

# Broads Authority

## Members' Handbook

Information to assist you with your Broads Authority membership



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## An introduction to the Broads and the Broads Authority

National Parks are a 19th Century American invention, adopted in the UK after the Second World War. The National Parks and Access to the Countryside Act 1949 introduced a process for the designation of National Parks, and the Environment Act 1995 established National Park Authorities. From as early as the 1930s the Norfolk and Suffolk Broads ('the Broads') was considered as a potential National Park, being Britain's largest and most important wetland. However, it was not included in the first round of designations in the 1950s because of initial concerns about the costs of maintaining the area.

The Broads is Britain's largest protected wetland, with some of the rarest plants and animals in the UK, and one of its most important inland waterways. The Broads attracts more than seven million visitors a year. As a local industry, tourism is second only to farming, supporting more than 7000 jobs and contributing nearly £6m a year to the local economy.

[The Norfolk and Suffolk Broads Act 1988](#) gave the Broads an equivalent status to that of a national park, and the Broads is a proud member of the UK family of National Parks. By creating a Special Statutory Authority (the Broads Authority), the Government recognised that the Broads needed the same protection as a national park but with the added responsibility for protecting and maintaining the navigation. More details on our [legislation](#) can be found on our website.

The Broads Authority was set up in 1989 with responsibility for the Broads and specifically for conservation, planning, recreation and waterways. While the area administered by the Authority is formally known as the Broads Authority Executive Area, the term 'Broads National Park' has been adopted by the Authority to promote the Broads and increase public awareness of its unique qualities.

The Broads Authority is an independent body working within the framework of local government. Under the Broads Act 1988 it has 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

In discharging its general functions, it must 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;
- The needs of agriculture and forestry and the economic and social interests of those who live or work in the Broads.

The Authority also has the duty to maintain the navigation area for the purposes of navigation to such standard as appears to it to be reasonably required, and to take such steps to improve and develop it as it thinks fit.

The Broads Authority is the local planning authority for the area and is also a harbour and navigation authority.

## The Broads Plan

[The Broads Plan](#) is the partnership strategy for the Broads. It sets out a long-term vision and guiding actions to protect and enhance the area's special qualities. The current Broads Plan covers the period 2017-22. While the Broads Authority is responsible for its production it is very much a partnership plan, and its success depends on a common vision, joint working and the best use of shared resources.

We also have a number of [guiding strategies](#) that sit under the Broads Plan. These generally focus on a single theme or area such as education, access or the Broadland catchment.

## Business Plan

Our [Annual Business Plan](#) gives an overview of our work priorities for the coming year. It is a link between the Broads Plan and our Directorate/team work plans.

## Strategic priorities

Each year we identify a small set of strategic priorities that 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 target resources and make the most of partnership working and external funding opportunities. Priorities are set each year, although the scale of many projects means they are implemented over several years. The progress on the strategic priorities is presented at each [Broads Authority meeting](#).

## Our staff

Around 150 officers work for the Broads Authority in either full-time, part-time, seasonal or temporary positions.

We have three Directorates:

- **Finance and Support Services:** Finance, IT, Tolls, and governance
- **Operations:** Construction, maintenance and environment teams, ranger services, safety management and the volunteer service.
- **Strategic Services:** Strategic planning, development management (planning), communications and human resources

See our [organisational structure chart](#) for more details.

We also have a great team of volunteers who support our work in everything from countryside management and patrolling the waterways to research and administrative work. As well as helping to implement our strategic aims, our volunteers are a vital link to our local communities.

Broads Authority executive area





## Finance

The Authority is funded from two major sources: National Park Grant (NPG) from Defra and navigation toll income. These are approximately equal and are used to fund the activities, including staffing, across the organisation. This is supplemented by income from planning fees, fen management and Rural Payments Agency income, visitor centre and yacht station sales, and external funding such as the Heritage Lottery Fund and the European Regional Development Fund.

### Budget

The Financial Strategy sets the annual budget and provides indicative figures for the following two financial years. This is agreed annually by the Broads Authority, normally at the January meeting, depending on when the NPG settlement is received.

The consolidated budget is split between National Park and Navigation activities as the legislation dictates that only Navigation income can be spent on Navigation activities. A number of budget headings make up the consolidated budget, with activities split by percentages between the two. These percentages were originally agreed by the Resource Allocation Working Group but can be amended by the Authority as long as it is not in contradiction to the legislation.

The budget is monitored throughout the financial year (1 April to 31 March) and reported to the Authority as part of the Finance Performance and Direction report. Budget holders are asked to provide commentary on a monthly basis as to any variances (differences) between their profiled budget and their actual position. There can be a number of reasons for variances throughout the year, including contract savings, receipt of additional income or contractor delays. Members receive commentary on these and an indication of what the final results will look like, referred to as the Forecast Outturn.

### Statement of accounts

At the end of the financial year the actual levels of income and expenditure are used to produce the Statement of Accounts. These include additional adjustments made at the end of the year to cover items such as depreciation and pension contributions. Training is provided to Members to help understand the differences. The accounts have to be produced in draft by 31 May and approved by the Authority by 31 July. They are audited by the Authority's external auditors, Ernst & Young, between these periods and are made available for public inspection. Copies of the [Annual Accounts](#) are available on our website.

The Statement of Accounts is made up of core statements that include the Comprehensive Income and Expenditure Statement, Balance Sheet, Movement in Reserves and Cash Flow. These are supplemented by a number of more detailed notes. One of the notes is specific to related party transactions, including transactions between the Members and the Authority. It is crucial that Members submit their annual declarations as accurately as possible, including any pecuniary interests, as this is disclosed within the note. Further guidance is available from the Director of Finance.

## Audit

As well as external audit, the Authority also belongs to Eastern Internal Audit Services, a consortium made up of Breckland, Broadland, North Norfolk, South Holland and South Norfolk District Councils, Great Yarmouth Borough Council and the Broads Authority. Internal audit's focus is to provide an opinion on the adequacy and effectiveness of internal control systems, corporate governance arrangements and systems of risk management. The result of these form part of our Annual Governance Statement, produced alongside the Statement of Accounts. The [annual accounts](#) are published on our website. Four service areas are reviewed every year and will always include Key Controls (Finance) and corporate governance. ICT is reviewed every other year. Past audits have covered other areas such as external funding, planning, the Port Marine Safety Code and asset management. The results of internal and external audit are reported to the Audit and Risk Committee.

## Membership

21 Members from diverse backgrounds represent the public's interests in the Broads. Nine are appointed by local councils, ten by the Secretary of State for Environment, Food and Rural Affairs (Defra), and two by the Authority itself from the eight co-opted members of the advisory Navigation Committee.

Terms of Appointments for Defra and co-opted Navigation Committee Members are for four years up to a maximum of 10 years. The terms for Council appointees are usually one year, except Suffolk County Council and North Norfolk District Council whose terms are for four years. Appointments are made by Councils after the May election.

The [Meet our Members](#) page has more information about our Members and the committees they sit on.

### Member induction

All new Members go through a comprehensive induction programme. This covers a variety of topics, including the Authority's history, purposes and functions, and also includes site visits.

### Member development

Following induction, you will have the opportunity to participate in workshops and site visits to help develop your skills and enhance your contribution as an Authority member. To support the Authority and your role, we ask you to complete a Members' Review every year. Further details are in the [Broads Authority Member Development Programme](#).

### Scheme of Member Allowances

[The Scheme of Member Allowances](#) is made in accordance with the provisions of the Local Authorities (Members Allowances) (England) Regulations 2003, as amended.

A basic allowance is payable to all Members unless they choose not to receive the payment. This allowance is paid in recognition of the time and money devoted to Authority duties.

You can also claim for private mileage on Authority business in accordance with approved HMRC mileage rates. Claims should be submitted quarterly to the Governance Team, by the



20th of the month for payment the following month. Blank [Member Expenses Claim Forms](#) are available on the Member's Handbook webpage.

## Members' Privacy Notice

The [Members' Privacy Notice](#) outlines how we use any information you give us, and how we protect your privacy. It reflects the provisions of the EU General Data Protection Regulations.

## Governance

Collectively, the Members are the prime decision makers through the meetings of the Broads Authority. Members are responsible for setting the Authority's strategic direction and policy, and monitoring their implementation.

Day-to-day decision making is delegated by Members to officers, as set out in the [Scheme of Powers delegated to Officers](#).

To ensure this relationship is balanced and the respective roles of Members and officers do not become blurred, the Authority has a [Protocol on Member and Officer Relations](#). This contains valuable guidance on roles, expectations and working relationships, as well as specific guidance to Members if there are any problems.

Members should at all times conduct their relationship with officers in a manner that reflects the obligations of the Broads Authority under the Employment Rights Act 1996, the Equalities Act 2010 and other employment legislation.

The Authority's [Annual Governance Statement](#) sets out how the Authority maintains high ethical standards in its governance and internal control systems.

## Other committees

The [Audit and Risk Committee](#) 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 has a very limited decision-making role.

The Authority's functions as a local planning authority are carried out by its [Planning Committee](#), 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.

The Authority's [Navigation Committee](#) of 13 members and co-opted members advises on the navigation function of the Authority. It is an advisory committee and does not make decisions. However, if the Broads Authority does not accept recommendations by the Navigation Committee it is required to give reasons.

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.

The [Committee Structure Chart](#) shows how the committees work together.

The Authority has appointed two Independent Persons who are regularly consulted to enable the Authority to achieve high ethical standards.

### Core values and ethics

On 23 July 2021 the Broads Authority unanimously adopted its new [Code of Conduct](#), based upon the Nolan Principles.

The Authority also has its own set of core values, which it promotes to staff and Members through posters and screen savers, codes of conduct and protocols, recruitment, interview and appraisal processes, and development programmes.

#### **Our Core Values**

We show **commitment** - Working together for a common purpose; Showing flexibility, trust and enthusiasm; Delivering on our promises.

We are **caring** - Setting realistic and properly resourced workloads; Supporting each other to get things done; Giving praise and daring to challenge.

We are **exemplary** – Being visible, approachable and professional; Making sound judgements on strong evidence; Aiming higher, smarter and always inspiring.

We are **open and honest** – Being fair and consistent in our words and actions; Always willing to ask, listen and respond; Doing what’s right and being accountable.

We are **sustainable** – Looking after our resources wisely; Understanding the impact of our choices; Doing work that adds real value.

## Committee calendar

The committee calendar is reviewed annually and approved at the Broads Authority's March meeting. The calendar is available to view on the [members' handbook](#) web page. The annual committee cycle is set to meet key business deadlines, as shown in the table below.

Committee Date	Audit and Risk Committee	Navigation Committee	Broads Authority
July	Annual Governance Statement.	None.	<b>Annual General Meeting</b> Appointment of Chair and Vice-Chair Appointment of committees and representation on outside bodies Annual Governance Statement Annual Reports (Waiver of Standing Orders, LAF etc.)
September	Draft Statement of Accounts Risk Register Partnerships Review Data Protection Officer Report Feedback from Auditors	Committee meeting	Statement of Accounts
October	None.	Tolls setting	None.
November	None.	None.	Tolls setting
January	None	Committee meeting	Committee meeting

<b>Committee Date</b>	<b>Audit and Risk Committee</b>	<b>Navigation Committee</b>	<b>Broads Authority</b>
February	Draft Budget Annual Investment Strategy Approve Audit Plans – internal and external	None.	None.
March	None	None.	Business Plan including Financial Strategy and Strategic Priorities for following year Budget for next Financial Year Annual Investment Strategy
April	None.	Consultation on Appointment of two Members to the Broads Authority Appointment of Chair and Vice-Chair Annual Safety Audit Draft budget	None.

<b>Committee Date</b>	<b>Audit and Risk Committee</b>	<b>Navigation Committee</b>	<b>Broads Authority</b>
May	None.	None.	Appointment of two co-opted Members to BA from the Navigation Committee  Annual reports from the last financial year: Carry forwards of expenditure, Waivers to Standing Orders  Annual Safety Audit  Summary of Formal Complaints
June	None.	Committee meeting	None.
Standing Items	Consolidated income and expenditure and forecast outturn  External Audit  Implementation of Internal Audit recommendations: summary of progress	Summary of progress against previous decisions  Income and Expenditure and Forecast Outturn  Construction, Maintenance and Environment Work Plan Progress Update  Exercise of powers	Summary of progress against previous decisions  Progress on Strategic Priorities  Income and Expenditure and Forecast Outturn  Port Marine Safety Code items to raise

## Agenda papers

The Authority has adopted the use of electronic agenda papers, and therefore does not send out paper copies of agendas. Full agenda papers are sent to you by email for the relevant committee a week before the meeting, and are also published on the [committee pages](#) of our website.

## Rules for the conduct of Broads Authority and committee meetings

### [Terms of Reference of Committees](#)

The Broads Authority has specific rules for the conduct of its meetings, set out in the [Standing Orders](#). Much of the wording follows long-established rules and precedents used by local authorities, updated to reflect changes specific to the Authority.

The Standing Orders cover matters such as the order of business, motions, speaking and rules of debate.

As well as asking questions on agenda items at the meeting, Members can ask questions on business before the meeting, providing they give four clear working days' notice (Standing Order 6).

The Standing Orders include a section on recording meetings and using hand-held electronic devices. Meetings are audio recorded and recordings are available to the public on request.

Generally, Authority meetings are open to the public. The exception to this is when discussions are taking place on confidential or exempt items. These reports are on a pink background and as such are referred to as 'pink items'.

## Members' Code of Conduct

The [Code of Conduct](#) will apply whenever Members act in their official capacity, including when conducting the business of the Broads Authority or acting, claiming to act, or giving the impression they are acting in their official capacity. The Code is not intended to apply to issues relating to Members' purely private matters or to political opinions.

The Authority also has a [Social Media Policy](#).

## Openness and transparency on personal interests

As a Member of the Authority, it is your responsibility under the law to declare interests and to satisfy yourself as to which interests should be declared. The Members' Code of Conduct has a section on disclosable pecuniary interests and other interests.

For official guidance on when Members should register Disclosable Pecuniary Interests and other interests, we recommend the Department for Communities and Local Government's '[Openness and transparency on personal interests: A Guide for Councillors](#)'.

## Probity in planning and code of conduct for members of the Planning Committee

The Authority has a separate [Code of Conduct for members of the Planning Committee](#).

Among other guidance, it sets out rules on lobbying, pre-application matters and circumstances where Members are connected to someone making a planning application.



Planning Committee members should also refer to the Local Government Association's publication [Probity in planning: Advice for councillors and officers making planning decisions.](#)

### **Freedom of Information Act, data protection and confidentiality**

Legal provisions apply to Members in regard to freedom of information, data protection and confidentiality. These are generally dealt with as part of your induction, due to their complexity.

The Authority has a duty to comply with requests made under the Freedom of Information Act 2000 (FOIA) or the Environmental Impact Regulations, within 20 working days of a request being received. Generally, the rules are clear and are routinely dealt with by officers. Any Member seeking information from the Authority should follow the provisions in the [Protocol on Member and Officer Relations](#), rather than use the FOIA. This includes the procedure if a Member considers that confidential information should be disclosed by them in the public interest.

As noted above, confidential matters brought to Authority meetings are presented in the confidential section of agenda papers and are known as 'pink items'. These items are discussed at a part of a meeting when the press and public are excluded and should be kept confidential. There is no audio recording of confidential items.

For more information, contact the Authority's Data Protection Officer.

## **Additional guidance for committee meetings**

### **Predisposition, predetermination or bias in decision making**

These concepts of predisposition, predetermination and bias are judge-made, common law issues, and not part of the Authority's Code of Conduct. When complaints are made, it is often in the context of planning matters. There is a difference between breaching the Code and being predetermined or biased. It is perfectly possible to act within the Code and still cause a decision to be bad for predetermination or bias.

#### **What is predisposition?**

It is not a problem for Members to be predisposed to a particular view. That predisposition can be strong and can be publicly voiced. However, a Member must be open to the possibility that, however unlikely, they will hear arguments during the debate about an issue that will change their mind about how they intend to vote. As long as they are willing to keep an open mind about the issue, they are entitled to take part in any vote on it.

#### **What is predetermination or bias?**

Predetermination is where a Member's mind is closed to the merits of any arguments that differ to their own on a particular issue on which they are taking a decision, such as an application for planning permission; in other words, when a Member makes a decision on an issue without taking other arguments into account.

If Members are involved in decision making, they should avoid indicating that they have conclusively decided how they will vote at the meeting, such that nothing will change their

mind. A Member can create this impression in a number of different ways, such as by quotes given in the press or what they have written in correspondence. It is recommended that Members remain prudent about commenting prior to taking a decision.

Rarely will membership of an organisation on its own, such as a national charity, amount to apparent bias, unless the organisation has a particular vested interest in the outcome of a specific decision that a Member is involved in making.

### **Making the decision**

When considering whether there is predetermination or bias, Members responsible for making the decision should apply the following test: Would a fair-minded and informed observer, having considered the facts, decide there is a real possibility that the Member had predetermined the issue or was biased?

However, when applying this test, they should remember that it is legitimate for a Member to be predisposed towards a particular outcome as long as they are prepared to consider all the arguments and points made about the specific issue under consideration. Planning decisions are not similar to judicial decisions, they are administrative. Therefore, it is acknowledged that Members may appear predisposed for or against a particular planning decision.

Other procedures and general information are on our website under [Constitutional documents](#).

## **Port Marine Safety Code**

The [Port Marine Safety Code](#) sets out a national standard for every aspect of port marine safety. Its aim is to enhance safety for everyone who uses or works in the UK port marine environment. The Code is applicable both to statutory harbour authorities and to other marine facilities that may not have statutory powers and duties. As the Broads Authority is a statutory harbour authority, the Code applies to us.

The Code requires us to appoint 'duty holders' who are accountable for our compliance with the Code and our performance in ensuring safe marine operations. The role of duty holders is undertaken by Authority Members who are, both collectively and individually, publicly accountable for marine safety under the Code.

The Authority has a range of statutory and non-statutory duties and powers relating to marine operations. These duties include a duty of care to those using the harbour, which means the Authority has an obligation to conserve and facilitate the safe use of the harbour as well as a duty of care against loss caused by the Authority's negligence.

The Code requires a [Safety Management System](#) to be developed and documented to detail arrangements, policies and procedures of how these duties are to be discharged.

The Authority has appointed the Head of Safety Management as the 'Designated Person' responsible for providing the Authority with independent assurance that the Safety Management System is effective. The Designated Person has direct access to the Duty Holders. The Designated Person presents regular progress and audit reports to Members so

they can be assured of compliance with the Code and ongoing development of the safety management system.

## Governance team

For general governance enquiries, please email the Governance Team at:

[committees@broads-authority.gov.uk](mailto:committees@broads-authority.gov.uk)

### **Sara Utting – Senior Governance Officer**

Provides guidance and support to the Authority's officers and members on governance issues, liaising with the Monitoring Officer, and acting as the Deputy Data Protection Officer. Assists with the production and review of corporate governance documents. Management of the Governance Team.

[Sara.Utting@broads-authority.gov.uk](mailto:Sara.Utting@broads-authority.gov.uk)

### **Jason Brewster – Governance Officer**

Serves the Planning Committee and Audit & Risk Committee, and provides administrative support within the Governance Team; acts as Member liaison.

[Jason.Brewster@broads-authority.gov.uk](mailto:Jason.Brewster@broads-authority.gov.uk)

### **Michelle Glover – Governance Officer**

Serves full Authority meetings, Navigation Committee and provides administrative support within the Governance Team; acts as Member liaison.

[Michelle.Glover@broads-authority.gov.uk](mailto:Michelle.Glover@broads-authority.gov.uk)

### **Esmeralda Guds – Governance Officer & PA**

Provides personal assistance to the Chief Executive and Chair of the Broads Authority, and administrative support within the Governance Team; implements the Members' Allowances Scheme and member annual review process; services Management Team and Management Forum.

[Esmeralda.Guds@broads-authority.gov.uk](mailto:Esmeralda.Guds@broads-authority.gov.uk)

### **Jonathan Goolden – Monitoring Officer**

[monitoring.officer@broads-authority.gov.uk](mailto:monitoring.officer@broads-authority.gov.uk)

## Broads Authority offices

### **Yare House (Head Office)**

62-64 Thorpe Road, Norwich, NR1 1RY  
01603 610734

### **Dockyard**

Griffin Lane, Thorpe St Andrew, Norwich NR7 0SL

## Yacht stations

### **Norwich Yacht Station**

Riverside Road, Norwich  
01603 612980

### **Great Yarmouth Yacht Station**

Tar Works Road, Great Yarmouth, NR30 1QX  
01493 842794  
07766398238

## Tourist information centres

### **Toad Hole Cottage Tourist Information Centre**

Toad Hole Cottage Museum, Ludham NR29 5PG  
01603 756096  
01692 678763

### **Hoveton Tourist Information Centre**

Station Road, Hoveton NR12 8UR  
01603 756097  
01603 782281