

Broads Authority

Minutes of the meeting held on 25 September 2015

Present:

Professor J A Burgess – in the Chair

Mr K Allen	Mr P Durrant	Mr G McGregor (1-11)
Mr J Ash	Dr J M Gray	Mr P Rice
Mr M Barnard	Ms G Harris	Mr J Timewell (1-11)
Mr L Baugh	Mrs L Hemsall	Mr P Warner
Miss S Blane	Mr G W Jermany	Mr M Whitaker
Sir Peter Dixon	Mr J Knight	

Also in attendance: Dr K Bacon – Chairman, Broads Forum and Chairman of Broads Local Access Forum

In Attendance:

Dr J Packman – Chief Executive
Mrs S A Beckett – Administrative Officer
Dr D Hoare – Environment and Design Supervisor (Item 25)
Mr B Hogg – Historic Environment Manager (Item 14)
Mr T Hunter – Rivers Engineer (Item 9)
Mr P Ionta – Solicitor and Monitoring Officer
Ms A Kelly – Senior Ecologist (Items 1- 8)
Ms E Krelle – Head of Finance
Ms A Long – Director of Planning and Resources
Ms L Marsh – Head of Communications
Ms C Smith – Head of Planning (Item 24)
Ms T Wakelin – Director of Operations

2/1 Apologies and Welcome

The Chairman welcomed everyone to the meeting including members of the public, Mr Brian Wilkins and Bill Dickson who were members of the Navigation Committee as observers and Keith Bacon, Chairman of Broads Forum.

Apologies were received from Mr M Bradbury, Mr N Dixon and Mr V Thomson. Apologies for having to leave early were received from Ms G Harris and Mr G McGregor.

2/2 Chairman's Announcements

(1) Openness of Local Government Bodies Regulations 2014

Following a request from the Chairman, no members of the public indicated that they would be recording or filming the proceedings.

(2) **Annual Report 2014/15**

The Chairman drew Members attention to the Annual Report for 2014/15 which was now available.

(3) **Various Events and Future Dates to Note**

The Chairman reported that, although unable to be present, Matthew Bradbury had provided comments and these would be fed into the discussions.

The Chairman drew attention to the following dates:

Joint Broads Authority and Norwich City Council Planning Committee Site Visit – 2 October 2015

All those who would be attending had been sent details by email. Members were urged to arrive outside Yare House by 9.20am for prompt 9.30am departure.

Members Workshop – Broads Plan Review: 7 October 2015 at the Kings Centre, King Street, Norwich

The workshop would be for half a day starting at 9.00am. Details would be circulated.

Planning Committee Meeting – 9 October 2015

There would be training following the meeting.

Parish Forum: Thurne/Bure Parish Forum - Monday 26 October 2015 – doors opening at 6.30am

This was to be held at the Barn, Tate Loke (off Mallard Way), Hickling with particular focus on the Hickling Broad Enhancement Project (see Minute 2/8). A presentation on this would start at 7.30pm. It was anticipated that all those who had volunteered to serve on this group of parish councils would be attending, and as this was deemed to be a flagship project, all members were encouraged to attend in order to gain a perspective.

Member Development – Chairing Skills Training

There was an opportunity for Members to attend training which was being provided by Broadland District Council either on 9 or 29 October 2015. An email had been circulated to gauge interest.

2/3 Introduction of Members and Declarations of Interest

Members introduced themselves and expressed declarations of interest as set out in Appendix 1 to these minutes.

2/4 Items of Urgent Business

No items of urgent business had been received.

2/5 Public Question Time

A question had been received from Mr Peter Riches relating to the renewal of the Irrigation licenses near Catfield and the protection of wetlands in particular. Unfortunately Mr Riches was unable to attend. The Chairman read out the questions and provided the Authority's response (as attached at Appendix 2 to these minutes).

Members considered that the Public Question time procedures could be improved in order to provide a more satisfactory outcome for both parties. It was noted that the procedures were due to be reviewed in November 2015.

2/6 Minutes of Broads Authority Meeting held on 10 July 2015

The minutes of the meeting held on 10 July 2015 were approved as a correct record and signed by the Chairman subject to the deletion of Matthew Bradbury from the list of attendees.

2/7 Summary of Progress/Actions Taken Following Decisions of Previous Meetings

The Authority received and noted a schedule of progress/actions taken following decisions of previous meetings. Members noted that some of these also linked in with the Strategic Priorities report at Minute 2/10.

In particular, members noted the updates concerning

Members Allowances and claim for child care and/ or caring in general.

Further to Minutes 1/9 and 6/2(3), the Chief Executive reported that in an attempt to progress matters further he had written to the Defra Director responsible for National Parks and a response was awaited. Given that Government was pressing all public bodies to widen engagement it was considered appropriate for the regulations to be amended.

External Funding Opportunities

In addition to the National Parks UK Commercial Sponsorship Project, Members requested further information on the progress on seeking funding opportunities at the more local level through discussions due to be held with the Broads Charitable Trust.

Network Rail Consultation

The notes of the meeting with Network Rail on 1 July 2015 had been circulated to members as requested. A further high level meeting was due to be held on 29 September 2015.

Cockshoot Broad – Restoration of boardwalk at Cockshoot Dyke

The Director of Operations explained the details of the work undertaken to the Cockshoot Broad walkway. The work on the Norfolk Wildlife Trust section was due to be completed by the end of October and the Norfolk Wildlife Trust

would then be responsible for this. Unfortunately the landowner had indicated that he would be closing the footpath which fell within his ownership. A member reported that the fishing club was looking to relinquish its rights to maintain the boardwalk. Members expressed extreme disappointment as to the attitude of the landowner given the significance of the site for public access and noted the situation with considerable regret.

Geldeston Woodland

The Chief Executive reported that the transfer of ownership had been completed and Geldeston Woodland now belonged to the River Waveney Trust.

Breydon Water.

The formal notice relating to consultations on formally designating the existing water-skiing and wakeboarding zone without any additional controls would be advertised very shortly.

2/8 Hickling Broad Enhancement Project

The Authority received a report and presentation from the Director of Operations providing a strategic overview of the proposals for enhancement of Hickling Broad based on the scientific evidence gained from the Lake Review Project. The development of the project had been included in the strategic priorities for 2015/16 and the overall vision had been the subject of consultation with a number of interested parties including the Upper Thurne Working Group, Natural England, Environment Agency, Norfolk Wildlife Trust, the landowner, as well as the Authority's Navigation Committee, Broads Local Access Forum (BLAF) and the Broads Forum. In addition Members of the Planning Committee had also been provided with a presentation of the project and the potential proposals which would require planning permission.

Members welcomed the initiative resulting from the Lake Review Project which had been the subject of the successful Workshop in April 2015 and endorsed the project objectives in seeking multi benefits for conservation, recreation and navigation. They were in agreement with the views of the Navigation Committee that to do nothing was not an option. They were mindful of the size of the area as well as the sensitivities and complexities of the environment and that the project required a cautionary approach as well as flexibility and phasing in its implementation over a number of years. Members noted the catchment approach and considered that one of the major technical challenges would be a reduction in salt water incursion and environmental degradation.

A member suggested that it would also be beneficial to provide greater land based public access in association with the landowners and tenants of the broad and its surroundings, as an integral part of the enhancements.

Members were particularly appreciative of the wider engagement with local communities and stakeholders, considered to be vital for taking the project forward. They endorsed it as an exciting project.

Members noted the financial implications and the likely financial provision of £1.4 to £1.5 million required over the next six to ten years from 2016 (£60,000 per annum) which had been identified to assist in preparing a detailed external funding bid as well as the amount of match funding required from the Broads Authority using navigation income and National Park Grant. (The consideration of the budgetary implications for the priority dredging work was considered at Minute 2/13.)

Mr Rice proposed, seconded by Mr Allen and it was

RESOLVED

- (i) that the principles of the proposal for the Hickling Broad enhancement Project including the draft vision and strategic approach be endorsed; and
- (ii) to increase the 2015/16 navigation budget by £21,000 for the priority dredging work as set out in Section 3 of the report and the likely financial provision required as set out in Section 4 and 7 of that report be noted.

2/9 Mutford Lock Maintenance and Reserve

The Authority received a report setting out the current maintenance issues at Mutford Lock and the revised budget allocation and proposed use of reserves to undertake essential maintenance and keep it serviceable both in the short and long term. The Navigation Committee on 3 September 2015 had supported the recommendations, considering the proposals essential. In general members supported the pro-active approach, since the Lock was not only of importance for navigation but also for tourists in providing a reliable facility for boats accessing the Broads from the sea as well as in terms of a feature. Some concerns were expressed about the apparent disproportionate expenditure in comparison to income and concerns over the potential shortfall in building up the reserves. However it was recognised that there were considerable benefits, some of which might not be directly apparent or quantifiable.

Mr Barnard proposed, seconded by Mr Timewell

RESOLVED

- (i) that the expenditure of £87,082 from the Mutford Lock reserve fund to complete essential maintenance and repairs in the current financial year (2015/16) be approved;
- (ii) that the annual maintenance budget for Mutford Lock be revised to £18,000 to allow for hydraulic control system servicing and routine underwater maintenance, which will be incorporated in the draft 2016/17 budget for consultation; and

- (iii) that a consultant be appointed in 2016/17 to investigate costed de-watering options for the lock ahead of major work. The estimated cost being between £5,000 and £10,000, and that this be funded from the ring fenced reserve.

2/10 Strategic Direction for 2015/16 (including Broads Plan)

The Authority received a report setting out the Broads Authority's activities in delivering progress against the Broads Plan 2011 through the five key Strategic Priorities agreed at the Authority's meeting on 20 March 2015. The Strategic priorities were designed to meet those objectives where the Authority had been identified as the lead partner for the year 2015/16. Members noted the progress made on the five priorities, which included the Hickling Project reported at Minute 2/8.

With reference to the issues identified in the Stakeholder Action Plan and in association with members' desire to have more engagement and workshops, the first of these had been held on 22 September on the Finances and Statement of Accounts. The Chairman reported that the Tolls Workshop held on 23 September 2015, attended by 16 members with invited representatives from the private boating and hire boating organisations, had been very positive in providing an understanding of the existing system and its complexities. Following discussions there was a general feeling that there was an appetite for change to the tolls charging structure and a clear mandate to move forward. As a result it was agreed that the next steps would be to set up a small working group in order to explore matters highlighted in the workshop and to come up with a set of proposals for future consideration by the Navigation Committee and the Broads Authority by possibly September 2016 for approval to consult on the draft proposal, with a view to implementation in April 2017.

Therefore the Chairman proposed that the Working Group be made up of the Authority Chairman and Chairman of the Navigation Committee with four other members to ensure that there was a representative from each of the boating groups. She explained that for efficiency it was advantageous to have a small group although the aim would be for other members to attend for specific topics as observers and stakeholders with specific interests be invited to provide advice and views.

Members debated the membership of the group with one commenting that the understanding from the workshop was that this should be self-nominating and therefore it should not be prescriptive.

Members endorsed the Chairman's view that the workshop had been useful. They supported the proposal that there should be a small Working Group to determine the work required and take matters forward emphasising that this should be member lead, mindful of the historic sensitivities and lessons from the previous reviews. While it was considered important to listen to stakeholders it was felt that the Group needed to balance the needs of these

with the objectives and purposes of the Authority which had the responsibility for the special qualities of the Broads National Park. It was also considered that the principles and attributes of the structure be taken into account.

The Chairman proposed under Standing order 5.1(e) and it was

RESOLVED by 13 votes to 2

- (i) that a fixed term Tolls Review Working Group comprising six members be established to include the Chairman of the Authority and the Chairman of the Navigation Committee in addition to four other members to be confirmed by the Chairman of the Authority. The Working Group to review the current tolls structure so as to make recommendations to the Authority thereafter.

RESOLVED

- (ii) that the performance of the different projects to meet the Strategic Priorities for 2015/16 in the accompanying table Appendix 1 to the report be noted.

2/11 Annual Governance Statement 2014/15

The Authority received a report on the Annual Governance Statement (AGS) with the Statement for 2014/15 appended, noting that this was required to provide an annual review of the Authority's systems of internal control and governance arrangements. Members noted Internal Audit work had not identified any weaknesses that were significant enough for disclosure within the AGS. The External Auditor had been satisfied with the AGS and the Financial Scrutiny and Audit Committee at its meeting on 22 September had approved this without any amendments. Members were assured that the work on the People Strategy was progressing and this would include matters relating to the Whitlingham Charitable Trust. It was hoped to deliver this as stated in the Action Plan by the end of this financial year.

Mr Whitaker proposed, seconded by Mr Baugh and it was

RESOLVED

- (i) that the Annual Governance Statement for 2014/15 and Action Plan for 2015/16 be approved for signature by the Chairman at the end of the meeting; and
- (ii) that the Authority confirms, subject to implementation of the improvements identified in the Action Plan, that the Authority's internal control systems and governance arrangements are considered to be adequate and effective.

2/12 Statement of Accounts 1 April 2014 – 31 March 2015

The Authority received a report setting out the Authority's Statement of Accounts for the year ended 31 March 2015. Members were informed that the Auditors had completed their work and there were no changes to the figures within the report and all the balance sheet figures had remained the same. The Audit had provided the Authority with an unqualified report which was considered complimentary. The Financial Scrutiny and Audit Committee had considered the report to be acceptable.

Members welcomed the report and congratulated staff on the production of the Statement of Accounts, particularly given the limited staff resources working to a very tight timetable.

Mr Barnard proposed, seconded by Mr Rice and it was

RESOLVED

that the Statement of Accounts 2014/15 be adopted and the revenue account outturn figures be noted.

2/13 Financial Performance and Direction

The Authority received a report providing details of the actual income and expenditure for the four month period to 31 July 2015, together with a forecast of the projected expenditure at the end of the financial year (31 March 2016) and the key financial issues requiring more detailed consideration. Members welcomed the revised format for the report.

Members gave consideration to the additional budget request in 2015/16 for both Hickling and Mutford Lock as set out in paragraphs 6.2 and 7 of the report and the reports to Minute 2/8 and 2/9 and were supportive.

Consolidated Income and Expenditure from 1 April to 31 August 2015

Members welcomed the revised format for the report and noted that the current forecast outturn position for the year indicated a surplus of £34,375 for the national park side and a surplus of £13,104 for navigation resulting in an overall surplus of £47,479 forecast within the consolidated budget. This indicated a general reserve balance of approximately £988,000 and a navigation reserve balance of approximately £293,000 at the end of 2015/16. It was noted that this would mean the navigation reserve would fall slightly below the recommended level of 10% of net expenditure.

The Chief Executive provided members with a presentation of the Authority's Reserves position and the need to maintain these to cover strategic requirements of contingencies against risks, matched funding, asset management, planning delivery grant and Section 106 ring fenced monies bearing in mind the forthcoming Government Comprehensive Spending Review to be announced in November. The Authority was not likely to know of

the outcome from Defra of the National Park Grant allocation for future years until the New Year.

Members noted the uncertainties; that the Authority's budget was very sensitive to change and any changes in toll income would have an impact on the navigation budget and reserves and this combined with changes to National Park Grant would have a significant impact on the Authority's activities and the nature of the work being undertaken. In line with the advice from the Authority's auditors and the consideration of the Financial Scrutiny and Audit Committee it was recognised that there should be a realignment to examine the scale and level of risks and the reserve position and it would be necessary to examine the options available and what the Authority might need to forego. The possibilities of seeking external funding including sponsorship should continue to be explored.

Mr Whitaker proposed, seconded by Mr Allen and it was

RESOLVED unanimously

- (i) that the Income and Expenditure from 1 April to 31 July be noted;
- (ii) that the presentation on the Authority's reserves policy be noted.; and
- (iii) that the additional budget requests in 2015/16 for Mutford Lock and Hickling as set out in 6.2 and 7.1 of the report be supported in accordance with the decisions made at Minute 2/8 and 2/9.

2/14 Oulton Broads Conservation Area Re-Appraisal

The Authority received a report on the Oulton Broad Conservation Area Re-Appraisal and the detailed consultation which had taken place. The Heritage Asset Review Group had considered the reappraisal on two occasions and the Planning Committee had considered this at its meeting on 24 July recommending that it be adopted with the new boundary.

Mr Barnard proposed, seconded by Dr Gray and it was

RESOLVED unanimously

that the Oulton Broad Conservation Area reappraisal be adopted.

2/15 Update on Judicial Review – National Park Branding

The Authority received a report providing an update on the Judicial Review concerning the Authority's decision in January 2015 for branding the area as a National Park for marketing purposes and that the Authority would no longer pursue an aim for the Broads to become a national park in law and that it had no intention of seeking the application of the Sandford Principle to the Broads.

Members noted that since Mrs Justice Patterson had refused the claimants permission to bring judicial review and rejected all of the grounds argued, essentially on the basis set out by the Authority, the claimants had lodged an application for a renewal hearing. Permission was granted on 12 August to allow the claim for Judicial Review to be listed for a full hearing on the basis that there may be an important point of developing public law which had not been considered before the courts. This was due to take place on 10 and 11 February 2016.

Members noted that there was a cap on the recovery of any costs. Although concerned about the actual costs members recognised that they had taken a decision which had been debated at length and were committed to the principle. It was noted that confirmation had been received from the Minister that the Authority's decision was appropriate. Members were disappointed that there was no prospect of the matter being resolved with the claimants out of court. They considered as a public authority they needed to be mindful of the costs and the requirement to be transparent. They therefore requested regular updates.

RESOLVED

that the report be noted and that regular updates on the process to include costs be provided.

2/16 Membership of Broads Local Access Forum

The Authority received a report on the proposal to recruit new members of the Broads Local Access Forum (BLAF) to represent those interest groups which had been identified as priorities for future recruitment at the BLAF meeting in September 2014. Members noted that Access Forums were statutory prescribed bodies set up under Countryside and Rights of Way Act 1990 (CROW) and the terms of membership covered by its regulations advised that there should be at least ten and a maximum of 22 members with a stipulation of the interests those members should represent.

Given that a number of members' terms of appointment had come and were coming to an end as well as the interest expressed in being on the Forum, it was proposed that all potential BLAF vacancies be advertised and the Authority's adopted appointment process be used. BLAF had supported this at their meeting on 9 September 2015. In supporting this it was noted that existing members of BLAF would be encouraged to reapply in order to ensure that the current experience of the membership was not altogether lost, especially given that many of them had multiple interests and representations.

RESOLVED

that the proposals for the recruitment and appointment of members to the Broads Local Access Forum (BLAF) be supported with the aim of completion before the December meeting of the BLAF.

2/17 The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code

The Director of Operations reported that there were no items which needed to be raised under this item.

2/18 Minutes Received

The Chairman stated that she would assume that members had read these minutes and the Chairman of each of the Committees would be available to answer any questions.

RESOLVED

(1) Navigation Committee: 4 June 2015

RESOLVED

that the minutes of the Navigation Committee meeting held on 4 June 2015 be received.

(2) Planning Committee: 26 June, 24 July and 21 August 2015

RESOLVED

that the minutes of the Planning Committee meetings held on 26 June, 24 July and 21 August 2015 be received.

Members noted that the Authority's Planning Committee would be having a joint site visit with Norwich City Council's Planning Committee to view the Utilities site for the proposals for a Generation Park.

(3) Financial Scrutiny and Audit Committee: 5 July 2015

RESOLVED

that the minutes of the Financial Scrutiny and Audit Committee meeting held on 5 July be received.

(4) Broads Local Access Forum: 8 June 2015

RESOLVED

that the minutes of the Broads Local Access Forum meeting held on 8 June 2015 be received.

2/19 Items of Urgent Business

There were no items of urgent business.

2/20 Formal Questions

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

2/21 Date of Next Meeting

The next meeting of the Authority would be held on Friday 20 November commencing at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

2/22 Exclusion of Public

RESOLVED

The Committee was asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that they involve the likely disclosure of exempt information as defined by Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.

Summary of Exempt Minutes

1/23 Exempt Minutes – Navigation Committee – 4 June 2015

RESOLVED

that the exempt minute of the Navigation Committee meeting held on 4 June 2015 be received.

1/24 Pre-Application Discussions on Land East of Norwich

The Authority received a report containing exempt information relating to the informal discussions about the principle of proposals for development which could impact on the navigation upstream of the River Wensum in association with planning development proposals for the Generation Park and potential mitigating measures.

RESOLVED

that the report be noted and that the approach and principle supported by the Navigation Committee be endorsed.

1/25 Marine Management Organisation Licensing of Works in the Broads

The Authority received a report from the Environment and Design Supervisor and the Asset Officer containing exempt information on licensing requirements of the Marine Management Organisation (MMO) and the Crown Estate in the Broads and the interaction with the Authority's own navigation management and Works licensing scheme, which applied to third parties.

Members noted the requirements to seek MMO licenses, as well as Authority Works Licenses and the exemptions. Members noted the considerations of the Navigation Committee on 4 June 2015 and considered that it was important that the Authority's status as a Harbour Authority should be recognised.

RESOLVED

- (i) that the principle of the joint working position with the MMO (as outlined in Appendix 1 to the report) to reduce the regulatory burden on third party applicants in the Broads wishing to carry out construction works in or next to the navigation, be accepted;
- (ii) that the Authority continue to oppose direct discharge into the navigation area other than in the lower reaches of the system as appropriate where specific conditions will be imposed;
- (iii) that, where appropriate, to allow the direct discharge into the navigation area that the conditions set out in Appendix 3 to the report be applied; and
- (iv) that the Authority continue negotiations seeking discussions at a higher level in order to seek resolution and greater recognition from the MMO of the Authority's status as a Harbour Authority and the area's special qualities.

1/26 Crown Estate Licensing in the Broads

The Authority received a report containing exempt information on licensing requirements of the Crown Estate in the Broads and the interaction with the Authority's own navigation management and Works Licensing scheme.

RESOLVED

that the proposal for joint arrangements (i) – (viii) with the Crown Estate as outlined in paragraph 2.4 of the report be rejected.

The meeting concluded at 13.52 pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Broads Authority 25 September 2015

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Kelvin Allen	-	Member of Broads Angling Strategy Group Member of Waveney River Trust
Paul Rice	-	NSBA Member
George Jermany	-	Toll Payer
James Knight		Hire Boat Operator Toll Payer , Member of Boating Associatins
Peter Dixon	8	Hickling resident. Others as disclosed and Boat House owner
John Ash	-	Toll Payer, Trustee Director of Wherry Yacht Charter Charitable Trust
Guy McGregor	-	Member of Suffolk County Council
Mike Barnard	9 and 14	Local Councillor Approached by businesses and resident of Oulton
Michael Whitaker		Toll payer, Hire Boat Operator and Chair of the BHBF

Public Question Time**Question submitted by Peter Riches with Broads Authority Response****Renewal of Irrigation Licences near Catfield**

The Broads Authority took an active and concerned approach to the application made by Mr Andrew Alston to renew two spray irrigation licences. This policy of active engagement, as one of the two EA statutory consultees led to regular meetings with EA and NE and to the commissioning of Prof Rushton to look at the EA hydrological model and its application to the site. The Broads Authority, as a statutory consultee enjoys a privileged position with preferential access to EA and to its hydrological model and other information and also to Natural England. It is presumably expected that Statutory Consultees respond when consulted or when asked for their observations.

The Authority made a detailed and critical response to the EA prior to the minded to decision being taken. Following that decision significant, additional evidence became available in November 2014 to EA and its statutory consultees. This evidence caused EA to change and widen the grounds of its decision which resulted in the licence applications being refused specifically because of their potential to have an adverse effect upon Catfield Fen, both alone and in combination as well as having a damaging effect upon Snipe Marsh. Your Authority declined an invitation by EA to make further submissions on this additional and compelling evidence. This failure to comment by the BA was in marked contrast to Natural England which submitted a detailed eleven page analysis confirming the relevance and importance of the new evidence which changed the EA's mind.

The questions together with the Broads Authority response are set out below:

- A. **Can you explain why the Authority, as a statutory consultee, failed to make a further submission taking into account the additional and compelling evidence which caused EA to change its mind?**

Broads Authority Response

The Broads Authority has spent an exceptional amount of resource, both in terms of staff time and finance, in the commissioning of independent expert evidence, in assessing the extensive material concerning the abstraction licences in the neighbourhood of Catfield Fen. It also submitted substantial and significant evidence to the Environment Agency on the issue.

The Authority's officers decided that the organisation would not make any further submissions on the subject because the Authority's advice to the Environment Agency, which primarily had focused on the hydrological model, had not changed.

The Authority continued to engage with the issue and communicate with stakeholders including responding to requests from Mr Riches.

- B. The Authority provided a substantial and at times, a pivotal role in the discussions prior to the minded to stage. What instructions were given to staff, or executive decisions made that resulted in the BA not following through on the earlier good work and making no response to the post minded to consultation?**

Broads Authority Response

Officers of the Broads Authority were of a common view that there was nothing further that the organisation could assist with by way of submission of a further response.

- C. Does the Authority recognise that there is an existential threat to the nature conservation interests of the Broads from abstraction both to the 25% of the area protected by the Habitats Directive and to the 75% of the area which is not so protected?**

Broads Authority Response

Abstraction from ground and surface water is regulated/ controlled by the granting of abstraction licences by Environment Agency in recognition of the fact that water is a key resource for a number of stakeholders and that uncontrolled abstraction could lead to a number of negative consequences, one of which could be less water availability for wetland habitats.

Limitations in the availability of evidence about the inter-relationships between water source, water quantity, water quality and vegetation type for groundwater dependant sites, means that it is a difficult and complex task to evaluate or predict the extent of threat of water abstraction for each site.