- 3.13. The Authority has three officers as required by statute, who carry out specific duties, namely the Head of Paid Service (the Chief Executive), the Monitoring Officer (the Solicitor and Monitoring Officer) and the Section 17 Officer (Chief Financial Officer). The Chief Financial Officer manages the financial arrangements and internal financial controls on a day-to-day basis. Along with the Director of Strategic Services and the Director of Operations, these officers comprise the Authority's Management Team. From May 2018 the Authority was required to have a Data Protection Officer and this role is carried out by the Solicitor and Monitoring Officer who has qualifications as a Data Practitioner.
- 3.14. It is considered that the authority's financial management arrangements conform with the guidance requirements of the CIPFA Statement on the Role of the Chief Financial Officer in Local Government (2010).
- 3.15. There are a number of procedures to ensure that the Authority obtains best value for money in all that it does, including Financial Regulations, Standing Orders Relating to Contracts and a Procurement Strategy. These are all reviewed and updated on a regular basis. The Financial Regulations have been reviewed to reflect that the Section 17 Officer and Treasury is now managed in-house. The Standing Orders Relating to Contracts were updated in May 2018. The Authority also adopted a Counter Fraud Bribery and Corruption Strategy, which was updated in February 2016.

- 3.16. The Authority monitors the effectiveness of internal control systems through the consideration of regular internal audits, performance management and budget monitoring reports, and through monitoring and receiving reports on the work of the Audit and Risk Committee.

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

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

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

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

question of ethical standards at the Authority in the context of governance, reviewing available guidelines and making appropriate recommendations.

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

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

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

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

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

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

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

## 6. Engaging with stakeholders and the Broads Plan

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

stakeholder workshops, which are open to the public and attended by Members and officers of the Authority. Members and officers may also be invited to community and partner meetings and events, to provide information and respond to questions.

## **7. Managing risk and performance**

- 7.1. The responsibility of the Audit and Risk Committee includes obtaining assurances from a range of measures and reports that value for money is obtained in the use of the Authority's resources and that risk and performance are actively managed to achieve best results. Specifically, this includes the effective development and operation of risk management, and reviews the Authority's Strategic Risk Register.
- 7.2. The Authority's Strategic Risk Register is reviewed six-monthly by risk owners so that the Management Team can provide assurance that key strategic and operational risks have been identified, monitored and reviewed during the year and that key controls to mitigate the identified risks have operated effectively throughout the year. It is also on the agenda of the Audit and Risk Committee for each meeting. In addition the Risk Management Strategy is reviewed annually.
- 7.3. The Strategic Risk Register was the subject of a comprehensive review in January 2017. New risks were identified and analysed and the Register was reformatted, with risks analysed in terms of numeric probability and severity both before and after the application of risk mitigation factors. The Strategic Risk register will have had a further 6-monthly review in June 2018 by Risk Owners.
- 7.4. The Authority has a Business Continuity Plan, which is reviewed annually to mitigate the effects of a major incident affecting some or all of the Authority's operations. In February 2017, to test the Plan, Management Forum undertook a simulated incident of systems failures causing an evacuation in a table top exercise that also involved the representatives of the landlord. The Authority also has specific continuity plans for finance and IT.
- 7.5. A Partnerships Protocol and Register of Partnerships have been developed, and the Management Team has identified and reviewed the governance arrangements in respect of all significant partnerships. Identified weaknesses are being addressed through an Action Plan, with responsibility for action and timescales. It has also been agreed to provide an annual report on Partnerships to the Broads Authority. The next one will be provided in September 2018.
- 7.6. The Authority has in place a series of internal financial controls, including approved budgets, separation of duties and authorised signatures, to reflect good practice and ensure that its finances are managed securely to minimise risk.
- 7.7. The Authority has data of all its land and property assets on a consolidated Excel database and an Asset Management Strategy which includes a full asset disposal policy.
- 7.8. The Authority's performance across its operations is the subject of regular meetings of the Management Team, with financial reports and budgets considered monthly and reports provided to members at each meeting.
- 7.9. The Authority has a whistleblowing policy for its staff, and its Monitoring Officer has a duty to write a report if the Authority or any of its committees proposes action that would be unlawful or amount to maladministration.

## **8. Sources of Assurance, Peer Review and Internal audit conclusions**

- 8.1. The main independent sources of assurance on the operation of the governance framework are the work of the Authority's Internal and External Auditors, supported by other external organisations such as Investors in People. Independent scrutiny in relation to implementation of a number of procedures is provided by the Independent Persons.
- 8.2. In October 2017 the Authority underwent a Peer Review organised through the Local Government Association. The Review team was asked by the Authority '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. A copy of the Peer review report is available on the Authority's web site at <http://www.broads-authority.gov.uk/broads-authority/how-we-work/lga-peer-review>
- 8.3. Following a period in development and as an outcome to the Peer review process the Broads Authority considered a report which developed six proposals and recommendations at its meeting on 18<sup>th</sup> May 2018.
- 8.4. Internal audit reports are considered by the Management Team and other officers as appropriate. A management response is submitted in respect of each recommendation, setting out whether the recommendation is accepted, what action will be taken, which officer is responsible and the timetable for action. Each audit report contains an independent assurance of opinion on the adequacy and effectiveness of controls in place to mitigate risks. The agreed actions are followed up to ensure implementation, thus ensuring that the Authority's risks are properly managed. A summary of all internal audit work carried out during the year is received by the Audit and Risk Committee, together with regular reports setting out progress made in implementing internal audit recommendations. Any significant issues of concern are brought to the attention of the Broads Authority.
- 8.5. The Head of Internal Audit for the Authority develops annually a strategic audit plan, using a risk based approach.
- 8.6. The Accounts and Audit Regulations 2015 require that the Authority must undertake an annual review of the effectiveness of its internal audit function, and that this review must be carried out by the same body that reviews the effectiveness of the system of internal control. The aim is not only to make the Authority more aware of the work of Internal Audit and its key role in governance, but also to make those charged with governance more able to understand the connection between, and the Authority's responsibility for, risk management, internal control and the function of internal audit.
- 8.7. Internal audit work is divided into 4 broad categories:
  - Annual opinion audits;
  - Fundamental financial systems that underpin the Authority's financial processing and reporting;
  - Service area audits identified as worthy of review by the risk assessment processes within internal audit;
  - Significant computer systems which provide the capability to administer and control the Authority's main activities.

8.8. Additionally, the Broads Authority is informed of the work of the appointed auditors and inspectors, including receipt of the Audit Results report and annual audit and inspection letter from the External Auditors. The Head of Internal Audit is required to provide an annual opinion on the overall adequacy and effectiveness of the Authority's internal control environment, including its corporate governance framework and risk management arrangements, identifying any weaknesses that qualify this opinion and highlighting significant issues.

8.9. The Authority has received the Opinion 2017/18 by the Head of Internal Audit. It contains the following statement:

*“The overall opinion in relation to the framework of governance, risk management and controls at the Broads Authority is **reasonable**, with all audits concluding with a reasonable opinion. We therefore have no Internal Audit considerations for the Annual Governance Statement.*

*It is worth noting that the Authority recently participated in a Peer Review, with one of the recommendations stating that the governance arrangements need to be reviewed to ensure that the structure is fit for the future. An action plan is in place to address, with six proposals being progressed. The Head of Internal Audit will monitor progress over the forthcoming year and consider if further internal audit review is required.*

*In providing the opinion the authority's risk management framework and supporting processes, the relative materiality of the issues arising from the internal audit work during the year and management's progress in addressing any control weaknesses identified therefrom have been taken into account.”*

8.10. As part of the work of Internal Audit concluded within the year was an audit of the Authority's preparations for implementing the provisions of the EU General Data Protection Regulation (GDPR), concluding with Reasonable Assurance and which falls within the overall opinion noted in 8.9.

8.11. The Authority is accredited by Investors in People (IIP), having had its *Silver* accreditation rating reconfirmed in December 2017.

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

9.1. An Action Plan has been developed to address any governance issues identified as needing review or improvement, and to secure continuous improvement in the Authority's governance arrangements. This is set out at Appendix 1 in two parts.

9.2. This Action Plan has been informed by the results of audit and other reports, and by the results of a self-assessment assurance statement. The statement was circulated to all senior managers, inviting them to assess the Authority's performance across a range of governance issues to identify any gaps and weaknesses and add value to the Authority's governance arrangements.

9.3. The Authority proposes over the coming year to take steps to address the above matters to further enhance its governance arrangements. It is satisfied that these steps will address the need for improvements identified in the review of effectiveness, and will monitor their implementation and operation as part of its next annual review.

Signed .....  
Chair of the Authority

Date .....2018

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

Date .....2018



## Appendix 1b

### Annual Governance Statement 2017/18

#### 2018/19 Action Plan

Action	Lead Officer(s)	Target Date	Priority
Continue implementation of Authority's GDPR compliance plan and review policies and procedures in the light of forthcoming guidance by ICO.	Solicitor and Monitoring Officer (Data Protection Officer)	31 March 2019	H
Equalities Working Group to report on an equality analysis of employment policies and practices	Head of HR, Volunteer Co-ordinator and Solicitor and Monitoring Officer	31 March 2019	L
Complete implementation of action plan following Peer Review report.	Chief Executive	31 December 2018	H
Complete draft of Members Handbook on Induction to incorporate key Member documents	Solicitor and Monitoring Officer	30 September 2018	L
Completion of phase 2 of internal HR policies and procedures	Head of HR	31 March 2019	M
Agree a timetable for completion of lease agreements with legal service providers to avoid delay. This will be part of the review of external legal services currently being undertaken, with the intention of setting up standing lists.	Solicitor and Monitoring Officer	30 September 2018	M
Inclusion of Port and Marine Safety Code in future annual reports to include compliance and standard of performance cross-referenced to performance dashboard.	Head of Safety Management, Head of Communications.	30 September 2018	M

<b>Action</b>	<b>Lead Officer(s)</b>	<b>Target Date</b>	<b>Priority</b>
Briefing packs in relation to the risk assessment process, hazard identification and assessment and the ALARP principle (which are provided to the stakeholder group involved in the review of hazards) should be made available to all new appointees to the Navigation Committee and the BSMG and training records kept.	Solicitor and Monitoring Officer, Head of Safety Management	February 2019	M
The Scheme of Powers Delegated to Officers is updated to remove outdated references to the Treasurer and Financial Advisor to the Authority and to replace them with current references including the Chief Financial Officer (Section 17 Officer).	Solicitor and Monitoring Officer	July 2018	L

## Appendix 2

### Annual Governance Statement 2017/18

#### 2017/18 Action Plan Summary of Progress

Action	Lead Officer(s)	Target Date	Priority	Status
Implement the provisions required of the Authority by the new General Data Protection Regulation, which comes into effect on 25 May 2018. Nominate Data Protection Officer.	Head of IT and Collector of Tolls, Head of Communications and Solicitor and Monitoring Officer	31 March 2018	H	Data Protection Officer appointed. Task essentially complete and has been subject of internal audit. Some ongoing work as part of our GDPR Compliance Plan.
Update Standing Orders on Committees specifically to address issue concerning terms of reference of FSAC raised by internal audit	Solicitor and Monitoring Officer	31 July 2017	M	Completed
Review of Ethical standards and recommendations on any improvements	Solicitor and Monitoring officer	31 March 2017	L	Completed, report to BA in May 2017
Review and implement specific guidance on majority and casting vote to Standing Orders regulating Authority Business raised by internal audit	Solicitor and Monitoring Officer	31 July 2017	H	Completed
Produce Members Handbook on Induction to incorporate key Member documents	Solicitor and Monitoring Officer	30 September 2017	L	Draft completed awaiting some further amendment following Peer Review outcomes. Carried forward to 2018/19 Action Plan
Produce Register of delegated decisions under Openness Regulations 2014 and place on web page as recommended by	Solicitor and Monitoring Officer	31 July 2017	H	Complete

<b>Action</b>	<b>Lead Officer(s)</b>	<b>Target Date</b>	<b>Priority</b>	<b>Status</b>
internal audit March 2017				
Implement core values and continue to define a set of behaviours and embed them in recruitment, appraisal, 360 appraisal, survey and management training as recommended by IIP	Chief Executive	30 November 2017	M	Complete and was reviewed by IIP as part of re-accreditation in December 2017.
Management Team to introduce more transparency in monitoring of key Performance Indicators (KPIs) in terms of continuous improvement and innovation as recommended by IIP	Chief Executive	30 November 2017	M	Completed and was reviewed by IIP as part of re-accreditation in December 2017.
Completion of phase 2 of internal HR policies and procedures	Head of HR	31 December 2017	M	Incomplete due to staff resource issues and will be carried forward to 2018/19
Equalities Working Group to report on an equality analysis of employment policies and practices	Head of HR, Volunteer Co-ordinator and Solicitor and Monitoring officer.	30 November 2017	M	Group established and has had two meetings but recent meetings postponed due to GDPR priorities. Will carry forward to 2018/19
Completion of updated procurement training to officers who have responsibilities for conducting procurements to include updated processes of procuring intermediaries under the IR35 legislation.	Chief Financial Officer	30 November 2017	M	Completed June 2018.

**Financial Performance and Direction**  
**Statement of Accounts 2017/18**  
Report by Chief Financial Officer

**Summary:** This report summarises the Broads Authority's Statement of Accounts for the year ended 31 March 2018 for approval.

**Recommendation:** That the Statement of Accounts for 2017/18 be adopted.

**1. Introduction**

- 1.1. The Statement of Accounts and Annual Audit Results was considered by the Finance Scrutiny and Audit Committee on 24 July 2018. A verbal update will be provided during the meeting.
- 1.2. Members will recall that the Financial Performance and Direction report to the Authority on 18 May 2018 provided the draft year end figures for 2017/18 which detailed a surplus of £70,308. These figures were then used to produce the Statement of Accounts.
- 1.3. There have been no subsequent changes to these figures and the draft Statement of Accounts was signed on 25 May 2018. Ernst and Young (external audit) then undertook their onsite work between 29 May and 8 June 2018.

**2. Changes to the 2017/18 Accounts**

- 2.1. This year has seen some amendments to the Narrative Report which can be found on pages 3 to 9 of the Statement of Accounts. The Narrative Report is designed to help readers understand the Authority's main objectives and strategies and the principal risks it faces. It must provide a fair, balanced and understandable analysis of the Authority's performance and how it has used its resources to achieve its outcomes. The report is broken down into sections which include: how the Authority was established and is managed; governance; how the authority is structured (operational model); risks; opportunities; strategy and resource allocation; performance and outlook.
- 2.2. As with the 2016/17 Statement of Accounts the table below has been produced to help members understand the additional adjustments made at year end.

<b>Income and Expenditure 2017/18</b>	<b>Operations £</b>	<b>Strategic Services £</b>	<b>Chief Executive £</b>	<b>HLF &amp; CANAPE £</b>	<b>Corporate Amounts £</b>	<b>Total £</b>
Fees charges and other service income	(313,949)	(411,340)	(34,523)	(174,642)	(3,272,018)	(4,206,472)
Contribution from reserves	0	0	0	0	(226,816)	(226,816)
Government Grants	0	0	0	0	(3,299,595)	(3,299,595)
<b>Total Income</b>	<b>(313,949)</b>	<b>(411,340)</b>	<b>(34,523)</b>	<b>(174,642)</b>	<b>(6,798,429)</b>	<b>(7,732,883)</b>
Employee expenses	1,981,267	1,795,676	423,409	33,802	61,708	4,295,862
Other service expenses	1,665,073	782,820	678,345	240,475	0	3,366,713
<b>Total expenditure</b>	<b>3,646,340</b>	<b>2,578,496</b>	<b>1,101,754</b>	<b>274,277</b>	<b>61,708</b>	<b>7,662,575</b>
<b>Net expenditure</b>	<b>3,332,391</b>	<b>2,167,156</b>	<b>1,067,231</b>	<b>99,635</b>	<b>(6,736,721)</b>	<b>(70,308)</b>

1. Net expenditure above	(70,308)
2. Amounts in the Comprehensive Income and Expenditure Statement not reported to management in the analysis	909,950
3. Amounts included in analysis not in Comprehensive Income and Expenditure Statement	2,648,037
<b>Cost of Services in the Comprehensive Income and Expenditure Statement</b>	<b>3,487,679</b>

- 2.3 Items that are included in the amounts in the second line under Comprehensive Income and Expenditure Statement which are not reported to management include year end adjustments for the Pension scheme. The Accounts are adjusted to reflect the difference between the actual costs as assessed by the Actuary and the contributions paid over during the year. Further adjustments are also made for untaken staff leave, depreciation and movements on revaluations of fixed assets.
- 2.4 The main adjustments in the third line which is in the analysis above but not the Comprehensive Income and Expenditure Statement is the removal of the DEFRA grant, interest and investment income, interest payable and expenditure in relation to investment properties (Ludham Fieldbase). These items are added back in the lines under the cost of services. Further adjustments relate to the accounting treatment of capital expenditure, reserve expenditure and finance leases.

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

	Service Analysis £	Not reported to Management £	Not included in CIES £	Cost of Services £	Other Operating Expenditure, Financing & Investment Income and Government grant £	Deficit on Provision of Services £
Fees, charges and other service income	(4,183,895)	0	0	(4,183,895)	0	(4,183,895)
Interest and Investment income	(22,577)	0	22,577	0	(22,577)	(22,577)
Contributions from reserves	(226,816)	0	(180,796)	(407,612)	0	(407,612)
Government Grants	(3,299,595)	0	3,299,595	0	(3,299,595)	(3,299,595)
<b>Total Income</b>	<b>(7,732,883)</b>	<b>0</b>	<b>3,141,376</b>	<b>(4,591,507)</b>	<b>(3,322,172)</b>	<b>(7,913,679)</b>
Employee expenses	4,295,862	581,425	0	4,877,287	210,000	5,087,287
Other service expenses	3,366,713	0	(493,339)	2,873,374	0	2,873,374
Depreciation, amortisation & impairment	0	328,525	0	328,525	0	328,525
Interest payments	0	0	0	0	37,946	37,946
Expenditure in relation to investment properties	0	0	0	0	(2,093)	(2,093)
Loss on disposal of Fixed Assets	0	0	0	0	3,001	3,001
<b>Total Operating Expenditure</b>	<b>7,662,575</b>	<b>909,950</b>	<b>(493,339)</b>	<b>8,079,186</b>	<b>248,854</b>	<b>8,328,040</b>
<b>Deficit on Provision of Services</b>	<b>(70,308)</b>	<b>909,950</b>	<b>2,648,037</b>	<b>3,487,679</b>	<b>(3,073,318)</b>	<b>414,361</b>

### **3 Balance Sheet**

- 3.1 This year the Balance Sheet has moved back to a net asset position of £85,000. The movement from a net liability position in 2016/17 to a net asset position is £622,000. The cause of this movement is the increase in Assets (Acle Bridge, Linkflotes, JCB and concrete pump) and the movement in the Pension Fund liability which has decreased by £209,000 since 2016/17. The pension fluctuations are due to the increased fair value of the assets and return received. The fund also seeks to maintain contributions at a constant rate to minimise the impact on the Authority's cash flows. The Authority makes additional contributions to the fund to reduce the deficit over the next 20 years. Funding levels are monitored on an annual basis whilst the contributions and the annual deficit payments are recalculated as part of triennial valuation. The next valuation will take place on 31 March 2019. Additional information about the Pension Fund Assets and Liabilities can be found within the Statement of Accounts under Note 33.
- 3.2 The bottom section of the Balance Sheet on page 20 splits the reserves between useable and unuseable reserves. The useable reserves can be used to fund future operating expenditure whilst the unusable reserves are kept to manage accounting processes such as unrealised gains or acquisitions of Fixed Assets and the movements on the Pension Reserve.
- 3.3 The closing position on the National Park (General), Navigation and Earmarked reserves remain at the same levels as reported on 18 May 2018. The individual balances that make up the Earmarked reserve can be found within the Statement of Accounts under note 10, page 40. The year end balances of the reserves are:
- National Park £1,058,321
  - Navigation £367,662
  - Earmarked £1,584,939 of which £641,986 relates to Navigation

### **4. Other Significant Issues**

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

### **5. Annual Governance Statement**

- 5.1 The Accounts and Audit (England) Regulations 2015 contain a requirement that an Annual Governance Statement, prepared in accordance with proper practices in relation to internal control, must be approved by the relevant body and must accompany the Statement of Accounts. The Annual Governance Statement will be considered under agenda item number 11.



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

- 6.1 The Authority's external auditors, Ernst & Young, have completed the audit and the audit report will be inserted into pages 12-15 prior to signing.

## **7. Financial Implications**

- 7.1 The Statement of Accounts for 2017/18 shows revenue reserves of £1,425,983 (general reserves £1,058,321, navigation reserves £367,662) that are considered to be adequate. The navigation reserve at the end of 2017/18 stands at 11.5% of net expenditure. This is higher than the Financial Strategy forecast for the end of 2017/18. With these taken alongside the earmarked reserve balances, the Authority's reserves are therefore considered to be sound. The outturn figures for 2017/18, and their implication for the overall level of reserves, will be taken into account in future budgeting proposals, and when making decisions about income and expenditure in 2018/19.

Background Papers:	Annual Governance Statement 2017/18 Annual Audit Results Report 2017/18
Author:	Emma Krelle
Date of Report:	10 July 2018
Broads Plan Objectives:	None
Appendices:	APPENDIX 1: Statement of Accounts 2017/18

**BROADS AUTHORITY**

STATEMENT OF ACCOUNTS

2017/18

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

### Introduction

The purpose of the Narrative Report is to provide information on the Authority, its main objectives and strategies and the principal risks that it faces. It also provides commentary on how the Authority has used its resources to achieve its outcomes in line with its objectives and strategies.

### About the Broads Authority

The Broads Authority was established by the Norfolk and Suffolk Broads Act 1988.

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

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

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

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

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

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

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

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

The Broads Plan is a key management plan for the Broads. It sets out a long-term vision for the benefit of the natural and cultural environment, local communities and visitors. Although the Authority is responsible for its production it is a plan for the whole of the Broads, and its success very much depends on a common vision, strong partnership working and the best use of shared resources. The current plan covers the period 2017-22 and is publicly

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Broads Authority Statement of Accounts  
**Narrative Report**

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available via the website. A six monthly newsletter is produced to provide updates and can also be found in the link below.

<http://www.broads-authority.gov.uk/broads-authority/how-we-work/strategy>

The Authority's Strategic Priorities are set annually by the members in line with objectives in the Broads Plan. Progress against the Strategic Priorities is reported regularly to the Authority and details of 2017/18 can be found in the link below:

[http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0011/1137386/Strategic-Direction-Strategic-Priorities-ba160318.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0011/1137386/Strategic-Direction-Strategic-Priorities-ba160318.pdf)

All decisions are supported by the Authority's core values. These are enduring beliefs or ideals about what is good or desirable and what is not. They are:

- Sustainable - we take the long-term view, are passionate about our environment and its ability to provide for a vibrant local economy and the well-being of local people;
- Exemplary - we strive for excellence in all we do. We are ambitious, innovative and lead by example;
- Commitment - we are committed to making a difference to the Broads for the benefit of all, and will have the courage of our convictions when faced with difficult issues;
- Caring - we are considerate and respectful of each other, working together to provide the best service we can; and
- Open and Honest - we are open, honest and inclusive in our communication and in making decisions. We are approachable and available, reaching out to all groups.

The Authority is funded from two major sources; National Park Grant from Defra and Navigation Toll Income. These are approximately equal to each other and are used to fund the activities (including staffing) across the organisation.

### Governance

The Annual Governance Statement provides details of progress against the current year and provides the new financial year action plan. This is available via the link below:

<http://www.broads-authority.gov.uk/broads-authority/spending/annual-accounts>

2017/18 saw the Authority undertake a peer review supported by the Local Government Association which looked specifically at governance. Although not specifically impacting the governance arrangements in 2017/18 the Authority has committed to reviewing these in 2018/19. The report is available via the link below:

<http://www.broads-authority.gov.uk/broads-authority/how-we-work/lga-peer-review>

### Operational model

The Authority consists of the Chief Executive team and two Directorates; Operations and Strategic Services (formally Planning and Resources). The total number of staff employed by the Authority gives a head count of 151 or 133.48 Full Time Equivalents (FTE) as at 31 March 2018. This is split 71 (65.89 FTE) Operations, 66 (57.34 FTE) Strategic Services and 14 (10.25 FTE) Chief Executive. Due to the seasonal nature of the Authority's activities the levels of staff can vary throughout the year and the year end position may vary depending on when Easter falls.

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Broads Authority Statement of Accounts  
**Narrative Report**

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The Chief Executive is supported by the Governance Team who service the Authority's various committees; the Solicitor and Monitoring Officer who oversees legal services; and the Chief Financial Officer who is responsible for the Asset Management, Finance and Insurance team.

The Operations Directorate consists of; the Construction, Maintenance and Environment team who carry out the practical work on the Broads, from dredging to the maintenance and refurbishment of moorings and land based sites and project managing the Heritage Lottery Fund (HLF) project Water, Mills and Marshes; the Ranger team who patrol the waterways enforcing our byelaws to small scale practical works; Safety Management for both waterways and land based activities; and Volunteer Services which support volunteering opportunities across all areas of the Authority.

The Strategic Services Directorate consists of; Planning - responsible for all planning applications, enforcement and the Local Plan within the Authority's executive area; Strategy and Projects - responsible for setting strategy across all areas including the Broads Plan; Communications - responsible for all publications, events and visitor services; Collection of Tolls - processing the applications and payments of 12,500 boats every year; IT - supporting all of the Authority's IT systems and users; HR - supporting all of the Authority's employees; and the management of the European Regional Development Fund (ERDF) INTERREG project 'Creating A New Approach to Peatland Ecosystems' (CANAPE).

The Authority's income is supplemented by income from planning fees, contributions from landowners towards fen management and from the Rural Payments Agency, staff recharges to Whitlingham Charitable Trust, Visitor Centres and Yacht Station sales and external funding such as HLF and ERDF.

### Risks

Whilst the Authority has some degree of confidence over the level of its National Park Grant funding until 2019/20, uncertainty remains about future year's settlements and their duration. In 2015/16 the Authority received a four year settlement which was the first time the Authority had been able to plan for such a period as prior years notifications had been provided on an annual basis. Cuts to National Park Grant in years 2010/11 to 2015/16 has meant the Authority has already restructured from four Directorates to two. If there were future reductions to the National Park grant beyond 2019/20 it would mean difficult decisions would be needed to determine future services. Whilst increases from Toll income has helped minimise the impact, this income cannot be spent on National Park purposes. Healthy reserves means that such impact would be cushioned in the short term until the longer vision of services is determined; however this is not sustainable in the longer term.

Risks are reviewed on a regular basis with actions being taken to mitigate any possible impacts. Reports to the Authority highlight risks on potential new areas of activity. The Financial Scrutiny and Audit Committee receive detailed reports on the current risks with details of the individual risks, risk owner and actions. A link to the latest report can be found below.

[http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0003/1126380/Review-of-Strategic-Risk-Register-fsac060318.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/1126380/Review-of-Strategic-Risk-Register-fsac060318.pdf)

### Opportunities

External funding opportunities continue to be investigated and supported by National Parks Partnership LLP (NPP). NPP continues to promote corporate partnerships for the UK National Parks with the aim to make a significant, sustainable and discernible contribution to the improved quality of UK National Parks and the benefits they offer for generations to

come. There has already been a high level of success including funding from; the HLF for Water, Mills and Marshes, ERDF for CANAPE, Tesco for Broadland Catchment Partnership and Columbia providing clothing to all front line staff for five years from 2017/18.

The UK National Parks also continue to investigate efficiencies through joint procurement and services and also to create resilience amongst the Parks.

The developments at Acle Bridge over the coming years will seek to further our National Park purposes and increase income opportunities.

### Strategy and Resource Allocation

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

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

On 20 November 2007, the Authority took out a £290,000 loan from the Public Works Loan Board. The repayment period of the loan is 20 years at a fixed interest rate of 4.82%, repayable by equal instalments of principal. The Public Works Loan Board has advised that the fair value of the debt as at 31 March 2018 is £163,919.

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

### Performance

Performance is assessed against progress made towards the Broads Plan, Strategic Priorities and the Budget with regular updates being provided to the Authority.

#### *General (National Park) Income and Expenditure*

The Authority received National Park Grant of £3,299k from Defra (£3,244k in 2016/17). In addition to this, the income received from external grant support, sales, fees, charges and interest totalled £726k (£825k in 2016/17). Total income for 2017/18 was £4,025k (£4,069k in 2016/17).

The Authority set a budget for 2017/18 with a forecast deficit of £42k (£27k deficit for 2016/17). The Authority monitors its budget throughout the year against a forecast outturn which is updated on a monthly basis. The final forecast outturn for the year 2017/18 indicated an anticipated deficit of £20k. The actual outturn saw a surplus of £20k (a favourable variance of £40k). The Authority has a policy for carry forward requests in

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Broads Authority Statement of Accounts  
**Narrative Report**

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respect of underspends. These have been subsequently approved by the Authority for £1k (£22k for 2016/17) and will be added to the 2018/19 budget.

#### *Navigation Income and Expenditure*

Income from tolls was £3,230k (£3,075k in 2016/17), other income received for the year from external grant support, yacht stations charges, sales of tide tables, works licences and other miscellaneous services was £240k, (£176k in 2016/17) and interest was £11k (£7k in 2016/17). Total income for 2017/18 was £3,481k (£3,258k in 2016/17).

The Authority set a budget with a forecast surplus of £1k for 2017/18 (surplus of £16k for 2016/17). The Authority monitors its budget throughout the year against a forecast outturn which is updated on a monthly basis. The final forecast outturn for 2017/18, which took account of approved budget changes, indicated an anticipated surplus of £81k. The actual outturn saw a surplus of £50k (an adverse variance of £31k). The Authority has a policy for carry forward requests in respect of underspends. These have been subsequently approved by the Authority for £1k (£9k for 2016/17) and will be added to the 2018/19 budget.

The Statement of Accounts consolidates these results and the combined figures are found in the Comprehensive Income and Expenditure Statement (CIES) and the Expenditure Funding Analysis (EFA). The CIES can be found on page 17 and the EFA on page 16.

#### Outlook

2018/19 focuses on the successful delivery of our two external funded projects from the HLF and ERDF. Although both projects are claimed in arrears the impact and the Authority's cash flows is minimal. However, there is some uncertainty on future exchange rates which are difficult to forecast for the ERDF grant which is contracted in Euro. The use of a prudent exchange rate during the application phase should minimise any future impact. Also the Authority is fortunate that it receives a large proportion of its toll income prior to the start of the financial year whilst the National Park Grant is received quarterly. The budget supports this with Navigation funding currently projecting a small deficit of £3k in 2018/19 (after taking into account carry forward requests), with reserves at 10.8% of net expenditure at the end of the year. For General (National Park) funding there is a projected deficit of £71k (after taking into account carry forwards requests) in 2018/19, with reserves at 28.7% of net expenditure.

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

There are a significant number of variables – and some unknown quantities, such as future inflation – which could impact on these figures. The Financial Strategy will therefore be reviewed and updated by the Authority, having regard to any changes in circumstances and the annual outturn figures, at its meeting in January 2019. The annual toll increase for 2018/19 was set at an overall 3%. When setting the future strategy the Authority will continue to consult with the Navigation Committee and other stakeholders.

2018/19 also sees the launch of the Acle Bridge Design competition. The long term ambition is to build a landmark building to create a new visitor attraction for the National Park and raise the profile of the area's special qualities. The Authority is running a worldwide architectural competition for architects and architect-led practices for the initial concept designs. The deadline for submissions is the end of May 2018 with the winning design to be notified in July 2018. Taking this project forward will be dependent on confirmation of partnership funding but the Authority would want to progress the development of the Acle bridge project in 2019.



### Changes to the 2017/18 Accounts

There have been no key changes to the Statement of Accounts in 2017/18.

### The Accounting Statements

The Broads Authority's accounts for the year 2017/18 are set out on pages 10 to 75. They consist of:

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

### **Statement of Corporate Governance**

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

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

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

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

**Cash Flow Statement** – The Cash Flow Statement shows the changes in cash and cash equivalents of the Authority during the reporting period. The statement shows how the Authority generates and uses cash and cash equivalents by classifying cash flows as operating, investing and financing activities. The amount of net cash flows arising from operating activities is a key indicator of the extent to which the operations of the Authority are funded by way of tolls and grant income or from the recipients of services provided by

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Broads Authority Statement of Accounts  
**Narrative Report**

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the Authority. Investing activities represent the extent to which cash outflows have been made for resources which are intended to contribute to the Authority's future service delivery. Cash flows arising from financing activities are useful in predicting claims on future cash flows by providers of capital (i.e. borrowing) to the Authority.

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

The information included in these accounts incorporates spending relating to the Broads Navigation. The Navigation income and expenditure is separately accounted for in the records to ensure the proper control of income from toll payers and to ensure it is spent primarily to benefit the users of the navigation. Navigation income and expenditure is shown in full at note 37 on page 75.

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Broads Authority Statement of Accounts  
**Statement of Responsibilities for the Statement of Accounts**

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

*The Authority's Responsibilities*

The Authority is required to:-

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

*The Chief Financial Officer's Responsibilities*

The Chief Financial Officer is responsible for the preparation of the Authority's Statement of Accounts in accordance with proper practices as set out in the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom 2017/18 (the Code).

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

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

The Chief Financial Officer has also:

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

*Chief Financial Officer's Certificate*

I certify that the Statement of Accounts gives a true and fair view of the financial position of the Broads Authority at 31 March 2018 and its income and expenditure for the year ended 31 March 2018.

Emma Krelle (Chief Financial Officer)

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Broads Authority Statement of Accounts  
**Certificate of Committee Resolution**

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**Certificate of Committee Resolution**

I confirm that these accounts were approved by The Broads Authority at its meeting held 27 July 2018.

Signed on behalf of The Broads Authority:

(Chair of meeting approving the accounts)

27 July 2018

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

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

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

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

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

**Expenditure and Funding Analysis**

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

2016/17				2017/18		
Net Expenditure Chargeable to the General and Navigation Fund Balances £000	Adjustments between the Funding and Accounting Basis * £000	Net Expenditure in the Comprehensive Income and Expenditure Statement £000		Net Expenditure Chargeable to the General and Navigation Fund Balances £000	Adjustments between the Funding and Accounting Basis * £000	Net Expenditure in the Comprehensive Income and Expenditure Statement £000
982	65	1,047	Operations	957	133	1,090
1,814	26	1,840	Strategic Services	1,574	145	1,719
284	6	290	Chief Executive	617	36	653
95	0	95	Corporate Amounts	37	0	37
22	265	287	Broads Navigation Account	(153)	141	(12)
<b>3,197</b>	<b>362</b>	<b>3,559</b>	<b>Net Cost of services</b>	<b>3,032</b>	<b>455</b>	<b>3,487</b>
(3,235)	187	(3,048)	Other Income and Expenditure	(3,283)	210	(3,073)
<b>(38)</b>	<b>549</b>	<b>511</b>	<b>Surplus or (Deficit)</b>	<b>(251)</b>	<b>665</b>	<b>414</b>
(1,378)			Opening General and Navigation Fund Balance	(1,368)		
(38)			Less/Plus Surplus or (Deficit) on General and Navigation Balance in Year	(251)		
48			Transfer (to)/from Earmarked Reserves	193		
<b>(1,368)</b>			<b>Closing General and Navigation Fund Balance at 31 March</b>	<b>(1,426)</b>		

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

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

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

**Comprehensive Income and Expenditure Statement**

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

2016/17				Note	2017/18		
Gross Expenditure £000	Income £000	Net Expenditure / (Income) £000			Gross Expenditure £000	Income £000	Net Expenditure/ (Income) £000
1,177	(130)	1,047	Operations		1,263	(173)	1,090
2,568	(728)	1,840	Strategic Services		2,233	(514)	1,719
294	(4)	290	Chief Executive		678	(25)	653
95	0	95	Corporate Items		37	0	37
3,525	(3,238)	287	Broads Navigation Account	37	3,456	(3,468)	(12)
<b>7,659</b>	<b>(4,100)</b>	<b>3,559</b>	<b>Cost of services</b>		<b>7,667</b>	<b>(4,180)</b>	<b>3,487</b>
		1	(Gains)/Losses on the disposal of non-current assets				3
		195	Financing and investment income and expenditure	11			223
		(3,244)	DEFRA National Park grant income				(3,299)
		511	(Surplus) or deficit on provision of services				414
		(230)	(Surplus) or deficit on revaluation of fixed assets				(36)
		2,166	Actuarial (gains) / losses on pension assets / liabilities				(1,000)
		1,936	Other comprehensive income and expenditure				(1,036)
		<b>2,447</b>	<b>Total comprehensive income and expenditure</b>				<b>(622)</b>

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

**Movement in Reserves Statement**

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

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

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

2017/18	General Fund and Navigation Fund Balance £000	Earmarked Reserves £000	Total Useable Reserves £000	Unusable Reserves £000	Total Authority Reserves £000
Balance at 31 March 2017 (A)	1,368	1,392	2,760	(3,297)	(537)
Total comprehensive income and expenditure	(414)	0	(414)	1,036	622
Adjustments between accounting basis and funding basis under regulations (Note 9)	665	0	665	(665)	0
Transfers to or from Earmarked Reserves (Note 10)	(193)	193	0	0	0
Increase or (decrease) in 2017/18 (B)	58	193	251	371	622
<b>Balance at 31 March 2018 (=A+B)</b>	<b>1,426</b>	<b>1,585</b>	<b>3,011</b>	<b>(2,926)</b>	<b>85</b>

Broads Authority Statement of Accounts  
**Balance Sheet**

**Balance Sheet**

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

As at 31 Mar 17 £000		Note	As at 31 Mar 18 £000
4,439	Property, Plant & Equipment	12	4,754
275	Investment Property Held for Sale	13	275
43	Intangible Assets	14	37
3	Long term debtors		0
4,760	Long term assets		5,066
2,001	Short term investments		2,505
88	Inventories	15	91
549	Short term debtors	16	699
1,981	Cash and cash equivalents	17	1,694
4,619	Current assets		4,989
(15)	Short term borrowing		(15)
(1,761)	Short term creditors	18	(1,903)
(63)	Provisions	19	(66)
(1,839)	Current liabilities		(1,984)
(137)	Long term borrowing		(123)
(7,940)	Other long term liabilities	31, 33	(7,863)
(8,077)	Long term liabilities		(7,986)
<b>(537)</b>	<b>Net assets/(liabilities)</b>		<b>85</b>
	<u>Useable reserves</u>		
1,042	General Account fund balance		1,058
326	Navigation Account fund balance		368
1,392	Earmarked Reserves	10	1,585
	<u>Unusable reserves</u>	21	
1,641	Revaluation Reserve		1,774
2,892	Capital Adjustment Account		2,921
(7,780)	Pension Reserve		(7,571)
(50)	Accumulated Absence Reserve		(50)
<b>(537)</b>	<b>Total reserves</b>		<b>85</b>

I certify that the statement of accounts gives a true and fair view of the financial position of the authority at 31 March 2018 and its income and expenditure for the year ended 31 March 2018. These financial statements replace the unaudited statements certified by the Chief Financial Officer on 25 May 2018.

Emma Krelle (Chief Financial Officer)

27 July 2018

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

**Cash Flow Statement**

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

2016/17 £000	Revenue Activities	Note	2017/18 £000
(511)	Net surplus or (deficit) on the provision of services		(414)
815	Adjustments to net surplus or deficit on the provision of services for non-cash movements		1,102
(14)	Adjust for items in the net surplus or deficit on the provision of services that are Investing and Financing Activities		(5)
290	Net cash flows from Operating Activities	22	683
(2,383)	Investing Activities	23	(904)
(63)	Financing Activities	24	(66)
(2,156)	Net increase or (decrease) in cash and cash equivalents		(287)
4,137	Cash and cash equivalents at the beginning of the reporting period		1,981
<b>1,981</b>	<b>Cash and cash equivalents at the end of the reporting period</b>	17	<b>1,694</b>

## Notes to the Statement of Accounts

### 1. Accounting Policies

#### i. General Principles

The Statement of Accounts summarises the Authority's transactions for the 2017/18 financial year and its position at the year end of 31 March 2018. The Authority is required to prepare an annual Statement of Accounts by the Accounts and Audit (England) Regulations 2015, which those regulations require to be prepared in accordance with proper accounting practices. These practices primarily comprise the Code of Practice on Local Authority Accounting in the United Kingdom 2017/18 and the Service Reporting Code of Practice 2017/18, supported by International Financial Reporting Standards (IFRS).

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

#### ii. Accruals of Income and Expenditure

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

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

#### iii. Cash and Cash Equivalents

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

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

iv. Exceptional Items

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

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

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

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

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

vi. Charges to Revenue for Non-Current Assets

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

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

vii. Employee Benefits

*Benefits payable during employment*

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



### *Termination Benefits*

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

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

### *Post-Employment Benefits*

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

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

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

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

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

#### ix. Fair Value Measurement

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

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

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Broads Authority Statement of Accounts  
**Notes to the Statement of Accounts**

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

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

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

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

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

x. Financial Instruments

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

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

Financial assets are classified into two types:

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

The Authority has not made any material loans.

xi. Foreign Currency Translation

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

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Broads Authority Statement of Accounts  
**Notes to the Statement of Accounts**

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xii. Government Grants and Contributions

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

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

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

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

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

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

xiii. Intangible Assets

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

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

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

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

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Broads Authority Statement of Accounts  
**Notes to the Statement of Accounts**

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

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

xiv. Investment Property

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

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

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

xv. Inventories

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

xvi. Leases

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

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

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

The Authority as Lessee

*Finance Leases*

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

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Broads Authority Statement of Accounts  
**Notes to the Statement of Accounts**

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

Lease payments are apportioned between:

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

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

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

#### *Operating Leases*

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

#### The Authority as Lessor

##### *Operating Leases*

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

#### xvii. Property, Plant and Equipment

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

##### *Recognition*

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

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Broads Authority Statement of Accounts  
**Notes to the Statement of Accounts**

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*Measurement*

Assets are initially measured at cost, comprising:

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

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

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

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

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

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

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

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

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

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

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

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

### *Impairment*

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

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

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

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

### *Depreciation*

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

Depreciation is calculated on the following bases:

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

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

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

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

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

### *Disposals and Non-current Assets*

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

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

Amounts received for a disposal in excess of £10,000 are categorised as capital receipts. The balance of receipts is required to be credited to the Capital Receipts Reserve, and can then only be used for new capital investment, or set aside to reduce the Authority's underlying need to borrow (the capital financing requirement) (England and Wales). Receipts are appropriated to the Reserve from the General Fund Balance in the Movement in Reserves Statement.

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

xviii. Provisions, Contingent Liabilities and Contingent Assets

*Provisions*

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

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

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

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

*Contingent Liabilities*

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

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

*Contingent Assets*



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

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

xix. Reserves

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

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

xx. Operating Segments

In accordance with IFRS 8 and the Code, the Broads Authority keeps the general fund and navigation fund separately. Under the Code, the Authority has prepared a single income and expenditure account for 2017/18, however in note 37 to the accounts the navigation income and expenditure is shown.

xxi. Allocation of Costs

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

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

xxii. Revenue Expenditure Funded from Capital Under Statute

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

xxiii. VAT

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

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

The 2018/19 Code of Practice on Local Authority Accounting adopts the following amendments to International Accounting Standards and International Financial Reporting Standards, which will be required from 1 April 2018:

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- IFRS 9 Financial Instruments includes a single classification approach for financial assets driven by cash flow characteristics and how an instrument is managed, a forward looking 'expected loss' model for impairment rather than the 'incurred loss' model under IAS 39. Based on the current financial assets held by the Authority, this is not expected to have a material effect in the financial statements, as the assets held will be classified at amortised cost on transition.
- The following amendments to the accounting standards are either not relevant or have minor changes which are not expected to have a material effect on the Authority's Statement of Accounts. These include: IAS 12 Income Taxes: Recognition of Deferred Tax Assets for Unrealised Losses, IFRS 15 Revenue from Contracts with Customers and its clarifications and IAS 7 Statement of Cash Flows.

### **3. Critical judgements in applying accounting policies**

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

- Despite the remaining two years of the original four year settlement from DEFRA there remains a degree of uncertainty about the longer term levels of funding for National Parks. However, the Authority has determined that this uncertainty is not yet sufficient to provide an indication that the assets of the Authority might be impaired as a result of a need to close facilities and reduce levels of service provision.
- The Authority is a member of Whitlingham Charitable Trust of which there are four members. The Authority can appoint up to four trustees and there shall be no more than nine in total. The Trust is limited by guarantee in which each member agrees to contribute £1 in the event of it being wound up. Whitlingham Charitable Trust was established to manage and maintain Whitlingham Country Park for public benefit. Whilst the Authority does have significant influence in the management of the Trust, it does not have a controlling influence, and it does not have any share equity, or any share in profits or losses. It is considered therefore that International Accounting Standard (IAS) 28 – Accounting for Investments in Associates - does not apply as the charity has no formal equity structure, and the Authority does not derive any financial benefit from the Trust.

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

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

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Item	Uncertainties	Effect if actual results differ from assumptions
Property Plant and Equipment	Assets are depreciated over useful lives that are dependent on assumptions about the level of repairs and maintenance that will be incurred in relation to individual assets. The current economic climate makes it uncertain that the Authority will be able to sustain its current spending on repairs and maintenance, bringing into doubt the useful lives assigned to assets.	If the useful life of assets is reduced, depreciation increases and the carrying amount of the assets fall.  It is estimated that the annual depreciation charge would increase by £51,000 for every year that useful lives had to be reduced.
Pensions Liability	Estimation of the net liability to pay pensions depends on a number of complex judgements relating to the discount rate used, the rate at which salaries are projected to increase, changes in retirement ages, mortality rates and expected returns on pension fund assets. A firm of consulting actuaries is engaged to provide the Authority with expert advice about the assumptions to be applied.	The effects on the net pensions liability of changes in individual assumptions can be measured. For instance, a 0.5% decrease in the discount rate assumption would result in an increase in the pension liability of £3,479,000. Further details are set out in the sensitivity analysis in note 33.

**5. Material Items of Income and Expense**

There are no material items of expense in relation to 2017/18 which are not disclosed elsewhere within the Statement of Accounts.

**6. Events after the balance sheet date**

The Statement of Accounts was authorised for issue by the Chief Financial Officer on 27 July 2018. Events that occur after this date are not reflected in the financial statements or notes.

Subsequent to the approval of the draft accounts, the Authority received further information regarding the contingent liabilities disclosed in note 34 on page 70.

*Appeal against Adjacent tolls decision*

The defendant's 'Application to Magistrates' Court or Crown Court to State a Case for an Appeal to the High Court' for the 2017/18 toll was refused on 25 May 2018 which concluded the matter. The Authority did not receive notice of this decision until 5 June 2018.

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

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

2016/17					2017/18			
Adjustments for Capital Purposes (Note 1)	Net change for the Pensions Adjustments (Note 2)	Other Differences (Note 3)	Total Adjustments		Adjustments for Capital Purposes (Note 1)	Net change for the Pensions Adjustments (Note 2)	Other Differences (Note 3)	Total Adjustments
£000	£000	£000	£000		£000	£000	£000	£000
38	28	(1)	65	Operations	25	108	0	133
(29)	49	6	26	Strategic Services	(31)	179	(3)	145
0	7	(1)	6	Chief Executive	0	34	2	36
0	0	0	0	Corporate Items	0	0	0	0
194	69	2	265	Broads Navigation Account	(119)	260	0	141
203	153	6	362	<b>Net Cost of Services</b>	(125)	581	(1)	455
0	187	0	187	Other income and expenditure from the Expenditure and Funding Analysis	0	210	0	210
<b>203</b>	<b>340</b>	<b>6</b>	<b>549</b>	<b>Difference between General and Navigation Fund surplus or deficit and Comprehensive Income and Expenditure Statement Surplus or Deficit on the Provision of Services</b>	<b>(125)</b>	<b>791</b>	<b>(1)</b>	<b>665</b>

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Note

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

Income received on a segmental basis is analysed below:

Service	2016/17 Income from Services £000	2017/18 Income from Services £000
Operations	(130)	(173)
Strategic Services	(728)	(514)
Chief Executive	(4)	(25)
Corporate Items	0	0
Specialist Ringfenced Account (Navigation)	(3,238)	(3,468)
<b>Total income analysed on a segmental basis</b>	<b>(4,100)</b>	<b>(4,180)</b>

## 8. Expenditure and Income Analysed by Nature

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

Expenditure/Income *	2016/17 £000	2017/18 £000
Expenditure		
Employee benefits expenses	4,310	5,025
Other services expenses	3,384	2,935
Depreciation, amortisation, impairment	623	329
Interest payments	36	38
Expenditure in relation to investment properties	(13)	(2)
Loss on the disposal of assets	1	3
<b>Total expenditure</b>	<b>8,341</b>	<b>8,328</b>
Income		
Fees, charges and other service income	(4,113)	(4,184)
Interest and investment income	(15)	(23)
Contributions from reserves	(458)	(408)
Government grants and contributions	(3,244)	(3,299)
<b>Total income</b>	<b>(7,830)</b>	<b>(7,914)</b>
<b>Surplus or Deficit on the Provision of Services</b>	<b>511</b>	<b>414</b>

\* In addition to the amounts reported within the Comprehensive Income and Expenditure Statement the breakdown above also includes income and expenditure funded from the earmarked reserves.

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

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

General Fund & Navigation Fund 2016/17 £000	Movement in Unusable Reserves 2016/17 £000		General Fund & Navigation Fund 2017/18 £000	Movement in Unusable Reserves 2017/18 £000
		<b>Adjustments primarily involving the Capital Adjustment Account:</b>		
		<b>Reversal of items debited or credited to the Comprehensive Expenditure and Income Statement:</b>		
315	(315)	Charges for depreciation and impairment of non-current assets	312	(312)
307	(307)	Revaluation losses on property, plant and equipment	7	(7)
0	0	Amortisation of intangible assets	6	(6)
6	(6)	Movements in the fair value of investment properties	0	0
15	(15)	Amounts of non-current assets written off on disposal or sale as part of the gain/loss on disposal to the Comprehensive Income and Expenditure Statement	8	(8)
		<b>Insertion of items not debited or credited to the Comprehensive Income and Expenditure Statement:</b>		
(63)	63	Statutory provision for the financing of capital investment	(67)	67
(378)	378	Capital expenditure charged against the General Fund	(392)	392

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General Fund & Navigation Fund 2016/17 £000	Movement in Unusable Reserves 2016/17 £000		General Fund & Navigation Fund 2017/18 £000	Movement in Unusable Reserves 2017/18 £000
937	(937)	<b>Adjustments involving the Pensions Reserve:</b> Reversal of items relating to post-employment benefits debited or credited to the Surplus or Deficit on the Provision of Services in the Comprehensive Income and Expenditure Statement (see note 33)	1,475	(1,475)
(597)	597	Employer's pension contributions and direct payments to pensioners payable in the year	(684)	684
7	(7)	<b>Adjustments involving the accumulated Absences Account:</b> Adjustments in relation to short-term compensated absences	0	0
0	0	<b>Adjustments involving the Capital Grant Unapplied Account:</b> Capital grants and contributions unapplied credited to the Comprehensive Income and Expenditure Statement	0	0
<b>549</b>	<b>(549)</b>	<b>Total Adjustments</b>	<b>665</b>	<b>(665)</b>



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

This note presents details of the amounts set aside in earmarked reserves to provide financing for future expenditure and the amounts posted back from earmarked reserves to meet expenditure in 2017/18. A description of each of the earmarked reserves follows in the table below.

	Balance at 31 March 2016 £000	Transfers in 2016/17 £000	Transfers out 2016/17 £000	Balance at 31 March 2017 £000	Transfers in 2017/18 £000	Transfers out 2017/18 £000	Balance at 31 March 2018 £000
Property	(361)	(75)	7	(429)	(76)	26	(479)
Plant, Vessels and Equipment	(301)	(175)	262	(214)	(170)	182	(202)
Premises	(202)	(31)	54	(179)	(31)	61	(149)
Planning Delivery Grant	(292)	(54)	151	(195)	(43)	11	(227)
Upper Thurne Enhancement Scheme	(56)	(22)	0	(78)	(24)	2	(100)
Section 106 Agreements	(76)	(33)	0	(109)	(1)	8	(102)
Heritage Lottery Fund	(56)	(217)	180	(93)	(205)	184	(114)
Catchment Partnership	0	(95)	0	(95)	(32)	27	(100)
CANAPE	0	0	0	0	(112)	40	(72)
Computer Software	0	0	0	0	(40)	0	(40)
<b>Total</b>	<b>(1,344)</b>	<b>(702)</b>	<b>654</b>	<b>(1,392)</b>	<b>(734)</b>	<b>541</b>	<b>(1,585)</b>

Earmarked reserves

*Property*

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

*Plant, Vessels and Equipment*

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

*Premises*

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

*Planning Delivery Grant*

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

*Upper Thurne Enhancement Scheme*

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

*Section 106 Agreements*

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

*Heritage Lottery Fund*

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

*Catchment Partnership*

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

*CANAPE*

A reserve account set up for European grant part funded project relating to the Creating A New Approach to Peatland Ecosystems.

*Computer Software*

A reserve account set up to provide for the ongoing replacement of Authority's Computer Software.

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**11. Financing and Investment Income and Expenditure**

2016/17 £000		2017/18 £000
36	Interest payable and similar charges	38
187	Net interest on the net defined benefit liability (asset)	210
(15)	Interest receivable and similar income	(23)
(13)	Income and expenditure in relation to investment properties and changes in their fair value	(2)
<b>195</b>	<b>Total</b>	<b>223</b>

**12. Property, Plant and Equipment**

Movements on balances 2016/17

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

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

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

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Movements on balances 2017/18

Cost or valuation	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total Property, Plant and Equipment £000
At 1 April 2017	2,732	2,942	302	323	30	6,329
additions	180	404	0	0	22	606
revaluation increases / (decreases) recognised in the Revaluation Reserve	(50)	4	0	0	0	(46)
revaluation increases / (decreases) recognised in the Surplus / Deficit on the Provision of Services	(7)	0	0	0	0	(7)
derecognition – disposals	0	(31)	0	0	0	(31)
asset reclassification (to)/from Assets Under Construction	30	0	0	0	(30)	0
<b>At 31 March 2018</b>	<b>2,885</b>	<b>3,319</b>	<b>302</b>	<b>323</b>	<b>22</b>	<b>6,851</b>

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Accumulated depreciation and impairment	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total Property, Plant and Equipment £000
At 1 April 2017	13	1,669	208	0	0	1,890
depreciation charge	23	274	15	0	0	312
derecognition – disposals	(13)	(69)	0	0	0	(82)
depreciation written out to the Revaluation Reserve	0	(23)	0	0	0	(23)
<b>At 31 March 2018</b>	<b>23</b>	<b>1,851</b>	<b>223</b>	<b>0</b>	<b>0</b>	<b>2,097</b>

Net Book Value	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total Property, Plant and Equipment £000
<b>At 31 March 2018</b>	<b>2,862</b>	<b>1,468</b>	<b>79</b>	<b>323</b>	<b>22</b>	<b>4,754</b>
At 31 March 2017	2,719	1,273	94	323	30	4,439

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Depreciation

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

Category of Asset	Depreciation method	Depreciation period
Operational Land and Buildings	Straight line. (The split between land and buildings is determined by the Authority's property consultant)	Between 5 to 50 years as per professional advice
Community Land	Not depreciated	Not depreciated
Infrastructure Asset	Straight line	Between 20 to 25 years
Vehicles, Vessels and Equipment	Straight line	Between 5 to 10 Years
Computer and Office Equipment	Straight line	5 years

Capital Commitments

The Authority has no capital commitments as at the balance sheet date. At 31 March 2017 there was one commitment relating to the purchase of Linkflote Pontoons for £111,000. This purchase was completed during 2017/18.

Impairments

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

Revaluations

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

Significant assumptions applied in estimating the current values are:

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

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

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

	Land and Buildings £000	Vehicles, Plant, Furniture & Equipment £000	Infrastructure Assets £000	Community Assets £000	Assets Under Construction £000	Total £000
Carried at historical cost	0	0	79	323	0	402
Valued at current value as at:						
31 March 2018	332	629	0	0	22	983
31 March 2017	2,225	370	0	0	0	2,595
31 March 2016	305	219	0	0	0	524
31 March 2015	0	180	0	0	0	180
31 March 2014	0	70	0	0	0	70
<b>Total cost or valuation</b>	<b>2,862</b>	<b>1,468</b>	<b>79</b>	<b>323</b>	<b>22</b>	<b>4,754</b>

### 13. Investment Properties

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

2016/17 £000		2017/18 £000
20	Rental income from investment property	21
(7)	Direct operating expenses arising from investment property	(19)
<b>13</b>	<b>Net gain / (loss)</b>	<b>2</b>

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



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

2016/17 £000		2017/18 £000
340	Balance at start of the year	275
(65)	Net gains / losses from fair value adjustments	0
<b>275</b>	<b>Balance at end of the year</b>	<b>275</b>

Fair Value Hierarchy

Details of the Authority's investment properties and information about the fair value hierarchy as at 31 March 2017 and 2018 are as follows:

	Significant observable inputs (Level 2) £000s	Fair Value 31 March 2017 £000s	Significant observable inputs (Level 2) £000s	Fair Value 31 March 2018 £000s
Fieldbase (Held for Sale)	275	275	275	275
	<b>275</b>	<b>275</b>	<b>275</b>	<b>275</b>

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

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

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

Highest and best use of Investment Properties

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

Valuation Process for Investment Properties

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

**14. Intangible Assets**

The Authority internally generated a website [www.visitthebroads.co.uk](http://www.visitthebroads.co.uk) which would be classified as an intangible asset as it meets strict IAS 38 requirements to be recognised on

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the balance sheet. The useful life of the website is 5 years and the carrying amount is amortised on a straight line basis.

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

	Internally Generate d Assets £000	Other Assets £000	2016/17 Total £000	Internally Generated Assets £000	Other Assets £000	2017/18 Total £000
Balance at start of year:						
Gross carrying amounts	43	0	43	43	0	43
Accumulated amortisation	0	0	0	(9)	0	(9)
Net carrying amount at start of year	0	0	0	0	0	0
Additions:						
Internal development	13	0	13	3	0	3
Purchases	30	0	30	0	0	0
Amortisation for the period	0	0	0	0	0	0
<b>Net Carrying Amount at the end of the year</b>	<b>43</b>	<b>0</b>	<b>43</b>	<b>37</b>	<b>0</b>	<b>37</b>
Comprising:						
Gross carrying amounts	43	0	43	46	0	46
Accumulated amortisation	0	0	0	(9)	0	(9)
	<b>43</b>	<b>0</b>	<b>43</b>	<b>37</b>	<b>0</b>	<b>37</b>

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**15. Inventories**

	Consumable Stores		Maintenance Materials		Total	
	2016/17 £000	2017/18 £000	2016/17 £000	2017/18 £000	2016/17 £000	2017/18 £000
Balance outstanding at start of year	34	31	70	57	104	88
Purchases	26	43	85	87	111	130
Recognised as an expense in year	(29)	(37)	(98)	(90)	(127)	(127)
Written off balances	0	0	0	0	0	0
<b>Balance outstanding at year-end</b>	<b>31</b>	<b>37</b>	<b>57</b>	<b>54</b>	<b>88</b>	<b>91</b>

**16. Debtors**

31 March 2017 £000		31 March 2018 £000
134	Central government bodies	138
3	Other local authorities	34
327	Prepayments and accrued income	417
85	Other entities and individuals	110
<b>549</b>	<b>Total</b>	<b>699</b>

**17. Cash and Cash Equivalents**

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

31 March 2017 £000		31 March 2018 £000
2	Cash held by the Broads Authority	2
1,979	Bank current accounts	1,692
<b>1,981</b>	<b>Total Cash and Cash Equivalents</b>	<b>1,694</b>

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**18. Creditors**

31 March 2017 £000		31 March 2018 £000
69	Central government bodies	72
15	Other local authorities	121
1	NHS bodies	0
1,337	Accruals and income in advance	1,298
0	Public corporations and trading funds	1
339	Other entities and individuals	411
<b>1,761</b>	<b>Total</b>	<b>1,903</b>

**19. Provisions**

2016/17				2017/18			
Accumulated Absences Provision £000	Redundancy Provision £000	Total £000		Accumulated Absences Provision £000	Redundancy Provision £000	HMRC Provision £000	Total £000
43	0	43	Balance at 1 April	50	13	0	63
50	13	63	Additional provisions made in year	50	0	16	66
(43)	0	(43)	Settlements or cancellation of provision made at end of preceding year	(50)	(13)	0	(63)
<b>50</b>	<b>13</b>	<b>63</b>	<b>Balance at 31 March</b>	<b>50</b>	<b>0</b>	<b>16</b>	<b>66</b>

The redundancy provision made in 2016/17 was for the costs of organisational restructuring. The provision relates to a redundancy payment for a post which left the Authority in April 2017. The post effected was notified in January 2017 and the payment was made during 2017/18. No further redundancy provisions were made in 2017/18.

The HMRC Provision relates to the non-taxation of members expenses for attendance at committee meetings during the period 2012/13-2017/18. It should be noted that the Authority believes that the Local Authority exemption should apply to National Parks.

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

**20. Usable reserves**

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

**21. Unusable reserves**

31 March 2017 £000		31 March 2018 £000
1,641	Revaluation reserve	1,774
2,892	Capital Adjustment Account	2,921
(7,780)	Pensions Reserve	(7,571)
(50)	Accumulated Absences Account	(50)
<b>(3,297)</b>	<b>Total unusable reserves</b>	<b>(2,926)</b>

Revaluation Reserve

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

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

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

2016/17 £000			2017/18 £000
1,426	Balance at 1 April		1,641
234	Upward revaluation of assets	258	
(3)	Downward revaluation of assets	(222)	
231	Surplus or deficit on revaluation of non-current assets not posted to the Surplus or Deficit on Provision of Services		36
(16)	Difference between current value depreciation and historical cost depreciation	97	
(16)	Amount written off to the Capital Adjustment Account		97
<b>1,641</b>	<b>Balance at 31 March</b>		<b>1,774</b>

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Capital Adjustment Account

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

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

2016/17 £000			2017/18 £000
3,079	Balance at 1 April		2,892
	Reversal of items relating to capital expenditure debited or credited to the Comprehensive Income and Expenditure Statement:		
(315)	Charges for depreciation and impairment of non current assets	(312)	
(307)	Revaluation losses on Property Plant & Equipment	(7)	
(6)	Movements in the market value of investment properties	0	
0	Amortisation of intangible assets	(9)	
(15)	Amounts of non-current assets written off on disposal or sale as part of the gain / loss on disposal to the Comprehensive Income and Expenditure Statement	(8)	
(643)		(336)	
16	Adjusting amounts written out of the revaluation reserve	(97)	
(627)	Net written out amount of the cost of non-current assets consumed in the year		(433)
	Capital financing applied in the year:		
63	Statutory provision for the financing of capital investment charged against the General Fund	67	
377	Removal of Finance Lease Liability for assets returned in year		
377	Capital expenditure charged against the General Fund	395	
440			462
<b>2,892</b>	<b>Balance at 31 March</b>		<b>2,921</b>

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Pensions Reserve

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

2016/17 £000		2017/18 £000
(5,274)	Balance at 1 April	(7,780)
(2,166)	Remeasurements of the net defined benefit liability / (asset)	1,000
(937)	Reversal of items relating to retirement benefits debited or credited to the Surplus or Deficit on the Provision of Services in the Comprehensive Income and Expenditure Statement	(1,475)
597	Employer's pension contributions and direct payments to pensioners payable in the year	684
<b>(7,780)</b>	<b>Balance at 31 March</b>	<b>(7,571)</b>

Accumulated Absences Account

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

2016/17 £000		2017/18 £000
(43)	Balance at 1 April	(50)
43	Settlement or cancellation of accrual made at the end of the preceding year	50
(50)	Amounts accrued at the end of the current year	(50)
7	Amount by which officer remuneration charged to the Comprehensive Income and Expenditure Statement on an accruals basis is different from remuneration chargeable in the year in accordance with statutory requirements	0
<b>(50)</b>	<b>Balance at 31 March</b>	<b>(50)</b>

## 22. Cash Flow Statement – Operating Activities

The cash flows from operating activities include the following items:

2016/17 £000		2017/18 £000
(24)	Interest received	(20)
36	Interest paid	38
<b>12</b>	<b>Net cash flows from operating activities</b>	<b>18</b>

## 23. Cash Flow Statement – Investing Activities

2016/17 £000		2017/18 £000
(378)	Purchase of property, plant and equipment, investment property and intangible assets	(395)
(2,000)	Purchase of short term investments	(500)
9	Other payments from investing activities	(4)
(14)	Proceeds from the sale of property plant and equipment, investment property and intangible assets	(5)
<b>(2,383)</b>	<b>Net cash flows from investing activities</b>	<b>(904)</b>

## 24. Cash Flow Statement – Financing Activities

2016/17 £000		2017/18 £000
(49)	Cash payments for the reduction of the outstanding liabilities relating to finance leases	(52)
(14)	Repayments of short and long term borrowing	(14)
<b>(63)</b>	<b>Net cash flows from financing activities</b>	<b>(66)</b>



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**25. Members' Allowances**

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

2016/17 £000		2017/18 £000
37	Allowances	36
9	Expenses	7
<b>46</b>	<b>Total</b>	<b>43</b>

**26. Officers' Remuneration**

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

		Salary, Fees and Allowances £000	Bonuses £000	Expenses Allowances £000	Pension Contribution £000	Total £000
Chief Executive	2016/17	84	0	0	13	<b>97</b>
	2017/18	85	0	0	16	<b>101</b>
Director of Planning & Resources <sup>1</sup> / Director of Strategic Services	2016/17	59	0	0	9	<b>68</b>
	2017/18	51	0	0	9	<b>60</b>
Director of Operations	2016/17	51	0	0	7	<b>58</b>
	2017/18	54	0	0	10	<b>64</b>

The Director of Planning & Resources<sup>1</sup> resigned with effect from 6 August 2017. This role was replaced by the Director of Strategic Services whose employment commenced 18 September 2017.

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

2016/17 Number of Employees		2017/18 Number of Employees
1	£50,000 - £54,999	1
1	£55,000 - £59,999	0
0	£60,000 - £64,999	0
0	£65,000 - £69,999	0
0	£70,000 - £74,999	0
0	£75,000 - £79,999	0
1	£80,000 - £84,999	1

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Exit Packages

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

Exit package cost band	Number of compulsory redundancies		Number of other departures agreed		Total number of exit packages by cost band		Total cost of exit packages in each band	
	2016/17	2017/18	2016/17	2017/18	2016/17	2017/18	2016/17 £000	2017/18 £000
£0 - £20,000	1	0	0	0	1	0	13	0
£20,001 - £40,000	0	0	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>13</b>	<b>0</b>

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

## 27. External Audit Costs

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

2016/17 £000		2017/18 £000
13	Fees payable to external auditors with regard to external audit services carried out by the appointed auditor for the year	13
<b>13</b>	<b>Total</b>	<b>13</b>

## 28. Grant Income

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

2016/17 £000		2017/18 £000
3,244	Credited to taxation and non-specific grant income: Defra National Park Grant	3,299
166	Credited to services: Heritage Lottery Fund – Landscape Partnership Scheme	144
0	CANAPE – ERDF	21
<b>3,410</b>	<b>Total</b>	<b>3,464</b>

## **29. Related Parties**

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

### Central Government

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

### Members

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

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

Mr Alan Goodchild is a member of the Navigation Committee and is a Director of 'Goodchild Marine' which was contracted by the Authority to build a new launch in 2016/17 and complete refits along with supplying diesel fuel and mooring facilities during 2017/18. The Authority paid £8,131 for refits and £5,649 for fuel and moorings during 2017/18 (£55,851 for the launch, £347 for refits, and £5,653 for fuel and moorings in 2016/17). £7,001 was outstanding at 31 March 2018. Goodchild Marine paid £582 in navigation tolls to the Broads Authority in 2017/18 (£565 in 2016/17). Mr Goodchild took no part in the decision-making process associated with these contracts.

Mr James Knight is a member of the Navigation Committee and is a Director of 'Waveney River Centre (2003) Ltd' which paid £7,570 navigation tolls to the Broads Authority in 2017/18 (£8,628 in 2016/17). The Authority also made fuel purchases of £880 (£1,256 in 2016/17) and used mooring facilities of £2,400 (£2,300 in 2016/17) during 2017/18. Mr Knight is also a Director of 'Ferry Marina Ltd' which paid £48,393 navigation tolls to the Broads Authority in 2017/18 (£44,216 in 2016/17). No amounts were outstanding at 31 March 2018. Mr Knight took no part in the decision-making process associated with these contracts.

Mr Greg Munford is a member of the Broads Authority and Navigation Committee and is Chief Executive of 'Richardson's Leisure Ltd' which also wholly owns 'Moonfleet Marine Ltd'. Richardson's Leisure paid £375,116 (£360,631 in 2016/17) and Moonfleet Marine Ltd paid £6,448 (£4,315 in 2016/17) navigation tolls to the Broads Authority in 2017/18. The Authority made no further purchases from Richardson's during 2017/18 (£432 for lifting a boat in 2016/17), or received any further amounts during the year 2017/18 (Richardson's Holiday Group provided £5,700 to the Authority for tourism event sponsorship in 2016/17). The Authority made purchases from Moonfleet Marine Ltd of £92 in respect of fuel in 2017/18 (£8,516 in respect of refits and £1,282 fuel in 2016/17). No amounts were outstanding at 31 March 2018. Mr Munford took no part in the decision-making process associated with these contracts.

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Mr Michael Whitaker is a member of the Broads Authority and Navigation Committee and is a partner of 'Herbert Woods LLP' which paid £170,538 navigation tolls to the Broads Authority in 2017/18 (£170,128 in 2016/17). The Authority also made fuel purchases of £1,775 (£1,661 for fuel and £400 for boat hire in 2016/17) in 2017/18. No amounts were outstanding at 31 March 2018. Mr Whitaker took no part in the decision-making process associated with these contracts.

Mr Brian Wilkins is a member of the Navigation Committee and is a contractor via 'Windwood Solutions Ltd' to 'Canham Consulting Ltd', which was contracted for engineering design services. The Authority paid £8,256 during 2017/18 (£3,144 in 2016/17). No amounts were outstanding at 31 March 2018. Mr Wilkins took no part in the decision-making process associated with this contract.

#### Officers

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

#### Whitlingham Charitable Trust

During the year the Authority provided administration services for Whitlingham Charitable Trust of £52,664 (£43,294 in 2016/17). The balance outstanding at 31 March 2018 was £21,892 (£7,646 at 31 March 2017).

The Broads Authority also provides a recharge service for purchase invoices and salaries of £64,731 (£48,802 in 2016/17). The balance outstanding at 31 March 2018 was £9,670 (£4,466 at 31 March 2017).

The Whitlingham Charitable Trust also invoiced the Authority £15,264 (£15,264 in 2016/17) for rental income for the lease of the visitor centre and moorings. The balance outstanding at 31 March 2018 was £864 (£864 in 2016/17).

During the year the Authority purchased an Education Pavilion for £6,227 which was funded by Tesco Bags for Help that the Authority applied for on Trust's behalf. This income was received in 2016/17 and carried forward in the 2017/18 budget. This has been donated to Whitlingham Charitable Trust. In addition a second hand Gator Buggy was also donated to the Trust. This item had originally been purchased by the Authority in 2007 for £1,763 and had become surplus to operational requirements with an estimated value of £1,200.

#### Other Public Bodies

The Authority recharged Broadland District Council for staff time of £13,542 during 2017/18 (£10,797 in 2016/17). The balance outstanding at 31 March 2018 was £1,985 (£2,541 in 2016/17).

Up until 31 March 2017 the Council provided financial services for the Broads Authority and was charged £3,062 in 2016/17 for the provision of this service. The Head of Finance and Revenue Services for Broadland District Council served until 31 March 2017 as the Treasurer and Financial Adviser (Section 17 Officer) for the Broads Authority. As part of the financial services arrangement the Council also provided treasury management of the Authority's investments. All investments were returned in 2016/17 for the Authority to manage in house.

Norfolk County Council provides legal services to the Broads Authority via its legal practice, NPLaw. The Authority paid £71,734 for legal services in 2017/18 (£179,462 in 2016/17). The Practice Director of NPLaw served as the Solicitor and Monitoring Officer to the Broads Authority until end of May 2016. No amounts were outstanding at 31 March 2018.

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Norfolk County Council also provides payroll services to the Broads Authority. The Authority paid £4,685 for this in 2017/18 (£7,167 in 2016/17). No amounts were outstanding at 31 March 2018.

**30. Capital expenditure and capital financing**

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

2016/17 £000		2017/18 £000
280	Opening Capital Finance Requirement	217
	<u>Capital Investment</u>	
377	Property, Plant and Equipment	606
	<u>Sources of Finance</u>	
	Sums set aside from revenue:	
(377)	Direct revenue contributions	(392)
(63)	MRP	(67)
<b>217</b>	<b>Closing Capital Finance Requirement</b>	<b>364</b>
	<u>Explanation of movements in year</u>	
(63)	Increase / (decrease) in underlying need to borrow (unsupported by government financial assistance)	(67)
0	Assets acquired under finance leases	214
<b>(63)</b>	<b>Increase / (decrease) in Capital Financing Requirement</b>	<b>147</b>

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**31. Leases**

Authority as Lessee

*Finance Leases*

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

2016/17 £000		2017/18 £000
0	Other Land and Buildings	0
85	Vehicles, Plant, Furniture and Equipment	254
<b>85</b>	<b>Total</b>	<b>254</b>

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

2016/17 £000		2017/18 £000
	Finance lease liabilities (net present value of minimum lease payments):	
37	• Current	54
37	• Non-current	181
3	Finance costs payable in future years	12
<b>77</b>	<b>Minimum lease payments</b>	<b>247</b>

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

	Minimum Lease Payments		Finance Lease Liabilities	
	31 March 2017 £000	31 March 2018 £000	31 March 2017 £000	31 March 2018 £000
Not later than one year	39	60	37	54
Later than one year and not later than 5 years	38	187	37	181
Later than 5 years	0	0	0	0
	<b>77</b>	<b>247</b>	<b>74</b>	<b>235</b>

The minimum lease payments do not include rents that are contingent on events taking place after the lease was entered into, such as adjustments following rent reviews. In 2017/18, no (£nil) contingent rents were payable by the Authority (2016/17 £nil).

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*Operating Leases*

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

2016/17 £000		2017/18 £000
150	Not later than one year	144
513	Later than one year and not later than 5 years	446
128	Later than 5 years	49
<b>791</b>	<b>Total</b>	<b>639</b>

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

2016/17 £000		2017/18 £000
175	Minimum lease payments	169
<b>175</b>	<b>Total</b>	<b>169</b>

Authority as Lessor

*Finance Leases*

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

*Operating Leases*

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

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

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

2016/17 £000		2017/18 £000
53	Not later than one year	25
191	Later than one year and not later than 5 years	0
8	Later than 5 years	0
<b>252</b>	<b>Total</b>	<b>25</b>

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

### **32. Termination Benefits**

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

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

#### Participation in Pension Schemes

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

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

#### Transactions Relating to Post-Employment Benefits

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



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2016/17 £000		2017/18 £000
	Comprehensive Income and Expenditure Statement	
750	Cost of services: <ul style="list-style-type: none"> <li>• current service cost</li> </ul>	1,265
187	Financing and investment income and expenditure <ul style="list-style-type: none"> <li>• net interest expense</li> </ul>	210
<b>937</b>	<b>Total post-employment benefits charged to the surplus or deficit on the provision of services</b>	<b>1,475</b>
	Other post-employment benefits charged to the Comprehensive Income and Expenditure Statement:	
(2,709)	<ul style="list-style-type: none"> <li>• return on plan assets (excluding the amount included in the net interest expense)</li> </ul>	(329)
(223)	<ul style="list-style-type: none"> <li>• actuarial gains and losses arising on changes in demographic assumptions</li> </ul>	-
5,676	<ul style="list-style-type: none"> <li>• actuarial gains and losses arising on changes in financial assumptions</li> </ul>	(667)
(578)	<ul style="list-style-type: none"> <li>• other experience</li> </ul>	(4)
<b>2,166</b>	<b>Total post-employment benefits charged to the Comprehensive Income and Expenditure Statement</b>	<b>(1,000)</b>
	Movement in Reserves Statement	
937	<ul style="list-style-type: none"> <li>• reversal of net charges made to the surplus or deficit on the provision of services for post-employment benefits in accordance with the Code</li> </ul>	1,475
	Actual amount charged against the General Fund balance for pensions in the year:	
(597)	<ul style="list-style-type: none"> <li>• employers' contributions payable to scheme</li> </ul>	(684)

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Pension Assets and Liabilities Recognised in the Balance Sheet

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

2016/17 £000		2017/18 £000
(31,888)	Present value of the defined benefit obligation	(32,782)
24,108	Fair value of plan assets	25,211
<b>(7,780)</b>	<b>Net liability arising from defined benefit obligation</b>	<b>(7,571)</b>

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

2016/17 £000		2017/18 £000
20,571	Opening fair value of scheme assets	24,108
721	Interest income	628
2,709	Remeasurement gain / (loss): <ul style="list-style-type: none"> <li>• The return on plan assets, excluding the amount included in the net interest expense</li> </ul>	329
597	Contributions from employer	684
198	Contributions from employees into the scheme	208
(688)	Benefits paid	(746)
<b>24,108</b>	<b>Closing fair value of scheme assets</b>	<b>25,211</b>

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

2016/17 £000		2017/18 £000
25,845	Balance at 1 April	31,888
750	Current service cost	1,265
908	Interest cost	838
198	Contributions from scheme participants	208
	Remeasurement (gains) and losses:	
(223)	• Actuarial gains / losses from changes in demographic assumptions	-
5,676	• Actuarial gains / losses arising from changes in financial assumptions	(667)
(578)	• Other	(4)
(688)	Benefits paid	(746)
<b>31,888</b>	<b>Balance at 31 March</b>	<b>32,782</b>

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Local Government Pension Scheme Assets

Local Government Pension Scheme assets comprised:

Fair value of scheme assets 2016/17 £000				Fair value of scheme assets 2017/18 £000		
Quoted prices in active markets	Quoted prices not in active markets	Total		Quoted prices in active markets	Quoted prices not in active markets	Total
-	694.5	694.5	Cash and cash equivalents:	-	939.4	939.4
			• All cash and cash equivalents			
			Equity instruments:			
1,795.4	-	1,795.4	• Consumer	1,657.6	-	1,657.6
1,401.0	-	1,401.0	• Manufacturing	1,413.7	-	1,413.7
669.7	-	669.7	• Energy and utilities	449.9	-	449.9
1,549.5	-	1,549.5	• Financial institutions	1,406.4	-	1,406.4
728.9	-	728.9	• Health and care	462.0	-	462.0
689.1	-	689.1	• Information technology	790.6	-	790.6
-	-	-	• Other	-	-	-
			Bonds (Debt securities):			
-	-	-	• Corporate bonds (investment grade)	-	-	-
-	-	-	• Corporate bonds (non-investment grade)	-	-	-
-	-	-	• UK Government	379.5	-	379.5
			Private equity:			
-	1,506.7	1,506.7	• All private equity	-	1,392.8	1,392.8
			Property:			
-	2,250.3	2,250.3	• UK property	-	2,211.6	2,211.6
-	376.3	376.3	• Overseas property	-	362.6	362.6
			Other investment funds and unit trusts:			
6,403.0	-	6,403.0	• Equities	6,749.6	-	6,749.6
6,093.5	-	6,093.5	• Bonds	6,975.9	-	6,975.9
			Derivatives:			
-	-	-	• Other derivatives	(19.1)	-	(19.1)
(49.9)	-	(49.9)	• Foreign exchange	38.5	-	38.5
<b>19,280.2</b>	<b>4,827.8</b>	<b>24,108.0</b>		<b>20,304.6</b>	<b>4,906.4</b>	<b>25,211.0</b>

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Basis for estimating assets and liabilities

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

The principal assumptions used by the actuary have been:

31 March 2017		31 March 2018
	Long term expected rate of return on assets in the scheme:	
2.6%	• Equity investments*	2.7%
2.6%	• Bonds*	2.7%
2.6%	• Property*	2.7%
2.6%	• Cash*	2.7%
	Mortality assumptions:	
	Longevity at 65 for current pensioners:	
22.1 years	• Men	22.1 years
24.4 years	• Women	24.4 years
	Longevity at 65 for future pensioners:	
24.1 years	• Men	24.1 years
26.4 years	• Women	26.4 years
2.4%	Rate of inflation	2.4%
2.7%	Rate of increase in salaries	2.7%
2.4%	Rate of increase in pensions	2.4%
2.6%	Rate for discounting scheme liabilities	2.7%
	Take up of option to convert annual pension into retirement lump sum:	
50%	Pre- April 2008 service	50%
75%	Post- April 2008 service	75%

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

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

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

Change in assumptions at 31 March 2018	Approximate % increase to employer liability	Approximate monetary amount £000
0.5% decrease in real discount rate	11%	3,479
1 year increase in member life expectancy	3-5%	Dependent on revised assumption
0.5% increase in the salary increase rate	1%	421
0.5% increase in the pension increase rate	9%	3,019

Techniques used to manage risk

The Pensions Committee of Norfolk County Council considers long term liabilities when setting its investment strategy but does not follow a specific liability matching investment approach having taken appropriate professional advice. The Committee has agreed an asset allocation benchmark, a performance target and various controls on the Fund's investments. These reflect their views on the appropriate balance between maximising the long-term return on investments and minimising short-term volatility and risk. The Committee monitors and reviews the performance of investments and the overall strategy on a regular basis, supported by advice from professional advisers as required. A large proportion of the Fund's assets relate to equities (57% of scheme assets) and bonds (29%). These percentages are materially the same as the previous year. The scheme also invests in properties as part of the diversification of the scheme's investments.

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

Impact on the Authority's cash flows

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

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

The Authority anticipates paying contributions of approximately £1,105,000 to the scheme in 2018/19.

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

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	Liability split	Weighted average duration
Active members	49.6%	21.7
Deferred members	25.6%	23.4
Pensioner members	24.8%	12.0
<b>Total</b>	<b>100.0%</b>	<b>19.0</b>

### 34. Contingent Liabilities

The Authority has identified two material contingent liabilities:

#### *Postwick Tip*

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

#### *Appeal against Adjacent tolls decision*

An individual's request for Judicial Review was refused for the 2014/15 toll year and the High Court ordered the defendant to pay a contribution towards costs which concluded that year's decision. In early 2018 the individual was found guilty of failing to pay the appropriate toll for mooring a vessel for 2015/16, 2016/17 and 2017/18. The defendant appealed to the Crown Court for 2015/16 and 2016/17 and lost the case with the Judge awarding further costs to the Authority. The defendant has submitted an 'Application to Magistrates' Court or Crown Court to State a Case for an Appeal to the High Court' for the 2017/18 toll. A decision on this latest appeal is anticipated shortly and currently the costs of such action cannot be determined.

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### 35. Financial Instruments

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

	Long-term		Current	
	31 March 2017 £000	31 March 2018 £000	31 March 2017 £000	31 March 2018 £000
Investments				
Loans and receivables	0	0	2,001	2,505
<b>Total investments</b>	<b>0</b>	<b>0</b>	<b>2,001</b>	<b>2,505</b>
Debtors				
Loans and receivables	3	0	222	282
<b>Total debtors</b>	<b>3</b>	<b>0</b>	<b>222</b>	<b>282</b>
Borrowings				
Financial liabilities at amortised cost	138	123	15	15
<b>Total borrowings</b>	<b>138</b>	<b>123</b>	<b>15</b>	<b>15</b>
Other Long Term Liabilities				
Finance lease liabilities	37	181	37	54
<b>Total other long term liabilities</b>	<b>37</b>	<b>181</b>	<b>37</b>	<b>54</b>
Creditors				
Financial liabilities carried at contract amount	0	0	1,724	1,849
<b>Total Creditors</b>	<b>0</b>	<b>0</b>	<b>1,724</b>	<b>1,849</b>



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Income, Expense Gains and Losses

2016/17				2017/18		
Financial Liabilities measured at amortised cost £000	Assets and Liabilities at Fair Value through Profit and Loss £000	Total £000		Financial Liabilities measured at amortised cost £000	Assets and Liabilities at Fair Value through Profit and Loss £000	Total £000
36	0	36	Interest Expense	38	0	38
36	0	36	Total expense in Surplus or Deficit on the Provision of Services	38	0	38
0	(15)	(15)	Interest Income	0	(23)	(23)
0	(15)	(15)	Total Income in Surplus or Deficit on the Provision of Services	0	(23)	(23)
<b>36</b>	<b>(15)</b>	<b>21</b>	<b>Net (gain) / loss for the year</b>	<b>38</b>	<b>(23)</b>	<b>15</b>

Fair Values of Assets and Liabilities

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

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

The fair values calculated are as follows:

	31 March 2017		31 March 2018	
	Carrying Amount £000	Fair Value £000	Carrying Amount £000	Fair Value £000
Financial Liabilities	175	226	304	345

	31 March 2017		31 March 2018	
	Carrying Amount £000	Fair Value £000	Carrying Amount £000	Fair Value £000
Long term Debtors	3	3	0	0

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

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

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

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

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

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

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

#### Credit Risk

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

The Authority's standard terms and conditions for payment of invoices are 30 days from invoice date. The Authority does not allow credit for customers, and only a small proportion of invoices were overdue and outstanding as at 31 March 2018 for which a bad debt provision had not been put in place.

#### Liquidity Risk

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

#### Market Risk

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

#### Foreign Exchange Risk

The Authority's Annual Investment and Capital Financing Strategy for 2018/19 states that if the Authority enters into any contractual arrangements above £100,000 which involve foreign currency, the advice of the Chief Financial Officer will be sought on the advisability of hedging the exchange risk before entering into the contract.

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**37. Navigation Income and Expenditure Account**

2016/17				2017/18		
Gross Expenditure £000	Income £000	Net Expenditure / (Income) £000		Gross Expenditure £000	Income £000	Net Expenditure / (Income) £000
3,525	(3,238)	287	Navigation Fund	3,456	(3,468)	(12)
<b>3,525</b>	<b>(3,238)</b>	<b>287</b>	<b>Net cost of services</b>	<b>3,456</b>	<b>(3,468)</b>	<b>(12)</b>
		(2)	Other operating expenditure			(1)
		101	Financing and investment income and expenditure			109
		386	<b>(Surplus) or deficit on the provision of services</b>			96
		(242)	(Surplus) or deficit on revaluation of fixed assets			60
		981	Actuarial (gains) / losses on pension assets / liabilities			(447)
		<b>1,125</b>	<b>Total comprehensive income and expenditure</b>			<b>(291)</b>

## **Glossary of Terms**

### **ACCOUNTING PERIOD**

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

### **ACCOUNTING POLICIES**

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

### **ACCRUALS**

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

### **ACTUARIAL GAINS AND LOSSES**

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

### **AMORTISATION**

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

### **AMORTISED COST**

This is cost that has been adjusted for amortisation.

### **ASSET**

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

### **BUDGET**

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

### **CAPITAL INCOME AND EXPENDITURE**

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

### **CAPITAL FINANCING**

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

### **CASH EQUIVALENTS**

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

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

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

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

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

**COMMUNITY ASSETS**

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

**CONTINGENT LIABILITIES**

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

**CREDITORS**

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

**CURRENT VALUE**

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

**DEBTORS**

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

**DEFICIT**

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

**DEPRECIATION**

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

**EXPECTED RETURN ON PENSION ASSETS**

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

**FAIR VALUE**

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

**FINANCIAL ASSET**

A right to future economic benefits.

**FINANCIAL INSTRUMENT**

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

**FINANCIAL LIABILITY**

An obligation to transfer economic benefits.

#### **FINANCE LEASE**

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

#### **LONG TERM ASSETS**

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

#### **GOVERNMENT GRANTS**

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

#### **HISTORIC COST**

The cost of an asset when originally bought.

#### **IAS19 RETIREMENT BENEFITS**

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

#### **IMPAIRMENT**

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

#### **INFRASTRUCTURE ASSETS**

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

#### **INTANGIBLE ASSETS**

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

#### **INTERNATIONAL FINANCIAL REPORTING STANDARDS (IFRS)**

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

#### **INVESTMENT PROPERTIES**

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

#### **LIABILITY**

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

#### **MARKET PRICE**

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

#### **MINIMUM REVENUE PROVISION (MRP)**

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

**NET BOOK VALUE**

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

**NON DISTRIBUTED COSTS**

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

**OPERATING LEASE**

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

**OUTTURN**

The actual amount spent in the financial year.

**PENSION FUND**

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

**PROVISION**

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

**RESERVES**

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

**REVENUE INCOME AND EXPENDITURE**

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

**SURPLUS**

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

**VALUE ADDED TAX (VAT)**

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

**VARIANCE / VARIATION**

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



**Submission of Expression of Interest to the New Anglia Local Enterprise Partnership seeking funding for the Broads Cycling Country Dutch Cycling Signage Scheme**

Report by Senior Waterways and Recreation Officer

<b>Summary:</b>	This report informs members of a partnership project officers are developing with Sustrans and Norfolk County Council in order to seek funding from the New Anglia Local Enterprise Partnership for the installation of Dutch style cycling signage in the Broads in order to be able to better promote the Broads National Park to visitors from the near continent.
<b>Recommendation:</b>	That the Authority supports the proposal for a pilot project to install Dutch style cycling signage in the Broads and the allocation of £20,000 from the projects budget to the project costs.

## **1. Background**

- 1.1. The purpose of this report is to inform members of a project being developed by officers in partnership with Sustrans and Norfolk County Council to trial Dutch style cycling signage in the Broads.
- 1.2. Sustrans approached the Broads Authority and Norfolk County Council to suggest that the Norfolk countryside and the Broads in particular was the ideal location to trial a Dutch style cycling signage scheme in the UK for the first time. The Dutch knooppunten (node point) way-marking system is already a successful signage scheme on the continent which allows visitors to plan recreational cycling trips for themselves. Essentially cyclists design their own routes by listing the relevant numbered signs that link the landscape areas and things they want to visit e.g. nature reserves, historic environment sites, pubs and visitor attractions <https://www.hollandcyclingroutes.com/>
- 1.3. Sustrans had previously discussed the idea with colleagues in the Netherlands who felt that provision of cycling infrastructure familiar to cyclists from Europe would be beneficial for the promotion of Norfolk as a visitor destination to cyclists on the near continent. County Council and Broads Authority officers discussed this proposal and felt that if the scheme proceeded it should be closely identified with the Broads National Park brand. A partnership was formed to develop the scheme (now called Broads Cycling Country) with a view to seeking significant funding from the New Anglia Local Enterprise Partnership (LEP) to deliver it. The LEP's Economic Strategy

recognises tourism as a key component of the regional economy and it identifies the Broads National Park as a key asset for tourism in the region. The proposal detailed in this report is the first phase of the scheme and the partners intend to develop a second phase covering the northern Broads and Norfolk Coast if the phase one scheme is successful.

## 2. Strategic justification for the project

- 2.1. The Norfolk Cycling and Walking Action Plan has identified that there are very limited signed routes for cyclists in the county apart from the Sustrans promoted National Cycle Routes. These routes are arterial in nature and do not allow cyclists to explore the wider countryside on signed routes limiting the offer of the county and the ability of destination management organisations to promote cycling in Norfolk and Suffolk in Europe, particularly to potential visitors from the Netherlands and Germany.
- 2.2. This lack of cycling infrastructure is also recognised in the Broads Integrated Access Strategy (IAS). The IAS already identifies a need to improve cycling infrastructure through creating shared use routes and improving signage and this area of work will be prioritised when the strategy is reviewed this year.
- 2.3. The Broads Sustainable Tourism Strategy (BSTS) also identifies developing the walking and cycling offer as a key priority for tourism in the Broads. In the strategy tourism businesses have identified provision for cycling and walking as a top-ten issue of high importance but also of poor performance. Compared with other National Parks the Broads walking and cycling offer is relatively under developed and underexposed but the stakeholder surveys commissioned by the Broads Authority in 2014 indicate that there is significant potential amongst visitors for increasing participation in cycling and walking.
- 2.4. The SWOT analysis for the BSTS went on to identify the underdeveloped walking and cycling offer as a primary weakness. This SWOT analysis informed the strategy action plan which set out a range of key activities to improve the performance of Broads' tourism. Under objective 2: **Captivating products to strengthen the variety, distinctiveness and quality of the Broads tourism offer, capable of generating visits throughout the year** the strategy identified the top priority as *“Extend and diversify the walking and cycling offer. Strengthening the walking and cycling product and its promotion will underpin this important dimension of the visitor expectations of a National Park, provide more environmentally friendly access, contribute to the health agenda and help to spread visitor spending. Opportunities should be provided and promoted to different users at all levels.”* Under this heading the need to strengthen information on, and promotion of, walking and cycling opportunities, including links to public transport is identified as one of the key actions.
- 2.5. The Broads Plan also recognises the importance of land based recreation such as walking and cycling and the link between active recreation and public transport. The plan identifies that a continuing problem is the majority of visitors to the Broads still arrive by car, which can increase seasonal traffic

congestion and demand for parking, and create the wrong impression to visitors who expect the Broads to be tranquil. The plan also points out that other access, transport and local plans identify the need to promote investment in improvements, including walking and cycling facilities.

- 2.6. Aspiration 6 in the Broads Plan is to: *“Provide opportunities for distinctive recreational experiences in harmony with the special qualities of the area with a focus on maintaining and enhancing the physical access network to and around the Broads and between land and water linked to visitor facilities.”* The strategic action under this heading is: *“Develop and implement schemes to improve the network of access points and routes (where adverse effects can be prevented), linked to visitor facilities and including easier access for people with mobility and sensory needs.”* The key output by the end of the plan as regards walking and cycling is identified as *“County Cycling and Walking Action Plans and initiatives implemented; new/ upgraded priority cycle routes and cycle hire provision schemes developed including 3RW cycle route and Norfolk Trails.”* The Broads Plan identifies that the resources for delivering this output will be from partnership schemes and the objective will be reviewed through the Norfolk Rights of Way Improvement Plan - now being reviewed and renamed the Norfolk Access Improvement plan (NAIP) and the Broads IAS.
- 2.7. This assessment of relevant strategies clearly demonstrates that there is a strong strategic lead for the development and delivery of cycling and walking projects that will help boost tourism income in the Broads and allow the Broads to be promoted as a visitor destination on the near continent. Moreover, the strategic steer for the delivery of such projects is through partnership schemes like the one outlined in this report.

### **3. Submission of an Expression of Interest for funding to the LEP**

- 3.1. Having agreed to support the project officers had an initial meeting with the Head of Programmes for the LEP in late 2017 to explain the Broads Cycling Country proposal and ask if the LEP would consider funding the project. The LEP indicated that it was interested in the project and would be prepared to formally consider an Expression of Interest (EOI) for funding for up to £200,000.
- 3.2. Since then the partners have developed the pilot project proposal further so that it meets the LEP’s funding requirements and written an expression of interest for funding that was submitted to the LEP in early July.
- 3.3. The EOI details a project with a total cost of £271,250 that would result in the installation of Dutch Style Knooppunten at 470 junctions (approximately 1620 individual signs) on routes in the Yare and Waveney valleys and out to Acle Bridge. The draft route map for the project is at Appendix 1 to this report, examples of the types of signs used in the Netherlands are shown at Appendix 2 and a draft Broads Cycling Country way-mark at Appendix 3.

- 3.4. The EOI asks for £197,750.00 in funding from the LEP and would require match funding contributions from the partners totalling £73,500 to achieve this. Confirmed match funding contributions to date total £53,500. Aside from the main partners Suffolk County Council and Great Yarmouth Borough Council have confirmed contributions.
- 3.5. The EOI will be formally considered by the LEP before the end of July and if it is supported the LEP will ask the project partners to prepare a detailed business case for the project prior to confirming funding. At this stage the allocation of match funding is therefore only indicative of the project partners' commitment to the delivery of the project if the application for funding from the LEP is successful. Further project development work would be led by Sustrans with support from the County Council and Broads Authority. If funding is secured the installation of the signage would be carried out by the County Council.

#### **4. Broads Authority match funding contribution**

- 4.1. As the project needed a further £20,000 contribution to the match funding to come within the LEP funding ceiling for projects of this nature a report was taken to the Broads Authority's internal Project Development Group in early July seeking an allocation of £20,000 from the projects budget.
- 4.2. The Project Development Group assesses projects against a number of criteria including whether projects will help to meet objectives and priorities from the Broads Plan, linked strategies and the Broads Authority's strategic priorities. In this case the PDG agreed to allocate the £20,000 requested and fully supported the submission of the EOI to the LEP recognising that it would deliver against multiple objectives and, if successful, draw down significant external funding.

#### **5. Conclusions**

- 5.1. If the funding application to the LEP is successful this project will deliver improved cycling infrastructure and routes to meet the headline aims of the Broads Plan and other strategies. It is also anticipated that the scheme will have positive impacts on the local economy through:
- marketing and packaging ways of accessing the countryside both domestically and on the near continent with potential for an extended visitor season.
  - working with the LEP Chambers of Commerce and Federation of Small Businesses to develop business opportunities for SME's.
  - potential increased visitor spend (cyclist spend per head £36 per day [Dutch projection]).
- 5.2. The Cambridge Economic Impact Model indicates there is potential for increased tourism income of £420,000 per annum from the scheme. The data currently available to Sustrans and the Department for Transport's Business

Case Return (BCR) reports on previous cycling investment schemes indicate that the project has a likely BCR of 16:1.

- 5.3. The Broads Cycling Country scheme will also promote the Broads National Park brand over a wide area and signage at key gateway sites will also be used to give information on things like the Water, Mills and Marshes Landscape Partnership Scheme. Additionally the scheme presents an opportunity for engaging with infrequent users of the Broads National Park particularly in the urban areas of Great Yarmouth, Norwich and Lowestoft.
- 5.4. Members are invited to support the project and the allocation of £20,000 to the match funding element of the scheme from the projects budget.

Background papers:

Author: Adrian Clarke  
Date of Report: 13 July 2018

Broads Plan Objectives: 6.1, 6.2

Appendices: APPENDIX 1 Map of Broads Cycling Country Phase 1  
APPENDIX 2 Example Dutch signage  
APPENDIX 3 Broads Cycling Country Way-mark



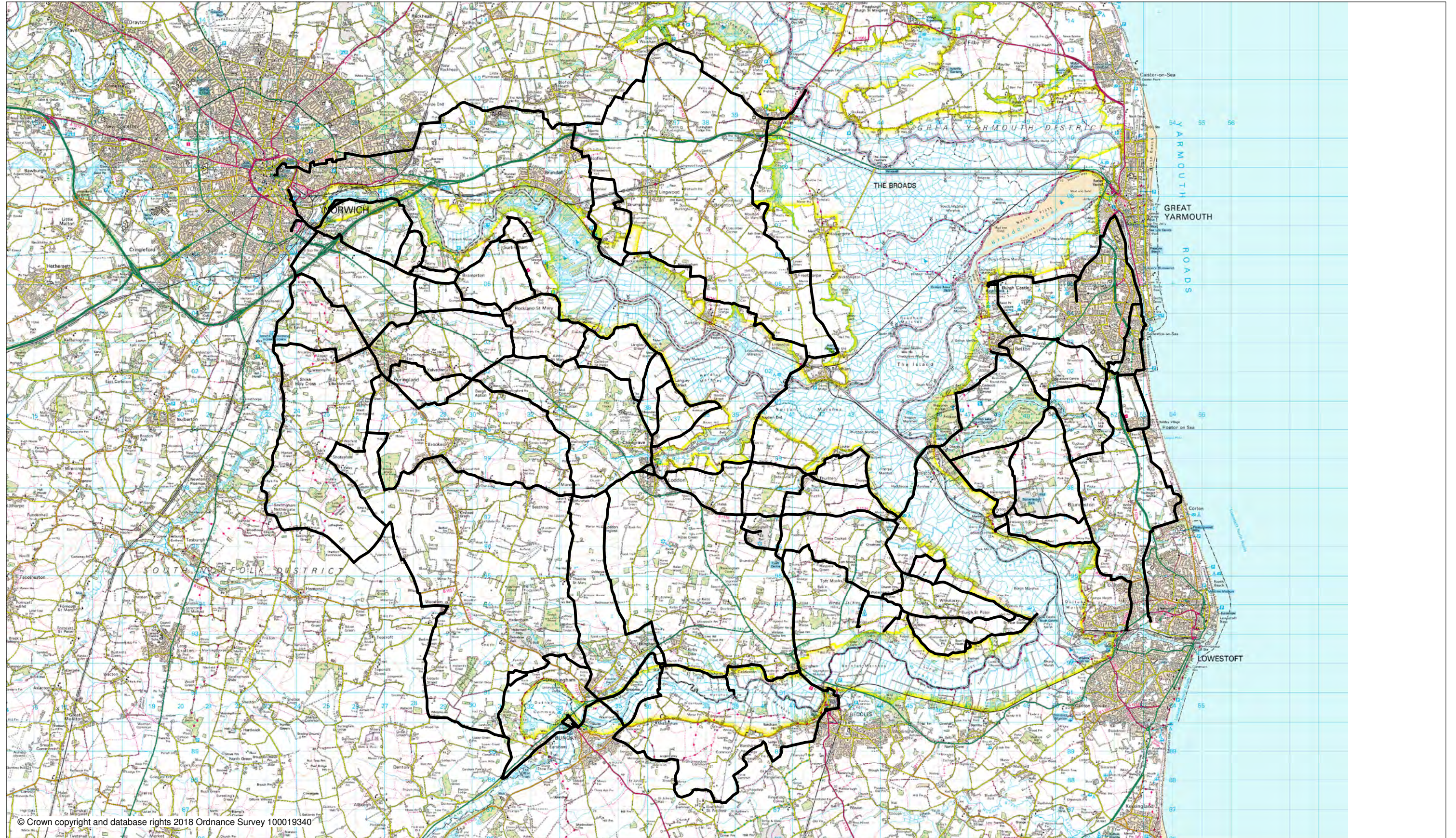
# The Broads Cycling Country

Phase 1

Scale 1:124734

Compiled by Chris Brough

Norfolk County Council  
County Hall  
Martineau Lane  
Norwich  
NR1 2SG  
Tel: 01603 222143  
Fax: 01603 223219



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Figure 1: Example of Dutch way-marking sign



Figure2: Example of a way-marking post with long distance route above



Figure 3: Example of Interpretation Panel for the main Broads Gateways at Norwich, Acle, Gt. Yarmouth, Lowestoft, Beccles and Loddon





**Local Plan – Habitats Regulation Assessment – amended version**  
Report by Planning Policy Officer

**Summary:** The report introduces an amended Habitats Regulation Assessment (HRA) for the Local Plan for the Broads after a recent Court of Justice of the European Union judgement relating to Habitat Regulation Assessments.

**Recommendation:** that the Authority endorse the amended Habitats Regulation Assessment (HRA) for the Local Plan for the Broads.

## **1. Introduction**

1.1. During the early stages of the Local Plan examination in public, the Inspector asked the Broads Authority about the impact of a recent Court of Justice of the European Union judgement relating to Habitat Regulation Assessments (HRA) on the Local Plan for the Broads. This report explains the judgement, introduces the proposed way to address the judgement and recommends that the Authority approve the proposed amended HRA.

## **2. Habitat Regulation Assessments**

2.1. 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 Directive, require an ‘Appropriate Assessment’ (AA) or Habitats Regulations Assessment (HRA) to be undertaken 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.

2.2. As part of the production of the Broads Local Plan, an HRA was prepared by Footprint Ecology. This HRA screened the plan to check for ‘likely significant effects’ (i.e. risks to European sites) as a result of the plan and the implementation of its policies. A number of recommendations were 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 policies in the plan, should be avoided in order to protect against likely significant effects, and the HRA made suggestions relating to additional protective wording in policy and the requirement for adequate recreational provision to be provided as part of the main housing allocations to deliver the proposed houses over the plan period.

2.3. The Authority endorsed the HRA on 29 September 2017. The Local Plan was

submitted for examination in March 2018.

### **3. The recent Judgement – the People Over the Wind ruling**

- 3.1. On April 13th the Court of Justice of the European Union published its ruling in the Case C323/17 with regards to the Habitats Directive.
- 3.2. People Over Wind is an environmental group that raised concerns over the legality of a development proposal to lay an electric cable to connect a wind farm to the grid in Ireland, given its potential effects on two Special Areas of Conservation (SACs). The issues in the People Over Wind Ruling relate to the potential implications of the cable laying for the two SACs, and in particular the River Barrow and River Nore SAC, which hosts an Irish subspecies of the Freshwater Pearl Mussel; the 'Nore' Pearl Mussel *Margaritifera durrovensis*.
- 3.3. The proposed mitigation for the scheme was to be agreed with the Local Planning Authority post-consent and detailed in a 'Construction Management Plan'. The Judgement ruled that the mitigation measures needed to be considered as part of the initial Appropriate Assessment and not after permission had been granted.
- 3.4. The Judgment provides important clarity on the correct stage of HRA for a decision-making body to establish whether mitigation measures are fit for purpose and to remove uncertainty in terms of the consequences of the project for European sites. This needs to take place at the Appropriate Assessment stage. The People Over Wind case has also ruled that mitigation cannot be taken into account when considering the screening test for Likely Significant Effects.
- 3.5. The ruling was made on 12 April 2018.

### **4. The Inspector's request**

- 4.1. The Planning inspector who has been appointed to conduct the examination into the Broads Local Plan has made the following request (on 14 May 2018).

*'On 12 April 2018 the Court of Justice of the European Union issued the above judgement, which ruled that Article 6(3) of the Habitats Directive should be interpreted as meaning that mitigation measures should be assessed within the framework of an Appropriate Assessment, and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage.*

*In light of this judgement, can I ask the Authority to re-visit the screening assessment on the Broads Local Plan, and confirm the extent to which you consider the Habitats Regulations Assessment on the Plan is legally compliant'.*

## **5. Footprint Ecology's proposal**

- 5.1. The HRA for the Local Plan for the Broads was completed by Footprint Ecology; Natural England described the work as exemplary.
- 5.2. In response to the request from the Inspector, the Authority asked Footprint Ecology to assess the situation and provide feedback on this issue.
- 5.3. Footprint Ecology has liaised with Natural England and produced the amended HRA. This has been sent to the Inspector in draft form as it awaits the Authority's endorsement. The changes are shown in red.

## **6. The Broads Authority as the Competent Authority**

- 6.1. The Habitats Directive requires competent authorities to decide whether or not a plan or project can proceed having undertaken the following "appropriate assessment requirements" to:
  - Determine whether a plan or project may have a significant effect on a European site;
  - If required, undertake an appropriate assessment of the plan or project;
  - Decide whether there may be an adverse effect on the integrity of the European site in light of the appropriate assessment.
- 6.2. The Broads Authority is the competent authority and therefore needs to endorse the amended HRA.
- 6.3. A report on the matter was presented to the Planning Committee at their meeting on 22 June 2018 where it was resolved to endorse the proposed approach and recommend it to the Authority for approval.

Background papers: None

Author: Natalie Beal

Date of report: 17 July 2018

Appendices: Appendix A – amended HRA for Local Plan for the Broads.



# Habitat Regulations Assessment of the Local Plan for the Broads



Durwyn Liley, Rachel Hoskin, Sophie Lake & Chris Panter



Habitats Regulations Assessment of the Local Plan for the Broads  
at Publication stage

Minor amendments made to provide clarifying text and layout changes in light of recent European  
Court of Justice Judgment C-323/17 are in red text

Footprint Contract Reference: 301

Date: 08-06-18

Version: HRA of the Local Plan at Publication stage

Recommended Citation: Liley, D., Hoskin, R., Lake, S. and Panter, C. 2018. Habitats Regulations  
Assessment of the Local Plan for the Broads at Publication stage. Unpublished report by Footprint  
Ecology.

## Summary

Habitats Regulations Assessment (HRA) is required in accordance with the Conservation of Habitats and Species Regulations 2010, as amended, in order to ensure that plans and projects do not adversely affect any European wildlife sites. A plan being produced by a public body is the subject of HRA, and it is the responsibility of the public body to produce the assessment in accordance with the legislation, to inform any necessary changes to the plan, prior to its adoption.

This report provides the HRA of the Local Plan for the Broads, being undertaken by Footprint Ecology on behalf of the Broads Authority. This report assessed the emerging plan at Preferred Options stage and then at Publication stage. **This report has been further updated in June 2018 following a European Court of Justice Judgment that highlights the need for appropriate use of avoidance and mitigation measures at the correct stage of HRA. As a consequence, explanatory text justifying the use of measures to protect the European sites that was previously located within the screening for likely significant effects section of the report has been moved to an appropriate assessment section. The text itself and conclusions drawn remain the same. The HRA will be finally updated as required prior to adoption by the Broads Authority.**

The Broads has a wealth of internationally important biodiversity, primarily focussed on the wetlands and their associated habitats. This report assesses the implications of the Local Plan for European sites, which are those designated through European Directives, and also includes those listed as Ramsar sites as a matter of Government policy. The HRA process involves a number of assessment stages. This report provides a screening of the plan at both Preferred Options and Publication stages. The findings and recommendations have informed the refinement of the Local plan prior to Examination.

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 were made to modify and strengthen the plan wording, both within policy and also as part of the supporting text. Risks were identified **and are discussed in the appropriate assessment section** 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 **prevented**, and suggestions are made relating to the requirement for adequate recreation provision as part of the housing allocations to deliver the proposed 146 houses over the plan period. Lower tier project level HRA will be necessary for a number of projects promoted through the local plan. The wording recommended for the plan, particularly for the main housing allocations, should make clear that project level HRA is an integral part of project design and early evidence gathering is required.



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## **Acknowledgements**

This report was commissioned by The Broads Authority as part of a suite of three HRAs for the Broads. With particular thanks to Natalie Beal for her assistance during the preparation of this report, and also to Maria Conti and Andrea Long for useful discussion, provision of background information and comment for the three HRAs. Additional information was provided by Andrea Kelly.

Draft

## 1. Introduction

### Context

- 1.1 This document is a Habitats Regulations Assessment (HRA) of the Local Plan for the Broads, currently being prepared by the Broads Authority. It is one of three strategic documents published by the Authority, with the Broads Sustainable Tourism Strategy and the Broads Plan, for the management of the Broads, also having been recently prepared.
- 1.2 The Broads Authority is a Special Statutory Authority established under the Norfolk and Suffolk Broads Act 1988 with similar responsibilities to those of the English National Park Authorities. It is the local planning authority for the area and a harbour and navigation authority. The Broads is over 300 square kilometres in area, dominated by scenic and wildlife rich wetlands, with a strong culture and heritage associated with historic use of the lakes and waterways. The Broads Authority was established by the Broads Act 1989. The Authority has a duty to manage the Broads for the following three purposes, none of which takes precedence:
- Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
  - Promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and
  - Protecting the interests of navigation.
- 1.3 The Broads Authority therefore produces a range of plans and strategies to guide and drive their work and meet their legislative and national policy duties. As a public body, and therefore a competent authority under the Conservation of Habitats and Species Regulations 2017, the preparation of plans and strategies for the Broads by the Authority must have regard for European wildlife sites.
- 1.4 The Broads Authority has recently prepared the three plans referred to above, all of which require HRA; the process by which implications of plans and projects for European wildlife sites are assessed. The plans are all key documents for the Authority's range of work, covering planning, management and tourism. The Broads Authority has commissioned Footprint Ecology to undertake the HRAs. As competent authority under the Habitats Regulations, the Broads Authority must retain ownership and responsibility for the assessments, and Footprint Ecology has therefore worked closely and collaboratively with the Authority as the plans and their respective assessments have been progressed.
- 1.5 As each HRA has been completed, the Broads Authority has adopted the assessments to meet their duties. This report provides supporting evidence for the Examination of the Local Plan, having informed the preparation of the Local Plan for the Broads through an iterative process of assessment and plan updates. It is of fundamental importance that the Broads Authority is fully agreeable to any measures recommended by this assessment, which seek to protect the European sites, as the measures that have been

recommended within this report need to be easily assimilated into the Local Plan for the Broads, be capable of implementation and, if necessary, enforcement, by the Authority.

### The Habitats Regulations

- 1.6 A 'HRA' is the step by step process of ensuring that a plan or project being undertaken by, or permitted by a public body, identified within the legislation as a competent authority, will not adversely affect the ecological integrity of a European wildlife site. Ecological integrity refers to *'the coherence of a site's ecological structure and function across its whole area, that enables it to sustain the habitats, complex of habitats and/or the levels of the populations of species for which the [European] site was classified/designated.'*<sup>1</sup>
- 1.7 Where it is deemed that adverse effects cannot be ruled out, a plan or project must not proceed, unless exceptional tests are met. This is because European legislation, which is transposed into domestic legislation and policy, affords European sites the highest levels of protection in the hierarchy of sites designated to protect important features of the natural environment.
- 1.8 The relevant European legislation is the Habitats Directive 1992<sup>2</sup> and the Wild Birds Directive 2009<sup>3</sup>, which are transposed into domestic legislation through the Conservation of Habitats and Species Regulations 2017. These Regulations are normally abbreviated to the 'Habitats Regulations' and are referred to as such throughout this report and subsequent assessment work for the three plans.
- 1.9 The legislation sets out a clear step by step approach for competent authorities making decisions relating to any proposed plan or project. In England, those duties are also supplemented by national planning policy. Within the National Planning Policy Framework (NPPF) there is a requirement for Ramsar sites, which are listed in accordance with the international Ramsar Convention, for competent authorities to apply the same protection and process to Ramsar sites as that set out in legislation for European sites. Formally proposed European sites, and those providing formal compensation for losses to European sites, are also given the same protection.
- 1.10 The duties set out within the Habitats Regulations apply to any public body or individual holding public office with a statutory remit and function, under the collective term of 'competent authorities.' The requirements are applicable in situations where the competent authority is undertaking or implementing a plan or project, or authorising others to do so.
- 1.11 The Habitats Regulations require the competent authority to demonstrate that adverse effects on European site integrity have been ruled out, and that requirement relies on the use of information and evidence to demonstrate that such effects have been

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<sup>1</sup> Defra 2012: Core guidance on HRA for developers, regulators and land/marine managers. DRAFT ONLY.

<sup>2</sup> Council Directive 92/43/EEC

<sup>3</sup> Council Directive 2009/147/EC

prevented, *'beyond reasonable scientific doubt.'*<sup>4</sup> Where there isn't enough information to demonstrate that adverse effects have been prevented, the competent authority must assume that such effects will occur. This approach is commonly referred to as the 'precautionary principle' and should be applied at all stages in the HRA process.

- 1.12 A more detailed guide to the step by step process of HRA is provided in this report at Appendix 1.

### The Local Plan for the Broads – an overview

- 1.13 The Broads Local Plan is a statutory planning policy document, which sets the direction, quantum and nature of sustainable development for the area, through a plan period up to 2036. Planning documents set the agenda for growth over a number of years, but during that time are regularly reviewed and updated. Currently, planning policy is contained within the Broads Local Development Framework, which consists of a number of plan documents that were adopted between 2007 and 2014, and also the minerals and waste planning documents prepared by Norfolk and Suffolk County Councils. Given the importance of flood management in the Broads, the Local Plan also includes a recently adopted Flood Risk SPD to assist with appropriate siting, design and flood risk management in development. Neighbourhood Plans will also become an important aspect of local planning, with Strumpshaw, Salhouse, Brundall and Acle Neighbourhood Plans already adopted and others in development.
- 1.14 The Local Plan is being prepared to replace the existing Local Development Framework. The Local Development Framework includes a Core Strategy document, a Development Management Policies document and a Site Specific Policies Document, all of which were the subject of HRA.
- 1.15 Inevitably, recreation pressure, water resources and water quality have been the key considerations in previous assessment work, and these themes are likely to continue to be the main areas of concern for the new Local Plan. These themes are considered as part of the screening assessment at Section 3 of this report. Recreation pressure was primarily considered in terms of disturbance to SPA birds and previous HRA work relied heavily on a general protective policy for wildlife and the need for project level HRA.
- 1.16 A sustainability appraisal is being produced to support the preparation of the Local Plan. An important aspect of sustainability appraisal is the assessment of options included in the plan. This assessment is normally undertaken independently of the HRA, whilst recognising the cross over where the sustainability appraisal includes consideration of designated sites. A HRA is similarly undertaken independently, but should highlight where a range of mitigation options to remove adverse effects may need to be assessed for sustainability purposes in order to determine the most appropriate approach. A situation where there are a range of mitigation options is very rare, and normally a mitigation approach is developed as a package of measures that best provide certainty

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<sup>4</sup> In accordance with EU case law – Case C-127/02 'Waddenzee case.'

in delivery. Evidence is not normally available to give a range of options, but rather a number of options need to be implemented together to give greater certainty. This HRA has not identified any measures that should be considered as part of the sustainability appraisal.

### Other plans being produced by the Broads Authority

1.17 The additional two strategic planning documents recently produced by the Broads Authority are closely linked to the Local Plan for the Broads, all of which collectively inform the functions of the Broads Authority. These plans have also been the subject of HRA, and the assessment findings are relevant to each, and to some extent interlinked, particularly in relation to topic such as navigation and tourism. Where previous versions of the three plans have been the subject of an assessment, that historic assessment work can provide useful information for the new assessment being progressed.

#### The Broads Management Plan – the Broads Plan

1.18 The Broads Plan is the key strategic management plan for the Broads. It sets out a long-term vision and guiding action for the area, and integrates a wide range of strategies, plans and policies relevant to the Broads with the purposes and duties in the Broads Acts. The previous, and now recently updated and published plan, reflect the uniqueness of the Broads, its cultural heritage that frames its landscape and biodiversity, its value to people, both local and visitors, and how the area can sustain itself into the long term, having regard for natural and human induced changes. As a water-dominated landscape, the management plan also incorporates consideration of sustainable use of the waterways, the rights to that use and effective management of the navigation areas. The newly published plan focuses on these key elements, drawing on up to date information to inform its content and direction.

The Broads Plan provides the framework for securing and delivering the legislative duties required by the legislation under which the Broads Authority operates, primarily the Norfolk and Suffolk Broads Act 1988.

1.19 The Broads Authority must manage for the three purposes stated above at paragraph 1.2, whilst having regard for:

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

1.20 The management of the Broads to meet these duties is set out within the Broads Plan. The plan is reviewed every five years, and the new plan was adopted in March 2017. The Broads plan is a strategic management plan, with its direction for management of the Broads being high-level guiding principles and priority setting, with more detailed

action being included in ‘mechanisms for delivery’ documents. It includes a long-term vision for the Broads, informed by public consultation, and consideration of how that vision can be met whilst continuing to protect the special qualities of the area.

- 1.21 The plan sets out strategic objectives under topic headings, and the new plan has taken opportunities to incorporate recommendations from the HRA in terms of high-level objectives for European site protection, and also for identifying key restoration needs. It is here that water management becomes particularly relevant, and the Broads Plan provides strategic direction for further work. A review of progress on rectifying any previously identified issues has been made, drawing on the work of a range of current strategies in place in relation to water resources in the Broads, such as sediment management, catchment flood management and Anglian Water’s resource plans. It is the implementation of plans and strategies below the overarching Broads Plan that the previous HRA work highlighted as a potential threat to European site interest, and it was therefore important to check and confirm the effectiveness of measures to protect European sites that have been put in place for those lower tier documents.

#### **The Tourism Plan – the Broads Sustainable Tourism Strategy**

- 1.22 The Sustainable Tourism Strategy or Destination Management Plan for the Broads is not a statutory requirement, but makes a significant contribution to the suite of plans and strategies that steer the management of the Broads, by providing a strategic direction for sustainable tourism in the Broads that recognises the invaluable resource of the Broads and the careful balance between protecting and enabling everyone to enjoy the beauty of the Broads. It is a key document to assist the Broads Authority in meeting its statutory responsibilities. The Destination Management Plan has recently replaced the previous Sustainable Tourism Strategy for the Broads.
- 1.23 Tourism drives much of the economy of the Broads, and provides the livelihood of many people. The Broads Authority must continue to understand the current tourism parameters, and the nature and levels of tourism necessary for the long-term sustainability of the Broads.
- 1.24 The new plan will focus on both visitor numbers and the type of tourism that will be most beneficial for the Broads and the HRA therefore played an early and informative role in the development of the strategic approach to tourism, to ensure that the direction being promoted by the new plan is complementary to the maintenance and where necessary the restoration of European site interest. As a non-statutory plan, the Broads Authority did not undertake a HRA of the previous strategy, and the new assessment was not able to refer to previous work. As a plan produced by the Broads Authority, the new tourism plan has now been the subject of HRA.

#### **Other local planning documents**

- 1.25 It is important to note that the administrative area covered by the Broads Authority encompasses areas that adjoin six local planning authority areas, and that each has their own local planning documents. These are Waveney, South Norfolk, Broadland, Great Yarmouth, Norwich and North Norfolk. The HRA of the three plans, and this

assessment of the Local Plan in particular, should have regard for the proposals within the neighbouring local plans, in terms of the growth proposed and the measures that each authority is putting in place to protect the European sites within the Broads.

- 1.26 Each of the local planning authorities is at different stages of plan preparation, and the levels of detail in their HRA will therefore vary. A Joint Core Strategy, adopted in 2014, is in place for Broadland District Council, Norwich City Council, South Norfolk District Council and Norfolk County Council, which sets co-ordinated objectives for development within the three districts to deliver growth requirements for the wider area covered by the authorities. It aims to deliver 37,000 new homes over the plan period, which is a challenging target. The plan places the natural environment at the heart of plan policy, with the first policy of the plan committing to the following
- 1.27 *“All new developments will ensure that there will be no adverse impacts on European and Ramsar designated sites and no adverse impacts on European protected species in the area and beyond including by storm water runoff, water abstraction, or sewage discharge. They will provide for sufficient and appropriate local green infrastructure to minimise visitor pressures. Development likely to have any adverse affect on nationally designated sites and species will be assessed in accordance with national policy and legislation.”*
- 1.28 As with the HRA of the Broads Local Development Framework documents, the adjoining areas have particularly focussed on water resources and water quality as threats to European sites. Water utility company plans and strategies are therefore key documents for securing adequate measures to prevent harm.
- 1.29 Each of the neighbouring local plans has been checked as part of this assessment. Importantly, a number of issues relating to the European site features relate to impacts from outside the Broads, particularly in relation to water quality. Information on the mitigation measures being employed by neighbouring authorities, and their effectiveness to date is summarised below.
- 1.30 Waveney District has published a final draft plan and the current HRA prepared by Footprint Ecology does not identify any potential adverse effects on the Broads. Great Yarmouth has commissioned Footprint Ecology to prepare the HRA for its Local Plan, incorporating a suite of mitigation measures that complement those now recommended for the Local Plan for the Broads. As described within the Local Plan for the Broads, Great Yarmouth Borough Council and the Broads Authority are co-operating over the delivery of housing to meet identified needs; 44 houses in the part of the Broads that falls within the Borough of Great Yarmouth. The mitigation measures within the plan level HRA for both Great Yarmouth and the Broads should be drawn upon as the options for delivering the 44 houses are further progressed. Importantly, as described below, the Norfolk Authorities are all working together to gather more evidence in the form of visitor survey data and to assess implications of increased recreation for European sites, and this collaborative working will inform all emerging local spatial planning documents in due course.



### A positive approach to assessing the plans and informing their progression

- 1.31 The three plans being prepared by the Broads Authority are the subject of public consultations at various stages, and have been updated in light of those consultations. It is apparent from all three plans that the protection, maintenance and restoration of natural environment is a prominent theme, and one which has been effectively integrated into the policies and actions. This HRA, like the assessments undertaken for the other two plans, makes recommendations for changes to ensure compliance with the legislation, but at the same time recognises the positive work already evident within the plans, particularly the focus given to restoring water quality, for example.
- 1.32 This HRAs have been undertaken and updated in a timely manner, in order to make meaningful recommendations that can be acted upon in the next iteration of each plan, to strengthen the protection afforded to European sites and ensure that the plans fully meet the requirements of the legislation prior to their adoption by the Authority.
- 1.33 A HRA is an intrinsic part of plan making, in the same way that all other evidence gathering undertaken by the Authority will inform plan progression. It identifies potential risks to European sites posed by an emerging policy approach, and it should also seek to find solutions that enable sustainable development, sustainable tourism and sustainable management of the Broads, to meet its multiple needs and purposes whilst protecting European sites. The HRA should therefore be mindful of the objectives of the plans being assessed, and should wherever possible seek to recommend measures to allow those objectives to be met whilst avoiding or minimising risk. Whatever recommendations are made, it is for the Broads Authority to own and implement those recommendations. Where solutions are not available or evidence to support a solution is not robust, it will then be necessary to consider a different policy approach.

### Information and Evidence

- 1.34 As described above HRA should be evidence based. The key information sources relevant to this HRA are summarised below. This is not an exhaustive list but rather the main pieces of evidence are identified. This HRA report initially provided an assessment at the Preferred Options stage of plan making and has now been updated for the Publication stage of plan making. Key information has been revisited to ensure that this assessment continued to be based on up to date evidence as it progressed alongside the plan.

### Water related studies, strategies and management plans

- 1.35 The Broads Authority and partner organisations have undertaken or commissioned a broad range of documents relating to water quality and water resources. The Broadland Rivers Catchment Plan is produced by the Broadland Catchment Partnership, seeking to improve the water environment of the Broads through a suite of measures including land management, flood risk management and waste water management. This partnership includes all the main bodies involved in water management and regulating use of water, including water utilities, Natural England, the National Farmers Union, Norfolk County Council and the RSPB. This partnership is an important source of

information for the assessment, and also an ideal partnership to support the delivery of measures that may be necessary to protect European site interest. Other potentially relevant studies, plans and strategies include:

- Water Cycle Studies undertaken to support the preparation of local planning documents
- Water utility company resource plans
- Environment Agency strategies relating to flood management
- Environment Agency consents for water abstraction, and associated assessments
- CAMS Catchment Abstraction Management Strategy
- Restoring Sustainable Abstraction
- Water company and Environment Agency Drought Plans

#### **Water Resource Management Plans and their Habitats Regulations Assessments**

- 1.36 Water utility companies produce a number of plans, including Water Resource Management Plans, which cover a 25-year planning period and should demonstrate how they intend to provide a sustainable water supply to meet needs whilst also maintaining adequate water resources in the environment. The current plan period is from 2015 to 2040. Where in place, Drought Plans are also relevant. The plans for the Broads are those produced by Anglian Water and Essex & Suffolk Water.
- 1.37 The Water Resource Management Plan prepared by Anglian Water was the subject of HRA, which considered European sites throughout the Anglian area, including those that would potentially be affected by water resource requirements for development within the Broads Executive Area. The plan and its assessment concluded that for a small number of schemes, likely significant effects could not be ruled out and appropriate assessment was undertaken, explaining possible mitigation options. The assessment concludes that with the application of mitigation measures, resources can be sustainably supplied whilst ensuring no adverse effects on European site interest.
- 1.38 Parts of the Broads (towards Great Yarmouth and Lowestoft) are also covered by Essex & Suffolk Water, and again the Water Resource Management Plan for this company advises that their resource management over the Water Resource Management Plan period will be a supply surplus. The HRA includes consideration of the Alde-Ore Estuary SPA and focuses on the Trinity Broads SSSI and Geldeston Meadows SSSI as components of the Broadland SPA/Ramsar site and the Broads SAC.
- 1.39 For the Broads sites, the HRA identifies mud pumping as a potential hazard, but screens the issue out as no likely significant effect due to the measures in place to manage the operation, and the subsequent sediment movement as a result. Abstractions pose a risk to Geldeston Meadows, and compensatory water resource will be added back into the system to negate effects. River support compensation discharges are also used for the River Alde to remove likely significant effects on relation to the Alde-Ore Estuary.
- 1.40 Whilst both Water Resource Management Plans and their associated HRAs indicate that water resource provision for planned growth should not present an issue for European

sites, there is a need to re-check mitigation effectiveness for future Local Plan reviews. The Essex & Suffolk Water plan in particular identifies the importance of monitoring the mitigation measures in place, and the environmental monitoring results should therefore be obtained for informing future Local Plan reviews.

#### **Strategic Flood Risk Assessment Position Statement**

- 1.41 A joint statement by the Broads Authority and Environment Agency, published in May 2017, advises that the current Strategic Flood Risk Assessment, prepared as part of a joint study with neighbouring authorities in 2007/8, does not include the most recent flood modelling data or climate change allowances. Currently, the Norfolk local planning authorities (with the exclusion of Breckland) are working together to produce an updated assessment, with a target completion date of October 2017. However, some data will be lacking as this will not be available from the Environment Agency until 2019. The Broads Authority is proceeding with the publication of the Local Plan in the absence of this data, on the basis that the majority of the Broads is at risk of flooding, and policies therefore have a strong focus on flood management through development. As noted earlier, a Flood Risk SPD is also in place for the Broads, forming part of the Local Plan. Waveney District Council are proceeding with producing their Strategic Flood Risk Assessment, and this may need to be revisited in light of the Environment Agency data becoming available.
- 1.42 Flood risk is of relevance to the European sites, as flooding can increase pollution, siltation and damage sensitive habitats. Whilst a Strategic Flood Risk Assessment is an important part of the Local Plan evidence base, its purpose is to identify areas of differing flood risk. For the Broads, with the majority of the area at risk, there is a clear requirement to focus on flood risk for all development. Policies within the Local Plan require stringent assessment and submission of flood risk and flood management information. This policy focus enables this HRA to have confidence that the impact of flooding and the subsequent risk to European sites will be appropriately managed at the development project level, in accordance with the policies in place.

#### **Biodiversity strategies**

- 1.43 The Broads Authority, in conjunction with all nature conservation partners operating within the 'Broads Biodiversity Partnership' such as Natural England, research institutions and the Local Nature Partnership, has produced an extensive range of biodiversity delivery documents that support the progression of biodiversity action within the Broads, to protect, restore and expand the biodiversity resource of the Broads. These are supported by comprehensive audits that highlight the nature conservation importance of the Broads (Dolman, Panter & Mossman 2012). Key documents overseen by the Broads Biodiversity Partnership that provide background information for this HRA include:

- The Broads Biodiversity and Water Strategy
- The Lake Restoration Review
- Biodiversity audit and sensitivity mapping
- Species of conservation concern restricted to the Broads
- Wetland conservation reports

- The Broads Biodiversity Action Plan

#### Visitor survey work

- 1.44 The Broads is a nationally renowned tourism destination and maintaining a comprehensive level of up to date information on tourism is a fundamental part of delivering the three overarching duties (set out at paragraph 1.2) and maintaining a sustainable tourism economy. The Broads Authority has undertaken and commissioned a range of research on the use of the area by visitors. This HRA includes consideration of visitors to the Broads, both residential and non-residential. Evidence relating to visitor numbers, visit types, key locations, required accommodation and infrastructure and the times of year is all relevant to this assessment.
- 1.45 Visitor information includes surveys undertaken by Insight Track (Terry & Davey 2014; Insight Track 2015). These provide a range of data including information on site choice, visit types and spend.
- 1.46 Footprint Ecology has undertaken visitor surveys from European sites across Norfolk, as part of a joint commission by the Norfolk local planning authorities over 2016/17. The surveys targeted a sample of locations with access and where sensitive wildlife occurs. This work now informs the relative balance of recreation pressure from local residents and tourists and provides information to inform long-term access management for the European sites.

#### East Inshore and East Offshore Marine Plans

- 1.47 The Broads Authority has recently prepared an assessment of the conformity of the Local Plan with the Marine Plans, finding that the Local Plan is in conformity. The Marine Plans include high level policies to protect the marine environment, including designated sites. This does not raise any issues relevant to the HRA.

#### Greater Norwich Infrastructure Plan

- 1.48 The Broads Authority is working jointly with neighbouring authorities across Norfolk on a number of matters, including co-ordination of delivery of housing need, infrastructure to support growth, and enhancing the green infrastructure network. The Greater Norwich Infrastructure Plan informs the prioritisation of investment and delivery of infrastructure to support growth across the Greater Norwich area. Whilst the Broads Authority Executive Area lies outside the remit of this plan, it is important to note the development of biodiversity opportunity mapping as part of the plan, and the potential role this could play in supporting European sites within the Broads. It would be beneficial for the Broads Authority to be involved in this aspect of the Infrastructure Plan, which is currently in the early stages of development.

## 2. European sites

- 2.1 In this section, the relevant European sites are discussed, identifying those sites that could potentially be affected by the policies and proposals within the Local Plan for the Broads, and then examining their site interest features, conservation objectives, sensitivities and any current conservation issues.
- 2.2 In assessing the implications of any plan or project for European sites, it is essential to fully understand the sites in question, their interest features, current condition, sensitivities and any other on-going matters that are influencing each of the sites that may be affecting the achievement of conservation objectives.
- 2.3 This section of the report, along with detailed site information in Appendix 2, provides that information. Every European site has a set of ‘interest features,’ which are the ecological features for which the site is designated or classified, and the features for which Member States should ensure the site is maintained or, where necessary restored. Each European site has a set of ‘conservation objectives’ that set out the objectives for the site interest, i.e. what the site should be achieving in terms of restoring or maintaining the special ecological interest of European importance.
- 2.4 The site conservation objectives are relevant to any HRA, because they identify what should be achieved for the site, and a HRA may therefore consider whether any plan or project may compromise the achievement of those objectives. Further information on European site conservation objectives can be found at the end of this section of the report.
- 2.5 European sites are at risk if there are possible means by which any aspect of a plan can, when being taken forward for implementation, pose a potential threat to the wildlife interest of the sites. This is often referred to as the ‘impact pathway’ as it is an identifiable means by which the plan or project could potentially affect the European site. Impact pathways are discussed in Section 3 of this report, in relation to informing the screening for likely significant effects.

The boundary of the Broads Authority Executive Area is shown in Map 1. There are several European sites in or relatively close to the Broads; Maps 2-4 show the locations of the SPAs, SACs and Ramsar sites respectively, selected for consideration in this HRA. Of these sites, it is considered that there is the potential for a number of European sites to be at risk.

- 2.6 Table 1 lists the relevant European sites. Note that, where there is more than one type of designation in the same location, the boundaries of the three types of designated site may not follow exactly the same line.
- 2.7 The detailed ecological information and site sensitivities for each site are provided in Appendix 2 of this report.

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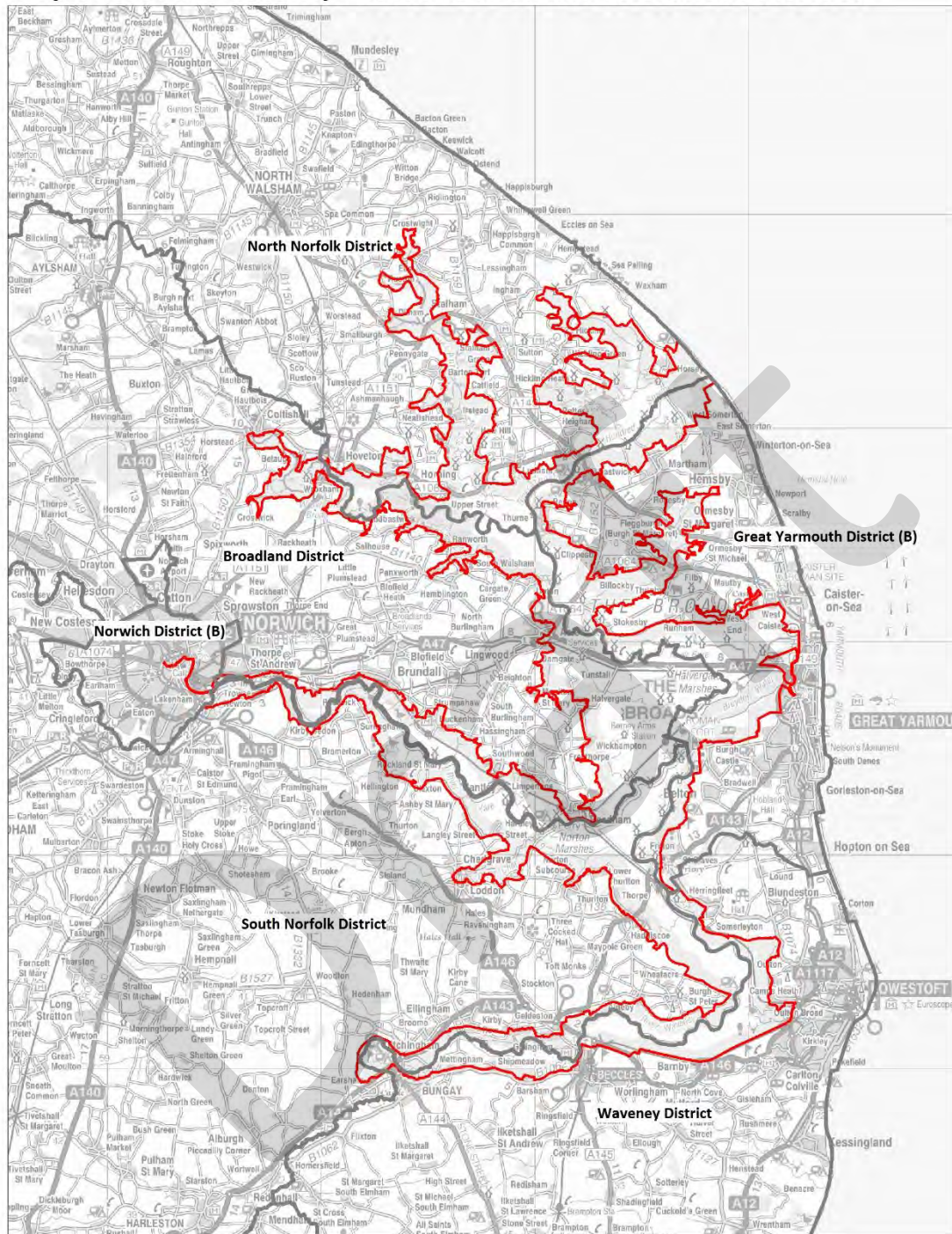
**Table 1: European Sites within or close to the Broads Authority Executive Area.**



SPA	SAC	Ramsar
Broadland	The Broads	Broadland
Breydon Water		Breydon Water
Great Yarmouth North Denes	Winterton-Horsey Dunes	
Outer Thames Estuary		
	Haisborough, Hammond and Winterton candidate marine SAC	

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Map 1: Broads Authority Executive Area and relevant authorities

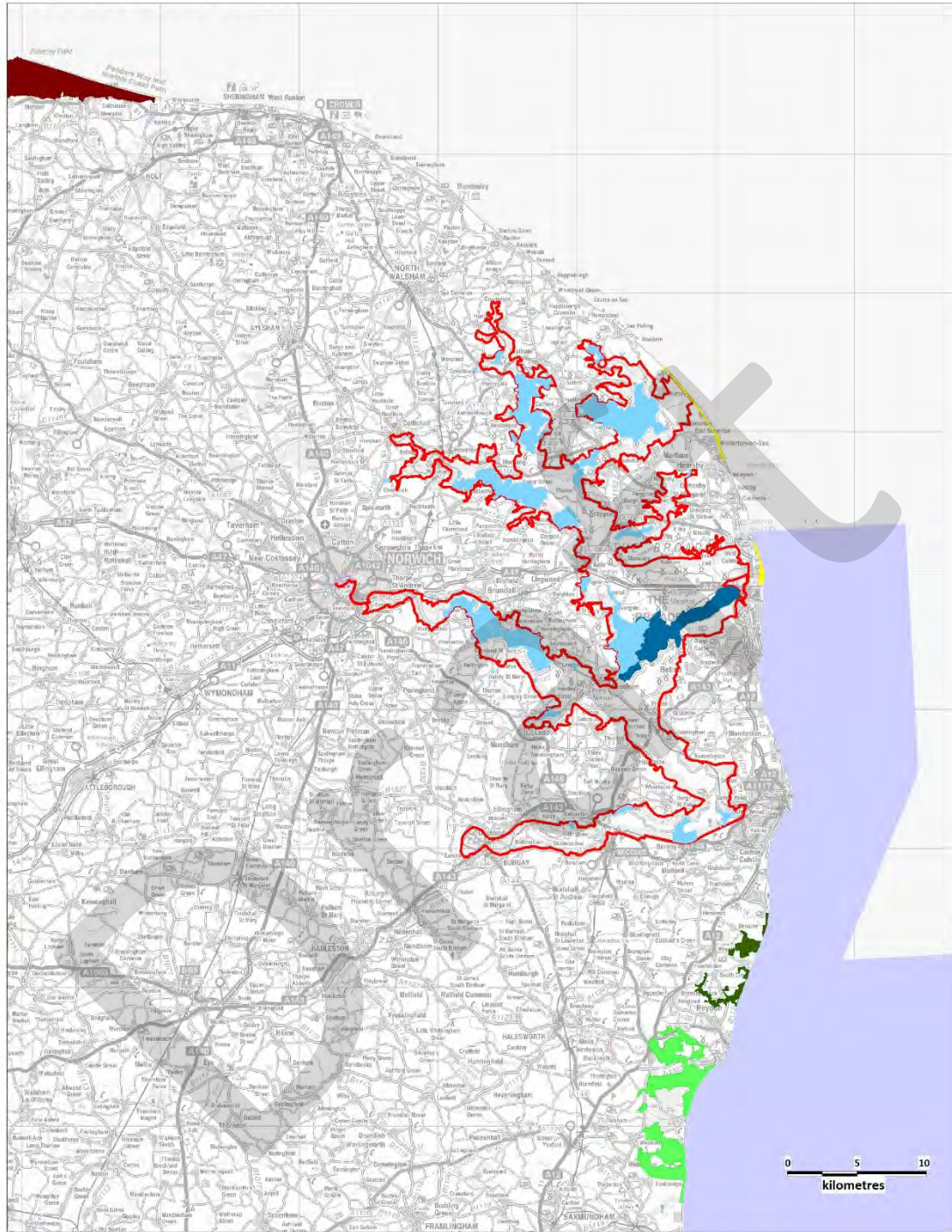










-  Local authority boundaries
-  Broads Authority Executive Area

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Map 2: Selected SPAs

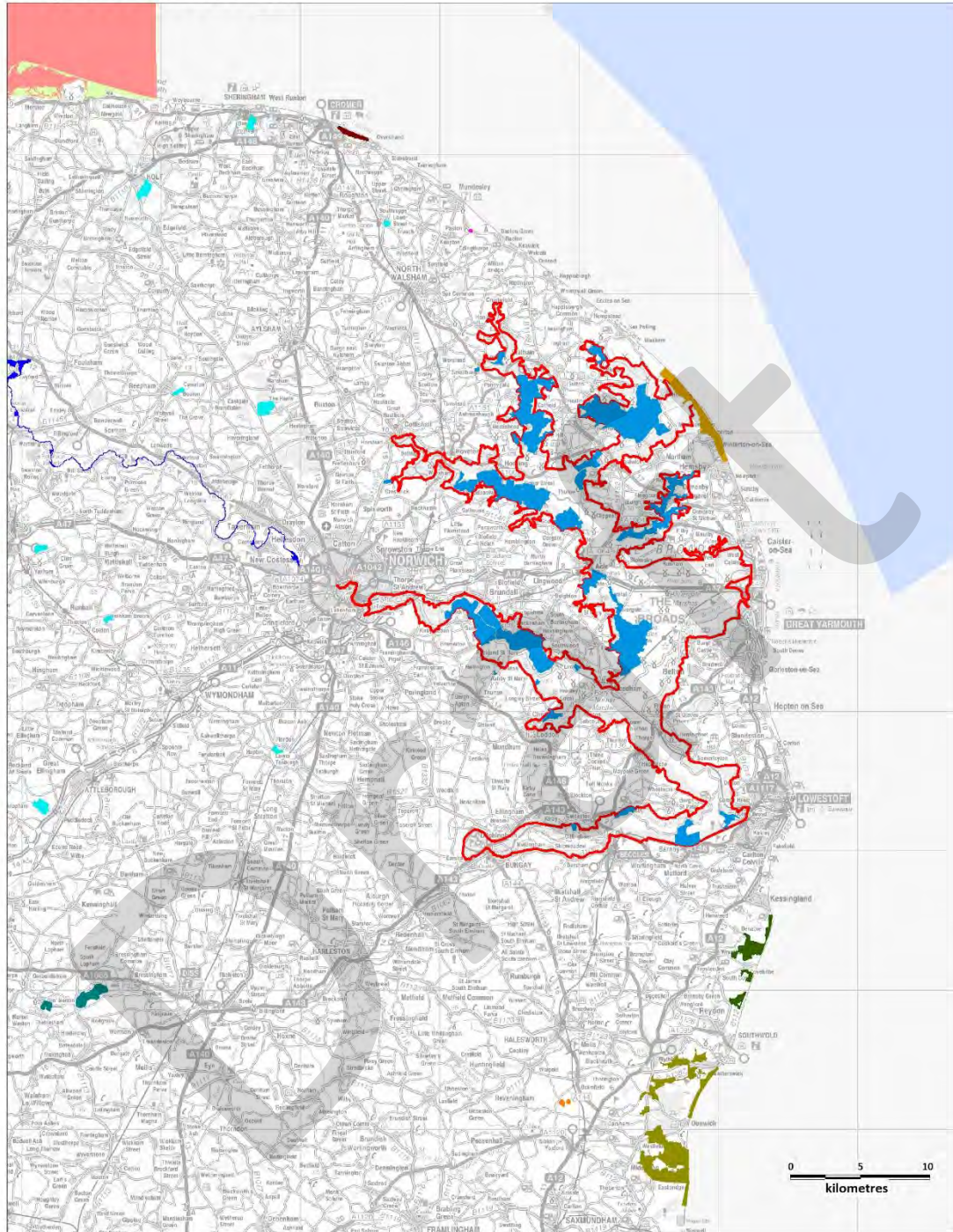


- |   |  |             |   |                                  |   |                             |
|---|--|-------------|---|----------------------------------|---|-----------------------------|
|  | <b>Broads Authority Executive Area</b> | <b>SPAs</b> |  | <b>Benacre to Easton Bawents</b> |  | <b>Minsmere-Walberswick</b> |
|   |  |             |  | <b>Breydon Water</b>             |  | <b>N Norfolk Coast</b>      |
|   |  |             |  | <b>Broadland</b>                 |  | <b>Outer Thames Estuary</b> |
|   |  |             |  | <b>Great Yarmouth North Dens</b> |   |                             |

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Map 3: Selected SACs



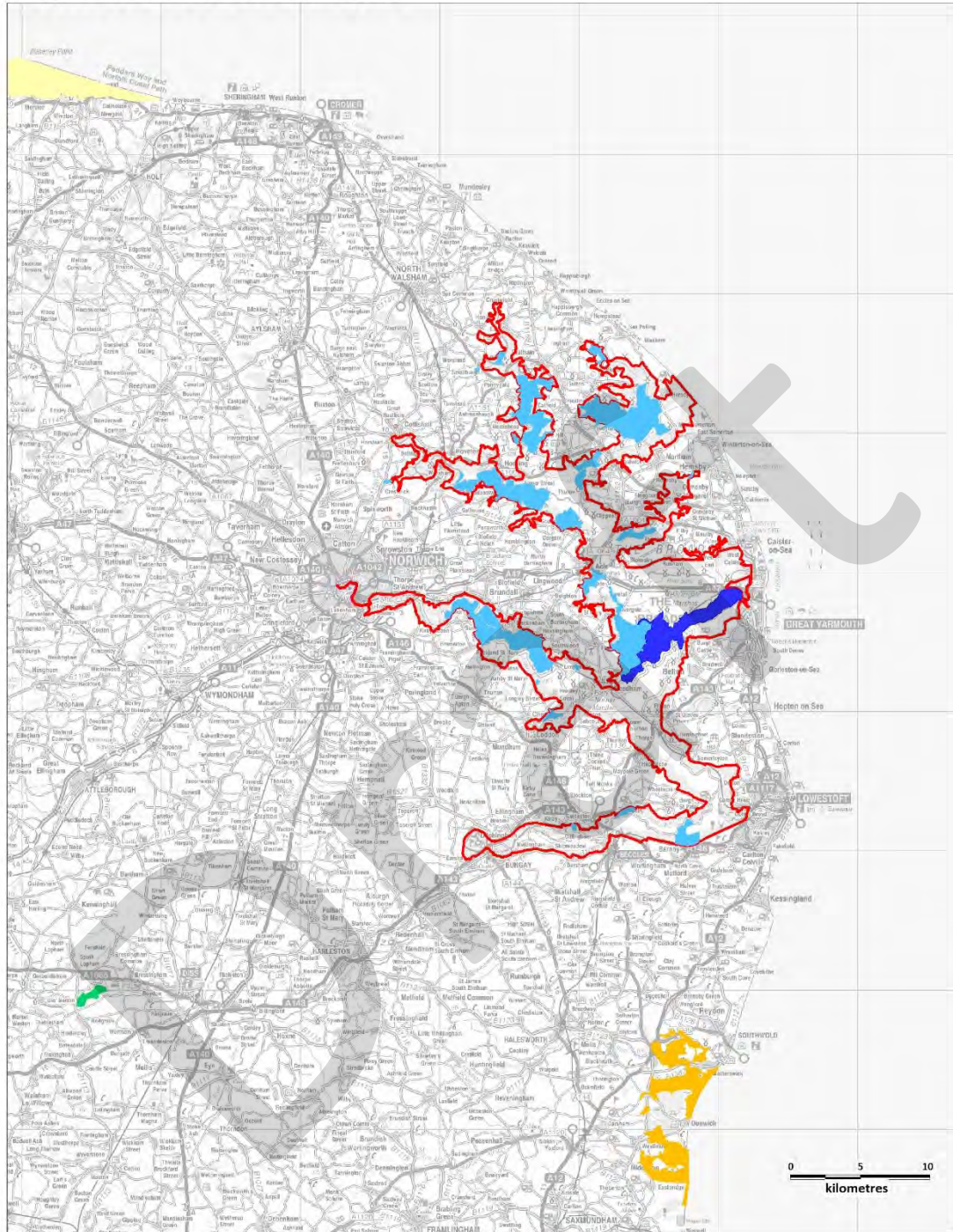
**SACs**

- |  |   |   |
|--|---|---|
|  Benacre to Easton Bawents Lagoons        |  North Norfolk Coast |  The Wash & North Norfolk Coast    |
|  Dew's Ponds                              |  Overstrand Cliffs   |  Waveney & Little Ouse Valley Fens |
|  Haisborough, Hammond and Winterton       |  Paston Great Barn   |  Winterton-Horsey Dunes            |
|  Minsmere to Walberswick Heaths & Marshes |  River Wensum        |  Broads Authority Executive Area   |
|  Norfolk Valley Fens                      |  The Broads          |   |

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Map 4: Selected Ramsar Sites



**Ramsar Sites**

- Breydon Water
- Broadland
- Minsmere-Walberswick
- North Norfolk Coast
- Redgrave & South Lopham Fens

Broads Authority Executive Area

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### European site conservation objectives

- 2.8 Conservation Objectives are the objectives to be achieved by European member states for their sites that ultimately then contribute to the Natural 2000 network and favourable conservation status of habitats and species for which the sites are designated or classified.
- 2.9 As required by the Directives, Conservation Objectives have been established by Natural England, which should define the required ecologically robust state for each European site interest feature. All sites should be meeting their conservation objectives. When being fully met, each site will be adequately contributing to the overall favourable conservation status of the species or habitat interest feature across its natural range. Where Conservation Objectives are not being met at a site level, and the interest feature is therefore not contributing to overall favourable conservation status of the species or habitat, plans should be in place for adequate restoration.
- 2.10 Natural England has embarked on a project to renew all European site Conservation Objectives, in order to ensure that they are up to date, comprehensive and easier for developers and consultants to use to inform project level HRAs in a consistent way. In 2012, Natural England issued a set of generic European site Conservation Objectives, which should be applied to each interest feature of each European site. These generic objectives are the first stage in the project to renew conservation objectives. The second stage, which is to provide more detailed and site-specific information for each site to support the generic objectives, is now underway. Whilst some European sites now have the benefit of this supplementary advice, the relevant European sites for this HRA do not yet have finalised supplementary advice.
- 2.11 The new list of generic Conservation Objectives for each European site includes an overarching objective, followed by a list of attributes that are essential for the achievement of the overarching objective. Whilst the generic objectives currently issued are standardised, they are to be applied to each interest feature of each European site, and the application and achievement of those objectives will therefore be site specific and dependant on the nature and characteristics of the site. The second stage, provision of the more supplementary information to underpin these generic objectives, will provide much more site-specific information, and this detail will play a fundamental role in informing HRAs, and importantly will give greater clarity to what might constitute an adverse effect on a site interest feature.
- 2.12 In the interim, Natural England advises that HRAs should use the generic objectives and apply them to the site-specific situation. This should be supported by comprehensive and up to date background information relating to the site.
- 2.13 For SPAs, the overarching objective is to:
- ‘Avoid the deterioration of the habitats of qualifying features, and the significant disturbance of the qualifying features, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Birds Directive.’

- 2.14 This is achieved by, subject to natural change, maintaining and restoring:
- The extent and distribution of the habitats of the qualifying features.
  - The structure and function of the habitats of the qualifying features.
  - The supporting processes on which the habitats of the qualifying features rely.
  - The populations of the qualifying features.
  - The distribution of the qualifying features within the site.
- 2.15 For SACs, the overarching objective is to:
- ‘Avoid the deterioration of the qualifying natural habitats and the habitats of qualifying species, and the significant disturbance of those qualifying species, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving Favourable Conservation Status of each of the qualifying features.’
- 2.16 This is achieved by, subject to natural change, maintaining and restoring:
- The extent and distribution of the qualifying natural habitats and habitats of qualifying species.
  - The structure and function (including typical species) of qualifying natural habitats and habitats of qualifying species.
  - The supporting processes on which qualifying natural habitats and habitats of qualifying species rely.
  - The populations of qualifying species.
  - The distribution of qualifying species within the site.
- 2.17 Marine objectives are applied to the Haisborough, Hammond and Winterton candidate marine SAC, with objectives for the site being the maintenance and restoration of:
- Extent of the habitat (and elevation and patchiness for reef)
  - Diversity of the habitat
  - Community structure of the habitat (e.g. population structure of individual species and their contribution to the functioning of the habitat)
  - Natural environmental quality (e.g. water quality, suspended sediment levels, etc.)
- 2.18 Conservation objectives inform any HRA of a plan or project, by identifying what the interest features for the site should be achieving, and what impacts may be significant for the site in terms of undermining the site’s ability to meet its conservation objectives. Whilst the site specific supplementary information remains unavailable, the generic objectives must underpin the assessment of impacts by focusing considerations on the structure and function of supporting habitats and supporting processes as well as the site interest features themselves.

### European site condition and sensitivities

- 2.19 The information provided in Appendix 2 relates to the European sites and their vulnerabilities. The current status of each of the European sites, mechanisms in place to maintain their interest in order to meet conservation objectives, and progress on any restoration needs have been reviewed as this assessment has progressed.

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### 3. Screening for likely significant effects

- 3.1 HRA is a step by step process, with the competent authority required to undertake a screening for likely significant effects on European sites, after determining that the plan or project in question is not one that is entirely necessary for site management. The Local Plan for the Broads is prepared in order to meet a vision and objectives for sustainable development in the Broads, and is therefore not wholly focussed on European site management. The screening for likely significant effects is therefore undertaken. The screening stage is applicable to all parts of the plan, and the screening then informs whether a detailed appropriate assessment of the plan or project is required, where it is concluded that significant effects cannot be ruled out.
- 3.2 When a HRA is being undertaken on a plan or project that is initiated by the competent authority themselves, there is greater opportunity to identify potential issues arising from the plan or project in the initial stages of design or preparation. Where a competent authority is authorising a proposal being made by another party, the application for permission is usually made when the proposal has already been designed and all details finalised, thus the opportunity to identify issues early on is more limited unless an applicant chooses to hold early discussions with the competent authority.
- 3.3 For the Local Plan for the Broads, the Broads Authority is both the plan proposer and the competent authority, thus allowing the HRA to influence the plan in its earlier stages, up to submission for Examination.

#### What constitutes a likely significant effect?

- 3.4 At the screening stage of HRA, there is the opportunity to identify changes to the plan that could be made to avoid risks to European sites. **Any requirement for assessing the effectiveness of changes should be made at the appropriate assessment stage.** The screening for likely significant effects, **as described in Appendix 1**, is an initial check to identify risks and recommend any obvious changes that can **strengthen policy or completely avoid risks with the removal of potentially harmful aspects, for example.** Where risks cannot be avoided, a more detailed assessment is undertaken to gather more information about the likely significant effects, **and tests any measures to mitigate for those effects**, which is the appropriate assessment stage of HRA.
- 3.5 The screening check of each aspect of the plan is essentially looking for two things; whether it is possible to say with certainty that there are no possible impacts on European sites, or whether, in light of a potential risk, adequate **clarifications, corrections or instructions for the development project HRA** are built into the policy and/or its supporting text, which serve to avoid any likely impacts. If one of these categories is met, it enables a competent authority to screen out from further stages of assessment. Where there is the potential for European sites to be affected, **and mitigation measures require further scrutiny**, more detailed consideration is required and this then screens those aspects of the plan in to the appropriate assessment.



- 3.6 A likely significant effect could be concluded on the basis of clear evidence of risk to European site interest, or there could be a scientific and plausible justification for concluding that a risk is present, even in the absence of direct evidence. The latter is a precautionary approach, and follows the principles established in case law relating to the use of such a principle in applying the European Directives and domestic Habitats Regulations. In particular, the European Court in the ‘Waddensee’ case<sup>5</sup> refers to “*no reasonable scientific doubt*” and the ‘Sweetman’ case<sup>6</sup> the Advocate General identified that a positive conclusion on screening for likely significant effects relates to where there “*is a possibility of there being a significant effect*”. An additional recent European Court of Justice Judgment in 2018 (Case C-323/17) clarified that the need to carefully explain actions taken at each HRA stage, particularly at the screening for likely significant effects stage. The Judgment is a timely reminder of the need for clear distinction between the stages of HRA, and good practice in recognising the function of each. The screening for likely significant effects stage should function as a screening or checking stage, to determine whether further assessment is required. Assessing the nature and extent of potential impacts on European site interest features, and the robustness of mitigation options, should be done at the appropriate assessment stage. This HRA report has been updated in June 2018 in light of this Judgment. Explanatory text previously included in the screening for likely significant effects section has been moved to an appropriate assessment section. The explanation of the approach taken has not changed, rather the section in which it appears has been updated.

### Screening table

- 3.7 The screening of the full plan at both Preferred Options (October 2016) and then Publication stage (August 2017) is provided in Table 2 below. Each section and policy has been considered in turn, and a record made of whether likely significant effects can be screened out or not. Where it is concluded that there are likely significant effects, i.e. there is a possibility of effects, **because of a need for clarifications, corrections or instructions for the development project HRA** the screening table made recommendations to modify and strengthen policy and/or supporting text where risks to European sites are identified. A re-screening exercise at Publication stage enabled a check to be made as to whether previous recommendations have been incorporated.
- 3.8 The screening exercise identified a number of risks at Preferred Options, and made recommendations accordingly. These included a number of actions that are relatively minor text modifications. Key changes required to avoid likely significant effects were highlighted within the table in the previous iteration of this report at Preferred Options, to enable the Broads Authority to review and make the recommended changes to the plan. At Publication stage, after consideration of the revised plan, some further recommendations are now made within the screening table. Additionally, the screening table highlights opportunities for text changes to maximise restoration and enhancement opportunities, which are in keeping with the overall objectives of the

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<sup>5</sup> European Court of Justice case C - 127/02

<sup>6</sup> European Court of Justice case C - 258/11



legislation to maintain and restore European sites. Seeking enhancement opportunities through spatial planning is also in keeping with the Government's objectives for biodiversity and the principles set out within the 'Lawton Review,' which was an independent review commissioned by government, of England's wildlife sites and ecological network, chaired by Professor Sir John Lawton<sup>7</sup>. **The screening table highlights likely significant effects in relation to housing and an explanation as to why adverse effects can be ruled out at the plan level, notwithstanding the need for project level HRA, is provided in the appropriate assessment section of this report.**

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<sup>7</sup>The [Making Space for Nature](#) (PDF) Review, 2010.

### Screening the European sites

- 3.9 The European sites initially considered in this HRA are listed in Table 1 within Section 1 of this report. Site specific details are provided for each European site in Appendix 2. In screening the plan for likely significant effects, as documented in Table 2, it was apparent from the policy by policy check that some of the sites initially considered due to proximity to the Broads could be screened out. The Local Plan for the Broads does not promote any development that poses a risk to marine sites, and there is strong policy protection to avoid any risk relating to water quality and resources.
- 3.10 Recreation pressure on sites from residents of new housing and from increased tourism, and the potential impact of increased navigation and waterside development are issues that are flagged in the discussion above in relation to impact pathways, and within the screening assessment table in relation to housing, tourism and navigation/boating/waterside access policies. Such pressures are relevant to those European sites within and in close proximity to the Broads Administrative area; Broadland SPA/Ramsar site, the Broads SAC, Great Yarmouth North Denes SPA, Breydon Water SPA and Winterton-Horsey Dunes SAC. **These issues are discussed in the appropriate assessment section of this report. With the addition of the measures described within the appropriate assessment section, it is concluded that these sites can be screened out.**
- 3.11 **In order to ensure conformity with the Judgment referred to in Section 1, the screening for likely significant effects table has been annotated to include additional explanation as to why the action recommended within the table has been proposed, and whether it constitutes 'mitigation' that should be considered within an appropriate assessment. These annotations are provided in the final column of the screening table.**

Table 2: Screening the Local Plan for the Broads at Preferred Options (October 2016) and at Publication (August 2017)

Specific part of the Plan	Description	Initial LSE screening	Enhancement opportunities	Recommendations at Preferred Options stage	Recommendations at Publication stage	Action
<b>Sections 1 to 7 - Introductory chapters</b>						
Introduction, Overview, consultation process.	Purpose of the new plan	LSE – HRA explanation inaccuracies	Better explanation of HRA required.	Re-word and expand HRA section. <i>“The Conservation of Habitats and Species Regulations 2010, as amended, normally referred to as ‘the Habitats Regulations,’ transpose the requirements of the EU Habitats and Birds Directives into UK law. The Regulations require a Habitats Regulations Assessment (HRA) to assess potential impacts from the plan on European wildlife sites. This plan has been the subject of HRA, and measures have been embedded within the plan to protect European sites, including in relation to recreation pressure, tourism and water based activities. The HRA is updated alongside the</i>	HRA explanation is included in the plan at Publication stage. No LSE	No <b>This recommendation is to give clarity on HRA, and provide better alignment with and compliance with the legislation. This is not a mitigation measure requiring assessment.</b>

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				<i>plan, informing any modifications in light of potential effects on European sites. The final plan is adopted with certainty that European sites will not be adversely affected by its implementation. Project level HRAs will be required to ensure that detailed project design secures European site protection"</i>		
Spatial portrait, policy context, duty to co-operate, challenges and opportunities	Background and context with current planning documents. Local information and the strengths and weaknesses/challenges for the Broads.	No LSE - Importance and value of biodiversity in the Broads is made clear. Pressure on the natural environment is explained.	Already in text, clear that habitat deterioration needs to be reversed.	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No No action or measure recommended
<b>Section 8 – Vision, objectives and existing policies</b>						
Draft vision, objectives and special qualities	The plan's vision for the Broads in 2036	No LSE – Strong wording in relation to protection and enhancement of the natural environment, and fully integrated into the overall vision and the objectives.	Already in text, reference to enhancement as well as protection	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No No action or measure recommended

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<b>Sections 9 to 29 - Sustainable development/Development management policies</b>						
PUBSP1 – DCLG/PINS model policy	Presumption in favour of sustainable development	LSE – Policy/supporting text does not currently highlight that where there is a likely significant effect on a European site the presumption does not apply	N/A	Add reference in policy and/or text to make clear that the presumption in favour does not apply where there is a likely significant effect on a European site, triggering an appropriate assessment.	Supporting text now highlights that presumption in favour does not apply where there is LSE on a European site No further concerns therefore no LSE	No <b>This recommendation is to give clarity on HRA, and provide better alignment with and compliance with the national policy. This is not a mitigation measure requiring assessment.</b>
PUBDM1 – Water quality and foul drainage	Ensuring that development is only permitted where the water environment is not degraded, in relation to water quality and quantity	No LSE – Specific reference to the need to protect European sites and adhere to the requirements of the Habitats Regulations, as well as reference to the Water Framework Directive	Already in text with reference to biodiversity benefits from reed bed filtration, providing additional habitat outside designated sites.	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE. Additional supporting text provides detailed explanation of water pollution risks and development restrictions currently in place.	No <b>No action or measure recommended, but see general discussion in AA</b>
PUBDM2 – Boat wash down facilities	Adequate provision of wash down facilities to avoid water pollution	No LSE – protective policy for the water environment	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No <b>No action or measure recommended</b>
PUBDM3 – Water efficiency	Requiring water efficiency standards for new development	No LSE – beneficial for water resources	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion	No <b>No action or measure recommended, but</b>

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					of no LSE. Further clarification added in relation to water resource restrictions, and application to both E&S Water and AWS areas.	see general discussion in AA
PUBSP2 – Strategic flood risk policy	Ensuring new development adequately provides for flood management	No LSE – reference to protecting designated habitats within policy	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE. Additional supporting text provides further context for requirements in policy.	No No action or measure recommended
PUBDM4 – Flood risk	Criteria to be met for development management in relation to flood management	No LSE – reference to protecting designated habitats within policy	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE. Policy and supporting text now significantly strengthened. The recent position statement on Strategic Flood Risk Assessment also adds weight here.	No No action or measure recommended
PUBDM5 – Surface water run off	Requiring adequate management of surface water in new development	No LSE – protecting the water environment	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE. Policy and supporting text now	No No action or measure recommended

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					significantly strengthened, with references to natural environment included.	
PUBDM6 – Open space on land, play, sports fields and allotments	Protecting existing open space and ensuring adequate provision of new open space	LSE – qualitative and does not promote development. Does not contradict other policies where recommendations are made for additional wording in relation to open space. However, this policy should include a reference to providing open space for mitigation purposes, in order to be consistent with recommendations for housing policies.	Reference to biodiversity under cemeteries. There is opportunity for further reference to enhancing biodiversity and wider ecological networks that support designated sites (and relate to ‘Lawton principles’).	Under part b) New Provision, it is recommended that wording added as follows: <i>“Open space provision may also be required to reduce recreation pressure on sensitive designated wildlife sites”</i>	Policy at Publication includes previous recommendation for additional text re reducing recreation pressure function of open space. Other policy and supporting text refinements at Publication stage also checked - no LSE.	No <b>The recommended text simply highlights that project level HRA could conclude there is a need for open space for mitigation purposes. It is giving clarity on this potential only.</b>
PUBDM7 – Green infrastructure	The protection of green infrastructure assets and securing compliance with green infrastructure strategies.	No LSE – protecting existing assets	The policy already highlights the contribution that green infrastructure should make to nature conservation and ecological networks, which support designated sites	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No <b>No action or measure recommended</b>

Specific part of the Plan	Description	Initial LSE screening	Enhancement opportunities	Recommendations at Preferred Options stage	Recommendations at Publication stage	Action
PUBSP3 – Climate change	Minimising the effect of climate change through adaptation and mitigation	No LSE – protective of the natural environment	Reference is made in text to measures to improve the ability of habitats and species to adapt. It is suggested that the policy itself includes this point by adding reference to the natural environment (or could just state the environment to encompass other aspects).	Recommendation under the ‘enhancement opportunities’ column is a suggestion for strengthening the enhancement aspect of the text, it is not an essential requirement to remove LSE	Policy at Publication includes previous recommendation for additional text re helping biodiversity adaptation to climate change. Other policy and supporting text refinements at Publication stage also checked - no LSE.	No The only action or measure recommended does not directly relate to European sites, it was a wider biodiversity matter
PUBDM8 – Climate smart checklist	Promoting the use of a climate smart checklist for new development proposals	No LSE – protective of the natural environment	The recommendations above for POSP5 and existing references in explanatory text should trigger consideration of species and habitat adaptation where appropriate, no further changes required.	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No No action or measure recommended
PUBSP4 - Soils	Protection of the soil resource	No LSE – protective of the natural environment and BMV soils	Supporting text refers to peat restoration projects and biodiversity value.	New policy at Publication stage	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE. Whilst reference to peat restoration is now removed, this now features in a separate	No No action or measure recommended



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PUBDM9 – Peat soils	Protection of finite peat resources	No LSE – protective of peat soils as an important resource for flood prevention, biodiversity, archaeology and carbon storage	Supporting text already includes a description of the importance of habitats on peat soils for biodiversity.	N/A	new policy on peat soils, PUBDM9, below. No LSE. Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No No action or measure recommended
PUBSP5 – Historic environment	Development management policy for the historic environment	No LSE – protective policy relating to the historic environment	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No No action or measure recommended
PUBDM10– Heritage assets	Protection of historic assets	No LSE – protective policy relating to the historic environment	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No No action or measure recommended
PUBDM11 – re-use of historic buildings	Development management policy for the historic buildings	No LSE – protective policy relating to the historic environment	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No No action or measure recommended
PUBSP6 – Biodiversity	Protecting and enhancing biodiversity assets from international to local, and wider biodiversity.	No LSE – protective biodiversity policy	Supporting text makes very positive reference to biodiversity enhancement opportunities within development and that this will be sought	New policy at Publication stage, formerly part of POSP2 at Preferred Options	Biodiversity enhancement, whether within or outside designated sites, makes an important contribution to the long-term resilience of European	Yes The only action or measure recommended does not directly relate to European sites, it was

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			<p>through development proposals. It is therefore recommended that the policy text itself makes this point clear. It is suggested that additional wording is inserted into the policy -</p> <p><i>“...and local nature conservation designations and should demonstrate biodiversity gains wherever possible by paying attention to habitats and....”</i></p>		<p>sites. Biodiversity is still in decline and deterioration of biodiversity resources outside designated sites erodes the support systems for designated sites (food sources, commuting corridors, genetic dispersal etc). Reference to striving for biodiversity net gains, as per the recommendation for additional policy text, recognises the important contribution that development should play in restoring the natural environment, in accordance with the NPPF, and fits with the objectives of the Habitats Directive for resilience across the European site network and outside it in the wider landscape.</p>	a wider biodiversity matter
PUBDM12 – Natural Environment	Natural environment protection and enhancement as part of sustainable development	No LSE – A strong and positive protective policy for the natural environment including designated sites.	Already in text with reference to ensuring that all development maximises opportunities for restoration and	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	Yes The only action or measure recommended does not directly relate to

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			enhancement and adds beneficial features. Supporting text also provides additional explanation in relation to enhancement.		However, in order to be consistent with PUBSP10 above, it is suggested that specific reference to biodiversity net gain could be included at the end of the first paragraph of supporting text. Add... <i>in order to secure a net gain for biodiversity</i> ” at the end of the last sentence of the first paragraph.	European sites, it was a wider biodiversity matter
PUBDM13 – Energy demand and performance	Promoting energy efficiency in new development	No LSE – Resource efficiency	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM14 – Renewable energy	Design criteria for renewable energy proposals in terms of scale and impacts on the natural environment	No LSE – a protective policy with reference to preventing unacceptable impacts on biodiversity, alongside landscape, recreational experience and cultural heritage	Policy already makes reference to seeking environmental improvements over the current condition of the site as a result of the development	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE.	No No action or measure recommended
PUBSP7 – Landscape character	Strategic landscape policy securing consideration of landscape character and	No LSE – protection of the landscape links to protection of habitats	N/A	New policy at Publication stage, formerly part of POSP2 at Preferred Options	N/A	No No action or measure recommended

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	the defining qualities of the Broads					
PUBDM15 – Development and landscape	Protecting local landscape character of the Broads	No LSE – protection of the landscape links to protection of habitats	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM16 – Land raising	Criteria for allowing land raising	No LSE – includes protective wording relating to habitat	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM17 – Excavated material	Criteria for the disposal of excavated material	No LSE – potential for effects but reference is made to EA licensing, therefore protect level HRA will be undertaken for this purpose.	Includes reference in supporting text to the use of material for habitat benefits	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM18 – Utilities infrastructure development	Criteria for utilities infrastructure development	No LSE – protection of species and habitats is included in the policy	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM19 – Protection and enhancement of settlement fringe landscape character	Protecting the Broads landscape	No LSE – protection of the landscape links to protection of habitats	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended

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PUBDM20 - Amenity	Provision of satisfactory levels of amenity	No LSE – qualitative policy only	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM21 – Light pollution and dark skies	Protecting tranquillity	No LSE – qualitative policy only	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBSP8 – Getting to and around the Broads	Promoting sustainable travel	No LSE – requires compatibility with sustainability objectives, and does not promote particular development	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE. Supporting text strengthened re reducing car use and therefore air pollution.	No No action or measure recommended
PUBSP9 – Recreational access around the Broads	Promoting sustainable travel Protecting and improving access, on land and water	LSE – Focus on improving access, waterside spaces and launching sites, which poses a risk to European site interest through habitat damage and disturbance	N/A	Policy should make clear that improved access will only be allowed where impacts on the natural environment have been assessed and mitigated for. Supporting text should highlight risk of habitat deterioration and disturbance arising from increased waterside access	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No The recommendation is to highlight a risk and that this may be relevant for project level HRA. This is a clarification recommendation, not mitigation itself. As the policy is general and does not stipulate quantum or location, mitigation measures

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						cannot feasibly be established at the plan level.
PUBDM22 – Transport, highways and access	Requirements for development where access is required.	No LSE – protection of species and habitats is included in the policy	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM23 – Recreation facilities and parking areas	Requirements for appropriate access to recreation facilities	No LSE – protection of species and habitats is included in the policy	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBSP10 – A prosperous local economy	A strategic policy promoting sustainable economic growth, but does not specifically promote a quantum or any location.	No LSE – Policy refers to ensuring no adverse impacts on the special qualities of the Broads, which includes the natural environment	N/A	New policy at Publication stage	N/A	No No action or measure recommended
PUBSP11 – Waterside sites	Encouraging the retention of existing waterside sites	No LSE – policy refers to existing sites and does not promote additional waterside development	N/A	New policy at Publication stage	N/A	No No action or measure recommended
PUBDM24 – New employment development	Criteria to be met by new employment development proposals	No LSE – criteria based only, and includes reference to environmental impact	Criteria includes protection of landscape character and water but not biodiversity. It is therefore suggested that the supporting	New policy at Publication stage	No LSE, but an opportunity to encourage and link back to biodiversity enhancement in the supporting text.	Yes No action or measure recommended

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			text could make a specific link back to PUBSP10 – Biodiversity and seeking biodiversity enhancement/net gains			
PUBDM25 – Protecting general employment	Criteria based and protective policy for existing employment sites	No LSE – criteria based only	N/A	New policy at Publication stage	N/A	No No action or measure recommended
PUBDM26 – Business and farm diversification	Criteria based policy for allowing farm diversification	No LSE – reference to protecting designated site interest within the supporting text	Supporting text already highlights that farm businesses can help maintain biodiversity	New policy at Publication stage	N/A	No No action or measure recommended
PUBDM27 – Development on waterside sites in employment or commercial use, including boatyards	Criteria based policy for where development on existing waterside sites may be permitted	No LSE – criteria based only. Project level HRA may be required and this is referred to in supporting text	N/A	New policy at Publication stage	The waterside is a sensitive location and individual projects may need to be the subject of HRA. Supporting text reflects this – no LSE	No No action or measure recommended
PubSP12 – Sustainable tourism	Promoting sustainable tourism, and criteria for accommodation and visitor attractions	LSE – Tourism poses a risk to European site interest. The policy refers to refusing proposals with an adverse impact on the special qualities of the Broads, but protection of the natural environment needs to be more explicit.	Add supporting text to highlight the potential opportunities for wildlife enhancement through sustainable tourism (education and awareness raising, funding etc).	Edit last sentence of policy to remove the word ‘unacceptable’ as adverse is unacceptable, and currently the sentence suggests there could be acceptable adverse effects. Also add in natural environment to the final sentence of the policy, as follows:	Policy now reworded to refer to adverse impacts on the natural environment – no LSE.  Supporting text refers to enhancing the special features of the Broads, but there is still the opportunity to make reference to wildlife	Yes The wording underlined recommended for adding to the policy is for clarification, it does not constitute mitigation itself, but note the general discussion on tourism in AA section

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		Supporting text refers to striking a balance, indicating compromise. Supporting text does positively refer to ecological sensitivity.		<p><i>“Development proposals for visitor accommodation and visitor attractions that would have an adverse effect on the National Park’s special qualities and natural environment will be refused.”</i></p> <p>Change supporting text to refer to finding solutions that are beneficial and integrated, rather than balancing.</p>	enhancement through sustainable tourism, as per previous recommendation. No LSE, but enhancement opportunity not yet actioned.	
PUBDM28 – Sustainable tourism and recreation development	Development management of tourism related development	No LSE – protection of species and habitats is included in the policy, and supporting text refers to HRA.	Add supporting text to highlight the potential opportunities for wildlife enhancement through sustainable tourism (education and awareness raising, funding etc).	Recommendation under the ‘enhancement opportunities’ column is a suggestion for strengthening the enhancement aspect of the text, it is not an essential requirement to remove LSE	Policy now refers to contributing positively to protected species and habitats. No LSE.	<p>No</p> <p><b>The only action or measure recommended does not directly relate to European sites, it was a wider biodiversity matter.</b></p> <p><b>Note also general discussion on tourism in AA section</b></p>
PUBDM29 – Holiday accommodation – new provision and retention	Development management of holiday accommodation	No LSE –supporting text refers to the need for project level HRA.	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	<p>No</p> <p><b>No action or measure recommended.</b></p> <p><b>Note also general discussion on tourism in AA section</b></p>



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PUBSP13 – Navigable water space	Explains the strategic management of the water space of the Broads	No LSE – policy refers to avoiding adverse impacts on the environment (but note error in wording that needs correcting)	N/A	N/A	No LSE, but the word ‘unavoidable’ needs removing from the policy wording in relation to adverse impacts. Word included in error and makes the sentence confusing.	Yes The recommended action is to ensure correct reading of the policy in alignment with the legislation. Note also general discussion on navigation in AA section
PUBDM30 – Access to the water	Criteria for allowing access to the water	No LSE – reference to conserving Broads ecology is included in the criteria within the policy	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended, but note general discussion on navigation in AA section
PUBDM31 – Riverbank stabilisation	Criteria for allowing riverbank stabilisation	No LSE – reference to protected and priority habitats and species is included in the criteria within the policy	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE. Reference to protected habitats changed to simply refer to biodiversity, which is all encompassing. No LSE conclusion remains.	No The recommendation simply corrects terminology
PUBSP14 – Mooring provision	High level policy relating to provision of visitor moorings	No LSE – whilst this short policy does not refer to risks to European sites, the	N/A	N/A	Policy and supporting text refinements at Publication stage do not	No No action or measure recommended, but note general

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		following development management policy for moorings includes protective wording			alter previous conclusion of no LSE. Supporting text now strengthened further to refer to protecting the ecological value of waterways. No LSE.	discussion on navigation in AA section
PUBDM32 – Moorings, mooring basins and marinas	Development management of moorings related development	No LSE – reference to protected and priority habitats and species is included in the criteria within the policy	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE. Reference to protected habitats changed to simply refer to biodiversity, which is all encompassing. No LSE conclusion remains	No The recommendation simply corrects terminology, but note general discussion on navigation in AA section
PUBSP15 – Residential development	Planning for 146 new homes over the plan period within the Executive Area	LSE – risk of increased pressure on European sites through disturbance and habitat deterioration, particularly through nutrient enrichment. Daily recreation needs of residents needs to be met without increasing pressure on local sensitive sites, which are easily accessible.	N/A	The three sites providing the 212 houses need to provide adequate provision for recreational needs and dog walking, to prevent the sensitive European sites being used to meet this requirement. Project level HRA will need to assess implications for European sites arising from increased recreation pressure and provide	Policy now states a reduced overall housing figure for the plan period of 146 new homes. The low level of growth over the plan period suggests that mitigation measures can be determined at the project level. Supporting text makes reference to the need for project level HRA for housing development, with particular reference	Yes Explanation provided in AA section

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				<p>adequate green infrastructure – HRAs should be evidence based and draw on available information in relation to standards for dog walking sites (length of walk, facilities etc). Supporting text should provide details to this effect. The plan should include reference to recreation facilities in policy/supporting text.</p>	<p>to assessing recreation pressure and mitigating accordingly. Text should be amended to refer to the particular need to assess recreation pressure, as there may be other impacts to assess, and should also refer to the provision of adequate mitigation, such as green infrastructure, as there may be other mitigation needs or opportunities. It is also recommended that this supporting text paragraph is expanded to make reference to the Norfolk wide visitor survey work undertaken by Footprint Ecology, which concludes that a partnership approach across the authorities to managing recreation pressure arising from new growth is the most appropriate way forward. Whilst this is most relevant for the authorities delivering</p>	

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					much higher housing numbers, the Broads Authority will need to have regard for the progress made with this recommendation as the residential housing sites come forward for approval over the Local Plan period, as this will be relevant for the project level HRAs.	
PUBDM33 – Affordable housing	Criteria for where affordable housing will be permitted	No LSE – whilst all types of housing poses a risk to European sites, the policy is qualitative and the recommendations above for PODM31 will cover all housing types. NB – mitigation will still need to be secured even where particular funding sources don't apply (e.g. CIL)	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM34 – Residential development within defined	Requires all new residential development to be within defined boundaries	No LSE – whilst housing poses a risk to European sites, the recommendations above for PODM31 will	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended

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development boundaries		apply. European site issues are raised in supporting text.				
PUBDM35 – Gypsy, traveller and travelling show people	Criteria based policy for Gypsy, traveller and travelling show people development	No LSE – policy text refers to protecting European sites	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM36 – New residential moorings	Criteria for allowing new residential moorings	No LSE – policy and supporting text refers to protecting designated sites	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM37 – Permanent and temporary dwellings for rural enterprise workers	Criteria for allowing rural worker dwellings	No LSE – reference to protected habitats and species is included in the criteria within the policy	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM38 – Residential ancillary accommodation	Requirements and restrictions for ancillary accommodation, integral to the main dwelling	No LSE – Not a net increase in dwellings and policy text prevents this. Supporting text refers to preventing impacts on the environment	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM39 – Replacement dwellings	One for one replacement criteria	No LSE – no net increase in dwellings	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended

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PUBDM40 – Elderly and specialist needs housing	Criteria for the development of specialist accommodation	No LSE – reference to protected habitats and species is included in the criteria within the policy alongside landscape and the historic environment	N/A	New policy at Publication stage	N/A	No No action or measure recommended
PUBDM41 – Custom/self-build	Encouraging self-build, but in accordance with the plan policies	No LSE – will be assessed in accordance with all other policies and does not increase new dwellings. Project level HRA will be required.	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM42– Design	Qualitative policy in relation to development design	No LSE – policy and supporting text refers to biodiversity enhancement	Already within text as policy and supporting text refers to biodiversity enhancement	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBSP16 – New community facilities	General support for provision of community facilities where appropriate	No LSE – does not promote new development	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM43 – Visitor and community facilities and services	Criteria for visitor and community facilities	No LSE – policy wording includes protection of species and habitat	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended

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PUBDM44 – Designing places for healthy lives	Development promoting healthy living	No LSE – promoting health and wellbeing, does not increase development	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM45 – Safety by the water	Requiring a water safety plan for development with a water frontage	No LSE – qualitative policy, and safety related only	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBSP21 – Developer contributions	Stating the use of contributions where required	No LSE – statement only	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM46 – Planning obligations and developer contributions	List of requirements where contributions may be sought	No LSE – list includes for green infrastructure and biodiversity, therefore allowing for this option if required. Note that where mitigation for European sites is funded by developer contributions, housing types exempt from contributions must still be mitigated for by other means.	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended

Specific part of the Plan	Description	Initial LSE screening	Enhancement opportunities	Recommendations at Preferred Options stage	Recommendations at Publication stage	Action
PUBDM47 – Conversion of buildings	Criteria for allowing building conversion	No LSE – includes biodiversity within policy text. Project level HRA may identify project specific requirements.	Biodiversity enhancement is within text, which could relate to European sites or supporting habitat where relevant.	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM48 – Advertisements and signs	Restrictive criteria for signs	No LSE – does not promote development, restrictive only	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
PUBDM49 – Leisure plots and mooring plots	Restrictive criteria for where plots will be allowed	No LSE – policy wording includes reference to conserving Broads ecology	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE	No No action or measure recommended
<b>Section 30 – Site specific policies</b>						
Site specific development proposals – all of the list except those specifically listed below	A set of policies for site specific development, with reference to compliance with flood risk principles and EA permit rules	No LSE – specific developments checked and do not pose a risk to European sites due to nature of proposal and location. Project level HRA will be required. EA permits will also generate project level HRA. Some policies carry some risk and wildlife	N/A	N/A	Policy and supporting text refinements at Publication stage do not alter previous conclusion of no LSE. All sites re-checked. Additional policies added at publication stage – PUBCHE1, PUBHOV4 include reference to designated sites and or nature conservation, and supporting text explains	No No action or measure recommended, but note the approach to new housing is explained within the AA



Specific part of the Plan	Description	Initial LSE screening	Enhancement opportunities	Recommendations at Preferred Options stage	Recommendations at Publication stage	Action
		protection is referred to. Specific policies with a risk are listed below in relation to housing allocations.			nature conservation value and need for protection. PUBHOV5, PUBOUL3 relate to retail in Hoveton and Oulton Broad PUBPOT1 relates to further enhancing the already existing boating focus at this location PUBSOL2 is small scale reuse PUBTSA2 seeks to rationalise existing unauthorised uses of Thorpe Island	
Small scale housing sites PUBHOV3 – Brownfield land off Station Road, Hoveton PUBSTO1 – Land adjacent to Teidam, Stokesby	Reference to use for residential	No LSE – PUBHOV3 only provides for a very small number of houses and project level HRA will be required. Site map checked in relation to location.	N/A	N/A	An additional residential development site has been added at Publication stage – PUBSTO1. This is a very small site, likely to accommodate 3 or 4 dwellings. As with PUBHOV3, no LSE but project level HRA may be required and this is referred to in supporting text.	No No action or measure recommended. Screened out due to size, therefore no LSE.
PUBNOR1 – Utilities Site	The housing sites allocated to meet the	LSE – risk of increased pressure on European sites through	Enhancement of biodiversity is referred to. Supporting text	Policy and supporting text refers to greenspace provision and designated	Each of the allocations now includes policy wording that refer to the	Yes Explanation provided in AA section

Specific part of the Plan	Description	Initial LSE screening	Enhancement opportunities	Recommendations at Preferred Options stage	Recommendations at Publication stage	Action
PUBOUL3 – Oulton Broad – former Pegasus/Hamptons site PUBTHU1 – Hedera House, Thurne	146 new homes requirement for the plan	disturbance and habitat deterioration, particularly through nutrient enrichment. Daily recreation needs of residents needs to be met without increasing pressure on local sensitive sites, which are easily accessible.	could add more specific reference to European sites and functionally linked land, where appropriate.	sites, but this should be expanded to make explicit that there is the requirement for an evidence based, project level HRA, to inform the provision of greenspace that provides adequate daily recreation and dog walking facilities to meet needs, with reference to best practice elsewhere for European site mitigation	need for project level HRA and the potential need for mitigation such as high-quality GI. This is repeated for each of these allocations, and given the relatively low level of development within the Executive area, it is considered appropriate to allow project level resolution, as there is confidence that mitigation can be delivered for housing of this scale over the plan period. This enables a conclusion of no LSE. This provides clarity to the potential applicant. An alternative to repeating the text in each of the three policies is to state the requirement upfront at the beginning of the site-specific section, with reference to allocations delivering residential development. This avoids repetition but there is a need to ensure	

Specific part of the Plan	Description	Initial LSE screening	Enhancement opportunities	Recommendations at Preferred Options stage	Recommendations at Publication stage	Action
					that the requirements are still clear for these policies.	
<b>Section 31 – Implementation, Monitoring and Review</b>						
Monitoring the plan	Explains that monitoring requirements for each policy are explained within each policy section. A monitoring plan outlining what data will be collected for each policy has been prepared.	No LSE – information relating to policy monitoring.	The opportunity to gather meaningful data in relation to European sites and wider biodiversity gains part of plan monitoring, particularly for strategic biodiversity policy PUBSP6 and natural environment policy PUBDM12 has been incorporated into the monitoring plan	N/A	In developing the monitoring approach opportunities for gathering meaningful data that identifies where development has contributed to biodiversity enhancement (either directly relating to designated sites or relating to wider biodiversity priorities) are being pursued. The monitoring plan indicates that for PUBSP6 and PUBDM12 there will be comprehensive monitoring of project level HRAs, and wider biodiversity enhancements.	No No action or measure recommended
<b>Appendices</b>						

H R A of the Local Plan for the Broads

Specific part of the Plan	Description	Initial LSE screening	Enhancement opportunities	Recommendations at Preferred Options stage	Recommendations at Publication stage	Action
Appendix A – Climate Smart Checklist Appendix B – Climate Smart Planning Cycle	Checklist re climate change for new development	No LSE – checklist is positive for the environment	Where appropriate, development may seek opportunities for habitat and species adaptation, as per wording in policy and supporting text. No changes to the checklist required as the list focuses on impacts.	N/A	No changes from Preferred Options to Publication stage – no LSE.	No No action or measure recommended
Appendix C – Map of zones for dark skies	Not included in Preferred Options	Not included in Preferred Options	N/A	N/A	No changes from Preferred Options to Publication stage – no LSE.	No No action or measure recommended
Appendix D – District polices for affordable housing	Proportions from districts for affordable housing provision	No LSE – all housing types will need to mitigate for any impacts and project level HRA will be required.	N/A	N/A	No changes from Preferred Options to Publication stage – no LSE.	No No action or measure recommended
Appendix E – Building for life criteria	Building for life criteria	No LSE – qualitative only	N/A	N/A	No changes from Preferred Options to Publication stage – no LSE.	No No action or measure recommended
Appendix F – List of policies in the Local Plan	Full list of policies and references	No LSE – informative only	N/A	N/A	N/A	No No action or measure recommended

Specific part of the Plan	Description	Initial LSE screening	Enhancement opportunities	Recommendations at Preferred Options stage	Recommendations at Publication stage	Action
Appendix G – Superseded policies	All superseded policies, none of which are ‘saved.’	No LSE – informative only	N/A	N/A	N/A	No No action or measure recommended
Appendix H – Location of peat	Map of peat resource	No LSE – informative only	N/A	N/A	N/A	No No action or measure recommended
Appendix – I Acle Straight and considerations/ constraints	Map of Acle Straight	No LSE – informative only	N/A	N/A	N/A	No No action or measure recommended
Appendix J – Evidence base and supporting documents	List of all evidence and supporting documentation	No LSE – informative only	N/A	N/A	N/A	No No action or measure recommended
Appendix K – Housing and residential Mooring trajectory	Graph illustrating anticipated development levels over the plan period	No LSE – informative only	N/A	New appendix at Publication stage	N/A	No No action or measure recommended
Appendix L – Agricultural classification map	Map depicting agricultural classification of soils	No LSE – informative only	N/A	New appendix at Publication stage	N/A	No No action or measure recommended

## 4. Appropriate Assessment

THIS TEXT HAS BEEN MOVED FROM THE SCREENING FOR LIKELY SIGNIFICANT EFFECTS SECTION. THE TEXT CONTENT HAS NOT CHANGED

### European sites; their impact pathways and Site Improvement Plans

- 4.1 In assessing the implications of any plan or project for the full suite of European sites, an understanding of the ecology and sensitivity of the sites is necessary in order to identify how they may be affected. The conservation objectives for each European site, as described in earlier, set out the objectives for the site interest, i.e. what the site should be achieving in terms of restoring or maintaining the special ecological interest of European importance. The consideration of how the local plan may affect the achievement of each site's conservation objectives therefore underpins all assessment decisions.
- 4.2 European sites are at risk if there are possible means by which any aspect of a plan can, when being taken forward for implementation, pose a potential threat to the wildlife interest of the sites. This is often referred to as the 'impact pathway' as it is an identifiable means by which the plan or project could potentially affect the European site. Threats to the site are found in the Site Improvement Plan (SIP) for each site. The SIPs are prepared by Natural England in conjunction with a wide range of partner organisations, such as the Environment Agency and Internal Drainage Boards, for example. The SIPs can provide helpful information for HRAs because they highlight current site sensitivities and therefore the types of impacts that may have significant effects on site interest features.
- 4.3 The following risks have been identified as a result of the screening for likely significant effects, having regard for the policies within the plan, the site sensitivities and impact pathways, and the SIPs for each site.

### Residential development

- 4.4 The Local Plan for the Broads at Publication stage provides for 146 new homes over the plan period, at a small number of sites. There are a range of ways in which new development may have an impact for European sites, and an increase in recreation, due to more people living in the area is a concern where sites are vulnerable to impacts such as disturbance, eutrophication (e.g. from dog fouling), spread of alien species and direct damage (e.g. from trampling). Besides recreation, cumulative impacts of development in surrounding countryside can include fragmentation, effects on local hydrology and changes in predator distribution and numbers (including pet cats). Such impacts are often grouped as 'urban effects' (for general reviews and discussion see Vitousek *et al.* 1997; Underhill-Day 2005; McDonald, Kareiva & Forman 2008; McDonald *et al.* 2009).
- 4.5 The SIP for Broadland SPA and the Broads SAC highlights increased recreation pressure as a threat, citing both SAC habitat damage and SPA bird disturbance as issues. Recreation pressure is also the subject of the Norfolk wide visitor survey work

undertaken by Footprint Ecology. The commissioning of this work has partly stemmed from the actions identified in the SIP, as well as individual local HRA work at the plan level. This commission has provided the Norfolk authorities with predicted visitor increases as a result of new housing across the Norfolk area. A 14% increase is predicted for the Broads, but this is less directly linked to housing than for some of the other sites, as there are high visitor numbers from a wide geographical area.

- 4.6 The report concludes that the results provide local authorities in Norfolk with information to underpin future reviews of local plans, HRAs and potential mitigation approaches. The results highlight how recreation change (particularly at the North Coast, the Broads and the Valley Fens) will be linked to development across multiple local authorities and solutions are likely to be most effective if delivered and funded in partnership. In other parts of the country strategic mitigation schemes have been established involving partnerships of local authorities delivering mitigation funded through developer contribution schemes. Such approaches would provide Norfolk authorities with an effective way of delivering mitigation and some recommendations for mitigation approaches are given.
- 4.7 The recommendations are currently being considered by the Norfolk local planning authorities and it is anticipated that they will start to take forward the recommendations in the near future and look at options for collaborative measures to manage recreation pressure at European sites. A strategic approach to avoiding and mitigating for recreation pressure arising from new residential growth is being developed for the Suffolk coast, estuary and heathland European sites. This is nearly ready for implementation and may offer good practice that can be applied in a Norfolk scheme. The Broads Authority is delivering very few houses in comparison to the other Norfolk authorities, and it is anticipated that the housing allocations for the 146 homes over the plan period should be able to develop appropriate mitigation at the project level. However, by the time these sites come forward there may be a more strategic approach in place across Norfolk, and the Broads Authority will therefore need to have regard for this when assessing impacts at a project level.
- 4.8 Recognising the relatively low level of housing promoted in the plan, and the fact that this will be concentrated at a small number of brownfield housing sites, it is recommended that the Local Plan highlights the need to provide adequate recreation space associated with the housing sites, in terms of both size and quality. The Local Plan includes strategic housing policies as well as site specific policies for the allocations (and also identified in the separate Site Specific Plan, which was adopted by the Broads Authority in 2014). The strategic housing policy proposing the 146 houses is PUBSP19 and the three policies relating to the allocations are PUBNOR1 Utilities Site, PUBOUL3 Oulton Broad former Pegasus/Hamptons site and PUBTHU1 Hedera House, Thurne. Smaller residential sites are within policies PUBHOV3 and PUBSTO1. At the Preferred Options stage, it was recommended that these policies should identify the need for comprehensive and evidence based project level HRA to consider what recreation space is required to provide a viable alternative to the sensitive areas of European sites. Evidence relating to dog walking needs and recreation facilities should be drawn upon.

It was particularly highlighted that the policies should make clear that adequate greenspace provision to protect European sites is an essential requirement. These additions have now been made in supporting text for PUBSP19, and within policy wording for the three main housing sites. PUBHOV3 and PUBSTO1 promoting the smaller residential allocations are screened out due to the very small number of units to be delivered.

#### Increased navigation and access to the water's edge

- 4.9 The Local Plan for the Broads includes management of the water space for navigation, in accordance with the navigation duties bestowed upon the Broads Authority. Boating can have particular impacts (for general reviews see Liddle & Scorgie 1980 and ; Mosisch & Arthington 1998) that include disturbance to birds (e.g. Keller 1989; Galicia & Baldassarre 1997; Burger 1998; Knapton, Petrie & Herring 2000; Bright *et al.* 2003), disturbance to fish (Graham & Cooke 2008), impacts from waves/wash on aquatic life (Bishop 2004, 2007; Kucera-Hirzinger *et al.* 2008), bankside erosion from wash (Nanson *et al.* 1994) damage to bankside and aquatic vegetation (Coops *et al.* 1996), damage to aquatic vegetation (Murphy & Eaton 1983; Asplund & Cook 1997), increased turbidity (Moss 1977; Garrad & Hey 1987) and contamination/nutrient enrichment. Increased boating may also result in more activity on the shore/banks, which may result in impacts relating to terrestrial habitats and species.
- 4.10 Increased boating therefore has a risk of having an impact on the Broads SAC, Broadlands SPA/Ramsar site and Breydon Water SPA/Ramsar site. The extent to which such impacts occur will relate to the scale of any increase, types of activity and the locations where the increase takes place. Changing the number and distribution of moorings has the potential to redistribute boating access and therefore also could have impacts. Marked increases in boat traffic in otherwise undisturbed or less visited areas are likely to have the most impact.
- 4.11 Much has already been done in the Broads relating to impacts from boating<sup>8</sup> including reducing discharges from boats into the water, managing speeds, promoting low-wash hulls, developing a network of charging points to allow electric boats to become more common and a green boat accreditation (The Green Boat Mark). Any specific measures to increase boating would constitute a project under the Habitats Regulations (whether undertaken by the Broads Authority or permitted by the Authority or another competent authority) and the project specific HRAs should therefore consider the location, likely level of increase and any measures that can be targeted to ensure no further impacts on European sites.
- 4.12 Recommendations were made at Preferred Directions stage within the screening table, for policies relating to access to land and water. There is a risk of habitat deterioration and disturbance arising from increased waterside access. Recommendations to strengthen policy text to secure adequate protection for designated sites, making clear

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<sup>8</sup> Details can be found on the [Broads Authority website](#)



that improved access will only be allowed where impacts have been assessed and fully mitigated for, has been incorporated.

### Tourism

- 4.13 The Local Plan for the Broads includes the creation, enhancement and expansion of high quality and inclusive tourist attractions. The plan does not specify particular types of tourist development, or promote particular locations. Risks are described above in relation to recreation pressure potentially increasing disturbance and habitat deterioration, and in relation to boating activity. Both are equally relevant to the promotion of tourism.
- 4.14 All three of the Broads plans; the Local Plan, Management Plan and Sustainable Tourism Strategy, all seek to improve the quality of new tourist facilities coming forward, and encourage year-round tourism. The HRAs for the other two plans highlight that impacts such as bird disturbance can occur throughout the year, but that birds are likely to be more vulnerable to disturbance when breeding (e.g. Liley & Sutherland 2007) or during the winter when cold weather and depletion of food resources may have particular consequences (Clark *et al.* 1993; Goss-Custard *et al.* 2006).
- 4.15 The screening table below included recommendations at Preferred Directions stage for additional policy wording to be added to the tourism policy. The policy has now been reworded to give clarity in relation to adverse effects.
- 4.16 The SIPs produced by Natural England for the coastal sites; Winterton-Horsey Dunes SAC and Great Yarmouth North Denes SPA, both identify public access and resultant recreation pressure as a threat to site interest. There is a risk that encouraging tourism in the Broads and promoting the year-round visitor experience will also increase visits to the coastline as a consequence. Depending on location, some tourism development in the Broads may need to give project level consideration to the coastal European sites.

### Water quality and water resources

- 4.17 The issue of development impacts on water quality and water resources is an on-going concern and at the forefront of the work of the Broads Authority. All three plans prepared by the Authority prioritise the water asset of the Broads, protecting and improving wherever possible, in recognition of its invaluable and unique multifunctional benefits.
- 4.18 As discussed in Section 1 of this report, the Water Resources Management Plan prepared by Anglian Water has been the subject of HRA, concluding that any potential impacts arising from the proposed schemes to deliver sustainable water resources over the next 25 years can be fully mitigated for and adverse effects on European sites prevented. It will be necessary to continue to liaise with Anglian Water and the Environment Agency as the Local Plan for the Broads is finalised and development progressed, and also as the plan begins to be reviewed in future.
- 4.19 Water quality is a predominant theme in policy wording within the Local Plan for the Broads. Improving water quality is one of the plan objectives. The water quality policy

PUBDM1 is the first development management policy in the plan, and provides strong protection for the water environment, requiring all development to demonstrate that it will not have an adverse impact, and includes reference to adherence to the Water Framework Directive and Habitats Regulations. It is concluded that the plan adequately protects European sites against water quality deterioration impacts, and seeks to improve the situation through the implementation of the plan.

#### Air quality

- 4.20 Airborne nitrogen (mostly as ammonia and nitrous oxides) from burning fossil fuels by industry, traffic, shipping and agriculture, can be detrimental for habitats with low nutrient systems and poor buffering capability against inputs of nutrients (mostly airborne nitrogen) or increases in acidity (mostly a side effect of nitrogen or from airborne sulphur). Following a recent High Court decision relating to Ashdown Forest<sup>9</sup> there is some uncertainty over the correct approach to assessment of plans or projects with air quality impacts. The High Court's decision criticised the advice that Natural England (and by analogy others e.g. the Environment Agency) had given about there being no need to carry out an express "in combination assessment" in relation to plans and projects which, alone, have air quality impacts falling below a particular threshold.
- 4.21 In drawing lessons learnt from this case, it is important to reiterate that protecting, maintaining and restoring European wildlife sites should not be reactive when there are clear indicators of deterioration. Rather, the legislation and NPPF policy in relation to the environment indicates that it is an integral part of sustainable development and an ongoing area of work. The objectives of the European Directives are to maintain European site interest, and restore where there is existing deterioration. It follows therefore that putting in place checks to avoid deterioration, or gathering further evidence to inform future action if necessary, is a meaningful measure to achieve these objectives.
- 4.22 Map 5 shows all the main 'A' roads within the Broads Authority Executive Area, and how they relate to the European sites. The Broads SAC has the most roads in close proximity, and the SIP from this site does identify atmospheric nitrogen deposition as a threat for the site. Measures within the SIP include the need for a Site Nitrogen Action Plan, but this has not yet been progressed. The development levels promoted within the Broads Local Plan are very low, and the largest allocations (76 dwellings at the Pegasus site and 120 at the Utilities site) as well as those at Hoveton are relatively central to settlements, offering facilities, services and public transport in close proximity. Smaller site allocations at Stokesby and Thurne are more isolated but the housing numbers are very low.
- 4.23 A plan level solution for air quality is therefore not recommended at this stage. However, whilst not a recommendation for Local Plan policy, the Broads Authority should liaise with Natural England to determine whether there may be opportunities for

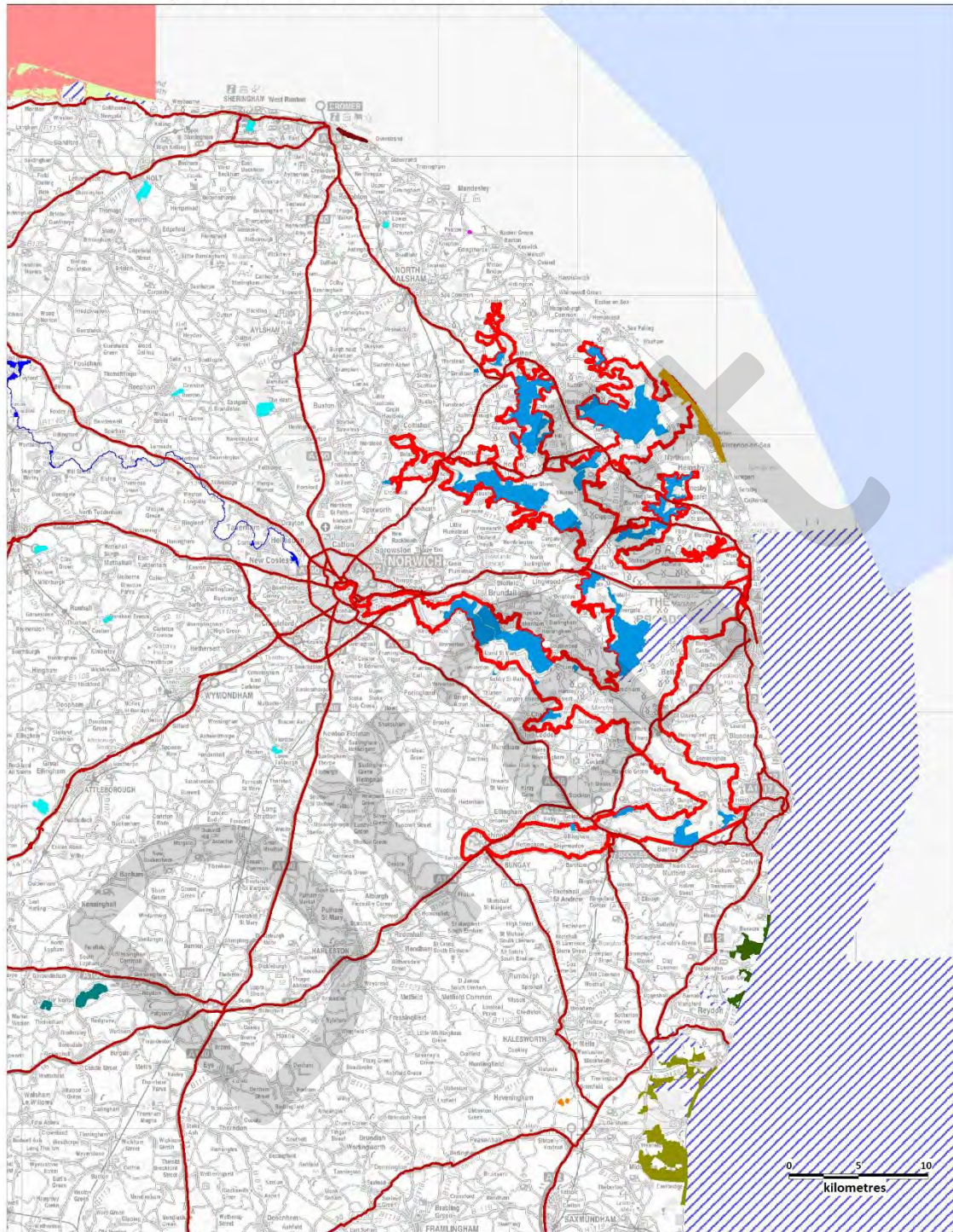
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<sup>9</sup> Wealden District Council v Secretary of State for Communities and Local Government, Lewes District Council and South Downs National Park Authority [2017] EWHC 351

the Authority to contribute to the Site Nitrogen Action Plan, which may then be relevant for future plan reviews or for co-ordinated work with neighbouring authorities. The Broads Authority works closely with Great Yarmouth Borough Council and Waveney District Council on cross boundary issues, and there is the opportunity to work collaboratively on air quality, and also link into the Norfolk Strategic Framework where there is an opportunity to include measures to contribute to air quality improvements.

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Map 5: European sites and road network (main roads only)



SACs

- Benacre to Easton Barents Lagoons
- Dew's Ponds
- Halsborough, Hammond and Winterton
- Minsmere to Walberswick Heaths & Marshes
- Norfolk Valley Fens
- North Norfolk Coast
- Overstrand Cliffs
- Paston Great Barn
- River Wensum
- The Broads
- The Wash & North Norfolk Coast
- Waveney & Little Ouse Valley Fens
- Winterton-Horsey Dunes
- SPAs (outside SACs)

- Broads Authority Executive Area
- A Road

Contains Ordnance Survey Data. © Crown Copyright and Database Right 2016  
Designated site boundaries downloaded from the Natural England website. ©Natural England

## 5. Conclusions and Next Steps

- 5.1 This HRA has assessed the Local Plan for the Broads at Preferred Options and Publication stages. The assessment at both stages included a comprehensive screening of every aspect of the plan, policy by policy. Recommendations have been made for minor text modifications, **clarifications, corrections or instructions for the development project HRA. The key threats; housing, tourism and navigation/boating/waterside access have been discussed and mitigation approaches explained in the appropriate assessment section.** Initial recommendations have been checked for their incorporation into the plan at Publication stage, and some further recommendations have been made.
- 5.2 It is evident from the screening undertaken that many of the policies already provide strong protection for the natural environment. Protection and maintenance of wildlife assets, and notably the restoration of essential supporting processes such as water quality, are key themes throughout the Local Plan for the Broads.
- 5.3 Additional recommendations in the screening table, under the enhancement column, highlight further potential opportunities that the Broads Authority may wish to take, for building in restoration and enhancement that will be either directly or indirectly beneficial for European sites. Those made at Preferred Options stage have in the main been incorporated, and there are now some additional enhancement opportunities highlighted as a result of re-screening the plan at Publication stage.
- 5.4 This assessment is not complete until the plan is ready for adoption, and further checks may need to be undertaken if there are modifications to the plan after Examination. At Publication stage, it is concluded that with the further recommendations made in this HRA report incorporated into the plan, it can be concluded that **the plan will not lead to adverse effects on European site integrity**, and the Local Plan will be compliant with the Habitats Regulations.



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## 7. Appendix 1 – The Habitats Regulations Assessment Process

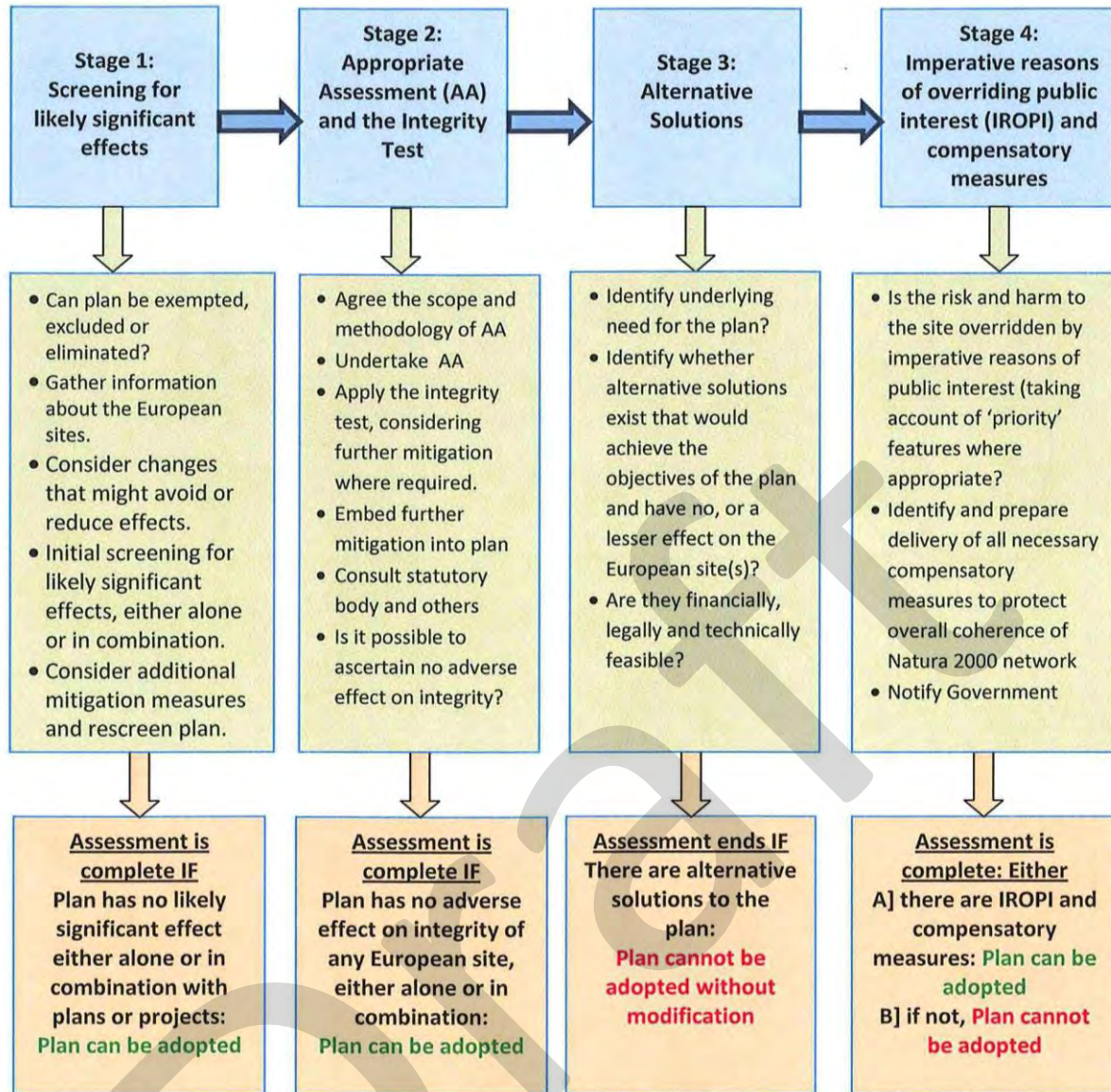
### APPENDIX MODIFIED TO ACCOUNT FOR NEW HABITATS REGULATIONS 2017, AND PARAGRAPH RELATING TO SCREENING DELETED AS CONFUSING IN LIGHT OF NEW JUDGMENT

- 7.1 The designation, protection and restoration of European wildlife sites is embedded in the Conservation of Habitats and Species Regulations 2017, which are commonly referred to as the ‘Habitats Regulations.’ Recent amendments to the Habitats Regulations were made in 2012, and the Habitats Regulations then consolidated in 2017. The recent amendments do not substantially affect the principles of European site assessment, the focus of this report or the previous HRA work undertaken by the Broads Authority, upon which some of this HRA relies.
- 7.2 The Habitats Regulations are in place to transpose European legislation set out within the Habitats Directive (Council Directive 92/43/EEC), which affords protection to plants, animals and habitats that are rare or vulnerable in a European context, and the Birds Directive (Council Directive 2009/147/EC), which originally came into force in 1979, and which protects rare and vulnerable birds and their habitats. These key pieces of European legislation seek to protect, conserve and restore habitats and species that are of utmost conservation importance and concern across Europe. Although the Habitats Regulations transpose the European legislation into domestic legislation, the European legislation still directly applies, and in some instances, it is better to look to the parent Directives to clarify particular duties and re-affirm the overarching purpose of the legislation.
- 7.3 European sites include Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas (SPAs) classified under the Birds Directive. The suite of European sites includes those in the marine environment as well as terrestrial, freshwater and coastal sites. European sites have the benefit of the highest level of legislative protection for biodiversity. Member states have specific duties in terms of avoiding deterioration of habitats and species for which sites are designated or classified, and stringent tests have to be met before plans and projects can be permitted, with a precautionary approach embedded in the legislation, i.e. it is necessary to demonstrate that impacts will not occur, rather than they will. The overarching objective is to maintain sites and their interest features in an ecologically robust and viable state, able to sustain and thrive into the long term, with adequate resilience against natural influences. Where sites are not achieving their potential, the focus should be on restoration.
- 7.4 The UK is also a contracting party to the Ramsar Convention, which is a global convention to protect wetlands of international importance, especially those wetlands utilised as waterfowl habitat. In order to ensure compliance with the requirements of the Convention, the UK Government expects all competent authorities to treat listed Ramsar sites as if they are part of the suite of designated European sites, as a matter of government policy, as set out in Section 118 of the National Planning Policy Framework.

Most Ramsar sites are also a SPA or SAC, but the Ramsar features and boundary lines may vary from those for which the site is designated as a SPA or SAC.

- 7.5 It should be noted that in addition to Ramsar sites, the National Planning Policy Framework also requires the legislation to be applied to potential SPAs and possible SACs, and areas identified or required for compensatory measures where previous plans or projects have not been able to rule out adverse effects on site integrity, yet their implementation needs meet the exceptional tests of Regulation 62 of the Habitats Regulations, as described below.
- 7.6 The step by step process of HRA is illustrated in Figure 1 below. Within the Habitats Regulations, local planning authorities, as public bodies, are given specific duties as ‘competent authorities’ with regard to the protection of sites designated or classified for their species and habitats of European importance. Competent authorities are any public body individual holding public office with a statutory remit and function, and the requirements of the legislation apply where the competent authority is undertaking or implementing a plan or project, or authorising others to do so. Regulation 63 of the Habitats Regulations sets out the HRA process for plans and projects, which includes development proposals for which planning permission is sought. Additionally, Regulation 105 specifically sets out the process for assessing emerging land use plans.
- 7.7 The step by step approach to HRA is the process by which a competent authority considers any potential impacts on European sites that may arise from a plan or project that they are either undertaking themselves, or permitting an applicant to undertake. The step by step process of assessment can be broken down into the following stages, which should be undertaken in sequence:
- Check that the plan or project is not directly connected with or necessary for the management of the European site
  - Check whether the plan or project is likely to have a significant effect on any European site, from the plan or project alone
  - Check whether the plan or project is likely to have a significant effect on any European site, from the plan or project in-combination with other plans or projects
  - Carry out an Appropriate Assessment
  - Ascertain whether an adverse effect on site integrity can be ruled out
- 7.8 A competent authority may consider that there is a need to undertake further levels of evidence gathering and assessment in order to have certainty, and this is the Appropriate Assessment stage. At this point the competent authority may identify the need to add to or modify the project in order to adequately protect the European site, and these mitigation measures may be added through the imposition of particular restrictions and conditions.
- 7.9 For plans, the stages of HRA are often quite fluid, with the plan normally being prepared by the competent authority itself. This gives the competent authority the opportunity to repeatedly explore options to prevent impacts, refine the plan and rescreen it to demonstrate that all potential risks to European sites have been successfully dealt with.

- 7.10 When preparing a plan, a competent authority may therefore go through a continued assessment as the plan develops, enabling the assessment to inform the development of the plan. For example, a competent authority may choose to pursue an amended or different option where impacts can be avoided, rather than continue to assess an option that has the potential to significantly affect European site interest features.
- 7.11 After completing an assessment, a competent authority should only approve a project or give effect to a plan where it can be ascertained that there will not be an adverse effect on the integrity of the European site(s) in question. In order to reach this conclusion, the competent authority may have made changes to the plan, or modified the project with restrictions or conditions, in light of their Appropriate Assessment findings.
- 7.12 Where adverse effects cannot be ruled out, there are further exceptional tests set out in Regulation 64 for plans and projects and in Regulation 107 specifically for land use plans. Exceptionally, a plan or project could be taken forward for imperative reasons of overriding public interest where adverse effects cannot be ruled out and there are no alternative solutions. It should be noted that meeting these tests is a rare occurrence and ordinarily, competent authorities seek to ensure that a plan or project is fully mitigated for, or it does not proceed.
- 7.13 In such circumstances where a competent authority considers that a plan or project should proceed under Regulations 64 or 107, they must notify the relevant Secretary of State. Normally, planning decisions and competent authority duties are then transferred, becoming the responsibility of the Secretary of State, unless on considering the information, the planning authority is directed by the Secretary of State to make their own decision on the plan or project at the local level. The decision maker, whether the Secretary of State or the planning authority, should give full consideration to any proposed 'overriding reasons' for which a plan or project should proceed despite being unable to rule out adverse effects on European site interest features, and ensure that those reasons are in the public interest and are such that they override the potential harm. The decision maker will also need to secure any necessary compensatory measures, to ensure the continued overall coherence of the European site network if such a plan or project is allowed to proceed.



Extract from *The Habitats Regulations Assessment Handbook*, [www.dtapublications.co.uk](http://www.dtapublications.co.uk)  
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Figure 1: Outline of the assessment of plans under the Habitat Regulations

## 8. Appendix 2 – European Site Information

### The Broads

#### Description

- 8.1 The Broads is one of the finest marshland complexes in the UK. A diversity of aquatic and terrestrial wetland habitats developed after medieval peat diggings in fenland within the floodplains of five main river systems flooded. The wetlands were subject to patchy and diverse management, for example for reed, sedge and marsh hay. This, together with variations in hydrology and substrate, resulted in a complex and interlinked mosaic of different aquatic and terrestrial wetland habitats. The Broads retains some of the original fenland flora and contains one of the richest assemblages of rare and local aquatic species in the UK<sup>10</sup>.
- 8.2 The areas of floating woodland and wet woodland found in the Broads are the largest in Britain, and possibly in Western Europe, and form part of a complete successional sequence from open water through reedswamp to woodland.
- 8.3 The Broads also contains large example of calcareous fens, which form a mosaic with other fen types and Purple Moor-grass fen meadows, and there are small areas of transition mire, which have developed on cut peat.
- 8.4 The dykes that criss-cross the fens and drained marshes are particularly important, supporting plant communities that have been lost from many of the broads themselves and also two internationally rare snails. The Broads is the richest area for stoneworts in Britain.
- 8.5 The area is of international importance for a variety of wintering and breeding raptors and waterbirds associated with extensive lowland marshes.
- 8.6 Twenty-eight Sites of Special Scientific Interest (SSSI) notified in the Broads have been included within the European Directives as the Broads SPA and SAC as being of international importance for their habitats and/or bird populations or other species.

#### Pressures, threats and actions

- 8.7 A significant pressure for the Broads continues to be the levels of growth emanating in neighbouring local authority areas. This continues to add to the recreation, water quality/resource and urbanisation impacts. Natural succession as a consequence of management neglect has affected the Broads, and is being addressed through conservation measures by various bodies. Drainage has reduced the value of reclaimed wetlands; Water Level Management plans and agri-environment agreements are raising water levels and encouraging appropriate habitat management.
- 8.8 Water quality continues to be an issue in The Broads, with none of the Broads and only one of 27 rivers reaches monitored for Water Framework Directive purposes reaching

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<sup>10</sup> <http://publications.naturalengland.org.uk/publication/6190476679970816>

'good' overall ecological status/potential (Conti & Long 2011). Clear water now only occurs in around five of the 63 Broads<sup>11</sup>. The naturally nutrient-rich water bodies have become hyper-eutrophic as a result of nutrient inputs entering the waterbodies through discharged sewage and agricultural run-off. Some point sources of pollution have been addressed through sewage works stripping phosphorus, and mud-pumping has been carried out in some broads to remove enriched sediment. A water-quality partnership<sup>12</sup>, involving the Environment Agency, Natural England and other stakeholders is working to address the issues.

- 8.9 The Broads is a centre for recreation and tourism, which has been impacting on the site; the Broads Authority has been addressing this through the Broads Plan.
- 8.10 Climate change and sea-level rise present major challenges. Reduced summer water flow due to abstraction and sea-level rise are resulting in saline incursion and increased summer dryness. In addition, increased impacts from alien species and erosion are expected as a consequence of climate change, and the area of freshwater habitats is likely to decrease (Natural England 2008). There is a climate change adaption plan for the Norfolk Broads<sup>13</sup>.

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<sup>11</sup> <http://www.broads-authority.gov.uk/looking-after/managing-land-and-water/water-quality>

<sup>12</sup> <http://www.broads-authority.gov.uk/looking-after/managing-land-and-water/water-quality>

<sup>13</sup> See <http://www.broads-authority.gov.uk/looking-after/climate-change>



**Table 2. Summary of designated features of The Broads SAC and Broadland SPA, which are also features of the Ramsar site. \*indicates Annex I habitat that are present but not a primary reason for designation. Issues are based on Site Improvement Plans and SPA citations. Colour indicates BTO alert status (high, medium, no alert).**

Site	Reason for designation, trends in key species (where known)	Issues	Notes
<b>The Broads SAC</b>	<ul style="list-style-type: none"> <li>• Hard oligo-mesotrophic waters with Charophytes</li> <li>• Natural eutrophic lakes with <i>Magnopotamium</i> or <i>Hydrocharition</i> type vegetation</li> <li>• Transition mires and quaking bogs</li> <li>• Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caracion daravallianae</i></li> <li>• Alkaline fens</li> <li>• Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i></li> <li>• <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils*</li> <li>• Desmoulin's Whorl Snail <i>Vertigo moulinsiana</i></li> <li>• Otter <i>Lutra lutra</i></li> <li>• Fen Orchid <i>Liparis loeselii</i></li> </ul>	<ul style="list-style-type: none"> <li>• Diffuse pollution</li> <li>• Continuing pollution from further point sources</li> <li>• Saline incursion</li> <li>• Invasive species</li> <li>• Siltation</li> <li>• Water levels</li> <li>• Adaptation to climate change</li> </ul>	<p>Issues are addressed in the Broads Plan<sup>14</sup>, the Anglian District river basin management plan<sup>15</sup> and the Broadland Rivers catchment plan<sup>16</sup>.</p>
<b>Broadlands SPA</b>	<ul style="list-style-type: none"> <li>• Bittern (no trends available)</li> <li>• Marsh harrier (no trends available)</li> <li>• Hen Harrier (no trends available)</li> <li>• Bewick's Swan <i>Cygnus columbianus bewickii</i></li> <li>• Whooper Swan</li> <li>• Wigeon <i>Anas Penelope</i></li> <li>• Shoveler <i>Anas clypeata</i></li> <li>• Gadwall</li> <li>• Ruff <i>Philomachus pugnax</i></li> </ul>	<ul style="list-style-type: none"> <li>• Management neglect and succession</li> <li>• Water abstraction, drainage, sea level rise and saline incursions</li> <li>• Sewage discharges and agricultural runoff</li> <li>• Tourism and recreation</li> </ul>	

<sup>14</sup> [http://www.broads-authority.gov.uk/\\_\\_data/assets/pdf\\_file/0015/402045/Broads-Plan-2011.pdf](http://www.broads-authority.gov.uk/__data/assets/pdf_file/0015/402045/Broads-Plan-2011.pdf)

<sup>15</sup> <https://www.gov.uk/government/publications/anglian-district-river-basin-management-plan>

<sup>16</sup> [http://www.broads-authority.gov.uk/\\_\\_data/assets/pdf\\_file/0004/457177/Catchment-Plan-website-final.pdf](http://www.broads-authority.gov.uk/__data/assets/pdf_file/0004/457177/Catchment-Plan-website-final.pdf)

## Breydon Water

### Description

- 8.11 Breydon Water is an inland tidal estuary at the mouth of the River Yare and its confluence with the Rivers Bure and Waveney, adjoining The Broads. Its extensive areas of mud-flat are exposed at low tide, although shallow tidal water persists along the river channel. The mud-flats are fringed in places by small areas of saltmarsh and surrounded by floodplain grassland.
- 8.12 Breydon Water is internationally important for wintering waterbirds, some of which also feed in The Broads and/or on the grazing marshes on the landward side of the seawall (and therefore outside of the Breydon Water marine SPA).
- 8.13 The mudflats are used for feeding by wintering Avocet, Ruff and Lapwing, and are used as a high tide roost by Golden Plover and Ruff. The saltmarsh also provides important high tide roost sites for wintering Avocet and Lapwing. However, Lapwing mainly use the mudflats and saltmarshes during periods of harsh weather, otherwise spending much of their time feeding and roosting on the adjacent grazing marshes within and outwith Breydon Water SPA (where they also breed, although only the wintering populations are of international importance).
- 8.14 Shallow tidal waters also provide key feeding and roosting habitat for many of the Annex I species. In the past, wintering populations of Bewick's Swan regularly used the estuary as a night time roost and a day roost if they were disturbed from nearby farmland, but have roosted here less frequently since the establishment of the nearby Berney Marshes reserve (English Nature 2001). The shallow tidal waters and river channel are also used by breeding Common Tern catching small fish, particularly sand eels and sprats.
- 8.15 In addition to supporting internationally important populations of the above wintering and breeding species, Breydon water also qualifies as an SPA for its assemblage of wintering waterfowl. In addition to the Annex I species Bewick's Swan, Avocet, Golden Plover and Lapwing, this includes nationally important species such as Cormorant *Phalacrocorax carbo*, European white-fronted goose *Anser albifrons albifrons*, Wigeon, Shoveler and Black-tailed godwit *Limosa limosa islandica*.
- 8.16 The Ramsar citation for Breydon Water includes a suite of noteworthy plants found on coastal embankments, open areas of dry or seasonally inundated brackish mud. The mudflats are also notable for Eel Grass *Zostera* beds.

### Pressures, threats and actions

- 8.17 Efficient drainage, recent droughts and poor water management systems have adversely affected the grazing marshes; these issues have been addressed through a Water Level Management Plan. Agri-environment schemes have helped to raise water levels and encourage sensitive management, particularly of grazing marsh ditches. The Site Improvement Plan suggests that improvements in the SPA over the last two decades in terms of bird numbers (but see BTO alert status for designated species) may



be due to the implementation of agri-environment schemes, and notes that the expiry of existing schemes, and potential change of land-use from grassland to arable, is a risk. However, Environmental Impact Assessment (EIA) regulations would apply where grassland has been without physical or chemical intervention for more than 15 years. Alterations to water levels in the ditches (both within and out with the SPA boundary) could affect aquatic plants and invertebrates that are important food sources for the notified birds of Breydon Water.

- 8.18 The high tide roost at the northern end of Breydon Water is considered a particularly sensitive feature. Recreation is highlighted as an issue within the Site Improvement Plan for Breydon water. It is suggested that more evidence is needed on the possible impact of recreational activities on designated features. The dependence on designated birds on the land surrounding Breydon Water also needs exploring, as some of this land is being used to entice wildfowl for shooting, which may impact on the SPA. The Broads Authority is developing a Breydon Water Space Management Plan
- 8.19 Any commercial fishing activities categorised as green or amber under Defra’s revised approach to European Marine Sites will require assessment and if appropriate, management. Interactions between surface-feeding birds and netting/bait digging are known to occur in Breydon Water. The Inshore Fishers and Conservation Authority (IFCA) is currently working on a mono-filament nets database and a bait digging investigation in order to quantify the extent of these activities and inform any further regulatory notices applied to manage them in the future

**Table 3. Designated features of Breydon Water SPA (Ramsar designated features overlap with those of the SPA). Issues are based on Site Improvement Plans and SPA citations. Colour indicates BTO alert status ( high, medium, no alert).**

Site	Reason for designation, trends in key species (where known)	Issues	
Breydon Water SPA	<ul style="list-style-type: none"> <li>• Bewick’s swan</li> <li>• Avocet <i>Recurvirostra avosetta</i></li> <li>• Golden plover <i>Pluvialis apricaria</i></li> <li>• Ruff (no trends available)</li> <li>• Common tern <i>Sterna hirundo</i> (no trends available)</li> <li>• Lapwing <i>Vanellus vanellus</i></li> <li>• Internationally important assemblage of wintering waterfowl (&gt;40,000)</li> </ul>	<ul style="list-style-type: none"> <li>• Shooting and scaring of wildfowl</li> <li>• Changes in land management</li> <li>• Public access/disturbance</li> <li>• Hydrological changes</li> <li>• Commercial marine and estuarine fisheries</li> </ul>	<p>Several of these species use grazing marsh, improved grassland and arable crops out with the site boundary for feeding.</p> <p>It is suggested that a reduction in the frequency with which European white-fronted geese use the estuary is connected with the loss through natural erosion of Scroby Island, a sand bar just off the coast of Great Yarmouth</p>

## Great Yarmouth-Winterton-Horsey

### Description of Great Yarmouth-Winterton-Horsey

- 8.20 Winterton-Horsey Dunes SAC is the only significant area of dune heath on the east coast of England. In contrast to the nearby calcareous, species-rich dune systems of north Norfolk, it is acidic. The vegetation is influenced by its eastern location and low rainfall, including species such as the rare Grey Hair-grass *Corynephorus canescens*. The site includes embryo and mobile dunes, and acidic fixed dunes characterised by Heather *Calluna vulgaris*, lichen heath and acid grassland. Humid dune slacks are present and support acidic swamp and mire communities in addition to more typical Creeping Willow *Salix repens* dominated slacks. Small pools support Natterjack Toad *Bufo calamita*. The site also includes areas of grazing marsh and Downy Birch-Oak woodland, although these are not qualifying features
- 8.21 Winterton-Horsey Dunes SAC has an actively accreting 'ness', and shows a full successional sequence of vegetation running inland from the shore from foredune to dune heath and woodland. The dune heath and acid dune slacks represent an extreme of the variation in dune vegetation found in the UK.
- 8.22 Great Yarmouth-North Dene SPA includes two sites, one of which falls within the Winterton-Horsey SAC and occupies the beach and foredune ridge. The other, North Dene, is about 5 miles to the south between Caistor and Great Yarmouth and occupies an actively accreting low dune system and beach. The two areas are linked due to the high mobility of the terns and the dynamic nature of the beaches, which influences their suitability for breeding. The SPA includes land covered continuously or intermittently by tidal waters, which is a European Marine Site, in addition to land not subject to tidal influence.
- 8.23 The SPA is designated for the presence of Little Tern, for which it is one of the most important breeding colonies in the UK. The species is present from mid-April to mid-September. It requires sparsely vegetated sand and shingle for nesting, and so is dependent on mobile sediment which prevents vegetation from becoming established. However, it is also highly sensitive to the removal of sediment; the creation of artificial reefs for coastal protection purposes have disrupted the sediment transport system in the area. Little Terns feed on small fish, mainly in shallow coastal waters.
- 8.24 A colony of Grey Seal *Halichoerus grypus* is present at Horsey Gap. Although an Annex II species, it is not a designated feature of the site as it is due to its relatively recent development. The colony is substantial (with 550 adults counted in November 2015<sup>17</sup>) and is a significant tourist attraction.

### Pressures, threats and actions

- 8.25 The presence of the sea wall north of Beach Road at Winterton is compromising the natural coastal processes and preventing dynamism within the dune features. The

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<sup>17</sup> <http://friendsofhorseyseals.co.uk/wp-content/uploads/2015/11/Report-26.11.15ER.pdf>

Kelling to Lowestoft Ness Shoreline Management Plan promotes '*investigating the potential for change whilst still defending, with a view to longer term set-back of the defences, as and when it is confirmed that it is no longer sustainable to defend*'. This is due to the considerable social and biodiversity impacts flooding would have for the Broads. The Site Improvement Plan (SIP) for Great Yarmouth-Winterton-Horsey recognises, therefore, that short-term adaptive measures will be needed.

- 8.26 Coastal squeeze is threatening parts of the SAC - erosion combined with changing sediment transportation and the presence of a fixed sea wall mean that designated features will be lost. This will need to be addressed in the next Eccles to Winterton coastal strategy. It is suggested in the SIP that development should be controlled in the coastal zone to optimise future potential to roll back/ adapt.
- 8.27 Recreation has an impact on the site both in terms of disturbance to breeding Little Tern and damage to dune vegetation communities. Breeding terns are highly sensitive to disturbance and avoid highly disturbed beaches (Ratcliffe et al. 2008) Direct disturbance is currently leading to reduced breeding success and trampling of nests<sup>18</sup>. Dune habitats are particularly vulnerable to trampling damage and eutrophication (e.g. from dog waste) (Lowen *et al.* 2008). The degree of anthropogenic erosion is considered to be at the limit of acceptable levels on the dune heath and fixed dune grassland and is also an issue on the other dune habitats<sup>19</sup>. A better understanding of levels of recreational use, patterns and impacts is required. Current work includes a study of dog behaviour at Winterton. A long-term recreation management strategy and measures to reduce impacts in the coastal access route, including specific actions for Little Tern is recommended in the SIP (electric fencing, interpretation and 24 hours volunteer wardening are already in place). Appropriate mitigation as a consequence of development in East Norfolk/Suffolk and the Greater Norwich area is also recommended.
- 8.28 The quality of water in the dune slacks at Winterton is thought to be deteriorating, which has impacted on the Natterjack Toad population, although artificial pools have been created. Species diversity may have declined; for example, Round-leaved Wintergreen *Pyrola rotundifolia*, present at the time of SSSI designation, has not been seen for several years. Scrub encroachment, particularly Rhododendron and the control of non-native invasive species, is an on-going issue, and the level of grazing is considered inadequate to maintain dwarf-shrub heath in the north of the site. Action is needed to control, reduce and ameliorate the impacts of atmospheric nitrogen.
- 8.29 Disturbance, particularly from dogs, is an issue for Grey Seal at Horsey Gap. Since 2012 The Friends of Horsey Seals has been working to increase knowledge and enjoyment of and reduce disturbance to the seals, and has a wardening scheme in place.

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<sup>18</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/356903/winterton-access-conservation-assessment.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/356903/winterton-access-conservation-assessment.pdf)

<sup>19</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/356903/winterton-access-conservation-assessment.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/356903/winterton-access-conservation-assessment.pdf)

**Table 4. Designated features of Winterton-Horsey SAC and Great Yarmouth-North Denes SPA.** Issues are based on Site Improvement Plans and SPA citations. Colour indicates BTO alert status (**high**, **medium**, no alert). \*Habitat present but not a primary qualifying feature.

Site	Reason for designation, trends in key species (where known)	Issues	
<b>Winterton-Horsey Dunes SAC</b>	<ul style="list-style-type: none"> <li>• H2110 Embryonic shifting dunes*</li> <li>• H2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> ("white dunes")*</li> <li>• H2150 Atlantic decalcified fixed dunes (Calluno-Ulicetea)</li> <li>• H2190 Humid dune slacks</li> </ul>	<ul style="list-style-type: none"> <li>• Inappropriate coastal management</li> <li>• Coastal squeeze</li> <li>• Public access/disturbance</li> <li>• Water quality (dune slacks)</li> <li>• Inappropriate scrub control (fixed dunes)</li> <li>• Invasive species</li> <li>• Under-grazing (fixed dunes)</li> <li>• Air pollution: impact of atmospheric Nitrogen deposition</li> </ul>	
<b>Great Yarmouth-North Denes SPA</b>	<ul style="list-style-type: none"> <li>• Breeding Little Tern <i>Sterna albifrons</i></li> </ul>	<ul style="list-style-type: none"> <li>• Inappropriate pest control</li> <li>• Public access/disturbance</li> </ul>	

## Outer Thames Estuary

### Description

8.30 This is the largest marine SPA in the UK and extends from Margate in Kent as far north as Caistor-on-sea. Its landward boundary directly abuts several inshore SPAs with marine component, which cover the estuaries and parts of the coast. The site is designated for the presence of the Annex I species Red-throated Diver *Gavia stellata*, which is present in numbers of European importance in the winter. The site is split into three areas. The two northern sections are adjacent to the coast from near Felixstowe in Suffolk to Caistor and further offshore parallel with Caistor in the north and Beccles in the south respectively. These areas include areas of shallower and deeper water with a range of mobile sediments (mud, sand, silt and gravelly sediments) and several sandbanks.

### Pressures, vulnerability and actions

8.31 These are discussed fully in a departmental brief on the site produced by NE and JNCC<sup>20</sup>. Most issues are related to the particular sensitivity of Red-throated Diver to disturbance at sea.

8.32 The SPA supports several fish species of commercial importance, including Herring *Clupea harengus* and Sprat *Sprattus sprattus*, which are among the most commonly

<sup>20</sup> <http://publications.naturalengland.org.uk/publication/3233957>

recorded prey species of Red-throated Diver. Around 180 commercial fishing vessels operate within the site. The exposure of Red-throated Diver to prey depletion is currently considered to be low in the Natura 2000 data form for the site.

- 8.33 There is extensive shipping activity within the site, although this is of a much greater scale around the large ports in the south of the site. However, new port capacity at Great Yarmouth has recently been developed. Great Yarmouth is the main port supporting energy industry in the southern North Sea and also accommodates container traffic. However, dredging and shipping activities are confined to shipping channels, which are already avoided by divers. Red-throated Divers are also vulnerable to oil pollution when they moult flight feathers during September and October, and there is potential for catastrophic spills from ship-to-ship transfers that take place off Southwold or normal shipping traffic.
- 8.34 Scroby Sands Wind Array, comprising 30 turbines, has been operational since 2004. The southern end of the wind farm is within the SPA off the Norfolk Coast. Disturbance to Red-throated Divers associated with wind farms (visual and from related shipping) is significant - research suggests 80-100% displacement of Red-throated Divers from wind farm footprints.
- 8.35 Aggregate extraction occurs off-shore from Great Yarmouth. Activities tend to be localised.

**Table 5. Designated features of the Outer Thames Estuary SPA and Haisborough, Hammond and Winterton candidate marine SAC. Issues are based on the SPA citation.**

ite	Reason for designation, trends in key species (where known)	Issues	Notes
<b>Outer Thames Estuary SPA</b>	<ul style="list-style-type: none"> <li>• Wintering Red-throated Diver <i>Gavia stellata</i></li> </ul>	<ul style="list-style-type: none"> <li>• Prey depletion (low exposure)</li> <li>• Disturbance from shipping traffic, wind farms and fishing activities</li> <li>• Potential for catastrophic oil spills</li> </ul>	<p>Fishing licence arrangements and by-law restrictions overseen by the Marine Management Organisation and/or local Inshore Fishery and Conservation Authority</p> <p>Great Yarmouth oil spill contingency plan in place; transfers overseen by Maritime and Coastguard Agency</p>
<b>Haisborough, Hammond and Winterton candidate marine SAC</b>	<ul style="list-style-type: none"> <li>• 1110 Sandbanks which are slightly covered by sea water all the time</li> <li>• 1170 Reefs</li> </ul>	<ul style="list-style-type: none"> <li>• Physical loss by removal (aggregate dredging) and obstruction (oil, gas and windfarm infrastructure) (moderate threat to sandbank; high threat to reef)</li> <li>• Physical damage by surface and shallow abrasion (demersal fishing, aggregate</li> </ul>	<p>Demersal fishing is not subject to prior authorisation or licensing; this pressure is currently considered to pose a high risk of damage to the sandbank and reef habitats</p> <p>Competent Authorities are advised to assess and, if necessary, consider management actions that might need to be taken to reduce the risk of damage.</p>

ite	Reason for designation, trends in key species (where known)	Issues	Notes
		dredging) (moderate threat to sandbank, high threat to reef)	

## Haisborough, Hammond and Winterton candidate marine SAC

### Description

- 8.36 Lying just of the north-east corner of Norfolk this marine site comprises a series of distinct sand banks. The main sandbank consists of ridges that have developed over the past 5,000 to years and were originally associated with coastal alignment during the Holocene marine transgressions (when global sea levels rose as a consequence of the retreat and shrinking of ice sheets and glaciers). Along the outer boundary, the ridges are older, dating from around 7,000 BP, while the sands in the south west corner are more recent, dating from around the fifth Century (current era). The sand banks are permanently covered with shallow seawater.
- 8.37 Arising from the coarse sandy seabeds are reefs formed of consolidated structures of sand tubes of a marine polychaete, Ross Worm *Sabellaria spinulosa*. The reefs rich a height of 5-10cm, and cover between 30 and 100% of the seafloor where present. Some parts appear to act as sediment traps, meaning the exposed tube height is reduced.
- 8.38 The sand around the crests of the sandbanks is highly mobile due to the strong tidal currents within the site. The crests are characterised by species which can rapidly re-bury themselves, and support a polychaete-amphipod community of low diversity.
- 8.39 The flanks are more stable and formed of gravelly muddy sands. The infaunal and epifaunal diversity is correspondingly greater, with the most stable areas supporting attached bryozoans, hydroids and sea anemones. Sand Mason Worms *Lanice conchilega* and Keel Worms *Pomatoceros* sp. along with bivalves and crustaceans are also present.

### Pressures, vulnerability and actions

- 8.40 There is a lack of detailed information on levels of exposure to human activities and their ecological impact on the designated feature at this site<sup>21</sup>, although some anthropogenic damage has been observed. The sandbanks and reefs are currently considered vulnerable to physical loss and damage. Loss may occur by removal through aggregate dredging and obstruction from oil, gas and windfarm infrastructure. Damage through surface and shallow abrasion may be caused by demersal fishing and aggregate dredging. Demersal fishing in particular is currently considered to pose a high risk to the interest features.

<sup>21</sup> [publications.naturalengland.org.uk/file/6165031](https://publications.naturalengland.org.uk/file/6165031)

**River Wensum Strategy for Adoption**  
Report by Senior Waterways and Recreation Officer

<b>Summary:</b>	This report provides members with an update on the River Wensum Strategy since the public consultation on the strategy took place in 2017. A final version of the strategy has now been produced by the strategy partnership which takes account of the responses received during the consultation period including those of the Broads Authority. Overall the final version of the strategy has not been fundamentally changed from the draft version which was supported by the Authority at its meeting on the 29 of September 2017. The final version of the Strategy includes policies and proposals that seek to enhance biodiversity, water quality and boating and land access to the River Wensum. The partners propose to adopt the strategy by the end of Summer 2018.
<b>Recommendation:</b>	That the Authority supports and adopts the River Wensum Strategy and its action plan for implementation as resources allow.

## **1 Introduction**

- 1.1 The River Wensum Strategy Partnership (RWSP) was created in December 2014 to develop a strategy for the River Wensum in Norwich in order to maximise its potential for regeneration, in particular by encouraging greater access on land and water to the river corridor, enhancing its natural and built environment and biodiversity value, and by stimulating business and economic activity on the river. The RWSP is led and project managed by Norwich City Council and the strategy partners are the Broads Authority, Norfolk County Council, the Environment Agency, and the Wensum River Parkway Partnership. The strategy area covers the River Wensum from Hellesdon Mill in the west to Whitlingham Country Park in the east.
- 1.2 The purpose of this report is to present the final version of the River Wensum Strategy (RWS) to the Broads Authority for formal adoption. The RWS is a long term strategy to facilitate positive change in the river corridor in Norwich, particularly by improving access and facilities which will allow for increased activity on the river and help to change perceptions of the city as a visitor destination in the southern Broads.

## **2 The final strategy**

- 2.1 The final strategy is the culmination of sustained partnership working by the partners in the RWSP since late 2014. All the partners have contributed to the development of the strategy through regular Working Group and Project

Board meetings. The RWSP carried out two public and stakeholder consultations first on issues and opportunities for the river corridor (in 2015) and then on a draft strategy document (in 2017). There was a very positive level of response from the public consultation demonstrating a strong public interest in the strategy from local residents, key public bodies, local businesses and stakeholder groups. The Broads Authority and Navigation Committee considered and supported the draft strategy at their meetings in September 2017.

- 2.2 While the revised strategy has taken on board many of the consultation responses overall it has not fundamentally changed from the draft version which was published in 2017. It has the same key themes as the draft strategy: management and partnership working, access for walking and cycling, waterways access, and environmental enhancements, with the overall aim of regenerating the river corridor. In terms of delivery, the revised strategy emphasises the importance of working in partnership with key stakeholders to implement policies and proposals, and the importance of seeking external project funding. The final strategy document is included at Appendix 2, the initial action plan can be seen at Appendix 3 and an executive summary is set out at Appendix 1 to this report.
- 2.3 However, there have been some minor changes to the document, in particular to stress that its focus is not just on the city centre but also on the river upstream of New Mills. This is reflected by the fact that the document identifies a number of potential projects in the upstream area of the Wensum. Other changes highlight the importance of the natural and built environment, including the historic environment in the river corridor, and inclusion of assessment criteria for potential projects. Greater reference is also added into the strategy to encourage the active participation of local communities and stakeholders in project delivery where appropriate.
- 2.4 The strategy and action plan include all the policies and projects that were previously supported by the Navigation Committee and Broads Authority which aim to deliver improvements across the Authority's three purposes. These include projects to provide various moorings, the construction of canoe access points, footpath improvements and projects that will benefit biodiversity, water quality and angling.
- 2.5 The revised strategy provides a clear vision and objectives for the river Wensum corridor, and proposes a set of policies and projects that will help to bring about sustainable regeneration of the river corridor for the benefit of the RWS partners, residents, businesses and visitors to the city. It will help to:
  - Attract external investment: the strategy will act as a basis for funding bids; its emphasis on working closely with key partners and stakeholders is likely to improve access to funding opportunities.
  - Support growth: delivery of enhanced green infrastructure along the river corridor will support the major housing and employment growth planned for the city centre and east Norwich.



- Support the local economy: a more accessible river corridor with a high quality public realm will help boost the local economy, both by providing a backdrop more attractive to the relocation and creation of business in the creative sector and also by attracting tourists and visitors with benefits to Norwich's shopping, heritage and visitor attractions.
- Reduce inequalities: the strategy has potential health and recreational benefits for existing communities adjacent to the river, some of which suffer from high levels of deprivation and health inequalities.
- Address management and maintenance of the river corridor. More streamlined management of the river corridor will help to deal with issues such as illegal mooring more quickly. There is also potential for involving volunteers and local communities in project delivery, which has the potential for reducing management and maintenance costs.

### **3 Views of the Navigation committee and Broads Local Access Forum**

- 3.1 A report on the final version of the RWS was considered by the Navigation Committee on the 14 June 2018 and the Committee supported the strategy applauding its focus on the Wensum in Norwich. Broads Local Access Forum (BLAF) also discussed the strategy at its meeting on 6 June. The BLAF, which has a statutory function to provide advice to bodies defined under Section 94(4) of the Countryside and Rights of Way Act 2000, including its appointing Authority, resolved to give formal advice to Broads Authority to support and adopt the River Wensum Strategy.

### **4 Conclusions**

- 4.1 The objectives, policies and projects outlined in the final 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 an opportunity to deliver a wide range of social, environmental and recreational benefits for the City of Norwich through partnership working particularly through enhancements to land and water access.
- 4.2 The strategy will assist to deliver the objectives of the Broads Plan particularly with regard to aspiration 6 of the plan which seeks to provide opportunities for distinctive recreational experiences in harmony with the special qualities of the area. The delivery of the RWS is identified as a key output of this section of the Broads Plan. The RWS also assists in delivering the objectives of the Broads Sustainable Tourism Strategy which aims to address the imbalance between the northern and southern Broads and the Broads Integrated Access Strategy.
- 4.3 Members are invited to support and adopt the River Wensum Strategy.

Background papers: None

Report author: Adrian Clarke  
Date of report: 12 July 2017  
Broads Plan Objectives: Multiple particularly C 4.1 and E 6.1.

Appendices: [Appendix 1 – River Wensum Strategy Executive Summary](#)  
[Appendix 2 – River Wensum Final Strategy](#)  
[Appendix 3 – River Wensum Strategy Initial Action Plan](#)

## Appendix 1

### Executive summary

#### **About the River Wensum**

The River Wensum runs through the heart of Norwich and was once the centre of city life and industry. However as the city has changed the focus of activity has moved away from the river. Now very little activity is currently evident on the river itself or on the open spaces beside it.

But the river is now cleaner and greener than in the past. It now enjoys much improved public access, with 11km of riverside walk created since the 1970s and three new bridges built since 2001. It is a short walk from one of the most vibrant city centres in the country, and adjacent to Norwich University of the Arts. It runs through the most historic part of the city centre with many nearby notable landmarks including Norwich Cathedral, The Halls, Fye Bridge and Bishop's Bridge.

A thriving riverside environment with improved access and a high quality public realm has the potential to greatly benefit the city and wider Norwich area. The River Wensum Strategy is a long-term strategy aimed at facilitating change and regeneration in the river corridor by helping to change perceptions of the city as a visitor destination, improving the quality of life, and acting as an economic driver to attract external investment and contribute to Norwich's regeneration.

#### **About the River Wensum Strategy Partnership**

A new partnership has been established to develop a strategy to revitalise the River Wensum. The River Wensum Strategy Partnership (RWSP) is led by Norwich City Council working alongside the Broads Authority, Norfolk County Council, the Environment Agency, and the Wensum River Parkway Partnership.

The RWSP has consulted with other stakeholders and the public to help it shape a 10 year strategy and a 3 year action plan. It is anticipated that a final strategy will be adopted by the RWSP members in mid 2018.

## **The strategy vision**

The strategy covers the River Wensum corridor from the city council boundary at Hellesdon in the west to Whitlingham Country Park in the east. The 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. An enhanced river corridor, with its unique natural and historic environment, 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’.***

The objectives are for delivering the 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, biodiversity 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 the historic environment, ensuring its long term conservation where practicable, and making the most of the unique and significant heritage assets 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.

## **The draft strategy proposals:**

### **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 (set out in section three) include:

- Clarification of Partners’ roles and responsibilities to make it easier for stakeholders and the public to know who to contact.
- Establishment of delivery arrangements including a delivery board to oversee day-to-day management of the river, and a strategic board to oversee implementation and monitoring, involving joint working with key delivery partners.

- Working with local stakeholder groups and those who live and work in the vicinity of the river to help deliver the strategy.
- Ensuring that ongoing maintenance is addressed fully for all projects and proposals to make sure that they do not add to ongoing public maintenance expenditure.

### **Access and leisure**

A key strategy theme is increasing access to the river corridor, including enhancing connectivity with the Norfolk Trails network (section four), and encouraging greater leisure and commercial use of the river itself (section five). Proposed access measures will 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 event and festivals, whilst supporting health initiatives which encourage activity.

Proposals include:

- Completion of the riverside walk between New Mills and Trowse Swing Bridge, including construction of the key 'missing link' of the Riverside Walk between Duke's Palace and St George's Street
- Improvements to the accessibility of the Riverside Walk downstream of New Mills making it accessible for people of all ages and abilities, and enhanced signage between the river and key tourist and visitor locations including the city centre
- An improved cycle crossing of the Barn Road roundabout to encourage greater commuting and leisure usage of the Marriott's Way and the Riverside Walk
- Enhanced links with the Broads network at Whitlingham Country Park in the longer term
- Enhancement of existing, and creation of new, river infrastructure. This includes an improved slipway at Friar's Quay and enhanced moorings at the Yacht station. New short-stay visitor moorings are proposed in a number of locations including Quayside and between Carrow Bridge and Lady Julian Bridge. The strategy also encourages improved canoeing infrastructure including new canoe access points at New Mills
- Enhancement of angling access and fish habitat
- Promotion of river events and trails including a proposed river festival.

### **Environment**

The strategy aims to improve the natural and historic environment, the public realm and open spaces near to the river (section six). 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 to manage non-native species; and an eel pass at New Mills to assist with migration of this protected species (which has now been installed)
- Improvements to open spaces adjacent to the river to maximise their use for leisure and recreation as well as enhancing biodiversity and heritage features where appropriate.
- Conserve and where possible enhance the historic environment and individual designated and non-designated heritage assets along the riverbank.

### **Ideas for the future**

The strategy also identifies some potential projects as opportunities for the future (section seven), 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, Mary Chapman Court riverside site in the northern city centre, and Wensum Park. These potential opportunities require detailed investigation in order to establish feasibility and costings.

### **Action plan and funding**

The strategy aims to facilitate regeneration of the river corridor in the longer term, but includes an action plan with a number of projects considered capable of delivery in the short to medium term (approximately three years) to kick-start the process of positive change. The action plan also includes an assessment of potential project suggestions in order to identify additional projects for future delivery. It is a living document and will be updated as required.

The strategy proposes working with external partners and relevant stakeholders and community groups to attract funding to the river corridor. Potential sources of project funding for action plan projects include Community Infrastructure Levy (CIL), Anglian Water, and the Water Mills and Marshes Landscape Partnership. Other sources of funding will be applied for as projects develop.

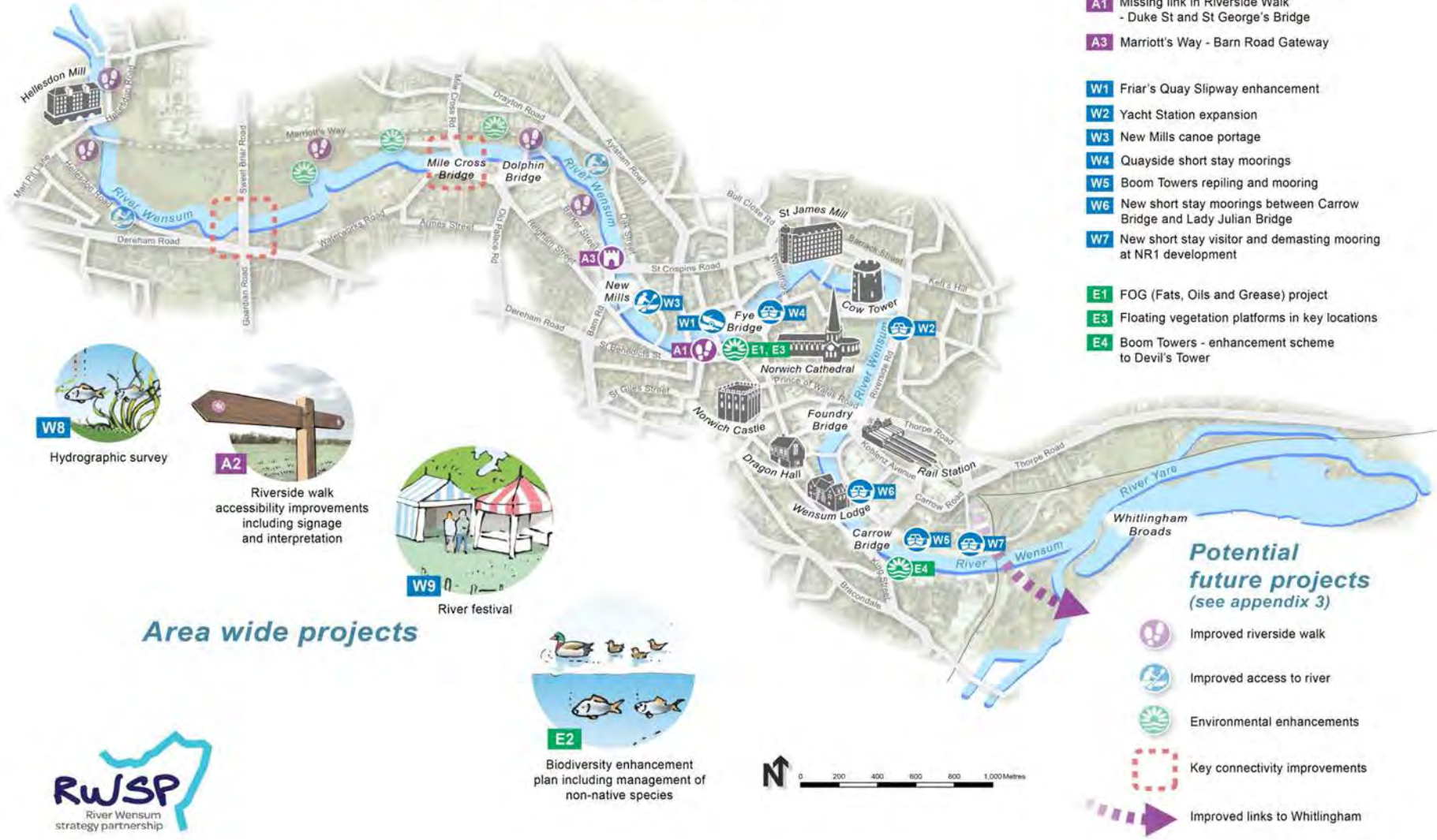
### **Strategy benefits**

The strategy will have a range of economic, social, environmental and heritage benefits including:

- Increased access to the river corridor and an enhanced public realm for the benefit of residents, businesses and visitors

- Boosting the local economy by providing an environment conducive to the establishment and growth of various creative businesses and by attracting tourists and visitors with benefits to Norwich's shopping, heritage and visitor attractions
- Improved green infrastructure to support the delivery of major housing growth planned for the city centre and east Norwich areas
- Providing health and recreational benefits for the existing communities adjacent to the river, some of which suffer from high levels of deprivation and health inequalities
- Improved natural environment and biodiversity in the river corridor, acting as a green lung in the heart of the city
- Identification of funding opportunities and potential for private sector investment, through focused attention on the river.

# Summary of projects & key opportunities



## Site specific projects

- A1** Missing link in Riverside Walk - Duke St and St George's Bridge
- A3** Marriott's Way - Barn Road Gateway
- W1** Friar's Quay Slipway enhancement
- W2** Yacht Station expansion
- W3** New Mills canoe portage
- W4** Quayside short stay moorings
- W5** Boom Towers repiling and mooring
- W6** New short stay moorings between Carrow Bridge and Lady Julian Bridge
- W7** New short stay visitor and demasting mooring at NR1 development
- E1** FOG (Fats, Oils and Grease) project
- E3** Floating vegetation platforms in key locations
- E4** Boom Towers - enhancement scheme to Devil's Tower



**W8** Hydrographic survey



**A2** Riverside walk accessibility improvements including signage and interpretation



**W9** River festival



**E2** Biodiversity enhancement plan including management of non-native species

## Area wide projects



## Potential future projects (see appendix 3)

- Improved riverside walk
- Improved access to river
- Environmental enhancements
- Key connectivity improvements
- Improved links to Whittingham



## **Committee Membership and Member Appointments**

Report by Chief Executive

**Summary:** This report seeks approval for the Broads Authority member appointments to committees and outside bodies until the Annual Meeting in July 2019, following consideration of Members preferences by the Chairs Group.

**Recommendations:**

- (i) That the Broads Authority member appointments to the Planning, Audit and Risk, Hearings, Navigation and Local Access Committees, as set out in Table 1 of this report, be confirmed for the period until the Annual Meeting in July 2019.
- (ii) That the appointments to outside bodies as set out in Section 2 of this report, be confirmed for the period until the Annual Meeting in July 2019.

### **1 Committee Membership**

- 1.1 The membership of committees and external appointments for the forthcoming year, are formally reviewed at the Authority's Annual Meeting. This July we have just one new local authority appointment, Charles Reynolds from Great Yarmouth Borough Council. The outcome of the new Secretary of State appointment will be known in the near future. The co-opted members of the Navigation Committee on to the Authority remain the same as for 2017/18 with Nicky Talbot and Brian Wilkins.
- 1.2 Following the Peer Review, Members agreed at the last meeting 18 May 2018 to adopt a slightly different process for appointments to Committees and outside bodies where Members are invited to express their interests in serving on a Committee and outside body prior to the AGM. An email was sent to all Members on 13 June 2018 requesting Members preferences by the deadline of 29 June 2018. The Chairs Group met on 3 July 2018 to review the responses. The recommendations in this report are as a result of that review taking into account the feedback received and the need to provide a proportionate balance as well as sufficient number of members on each of the Committees.
- 1.3 One of the main considerations of the Chairs Group was not to make substantial changes at this time but to ensure continuity. This was considered particularly important for the Navigation Committee to take account of the Appointment process due to take place this Autumn.

- 1.4 The following tables set out the unanimous recommendations from the Chairs Group.

**Table 1 Recommended Appointments**

<b>Planning Committee</b>	
Eleven Broads Authority members:	
Mr M Barnard	Mr P Rice
Mr W A Dickson	Mr H Thirtle
Ms G Harris	Mr V Thomson
Mrs L Hempsall	Mrs M Vigo Di Gallidoro
Mr B Keith	(Vacancy - possible Secretary of State appointee)
Mr C Reynolds	
<b>Audit and Risk Committee</b>	
Six Broads Authority members: to include the Chairs of the Authority and Navigation Committee	
Mr L Baugh	Mr G Munford
Prof J Burgess	Mr H Thirtle
Ms G Harris	Mrs N Talbot (Chair of NC)
<b>Hearings Committee</b>	
Chair of the Audit and Risk Committee plus Pool of six members	
Mr W A Dickson	
Mr B Keith	
Mrs N Talbot	
Mr H Thirtle	
Mrs M Vigo di Gallidoro	
Mr B Wilkins	
<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
Mr W Dickson	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: <div style="text-align: center;">Mr K Allen Mrs M Vigo di Gallidoro</div>

## 2 Appointments to Outside Bodies

- 2.1. The Authority appoints Trustees to three Charitable Trusts. The following have put themselves forward and are recommended by the Chairs Group.

**Table 2 Recommended External Appointments and Representation**

How Hill Trust	Prof J Burgess, Mr C Reynolds
Norfolk and Suffolk Broads Charitable Trust	Mr B Keith, Mr B Wilkins
Whitlingham Charitable Trust	Mr K Allen, Mr J Ash, Mr M Bradbury, Mr B Keith

- 2.2 The Authority also has representation on the National Parks UK and National Parks England and this is covered by the Authority's Chair.

### 2.3 Safety

The Authority has one lead role – which is for safety partly due to the requirements of the Port Marine Safety Code and partly because of the critical importance of the issue itself. Nicky Talbot, Chair of the Navigation Committee, fulfills this role and it is recommended that this appointment be retained.

- 2.4 The following are organisations where the Authority appoints a member to have a watching brief.

<b>External appointments</b>	<b>Appointee(s)</b>
Broads Tourism	Mr P Rice
Upper Thurne Working Group	Mr B Wilkins

- 2.5 It is also worth noting that the Chair and Vice-Chair of the Planning Committee share the specific responsibilities on external bodies namely appointment to:

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

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

### **3. Working and Reference Groups**

3.1 The Authority has refined and developed the engagement of members on particular topics and now distinguishes between a Working Group, a more formal arrangement for major reviews where minutes are taken, and Reference Groups where Members support and work with officers on short term projects related to the Authority's Strategic Priorities. Reference Groups are appointed by the Authority as and when particular issues arise.

### **4. External Groups with Officer Representation**

4.1 It is worth noting that where the other representatives on a partnership are predominantly officers of their organisations the Authority is represented by officers.

### **5. Financial Implications**

5.1 There are no additional financial costs associated with these appointments.

Background papers:	Nil
Author:	John Packman after consultation with the Chairs Group
Date of report:	3 July 2017
Broads Plan Objectives:	None
Appendices:	None

**Terms of Reference of Committees**  
Report by Solicitor and Monitoring Officer

**Summary:** In line with actions agreed following the Broads Authority's 2017 Peer Review, the Terms of Reference of Committees has been reviewed.

**Recommendations:**

That the Broads Authority adopts the updated Terms of Reference of Committees attached as an appendix.

**1 Introduction**

- 1.1 The Terms of Reference of Committees sets out the purposes and scope, together with powers delegated to such committees by the Broads Authority.
- 1.2 The Terms of Reference have been reviewed following the decision to rename and refocus the Financial Scrutiny and Audit Committee.

**2 Proposed changes**

- 2.1 The proposed changes draw on a standard draft produced by CIPFA and incorporate comments made by the Authority's internal auditors. They represent a replacement of most of the current wording in the current Terms of Reference, as applied to the Financial Scrutiny and Audit Committee.
- 2.2 The opportunity has also been taken to make some other minor amendments to the Terms of Reference.
- 2.3 The proposed changes are highlighted in yellow within the attached draft, for ease of identification.

**3 Conclusion**

- 3.1 The Broads Authority is invited to consider the draft amendments and to approve the same and to adopt them from the date of the annual meeting.

Background papers:	Peer Review
Author:	David Harris and Emma Krelle
Date of report:	4 July 2018
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Draft amended terms of Reference of Committees.

**Broads Authority**

**Draft Terms of Reference of Committees**  
**Adopted July 2018**

**General Duty**

It is the general duty of the Authority to manage the Broads for the purposes of:

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

In discharging its functions the Authority shall have regard to-

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

**Powers Reserved to the Full Broads Authority**

**A Policy**

- (1) To set the Authority's overall policy and direction, including adopting and varying key documents such as the Broads Plan.
- (2) To adopt the Broads Local Development Scheme and the Broads Local Plan and approve any revisions which have policy implications.
- (3) To approve the list of annual strategic priority and key milestones.
- (4) To initiate special policy studies and investigations of particular significance to the Broads.
- (5) To approve the Authority's response to consultation papers which have strategic or policy importance for the Broads or the work of the Authority.

## **B Finance**

- (6) To appoint an officer to be responsible for the proper administration of the Authority's financial affairs in accordance with section 17 of the Norfolk and Suffolk Broads Act 1988.
- (7) To approve the annual consolidated (general and navigation income and expenditure) budget (the latter after consultation with the Navigation Committee), to fix navigation tolls (after consultation with the Navigation Committee) and to approve additional expenditure over and above that provided for in the approved budgets.
- (8) To adopt the annual Statement of Accounts.
- (9) To monitor the resources of the Authority, and to have responsibility for the following specific matters:
  - (i) making decisions about raising, varying or redeeming loans;
  - (ii) approving individual grants which are not within the scope of the powers delegated to the Chief Executive;
  - (iii) writing off any obsolete stores or equipment, loss of property or debt owing to the Authority insofar as such matters are not within the scope of the powers delegated to the Treasurer and Financial Adviser;
  - (iv) approving the Annual Investment Strategy.
- (10) To monitor projects undertaken by the Authority, with particular regard to the letting of and compliance with contracts.

## **C Navigation**

- (11) To apply for and object to Harbour Revision Orders (after consultation with the Navigation Committee).
- (12) To approve the closure of navigations for conservation purposes (except in cases of emergency, after consultation with the Navigation Committee).
- (13) To perform the role of Duty Holder under the Port Marine Safety Code, and to appoint the Designated Person.

## **D Conservation**

- (14) To make decisions about the exercise of the Authority's functions in respect of conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads in accordance with the powers and duties set out under Sections 4 and 5 the Norfolk and Suffolk Broads Act 1988.

## **E Recreation and Tourism**

- (15) To make decisions about the exercise of the Authority's functions in respect of promoting the enjoyment of the Broads by the public as set out in Schedule 3 of Part II of the Norfolk and Suffolk Broads Act 1988.

## **F Committees and Members**

- (16) To approve the setting up of any standing committees.
- (17) To approve the terms of reference of all committees.
- (18) To appoint members to any standing committee of the Authority (subject, in respect of the Navigation Committee, to prior consultation with that committee).
- (19) To appoint members to outside bodies where this function does not stand referred to another committee.
- (20) To approve the annual timetable of Authority and committee meetings.
- (21) To approve the Code of Conduct for Members.
- (22) To appoint the Authority's Monitoring Officer.
- (23) To consider and if necessary act on recommendations from the Hearings Committee in respect of matters relating to complaints of non-compliance with the Authority's Code of Conduct.
- (24) To set members allowances.
- (25) To make Standing Orders in relation to the business of the Authority.

## **G Personnel Matters**

- (26) To determine the grading, salary and terms and conditions of service of the Chief Executive.
- (27) To make arrangements for and approve the appointment of the Chief Executive.



- (28) To adopt amendments to local conditions of service where there are unresolved objections from members of staff and/or trade unions.
- (29) To determine any ex-gratia payments or honoraria to staff which are not within the scope of the powers delegated to **the Audit and Risk Committee**.

## **H General**

- (30) To make byelaws (after consultation with the Navigation Committee in the case of byelaws relating to the navigation area).
- (31) To make proposals for:
  - (i) the variation of the area of the Authority;
  - (ii) the variation of the navigation area (after consultation with the Navigation Committee); and
  - (iii) the alteration of the Authority's constitution.
- (32) To promote and oppose local Bills.
- (33) To exercise Compulsory Purchase Powers.
- (34) To take decisions:
  - (i) to exercise powers not hitherto exercised by the Authority;
  - (ii) to cease to exercise any power of the Authority;
  - (iii) involving the exercise of any powers of the Authority by any body other than the Authority or the Committee of the Authority to which those powers then stand delegated; and
  - (iv) involving the endowment of the Authority with powers not hitherto held by it.

### **Powers Reserved to Committees: General Clauses**

- (1) Any mention in the following terms of reference and delegations of any Act or statutory instrument or of any section or clause shall be deemed to refer to the same as at any time amended. Where that Act, instrument, section or clause has been replaced, consolidated or re-enacted, with or without amendment, such mention shall be deemed to refer to the relevant provisions of the replacing, consolidating or re-enacting statute or instrument.

- (2) References to powers and duties under any Act include powers and duties under any statutory instrument made under that Act.
- (3) No general reference of a power, duty, function or other matter to a committee shall include any matters specifically referred to another committee.
- (4) It is a condition of all delegations to all committees that they must report all important steps taken by them in exercise of their delegated powers to the extent necessary to ensure that all members of the Authority are broadly aware of the progress and the problems of the Authority in every sphere.
- (5) All delegated powers must be exercised in accordance with the approved Business Plan and budgets and the Standing Orders and Financial Regulations of the Authority.

## **1 Navigation Committee**

### **Matters Arising from the 1988 Act (as amended by the 2009 Act)**

- (1) To be consulted on:
  - (i) proposals to vary the navigation area (section 8(4) and the area of jurisdiction of the Authority (schedule 7 paragraph 5);
  - (ii) all the matters listed in section 9 (6) namely:
    - (a) before delegating any function of the Authority in relation to the navigation area to any person;
    - (b) before appointing any member of the Navigation Committee under this section;
    - (c) before proposing, determining or bringing into force any new policy, plan, strategy or procedure or any change to an existing policy, plan, strategy or procedure which may significantly affect the use or enjoyment of the whole or any part of the navigation area;
    - (d) before determining any application for planning permission which may significantly affect the use or enjoyment of the whole or any part of the navigation area and which materially conflicts with any policy, plan, strategy or procedure of the Authority;
    - (e) on the preparation of the annual budget, including in particular any income or expenditure attributable to the navigation area;
    - (f) (except in case of urgency) before incurring expenditure which may have a significant effect on the use or enjoyment of the whole or any part of the navigation area and which has not been specifically provided for in the annual budget approved by the Authority;
    - (g) before applying for any amendment of or alteration to the Navigation Committee's constitution as set out in this

section or the Authority's constitutions as set out in section 1 of this Act or any change to the functions of the Authority in relation to the navigation area as set out in Part II of and Schedule 5 to this Act and under Parts 2 and 3 of the 2009 Act.

- (iii) making, varying or revoking any byelaws under subsection 10(3) (see section 10(17) (a));
- (iv) making any appointment under subsection 10(7) (see section 10(17)(b));
- (v) determining any application for a works licence (see section 11 (13)).
- (vi) determining the level of any tolls or other charges to be imposed in respect of the navigation area or adjacent waters. (see section 13 (3)).
- (vii) The exercise of the powers under Part I of Schedule 5 (as required by paragraph 16 of Schedule 5). These functions are:
  - (a) Maintenance and improvement;
  - (b) Dredging;
  - (c) Communication with vessels;
  - (d) Byelaws;
  - (e) Supplementary provisions in relation to byelaws;
  - (f) Contravention of byelaws
  - (g) Information as to navigation by pleasure craft;
  - (h) Temporary closure of waterways;
  - (i) Repair of landing places etc;
  - (j) Removal of wrecks etc;
  - (k) Nature conservation.
- (viii) The exercise of the powers under Part III of Schedule 5 (as required by paragraph 16 of Schedule 5) concerning New rights of navigation (see paragraph 23 of Schedule 5).

### **Broads Authority Act 2009**

- (2) To be consulted on:
  - (i) any proposal to give, amend or revoke a general direction (see sections 4 and 5 and schedule 1);
  - (ii) designating under section 14 any category of small unpowered vessels (see section 16(5)).

- (iii) designating, amending or revoking any part of the navigation area as a zone where waterskiing or wake boarding is to be permitted (see section 26(5)).

### **Other**

- (3) To be consulted on:
  - (i) applications for harbour revision orders.

### **Matters Arising from the Legal Agreements with National Boating Bodies in respect of the Broads Authority Act 2009**

(Note that these overlap the provisions listed above)

- (4) To be consulted on:
  - (i) implementation of the provisions in the 2009 Act;
  - (ii) information to be included on the application forms for registration and payment of tolls;
  - (iii) introduction of the Boat Safety Standards;
  - (iv) inspection procedure for vessels;
  - (v) removal of vessels procedures;
  - (vi) request for information procedure (including visiting craft);
  - (vii) hire boat licensing conditions;
  - (viii) policy for the temporary closure of waterways for recreational purposes.
- (5) To agree changes to the exemptions in respect of Boat Safety Standards as set out in section 16(6). (NB: This provision in the Agreement was intended to prevent the removal of any of the exemptions, which the 2009 Act now secures. However, the wording of the Agreement means that the Committee's agreement is required to add to the exemptions in section 16(6).
- (6) To agree exemptions from the need for compulsory insurance for small unpowered craft (see also section 16(5)).
- (7) To agree the format of financial reporting on navigation matters.

(Note: The requirement to consult under the legal Agreements extends to changes to anything previously agreed by the Authority following consultation).

## **2 Planning Committee**

In accordance with the Code of Practice for Members of the Planning Committee and Officers:

- (1) To make recommendations to the Broads Authority on plan making functions with the objective of contributing to the achievement of sustainable development.
- (2) To prepare a statement of community involvement for the preparation and revision of the Broads Local Plan and for the exercise of the Authority's functions in relation to development control.
- (3) To make recommendations to the Authority on the preparation and maintenance of the Local Development Scheme and on the contents of the Broads Local Plan.
- (4) To respond to consultations from Government and other agencies and organisations in respect of any matter for which powers are delegated to this Committee.
- (5) To keep under review matters which are likely to affect the development of the area or the planning of its development including relevant matters in any neighbouring area and make representations accordingly.
- (6) In accordance with the policies and any directions of the Authority, to exercise the powers and duties of the Authority relating to:
  - (i) development control, including the determination of planning applications, enforcement, revocation, modification and discontinuance orders, completion notices and Section 106 Agreements;
  - (ii) buildings of architectural and historic interest and town schemes (including their grant aid);
  - (iii) conservation areas;
  - (iv) ancient monuments;
  - (v) trees;
  - (vi) derelict and waste land;
  - (vii) advertisements;
  - (viii) the stopping up and diversion of public paths affected by development proposals and the downgrading of highways for amenity purposes;
  - (ix) hazardous substances;
  - (x) certificates of appropriate alternative development;

- (xi) litter, abandoned motor vehicles and rubbish;
  - (xii) goods vehicles operator's licences;
  - (xiii) conservation of buildings and vessels, etc., under paragraph 42 of Schedule 3 to the Norfolk and Suffolk Broads Act 1988;
  - (xiv) spatial plans;
  - (xv) determining whether approval be given for the exercise of permitted development rights within a European Site, following consultation with Natural England, under the terms of the Conservation (Natural Habitats Etc) Regulations 1994.
- (7) To agree with an adjoining planning authority that individual cross-border planning applications be wholly determined by either the Authority or the relevant Council.
  - (8) To consider and confirm Neighbourhood Area Plans and the designation of "neighbourhood areas" and to make recommendations to the Authority for their adoption.

### **3 Hearings Committee**

- (1) The function of the Committee is to hear and determine allegations of breaches of the Members Code of Conduct referred to it by the Monitoring Officer and in conducting hearings the Committee shall follow procedures prescribed by the Monitoring Officer.
- (2) The Hearings Committee shall be convened by the Monitoring Officer when required under the Members' Code of Conduct and this shall include one of the Authority's Independent Persons (as a non-voting co-opted member) and three other members from a group of six nominated by the Authority at its annual meeting, which will include the Chairman of the Audit and Risk Committee. The Independent Person shall not Chair the Committee.
- (3) Where a vacancy subsequently occurs in the group appointed by the Authority at its annual meeting, or the Monitoring Officer reports that circumstances of a particular matter require an additional Member to be appointed to the group, a replacement or additional Member may be appointed by the Authority at any of its meetings pending the next annual meeting.
- (4) The Hearings Committee shall make such recommendations to the Broads Authority as appear to it appropriate following the determination of any Code of Conduct complaints, including recommendations in relation to sanctions under the Code of Conduct.

### **4 Audit and Risk Committee**

## Statement of purpose

- (1) The Audit and Risk Committee save for its powers in paras (5),(15), (19), (22) and (36), is a consultative non-decision making committee appointed by the Broads Authority and which shall have the functions set out within the following paragraphs.
- (2) References to the Financial Scrutiny and Audit Committee (the predecessor committee) within existing documents, policies, procedures and standing orders of the Authority shall be interpreted as referring to the Audit and Risk Committee, unless the context clearly dictates otherwise.
- (3) The Audit and Risk Committee is a key component of the Authority's corporate governance. It provides an independent and high-level focus on the audit assurance and reporting arrangements that underpin good governance and financial standards.
- (4) The purpose of the Audit and Risk Committee is to provide independent assurance to the Members of the Authority of the adequacy of the risk management framework and the internal control environment. It provides independent review of the Broads Authority's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.
- (5) The Audit Committee is empowered to:
  - Appoint, compensate, and oversee all internal audit services
  - Pre-approve all auditing services performed
- (6) In discharging its responsibilities the Audit and Risk Committee has unrestricted access to officers and relevant information it considers is necessary to discharge its duties.

## Governance, risk and control

- (7) To review the authority's corporate governance arrangements against the good governance framework, including the ethical framework and consider the local code of governance.
- (8) To review the Annual Governance Statement (AGS) prior to Full Authority approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal

audit's opinion on the overall adequacy and effectiveness of the authority's framework of governance, risk management and control.

- (9) To consider the authority's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- (10) To consider the authority's Strategic Risk Register to ensure that it adequately addresses the risks and priorities of the authority.
- (11) To monitor the effective development and operation of risk management in the authority.
- (12) To monitor progress in addressing risk-related issues reported to the committee and to seek assurance that risks are being managed appropriately and using good practice.
- (13) To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- (14) To review the assessment of fraud risks and potential harm to the authority from fraud and corruption.
- (15) To monitor and approve the financial regulations, standing orders relating to contracts and the counter-fraud, corruption and bribery strategy.
- (16) To review the governance and assurance arrangements for significant partnerships or collaborations.
- (17) To review the effectiveness of the system for monitoring compliance with laws and regulations and the results of management's investigation and follow-up of any instances of noncompliance.
- (18) To review and assess the policies, procedures, and practices established by the Broads Authority to monitor conformance with its code of conduct and ethical policies and provide oversight of the mechanisms established by management to establish and maintain ethical standards

#### **Internal audit**

- (19) To review and approve the internal audit charter.
- (20) To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
- (21) To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of



assurance and any work required to place reliance upon those other sources.

- (22) To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- (23) To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
- (24) To consider any impairments to independence or objectivity arising from additional roles or responsibilities outside of internal auditing of the head of internal audit. To approve and periodically review safeguards to limit such impairments.
- (25) To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
  - (i) updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work
  - (ii) regular reports on the results of the Quality Assurance and Improvement Programme (QAIP)
  - (iii) reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards (PSIAS) and Local Government Application Note (LGAN), considering whether the non-conformance is significant enough that it must be included in the AGS.
- (26) To consider the head of internal audit's annual report:
  - (i) The statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement – these will indicate the reliability of the conclusions of internal audit.
  - (ii) The opinion on the overall adequacy and effectiveness of the authority's framework of governance, risk management and control together with the summary of the work supporting the opinion – these will assist the committee in reviewing the AGS.
- (27) To consider summaries of specific internal audit reports as requested.
- (28) To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.

- (29) To contribute to the QAIP and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
- (30) To consider a report on the effectiveness of internal audit to support the AGS, where required to do so by the Accounts and Audit Regulations.
- (31) To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

### **External audit**

- (32) To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by PSAA or the authority's auditor panel as appropriate.
- (33) To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
- (34) To consider specific reports as agreed with the external auditor.
- (35) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- (36) To commission work from internal and external audit.
- (37) To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
- (38) To obtain reasonable assurance that management has acted on the results and recommendations of external audit engagements.

### **Financial reporting**

- (39) To monitor and oversee the Authority's medium term financial planning, including the annual business plan.
- (40) To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the authority.

- (41) To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

### **Treasury Management**

- (42) To monitor and review the treasury management policy and procedures to be satisfied that controls are satisfactory. This includes receiving regular reports on activities, issues and trends to support the committee's understanding of treasury management activities.
- (43) To review the Treasury and Investment Strategy prior to Full Authority approval.

### **Accountability arrangements**

- (44) To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements, and internal and external audit functions.

### **Miscellaneous**

- (45) To determine any payments or honoraria to staff which are not within the scope of powers delegated to the Chief Executive up to a maximum of £50,000 per event.
- (46) To consider any matters referred to the Broads Authority or the Chief Executive which are appropriate to its Terms of Reference.
- (47) The Audit and Risk Committee shall receive formal training on the purpose and mandate of the committee and any areas deemed necessary to assist in the discharge of its duties

Originally adopted by Broads Authority: 21 November 2014

Adopted by Authority on xx xxxx 2018

Next review date: July 2020

## **BROADS AUTHORITY**

### **Broads Local Access Forum**

#### **Terms of Reference**

- 1 The Broads Local Access Forum will have the following terms of reference:
  - (i) To be a statutory advisory body to provide guidance and advice to relevant authorities on the improvement of public access to the countryside of the Broads Executive Area and to contribute to opportunities for the enjoyment of the area.
  - (ii) To comment on draft maps of open countryside and registered common land for the Broads as will be produced by the Countryside Agency.
  - (iii) To provide a consultative forum for and advising on issues relating to access land, exclusions, restrictions and the appointment of access wardens on land where new rights of access exist.
  - (iv) To contribute (in an advisory capacity) to the development of Rights of Way Improvement Plans which cover any part of the Broads Executive Area, together with any other strategies or plans relating to rights of way and open access.
  - (v) To advise on all other aspects of improvement of public access to land in the Broads for the purposes of open air-recreation.
  - (vi) To advise on issues relating to public access to water.
  - (vii) To advise on the promotion and appropriate use of opportunities for all types of user to enjoy access to the countryside.
  - (viii) To promote closer liaison and understanding between the various interest bodies and organisations which have an interest in access to the Broads and its wider catchment area.
- 2 In providing advice, the Forum will have regard to:
  - (i) the needs of land management;
  - (ii) the conservation of the natural beauty of the area;

- (iii) the management and maintenance of recreational access whilst balancing this against the needs of nature conservation, agriculture, the interests of landowners and managers, navigation and countryside management projects within the Broads;
  - (iv) the general duty of the Authority to manage the Broads for the purposes of:
    - (a) conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads;
    - (b) promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public; and
    - (c) protecting the interests of navigation.
- 3 In providing such advice and comment the Forum shall also bear in mind the Authority's requirement to have regard to:
- (i) the national importance of the Broads as an area of natural beauty and one which affords opportunities for open-air recreation;
  - (ii) the desirability of protecting the natural resources of the Broads from damage; and
  - (iii) the needs of agriculture and forestry and the economic and social interest of those who live or work in the Broads.

**Updated Scheme of Powers Delegated to Officers**  
Report by Solicitor and Monitoring Officer

**Summary:** In line with actions agreed with Internal Audit the Scheme of Powers delegated to Officers has been reviewed and updated and incorporates those changes recommended by internal audit.

**Recommendations:**

That the Broads Authority adopts the changes set out in the attached draft Scheme of Powers Delegated to officers.

**1 Introduction**

- 1.1 The Scheme of Powers Delegated to Officers (“the Scheme”) has been reviewed generally by the Management Team, following recommendations by Internal Auditors.
- 1.2 The opportunity has been taken to correct some outdated paragraphs, to identify a small number of additional powers which reflect operational need and to improve the wording of certain sections in the interest of clarity.

**2 Proposed changes**

- 2.1 The proposed changes recommended by Internal Auditors for 2017/18 were to the job title within the Scheme, as follows:

*“The Scheme of Powers Delegated to Officers is updated to remove outdated references to the Treasurer and Financial Advisor to the Authority and to replace them with current references including the Chief Financial Officer (Section 17 Officer).”*

*Updating the Scheme of Powers Delegated to Officers will align governance arrangements to the Authority’s current officer structure. If the document is not up to date, there is a risk of confusion over the decision making arrangements which could also lead to decisions being made by unauthorised members of staff.”*

- 2.2 The proposed changes are highlighted.
- 2.3 With the exception of the obvious changes to reflect changes to job titles, the changes are for the following reasons:

In relation to Chief Executive:

- At paragraph (12) to give effect to procurement practice
- At paragraphs (21) and (25) to remove a defunct provision whereby a sub-committee of the Authority heard matters relating to staffing matters and replace it with an appropriate provision reflecting actual HR practice as a new (21).
- At (30) to implement a specific provision to cover property matters, such as grazing licences and laying of electricity cables and such.
- At (33A) to include a provision which allows maintenance work.

In relation to Solicitor

- Improved wording providing greater clarity to the statutory powers and generally relating to legal process (1) to (5)
- A power to make minor amendments to constitutional documents at (11) in the interests of efficiency
- A power specific to reflect recent changes to Data Protection allowing swift implementation of policies and procedures and to report breaches. The Solicitor is also the Data Protection Officer.

### **3 Conclusion**

3.1 The Broads Authority is invited to consider the draft amendments and to approve the same and to adopt them from the date of the annual meeting.

Author:	David Harris
Date of report:	6 July 2018
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Draft amended Scheme of Powers Delegated to Officers

**Broads Authority****Scheme of Powers Delegated to Officers****Introduction**

Members are responsible for setting the strategy and policies of the Authority and monitoring their implementation, whilst officers are responsible for providing advice to members and running the business of the Authority within the strategic, policy and financial guidelines laid down by members.

Whilst members should leave the day-to-day implementation of policies, including management, to officers, they have a right to ensure that the decisions for which they are statutorily responsible and accountable are implemented by officers in a timely and efficient manner.

The purpose of these Delegated Powers is to ensure that officers are empowered to make decisions and take appropriate action within the guidelines laid down, and to enable members to focus on key strategic and policy issues.

**General Powers of All Officers**

The exercise of these delegated powers will be subject to the following conditions:

- (a) They must be exercised in accordance with the overall strategies, policies and priorities of the Authority as set out in the Norfolk and Suffolk Broads Act 1988, Broads Authority Act 2009, Broads Plan, Broads Local Plan/Local Development Framework and Business Plan.
- (b) They must be exercised in accordance with the Authority's Standing Orders and Financial Regulations, and must not be exercised so as to incur expenditure for which no adequate provision is made in the approved budgets.
- (c) They must be exercised in accordance with the law and with any policies, regulations, codes or similar documents adopted by the Authority or its committees.
- (d) An officer need not exercise a delegated power in any particular case and must not do so if the matter appears to the officer to involve any matters of public controversy or questions of policy not yet decided by the Authority or its committees or any significant change from previous practice.
- (e) Where the matter falls partly within the professional or technical responsibility of another officer or adviser, the officer taking the decision must consult with



those officers as appropriate and have proper regard to any advice given, before authorising action.

- (f) Any power conferred upon the Chief Executive (including any power to act as the proper officer) may be exercised by another officer specifically nominated in writing by the Chief Executive. Details of the officers who have been authorised to exercise powers on behalf of the Chief Executive are set out in the document entitled 'Arrangements for the Exercise of Powers by Other Officers'.
- (g) The Authority or a committee may direct that action taken by an officer or officers be reported to it periodically.
- (h) Failure to carry out the consultations in paragraphs A(5) and E(38) of the powers delegated to the Chief Executive and paragraph (8) of the powers delegated to the Solicitor to the Authority will not invalidate the exercise of the delegated power.
- (i) The decision of the Chief Executive in consultation with the Monitoring Officer as to the scope and interpretation of these delegated powers shall be final.
- (j) In accordance with the Openness of Local Government Bodies Regulations 2014, a written record will be produced for any delegation which has been highlighted yellow, or involves a contract or incurs expenditure above £25,000.

### **Powers Delegated to Chief Executive**

#### **A General Management and Administration**

- (1) To carry out the duties of Head of Paid Service under the provisions of **section 4** of the Local Government and Housing Act 1989 and to be responsible for the management of all staff employed by the Authority.
- (2) To undertake the day-to-day management and control of the Authority, its premises and services to give effect to the strategies and policies as set out in the Broads Plan, Local Development Framework and Business Plan.
- (3) To authorise any action necessary to give effect to the implementation of the Broads Plan and Business Plan, and for this purpose to incur expenditure up to the limits provided for in Standing Orders and Financial Regulations.
- (4) To authorise any action necessary to give effect to any decision of the Authority or its committees.
- (5) In cases of urgency or emergency to take any appropriate action, in consultation (if possible) with the Chair, or in the absence of the Chair, with the Vice-Chair, including the authorisation of any legal

proceedings, to protect the position of the Authority. In such cases the Chief Executive will report the action taken to the Authority.

- (6) To take appropriate action to preserve the Authority's position pending the scrutiny by the Authority of local and personal Parliamentary Bills, statutory orders and instruments or any other proposal, plan, scheme or other matter affecting the interests of the Broads.
- (7) To make arrangements to ensure that all expenditure is regularly monitored against approved budgets and that any significant overspends are reported to the Authority.

## **B Finance and Audit Matters**

- (8) To be responsible for regulating and controlling the financial resources of the Authority in order to achieve the objectives of the Authority.
- (9) To transfer expenditure between budget heads provided that the action taken complies with Financial Regulations, is consistent with the Authority's policy and does not conflict with any decisions taken by the Authority or any of its committees.
- (10) To manage the Authority's insurances in accordance with overall guidelines **specified by the Chief Financial Officer.**
- (11) To ensure that arrangements are in place to pay all sums to creditors.
- (12) **To approve the Selective Tendering standing list of contractors to be invited to submit tenders where the estimated value of the contract does not exceed £50,000.**

## **C Personnel Matters**

- (13) To determine the current and future staffing requirements and organisational structure of the Authority, including amendments to the Authority's staff establishment.
- (14) To determine matters relating to the remuneration and conditions of service of employees in accordance with the national conditions of service and the Authority's Scheme of Local Conditions of Service.
- (15) To adopt local agreements in respect of conditions of service where there are no unresolved objections from trade unions or members of staff.
- (16) To appoint staff, subject to such appointments being in accordance with the Business Plan and subject to the availability of funding in the appropriate budget (and subject in the case of Directors to consultation with the Chair of the Authority and appropriate Committee Chair).

- (17) To determine politically restricted posts.
- (18) To appoint the navigation officer (after consultation with the Navigation Committee) and any deputy.
- (19) To determine matters concerned with employee relations generally within the Authority including the recognition of appropriate trade unions and the establishment of an appropriate consultative and negotiating machinery.
- (20) To determine health and safety matters.
- (21) To establish, implement and authorise the use (by appropriate officers) of policies and procedures for the appointment, dismissal and discipline of staff and determination of all matters relating to the employment of staff and the conditions on which they are employed.
- (22) To extend an employee's period of sick leave on full pay or half pay for a period not exceeding twelve months.
- (23) To reimburse the costs of damage to an employee's personal property up to a maximum of £5,000 in any one case, provided the Chief Executive is satisfied that the damage was caused as a result of the employee pursuing Authority business.
- (24) To authorise the payment of any ex-gratia payments or honoraria to employees up to a maximum of £5,000.
- (24A) To authorise the payment of any severance or settlement payments to former employees up to a maximum of £5,000.
- (25) Deleted
- (26) To exercise the discretions as set out in paragraphs 5, 6, 9 and 10 of the Authority's Local Pension Scheme Policy Statement.

## **D Land**

- (27) To approve the acquisition by the Authority of:
  - (i) the leasehold interest in property for any term to an annual rent not exceeding £10,000;
  - (ii) the freehold interest in property at a price not exceeding £25,000.
- (28) To approve increases in rent not exceeding £10,000 per annum.
- (29) To enter into permissive path agreements and access agreements.

- (30) After taking appropriate advice, authorise and approve the granting, securing or variation of leases or licences, wayleaves, easements and highway dedications over the Authority's land.
- (31) To give written notice proposing to seek permission for Authority development or the development of land vested in the Authority which it does not propose to carry out itself, in accordance with the Town and Country Planning General Regulations 1992.
- (32) To authorise named officers to enter land (including buildings) for the purpose of surveying, investigation, prosecution or enforcement, in connection with any of the Authority's functions.
- (33) To authorise the disposal of land and property to a maximum value of £25,000, in accordance with advice from the Authority's Property Advisers.
- (33A) To authorise maintenance works on Authority owned, leased or rented land up to a ceiling figure of £10,000 or within any budget provision made for such works (whichever is higher).

## **E Planning**

- (34) All planning applications<sup>1</sup> are considered to fall within the delegation scheme and will be determined by officers unless:
- (i) it is for a major development as defined in the Town and Country Planning (General Development Management Procedure) Order 2010;
  - (ii) the application represents a departure from the development plan policies including the Broads Local Plan/Local Development Framework and any relevant policy adopted by the Authority and it is proposed to grant planning permission;
  - (iii) objections are received from any statutory consultee (excluding parish councils) in respect of any proposed development within the 21 day period for consultation and it is proposed to grant planning permission;
  - (iv) representations in writing are received from parish councils in respect of any proposed development within the 21 day period for consultation where these raise material planning considerations of significant weight ;

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<sup>1</sup> The applications and notification shall include planning permission, approval of reserved matters, advertisement consent, listed building consent, conservation area consent, prior approval applications submitted under the Town and Country Planning (General Permitted Development) Order 1995 and consent under the Hazardous Substances regulations.

- (v) representations are received in writing from other persons in respect of any proposed development within the 21 day period for consultation where these raise material planning considerations of significant weight ;
  - (vi) any member of the Authority requests within 21 days of receipt of the schedule of planning applications that the application is placed before the Planning Committee for a decision and provides a material planning reason of significant weight for that request in writing;
  - (vii) the Ward Member of the relevant District Council requests within 21 days of receipt of the schedule of planning applications that the application is placed before the Planning Committee for a decision and provides a material planning reason of significant weight for that request in writing;
  - (viii) the **Director of Strategic Services** considers that the matter ought more appropriately be referred to the Committee for a decision;
  - (ix) any member or member of staff of the Authority, including co-opted members of the Navigation Committee, is involved in the application.
- (35) To approve details submitted in accordance with a condition of a planning consent.
- (36) To determine reasons for decisions.
- (37) To formally discharge planning conditions upon compliance.
- (38) To serve Breach of Condition Notices, Planning Contravention Notices and Section 330 Notices.
- (39) In cases of urgency and (subject to consultation (if possible) with the Chair, or in the absence of the Chair the Vice-Chair, of the Planning Committee):
- (i) to serve Building Preservation Notices;
  - (ii) to issue Listed Building Enforcement Notices and Conservation Area Enforcement Notices;
  - (iii) to issue Enforcement Notices, Stop Notices Temporary Stop Notices;
  - (iv) to take enforcement action in respect of unauthorised advertisements.

- (40) (i) To make and serve Tree Preservation Orders.
- (ii) To confirm non-controversial Tree Preservation Orders.
- (41) (i) To comment on non-controversial felling licence applications and broadleaved woodland grant schemes.
- (ii) To make observations to the Forestry Commission on applications for grants and Forestry Grant Schemes and consultations over dedication schemes and the Commission's own new planting proposals in relation to areas up to 10 hectares.
- (42) To deal with notices to lop, top and fell trees in conservation areas. To determine applications to lop, top or fell trees within Tree Preservation Orders or Groups.
- (43) To submit observations on environmental issues and to lodge holding objections in respect of applications for Goods Vehicle Operators Licences.
- (44) To reply to consultation on certified sites for camping and caravanning and for caravan and tent rally sites.
- (45) In respect of planning applications:
  - (i) to sign and issue the formal decision notices on planning matters which have been before the Planning Committee or determined under delegated powers;
  - (ii) to impose detailed conditions on planning permissions granted by the Authority (including deemed permissions);
  - (iii) to determine the appropriate grounds where permission is either refused or approved;
  - (iv) to refuse a planning application, if within six months of any decision to enter into a Section 106 Agreement by Committee, that Agreement has not been signed.
- (46) To determine which planning applications should be referred to the Navigation Committee for consultation, in accordance with Section 9 (6) (a) (iv) of the Norfolk and Suffolk Broads Act 1988.
- (47) To determine whether an environmental impact assessment is required and to agree the scope of any environmental statement under the Environmental Impact Regulations 1999.
- (48) To determine whether to exercise the discretionary power available to the Authority with regard to the siting, design and external appearance

of agricultural and forestry buildings and the siting and means of construction of private roads for agricultural and forestry purposes.

- (49) To determine whether applications are likely to have a significant effect on a European Site, following consultation with Natural England, under the terms of the Conservation (Natural Habitats Etc) Regulations 1994.
- (50) To implement the Hedgerow Regulations 1997 in authorising rights of entry, administrative consultation arrangements and the use of outside assistance.
- (51) To give observations in respect of development by other authorities, government departments and statutory undertakers where there are no outstanding objections which cannot be met within the terms of the observations.
- (52) To determine Forestry Grant applications up to £5,000.
- (53) To respond to consultations on planning applications in respect of land outside the Authority's Executive Area, subject to consideration by the Planning Committee of those applications which have serious implications for the Broads, either in landscape or environmental terms.
- (54) To fulfil the Authority's role as a Competent Authority with regard to consideration of development proposals affecting Special Protection Areas and Special Areas of Conservation in the Broads, including the determination of Appropriate Assessments.
- (55) In respect of non-material amendments to planning applications:
  - (i) to define in individual cases what constitutes a non-material amendment; and
  - (ii) to determine applications for non-material amendments except in cases that fall within paragraph 35(ix) of this scheme.
- (56) To settle the terms of Section 106 Agreements required in connection with planning applications including amendments to existing Section 106 agreements.

## **F Recreation and Tourism**

- (57) To exercise the powers and duties of the Authority in accordance with the overall policy determined by the Authority in relation to the following matters:
  - (i) tourism, including interpretation, information and associated visitor services;

- (ii) common land;
  - (iii) access to open country;
  - (iv) open spaces;
  - (v) caravan, camping and picnic sites;
  - (vi) recreation provision and associated facilities, including car parks and public toilets;
  - (vii) country parks;
  - (viii) public paths (except where delegated to the Planning Committee);
  - (ix) the provision of accommodation, meals, refreshments, parking places and toilets;
  - (x) environmental education;
  - (xi) staithe.
- (58) To confirm orders creating, diverting, extinguishing or downgrading public paths in respect of which there is no unresolved objection.
- (59) To respond to consultations from other public authorities on proposals to create, divert, extinguish or downgrade public rights of way.

## **G Conservation**

- (60) To exercise the powers and duties of the Authority in accordance with the overall policies determined by the Authority in relation to the following matters:
- (i) responding to notifications of operations within the Broads under Section 5(2) of the Norfolk and Suffolk Broads Act 1988;
  - (ii) nature reserves;
  - (iii) land drainage (including the preparation and review of a code of practice for drainage works);
  - (iv) water quality;
  - (v) responding to consultations on proposals to discharge trade and sewage effluent;
  - (vi) responding to notifications on the making of farm capital grants;



- (vii) nature conservation (except where other provision is made in this scheme), including woodland and fen management, grazing marshes, research, site management and grant aid for conservation purposes;
  - (viii) the designation of areas of natural beauty under Section 4 of the Norfolk and Suffolk Broads Act 1988.
- (61) To respond to consultations under Section 36 of the Control of Pollution Act 1974.
  - (62) To enter into management agreements under Section 39 of the Wildlife and Countryside Act 1981 up to £5,000 per annum for maximum of 21 years.
  - (63) To make holding objections to the making of farm capital grants.
  - (64) To make representations to the Environment Agency following notification of applications for significant discharges under Section 36 of the Control of Pollution Act 1974.
  - (65) To make written representation on applications received under the Water Resources (Licences) (Amendment) Regulations 1989.
  - (66) To fulfil the Authority's role as a Competent Authority with regard to consideration of proposed works affecting Special Protection Areas, Special Areas of Conservation and stipulated species in the Broads, including the determination of Appropriate Assessments.

## **H Navigation**

Arising from the Norfolk and Suffolk Broads Act 1988 (as amended)

- (67) To exercise the powers and duties of the Authority in accordance with the overall policy determined by the Authority in relation to the following matters (where appropriate in consultation with the Navigation Committee):
  - (i) the maintenance and improvement of the navigation area;
  - (ii) the creation of public rights of navigation;
  - (iii) the provision of moorings and other navigational facilities;
  - (iv) the closure of waterways (other than for nature conservation purposes);
  - (v) the repair of landing places, embankments, private moorings and other similar structures.

- (68) To determine works licences.
- (69) To seek modifications to plans submitted with applications for works licences.
- (70) To enforce works licences.
- (71) To remove obstructions from waterways.
- (72) To dispose of dredgings.
- (73) To authorise named officers to require owners of craft to give information of the person in charge of their craft at any time, under Schedule 5, paragraph 9.
- (74) To serve Notices under paragraphs 11 and 12 of Schedule 5 (which relate to the repair of landing places etc and the removal of wrecks etc) and to enforce such Notices. In the case of the removal of wrecks, this is subject to such vessels being raised and removed to a place of safety allowing an owner to be given prior notice to destruction, unless it had to be destroyed in situ as a result of its size and/or position.
- (75) To mitigate oil pollution either as the harbour authority or if necessary as an agent for the Environment Agency.
- (76) To discount cargo tolls.
- (77) Deleted.
- (78) In respect of the Speed Limit Byelaws 1992:
  - (i) to approve registration marks for vessels.
- (79) In respect of the Navigation Byelaws 1995:
  - (i) giving consent or approval to the following activities and imposing conditions on those consents or approvals:
    - (a) towing;
    - (b) the use of blue lights and light signals;
    - (c) stern on or bow on mooring, approving places for such mooring and designating times when this is permitted;
    - (d) the mooring of vessels otherwise than broadside to a bank;
    - (e) anchoring in a channel;
    - (f) the turning of vessels;
    - (g) pyrotechnics;
    - (h) use of firearms;
    - (i) fun events;

- (ii) restricting mooring at specific places;
  - (iii) prohibiting vessels to be moored abreast at specific locations, imposing conditions in respect of multiple mooring and permitting exceptions to these restrictions;
  - (iv) securing the removal of obstructions;
  - (v) authorising officers to authorise passage through Carrow Bridge;
  - (vi) giving directions in respect of precautions to be taken when loading and unloading vessels;
  - (vii) appointing assistants to the navigation officer.
- (80) In respect of the Vessel Registration Byelaws 1997:
- (i) to request copies of registration certificates;
  - (ii) to charge a fee for replacing certificates;
  - (iii) to determine position of toll receipt on vessels;
  - (iv) to prescribe the form of a toll application and specifying the details to be included in it;
  - (v) to designate areas which private watercraft can use and prescribing the conditions for such use.
- (81) In respect of the Broads Authority Act 2009:
- (i) enforcing directions relating to the loading and unloading of vessels (section 10);
  - (ii) exercising the powers and duties relating to the registration and licensing of vessels (section 11);
  - (iii) designating authorised officers for the purpose of:
    - (a) entering and inspecting vessels and exercising related powers (section 17);
    - (b) exercising powers relating to unsafe vessels (section 19);
  - (iv) determining whether a vessel is unsafe (section 18). (In this respect, it is intended that the authorised officers include qualified Boat Safety Scheme examiners and qualified Marine Surveyors);

- (v) exercising the powers and duties relating to the removal of unsafe vessels (section 20);
- (vi) designating authorised officers for the purposes of:
  - (a) requesting information about vessels (section 21);
  - (b) entering land, including adjacent waters (section 24);
  - (c) the inspection provisions in hire boat licences;
- (vii) serving notices requiring information from:
  - (a) masters and owners etc as to vessels (section 22);
  - (b) landowners etc as to vessels (section 23);
- (viii) exercising the following functions relating to waterskiing and wakeboarding:
  - (a) displaying directional signs (section 28(1));
  - (b) designating authorised officers for the purposes of giving directions as to waterskiing and wakeboarding (section 28(2));
  - (c) issuing, cancelling and amending permits for waterskiing and wakeboarding (sections 27 and 30);
- (ix) removing vegetation which is an obstruction or danger to vessels in the navigation area including the service of notices;
- (x) serving notices and exercising default powers in respect of vegetation which obstructs or is a potential danger to vessels in the navigation area (section 39);
- (xi) powers and duties relating to the licensing of hire boats (section 40).

## **I Broads Local Access Forum**

- (82) To appoint and re-appoint members to the Broads Local Access Forum, in consultation with the Chairman of the Forum.

## **J Miscellaneous**

- (83) To remove abandoned vehicles.
- (84) To accept gifts of property on behalf of the Authority.

- (85) To approve single grant requests up to £10,000.
- (86) In consultation with the Solicitor, to approve payments of up to £5,000 to complainants who have suffered a direct identifiable loss as a result of the Authority's actions.
- (87) To write off:
  - (i) any obsolete stores or equipment, or loss of property not exceeding £5,000;
  - (ii) all bad debts to a maximum of £5,000, where all reasonable recovery action has been exhausted.
- (88) To appoint members to the Sustainable Development Fund Panel, in consultation with the Chairman of the Authority and Chairman of the Panel, in accordance with any guidelines specified by the Authority about the overall membership of the Panel.
- (89) To appoint three members of the Authority and an Independent Person as a co-opted non voting member to a Hearings Committee to hear and determine allegations of breaches of the Members Code of Conduct referred to it by the Monitoring Officer.

#### **Powers Delegated to the Chief Financial Officer**

- (1) To be responsible for the proper administration of the Authority's financial affairs in accordance with section 17 of the Norfolk and Suffolk Broads Act 1988 including:
  - (i) the regulation and control of finance, and the making of safe and efficient arrangements for the receipts of monies;
  - (ii) audit commission and internal audit matters including the appointment of auditors;
  - (iii) pension fund matters; and
  - (iv) insurances.
- (2) To make suitable arrangements for the investment and realisation of short term monies surplus to the Authority's requirements.
- (3) To operate the Authority's bank accounts including:
  - (i) to arrange overdraft facilities as and when necessary and within such limits as may be approved by the Authority from time to time;

- (ii) to arrange the opening, operation and closing of such subsidiary bank accounts as are deemed necessary for the control of, and accounting for, the Authority's money;
  - (iii) to manage the day-to-day cash resources of the Authority and arrange such temporary borrowing or investment of surplus money as is deemed necessary;
  - (iv) to negotiate and receive or repay loans subject to the receipt of the necessary government sanctions and consents.
- (4) In consultation with the Chief Executive to write off:
- (i) any obsolete stores or equipment, or loss of property not exceeding £25,000;
  - (ii) all bad debts to a maximum of £25,000 where all reasonable recovery action has been exhausted.
- (5) To borrow in accordance with the Authority's policy.
- (6) To lend in accordance with the Authority's policy.

#### **Powers Delegated to the Solicitor to the Authority**

- (1) To carry out **the statutory duties and powers of Monitoring Officer to the Authority under Section 5 and 5A of the Local Government and Housing Act 1989 (as amended).**
- (2) To **institute settle and enforce as** appropriate, claims and proceedings:
  - (i) for the possession of property **belonging to the Authority or for protection against trespass;**
  - (ii) for the recovery of fees, tolls, rent and other sums owing to the Authority;
  - (iii) in respect of other financial loss suffered by the Authority.
- (3) To defend, **counterclaim, settle,** as appropriate, civil proceedings against the Authority, in relation to claims not covered by the Authority's insurance policies **and to lodge an appeal.**
- (4) **To institute and prosecute** proceedings relating to any function of the Authority **and to lodge an appeal.**
- (5) To defend **or lodge an appeal in** any criminal proceedings against the Authority.

- (6) To determine applications for Certificates of Lawful Use and for Certificates of Lawfulness of Proposed Use or Development.
- (7) To serve notices requiring information to be given as to interests in land and if necessary to institute proceedings for failure to respond.
- (8) In cases of urgency and after consultation (if possible) with the Chair, or in the absence of the Chair the Vice-Chair, of the Planning Committee:
  - (i) to issue Listed Building Enforcement Notices and Conservation Area Enforcement Notices concurrently with District Officers;
  - (ii) to issue Enforcement Notices, Stop Notices Temporary Stop Notices and Article 4 Directions;
  - (iii) to take enforcement action in respect of unauthorised advertisements.
- (9) To authorise officers who otherwise have no right of audience to appear in Magistrates Court and County Court proceedings.
- (10) To execute deeds, contracts and other legal documents on behalf of the Authority to give effect to decisions taken by the Authority, its committees, the Chief Executive or other officers exercising delegated powers.
- (11) To make minor amendments to the Authority's constitutional documents such as to give effect to changes to job titles, reflect legislative changes and to improve layout or correct typographical errors.
- (12) To implement policies and procedures and take appropriate steps to protect the Authority from unlawful disclosure of personal information and to report data breaches to the data regulatory authority.

**“Proper Officer” Provisions**

		Proper Officer
1.	<u>The Norfolk and Suffolk Broads Act 1988</u>	
	Schedule 1, paragraph 2 (6)	Receipt of notice of resignation
	paragraph 2 (9)	Publication of notice of any appointment to the Authority, or ending of such an appointment.
	paragraph 4 (4)	Signature of summons to attend meeting.
	paragraph 4 (5)	Receipt of notices regarding address to which summons to meetings to be sent.
	paragraph 5 (11)	Convening of meeting where a casual vacancy in the office of Chairman or Vice-Chairman is to be filled.
	Schedule 4, paragraph 2 (3)	Receipt of notice of resignation from the Navigation Committee.
	paragraph 2 (4)	Publication of notice of appointments to the Navigation Committee and of the ending of any such appointment.
	Schedule 5, paragraph 13 (8)	Receipt of objections to proposals to close parts of waterways for nature conservation purposes.
2.	<u>Local Government Act 1972</u>	
	Section 100 B (2)	Circulation of reports and agenda.
	Section 100 B (7) (c)	Decisions on supply of Committee papers to the press.
	Section 100 C (2)	Summaries of otherwise ‘exempt’ minutes.
	Section 100 D (1) (a)	Compilation of list of background papers.
		Chief Executive
		Chief Executive
		Chief Executive
		Chief Executive
		Chief Executive
		Chief Executive
		Chief Executive
		Chief Executive
		Chief Executive
		The officer or advisor in whose



Section 100 D (5) (a)	Identification of background papers.	name the report is designated.  The officer or advisor in whose name the report is designated.
Section 100 F (2)	Identification of exempt information not available to <u>all</u> members.	Chief Executive
Section 115 (2)	Receipt of money due from officers.	Chief Financial Officer
Section 225 (1)	Deposit of documents.	Chief Executive
Section 229 (5)	Certification of photographic copies of documents.	Chief Executive
Section 234	Signature of any notice, order or other document given, made or issued by the Authority.	The officer responsible for the exercise of the function which is the subject of the decision in question (if no such person then the Chief Executive)
Section 238	Certification of bye-laws.	Chief Executive
3. <u>Other Legislation</u>		
Listed Buildings Act 1990 Section 2	Receipt on deposit of lists of buildings of special architectural or historical interest.	Chief Executive
Local Government Act 1974, Section 30 (5)	Giving notice of reports received by the Authority from the Local Ombudsman.	Chief Executive
Local Government (Miscellaneous Provisions) Act 1976, Section 41	Certifying copies of resolutions, orders, reports and minutes of the Authority.	Chief Executive

**In each case, if the designated Proper Officer is not available to exercise the function then either the Director of Operations or the **Director of Strategic Services** will act as the Proper Officer.**

**Annual Report of the Broads Local Access Forum**  
Report by Senior Waterways and Recreation Officer

**Summary:** This report presents for members' information the key matters considered by the Broads Local Access Forum during the last year relating to the development and improvement of public access within the Broads.

**Recommendation:** That the work of the Forum be noted.

**1 Introduction**

- 1.1 The purpose of this report is to inform Members of the key matters considered by the Broads Local Access Forum (BLAF) during the last year relating to the development and improvement of public access within the Broads.

**2 Annual Report**

- 2.1 The draft Broads Local Access Forum annual report is attached to this covering report as Appendix 1.
- 2.2 The key issues considered by the Forum over the last year included the Department for Environment Food and Rural Affairs consultation on the future for food, farming and the Environment and Norfolk County Council's consultation on the new Norfolk Access Improvement Plan.
- 2.3 One of the main challenges for access recently has been the ending of access payments to landowners through Defra's Countryside Stewardship Scheme which has resulted in the loss of permissive paths throughout the county including routes in and linking to the Broads National Park. The BLAF therefore submitted a response to the Defra consultation advising that Government should value access to the countryside as a public good and introduce targeted access payments in any post Brexit environmental land management scheme. Additionally the BLAF highlighted the need for Government to value and support traditional farming landscapes in the lowlands like the Broads grazing marshes as well as those in the uplands and supported the Broads Authority's suggestion for a pilot Agri-Environment Scheme in the Broads.
- 2.4 The BLAF welcomed Norfolk County Council's consultation for the new Norfolk Access Improvement Plan. The BLAF advised the Broads Authority

on its response to the consultation highlighting the opportunities for partnership working on the delivery of the Plan and stressing the need for the Plan to emphasise the importance of the Broads National Park for access in the county.

Author: Adrian Clarke  
Date of Report: 12 July 2018

Broads Plan Objectives: E 6.1, 6.2

Appendices: APPENDIX 1 – The Broads Local Access Forum Annual Report 2018

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**The Broads Local Access Forum  
Annual report 2017**



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# The Broads Local Access Forum Annual Report – 2017

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### 3. Who makes up the forum?

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# 1. Broads Local Access Forum

## 1.1 Statutory purpose

The Broads Local Access Forum is an independent advisory body established by the Broads Authority in 2003, under the Countryside and Rights of Way Act 2000.

The Act states that the purpose of the forum is to be a statutory advisory body to provide guidance and advice to the Broads Authority and other organisations on the improvement of public access within the Broads and to contribute to opportunities for open air recreation and the enjoyment of the area. In providing advice, the forum will have regard to:

- The needs of land management
- The conservation of the natural beauty of the area
- The management and maintenance of recreational access whilst balancing this against the needs of nature conservation, agriculture, the interests of landowners and managers, navigation and countryside management projects within the Broads

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## 1.2 The forum's vision

The Broads is an unrivalled wetland of natural diversity, heritage and special character. It is a place where people come to explore, enjoy and find spiritual refreshment. Access to the Broads should be clear and easy to use, respectful of wildlife and land management, meet users' needs and promote responsible and harmonious behaviour. The Broads Local Access Forum will champion access improvements and management, represent a wide range of interests and contribute to sustainability for the environment, communities and the economy.

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# 2. What has happened during the year?

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## 2.1 The forum at work

The forum has delivered its purpose in a number of ways:

- i The forum has held four public meetings to agree its advice to the Broads Authority and other organisations.
- ii The forum provided representation on the Broads Forum, the Norfolk Local Access Forum, the Joint LAF meeting (Broads, Suffolk and Norfolk) and at Regional and National LAF meetings.
- iii Forum members provided advice by individual correspondence on consultation documents.
- iv Forum members are expected to use and develop their own networks of contacts to gather information and opinions, and to offer advice and information on access.

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## 2.2 Challenges faced by the forum

The forum faced the following challenges:

- The main challenge faced by the Forum has been the continuing pressure on public funding for countryside access across all local authorities which has meant some paths have received little maintenance. Additionally as Agri-Environment Access payments to landowners have come to an end some permissive paths have closed resulting in a more fragmented access network.



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### 2.3 Advising the Broads Authority and other bodies

The Forum has given advice to a number of bodies over the year:

- The Parliamentary Select Committee on the Natural Environment and Rural Communities Act 2006
- The British Standards Institute regarding a consultation on standards for gaps, gates and stiles
- The River Wensum Strategy Partnership on the public consultation for the River Wensum Strategy
- The Planning Inspectorate regarding the Martham FP 1 Modification Order
- Department for the Environment, Food and Rural Affairs on the Defra consultation on the Future for Food, Farming and the Environment

The forum has also given further advice to the Broads Authority on:

- The adoption of the River Wensum Strategy

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### 2.4 Responding to consultations

The forum has responded to the following consultations:

- BSI: Gaps, gates and stiles – specification (British Standards Institute)
- River Wensum Strategy (River Wensum Strategy Group)
- Select Committee on the Natural Environment and Rural Communities Act 2006 – Call for Evidence (Defra)
- Draft Norfolk Access Improvement Plan (Norfolk County Council)
- Martham Footpath 1 – Modification Order Public Hearing
- Food and Farming consultation (Defra)
- Opportunities post Brexit to form policy for agri-schemes that maximise access benefits (Cambridge LAF)

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### 2.5 Access reports and presentations

The forum received the following access reports:

- Select Committee on the Natural Environment and Rural Communities Act 2016 – Call for Evidence consultation
- Staithes and the Environment Agency
- Progress report on Defra's 8 Point Plan for the English National Parks
- Trialling presentation for community groups on Climate Change, Flood Risk and how these affect the Broads landscape
- Sport England Draft Report – Walking Insight
- Sustrans Proposal – East Norfolk Cycle Routes
- Access Projects updates (2017-18)
- Access Projects (2018-19 draft)
- Broads Authority Boat Census 2018
- Broads Local Access Forum draft Response to Norfolk Access Improvement Plan
- British Standards: Gaps, Gates and Stiles update
- Broads Forum updates
- Norfolk County Council Access updates



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## 2.6 Partnership working

The forum has worked with the following partner organisations:

- Norfolk County Council
- Suffolk County Council
- Norwich City Council
- Natural England
- River Wensum Strategy Group
- Broads Climate Change Partnership
- Broads Forum
- Norfolk LAF
- Sustrans
- Environment Agency
- Broads Angling Strategy Group

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## 2.7 Observers and advisors to the forum

The forum has received reports and advice from:

- Andrew Hutcheson, Norfolk County Council
- Marie-Pierre Tighe, Broads Authority
- Adrian Clarke, Broads Authority
- Mark King, Broads Authority
- Jacquie Burgess, Broads Authority
- Simon Hooton, Broads Authority
- Professor Tom Williamson, UEA





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## 3. Who makes up the forum?

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### 3.1 Chair and Vice-Chair

In December 2017 Keith Bacon was re-appointed as Chair and Alec Hartley appointed as Vice-Chair.

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### 3.2 Members and representation

**Chairman: Keith Bacon – Catfield**

Tel: 01692 581314  
keithbacon@keme.co.uk

Representing archaeology and landscape heritage

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**Vice-Chairman: Alec Hartley – Norwich**

Tel: 01603 452884  
alecandkathie@gmail.com

Representing Wensum River Parkway Partnership

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**Kelvin Allen – Downham Market**

Tel: 01366 384458  
kelvinallen@btinternet.com

Representing Broads Authority

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**Louis Baugh – Neatishead**

Tel: 07785 224589  
lbaugh@netcom.co.uk

Representing landowners and managers

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**Liz Brooks – Ludham**

Tel: 01692 678674  
ejb553@gmail.com

Representing equestrian riding and driving

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**Tony Brown – Lowestoft**

Tel: 01502 740639  
tonybrownrwt@gmail.com

Representing nature conservation

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**Robin Buxton – Lingwood**

Tel: 01493 750102  
robin.buxton@ukgateway.net

Representing landowners and managers, tourism and local businesses

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**Mike Flett – Ludham**

Tel: 01692 678560  
mikeandjeanne@btinternet.com

Representing Local Authority (Parish Councils)

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**Tony Gibbons – Norwich**

Tel: 01603 400973  
tonygibbons.ndaa@gmail.com

Representing angling

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**Dawn Hatton – Norwich**

Tel: 01603 433174  
stock.dawn@gmail.com

Representing walking, people with disabilities and access for all

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**Peter Mason – Catfield**

Tel: 01692 583152  
peter.mason51@sky.com

Representing walking, tourism and local business



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Stephen Read – *Oulton Broad*

Tel: 07720 808715  
stevereadcon@btinternet.com

Representing walking and water-borne recreational issues

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George Saunders – *Norwich*

Tel: 01603 413485  
georgesauanders@btinternet.com

Representing people with disabilities and access for all

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Charles Swan – *Oulton*

Tel: 01502 588915  
clerkoultonparishsuffolk@hotmail.co.uk

Representing Local Authority (Parish Councils) and educational establishments

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Martin Symons – *Poringland*

Tel: 01508 494205  
martin.symons1@btinternet.com

Representing cycling, people with disabilities and access for all

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Melanie Vigo di Gallidoro – *Pakefield*

Tel: 07725624319  
melanie.vigodigallidoro@suffolk.gov.uk

Representing Broads Authority

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Ray Walpole – *Norwich*

Tel: 01603 300221  
r.walpole05@tiscali.co.uk

Representing walking and cycling

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Richard Webb – *Norwich*

Tel: 01603 505362  
dickwebb@talktalk.net

Representing walking and sailing

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Christopher Yardley – *Burnham Thorpe*

Tel: 01328 738705  
cj.yardley@tiscali.co.uk

Representing water-borne recreational users and nature conservation

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**Broads Authority, Yare House**  
**62-64 Thorpe Road, Norwich, NR1 1RY**

**Tel: 01603 610734**  
**Fax: 01603 756069**  
**BLAF@broads-authority.gov.uk**  
**www.broads-authority.gov.uk**



## **Broads Authority**

### **Financial Scrutiny and Audit Committee**

Minutes of the meeting held on 14 November 2017

#### **Present:**

Mr Louis Baugh (Chairman)  
Prof. Jacquie Burgess  
Mr Bill Dickson  
Ms Gail Harris  
Mr Greg Munford  
Mr Haydn Thirtle

#### **In Attendance:**

Ms Esmeralda Guds – Administrative Officer  
Mr David Harris – Solicitor and Monitoring Officer  
*Miss Emma Krelle* – Chief Financial Officer  
*Mrs Marie-Pierre Tighe* – Director of Strategy and Sustainable Communities  
Dr John Packman – Chief Executive  
Mr Rob Rogers – Director of Operations

#### **1/1 Apologies for Absence**

Apologies were received from Nicky Talbot

#### **1/2 Appointment of Chair**

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

It was proposed and duly seconded that Mr Louis Baugh be appointed as Chairman.

There being no other nominations, it was

RESOLVED

that Mr Louis Baugh be appointed as Chairman of the Financial Scrutiny and Audit Committee for the forthcoming year.

**Mr Louis Baugh (in the Chair)**

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

The Chairman invited nominations for the position of Vice Chairman for the forthcoming year

The Committee agreed and so it was proposed and duly seconded that Mr Haydn Thirtle be appointed as Vice-Chairman.

There being no other nominations, it was

RESOLVED

that Mr Haydn Thirtle be appointed as Vice-Chairman of the Financial Scrutiny and Audit Committee for the forthcoming year.

The Chairman expressed a formal thanks to Sir Peter Dixon for his contribution as an active Member of the FSAC committee for many years.

The Chair suggested varying the order of the Agenda and address item13, the Risk Register, after item10, the Implementation of Internal Audit Recommendations. The Members agreed.

### **1/4 To note whether any items have been proposed as matters of urgent business**

There were no items being proposed as matters of urgent business.

### **1/5 Declarations of Interests**

No declarations of interests were expressed.

### **1/6 To receive and confirm the minutes of the Financial Scrutiny and Audit Committee meeting held on 25 July 2017**

The minutes of the meeting held on 25 July 2017 were approved as a correct record and signed by the Chairman.

### **1/7 To note the Terms of Reference of the Financial Scrutiny and Audit Committee**

The Members received the Terms of Reference of the Financial Scrutiny and Audit Committee and it was highlighted that the Committee was a consultative non-decision making committee appointed by the Broads Authority.

Members noted the Terms of Reference of the Financial Scrutiny and Audit Committee.

### **1/8 Public Question Time**

No questions were raised by members of the public.

## **1/9 External Audit**

Members received the Annual Audit Letter for 2016/17 and the Local Government Audit Committee Briefing by Ernst & Young.

The Members were informed that the section heads of the Authority had received a presentation from Barclays Bank on fraud awareness.

The Annual Letter confirmed that the Audit fee had remained the same. The Audit Briefing gave the result of the tender and it was considered good news that the Authority remained working with the same Auditors.

Members noted the Annual Audit Letter for 2016/17 and the briefing including the key questions for Audit Committees as set out on page 43 of the Agenda papers.

## **1/10 Implementation of Internal Audit Recommendations: Summary of Progress**

Members received a report which updated them on progress in implementing Internal Audit recommendations arising out of audits carried out during 2016/17 and 2017/18.

The Committee was reminded that the Internal Auditors carry out four audits per year with the Key Controls and Governance Audit being carried out every year. The IT Audit had been completed last year and was carried out every other year. Therefore the two other audits identified for this year were Asset Management and the Port Marine Safety Code, the latter being undertaken for the first time this year by the current internal audit providers.

The Committee was informed that both the Asset Management and Port Marine Safety audits had received a reasonable assurance, the second highest rating available and was therefore considered to be a good outcome. The 2017/18 Key Controls audit is due to start in December and the Governance audit in February 2018.

Two actions were still outstanding from the 2016/17 audit programme. The first one, related to external funding for the Heritage Lottery Fund partners. The second action was to provide a Tolls Procedures Manual, within the Key Controls Audit. This was delayed as work on implementing the new Ranger app had taken priority. Members were further updated that the delay in a previous recommendation regarding payroll had now been resolved.

Members noted the report.

Agenda item 13 was dealt with at this point.

## **1/11 Consolidated Income and Expenditure – 1 April to 30 September 2017 Actual and 2017/18 Forecast Outturn**

Members received a report which provided them with details of the actual income and expenditure for the next six month period to 30 September 2017 and provided a forecast of the projected expenditure at the end of the financial year (31 March 2018).

The Chief Financial Officer updated Members that the Authority managed the investments in-house since November 2016, and that the investments forecast income had increased by £5,000.

Against expectations the income from both the hire boat industry and private boats had increased, which meant that income was ahead of projections.

Members noted the report.

## **1/12 Preparation for the 2018/19 Budget**

The Authority received a presentation on the considerations for future financial planning and the Budget for 2018/19. It was highlighted to the Committee that the National Park Reserves sat well above the recommended minimum level and that while the Committee was provided with a three year strategy, the Finance Team projected five years forward to get a better understanding of the potential impact of inflation and increased salary costs.

The main issues being taken into account were:

- The staff structure and the uncertainties around staff salary increases to be negotiated with the possibility of a 1.5% pay rise for the next three years,
- The effect of inflation on non-staff budgets,
- Other increased costs – fuel, insurance premium tax (10%-12%), , increased Yare House Rent as well as costs to restore Postwick tip previously used for dredgings disposal,
- Additional staff to fund HLF and CANAPE projects – grants to cover costs,
- Budget holders requests for additional expenditure,
- Additional pension deficit payments,
- Additional costs for Columbia clothing for volunteers,
- Additional costs for policy planning for the Norfolk Strategic Framework to ensure the Authority's duty to cooperate is discharged.
- Additional operating costs for Mutford Lock.

The Chief Financial Officer provided outline figures for the Draft Budget for 2018/19 together with the areas of budget sensitivity, as well as the Draft Financial Strategy for 2018/19 – 2020/21, emphasizing that they were not set in stone.

When discussing the rent at Yare House it was clarified that this was to be reviewed every five years and that property consultants Concertus had been instructed to negotiate on behalf of the Authority.

It was confirmed that the sale of Ludham Field Base was progressing.

It was noted that the figures relating to the Whitlingham Charitable Trust, where the Authority recharged the Trust for staff costs, still needed to be incorporated. The draft figures made no provision for costs in association with the development of the Acle Bridge site although there were mechanisms in place to consider how this and other sites were to be dealt with.

It was noted that the Authority as with most of the national parks was tied into the Local Government settlement for the staff salary increases. Therefore a prudent approach was being taken.

Members welcomed the presentation.

On a separate matter, the Chairman informed Members that after the last FSAC meeting on 25 July 17 it had been identified that a Member had failed to fully disclose their related party transactions in regards to minute 3.8 the Statement of Accounts. The Chief Financial Officer and Head of ICT/Collector of Tolls had identified the understatement and resolved the matter before the Accounts were signed off by the Authority at the following Broads Authority meeting. The Chairman thanked the Officers for dealing with this in such an efficient and prompt manner.

As requested by the External Auditors the Chairman reminded the Committee of the necessity of declaring related party transactions fully.

**1/13 Review of Strategic Risk Register (this agenda item was dealt with earlier on the agenda after item 10)**

Members were provided with the Strategic Risk Register which had been updated following consultation with risk owners in June 2017 and implemented a recommendation from Internal Audit.

The Committee was informed that the General Data Protection Regulation (GDPR) and Mutford Lock would be added to the register as part of the risk register review in December 2017. CANAPE would not be part of the Strategic Risk Register as European Regulations require the programme to have its own risk register.

The Authority recognised that preparing for the introduction of the new Data Protection Regulation in May 2018 would be a big task so the Solicitor & Monitoring Officer had start taking this forward. It was explained that the Authority would be responsible for consulting the Whitlingham Charitable Trust on the process but that the Trust would ultimately be responsible for its own data.

It was confirmed that the collection of tolls involved the Authority's biggest personal data base. Pensions, Payroll and Volunteers were also vulnerable data and so the Authority would need to request new consent to process this data.

Members approved the strategic risk register.

**1/14 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**

There were no further items of business which the Chairman decided should be considered as a matter of urgency pursuant to Section 100B (4) (b) of the Local Government Act.

**1/15 Formal Questions**

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

**1/16 Date of the next meeting**

Members noted that the date of the next Committee meeting would be held on Tuesday 6 March 2018 at Yare House, 62-64 Thorpe Road, Norwich, commencing at 2:00pm.

The meeting concluded at 3.42 pm.

CHAIRMAN



## Navigation Committee

Minutes of the meeting held on 19 April 2018

### Present:

Mrs Nicky Talbot – in the Chair

Mr K Allen

Mr A Goodchild

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 and Recreation Officer

Mr D Harris – Solicitor and Monitoring Officer

Dr D Hoare – Head of Construction, Maintenance and Environment

Miss S Mullarney – Administrative Officer

Dr J Packman – Chief Executive

Ms M-P Tighe – Director of Strategic Services

### Also Present:

Jacquie Burgess and Lana Hemsall

### 1/1 To receive apologies for absence

Apologies for absence were received from Greg Munford.

### Recordings

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.

James Knight declared that he would be making his own recording.

### 1/2 To note whether any items have been proposed as matters of urgent business

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 Chair to the Committee.

Brian Wilkins proposed, seconded by Kelvin Allen that Nicky Talbot be appointed as Chair until 11 April 2019. As there were no other nominations forthcoming, it was

RESOLVED

That Nicky Talbot be appointed Chair of the Navigation Committee.

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

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

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

The only nomination was proposed by Nicky Talbot, seconded by Alan Goodchild that Brian Wilkins be appointed as Vice Chair until 11 April 2019 and accordingly it was

RESOLVED

that Brian Wilkins be appointed as Vice Chair of the Navigation Committee until 11 April 2019.

#### **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 22 February 2018**

The minutes of the meeting held on 22 February were signed by the Chairman as a correct record of the meeting.

#### **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.

The Chief Executive informed Members that a meeting had been arranged for 25 April with Professor Tom Williamson regarding the Staithes report.

In relation to the swing bridges Members were notified that the Broads Authority concurred with the Navigation Committees preference for replacement bridges.

The Chief Executive told Members that Network Rail had initially informed the Broads Authority that the swing bridges would not open between 9am and 4pm today (19 April 2018) due to the predicted hot temperature however they had since

said they would open. The Chief Executive said that a better system was needed to notify boat owners of any closures.

The Chief Executive thanked Simon Sparrow and the Solicitor and Monitoring Officer for their efforts in pursuing the reopening of Trowse Bridge, it was reported that Network Rail would be spending £100,000 to open the swing bridge. However it was added that Network Rail didn't have the available funds this year to install a sprinkler system at Reedham and Somerleyton swing bridges. Members were informed that feedback from the Environment Agency was that they had no issue with using sprinklers to cool the bridges; the Chief Executive said that the Authority needed to continue to press Network Rail to make this provision to open the bridges.

One Member asked if there was an update regarding the enforcement at Barnes Brinkcraft. The Head of Ranger Services told Members that the Head of Planning had written to the landowners following the recommendations of the Navigation Committee at the 14 December 2017 meeting, she said the landowners had responded saying that they didn't find the recommendations acceptable. The Head of Planning has since replied to the landowners advising them that the Navigation Committee would be consulted on any planning application they submitted. Officers are continuing to negotiate to find an ongoing mutually acceptable solution. There has been no further correspondence from the landowner.

The Head of Ranger Services informed Members that Rangers were monitoring the site daily, and noted that there was a problem with lack of signage; she confirmed that it was the responsibility of the boatyard to supply this. She further added that the Authority was working with the Broads Hire Boat Federation regarding the restriction on the length of boats using the moorings but that Rangers were acting quickly in response to any longer boats mooring at the site. It was explained that navigation byelaws could be enforced if there was an issue with restrictions of the width of the navigation area.

Members noted the report.

## **1/9 Appointment of Two Co-opted Members**

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 17 May 2019 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 Nicky Talbot had been elected Chair of the Committee, she would need to take up one of the seats on the Authority.

Nicky Talbot proposed, seconded by Max Heron that Brian Wilkins be appointed as a Member of the Broads Authority until 17 May 2019. There were no other nominations, 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 17 May 2019.

### **1/10 Current Issues**

Members asked for information on the process involved for an upcoming swimming event on the river Waveney.

The Senior Waterways and Recreation Officer explained that officers were aware of an increase in the number of events and have since taken steps to make a formal process for this. An event organiser package has been created and is issued to those who contact the Broads Authority about events; it sets out clearly what is expected of the event organisers before the Authority agrees to the event.

Concerning the specific event on the river Waveney, the Senior Waterways and Recreation Officer stated that the organiser had been extremely co-operative and has supplied all of the information required. The event is running from Burgh St Peter to Beccles on Sunday 1 July and the organisers have been advised to liaise with others in the area to ensure there is minimal conflict. He said that he is very confident the organisers can support the event plan provided and noted that they are still being advised in terms of safety elements for the event.

Members were also informed that there were no other water based events using that stretch of the river planned for the date of the swimming event and that the organisers had been in contact with clubs that fish on the Waveney; swimmers were aware to avoid the angling platforms. It was added that Beccles Amateur Sailing Club has no formal regattas for the event date.

The Head of Ranger Services stated that other users of the river had been consulted and mentioned that the organisers were working with the Beccles Charter Weekend organising team. She said that as part of the process the Rangers are able to provide information on the traffic in the area and any affect the event may have on the navigation; she added that they don't anticipate closing the river. She said 50 swimmers were expected and a staggered start would be implemented and that signage would be used to advise boaters on how to proceed. As a matter of process a Notice to Mariners would be issued.

The Head of Ranger Services stressed that the event had not yet been officially approved. The Senior Waterways and Recreation Officer added that the event was well organised and he was confident that it would be supported. He said that the Broads Authority would attend the safety and event plan workshop that is being held for the swimmers.

The race was expected to start at 8.15am with swimmers entering the water at 8.10am. The first swimmers were expected to finish at Beccles Quay at 11.15am. James Knight declared an interest at this point as he said the race would be starting at the Waveney River Centre.

In response to a Member sharing concerns from anglers that it would be dangerous for swimmers in streamer weed, the Head of Ranger Services confirmed that a cut of the area has been coordinated before the race takes place. She added that Rangers would be patrolling the event.

Another Member asked that the Navigation Committee receive a report on how the event goes. The Head of Ranger Services said that the event would be reviewed as standard practice but agreed to notify the Committee of the outcome of the event.

### **1/11 Hoveton Great Broad**

As proposed at the last Navigation meeting on 22 February 2018, Hoveton Great Broad was presented as an item for discussion. Brian Wilkins presented Members with a history of the Broad and outlined the legal position. The presentation included photographs of the Broadland landscape including Hoveton Great Broad, history of Hoveton Great Broad, water transport on the Broads and existing access arrangements to Hoveton Great Broad. A synopsis of activity to re-open Black Horse Broad was also shared with the Committee. The Committee was presented with a series of questions to consider if the Broad was reopened. He added that there was a strong case for reopening the broad, and mentioned that it was the largest of the closed broads and provided sailing opportunities.

The Chair thanked Brian for his time and opened the discussion up to the Committee.

Kelvin Allen declared an interest in the item as he has angling colleagues who fish on the Broad with express permission of the landowner with boats that are owned and provided by the landowner, that do not affect the rights of navigation. The Member further described the great ecological importance of the Broad and said opening it could affect the tranquil environment it provided for nature to thrive. He added that there was evidence that it was a significant area for certain fish species in the Bure and reopening it could have ramifications on breeding.

Another Member challenged this claim because he said evidence suggests that areas that thrive with ecological diversity do so with access to the navigation. He further added that it wasn't known that it was considered an artificial waterway when it was closed; he said he considered the closure of the Broad to be unlawful at the time.

A Member reiterated the importance of the biodiversity of the Broad and said it was important to understand some of the unique habitats that were in the Broad. The Head of Construction, Maintenance and Environment replied that the vegetation communities developed on the deep peat of the middle Bure were of national significance and said that any proposals in this area would need a test of the environmental impacts. Following a question about the Broad being considered an

artificial water body, the Head of Construction, Maintenance and Environment said that it was classified under the Water Framework Directive as a heavily modified water body. He said the Environment Agency had a very specific definition of artificial water body.

Another Member commented that if boats were sailing through the broads they didn't think it would make much of a difference based on their experience of Wroxham Broad. They further asked how much public money had been spent on the Broad. Officers confirmed that just over £4 million was due to be spent; this included funding from LIFE, a European funding source, and the Heritage Lottery Fund.

One Member questioned if the Broad was considered to be in adjacent waters; after reading the Act they considered it was and asked if this would change anything. The Chief Executive said that having discussed the matter with the Collector of Tolls their view was that it didn't meet the criteria for adjacent waters and did not think such a designation would make a difference. The Member then read the section of the act relating to the definition of adjacent water for the information of the Committee.

The Chair concluded that this had been a helpful information session for Members and she thanked Brian Wilkins for his presentation.

#### **1/12 Navigation Income and Expenditure: 1 April 2017 to 28 February 2018 Actual and 2017/18 Forecast Outturn**

Members received a report which provided the Committee with details of the actual navigation income and expenditure for the eleven month period to 28 February 2018, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2018).

There were no further updates following the report. However the Chief Executive noted that the income from tolls and the Tourist Information Centres and Yacht Stations was above that budgeted for and that expenditure was as predicted.

One Member commented that the Chief Financial Officer does a stunning job with the reports and asked that this comment be fed back.

Members noted the report.

#### **1/13 Boating Safety Management Group**

Members received the notes of the Boating Safety Management Group meeting held on 12 March 2018.

One Member referred to a particular rowing incident and said that a boat representative for rowing interests would be attending the next BSMG meeting to discuss this.

Another Member commented that the incident report appeared gender biased and noted the high number of mooring incidents involving women. The Head of Ranger Services replied that this was because they weren't typically helming the vessels. It was commented that the training was directed at the helm and the lead hirer and that more information was needed to be directed at the rest of the crew. One Member discussed the possibility of the Broads Hire Boat Federation publishing an interactive guide on mooring which could be directed at crews.

One Member raised the issue of including understanding tidal flows and the obvious tell-tale signs to spot in the training. The Head of Safety Management said that guidance had been issued in the past about using the most able bodied person in the mooring role; he added that this and information on tidal flows could be incorporated into the interactive package. The Chief Executive added that Acle Bridge would be a good place to alert people of the tidal flows if they were going further downstream.

Another Member applauded the initiative of the Waterside Safety Training Day with the RNLi and staff at riverside pubs, he said that providing people on the bank who understand what they should be doing would help reduce accidents.

The Chair updated Members of the Committee of the Boat Safety Scheme Advisory Committee meeting she attended in March. She reported that there was a concern about the increase in tenanted boats particularly in London and that they needed to be represented in forums like the BSS Advisory Committee.

She added that the Committee was concerned with and debated the liability of BSS examiners. She said it was agreed to promote better information on the website about what the requirements were for boat safety. It was reported that boat accidents were down nationally, however there was some concerns with boaters potentially blocking access to the boats, particularly narrow boats.

The Head of Safety Management added in relation to the Boat Safety Scheme that there was a new risk review on carbon monoxide and the potential risk to 3<sup>rd</sup> parties.

A Member explained that there was some concern in the industry regarding the Hire Boat Code as it had not yet been seen. The Head of Safety Management responded that he was pushing to get the code out for consultation. The Senior Waterways and Recreation Officer explained that following attending the Association of Inland Navigation Authorities Committee he anticipated that this was imminent.

The Member added that they were committed to fitting carbon monoxide detectors and urged that this was made compulsory. The Head of Safety Management said that this would be looked at in the next meeting but stressed that there must be evidence to support in order to implement.

Members noted the report.

## **1/14 Safety Audit 2017 Report**



The Committee received a report providing details of the incidents reported from April 2017 to January 2018.

The Head of Safety Management noted that deaths and fires were down. He said the Authority was continuing to deliver the water safety messages and had been working closely with partners to promote the free RNLI community responder programme to pubs and businesses.

A Member queried the increase in cases requiring hospital treatment. The Head of Safety Management noted the rise and believed it was due to precautions.

The Chair explained that the statistics involving anti-social behaviour incidents would be accumulated throughout the year. The Head of Safety Management confirmed that this would be presented to the Navigation Committee in the next annual safety audit report as well as at the Boat Safety Management Group.

Members noted the report.

#### **1/15 Broads Authority Safety Management System Internal Audit Findings**

The Head of Safety Management said that the hydrographic survey had been completed last year and the only recommendation was to review the sediment management strategy. He proposed to provide the Navigation Committee with a summary of results for the schedule of audits at the end of the year but said he would raise any particular issue with the Chair.

Members noted the report

#### **1/16 Construction, Maintenance and Environment Work Programme Progress Update**

The Committee received a report which set out the progress made in the delivery of the 2018/19 Construction, Maintenance and Environment Section work programme.

The report included the dredging progress for 2017/18 April 2017 to end of February 2018. In addition to the report the Head of Construction, Maintenance and Environment updated Members with the planned dredging work for the next 3 to 4 months. He reminded Members that the delivery for the 2018/2019 programme was part of the ongoing 5 year plan.

Members were informed that the team was currently preparing for work on the River Waveney downstream of Beccles. He added that the dredging team was working with BESL again to top up the flood banks in this area. There was also planned work on the mid Bure near Horning; it was mentioned that the area was targeted this year as it was popular with sailors. It was further explained that there was an opportunity to fill in a setback area at Oby Mill later in the year.



The Head of Construction, Maintenance and Environment described the rake dredging on the lower Bure at Bure Mouth. He said that this had removed the large shoals that had built up on the true right bank downstream of the old railway bridge.

The Head of Construction, Maintenance and Environment discussed in more detail the timelines, dredge volume and the choice for the dredging work planned for the coming year. In regards to table 1 in the report he said that a variation from the original programme reported in October 2017 was required with a revised annual volume of 40,000m<sup>3</sup> to be removed in 2018/19. With the inclusion of the CANAPE funded work at Hickling, the Authority were at the point in the current 5 year plan where harder to achieve projects were being tackled, hence the need to reduce volume for just this one year. With a finite number of staff days, budget and fixed time windows for carrying out specific dredging projects, the quality of projects had to be favoured over simple bulk quantity. He explained that a sizeable amount of resources was required to restore the sites where mud had already been removed. It was further explained that at Postwick tip 15,000m<sup>3</sup> of sediment needed to be moved within the site before more dredging could take place.

Furthermore, in regards to Hickling, Members were informed that there wouldn't be a lot of sediment moved this coming year as time and labour was required in setting up the CANAPE project; however this would facilitate the removal of sediment over the next 3 years as part of the project. The total volume of sediment capacity to be created within the restored reedbed area at Hickling will be 19,000m<sup>3</sup>. This would enable the Authority to bring all the marked channel area into the waterways specification of 1.5m.

The Head of Construction, Maintenance and Environment gave Members an update on other areas in the work programme. He said that the work at Ludham Bridge to replace the fendering had been completed by the County Council and there was a range of mooring refurbishments. New stainless steel mooring sign frames had been installed with more planned for later in the year.

Members were invited to ask questions relating to the report. One Member queried the status of the 24 hour moorings at Burgh Castle and suggested that there was an opportunity to include the landowner of the piece of land next to Burgh Castle Marina in the discussions and suggested pontoons could go in there. The Head of Construction, Maintenance and Environment noted that the mooring was a high priority but had unsafe conditions; he said that currently negotiations had only been with the landowner of the moorings and the Environment Agency. The Chief Executive added that he was pursuing re-piling of Burgh Castle with the Environment Agency and that this had been positive.

A Member commented on siltation and said more strategic effort was needed to look into a long term solution. He mentioned silt traps at the Upper Wensum. Another Member discussed the concerns of the NSBA and the down turn in the total cubic metre output of silt in the coming year. He said he understood the complexities involved, including the additional complexities of Hickling, but noted that 50,000m<sup>3</sup> remained the target for the Authority to achieve and he looked forward to the Authority's best efforts in achieving this when and where possible.

One Member said that he had been in communication with the Environment Agency and confirmed they had committed to reinstating the Prymnesium Working Group to establish management practices to support the project.

Members noted the report.

#### **1/17 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.

The Chief Executive provided Members with an update on Acle Bridge. He thanked members for their feedback and help and said that an agreement had been reached with the mobile operator Madisons; they are due to start on site on 12 May. He added that the brief for the architectural design competition would go out on 20 April 2018.

The Chief Executive said that following feedback, it was proposed that £1,000 +VAT would be paid to each shortlisted designer. He added that he was also incorporating the suggestion that more time was needed between the shortlisting and the stage 2 presentation. Following a Member's suggestion he said the brief make it clear that the £750,000 would be the total cost of the project. The brief would also include information on sustainability and demonstrate to the public the issues around water management. He said that the document would be circulated to Members.

Members noted the report.

#### **1/18 Items for future discussion**

One Member suggested investigating the potential for an additional voluntary toll payment. Another Member responded that this was attempted last year with Love the Broads however commented that it wasn't successful. The Chief Executive said that this idea had previously been discussed with the toll review group. He added that if an option was included on toll accounts for an additional contribution it would need to specify what project the additional income would fund. The Chief Executive suggested a discussion paper on the practical issues and suggestions relating to this item could be brought to the Committee.

***Agenda item 21 To receive and confirm the exempt minutes of the Navigation Committee meeting held on 22 February 2018 was dealt with at this point.***

#### **1/19 GDPR Implementation**

***This item was discussed after item 21.***

The Solicitor and Monitoring Officer presented Members with awareness training on the General Data Protection Regulations.

Members in attendance for the briefing: Mat Bradbury, Linda Aspland, Simon Sparrow, Kelvin Allen, Max Heron, John Ash, Alan Goodchild, Brian Wilkins, Nicky Talbot.

**1/20 Exclusion of the Public**

It was resolved that the public be excluded 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 Paragraph 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information

**1/21 To receive and confirm the exempt minutes of the Navigation Committee meeting held on 22 February 2018**

The exempt minutes from the Navigation Committee meeting held on 22 February 2018 were signed by the Chairman as a correct record of the meeting.

The Chair informed Members that the next scheduled Navigation Committee meeting on Thursday 14 June 2018 may be replaced with a site visit.

The meeting concluded at 4.30 pm

Chairman

Code of Conduct for Members

**Declaration of Interests**

Committee: Navigation Committee

Date of Meeting: 19 April 2018

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
M Whitaker	8-17	As previous declarations	
B Wilkins		As previous declarations	
J Knight	8-7	As previous declarations	
M Bradbury		As previous declarations	
L Aspland		As previous declarations	
S Sparrow	8-17	As previous declarations	
K Allen	8-17	As previous	
Max Heron	8-17	As previous declarations	
John Ash		As previously declared	
A Goodchild	8-17	As previously declared	
N Talbot	8-17	As previously declared	

**Broads Authority**  
**Planning Committee**

Minutes of the meeting held on 27 April 2018

Present:

Prof J Burgess  
Mr W Dickson  
Mr B Keith

Mr H Thirtle  
Mrs Melanie Vigo di Gallidoro

In Attendance:

Ms N Beal – Planning Policy Officer (Minutes 10/12 – 10/15)  
Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Bell – for the Solicitor  
Ms A Cornish – Planning Officer (Minute 10/9(1))  
Mr T Carter – Planning Technical Support Officer  
Ms K Judson – Planning Officer (Compliance and Implementation)  
(Minute 10/9(2))  
Mr G Papworth – Planning Officer (Minute 10/9(3))  
Ms C Smith – Head of Planning  
Mrs M-P Tighe – Director of Strategic Services

Members of the Public in attendance who spoke:

**BA/2018/0424/FUL Land at Ludham Bridge, Ludham**

Mr Anthony Lumbard            Applicant

**10/1 Appointment of Interim Chairman and Vice-Chairman until July 2018**

The Director of Strategic Services asked for nominations for the Chairman of the Committee until July 2018 in light of the departure of Sir Peter Dixon.

Jacquie Burgess proposed, the nomination of Melanie Vigo di Gallidoro as interim Chairman. This was seconded by Haydn Thirtle. There being no other nominations, it was

RESOLVED

that Melanie Vigo di Gallidoro be appointed as Chairman of the Planning Committee until July 2018.

**Melanie Vigo di Gallidoro – in the Chair**

*(Mr Paul Rice remains as Vice-Chairman until July 2018.)*

**10/2 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting.

Apologies had been received from Mr M Barnard, Ms G Harris, Mrs L Hemsall, Mr P Rice and Mr V Thomson.

### **10/3 Declarations of Interest and introductions**

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered. The Chairman declared a general declaration on behalf of all Members concerning BA/2018/0091/ADV as the application was a Broads Authority application.

The Head of Planning introduced the new Planning Technical Support Officer, Mr Tom Carter. Tom explained that he had been with the planning team for two weeks having previously been working in Tolls. Members expressed a welcome.

### **10/4 Minutes: 23 March 2018**

The minutes of the meeting held on 23 March 2018 were agreed as a correct record and signed by the Chairman.

### **10/5 Points of Information Arising from the Minutes**

There were no points of information arising from the minutes other than those that would be referred to in the agenda.

### **10/6 To note whether any items have been proposed as matters of urgent business**

No items of urgent business had been proposed.

### **10/7 Chairman's Announcements and Introduction to Public Speaking**

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

The Chairman gave notice that the Authority would be recording the meeting in the usual manner and in accordance with the Code of Conduct. No other member of the public indicated that they would be recording the meeting.

#### **2) Public Speaking**

The Chairman stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee.

## **10/8 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer consideration of any applications had been received. The Chairman commented that she did not intend to vary the order of the agenda.

## **10/9 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 the 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/2018/0053/HOUSEH Wayford Mill, Wayford Bridge, Wayford Road, Smallburgh** Maintenance building and workshop with storage of plant  
Applicant: Mr Mark Rogers

The Planning Officer reminded the Committee that following the full presentation and assessment at the previous meeting, Members had deferred the decision for further information and clarification on the functionality and measurements of the proposed building especially in relation to the equipment to be stored. The Planning Officer addressed each of the Committee's concerns in turn.

The applicant had confirmed that the proposed timber framed building was required for storage and workshop space associated with the ongoing upkeep and maintenance of the restored mill. He had confirmed that the maximum height of the building would be sufficient to house his equipment as well as provide the mezzanine floor and sufficient headroom to enable this to be used as a workshop. The clearance height of 2.1 metres of the doorway would be adequate as the cage for the JCB telehandler and cherry picker would be removed which would reduce the height to less than 2.1metres. Therefore the elevations were correct and need not be amended. The applicant had also confirmed that the proposed building would be large enough to meet his current as well as future needs and there would not be a need for a future application. He had also provided photomontages and drawings to give an idea of the proposed building in the context of the existing building and the landscape. In addition, Officers had consulted the IDB as a matter of courtesy, given that the development was to be sited on a culvert and there were no objections.

In conclusion the Planning Officer considered that the concerns raised by Members had all been satisfactorily addressed and the appropriate assessment made. The development was considered to be in accordance with the relevant Development Plan Policies including the Environment Agency guidelines and the NPPF and therefore the application was recommended for approval subject to conditions.

Members considered that the principle of a storage building was acceptable. They were assured that the building was not capable of being converted to holiday accommodation and there was a genuine need to house the expensive equipment required for the applicant's purposes. They were also assured that there would be no obstruction of access to the field behind. In considering the conditions they were mindful of the need for these to pass the six tests.

Members considered that such facilities for the renovation and improvement of windmills was to be supported. This was a modest building and would help to tidy up the site and it was therefore appropriate.

Jacquie Burgess proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined in the report. This proposal is considered to be in accordance with Policies CS1 Landscape Protection and Enhancement, CS4 Creation of New Resources and CS20 Rural Sustainability of the Core Strategy and Policies DP1 Natural Environment, DP2 Landscape and Trees, DP4 Design, DP28 Amenity and DP29 Development on Sites with a High Probability of Flooding together with the NPPF.

- (2) **BA/2017/0424/FUL Land at Ludham Bridge, Ludham**  
Retrospective application for retention of hardstanding, shed, office and shipping container for two years.  
**Applicant:** Mr Anthony Lombard

The Planning Officer provided a detailed presentation and assessment of the retrospective application for the retention of hardstanding (currently used for car parking and originally a temporary site compound), a shed, an office and shipping container for a temporary period of two years. Temporary planning permission had been granted on the site for a site compound for the duration of the flood defence works undertaken by BESL (A/2009/0202/FUL) which had since been carried out between 2010 and 2015. The lease on the land to BESL from the landowner had expired and BESL had confirmed that the responsibility for it had returned to the landowner, they were not currently using the site but had an informal arrangement with the landowner for occasional short term use for maintenance work on the floodbank. The landowner claimed that the site was still being used



and that the works were not completed. The permission being sought was for the structures which had not been removed from the site and had been the subject of enforcement negotiations.

The Planning Officer confirmed that a planning application had been submitted for the development and validated on 23 March 2018 (not 23 April as stated in the report) and provided a full assessment of the actual application.

Since the writing of the report further consultations had been received from:

- Highways Authority – no objection subject to conditions restricting the use to 2 years only and maintenance to the existing access (The comments were read out in full)
- Environment Agency – issue a holding objection due to insufficient information being submitted regarding the breach in the defences and flood response plan and mitigation measures concerning access to the site. The Environment Agency has confirmed that the site is within Flood Risk Zone 3a and that all the uses on the site, including the car park, workshop, office and storage, should be considered as a 'Less Vulnerable' use. Therefore to be considered acceptable in Flood Risk Terms the Environment Agency has advised that the Local Planning Authority should be satisfied that the proposal passes the Sequential Test.
- Broads Authority Landscape Architect - objects as the development has an adverse impact on the Broads landscape.
- Broads Authority Ecologist - Objects as the proposal would have an adverse impact on ecology and there would be loss of Section 41 bat habitat which was not supported by policy.

The Planning Officer provided an illustration of the extent of the flood defence compartment 3 and explained that it could be safely assumed that there were other areas by which BESL could gain access to the floodbank as with other compartments without site compounds. She commented that there had been overtopping of the river banks in the Ludham bridge area recently but these did not relate to the flood defence works approved by the 2009 permission, completed in 2015. The use of the site by the Environment Agency's contractors was on an opportunist basis and was not fundamental to the works in the area.

The Planning Officer referred to the comments received from the Environment Agency since the report had been and therefore she provided a full explanation of the need for the proposal to be acceptable in flood risk terms to take account of the Environment Agency's advice that the proposal should pass the Sequential Test:

The Planning Officer advised that the use of the site as a hardstanding for a carpark, and structures used as a workshop, office and storage were considered to be 'less vulnerable' uses, within Flood Risk Zone 3a and would therefore be considered acceptable in principle subject to

there being no reasonable alternative sites within the lower Flood Risk Zones. However, no information had been submitted which assessed the availability of alternative sites within a Lower Flood Risk Zone. As a consequence it was unclear whether the development could be located within a Lower Flood Risk Zone and it was therefore considered that the Sequential Test has not been passed.

The Planning Officer further advised that, should this information have been submitted and it had been found that the development could not be located within a Zone of Lower Flood Risk, the Exceptions Test would then need to be passed. For the Exceptions Test to be passed the applicant would need to demonstrate that the development offered wider sustainability benefits to the community that outweighed the impact on flood risk. No such benefits had been presented and given the absence of justification for the continued use of the site it was considered unlikely that the Exceptions Test could be met. The Planning Officer concluded that, it was considered that there was not enough information submitted in order to satisfy the Environment Agency or the Local Planning Authority that the proposed development was acceptable in flood risk terms. The development was therefore considered contrary to the National Planning Policy Framework and Policy DP29 of the Development Management Policies

The Planning Officer concluded that the site was within open countryside, away from any development boundary and in an area where a commercial or domestic use would not normally be permitted. There were no additional benefits, or other material planning considerations, to justify a departure from policy and an approval of planning permission. The development was therefore considered unacceptable in principle, even on a temporary basis. The retention of the works compound and buildings was considered to have a detrimental impact on the landscape. It was also considered that there was insufficient information submitted to determine whether the proposal was acceptable in flood risk terms.

The Planning Officer outlined that, in addition to the reasons highlighted at point 7 of the report, the retention of the works compound and buildings was considered to have a detrimental impact on ecology through the loss of Section 41/BAP priority habitat without justification to do so, contrary to Policy DP1 of the Development Management Policies DPD. The proposal was therefore considered contrary to Policies CS1 of the Core Strategy and Policies DP1, DP2 and DP29 of the Development Management Policies DPD and the National Planning Policy Framework. The application was therefore recommended for refusal and if accepted by the Committee required consideration of the planning breaches and potential enforcement action.

Mr Lumbard was given the opportunity to address the Committee in support of the proposals. He explained that he was the fifth generation occupant and custodian of the adjacent cottage and his garden and

property had been recently subject to flooding due to overtopping. He therefore maintained that the flood defence works had not been completed satisfactorily. The Environment Agency had recently imported more material to protect his property. The shed on the compound site was used solely by the carpenter working on his property since it would not have been viable to have this in his garden due to the saturated ground conditions. The office was also used in association with his dwelling. He had had meetings with the local MP, Mr Norman Lamb and officers from the Environment Agency, the Chairman of the IDB and representatives from adjacent businesses to discuss the issue of overtopping. The hard standing was required to continue to carry out the necessary remedial works and complete the flood defence works satisfactorily. He was requesting a period of two years as this was the stated time needed to carry out works on his property to maintain its integrity. He therefore urged members to consider his situation favourably.

Members were very sympathetic to Mr Lumbard's plight relating to the flooding issues and appreciated his arguments being put forward. However, they emphasised that the Authority was a planning authority and therefore the Committee had to consider the planning issues and the legalities in that regard. They noted that BESL had handed back the lease of the land and therefore the responsibility for it reverted to the landowner in 2015 and the condition of the land should have been restored following that to fulfil the conditions of the permission. The Environment Agency had not submitted an application for the continued use of the hardstanding on the site.

Members concurred with the officer's assessment.

Haydn Thirtle proposed, seconded by Bill Dickson and it was

RESOLVED unanimously

that the application be refused on the grounds that it is contrary to the National Planning Policy Framework and Policies CS1 of the Core Strategy and Policies DP1, DP2 and DP29 of the DMDPD of the development plan for the detailed reasons set out above and in the report.

As a consequence of the decision to refuse, members considered that enforcement action would be expedient due to the impact of the development on the local landscape and biodiversity value of the area.

Bill Dickson proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

that officers are authorised to take enforcement action against the breaches of planning and serve an Enforcement Notice requiring the

removal of the all the unauthorised uses on site, the unauthorised hardstanding and removal of all the unauthorised structures including the fence surrounding the site, the shed, portacabin and shipping container and restoration of the land in accordance with condition 7 of planning permission BA/2009/0202/FUL with a compliance period of 3 months.

(3) **BA/2018/0091/ADV Whitlingham Country Park, Whitlingham Lane, Trowse** Erection of 5 Signs  
Applicant: Broads Authority

The Planning Officer provided a presentation on the application for the replacement of four directional signs, the removal of two signs installed along Whitlingham Lane resulting in a total of five new directional signs along the Lane in association with the operation of Whitlingham Country Park. It was noted that the display of advertisements was subject to a separate consent within the planning system. They were controlled with reference to their effect on amenity and public safety only. These were set out in Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the standard conditions were within Schedule 2.

In conclusion the Planning Officer considered that the signs would not result in any adverse visual impact on the character of the built environment in the area and were considered to be acceptable in terms of Policy DP10 of the Development Management Document and NPPF. He therefore recommended the application for approval subject to conditions.

Members were fully supportive of the proposed signs considering that they would improve the information and directions to the facilities within the Country Park and also made reference to the Broads National Park in accordance with the branding strategy. They recognised that a considerable amount of work had been given to the design, materials and siting of the proposed signs and this was to be welcomed.

Haydn Thirtle proposed, seconded by Bill Dickson and it was

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report as the proposal is considered to be in accordance with Policy DP10 of the adopted Development Management Policies DPD (2011).

### **10/10 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee. Further updates were provided for:

- (i) **Burghwood Barnes** – Officers were continually monitoring the site. Unfortunately due to the adverse weather conditions over the last few

months it had not been possible for the landowners to comply with the enforcement by the time required. However, having visited the site recently, the plants and grass seed were on site in preparation of the required works, illustrating the landowners' clear intention to comply. Officers would be visiting the site within the next two weeks.

- (ii) With reference to the non-compliance with a planning condition at **Barnes Brinkcraft**, officers had informed the landowners of the options considered by the Navigation Committee and informed them of the Committee's preference. The landowners had rejected this and put forward a counter proposal that officers were unable to support. Officers were now awaiting further information from the landowners on whether they would be prepared to reconsider the scheme the Navigation Committee was prepared to support. Officers had advised the landowners that unfortunately if they were not prepared to accept the advice given, the Authority would be required to consider the breaches and any encroachment into navigation which would require a considerable amount of work for both parties to no great effect. The landowners were required to comply in any event. This could be done through the planning process or through the use of navigation byelaws. However, the most effective way of achieving a solution would be for the landowners to accept the advice of the Navigation Committee and submit an appropriate planning application. Rangers were monitoring the situation regularly to ensure that the navigation channel was not being encroached and the situation was being managed proactively.

Members thanked the officers for the updates.

RESOLVED

that the report be noted.

#### **10/11 Former Waterside Rooms, Hoveton: Action for consideration**

The Committee received a report providing information on the condition of the former Waterside Rooms in Hoveton that had fallen into disrepair and been boarded up for 20 years. The site was the subject of regular complaints to the Authority about the appearance of the building and the impact on the amenity of the area. The site had recently changed ownership and although the owners had indicated that they were committed to bringing a new scheme forward, this had not yet happened and the site was continuing to deteriorate.

North Norfolk District Council and the Authority were concerned about the impact on the visual amenity of the street and the river and considered that action needed to be taken given its prominence. A Section 215 Notice (Untidy site) could be used although this on its own was considered not to be a comprehensive enough approach to tidy up the whole site. The use of a Compulsory Purchase Order would enable a more comprehensive approach to be taken and increase the probability of a more beneficial redevelopment of the site.

The Authority itself did not have the necessary compulsory purchase powers and this would need to be instigated by North Norfolk District Council, who was prepared to take the action and bear the costs and therefore was seeking the Authority's support to do so. The Council had previously used these powers within the area to potential beneficial effect.

The Solicitor commented that the use of compulsory purchase powers was seen as a last resort and therefore suggested that if asked by North Norfolk District Council the Broads Authority could serve a Section 215 Notice as a precursor to assist the compulsory purchase order process. It could assist in reducing the final compensation payable. The Head of Planning therefore requested that members consider an amendment to the recommendation in the report to take this into account.

Members welcomed the opportunity to work in association with North Norfolk District Council and supported the officer's amended recommendation for the issuing of a Section 215 Notice if considered necessary.

Haydn Thirtle proposed, seconded by Jacquie Burgess and it was

**RESOLVED**

- (i) that North Norfolk District Council be advised of the Broads Authority's support in instigating compulsory purchase of the former Waterside Rooms in Hoveton if required;
- (ii) that if necessary, authority be given to Officers to serve a Section 215 Notice.

## **10/12 Consultation on the National Planning Policy Framework (NPPF)**

The Committee received a report on the consultation document for the revised National Planning Policy. It advised members of the content of the draft revised NPPF, identified the proposed changes to the planning regime and provided a proposed response.

It was noted that the objectives had been extended, there was a clearer division between strategic and non-strategic plans, requirement to prepare and maintain Statement of Common Ground with major stakeholders to promote cooperation. There was a greater emphasis on some matters such as design, small sites, supply of housing, build-out rates and need to address constraints for housing, to provide for a range of types of homes and there were new chapters relating to housing delivery and highway safety. In addition, health and affordable housing was also included.

The Planning Policy Officer drew attention to those areas most relevant to the needs of the Broads Local Plan and also referred to the consultation documents accompanying the NPPF as at Minute 10/13, and particularly the response requiring the need for consistency.

Although the revisions to the document were extensive, there were no changes proposed which would have a significant adverse impact on the Broads Authority as the LPA. Members considered that the format was much clearer. Clarification was required on the transition arrangements for the Local Plan and once adopted its status in relation to the revised NPPF.

It was also noted that there could be further changes to permitted development rights and if the Broads Authority was not included as an exemption, Article 4 Directions might be required.

Members considered the proposed response and were very supportive.

RESOLVED

that the contents of the report be noted and the comments outlined in Sections 3-5 of the report including the responses set out in Appendix 1 be endorsed for submission to the MHCLG as the Authority's formal response.

#### **10/13 Consultation Documents Accompanying National Planning Policy Framework and Proposed Responses.**

The Committee received a report on the consultation documents accompanying the NPPF relating to the following:

- *Supporting Housing Delivery through developer contributions*
- *Planning Practice Guidance for Viability*
- *Housing Delivery Test measurement and Rule Book*
- *Draft Planning Practice Guidance*

One of the main points to draw attention to was the omission of "the Broads and the Broads Authority" when reference was made to the National Parks, despite this already being included in other legislation and having been mentioned to government in other consultation documents. The response highlighted the need for consistency.

RESOLVED

that the report be noted and the nature of the proposed responses be endorsed for forwarding to the CLG.

#### **10/14 Consultation Documents Update and Proposed Responses: Suffolk County Council: Parking Management Strategy Great Yarmouth Borough Council: Housing Strategy**

The Committee received a report on the latest consultation documents from Suffolk County Council relating to its Parking Management Strategy and Great Yarmouth Borough's Housing Strategy. This set out the Authority's proposed response. It was noted the Authority had requested an extension to the consultation periods for both documents by up to 4 days.

RESOLVED

that the consultation documents are noted and the proposed responses are endorsed for submission to Suffolk County Council and Great Yarmouth Borough Council respectively.

#### **10/15 Waveney District Council – Statement of Common Ground**

The Committee received a report introducing a second Statement of Common Ground with Waveney District Council, primarily produced to support the Waveney Local Plan. The first statement had been submitted to the Planning Committee on 2 March, was signed by the Vice-chairman and forms part of the Duty to Cooperate Statement to support the Broads Local Plan. This report has been produced to mainly support the Waveney Local Plan and covered Waveney District Council's own Housing Market Area and Functional Economic Area, with Objectively Assessed needs along with the part of the Broads within the District.

RESOLVED

that the Statement of Common Ground with Waveney District Council (second statement) be approved and this be signed by the Chairman of the Planning Committee on the Authority's behalf.

#### **10/16 Heritage Asset Review Group: 23 March 2018**

The Committee received the notes from the meeting of the Heritage Asset Review Group held on Friday 23 March 2018. It had been agreed that in light of the work load generated by the Water Mills and Marshes Project, it would be appropriate to reduce the number of meetings per year. In particular Members noted that work was commencing on the two remaining Conservation Area Re-Appraisals for Horning and Ludham.

RESOLVED

that the report be noted.

#### **10/17 Appeals to Secretary of State Update and Annual Review**

The Committee received a report on the Appeals against the Authority and an annual review of the decisions made by the Secretary of State between 1 April 2017 to 31 March 2018. It was pleasing to note that there were currently no appeals to the Secretary of State against the Authority's decisions. Since the previous year and the review of the way in which the Inspectorate had been dealing with appeals, particularly considering whether there was an



issue of "harm", the Authority had been taking a more pragmatic approach and there had been fewer refusals.

RESOLVED

that the report be noted.

#### **10/18 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 12 March 2018 to 10 April 2018. It was noted that there were now fewer applications that had been dealt with under delegated powers that had come through the condition monitoring process.

RESOLVED

that the report be noted.

#### **10/19 Circular 28/83: Publication by Local Authorities of Information about the Handling of Planning Applications**

The Committee received a report setting out the development control statistics for the quarter ending 31 March 2018. It was noted that the Authority's performance was continuing to exceed the government targets. It was considered that part of the success could be attributed to the Authority's approach in providing pre-application advice for which it did not charge. In relation to the Government's league tables for Local Planning Authorities, the Broads appeared in the top quartile.

RESOLVED

that the report be noted.

#### **10/20 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 25 May 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich

The meeting concluded at 11.44 am

CHAIRMAN

## Code of Conduct for Members

## Declaration of Interests

**Committee:** Planning Committee

**Date of Meeting:** 27 April 2018

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
ALL members	10/9(3)	Application BA/2018/0091/ADV Whitlingham Country Park, Whitlingham Lane, Trowse  Signs. Application a Broads Authority application.
Haydn Thirtle	10/9(1)	Board member of IDB (Broads) – application over culvert
Haydn Thirtle	10/14	Borough Councillor for Great Yarmouth

## **Broads Authority**

### **Planning Committee**

Minutes of the meeting held on 25 May 2018

Present:

In the Chair - Mrs Melanie Vigo di Gallidoro

Mr M Barnard  
Prof J Burgess  
Mr W Dickson  
Ms G Harris

Mr B Keith  
Mrs L Hemsall  
Mr H Thirtle  
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Bell – for the Solicitor  
Ms A Cornish – Planning Officer (Minute 11/8(1) and (2))  
Mr N Catherall – Planning Officer (Minute 11/8(3))  
Ms C Smith – Head of Planning  
Mrs M-P Tighe – Director of Strategic Services

Members of the Public in attendance who spoke:

#### **BA/2018/0012/CU Building adjacent to Barn Mead Cottages, Church Loke, Coltishall**

Mr Bill Musson Vice Chairman of Coltishall Parish Council  
Ms Poppy Seymour Applicant

#### **BA/2018/0025/COND & BA/2018/0026/COND The Old Maltings, 14 Anchor Street, Coltishall**

Mr Bill Musson Vice-Chairman Coltishall Parish Council  
Mr Brian King Objector  
Ms Nicole Perryman Senior Planner Ingletons On behalf of applicant

#### **11/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting. She also welcomed Lana Hemsall to her first meeting of this Committee.

Apologies had been received from Mr John Timewell.

#### **11/2 Declarations of Interest and introductions**

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered. Three Members commented that they had been contacted by Mrs King, an objector to application BA/2018/0025/COND and BA/2018/0026/COND, but had not entered into a debate. They had explained

to her that as an objector she could make her points to the Committee at its meeting and had referred her to the officers.

**11/3 Minutes: 27 April 2018**

The minutes of the meeting held on 27 April 2018 were agreed as a correct record and signed by the Chairman.

**11/4 Points of Information Arising from the Minutes**

**Greater Norwich Development Partnership**

The Director of Strategic Services reported that the Chairman of the Planning Committee (and in his/her absence, the Vice-Chairman), was the Authority's member representative on the Greater Norwich Development Partnership. Therefore Melanie Vigo di Gallidoro was now the Authority's member representative and would be attending the next meeting which was on 19 June 2018.

**Minute 10/11 Former Waterside Rooms, Hoveton**

The Head of Planning reported that she had contacted North Norfolk District Council confirming the Authority's support in instigating compulsory purchase proceedings in relation to the former Waterside Rooms. She had also contacted the landowner's agents since when they had indicated that they would be submitting a planning application. Officers were in discussion with North Norfolk District Council Members and Officers with regards to the demolition of the building.

**11/5 To note whether any items have been proposed as matters of urgent business**

No items of urgent business had been proposed.

**11/6 Chairman's Announcements and Introduction to Public Speaking**

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

The Chairman gave notice that the Authority would be recording the meeting in the usual manner and in accordance with the Code of Conduct. No other member of the public indicated that they would be recording the meeting.

**(2) Broads Local Plan**

The dates for the independent Examination of the Broads Local Plan had been arranged over two non-consecutive weeks: 2 – 6 July 2017 and 16 – 19 July 2018 and all members were welcome to attend.

**(3) Staff changes**

The Chairman reported that this would be Alison Cornish's last Planning Committee meeting as she would be moving to the private sector at the end of May 2018. George Papworth was leaving the Authority in June as he would be emigrating from the UK to Australia. Members expressed appreciation for their hard work and expert commitment to the Authority and wished them well for the future.

The Head of Planning Reported that appointments had been made to replace the two officers in June and July and Kayleigh Judson an experienced planning officer, would be providing extra support in the meantime.

#### **(4) Public Speaking**

The Chairman stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee and members of the public were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented.

#### **11/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer consideration of any applications had been received. The Chairman commented that she did not intend to vary the order of the agenda.

#### **11/8 Applications for Planning Permission**

The Committee considered the following applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached the 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/2018/0012/CU Building Adjacent Barn Mead Cottages, Church Loke, Coltishall** Change of Use from B8 to residential dwelling and self-contained annexe  
Applicant: Mr Gordon Hall

The Planning Officer provided a detailed presentation and assessment of the application to convert an existing office/storage building into a dwelling unit with a separate annexe which was situated at the end of a short road approximately 200m south of the B1345 Wroxham Road, next to the Norfolk Mead Hotel. The dwelling would be lived in by the applicant and his partner with the applicant's aged father occupying the annexe. No amendments to the external appearance of the building

would be required. Permission for the storage of wines and an office ancillary to the occupation of the applicant's property at Barn Mead Cottages had originally been granted in 2005. The application site was outside the Development Boundary but within the Coltishall and Horstead Conservation Area and as it was a conversion, the proposal was assessed against the criteria of Policy DP21. The Planning Officer emphasised that as such the proposal was required to provide a Financial Viability assessment which could justify changing to a residential use. This had been examined by the Authority's Independent Financial Consultant who concluded that until there had been a proper marketing exercise, there was not sufficient evidence to justify such a change of use. It had therefore been necessary to weigh the policy considerations against other factors. The applicant had asked for personal circumstances to be taken into account and had submitted a Personal Statement in support, which was detailed in the report. There were no highway objections, flooding issues, the site being in Flood Risk Zone 1, or impacts on neighbour amenity and it was considered that there would be no adverse impacts on the Conservation Area.

The Planning Officer concluded that based on the information submitted to support the application, the change of use of the subject building to residential had to be considered as contrary to Policy DP21 of the Development Management Policies DPD. Whilst it was accepted that the personal circumstances associated with this case could be considered as a material planning consideration, it was regrettable but on balance it was considered that they did not carry sufficient weight to justify planning permission being granted contrary to Development Plan Policy. Although having sympathy with the applicant, it was therefore recommended that planning permission should be refused.

Members sought clarification on the history of the site and distances of the proposed residential use from the Norfolk Mead Hotel.

Mr Musson, Vice-Chairman of Coltishall Parish Council agreed that the application presented difficulties for making a decision. Although having a great deal of sympathy with the applicant's personal circumstances it was considered in principle inappropriate to take this route, particularly bearing in mind precedent. He concurred that policies needed to be robustly upheld and referred to the consultations received from the Parish Council.

Ms Poppy Seymour, partner of the applicant explained that he was unable to attend as he was recovering from surgery following serious illness. She explained that the building to be converted was made of sturdy solid material appropriate for conversion as originally it had to be suitable for the storage of wine. The need for the storage was no longer required since the business had developed and was now located elsewhere. The applicant had put out feelers to ascertain interest in renting the building for a commercial use, although this had not been

on a formal marketing basis. Of the three who had initially expressed interest none was prepared to pay a rent that was being asked and was considered reasonable. She noted that a valuation had been carried out which indicated an appropriate rental value of £6,000 but that this had did not meet the requirements of the applicant. The applicant had also not been aware that a full marketing exercise would carry so much weight in determining the application. Ms Seymour explained that the function venue for the Hotel was adjacent to their property of No 1 Barn Cottage and was not only affected by the noise but also from vibration. The proposed conversion would be sufficiently distant from the Hotel to alleviate the inconvenience to accommodate the family including their elderly (90 year old) relative. Ms Seymour stated that she understood that the Norfolk Mead Hotel wished to acquire all the Barn cottages as part of their business. Although it was understood that the site was not technically within the development boundary, the barn was situated in the heart of the village and adjacent to necessary amenities. The applicants had not undertaken a full marketing exercise as time was of the essence, given their elderly relative's health and age and it was hoped that their personal circumstances could be taken into account and the application considered on the basis of the information available at this point.

The Planning Officer clarified that the guidelines for carrying out a suitable marketing exercise were given as 12 months although this could be reviewed after 6 months. The requirement would be for a suitable, reputable company to carry out the exercise at a price agreed to be reasonable. The Planning Officer stated that the aspirations of the Mead Hotel would be difficult to take into account in the context of this application and Policy DP21.

Members expressed sympathy for the applicant's personal circumstances and that it was a finely balanced case. They considered whether a temporary permission could be of assistance, but the Planning Officer clarified that government guidance did not advocate this, particularly if the Authority was not prepared to provide a permanent permission. There would also be costs in fitting out the building for that change of use which would negate the marketing for commercial use.

Members also considered the possibility of a deferral for six months to enable the applicant to carry out a full marketing exercise. The Head of Planning advised that the LPA was required to determine the application submitted and there were risks associated with deferral as the applicant would have the option of appealing against non-determination, if they did not agree to a delay. It was noted that the applicant would also have the opportunity to appeal against refusal, should the Committee support the Officer's recommendation.

Vic Thomson proposed, seconded by Lana Hemsall that the application be deferred for 6 months to enable the applicant to carry out a marketing exercise.

On being put to the vote the motion was lost by 6 votes against and two in favour.

Haydn Thirtle proposed, seconded by Bill Dickson that the application be refused on the basis of the officer's recommendation that there was insufficient information to justify approval and the application being contrary to Policy DP21.

RESOLVED by 5 votes to 2 against and one abstention.

That the application be refused for the following reasons:

- In the opinion of the Local Planning Authority insufficient information has been submitted to demonstrate that the residential use of the subject building is the only viable use for the property. The proposal has to therefore be considered as contrary to Policy DP21 of the Development Management Policies DPD. Whilst it is accepted that the personal circumstances associated with this case can be considered as a material planning consideration, on balance it is considered that they do not carry sufficient weight to justify planning permission being granted contrary to Development Plan Policy.
- In all other respects the development proposed is considered to be in accordance with the relevant Development Plan Policies.

- (2) **BA/2018/0025/COND and BA/2018/0026/COND** The Old Maltings, 14 Anchor Street, Coltishall Variation of Conditions 3 and 4 of planning permission BA/2005/5107/HISTAP and BA/2005/3803/HISTAP to vary the design and use of the approved garage  
Applicant: Mr David Smith

The Planning Officer provided a detailed presentation and assessment of the application to vary conditions of an historic planning permission which, in effect, would vary the design and use of an approved single storey garage, to create an upper floor within the garage building to accommodate an ensuite bedroom, WC and cinema room to be used as part of the overall residential use of the site. The site was within the Coltishall Conservation Area at the eastern end of the village and the western end of Anchor Street extending down to the River Bure. The original plans were presented and compared to the proposed plans and it was explained that the building footprint and ridge heights would be the same. The structure would no longer use the southern boundary wall as part of its construction, and the addition would include an external staircase to access the upper floor.



In assessing the application the Planning Officer gave consideration to the main issues relating to the site - the principle of the development; design and materials and the impact on the listed buildings and the character of the Conservation Area; as well as impact on residential amenity. She responded to the representations detailed in the report. She explained that it had been dealt with as a Section 73 application as it met the criteria as such.

In conclusion, the Planning Officer considered that the submitted scheme was an acceptable amendment to the extant permission. The design and materials of the building proposed were considered to respect the setting of the listed building and to preserve the character of the Conservation Area. Whilst the concerns raised about the adverse effect on the residential amenity of the adjoining residential properties were noted, it was concluded that there would not be a significant adverse effect. There was no change in the use which would remain domestic and in association with the main dwelling. The scheme was therefore considered to be in accordance with the development plan policies and part 12 of the NPPF and was therefore recommended for approval with conditions as outlined within the report. It was clarified that the wording of the conditions as set out in the report was a summary of the content of the proposed conditions and these would be more precise and detailed in the decision notice. Condition 1 of the permission, "Development to be commenced within 3 years" related to when the original permission had been granted in 2005.

Mr Musson, Vice-Chairman of Coltishall Parish Council provided reasons as to why the Parish Council objected to the application, detailing those set out in the report. It was considered that the proposal did nothing to enhance, protect or improve the quality of its setting or the Conservation Area. It was felt it would have an adverse effect and should be refused, as was the Broads Authority's decision in 1991. The application was now for a two storey building as opposed to a single storey and therefore it should be considered as a totally new design and use and not be considered as an amended application. He commented that he agreed with the views stated by the Broads Society. There was an expectation that the development would be sympathetic to the area's heritage and the qualities of the village of Coltishall and its place within the special Broads area. This did not seem to be the case. Although such development seen in isolation may be accepted, it was the cumulative effect that was of concern, since Coltishall's infrastructure and character was already under increased pressure associated with housing development in and around the village, although not within the Broads Authority's boundary. The Parish Council was requesting that the Authority refuse this application in its present form and request a new application that was more in keeping with the surrounding Listed buildings.

Mr King, a neighbour living in Anchor House commented that the application was approved in 2005 and he was opposed to the current

application as it was very different to that given permission. He and his wife had not been invited to comment initially on the application to vary the conditions. He considered that the scheme did not represent a modest change as it increased the width of the building by 1 metre and its volume by 80%. In addition the wall was being raised by 1.5 metres with a different roof pitch. He considered that the changes were significant compared to the extant permission. He and his wife used their garden a great deal and it was considered that the plans would jeopardise their amenity. He also considered that the history of the area known for its breweries was completely overlooked. He expressed disappointment at the readiness with which Officers had appeared to dismiss the comments he had made. He understood that the Core Strategy and the Authority's policies were set up to protect the Broads as a National Park. However, the extant permission seemed to have overriding powers. Mr King expressed a strong objection to the proposals, stating that he considered the building to be ill conceived, dominant, out of character and not suitable for the area.

Ms Perryman, a Senior Planning Officer from Ingletons, on behalf of the applicant explained that clarification had been sought and received that the proposal was an acceptable use of the building. The applicants had provided assurance that it would be incidental to the main dwelling and not in any way a new dwelling, since it was not designed for independent use and there was no intention of it being used commercially. The applicants had sought the advice of the Authority's officers, Historic England had not wished to make any comments, the principle of the development had already been established and it was not considered to impact on residential amenity. Ms Perryman commented that the decision should be made on the basis of planning policy and felt that it had been assessed accordingly. She did not consider that there were any valid reasons why planning permission should not be granted.

Having sought clarification from the Officers on the status of the application, and other matters detailed in the report and above, Members noted the concerns expressed but considered that there were no significant reasons to justify refusal.

It was emphasised that the wording of the outline conditions would be expressed in more detail on the decision notice.

Lana Hemsall proposed, seconded by Jacquie Burgess and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined in the report. This proposal is considered to be in accordance with Policies CS1 Landscape Protection and Enhancement CS4 Creation of New Resources and CS5 Historic and Cultural Environments of the Core Strategy, Policies DP4 Design, DP5 Historic Environment and DP28

Amenity of the Development Management Policies DPD and Part 12 of the NPPF.

(3) **BA/2018/0112/CU The Croft, Romany Road, Oulton Broad, Lowestoft**

Change of use of outbuilding to holiday let.

Applicant: Sean Roberts

The Planning Officer provided a detailed presentation and assessment of the application for a change of use of the existing detached building to a self-contained unit providing holiday accommodation. The application was to all intents and purposes a resubmission of the application BA/2009/0181/CU which had been refused as it had been outside the development boundary and was considered to be contrary to policies in the Broads Local Plan 1997. However, these policies had now been replaced by the Development Management Policies DPD (2011) and the Site Specifics Policies DPD (July 2014) which provided a substantial change in criteria for assessing development boundaries. This had resulted in the development boundary being altered so that the site was now within it; there had been other policy changes included, which enabled the proposals to overcome the previous policy constraints.

The Planning Officer drew attention to the representations received particularly those setting out objections, which he addressed in his assessment. In particular, the issue of access was addressed and it was pointed out that Suffolk County Council Highways did not wish to restrict the granting of permission. In conclusion, the Planning Officer considered that the level of accommodation proposed would not be detrimental to the character of the area or the amenity enjoyed by neighbouring residents. The access along the footpath had been well established and was considered to be adequate to satisfy the existing use and expected increase in the degree of use. He therefore recommended approval subject to conditions.

Members noted that the access was not in the ownership of the applicant but did provide vehicle access to the application site. It was also a very well used footpath and there had not been any known problems.

Members concurred with the Officer's assessment.

Lana Hemsall proposed, seconded by Jacquie Burgess 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 Policies CS9 and CS24 of the Core Strategy (2007), Policies DP11, DP14, DP15 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.

#### **11/9 Enforcement Update**

The Committee received an updated report on enforcement matters previously referred to Committee. Further updates were provided for:

**Barnes Brinkcraft** (the non-compliance with a planning condition), The landowners had now agreed a scheme in line with that which the Navigation Committee had been prepared to support and it was anticipated that an appropriate planning application would be submitted shortly. The provision of signage was also being discussed and Rangers were monitoring the situation regularly to ensure that the navigation channel was not being encroached and the situation was being managed proactively.

Members thanked the officers for the updates.

RESOLVED

that the report be noted.

#### **11/10 Consultation Documents Update and Proposed Responses: Waveney District Council – Pre-submission of Local Plan South Norfolk Council – Draft Open Space Supplementary Planning Document**

The Committee received a report on the latest consultation documents from Waveney District Council and South Norfolk Council.

With regard to the Waveney District Local Plan it was considered that it was well presented, well written and set out in a logical manner which was to be welcomed. There were considered to be a number of omissions with regard to reference to the Broads area and its special landscape qualities, which were highlighted in the response.

Members were pleased that the Authority had been involved in the preparation of the Waveney Local Plan and that it was close to submission.

In response to a Member's question concerning the Deal Ground and Utilities Site, the Head of Planning commented that there was some work underway in with Norwich City Council and South Norfolk Council in preparing a policy document .

RESOLVED

that the consultation documents are noted and the proposed responses are endorsed for submission to Waveney District Council and to South Norfolk Council.

### **11/11 Appeals to Secretary of State Update**

There were no appeals currently lodged with the Secretary of State.

### **11/12 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 11 April 2018 to 8 May 2018. It was noted that there were now fewer applications that had been dealt with under delegated powers that had come through the condition monitoring process.

RESOLVED

that the report be noted.

### **11/13 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 22 June 2018 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:**   25 May 2018

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
V Thomson	11/10	Appointee South Norfolk Council
Bruce Keith		Director of Whitlingham Charitable Trust
Mike Barnard	11/8(3)	Application BA/2018/112/CU Waveney District Councillor
Mike Barnard	11/10	Member of Waveney Local Plan Working Group
Melanie Vigo di Gallidoro	11/8(3)	Approached about The Croft by Mrs Roberts at a charity event and referred the subject to Cally Smith to arrange contact with planning officer.

## **Broads Authority**

### **Broads Local Access Forum**

Minutes of the meeting held on 07 Mar 2018

#### **Present:**

Dr Keith Bacon (Chairman)

Mr Kelvin Allen	Mrs Melanie Vigo di Gallidoro
Mr Mike Flett	Mr Ray Walpole
Mr Alec Hartley	Mr Richard Webb
Dr Peter Mason	Mr Chris Yardley
Mr George Saunders	

#### **In Attendance**

Ms Lottie Carlton – Administrative Officer  
Mr Adrian Clarke – Senior Waterways and Recreation Officer (SWRO)  
Mr Mark King - Waterways and Recreation Officer (WRO)  
Mr Simon Hooton – Head of Strategy and Projects

#### **Also In Attendance**

Dr Andy Hutcheson – Norfolk County Council

#### **3/1 To receive apologies for absence and welcome new members**

Apologies for absence were received from Mr Louis Baugh, Mr Tony Gibbons, Mrs Dawn Hatton, Mr Stephen Read, Mr Charles Swan and Mr Martin Symons

Members were welcomed to the meeting by the Chairman.

#### **3/2 To receive declarations of interest**

No declarations of interest were made at this point of the meeting. Mr Kelvin Allen declared an interest as Chairman of Broads Angling Strategy Group at Item 3/8, bullet point 'Integrated Access Strategy'.

#### **3/3 To receive and confirm the minutes of the meeting held on 06 Dec 2017**

The minutes of the meeting held on 06 Dec 2017 were confirmed as a correct record and signed by the Chairman.

#### **3/4 To receive any points of information arising from the minutes**

##### **(1) Minute 2/5 (1) How Hill Footpath**

The matter of the bridge is still with the Environment Agency's legal department.

SWRO still to forward EA cutting programme to Forum members.

**(2) Minute 2/5 (5) River Wensum Strategy consultation update**

The strategy has been finalised and just needs to go through the various partners' Committee process for adoption. Election purdah may delay this.

Two problems arose during the consultation that have been dealt with in the new document:

- (i) St Edmunds Wharf (Whitefriars Bridge to Fye Bridge). Residents not happy with the proposals.
- (ii) NDR western link

All of BLAF's comments and actions have been included in the final strategy.

**Comments and answers to questions:**

Broads Authority Navigation Committee received a report on Residential Moorings in the city. It was noted that there are very few areas where residential moorings would be possible due to navigation restrictions. Broads Authority planning permission and a navigation works licence would be needed for any such proposals.

An issue concerning angling restrictions across the city due to lack of facilities prompted the suggestion of a meeting between Broads Angling Strategy Group Chairman Kelvin Allen, the SWRO and Judith Davison of Norwich City Council in order to identify banks that could be used.

**(3) Minute 2/10 Miles without Stiles**

Item deferred again. The English National Parks have been asked to resubmit their proposals focusing on sport participation outcomes.

**3/5 Norfolk County Council update**

Dr Andy Hutcheson of Norfolk County Council (NCC) gave a presentation updating Forum members on Norfolk County Council projects:

**Draft Norfolk Access Improvement Plan 2018-2018**



This document will replace the Right of Way Improvement Plan (2007-2017). The change of name is intended to reflect the wider access use.

There have been significant changes in focus and priority since the last plan, both nationally and locally, and these have been picked up in the new draft document.

BLAF are being asked to provide feedback prior to the consultation going out to public consultation. Dr Hutcheson agreed to circulate a link to the draft document to BLAF members.

The consultation will run for 12 weeks from mid-March 2018.

### **Comments and answers to questions:**

Tourism seems not to be emphasised enough. The focus on leisure for locals needs clarity. Tourism can help the environment through increased understanding. Links could be made to the Broads Sustainable Tourism Strategy.

The draft has a section on education and promoting walking and cycling to young people so it would be good to include children and schools in the consultation.

Volunteering is another key area where appreciation and funding support is needed. The Ramblers are heavily involved in volunteering and their input has been very useful. The Broad Sword group has been active in the Broads for decades. Lessons can be learnt from these examples.

It is important to recognise the importance of the National Park in the Plan. It is good to see access to water included. Front cover co-branding opportunities could be mutually beneficial.

There is an increased emphasis on partnership working with the Broads Authority and the Plan makes mention of the Integrated Access Strategy.

The Broads Authority has recently submitted a pilot proposal to Defra for post Brexit agri-schemes. This includes supporting access payments in future schemes.

More use could be made of Twinning Associations and involving them in access issues.

Forum members liked the widened brief looking at access as a whole rather than just PROW and the inclusion of National Park and coastal assets.

Looking at cross-boundary links could be useful. MVG agreed to investigate the Suffolk ROWIP and report back.

The Visitor Giving Scheme suggestion is already in place in the Broads. Love the Broads, administered by the Broads Trust, has been running for a number of years encouraging businesses to add a few pence to purchases/services etc. Direct donations are also available. Funding is used to support projects in the Broads area. This initiative was set up with advice and guidance from the Nurture Lakeland scheme.

## **Comments and answers to questions on other Norfolk County Council projects:**

**Reedham footpath:** NCC has relocated the path while the landowner and parish council negotiate a new permissive path agreement. The landowner has requested an annual fee much higher than that received from countryside scheme payments. Some remedial work has been completed.

**Coastal path erosion:** The Marine and Coastal Access Act 2009 allows for paths being moved inland when erosion occurs.

**Hardley Flood:** Phase 1 is underway with contractor WSP undertaking a hydraulic study funded jointly by NCC and the Broads Authority. A further field study may follow dependent on the results of Phase 1.

### **3/6 Martham – Footpath 1 – Modification Order Public Hearing update**

The Chairman and WRO attended the Public Hearing held at Martham Village Hall. Norfolk County Council did attend but they were presenting a neutral stance (due to avoidance of feared legal costs).

The Chairman put the case in support of NCC's proposal providing many examples that disproved the Boatyard's case asserting that rights of way across staithe interfere with staithe rights.

The inspector's decision has not yet been made.

### **3/7 Access Projects update 2017-18**

The WRO gave a presentation updating Forum members on BLAF projects carried out during 2017-18 including Ranworth Canoe pontoons and Cary's Meadow.

Erosion problems were discovered at the site of the proposed Ellingham canoe launch which had forced a change of plans. Options are being scoped.

### **3/8 Access Projects 2018-19 draft (including Boat Census 2018)**

**How Hill permissive footpath:** This is awaiting conclusion of the EA legal issue. Fencing has been installed to separate the Konik ponies from the path.

**Horstead Mill canoe launch:** The contractor is due to complete work by the end of March 2018. British Canoeing is happy with the siting of the launch.

**Pyes Mill, Loddon:** The Parish Council reported a bridge had collapsed due to livestock damage. It was discovered that BA had built the bridge as part of a Section 52 agreement in 1997. NCC and BA have entered into a partnership agreement to replace the damaged bridge with a culvert solution.

**Boat Census:** Every 4 years the Broads Authority undertakes a boat census at 14 sites in the Broads in order to gauge amounts and types of boats being used. This year the census will take place on Sunday 19<sup>th</sup>, Tuesday 21<sup>st</sup> and Thursday 23<sup>rd</sup>

August. BA staff and volunteers pick morning (9am-1pm) and/or afternoon (1pm-6pm) slots. Forum members are welcome to volunteer to take part. A training session takes place prior to the census to explain what is required. Forum members to contact the WRO if they would like to take part.

Integrated Access Strategy: IAS to be reviewed in 2018/19 and BLAF help will be required to suggest projects and update priorities.

### **Comments and answers to questions:**

KA expressed concern that there seemed to be a greater focus on investment for canoeing than angling despite survey results showing angling as a more popular Broads activity. The SWRO gave assurance that any project put forward has multi-user considerations in the design, including angling.

An issue with landowners putting in angling pegs and fouling the river with cut material was raised.

A Broads Angling Strategy Group survey of anglers showed there was not a 'willingness to pay' regarding facility provision which posed a funding problem.

A focus on health and wellbeing and the benefits the natural environment brings means that funding could be available via this route.

### **3/9 Staithes and the Environment Agency**

The Chairman gave background information on how some staithes had come into the ownership of the Environment Agency. In 1930 the Drainage Act ended Parish Drainage Commissioners and drains were given over to the Internal Drainage Boards and the riverbanks/protection to the new East Norfolk Rivers Catchment Board with staithes going to one of these organisation dependent on location. Over the years and many different changes of organising bodies, the Environment Agency inherited ownership of certain staithes.

There seems to be a lack of understanding of the obligations of staithe owners on the part of the Environment Agency who seem to view them purely as freehold assets to sell off.

The SWRO agreed to request a representative from the Environment Agency (Peterborough) to present a staithes position statement either at a BLAF meeting or written.

The Chairman agreed to put together an A4 page of bullet points outlining the issues of staithes that go wider than viewing them purely as assets.

### **3/10 Broads Forum updates**

The February meeting was cancelled. A few members met unofficially.

Originally the Broads Forum was set up in 2002 with 20 representatives for 50 organisations, but feedback from representatives to the group and vice versa is not happening, so that only the representatives who attend have any input to the group.

Broads Authority has contacted all the Forum organisations to find out how much involvement they currently have and what they want regarding interaction with Broads Authority and other user groups.

Reporting to Broads Authority is via a Chairman's update at the main committee meeting but it tends to happen towards the end of the agenda.

One advantage of the Forum is having direct contact with other user groups which would not happen if the groups interacted with Broads Authority on an individual basis.

Some members of Broads Forum are very issue focussed and this makes it difficult for more general viewpoints to be discussed.

The group is under review. An update to be brought to the next BLAF meeting.

### **3/11 To receive any other items of urgent business**

#### **Agri-environment schemes and access implications post Brexit**

A trial/pilot scheme proposal was submitted by BA to Defra outlining a potential trial post Brexit agri-scheme for the Broads to replace CAP schemes.

A Defra paper 'Food and Farming' is out to consultation and public access to the countryside is identified as a public good that could be supported by Government. Ranking of various environmental outcomes is requested.

The Forum agreed that the Chairman and SWRO should submit a response to the consultation with the following comments:

- (1) Order the items (f), (d), (b) backing the importance of public access.
- (2) Order the items (f), (e) pointing out this is not just 'uplands', (c).

Response to include the importance of permissive footpaths, the tourism link, the importance of bridleways and that these should be improved and added to in order to gain more off-road, safer options for riders. The burden of path registrations to 2026 falling to county councils and lack of funding/officers to deal with this.

The SWRO agreed to circulate a link to the Defra consultation.

#### **Horning to Woodbastick Ferry**

A recent EDP article had highlighted the difficulties of the private operator in securing funding to replace the engine risking closure of this ferry. The Forum agreed to include the importance of ferries in the Broads in the review of the Integrated Access Strategy and to identify those of key importance such as the example above.

**3/12 To note the date of the next meeting**

It was noted that the next meeting is scheduled to take place on Wednesday 06 June 2018 at 2pm.

The meeting concluded at 4.50pm.

Chairman