

AGENDA

28 September 2018

10.00 am

	Page
1. To receive apologies for absence and welcome	
2. Chairman’s Announcements	
3. Introduction of Members and Declarations of Interest	
4. To note whether any items have been proposed as matters of urgent business	
5. Public Question Time To note whether any questions have been raised by members of the public	
6. To receive and confirm the minutes of the Broads Authority meeting held on 27 July 2018	3 – 22
7. Summary of Progress/Actions Taken following Decisions of Previous Meetings To note schedule	23 – 25
8. Exclusion of the Public The Authority is asked to consider excluding the public from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 1, 3 and 5 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.	
9. To receive and confirm the Exempt Minutes of the Broads Authority meeting on 27 July 2018	26
10. Code of Conduct Complaint Report by Solicitor and Monitoring Officer	27 – 51
11. Acle Bridge National Park Visitor and Education Centre Report by Chief Executive, Chief Financial Officer, Director of Operations, Asset Officer, Visitor Services Manager	52 – 58

Public to be invited back into the meeting.

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| 12. | National Parks Review
Report by Chief Executive | 59 – 61 |
| 13. | The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code | |

MINUTES TO BE RECEIVED

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| 14. | To receive minutes of the following meetings: | |
| | Financial Scrutiny and Audit Committee – 6 March 2018 | 62 - 68 |
| | Broads Local Access Forum – 6 June 2018 | 69 - 74 |
| | Navigation Committee – 14 June 2018 | 75 - 84 |
| | Planning Committee – 22 June 2018 | 85 - 97 |
| | Planning Committee – 20 July 2018 | 98 - 106 |
| | Planning Committee – 17 August 2018 | 107 - 117 |
| 15. | To consider any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B (4)(b) of the Local Government Act 1972 | |
| 16. | To answer any formal questions of which due notice has been given | |
| 17. | To note the date of the next meeting – Friday 23 November 2018 at 10.00 am at Yare House, 62-64 Thorpe Road, Norwich | |

Broads Authority

Minutes of the meeting held on 27 July 2018

Present:

Mr J Ash	Ms G Harris	Mrs N Talbot
Mr K Allen	Mrs L Hemsall	Mr H Thirtle
Mr M Barnard	Mr B Keith	Mr V Thomson
Mr L Baugh	Ms S Mukherjee	Mr J Timewell
Mr M Bradbury	Mr G Munford	Mrs M Vigo di Gallidoro
Prof J Burgess	Mr P Rice	Mr B Wilkins
Mr W A Dickson		

In Attendance:

Dr J Packman – Chief Executive
Ms N Beale – Planning Policy Officer (Minute 1/14)
Mrs S A Beckett – Administrative Officer (Governance)
Mr A Clarke – Senior Waterways and Recreation Officer (Minutes 1/13 and 1/15 and 1/11)
Ms M Conti – Strategy and Project Officer
Mr D J Harris – Solicitor and Monitoring Officer
Mr S Hooton – Head of Strategy and Projects
Ms E Krelle – Chief Financial Officer
Ms A Leeper – Asset Officer
Mr R Leigh – Head of Communications
Mr R Rogers – Director of Operations
Ms M-P Tighe – Director of Strategic Services

Guests:

Philip Bodie and Pavel Nasadi – Feildon and Mawson Architects.

1/1 Apologies and Welcome

The outgoing Chair, Jacquie Burgess welcomed everyone to the meeting.

Apologies had been received from Mr Charles Reynolds.

1/2 Appointment of Chair

The outgoing Chair reported that nominations for the Chair had been invited in line with the new procedures adopted following the Authority's May meeting.

Haydn Thirtle had been proposed by Bill Dickson and seconded by Melanie Vigo di Gallidoro.

Lana Hemsall had been proposed by Kelvin Allen and seconded by Brian Wilkins

Ballot papers were distributed, collected and counted by the Solicitor and Administrative Officer (Governance)

RESOLVED by 12 votes to 7

that Haydn Thirtle be appointed as Chairman of the Authority for the forthcoming year 2018/19.

Haydn Thirtle in the Chair

1/3 Appointment of Vice-Chair

Haydn Thirtle had proposed the nomination of Bill Dickson as Vice-Chair, seconded by Louis Baugh.

Lana Hemsall confirmed that she was prepared to stand as Vice-Chair. Kelvin Allen proposed the nomination of Lana Hemsall and this was seconded by Vic Thomson.

Ballot papers were distributed, collected and counted by the Solicitor and Monitoring Officer and the Administrative Officer (Governance)

RESOLVED by 11 votes to 8

that Bill Dickson be appointed as Vice-Chair of the Authority for the forthcoming year 2018/19.

1/4 Chairman's Announcements

- (1) Chair hand over. The new Chairman thanked Members for their support. He expressed appreciation for the excellent turn out of all members. He went on to pay tribute to Jacquie Burgess for how she had managed business over the last few years. Her commitment and contribution had been phenomenal and she had left a significant legacy from which we could all hope to drive a way forward.

Jacquie Burgess responded by saying she had found it an absolute privilege to have been Chair of the Authority with its excellent, professional dedicated staff, led with exemplary skill by the Chief Executive and Senior management team and a really interesting group of members who had passion, expertise and a depth of local knowledge. She referred to the Peer Review, which had been the basis of an overhaul of the Authority's governance and reminded Members of the complementary nature of much of the report with its praise for the Broads Plan, recognition of professionalism of officers and encouragement in continuing our good work. She acknowledged the importance of and need to listen to and engage with our local

communities and stakeholders emphasising that the Stakeholder survey in 2014 had been part of this complex work, which would be repeated in 2019. The survey had influenced the decision to change the format of the Broads Forum to widen its appeal for all stakeholders. She emphasised that Members had a collective responsibility for the strategic direction and management of one of the UKs National Parks with an equal responsibility to the 7 million plus visitors to the area, colleagues in the UK National Park family and to national government. The Authority also had a responsibility to the international community of organisations who cared for protected areas. This was part of the Peer Review's strong steer to be less parochial and inward looking, but to be more proactive, less self-effacing about achievements and braver in taking the Authority's place in the wider political economic landscape.

(2) **Openness of Local Government Bodies Regulations 2014**

The Chair reminded members this meeting would be recorded and that the Broads Authority retained the copyright with the purpose of the recording being as a backup for accuracy. If a member wished to receive a copy of the recording, they should contact the Solicitor and Monitoring Officer. No one else indicated they would be recording or filming the meeting.

(3) **Dates to Note:**

Swing Bridge Workshop with Network Rail: 1 August 2018

This was to be held in the Waveney Room at Yare House between 12.30 and 3.00pm. All members were invited to attend and to inform the Chief Executive and Governance team.

Volunteer Celebration Day: Sunday 16 September 2018, at the Norfolk Snow Sports Club, Whitlingham between 9.30am and no later than 3.00pm with activities and lunch. This day was for volunteers to express thanks for all the time and effort they give to help look after the Broads. The day would provide an opportunity for volunteers, staff and members to get to know each other, learn what people do around the Broads and to chat to some amazing likeminded people. The Vice-Chair encouraged all members to attend if they could.

Parish Forum: Wednesday 19 September 2018.

This would be held at Yare House, 62-64 Thorpe Road, Norwich at 6.00pm.

(4) **General Proceedings.**

The Chairman commented that he would take it that Members had read the papers and therefore the emphasis would be for members to ask questions and debate the issues. It was hoped to complete the main business by 12 noon as the winning Architects for Acle Bridge would be arriving to give a presentation at this point. However, there might be a need to vary the order of the agenda to accommodate the item.

1/5 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.

1/6 Items of Urgent Business

There were no items of urgent business.

1/7 Public Question Time

No public questions had been received.

1/8 Minutes of Broads Authority Meeting held on 18 May 2018

The minutes of the meeting held on 18 May 2018 were approved as a correct record and signed by the Chairman subject to minor amendments to clarify the time for the Parish Forum and Minute 6/10 to add to the beginning of paragraph 3 “In response to a Member’s question regarding timescale, it was anticipated.....”

1/9 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. It was noted that a number of the items on this agenda were very much interrelated and further progress was included within the Strategic Direction report. A number of the subjects listed were also covered as separate items on the agenda. A number of the actions agreed at the last meeting on the Peer Review had been implemented. The Code of Conduct has been amended and the Members Handbook was now on the Authority’s website.

Further updates were provided on the following matters:

Mutford Lock - Transfer It was pleasing to report that after a long process over a number of years, the transfer was nearing completion. The aim was to submit the applications for the two Harbour Revision orders by 3 August 2018. This would be followed by the statutory advertisements during the following two weeks.

Broads Local Plan – Part of the examination in public (EIP) had taken place on 2 and 3 July 2018 but unfortunately the Inspector had been taken ill. It had subsequently been confirmed that the remainder of the EIP would now take place on 6, 7 and 10 September 2018.

Agri-Environment Scheme for the Broads. The Authority had been able to submit a partnership response at short notice and was awaiting a response from Defra. It was noted that there was a great deal of uncertainty within this

area and the focus from Defra had been on the upland areas. However, the lowland Broads grazing marshes were equally if not more important and it was vital that the work with landowners over the last twenty plus years was not lost. Therefore officers together with members were taking every opportunity in bringing this to the attention of the Defra Ministerial Team, for example with the Secretary of State at the Norfolk Show, and through various meetings with the NFU and other organisations.

Future Arrangements for the Broads Forum and Engagement with Stakeholders – A number of key topics for discussion were being considered. It was anticipated that the next event would be in early November to review the Integrated Access Strategy which would bring together access on the water and on land to include prioritizing moorings and the work being undertaken in conjunction with Norfolk County Council relating to the Norfolk Access Improvement Plan. The topic for the spring could consider collectively what further action might be taken to increase biodiversity in the Broads. It was hoped that Members would be able to support the events.

Members noted the report.

1/10 Strategic Direction

Strategic Priorities 2018/19

The Authority received the second report for the year for the Strategic Priorities for 2018/19 which were guided by the themes within the Authority's Broads Plan 2017 – 2022, adopted in March 2018. It was pleasing to note that the work on the Water Mills and Marshes Project and the CANAPE contract were making good progress.

With regard to the *Broadland Futures Initiative*, it was anticipated that this could be developed into a workshop, being mindful that it involved partnership working particularly with the statutory body responsible, the Environment Agency. A substantial amount of work was required especially in engaging the wider community and the Authority was well committed through the Broads Plan to drive this forward.

With reference to *Water Catchment Management* and reduction in erosion and silt run off, the Chief Executive referred to the successful Members Annual Site visit where the methods for monitoring and resolving such issues not only through agricultural methods but also other practical means had been demonstrated. It was evident that an integrated approach through discussions with landowners and the Highway Authorities was required. The Authority's Catchment Partnership Manager would be happy to provide further details and the written documentation provided for those attending the site visit would be circulated to those who had been unable to attend.

Acle Bridge Site - It was confirmed that at this point the Authority had not committed to a particular course of action but that the next stage involved employing external consultants to provide a business analysis and it was

intended that a report would be provided for the Authority meeting in September.

Hobhouse Review of National Parks and AONBs - It was noted that the review was at a very early stage with the leader Julian Glover and an advisory group having been only recently appointed. Details of what would be required of the Authority were as yet unclear although it was anticipated that the Authority was likely to be called to give evidence towards the end of the year. Sarah Mukherjee reported that she had been appointed to the panel and commented it would be a lifetime opportunity for the Authority to influence government.

The Chairman put the recommendation to the vote and it was

RESOLVED unanimously

that the report on implementing the Strategic Priorities 2018/19 is noted.

1/11 Annual Governance Statement

The Authority received a report setting out the legal requirement, background and purpose of the Annual Governance Statement (AGS) and the requirement to carry out an annual review of the Authority's systems of internal control and governance arrangements. The Annual Governance Statement was required to accompany the Statement of Accounts and took into account the guidance from CIPFA. The document provided a useful brief on how the Authority operated and was to be commended.

The Financial Scrutiny and Audit Committee had considered the AGS at its meeting on 24 July 2018 and recommended that it be approved subject to some minor amendments: to retain reference to the Financial Scrutiny and Audit Committee since this had been the Committee for 2017/18. It had received the opinion of "reasonable" from the Internal Auditors, which was welcomed.

RESOLVED

- (i) That the Annual Governance Statement for 2017/18 and Action Plan for 2018/19 as amended are approved.
- (ii) That the Authority notes, 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.

1/12 Financial Performance and Direction: Statement of Accounts 2017/18

The Authority received a report summarising the Broads Authority's Statement of Accounts for the year ending 31 March 2018 for approval. Members had had the opportunity to attend a briefing session on the Authority's financial

arrangements and processes for monitoring and compiling the budget and Accounts on 19 July 2018, which had been welcomed by those able to be present. It was noted that the Statement of Accounts and Annual Audit Results had been considered by the Financial Scrutiny and Audit Committee (FSAC) on 24 July 2018 where the external auditors had attended. Their draft audit results and opinion, which was “unqualified” (a positive opinion), would be inserted into the accounts once approved. It was noted that the narrative report had been updated to draw together and explain the Authority’s main objectives and strategies and the principal risks. The Chief Financial Officer explained that the main adjustment since the draft statement of accounts, related to the pension fund assets that had increased in value following advice from the pension fund Actuary, the timing over which the Authority had no control. She reassured Members that the Authority was part of the pension deficit reduction arrangements.

The Chairman of the FSAC commented that the external auditors were fulsome in their praise for the financial team, which had made the audit very straightforward. However, due to the lack of complexity, the Authority’s accounts had been audited early in the general cycle, which had put pressure on the staff, a challenge that the Chief Financial Officer and her team had embraced. It also meant that due to the amendments following the pension fund snapshot review, the accounts had had to be re-evaluated at short notice. He praised and thanked the team for their diligence and in achieving an unqualified report. He commended the report to the Authority.

Members also expressed their thanks and welcomed the report. It was noted that there would be a reduction in the Audit fee over the next five-year period as a result of the Authority opting into the public sector auditor appointment process, provided the auditing was straightforward.

The Chairman put the recommendations to the vote and it was

RESOLVED unanimously

that the Statement of Accounts for 2017/18 be adopted and signed by the Chairman.

1/13 Expression of interest in the New Anglian Local Enterprise Partnership for the Broads Cycling Country

The Authority received a report and short video presentation informing it of a partnership project officers were developing with Sustrans and Norfolk County Council with a view to seeking funding from the New Anglia Enterprise Partnership for the installation of Dutch style cycling signage in the Broads. The purpose of the project was to be able to better promote the Broads National Park for visitors from the near continent, as it would be in a style familiar to them. The report’s purpose was to set out a first phase scheme.

It was noted that LEP had indicated that it was interested in the project and would be prepared to formally consider an Expression of Interest (EIO) for

funding up to £200,000. Match funding from some of the other partners had been confirmed but at this stage, this was only indicative. The project needed a further £20,000 and the Authority's internal Project Development Group (PDG) had fully supported the project and the allocation of funds from the PDG budget recognising that if successful this would deliver multiple Broads Plan objectives and draw down significant external funding. It was noted that the PDG group had specific criteria by which it assessed projects.

In response to questions, Members were assured that Sustrans would provide practical advice and help provide a trial area as well as promoting the concept. Sustrans was also in discussions with other cycle route providers such as STRAVA, and the Ordnance Survey. All the partners were sensitive to the possible pitfalls, the need to connect with the existing facilities and providers, as well as the safety aspects of routes. The routes would and had been carefully chosen and audited by Norfolk County Council's road safety team and traffic planning team. It was noted that Norfolk County Council's overall policy was to reduce signage clutter and discussions with the Council had indicated that the level to be provided with the project would be acceptable.

Some Members expressed some concerns relating to the use of a phone app, especially given that some areas in the Broads had unsatisfactory internet connection and considering it needed to link in with other app providers. Other Members considered it was the way to move forward and to be encouraged. It was clarified that this aspect of the scheme would not be funded by LEP but would be a Sustrans element and developed at a later stage in the scheme. The aim of the project was for people to plot their own routes from the website from home, obtain maps and then use the signs. The signage was considered to be the best way to promote the scheme in the first instance.

Members were very supportive of the project bid but considered that it was important to clarify whether British Cycling had been approached/ or involved in discussion and to make sure that the project was complementing or working in association with other organisations rather than setting up in competition, especially so as to avoid confusion. It was noted that the Broads Local Access Forum was wholly supportive of the project and wished it to proceed.

Although supportive of the scheme a Member wished to understand the processes and mechanisms and criteria by which these projects were brought to the Authority and the processes by which the PDG operated to ensure that it was not preventing other projects being brought forward.

The Chairman put the recommendations to the vote and it was

RESOLVED by 18 votes with one abstention.

That the Authority supports the proposal for a pilot project to install Dutch Style cycling signage in the Broads and the allocation of £20,000 from the Projects budget to the project costs subject to clarification that British Cycling

and other relevant organisations had been contacted.

1/14 Local Plan: HRA (Habitats Regulations Assessment) - Amended

The Authority received a report concerning the amended Habitats Regulations Assessment originally adopted by the Authority in September 2017, after a recent Court of Justice of the European Union judgment relating to Habitat Regulation Assessments. The Inspector appointed to conduct the examination into the Broads Local Plan had specifically requested that the Authority take this into account and revisit the HRA that had been undertaken. It was noted that Natural England had described the original completed work on the HRA by Footprint Ecology as exemplary. Footprint Ecology in liaison with Natural England assessed the situation and provided a way forward, as set out in an appendix to the report and proposed that the HRA be amended in light of the Judgement. This had been sent to the Planning Inspector in draft format as the Authority, as the Competent Authority needed to endorse the HRA. The Planning Committee had considered the amendments at its meeting on 22 June 2018 and recommended that the amendments be adopted.

RESOLVED unanimously

that the amended Habitats Regulation Assessment (HRA) for the Local Plan for the Broads be endorsed.

1/15 River Wensum Strategy for adoption

Gail Harris, having declared an interest, left the room for this item.

The Authority received a report on the River Wensum Strategy providing an update since the public consultation, which took place in 2017 and the final version produced by the strategy partnership that took account of the responses received including those of the Broads Authority. It was noted that the final version included policies and proposals that sought to raise the profile, enhance biodiversity, water quality and boating and land access to the River Wensum. Fundamentally, the strategy had not been changed since the draft version supported by the Authority at its meeting on 29 September 2017, with only some minor changes to highlight certain environmental and historical aspects of the river corridor, potential projects and draw attention to the upstream of the river and not just the city centre. It was also noted that the subject of moorings for residents and short-term day moorings would be one of the future projects to be considered. One of the first projects involved easy access improvements to accommodate wheelchairs.

It was noted that the strategy had been well received and supported by the Navigation Committee and the Broads Local Access Forum. It had been adopted by Norwich City Council's cabinet and was due to be considered by Norfolk County Council in September.

Members were very supportive of the project especially as it was an example of successful partnership working and such a collective effort could make a

dramatic impact on the city, plug some of the gaps in providing improved access and facilities to allow for increased activity on and by the river, which had been neglected in the past. It had been a long time in development and was very much welcomed. There were also plenty of navigational opportunities and the strategy could be successfully linked in with the Authority's Integrated Access strategy. It was considered that potential projects could attract funding from such bodies as the LEP and the HLF and these avenues would be explored.

In response to a Member's question concerning opening up some of the river for organised team rowing to be more visible in the City, it was clarified that there was no restriction on rowing, but areas were subject to navigation byelaws and the restrictions were on speeding vessels which would affect the use of coaching vessels. There were set areas for coaching vessels further down the river. The routes would need to be carefully planned to ensure safety.

The Chairman put the recommendation to the vote and it was

RESOLVED unanimously

that the River Wensum Strategy be supported and adopted together with its action plan for implementation as resources allow.

The meeting was adjourned for a ten minute break following which

Item 1/29 The Acle Bridge Competition Presentation was dealt with at this point in the meeting.

1/29 Acle Bridge Architectural Competition

The Chief Executive introduced the item by giving an outline of the background to the architectural competition for the Acle Bridge site following the Authority's approval of the process together with a design brief at its meeting on 16 March 2018. He emphasised that the site had been identified in the mooring strategy as being one of the most important sites with a great deal of potential but it was also recognised that there was a significant number of constraints associated with it.

It was emphasised that the competition had attracted far more interest than had been expected with 163 expressions of interest both nationally and internationally and then 93 high quality submissions, the architects for which had all been anonymous to members, staff and the Panel. He explained that the judging panel, which included Greg Munford and was chaired by Professor John Last Vice-Chancellor of Norwich University of the Arts, narrowed the final short list down to three entries; one from a well-established practice based in Norwich, one from a newly-formed practice from London, another from a well know firm based in Cambridge. The decision of the panel on the winner had been unanimous. The Chief Executive was pleased to announce that the Norwich based architectural practice Eildon and Mawson

had won the architectural competition for the Broads National Park Visitor and Education Centre and introduced Mr Phil Bodie and Pavel Nasadi from the practice.

Philip Bodie and Pavel Nasadi commented that they were proud and delighted to have produced the winning design, especially in such a competitive field. They provided Members with a detailed presentation of the conceptual design and how they had approached the project, taking account of the constraints of the site including space, the bridge, flooding and highways, access to the Weavers Way and the landscape, vernacular of buildings and craft using the Broads, although not wishing to totally replicate that vernacular but to embrace some of the concepts. They had taken account of the need to accommodate visitors by car/coach as well as access for the disabled. The aim was for the building to be as simple, flexible and versatile as possible, to take account of the bridge, the need for 360° views and the need to have access to the moorings and not to block views of the river. The idea was to have three principal spaces to accommodate a reception/ exhibition space, an area for education and interactive museum and café kitchen/service area. They had given careful consideration to the materials to be used taking account of environmental sustainability emphasising that replication helped to reduce costs as it could reduce the time on site. They were looking at blending natural materials with modern concepts, updated technology and environmental sustainability but the details would need to be further developed together with risk analysis, which would be for the next stage in the design. They referred to the current toilet block explaining that their idea was for this to be retained and upgraded with the main entrance away from the river. The concept was for the new Visitor and Education Centre to trigger interest and be a Broads landmark worthy of this special area.

Members thanked the architects and congratulated them on a very interesting concept.

The Chief Executive emphasised, confirmed by Greg Munford, that the whole competition was as a concept rather than the submission of a final design which would necessarily be the subject of a detailed business analysis and a great deal of work required before the Authority could commit itself to proceeding further. External consultants were undertaking a business analysis and in parallel with that the Authority was examining the costs of repairing and maintaining the moorings. If it eventually resulted in a planning application, an external planning consultant would deal with this in the correct way.

1/16 Committee Membership and Member Appointments

The Authority received a report setting out the proposals for Committee Membership and Appointments to outside bodies for 2018-19 following expressions of interest provided by members and review by the Chairs group on 3 July 2018. It was noted that there was a vacancy for a Secretary of State appointee on the Authority, the announcement of which had not yet been made by Defra, since it was government policy to announce the appointments to all the National Parks simultaneously. There could also be

other gaps. Therefore, it was suggested that the Chief Executive after consultation with the Chairman be given delegated authority to appoint additional members to Committees where there may be gaps.

Given that there were some uncertainties regarding the membership of the Planning Committee at present, it was suggested that Jacquie Burgess and John Timewell be retained as members of the Planning Committee. This was accepted.

The Chairman put the recommendation to the vote with the additional proposals concerning membership of the Planning Committee and the delegation of committee membership to the Chief Executive, in consultation with the Chairman on any gaps.

RESOLVED unanimously

- (i) that the Broads Authority member appointments to the Planning, Audit and Risk, Hearings, Navigation and Local Access Committees, as set out in Table 1 of the report with the addition of Jacquie Burgess and John Timewell to the Planning Committee, be confirmed for the period until the Annual Meeting in July 2019 (and attached at Appendix 2 to these minutes)
- (ii) that the appointments to outside bodies as set out in Section 2 of the report be confirmed for the period until the Annual Meeting in July 2019. (Attached at Appendix 2 to these minutes)
- (iii) that the Chief Executive in consultation with the Chairman be given delegated authority to appoint members to Committees where there may be gaps.

1/17 Terms of Reference of Committees July 2018

The Authority received a report that provided a review of the Terms of Reference of Committees to ensure consistency with other constitutional documents as a result of the deliberations following the Peer Review and decisions made at the previous meeting on 18 May 2018, particularly relating to the re-purposed Finance Committee to Audit and Risk Committee and the Hearings Committee. The FSAC had considered the revised terms of reference at its meeting on 24 July 2018 and recommended that these be adopted subject to a minor amendment to:

Section 3 Hearings Committee – para (2) delete “which will include” to read “three other members from a group of six nominated by the Authority at its annual meeting, **plus** the Chairman of the Audit and Risk Committee.”

With reference to the Planning Committee, it was confirmed that there were no changes suggested to these terms of reference at present. However, the Head of Planning had indicated that this section required reviewing by the

Planning Committee in the first instance and a report would be brought to the Committee in due course.

RESOLVED

that the amendments highlighted in the Appendix to the report together with the change suggested by the Financial Scrutiny and Audit Committee, be noted and adopted.

1/18 Scheme of Delegated Powers: Updated.

The Authority received a report providing updates to the Scheme of Delegated Powers to reflect the changes in Directorates and the recommendations from internal audit. The changes corrected outdated paragraphs, included a small number of additional powers that reflected operational need and was designed to improve the wording in some sections in the interest of clarity.

The Chairman put the recommendation to the vote and it was

RESOLVED unanimously

that the changes set out in the draft Scheme of Powers Delegated to officers are adopted.

1/19 Annual Report of Broads Local Access Forum

The Authority received a report on the key matters considered by the Broads Local Access Forum during the last year relating to the development and improvement of public access within the Broads and reflected in the Annual Report. It was noted that the key issues included the Defra consultation on the future of food, farming and the environment and potential loss of permissive footpaths that originally came under the Countryside Stewardship schemes; and the Norfolk County Council's consultation on the new Norfolk Access Improvement Plan.

RESOLVED

that the work of the Broads Local Access Forum be welcomed and noted and the Annual report be received.

1/20 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.

1/21 Minutes Received

The Chairman indicated that he would assume that members had read these minutes and were invited to ask any questions.

RESOLVED

(i) **Financial Scrutiny and Audit Committee – 14 November 2017**

RESOLVED

That the minutes from the Financial Scrutiny and Audit Committee meeting held on 14 November 2017 be received.

(ii) **Navigation Committee – 19 April 2018**

RESOLVED

That the minutes from the Navigation Committee meeting held on 19 April 2018 be received.

(iii) **Planning Committee: 27 April and 25 May 2018**

RESOLVED

that the minutes of the Planning Committee meetings held on 27 April and 25 May 2018 be received.

(iv) **Broads Local Access Forum – 7 March 2018**

RESOLVED

That the minutes of the Broads Local Access Forum held on 7 March 2018 be received.

1/22 Feedback from Members appointed to represent the Authority on outside bodies

Members of the Authority appointed to outside bodies were invited to provide feedback on those meetings they had attended on behalf of the Authority.

Norfolk and Suffolk Broads Charitable Trust – Keith Bruce reported that he and Louis Baugh had attended a very productive meeting of the Trust on 23 July 2018 where they had discussed looking at how they could expand the work of the Trust and use the charitable status of the Trust as a vehicle for seeking and bringing in external funding in association with the Broads Authority. An example of such a beneficiary could be a possible spin-off project from the Water, Mills and Marshes project being developed by Andrew Farrell looking at virtual reality and educational tools. The projects which had received grant aid from the Trust had received very encouraging publicity.

Upper Thurne Working Group – Brian Wilkins reported that they were having limited success in engaging with the Environment Agency as to the

practicalities once the Broads Flood Alleviation Strategy was completed. It was a work in progress.

Whitlingham Charitable Trust – Bruce Keith and Vic Thomson reported that the Trust was looking at how the Trust could develop its future strategy. They had had a very interesting visit to Nene Valley Park at the invitation of Matthew Bradbury which had been useful and inspiring, the scale of which was phenomenal. The Solicitor and Monitoring Officer/ Company Secretary reported that with regard to car parking it had been possible to reduce the amount owed to the Trust. The only source of income for the Trust was from the car parking, which was stable, although it was recognized that the arrangements with the car parking company were unsatisfactory and were of reputational concern. The contract with the current provider ran until September 2020. Alternative contractors were being examined. It was noted that this was just one of the issues that needed to be dealt with at a strategic level for the future.

Local Authority updates:

John Timewell (appointed by **Norfolk County Council**) reported that with regard to a previous item on the agenda (Minute 1/10 Strategic Priorities - Water Catchment) concerning silt on roads, there was an opportunity to work with the EDT and the Authority to move matters forward.

Melanie Vigo di Gallidoro (appointed by **Suffolk County Council**) reported that she had now joined Mike Barnard as a member of Waveney District Council. She was pleased to have the news about Mutford Lock. She reported that Carlton Marshes was a real success. Cycling had been one of the items on the agenda at a recent Suffolk County Council meeting and it would be useful to work with the Authority to achieve a route in the Oulton Broad and Beccles area.

Mike Barnard (appointed by **Waveney District Council**) reported that Parliament had approved the formation of East Suffolk Council which would replace East Suffolk Council and Suffolk Coastal as from 1 April 2019.

Lana Hemsall (appointed by **Broadland District Council**) commented that the arrangements for South Norfolk Council and Broadland District Council to work collaboratively were now in hand.

Vic Thomson (appointed by **South Norfolk Council**) further commented that it was intended that the two authorities would be sovereign authorities with one Managing Director not two Chief Executives with the emphasis on shared services.

1/23 Items of Urgent Business

There were no items of urgent business for consideration.

1/24 Formal Questions

There were no formal questions.

1/25 Date of Next Meeting

The next meeting of the Authority would be held on Friday 28 September 2018 at 10.00 am at Yare House, 62 – 64 Thorpe Road, Norwich. This was intended to concentrate on one main item.

1/26 Exclusion of the Public

Jacquie proposed, seconded by Nicky Talbot and it was

RESOLVED

that the public be excluded from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the item below on the grounds that it involved the likely disclosure of exempt information as defined by Paragraphs 1 and 3 and 5 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighed the public benefit in disclosing the information.

Members of the public left the room.

The audio recording was suspended.

Summary of Exempt Minutes

1/27 Exempt Minutes of the Broads Authority meeting – 18 May 2018

The exempt Minutes of the Broads Authority meeting held on 18 May 2018 were confirmed.

1/28 Purchase of Land for Site Improvements

The Authority received a report containing exempt information concerning the opportunity for the potential purchase of land for site improvements. Given the prospective use of the site for multiple purposes, Members considered that it was worth pursuing its purchase.

RESOLVED

That the Chief Executive be given authority to further negotiate with the landowner concerned with a view to purchasing a slightly increased area of land with the opportunity of a lease back arrangement and a further report be brought to the Authority in September to explore a range of options.

1/30 Member announcement

The Chairman announced that Sarah Mukherjee would be leaving the Authority after this meeting as she had been appointed to the panel for the Hobouse Review into National Parks and AONBs. He thanked her for her unique range of skills which had been a wonderful asset to the Authority.

Sarah Mukherjee thanked the Chairman commenting that it had been a pleasure to be part of the Authority for the last two years. She explained that it would have become increasingly difficult to delineate her roles had she continued with the Authority. She wished everyone well for the future.

The meeting concluded at 13.50 pm

CHAIRMAN

**Code of Conduct for Members
Declaration of Interests**

Committee: Broads Authority 27 July 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Gail Harris	1/15	River Wensum Strategy. Pecuniary Interest. Norwich City Council is the lead and project manager and I am a Councillor for Norwich City Council. (Will leave the room for this item.)
Greg Munford		None other than previously declared. Updated British Marine Role is now personal.
Bruce Keith		Whitlingham Charitable Trust and Broads Charitable Trust
Bill Dickson		None other than those already declared.
Kelvin Allen		As previously declared
Paul Rice		Chairman of Broads Society
Nicky Talbot		Chair of Navigation Committee, NSBA, NBYC, Toll Payer
Haydn Thirtle	1/13	Norfolk County Council and GYBC Councillor re SUSTRANS/ LEP expression of interest.
John Ash		As previously declared
Brian Wilkins		As previously disclosed
Sarah Mukherjee		CEO Crop Protection Association, Glover Commission and Director Oxford Farming Conference

Appointments to Committees

Planning Committee	
Mr M Barnard Prof J A Burgess Mr W A Dickson Ms G Harris Mrs L Hemsall Mr B Keith Mr C Reynolds	Mr P Rice Mr H Thirtle Mr V Thomson Mr J Timewell Mrs M Vigo Di Gallidoro (possible Secretary of State appointee)
Audit and Risk Committee	
Six Broads Authority members: to include the Chairs of the Authority and Navigation Committee	
Mr L Baugh Prof J Burgess Ms G Harris	Mr G Munford Mr H Thirtle Mrs N Talbot (Chair of NC)
Hearings Committee	
Chair of the Audit and Risk Committee plus Pool of six members Mr W A Dickson Mr B Keith Mrs N Talbot Mr H Thirtle Mrs M Vigo di Gallidoro Mr B Wilkins	
Navigation Committee	
Five Broads Authority members: Mr K Allen Mr J Ash Mr M Bradbury Mr W Dickson Mr G Munford	Plus eight co-opted members: Mrs L Aspland Mr A Goodchild Mr M Heron Mr J Knight Mr S Sparrow Mrs N Talbot Mr B E Wilkins Mr M Whitaker
Local Access Forum	
Two Broads Authority members: Mr K Allen Mrs M Vigo di Gallidoro	

Appointments to Outside Bodies

Table 1 External Appointments and Representation

How Hill Trust	Prof J Burgess, Mr C Reynolds
Norfolk and Suffolk Broads Charitable Trust	Mr B Keith, Mr B Wilkins
Whitlingham Charitable Trust	Mr K Allen, Mr J Ash, Mr M Bradbury, Mr B Keith

Watching Brief

External appointments	Appointee(s)
Broads Tourism	Mr P Rice
Upper Thurne Working Group	Mr B Wilkins

Summary of Progress/Actions Taken following Decisions of Previous Meetings

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
24 March 2017 Ludham Field Base Minute 3/27 Exempt	<ul style="list-style-type: none"> That the Authority adopt option A contained within the report involving the disposal of the Ludham field base. 	Chief Executive	The sale of the Ludham Field base has been completed and therefore this is no longer an Authority asset.
26 January 2018 Minute 4/24 Transfer of Mutford Lock	<ul style="list-style-type: none"> The two Harbour Revision Orders are submitted and the tripartite agreement noted in the report be completed in all respects, to give effect to completing the transfer of the Lock in the Navigation Area and the ownership to the Broads Authority. 	Solicitor and Monitoring Officer	The two Harbour Revision Orders were published for a 42 day public consultation on 3 August 2018.
16 March 2018 Minute 5/11 Broads Local Plan	<ul style="list-style-type: none"> Broads Local Plan endorsed for submission to the Planning Inspectorate for the Examination in Public 	Planning Policy Officer	Examination took place on the 2 and 3 July 2018 but unfortunately could not be completed due to the Inspector being taken ill. The resumption of the Examination in Public (Hearing-Programmever-4) was held on 6 th , 7 th and 10 th September 2018. A final session with officers has been arranged for 28 September 2018.
16 March 2018 Minute 5/19 Pilot Agri-Environment	<ul style="list-style-type: none"> Contents of submission to Defra for pilot agri- 	Head of Strategy and Projects/ Broadland Catchment Partnership	Defra invited those bodies with ideas for tests and trials to submit a summary pro-forma by the end of June. Following rapid discussion with

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
Scheme for the Broads	environment scheme for the Broads, which builds on the partnership work with the National Farmers Union and local land managers and prepared with assistance of local conservation NGOs welcomed and noted.	Officer	farmers and conservation bodies BA submitted a partnership response. BA will facilitate further local discussion. Awaiting decision from Defra
18 May 2018 Minute 6/15 Future arrangements for the Broads Forum – Engagement with stakeholders	<ul style="list-style-type: none"> to retain the Broads Forum as one of many mechanisms for engaging with stakeholder organisations and move to twice yearly Broad Forum Workshops, each focussing on a key issue facing the Broads; All organisations represented on the Broads Forum to be invited, together with Authority Members and Officers; and experts and partner organisations with relevance to the issue under discussion also to attend. 	Chief Executive/Strategy and Policy Officer	The new Format is being adopted with Broads Engage replacing Broads Forum. The first workshop is to be held on Tuesday 6 November at Acle War Memorial Recreation Centre, Bridewell Lane, Acle NR13 3RA from 1.30 pm – 4.30 pm. Details are on our website http://www.broads-authority.gov.uk/about-us/how-we-work/broads-engage The topic will be Access in the Broads – Priorities for Action. All stakeholder organisations including those represented on the previous Broads Forum have been invited. To register an online form is to be completed. online form Any questions about the event: broadsengage@broads-authority.gov.uk
27 July 2018 Minute 1/13 Expression of interest in the New Anglian Local	<ul style="list-style-type: none"> Support for the proposal for a pilot project to install Dutch Style cycling signage in the Broads and 	Senior Waterways and Recreation Officer	LEP indicated that the proposal would not be appropriate for funding from the Growth fund but they would support a tourism bid.

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
Enterprise Partnership for the Broads Cycling Country	<ul style="list-style-type: none"> The allocation of £20,000 from the Projects budget to the project costs subject to clarification that British Cycling and other relevant organisations had been contacted. 		<p>Partners are reassessing and identifying other internal funding from Norfolk County Council.</p> <p>As part of the reassessment, partners are approaching British Cycling and Support England plus South Norfolk Council.</p>
27 July 2018 Minute 1/16 Committee Membership and Member Appointments	<ul style="list-style-type: none"> Member Appointments to Committees and outside bodies agreed as in Appendix 2 to Minutes. Chief Executive in consultation with Chairman to be given delegated authority to appoint members to Committees where there may be gaps. 	Chief Executive	Charles Reynolds, the Appointee from Great Yarmouth Borough has had to step down for health reasons. Great Yarmouth has yet to appoint a member.

National Parks Review
Report by Chief Executive

1. Purpose of this Report

- 1.1. The 2018 Environment Plan published by the Government contained the commitment to:

“Conserve and enhance the natural beauty of our landscapes by reviewing National Parks and Areas of Outstanding Natural Beauty (AONBs) for the 21st century, including assessing whether more may be needed.”

This Plan included the following statement:

The UK's first National Parks were created by an Act of Parliament in 1949 following the government's 1947 Hobhouse Report, which remains the basis for most protected landscape designation in England today.

Now, 70 years on, the Government will commission a review for the 21st Century. This will consider coverage of designations, how designated areas deliver their responsibilities, how designated areas are financed, and whether there is scope for expansion. It will also consider opportunities to enhance the environment in existing designations, and expand on the existing eight-point plan for National Parks to connect more people with the natural environment.

- 1.2. The Hobhouse Report of 1947 you will recall identified 12 areas in England and Wales, including the Broads, for designation as national parks. It is not surprising therefore that the media has focussed on the potential for designating new national parks. Three AONBs have been cited as ‘potentials’ in the newspapers: the Chilterns, South Devon and the Jurassic Coast of Dorset.
- 1.3. The Review is to be led by Julian Glover, supported by an expert panel, the details of which can be found in Appendix 1 and include Sarah Mukherjee, until recently a member of the Authority.
- 1.4. The Review has been asked to consider 8 areas:
- the existing statutory purposes for National Parks and AONBs and how effectively they are being met
 - the alignment of these purposes with the goals set out in the 25-Year Plan for the Environment
 - the case for extension or creation of new designated areas
 - how to improve individual and collective governance of National Parks and AONBs, and how that governance interacts with other national assets
 - the financing of National Parks and AONBs
 - how to enhance the environment and biodiversity in existing designations

- how to build on the existing eight-point plan for National Parks and to connect more people with the natural environment from all sections of society and improve health and wellbeing
- how well National Parks and AONBs support communities

1.5. The review is due to report next year.

1.6. The purpose of this report is to provide members with an opportunity for a discussion about issues that the Authority might want officers to investigate which might form the basis for a response to the call for evidence from the Review Team, which is expected in the next few months.

Background papers: None
Author: John Packman
Date of report: 15 September 2018

Broads Plan Objectives: Multiple
Appendices: National Park Review - biographies

National Park Review - biographies**Julian Glover**

Associate editor at the London Evening Standard and author of the biography Man of Iron: Thomas Telford and the Building of Britain. He has worked as leader writer and columnist at the Guardian and as a Special Adviser in Number 10 and the Department for Transport. He will be supported by an advisory panel bringing a vast breadth of experience in landscape, biodiversity, heritage, farming and rural issues.

The panel will be comprised of:

Nicola Blackwood

Former Conservative MP for Oxford West and Abingdon. She was Chair of the Science and Technology Committee from July 2015 to May 2016 and Minister for Public Health and Innovation from 2016 to 2017.

Lord Cameron of Dillington

Cross-bench peer, farmer and landowner. As the former Chair of the Countryside Agency, he is a strong advocate for rural affairs. He is currently the chair of the Natural Environment and Rural Communities Act 2006 Committee and the Advisory Council for the Centre for Ecology and Hydrology. He is also on the Steering Board of the Government's Global Food Security Programme.

Jim Dixon

Chief Executive of the Peak District National Park Authority for 12 years, before stepping down in 2014. He is currently a writer on countryside issues, including for the Times, and a trustee of the Heritage Lottery Fund.

Sarah Mukherjee

Former BBC environment and rural affairs correspondent and previous Director of Environment at Water UK. She is currently Chief Executive of the Crop Protection Association. She is a trustee and advisory group member for several charities, supporting both environmental stewardship and education in farming.

Dame Fiona Reynolds

Formerly the Director-General of the National Trust and current Master of Emmanuel College, Cambridge and Chair of the Green Alliance. She is the author of The Fight for Beauty (2016), a history of thought and public policy on landscapes and environment in Britain.

Jake Fiennes

Estate Manager of the Raveningham Estate for the last 24 years, promoting nature conservation alongside arable farming. He will be joining the 25,000 acre Holkham Estate in autumn 2018 as their General Manager for Conservation. He is also a trustee and advisory group member of several organisations including the National Farmers' Union's Environmental Forum and the Norfolk Farming and Wildlife Advisory Group.

Broads Authority

Financial Scrutiny and Audit Committee

Minutes of the meeting held on 6 March 2018

Present:

Mr Louis Baugh (Chairman)
Prof. Jacquie Burgess
Mr Bill Dickson
Ms Gail Harris
Mrs Nicky Talbot
Mr Haydn Thirtle

In Attendance:

Ms Esmeralda Guds – Administrative Officer
Mr David Harris – Solicitor and Monitoring Officer
Miss Emma Krelle – Chief Financial Officer
Dr John Packman – Chief Executive

Also in Attendance:

Ms Emma Hodds – Head of Internal Audit
Ms Sappho Powell – Audit Manager, External Audit Ernst & Young LLP
Mr Kevin Sutter – Audit Director, External Audit Ernst & Young LLP

1 To receive apologies for absence

Apologies were received from Greg Munford and Sarah Mukherjee. Further apologies were received from the directors Marie-Pierre and Rob Rogers.

2 To note whether any items have been proposed as matters of urgent business

There were no items being proposed as matters of urgent business.

3 Declarations of Interests

Haydn Thirtle expressed his declaration of interests as set out in Appendix 1 to these minutes, that he sits on the Board of Nplaw and that they had discussed General Data Protection Regulations.

4 To receive and confirm the minutes of the Financial Scrutiny and Audit Committee meeting held on 14 November 2018 (herewith)

The minutes of the meeting held on 14 November 2017 were approved as a correct record and signed by the Chairman.

5 Public Question Time

No questions were raised by members of the public.

6 Investment Strategy and Performance Report 2017/18

Members received a report which set out details of the Authority's investment of its unallocated cash, including the investment principles adopted and performance during the ten months to 31 January 2018.

The Chief Financial Officer highlighted that taking the investments In-House had enabled the Authority to save money and commented that since the report was written the Authority had placed a further £1,000,000 with Lloyds Bank against a secured interest rate of 0.8%.

The Committee was made aware of a mistake in the Table of Investment where the Fixed Term Investments should read September 2017 and not September 2018.

The Chief Executive updated the Members on the progress being made in regards to the sale of the Ludham Field Base and informed the Committee they were still negotiating the conditions of the sale.

The minute taker stopped the recording and the meeting continued into a private session due to commercially sensitive information.

Members noted the current arrangements regarding the investment of its unallocated cash.

7 Consolidated Income and Expenditure: 1 April to 31 January 2018 Actual and 2017/18 Forecast Outturn

Members received a report which provided them with details of the actual income and expenditure for the ten months period to 31 January 2018, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2018)

The Chief Financial Officer explained that although the original budget predicted a deficit, the forecast was now showing a surplus due to internal recruitment within the Constructions and Maintenance Team. Further savings had been made on Asset Management and income at the Yacht Stations and Visitor Centres was above that budgeted.

A small portion of income within the Communications Team was explained through holding ticketed events and charging for the Education Officer's time to the Whitlingham Charitable Trust.

The Committee was informed that currently the Authority was recruiting for a Rivers Engineer and for two vacancies to the Planning Department. It was

explained that although having a very stable workforce that when recruiting for certain roles the Authority was competing in markets where demand was high.

Members noted the report.

8 Internal Audit Strategic and Annual Plans 2018/19

The Members received a report which provided them with an overview of the stages followed prior to the formulation of the Internal Audit Plan for 2018/19.

The Annual Internal Audit Plan served as the work programme and initial terms of reference for the Authority's Internal Audit Services Contractor, TIAA Ltd, and provided the basis upon which the Head of Internal Audit would subsequently give an Annual Audit Opinion for 2018/19.

The Committee was asked to approve the Internal Audit Strategy for 2018/19, which showed how the internal audit was delivered. It was further asked to approve the Annual Internal Audit Plan for 2018/19 which outlined the audits to be undertaken in 2018/19 but also gave a historical look of the audits undertaken in the past and the ones scheduled for next year.

The Members welcomed the audit on branding and were pleased with what had been achieved. It was explained that because CANAPE received EU funding it was not included in the audit as it would be audited separately and had its own risk register.

The Head of Internal Audit explained that a score of 90% (on page 42 of the agenda papers) as a percentage of recommendations accepted by management was considered a good result.

The Committee was informed of having to complete an annual self-assessment exercise which would address how to work as a group and deliver best practice. It was suggested that the training wouldn't take place until later in the year once the Committee had settled in its role.

Members approved both the Internal Audit Strategy for 2018/19 and the Annual Internal Audit Plan for 2018/19 and noted the Performance Management measures for the Internal Audit Contractor.

9 External Audit

Members were provided with copies of the Audit Plan for the 2017/18 audit and the Local Government Audit Committee Briefing by Ernst & Young.

The Audit Director took the Members through the report, highlighting the two audit responsibilities, financial statements and value for money conclusions.

Significant potential risks were identified as management override, property plant and equipment valuation and the pension liability valuation.

It was further highlighted that the deadline for the accounts would be brought forward to the end of July, previously end of September. The risk attached to this was that potentially the quality of the accounts could slip, however the auditors were confident that the Authority would be able to achieve the new deadline with minimal risk.

Sappho Powell introduced herself as the new Audit Manager at Ernst & Young LLP, taking over from Mark Russel, and informed the Committee that she had been a manager in Norfolk for several years.

The Audit Director clarified that regulations allow the Authority to employ the same auditors. By rotating their senior staff every five years E&Y ensured that even when the Authority remained with the same firm, different auditors would be carrying out the work.

In regards to an incident last year when a Member had not fully disclosed all related party transactions, the Committee was informed that the Authority would remind Members at the next Broads Authority meeting on 16 March, when related party declaration letters would be handed out, of the importance of disclosing fully all relevant transactions and that it was an offence not to do so.

The Chief Financial Officer mentioned there was an update since the Audit Briefing had been published and an increase in planning fees had been agreed on 17 January 2018.

The Members noted the Audit Plan for the 2017/18 audit and the Local Government Audit Committee Briefing by Ernst & Young.

10 Implementation of Internal Audit Recommendations: Summary of Progress

Members received a report which updated them on progress in implementing Internal Audit recommendations arising out of audits carried out during 2016/17 and 2017/18.

The Committee was informed that recommendations relating to Tolls, Asset Management and Port Marine Safety Code had been completed. One recommendation relating to External Funding by the Heritage Lottery Fund remained outstanding, however since the board meeting this was on target to be completed by 31 March 2018.

The Committee was reassured that in regards to the Heritage Lottery Fund the process of managing the funds had been made clear. It was confirmed that the Broads Authority was part of the decision making process, that the Director of Operations sat on the Board as the Vice-Chairman and the Authority was kept informed of the progress being made.

In regards to the Port Marine Safety Code it was explained that formal reporting to committees by the original date of 31 March had been ambitious

but that it had been confirmed by the Head of Safety Management that 31 May was achievable.

Members noted the report.

11 Review of Strategic Risk Register

The Members were presented with the Strategic Risk Register which had been reviewed and updated following a consultation with the risk owners in December 2017 and implemented a recommendation from Internal Audit and a new risk on Data Protection.

The Solicitor and Monitoring Officer suggested expanding the Risk Register to include Risk Appetite helping them to decide by means of the matrix whether to either transfer, tolerate, treat or terminate a risk.

When asked about the risk to volunteers as lone workers it was clarified volunteers work in pairs and that correct procedures for their safety were in place.

The Solicitor and Monitoring Officer informed the Committee that after a debrief with the Internal Auditors it was stipulated that the review of Risk 22 on GDPR needed to be brought forward, so this was changed from June to March 2018.

The Members were reassured that the Risk Register would be updated every six months and be presented to the FSAC Committee twice a year. It was further confirmed that the Auditors would be looking at Risk in quarter four.

The Members adopted the Strategic Risk Register.

12 Review of Code of Corporate Governance

The Committee was provided with a draft of the Code of Corporate Governance which had been redrafted to reflect the 2016 CIPFA framework.

A suggestion was made to change the wording under the heading 'Develop the capability of leadership' on page 155 to be more fitting to the Broads Authority rather than to a Local Authority.

The Members noted the report.

13 Update on Implementation of General Data Protection Regulation

Members received a report which updated the Committee on steps being taken to implement GDPR in the Authority and informed that they would be offered training on it.

Some discussion was had whether Members would need to be registered individually. It was further explained that Members would only need to be

registered once and that County or District Members might already be covered through their Local Authority.

The Solicitor and Monitoring Officer assured the Committee they would receive the appropriate training and be informed whether they would need to register individually.

Members noted the report and thanked the Solicitor and Monitoring Officer for his efforts.

14 Strategy and Regulation Updates

Members of the Committee received a report which provided a revised Procurement Strategy, Counter Fraud, Corruption and Bribery Strategy and Financial Regulations for their consideration.

The Procurement Strategy was last updated in 2014 and a review resulted in a few minor changes in the document which mainly related to changes in job titles.

A Member welcomed the fact that the use of voluntary, community and social enterprises was now included in the Authority's overriding procurement objectives.

It was commented that there was no mention of the Modern Slavery Act within the Procurement Strategy. Although this was not a legal requirement, Members believed that modern slavery was an issue particularly relevant to the Broads. An amendment to the document was therefore suggested stating that a policy was created with a commitment to addressing modern slavery.

The second document, Counter Fraud, was last reviewed in 2016 and included a minor amendment relating legislation in the appendix, ensuring there was enough cover against money laundering.

The main change to the final document, Financial Regulations, was limiting the amount of cash in one single transaction.

Members adopted the strategies and regulations subject to an amendment relating to modern slavery.

15 To consider any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B (4) (b) of the Local Government Act 1972

There were no further items of business which the Chairman decided should be considered as a matter of urgency pursuant to Section 100B (4) (b) of the Local Government Act.

16 Formal Questions

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

17 Date of the next meeting

Members noted that the date of the next Committee meeting would be held on Tuesday 24 July 2018 at Yare House, 62-64 Thorpe Road, Norwich, commencing at 2:00pm.

The meeting concluded at 3.42 pm.

CHAIRMAN

APPENDIX 1

Declaration of Interests

Committee: Financial Scrutiny and Audit Committee

Date of Meeting: 6 March 2018

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)	Please tick here if the interest is a Pecuniary Interest ✓
Louis Baugh			
Jacquie Burgess			
Bill Dickson			
Nicky Talbot			
Haydn Thirtle		Board Member of Nplaw (discussing Data Protection)	
Gail Harris			

Broads Authority
Broads Local Access Forum

Minutes of the meeting held on 06 June 2018

Present:

Dr Keith Bacon (Chairman)

Mr Robin Buxton	Mr Stephen Read
Mr Mike Flett	Mr Charles Swan
Mr Alec Hartley	Mr Martin Symons
Mrs Dawn Hatton	Mrs Melanie Vigo di Gallidoro
Mr Tony Gibbons	Mr Ray Walpole

In Attendance

Ms Lottie Carlton – Administrative Officer
Mr Adrian Clarke – Senior Waterways and Recreation Officer (SWRO)
Mr Mark King - Waterways and Recreation Officer (WRO)
Mr Simon Hooton – Head of Strategy and Projects

Also In Attendance

Dr Andy Hutcheson – Norfolk County Council

4/1 To receive apologies for absence and welcome new members

Apologies for absence were received from Mr Kelvin Allen, Mr Louis Baugh, Dr Peter Mason, Mr George Saunders and Mr Chris Yardley

Members were welcomed to the meeting by the Chairman.

4/2 To receive declarations of interest

No declarations of interest were made at this point of the meeting. Mrs Melanie Vigo di Gallidoro declared an interest as Chairman of Broads Authority Planning Committee at Item 4/5.

4/3 To receive and confirm the minutes of the meeting held on 07 Mar 2018

Typographic error 3/4 (2) 'Bride' amended to 'Bridge'. Minor amendments made to first para of 3/6 deleting word 'not' and replacing 'and' with 'but'. The minutes of the meeting held on 07 Mar 2018 were then confirmed as a correct record and signed by the Chairman.

4/4 To receive any points of information arising from the minutes

(1) Minute 3/4 (1) How Hill Footpath

The Environment Agency has concerns about flood risk to the adjoining land. Broads Authority have offered to approach the landowner to try to speed up a resolution to this issue so that the footpath can open. The path continues to be maintained in readiness for the opening and revetment work has been completed to keep the surface dry.

(2) Minute 3/4 (2) River Wensum Strategy

The Vice-Chairman appeared in a recent EDP article publicising the River Wensum Strategy. The strategy is going to Norwich City Council cabinet meeting next week for adoption and sign-off. Full copy to be circulated to Forum members once adoption is confirmed.

Following concerns raised at the March BLAF meeting, two angling meetings were convened looking at where to access angling in the strategy project area. Suggested areas, lengths and numbers of 'pegs' have been mapped. Norwich City Council are being asked to adopt these. A potential angling passport was also discussed.

A September launch date is planned for start of the delivery phase of the River Wensum Strategy. The SWRO is writing a report on the angling suggestions to go to Norwich City Council.

An issue was raised concerning overgrown footpaths that historically used to be linked to angling in the city. Dykes associated with these paths are also neglected and need work, particularly areas on part of the Marriot's Way, good for general access to the Mile Cross area. The Broads Angling Strategy Service are keen for work to be carried out to make these areas safe and useable again for both walkers and anglers. They have volunteers who are willing to help with carrying out work needed. Norfolk County Council is carrying out two feasibility studies at Slough Bottom and Train Wood, part of the Marriot's Way, and can include the above suggestion in the scoping of resulting projects. Community Infrastructure Levy (CIL) funding may be available for these projects.

BLAF formal advice to Broads Authority: To support and adopt the River Wensum Strategy.

(3) Minute 3/5 Norfolk County Council update

Norfolk Access Improvement Plan - Looking at cross-boundary links with Suffolk: MVG has not yet heard back from Suffolk County Council officers regarding this issue but will report back when she does.

(4) Minute 3/6 Martham – Footpath 1 – Modification Order Public Hearing

Inspector's decision: The alternative route suggested by Martham Boatyard was not proven as adopted due to inadequate evidence therefore the definitive route on the map (that everyone accepts is wrong) remains. The Inspector agreed that a footpath can legally cross a staithe.

The definitive route remains physically impossible to walk. Norfolk County Council's response is awaited as to how this issue can be resolved for example by re-routing the path.

(5) Minute 3/9 Staithes and the Environment Agency

The action regarding the SWRO inviting a representative from the Environment Agency (Peterborough) to present a staithe position statement at a BLAF meeting and the Chairman to produce an A4 page outlining issues of staithe is to be carried forward.

(6) Minute 3/11 AOB – Agri-environment schemes and access implications post Brexit

A letter was sent to Defra on behalf of BLAF responding to the consultation on agri-environment schemes and access implications post Brexit stressing the importance of permissive path agreements and the need to include not just upland but lowland areas. Water quality and the catchment area for the Broads was also highlighted along with the need to have funding available for the 2026 deadline for registering paths. The SWRO agreed to email a copy of the submitted consultation response to Forum members.

(7) Minutes 3/11 AOB – Horning to Woodbastwick Ferry

No further updates available.

4/5 Norfolk County Council update

Dr Andy Hutcheson of Norfolk County Council (NCC) gave a presentation updating Forum members on Norfolk County Council projects:

Recycling Norfolk's Disused Railways

Capital funding is available for a feasibility study into re-using disused railway lines for cycling and walking. A tabled paper was circulated 'Recycling Norfolk's Disused Railways – A vision for a cycling and walking network for the county'.

The feasibility study will cover an overall network review of the county as a whole, more detailed analysis of 2 sites in the west of the county (Kings Lynn to Hunstanton and Kings Lynn to Fakenham) along with the Weavers' Way. An application is being submitted to the RDPE for £1million of capital funding for upgrading the Weavers' Way which will improve the surface for cyclists and

wheelchair users and improve railway heritage and old stations. If successful the development phase will start in 2019 followed by delivery in 2020.

Comments and answers to questions:

- Potter Heigham to Martham/Hemsby is only partially owned by Norfolk County Council. It provides a good link to the coast and connection to the Three Rivers Way project at the Potter Heigham end. Roads here are very narrow and busy and not good for cycling.
- Great Yarmouth to Beccles/Haddiscoe – potentially a good route, with much owned by public bodies; some privately owned roads/housing. There is an issue with crossing the river.
- Norfolk County Council will report back once information gathering has been completed (Autumn/Winter). There may be some building plans/development issues to resolve and these will be going to planning authorities. Broads Authority has been made aware of these potential routes via the Broads Local Plan.
- Reedham Footpath: No further progress to report. The permissive path agreement is being negotiated by the Parish Council with the landowner. Broads Authority have assisted the Parish Council with drafting a new agreement. The landowner was demanding too large a sum for the BA to continue with the previous agreement as it would have impacted on other work that had already been prioritised. Some Forum members felt the importance of the completion of a link should be an overriding factor as opposed to just looking at cost per length of footpath.

River Chet/Wherryman's Way update

Dredging has taken place along the Chet with material deposited on the bank. Major tree and scrub clearance has taken place. Dramatic improvements are evident with 70% of material having dried out leaving a solid bank with enough material to make good repairs. There is still a gap in the bank. There will not be any further dredging along the Chet this year. The SWRO agreed arrange a boat trip to take Dr Hutcheson to view the site.

The Phase 1 hydrology study has been commissioned.

4/6 Broads Local Access Forum draft response to Norfolk Access Improvement Plan consultation

The draft Norfolk Access Improvement Plan is out to public consultation until mid June 2018. Following suggestions by the Forum and others the scope of the plan has been widened to include access to water.

The SWRO gave a presentation highlighting potential areas for partnership working to be emphasised in the response to the draft Plan. These were discussed and supported by Forum members.

The Chairman and SWRO agreed to put together a Broads Local Access Forum response to the NAIP consultation based on issues highlighted in the presentation and as agreed by Forum members. The SWRO agreed to circulate the response to Forum members.

A separate response is to be submitted by the Broads Authority.

4/7 British Standards: Gaps, Gates and Stiles update

A response was submitted to the BSI consultation on Gaps, Gates and Stiles on behalf of BLAF members. New standards have been published and include the suggestions made, notably on horse gaps, which other respondents had also highlighted.

4/8 Broads Forum updates

The survey of Broads Forum member organisations revealed that while some organisations received very good feedback from their representatives many others did not receive any feedback at all and some did not even know they were represented on the Forum.

At the May Broads Authority meeting it was agreed to retain the Broads Forum but in a different format, moving to 2 workshops a year with a focus on key issues. Rather than a membership Forum a wider range of stakeholders will be involved. The first workshop is planned for 17 October 2018. Previous Broads Forum members will be invited along with a wider stakeholder group.

It was confirmed that the July meeting of Broads Forum has been cancelled.

Potential themes for workshops could include education, flood risk or access, but other suggestions are welcomed.

BLAF members suggested that more notice of agendas/workshop themes be given to enable attendees to have time to consult with members of their organisations.

4/9 To receive any other items of urgent business

UEA PhD student: Research into flood risk management using modelling linked to climate change - a workshop is being held on 10 July in Acle to investigate how scientists put across information to the public and spaces are available. Three members of Broads Angling Strategy Service are attending. MVG expressed an interest in attending. SKH agreed to circulate details of the workshop to Forum members.

Ludham Footpath signage: Many enquiries have been received by Ludham bridge businesses from people wanting to know how to walk to St Benet's Abbey. The

WRO advised Forum members that a project submission is being submitted to the Broads Authority's Project Development Group seeking funding for oak routed signs at both ends of the footpath.

Taxable expenses: Following HMRC recommendations advice was circulated to BLAF members regarding changes in how to claim for travel and other expenses related to attendance at BLAF meetings at Yare House. Members will have to complete new forms and return these to Lottie Carlton if they wish to continue to make claims.

4/10 To note the date of the next meeting

It was noted that the next meeting is scheduled to take place on Wednesday 05 Sept 2018 at 2pm.

The meeting concluded at 4.28pm.

Chairman

Navigation Committee

Minutes of the meeting held on 14 June 2018

Present:

Mrs Nicky Talbot – in the Chair

Mr K Allen

Mr M Heron

Mr M Whitaker

Ms L Aspland

Mr J Knight

Mr B Wilkins

Mr M Bradbury

Mr S Sparrow

In Attendance:

Mr S Birtles – Head of Safety Management

Mr N Catherall – Planning Officer (item 6 & 11)

Mr D Harris – Solicitor and Monitoring Officer

Dr D Hoare – Head of Construction, Maintenance and Environment

Mr B Housden – Head of ICT & Collector of Tolls (item 8)

Mr M King – Waterways and Recreation Officer (item 10)

Ms E Krelle – Chief Financial Officer

Miss S Mullarney – Administrative Officer

Dr J Packman – Chief Executive

Mr R Rogers – Director of Operations

Ms C Smith – Head of Planning (item 6)

Mrs M-P Tighe – Director of Strategic Services

Also Present:

Mr A Hartley, Jacquie Burgess, Bill Dickson, Melanie Vigo di Gallidoro, and Haydn Thirtle.

2/1 To receive apologies for absence

Apologies for absence were received from John Ash, Alan Goodchild and Greg Munford.

Recordings

The Chair announced that the meeting would be recorded and that the copyright remains with the Authority; however a copy of the recording could be requested.

James Knight declared that he would be making his own recording.

2/2 To note whether any items have been proposed as matters of urgent business

The Chair announced that a Carbon Monoxide incident that occurred at Somerleyton would be addressed under item 7, Current Issues.

2/3 To receive Declarations of Interest

Members expressed their declarations of interest as set out in Appendix 1 of these minutes.

2/4 Public Question Time

No public questions were raised.

2/5 To receive and confirm the minutes of the Navigation Committee meeting held on 19 April 2018

The minutes of the meeting held on 19 April were signed by the Chairman as a correct record of the meeting.

2/6 Summary of Actions and Outstanding Issues following Discussions at Previous Meetings

Members received a report summarising the progress of issues that had recently been presented to the Committee.

Network Rail

The Chief Executive provided Members with an update on the recent discussions with Network Rail regarding the Somerleyton and Reedham swing bridges. It was reported that Network Rail would provide information on the number of incidents and the extent of heat failures. It was acknowledged that some of the failures may be due to mechanical issues rather than heat.

Members were further informed that Network Rail had instructed bridge operators to provide more information to boaters on the electronic signs. In addition to when the bridges are closed the signs will indicate why there is a problem and when it is expected they will be fixed. There would be a further meeting with Network Rail in the summer.

Following the Navigation Committee's recommendation that Reedham and Somerleyton bridges be replaced, Members were informed that there was no provision in the Network Rail budget for funding the bridges in the current funding period (CP6). The Chief Executive said that the Broads Authority had agreed to work with Network Rail members of staff on the case to acquire this funding in the next funding period.

A Member raised a question about the legislation requiring Network Rail to open the bridges. The Solicitor confirmed that the legislation did indeed give priority to river traffic over rail traffic although the legislation dated back to Victorian times with the exception of the Trowse Bridge Act 1985. With regards to Trowse Bridge there was an undertaking entered by Network Rail some years ago following the increase in rail traffic across the bridge which reflected the reality of the greater use of the bridge by the railway company. Recent correspondence from the Solicitor had resulted in the bridge having had investment planned for this year. A discussion took place surrounding prosecution powers where vessels were delayed. However, a Director expressed the view that for the time being an improved dialogue with Network Rail was likely to be more constructive.

The Chairman welcomed the feedback and the forthcoming communication between the Broads Authority and Network Rail.

Unauthorised development at Barnes Brinkcraft

Members were informed that the Broads Authority had received a planning application for the retention of the unauthorised pontoon at Barnes Brinkcraft, with a restriction on the vessel length; the Head of Planning explained to members the nature of the application and said that it was a compromise on the current development.

The Head of Planning informed Members that the landowners had been more proactive in managing the length of boats using the moorings but rangers have had to manage issues with 45ft boats moored at the site. She added that the landowners were proposing to install signs to address this.

Members discussed the revisions to the development; one Member asked if there had been any incidents of collisions with the boats moored at the site and if the planning application specified the extent to which the boats mooring there would encroach onto the river. The Director of Operations responded that there was no record of any collisions but that the management by the rangers was done to prevent this. Members discussed the importance of the long term management of the site such that wouldn't involve an excessive amount of rangers time. The Head of Planning added that the moorings wouldn't extend beyond the limit of what was previously agreed by the Authority, which was the outside (riverside) extent of the barge which had been moored on the site previously.

The Head of Planning reminded Members that the Navigation Committee had previously recommended issuing permission for a temporary period to enable the management of the site and the effectiveness of the measures to be monitored. As it stands, the application was for a variation of condition to allow the retention of pontoon in the existing location, however if Members were concerned with the management she said that a condition could be added to vary the application for a temporary period. It was explained that if there were any problems then this temporary permission would expire and permission would revert back to what was previously approved.

The Chair stated that further monitoring over the summer period would identify possible implications of the application such that it could be reviewed by the Navigation Committee at its next meeting.

It was subsequently proposed by Max Heron, seconded by Michael Whitaker and agreed unanimously to RECOMMEND,

If any planning application proposed maintains the extent of mooring within the line previously agreed by the Navigation Committee and it is complied with in practice then the Navigation Committee professes itself content.

The Head of Planning said that the Navigation Committee's recommendation would be considered as part of the planning process.

Members noted the report.

2/7 Current Issues

The Head of Safety Management reported an incident to Members involving four individuals who were admitted to hospital with carbon monoxide poisoning. He explained that they were released from hospital later that day. An investigation was carried out on the vessel which determined that the single source of carbon monoxide was the engine exhaust.

One Member noted that the Hire Boat Federation had made it clear that every hire boat should have carbon monoxide alarms installed. The Chair concluded by reminding members of the carbon monoxide safety on boats leaflet issued by the Boat Safety Scheme which private boat owner were encouraged to read. She thanked the Head of Safety Management for updating Members of the incident

2/8 Broads Angling Services Group Donation Proposal

As proposed at the last Navigation Committee meeting on 19 April 2018, a proposal to encourage donations for the construction and maintenance of slipways was presented as an item for discussion. Kelvin Allen presented Members with the background of the Broads Angling Service Group and details of a proposed BASG charitable fund for the purpose of funding more slipways and improved angling access in the Broads.

The Chair thanked Kelvin for his time in preparing the presentation.

Members discussed the project and scheme approach of using The Broads Trust to host donations. It was commented that people would be more likely to make a donation if they knew what the funds would be spent on. However it was noted that it would be problematic for the Broads Authority to be seen to support one charity with a specific role over another. The Chief Executive added that the National Park Partnership was in the process of setting up a national charity for the 15 National Parks. He said that ultimately the National Park Authorities are statutory bodies and not charities so advised working with and supporting the Broads Charitable Trust rather than setting up a new scheme. Another Member suggested investigating how other National Park Authorities operate Trusts and how they're structured to make the Broads Trust more effective.

2/9 Frequency of Meetings, Workshops and Site Visits

Following the Broads Authority meeting on 18 May it was resolved to reduce the number of formal Broads Authority meetings to four per annum to make more time for informal meetings/workshops/site visits. Members of the Navigation Committee were asked to discuss the frequency of Navigation Committee meetings, workshops and site visits.

The Chief Executive first asked Members for formal confirmation on how the Committee considers planning applications that arose outside of scheduled meeting times. Members discussed the benefits of meeting face to face as well as the

facilities for communicating electronically and reporting comments back to the Chair and Vice Chair for them to determine if an urgent meeting was necessary.

Max Heron proposed, seconded by Matthew Bradbury and it was unanimously agreed that in the event of a planning application requiring the views of the Navigation Committee that members of the Navigation Committee be sent the details of the application and make any comments to the Chair and Vice Chair. Subject to the comments that come in the Chair and Vice Chair would determine whether there needed to be a formal consultation or not; and if a formal consultation was required, they would determine this could be via electronic means rather than meeting face to face.

Members discussed the frequency of formal committee meetings. Members noted the peak activity during the summer months and the importance of the Navigation Committee meeting during this time. One Member suggested the Navigation Committee meet five times per annum with meetings in June, September, October, January and April. It was proposed that there would be one site visit per annum in collaboration with Broads Authority members.

Another Member supported the proposal of five meetings per annum and suggested that future capital works and major projects going forward be assigned to the June or September meeting. Members also discussed the possibility of more site visits.

Members discussed the efficiency of meetings and the number of officers in attendance at committee meetings, it was suggested that officers could be present just for their item. One Member commented that Members needed to be more proactive in adding items to the agenda.

Kelvin Allen proposed, seconded by Linda Aspland and it was unanimously RESOLVED that;

the Navigation Committee meet formally five times per annum in April, June, September, October, and January, plus a site visit. It is proposed that this be reviewed in a years' time.

2/10 River Wensum Strategy

Members received a report which provided an update on the progress with the River Wensum Strategy since the public consultation on the proposed strategy took place in 2017.

The Waterways and Recreation Officer informed Members that the final version of the strategy had not been fundamentally changed from the draft version which the Navigation Committee supported at its meeting on 7 September 2017. He added that the strategy would be taken to the Broads Authority meeting on 27 July for adoption. The Strategy would be delivered in September 2018 after which it will be reviewed annually by the River Wensum Partnership consisting of officers from the Broads Authority, Norwich City Council, Norfolk County Council and the Environment Agency.

One Member queried the time frame for the projects that were included in the strategy, the Waterways and Recreation Officer explained that there was a 10 year plan commencing with smaller projects before expanding as funding was received.

Members applauded the strategy and a river focused city. Alec Hartley further observed the importance of Norwich being the only city in a National Park.

Members noted the report.

2/11 Planning Application with Navigation Implications: BA/2018/0149/FUL Broadlands Marina, Oulton Broad

Members were informed of a planning application that had been submitted to the Broads Authority for the installation of additional mooring pontoons at an existing marina. Views of the Navigation Committee would be considered as part of the planning process.

The Planning Officer presented Members with maps and photographs of the site and explained that the planning application was for a mixture of private and visitor moorings, the creation of additional reedbed, and reinstatement of slipway and pump-out facilities.

One Member provided the committee with additional information with an aerial photograph of the site; this was not part of the application or the report. It was his view that the proposal for moorings infringes on the navigation, and in relation to the sailing events at the venue as well as the proximity to the powerboat racing exclusion zone he said the proposal was too close for safety. He added that the NSBA and Waveney and Oulton Broad Yacht Club were happy for investment in the area and improvements to the marina but stated that the application would need to be modified to address the safety concerns.

Another Member said that Lowestoft Rowing Club had reported serious concerns to him with the application regarding obstructions at the site and would not want anything that projected any further than the existing marina.

Members were in favour of additional moorings but considered that anything that came out further than what one Member called the 'natural line' was a hazard to navigation. The Chair concluded that the applicant would need to have a look at how far out they were proposing to put the moorings and return with a revised proposal.

James Knight proposed, seconded by Brian Wilkins and it was unanimous agreed that,

The proposal in the view of the Navigation Committee interferes with the reasonable use of or enjoyment of the navigation area by other persons or vessels or persons exercising a public right of navigation.

The application would be presented at the Planning Committee with the views of the Navigation Committee.

2/12 Annual Income and Expenditure Report: 2017/18

Members received a report which set out a summary of the Authority's income and expenditure for the 2017/18 financial year.

The Chief Financial Officer informed Members that the auditors had completed the onsite work and she said that no potential changes had been raised. However, Members were made aware that the report would be finalised at the July Financial Scrutiny and Audit Committee meeting.

The Chief Financial Officer provided Members with an update for the 2018/19 figures, she said that the toll income at the end of May was £32,000 ahead of the target for hire craft. It was further explained that the income for private craft tolls was £1,000 ahead of the target at the end of May. In total 85% of tolls had been collected for this financial year.

Members noted the report.

2/13 Construction, Maintenance and Environment Work Programme Progress Update

The Head of Construction, Maintenance and Environment introduced Adrian Sewell, the newly appointed rivers engineer.

Members were informed of the temporary closure of Horsey Dyke as requested by IDB to complete emergency work for the replacement of a failed box culvert which runs underneath this section of the boat dyke. The Head of Construction, Maintenance and Environment told Members that the works were programmed to begin on 1 September for 12 weeks. He added that as Horsey Mere would be closed for navigation from 1 November the total impact was for September and October.

Members were made aware that the provision of a temporary floating pontoon in the north of Horsey Mere would be provided by the contractor for a limited amount of private mooring and keep the wildlife trip boat active. In addition to this there would be a diversion route to the existing public footpath to accommodate access to the alternative mooring site.

Following a question about the location of the newly purchased electronic signs, the Head of Safety Management explained that one had been delivered with three more on order. He added that the rangers had been asked to identify locations and key areas for the signs to be placed. Members were made aware that the signs were mobile so could be moved around.

The Chair thanked the Head of Construction, Maintenance and Environment for including additional information in the report in terms of dredging following a request after the last meeting.

The Vice Chair stated that dredging was an important item for stakeholders and commended the work of Officers regarding a complex issue. He added that he was aware the Authority had invested in new efficient and safer equipment and hoped that, subject to disposal sites being available, the output may be higher. The Member also mentioned the importance of maintaining dredging volume output in view of the 900,000m³ sediment removal backlog referred to in the 2007 Sediment Management Strategy. He added that he looked forward to Member engagement in the review process for the sediment management strategy.

The Head of Construction, Maintenance and Environment responded that the initial scoping meeting was looking at several areas of strategy relevant to waterways. He explained that the Integrated Access Strategy would be focused on this year, with a wider scope waterways management strategy being the focus for 2019/20 which would include sediment management. He said that this would include consultation with the Navigation Committee.

Members noted the report.

2/14 Chief Executive's Report

This report summarised the current position in respect of a number of important projects and events, including decisions taken during the recent cycle of committee meetings.

Members were provided with an update on the Acle Bridge Design Competition. The Chief Executive said that 163 submissions of interests were received of which 3 designs from the 95 valid submissions had been shortlisted for stage 2 of the competition. The Chief Executive explained that it was intended that an exhibition would be held later in the year to showcase the quality of the 95 submitted designs.

In regards to the catering facilities at Acle Bridge the Chief Executive said that Churchills, the contractors for Whitlingham, were looking into providing something for the summer.

2/15 Items for Future Discussion

One Member asked for more information to be provided at the next meeting on the frequency of ranger patrols. Following concerns the Member had received about the lack of visibility of rangers and a perceived decrease in patrols he said it would be useful to have the facts for year on year comparison. He further suggested engaging more volunteers at busy times.

The Head of Safety Management responded that the rangers had best value targets to meet for where and how frequently rangers have to patrol; he said that the figures published last year showed rangers had achieved 98% of these targets.

The Chief Executive added that there was already a number of volunteer rangers and said the Head of Ranger Services would be able to provide figures for the number of patrols.

2/16 Date of the next meeting depending on outcome of item 9

Following the outcome of item 9 it was agreed that the date of the next meeting would be held on Thursday 6 September 2018 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2.00pm

The meeting concluded at 5.10pm

Chairman

Code of Conduct for Members

Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 14 June 2018

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)	Please tick here if the interest is a Prejudicial interest
Simon Sparrow	6-14	Hire boat operator, landowner, toll payer, resident	
James Knight	6-14	Hire boat operator, toll payer, property owner, member of yacht clubs	
Michael Whitaker	6-14	No changes from previously	
Kelvin Allen	6-14	No changes from previously	
Max Heron	6-14	No new declarations	
Linda Aspland		No new declarations	
Matthew Bradbury	6-14	BCU member No new declarations	
Brian Wilkins		No new declarations	
Nicky Talbot	6-14	No new declarations	

Broads Authority
Planning Committee

Minutes of the meeting held on 22 June 2018

Present:

In the Chair - Mrs Melanie Vigo di Gallidoro

Prof J Burgess
Mr W Dickson
Ms G Harris
Mr B Keith

Mr P Rice
Mr H Thirtle
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr N Catherall – Planning Officer (Minute 12/8(2))
Mr D Harris – the Solicitor and Monitoring Officer
Mrs K Judson – Planning Officer (Minute 12/8(3) & (4))
Mr C Pollock – Planning Assistant
Ms C Smith – Head of Planning
Mrs M-P Tighe – Director of Strategic Services

Members of the Public in attendance who spoke:

**BA/2018/0152/FUL Mill View, Meadow Chapel Road, Runham,
Mautby**

Mr Graham Lindsay	Objector
Mr David Watts	Applicant

BA/2017/ 0168/FUL 4 Bureside Estate, Crabbetts Marsh, Horning

Mr Peter Jackson	Applicant
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12/1 Apologies for Absence and Welcome

The Chair welcomed everyone to the meeting.

Apologies had been received from Mr Mike Barnard, Mrs Lana Hemsall and Mr John Timewell.

12/2 Declarations of Interest and introductions

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered.

The Chair introduced and welcomed Calum Pollock as the new Planning Assistant.

12/3 Minutes: 25 May 2018

The minutes of the meeting held on 25 May 2018 were agreed as a correct record and signed by the Chair.

12/4 Points of Information Arising from the Minutes

Greater Norwich Development Partnership

The Chair reported that she had attended the meeting of the Greater Norwich Development Partnership Forum on Tuesday 19 June 2018. The Forum was not a decision making body but made recommendations to the three Local Planning Authorities (Broadland, Norwich and South Norfolk). The Authority was involved as an interested partner and as part of the Duty to Co-operate. The main items of discussion had been the outcome of the consultations on the Greater Norwich Local Plan focussing on the proposed 7,200 houses for 2036, with over 4,000 responses received; and the time line for the next steps. The partnership had recommended that the plan be extended to 2021 so as to take account of the newly submitted sites and to give opportunity for further consultation.

Broads Local Plan

The independent public examination was due to take place between 2 – 6 July 2018 and 16 – 20 July 2018. Members had been notified of the dates and all were welcome to attend as observers at some stage if they wished.

12/5 To note whether any items have been proposed as matters of urgent business

No items of urgent business had been proposed.

12/6 Chairman's Announcements and Introduction to Public Speaking

(1) The Openness of Local Government Bodies Regulations

The Chair gave notice that the Authority would be recording the meeting in the usual manner and in accordance with the Code of Conduct. No other member of the public indicated that they would be recording the meeting.

(2) Public Speaking

The Chair stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee and members of the public were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented. They were reminded that as the meeting was being recorded, any information they provided should be appropriate for the public. They were requested not to give out any sensitive personal

information unless they felt this was necessary to support what they were saying and would not mind others being aware of it.

12/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer consideration of any applications had been received. The Chair commented that she did not intend to vary the order of the agenda.

12/8 Applications for Planning Permission

The Committee considered the following applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached the decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

- (1) BA/2018/0152/FUL Mill View Meadow, Chapel Road, Runham, Mautby** 4 Glamping pods and associated facilities
Applicant: Mr David Watts

The Head of Planning provided a detailed presentation and assessment of the application to develop a parcel of agricultural land of less than an acre, to site four cedar clad glamping pods and associated facilities including car park. The purpose was to provide a form of farm diversification. The site had views out across the marshes to the river and the glamping pods would be provided with all facilities including those for cooking, washing and toilet and would be connected to a septic tank, therefore avoiding the need for a separate shower/toilet block on site. The majority of the site would remain open and the pods would be situated at the back of the site in order to reduce the visual impact into the landscape and they would be well screened. The applicant had prepared a management plan for the site, which included a proviso that there should be no noise after 10pm.

The Head of Planning drew attention to the consultations received stating that one further letter had been received since the report had been written in support of the application on the basis that the development would help to encourage local tourism.

The Head of Planning pointed out that the paragraphs 28 and 115 of the NPPF and DP14 were most relevant in assessing the application and carefully took into account each of the criteria.

The Head of Planning concluded that the proposal for 4 glamping pods and associated car park was acceptable in principle. Although there were landscape impacts these were not considered to be of such a

magnitude as to justify a refusal of planning permission, and there were also benefits to the rural economy. There would also be no significant impact on the highway network, ecology or neighbouring amenity. The proposal was therefore considered to be in accordance with the relevant Development Plan Policies, in particular satisfying the criteria of Policy DP14, the NPPF and it was recommended for approval.

Mr Graham Lindsey, a local resident explained that although he objected to the current application, he considered that it might be more acceptable if certain aspects were addressed. These included a more detailed and sensible layout of the site to take account of the proximity of neighbours, restriction on tents and any other camping provision, appropriate noise restrictions, and a rejection of all year round use, the latter points being of considerable concern to the parish council.

Mr David Watts, the applicant explained that he farmed 200 acres of predominantly arable land and there was a considerable need to diversify due to the removal of the farm payments. He considered that being within the Broads National Park, the site was geographically well placed to provide some form of tourism facility, being an attractive meadow site especially with its open marsh views. The current use of the site had limited income generation. He had examined other locations but none were as suitable either practically, as attractive or any further away from residential properties. He had no intention of further expansion as he wished to maintain a peaceful character for the site, attracting those who appreciated it as such and wished to have quiet enjoyment. He explained that the site would be well screened and the indicated layout was the most suitable. Having taken advice from others with experience, only 1 car parking space per pod was to be provided in the informal car park area, and this was considered appropriate. There could be other space available within his operation if required. He explained that he lived within the village not far from the proposed site and he would be the point of contact if there were any problems. It was intended to employ local people to help manage the site. He assured the Committee that the site would operate a no noise after 10pm policy which would be monitored.

Members expressed some concerns about the management of the site, possible noise management and its enforcement and had sought reassurances from officers and the applicant on these points. They took account of the distances of the proposal from other residential properties. In general they supported the application since it appeared to be an appropriate form of development in the context of the whole site and was a suitable diversification conforming to sustainable tourism. It was an opportunity to enjoy the national park landscape in a quiet way. They were assured that the owner was located within the vicinity and accepted that the quiet use being advocated was appropriate. The fact that the development would contribute to local employment and the local economy was helpful. They considered that the conditions for the management of the site should specifically

include the display of contact details of the owner, and highlight the policy of no noise after a specific time, but did not propose further conditions to this effect.

Jacquie Burgess proposed, seconded by Vic Thomson and it was RESOLVED by 6 votes to 0 with 1 abstention.

that the application be approved subject to the conditions outlined within the report, taking account of the concerns about management and noise. The proposal is considered to be acceptable in respect of Planning Policy and in particular in accordance with the National Planning Policy Framework and Policies DP1, DP2, DP4, DP11, DP14, DP15 and DP28 of the Development Management DPD, as the development is considered an appropriate form of farm diversification protecting rural employment, with no significant adverse impact on the landscape, neighbouring amenity, highway network or ecology subject to the recommended conditions.

(2) BA/2017/0168/FUL 4 Bureside Estate, Crabbetts Marsh, Horning
Single storey dwelling for holiday accommodation use
Applicant: Dr Peter Jackson

The Planning Officer provided a detailed presentation and assessment of the application to provide a single storey three bedroomed dwelling for holiday accommodation on a site that had extant planning permission (granted in 1997). Officers were satisfied that the development had commenced with the provision of piles for the approved dwelling and these would be used for the new proposed dwelling. The application was before Committee as a number of local objections had been received. The Planning Officer explained that the proposed building was to be set slightly further back from the river than the original proposed dwelling, would provide a more contemporary standard of accommodation by increasing the size and making alterations to the appearance. There was a mix of residential and holiday dwellings in the area and it was not unusual for holiday accommodation. The proposal also included extending the cut further into the land and removing the slipway. Therefore the works would not impede navigation of this stretch of the river.

The Planning Officer drew attention to the neighbour objections, reading out the main details, as set out in the report.

In assessing the application the Planning Officer gave consideration to the main issues relating to the site. The site was outside the development boundary, however, it benefited from extant planning permission (BA/1997/2191/HISTAP) and was in effect an application to vary a condition on the consent, and the principle had been established. The other main issues were design, landscape, amenity, flood risk, impact on the Horning catchment water recycling centre,

biodiversity and trees. The Planning Officer emphasised that the site benefited from an extant permission, sought to update the design which was simple and of a reasonable scale. Therefore it would not be detrimental to the character of the area and would not unduly impact on the amenity and privacy enjoyed by neighbouring residents. In conclusion the Planning Officer recommended approval subject to conditions.

Mr Peter Jackson the applicant explained that he had purchased the plot in 2016 and at every stage had sought the advice of the Authority's officers for which he expressed appreciation. He confirmed that he was intending to use the existing piles and aimed to update the design of the property to make it more economically viable. He had been advised that his original proposed height for 1 ½ storeys would not be appropriate and therefore he had amended the design which also helped to minimise overlooking. He also proposed to install a grey water recycling system as suggested and in accordance with the Environment Agency's details. He considered the revised proposal would meet with the Authority's policies.

Members were mindful of the objections but accepted that planning permission already existed. They considered that the plot was in a very prominent site and had been derelict for some time creating an eyesore in the river scene. They considered that the proposal was an improvement on the extant permission and would bring the development into the 21st century. The grey water recycling scheme was to be welcomed. They supported the application.

Paul Rice proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined in the report. The proposal is considered to be in accordance with Policies CS1 and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP4, DP12, DP13, and DP28 of the Development Plan Document (2011), Policy HOR1 of the Site Specific Policies Local Plan and the Joint Position Statement on Development in the Horning Water Recycling Centre Catchment, and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

- (3) **BA/2018/ 0154/FUL Former site of the Broads Hotel Cottage, Station Road, Hoveton**
Temporary 5 year approval for 38 space public car park, plus widening of footpath
Applicant: Mr E Roy

The Planning Officer provided a detailed presentation and assessment of the application for a temporary 38 space public car park with

associated landscaping whilst a percentage of the car parking for the Roy's Department Store (Forge House) was displaced due to works being undertaken to construct a sizeable extension at the store. Part of the proposal also included widening of the footpath along Station Road. The site was at present being used as a temporary works compound under permitted development rights, but it was intended to move this to the main Roy's car park. It was not proposed to use the land for car parking on a permanent basis only to help with the shortfall for parking whilst the main development for the extension to Roys was taking place. It was noted that the proposal did conflict with the development plan in relation to expansion of car parking areas and would therefore be a departure, but was in compliance with other relevant policies which helped to weigh in favour of a temporary use.

The Planning Officer drew attention to the representations received particularly those from the Highways Authority and the objections from Wroxham Parish Council.

The Planning Officer took account of the main issues to be considered – the principle of the development, the need for the use, landscaping and design, highways, flood risk and amenity. In conclusion the Planning Officer was of the view that the use of the site as a temporary car park could be justified and potential future development of the site would not be restricted. She therefore recommended approval subject to conditions.

Members concurred with the Officer's assessment, considering that the proposal would make good use of the site in the interim, given its untidy state at present and the need for car parking spaces with the loss as a result of the ongoing construction of Roys. They were concerned that any approval for a temporary use did not set a precedent around a permanent car parking use, but were advised that the fact that this was being treated as a Departure from policy was an indication of the particular circumstances applicable here at this time and would not prejudice future options. They supported the application, particularly on the basis that it was only temporary.

Paul Rice proposed, seconded by Jacquie Burgess and it was

RESOLVED unanimously

that the application be approved for a temporary 5 year time limit or as required as temporary replacement parking for the duration of the use of the site at Forge House for the works compound, whichever is the shorter and subject to other conditions as outlined within the report and the Highways Informative. The principle of the proposal is considered to be in conflict with a number of policies but the proposal meets the three tests of compliance with other policies, the question of harm and would provide other benefits. The Proposal is in compliance with other relevant Policies DP2, DP4, and DP28 and DP29 of the Development

Management DPD, and HOV1 of the Site Specifics and Policy PUBHOV3 of the emerging Local Plan and there are material considerations which weigh in favour of a temporary use as replacement parking.

(4) **BA/2015/0393/FUL Ferry View Boatyard, Ferry View Estate, Horning**

Retrospective application for a new toilet block
Applicant: Richardson's Leisure Ltd.

The Planning Officer explained that the application was before the Committee as the Managing Director for the applicant was a Member of the Authority. The Solicitor and Monitoring Officer had confirmed that the matter had been dealt with in accordance with normal processes and procedures.

In conclusion the Planning Officer was of the view that the application was acceptable in respect of the impact of the principle of the development, sewerage, drainage, design, flood risk, access and amenity and therefore was recommended for approval.

Members concurred with the officer's assessment.

Haydn Thirtle proposed, seconded by Paul Rice and it was

RESOLVED unanimously

That the application be approved subject to the conditions as outlined within the report. The application is considered acceptable and to be in accordance with the NPPF and Policies DP3, DP4, DP11, DP20, DP28 and DP29 of the Development Management Policies DPD and Policies HOR1 and HOR7 of the Site Specific Policies DPD.

12/9 Enforcement Update

The Committee received an updated report on enforcement matters previously referred to Committee. Further updates were provided for:

Barnes Brinkcraft (the non-compliance with a planning condition), An application had been received and the Navigation Committee had been consulted. They had agreed not to raise an objection provided that encroachment into the navigation did not extend beyond the limit of the barge originally moored in that location. Officers were looking into this.

Members thanked the officers for the updates.

RESOLVED

that the report be noted.

12/10 Duty to Cooperate: Broads Local Plan Habitats Regulations Assessment –amended version

The Committee received a report on the amended version of the Habitats Regulation Assessment (HRA) for the Local Plan for the Broads, originally adopted by the Authority in September 2017, after a recent Court of Justice of the European Union judgment relating to Habitat Regulation Assessments. The Inspector appointed to conduct the examination into the Broads Local Plan had specifically requested that the Authority take this into account and revisit the HRA that had been undertaken. It was noted that Natural England had described the original completed work on the HRA by Footprint Ecology as exemplary. Footprint Ecology in liaison with Natural England assessed the situation and provided a way forward as set out in an appendix to the report and proposed that the HRA be amended in light of the Judgement. This had been sent to the Planning Inspector in draft format as the Authority, as the Competent Authority needed to endorse the HRA .

RESOLVED unanimously

that the Planning Committee endorse the approach to meeting the requirements of the HRA Judgement and

RECOMMEND to Full Authority

that the revised HRA for the Local Plan for the Broads be endorsed.

12/11 Duty to Cooperate: Norfolk Strategic Planning Framework (NSPF) update

The Committee received a report providing the required update on the Norfolk Strategic Planning Framework, which had been endorsed by all the Local Planning Authorities in Norfolk in March 2018. As required by the emerging NPPF, a review had commenced with the aim of turning the NSPF into a Statement of Common Ground.

The Chair of the Authority reported that National Parks England and the Chair of the National Parks were endeavouring to ensure that National Parks and special landscape areas were protected and not weakened within the revised NPPF. A letter had been sent to Lord Gardner, Parliamentary Under Secretary of State for Rural Affairs and Biosecurity (Minister for landscape and National Parks).

RESOLVED

that the report be noted; and the work that is planned to review the NSPF and turn it into a Statement of Common Ground, plus additional work be endorsed.

12/12 Barnby Neighbourhood Plan: Designating Barnby as a Neighbourhood Area

The Authority received a report introducing the Barnby Neighbourhood Area with a view to developing a Neighbourhood Plan. It was noted that the proposed area was the entire parish including the Broads and there were no known or obvious reasons to not agree the Neighbourhood area.

Members recognised that producing a Neighbourhood Plan was challenging and involved a great deal of work, along similar lines for producing a Local Plan. Funds were available if the area fell within a Local Authority area. However, most of the areas of the Neighbourhood Plans adopted or to be undertaken within the Broads were not wholly within the Broads area.

RESOLVED

to approve Barnby becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

12/13 Neighbourhood Plan – Application for Area and Forum The Cathedral, Magdalen Street and St Augustine’s, Norwich

Gail Harris had declared a personal interest in the item and left the meeting.

The Committee received a report setting out the legal background to the designation of neighbourhood areas and neighbourhood forums, and in particular the issues regarding the proposed designations in Norwich, with special reference to the application for area and forum for the Cathedral, Magdalen Street and St Augustine’s. It was noted that the area within the Broads within the proposed Neighbourhood area was very small. Because Norwich is not parished, a Neighbourhood Forum needed to be set up. The Neighbourhood Forum membership was consulted on but it was concluded that the membership was not representative. It was noted that the Ward Member who was in the Forum has not been re-elected and it was a requirement of a Forum to have a Ward Member. Members noted that Membership had changed to be more representative but due to data protection concerns, the details of the membership were not able to be put into the public domain at this time. In addition the proposed area in question was considered to be too diverse and disparate in character for a Neighbourhood Area. Norwich City Council had therefore refused the application for a designation of a Neighbourhood area to cover the Cathedral, Magdalen and St Augustine’s and also the application for the Neighbourhood Forum to become the Designated Body as proposed. Officers recommended that the Authority supports the City Council’s decision for the reasons within the report.

Members had sympathy for those involved in the proposed Forum and commended them for wishing to become involved and for the amount of work already undertaken. However, they accepted the recommendation, noting that the alternative proposed smaller scale area would be more appropriate and

noting that the Broads Authority will not be involved in a decision making capacity for the new Neighbourhood Area because it did not include the Broads. Members thanked the Officers for the clear explanation of a complex situation.

Haydn Thirtle proposed, seconded by Bill Dickson and it was

RESOLVED unanimously

- (i) to refuse the application for designation of the Cathedral, Magdalen and St Augustine's neighbourhood area for the reasons set out at paragraph 7.1 of Appendix A to the report; and,
- (ii) to refuse the application for designation of the Cathedral, Magdalen and St Augustine's neighbourhood forum as an appropriate body for neighbourhood planning for the reasons set out in paragraph 9.1 of Appendix A to the report.

12/14 Customer Satisfaction Survey 2018

The Committee received a report on the Customer Satisfaction Survey carried out from 1 January to 31 March 2018 as part of the Authority's commitment to best practice in delivery of the planning service. This involved a questionnaire to all applicants and agents who had received a decision on planning application during this period.

Although the number of responses had been slightly disappointing the overall feedback had been very positive and Members congratulated the staff on the outcome.

RESOLVED

that the report be noted.

12/15 Appeals to the Secretary of State

The Committee received a schedule of decisions to the Secretary of State since 1 June 2018. This was an appeal concerning the conditions attached to the outline permission for development at Hedera House, Thurne. A start date from the Inspectorate had not yet been received.

RESOLVED

that the report be noted.

12/16 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 9 May 2018 to 6 June 2018. It was noted that two of the applications dealt with under delegated powers had come through the

condition monitoring process. Members noted that the development for Bureside, Water Works Lane, Horning had been reduced and modified in scale from that which had been originally approved at Committee following a site visit in 2017.

RESOLVED

that the report be noted.

12/17 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 20 July 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich

The meeting concluded at 12.40 pm

CHAIRMAN

APPENDIX 1**Code of Conduct for Members****Declaration of Interests****Committee:** Planning Committee**Date of Meeting:** 22 June 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
W A Dickson	-	None other than those already declared
Paul Rice	Item 12/8(2) and (4) Item 12/9	Chairman Broads Society Chair of Horning Flood Forum. Ludham Bridge – attended site for NNDC
Haydn Thirtle	12/8(1)	Borough and County councilor for the area. Attended Parish meetings concerning the application. BA/2018/0152/FUL Mill View Meadow, Chapel Road, Runham
Bruce Keith	-	None other than those already declared
Gail Harris	12/13 Application for Neighbourhood area and Forum for the Cathedral Magdalen and St Augustine's Norwich	Personal interest- (non-pecuniary). Item was discussed at Norwich City Council recently where I had declared an interest and will follow suit here. I will leave the meeting and not take part in the debate or vote.

Broads Authority
Planning Committee

Minutes of the meeting held on 20 July 2018

Present:

In the Chair - Mrs Melanie Vigo di Gallidoro

Mr M Barnard
Prof J Burgess
Mr W Dickson
Ms G Harris

Mr B Keith
Mr P Rice
Mr J Timewell

In Attendance:

Ms N Beal – Planning Policy Officer
Mrs S A Beckett – Administrative Officer (Governance)
Mrs K Judson – Planning Officer (Minute 13/8(1))
Mr T Risebrow – Planning Officer (Compliance and Implementation)
(Minute 13/9)
Ms C Smith – Head of Planning
Mrs M-P Tighe – Director of Strategic Services

13/1 Apologies for Absence and Welcome

The Chair welcomed everyone to the meeting.

Apologies had been received from Mrs L Hemsall, Mr H Thirtle and Mr V Thomson.

13/2 Declarations of Interest and introductions

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered.

The Chair welcomed John Timewell to his first meeting since she had been Chair.

13/3 Minutes: 22 June 2018

The minutes of the meeting held on 22 June 2018 were agreed as a correct record and signed by the Chair.

13/4 Points of Information Arising from the Minutes

Broads Local Plan

The Director of Strategic Services reported that although the Examination In Public (EIP) had been scheduled to take place over the two weeks 2 -3 July 2018 and 16 – 20 July 2018, unfortunately the Inspector had been taken ill

after the second day and therefore some of the sessions for the first week and all the sessions for the second week had to be cancelled. It was hoped that the Inspector would be fully recovered to resume the EIP in early September although no dates had been confirmed.

13/5 To note whether any items have been proposed as matters of urgent business

No items of urgent business had been proposed.

13/6 Chairman's Announcements and Introduction to Public Speaking

(1) The Openness of Local Government Bodies Regulations

The Chair gave notice that the Authority would be recording the meeting in the usual manner and in accordance with the Code of Conduct. No other member of the public indicated that they would be recording the meeting.

(2) Public Speaking

The Chair stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee and members of the public were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented. They were reminded that as the meeting was being recorded, any information they provided should be appropriate for the public. They were requested not to give out any sensitive personal information unless they felt this was necessary to support what they were saying and would not mind others being aware of it.

13/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer consideration of the application had been received. The Chair commented that she intended to vary the order of the agenda to enable the Planning Policy Officer to present items 10 and 13 consecutively.

13/8 Applications for Planning Permission

The Committee considered the following application submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached the decision as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

(1) BA/2018/0137/FUL Lynwood, Irstead Road, Neatishead,

Replacement dwelling
Applicant: Mrs Christine Beden

The Planning Officer (Compliance and Implementation) provided a detailed presentation and assessment of the application for the replacement of an existing 1960's construction single storey bungalow with a 1 and a half storey dwelling house on the Neatishead Road, south of Lime Kiln Dyke in the Neatishead Conservation Area. It was emphasised that the design had been amended from the original scheme following consultation with the Authority's Design Officer and as a result of a number of concerns from neighbours and consultees.

Since the writing of the report further consultations had been received from Neatishead Parish Council who no longer had any objections and had no issue with the amended plans that had been submitted by the applicant. Additionally they wished to thank the applicant for listening to the comments raised. It was also noted that the neighbour who had originally objected on amenity grounds had withdrawn their objection following the submission of the amended plans. One objection did remain but that was in respect of the original plans.

In assessing the application, the Planning Officer drew particular attention to the issues of the design, the impact on the character of the Conservation Area, amenity and trees. The Planning Officer considered that the amended plans were appropriate by virtue of the reduced massing of the replacement dwelling, its location and design and the fact that it was in character with the immediate street scene and the wider character of the Conservation Area. It was not considered that there would be an adverse impact on amenity, trees, access or ecology. Therefore in conclusion the Planning Officer recommended that the application with the amended plans could be approved subject to conditions.

Members noted that the application could have been dealt with under delegated powers if the objections had been withdrawn prior to submission to the Committee. They welcomed the proposals considering that the application would make a positive enhancement of the Conservation Area. They considered it refreshing for the concerns to have been resolved through negotiation and active support of the Authority's Design Officer's views and expressed appreciation to all concerned.

Jacquie Burgess proposed, seconded by Paul Rice and it was

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report including a condition that the development be in accordance with the amended plans. The application as amended

accords with the NPPF and Policies DP1, DP2, DP4, DP5, DP11, DP24 and DP28 of the Development Management Policies DPD (2011)

13/9 Enforcement Update

The Committee received an updated report on enforcement matters previously referred to Committee. Further updates were provided for:

Former Marina Keys, Great Yarmouth (untidy land and buildings). Negotiations were still underway and an application was expected within the next month.

Barnes Brinkcraft (the non-compliance with a planning condition). An application had been received and the Navigation Committee had been consulted. They had agreed not to raise an objection provided that encroachment into the navigation did not extend beyond the limit of the barge originally moored in that location. Officers were monitoring the current situation over the summer season to ensure that the landowners were able to implement the scheme that was the subject of the application.

Burghwood Barns

The Planning Officer (Compliance and Implementation) provided the Committee with an update on the breaches of planning control and the enforcement. He explained that he had visited the site very recently and unfortunately the three elements of the Enforcement Notice relating to the removal of the paved paths on the periphery of the site and the removal of the gazebo had still not been complied with. He reported how he had explained to the landowners the potential for prosecution and informed the Committee of the response from the owners concerning their circumstances.

Members considered the options available to the Committee, noting that there were other breaches of condition that would be forthcoming over the next few months which, if no action was taken at this juncture, could compound the situation. They were fully aware of the sensitive nature of the situation and considered that in the interests of fairness the owners be given a little bit more time to comply, but also recognising that the original compliance time had been extended on other occasions. They thanked officers for the systematic and sensitive approach being taken.

Paul Rice proposed, seconded by John Timewell and it was

RESOLVED by 6 votes to 0 with one abstention (the member having been called from the room for some of the discussion)

That the Officers write to the owners explaining that the Authority was fully aware of their circumstances but before initiating prosecution procedures in the interests of fairness would allow them a further 14 days from the date of the letter to comply with the requirements of the Enforcement Notice.

Members thanked the officers for all the updates.

RESOLVED

that the report be noted.

13/10 Flood Risk and Strategic Flood Risk Assessment (SFRA) Joint Position statement with the Environment Agency

The Committee received a report on the updated Joint Position statement produced by the Broads Authority and the Environment Agency as a result of updating the flood risk model for the Broads area by the Environment Agency. As part of the report the Committee received a tracked version of the Joint Position Statement to indicate the changes that had been made. Subject to the Committee agreeing the document, a clean version would be placed on the website for the Planning Inspector examining the Local Plan. It was noted with disappointment that there would be delay in the model but its updating could coincide with the next SFRA in 2021 and therefore the flood risk data would be up to date at that time. This did not necessarily present an issue for the Local Plan as the thrust of the original statement was still valid and the Environment Agency was fully supportive of the stance being taken by the Authority and was due to provide this at the Local Plan Hearing.

RESOLVED unanimously

that the report is noted and the amended Joint Position Statement with the Environment Agency is endorsed.

Item 13 was dealt with at this point in the meeting

13/11 Tree Preservation Orders TPO – Confirmation of Phase

The Committee received a report providing an update on the review of Tree Preservation Orders, particularly after the redrafting and re-issuing of 15 TPOs for consultation in April 2018. The Committee was provided with the feedback from the consultation and welcomed the support received, particularly relating to that where the Committee had had a site inspection. It was noted that this now completed the review. It was unlikely that the TPOs would be reviewed again within the next ten years, subject to individual circumstances as and when.

RESOLVED

that the report be noted and that the 15 new Tree Preservation Orders issued as set out in the Appendix to the report be confirmed and the corresponding existing orders be revoked and note that one order (BA/2018/0002/TPO) is left unconfirmed in order that it may expire.

13/12 Article 4 Directions Consultation Update

The Committee received a report and presentation on the review of Article 4 Directions in the Authority's Executive Area following on from the report presented to Committee on 3 March 2017. This had identified 24 Article 4 Directions covering a variety of development types throughout the area. Following the decision of the meeting in 2017 to retain 15 Article 4 Directions, the landowners and the relevant Parish Councils were notified. Consultation also took place concerning 7 of the Article 4 Directions proposed for removal. The Navigation Committee had been consulted in relation to those covering retail sales from moored vessels and had been in favour of retaining this, especially as it had been very helpful to the Rangers.

Members noted that strong objections had been received against the removal of the Article 4 Directions for the two sites at Anchor Street in Coltishall, as it was considered that they gave a considerable degree of protection of the special landscape. Therefore members supported the officers' view that they be retained.

Attention was also given to the case of Holly Lodge, Wroxham where the recommendation had originally been to remove the Direction for the erection of boundary treatments. However, having recently visited the site and taking account of the concerns expressed, it was considered that there was sufficient planning justification to retain the Article 4 Direction at this location.

With regard to the area in Halvergate with the Article 4 for the Travelling shows and camping, contrary to the report and despite the current landowner expressing the view that he intended to retain the area as grazing since it was currently managed under the stewardship scheme, Members were of the view that the views of Acle Parish Council should be supported. Given the uncertainties over stewardship and funding following Brexit, as well as potential change in ownership, they considered a more cautious approach needed to be taken. They therefore considered that this Article 4 should be retained.

In conclusion

RESOLVED unanimously

that existing Article 4 Directions be retained in respect of.

- (i) Retail sales from moored vessels- 23 moorings
- (vi) Caravans, camping and temporary uses - Anchor Street, Coltishall
- (viii) Works to unadopted streets - Anchor Street, Coltishall;
- (v) Erection of boundary treatments – Holly Lodge in Wroxham
- (x) Travelling shows and camping - Halvergate

That existing Article 4 Directions be removed in respect of:

- (iii) Temporary uses of land - Brundall Riverside

- (iv) Holding of markets, motor and motorcycle racing and clay pigeon shooting - Church Road, Hoveton

13/13 Consultation Documents and Proposed Responses

The Committee received a report setting out the consultation together with Authority's proposed responses for:

Norfolk County Council – Minerals and Waste – Issues and Options
Suffolk County Council - Minerals and Waste Local Plan

Norfolk County Council

It was noted that as with the Authority's Issues and Options paper, this was the first public consultation stage of the production of the Minerals and Waste Local Plan and not all the sites which were proposed would be allocated. Members welcomed the proposed response. In particular attention was drawn to the paragraph relating to Min 38 Land at Waveney Forest/ Fritton Woods. There was some considerable history with the Parish Council objecting strongly to this site. Norfolk County Council's conclusion was this site should not be allocated for the reasons set out in its assessment. Members of the Planning Committee strongly supported this view and fully endorsed the comments set out in the report.

Suffolk County Council

It was noted that this was the pre-submission of the Local Plan where the final version of the plan was published for further consultation. Members were fully supportive of the comments and agreed these should be submitted.

RESOLVED

That the reports be noted and the nature of the proposed responses to Norfolk County Council on its Minerals and Waste issues and Options document and Suffolk County Council on its Mineral and Waste Local Plan pre-submission document be welcomed and endorsed for submission to the respective councils.

13/14 Appeals to the Secretary of State

The Committee received a schedule of decisions to the Secretary of State since 1 June 2018. This was an appeal concerning the conditions attached to the outline permission for development at Hedera House, Thurne. A start date from the Inspectorate had not yet been received.

RESOLVED

that the report be noted.

13/15 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 6 June 2018 to 4 July 2018. It was noted that the last two applications which had been approved had arisen as a result of the monitoring programme.

Members were appreciative of the monitoring work being undertaken and welcomed the report.

RESOLVED

that the report be noted.

13/16 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 17 August 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich

The Chair reported that the meeting on the 17 August would begin with the appointment of the Chair and Vice-Chair for the coming year. An email requesting nominations will be sent out immediately after the Broads Authority meeting on 27 July 2018. The deadline for the receipt of nominations will be required by the 3 August 2018.

The meeting concluded at 11.20 am

CHAIRMAN

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: **Planning Committee**

Date of Meeting: 20 July 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Paul Rice		Chairman Broads Society Item 8 as North Norfolk District Councillor for the area.
Jacque Burgess		As previously declared
Bruce Keith		As previously declared

Broads Authority
Planning Committee

Minutes of the meeting held on 17 August 2018

Present:

Prof J Burgess	Mr H Thirtle
Mr W Dickson	Mr V Thomson
Mrs L Hemsall	Mr J Timewell
Mr P Rice	Mrs M Vigo di Gallidoro

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr D J Harris – Solicitor and Monitoring Officer
Mrs K Judson – Planning Officer (Minute 1/10(1))
Mr T Risebrow – Planning Officer (Compliance and Implementation)
Mr A Scales – Planning Officer
Mrs M-P Tighe – Director of Strategic Services

Members of the Public in attendance who spoke:

BA/2018/0173/FUL Hickling Broad, Hickling

Dan Hoare Applicant: Head of Construction Maintenance
and Environment, Broads Authority

Sue Stephenson Applicant: Environment and Design Supervisor,
Broads Authority

1/1 Apologies for Absence, Welcome and Housekeeping Matters

The Solicitor and Monitoring Officer welcomed everyone to the meeting.

Apologies had been received from Mr M Barnard, Ms G Harris and Mr B Keith. Lana Hemsall apologised that she would be a little late (Minute 1/4)

The Openness of Local Government Bodies Regulations

The Solicitor and Monitoring Officer gave notice that the Authority would be recording the meeting in the usual manner and in accordance with the Code of Conduct. No other member of the public indicated that they would be recording the meeting.

1/2 Appointment of Chair

The Solicitor and Monitoring Officer stated that in accordance with the new procedures adopted by the Authority in May 2018, nominations for the Chair

and Vice-Chair of the Planning Committee had been requested by 3 August 2018, 14 days prior to the meeting.

Haydn Thirtle had proposed the nomination of Melanie Vigo di Gallidoro, and this was seconded by Bill Dickson. Melanie Vigo di Gallidoro confirmed that she was willing to be appointed.

There being no other nominations, it was

RESOLVED

that Melanie Vigo di Gallidoro be appointed as Chairman of the Planning Committee for the following year 2018-19.

In the Chair - Melanie Vigo di Gallidoro

1/3 Appointment of Vice-Chair

The Chair reported that Haydn Thirtle had proposed Bruce Keith as Vice Chair of the Planning Committee and she had seconded the nomination. Although Bruce Keith had sent his apologies he had confirmed that he was willing to be appointed.

There being no other nominations, it was

RESOLVED

that Bruce Keith be appointed as Vice-Chairman of the Planning Committee for the following year 2018 – 19.

1/4 Declarations of Interest and introductions

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered.

The Chair declared a general interest on behalf of all Members in relation to Item 10(1) Application BA/20/0173/FUL Hickling Broad Hickling as the application was on behalf of the Authority and 10(2) BA/2018/0177/FUL Whitlingham Broad Visitor Centre, Whitlingham Lane, Trowse as the Authority was also involved in the application.

1/5 Minutes: 20 July 2018

The minutes of the meeting held on 20 July 2018 were agreed as a correct record and signed by the Chair.

1/6 Points of Information Arising from the Minutes

There were no points of information to report.

1/7 To note whether any items have been proposed as matters of urgent business

No items of urgent business had been proposed.

1/8 Chairman's Announcements and Introduction to Public Speaking

(1) Broads Local Plan

Part of the independent public examination took place on 2 -3 July 2018. The hearing dates for the Examination in Public of the Broads Local Plan were now scheduled to take place on 6, 7 and 10 September 2018. Members had been notified of the dates and all were welcome to attend as observers at some stage if they wished.

(2) Parish Forum – The next Parish Forum event was due to be held on Wednesday 19 September 2018 starting at 6.00pm in the Authority's offices.

(3) Item 12 Enforcement of Planning Control – Disused and derelict buildings at former Waterside Rooms, Station Road, Hoveton

A decision was not expected on this item as a decision was already made on the issue by the Planning Committee on 27 April 2018 (Item 10/11). Therefore Item 12 was removed from the agenda.

(4) Public Speaking

The Chair stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee and members of the public were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented. They were reminded that as the meeting was being recorded, any information they provided should be appropriate for the public. They were requested not to give out any sensitive personal information unless they felt this was necessary to support what they were saying and would not mind others being aware of it.

1/9 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer consideration of any applications had been received. The Chair commented that she did not intend to vary the order of the agenda.

1/10 Applications for Planning Permission

The Committee considered the following applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached the decisions as set out below.

Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

(1) BA/2018/0173/FUL Hickling Boad, Hickling

Hickling Broad enhancement work with the installation of geotextile tubes that are filled with dredged sediment, pinned in place by wooden poles and covered with polyfelt curtain and additional sediment, and then once established, the void created to be filled with further dredged sediment to re-create an area of reed bed

Applicant: Broads Authority

The Planning Officer provided a detailed presentation and assessment of the second significant application for enhancement and improvement work as part of a long term approach to the management of Hickling Broad, building on the scientific evidence from the Broads Lake Review and experience gained from work on other sites. The application would support the next phase of sediment removal and would focus on re-using the sediment to recreate an area of previously eroded reed bed. The application had been accompanied by an Environmental Statement and subsequent Addendum and Habitats Regulations Assessment detailing impacts together with necessary drawings, plans and technical information. There were a number of precautionary approach elements relating to when the works could be carried out associated with the reduction of the probability of algal bloom and prymnesium and associated water temperatures, and taking account of the recreational functions of Hickling Broad. The works would take place in an area outside the main navigable area and where it had not been used for angling. The design of the works had been successfully used elsewhere and the main impacts would be short term but with long term benefits.

The Planning Officer commented that no further comments had been received since the report had been written but drew attention to the consultations received explaining that these, including the statutory consultees, were generally in support of the proposal. He emphasised that Natural England was satisfied that the works would provide enhancements and the scheme had been developed in association with its advice.

Having assessed the application particularly taking account of the key issues of design/visual impact, nature conservation, navigation and recreation and flood risk, the Planning Officer recommended that the application could be approved subject to conditions. The application would deliver an acceptable design of enhancement work that would protect and enhance the nature conservation value of the area subject

to the imposition of the planning conditions. It would therefore meet the key tests of the development plan policies.

In response to Members' questions, it was clarified that the volume of dredged material for the total project over 2 – 3 years would be 19,000 cubic metres, which was significant.

With regard to the comment from the resident of The Smea that the conditions of the previous planning permission had only been partially implemented, the Planning Officer explained that this related to appropriate timings for works including planting of the correct reed rhizomes and there was a need for some flexibility within the implementing of the conditions. He confirmed that the majority of the works for the first phase of the overall strategy in association with the approval in 2016 had been implemented acknowledging that one section still required completing. He confirmed that adequate water depths for access to the boathouse were being maintained.

Dr Dan Hoare confirmed the comments from the Planning Officer. He commented that the necessary planting for the required remaining section was scheduled for 2019/20. He explained that the objectives to the current proposal included the creation of a reed bed and the lagoon behind would provide a quiet water space protected from wind and wave impact as a wildlife refuge within Hickling Broad. This had been designed in association with the Norfolk Wildlife Trust. There was no specific plan for ongoing maintenance of this section, but the dredging plans ensured adequate depths. It was confirmed that its maintenance came within the Authority's overall ongoing responsibilities for Hickling Broad.

He also explained that all the works to be undertaken were underpinned by a vast band of research drawn from experience over a number of years and also in association with Natural England which had provided a flexible guideline approach. Therefore the precautionary approach was being taken.

Members were supportive of the proposals, noting that other such projects of a similar nature, for example at Salhouse Broad and the works already undertaken in Hickling, had proved to be excellent and successful. They acknowledged the emphasis on the precautionary approach and were pleased to see the full cooperation with Natural England and the Environment Agency. They requested that the owner of The Smea receive an explanation concerning the completion of the conditions relating to the previous application.

Paul Rice proposed, seconded by Jacquie Burgess and it was

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report, as it accords with the NPPF and Policies CS 1, CS2, CS3, CS4 of the Core Strategy (2007) and Policies DP1, DP3, DP4, and DP29 of the Development Management Policies DPD (2011)

(2) **BA/2018/0177/FUL Whitlingham Broad Visitor Centre, Whitlingham Lane, Trowse**

Retain temporary toilet building with ramp for another 3 years.
Applicant: Whitlingham Charitable Trust and Broads Authority

The Planning Officer provided a detailed presentation of the application to retain the temporary toilet building with ramp for another three years, in part of the car park of the Whitlingham Country Park, adjacent to the Flint Barn. The seeking of a temporary consent was to enable the immediate need for additional toilet facilities to be met whilst a more permanent solution was identified and delivered. It was acknowledged that the number of toilets available and their location within the Flint Barn was not sufficient to meet the current needs of visitors. There was sufficient evidence through recent surveys that additional toilets were essential and it was appropriate to seek a more long term solution. The Trust hoped to present more detailed proposals for a permanent solution with a planning application in April 2019.

The main issue to consider was a justification for the extension of the temporary permission but also the principle, design and landscape impact and impact on the historical environment.

The Planning Officer acknowledged that an additional temporary consent for toilet facilities was not ideal but that it could be justified in this instance. The scale and design of the proposed building was suitable for its intended use on the basis that it would only be for a period of another three years. The siting was considered appropriate and there were no significant adverse impacts arising. It was considered to be in accordance with the relevant planning policies and therefore recommended for approval.

Members acknowledged and were supportive of the need for such facilities but considered that the current provision for which temporary permission was being sought was of an incongruous and unacceptable design. They would much prefer to have a permanent solution and wished to encourage the Trust as a matter of urgency to provide an appropriately designed building.

It was noted that although not a planning consideration, the provision of a permanent building was constrained by funding. The Trust relied for its income on the fees from car parking, which fluctuated and where there were difficulties with the current contractor.

Lana Hemsall proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

that the application be granted temporary approval for a further three year from the date of the decision notice subject to conditions outlined in the report. The principle of the development is considered to accord with the NPPF and Local Policies WH1 of the Site Specific Policies (DPD 2014) and in particular DP14, as well as DP1, DP2, and DP5, of the Development Management Policies DPD (2011). It was not considered to accord with Policy DP4 design in particular on a permanent basis and hence the justification for a temporary approval only.

1/11 Enforcement of Planning Control: Burghwood Barns, Ormesby St Michael

Further to Minute 13/9 of the Planning Committee on 20 July, the Committee received a report concerning the unauthorised development at Burghwood Barns, Ormesby St Michael where an Enforcement Notice had previously been served and for which a further two weeks had been provided, since that last meeting, for the landowners to comply. The landowners were well aware of the potential for prosecution having had a letter as well as personal contact to that effect. They had undertaken some works towards compliance but were still required to remove paths and the gazebo on the land which had been developed for domestic curtilage as well as cease the use of the land as garden. They had indicated that they did not have the funds to do so.

Members expressed regret at the current situation. However, they considered that it was important to take account of the integrity of the planning process. It was noted that the area of land which was required to revert to agriculture was still being managed for domestic use as a garden.

A member commented that the situation was unfortunate but had concerns about the Authority's reputation with regard to public perception and would wish to counter that. The member suggested a compromise whereby the Enforcement Notice be stayed and the owners be allowed to retain the area as at present, on the understanding that when they came to vacate it, the landscape should revert to that which it had been previously.

Other members emphasised that there was a history of development on the site without the benefit of planning permission, of retrospective planning permission having had to be sought, non-compliance with conditions, and that the Enforcement Notice had been upheld at appeal. It was considered imperative that the normal planning procedures were followed through. Therefore regrettably the Authority was required to proceed with prosecution.

John Timewell proposed, seconded by Jacquie Burgess and it was

RESOLVED by 5 votes to 1 and one abstention.

- (i) that it be noted that prosecution proceedings will commence following non-compliance with the Enforcement Notice previously issued (As noted in the Enforcement Update)
- (ii) that authority be given to issue a Breach of Condition Notice in respect of non-compliance with conditions 3,4, and 5 of permission granted for BA/2016/0444/FUL.

1/13 Enforcement Update

The Committee received an updated report on enforcement matters previously referred to Committee. Further updates were provided for:

Marina Quays. An application had now been received and the determination processes had commenced.

Members thanked the officers for the updates.

RESOLVED

that the report be noted.

1/14 Consultation Documents Update and Proposed Responses Wroxham Neighbourhood Plan – pre-submission draft.

The Committee received a report on the recent consultation from Wroxham Parish Council on the Wroxham Neighbourhood Plan submission draft. The Director of Strategic Services reported that the group developing the Neighbourhood Plan had been open to meet with officers from Broadland District Council and the Authority. There were a few main issues which the Neighbourhood Plan raised such as through traffic, limited open space, parking, infilling development rather than large developments, the housing market with requirement for market residential rather than purpose built holiday dwellings.

Members of the Committee supported the comments made and raised a number of other points. In particular given the proximity to and relationship between Wroxham and Hoveton, the Committee considered that the Authority would recommend that there is liaison with Hoveton Parish Council on its Neighbourhood Plan.

Members queried whether within the plan there were sufficient specific solutions suggested for parking, potential infilling development or the traffic congestion and if not they considered that more details on potential solutions, especially with regard to traffic flows may be required. A comment was made that the opening up of the Norwich Northern Distributor Road (NDR), particularly when the signs were in place, would put more pressure on the traffic flow through Wroxham and this needed to be addressed. With regard to any proposed housing references this should incorporate measures for Sustainable Urban Drainage (SUDS).

It was noted that the deadline for comments was 1 September 2018. Officers would take account of the comments made and address these within the final response.

RESOLVED

that the report is noted and the proposed comments be endorsed. Officers were delegated to take account of the additional comments made by the Committee above for forwarding to Wroxham Parish Council as the Authority's response.

1/15 Duty to Cooperate: Norfolk and Suffolk Authorities Statement of Common Ground.

The Committee received a report setting out the Statement of shared aims and an agreed approach to coastal planning and management with Norfolk and Suffolk Coastal Authorities as part of the continued engagement required through the Duty to Cooperate. The area of key interest to the Authority, which came within its executive area, was a small stretch of coast between Horsey Gap to Winterton Ness where development was limited and protected by the Authority's own policies. The Statement of Common Ground will be endorsed by the other interested authorities:

- Borough Council of King's Lynn & West Norfolk
- North Norfolk District Council
- Great Yarmouth Borough Council
- Suffolk Coastal District Council
- Waveney District Council
- The Broads Authority

This now required the agreement of the Authority and the signatures from the Chairman of the Authority and Chairman of the Planning Committee.

RESOLVED

that the Norfolk and Suffolk Coastal Authorities' Statement of Common Ground be endorsed.

1/16 Appeals to the Secretary of State

The Committee received a schedule of decisions to the Secretary of State since 1 June 2018. This was an appeal concerning the conditions attached to the outline permission for development at Hedera House, Thurne. A start date from the Inspectorate had still not yet been received.

RESOLVED

that the report be noted.

1/17 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 5 July 2018 to 1 August 2018.

RESOLVED

that the report be noted.

1/18 Circular 28/83: Publication by Local Authorities of Information about the Handling of Planning Applications.

The Committee received a report setting out the development control statistics for the quarter ending 30 June 2018. The Chair commented that it was exceptionally pleasing to see that performance for speed of decision was above the national targets. This was in part due to the planning officers being prepared to give pre-application advice for which the Authority did not charge. The Committee had taken the decision not to charge a couple of years previously.

RESOLVED

That the report be noted.

1/19 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 14 September 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich

The meeting concluded at 11.34 am.

CHAIRMAN

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date of Meeting: 17 August 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Haydn Thirtle	1/10	Board Member. IDB (Broads) and
	1/11	Burghwood Barns – various site visit
Bill Dickson	-	None other than those already declared
Paul Rice	1/15	Chairman Broads Society IDB Member Item re Duty to Co-operate – Coastal
Jacque Burgess	-	As previously declared
Melanie Vigo di Gallidoro	-	As previously declared and on behalf of all Members:
ALL Members	1/12 (1) and	Application BA/20/0173/FUL Hickling Broad Hickling – Broads Authority is the applicant
ALL Members	1/12 (2)	Application BA/2018/0177/FUL Whitlingham Broad Visitor Centre, Whitlingham Lane, Trowse Whitlingham Charitable Trust in association with Broads Authority are the applicants.