

Broads Authority

Minutes of the meeting held on 15 March 2024

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Present

Bill Dickson – in the Chair, Harry Blathwayt, Stephen Bolt, Peter Dixon, Alan Goodchild, Tony Grayling, Paul Hayden, Tristram Hilborn, Martyn Hooton, Tim Jickells, Sian Limpenny, Kevin Maguire, Leslie Mogford, Michael Scott, Matthew Shardlow, Vic Thomson

In attendance

Natalie Beal – Planning Policy Officer (item 14), Emma Krelle – Director of Finance, John Packman – Chief Executive, Rob Rogers – Director of Operations, Lorraine Taylor – Governance Officer, Jo Thompson – Waterways and Recreation Officer (item 13), and Sara Utting – Senior Governance Officer.

1. Welcome and apologies

The Chair welcomed everyone to the meeting.

Openness of Local Government Bodies Regulations 2014

The Chair explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy should contact the Governance Team. The minutes remained the record of the meeting. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated.

Apologies were received from James Harvey, Keith Patience, Greg Munford, Melanie Vigo di Gallodoro, and Fran Whymark

2. Chairman's announcements

The Chair confirmed that there was no change to the order of the agenda items.

The Chair reminded Members that they had been sent an email from the Finance Team asking them to complete their annual related party declarations. He added that the declarations formed an important part of the Statement of Accounts and it was therefore important that they were returned on time. Any queries should be directed to the Director of Finance.

3. Introduction of members and declarations of interest

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

4. Items of urgent business

There were no items of urgent business.

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5. Public question time

No public questions had been received.

6. Minutes of last meeting

The minutes of the meeting held on 26 January 2024 were approved as a correct record, subject to the correction of 'Kevin Patience' to 'Keith Patience' and were signed by the Chair.

7. Summary of actions and outstanding issues

Members received the latest summary of actions and outstanding issues following decisions at previous meetings. The Chief Executive (CE) provided three updates to the report, the first being a correction to the Wherryman's Way item. The report stated that planning permission had been granted, however, this was not the case as planning permission had been applied for and the application would be considered at the April meeting of the Planning Committee.

The second was in relation to the Responding to Climate Change Emergency item. The CE said that the Authority had the opportunity to submit a bid to the Rural Transport Accelerator – Connected Places Catapult, run by the Department of Transport, to install three pods for charging electric bicycles. The Authority's part of this project would be very small and would cost £3,500 to build three concrete pads for the pods to sit on. The CE reported that he was pleased to announce that the bid was successful.

The third update was in relation to the tender for the installation of solar panels at the Dockyard. The CE confirmed that there was progress being made on this project and that, although there was a small hitch, things were moving forward.

A Member commented that the Wherryman's Way project was coming up to its fifth year and noted that there was some progress, however, asked whether the Authority was parallel tracking the funding application with planning. The CE replied that this was with the County Council and there was some uncertainty about the funding, however, that was a County Council matter which they were dealing with. The Local Authority Member from Norfolk County Council said that he would look into this matter and report back to the Members at the next meeting.

The report was noted.

8. Capital Programme 2024/25

Members received the report from the Chief Executive (CE) and the Director of Finance (DF). The CE said that the report followed on from the paper on Funding the Waterways of the Broads National Park, unanimously supported by Members at the last Broads Authority meeting in January 2024. This had highlighted that funding the management of the waterways had become increasingly difficult, through climate change and a number of other factors, and the presumption that the Authority would be able to undertake all of the work that toll payers wanted from the income received from tolls was looking more and more unlikely. The CE commented that in 1947 when Sir Arthur Hobhouse wrote his report recommending that the

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Broads should be one of the first National Parks in Britain, he wrote that “the Broads had a special claim to selection as a National Park quite apart from their natural beauty, by reason of their holiday and recreational value and the interest of their plant and animal life.” The CE highlighted that the Norfolk & Suffolk Broads Act restricted the way that income received from tolls was used.

The CE added that the bid for National Park capital funding, submitted in December last year, included the purchase of a number of items where the main use was for the maintenance of the waterways. Since 1989, when the commercial coasters stopped coming to the port of Norwich, the entire use of the waterways was for recreational use and there was no commercial use.

National Parks were founded on two principles, the first to look after the natural resource and second, to encourage and welcome people to use that resource responsibly. The Authority had justified the use of National Park capital funding for the purchase of equipment to support the maintenance of the waterways on the grounds that that the current recreational use of the waterways was consistent with the Authority’s second National Park purpose of “promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public”.

The CE said that while the Authority was unsuccessful in the bid that was put forward in December, there was now the potential for National Park capital funding of £500,000 for 2024/25. The CE said that in discussions with DEFRA officials in December, it had been indicated that National Park capital funding could be used where there was a co-benefit for navigation as long as the basis for funding was primarily used to deliver National Park purposes. He added that the role of the Broads Authority was managing the Broads as a whole in an integrated way, and from a National Park perspective it was for example important that the Ranger launches were well-maintained and the rivers dredged for the benefit of those who enjoyed the waterways. If the additional capital funding was forthcoming, the money would be treated as National Park income and expenditure, and there would be a significant benefit for those boating and sailing on the Broads.

The Chair added that the principle in the report was consistent with the funding paper he had sent to the DEFRA Minister responsible for National Parks and which had been adopted unanimously at the last Broads Authority meeting.

A Member commented that this was a difficult argument to make in current circumstances and asked whether the proposed expenditure was a legal issue and had the argument been tested through legal experts. The CE replied that the report had been sent to the Monitoring Officer and no adverse comments had been received.

A Member commented that this report highlighted the challenges involved in the separate reporting on accounts for navigation and National Park. He added that it was clear how the funding was managed, but given the public interest in funding, it was important to ensure that the message was clear how the funding would be allocated and that the money was managed appropriately. The CE said that maintaining the waterways was for the benefit of the public as

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a whole and that the Authority was audited by two separate sets of external auditors and the accounts were transparent.

A Member asked if lessons could be learned from the previous unsuccessful bid. The CE replied he understood that last year, the Broads was the only National Park to receive capital money. It was, therefore, perhaps not surprising that the December bid had not been successful when all forty-four Protected Areas were competing for a relatively small pot of capital funding.

A Member asked whether the proposals for the development and construction of a new Rangers' launch replacements would be discussed at the Navigation Committee as there was a lot of expertise at that committee. The CE said that he intended to include details of the potential capital expenditure in a report to the next Navigation Committee meeting.

A Member commented that it was clear from the Norfolk & Suffolk Broads Act that navigation should not be funded from National Park income and asked whether everything would now be viewed as falling outside of navigation expenditure or were there still things that were navigation expenditure only. The CE replied that there was no proposal to redefine what navigation expenditure was, but to make the case about what was legitimate expenditure of a National Park grant. He thought that DEFRA officials recognised and understood the overlap in the Authority's functions.

A Member asked whether this position had been legally checked and commented that the Authority needed to make certain of the legal position. The CE replied that the body that would be most interested in how this money would be used would be DEFRA. A Member commented that it was clear that everything had been done transparently and if the Minister and DEFRA were happy, he did not think that seeking further legal advice was necessary and could only create potential problems by doing so. A Member said that he would be very much against taking a legal opinion as the last thing that was needed was further expenditure on legal opinions.

The DF confirmed that there was a precedent for using National Park capital funding in this way. The funds received in 2022/23, had been treated as a National Park grant and a number of items that were purchased from that grant had benefited navigation.

A Member asked whether it could be made clearer that navigation income was not being used for the benefit National Park projects. The CE confirmed that this point was clearly stated at the last Broads Authority meeting and reiterated that the Authority was only using its navigation income to fund navigation expenditure.

Michael Scott proposed, seconded by Stephen Bolt.

It was resolved unanimously to:

- i. Explicitly adopt the principle that National Park Grant, capital and revenue, could be used on items where there was a co-benefit for navigation as long as the funding was primarily used to deliver National Park purposes. This was on the basis that the current recreational use of the waterways was consistent with the Authority's**

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second National Park purpose of “promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public”.

- ii. Subject to Defra’s confirmation of a capital grant of £500,000 the Authority implements the capital expenditure set out in Table 1 of the Capital Programme 2024/25 report. The income and expenditure would be treated as National Park income and expenditure even though there was a co-benefit to the maintenance of the waterways.**
- iii. Delegate authority to the Management Team to amend the list of items to ensure that the funding was spent before 31 March 2025.**

9. Strategic direction – draft Annual Business Plan 2024/25 and Strategic priorities update for 2023/24

Members received the report of the Senior Governance Officer. The Chief Executive (CE) said that he would like to highlight that the strategic priorities for 2023/24 were not easy to achieve. He was really pleased as to how well the Authority had done and thanked all the staff involved.

In terms of the replacement of the IT system for tolls, the Authority had spent around £80,000 of National Park money in 2006 to develop an online system to collect toll payments. This system now presented the Authority with a considerable risk as the underpinning software was no longer maintained. Bill Housden, the Head of ICT/Collector of Tolls and Steve Linford, the IT Project Officer had found a solution. They were now in the process of contracting a company to update the software that would make the tolls system more robust at a cost of around £23,000. He added that, this was a good example of how the Authority’s highly skilled staff could deliver cost-efficient solutions.

The CE said that the Water, Mills and Marshes project was coming to an end and wanted to acknowledge the tremendous work that Andrew Farrell, the Partnership & External Funding Manager, had done on that project. The CE thanked Natalie Beal, Planning Policy Officer, for all her hard work on putting together the Local Plan and said that those working on the Farming in Protected Landscapes (FiPL) project were doing a brilliant job.

The CE said that he wanted to recognise the huge amount of skill and talent the Authority had and the hard work that staff put into these projects.

A Member asked whether work was continuing with farmers regarding field run-off onto roads and into the waterways. The CE confirmed that work was still ongoing with partners and said that he chaired the Land Management Board and there were new innovations coming to the market, such as modern equipment that enabled direct drilling of potatoes which reduced field run-off.

A Member echoed the CE’s thanks for completing an interesting range of projects. They commented that it was remarkable that the Authority could deliver such a range of projects and programmes over the last financial year given the scale of resources available and said

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that the CE should pass on the Members' thanks to all Broads Authority staff for these achievements.

A Member asked whether the delays in the refurbishment of Yare House affected the budget. The Director of Finance (DF) replied that it would not impact this year's budget but would impact the budget for 2024/25. When the budget was set, the assumption was made that occupancy of Yare House would be in the smaller space by April 2024. The DF said that all the leases and documents had yet to be signed and that they were with the solicitors but hoped that the lease would be received next week, and then the work could be turned around quite quickly.

A Member commented that the strategic priorities for 2024/25 did not explicitly mention the Nature Recovery Strategy and asked whether that was an accidental omission and would the Authority continue to seek to influence the plans and could the strategy be added as a specific reference in the strategic priorities. The CE replied that the Broads Authority took the view that, when developing the Nature Recovery Strategy, the Broads were really important. The two county councils involved had difficulties in terms of staffing and the Authority was disappointed with the progress that had been made. The Authority was supporting and helping the councils in this regard and were pushing as hard as was possible to encourage progress. This was an important project for the future and the CE confirmed that the Environmental Policy Officer was on the case.

A Member commented that he was concerned that the report did not cover everything that the Broads Authority was doing on both the Climate Change and Biodiversity crisis response items and asked whether all things that the Authority was doing could be reported. He added that he would like to see updates on how the Authority had engaged across the Broads area with external partners to drive change, as well as updates on the progress of dealing with the three main invasive species of mink, giant hogweed and floating pennywort. The CE replied that the programme to control mink had been very successful and this was an area where the Authority had been a key player in working with other organisations. In terms of floating pennywort, the Authority was working closely with the Environment Agency and volunteers. Floating pennywort was a big problem and the Authority continued to work really hard to eradicate it, and the Rangers were always on the lookout for any signs of the plant.

A Member commented that he was pleased to see that maintaining navigation access was included in the strategic priorities, but would like to see a renewed focus on this priority as he believed that at present, the Broads navigation was being compromised by bridge access. The CE replied that bridges were a problem area and the Authority would continue to work with Members and others to push forward the case that bridges were essential, and that they were able to, and did, open.

Alan Goodchild proposed, seconded by Tony Grayling.

It was resolved unanimously to adopt the Annual Business Plan 2024/25 and to note the final 2023/24 strategic priorities update.

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10. Financial performance and direction

Members received the report of the Director of Finance (DF). The Chair advised Members that this report was considered by the Risk, Audit and Governance Committee on 12 March 2024 and was recommended for approval. The DF reported that she was unable to give an update to Members on February's figures because of a small technical issue, however, she would send an update to Members via email following the meeting.¹

The DF referred Members to the updated Earmarked Reserve Strategy set out in Appendix 3 of the report and reiterated that the amendments to the reserves since the Members saw the budget in January, did not affect the overall income and expenditure position.

Paul Hayden proposed, seconded by Sian Limpenny.

It was resolved unanimously to:

- i. Note the income and expenditure figures and the prudential indicators in paragraph 6.1 of the Financial performance and direction report.**
- ii. Adopt the updated earmarked reserves strategy for 2024/25 to 2026/27.**

11. IFRS16 – New accounting policy from 2024/25

Members received the report of the Director of Finance (DF). The Chair said that this report was considered by the Risk, Audit and Governance Committee on 12 March and was recommended for approval by the Board. The DF said that IFRS16 was a new accounting standard that those in the public sector needed to adopt.

The Chair of the Risk, Audit and Governance Committee commented that this policy was hugely complicated. The DF and the finance team had done a remarkable job to bring clarity to something that was very difficult and said that the team needed to be commended.

Matthew Shardlow proposed, seconded by Alan Goodchild.

It was resolved unanimously to:

- i. Note the progress on implementation.**
- ii. Approve the new IFRS16 accounting policy from 1 April 2024**

12. Capital, Treasury and Investment Strategy

Members received the report of the Director of Finance (DF). The Chair said that this report was considered by the Risk, Audit and Governance Committee on 12 March and was recommended for approval by the Board. The DF said that this was an annual strategy that was put before Members for approval before the start of each financial year. The operational boundary debt had increased due to the implementation of the Right of Use assets (IFRS 16),

¹ The Director of Finance provided Members with an update via email on 18 March 2024.

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and also had an impact on the capital finance as set out in the report. The DF wanted to reassure Members that the increase in debt was in recognition of the lease liability.

The Chair of the Risk, Audit and Governance Committee commented that, as noted in the report, the Risk, Audit and Governance Committee had agreed to look at treasury management over the next twelve months, as this was important in terms of the reserves that were being held. They would also be looking at the investment position in relation to investments that the Broads Authority might hold, and therefore there would be ethical considerations brought into that.

Tim Jickells proposed, seconded by Michael Scott.

It was resolved unanimously to adopt the Capital, Treasury and Investment Strategy.

13. Integrated Access Strategy

Members received the report of the Waterways and Recreation Officer (WRO). The WRO said that Appendix 1 to the report was the framework that had been put together for access to the Broads. The strategy included the mooring and demasting provision on the Broads Waterways which made it a more rounded strategy for access. The WRO said that this was a 2-stage consultation, the first stage was consulting with statutory and major stakeholder organisations, and the second was an open public consultation which received a well-rounded response. Those responses were taken on board which enabled framework document to be put together for projects coming up in the next three years.

A Member commented that this was a good piece of work and congratulated the WRO. He asked how the objective of increasing the diversity of people using the Broads would be measured. The WRO replied that the document was a framework which set out what the Authority wanted to achieve and the next piece of work would be the implementation stage and this would set out how the objectives would be achieved and how they would be reported.

A Member asked what metrics would be used and whether there was a baseline to look at before any objectives were implemented. The WRO said that the Authority had a contract with Active Exchange which worked on anonymised mobile data and the baseline data would be entered, starting with this year. The data would then be used going forward to see how many people visit, where they visit and times.

A Member asked whether there would be a provision for moving pontoons on the Lower Bure for demasting. The current pontoon was too far away from Great Yarmouth and asked whether moving that pontoon to a more suitable area for demasting could be considered. The Director of Operations (DO) replied that the Strategy was the framework, but on specifics the Authority did know that the demasting provisions needed to be improved near Great Yarmouth, however, the Authority was constrained by a number of things. He added that the Authority continued to strive to improve things and the mooring was being looked at to see if it could be moved up.

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A Member commented that when metrics were included, they were often prescribed and narrowly focused and asked that when measurements and observations were made, that the Authority was open to things that were not expected.

A Member asked whether there was an opportunity to use AI techniques to look at insights that perhaps would not be gained from ordinarily observing the data. The WRO said that the plan was to utilise a range of systems to ensure that a greater picture of who was using the Broads and why, and thought that AI would be a good choice for that.

The Chair thanked the WRO on behalf of all the Members for the work done on the Strategy.

Martyn Hooton proposed, seconded by Stephen Bolt.

It was resolved unanimously to adopt the Integrated Access Strategy.

14. Local Plan consultation

Members received the report and the Local Plan consultation document from the Planning Policy Officer (PPO). The Chair commented that the Local Plan was considered by the Planning Committee on 1 March and it was recommended that the documents were issued for public consultation.

The PPO said that at the Planning Committee meeting on 1 March, Members asked for a slight change to the Stokesby Policy which had now been made in the final version of the Local Plan. The two policies highlighted yellow in the paper received by Members and the changes to the Biodiversity Net Gain policy had also endorsed at the Planning Committee on 1 March.

If approved by the Broads Authority, the consultation on the Local Plan would commence on 25 March 2024 for eight weeks and there would be three drop-in events which were detailed in the report. It was hoped that there would be an interactive map available during the consultation.

The Chair of the Planning Committee commented that he would urge Members to approve the plan for public consultation at the meeting and said that it was a vital part of a long path taken to arrive at this point. He thanked both previous and current Members of the Planning Committee who had all taken part in the long process of the PPO's bite-sized pieces. He added that he could not speak highly enough of the PPO's skill and tenacity and thanked her for all of her work on the project.

A Member commented that the Habitats Regulations Assessment (HRA) had been delayed and asked whether this had to be consulted at the same time as the Local Plan. The PPO replied that it was important to note that all of the bite-sized pieces had first gone to a Habitats Regulation consultant and the HRA had now been completed as per recommendations from the consultants and was endorsed by the Chair of Planning and the Head of Planning. The HRA was in place and was ready to go out to public consultation.

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A Member commented that this was a phenomenal piece of work and agreed with everything that the Chair of the Planning Committee said and would urge Members to approve for consultation purposes.

A Member said that, as an additional piece of information, the Greater Norwich Local Plan would be fully passed by the end of the week.

Martyn Hooton proposed, seconded by Alan Goodchild.

It was resolved unanimously to:

- i. To endorse the Preferred Options version of the Local Plan, Sustainability Appraisal and Habitats Regulations Assessment (HRA) for public consultation.**
- ii. Delegate any typos, formatting, or minor improvements to the Planning Policy Officer.**

15. Risk Management Policy

Members received the report of the Senior Governance Officer (SGO). The Chair said that this was a regular update which had been considered by the Risk, Audit and Governance Committee on 12 March, and was recommended for approval by the Board. The SGO said that this was a scheduled review of the policy and the changes that were proposed were minor.

The Chair of the Risk, Audit and Governance Committee commented that the committee was happy with the changes.

Stephen Bolt proposed, seconded by Harry Blathwayt.

It was resolved unanimously to adopt the Risk Management policy.

16. Committee timetable of meetings 2024/25

Members received the report of the Senior Governance Officer (SGO). The Chair confirmed that the draft calendar was circulated to Members a few weeks ago.

A Member said that the Standards Committee should meet at least one time per year, however, on the calendar it mentioned that the committee would meet as and when necessary and asked whether a date should be pencilled in. The SGO said that it was not clear when the next meeting of the Standards Committee would be held, therefore, it was suggested that this be agreed at a later date once the work schedule had been decided.

Matt Shardlow proposed, seconded by Paul Hayden.

It was resolved unanimously to approve the committee calendar for 2024/25.

17. 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.

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18. Minutes to be received

Members received the minutes of the following meetings:

21 July 2023 – Risk, Audit and Governance

29 November 2023 – Broads Local Access Forum

5 January 2024 – Planning Committee

2 February 2024 - Planning Committee

19. Other items of business

There were no other items of business.

20. Formal questions

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

21. Date of next meeting

The next meeting of the Authority would be held on Friday 10 May 2024 at 10.00am at The King's Centre, 63-75 Kings Street, Norwich, NR1 1PH.

The meeting ended at 11:27am

Signed by

Chairman

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Appendix 1 – Declaration of interests: Broads Authority, 15 March 2024

Member	Agenda/minute	Nature of interest
Matthew Shardlow	9	Chief Executive of Buglife, the Invertebrate Conservation Trust. The Member Code of Conduct allowed for this Member to participate and vote.

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