

Broads Authority

Minutes of the meeting held on 12 May 2023

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Present

Bill Dickson – in the Chair, Harry Blathwayt, Stephen Bolt, Nigel Brennan, Andrée Gee, Tony Grayling, Tim Jickells, Leslie Mogford, Greg Munford, Michael Scott, Matthew Shardlow, Fran Whyman and Peter Dixon wef item 3.

In attendance

Natalie Beal – Planning Policy Officer (item 15), Essie Guds – Governance Officer, Dan Hoare – Head of Construction, Maintenance & Ecology (item 14), Andrea Kelly - Environment Policy Advisor (item 9), Emma Krelle – Director of Finance, Harry Mach – Carbon Reduction Project Manager (item 9), John Packman – Chief Executive, Rob Rogers – Director of Operations, Marie-Pierre Tighe – Director of Strategic Services and Sara Utting – Senior Governance Officer.

1. Welcome and apologies

The Chair welcomed everyone to the meeting.

Openness of Local Government Bodies Regulations 2014

The Chair explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy should contact the Governance Team. The minutes remained the record of the meeting. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated. No one observing or in attendance said they wished to photograph, record or film the meeting.

Apologies were received from Matthew Bradbury, Paul Hayden, Tristram Hilborn, Melanie Vigo di Gallidoro and Alan Goodchild wef item 3.

2. Chairman's announcements

The Chair announced that the Authority said goodbye to some of the local authority members following the recent elections and congratulated those who had been re-elected.

This would also have been the last meeting for Matthew Bradbury before he finished his second term of appointment, making it eight years in all as a Secretary of State Member which would conclude at the end of June 2023. The Chair said that Matthew was admired especially for his thoughtful approach, particularly towards Whitlingham where he had continued to contribute since the Authority's departure from the Board of Trustees in 2019.

Matthew had been Vice-Chair of the Authority since 2019, Vice Chair of Audit and Risk Committee since 2021 and Chair of the Audit Risk Committee in 2022. During this time the Chair said he had come to appreciate greatly Matthew's wisdom, advice and support. He thanked Matthew for all he had done for the Authority and wished him well.

Matthew who joined the meeting remotely for just this item, responded by thanking the Chair for his kind words. Matthew said he would miss being part of the Authority and would like to continue offering his support for the future. Experiencing how great the benefits of the natural environment and sustainable recreation were on mental health, he was especially keen to reconnect with the Authority about getting this message across to central government and work on further investments for this. Matthew finished by saying he much enjoyed working with everyone and thanking all for their support.

Preparation for AGM on 28 July. The Chair informed Members that an email would be sent in late June asking for members' preferences on which committees and outside bodies they would like to serve. Also, the Governance Team would be in touch about the nomination process for Chair and Vice-Chair of the Authority, which would open on 30 June, closing at 4pm on 14 July.

3. Appointment of two co-opted members from the Navigation Committee to the Broads Authority

At its meeting on 13 April, the Navigation Committee appointed Alan Goodchild as Chair and Peter Dixon as Vice-Chair and had recommended that both be appointed as the two co-opted members to the Broads Authority for one year.

Greg Munford proposed, seconded by Andree Gee

It was resolved unanimously to appoint Alan Goodchild and Peter Dixon to the Broads Authority for one year, until 10 May 2024.

Peter took his seat at the table and introduced himself, informing members that he had been a Secretary of State appointee to the Broads Authority in the past when he was Vice Chair and Chair of the Planning Committee.

4. 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.

5. Items of urgent business

There were no items of urgent business.

6. Public question time

No public questions had been received.

7. Minutes of last meeting

The minutes of the meeting held on 17 March 2023 were approved as a correct record and signed by the Chair.

8. Summary of actions and outstanding issues

Members received the latest summary of actions and outstanding issues following decisions at previous meetings.

The Chief Executive (CE) gave an update on Farming in Protective Landscapes advising of an increase in the allocations for the Broads Authority which had been confirmed. Originally the Authority was allocated £193,991 for the current year which had been increased to £339,833. No allocation had originally been given for 2024/25. The Authority has now been allocated £480,320 for that year, which was welcome news. The CE informed Members that a similar uplift had been granted to the Norfolk Coast AONB.

A Member enquired about an update on Wherryman's Way and whether completion was still likely to happen this year. The Head of Construction, Maintenance and Ecology (HCME) responded that this project was led by Norfolk County Council and explained that due to rising cost the initial bid was not sufficient. A new bid had been resubmitted, and the HCME confirmed that if this bid was unsuccessful the footpath would not be completed this year.

The report was noted.

9. Broads Peat project – update

Members had received a report updating them on the progress of the Broads Peat project which was funded through the Nature for Climate Peatland Grant Scheme Discovery Grant, including developments since the report to the Authority meeting on 17 March 2023.

The Environment Policy Advisor (EPA) gave a presentation which ran through the context, gave a recap of the CANAPE project and the Broads Peat project and details about 'FibreBroads', which was the next bid the Authority would hear about soon.

The Carbon Project Manager (CPM) reported that a design for raising the water level to restore the peat forming function at Buttle Marsh had now been completed. He explained that the estimated value of the bid in the report of £215,000 was not a final figure but would need to be tweaked due to inflation contingency and further costs needing finalising. The actual budget would be in the region of £226,000.

The CPM highlighted that 25% of the funding would need to be private finance and so the Authority was waiting to hear back soon about finance bids submitted to Anglian Water and RSK Foundation, an engineering sustainability company.

A Member commented he was very much in favour of delegating this to the CE and enquired whether the carbon financing could be part of the co-financing of this project. The EPA

responded it would have been possible if there had been more peat at this site, however carbon finance for this particular site was not worthwhile.

The EPA said that since doing the Environment Land Management Test and Trial, beef prices had increased, so more work needed to be done around farm economics and greater long-term incentives were needed in lowland peatlands.

A Member asked whether the carbon finance model would see a restored wetland as its end point or whether it could be used for agriculture as well. The EPA explained that the UK Peatland Code v2 was audited on the water table and peat formation and that laying down vegetation would build peat. Agriculture with its regime of annual harvest and removal of vegetation would therefore not be compliant with the current Peatland Code.

A Member commented that from the presentation it looked like the Authority was losing peat faster than it was gaining it and so he asked whether there was budget stipulating how much work was required to achieve an overall increase opposed to an overall loss of peat in the Broadland or wider areas. The CPM responded that the Small World carbon footprint report, presented to Members last year, which had used peat emission figures from a Broads Authority commissioned report undertaken by Queen Mary University of London, suggested a target of 100 hectares of peatland rewetting a year. The current project was just 25 hectares which meant partners and landowners would need to accelerate a great deal to reach this target.

A Member asked about the long-term plans of the peat restoration project as he was aware that it could take between 4 and 10 years before it would start to accrue carbon into the soils. He asked about the Authority's long-term commitment and whether the land was secured for a long enough period before it would start seeing peat accruing. The EPA responded the importance was to raise the water tables to avoid emissions occurring. Maintaining the water table at 10 cm or below the surface of the soil would mean low emissions of methane. Whether the 5-year long Countryside Stewardship scheme was long enough, was uncertain.

A Member commented whether nutrient neutrality could offer an opportunity to support and enhance the peatland restoration scheme. The EPA welcomed the idea of discussing the project with the joint venture company, set up between the districts, the city and Anglian Water. The Member further suggested whether the Authority could support farmers to move towards keeping water buffalos instead of beef cattle. The EPA responded this topic had been discussed by the Lowland Agricultural Peat Task force, however local farmer representatives rejected the idea for several reasons.

Subject to receiving match funding the bid was ready to be submitted to Natural England by 26 May 2023. Members were asked to delegate the submission of the bid to the Chief Executive as there was no opportunity to consult the Authority on the final figures before the submission date.

Proposed by Tony Grayling, seconded by Stephen Bolt,

It was resolved unanimously that:

i. the updates were noted.

ii. in view of the short timescale, to delegate to the Chief Executive the decision on whether to submit a Nature for Climate Peatland Grant Scheme Restoration Bid for Buttle Marsh to Natural England.

10. Strategic priorities – update

The report set out the latest progress in implementing the Authority's annual strategic priorities for 2023/24.

Members noted the progress in implementing the 2023/24 priorities.

11. Financial performance and direction

The Director of Finance introduced the report and provided Members with updated figures since the report had been written.

Invoices relating to the previous financial year had come through which meant that the net deficit in table 1 on page 41 of the report had increased to £350,471. This was an increase of £33,784. The majority of £14,863 related to electricity charges, £3,000 to time sheet and expenses and approximately £15,000 related to contractors. This reduced the total actual variance from £110,797 to £77,013.

In table 4, page 45 the Consolidated Earmarked Reserve balances had increased to £3,767,061 which was due to the transfer of interest to the reserves at the end of the year. The biodiversity net gain money of £25,513 expected from Defra had been moved from the medium-term financial plan reserve to a provision on the balance sheet. This meant that the revised balance relating to navigation was £1,503,294. As a result of the increased expenditure National Park Reserve sat at £626,625 which was 13.3 %. Navigation Reserves sat at £611,587 which was 15.2%.

The forecast for the closing reserves for 2023/24 was £811,223 for National Park, which was approx. 23.6% and £607,767 for Navigation which was 13.8%.

Proposed by Andree Gee, seconded by Michael Scott,

It was resolved unanimously that:

- I. the income and expenditure figures and the draft year end position was noted.**
- II. the recommended carry forward request in 8.2 be approved and added to the 2023/24 budget as additional expenditure.**

12. Capital funding progress report

Members received the report providing a regular update on the progress implementing the capital funding programme.

A Member enquired about the delay in the purchase of land at How Hill. An update would be included in the progress report for the next meeting.

Members noted the report.

13. Safety on the Broads – update

Members received a report which updated them on the recent improvements, changes and additions to the safety management of the Broads' waterways and how these measures were bringing improvements for its users.

Members noted the report and ongoing progress in safety matters.

14. Risk to waterways users from water-borne disease in the Broads

The Head of Maintenance, Construction and Ecology (HMCE) introduced the report and explained that the report responded to a formal request from the Broads Local Access Forum (BLAF) who raised this item in relation to wild swimming and involuntary immersion.

A Member, who was also a member of the BLAF, said that the Authority was responsible for safety on the broads and believed water quality was part of this. Although the Environment Agency was primarily responsible for testing water quality, he wondered whether the Authority should take responsibility itself as well.

Members in support of the Authority taking responsibility for water quality monitoring commented that, while they understood the cost implication, the impracticality, and the complexity of taking on this responsibility, they believed the Authority had to do so for health and safety reasons and for reducing reputational risk. They suggested the Authority should act and put mitigation measures in place or at least should make the public aware of where the safety risk was higher or lower, helping the public to make a health and safety decision themselves and take a responsible approach to their swimming. A Member made a further suggestion of petitioning the Environment Agency to extend monitoring into the Broads Authority areas.

The HCME responded that experience of the Environment Agency had shown that water quality was variable through time, whether this was due to human source or livestock. He explained that even with frequent monitoring in the Broads, it would not be workable to pin down the outcome to a time and location a person decides to go into the water. The Authority's position currently was to discourage swimming in the Broads unless it was part of a user group.

Regarding the health and safety aspect of the risks, the Director of Operations commented that the Authority to date had not received any reports of illnesses associated with unplanned immersion in the Broads. He reported that the Authority was reviewing its hazard logs as part of the Port Marine Safety Code which now included risk assessments for unplanned immersion and water quality.

A Member commented that unregulated testing of waters in the Suffolk rivers by volunteers and the alarming results which were widely publicized, were a concern. Another Member who worked for the Environment Agency (EA), however not for the water quality team, said this was an issue to keep an eye on as public expectation had increased. However, it was a complex issue, and the EA would not be resourced to carry out water quality monitoring, unless it was for a designated bathing area.

A Member who was in favour of water quality monitoring responded that despite the caveats, the Authority should take a clear position and suggested it would consider a pilot period of monitoring confined to geographic areas so the Authority would be better informed.

While some Members welcomed this proposal, others argued water quality monitoring would be a waste of resources as different rates of flow and different sources of pollution meant there were simply too many variables. They recognised this was a complex issue and believed that other than making the public aware of the risk and continue to discourage swimming in the Broads, there was not much the Authority could do.

Michael Scott proposed, seconded by Fran Whymark, to support the recommendations laid out in the section 5 of this report with an additional recommendation to add a pilot period of water quality monitoring to a geographic area.

With 5 votes in favour and 7 against, this was declared LOST.

Stephen Bolt proposed, seconded by Greg Munford, to support the recommendation laid out in section 5.

It was resolved unanimously:

- **there should be no change to the Authority's current overall position on open water swimming, as per the text on the website [Outdoor swimming \(broads-authority.gov.uk\)](https://www.broads-authority.gov.uk)**
- **to carry out a review of the current communications for both open water swimming and paddle-sports, to include water-borne diseases as one of the hazards facing those taking part in these activities. The Authority's principle role should be the provision of information on what the public need to take into consideration before taking part in these activities and how to self-manage the risks.**
- **To work with partners to ensure safety messages align (where possible) and to expand the reach of communications.**
- **Through the Broadland Catchment Partnership, support the Environment Agency and Anglian Water in their implementation of the recent Defra announcement to make the reduction of sewage overflows a legally binding target, as per the [Storm Overflows Discharge Reduction Plan](#) published in August 2022.**
- **To support the River Waveney Trust's ambition for establishment an inland bathing water sites at Falcon Meadow, Bungay. The site is beyond the limits of navigation but within the Authority's executive area, therefore the risks of boat collisions are**

significantly reduced, and a well-managed site should mitigate the other risks of outdoor swimming.

15. Great Yarmouth Borough Council Supplementary Planning Document on Open Space

Great Yarmouth Borough Council produced an Open Space Supplementary Planning Document (SPD) which it had recently adopted. Given that the Broads Authority deferred to/had regard to the open space policies of district councils, Members were asked to endorse the SPD.

Proposed by Harry Blathwayt, seconded by Tim Jickells

It was resolved unanimously that Members endorsed the Great Yarmouth Borough Council Open Space SPD.

16. Annual summary of formal complaints and complaints made under the Member Code of Conduct 2022/23

Members received a report which summarised the formal complaints received by the Broads Authority, together with the outcome of those complaints, as well as information on complaints under the Member Code of Conduct, for the year 2022/23.

Members noted the report.

17. Annual report on requests to waive Standing Orders relating to contracts in 2022/23

Members received a report which detailed the 2022/23 annual summary of instances where Standing Orders were waived by the Chief Executive.

Proposed by Nigel Brennan, seconded by Andree Gee

It was resolved unanimously that Members noted the annual instances where Standing Orders were waived.

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

There were no matters to report under this item.

19. Minutes to be received

Members received the minutes of the following meetings:

Navigation Committee – 12 January 2023

Planning Committee – 3 and 31 March 2023

20. Other items of business

There were no other items of business.

21. Formal questions

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

22. Date of next meeting

The next meeting of the Authority would be held on Friday 28 July 2023 at 10.00am at the King's Centre, 63-75 King Street, Norwich.

The Chair reminded Members of the Biodiversity Workshop which would take place on 21 June and the Member Annual Site Visit taking place on 6 July.

The meeting ended at 11.42am

Signed by

Chairman

Appendix 1 – Declaration of interests: Broads Authority, 12 May 2023

Member	Agenda/minute	Nature of interest
Stephen Bolt	14	Had provided input in regard to the report on water quality.
Greg Munford	13	Hire boat operator. A disclosable pecuniary interest but the report was for information only.
Tony Grayling	14	Employee of the Environment Agency which was a disclosable pecuniary interest but was not a member of the water quality team which was the subject under consideration.