

Broads Authority

Minutes of the meeting held on 21 September 2012

Present

Mr D A Broad (Vice-Chairman) – in the Chair

Mr M Barnard	Sir Peter Dixon	Mr A S Mallett
Mr L Baugh	Mr P Durrant	Mr P E Ollier
Miss S Blane	Mr C Gould	Mr J Sharpe
Ms J Brociek-Coulton	Mr G McGregor	Mr R Stevens
Prof J A Burgess	Dr J M Gray	Ms R Varma
Mr N Dixon		

In Attendance:

Dr J Packman – Chief Executive
Mr T Adam – Head of Finance
Mrs S A Beckett – Administrative Officer
Ms M Conti – Strategy and Projects Officer
Mr J Clements – Planning Policy Officer
Ms H Franzen – Press Officer
Mr R G Holman – Director of Change Management and Resources
Mr S Hooton – Head of Strategy and Projects
Ms J Lawrence – Communications Manager
Ms A Long – Director of Planning and Strategy
Mr J W Organ – Head of Governance and Executive Assistant
Mr C Skinner – For the Solicitor
Ms T Wakelin – Director of Operations

Also in attendance:

Mr Bryan Read and Mr Peter Howes – Broads Trust

2/1 Apologies and Welcome

The Chairman welcomed everyone to the meeting.

Apologies for absence were received from Mr P Frost, Mr M T Jeal, Dr J S Johnson and Mr P Rice.

2/2 Chairman's Announcements

(1) Welcome to New Members of the Authority and Staff

The Chairman welcomed Ms Julie Lawrence, who had been appointed as the Authority's Head of Communications covering for Clare Weller who was on maternity leave. He also welcomed Mr Bryan Read and Mr

Peter Howe from the Broads Trust who would be providing a presentation on the work of the Trust.

(2) **Various Dates to Note**

Members were requested to note the following dates:

- **New Members Induction Day** 2 October 2012.
- **Workshop on Governance Review of Consultation** arrangements: 3 October 2012.
- **Members Working Group** to review the outcome of the workings on Governance/Consultative arrangements: 15 October 2012 (Membership Chairs of Committees – Agenda Item No 17).
- **Broads Forum meeting amended from 4 October 2012 to 22 November 2012**.
- **Members Workshop on Equalities** – November 2012 date to be confirmed following assessment of availability.
- **Members Volunteer Day** – 18 September 2012 cancelled – to be rescheduled for March/April 2013.

(3) **Variation in the Order of Business**

The Chairman proposed a variation to the order of business in accordance with Standing Order no 3(2). He proposed to take agenda items 27, 28, 29 and 30 containing exempt information and agenda item no 18 following agenda item 13 due to the limited time availability of the Solicitor. He expressed regret if this should inconvenience members of the public. He also proposed to take item 19 following item 14 and before item 15.

2/3 Introduction of Members and Declarations of Interest

Members received a briefing and guidance from the Solicitor on the declaration of pecuniary interests following the introduction of the new standards arrangements brought in by the Localism Act 2011, and the subsequent adoption of the Authority's Code of Conduct at the meeting on 13 July 2012. He expanded on the briefing note which had been circulated explaining the two types of interest: disclosable pecuniary interests where a failure to disclose would be a prosecutable offence and other interests such as belonging to lobby groups, clubs and societies, receipt of gifts and hospitality, and toll paying where failure to do so would not be prosecutable but would be a breach of the Authority's Code of Conduct. Clarification for members appointed by the County and District Councils was provided and the need to register a pecuniary interest if they received an allowance from the nominating authority; and the need to seek special dispensation from the Monitoring Officer for certain instances.

A member expressed concern that although he had sought dispensation as a local authority member in accordance with the briefing and advice given, no

response had as yet been forthcoming from the Monitoring Officer. The Solicitor undertook to investigate the matter. He also commented that local authority members would be advised to seek a blanket dispensation in relation to their local authority interest.

RESOLVED

that the report be noted.

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

It was noted that dispensation had been granted by the Monitoring Officer for Mr David Broad to attend and chair the meeting for item no 2/15 Proposed Site Specific Policies DPD, as he was now no longer Chairman of the Ropes Hill Dyke Residents Association, which had made specific representations on the Horning designations within the consultation document, and that he did not intend to speak on the matter.

2/4 Items of Urgent Business

There were no items of urgent business.

2/5 Public Question Time

Two questions had been received from Mrs Mollie Howes, details of which together with the response were included within the agenda papers and are recorded in Appendix 2.

2/6 Minutes of Broads Authority Meeting held on 13 July 2012

The minutes of the meeting held on 13 July 2012 were approved as a correct record and signed by the Chairman subject to an amendment to Appendix 2 relating to Membership of the Financial Scrutiny and Audit Committee in accordance with the constitution agreed in 2009 and covered at Minute No 2/17.

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

The Authority received and noted a schedule of progress/actions taken following decisions of previous meetings.

2/8 Minutes Received

(1) Planning Committee: 22 June, 20 July and 17 August 2012

RESOLVED

that the minutes of the Planning Committee meetings held on 22 June, 20 July and 17 August 2012 be received.

(2) Financial Scrutiny and Audit Committee: 10 July 2012

RESOLVED

that the minutes of the Financial Scrutiny and Audit Committee meeting held on 10 July 2012 be received.

(3) Navigation Committee: 11 July 2012

that the minutes of the Navigation Committee meeting held on 11 July 2012 be received.

Other matters raised had been given consideration at the meeting of the Navigation Committee on 6 September 2012 and were considered when dealing with the reports on the agenda. It had not been possible to provide the minutes for this meeting due to the short timescale and other competing demands on staff time. The minutes from this meeting would be reported to the next Authority meeting on 23 November 2012.

(4) Broads Forum: 19 July 2012

Members were appraised of the comments from the Broads Forum on the Eccles to Winterton Sea Defences, priorities for future expenditure and the need for the Authority to be vigilant and maintain dialogue with local authorities in the river catchments.

RESOLVED

that the minutes of the Broads Forum meeting held on 19 July 2012 be received.

2/9 Broads Trust and Visitor Payback Scheme

The Authority received a presentation on the Broads Trust provided by two of the founding members, Mr Bryan Read and Mr Peter Howe. Specific reference was made to the Trust's website

<http://www.broadscharitabletrust.org.uk/index.html> which provided members with a detailed description of the Trust. The presentation provided an overview of the history of the Trust and its development which had first been considered some years ago, to where it was now. The presentation provided members with an account of the newly launched collaborative venture "Love

the Broads” in association with Broads Tourism and the ongoing Pilot Visitor Giving Scheme “Enjoy, Give Protect” and a look into the future and aspirations of the Broads Trust. It was noted that even in its early stages, the Trust had given consideration to a Visitor Giving Scheme which had been successfully pioneered in the Lake District and that this was one of the commitments of the STEP programme. An initial legacy had given the Trust its impetus and it would set up a panel comprised of a wide range of interests to decide on the allocation of funds for projects which the Authority itself would not be able to fund. The Trust was independent of the Authority, although two of the twelve Trustees were nominated by the Authority. It was confirmed that the Trust was very much in touch with other national park areas and was working very closely with Broads Tourism and Authority staff. Any suggestions from members on future projects or ideas for promoting the scheme would be welcome.

Members congratulated and thanked the two Trustees for a very interesting and timely presentation. They fully supported the aims, aspirations and work of the Trust and endorsed the initiative of “Love the Broads” and supported the principle that money raised under the Visitor Payback scheme could be best managed by the Trust.

RESOLVED

that the report be noted and welcomed.

2/10 Statement of Accounts 2011/12

The Authority received a report which provided a summary of the key issues in relation to the Statement of Accounts for the year ended 31 March 2012 which had been the subject of an unqualified audit report from the Audit Commission. They also received details of the consolidated income and expenditure outturn figures for 2011/12 and the draft Statement of Accounts for formal adoption. In association with these, the Chief Executive drew attention to the recently published Annual Report for 2011/12 which highlighted the achievements under difficult circumstances over the last year.

Members noted that the consolidated net underspend for the year was £494,362 of which it was proposed that £109,491 be carried forward to the 2012/13 budget. Members noted the reasons for the net underspend including additional unbudgeted income, significant savings through cost efficiencies, the absence of any major equipment breakdowns, the setting aside of monies for pontoons and a new mud wherry and the impact of the re-organisation of the Authority, especially on the Construction and Maintenance and Ranger Services budgets.

It was noted that the Statement of Accounts for 2011/12 showed general revenue reserves of £1,859,903 (National Park reserves (£932,830, navigation reserves £926,473). This level of reserves was considered to be adequate, and exceeded the minimum levels agreed by the Authority as set out in the Financial Strategy for the period up to 2014/15. The outturn figures

for 2011/12 and their implication on the overall level of reserves had been taken into account in developing the Financial Strategy for the period 2015/16.

Members were assured that in future when provided with the consolidated income and expenditure accounts, they would be able to compare the actual out turn figures against the profiled figures and the forecast out turn against that of the original budget (see Minute 2/22).

Members expressed appreciation to the Head of Finance and his immediate predecessor and their team for their efforts in preparing the accounts under difficult circumstances and for the considerable progress made which should provide the Authority with a firm foundation for the future.

RESOLVED

that the Statement of Accounts for 2011/12 be adopted.

2/11 Annual Governance Statement 2011/12

The Authority received a report explaining the purpose of the Annual Governance Statement and the requirements to carry out an annual review of the Authority's systems of internal control and governance arrangements appending the Annual Governance Statement for 2011/12.

Members noted that in the opinion of the Head of Internal Audit the Authority's overall internal control environment was "Adequate" and its governance arrangements and systems of risk management were "Good". The Financial Scrutiny and Audit Committee had considered the Annual Governance Statement 2011/12 at its special meeting prior to the Authority meeting and had agreed that this was a positive report from the Audit Commission and that the letter of representation could be recommended for signature.

Members gave consideration to the draft Action Plan for 2012/13 which was appended to the Annual Governance Statement, and in particular noted and welcomed the proposed training on the Data Protection Act and Equalities which it was suggested might be combined.

Although it was considered desirable in principle to achieve a higher definition of assurance from the Head of Internal Audit, it was recognised that this had cost implications and the steps required needed to be realistic as well as proportionate to the size and nature of the organisation. Members concluded that the Annual Governance Statement represented a true reflection of the control environment present in the Authority.

RESOLVED

- (i) that the report be noted;
- (ii) that the Annual Governance Statement for 2011/12 and Action Plan for 2012/13 are approved as set out in the report;

- (iii) that the Authority confirms, subject to implementation of the improvements identified in the Action Plan that the Authority's internal control systems and governance arrangements are considered to be adequate and effective; and
- (iv) that the Chairman and Chief Executive be authorised to sign the Annual Governance Statement.

2/12 Premises Strategy

The Authority received a report which set out progress made in implementing the Authority's Premises Strategy. A press release had been issued in the previous week. Members were of the view and emphasised that the relocation to Yare House would provide significant reductions in costs compared to the current offices, providing savings which were commensurate with the ongoing reductions in National Park Grant. The savings resulting from the agreed 18 month rent free period for the new offices would cover a significant element of the one-off relocation costs. The investment in the new workshop at the Griffin Lane Dockyard would provide modern facilities for the maintenance of the equipment essential for looking after the Broads. The Premises Strategy would have a significant effect on maintaining core front-line services which otherwise would not have been possible thereby delivering the best outcomes to maintain the special qualities of the Broads and maximise enjoyment by the public.

RESOLVED

in line with its previous decisions it was noted that:

- (i) the Agreement to Lease and Tenants Fit Out Works contract for the relocation to Yare House were signed on 6 September 2012, after consultation with the Chair of the Authority and the Chair of the Financial Scrutiny and Audit Committee, with a forecast lease commencement date of 12 November 2012;
- (ii) the total costs for the relocation to Yare House including the Tenants Fit Out Works contract was now estimated at £344,000 compared to the initial budgeted estimation of £375,000;
- (iii) the Chief Executive will advise Defra Estates that the Authority intends to vacate Dragonfly House by the end of November 2012, the precise date being dependent on the completion of the Tenants Fit Out Works and the actual lease commencement date for Yare House; and
- (iv) the contract for the construction of a new workshop at the Griffin Lane Dockyard was signed on 22 August 2012, facilitating a projected completion date in April 2013.

2/13 Broads Authority Future Involvement in Tourism

The Authority received and considered a report on future options for the involvement of the Authority in Tourism building on the Sustainable Tourism Strategy adopted in March 2011 and the STEP (Sustainable Tourism in Estuarine Parks) project and the work undertaken in association with Broads Tourism taking account of the objectives of the Broads Plan 2011 and the commitments in the National Park Authority Performance Assessment Draft Improvement Plan in January 2012. Members also noted the other strategic developments in tourism since November 2010 and gave consideration to the options for potential involvement, namely:

Option One – Direct involvement by funding a post beyond March 2013;
Option Two – Indirect involvement by providing Broads Tourism with a grant for it to make its own arrangements;

where the advantages and disadvantages of each were set out. It was noted that both options had a similar financial cost attached to them, although it was considered that a larger budget might be necessary if the impetus established under STEP was to be maintained.

Members noted that representatives of Broads Tourism had discussed the potential options prior to the meeting and had indicated their clear preference for Option 1, since Option 2 would provide them with major organisational and administrative challenges. However they considered that there was scope for a different focus with the emphasis on promoting and marketing the area building on the foundation work of the STEP project. Members noted that the Draft Financial Strategy made provision for the funding of a specific post and that there was sufficient funding in the National Park Grant to take on this commitment for the next two years only.

The Navigation Committee had considered the matter at its meeting on 6 September and supported the use of navigation expenditure in funding the Authority's tourism activity. However, it was understood that questions had subsequently been raised about the legal basis for the use of navigation income in this regard and a further report would be taken to the next meeting of the Navigation Committee asking members to confirm their support for this action.

Following discussion members were fully in support of Option 1, with the Authority having a direct role in promoting tourism. In having its own officer it was considered that this would provide the Authority with a much greater involvement and influence with an improved ability to coordinate and liaise with the various organisations involved within the Broads.

Members heard arguments to support the view that it would be reasonable for navigation expenditure to provide a contribution to that direct involvement since the hire boat industry as well as private boats benefitted from tourism and this would help to provide a guaranteed income to support the maintenance of the area. However, it was recognised that that there may be legal difficulties and that the Navigation Committee should be re-consulted on

such a contribution in the future and would need to approve such a change in apportionment. Members were reassured, in the event of difficulty with approving an apportionment of this cost to Navigation expenditure, that there was the possibility of funding the post from National Park expenditure for up to two years. Members also advocated continued working in close cooperation with local businesses which were involved in providing and managing tourist facilities and the expertise and resources available elsewhere in the region.

RESOLVED

- (i) that the Authority continues its direct role in promoting tourism in the Broads working in partnership with the business grouping Broads Tourism as described in the report;
- (ii) that the Authority establishes a new post located within the Communications Team to focus on the promotion and marketing of the Broads and to work in close cooperation with Broads Tourism and other relevant organisations;
- (iii) that further consideration be given to the level of project funding to be allocated in future years in close cooperation with Broads Tourism and other funding bodies and organisations including Norfolk and Suffolk County Councils in line with the Broads Sustainable Tourism Strategy and the Broads Plan; and
- (iv) that the Navigation Committee be further consulted on the funding arrangements involving navigation expenditure for the new post in the Communications Team.

2/14 Financial Strategy for 2013/14 – 2015/16

The Authority received a report setting out the proposed Financial Strategy for 2013/14 to 2015/16. It was noted that this built on the work of the Resource Allocation Working Group which developed the existing Financial Strategy adopted in June 2011 and set out in the Business Plan for 2011/12 – 2014/15, and was based on the discussions held at the Members Workshop on 12 July and consultations held with the Navigation Committee and Broads Forum. The Navigation Committee had been consulted on the proposals in the report, insofar as they affected Navigation income and expenditure, at its meeting on 6 September and had given its support.

The Authority noted the variety of views and projects suggested during consultation and that the Strategy had taken account of these and members' desire for "flagship projects" to be developed. Those proposed were based on five key areas spread across the Authority's National Park purposes namely:

- Nature Conservation – Pump Dredging Projects;
- Heritage – Restoration of Mills – developing a Mills Strategy and in association with the Mills and Pumps Trust pursuing a large bid to the

Heritage Lottery Fund for restoration of some of the key mills in the Broads;

- Environment and Education – continuing to work with the Whitlingham Charitable Trust to provide improved facilities in Whitlingham Country Park;
- Public Access - Development of an Integrated Access Strategy linking land and water – noting the requirement for moorings and their maintenance; and
- Landscape –Integrated Approach – Heritage Lottery Fund Landscape Partnerships. Working towards submitting a further bid in 2014.

In order to deliver these and take matters forward, members noted and accepted the need to recruit a Project Manager for a period of two years to work with staff across the Authority to develop projects and bring forward proposals.

In addition, it was noted that in order to maintain the Authority's service provision as efficiently as possible and to deliver the Financial Strategy the following staff resources would be necessary:

- an additional IT Project officer post for a temporary period over the next two years to strengthen the IT Team and speed up the delivery of new systems, including the upgrade of the corporate website, providing additional GIS resource, the scoping and delivery of a document management system across the Authority and helping to complete the Asset Management Plan;
- retention of the Website Officer and Information Assistant posts;
- restructuring of the Finance Team and appointment of a three days a week Finance Post;
- retention of a full-time Tolls/Waterways Strategy post;
- continuation of two additional Seasonal Rangers; and
- consultations with staff on proposals for changes to the HR Team to deliver savings over the next three years.

The anticipated savings on accommodation resulting from the move to Yare House, the construction of the new workshop at the Dockyard, acquisition of two new launches and maintenance works associated with the transfer of Breydon Water, would result in a drawdown of expenditure on the higher than predicted reserves currently in hand and leave Navigation general reserves below 10% of net expenditure at the end of 2012/13. The need for caution was recognised, particularly in view of the uncertainties over future Government spending, and it was therefore agreed that a cushion of 10% of net expenditure plus £100,000 be held back in National Park general reserves until more clarity was provided about the impact of the next round of the Spending Review. Subject to this, members considered that the income and expenditure proposals within the Strategy, which would enable reserves to be built up to their recommended minimum level from 2014/15 onwards, were considered acceptable.

Tables setting out the key figures in the current Business Plan compared to those in the draft Financial Strategy were tabled for information.

RESOLVED

that the Financial Strategy set out in the report and Appendix 2 be adopted, including the appointment of a Project Officer for two years.

2/15 Local Development Framework: Preparation of Site Specific Policies Development Plan Document – Report on Preferred Options Consultation and Proposed Development Plan Document

The Authority received a report which provided an update on the forward process of preparing the Site Specific Policies Development Plan Document (DPD). Members were appraised of the results of the consultation on the “Issues, Options and Preferred Options” carried out in the Spring 2012 and noted that the draft Proposed DPD had taken into account the results of that consultation as well as further research. In particular, members noted the additional consultation undertaken at West Somerton, and the small allocation made for development in the Proposed Site Specifics DPD as a result of those consultations.

The Planning Committee had given careful consideration to the draft Site Specific Policies Document attached to the report and supported its adoption subject to minor changes and in particular changes to the Government’s PINS Model Policy, details of which were tabled for members consideration to take account of the sensitivity and special qualities of the Broads area.

Members expressed appreciation for the detailed and thorough consideration given to the compiling of the Site Specific Policies by officers and endorsed the document including the amended PINS Model Policy.

RESOLVED

- (i) that the contents of the Consultation Report be noted;
- (ii) that the draft Proposed Site Specific Policies DPD be approved for formal publication and submission to examination with a view to eventual adoption subject to the inclusion of the amendments to the Model Policy as tabled;
- (iii) that authority be delegated to the Chief Executive to:
 - (a) make any minor amendments to the Proposed Sites DPD in advance of publication;
 - (b) finalise the supporting documents required to accompany publication and submission, including Sustainability Appraisal/Strategic Environmental Assessment Report, Habitats Regulations Assessment, Statement of Consultation, Submission Policies Map, etc.; and

- (c) finalise the format of the Proposed Adopted Policies Map; and
- (iv) that authority be delegated to the Chief Executive, in consultation with the Chairmen of the Authority and the Planning Committee, or, if time allows, to the Planning Committee, to suggest to the Inspector conducting the examination any minor changes to the Proposed DPD required to address matters arising during publication or examination, unless these raise significant issues not previously considered by the Authority.

2/16 Breydon Launch

The Authority received a report which set out the current position with regard to the investigations into the purchase of a suitable launch for patrolling Breydon Water and the Lower Bure in line with the decisions made at the previous meeting 13 July 2012. The Authority considered the preferred option. It was noted that the expenditure was within the budget agreed at the Authority meeting and that officers would normally proceed with the acquisition. However, in view of the fact that the owner of the boatyard was a member of the Authority's Navigation Committee and the potential perceived conflict of interest, the matter had been brought to members for their approval. Members were satisfied with the report from the independent marine surveyor who had been appointed to report back to the Authority on the suitability and valuation of the vessel.

RESOLVED

- (i) that the contents of the report of the independent marine surveyor in Appendix 1 of the report be noted; and
- (ii) that the purchase of the vessel Aqua Bell Trojan 33 with the necessary fit out works at a total cost of £115,267.42 from Goodchild Marine of Burgh Castle for the primary purpose of patrolling Breydon Water and the Lower Bure be approved.

2/17 Member Appointments

Members received a report seeking approval for the appointment of Lead Members, a member to the Norfolk and Suffolk Broads Charitable Trust, and the appointment of an additional member to the Working Group to consider the Review of Consultative Arrangements and Stakeholder Engagement following the disbandment of the Standards Committee. The report also advised on a change to the membership of the Financial Scrutiny and Audit Committee to bring it in line with the constitution agreed in 2009.

Members noted that Mr Baugh had expressed his willingness to represent the Authority on the Broads Trust in place of Ms Conti. Members considered that it would be appropriate to take up the offer from the former Chairman of the Broads Forum and that he be appointed to the Working Group to consider the Review of Consultative Arrangements, in view of his experience. It was also

considered appropriate to appoint an additional member of the Authority on the group, given that the Authority no longer had a Standards Committee and therefore access to the Chairman of such a Committee. It was proposed, and duly seconded that Professor Burgess and the Vice-Chairman be appointed to the Member Working Group.

RESOLVED

- (i) that the appointment of Mr Broad to the Financial Scrutiny and Audit Committee in place of Mr Alan Mallett, until the Annual Meeting in July 2013 be noted;
- (ii) that the Lead Members, as set out below, be confirmed for the period until the Annual Meeting in July 2013;

<u>Topic</u>	Lead Member
Broads Flood Alleviation Project	Phil Durrant
Climate Change and the Valley Approach	John Sharpe
Communication Strategy	Peter Frost
Equalities	Rashmi Varma
Safety Management	Phil Ollier
Sustainability	Paul Rice
Sustainable Tourism	David Broad

- (iii) that Mr Louis Baugh be appointed to represent the Authority on the Norfolk and Suffolk Broads Charitable Trust until the Annual Meeting in July 2013;
- (iv) that the previous Chairman of the Broads Forum, Mr Jonathan Bowman, be invited to support the Working Group considering the Review of Consultative Arrangements and Stakeholder Engagement and that Professor Jacquie Burgess and the Vice-Chairman of the Authority be appointed to this Working Group.

2/18 Whitlingham Country Park Byelaws

The Solicitor presented the report setting out proposed byelaws as requested by the Whitlingham Charitable Trust to support the good management of the Whitlingham Country Park. The Trust did not have byelaw making powers although the Authority had such powers under Section 6 of the Norfolk and Suffolk Broads Act 1988. It was noted that the byelaws were based on model byelaws produced by Defra and had been the subject of consultation with Natural England, as required by the Act, as well as the Whitlingham Charitable Trust and Norfolk Constabulary. The Solicitor advised that it would be necessary to make some minor adjustments to the byelaws prior to formal

submission in order to account for some technical details relating to Whitlingham.

RESOLVED

that the Authority proceeds to make the byelaws as attached to the report as Appendix 1 subject to technical amendments as required by the Solicitor for submission.

2/19 Annual Investment Strategy 2012/13

The Authority received a report which set out a proposed amendment to the Annual Investment Strategy for 2012/13.

RESOLVED

that the revised Annual Investment Strategy for 2012/13 be noted and endorsed.

2/20 Strategic Priorities 2012/13

The Authority considered a report by the Chief Executive which set out the projects and actions used to deliver the strategic priorities adopted for 2012/13. It was noted that whilst investment in ICT was a means of coping with a reduction in resources, the Authority only had a small ICT team and the prospective move to new offices was having a noticeable impact on staff. It was anticipated that the appointment of an additional ICT post for two years, as approved within the Financial Strategy, would help to provide the team with greater capacity.

It was noted that some of the outstanding 2011/12 priority objectives, projects and key milestones had been incorporated within the 2012/13 priorities, objectives and key milestones. The significant issues regarding the completion of the remaining 2011/12 priorities would continue to be reported to the Broads Authority.

RESOLVED

that the performance of the different projects in the accompanying schedules to the report be noted.

2/21 To consider Items of Business raised by the Designated Person in respect of the Port Marine Safety Code

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

2/22 Consolidated Income and Expenditure: 1 April 2012 – 31 July 2012

The Authority received a report which summarised the actual consolidated income and expenditure for the four month period to 31 July 2012 and provided a forecast of the projected expenditure at the end of the financial year (31 March 2013). This was intended to provide a more accurate picture of expected activity for the full financial year as well as encourage more proactive budget monitoring. The report also provided major variances expected at the year end and the reasons anticipated.

Members noted the two options presented and, in agreement with the Navigation Committee, expressed a preference for that set out in Appendix 1 of the report, which included profiled budgets.

It was noted that the forecast outturn took account of the anticipated drawing down of reserves to fund one-off, mainly capital expenditure in 2012/13 and was in accordance with the proposals, now adopted, within the Financial Strategy.

RESOLVED

that the report be noted.

2/23 Feedback from Lead Members and those Appointed to Represent the Authority

(1) Association of National Park Authorities: New Members Induction

Professor Burgess reported that she and Mr Baugh had attended the ANPA new members' induction course in the Peak District between 18 – 20 September 2012 which had been extremely worthwhile. There had been 18 participants with eight coming from Wales. She confirmed that she would be writing an article for the Members Bulletin.

(2) Broads Flood Alleviation

Mr Durrant (Lead member on Flood Alleviation) gave an update on the BESL project for the Chet which had been programmed to be undertaken for some years. It was understood that there would be consultation prior to submission of an application in the Autumn.

(3) Boat Safety

Mr Ollier as Lead member on safety reported that he had attended the Advisory Committee meeting of the National Boat Safety Scheme. He reported that there had been four fatal carbon monoxide poisonings on boats on the canals in the early part of the year. In one case, a survivor of the fatal incident was continuing to live on the craft having made no subsequent improvements to its condition. The navigation authority was unable to enforce improvements to the boat. He observed that

under the 2009 Act the Broads Authority had more powers to take action in such a case than some of the other inland navigation authorities.

RESOLVED

that the reports be noted.

2/24 Date of Next Meeting

The next meeting of the Authority would be held on Friday 23 November 2012 commencing at 10.00am at Dragonfly House, 2 Gilders Way, Norwich.

2/25 Items of Urgent Business

There were no items of urgent business.

2/26 Formal Questions

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

2/27 Exclusion of the Public

RESOLVED

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

Members of the public left the meeting during consideration of the following items

Summary of Exempt Minutes

2/28 Exempt Minutes of Broads Authority meeting held on 13 July 2012

RESOLVED

that the exempt minutes of the Broads Authority meeting held on 13 July 2012 be agreed as a correct record and signed by the Chairman.

2/29 Exempt Minutes of Navigation Committee meeting held on 11 July 2012

RESOLVED

that the exempt minutes of the Navigation Committee meeting held on 11 July 2012 be received.

2/30 Wayford Mill: Update and Next Stage

The Authority received a report containing exempt information providing an update on matters relating to Wayford Mill where there was a history of planning breaches which were still on-going. Members noted the recent actions and legal advice setting out the steps which could be taken to resolve those matters, as well as the next stage in the procedures. Having taken account of the legal advice and the potential financial implications, the risks of the alternative approaches and the offer from the contravener/ owner of Wayford Mill, the Authority

RESOLVED

that the Solicitor be instructed to take the necessary steps required as set out in the report:

- (i) to demonstrate that breaches of planning control are not to be tolerated and should not result in personal advantage;
- (ii) to end the considerable expense and officer time in dealing with the on-going breaches of planning control; and
- (iii) to secure restoration of the mill in accordance with the 2001 Agreement.

The meeting concluded at 14.35pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Broads Authority

Date of Meeting: 21 September 2012

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
A S Mallett	All items General 2/6, 2/8 2/15	Re Minutes - as previously declared at meetings, Appointed by Broadland District Council, Toll payer, Member of Norfolk and Suffolk Boating Association and various Sailing Clubs. (Representations from BDC and Norwich Frostbite Sailing Club), As recorded in Minutes of Planning and Navigation Committees.
D A Broad	Items 2/7- 2/22 and 2/15	Toll Payer, Member of Great Yarmouth Port Consultative Committee, Past Chair of Ropes Hill Dyke Residents Association (special dispensation).
P E Ollier	General Item 2/15	Member of Planning Committee, Navigation Committee, Toll Payer, NSBA, RYA, member of Horning Sailing Club.
P Dixon	General Item 2/14	Toll Payer, Boat House owner at Hickling Broad (Dredging).
S Blane	Item 2/18	Trustee on Whitlingham Charitable Trust.
J Brociek- Coulton	Item 2/18	Trustee on Whitlingham Charitable Trust.

Public Question Time

**Questions submitted by Mrs M Howes and Responses from
the Broads Authority**

Q1. I found the reply to my original question, over moving the pink papers from the end of the meetings, a slur on the member's ability to concentrate until the end of meetings. If this is the case why are pink papers not dealt with either before the publicised times of the start or after a meal break?

Broads Authority Response: It is the importance of the content of an exempt report, together with the potential relevance to other items on the agenda, which will determine when an exempt report should be presented to members. It is not possible to deal with exempt papers before the start of the public meeting as the Authority is required to formally consider excluding the public from the meeting in accordance with the Local Government Act 1972. For these reasons it is also not always practical to schedule exempt papers after a meal break and the committees, to which your original question referred, do not normally require a meal break.

Q2. I began this question with the statement that I knew the content of the 2009 Broads Act. The Authority must have had the intention to stop jet and water skiing on the day they took over. Why was no advertising carried out informing all users of Breydon Water what would happen when the Authority took over the responsibility?

Broads Authority Response: The Broads Authority published the required statutory notices on 3 May 2012 in the EDP and the London Gazette, as required by Section 3(2) of the Broads Authority Act 2009, to announce the appointed day when Breydon Water and the Lower Bure would be transferred and form part of the Broads Authority's navigation area. The Authority also took steps to contact boatyards and boat owners in the weeks leading up to the transfer to give them more background about what some of the implications would be from this transfer. In the minutes of the last Broads Authority meeting on 13 July 2012, members acknowledged that the Authority had not highlighted the consequences for waterskiing on Breydon Water created by the change in navigation responsibility from the Port Authority to the Broads Authority, and regretted this oversight.