

Broads Authority

Minutes of the meeting held on 28 July 2023

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Present

Harry Blathwayt, Stephen Bolt, Bill Dickson, Peter Dixon, Alan Goodchild, Tony Grayling, James Harvey, Paul Hayden, Tristram Hilborn, Martyn Hooton, Tim Jickells, Sian Limpenny, Kevin Maguire, Greg Munford, Keith Patience, Michael Scott, Matthew Shardlow, Melanie Vigo di Gallidoro, Fran Whymark

In attendance

John Packman – Chief Executive, Jonathan Goolden - Monitoring Officer, Emma Krelle – Director of Finance, Rob Rogers – Director of Operations, Sara Utting – Senior Governance Officer, Nick Sanderson, Education Officer (item 3), Harry Mach – Carbon Reduction Project Manager (item 10), Ellie Richards – Senior Accountant (item 13), Natalie Beale – Planning Policy Officer (item 15), Andrew Walters – Waterways and Recreation Officer (item 21), and Lorraine Taylor – Governance Officer.

The Chief Executive (CE) welcomed everyone to the meeting.

Openness of Local Government Bodies Regulations 2014

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

1. Appointment of Chair

Bill Dickson was proposed by Greg Munford and seconded by Tim Jickells.

There being no other nominations Bill Dickson was appointed Chair of the Authority for the forthcoming year.

Bill Dickson took the Chair.

2. Appointment of Vice Chair

Tristram Hilborn was proposed by Bill Dickson and seconded by Tim Jickells.

There being no other nominations Tristram Hilborn was appointed Vice Chair of the Authority for the forthcoming year.

3. Chairman's announcements

The Chair thanked all members on behalf of himself and the Vice Chair and said that they would do their utmost to live up to the confidence that the members were showing in them.

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The Chair then welcomed the six new members of the Broads Authority and invited them to tell the attending members a little bit about themselves during the member introductions and said that they all represented a very welcome refresh of the membership of the Authority and looked forward to working with them.

The Chair continued and said that, as with last year, it would be another challenging year as the Broads Authority try to do more with fewer resources against a difficult economic environment – not least in areas like climate change and the biodiversity crises that appeared at the top of our strategic priorities.

The Chair said that the Broads Authority would continue with member workshops and briefing sessions on issues of particular importance, which offered the opportunity for wider and more informal discussions than was possible in formal board meetings. The first of these would be the annual Tolls Workshop on Friday 13 October 2023, followed by a Sustainable Tourism Workshop on Friday 27 October 2023 – details to be confirmed by the Governance Team in due course.

The Chair advised that agenda item 20 had been withdrawn from the agenda and an explanation would be provided at that point in the meeting.

Finally, the Chair said that he would like to offer on behalf of all the members, huge congratulations to Nick Sanderson (NS), Education Officer, and his team on winning the National Park Protector Award for his community nature recovery work at Barton Turf Adventure Centre. The award was presented at a ceremony earlier in July at the House of Commons, hosted by Baroness Jones of Whitchurch.

The Chair continued to say that NS had created an outdoor classroom at Barton Turf SSSI, and that his work with children from the Parkside school since 2001, had provided practical experience in land management, cutting scrub from the fen to improve the wetland habitat for Swallowtail butterflies. Nick's dedication and commitment to the Broads education has long been recognised by his colleagues, but this award is the overdue wider recognition that he deserves. The Chair then said that the award was very well-deserved and has the Broads Authority sincere congratulations and asked NS if he would like to say a few words.

NS told the meeting that the nomination was very extraordinarily special to him because it was done without his knowledge, and to win was an honour and privilege, and it was really nice to spotlight the Broads. He added that it was a real privilege to work in the Broads with inspirational young people and volunteers. To play just a small part in engaging them with nature on their doorstep and making a difference to their future and the planet's future and getting the message across about the environment and biodiversity - what better place to do it than the Broads.

4. To receive apologies for absence

Apologies were received from Leslie Mogford and Vic Thomson.

5. Introduction of members and declarations of interest

The new members introduced themselves and provided a brief synopsis of their background.

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. Items of urgent business

There were no items of urgent business.

7. Public question time

No public questions had been received.

8. Minutes of last meeting

The minutes of the meeting held on 12 May 2023 were approved as a correct record and signed by the Chair.

9. Summary of actions and outstanding issues

Members received the latest summary of actions and outstanding issues following decisions at previous meetings. For the benefit of new members, the Chair explained the purpose of the item which was to keep members informed of progress made on implementing decisions taken at previous meetings.

A member expressed his disappointment at the continued delay in restoration of the footpath at Wherryman's Way and asked whether the recent ecological findings would further affect progress.

The Chief Executive (CE) replied that this was an example of the difficulty in managing Britain's most important wetland. The issue was a long-distance footpath which was well-loved; on one side was an area of land which many years ago was flooded. The County Council had a statutory duty to maintain the footpath and the bridges, however the bridges had fallen into disrepair, therefore a diversion had been in place. The CE said that the land between the flood and the Chet was constantly under pressure so the Broads Authority, when dredging the Chet, put some of that dredged material on the bank to strengthen the bank. Since this, some important species took up residence on this land. The challenge was how to manage all these things for the benefit of everyone. The Broads Authority was now working with the County Council on a solution.

In response to a question on what the priority was for statutory rights of way versus ecology, the Director of Operations (DO) replied that the water vole was a protected species, and the diverted footpath was deemed a suitable solution.

The CE responded that the Broads Authority was having to mitigate actions with impact on water voles, which the Broads Authority area had in significant numbers.

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The Monitoring Officer (MO) advised that, broadly speaking, ecology would take precedence as long as a right of way was preserved, and a public path diversion order would be permissible.

The report was noted.

10. Race to Zero

The Carbon Reduction Project Manager (CRPM) introduced the report seeking support from the Broads Authority to join the Race to Zero scheme, which would build on the work of the National Parks Energy and Climate Group.

A member asked why the wording “well below 2-degree rise” was used in the report (para. 1.1). The CRPM replied that this was the United Nations Framework on Climate Change wording.

A member asked about working in partnership with the Local Authorities and the potential benefits this could bring. The CRPM replied that the Broads Authority is a part of the Norfolk Climate Change Partnership, and the Suffolk Climate Change Partnership. The Authority is currently having extensive discussions around potential and partnership work with various local authorities.

In response to a question on the meaning of the term ‘fair share’, the CRPM advised that in terms of climate change, fair share referred to ‘as fast as possible you can go’. As an example, this is the approach used by the Tyndall Centre Carbon Budget Tool <https://carbonbudget.manchester.ac.uk/reports/>

A member queried the benefits of the Broads Authority joining the scheme and what would be done differently to things that were already being done. The CRPM replied that the campaign would provide a clear a public accountability framework, which would enable the Authority to demonstrate that it was committed, having a flagship on protected landscapes, and replicating this across all National Parks. It will also standardise the methods of reporting that will be used across the fifteen National Parks.

The Director of Strategic Services (DSS) added that the difference was that the Broads Authority would make a commitment to an annual publication of progress, and it was a national flagship scheme.

A member commented that this should account for actions across the whole of the Broads area, not just the Broads Authority’s own emissions. In that regard, the sugar factory at Cantley accounted for a large amount of emissions and therefore the Authority needed to recognise vulnerability about things not in its control. A member then asked because of the unique character of the Broads, would it be just the Authority’s footprint when the data was published. The CPRM replied that the report template had not yet been seen, however the report would cover the Authority’s footprint and actions taken on wider issues.

Michael Scott proposed, and Harry Blathwayt seconded.

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It was resolved unanimously to support the Broads Authority joining the Race to Zero scheme and affirm the required commitments.

11. Strategic priorities for 2023/24 and draft strategic priorities for 2024/25

Members received the report of the Senior Governance Officer on the latest progress in implementing the Authority's annual strategic priorities for 2023/24 and the draft strategic priorities for 2024/25.

A member asked whether the Authority could produce a report/update around the Nature Recovery Strategy and the work that will go into that – there is an important leadership role for the Authority in Norfolk and Suffolk and how the Nature Recovery Strategy should work/targets/biodiversity of the area and address long-term issues.

The Chief Executive (CE) replied that one of the roles that the Broads Authority has is influencing others, and the Nature Recovery Strategy is an ideal opportunity for us to influence that across Norfolk and Suffolk and will report back to the members in due course.

In response to a question on whether the Broads Authority could secure extra funding from Natural England and DEFRA for nature recovery as they are uniquely placed to benefit, the CE confirmed that this was possible, however, the challenge was that notification of funding was often at short notice, and plans needed to be delivered very fast. The Authority needed to be flexible enough to respond to these challenges.

The Director of Strategic Services (DSS) said that the Authority was currently working on a Landscape Recovery bid.

Members expressed their support for the suggested priorities for 2024/25, as follows:

- Responding to climate change (Broadland Futures Initiative)
- Biodiversity crisis response
- Local Plan for the Broads
- Farming in Protected Landscapes (FiPL)
- Tolls system replacement.

The report was noted.

12. Annual governance statement 2022/23 and code of corporate governance 2023

Members received the report of the Senior Governance Officer (SGO) on the Annual Governance Statement for 2022/23 and the Code of Corporate Governance for 2023. The (SGO) reported that, at its meeting on 25 July, the Audit and Risk Committee had recommended these documents for approval by the Authority.

Paul Hayden proposed, and Matthew Shardlow seconded.

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It was resolved unanimously to approve the Annual Governance Statement 2022/23 and to note, subject to the implementation of improvements identified in the action plan, that the Authority's systems of governance and internal control were considered to be adequate and effective.

13. Draft statement of accounts 2022/23

Members received the report of the Senior Accountant (SA) which provided an update on the Broads Authority's Statement of Accounts and its audit for the year ending 31 March 2023. The Chair confirmed that this report was considered by the Audit and Risk Committee (ARC) on 25 July 2023 and no issues had been raised.

The SA thanked the members who attended the Statement of Accounts training on 18 July 2023. She informed members that no date had been provided by the external auditors for when the audit of the 2022/23 accounts would start. This was due to a backlog of audits of other local authorities going back as far as 2015/16, however, the Authority's 2021/22 accounts had been signed off. A letter was issued by DLHUC last week on how the backlog of audits would be addressed. ARC members had received an email from the Director of Finance attaching a letter from EY regarding the audit delay.

The Vice Chair commented that it was critical that the Authority maintained pressure on EY to complete the audit.

The report was noted.

14. Capital funding progress report

Members received the report of the Chief Executive (CE) providing a regular update on the progress implementing the capital funding programme. For the benefit of new members, the CE provided some background, advising that following a visit from DEFRA last August, the Authority was given short notice that it could apply for some capital funding (which had to be spent by 31 March 2023). The officer team quickly pulled together a list of possible capital expenditure of £1.2m and the bid had been successful.

There were two outstanding items: the purchase of the Hulver Ground at How Hill and the repair of the drainage structure at Strumpshaw. The land purchase has been delayed but was still in progress. The contractors were continuing with the repairs to the drainage channel Strumpshaw steam pump. The CE thanked the staff who had worked on this programme, together with the DEFRA officials. The Authority had named the new plant cutter, purchased with some of the capital funding, Amber, after the DEFRA official who had been of great assistance to the Authority.

Now that the programme was almost complete, the CE queried the format for future reporting. Members concurred the regular progress report was no longer necessary and progress on the purchase of Hulver Ground be added to the summary of actions item.

The report was noted.

15. Hemsby Neighbourhood Plan

The Planning Policy Officer (PPO) introduced the report which proposed the adoption of the Hemsby Neighbourhood Plan. The PPO added that Great Yarmouth Borough Council adopted the plan on 27 July 2023 and the Planning Committee endorsed adoption of the plan at its meeting on 21 July 2023.

Harry Blathwayt proposed, and Stephen Bolt seconded.

It was resolved unanimously to endorse the result of the referendum and the Broads Authority adopt the Hemsby Neighbourhood Plan.

16. Committee membership and member appointments

Members received the report of the Senior Governance Officer (SGO) on the proposals for member appointments to committee and other bodies for the year 2023/24, following expressions of interest by members and a review by the Chairs Group.

The Chair reminded members, sitting on outside bodies, of the requirement to submit a report at least once a year.

Peter Dixon proposed, and Tony Grayling seconded.

It was agreed unanimously to confirm the Broads Authority member appointments for the 2023/24 year as set out in Appendix 2 to these Minutes to:

- i) the Audit and Risk Committee; Navigation Committee, Planning Committee and Broads Local Access Forum (table 1 in the report), and**
- ii) outside bodies (table 2 in the report).**

17. Whitlingham Charitable Trust – appointment of Trustees

Members received the report of the Senior Governance Officer (SGO) on the appointment of four Trustees to the Whitlingham Charitable Trust. The Chair commented that all candidates were impressive, and it was felt that they would be complimentary to the existing trustees.

It was noted that the appointments would be made on the following basis, agreed by the Authority at its meeting in September 2022:

- Trustees shall be appointed for not less than one and not more than three years.
- A Trustee appointed by the BA may resign by giving notice in writing.
- The Authority shall terminate the appointment of a Trustee in the following circumstances: they fail to attend any meeting in one year; fail to declare an interest in any matter brought up at a meeting.
- Trustees will provide the Authority with an annual report and report significant issues, if and when they arise.

Discussions would need to take place with the Trustee on how they would provide their annual report to the Authority.

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A member asked whether the Authority had any liabilities in relation to the Trust. The Director of Finance (DoF) responded that if the Trust was wound up, the Authority would be liable for £1.

Harry Blathwayt proposed, and Melanie Vigo di Gallidoro seconded.

It was resolved by 18 votes for (1 member having left the room during this item) that Matthew Bradbury; Tracey Brown; Anne Crotty and David Diggins be appointed as Trustees to the Whitlingham Charitable Trust on behalf of the Authority, for a period of three years and on the terms outlined above.

18. Scheme of Powers delegated to Chief Executive and other authorised officers

Members received the report of the Senior Governance Officer (SGO) on proposed changes to the Scheme of Powers delegated to the Chief Executive and other authorised officers, as part of the ongoing implementations from the external review into the formal complaint.

The SGO reported that, at its meeting on 21 July, the Planning Committee supported the proposed changes but made a further recommendation for additional wording. This related to paragraphs (vi) and (vii) on the ability of Broads Authority members and respective District Council Ward members to call an application. The proposal was for the words “of significant weight” to be added to the end of those paragraphs. This would then bring them into parity with paragraphs (iv) and (v). The Planning Committee asked that this be considered by the Authority when adopting the proposals.

The Chair of the Planning Committee commented there had been a very full discussion at the Planning Committee meeting and was happy to commend this proposal to the Broads Authority.

In response to a comment on extending the ability to potentially challenge interpretation to a wider range of delegated powers, the Monitoring Officer (MO) commented that the key issue was that planning was often more of an art than a science. Other delegated powers were more clear-cut and not open to interpretation. However, this report provided a future means of discussing uncertainty and a mechanism to discuss and continue debate.

Tim Jickells proposed, and Tony Grayling seconded.

It was resolved unanimously to adopt the proposed changes to section 37 of the Scheme of powers delegated to the Chief Executive and other authorised officers as outlined in the report and further amended as outlined above.

19. Revised terms of reference for Audit & Risk Committee

Members received the report of the Senior Governance Officer (SGO) on revised terms of reference for the Audit and Risk Committee, as part of the ongoing implementation of the recommendations from the external review into the formal complaint.

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The SGO reported that, at its meeting on 25 July, the Audit & Risk Committee supported the proposals but recommended the name of the committee be amended to Risk, Audit and Governance Committee, or RAG, as it was considered important to retain reference to the Committee's responsibilities regarding risk. The SGO highlighted one further minor amendment which officers were proposing, to paragraph 7.3 to add the word "internal", so that it read "The appointment of *internal* auditors has been delegated to the Director of Finance." The SGO pointed out that this change was for clarity and was not a change in the delegation.

The Monitoring Officer (MO) commented that this proposal formed the third part of a number of governance changes, which was to reflect amendments to the Audit & Risk Committee and to very firmly embed continuous oversight of governance within that committee, hence the change of name to reflect that.

The acting Chair of the Audit & Risk Committee advised that he was happy to commend the proposed changes to the Broads Authority for adoption.

Greg Munford proposed, and Fran Whymark seconded.

It was resolved by 18 votes for (1 member having left the room during this item) to adopt the revised terms of reference for the Audit and Risk Committee as outlined in the report and to agree the committee's name as Risk, Audit and Governance Committee.

20. Waiver of standing orders relating to contracts

The Director of Finance (DoF) explained that this item was withdrawn from the agenda following the decision by the Audit and Risk Committee to approve changes to the Standing Orders for contacts, at its meeting on 25 July 2023. The changes included an increase to the limits under which the Chief Executive could approve extensions (up to 10% or £25,000 whichever was greater). Both contract extensions in the report now fell within this revised limit and therefore, could be approved under delegated powers.

21. Broads Local Access Forum annual report 2022/23

The Waterways and Recreation Officer (WRO) introduced the Broads Local Access Forum (BLAF) Annual Report for 2023/23. He advised that the BLAF had met three times in the last year, twice online and once in person as part of a site visit. In August, the members of BLAF would be attending a site visit at Hoveton.

The WRO reported that there were still membership vacancies on the forum, however, applications were closing today (28 July 2023). It was hoped to attract applications from a more diverse range of the population.

In response to a query on the membership of BLAF, the Senior Governance Officer clarified that before item 16 of the agenda, Harry Blathwayt and Michael Scott were the Authority's representatives. However, following today's decision, the representatives were now Harry Blathwayt and Peter Dixon. The Regulations provided for two members of the Authority to be

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appointed to BLAF and the membership of any member who had been appointed in a different capacity (prior to becoming a member of the Authority) would cease.

The report was noted.

22. Minutes to be received

Members received the minutes of the following meetings:

Audit and Risk Committee – 14 March 2023
Navigation Committee – 13 April 2023
Planning Committee – 28 April 2023
Planning Committee – 26 May 2023
Planning Committee – 23 June 2023

23. Other items of business

There were no other items of business.

24. Formal questions

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

25. Date of next meeting

The next meeting of the Authority would be held on Friday **22 September 2023** at 10.00am at Yare House, 62-64 Thorpe Road, Norwich, NR1 1RY.

26. Exclusion of the public

Stephen Bolt proposed, and Paul Hayden seconded.

It was resolved unanimously to exclude the Press and 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 Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information) (Variation) Order 2006, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.

There were no press or public attending, and the recording was suspended.

27. Medium term financial planning

Members received the report of the Management Team providing options for consideration on how to spend the £440,000 National Park Grant received unexpectedly at the end of the 22/23 financial year. At the meeting on 17 March, members had agreed to place this

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additional money into a new medium-term financial planning earmarked reserve and, together with interest, this now totalled £450,000.

The Authority had previously committed to reducing overheads and one of its largest overheads was the occupancy of Yare House. Therefore, officers were suggesting a large proportion of the money was earmarked for the downsizing of the Authority's occupation at Yare House. This was based on the Authority having transformed its working practices, following the Covid emergency, with many of the office-based staff working part of the week from home. The required works (with the costs detailed in the exempt report) were likely to be complete in January 2024, and would reduce the space occupied by the Authority by approx. 60%, and thereby reduce costs, as well as the carbon footprint through reduced heating and lighting etc.

The report detailed a number of options, with costings, for how the remainder of the allocation could be spent.

It was noted that the Authority had a good track record in bidding for and winning external funding from several sources. The CE explained that the Water, Mills & Marshes project had been hugely successful, and this was achieved from a Heritage Lottery Grant. The Heritage Fund had now published its priorities for the next 10 years and a high priority was the work done by National Parks to increase people's understanding and connection with nature.

The CE went on to say that over the years, the Authority had learned a lot about applying for funding, in that the more preparation that was done, the smoother the process was. This meant that the Authority needed a resource to work up partner relationships and develop a proposal that could secure at £10m grant. Therefore, it was proposed to create a new position of Partnership and External Funding Manager to focus on developing those partnerships and obtaining external funding.

The CE went onto explain that the report had been considered at the Audit & Risk Committee on 25 July 2023, and there was some discussion about the principle of the money being used for the Yare House relocation and not being able to be used for navigation. The Director of Finance (DoF) advised that the money had to be spent in 2022/23 and therefore the money displaced other income received, and other monies were placed in the reserve. The DoF also added that a precedent had already been set in 2008 when DEFRA funded the Authority's move to Dragonfly House.

The acting Chair of the Audit & Risk Committee reported that the Committee had recommended option 1 (external funding and partnership working), which would hopefully increase fundraising potential, and ultimately potentially unlock options 2 and 3.

A member asked whether sustainability of the role beyond the 2-year term of option 1 could be built into the project's terms. The CE replied that the intention was that this would be a permanent post.

The CE commented that option 2 (education and access) was something that the Authority would like to do, and this should be possible from option 1, if successful.

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In response to a question on whether the Broads Authority carried out assessments on those working from home to ensure that staff were properly equipped to do so, the CE confirmed that it was compulsory for those that worked from home to complete a DSE assessment. If, for whatever reason, office-based staff wished to work only in the office, they could do so.

Greg Munford proposed, and Sian Limpenny seconded.

It was agreed unanimously to spend the additional National Park Grant:

- i. in reducing the long-term costs of occupation at Yare House as detailed in the report; and**
- ii. on employing a Partnership and External Funding Manager, to increase the capacity of the Authority to develop partnerships and seek external funding, as set out in Option 1.**

The meeting ended at 12.12pm

Signed by

Chairman

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Appendix 1 – Declaration of interests: Broads Authority, 28 July 2023

Member	Agenda/minute	Nature of interest
Greg Munford	15	No interest to declare but advised the meeting that he owned a business in Hemsby

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Appendix 2 – Appointments to committees and other bodies 2023/24

Table 1: committee appointments

Committee	Members
<p>Audit and Risk Committee* At least 6 BA members, to include Chairs of BA and Navigation Committee</p> <p>*subsequently renamed Risk, Audit and Governance Committee</p>	<p>Chair of Broads Authority (Bill Dickson) Chair of Navigation Committee (Alan Goodchild) Tony Grayling Paul Hayden Tristram Hilborn Sian Limpenny Kevin Maguire Michael Scott Matthew Shardlow</p>
<p>Navigation Committee 5 BA members and 8 co-opted members</p>	<p>BA members Harry Blathwayt Stephen Bolt Leslie Mogford Greg Munford Michael Scott</p> <p>Co-opted members (appointed by BA on 17.3.23) Mark Collins Peter Dixon Alan Goodchild Bob Neate Remus Sawyerr Simon Sparrow Daniel Thwaites Paul Thomas</p>
<p>Planning Committee At least 11 BA members</p>	<p>Harry Blathwayt Stephen Bolt Bill Dickson Tony Grayling James Harvey Martyn Hooton Tim Jickells Kevin Maguire Leslie Mogford</p>

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Committee	Members
	Keith Patience Vic Thomson Melanie Vigo di Gallidoro Fran Whymark
Broads Local Access Forum 2 BA members	Harry Blathwayt Peter Dixon

Table 2: appointments to outside bodies

Outside body	Recommended appointments
BFI Elected Members Forum	Matthew Shardlow
How Hill Trust	Tim Jickells
Norfolk and Suffolk Broads Charitable Trust	Paul Hayden Martyn Hooton
Upper Thurne Working Group	Harry Blathwayt Stephen Bolt
Whitlingham Charitable Trust	see minute 17