

Standards Committee

19 March 2026

Agenda item number 8

Proposed amendment to Member Code of Conduct - interests of Navigation Committee members

Report by Monitoring Officer

Purpose

To consider amendments to the member Code of Conduct relating to declarations of interests and dispensations for members of the Navigation Committee.

Recommendation

To recommend to the Authority that the Member Code of Conduct be amended by the addition of the words “For members of the Navigation Committee only, consultation on navigation matters other than the level of navigation tolls, irrespective of the nature and extent of the interest” to paragraph 9 of Appendix B of the Code.

1. Introduction

- 1.1. The Broads Authority is a Relevant Authority under section 27 of the Localism Act 2011. As such, it must adopt a code of conduct reflecting the Nolan principles governing the conduct of its members and setting out rules relating to the declaration of interests and the participation in decision making of those with such interests.
- 1.2. The Authority’s current code is taken from a national model code provided by the Local Government Association (LGA), though the Authority may and has departed from the LGA Model Code to suit its own particular circumstances.
- 1.3. One of those particular circumstances is that under sections 9 of the Norfolk and Suffolk Boards Act 1988, the Authority must establish a Navigation Committee of 13 members of whom 5 are members of the Authority and 8 are not. Those 8 persons are appointed by the Authority after consultation with bodies appearing to the Authority to represent a range of uses and interests in relation to the navigation waters of the Broads.

- 1.4. The Authority must consult the Navigation Committee before determining the level of navigation tolls or charges and on the preparation of the annual budget, including in particular any income or expenditure attributable to the navigation area.
- 1.5. The Authority also consults the Navigation Committee on a range of other issues relating to navigation such as boat safety codes, vessel licensing requirements, weed cutting and applications for planning permission for developments likely to affect navigation. In so doing, the Navigation Committee is acting in a consultative capacity rather than deciding an issue itself.
- 1.6. Given that the purpose of the Navigation Committee is to enable the Authority to consult persons with particular interests in navigation, it is appropriate to facilitate the participation of Committee members in providing advice to the Authority whilst ensuring transparency as to the interests held by those persons.
- 1.7. This report proposes a change to the Member Code of Conduct to achieve the above.

2. Current member interest requirements

- 2.1. Paragraph 9 of the Code of Conduct requires that members (including appointed members of the Navigation Committee) register and disclose interests. Table 1 sets out disclosable pecuniary interests (DPIs) which must by law be registered and disclosed. Appendix B sets detailed provisions on registering and disclosing interests. Interests fall into the following categories:-

Interest type	Summary of interest	Requirement
DPI	Table 1 interests – includes member and member’s partner’s employment or property ownership	Must be declared. Cannot speak or vote or remain in the room without a dispensation.
Other Registrable Interest (ORIs)	Table 2 - Unpaid directorships, bodies to which the member is appointed by the Authority, positions of control or management in other public, charitable or lobbying organisations.	Must disclose if matter directly relates to financial interest or wellbeing of ORI. Can remain and speak only if public can do so. Otherwise, cannot speak or vote or remain in the room without a dispensation.
Non Registrable Interest (NRI) -para 6	Matter directly relates to members’ financial interest or wellbeing or that of a relative or close associate	Must disclose. Can remain and speak only if public can do so. Otherwise, cannot speak or vote or remain in the room without a dispensation

Interest type	Summary of interest	Requirement
NRI – para 7	Matter affects own financial interest or wellbeing, relative, close associate or ORI body	Must disclose. Can remain and speak.
NRI – para 8	Matter affects own financial interest or wellbeing, relative, close associate or ORI body:- (a) to greater extent than affects financial interests of majority of inhabitants of BA area, and (b) reasonable member of public knowing all facts would believe that would affect view of wider public interest	Must disclose. Can remain and speak only if public can do so. Otherwise, cannot speak or vote or remain in the room without a dispensation

- 2.2. Paragraph 9 of Appendix B of the Code provides a permanent dispensation for Navigation Committee members to enable them to declare, speak and vote on consultation on the level of navigation tolls where the extent of their interest is limited to (a) a liability to pay a navigation toll or (b) the holding of any employment, office, trade, profession or vocation carried on for profit or gain in an entity liable to pay a navigation toll.
- 2.3. The purpose of the above is to enable Navigation Committee members who either pay a navigation toll themselves or own, run or manage a hire boat operator to nonetheless speak and vote on toll setting consultation.
- 2.4. Some Navigation Committee members have applied and been granted dispensations by the Monitoring Officer to participate in consultations on wider navigation matters, such as on pilotage or weed cutting.
- 2.5. It is proposed to avoid the need for requests for such specific dispensations in the future by extending the scope of paragraph 9 of Appendix B of the Code to consultation on any navigation matter, as follows (additional wording in bold):-

“For the following interests, once you have made a declaration you may nonetheless attend a meeting and vote:

- *Setting of navigation tolls, where the extent of the interest is limited to a liability to pay a navigation toll by reason of owning one or more private vessels.*
- *For members of the Navigation Committee only, consultation on the level of navigation tolls where the extent of the interest is limited to:*
 - a. a liability to pay a navigation toll or*
 - b. the holding of any employment, office, profession or vocation carried on for profit or gain in an entity liable to pay a navigation toll*
- ***For members of the Navigation Committee only, consultation on navigation matters other than the level of navigation tolls, irrespective of the nature and extent of the interest.***
- *An allowance, payment or indemnity given to members”.*

3. Financial implications

- 3.1. There are no specific financial implications.

4. Risk implications

- 4.1. There are no specific risk implications.

5. Conclusion

- 5.1. The report sets out an additional dispensation widening the ability of members of the Navigation Committee to contribute to consultations on navigation matters, notwithstanding interests they may hold.

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Appendix 1 – [Member Code of Conduct](#)