

# Broads Authority

## Agenda 27 September 2019

10.00am

Yare House, Thorpe Road, Norwich, NR1 1RY

### Introduction

1. To receive apologies for absence
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 26 July 2019** (Pages 3 - 21)
7. **Summary of actions and outstanding issues following decisions at previous meetings – to note the schedule** (Pages 22 - 32)

### Strategy and policy

8. **Responding to the climate change emergency**  
Report by Management Team and CANAPE Project Manager (Pages 33 – 43)
9. **Financial Performance and Direction** (Pages 44 -58)  
Consolidated Income and Expenditure from 1 April 2019 – 31 July 2019  
Report by Chief Financial Officer
10. **Norfolk Strategic Planning Framework – version 2** (Pages 59 - 60)  
Report by Planning Policy Officer
11. **Draft Planning Documents for consultation** (Pages 61 - 65)  
Report by Planning Policy Officer to include
  - **Draft Marketing and Viability SPD**
  - **Draft Broads Flood Risk SPD**
  - **Draft Statement of Community Involvement**

12. **Extinguishment of Public Rights of Way** (Pages 66 – 72)  
Report by Head of Planning
13. **Water Resources East** (Pages 73 – 75)  
Report by Director of Strategic Services

## Reports for information

14. 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

15. To receive the minutes of the following meetings:

[Audit and Risk Committee 5 March 2019](#)

[Broads Local Access Forum 5 June 2019](#)

[Navigation Committee 13 June 2019](#)

[Planning Committee 19 July 2019](#)

[Planning Committee 16 August 2019](#)

16. To consider any other items of business which the chairman decides should be considered as a matter of urgency pursuant to section 1008 (4)(b) of the Local Government Act 1972
17. To answer any formal questions of which due notice has been given
18. **To note the date of the next meeting 22 November 2019 – at 10.00am at Yare House, 62/64 Thorpe Road, Norwich**
19. Exclusion of the public  
  
The Authority is asked to consider exclusion of 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 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.
20. **To receive the Exempt Minutes from the Broads Authority meeting on 26 July 2019**  
(Pages 76 - 77)
21. **To receive the Exempt Minutes from the Navigation Committee meeting on 13 June 2019** (Page 78 – 81)

The meeting will be followed by a Workshop for Members only.

# Broads Authority

## Minutes of the meeting held on 26 July 2019

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## **Present**

Haydn Thirtle – in the Chair for Minute 1.

Kelvin Allen, Louis Baugh, Harry Blathwayt, Julie Brociek-Coulton, Matthew Bradbury, Jacquie Burgess, Bill Dickson, Andree Gee, Lana Hemsall, Tristram Hilborn, Tim Jickells, Bruce Keith, James Knight, Leslie Mogford, Greg Munford, Simon Roberts, Simon Sparrow, Nicky Talbot, Haydn Thirtle, Vic Thomson, Melanie Vigo di Gallidoro, and Fran Whymark.

## **In attendance**

John Packman – Chief Executive, Sandra Beckett – Administrative Officer (Governance), Steven Bell – Monitoring Officer, Maria Conti – Head of Governance, Andrea Kelly – Senior Ecologist (up to and for Minute 14), Emma Krelle – Chief Financial Officer, Rob Rogers – Director of Operations, Rob Leigh – Head of Communications.

## **1. Apologies and welcome**

The Chairman welcomed everyone to the meeting. In particular he welcomed the new members: Harry Blathwayt, Julie Brociek-Coulton, Andree Gee, Tristram Hilborn, Tim Jickells, James Knight, Leslie Mogford and Fran Whymark.

The Chairman welcomed back those members who had been re-appointed by their County or District councils: Lana Hemsall and Melanie Vigo di Gallidoro and Vic Thomson now appointed by Norfolk County Council.

**No apologies were received.**

### **Openness of Local Government Bodies Regulations 2014**

The Chairman reminded members that the meeting would be recorded as a back-up for accuracy. The Broads Authority retained the copyright. If a member or a member of the public wished to receive a copy of the recording, they should contact the Governance Team. No-one else indicated that they would be recording or filming the meeting.

### **Committee papers and accessibility**

The Chief Executive referred to the new format and style of the papers, which had been redesigned to comply with the accessibility regulations for public sector websites that came into effect in September 2018. He paid tribute to the Governance, Communications and IT teams in implementing this change, commenting that it had required a considerable amount of work and a radical change to the process of compiling the reports. Feedback from members would be welcomed.

## **2. Appointment of Chairman**

The Chairman explained the procedures under Standing Orders. A member suggested that as there were a number of new members, each candidate might provide a resume of themselves and explain their reasons for wishing to be Chairman.

The retiring Chairman, Haydn Thirtle, responded that this had not been included in the agenda procedures. He considered it would be unfair if one candidate had prepared a resume and the other had not. The appointment would proceed as set out in the agenda.

A member asked whether the introductions and appointment of the Chair should be taken by the Chief Executive, as had happened on past occasions. The Monitoring Officer commented that as he understood it, the outgoing Chairman remained as Chairman until such time as they were replaced. The Chief Executive commented that he had been the one to invite nominations in the past when the current Chair was up for re-election. Circumstances were different on this occasion, and he referred to the Norfolk and Suffolk Broads Act 1988 Schedule 1 Paragraph 5 and (6) which states that “the chairman shall, unless he resigns or becomes disqualified, continue in office until his successor becomes entitled to act as chairman.”

The retiring Chairman proceeded and reported that nominations for the Chair had been invited in line with the procedures set out in the Standing Orders adopted in November 2018 following on from the decisions in May 2018 as a result of the Peer Review.

Bill Dickson had been proposed by Bruce Keith and seconded by Melanie Vigo di Gallidoro.

Lana Hemsall had been proposed by Kelvin Allen and seconded by Vic Thomson.

Ballot papers were distributed, collected and counted by the Head of Governance and the Administrative Officer (Governance), overseen by the Monitoring Officer.

**Resolved by 15 votes to 6 to appoint Bill Dickson as Chairman of the Authority for the forthcoming year 2019/20.**

**Bill Dickson in the Chair**

Haydn Thirtle stepped down. Fran Whymark took his place at the table as the new member appointed by Norfolk County Council.

### **3. Appointment of Vice-Chairman**

Bruce Keith had proposed the nomination of Matthew Bradbury as Vice-Chair of the Authority, seconded by Nicky Talbot.

Lana Hemsall confirmed that she was prepared to stand as Vice-Chair, proposed by Kelvin Allen, seconded by Vic Thomson. Ballot papers were distributed and counted by the Head of Governance and Administrative Officer (Governance) and overseen by the Monitoring Officer.

**Resolved by 16 votes to 5 to appoint Matthew Bradbury as Vice-Chair of the Authority for the forthcoming year 2019/20.**

## 4. Chairman's announcements

### Chair handover

The Chairman thanked members for appointing him. He would endeavour to live up to the trust placed in him and hoped all would work together in a positive new spirit. He felt it would be a good opportunity to remind everyone of three basic principles. It was important that the way forward and overall agenda set reflected the Broads Plan and the strategic priorities flowing from it. Members were present as part of the Authority with a duty to act in the best interests of the Broads rather than as members of any particular interest groups. All would have different experiences, perspectives and valuable skills to offer, ensuring diversity. It was important that members assumed corporate responsibility for the decisions made and supported these publicly, acting as ambassadors for the Authority. Therefore, as members we should constantly be asking ourselves whether our actions and decisions were in the best interests of the Broads as a whole.

The Chairman paid tribute to the outgoing Chairman. He and Haydn had both been appointed in 2016 and therefore he had come to know him well, particularly working very closely during the last year when he had the privilege of being his Vice Chairman, not only at Yare House but also in meeting a wide range of contacts in the region and at Westminster, and forging closer links with the rest of the National Park family. The Chairman had been impressed by the number of activities attended by Haydn between Authority meetings, which bore testimony to his energy and dedication, and the extent to which Haydn had always acted honourably and with integrity, often in difficult circumstances. The Chairman found it deplorable that, throughout his tenure, Haydn had been subject to a barrage of unwarranted challenges from outside sources. In spite of this, Haydn remained resolutely determined to place the interests of the Broads first, refusing to compromise his principles. He considered that Haydn had been an exemplary ambassador for the Broads and for the Authority. It was with sadness that the Authority was to lose not only his leadership as Chair but also his role as a member. He thanked him for all he had done and wished him well for the future. This was endorsed by Members.

In response, Haydn Thirtle thanked the Chairman for his kind and elegant words, worthy of his diplomatic skills. He was saddened to leave as it had been a great privilege to be a member and to be Chairman. The Authority was a very precious organisation. He believed that National Parks had a significant part to play and he was pleased to have been able to contribute to the Glover Review. It was reassuring to see that the submission made so far, supported the views contributed by the Authority. He paid tribute to the tremendous attitude of the staff, its management and its members. Staff being an organisation's greatest asset was particularly true of the Authority. He thanked everyone for the memories of being part of the organisation. He would always remain a champion of the Authority and wished everyone well for the future.

### Dates to note

The Chairman reported that there were amendments to the 2019/20 timetable.

**Parish Forum** – this would now be on 16 October 2019. The **Audit and Risk Committee** would be on 19 November 2019. The timetable was updated on the website on the Members Handbook page.

### General proceedings

The Chairman commented he would take it that members had read the papers and therefore the emphasis would be for them to ask questions and debate the issues.

## 5. Introduction of members and declarations of interest

Members introduced themselves and indicated they had no further declarations of interest other than those already registered, and as set out in Appendix 1 to these minutes.

## 6. Items of urgent business

There were no items of urgent business.

## 7. Public question time

No public questions had been received.

## 8. Minutes of Broads Authority meeting held on 17 May 2019

The minutes of the meeting held on 17 May 2019 were approved as a correct record and signed by the Chairman.

## 9. Summary of actions and outstanding issues following decisions at 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 the agenda were interrelated and further progress was also included within the Strategic Direction report.

## 10. Strategic direction 2019/20

The Authority received a report on the progress in implementing the Authority's annual strategic priorities. The priorities focused on Authority-led projects that had high resource needs or a very large impact on the Broads, or were politically sensitive. The report provided the first update of the year following approval at the March meeting. The Chief Executive drew particular attention to:

**Marketing promotion and media relations / Development of partnership projects** – This also included the collaborative work with Norfolk County Council in procurement of external funding. It was pleasing to note the successful bid to the EU with the Interreg EXPERIENCE project.



The Visit the Broads A6 guides for the summer season were proving far more popular than the previously produced A5 guides and a further print run was required. They were being distributed through Tourist Information Centres, parish councils, boatyards and events.

The National Parks UK (NPUK) Communications team of a Communications and Marketing Manager and a Digital Officer had been appointed, with both recruits from East Anglia. The Authority was due to host all 15 National Parks UK Heads of Communication teams in the Broads in September 2019. Members commended the Chief Executive and the Head of Communications in achieving agreement on this project to help raise the profile of National Parks. The Chairman paid tribute to their diligence and hard work on what had proved to be a challenging process.

**Agri-environment pilot project** – Defra had confirmed the funds for the test and trial Environment Land Management Scheme and the Authority was due to submit the final adjustments in the following week. The successful progress so far had been achieved through significant cooperation with Natural England, the NFU and the Farming and Wildlife Advisory Group. It was noted that there had been a period of delay while the procurement rules were retrofitted. There had been a decrease in the level of engagement from when the original pioneering schemes in the Broads Area had been introduced and it was hoped this could be reversed. It was noted that framework for payments to farmers post-Brexit would be one of the major risks.

**CANAPE** - A member commented that it was pleasing to see the public interest in the marketing of charcoal at the Norfolk Show in June and that it was also on sale at three other venues before September 2019 as part of the marketing test.

**It was resolved to note the report.**

## 11. Review of Annual Governance Statement 2018/19 and Code of Corporate Governance

The Authority received a report on the Annual Governance Statement to accompany the Statement of Accounts for 2018/19 together with the Code of Corporate Governance. The Statement reviewed the Authority's governance and internal control systems including risk management. This was supported by the Code of Corporate Governance to show how the Authority was complying with the principles of good governance. The Code helped to develop the governance framework based on best practice and external guidance and was updated annually. The Audit and Risk Committee had considered the documents at their meeting on 23 July 2019 and recommended them for approval.

Members noted that the Head of internal Audit concluded that the Authority's framework of governance and risk management and controls was "reasonable". A number of suggestions had been made, which were included in the Statement action plan for 2019/20. These focused largely on risk management and communications and branding.

The Chair of the Audit and Risk Committee commented that “reasonable” was the highest level that the Authority could achieve on the basis of the organisation’s size. To achieve “substantial” would require use of a disproportionate amount of resources. However, the Authority’s finance controls and systems had achieved a “substantial” conclusion from internal audit. Although the external audit had not yet been carried out (referred to below), the Authority could approve the Annual Governance Statement and Action Plan for 2019/20. Once approved, the documents would be signed by the Chair and Chief Executive and the Action Plan implemented.

Nicky Talbot proposed, seconded by Bruce Keith and it was **resolved by 20 votes to 0** (one member being absent from the room when the vote was taken)

- (i) To approve the Annual Governance Statement for 2018/19 and Action Plan for 2019/20 and**
- (ii) To note that, subject to the implementation of improvements identified in the Action Plan, the Authority’s systems of governance and internal control are considered to be adequate and effective.**

## 12. Financial performance and direction

The Authority received a report providing an update on the Broads Authority’s Statement of Accounts and its audit for the year ended 31 March 2019. The draft year-end figures provided in the report at the Authority’s May meeting were used to produce the draft Statement of Accounts, which were signed and published on 30 May 2019. There had been no significant changes to this year’s accounts since then. However, the largest adjustments required related to the actuary report on pensions. This had moved since the draft accounts had been signed, as a result of the McCloud court case on public service pensions and the High Court ruling on Guaranteed Minimum Pensions (GMP) concerning the changes in 2014 and protections in place. The final accounts would require adjustments to the figures in the income and expenditure statement and the balance sheet.

The Audit and Risk Committee (ARC) had considered the report at its meeting on 23 July 2019. It was clarified that the Authority was required to submit the audited Statement of Accounts 2018/19 to Defra as soon as possible after 31 July 2019. The Authority had completed the Statement of Accounts on this basis, working on the assumption that the onsite external audit work week would commence on 15 July, and the Authority had timetabled meetings accordingly. Ernst and Young LLP, contracted through procurement PSAA (Public Sector Audit Appointments), had informed the Authority that the onsite external audit would not now take place until October 2019 due to a resource issue. The Chairman of the ARC reported that the Committee expressed deep concerns and annoyance about the delay by Ernst and Young LLP, and their views were made clear to the external audit team present at that meeting. The external auditors had been asked to prepare a letter for submission to Defra as the original letter provided had been deemed confidential. The ARC considered this inadequate in explaining the delay was not the fault of the Authority, and that it was necessary to publish the explanation on the website. Although members were made aware of the situation at the

informal financial training workshop, it had not been possible to provide a detailed paper before today's meeting due to the timescales of meeting with the external auditors involved.

Members expressed extreme regret at the situation since it could cause erroneous and unnecessary reputational damage for the Authority, and they fully supported the views of the ARC. Given there were other local authorities experiencing similar problems, it was suggested that a collective response be provided to the PSSA. Although this was accepted, it was noted that the timetable for the Authority, as it involved Defra, was different to that of the other local authorities involved and there was an urgency to make an independent representation. Members also discussed whether the Authority should continue with Ernst and Young LLP since they had not delivered the service within the timescale required by the Authority. It was pointed out that the Authority was contracted via PSAA with Ernst and Young LLP until 2022/23. To terminate the contract could be unnecessarily costly, although the general feeling was that an alternative firm might be more desirable. This would need to be investigated. A member commented that he understood there to be a shortage of auditors nationally.

Members agreed that as a matter of urgency, the situation needed to be explained to Defra and the strong views of the Authority communicated to Ernst and Young LLP and the PSAA. The Chief Executive provided a form of words.

Melanie Vigo di Gallidoro proposed, seconded by Bruce Keith and **it was resolved unanimously**

- (i) To note the delayed audit for the reasons set out in paragraph 5.1 of the report, and that the audit Statement of Accounts for 2018/19 and results will be brought back in due course once the audit has been completed.**
- (ii) To note that the Broads Authority expresses its extreme concern and deep disappointment that the Authority's external auditors have been unable to carry out the audit on the Statement of Accounts to meet the statutory deadline of 31 July 2019 because of a shortage in the auditors' resources.**
- (iii) To delegate to the Chief Executive and the Chief Financial Officer the writing of a series of letters to Defra and the PSAA informing them of the Authority's concerns and explaining the reason for the delay in providing the external audited Statement of Accounts and requesting a meaningful letter from Ernst and Young LLP to place on the Authority's website by a specific deadline.**
- (iv) To investigate the potential review of the contract with the auditors Ernst and Young LLP through the PSAA.**

### 13. Integrated Access Strategy and 3-year action plan: Final draft for adoption

The Authority received a report on the Integrated Access Strategy for the Broads, the draft of which had been endorsed and approved for further consultation at its meeting on 17 May 2019. The Navigation Committee had reviewed the strategy at its meeting on 13 June 2019 and made no further comments. It was noted that it was an ambitious plan and that the implementation of the action plan would be dependent on partnership working with stakeholders. A member commented that he would welcome the inclusion of track changes from the previous versions.

Jacquie Burgess proposed, seconded by Bruce Keith and **it was resolved unanimously: to adopt the Broads Integrated Access Strategy and Action Plan 2019-2021.**

### 14. Broads Biodiversity and Water Strategy and Action Plan 2019- 2024: Final draft for adoption

The Authority received a report and presentation on the final draft of the Broads Biodiversity and Water Strategy and Action Plan 2019-2024. This linked to other guiding strategies for the Broads, including the Broadland Rivers Catchment Plan and the Integrated Access Strategy. It was aimed at maintaining and enhancing biodiversity and water quality in the Broads as well as being used to influence policymakers to make sure the benefits of a healthy Broads ecosystem were recognised locally, regionally and nationally. The review updated the previous strategy (2013-18) and was guided by the Broads Plan 2017 as well as input from the Broads Biodiversity Partnership, other key bodies and participants at the Broads Engage workshop in April 2019. It was noted that the successful delivery of the Action Plan would rely on strong partnership working, especially in developing and attracting external funding. The Senior Ecologist's presentation highlighted some key projects involved in delivering the strategy such as CANAPE, the Test and Trial Land Management Scheme, the Tipping the Balance project at Barton and Ranworth, the Water, Mills and Marshes Scheme, the Broadland Futures Initiative and the inclusion of natural capital.

Members welcomed the report, particularly the inclusion of natural capital and the cooperative links with other organisations in the delivery of the strategy. It was noted that some monitoring within the projects would provide long-term evidence bases. It was recognised that a balanced approach to conservation and recreation was required and that there were different views as to how certain sites might be managed, such as at Hoveton Great Broad where Natural England proposed to close the Broads to Fish Passage. The need to link public benefits to biodiversity was recognised.

Simon Roberts proposed, seconded by Tim Jickells and **it was resolved by 20 votes in favour and Kelvin Allen voting against: to adopt the Broads Biodiversity and Water Strategy and Action Plan 2019-2024.**

## 15. Permissive footpath at Reedham: Recommendation from Broads Local Access Forum

The Authority received a report about the possibility of creating a public footpath over a section of the Wherryman's Way long distance footpath at Reedham. The section had previously been used by agreement with the landowner but was closed for safety reasons in 2015 after inspection by Authority officers. Reedham Parish Council had been negotiating with the landowner to seek an agreement with a view to reinstating the permissive route. The Broads Local Access Forum considered the matter at its meeting on 5 June 2019 and as a result recommended that the Authority should create a public footpath over this section, given that resolution of the situation had been prolonged.

A member reported that she had received an email from the landowner indicating that only one issue required resolution. Members hoped to proceed in a collaborative manner and considered that prior to taking any further action it would be advisable to liaise again with the parties involved to determine the exact situation and to understand the financial and operational implications if more formal powers were to be used.

**It was resolved to instruct Broads Authority officers to continue discussions with Norfolk County Council, Reedham Parish Council and the landowner to find a collaborative solution to the missing permissive footpath link at Reedham.**

## 16. External funding

The Authority received a report that developed initial work by a small group of members and officers on the Authority's strategic approach to external funding, and proposed principles and key areas of work. External funding was sought to help deliver the Broads Plan, linked guiding strategies and relevant corporate plans. The report highlighted current partnership projects including two major ones led by the Authority, CANAPE and Water, Mills and Marshes, from which there were many other spin-offs and where there should be focus. Other projects involved the RSPB, Norfolk Wildlife Trust, EXPERIENCE with Norfolk County Council and the National Parks Partnership. It was emphasised that it was important to be mindful of the Authority's resources and operational capacity when pursuing external funding.

Members agreed with the proposed key principles and areas for external funding proposals (Use it or lose it, reinforcement of success, inspire the future, and locally connect, and the areas of work where external funding should be pursued - namely, moorings and access, mill restoration and engagement, and place making). It was noted that some projects were long-term. The members who had supported and helped with the development of the principles were Matthew Bradbury, Bill Dickson, Bruce Keith and Simon Roberts. A member commented that it was important for members to maintain a strategic role and not get involved with day-to-day detail, which was the role of officers. It was suggested a timeline be included and it was anticipated that a report would be brought to the Authority in November 2019.

Jacquie Burgess proposed, seconded by Matthew Bradbury and **It was resolved unanimously: to agree the proposed principles and key areas of work for external funding, as set out in**

**the report, to be developed by officers for further discussion with members to include the immediate next steps:**

- (i) Recruit a replacement Waterways and Recreation Officer with external funding bid writing experience;**
- (ii) Continue to work with the Broads Charitable Trust to align our priorities;**
- (iii) Through the Broads Charitable Trust, submit bids for funding to charities already identified as having the potential to support the Water, Mills and Marshes programme;**
- (iv) Explore with Norfolk County Council opportunities for further joint submissions for external funding; and**
- (v) Continue discussions with the Norfolk Coast Partnership on potential areas for joint working and collaboration, including external fundraising.**

## **17. Committee membership and member appointments to outside bodies**

The Authority received a report setting out the proposals for committee membership and appointments to outside bodies until the Annual Meeting in July 2020, following expressions of interest by members and a review by the Chairs' Group on 8 July 2019. The recommendations from the Chairs' Group were also based on the need to provide a proportionate balance and a sufficient number of members on each committee and outside body, and to ensure continuity. The Chief Executive reported that both new Secretary of State appointees had agreed to be on the Planning Committee, and Tristram Hilborn had also agreed to join the Audit and Risk Committee. Harry Blathwayt agreed to be appointed to the Upper Thurne Working Group.

Jacque Burgess commented that as her term of office would end next March, she proposed to stand down from the How Hill Trust. Any member interested in taking Jacque's place was asked to contact the Chairman.

The Chairman put the recommendation to the vote, including the additions referred to above **and It was resolved**

- 1) To confirm the Broads Authority member appointments for the period until the annual meeting in July 2020 as set out in the Appendix 2 to these Minutes for:**
  - (i) the Planning Committee, Audit and Risk Committee, Hearings Committee, Navigation Committee and Broads Local Access Forum as set out in Table 1 of the report with the additions of the new Secretary of State appointees.**
  - (ii) Outside bodies (Table 2 of the report)**
  - (iii) Tolls Reference Group (Table 3 of the report)**

- 2) **To delegate to the Chief Executive, following consultation with the Chairman, to appoint a member to the How Hill Trust. (Following the meeting, Julie Brociek-Coulton volunteered to be appointed).**

## 18. Safety Management System update

The Authority received a report setting out a proposed update to the Authority's Safety Management System (SMS) to meet the needs of the updated Port Marine Safety Code. A Stakeholder Hazard Review was held on 13 March 2019 and the SMS updated to incorporate the new Hazard Log and a number of routine revisions. The Boat Safety Management Group and Navigation Committee were consulted on the review and supported the SMS.

Nicky Talbot proposed, seconded by Melanie Vigo di Gallidoro and **It was resolved to adopt the Safety Management System (Version 8) and to continue to support its ongoing development.**

## 19. Annual Report of the Broads Local Access Forum

The Authority received a report introducing the Broads Local Access Forum (BLAF) Annual Report 2018/19 covering the development and improvement of public access within the Broads. The sad passing of former BLAF member George Saunders was highlighted and the fitting tribute paid to him in the Eastern Daily Press welcomed and noted. A member reported that the Norwich Access Group was hoping to name a walk in George's memory. This was welcomed.

**It was resolved to note the Broads Local Access Forum's Annual Report 2018/19.**

## 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

There were no matters to report under this item.

## 21. Minutes received

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

**It was resolved to note the minutes from:**

The Navigation Committee meeting on 11 April 2019

The Planning Committee meetings from 26 April 2019, 31 May 2019, 28 June 2019 and

The Broads Local Access Forum on 13 March 2019.

## 22. Feedback from Members appointed to represent the Authority on outside bodies 2019/2020

### Outside bodies

**Broads Tourism** – the Head of Communications reported that the A6 guides had been a big success, as had Broads Restaurant week. The Board was looking at a new format for next year's guide.

**How Hill Trust** – Jacquie Burgess reported that the 50<sup>th</sup> Anniversary appeal had been very successful, there was a new sedge roof and the new Trustees were enthusiastically taking matters forward.

**Broads National Parks UK and England** – the Chief Executive and former Chairman Haydn Thirtle had attended the 70<sup>th</sup> Anniversary of the 1949 legislation for the National Parks England in Exmoor, attended by the Duke and Duchess of Cornwall. With regard to National Parks England, apart from the establishment of the Communications team there was to be a meeting of English National Park officers in September of officers to discuss climate change.

**Norfolk and Suffolk Broads Charitable Trust** – Bruce Keith reported that, in addition to the 70<sup>th</sup> anniversary of National Parks, the 50<sup>th</sup> anniversary of How Hill and the 30<sup>th</sup> birthday of the Broads statutory Authority, this year was the 10<sup>th</sup> Anniversary of the Broads Trust. A successful occasion had been attended by 94 people and it provided an excellent opportunity to meet with stakeholders and inform them of the strategy developed by the Trust over the last few months. Marie-Pierre Tighe and Andrew Farrell had attended the meeting on 22 July 2019 and it was hoped that the Trust could work more closely with the Authority, particularly to develop their 'hub' projects.

### Local Authority feedback

**Broadland District Council** – Lana Hemsall reported that Broadland, with South Norfolk, was making progress with its new Local Plan. It would include many references to the Broads Authority's policies and standards and hope to lessen the impact on sensitive areas. Broadland was also preparing work with Norwich City and South Norfolk on the environment and green infrastructure and there were proposals to open a new country park.

**North Norfolk District Council** – Harry Blathwayt commented that there appeared to be a lack of understanding of Broads Authority work within his parishes and he would welcome more communication with them. It was hoped that all parishes under the Authority's auspices could send their minutes to the Authority when it was mentioned. He would raise this matter at the Parish Forum in October.

**South Norfolk Council** – James Knight reported that Broadland DC and South Norfolk Council were undertaking collaborative work on the Local Plan and a number of other areas. He had been asked to raise the issue of the footpath on the Weavers Way on the River Chet. The Director of Operations commented that the Authority was recruiting a new Waterways and Recreation Officer and this would be included within their work priorities. The Authority was



having discussions with Norfolk County Council on this matter and a report would be brought back to the Authority in the Summary of Progress.

**Norwich City Council** – Julie Brociek-Coulton referred to the River Wensum Strategy and was assured by the Chief Executive that the work with the City Council was very productive and the Authority was looking forward to taking some of the initiatives.

**Great Yarmouth** – Leslie Mogford commented that Great Yarmouth was becoming a progressive and exciting place to be, with the new road and bridge. The Borough Council was making efforts to acquire land in the North Quay to regenerate that area of the port leading into the River Bure and the Yacht Station to tidy the approach for people entering and exiting the Broads. It was recognised that this would be a long-term project.

**Suffolk County Council** – Melanie Vigo di Gallidoro commented that Oulton Broad was seen as the jewel in Lowestoft's crown and it was excellent to see new development and investment in the area, although it was recognised that there was some disquiet from Oulton Broad Parish Council. The work being undertaken by the Authority on dredging and collaborative work with the Suffolk Wildlife Trust at Carlton Marshes was much appreciated.

**Norfolk County Council** – Fran Whymark commented that it was pleasing to see the collaborative work with the County Council. Vic Thomson reported that it was likely that there would be more to report on the Wherryman's Way concerning the reinstatement of footpaths.

## 23. Other items of business

There were no other items of business

## 24. Formal questions

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

## 25. Date of next meeting

The next meeting/workshop of the Authority would be held on Friday 27 September 2019 at 10.00 am at Yare House, 62 – 64 Thorpe Road, Norwich. The meeting after that will be on 22 November 2019.

## 26. Exclusion of the public

Melanie Vigo di Gallidoro proposed, seconded by Nicky Talbot and **it was resolved** to exclude the public from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined by Paragraph 1, and 3, of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.

The public left the meeting and the recording was suspended.

## Summary of Exempt minutes

### 27. Exempt Minutes from the Navigation Committee – 11 April 2019

**It was resolved** to receive the Exempt minutes of the Navigation Committee meeting on 11 April 2019.

### 28. Launch replacement programme

The Director of Operations provided an update of the Launch Replacement Programme, following consideration of the exempt information in the Navigation Committee minutes of 11 April 2019 at Minute 27 above. A group of members and officers had visited the Seaworks exhibition in Southampton on 11 June to look at potential boats to replace the Authority's launches when at the end of their life span. Further investigations and action were underway.

**It was resolved to note the report.**

### 29. Moorings provision – priorities

The Authority received a report containing exempt information that provided an update on the Authority's strategy for the provision and maintenance of its network of free 24-hour moorings. This set out the status of specific key locations and highlighted costs, longevity of piles and overall condition, with a suggested position for each site on the mooring refurbishment list. The Navigation Committee, at its meeting on 13 June 2019, had made recommendations on each of the sites and these were considered.

Nicky Talbot proposed, seconded by Simon Sparrow and

**It was resolved to approve the Navigation Committee's recommendations on the strategic approach for the mooring locations in paragraphs 2 to 6 of the report.**

The meeting ended at 13.18

Signed by

Chairman

# Appendix 1

## Declaration of interests Broads Authority, 26 July 2019

Member	Agenda/minute	Nature of interest
Kelvin Allen	14	Director, Broads Angling Strategy Group
James Knight	8 – 20	As previously declared: South Norfolk Councillor, Hire Boat Operator, Waveney River Centre
Greg Munford	-	Chief Executive, Richardson's. President, British Marine. Resident. No specific interest.
Andree Gee	-	East Suffolk Council
Bruce Keith	15	Trustee, Broads Charitable Trust
Simon Roberts	-	-
Melanie Vigo di Gallidoro	-	No declarations
Nicky Talbot	-	Chair of Navigation Committee. No declarations
Matthew Bradbury	-	As previously declared
Tim Jickells	-	As previously declared
Harry Blathwayt	-	North Norfolk District Council
Leslie Mogford	-	Great Yarmouth Borough Council
Simon Sparrow	8 – 20	As previously declared
Tristram Hilborn	-	As previously declared
Louis Baugh	10	Agreement Holder within current Agri-Environment Scheme
Vic Thomson	16	Norfolk County Council
Lana Hemsall	15	Broadland District Council – Personal Interest, Reedham footpath as this came within my ward.

## Appendix 2

### Appointment to Committees

**Table 1**

Appointments to committees

Committee	Members
<b>Planning Committee</b> Minimum 11 BA members	Harry Blathwayt Julie Brociek-Coulton Jacquie Burgess - to March 2020 Bill Dickson Andree Gee Lana Hempsall Tristram Hilborn Tim Jickells Bruce Keith James Knight Leslie Mogford Vic Thomson Melanie Vigo di Gallidoro Fran Whymark
<b>Audit and Risk Committee</b> Six BA members, to include Chairs of Broads Authority and Navigation Committee	Bill Dickson - Chair of Broads Authority Nicky Talbot - Chair of Navigation Committee Louis Baugh - to March 2020 Lana Hempsall Greg Munford Fran Whymark Tristram Hilborn
<b>Navigation Committee</b> Five BA members in addition to eight co-opted members	<b>BA members</b> Kelvin Allen Harry Blathwayt Matthew Bradbury Leslie Mogford Greg Munford  <b>Co-opted members</b> John Ash Linda Aspland Mike Barnes Andy Hamilton Simon Sparrow

<b>Committee</b>	<b>Members</b>
	Nicky Talbot Paul Thomas Alan Thomson
<b>Broads Local Access Forum</b> Two BA members	Kelvin Allen Julie Brociek-Coulton
<b>Hearings Committee</b> Chair of Audit and Risk Committee plus pool of six BA members	Bill Dickson Bruce Keith Greg Munford Simon Roberts Nicky Talbot Melanie Vigo di Gallidoro

**Table 2**

Appointments to outside bodies

<b>Outside bodies</b>	<b>Recommended appointments</b>
How Hill Trust	Julie Brociek-Coulton
Norfolk and Suffolk Broads Charitable Trust	Bruce Keith, Simon Roberts
Whitlingham Charitable Trust	On hold
Broads Tourism	Simon Sparrow
Upper Thurne Working Group	Harry Blathwayt

**Table 3**

Appointments to Tolls Reference Group

<b>Representative</b>	<b>Recommended appointments</b>
Chair of Broads Authority	Bill Dickson
Chair of Navigation Committee	Nicky Talbot
Broads Authority members	Simon Sparrow, Fran Whymark
Broads Authority member – not a navigator	Louis Baugh
Angling community	Kelvin Allen
Hire boat industry	James Knight
Private boating and sailing community	Jacquie Burgess

# Broads Authority

27 September 2019

Agenda item number 8

## Summary of Progress Broads Authority 27 September 2019

Report by Administrative Officer

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Transfer of Mutford Lock	26/01/2018	Solicitor and Monitoring Officer	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.	The two Harbour Revision Orders were published for a 42 day public consultation on 3 August 2018. No objections have been raised under either order. The MMO is progressing the HROs. It was anticipated that these would be determined by the end of July 2019. Final determination still awaited.	31/07/2019

<b>Title</b>	<b>Meeting date</b>	<b>Lead officer</b>	<b>Summary of actions</b>	<b>Progress so far</b>	<b>Target date</b>
Pilot agri-environment scheme for the Broads	16/03/2018	Andrea Kelly	Contents of submission to Defra for pilot agri-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.	The Broads has been registered for a test/trial of evolving elements of the new agri-environment scheme. Further details are awaited from Defra. In the meantime close working continues between farmers, NFU, Natural England and environmental NGOs to collaborate on what we would wish to see in the Broads. Defra has allocated a Project Officer. Detailed planning of work packages is being finalised for submission and sign off by Defra.	

Acle Bridge	28/09/2018	John Packman	<p>Chief Executive delegated to continue discussions with the neighbouring landowner over the possibility of purchasing additional land at the Acle Bridge site; to continue discussions with Great Yarmouth Borough Council for the acquisition of the toilet block; to proceed with the essential repairs to the moorings at the Acle Bridge site subject to the views of the Navigation Committee; to investigate whether the development of a Visitor and Education Centre could form an important element in a wider more ambitious project to improve the infrastructure for Broads tourism and raise awareness of the special qualities of the area in future; and in the context of reviewing the Sustainable Tourism Strategy, to consider with members options for a wider project to enhance tourism in the Broads.</p>	<p>Discussions have been continuing with the neighbouring landowner's agent.</p> <p>The sale of the toilet block from Great Yarmouth has now been completed.</p> <p>Moorings have been refurbished this winter and electric charging points will be installed later in the year.</p> <p>Dunes River Café and Provisions have been appointed to run the shop on the site and has been open for business from 16 April 2019.</p> <p>Officers are aiming to provide an option analysis for the development of the site to the November or January meeting.</p>	
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Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
National Parks Review: Response	28/09/2018	John Packman	<p>The Chairs' Group together with the Chief Executive consider and provide a robust response for submission to the Review Team based on the eight areas required of the team and guidance from Members as indicated. The deadline response submission 18 December 2018 . Chairs' Group to meet meeting again on 5 December 2018 to finalise the response and consider the points raised.</p> <p>Members were encouraged to submit any comments they wished to make individually to that group.</p>	Review Team expected to report in September 2019	30/09/2019

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
UK National Parks Charity Foundation	01/02/2019	John Packman	To authorise the Chief Executive, in consultation with the Authority's Chair, to submit formal application to apply for membership and take all such incidental and consequential steps as are reasonably necessary to implement this decision, including entering into any agreements and signing any legal documentation to give effect to this decision. To delegate to the Chief Executive, in consultation with the Authority's Chair, the taking of any decisions on behalf of the Authority in the running of UK National Parks Charity Foundation, including nomination or seconding of Trustees and bringing back regular reports to the Authority as necessary.	The Broads Authority's nominee, Sire Peter Dixon, has been seconded by the Board of National Park Partnerships and is one of five Trustees appointed for the new charity.	

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Hosting National Parks' Communications Unit	22/03/2019	Rob Leigh	Authority hosting the UK National Parks' Communications Service on the basis set out in the report and Appendix 1 of the report approved.	Service Level Agreement governing the relationship of financial commitment by the 14 National Park Authorities finalised. Alastair Barber took up the appointment as the Marketing and Communications Manager and Toby Galvin Digital Communications Officer in August 2019.	
Cybercrime	17/05/2019	Emma Krelle Management Team	The cybercrime incident: the results of the internal investigation, the actions taken to protect the Authority against this happening in the future are noted. The costs incurred to be funded from the National Park Reserves.	Training was delivered on 27/06/19 with further training planned once the finance team is back to full capacity. Online cyber security training for all staff is in the process of being rolled out across the Authority. Extended insurance cover has been taken out with current provider.	

Financial Performance and Direction - External Audit of accounts	26/07/2019	Emma Krelle	<p>To note: the reasons for delayed audit set out in para 5.1 of report and that the Audit Statement of Accounts 2018/19 be brought back once audit has been completed. the Broads Authority expresses its extreme concern and deep disappointment that the Authority's external auditors have been unable to carry out the audit on the Statement of Accounts to meet the statutory deadline of 31 July 2019 because of shortage in the auditor's resources.</p> <p>To delegate to the Chief Executive and the Chief Financial Officer the writing of a series of letters to Defra and the PSAA informing them of the Authority's concerns and explaining the reasons for the delay in providing the external audited Statement of Accounts and requesting a meaningful letter from Ernst and Young LLP to place on the Authority's website by a specific</p>	<p>Emails have been sent both to DEFRA and the PSAA outlining the reasons for the delay. EY have maintained there position that the wording provided in their previous letter is sufficient and there will be no other letter forthcoming.</p> <p>Following the email to the PSAA a telephone call was received explaining the national issues with external audit and that all audit companies performance is being reviewed. The PSAA have asked that we keep them updated of any further issues.</p>	
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Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
			deadline. To investigate the potential review of the contract with the auditors Ernst and Young LLP through the PSAA.		
Broads Biodiversity and Water Strategy and Action Plan 2019 - 2024 Draft for adoption	26/07/2019	Andrea Kelly	To adopt the Broads Biodiversity and Water Strategy and Action Plan 2019 - 2024	The Broads Biodiversity and Water Strategy and Action Plan 2019 - 2024 is now available on the Authority's website. <a href="https://www.broads-authority.gov.uk/looking-after/managing-land-and-water/biodiversity">https://www.broads-authority.gov.uk/looking-after/managing-land-and-water/biodiversity</a>	26/07/2019

<b>Title</b>	<b>Meeting date</b>	<b>Lead officer</b>	<b>Summary of actions</b>	<b>Progress so far</b>	<b>Target date</b>
Permissive footpath at Reedham: Recommendation from Broads Local Access Forum	26/07/2019	Rob Rogers	To instruct Broads Authority officers to continue discussions with Norfolk County Council, Reedham Parish Council and the landowner to find a collaborative solution to the missing permissive footpath link at Reedham.	Further discussions with Reedham Parish Council have revealed that a great deal of progress has been made on this permissive footway. The Parish Council and the Landowner have had continuing dialogue and many of the issues preventing this permissive footway being reinstated have been resolved. Reedham PC hope to have the footway repaired and open within the 2019/20 financial year.	27/09/2019

External Funding	26/07/2019	John Packman	<p>The proposed principles and key areas of work for external funding agreed as set out in report, to be developed by officers for further discussion with members to include the immediate next steps:</p> <p>Recruit a replacement Waterways and Recreation Officer with external funding bid writing experience; Continue to work with Broads Charitable Trust to align priorities; Through the Broads Charitable Trust, submit bids for funding to charities already identified as having the potential to support the Water Mills and Marshes programme; Explore with Norfolk County Council opportunities for further joint submissions for external funding; and Continue discussions with the Norfolk Coast Partnership on potential areas for joint working and collaboration, including external fund raising.</p>	<p>Lewis Treloar appointed as Waterways and Recreation Officer from September 2019</p> <p>Other matters ongoing</p>	22/11/2019
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Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
The Port Marine Safety Code Hazard Review - Safety Management System update	26/07/2019	Steve Birtles	Safety Management System (Version 8) adopted and ongoing development supported.	Safety Management System (Version 8) to be available on the Authority's website <a href="https://www.broads-authority.gov.uk/boating/navigating-the-broads/safety/port-marine-safety-code">https://www.broads-authority.gov.uk/boating/navigating-the-broads/safety/port-marine-safety-code</a> The next review is due in 2022.	26/07/2019
Weavers Way footpath on the River chet	26/07/2019	Rob Rogers	Weavers Way footpath by the River Chet included in the priorities for the new Waterways and Recreation Officer. Discussions with Norfolk County Council taking place.	The new Waterways & Recreation Officer has started with the Authority (2 Sept 2019) and is undertaking his induction training. He has a priority list of areas to deal with and this footway is on that list. Further updates will follow once progress has been made.	27/09/2019

Author: Sandra Beckett

Date of report: 17 September 2019



# Broads Authority

27 September 2019

Agenda item number 8

## Response to climate emergency

Report by Management Team and CANAPE Project Manager

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### Summary

This report proposes that the Broads Authority formally recognises the existence of a climate emergency, and commits to reducing its CO<sub>2</sub> emissions to zero by 2040. It also proposes engaging with its constituent local authorities, businesses, residents and other stakeholders to explore reducing CO<sub>2</sub> emissions from within the Broads Executive Area.

### Recommendation

That the Broads Authority:

- (1) Recognises a climate emergency and adopts the Statement in Appendix 1.
- (2) Pledges to work towards making the Authority 'carbon neutral' by 2030, with a further objective of reducing all carbon emissions to zero by 2040.
- (3) Establishes a baseline for CO<sub>2</sub> emissions using a common methodology with the National Park Authorities, and develops an Action Plan and monitoring system.
- (4) Works with its constituent local authorities to reduce emissions from domestic, travel and other sources in the Broads and across the two counties.
- (5) Works with farmers, land managers, the National Farmers Union and Defra to influence land management practices to maintain and build organic matter and carbon in soil, to improve biodiversity and to store water to protect against flooding and drought.
- (6) Works with boating and tourism organisations to continue promoting and developing environmentally friendly boating and sustainable tourism.

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## 1. National and regional context

- 1.1. On 1 May this year, the House of Commons passed a motion declaring a [Climate Emergency](#). The introductory text of this motion was: “That this House declares an environment and climate emergency following the finding of the Inter-governmental Panel on Climate Change that to avoid a more than 1.5°C rise in global warming, global emissions would need to fall by around 45 per cent from 2010 levels by 2030, reaching net zero by around 2050”.
- 1.2. On 2 May, the [Committee on Climate Change](#) (CCC) called on the Government to set a new target of net zero emissions by 2050, going beyond the 80% reduction target set in the Climate Change Act 2008. The Prime Minister accepted this [climate change recommendation](#) on 12 June. To meet this new target, the UK would need to reduce its net emissions by 3.3% a year for the next 30 years.
- 1.3. It should be noted that the CCC recommendation is not necessarily a final target. The target set in 2003 was for a 60% reduction by 2050, and in 2008 the target was reset

at 80%. It is therefore possible that more ambitious national targets will continue to be set. Other countries are already doing this including Finland, which has committed to being carbon neutral by 2035 and Norway, which has set the same target by 2030.

- 1.4. Locally, Suffolk County Council voted to declare a climate emergency on 22 March, setting itself the target to be carbon neutral by 2030. At the same time, it set the aspiration of making the County of Suffolk carbon neutral by 2030.
- 1.5. Norfolk County Council passed a motion on 15 April recognising the serious impact of climate change, and requesting that all key decisions be considered in light of the environmental impact and alignment to the Intergovernmental Panel for Climate Change (IPCC) guidance.
- 1.6. The National Farmers Union has set the ambitious goal of reaching net zero greenhouse gas emissions across the whole of agriculture in England and Wales by 2040, as their contribution to the UK net zero target.

## 2. Broads Authority and Broads context

- 2.1 In 2010, the University of East Anglia prepared a [carbon audit and reduction report for the Broads and the Broads Authority](#). It estimated the Authority's emissions at 1,876 tCO<sub>2</sub> e per year. This was around 0.4% of CO<sub>2</sub> emissions for the Broads Executive Area as a whole, which was estimated at nearly 500,000 tCO<sub>2</sub> e per year, including the tourism, recreation and land use sectors.
- 2.2 At the time of the audit, most of the UK National Park Authorities (NPAs) were collaborating on climate change matters, but much of this work stopped when the National Park Grant was cut substantially over the period 2011/12 to 2014/15. Within its resource capacity, and through winning external funding, the Broads Authority has continued to take forward recommended actions from the carbon audit report. At a corporate level it has focused in particular on travel use, utilities, paper use and bulk procurement of timber and aggregate, and more widely it has promoted sustainable tourism and carbon storage in land use, as outlined in section 4 and Appendix 2 of this report.
- 2.3 With the climate emergency being raised nationally with the public and government, most NPAs in the UK are now joining with local authorities in recognising the climate emergency and making a renewed commitment to reducing carbon emissions.

## 3. Report scope and terminology

- 3.1. This report addresses the Broads Authority's proposed response to the climate emergency. It relates only to **mitigation**, and does not cover climate change adaptation. Mitigation measures are about reducing and curbing greenhouse gas emissions, while **adaptation** measures are based on reducing vulnerability to the effects of climate change.

- 3.2. This report should be seen alongside the [Broads Climate Adaptation Plan \(2016\)](#), which looks at the likely impacts of climate change and sea level rise on the special features of the Broads and suggests adaptive measures, much of which is taken forward through the [Broadland Futures Initiative](#) and other project work.
- 3.3. The report proposes carbon reduction targets for the Authority and for the Broads. It highlights the importance of the Broads ecosystems in mitigating climate change, due to their large carbon stores and capacity to act as a carbon sink. We propose to address this key aspect further at a future Authority meeting.
- 3.4. Other environmental concerns such as plastic litter are also outside the scope of this report.
- 3.5. The term **CO<sub>2</sub> emissions** is used interchangeably with **greenhouse gas emissions**. The main greenhouse gases are Carbon Dioxide (CO<sub>2</sub>), Methane (CH<sub>4</sub>), and Nitrous Oxide (N<sub>2</sub>O). Methane has 34 times the impact of Carbon Dioxide per kilogram released, and Nitrous Oxide has 298 times the impact of Carbon Dioxide per kilogram released (Figures from IPCC 5<sup>th</sup> Assessment Report). Greenhouse gas emissions are usually reported as Carbon Dioxide equivalent, expressing all emissions. In this report, references to Carbon Dioxide, CO<sub>2</sub> or carbon are used to represent all greenhouse gas emissions, unless stated otherwise.
- 3.6. **Carbon neutral** refers to achieving net zero emissions of greenhouse gases by balancing a measured amount of greenhouse gases released with an equivalent amount sequestered (stored long-term) or offset, or buying enough carbon credits to make up the difference. For example, a building with solar panels that would provide renewable energy to the grid equal to the energy it uses from the grid, would be considered carbon neutral. **Carbon offsetting** is a compensatory measure made by an individual or company, usually through sponsoring action that increases CO<sub>2</sub> absorption, such as tree planting.
- 3.7. **Zero carbon** occurs when no carbon is emitted, and so nothing needs to be stored or offset. For example, a household or commercial building that is off-grid, running entirely on solar power and using no fossil fuels, can label its energy zero carbon.

## 4. Reducing carbon emissions in the Broads

### Baseline and monitoring

- 4.1. The 2010 carbon audit estimated overall emissions from within the Broads Area at 491,000 tonnes of CO<sub>2</sub>. Of this, 131,000 tonnes were categorised as 'connected with the Broads', covering land use, tourism and recreation. 360,000 tonnes were categorised as 'not connected with the Broads', covering activity such as domestic heating, transport emissions and the Cantley sugar factory. With the Broads Authority directly responsible for only 1,900 tonnes of CO<sub>2</sub> (0.4%), it is important to consider how to reduce carbon emissions in the Broads as a whole.

- 4.2. We recommend creating an up-to-date CO<sub>2</sub> emissions baseline for the Broads area using a methodology shared with the National Parks and based on a method applied in the Lake District by Lancaster University. The initial cost estimate is around £5,000, and this could be done in this financial year through existing budgets.
- 4.3. To monitor progress, we would need to make an ongoing budget commitment to repeat the exercise in future years.

#### Land and land use sector

- 4.4. The Authority works closely with partner organisations to influence land management and promote best practice. This includes managing fen sites for landowners, supporting reed cutters, using grazing animals and the fen harvester. The Authority also supports major projects such as the work led by the IDB and RSPB to raise water levels in the Halvergate Marshes.
- 4.5. Maintaining water quality and quantity in the Broads are obviously critical. Recent literature received via the [CANAPE EU Interreg project](#) shows that allowing a hectare of peat fen suffer from a year of low water levels may lead to a CO<sub>2</sub> emission of 11 tonnes.
- 4.6. Farmers and land managers are key stakeholders and, through co-hosting the Broadland Catchment Partnership, the Authority works collaboratively at a catchment level to promote climate mitigation methods on agricultural holdings. This includes actions to increase cover crop production and to reduce nitrate input and losses, in line with Defra's [Clean Air Strategy \(2019\)](#) and [Mitigation Method User Guide \(2011\)](#). Nitrate applied to land can be lost to the atmosphere and end up in waterways, resulting in methane and nitrous oxide emissions, both significant greenhouse gases. A range of methods can reduce these losses, including cover crops that can also take up carbon. This is an area the Authority needs to retain as a priority if it is to influence land use and the reduction of CO<sub>2</sub> emissions in one of the most important sectors.

#### Tourism and recreation sectors

- 4.7. The Broads has a strong track record in sustainable tourism, including multiple initiatives through the [Sustainable Tourism in Estuary Parks](#) (STEP) Interreg project, but the 2010 carbon audit shows the tourism and recreation sectors as key sources of carbon emissions.
- 4.8. One area of focus is travel by tourists to and from the Broads, particularly air travel. As an example, a return flight to the UK from Australia creates 5.5 tonnes of CO<sub>2</sub>. Reducing or offsetting these emissions could include promoting cycling, bus and train use to access the Broads, and encouraging overseas visitors to purchase carbon credits to support projects within the Broads and offset their flight emissions.
- 4.9. The Authority operates the Electric Eel at How Hill, the Liana at Wroxham and Ra, the UK's first solar powered public boat, at Whitlingham. It has installed a network of electric charging points to support electric powered boats and used the Sustainable

Development Fund to support initiatives such as the EcoBoat project. Electrically powered small private boats and day boats have been operating well in areas where the tidal influence is low, but the larger hire craft are still mostly diesel powered. The Authority's recent visit to the Seaworks Exhibition confirmed that, while hybrid engines are available, there is a significant cost increase for the technology when compared to standard diesel engines. A medium-term objective could be working with boat builders, boat owners and the wider boating community to help develop methods to decarbonise boating.

#### Other sectors

- 4.10. The other key sectors highlighted in the 2010 carbon audit report include industry and commerce, domestic sources and transport.
- 4.11. As CO<sub>2</sub> emissions from the Broads contribute to emissions in Norfolk and Suffolk, ongoing collaboration with Norfolk County Council and Suffolk County Council will be beneficial. This would align the Authority with the commitments made by the councils as outlined in paragraphs 1.4 and 1.5 of this report.

## 5. Setting targets for the Broads Authority

#### Proposed targets

- 5.1. While its own CO<sub>2</sub> emissions are small within the Broads as a whole, the Authority should set an example for the wider area and adopt a 'do as we do' approach.
- 5.2. With a statutory duty to conserve the environment there is a strong argument that the Authority should aim to match the most ambitious carbon reduction targets set by UK local authorities. On this basis, the following targets are proposed:
  - (i) To aim for a **carbon neutral target by 2030**, with emissions reduced as far as possible and the remainder offset by purchasing carbon credits. The initial objective would be to reduce emissions by at least 50% by 2030. This is not a long-term proposition, as carbon emissions have to continue falling to zero by 2050 and the price of carbon credits (currently approximately £10-20 per tonne) is expected to rise.
  - (ii) To aim for a **zero carbon target by 2040**. By this date, the Authority should not need to purchase carbon credits.

#### Implications of zero carbon target

- 5.3. To meet a 2040 zero carbon target, we would have to reduce our carbon emissions by half between 2020 and 2030. While some carbon savings will arise naturally as the national electricity grid decarbonises and vehicles and equipment become more efficient, the target will mean further changes to the way we operate.
- 5.4. A typical example is our purchase of long-life equipment such as cars, excavators and vessels. We will need to make sure the infrastructure is in place to support electric

and alternative fuel equipment. Based on our standard practice to retain pool cars for 10 years, the last purchase of a petrol or diesel vehicle could be in 2030. For smaller, readily available vehicles such as the pool cars we are already able to purchase electric vehicles, but fully electric 4x4 vehicles equivalent to the Toyota Hilux are not yet on the market.

- 5.5. For items such as ranger launches and construction work equipment that would still be in use in 2040, new purchases would need to be zero carbon or have the ability to be retrofitted to zero carbon. We could also agree to changing such equipment before the retention period as alternative technologies become available.
- 5.6. As outlined above we already act to mitigate climate change, from large-scale projects such as CANAPE, which has a clear focus on reducing emissions arising due to poor management of peatlands, to corporate actions such as electric pool vehicles and green energy in our buildings. The Authority's Management Team is proposing the following further carbon reduction measures with immediate effect:
  - (i) Undertake an energy audit of all Authority buildings and take actions to further reduce energy consumption;
  - (ii) Commit to purchasing all-electric vehicles except where towing capacity or 4-wheel drive demands make this impractical;
  - (iii) Install additional car charging points at Authority sites;
  - (iv) Identify suitable locations to install solar and other micro-generation devices at Authority buildings and land; and
  - (v) Review procurement practices to give additional focus to environmental criteria while still achieving good value for money.

#### Carbon credits

- 5.7. Carbon credits work by offsetting the CO<sub>2</sub> produced by an organisation or individual. The seller commits to actions such as planting trees to remove CO<sub>2</sub> from the atmosphere or rewetting fens to prevent a future release of CO<sub>2</sub>.
- 5.8. It may be possible to use projects in the Broads to offset the Authority's emissions, which would also create benefits locally.
- 5.9. A method of measuring emissions savings of projects was developed through the CANAPE project. This could be used to calculate the carbon benefits of projects in the Broads, although the methodology is not certified by third party assurance that would be accepted by the carbon credit markets.
- 5.10. UK based carbon credits are available through schemes such as the [IUCN Peatland Code](#). Alternatively, it may be possible to work with the IUCN UK Peatland Project to certify the amount of carbon reduction from Broads Restoration projects.

## 6. Financial implications

- 6.1. The immediate actions to reduce the Authority emissions can be funded in the 2019/20 budget by reallocating savings within existing budgets, as can the dedication of two days of an officer's time to take this forward and the £5,000 for carbon audit work with the National Parks.
- 6.2 Further expenditure is likely to be necessary as projects are developed and officers will report back on progress and the financial implications at future meetings.

Authors: Harry Mach, Maria Conti, Management Team

Date of report: 11 September 2019

[Broads Plan](#) objectives: 10.1 and 10.2

Appendix 1 – Climate Emergency Statement – Broads Authority

Appendix 2 - Existing carbon-reducing activity by the Broads Authority



# Appendix 1

## Climate Emergency Statement – Broads Authority

Humans have already caused irreversible climate change, the impacts of which are being felt around the world. The consequences of global temperature rising above 1.5°C are so severe that preventing this from happening must be humanity's number one priority.

The Intergovernmental Panel on Climate Change's [Special Report on Global Warming of 1.5°C](#) told us that limiting global warming to 1.5°C may still be possible with ambitious action from national authorities, civil society, the private sector and local communities. It is imperative that all countries work together to reduce our carbon equivalent emissions from the current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible.

Individuals cannot be expected to make this reduction on their own. All government bodies (national, regional and local) have a duty to limit the negative impacts of climate breakdown, and local governments that recognise this should not wait for their national governments to change their policies.

Therefore, this Authority resolves to:

- (1) Recognise a climate emergency
- (2) Pledge to work towards making the Authority 'Carbon neutral' by 2030, with a further objective of reducing all carbon emissions to zero by 2040.
- (3) Establish a baseline for CO<sub>2</sub> emissions using a common methodology with the National Park Authorities and develop an Action Plan and monitoring system.
- (4) Work with its constituent local authorities to reduce emissions from domestic, travel and other sources in the Broads and across the two counties.
- (5) Work with farmers, land managers, the National Farmers Union and Defra to influence land management practices to maintain and build organic matter and carbon in soil, to improve biodiversity and to store water to protect against flooding and drought.
- (6) Work with boating organisations and tourism organisations to continue promoting and developing environmentally friendly boating and sustainable tourism.

## Appendix 2

### Existing carbon-reducing activity by the Broads Authority

The Authority has ongoing carbon cutting initiatives. In 2010, following the carbon audit, we agreed to focus on four main areas for reducing emissions:

#### **(a) Travel - seeking to reduce mileage by vehicles**

We moved to a pool car system and have purchased vehicles with low CO<sub>2</sub> emissions. In its first 18 months since its purchase in 2017, our electric Renault Zoe has saved 2 tonnes of CO<sub>2</sub> compared to a similarly sized diesel vehicle. An electric van will complement this in the autumn. These vehicles also help to reduce air pollution.

#### **(b) Utilities, especially electricity and water usage**

We decided to buy our electricity from a Green Energy Tariff (guaranteeing 100% renewable electricity) if it is no more than 10% more expensive than buying through a non-green tariff. So far, it has always been possible to purchase electricity through a Green Tariff. This covers all electricity used at sites other than Yare House, including the provision of electricity through electric charging points for boats.

#### **(c) Paper, as a resource used throughout the organisation**

We moved to a paperless arrangement for our committee agenda papers in 2014, saving more than 100,000 pieces of A4 paper a year. We also centralised our printing facilities, saving on electricity and paper use.

#### **(c) Bulk procurement in terms of timber and aggregate**

Our procurement process for bulk materials used in our construction and maintenance activities revolves around the three-way relationship between the need for the product, the choice of material, and the relative sustainability of the material choices over the product's life cycle. Examples include recycled plastic or treated timber for countryside furniture, tropical greenheart timber or steel for marker posts, and crushed concrete or granite for path surfacing. Through testing the process for timber procurement, we decided that all sawn timber should come from suppliers who could guarantee stocks of [Programme for the Endorsement of Forest Certification](#) accredited timber. Through negotiation with a preferred local supplier, we secured a sustainable sourcing route.

In addition to these 4 key areas, the following projects have been implemented;

- An officer group met regularly from 2009 to 2016 to promote in-house green activities and messages, including some of the projects highlighted below.
- The Broads has large areas of fen and wet woodland. These habitats store substantial amounts of carbon when properly managed, and support other ecosystem services such as water cycling and clean air. The alluvial soils of the remaining area of the Broadland river floodplain are also rich in carbon. We work to preserve and manage

Authority-owned and managed fens in order to achieve SSSI condition for biodiversity. We also provide good practice advice and support to land managers.

- We encourage sustainable boating and operates electric/solar boats at three locations. We provide electric charging points at yacht stations and other locations around the Broads to promote and support electric powered boating. In practice, these are used mainly to power electric appliances on moored boats moored, in place of boaters running their engines to provide power. The electricity taken from the National Grid has a lower carbon footprint than charging a battery via a boat engine. This results in a net carbon saving for the Broads area, even if it increases the Authority's own emissions. As our electricity is purchased through a Green Energy tariff, the carbon footprint of these posts is marginal.
- The Authority is leading the international CANAPE project, which has a clear focus on reducing emissions arising due to poor management of peatlands. This project is supporting the reedbed restoration work at Hickling Broad, which will create a long-term carbon sink. It is also promoting sustainable products that can be manufactured in the Broads, including charcoal and reed soil improver. As a final objective, it is raising awareness of the importance of peatlands for carbon storage, and what the public can do to help protect them, such as buying peat-free compost. We will have an enhanced capacity to assess the carbon impact of restoration projects through our work with CANAPE partners and the relationships being built through the project. We will also have evidence-based data to consider the net benefits and trade-offs of different land management practices.
- At the time of the 2010 carbon audit, we recognised that tourism and recreation were significant generators of emissions and worked closely with the industry to produce a Sustainable Tourism Strategy for the Broads. The Sustainable Tourism in Estuary Parks (STEP) Interreg project created multiple projects, including a Green Business label.
- The Broads Local Plan contains policies linked to climate change, including:
  - Policy SP3 places a general requirement on developers to consider how to make their development low carbon
  - Policy DM10 requires that development on peat should be considered in context of its environmental impact, and any peat removal should seek to ensure that the peat is disposed of in a way that keeps it wet and retains its carbon.
  - DM15 Supports renewable energy development
- Our staff run voluntary green initiatives, including food waste for composting and recycling bottle tops, paper and cardboard, batteries and crisp packets.

# Broads Authority

27 September 2019

Agenda item number 9

## Financial performance and direction

Report by Chief Financial Officer

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### Summary

This report provides a strategic overview of current key financial issues and items for decision.

### Recommendation

- i. That the income and expenditure figures are noted.
  - ii. That members support the creation of a new earmarked reserve, as set out in paragraph 3.2, for the UK Communications Team Funding.
  - iii. That the virements in paragraph 3.4 are approved.
  - iv. That the increased reserve expenditure in paragraph 5.3 is approved.
- 

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## 1. Introduction

- 1.1. This report covers the Consolidated Income and Expenditure from 1 April to 31 July 2019.

## 2. Overview of actual income and expenditure

**Table 1**

Actual consolidated income and expenditure by directorate to 31 July 2019

Directorate	Profiled Latest Available Budget £	Actual Income and Expenditure £	Actual Variance £
Income	(4,806,782)	(4,893,870)	+87,088
Operations	1,581,770	1,464,101	+117,669
Strategic Services	556,867	493,239	+63,628
Chief Executive	573,556	554,993	+18,563
Projects, Corporate Items and Contributions from Earmarked Reserves	(102,603)	(53,571)	- 49,032
<b>Net (Surplus) / Deficit</b>	<b>(2,197,192)</b>	<b>(2,435,108)</b>	<b>+237,916</b>

- 2.1. Core navigation income is above the profiled budget at the end of month four. The overall position as at 31 July 2019 is a favourable variance of £237,916 or a 10.83% difference from the profiled latest available budget (LAB). This is principally due to:
- An overall favourable variance of £84,475 within toll income:
    - Hire Craft Tolls is £73,866 above the profiled budget.
    - Private Craft Tolls is £9,737 above the profiled budget.
  - A favourable variance within Operations relating to:
    - Water Management is under the profiled budget by £13,663 due to a timing difference following changes in method for some dredging jobs.
    - Land Management is under the profiled budget by £43,198 due to income being ahead from the Rural Payments Agency,
    - Practical Maintenance is over the profiled budget by £13,072 due to the purchase of channel markers for Breydon Water being brought forward.
    - Ranger Services is under the profiled budget by £24,973 due to timing differences on launch repairs and maintenance.

- Premises is under the profiled budget by £17,179 due to a timing difference on the contract for design of the concrete crane pad being issued. This is offset by the corresponding Premises reserve variance.
- Project Funding is under the profiled budget by £21,758 due to the uncertain nature of when projects will be submitted.
- A favourable variance within Strategic Services relating to:
  - Development Management is under the profiled budget by £28,749 due to the Local Plan Inspection coming in less than expected. This is offset by the corresponding Planning, Delivery Grant reserve variance.
  - Human Resources is under the profiled budget by £10,631 due to timing differences on staff training.
  - Communications is under the profiled budget by £27,935 due to timing differences.
- A favourable variance within Chief Executive relating to:
  - Legal is under the profiled budget by £18,741 due to savings on salaries.
  - Asset Management is over the profiled budget by £12,418 due to delayed income; this has now been received in August.

2.2. The charts at Appendix 1 provide a visual overview of actual income and expenditure compared with both the original budget and the LAB.

### 3. Latest available budget (LAB)

- 3.1. The Authority's income and expenditure is monitored against the latest available budget (LAB) for 2019/20. The LAB is based on the original budget for the year, with adjustments for known and approved budget changes such as carry-forwards and budget virements. Full details of movements from the original budget are set out in Appendix 2.
- 3.2. Following the creation of the UK Communications team, the consolidated income and expenditure has increased for 2019/20, but the overall effect on the LAB is nil. All 15 National Parks and National Park Partnerships (NPP) have made up-front contributions of £105,000, with expenditure in 2019/20 expected to be £79,103. This will create a surplus at year end of £25,897, which will be put into a new earmarked reserve. The creation of a new earmarked reserve is consistent with other partnership work such as Catchment, CANAPE and HLF where the income and expenditure is ring fenced for a particular activity. This balance will then be used to fund activities from 2020/21 onwards alongside additional contributions from the National Parks and NPP.

- 3.3. Virements (budget transfers) between budgets can be authorised by Directors and the Chief Executive up to £19,999. Where they exceed this amount, member approval is required.
- 3.4. Following the mini restructure in May 2019 there are three virements, totalling £85,801, which require member approval. Two of these relate to salary budgets transferred between Directorates and one relates to transfer of contractor/ consultancy within a Directorate. While the effect of these transfers is nil on the consolidated LAB, there will be a small impact on increasing the navigation deficit LAB by £9,671. However, this will be fully offset by the forecast adjustment listed in Table 3. The virements that require member approval are:
- Transfer from Strategy and Project Salaries to Construction and Maintenance Salaries of £28,167 for the transfer of responsibilities to the Environment and Design Team.
  - Transfer from Strategy and Project Salaries to Governance Salaries of £35,634 to fund the new Head of Governance role.
  - Transfer from Strategy and Projects to Development Management budget of £22,000. This budget is used for Landscape architect consultancy services which is mainly utilised by Development Management team.

**Table 2**

Adjustments to consolidated LAB

Item	Authorisation Reference	Amount £
Original budget 2019/20 – deficit	Broads Authority 1/02/19 Agenda item number 12	44,381
Approved budget carry-forwards	Broads Authority 17/05/19 Agenda item number 12	15,094
<b>LAB as at 31 July 2019</b>	n/a	<b>59,475</b>

## 4. Overview of forecast outturn 2019/20

- 4.1. Budget holders have been asked to comment on the expected income and expenditure at the end of the financial year in respect of all budget lines for which they are responsible. A summary of these adjustments is given in Table 3.

**Table 3**

Adjustments to forecast outturn

Item	Amount £
Forecast outturn deficit as per LAB	59,475
Decrease to Hire Craft Toll income	11,161
Increase to Private Craft Toll income	(8,909)

Item	Amount £
Decrease to Waterways and Recreation following restructure and vacancy	(13,370)
<b>Forecast outturn deficit as at 31 July 2019</b>	<b>48,357</b>

## 5. Reserves

- 5.1. As with previous years, the Authority's contributions to the reserves have all been made in full at the end of quarter one. This has resulted in the reserves showing increased balances at the end of July. This will reduce as planned purchases take place throughout the year.
- 5.2. Following the budget being set in January, officers have been examining how to make the vehicle fleet greener and purchasing electric vehicles. This financial year sees the scheduled replacement of a van and two smart cars. While the budget anticipated their replacement on a like-for-like basis, it did not make allowance for the increased up-front capital costs if electric vehicles were purchased.
- 5.3. Analysis undertaken demonstrates that, while there is an increased up-front cost in purchasing electric vehicles, over a ten-year life the running costs, in particular fuel, would be lower. Officers would like to increase the fleet by one extra van, to be located at Yare House, to remove the need for hiring an extra van during water plant surveying. All of these purchases would be funded from the Plant, Vessels and Equipment Reserve and would not impact the LAB. Additional reserve expenditure in total would be £32,675. This is made up as follows:
- 5.3.1. Existing diesel van replacement £5,550
  - 5.3.2. Additional electric van £17,625
  - 5.3.3. Replacement of diesel smart cars with Renault Zoes £9,500
- 5.4. £863,776 of the current reserve balance below relates to Navigation reserves.

**Table 4**

Consolidated earmarked reserves

Reserve name	Balance at 1 April 2019 £	In-year movements £	Current reserve balance £
Property	(569,960)	(71,962)	(641,922)
Plant, Vessels and Equipment	(275,291)	(112,483)	(387,774)
Premises	(195,398)	(78,500)	(273,898)
Planning Delivery Grant	(269,393)	54,311	(215,082)
Upper Thurne Enhancement	(120,453)	(18,068)	(138,521)



<b>Reserve name</b>	<b>Balance at 1 April 2019 £</b>	<b>In-year movements £</b>	<b>Current reserve balance £</b>
Section 106	(103,430)	0	(103,430)
HLF	(89,739)	194,339	104,600
Catchment Partnership	(89,021)	(17,264)	(106,285)
CANAPE	(79,309)	20,255	(59,054)
Computer Software	(11,481)	(10,000)	(21,481)
<b>Total</b>	<b>(1,803,475)</b>	<b>(39,372)</b>	<b>(1,842,847)</b>

## 6. Conclusion

- 6.1. If members approve the virements as set out in paragraph 3.4, the forecast outturn position for the year suggests a deficit of £27,186 for the national park side and £21,171 on navigation. This will result in an overall consolidated deficit of £48,357. This would indicate a general fund reserve balance of approximately £1,037,000 and a navigation reserve balance of approximately £405,000 at the end of 2019/20 before any transfers for interest. This will mean that the navigation reserve will be above the recommended level of 10% of net expenditure during 2019/20.

Author: Emma Krelle

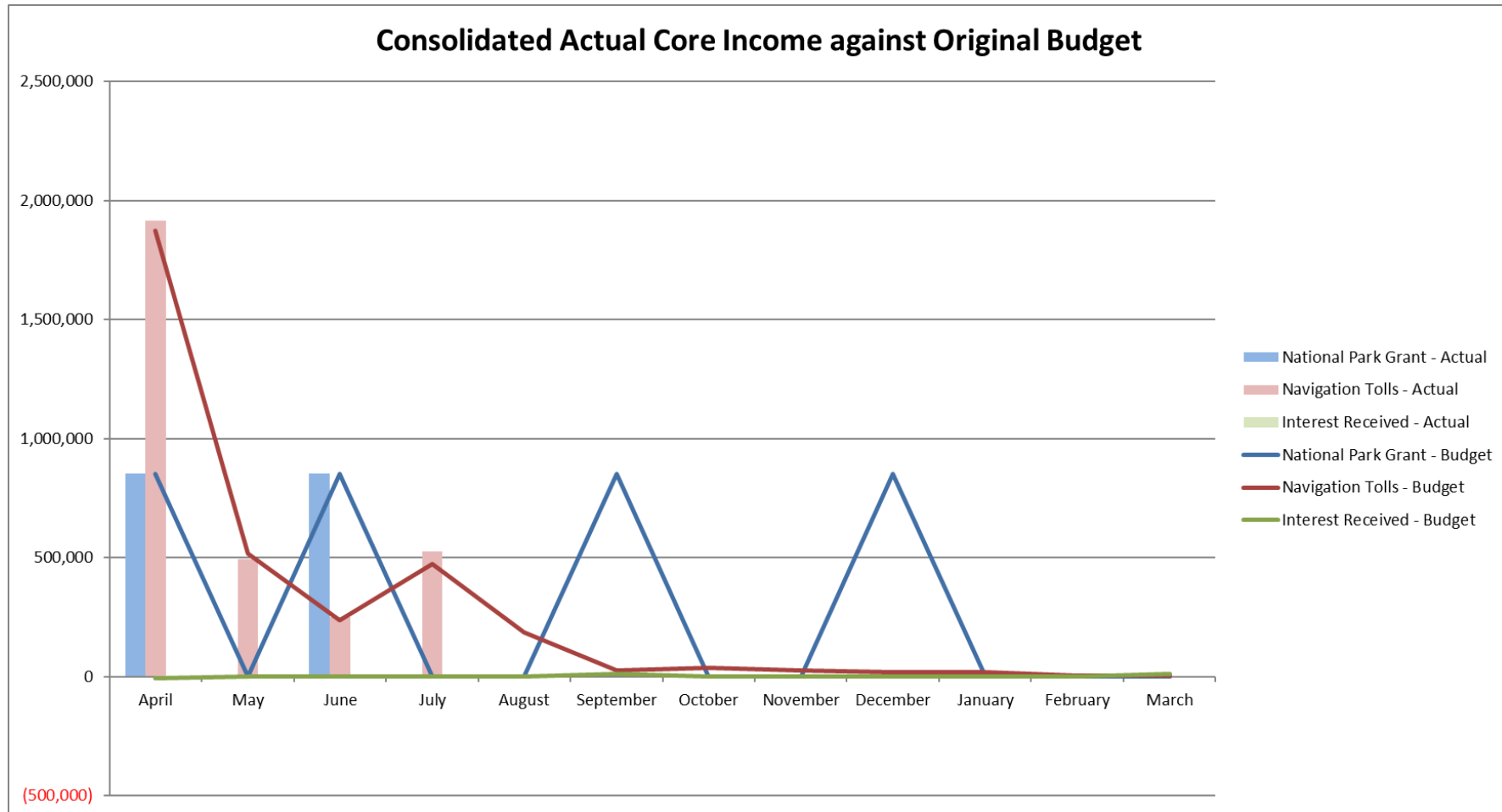
Date of report: 11 September 2019

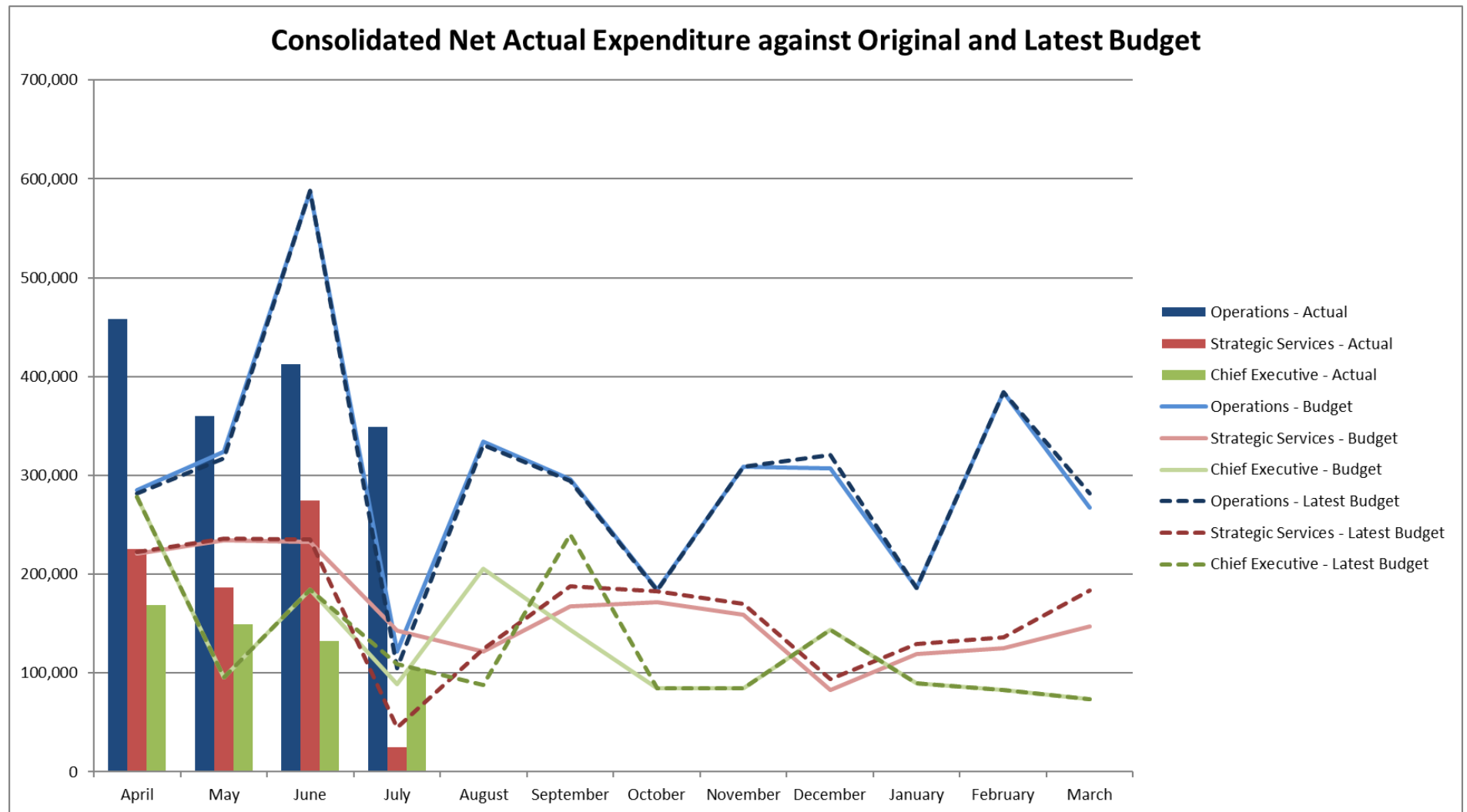
Appendix 1 – Consolidated actual income and expenditure charts to 31 July 2019

Appendix 2 – Financial monitor: Consolidated income and expenditure 2019/20

# Appendix 1

## Consolidated income and expenditure charts to 31 July 2019





## Appendix 2

### Financial Monitor: Consolidated Income and Expenditure 2019/20

**Table 1**

Income

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Income</b>	<b>(6,869,078)</b>	<b>0</b>	<b>(6,869,078)</b>	<b>(6,866,826)</b>	<b>-2,252</b>
National Park Grant	(3,414,078)	0	(3,414,078)	(3,414,078)	0
Hire Craft Tolls	(1,189,000)	0	(1,189,000)	(1,177,839)	-11,161
Private Craft Tolls	(2,175,000)	0	(2,175,000)	(2,183,909)	8,909
Short Visit Tolls	(42,000)	0	(42,000)	(42,000)	0
Other Toll Income	(19,000)	0	(19,000)	(19,000)	0
Interest	(30,000)	0	(30,000)	(30,000)	0

**Table 2**  
Operations

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Operations</b>	<b>4,022,970</b>	<b>(3,500)</b>	<b>4,019,470</b>	<b>4,006,100</b>	<b>13,370</b>
<b>Construction and Maintenance Salaries</b>	1,225,520	0	1,225,520	1,225,520	0
Salaries	1,231,130	0	1,231,130	1,231,130	0
Expenditure	(5,610)	0	(5,610)	(5,610)	0
<b>Equipment, Vehicles &amp; Vessels</b>	454,000	0	454,000	454,000	0
Income	0	0	0	0	0
Expenditure	454,000	0	454,000	454,000	0
<b>Water Management</b>	125,970	0	125,970	125,970	0
Expenditure	125,970	0	125,970	125,970	0
<b>Land Management</b>	(48,440)	0	(48,440)	(48,440)	0
Income	(102,600)	0	(102,600)	(102,600)	0
Expenditure	54,160	0	54,160	54,160	0
<b>Practical Maintenance</b>	485,500	0	485,500	485,500	0
Income	(10,700)	0	(10,700)	(10,700)	0
Expenditure	496,200	0	496,200	496,200	0
<b>Waterways and Recreation Strategy</b>	89,460	(3,500)	85,960	72,590	13,370
Salaries	79,960	(3,500)	76,460	63,090	13,370
Expenditure	9,500	0	9,500	9,500	0
<b>Ranger Services</b>	779,740	0	779,740	779,740	0
Income	(100,000)	0	(100,000)	(100,000)	0
Salaries	701,260	0	701,260	701,260	0
Expenditure	176,880	0	176,880	176,880	0

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
Pension Payments	1,600	0	1,600	1,600	0
<b>Safety</b>	130,000	0	130,000	130,000	0
Income	(3,300)	0	(3,300)	(3,300)	0
Salaries	62,600	0	62,600	62,600	0
Expenditure	70,700	0	70,700	70,700	0
<b>Volunteers</b>	77,340	0	77,340	77,340	0
Salaries	51,740	0	51,740	51,740	0
Expenditure	25,600	0	25,600	25,600	0
<b>Premises</b>	232,910	0	232,910	232,910	0
Income	(1,000)	0	(1,000)	(1,000)	0
Expenditure	233,910	0	233,910	233,910	0
<b>Premises - Head Office</b>	250,640	0	250,640	250,640	0
Income	(240)	0	(240)	(240)	0
Expenditure	250,880	0	250,880	250,880	0
<b>Project Funding</b>	100,000	0	100,000	100,000	0
Expenditure	100,000	0	100,000	100,000	0
Pension Payments	120,330	0	120,330	120,330	0
<b>Operations Management and Administration</b>	115,620	0	115,620	115,620	0
Salaries	4,710	0	4,710	4,710	0

**Table 3**

## Strategic Services

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Strategic Services</b>	<b>1,602,425</b>	<b>22,094</b>	<b>1,624,519</b>	<b>1,596,444</b>	<b>28,075</b>
<b>Development Management</b>	425,615	1,335	426,950	398,875	28,075
Income	(100,000)	0	(100,000)	(100,000)	0
Salaries	403,790	0	403,790	403,790	0
Expenditure	117,425	1,335	118,760	90,685	28,075
Pension Payments	4,400	0	4,400	4,400	0
<b>Strategy and Projects Salaries</b>	350,035	7,000	357,035	357,035	0
Income	(20,470)	0	(20,470)	(20,470)	0
Salaries	247,290	3,500	250,790	250,790	0
Expenditure	123,215	3,500	126,715	126,715	0
<b>Strategy and Projects</b>	5,000	0	5,000	5,000	0
Expenditure	5,000	0	5,000	5,000	0
<b>Biodiversity Strategy</b>	7,670	0	7,670	7,670	0
Expenditure	7,670	0	7,670	7,670	0
<b>Human Resources</b>	134,720	15,094	149,814	149,814	0
Salaries	76,420	0	76,420	76,420	0
Expenditure	58,300	15,094	73,394	73,394	0
<b>Communications</b>	324,245	0	324,245	324,245	0
Income	0	(99,600)	(99,600)	(99,600)	0
Salaries	240,530	52,250	292,780	292,780	0
Expenditure	83,715	47,350	131,065	131,065	0
<b>Visitor Centres and Yacht Stations</b>	244,260	0	244,260	244,260	0

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
Income	(245,100)	0	(245,100)	(245,100)	0
Salaries	351,260	0	351,260	351,260	0
Expenditure	138,100	0	138,100	138,100	0
<b>Strategic Services Management and Administration</b>	110,880	(1,335)	109,545	109,545	0
Salaries	107,270	0	107,270	107,270	0
Expenditure	3,610	(1,335)	2,275	2,275	0

**Table 4**  
Chief Executive

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Chief Executive</b>	<b>1,415,254</b>	<b>0</b>	<b>1,415,254</b>	<b>1,415,254</b>	<b>0</b>
<b>Legal</b>	116,430	0	116,430	116,430	0
Income	0	0	0	0	0
Salaries	51,430	0	51,430	51,430	0
Expenditure	65,000	0	65,000	65,000	0
<b>Governance</b>	233,445	0	233,445	233,445	0
Income	0	0	0	0	0
Salaries	113,480	0	113,480	113,480	0
Expenditure	119,965	0	119,965	119,965	0
<b>Chief Executive</b>	118,830	0	118,830	118,830	0
Salaries	114,330	0	114,330	114,330	0



Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
Expenditure	4,500	0	4,500	4,500	0
<b>Asset Management</b>	113,944	0	113,944	113,944	0
Income	(25,540)	0	(25,540)	(25,540)	0
Salaries	46,890	0	46,890	46,890	0
Expenditure	92,594	0	92,594	92,594	0
<b>Finance and Insurance</b>	373,735	0	373,735	373,735	0
Income	0	0	0	0	0
Salaries	161,100	0	161,100	161,100	0
Expenditure	212,635	0	212,635	212,635	0
<b>Collection of Tolls</b>	135,860	0	135,860	135,860	0
Salaries	123,360	0	123,360	123,360	0
Expenditure	12,500	0	12,500	12,500	0
<b>ICT</b>	323,010	0	323,010	323,010	0
Salaries	192,660	0	192,660	192,660	0
Expenditure	130,350	0	130,350	130,350	0

**Table 5**

Projects and Corporate items

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Projects and Corporate Items</b>	<b>124,918</b>	<b>0</b>	<b>124,918</b>	<b>124,918</b>	<b>0</b>
<b>Partnerships / HLF</b>	28,718	0	28,718	28,718	0
Income	(754,629)	0	(754,629)	(754,629)	0

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
Salaries	180,250	0	180,250	180,250	0
Expenditure	603,097	0	603,097	603,097	0
<b>Corporate Items</b>	96,200	0	96,200	96,200	0
Expenditure	3,200	0	3,200	3,200	0
Pension Payments	93,000	0	93,000	93,000	0

**Table 6**

Contributions form earmarked reserves

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Total Contributions from Earmarked Reserves</b>	<b>(252,108)</b>	<b>(3,500)</b>	<b>(255,608)</b>	<b>(227,533)</b>	<b>-28,075</b>
<b>Earmarked Reserves</b>	<b>(252,108)</b>	<b>(3,500)</b>	<b>(255,608)</b>	<b>(227,533)</b>	<b>-28,075</b>
Expenditure	(252,108)	(3,500)	(255,608)	(227,533)	-28,075

**Table 7**

Net (Surplus) / Deficit

Row Labels	Original Budget (Consolidated) £	Budget Adjustments (Consolidated) £	Latest Available Budget (Consolidated) £	Forecast Outturn (Consolidated) £	Forecast Outturn Variance (Consolidated) £
<b>Grand Total</b>	<b>44,381</b>	<b>15,094</b>	<b>59,475</b>	<b>48,357</b>	<b>11,118</b>

# Broads Authority

27 September 2019

Agenda item number 10

## Norfolk Strategic Planning Framework - version 2

Report by Planning Policy Officer

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### Summary

The Norfolk Strategic Planning Framework version 2 (NSPF2) has been produced.

### Recommendation

To endorse the Norfolk Strategic Planning Framework version 2

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## 1. Introduction

- 1.1. The Norfolk Strategic Planning Framework ('the Framework') has been produced by all the Local Planning Authorities (LPAs) in Norfolk, with the involvement of relevant bodies such as the Environment Agency. The Framework sets guidelines for strategic planning matters across the County and beyond. It also demonstrates how the LPAs will work together under the Duty to Co-operate through a series of agreements on planning related topics. The Framework is prepared by officers from the LPAs overseen by a member level group comprising representatives from all the LPAs.
- 1.2. The Framework sets out the strategic matters to be considered by the constituent Norfolk LPAs in the production of their Local Plans. It is not a statutory planning document, as it has not been through the full process required to achieve such status.
- 1.3. The Framework contains a proposed Spatial Vision and shared objectives for the Norfolk LPAs, having regard to the main spatial planning issues of population growth, housing, economy, infrastructure and environment. A number of 'agreements' explain how the LPAs will seek to deal with the matters through their spatial planning role. These agreements are set out in bold in the document, so are easy to identify. While the Framework is not an adopted planning document in its own right, it can be seen as a guide for future planning work.
- 1.4. Version 1 of the Framework was endorsed by the Norfolk LPAs in early 2018. Version 2 is presented to today's meeting. Work has already started on version 3 and the NSPF will continue to be updated on a regular basis.

## 2. Norfolk Strategic Framework version 2

2.1. The main updates in version 2 of the Framework are:

- Notice that the document becomes the Statement of Common Ground for Norfolk.
- Changes to the agreements to include a new minerals and waste agreement and a new agreement to commit to update this document every two years.
- New information on joint working including beyond the county boundaries.
- Changes to highlight the conclusion of the Government's technical consultation on the standard methodology for calculating local housing need and the most up-to-date figures for local housing need for each district.
- Changes to the telecoms section to represent the latest position regarding 5G and broadband.
- Updates to meet the new requirements of the revised National Planning Policy Framework (NPPF) and the requirements set out for the Statement of Common Ground (SCG).

2.2. The Norfolk Duty to Cooperate Member Forum endorsed the Norfolk Strategic Framework version 2 on 8 July 2019 and asked Norfolk LPAs to endorse it. The Authority's Planning Committee endorsed the document on 16 August 2019.

## 3. Financial implications

3.1. The Authority contributes £5,000 annually to this process.

Author: Natalie Beal

Date of report: 19 August 2019

Appendix 1 - [Norfolk Strategic Planning Framework version 2](#)

# Broads Authority

27 September 2019

Agenda item number 11

## Draft planning documents for consultation

Report by Planning Policy Officer

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### Summary

The Authority has produced two Supplementary Planning Documents to help with the interpretation and implementation of the Broads Local Plan. It has also updated its Statement of Community Involvement. All documents will be subject to consultation.

### Recommendation

To approve the draft documents for public consultation.

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1.	Introduction	1
2.	About Supplementary Planning Documents	2
3.	About Strategic Environmental Assessment	2
4.	Draft Marketing and Viability SPD	2
5.	Draft Broads Flood Risk SPD	3
6.	Draft Statement of Community Involvement (SCI)	4
7.	Consultation and next steps	5

## 1. Introduction

- 1.1. Now that the Broads Local Plan is adopted, it is considered that some requirements or policies in the Plan would benefit from supporting information to help with their interpretation and implementation.
- 1.2. Two draft Supplementary Planning Documents (SPDs) and the updated draft Statement of Community Involvement (SCI) are presented to this meeting. If approved by members, the documents will be published for public consultation and the final documents adopted at a future meeting.

## 2. About Supplementary Planning Documents

- 2.1. National Planning Policy Guidance states that: ‘Supplementary Planning Documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development. [Regulations 11 to 16 of the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) set out the requirements for producing Supplementary Planning Documents. In exceptional circumstances a [Strategic Environmental Assessment](#) may be required when producing a Supplementary Planning Document.’

## 3. About Strategic Environmental Assessment

- 3.1. SPDs must be screened for impacts on the environment with the ‘Consultation Bodies’ of Natural England, Environment Agency and Historic England. Their responses to the draft SPDs are shown below.

## 4. Draft Marketing and Viability SPD

- 4.1. Several policies in the Local Plan will require applicants or agents to carry out a robust marketing strategy and/or a viability assessments and/or equivalent tests if the scheme which is being proposed is promoting something different to the adopted policy position. This SPD explains what is meant by marketing and viability, and which Local Plan policies have this requirement.
- 4.2. The draft Marketing and Viability SPD is at Appendix 1.
- 4.3. The Consultation Bodies were consulted on the screening, as set out in Appendix B of the SPD. Their responses are below.
- a) **Historic England:** ‘Given the nature of the SPD and on the basis of the information provided in this consultation, we would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing Policies contained within an Adopted Development Plan Document which has already been subject to a Sustainability Appraisal/SEA’.
  - b) **Environment Agency:** ‘It elaborates on already adopted policy. We therefore agree with the conclusions you have drawn in that a SEA likely is not required’.
  - c) **Natural England:** No response received
- 4.4. A full SEA has not been completed, reflecting the responses from the Consultation Bodies and the SEA screening.

- 4.5. The draft SPD was also discussed at Planning Committee on 13 September 2019. The discussion was wide ranging and the comments are summarised below
- The 12-month period is too long and this could negatively affect businesses and properties in the Broads.
  - The reference to a longer period of 18 months if the market is stagnant is onerous; it is also unclear how 'stagnant' would be defined.
  - The term 'viability assessment' as we use it on some occasions is not quite right.
  - It is too prescriptive.
  - What is required needs to be clear.
  - More discussion might be needed about this.
- 4.6. Following the discussion, it was resolved by the Planning Committee that the SPD should go out for consultation as it is. The Planning Committee endorsed the draft SPD for consultation. It was agreed that the consultation should be with a wide group of stakeholders in order to obtain as much relevant expertise and input as possible. It was agreed that, after the consultation the comments will be collated, proposed responses and potential amendments to the SPD prepared and a further report setting this all out presented to Planning Committee for full discussion, potentially in a workshop format. Following that session, a final SPD could be agreed with the potential for it to go out to consultation again if required.

## 5. Draft Broads Flood Risk SPD

- 5.1. The Broads Flood Risk SPD adopted in 2017 has been reviewed because the policy it is based around is no longer in place. We have also taken this opportunity to update and amend parts of the SPD.
- 5.2. The Consultation Bodies were consulted on the screening, as set out in Appendix H of the SPD. Their responses are below.
- a) **Historic England:** In terms of our area of interest, given the nature of the SPD and on the basis of the information provided in this consultation, we would concur with your assessment that the document is unlikely to result in any significant environmental effects and will simply provide additional guidance on existing Policies contained within an adopted Development Plan Document which has already been subject to a Sustainability Appraisal/SEA. As a result, we would advise that it is not necessary to undertake a Strategic Environmental Assessment of this particular SPD.
  - b) **Environment Agency:** we are satisfied that in itself the SPD will not have additional significant environment effects further than those assessed as part of the Local Plan. The SPD outlines the approach to take in order to comply with the Local Plan.

Therefore, our view would be that the Flood Risk SPD does not require a specific SEA to be undertaken.

- c) **Natural England:** I agree with your assessment, as set out in your email dated 1 July 2019, that a SEA is not required for the Broads Flood Risk SPD, and have cut and pasted the same response that we gave last time below. It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests are concerned (including but not limited to statutory designated sites, landscapes and protected species, geology and soils), that there are unlikely to be significant environmental effects from the proposed plan on sensitive sites that Natural England has a statutory duty to protect.

- 5.3. A full SEA has not been completed, reflecting the responses from the Consultation Bodies and the SEA screening.
- 5.4. The draft SPD was also discussed at Planning Committee on 13 September 2019. There were no comments on the SPD and it was endorsed for consultation.
- 5.5. The draft Flood Risk SPD is at Appendix 2.

## 6. Draft Statement of Community Involvement (SCI)

- 6.1. Local Planning Authorities must produce a Statement of Community Involvement (SCI) and review it every five years to make sure it is up to date. The Authority's SCI was adopted in 2014 and is now under review.
- 6.2. The SCI sets out how the Authority will engage with stakeholders and the local community in the production and review of the Broads Local Plan and Broads Plan, and in the planning application process.
- 6.3. National Planning Policy Guidance states that:

'Local planning authorities must set out in their Statement of Community Involvement how they will engage communities on the preliminary stages of plan-making, specifically survey stage and Local Development Scheme. This does not apply to those plans which have passed Regulation 18(1) stage of the Town and Country Planning (Local Planning) (England) Regulations 2012 before 31 July 2018 in respect of that particular plan / Statement of Community Involvement. Local planning authorities must review their Statements of Community Involvement every 5 years from the adoption date. It is important that Statements of Community Involvement are kept up-to-date to ensure effective community involvement at all stages of the planning process. Therefore, a local planning authority should regularly review and update their Statement of Community Involvement to reflect any changes to engagement. A local planning authority may review and update their Statement of Community Involvement at the same time as reviewing and updating a plan to reflect what action is taken to involve the community in any change to the plan'.



- 6.4. The draft SCI was also discussed at Planning Committee on 13 September 2019 and it was endorsed for consultation. It was suggested that a review of the SCI should be made at the start of the review of the Local Plan.
- 6.5. The draft SCI is at Appendix 3.

## 7. Consultation and next steps

- 7.1. It is proposed that the Authority consults on the draft planning documents for a period of 8 weeks, likely to be 27 September to 22 November 2019.
- 7.2. We will log and respond to all representations on the draft documents, and log any changes to the documents. It is intended that the final documents, together with consultation responses, will be presented to Planning Committee and subsequently to the Broads Authority for adoption.

Author: Natalie Beal

Date of report: 13 September 2019

[Broads Plan](#) objectives

Appendix 1 – [Draft Marketing and Viability SPD](#)

Appendix 2 – [Draft Broads Flood Risk SPD](#)

Appendix 3 – [Draft Statement of Community Involvement 2019](#)

# Broads Authority

27 September 2019

Agenda item number 12

## Extinguishment of Public Rights of Way

Report by Head of Planning

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### Summary

To apprise Members of the current situation regarding the Public Rights of Way (PROWs) which have been diverted as a consequence of the Broadland Flood Alleviation Project (BFAP) and advise them of the need to extinguish the previous routes.

### Recommendation

To approve the preparation of Public Path Extinguishment Orders for the PROWs which have been diverted under the BFAP.

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1.	Introduction	1
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## 1. Introduction

- 1.1. The Broadland Flood Alleviation Project (BFAP) was set up in 2001 as a long-term project to provide a range of flood defence improvements, maintenance and emergency response services within the tidal areas of the Rivers Yare, Bure, Waveney and their tributaries. It was initiated and funded by the Environment Agency, who appointed Broadland Environmental Services Ltd (BESL) to deliver these services. Over the subsequent years BESL, in partnership with the Agency, has been implementing the 20-year programme of works. The initial 12 years of the project saw the completion of the major works, with the remaining seven years focused on

maintenance. The programme is due to finish in May 2021, after which the defences must have a further life of at least seven years.

1.2. The main aim of the work has been to strengthen existing flood defences and restore them to a height that existed in 1995 (defined by the Environment Agency) and make additional allowances for sea level rise and future settlement of the floodbanks. This has been achieved through:

- Strengthening the existing floodbanks by restoring them to agreed levels where excessive settlement has occurred;
- Replacing existing erosion protection that is in a poor condition using more environmentally acceptable methods wherever possible;
- Providing new protection where erosion is currently threatening the integrity of the flood defences; and
- Carrying out works at undefended communities.

1.3. These improvements have been maintained by monitoring crest levels and undertaking crest raising where further settlement has occurred.

1.4. In total, improved protection against flooding has been provided to approximately 240km of floodbanks which protect approximately 21,300 hectares of Broadland containing more than 1,700 properties, of which more than 1,000 are residential.

## 2. The effect of the work on Public Rights of Way

2.1. Three main techniques have been used in the works, comprising strengthening, rollback and setback:

- Strengthening is usually used where there is still a good band of rond (vegetated area on the front side of the flood bank) between the river and the floodbank. It involves strengthening the existing floodbanks in their present locations by putting material on the back and/or front slope.
- Setback is usually used where the river is already hard up against the floodbank and the flood defence is protected by erosion protection, such as piling. This solution involves building a new clay floodbank inland from the river edge with the floodbank set back far enough from the existing line of flood defence so that a new rond can be created and natural vegetation established. The existing erosion protection will then be removed once the new floodbank is in place and the new rond has become established.
- Rollback is similar to setback and is usually used when rond/erosion protection is insufficient to allow for just bank strengthening and where ground conditions do not permit full setback. It is similar to setback, but the distance the floodbank is moved inland is considerably less.

- 2.2. As can be seen from this, the techniques of setback and rollback involve the physical relocation of the flood defence inland, with the actual distance of the relocation dependent on factors including ground conditions.
- 2.3. Many of the Broadland rivers have footpaths running beside them, which may be either formal Public Rights of Way (PROWs) or permissive paths. Typically, these paths run along the top of the flood bank as this is usually the highest and driest route and therefore the safest and most convenient one. It can be seen, therefore, that the relocation of a flood bank will also require the rerouting of any associated PROW or permissive path onto the line of the new bank to continue to provide a safe and convenient route. It may also be required because the previous bank is no longer physically present or because the previous route is now underwater as the flood defences have been moved inland.
- 2.4. There are a number of ways in which a formal re-routeing of a PROW can be achieved, including the following which are frequently used:
- Section 257 of the Town and Country Planning Act 1990 allows for a PROW to be stopped up by a Local Planning Authority (LPA) if this is necessary to allow a development which has been granted planning permission to take place. It must be undertaken prior to the substantial completion of the development that requires it and the LPA can create a replacement route if it is satisfied that it should do so.
  - Section 25 of the Highways Act 1980 is an alternative approach. It allows for the diversion of a PROW where this is not associated with development or where the associated development has been substantially completed. It is a more collaborative approach and involves written agreements and undertakings with landowners and the formal dedication of a route.
- 2.5. The responsibility for securing the diversions lies with the developer and this is done through a formal Dedication Agreement signed by the landowner(s).
- 2.6. A permissive path is operated under an agreement with the landowner and any diversion or relocation of such a route is usually done through an informal, negotiated process.

### 3. The current position on Public Rights of Way diversions from the BESL works

- 3.1. The BESL Works have resulted in the need to divert sections of PROW in 13 locations. These are:
- Compartment 1 (FP1 at Upton with Fishley);
  - Compartment 2 (FP1 at South Walsham);
  - Compartment 9 (FPs 4 and 5 at Ashby with Oby);

- Compartment 10 (FP10 at West Caister);
  - Compartment 11B (FP6 at Acle and Stokesby with Herringby and FP12 at Mautby);
  - Compartment 12 (FP18 at Cantley and FP1 at Reedham);
  - Compartment 21 (FP5 at Langley with Hardley); and
  - Compartment 37 (FP5 at Acle and FP4 at Upton with Fishley).
- 3.2. The process for the legal diversion of seven PROWs and the completion of the Dedication Agreements has been completed in respect of the following Compartments:
- Compartment 10 (FP10 at West Caister);
  - Compartment 11B (FP6 at Acle and Stokesby with Herringby and FP12 at Mautby);
  - Compartment 12 (FP18 at Cantley);
  - Compartment 21 (FP5 at Langley with Hardley); and
  - Compartment 37 (FP4 at Upton with Fishley).
- 3.3. The process for the legal diversion of the remaining six PROWs is underway, with the process being well advanced for most of them.
- 3.4. It is noted that all of these PROWs are in Norfolk.

## 4. The principle of extinguishment of the existing Public Rights of Way

- 4.1. When the formal diversion process has been completed the new route becomes the legal PROW and is entered as such on the Definitive Map held by the relevant County Council, which in this case is Norfolk County Council.
- 4.2. The previous route needs to be formally extinguished. If it is not formally extinguished it continues to have a legal status as a PROW, meaning that there is an obligation on the part of the landowner to keep it clear and on the relevant authority (usually the County Council) to maintain it.
- 4.3. The formal legal process for the extinguishment of a PROW is a Public Path Extinguishment Order and this is set out under section 118 (1) of the Highways Act 1980. There is only one ground for making an extinguishment order and this is:
- “Where it appears to the council as respects a footpath, bridleway or restricted byway in their area (other than one which is a trunk road or a special road) that it is expedient that the path or way should be stopped up on the ground that it is not needed for public use, the council may by order made by them and submitted to and confirmed by the Secretary of State, or confirmed as an unopposed order, extinguish the public right of way over the path or way.”

- 4.4. The Act goes on to state that neither the Secretary of State or Local Planning Authority should confirm an extinguishment order unless they are satisfied it is expedient to do so, having regard to the likelihood of the PROW being used by the public and the effect the extinguishment would have on the land served by the existing PROW. There is also a requirement to take account of the provisions around compensation set out in section 28 of the Highways Act 1980.
- 4.5. The question of whether a path is or is not needed for public use hinges on whether there is a viable alternative route that would be more likely to be used by the public. In this case, the process for the creation of replacement routes is underway, with seven in place and six underway, so it is clearly the case that there are or will in each location be a viable alternative route in place. It is also the case that the alternative route will be more likely to be used by the public because the routes being extinguished have already been removed or otherwise made unusable by the works (certainly at high water) so are not available. On this basis, it is considered that the tests set out in section 118 are met.
- 4.6. With regard to the provision for compensation within the legislation, the PROWs being created are replacement rather than new routes and there would be no depreciation in land value resulting from the extinguishments. On this basis, it is considered that the requirement of section 28 is met.

## 5. The process for extinguishment of the existing Public Rights of Way

- 5.1. There are a number of ways in which the extinguishment of a PROW can be achieved, including through the use of section 118 of the Highways Act 1980, which is a commonly used approach. It requires consultation with all other local authorities in the area affected by the orders and Natural England prior to the making of an order. There is no statutory requirement to consult users, landowners or local councils, although it is considered best practice to do so. The form of order is set out in the regulations and the orders must be advertised in accordance with the regulations.
- 5.2. If no objections are received, the Authority can confirm the orders as unopposed orders. If objections are received and not withdrawn, and the Authority decides to proceed with them, they would have to send the orders to the Secretary of State and ask him to confirm them. At that stage the power of decision goes to the Secretary of State. He may make the decision after considering written representations from the order-making authority and objectors or by convening a local public inquiry, at which an inspector would hear the evidence and make a decision.
- 5.3. If confirmed, the confirmation would then need to be advertised and the confirmed orders served on a list of bodies and organisations prescribed in the regulations.
- 5.4. The authority to divert or stop up public paths is delegated to the Planning Committee from the Authority under 2 (6) (viii) of the Authority's Terms of Reference

of Committees, but the authority to extinguish such routes is retained by the Authority.

- 5.5. The matter was referred to and considered by the Planning Committee at their meeting on 13 September 2019. At this meeting Members supported the preparation of Extinguishment Orders under s118 as outlined above and resolved to refer the matter to the Authority for a decision.

## **6. Financial implications**

- 6.1. There is a significant staff cost associated with the negotiation and preparation of the Dedication Agreements required to create the replacement routes. This has been borne by BESL.
- 6.2. There is also a cost associated with the preparation of the Public Path Extinguishment Orders, including preparation and consultation. This is anticipated to be £1,850 per order and would amount to £24,050 for 13 orders. However, there is a mechanism whereby Orders can be bundled together, thereby reducing the costs, and Officers are investigating this.
- 6.3. There is no established protocol over where these costs should be borne. It is noted that there is no benefit to the developer (BESL) in the existing paths being diverted, as they have met their obligations in providing replacements. There would be a potential cost to Norfolk County Council were the existing paths not to be extinguished, as they would have a statutory responsibility to maintain them, despite the impracticality of this. It is appropriate for the Authority to pursue the completion of these Orders so that the matters associated with the flood defence project are satisfactorily and legally concluded.
- 6.4. The Authority has offered to share the costs of this work equally with BESL and Norfolk County Council. BESL have confirmed that this is acceptable to them, however Norfolk County Council have declined direct financial support. NCC have offered a way to reduce costs. Officers continue to have discussion with Norfolk County Council regarding this and have also raised the matter with the Environment Agency. Members will be updated verbally of the result of these discussions.

## **7. Conclusion**

- 7.1. The BFAP is reaching the end of its programme and BESL is completing the contracted works. The major engineering works have been concluded and the final stages of the monitoring works is underway. At the conclusion of the project in May 2021 the responsibility for the flood defences will be handed back to the Environment Agency and the County Councils will take on the maintenance and management of the PROWs.
- 7.2. One of the final tasks is to complete the PROW diversions, which is underway, and to extinguish the routes which are no longer necessary.

- 7.3. If the Authority approves to extinguish the PROWs listed in section 3.1, the officers will proceed with the formal legal process for the seven PROWs for which a Dedication Agreement is completed. Officers would proceed with the six PROWs for which the legal diversion is under way only once their Dedication Agreements are completed.

Author: Cally Smith

Date of report: 13 September 2019

[Broads Plan](#) objectives: 6.1



# Broads Authority

27 September 2019

Agenda item number 13

## Water Resources East

Report by Director of Strategic Services

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### Summary

This report considers the Broads Authority's relationship with Water Resources East.

### Recommendation

To consider whether the Broads Authority should join the Board or the Strategic Advisory Group of Water Resources East.

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## 1. Introduction

- 1.1. Water Resources East (WRE) is a 'Company Limited by Guarantee' pioneering a collaborative approach to water resources planning. Instead of the traditional approach in which water companies look at water resources planning for their respective areas in isolation, WRE brings together regulators, companies, retailers and individuals in the water, agriculture, power and environmental sectors. It looks at the needs and potential trade-offs across all these organisations and balances considerations of customers, agriculture, the economy and the environment.
- 1.2. Members are aware of the critical role that the planning of future water resources will play in a region already vulnerable to water shortages. WRE's mission is: "To work in partnership to safeguard a sustainable supply of water for the East of England, resilient to future challenges and enabling the area's communities, environment and economy to reach their full potential." Information about the company can be found at <http://www.waterresourceeast.com/>
- 1.3. The Board of WRE comprises representatives from the water companies (Anglian Water, Essex and Suffolk Water, Cambridge Water Company, Severn Trent Water and Affinity Water), County Councils (Norfolk, Suffolk and Lincolnshire), the National Farmers Union and others. The minimum financial contribution to join the Board is 1% of turnover or £15,000.
- 1.4. There is also a Strategic Advisory Group whose role is to "support and enable the Board of Directors to make informed decisions". They are members of the Company with a liability of £1 upon winding up of the Company. They vote formally on matters deemed by the Board of Directors.

- 1.5. There is also a Consultation Group for those bodies, such as the regulators, who are unable to become members of the Company.
- 1.6. Given the significance of water resources management in the Broadland Catchment, officers recommend that the Broads Authority joins WRE's Strategic Advisory Group to support this important work and connect initiatives in the catchment to the wider Eastern Region.
- 1.7. Members may be of the view that, as guardians of the East of England's 'National Park', the Authority should consider joining the WRE Board to have a greater involvement and influence in this critical policy area.

## 2. Financial implications and risk analysis

- 2.1. The cost and risks of joining the Strategic Advisory Group would be minimal. The cost of joining the Board would be £15,000 per year, a significant sum that would need to be funded from National Park Reserves, and the Authority would have its risks limited by the WRE company structure.

## 3. Conclusion

- 3.1. This initiative, led by the water companies, is vital for the future of our region and our society, environment and economy. The Broads Authority should, within its limited resources, support and engage with WRE.

Author: Marie-Pierre Tighe

Date of report: 22 August 2019

[Broads Plan](#) objectives: A

Appendix 1 – WRE Standard Membership application letter

Appendix 2 – [Water Resources East Business Plan 2019/2020](#)

# Appendix 1

[TO BE WRITTEN ON CORPORATE LETTERHEAD]

The Directors, c/o Dr Robin Price (Interim Managing Director)  
Water Resources East (WRE) Limited  
Lancaster House  
Lancaster Way  
Ermine Business Park  
Huntingdon  
Cambridgeshire  
PE29 6XU

[DATE]

Dear Sirs

## **Application for Membership of WATER RESOURCES EAST (WRE) LIMITED (the Company)**

We, the undersigned of the above address, wish to apply to become a Standard member of the Company and agree to be bound by the provisions of the Company's articles of association (the "Articles").

In particular, we agree to guarantee the debts of the Company up to a maximum amount of £1 if the Company is wound up whilst we are a member and for a period of up to 12 months after our membership ends.

Subject to our application being successful, we authorise you to enter our name in the company's register of members.

Yours faithfully

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[PRINT NAME]

For and on behalf of

[ORGANISATION]