

Amendments to Norfolk and Suffolk Broads Act 1988

This note summarises the substantive changes which have been made to the Norfolk and Suffolk Broads Act 1988, apart from those contained in the Broads Authority Act 2009.

1. The membership of the Authority as set out in Section 1(3) now comprises:-

- Two members appointed by Norfolk County Council
- One member appointed by each of:
 - Suffolk County Council
 - Broadland District Council
 - Great Yarmouth Borough Council
 - North Norfolk District Council
 - Norwich City Council
 - South Norfolk District Council
 - Waveney District Council
- Ten members appointed by the Secretary of State
- Two members appointed by the Authority from those members of its Navigation Committee who are not already members of the Authority.

2. Section 2(1) now provides that it is a 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. The membership of the Authority's Navigation Committee set out in Section 9 now provides for five members to be appointed by the Authority from amongst its own members and for the remaining eight members also to include a member appointed by the Authority after consultation with the Great Yarmouth Port Authority.

4. There is a new Section 17A which provides that in exercising or performing any functions in relation to, or so as to affect, land in the Broads, relevant authorities must have regard to the purposes set out in paragraph 2 above. The relevant authorities for this purpose are Government Ministers, public bodies (most notably local authorities), statutory undertakers and persons holding public office.

5. In addition, a number of consequential amendments have been made, in particular:-

- a) To reflect the fact that certain bodies (for example the Countryside Commission and English Nature) no longer exist and that their functions have passed to successor bodies.
- b) To recognise that a number of the functions given to the Authority, in particular, the planning functions in Schedule 3, are now contained in subsequent, general legislation, with the result that the relevant provisions in the 1988 Act have been repealed.

6. In addition, there is other public legislation after 1988 which applies to the Authority, as it also applies to local authorities, national park authorities and similar bodies.

7. If further information is required on the above please contact: <mailto:broads@broads-authority.gov.uk>