

AGENDA

19 May 2017

10.00am

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1.	To receive apologies for absence and welcome	
2.	Chairman's Announcements	
3.	Appointment of Two Co-opted Members to the Broads Authority Report by Chief Executive (herewith)	4
4.	Introduction of Members and Declarations of Interest	
5.	To note whether any items have been proposed as matters of urgent business	
6.	Public Question Time To note whether any questions have been raised by members of the public	
7.	To receive and confirm the minutes of the Broads Authority meeting held on 24 March 2017 (herewith)	5 – 22
8.	Summary of Progress/Actions Taken following Decisions of Previous Meetings To note schedule (herewith)	23 – 28

PRESENTATIONS

9.	Conservation Management – Update on Practical Work and Monitoring with specific reference to Hickling Report and Presentation by Head of Construction, Maintenance and Environment (herewith)	29 – 35
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STRATEGY AND POLICY

10.	Strategic Direction Report by Chief Executive (herewith) <i>To include:</i> <i>(1) Progress on Strategic Priorities 2017/18</i> <i>(2) Update on the Authority's Strategies</i>	36 – 46
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11. Financial Performance and Direction Report by Chief Financial Officer (herewith)	47 – 62

GOVERNANCE

12. Ethical Standards in the Broads Authority Report by Solicitor and Monitoring Officer (herewith)	63 – 67
13. Protocol on Member and Officer Relations Report by Solicitor and Monitoring Officer (herewith)	68 – 85
14. Amendments to Standing Orders Report by Solicitor and Monitoring Officer (herewith)	86 – 106
15. Health and Safety Report by Head of Safety Management (herewith) <ul style="list-style-type: none"> • <i>Corporate Health and Safety Annual Report</i> • <i>Annual Safety Marine Audit</i> • <i>Appointment of Member to Safety Committee</i> 	107 – 120

ITEMS FOR INFORMATION

16. Summary of Formal Complaints 2016/17 Report by Solicitor and Monitoring Officer (herewith)	121 – 125
17. Annual Report on Requests to Waive Standing Orders Report by Chief Financial Officer (herewith)	126 – 127
18. 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

19. To receive minutes of the following meetings:	
Navigation Committee – 23 February (herewith)	128 – 135
Planning Committee – 3 March 2017 (herewith)	136 – 149
Planning Committee – 31 March 2017 (herewith)	150 – 160
Broads Forum (Draft) – 27 April 2017 (herewith)	161 – 167
20. Feedback from Members appointed to represent the Authority on outside bodies	
Broads Tourism – Greg Munford and Mr John Timewell	
Campaign for National Parks –	
How Hill Trust – Ms S Mukherjee and Mr J Ash	
National Parks UK and National Parks England – Prof Jacquie Burgess	
Norfolk and Suffolk Broads Charitable Trust – Mr John Ash and Mr Louis Baugh	
Norfolk Mills and Pumps Trust – Prof Jacquie Burgess	

Upper Thurne Working Group – Mr Kelvin Allen
 Whitlingham Charitable Trust – Mr Louis Baugh, Mr Matthew Bradbury,
 Ms Gail Harris and Mr Vic Thomson

- 21 **To consider any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B (4)(b) of the Local Government Act 1972**
- 22 **To answer any formal questions of which due notice has been given**
- 23 **To note the date of the next meeting – Friday 28 July 2017 at 10.00 am at Yare House, 62-64 Thorpe Road, Norwich**
- 24 **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 they involve the likely disclosure of exempt information as defined by Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.
- 25 **To receive and confirm the exempt Minutes from the Broads Authority meeting on 24 March 2017 (herewith)** 168 – 171
- 26 **Priority of Moorings – Update** 172 – 175
 Report by Asset Officer (herewith)
- 27 **Corporate Sponsorship** 176 – 185
 Report by Chief Executive (herewith)

Appointment of Two Co-opted Members to the Broads Authority
Report by Chief Executive

Summary:	This report sets out the recommendation from the Navigation Committee on 20 April 2017 relating to the appointment of two co-opted members to the Authority.
Recommendation:	that Mrs Nicky Talbot and Mr Brian Wilkins be appointed to the Authority for one year until 18 May 2018.

1 Introduction

- 1.1 The membership of the Broads Authority, as set out in Section 1 of the Broads Act, includes:

“two members appointed by the Authority from those members of its Navigation Committee (established under section 9 of this Act) who are not already members of the Authority.”

- 1.2 The Authority at its meeting on 20 March 2015, agreed that the term of appointment of the two co-opted members of the Navigation Committee to the Broads Authority should be on an annual basis. The current appointments expire on 19 May 2017.

- 1.3 In accordance to Schedule 4 Section 4(3)

“The Committee shall elect a chairman from among those of its members who are members of the Authority and may, if it thinks fit, appoint one of its members to be vice-chairman.”

- 1.4 At its meeting on 20 April 2017, the Navigation Committee appointed Mrs Nicky Talbot as Chair of the Navigation Committee and Mr Brian Wilkins as Vice-Chair. The Navigation Committee also recommended that Mrs Nicky Talbot and Mr Brian Wilkins be appointed as the two co-opted members to the Broads Authority for one year, until 18 May 2018.

Background papers: Nil

Author: Sandra Beckett
Date of report: 27 April 2017

Broads Plan Objectives: None
Appendices: None

Broads Authority

Minutes of the meeting held on 24 March 2017

Professor Jacquie Burgess – in the Chair

Present:

Mr K Allen
Mr J Ash
Mr L Baugh
Mr M Bradbury
Sir Peter Dixon
Ms G Harris

Mr B Iles
Mr G McGregor (up
to Minute 5/16)
Ms S Mukherjee
Mr P Rice

Mrs N Talbot
Mr H Thirtle
Mr V Thomson
Mr J Timewell
Mr P Warner

In Attendance:

Dr J Packman – Chief Executive
Mrs S A Beckett – Administrative Officer
Ms N Beal – Planning Policy Officer (Minute 5/ 11)
Mr S Birtles – Head of Safety Management
Mr W Burchnall – Project Manager (LPS) (Minute 5/9)
Mr D Harris – Solicitor and Monitoring Officer
Mr S Hooton – Head of Strategy and Projects (Minute up to 5/12)
Ms E Krelle – Head of Finance
Ms A Long – Director of Planning and Resources
Mr R Rogers – Director of Operations
Ms C Smith – Head of Planning (Minute 5/9 - Minute 5/29)

Others Present: Brian Wilkins – Navigation Committee

5/1 Apologies and Welcome

The Chairman welcomed everyone to the meeting including members of the public.

Apologies were received from Mr M Barnard, Mr W Dickson, Mrs L Hemsall Mr G Munford and Mr M Whitaker.

5/2 Chairman's Announcements

(1) Openness of Local Government Bodies Regulations 2014

The Chairman reminded members that in line with the decision made at the previous meeting, the proceedings from this meeting would be recorded. She emphasised that the Broads Authority retains the copyright and the purpose of recording was as a back-up for accuracy. Investigations were being made as to how these would be available from the Authority's website. Following a request from the Chairman,

no members of the public indicated that they would be recording or filming the proceedings.

(2) **Members Annual Reviews**

On behalf of the Acting Chairman of the Navigation Committee, Nicky Talbot, and the Vice- Chairman Peter Dixon the Chairman thanked everyone who had taken part in the Members Annual Reviews. She was pleased that as many as 24 out of 25 had taken part and she would be preparing a report for the next Authority meeting in May that would inform the Member Development Programme for 2017/18.

(3) **Broadcaster 2017** This year's issue of the Broadcaster was now available and Members were invited to take a copy as well as distribute copies to others.

(4) **Dates to Note:**

The Chairman informed members of the following events:

- Broads Authority Annual Open Day – Saturday 13 May 2017 at Whitlingham Country Park
- Broads Planning Design Quality Tour: Friday 16 June 2017. This was for the Planning Committee but other members are invited.
- Members Annual Site Visit: 13 July 2017. This would focus on the Southern Broads and all Members were encouraged to attend.

(5) This would be the last meeting for **Peter Warner** whose term of office finished on 31 March 2017 after having been with the Authority for four years. He had taken a very active role in the Planning Committee for two years and served on the Broads Local Access Forum. He had also been the Authority's representative on the Campaign for National Parks. Having now moved to Cornwall he had with regret decided to stand down. As a mark of appreciation, the Chairman presented Peter with a small gift from the Authority. In response, Peter thanked all the Members and staff for their support and in particular the Chairman.

(6) **Lorna Marsh** – The Chairman announced that Lorna Marsh who as Head of Communications had been a lynch pin for the Authority's activities over the last 4 years, would be leaving the Authority on 12 May 2017 to take up the role as Associate Editor at Content Consultants, a local communications and PR agency specialising in health advice and messaging for mothers and children, including the third world. Members wished her well in her future career.

(7) **Sarah Mullarney** – The Chairman introduced and welcomed Sarah Mullarney, our new Administrative Officer in the Governance Team. One of Sarah's main duties would be to deal with Member Allowances.

5/3 Introduction of Members and Declarations of Interest

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

5/4 Items of Urgent Business

There were no items of urgent business.

5/5 Public Question Time

No public questions had been received.

5/6 Minutes of Broads Authority Meeting held on 27 January 2017

The minutes of the meeting held on 27 January 2017 were approved as a correct record and signed by the Chairman.

5/7 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. It was noted that a number of the items on this agenda were very much interrelated.

In particular, members received updates concerning:

Ludham Bridge Footpath – After four years, it was with pleasure that the Chief Executive announced that the footpath was now open to the public and the official opening was arranged to coincide with the Outdoors Festival on 2 May 2017. Members welcomed the information and the successful conclusion.

Lease of Moorings on River Thurne – This was included as an item on the agenda (Minute 28). Negotiations were still ongoing. One of the issues here was waste.

Moorings and Waste Facilities – The Chief Executive commented that waste had been a considerable issue in association with moorings in general. However, through the officers of Norfolk County Council and North Norfolk District Council, a potential solution had been found in association with the parish councils. If a parish council took a lease of the waste site then the District Council would collect the waste and the County Council would not charge a commercial rate for collection. Sites in Ludham and Horning had been the most significant.

The Chief Executive read out an email received from Horning Parish Council explaining that agreement had been reached with North Norfolk District Council and the County Council whereby a concrete pad with wooden posts would be installed to locate waste bins. This proposal has been agreed with the Environmental Service Manager at NNDC. The costs of installing this concrete pad, and the wooden posts, were estimated to be £940.00. Unfortunately, due to timings the parish council had not been able to include a provision for the expenditure when setting the precept for the forthcoming financial year and did not have the sum available in its existing reserves. Given that the Authority had indicated that it would be prepared to make some contribution due to the difficulties encountered, the Chief Executive proposed that the Authority pay the full costs of installing the facilities from its maintenance budget. Members fully supported this initiative subject to the parish council's lease arrangements with the District Council. They also suggested that the possibility of recognition of the facility being within the Broads National Park through branding be included. It was noted that similar discussions were taking place with Ludham Parish Council.

Members were appreciative of the efforts that had been taken to pursue a satisfactory solution and thanked the officers of North Norfolk District Council and Norfolk County Council for finding a degree of flexibility around the regulations to resolve the issue.

RESOLVED

That the Authority pay the full costs of providing waste facilities for the moorings site in Horning from its maintenance budget, subject to the lease arrangements between the Parish Council and the District Council being of a suitable length and suitable wording on the facility to recognise the new branding of the area as the Broads National Park.

Enjoy the Broads/Visit the Broads Website – Joint Project with Broads Tourism: Very good progress was being made and it was on target for it to be officially launched by the end of March 2017. Particular thanks were given to Lorna Marsh, Steven Linford, Karen Sayer, Vicky Short and others for their efforts in developing the site. It had been very favourably received by Broads Tourism.

Member Allowances – relating to care for dependents.

The Authority had been informed that a civil servant had been allocated the task of examining the matter. It was noted that this was a cross department issue and would probably require legislation. Although, it might not be a priority due to the considerable amount of work involved with "Brexit", there could be the opportunity for this to be included as a clause within any amended relevant legislation. Members considered that it was important to monitor the situation and keep raising the issue. It was agreed that the matter should be referred to in the Secretary of State appointees' Annual Reviews when submitted to Defra.

External Funding Update – CANAPE bid – this had been submitted and requests for more information had been received subsequently.

The Member Working Group on External Funding – The Chief Executive referred to item 17 on the Peer Review which would take up considerable time and staff resources and therefore would have a bearing on priorities for the Authority's work programme. Between the final submission of the Landscape Partnership Scheme and decision in October, the Project Manager would be able to work with the Head of Strategy and Projects on a potential funding strategy. Kelvin Allen, Mathew Bradbury and John Ash had volunteered to be involved to act as a reference group to support this initiative.

5/8 Landscape Partnership Scheme Presentation

The Authority received a report and presentation on the progress being made on the development phase for the Landscape Partnership Scheme (LPS) prior to submission in May 2017 with a decision on the proposed implementation phase due in October 2017. If successful the delivery phase would commence in January 2018 with completion in December 2022 although there could be an extension of 3 – 6 months. Members had received the 4 appendices concerning the Project Summary, the Access report, the Heritage Skills and Training report as well as the Learning, Interpretation and Audience Development report. The Project Manager provided specific reference to the Landscape Character Assessment which had been produced in three sections with the assistance of colleagues at Norwich City Council. As suggested by the Heritage Asset Review group, this would be submitted to the Landscape Institute annual awards competition. The aim was to provide separate publications for each of the individual character areas and for these not only to be available on the website but also in coffee table style at the Tourist Information Centres. Members requested that thanks be conveyed to officers from Norwich City Council for their assistance.

Particular reference was also given to the excellent data, analysis and interpretive material provided to a very high technical standard by the innovative scanning device for the historic landscape and cultural heritage aspects of the project, notably the Mills. This would provide long term benefits for future projects for example in developing Stones Mill as a Wildlife Habitat Mill and in the general restoration work on 12 Mills in the first instance. The Project Manager also referred to the valuable involvement of the Heritage Training Skills Group and the International Boatbuilding College at Lowestoft. The aim would be to extend the skills training base beyond the Broads area.

The Project Manager explained that the involvement of the community was one of the most important aspects of the scheme and efforts were being made to engage with key individuals who actively participated in their local community.

Members noted the strategic risk assessment and the identified mitigation measures. They were assured that partnership arrangements were being finalised for the 38 projects as part of the £4.5million programme. Officers

were in the process of obtaining additional confirmation from those partners already signed up to the project including financial commitments. (A list would be made available). Members considered that it would be beneficial to promote the project through various types of media not just via the website/internet, suggesting contact be made with BBC Norfolk TV and Radio, and Mustard TV. It was also suggested that it would be useful to feed into the HLF the Authority's experiences in developing the project.

Members enthusiastically welcomed the considerable progress made and congratulated the officers on the achievements. Particular thanks were expressed to the staff at Norwich City Council for the outstanding work in developing the Landscape Character Assessment for publication.

Members thanked the Project Manager for his interesting presentation.

Sarah Mukherjee proposed, seconded by Paul Rice and it was

RESOLVED unanimously

- (i) that the progress on the Landscape Partnership scheme be noted and endorsed;
- (ii) that the strategic risks associated with the project set out in Section 2 of the report are noted;
- (iii) that the Authority fully supports the submission of a second round application to the Heritage Lottery Fund, of the Landscape Partnership Scheme.

5/9 Broads Plan 2017 - 2022

The Authority received a report on the Broads Plan for 2017 - 2022 together with the consultation comments received. It was noted that the Plan captured a great deal of work within the Landscape Partnership scheme. It was also a plan for the Broads and following a detailed process and consultation period that began October 2015 and with 2 periods of public consultation in 2016. As a result of the consultations, changes had been made to the draft plans as appropriate. In addition, appropriate changes had been made to the statutorily required Sustainability Appraisal (Appendix C) and the Habitats Regulations Assessment of the draft plans which were the subject of consultation at the same time. It was noted that ways of cross referencing to other documents and partners would be included together with links and the final version of the plan would be professionally designed with illustrations. The formal launch would be in the summer possibly June/July 2017.

Members noted that the Broads Plan was a plan for the Broads and not just the Authority and its success and benefits would be judged on its implementation. The plan would provide the structure and golden threads for the Authority's strategic priorities and therefore these would help to monitor

progress. Members requested to be notified in advance about the details of the launch.

The Chairman on behalf of Members wished to express gratitude to all those involved in producing such an excellent document, which acted as a showcase and guidance for the work of the Authority and its partners in the Broads.

Haydn Thirtle proposed, seconded by Nicky Talbot and it was

RESOLVED unanimously

- (i) that the consultation responses received to the revised Draft Broads Plan 2017 are noted;
- (ii) that the Broads Plan 2017, subject to minor changes, be adopted.

5/10 Education and Volunteer Strategies for adoption

The Authority received a report providing the final versions of the Broads Education Strategy 2017- 2022 and the Broads Volunteer Strategy 2017- 22 following the targeted public consultation since January 2017. Members noted the responses received and that all responses to the documents had been considered and appropriate changes made to the final strategies. Members noted and welcomed the considerable interrelationship between the two strategies, that they were in conformity with the emerging Broads Plan 2017- 22 and had strong links with the HLF project themes in the Broads Landscape Partnership Scheme: Water, Mills and Marshes.

Members welcomed the strategies. In particular they emphasised the importance of encouraging health and wellbeing and the ability to contribute to this through the promotion of outdoor activities and the valuable resource of the volunteering programme. It was noted that officers would be exploring this further. Members emphasised that partnerships with educational establishments as well as the Authority's staff who supervised volunteers were key to implementing the strategies and engaging with young people. It was noted that the Broads Society was keen to engage with the Authority's volunteering programme and rangers and hoped to work closely with the Authority in this area and in arranging events in the future.

Mathew Bradbury proposed, seconded by Gail Harris and it was

RESOLVED unanimously

That the Broads Education Strategy 2017-22 and the Broads Volunteer Strategy 2017-22 be adopted for implementation from April 2017.

5/11 Broads Local Plan: Flood Risk Supplementary Planning Document (SPD) for adoption

The Authority received a report setting out the new Flood Risk Supplementary Planning Document (SPD) following the consultation carried out in December 2016. This updated the previous SPD from 2007 and was developed in association with Policy DP29 of the current Development Management document with the aim of raising awareness of the nature of flood risk in the Broads area and give advice to developers and others about the Authority's approach to the issue of development and flood risk.

The SPD had been produced in association with the colleagues within the Environment Agency and Lead Local Flood Authorities. The document had been recommended for adoption by the Planning Committee at its meeting on 3 March 2017.

John Ash proposed, seconded by Nicky Talbot and it was

RESOLVED unanimously

that the report be noted and the new Flood Risk Supplementary Planning Document be adopted.

5/12 Stalham Staithe Conservation Area (re-Appraisal) for adoption.

The Authority received a report on the Stalham Staithe Conservation Area Re-Appraisal following a detailed, extensive and successful consultation. The re-appraisal had been considered on a number of occasions by the Authority's Heritage Asset Review Group. The Authority's Planning Committee had considered this at its meeting on 3 March 2017 and welcomed the thoroughness of the work involved and particularly the positive engagement with the local community, which had resulted in the formation of the Stalham Staithe Forum which was now dealing with a number of issues outside the scope of the CA appraisal and to which officers had been invited. The Committee had recommended that the Conservation Area re-appraisal be adopted.

Peter Dixon proposed, seconded by Vic Thomson and it was

RESOLVED unanimously

that the Stalham Staithe Conservation Area re-appraisal and management plan for that part of the Area within the Broads Authority executive area, be adopted.

5/13 Housing White Paper: Planning Fees

The Authority received a report on the Government's proposal to enable local planning authorities to increase planning fees, currently nationally set, by 20% from July 2017. This would be on the basis that planning authorities committed to invest that additional fee income for their planning service, the aim being to speed up the planning process and increase the number of houses being built. The CLG requested a response to such a proposal from

all local authorities by 31 March 2017 and for this to be signed by the Section 151 officer. (The time limit had been extended from the original requirement for a response).

It was noted that the other Local Authorities within the area as well as most of the National Parks would be indicating their acceptance of the 20% increase. It was noted that the Authority already carried out a number of the additional tasks required, it had an up to date Local Plan, consistently met statutory targets for speed and quality in determining planning applications, it did not charge for pre-application advice and customer satisfaction was good. However, it was recognised that there was always room for improvement, particularly with regards to monitoring and enforcement. Although it was considered that the Authority would not be in a position to speed up the process for additional housing, it would be seen to be out-of-step with the other LPAs if it did not accept the increase. Some members considered that such a provision would not achieve what the government was attempting and the additional costs would be a burden on individuals. It was considered it would be counter-productive to the Government's aims.

In general, provided the additional fees, amounting to approximately £15,000 were specifically targeted to tangible benefits to improve the authority's planning service, members considered the 20% increase should be accepted. It was proposed that the Planning Committee give consideration to which aspects of the service the additional fees should be targeted.

Haydn Thirtle proposed, seconded by Vic Thomson it was

RESOLVED by 14 votes in favour, 2 against that

- (i) the Authority responds to the Government indicating that it would accept the offer of a 20% increase in application fees from July 2017.
- (ii) the Authority commits to spending this additional fee income in the planning department on tangible planning benefits.
- (iii) that the Planning Committee gives consideration to where the additional income should be targeted but that consideration be given to extending the proactive Condition Monitoring scheme and Enforcement.

5/14 Strategic Direction 2016/17

The Authority received the last report for this year 2016/17 that set out the Broads Authority's activities in delivering progress against the Broads Plan 2011 through the six key Strategic Priorities agreed at the Authority's meeting on 18 March 2016. The strategic priorities helped to target resources and make the most of partnership working and external funding opportunities. There were also other projects not specifically mentioned but which had been successfully completed. The Tolls Review, although not specifically a strategic priority, had been a major piece of work and the new structure was now being implemented and a significant amount of income for 2017-18 had already been received in advance of the start date of the 1 April 2017. Consideration

of waste and the development of an agreed way forward had also been a major issue.

The Chief Executive commented that it had been an unusual year in that there had been three high court cases all of which had provided clear and helpful decisions. It was pleasing to note that good progress was being made in the development of the Landscape Partnership Scheme, and the practical work at Hickling involving dredging and the creation of reed beds was successful and completed on time. In addition the Authority's work with National Park Partnerships was proving fruitful; the Chief Executive provided information on an exciting new corporate national park sponsorship with a proven international clothing company which would be important in raising the profile of National Parks. The scheme was due to be launched in London in May with the national parks benefiting from clothing supply in October. It was hoped that this would pave the way for a series of successful corporate sponsorships.

RESOLVED

that the performance of the different projects to meet the Strategic Priorities for 2016/17 in the table at Appendix 1 to the report be noted.

5/15 Financial Performance and Direction: Income and Expenditure and Investment Strategy

The Authority received a report providing a strategic overview of the current key financial issues and items for decision. This included the consolidated income and expenditure figures from 1 April 2016 to 31 January 2017 which also provided figures for the latest available budget and the overview of Forecast Outturn 2016/17. The Head of Finance also provided an update on the latest figures to the end of February 2017 which meant the variance in Table 1 had moved to a favourable variance of £353,046. The main reasons for the variances continued to be the same. Table 4 was now showing that the earmarked reserves were now £1,274,156.

The forecast outturn position for the year at the end of January suggested a surplus of £36,475 for the national park side and a deficit of £3,771 on navigation resulting in an overall surplus of £32,704 within the consolidated budget, which would indicate a general fund reserve balance of approximately £1,081,000 and a navigation reserve balance of approximately £329,000 at the end of 2016/17 before any transfers for interest. This would mean that the navigation reserve would be just above the recommended level of 10% of net expenditure during 2016/17.

It was noted that the income from hire craft tolls for this last year was below budget but it was also noted that many of the hire craft operators were reinvesting in their fleets and investing in larger more well-appointed vessels which were proving popular with holiday-makers. .

The Authority also received and considered the proposed Annual Treasury Investment and Capital Financing Strategy for 2017/18, given that the Authority was now bringing the Section 17 and Treasury functions in house as from 1 April 2017 and took into account the guidance from CIPFA's Treasury Management Code of Practice and its guidance for Smaller Public Service Organisations. The capital borrowing powers were reviewed on an annual basis as part of the budgeting process.

The Chairman of the Financial Scrutiny and Audit Committee endorsed the strategy commenting that the risks were exceptionally low. Members accepted that it was appropriate to take a low risk approach in the first instance.

Guy McGregor proposed, seconded by Peter Dixon and it was

RESOLVED

- (i) that the income and expenditure figures for 1 April 2016 to 31 January 2017 be noted
- (ii) that the Treasury and Investment strategy as set out at Appendix 3 to the report be adopted.

5/16 Broads Authority Act 2009: Amendment to Licensing Conditions for Small Passenger Vessels

The Authority received a report outlining the amendments to the licensing conditions as a result of the changes in legislation. Consultation had taken place with a number of organisations who were all content with the conditions.

John Ash proposed, seconded by Louis Baugh and it was

RESOLVED unanimously

That the amended licensing conditions in Appendices 1 and 2 of the report be adopted and implemented from 1 April 2017.

5/17 Peer Review

The Authority received a report on the proposal for the Authority to undertake a peer review of its governance arrangements, following the discussions at the previous Authority meeting (Minute 4/22) and consideration by the Financial Scrutiny and Audit committee on 7 February 2017. It was noted that the matter had formed a major part of the discussions within the Members Annual Reviews. The FSAC had unanimously recommended that the Authority support the principle of undertaking a Peer Review to examine the Authority's governance arrangements but that these should be designed to be in line with the NPAPA process to meet the specific needs of the Broads Authority. The Committee proposed the arrangements as set out in the report covering membership of the peer review team, scope and terms of reference,

the approach and the expected output, recognising that this would have resource implications.

The Chief Executive reported since the FSAC meeting there had been discussions with the LGA who were content with the approach, scope and time scale of the arrangements proposed. The Authority had been a member of the LGA since 1989, the cost of membership being £2,000 per annum. The LGA would be prepared to administer the process for a cost of approximately £13,000. Officers had consulted with the National Park Authorities regarding membership of the LGA and 6 out of the 9 had indicated that they would continue to be associate members. The Chief Executive proposed that given their experience with reviews, the LGA be involved and therefore the Authority renew its membership for this year and review this in a year's time. He advocated that the Authority embrace the process to examine where improvements could be made around the Authority's governance arrangements and its relationship with the Local Authorities.

Members were supportive of the principle, although considered that it was regrettable since they were mindful of the resources that would be required and the demands on staff time when these were already under pressure. However, it was agreed that it was necessary to reset certain standards and perceptions and dispel underlying currents of discontent and differences as well as consolidate views and roles of the Local Authority and Secretary of State Members.

On the basis that it was voluntary, Members were supportive of the principle of a peer review and that it should be aimed at improvement, help move matters forward and therefore should be embraced. The Chairman commented that a small group of members would be required to support the process but stated that all members needed to take full responsibility for it.

Gail Harris proposed, seconded by Paul Rice and it was

RESOLVED unanimously

- (i) A peer review, in line with the recommendations of the Financial Scrutiny and Audit Committee, be undertaken into the governance arrangements of the Authority and that financial provision of £25,000 is made available to fund the exercise.
- (ii) Given the importance of the process and the resources required the peer review is recognised as a strategic priority for 2017/18 replacing the external funding project previously identified.
- (iii) That the Authority renew its Associate Membership of the LGA for 2017/18 at a cost of £2,000 per annum and that this be reviewed in a year's time.

5/18 Appointment of Navigation Committee

The Authority received a report on the recruitment for the vacancy on the Navigation Committee following the appointment of Bill Dickson as a Secretary of State appointee on the Broads Authority. Members noted the process for the appointment and that the Navigation Committee had been consulted on the short list. It was noted that the decision and recommendation of the appointments panel was unanimous.

RESOLVED

That Mr Simon Sparrow be appointed as a co-opted member on the Navigation Committee until May 2019 in line with the other Navigation Committee co-opted member appointments.

5/19 The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code

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

5/20 Minutes Received

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

RESOLVED

(i) Financial Scrutiny and Audit Committee – 27 September 2017

RESOLVED

That the minutes of the Financial Scrutiny and Audit Committee held on 27 September 2016 be received.

(ii) Broads Local Access Forum – 7 December 2016

RESOLVED

that the minutes of the Broads Local Access Forum held on 7 December 2017 be received.

(iii) Navigation Committee: 15 December 2016

RESOLVED

that the minutes of the Navigation committee meeting held on 15 December 2016 be received.

(iv) Planning Committee: 6 January 2017 and 3 February 2017

RESOLVED

that the minutes of the Planning Committee meetings held on 6 January and 3 February 2017 be received.

- (v) **Broads Forum – 28 July 2017 and Draft Broad Forum minutes 2 February 2017.**

RESOLVED

that the confirmed minutes of the Broads Forum meeting held on 28 July 2016 and the Draft Broads Forum minutes from the meeting held on 2 February 2017 be received

5/21 Feedback from Members appointed to represent the Authority on outside bodies

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

Broads Tourism – John Timewell reported that the group was going from strength to strength with there now being over 100 members.

National Parks UK And National Parks England - The Chairman reported that John Packman had been appointed to lead the Heads of Communications for the fifteen National Parks to pull together a strategy. The next meeting for National Parks England would be in April.

Norfolk and Suffolk Broads Charitable Trust – John Ash reported that John Organ had been appointed as the new trustee on the Trust and Jane Bryant as the business Liaison Officer.

Norfolk Windmills Trust – Jacquie Burgess reported that the details relating to the HLF funding for the project on Stracey Mill were being finalised.

Whitlingham Charitable Trust – Trustees reported that they had attended a meeting on 22 March 2017 where they had received very positive reports on the involvement of volunteers. It was likely that there would be a small credit balance. The most important item related to the issues with the parking contractors and problems associated with this. Unfortunately parking had been the focus for some time due to this being the main source of income for the Trust. Other streams of income were needed and therefore fund raising was a major issue of concern, especially noticeable when considering the purchase of a tractor. Therefore it was recognised that this should be the focus for the future. Members were also informed that David Harris had been appointed as Company Secretary.

5/22 Items of Urgent Business

There were no other items of urgent business for consideration.

5/23 Formal Questions

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

5/24 Date of Next Meeting

The next meeting of the Authority would be held on Friday, 19 May 2017 at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

5/25 Exclusion of the Public

RESOLVED

that the public be excluded from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the items below on the grounds that they involved the likely disclosure of exempt information as defined by Paragraphs 1, 3, 5 and 6 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.

Members of the Public left the meeting

Summary of Exempt Minutes

5/26 Exempt Minutes of the Broads Authority meeting – 27 January 2017

The exempt Minutes of the Authority's meeting on 27 January 2017 were received and signed as a correct record.

5/27 Ludham Field base

The Authority received a report containing exempt information concerning the background and current options available for the future of the Ludham Field Base. Following careful consideration of the various options

Paul Rice proposed, seconded by John Ash and it was

RESOLVED unanimously

that Option A as set out in paragraph 3.1 of the report be confirmed as the preferred option for the Ludham Field base.

5/28 Priority for Moorings 2017/18

The Authority received a report containing exempt information concerning the relative priority between purchase, leasing and repair of three different moorings for 2017/18. The Navigation Committee had received an initial verbal report on the matter at its meeting on 23 February 2017.

Nicky Talbot proposed, seconded by Kelvin Allen and it was

RESOLVED

- (i) that the recommended priorities and actions in respect of the moorings at Acle Bridge, Hoveton Viaduct and Boundary Farm as set out in the report with a minor amendment are supported.
- (ii) that a further report be brought back to the next Authority meeting on the progress of discussions and to decide how the allocated funds in the 2017/18 budget should be used.
- (iii) that when the investment programme for moorings is settled the Authority works with the Norfolk and Suffolk Boating Association and the Broads Hire Boat Federation, the River Cruiser Class and the East Anglian Cruiser Club to explain to users at large the priority and programme of works for these moorings.

5/29 Thorpe Island

The Authority received a report containing exempt information concerning the long standing enforcement matter at Thorpe Island and the compliance with the requirements of the High Court Injunction obtained by the Authority in June 2016. It was noted that part of the Injunction relating to the removal of sunken vessels had not been complied with and the Authority had sought counsel's advice with regard to referring the matter back to the High Court. The Authority had been granted an oral examination in the courts in respect of the monies already owed to the Authority on 4 April 2017 in Great Yarmouth.

Members gave consideration as to whether the Authority take direct action to remove the sunken vessels and recharge the costs to the landowner. It was noted that the landowner had been made aware that the Authority would be considering this.

Members were informed of the costs involved of taking direct action, the potential recovery of those costs, Counsel's opinion, the risks involved and the financial implications. They were also informed of a letter received from solicitors.

John Timewell proposed, seconded by Brian Iles and it was

RESOLVED unanimously

Subject to the Order to Obtain Information Hearing demonstrating that there is sufficient equity in the land to support the additional cost of removing the

sunken vessels at Thorpe Island, and this proposition being agreed by the High Court, the Authority authorise and make preparations for the taking of direct action to remove the sunken vessels and thereafter, if the costs are not paid, register these as a charge against the land and then proceed with an order for sale.

The meeting concluded at 13.15pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Broads Authority 24 March 2017

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Sarah Mukherjee	ALL	Chief Executive of Crop Protection Association
Kelvin Allen		Chair of Broads Angling Strategy Group Member of Waveney River Trust
Gail Harris		Whitlingham Charitable Trust Trustee/Director Cllr Norwich City Council
Vic Thomson		Director Whitlingham Charitable Trust
Matthew Bradbury		Toll Payer, BCU Member, Director of Whitlingham Charitable Trust
Paul Rice		Chair of Broads Society, IDB member
Brian Iles		Councilor NCC, Norfolk Churches Trust Acle and Marshes.
John Ash		Toll Payer, Director/Trustee Wherry Yacht Charter Charitable Trust. N&SB Charitable Trust, How Hill Trust
Nicky Talbot		Toll Payer, Acting Chair of Navigation Committee
Guy McGregor		Appointed by Suffolk County Council Member of SALEP Transport Board
Louis Baugh		Director of Whitlingham Charitable Trust Norfolk and Suffolk Broads Charitable Trust.
Jacquie Burgess		Toll Payer, NSBYC

Summary of Progress/Actions Taken following Decisions of Previous Meetings

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
18 January 2013 Minute 4/8(4) (Broads Local Access Forum Minute 1/9) Ludham Bridge Footpath link to St Benets	<ul style="list-style-type: none"> Formal agreement with landowner to be signed 	Senior Waterways and Recreation Officer	Footpath now open to the public. Officially opened as part of the Outdoors Festival on 2 May 2017.
23 January 2015 Minute 4/18 Chief Executive Report Network Rail: Consultation document: Anglia Route Study, Long Term Planning Process	<ul style="list-style-type: none"> Proposed Response to Network Rail to be circulated to members for comment prior to being submitted to Network Rail by deadline of 3 February 2015. 	Director of Operations	Network Rail's consultants are currently drawing up final reports of the Multi Criteria Stakeholder Analysis consultation. The outcome will help inform consideration of the options for the renewal, replacement or repair of Somerleyton and Reedham bridges. The final report was expected in November 2016 but this has been delayed.
20 March 2015 Minute 5/27 Lease of Moorings on River Thurne	<ul style="list-style-type: none"> That the principles for the lease of moorings at Oby on the River Thurne be supported The Chief Executive delegated to finalise the details and signing of the lease 	Head of Planning/Asset officer	Negotiations with Landowner ongoing.

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
15 May 2015 Minute 6/2(3) And Minute 1/9 13 May 2016 Minute 6/8 24 March 2017 Minute 5/7 Member Allowances	<ul style="list-style-type: none"> Query relating to Member Allowances for National Parks and the Broads relating to Care for dependents Matter to be raised directly with Ministers and at the September Conference on Women in Public Services (to be attended by Jacquie Burgess) 	Solicitor and Monitoring Officer	<p>Matter has been followed up with Defra. The Chief Executive has been in touch with officials who are now investigating the matter.</p> <p>The Solicitor will investigate the matter further, querying compliance with the Human Rights Act and Equalities legislation.</p> <p>Matter to be referred to in the Secretary of State Annual Reviews</p>
25 September 2015 Minute 2/26 Marine Management Organisation Licensing of Works in the Broads	<ul style="list-style-type: none"> That the Authority continue negotiations seeking discussions at a higher level in order to seek resolution and greater recognition from the MMO of the Authority's status as a Harbour Authority and the area's special qualities 	Director of Operations	<p>MMO has agreed to meet to explore the issues in more detail, still awaiting confirmation of date. Accord has been signed with PLA, and officers are chasing the draft accord with Broads Authority to be finalised, which will delegate some of the MMO decisions to the BA to streamline the process for third parties. No response has been received since the last chasing email, will follow up when new Director of Licensing is in post. Solicitors are working on the two Harbour Revision Orders that need to be submitted.</p>
30 September 2016 Minute 2/17 Updating the Enjoy the Broads Visitor Website	<ul style="list-style-type: none"> Expenditure of £10,000 from the National Park Planning Delivery Grant budget for the redesign and updating of the content on the Enjoy the Broads visitor website approved 	Chief Executive/ Head of Communications	<p>Website to be renamed: "Visit the Broads". The website is now live.</p> <p>http://www.visitthebroads.co.uk/</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<ul style="list-style-type: none"> • Headscape be commissioned to help design the website in order to align the Enjoy the Broads Website with the National Parks portal 		
27 January 2017 Minute 4/8 Using Audio Recording or Webcasting to Increase the Openness and Transparency of Broads Authority Meetings	<ul style="list-style-type: none"> • that audio recording of all BA public meetings be adopted on a trial basis for the next six months to assist in the preparation of minutes and during that time the Authority's existing equipment is tested to see if it is suitable for the task and issues involved in making recordings available on the Authority's website are investigated. • That the webcasting of Broads Authority public meetings be further investigated and officers report back to a future meeting. 	Solicitor and Monitoring Officer	Recordings of meetings are being made on a trial basis. Investigations for making available on the website being undertaken. Webcasting also being investigated.
27 January 2017 Minute 4/14 24 March 2017 Minute 5/8 and External Funding Update	<ul style="list-style-type: none"> • Submission of CANAPE (Interreg) bid with the BA as lead partner approved. Commitment towards matched funding noted with recognition that if successful the project will divert some of the Authority's practical work 	Director of Operations/Head of Strategy and Projects/Senior Ecologist	CANAPE Bid submitted. Decision due in late May/early June 2017.

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<p>towards implementation of Vision for Hickling Broad</p> <ul style="list-style-type: none"> • That a Member Working Group be established with the task of developing a draft medium term external funding strategy whose aim is to support the delivery of the BA's priority activities in the new Broads Plan. Terms of Reference to be developed by the Working Group and brought back to the Authority for approval. • Landscape Partnership Scheme - second round application to HLF submission supported. 	<p>Chairman/Chief Executive</p> <p>Project Manager</p>	<p>Project Manager and Head of Strategy and Projects to work on potential medium term external funding strategy following submission of LPS. Kelvin Allen, Mathew Bradbury and John Ash volunteered to act as reference group for the work</p> <p>Second round application to HLF to be submitted by end of May 2017.</p>
<p>24 March 2017 Minute 5/13 Housing White Paper Planning Fees</p>	<ul style="list-style-type: none"> • BA responds to Government indicating that it would accept the offer of a 20% increase in application fees from July 2017 • BA commits to spending additional fee income in the planning department on tangible planning benefits • Planning Committee to give consideration to where the additional income should be 	<p>Director of Planning and Strategy/ Head of Planning</p>	<p>Report being prepared for Planning Committee for consideration</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	targeted but that consideration be given to extending the proactive condition monitoring scheme and enforcement.		
24 March 2017 Minute 5/16 Peer Review	<ul style="list-style-type: none"> • Peer Review in line with recommendations of the FSAC be undertaken into the governance arrangements of the Authority and that financial provision of £25,000 is made available to fund the exercise • Recognition of importance of process and resources required, Peer Review to be a strategic priority replacing External Funding Project previously identified. • BA to renew its Associate Membership of LGA for 2017/18 at a cost of £2,000 per annum and this to be reviewed in a year's time. 	Chief Executive	<p>Review to take place between 10 – 12 October 2017</p> <p>A route for pursuing both projects has been identified - see above.</p> <p>Associate Membership for LGA 2017/18 has been renewed.</p>
24 March 2017 Minute 5/27 Priority for Moorings 2017/18 (Exempt)	<ul style="list-style-type: none"> • that the priorities and actions in respect of the moorings as set out in the (exempt) report with a minor amendment are supported. • that a further report be brought back on the progress of 	Director of Operations	Any further progress to be updated at the meeting (At Agenda item 27)

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<p>discussions</p> <ul style="list-style-type: none"> that when the investment programme for moorings is settled the Authority works with the NSBA and the BHBF River Cruiser Class and the EACC to explain to users at large the priority and programme of works for these moorings. 		

**Conservation Management – Update on Practical Work and Monitoring with
specific reference to Hickling**

Report by Head of Construction, Maintenance & Environment

Summary:	This report summarises the practical conservation work delivered by the Authority from its revenue budgets and operational workforce during the 2016/17 financial year. Conservation practical work, and other work requiring ecologically sensitive delivery, is planned and managed by the Environment & Design Team in the Operations Directorate. The significance of routine fen management in the annual work plan is highlighted, as is the integrated nature of construction and maintenance work delivering a range of corporate priorities and projects. The key work areas for delivery in 2017/18 are also outlined.
Recommendation:	That members note this update on the Authority's practical conservation work and the current practice regarding Hickling Broad.

1 Practical Conservation Overview

1.1 Routine practical conservation work delivered by the Authority's Construction, Maintenance & Environment section focusses primarily on management of fens, with invasive species control and waterbody restoration work also featuring on an annual basis. To bring the time allocation of Construction & Maintenance staff in line with the revenue budgets available for project delivery, their work time is split between the Authority's three statutory purposes. The current allocation, as of 2016/17, is:

- 20% - Conserving and enhancing the natural beauty, wildlife and cultural heritage of the Broads (Conservation)
- 10% - Promoting opportunities for the understanding and enjoyment of the special qualities of the Broads by the public (Recreation)
- 70% - Protecting the interests of navigation. (Navigation)

A 20% allocation of Operations Technicians time is currently devoted to work focussed on achieving the Authority's conservation activities. At current staffing levels of Operations Technicians and Apprentice, there are 22.6 full time equivalents (FTE's). This equates to 820 person work days per year on conservation work. This work is supported and planned by the Environment Officers, of which there are 3.6 FTE's.

- 1.2 As a brief overview of practices, practical conservation work in the fen habitat involves grazing by ponies or mechanically cutting the tall vegetation, including reeds, grasses and sedges; clearing drainage dykes of silt and plants; and removing trees and scrub from the open fen areas. The work is guided by the [Biodiversity & Water Strategy](#), with on-site planning and decision making made by the Environment Officers. Invasive plant species that the Authority actively controls includes Himalayan balsam, Japanese knotweed, giant hogweed, Australian swamp stonecrop, parrot's feather and floating pennywort. Where the Authority chooses to actively manage invasive species is reviewed annually, with priority sites being those managed by the Authority, those adjacent to highly sensitive conservation sites and where there are hazards to the public. Current restoration and management work in the broads and rivers, aimed at improving ecological features and water quality, ranges from small scale fish removal work (biomanipulation) to erosion protection to restore vegetated edges and islands.
- 1.3 Draft income and expenditure associated with practical conservation work areas is summarised for the last financial year 2016/17 in Table 1 below.

Table 1. 2016/17 income and expenditure for practical conservation

	External Income £	Draft annual costs (to end Mar 2017) £
Fen management	113,580	198,310
Invasives control	0	21,400
Lake/Riverbank management	10,000	75,280
Total	123,580	294,990

a – costs = operations technicians & Environment & Design Team time; BA plant costs; revenue budget expenditure

External income for fen management came from the Authority's Higher Level Stewardship schemes, and via management agreements with landowners. The £10,000 for lake restoration work came from the Environment Agency and their partnership with the Authority for the Hickling Broad Enhancement work.

2 2016/17 Summary of Conservation Management by the Broads Authority

- 2.1 On a staff time and revenue budget expenditure basis, the fen work is the largest part of the practical conservation programme. It is also the largest source of regular income, being funded primarily through agri-environment scheme payments direct to the Authority or via management agreements with third party landowners.

Table 2. Annual income from practical management on fen sites 2016/17

Site	Scheme/Contribution	Annual amount £
How Hill, Ludham (BA freehold)	HLS (Higher Level Stewardship)	45,350
	SPS (Single Payment Scheme)	4,500
Horning Marsh Farm, Horning (Essex & Suffolk Water)	HLS held by Broads Authority	7,900
	Landowner annual contribution	3,500
	Capital work payment	6,000
Cary's Meadow, Thorpe (BA freehold)	HLS (Higher Level Stewardship)	850
	SPS (Single Payment Scheme)	1,600
Whitlingham Marsh, Anglian Water	Individual Management Agreements with Broads Authority	28,140
Decoy Carr, Acle		
Mill Marsh, Barton Turf		
Stanley Carr, Aldeby		
Snipe Marsh, Ludham		
Common Fen, Smallburgh		
Lamb's Marsh, Irstead		
Hulver Ground, Horning		
Hall Fen, Irstead		
Burgh Common, Fleggburgh		
Little Reedham, Ludham		
Ludham Marshes & Rollesby Poors land	Natural England funded	6,190
Third party fen sites in the Broads	Contracted work with fen harvester	9,550
Total income		£113,580

The Authority itself holds three Higher Level Stewardship (HLS) schemes, at How Hill and Horning Marsh Farm. The Authority's grazing land at How Hill, Locks Meadow, Geldeston and Cary's Meadow, Thorpe St Andrew, also attract Single Payment Scheme (SPS) income. Other management agreements exist for an additional 11 priority biodiversity fen sites owned by a variety of third parties, typically holding their own HLS agreements. The annual work programming, budget planning and monitoring is carried out by the Environment & Design Team, with individual Environment Officers having responsibility for the sites listed in Table 2.

- 2.2 Plant monitoring and mapping in the priority fen and open water broads forms an integral part of the active management work delivered in-house. Monitoring to enhance knowledge and evidence of the success of management actions,

or identifying site trends in habitat quality, is carried out as part of the annual work programme.

- 2.3 Currently 238 hectares of fen habitat are regularly managed by the Broads Authority under the management agreements set out in Table 2, with additional areas managed on a one-off or contractual basis. Table 3 below gives the areas and lengths of fen and dykes managed in 2016/17.

Table 3. Areas and lengths of fen management work in 2016/17

Fen Harvester	11.6 ha
Hand mowing (staff)	6.0 ha
Hand mowing (contractors) ^a	6.7 ha
Scrub Clearance	1.7 ha
Scrub Roguing	1.0 ha
Pony Grazing	61.1 ha
Heath Restoration	0.13 ha
Dyke clearance & reprofiling	1.2 km

a – not including commercial cutting

- 2.4 Commercial cutting by reed and sedge cutters is a management feature of nearly all the fen sites actively managed by the Authority. Where it is possible to restore areas for commercial harvest, the work to regain the quality and consistency of the beds is funded as part of the routine management. On the Authority's own land, a target of 30 – 40% management by commercial cutters is aimed for, though the figure is more guided by the site conditions and the overarching management aim to have a diversity of management and habitat types within each site.
- 2.5 Fen harvester activity over 2016/17 included routine rotational cutting at Hulver Ground (Horning), Locks Lane Meadow (Geldeston), Anglian Water's Marsh (Whitlingham) and How Hill (Ludham). Contracted work was also carried out at Oulton and Whitecast Marshes for Suffolk Wildlife Trust, Upton Fen for Norfolk Wildlife Trust and at Burgh Common (Fleggburgh) for the Poors Trustees. The high productivity and ability to take all the cut material off the sensitive fen areas has meant this machine has been in high demand, with new applications and sites coming through steadily.
- 2.6 Delivery of actions arising from the Authority's strategic lake management work was mainly focussed on Hickling in 2016/17. Funding was primarily through an increase in revenue budgets in this year, both from navigation and National Park sources, to allow the Hickling Enhancement work to progress. The project outcomes were the restoration of two reedswamp areas on the margins of Hickling Broad, completed in March 2017 and dredging in the marked channel. Reed rhizome excavated from adjacent dykes has been used on the front edge of the restored reedswamp areas. In addition to the direct recreation of reedswamp, a 170 m length of vegetated margin has also been protected by installation of a PVC curtain wave barrier with an integral "goose guard". This floating structure deployed just out from the reed margin

will help protect against wave erosion and bird grazing. Long term monitoring by drone images shall be used to assess the effectiveness of this technique.

- 2.7 Invasive non-native plant species control work has focussed on areas where the Authority's input has multiple benefits, or protects the conservation value of sites we directly manage. Giant hogweed control has now largely been completed in the priority areas; with co-ordinated and continual herbicide treatment over the past ten years have a high rate of success. The known locations of Japanese knotweed have also been subject to a similar treatment regime and spread has been prevented from these sites. Tackling the aquatic invasive non-native species of swamp stonecrop (*Crassula*) and parrot's feather has been less effective. New locations arise continually and work is hampered by difficulties in achieving effective control when the plants are hidden in underwater where herbicide treatments are ineffective. At Snipe Marsh (Catfield) next door to How Hill, both swamp stonecrop and parrot's feather are present. The Authority has assisted the landowner in covering roughly 120 m of dyke with black plastic, which cuts out the light. This treatment will be in place for at least six months, as swamp stonecrop is specialised in growing in low light levels, so needs a long time to kill it off. The success of this technique will be assessed later in the year.
- 2.8 Control of invasive, non-native animals has focussed on American mink, which are particularly effective predators on water voles and ground nesting birds. The Authority has a series of live capture traps around the Broads which alert Environment Officers when a trap has been activated. Working in partnership with the Norfolk Mink Project, volunteers and private landowners, the Authority's efforts have removed ten mink in 2016/17, with most activity experienced on the River Yare between Whitlingham and Rockland.

3 2017/18 Conservation Work Programme

The fen programme for 2017/18 includes:

- 3.1 Approximately £35,000 value of contracts for fen management work is to be delivered by reed and sedge cutters across a range of the Authority's own land and other management agreement sites. In addition to the commercial harvest on sites, the cutters are highly effective contractors for delivering a range of conservation work, including long rotation fen mowing and scrub removal. The Authority has a Standing List of Contractors with many of the Broads commercial cutters. At the Authority meeting 13/05/16, item 13.2 set out the process for selecting and approving contractors for this work. This direct engagement with reed and sedge cutters aims to support the local industry, preserve skills, deliver high quality conservation work and contribute towards the Authority's duty to have regard to the needs of agriculture and forestry and the economic and social interests of those who live or work in the Broads in discharging its functions.
- 3.2 Rotational management in 2017/18 on fen sites managed by the Authority is planned for:
- Hand mowing at Common Fen (Smallburgh)

- Dyke clearance at Barton Fen (Barton Turf)
- Hand mowing and dyke clearance work at Burgh Common (Fleggburgh)
- Fen harvester cutting and pond maintenance at Buttle Marsh (Ludham)
- Hand mowing at Decoy Carr (Acle)
- Hand mowing and scrub clearance at Mill Marsh (Barton Turf)
- Dyke clearance and hand mowing at Little Reedham Marsh (Ludham)
- Dyke clearance, scrub roguing and hand mowing at Horning Marsh Farm (Horning)
- Dyke clearance and hand mowing at Hulver Ground (Horning)
- Fen harvester, scrub clearance, dyke clearance and hand mowing at How Hill (Ludham)
- Scrub roguing and invasive plant control at Snipe Marsh (Catfield)
- Hand mowing at Stanley Carr (Aldeby)
- Fen harvester, scrub clearance and dyke clearance Anglian Water's Marsh (Whitlingham)
- Management of the grazing pony herd at How Hill, Snipe Marsh, Decoy Carr and Hickling.

3.3 Additional work with the fen harvester is already set up, with contract based work with Broads partners planned for:-

- Burgh Common – assisting the Poors Trustees with reducing vegetation growth across this large site;
- Ward Marsh (Ranworth) – long fen rotational cut on this hard to reach site. The fen harvester will be transported by river on our new NATO floats.
- Hickling and Upton fens for Norfolk Wildlife Trust;
- Whitecast and Oulton marshes for Suffolk Wildlife Trust.

3.4 A week's trial of the fen harvester with one of our operators has also been arranged in August with the National Trust at Wicken Fen, Cambridgeshire. As there are no demonstration models of this type of machine available, the Trust have agreed to pay all transport and the Authority's internal costs for this usage. If the machine works well for the Trusts requirements, they are looking to make the capital investment and purchasing a similar model.

4 Integrated Conservation Management 2017/18

4.1 Integration of multiple benefits into all practical work areas is high priority in the planning and management of routine and project work delivered by our operational staff and contractors. Examples for completion during 2017/18 include:

4.2 Enhancement of reed ronds – work by the Rivers Engineer and Environment Officers has identified areas of the Lower Bure where reed ronds, not highly valued for commercial reed harvest, can be temporarily used for sediment arising from dredging operations. The material will then be removed when drier and easier to handle with excavators for re-use in future flood bank strengthening and top -up work. The rond areas are then to be restored with

a more favourable land level and drainage regime, which will benefit future commercial harvests. The guidance we have produced for use by Authority staff, or our partners, is publically available [via this weblink](#).

- 4.3 Hickling Broad Enhancement Project – The final work element for the two restored reedswamp areas is to be planted with a species mix of ready grown “plug” plants in the early summer. The additional direct planting will help ensure rapid colonisation and stabilisation by the plants before next winter.
- 4.4 Given the vigorous growth of water plants in Hickling Broad in the western bays of Hickling Broad over the past two summers, an increased amount of surveying and data sharing with the waterspace users has been arranged. The first hydroacoustic survey is planned for the first week of May to reveal the extent and height of early growth. The Authority is seeking assent from Natural England to either perform closely monitored cutting trials in the protected stonewort beds, or if more common species are those impacting navigational activities, then cutting of these species in a priority area for sailing is requested. This opportunity for enhanced water plant monitoring also gives a valuable opportunity to ask more fundamental ecological questions about the level of water plant growth in Hickling Broad, and its intimate relationship with water clarity and quality. This increased understanding will assist in future management decisions on the site, as this level of evidence on likely ecological impact is required by Natural England, before any plant cutting outside the marked channel can be carried out.

Background papers:

Biodiversity & Water Strategy http://www.broads-authority.gov.uk/_data/assets/pdf_file/0003/416487/Broads-Biodiversity-and-Water-Strategy-watermark-removed.pdf

Environmental Standard Operating Procedure – Sediment re-use on Ronds http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/910968/26-Reed-Rond-Disposal-and-Reuse-ESOP.pdf

Broads Authority 15/05/16 Finance report http://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/756979/Financial-Performance-and-Direction-ba130516.pdf

Author: Dan Hoare
Date of report: 27 April 2017

Broads Plan Objectives:	BD4; BD6 NA3 TR1	Biodiversity Management of the navigation area Tourism, recreation and access
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Appendices: None
Enclosures: A powerpoint presentation will complement this report

Strategic Direction
Report by Chief Executive

Summary:	This report sets out progress in implementing the Authority's Strategic Priorities for 2017/18.
Recommendation:	(i) That the updates for 2017/18 are noted (Appendix 1 and Appendix 2). (ii) That a small Reference Group of Members is established to: (a) Review the governance of the Broads Authority and develop proposals on how the arrangements could be improved in both the short and long term; (b) Advise and support the Chief Executive in preparing for the Peer Review in October 2017.

1 Progress on Strategic Priorities 2017/18


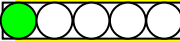

- 1.1 Each year, the Broads Authority identifies a small set of strategic priorities. These priorities focus on Authority-led projects that have high resource needs or a very large impact on the Broads, or that are politically sensitive. The strategic priorities help target resources and make the most of partnership working and external funding opportunities. These priorities were agreed at the Authority's meeting in January and following the meeting in March now include the Peer Review.
- 1.2 Reference Groups are established for two of the priorities: Greg Mumford and Sarah Mukherjee have agreed to support the work on the branding project; and John Ash, Kelvin Allen and Matthew Bradbury have volunteered to support the work on external funding. Both of these items are due to start next month.
- 1.3 It would also be helpful to establish a Reference Group to examine the governance arrangements for the Broads Authority in advance of the Peer Review. If this suggestion is supported, it is proposed that it should consider the potential for both short-term and long-term improvements, as well as advising and supporting the Chief Executive in the run up to the Peer Review.
- 1.4 Alongside these priorities and as resources allow, the Authority will continue to work with partners and local communities to deliver Broads Plan actions and routine works. All Broads Plan updates are posted online at: www.broads-plan.co.uk.
- 1.5 An update on the Strategic Priorities for 2017/18 is outlined in Appendix 1.

- 1.6 A list of the key Broads Authority Strategic Documents setting out progress on each is attached at Appendix 2.



Background papers:	None
Author:	John Packman, Maria Conti, Andrea Long
Date of report:	9 May 2017
Broads Plan Objectives:	Multiple
Appendices:	APPENDIX 1: Strategic Priorities 2017/18 APPENDIX 2: Broads Authority strategic documents: Progress report








Broads Authority strategic priorities 2017/18					
	Project	Aim and milestones	Progress	Status	Contact
1	Integrated flood risk management	<p>Aim: Raised profile about urgency to develop an integrated approach to flood risk management.</p> <ul style="list-style-type: none"> Engagement with stakeholders to help define the next stage of the initiative by end of 2017 Framework for gathering relevant information on key potential actions by end of March 2018 	<p>Local politicians have been briefed on the content of the High Level Review of Flood Risk Management. Two of the local MPs also briefed. Further engagement with MPs delayed by General Election.</p> <p>Broads Climate Partnership agreed as the Steering Body – includes Jacquie Burgess, John Ash and Sarah Mukherjee</p>		Simon Hooton
2	Catchment management	<p>Aim: Facilitate working with farmers and others on both catchment management and the future of agri-environment schemes post Brexit.</p> <ul style="list-style-type: none"> Implement small scale local interventions to reduce soil and nutrient loss from fields Meet with farmers to gauge interest in tailored Broads solution for agri-environment payments post-Brexit - Feb 2017 	<p>Meetings with farmers held 24 Feb and 15 March. Lord Gardiner, Minister for National Parks, also met with farmers during his visit to the Broads on 31 March and paper on the future of agri-environment schemes sent as follow up.</p>		Neil Punchard

Broads Authority strategic priorities 2017/18

	Project	Aim and milestones	Progress	Status	Contact
3	Broads Landscape Partnership Scheme (LPS)	<p>Aim: Successful LPS project delivery.</p> <ul style="list-style-type: none"> • Submit Landscape Conservation Action Plan and second stage HLF application by May 2017. Decision expected Nov 2017. • Start project delivery – from 1 Jan 2018 	<p>Landscape Conservation Action Plan completed.</p> <p>HLF application due to be submitted 19 May.</p>		Will Burchnall
4	Hickling Broad Enhancement Project	<p>Aim: Hickling Vision implemented.</p> <ul style="list-style-type: none"> • Construction work: Next phase priority dredging from navigation channel and land spreading to adjacent land • Win additional resources for delivery – in particular, CANAPE bid (decision expected Jun 2017). • If bid successful, start CANAPE implementation – Jan 2018 	<p>Churchill's Bay and Studio Bay infill areas completed.</p> <p>CANAPE bid submitted and outcome awaited.</p>		Dan Hoare
5	External funding	<p>Aim: Development of medium-term strategy for external funding and commercial opportunities to support Broads Plan delivery.</p> <ul style="list-style-type: none"> • Draft strategy to BA – November 2017 	<p>Programme Manager and Head of Strategy & Projects to work on external funding strategy following submission of HLF bid for LPS (priority 3 above).</p> <p>John Ash, Kelvin Allen and Matthew Bradbury agreed Reference Group</p>		Simon Hooton

Broads Authority strategic priorities 2017/18

	Project	Aim and milestones	Progress	Status	Contact
6	Marketing, promotion and media relations	<p>Aim: Raised profile, awareness and reputation of Broads National Park and Broads Authority</p> <ul style="list-style-type: none"> Proactive media around BA successes Proactive digital communications Presence at Norfolk Show Signage strategy 	<p>New visitor website launched, BA Digital Officer recruited, digital content strategy developed, social media accounts separated into tourism and BA. Social media activity increased significantly.</p> <p>Norfolk Show plans underway.</p> <p>First National Park signage installed at Beccles rail station, talks underway with other stations and town councils; research needed to identify strategic signage points.</p> <p>Greg Munford and Sarah Mukherjee agreed Reference Group</p>		Rob Leigh
7	Peer Review of Governance Arrangements	<p>Aim: Review existing governance arrangements and potential for improvements</p> <ul style="list-style-type: none"> Establish Reference Group of Members to review governance arrangements and support peer review process by end of May Agree date and composition of Peer Review Team with LGA by end of May Prepare background documents by end of July Reference Group to report back to the Broads Authority in September 2017 Peer Review visit October 2017 	<p>Peer Review visit agreed with LGA for October 10-12 2017</p> <p>Peer Review Team agreed</p> <p>Reference Group proposal on this agenda</p>		Maria Conti

Key	Progress	Key	Progress
	Project completed		Unlikely project will be delivered on time, significant worries
	Project on track, no causes for concern		Project will not be delivered on time, major concerns
	Good progress, some challenges in delivery		Direction of progress since last meeting
	Project timetable slipping, plan in place to address concerns		

Broads Authority strategic documents: Progress report

The table below sets out the high level strategic documents that guide key areas of the Broads Authority's work (and, in many cases, the work of its partners). Many are underpinned by more detailed themed or site-specific action plans, translating into operational level projects.

The table sets out priorities for the financial year 2017-18. Members will be updated on progress at the BA meeting in November 2017.

Title of strategy	Scope	Lead BA Officer	Status / Priorities for 2017-18	Key delivery partners
Broads Plan	Key partnership management plan for Broads Executive Area	Maria Conti	<p>Status: Adopted 24 March 2017.</p> <p>Key BA Projects to take forward:</p> <ul style="list-style-type: none"> • Landscape Partnership Scheme: Second Round Bid Submission followed by Delivery Phase in Jan 2018. • Hickling/Canape bid • Dark Skies Status bid 	All Broads Plan partners
Broads Local Plan	Planning policies used in determining planning applications within Broads Executive Area	Natalie Beal	<p>Status: Under review.</p> <p>Updates / Priorities for 2017-18:</p> <ul style="list-style-type: none"> • Results of Preferred Options consultation being analysed. • Publication Version of Plan due in Autumn 2017 	Landowners, planning applicants and agents, local communities, statutory and non-statutory bodies
Broads Biodiversity and Water Strategy	Implementation of National Biodiversity 2020 Strategy within Broads Executive Area	Andrea Kelly	<p>Status: Adopted 2013.</p> <p>Updates / Priorities for 2017-18:</p> <ul style="list-style-type: none"> • Lake enhancement projects, incl. reed swamp at Hickling (incl. Habitats Regulation Assessment of water plant management), bio-manipulation at Barton, Sotshole and Ranworth, assessment of nutrient input at Cromes. • Programme of fen monitoring, research and management, with assessment of catch dyke water management at How Hill and 	Broads Conservation Partnership, Broads Biodiversity Group

			<p>Buttle Marsh.</p> <ul style="list-style-type: none"> • Management of externally funded projects: Fen Raft Spider and swift tower (Love the Broads), Wild Compost, Wetland Life (LPS) • Species recovery and community engagement projects include barn owl box and advice provision, schools education, Whitlingham species engagement on bats, swifts and wildflowers), PhDs on carbon capture in fens at publication stage. Salinity reconstruction of Upper Thurne in second year. Mink management completed and reported to steering group and volunteers. 	
Broadland Rivers Catchment Plan	Water management within Broadland Rivers Catchment	Neil Punchard	<p>Status: Adopted 2014.</p> <p>Updates / Priorities for 2017-18:</p> <ul style="list-style-type: none"> • Water Sensitive Farming project 2016-2018 ongoing with further silt trap construction and farmer knowledge exchange events. • Tesco pilot project 2017 working directly with farmers to trial and promote innovative machinery to prevent run-off. • Natural Flood Management bid to be co-ordinated and submitted to Defra. • Further development of stakeholder led ecosystem services opportunity mapping including functional floodplains. • Increased social media presence for wider stakeholder engagement with improved newsletter format. • Web site and projects database development. • Support for sub-catchment partnerships, fisheries groups and estuarine research projects. 	Broadland Catchment Partnership (BCP)
Broads Climate Change Adaptation Plan	Planning for Climate Change Adaptation in the Broads <i>(incl. integrated flood risk management for wider area)</i>	Simon Hooton	<p>Status: Adopted 2016.</p> <p>Updates / Priorities for 2017-18:</p> <ol style="list-style-type: none"> 1. <u>High level review of flood risk management</u>: work with partners to define follow-up initiative; hold stakeholder workshops by end of 2017; create framework for next steps; create communication plan. 	Broads Climate Change Partnership

			<p>2. <u>Raising awareness</u>: develop and trial awareness and engagement techniques to get flood risk and climate adaptation to be talked about more in locality; identify opportunities to promote 'climate-smart' to priority groups such as through county resilience forums</p> <p>3. <u>PhD on flood and saline incursion modelling</u>: continue support for study; help develop stakeholder engagement.</p> <p>4. <u>National Engagement</u>: continue work with other National Parks (NPs), Defra, NAP ecology group to develop national adaptation programme relevant to NPs.</p>	
Integrated Access Strategy	Improving access to and between land and water within the Broads Executive Area	Adrian Clarke	<p>Status: Adopted 2013. Revised Action Plan adopted by Broads Local Access Forum in September 2016.</p> <p>Updates / priorities for 2017-18:</p> <ul style="list-style-type: none"> • Rockland Short Dyke and Berney Arms 24-hour moorings leases completed. Mooring being constructed at Rockland for opening Summer 2017. • Clayrack Marshes permissive path to Crowe's Staithe accommodation works completed with path due to be opened Summer 2017. • River Wensum Strategy draft completed with public consultation due June 2017, strategy adoption Autumn 2017 and project delivery 2017-2027. • Ranworth Dinghy Dyke canoe launch programmed for completion June 2017. • Horstead Mill canoe launch – funding allocated, design being sourced for issue of tender documents in June 2017 with completion of site works by end 2017. • New signage and interpretation for Ludham Bridge Access Autumn 2017. 	Broads Local Access Forum (BLAF)

Sustainable Tourism Strategy	Promotion and management of sustainable tourism within the Broads Executive Area	Rob Leigh	<p>Status: Adopted January 2016.</p> <p>Updates / Priorities for 2017-18:</p> <ul style="list-style-type: none"> • Develop outstanding wildlife experiences: Discover England Fund bid submitted by English National Parks for experience promotion to overseas visitors. • Work with other partners on linked marketing campaigns: Long term action over five years • Spread visibility of the Broads National Park brand identity • Continue to provide the UK's leading boating holiday offer: The provision of boating holidays and the investment needed to meet, anticipate and attract future market demand is largely up to the boat yards and operators; alternative moorings to inform their promotion where the natural environment will not be affected. Long term action over five years. • Extend and diversify the walking and cycling offer • Improve the quality and distinctiveness of places to stay, eat and drink: This action area is primarily in the hands of individual private businesses and their investments, operations and profitability. Quality and distinctiveness can be encouraged, assisted and recognised in a number of ways. Long term action over five years. • Deliver effective visitor information through a range of services and media: Long term action over five years • Support the conservation of natural and cultural heritage through tourism: Long term action over five years. 	Broads Tourism and partners including RSPB, SWT, NWT, Discover England Fund, English National Parks, Visit Norfolk, Visit East Anglia, Broads Hire Boat Federation, Broads Boat Hire Operators, local authorities
Education Strategy	Environmental education and outreach in the Broads	Nick Sanderson	<p>Status: Adopted 24 March 2017</p> <p>Updates / Priorities for 2017-18:</p> <ul style="list-style-type: none"> • Develop events to promote Broads National Park • Develop the range of work experience opportunities • Develop health and wellbeing initiatives 	Broads Environmental Education Network (BEEN)

			<ul style="list-style-type: none"> Continue to develop the Broads Curriculum 	
Volunteer Strategy	Promotion and delivery of the BA Volunteer Service	Beth Williams	Status: Adopted 24 March 2017 Updates / Priorities for 2017-18: <ul style="list-style-type: none"> Review volunteer training programmes Update and review training programme for new volunteers Review training programme for BA staff involved in supervising volunteers Build capacity of volunteers to run public events Devise modular training programme for Ranger volunteers 	Broads volunteers and BA staff
Financial Strategy	Strategy for the use of resources within the Broads Authority	Emma Krelle	Status: Adopted 2017 Plan period 2017/18 – 2019/2020	Broads Authority
Asset Management Strategy	Practices and procedures to manage and maintain the Broads Authority's land, property and other assets	Angie Leeper	Status: Due for review following Audit planned for Qtr 2 Priorities for 2017-18: <ul style="list-style-type: none"> Update Capital Asset Plan 	Broads Authority
Business Plan	Annual overview of the Broads Authority's planned activities	BA Management Team	Status: Adopted January 2017 See Strategic Priorities report	Broads Authority

Financial Performance and Direction
Report by Chief Financial Officer

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

Recommendation:

Section 2-7

- (i) That the income and expenditure figures and the draft year end position and timetable be noted.

Section 8

- (ii) That the recommended carry forward requests in 8.2 be approved and added to the 2017/18 budget as additional expenditure.

Section 9

- (iii) That the amended split to the earmarked reserves be noted.

1. Introduction

- 1.1 This report covers three items, the Consolidated Income and Expenditure from 1 April 2016 – 31 March 2017, the recommended carry forward requests and an update to the budgeted earmarked reserves.

2. Overview of Actual Income and Expenditure

Table 1 – Actual Consolidated I&E by Directorate to 31 March 2017

	Profiled Latest Available Budget	Actual Income and Expenditure	Actual Variance
Income	(6,373,641)	(6,355,593)	- 18,048
Operations	3,510,928	3,482,167	+ 28,761
Planning and Resources	2,776,995	2,690,339	+ 86,655
Chief Executive	455,072	452,537	+ 2,534
Projects, Corporate Items and Contributions from Earmarked Reserves	(332,975)	(267,110)	- 65,866
Net (Surplus) / Deficit	36,378	2,341	+ 34,037

2.1 Core navigation income is behind of the profiled budget at the end of month twelve. The overall position as at 31 March 2017 is a favourable variance of £34,037 or 96.56% difference from the profiled LAB. This is principally due to:

- An overall adverse variance of £12,819 within toll income:
 - Hire Craft Tolls £25,158 below the profiled budget.
 - Private Craft Tolls £5,048 above the profiled budget.
 - Short Visit Tolls £4,125 above the profiled budget.
 - Other Toll Income £3,167 above the profiled budget.
- A favourable variance within Operations budgets relating to:
 - Water Management is under profiled budget by £10,446 due to additional income being received towards the Hickling Enhancement project.
 - Land Management is over profiled budget by £10,659 due to reduced income and an overspend on Fen Management.
 - Asset Management is under profiled budget by £14,783 due to additional income being received and a small saving on the Property Consultancy contract.
- A favourable variance within Planning and Resources budgets relating to:
 - Development Management is under profiled budget by £19,523 due to additional income being received.
 - Strategy and Projects is under profiled budget by £12,884 due to additional income being received for Self-build, Custom build and Brownfield registers from DCLG. All of this additional income has been transferred to the Planning Delivery Grant Reserve to help fund future Planning Policy. This has been partially offset by an overspend on contractors.
 - Heritage Lottery Fund (Landscape Partnership) is above profiled budget by £13,514 due to income being slightly behind profile. This is due to 10% of claim income being withheld until the end of the development phase.
 - Communications is under profiled budget by £13,624 due to additional income being received following the Tesco Bags of Help and a small number of timing differences within several budgets.
 - ICT is under profiled budget by £15,782 due to savings on the photocopier leases and telephone contracts.
 - Premises Head Office is under profiled budget by £18,468 due to the year end release of the rent initiative.
 - Planning and Resources Management and Administration is under profiled budget by £14,559 due to additional income being received for staff recharges.
- An adverse variance within Project, Corporate Items and contributions from earmarked budgets relating to:
 - Severance payments are over profiled budget by £13,203.
 - The Heritage Lottery Fund Reserve variance is due to income being slightly behind profile. This is due to 10% of claim income being withheld until the end of the development phase.
 - Plant, Vessel and Equipment Reserve is under budget due to savings on the small tool replacements, income from sale of old equipment and an additional discount on the Linkflotes.

- The Section 106 Reserve variance is due to no budget being set for these agreements due to the difficulty in predicting when they will arise.
- 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

- 3.1 The Authority's income and expenditure is being monitored against the latest available budget (LAB) in 2016/17. 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. Details of the movements from the original budget are set out in Appendix 2.

Table 2 – Adjustments to Consolidated LAB

	Ref	£
Original budget 2016/17 – deficit	Item 12 18/03/16 (BA)	10,347
Approved budget carry-forwards	Item 13 13/05/16 (BA)	26,031
LAB at 31 March 2017 – deficit		36,378

- 3.2 Taking account of the budget adjustments, the LAB therefore provides for a consolidated deficit of £36,378 in 2016/17 as at 31 March 2017.

4. Overview of Forecast Outturn 2016/17

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

Table 3 – Adjustments to Forecast Outturn

Item	£
Forecast outturn deficit per LAB	36,378
Previously reported adjustments 24/03/17	(69,082)
Increase to Short Visit Toll Income	(1,767)
Decrease to Telephone expenditure	(3,400)
Increase to Severance costs	13,000
Forecast outturn surplus as at 31 March 2017	(24,871)

- 4.2 This represents an adverse variance of £27,212 between the forecast outturn and the actual. This is a result of the Equipment, Vehicles and Vessels budget requiring higher than expected maintenance on the vessels.

5. Reserves

- 5.1 The table below takes account of the year end adjustments of interest and the creation of the Catchment Partnership Reserve. This reserve has been set up to hold the balance of ring-fenced partner income to fund the catchment partnership.

Table 4 – Consolidated Earmarked Reserves

	Balance at 1 April 2016	In-year movements	Current reserve balance
	£	£	£
Property	(360,603)	(68,402)	(429,005)
Plant, Vessels and Equipment	(302,225)	87,554	(214,671)
Premises	(201,675)	22,732	(178,942)
Planning Delivery Grant	(290,865)	95,956	(194,908)
Upper Thurne Enhancement	(56,552)	(21,201)	(77,752)
Section 106	(76,469)	(32,552)	(109,020)
Heritage Lottery Fund	(55,956)	(36,980)	(92,936)
Catchment Partnership	0	(94,832)	(94,833)
Total	(1,344,343)	(47,724)	(1,392,066)

- 5.2 £589,815 of the current reserve balance relates to navigation reserves.

6. Summary

- 6.1 The figures above will be the basis of the draft Statement of Accounts and include the year end adjustments. The deficit on the national park side is £810 and £1,531 on navigation, resulting in a consolidated deficit of £2,341. After the year end adjustment for interest to the earmarked reserves the general fund reserve is £1,041,796 and the navigation reserve is £325,955. This means that the navigation reserve sits slightly above the recommended 10% at 10.5% of net expenditure at the end of 2016/17.

7. Statement of Accounts

- 7.1 The timetable for the preparation of the Authority's Statement of Accounts is dictated by the requirements of The Accounts and Audit (England) Regulations 2015. This year the Authority has trialled an even earlier shut down in preparation of the new timetable for 2017/18. This has meant a slight

change to the timetable for the adoption of the 2016/17 accounts which is as follows:

- Chief Financial Officer to sign off the completed accounts by the 31 May 2017
- External Audit (Ernst and Young) to undertake the onsite audit work by 16 June 2017
- Financial Scrutiny and Audit Committee to scrutinise the accounts on 25 July 2017, and to recommend them for approval to the Full Authority, subject to any suggested amendments
- Broads Authority to consider and formally adopt the audited accounts at its meeting on 28 July 2017.

8. Carry Forward Requests

8.1 Budget holders who have not fully spent their individual budget allocations can request any underspends are carried forward and added to their 2017/18 budget allocation. These requests are then reviewed by Management Team prior to requesting member approval. Requests to Management Team must relate to either:

- projects already underway but which have been delayed by external events;
- or ring-fenced income which has been provided by third parties and is earmarked for specific purposes.

8.2 Details of all the 2016/17 carry forward requests are set out in the table below.

Table 5 – Carry Forward Requests

Budget Line	National Park	Navigation	Total	Reason for carry-forward request
	£	£	£	
Practical Maintenance	0	2,565	2,565	High water and contractor delays have meant the final stages of Cockshoot moorings refurbishment has been undertaken in 2017/18.
Rangers	2,920	4,380	7,300	Underspend to help continuation of revised Ranger structure.
Development Management	2,850	0	2,850	A delay by the consultant has meant work on Tree Preservation Orders on the planning system has been unable to take place in 2016/17.
Biodiversity Strategy	400	0	400	Ring-fenced income from NBP (invoiced from H & O Trust in 2014/15) for Barn Owl project which is used to pay bird ringers travel expenses.
Communications	4,130	0	4,130	Decision on appeal was not made

				until 23/11/16 and team constraints have meant there has only been expenditure of £870 out of the £5,000 allocated.
Communications	9,000	0	9,000	Ring-fenced income from Tesco Bags of Help for Go Wild at Whitlingham, must be spent by October 2017.
Human Resources	2,950	2,050	5,000	Ring-fenced income for Apprenticeship training was not received until 24/03/17. Can only be spent on apprentice training.
Total	22,250	8,995	31,245	

8.3 If members agree the carry forwards the 2017/18 Latest Available Budget (LAB) will be as follows:

Table 6 – 2017/18 LAB

	National Park	Navigation	Consolidated
	£	£	£
Income	(3,307,095)	(3,179,500)	(6,486,595)
Operations	1,131,208	2,340,013	3,471,220
Planning & Resources	2,004,893	789,125	2,794,018
Chief Executive	309,909	168,071	477,980
Corporate Items and contributions from Earmarked Reserves	(74,720)	(109,480)	(184,200)
Net (Surplus) / Deficit	64,194	8,229	72,423
Opening Reserves	(1,041,796)	(325,955)	(1,367,751)
(Surplus) / Deficit	64,194	8,229	72,423
Interest transferred to earmarked reserves	3,750	3,750	7,500
Closing Reserves	(973,852)	(313,976)	(1,287,828)
Reserves as a % of net expenditure	28.9%	9.9%	19.6%

9. Earmarked Reserves

9.1 In the report to the Broads Authority on the budget in January there was an error in the section on the earmarked reserves. This resulted in the total split between National Park and Navigation Reserve on the Plant, Vessels and Equipment Reserve being incorrect; however the overall yearly total remained the same.

9.2 The error has been corrected and the appendix updated, please see appendix 3. Please note that the figures for 2016/17 were the forecast position however table 4 above provides the actual year end position.

9.3 Additional checks have now been put in place to prevent this error from occurring again.

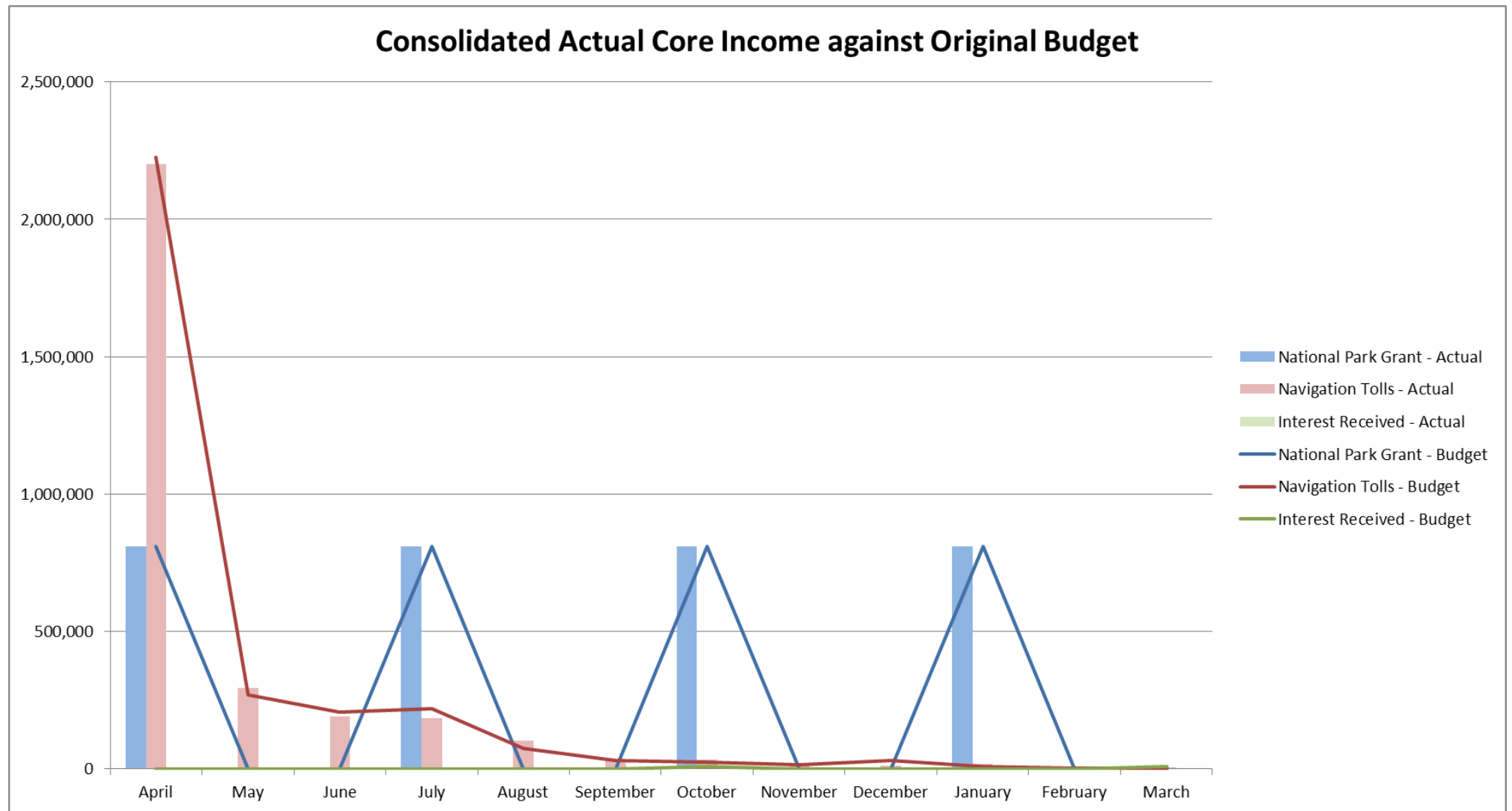
Background papers: None

Author: Emma Krelle

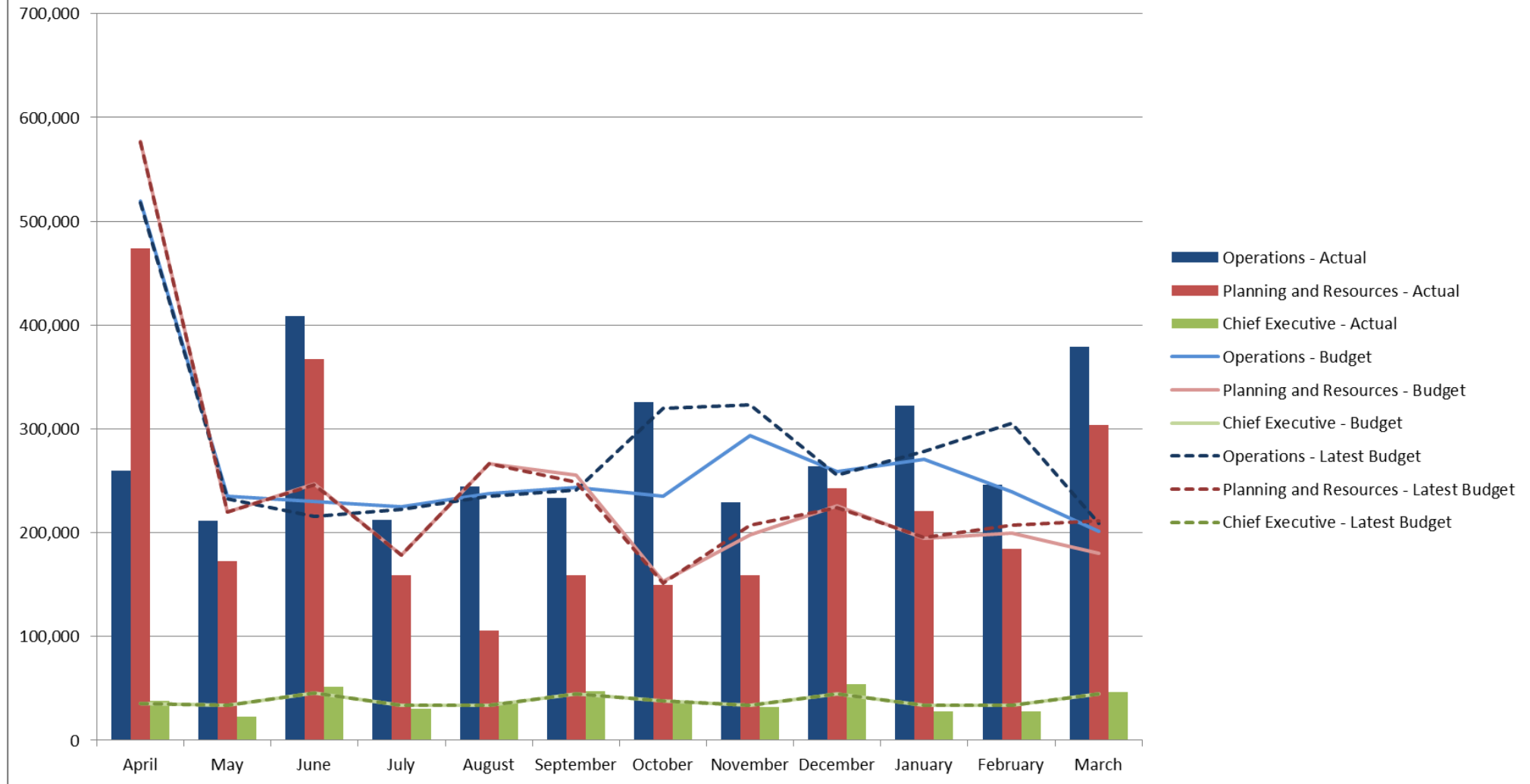
Date of report: 4 May 2017

Broads Plan Objectives: None

Appendices: APPENDIX 1 – Consolidated Actual Income and Expenditure
Charts to 31 March 2017
APPENDIX 2: Financial Monitor: Consolidated Income and
Expenditure 2016/17
APPENDIX 3: Earmarked Reserves to 2019/20



Consolidated Net Actual Expenditure against Original and Latest Budget



To 31 March 2017

Budget Holder

(All)

Row Labels	Values				
	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Income	(6,373,641)		(6,373,641)	(6,352,785)	-20,856
National Park Grant	(3,243,802)		(3,243,802)	(3,243,802)	0
Income	(3,243,802)		(3,243,802)	(3,243,802)	0
Hire Craft Tolls	(1,079,000)		(1,079,000)	(1,053,842)	-25,158
Income	(1,079,000)		(1,079,000)	(1,053,842)	-25,158
Private Craft Tolls	(1,972,000)		(1,972,000)	(1,976,006)	4,006
Income	(1,972,000)		(1,972,000)	(1,976,006)	4,006
Short Visit Tolls	(40,089)		(40,089)	(43,786)	3,697
Income	(40,089)		(40,089)	(43,786)	3,697
Other Toll Income	(18,750)		(18,750)	(20,349)	1,599
Income	(18,750)		(18,750)	(20,349)	1,599
Interest	(20,000)		(20,000)	(15,000)	-5,000
Income	(20,000)		(20,000)	(15,000)	-5,000
Operations	3,347,498	163,430	3,510,928	3,473,283	37,645
Construction and Maintenance Salaries	1,122,050	0	1,122,050	1,122,050	0
Salaries	1,122,050	0	1,122,050	1,122,050	0
Expenditure			0		0
Equipment, Vehicles & Vessels	419,833	166,000	585,833	564,418	21,415
Income	0		0	(670)	670
Expenditure	419,833	166,000	585,833	565,088	20,745
Water Management	147,500		147,500	138,000	9,500
Income	0		0	(19,500)	19,500
Expenditure	147,500		147,500	157,500	-10,000
Land Management	(38,000)		(38,000)	(38,000)	0
Income	(95,000)		(95,000)	(95,000)	0
Expenditure	57,000		57,000	57,000	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Practical Maintenance	419,200	0	419,200	419,900	-700
Income	(9,000)		(9,000)	(10,500)	1,500
Expenditure	428,200	0	428,200	430,400	-2,200
Ranger Services	721,315		721,315	721,315	0
Income	(47,000)		(47,000)	(47,000)	0
Salaries	596,860		596,860	596,860	0
Expenditure	171,455		171,455	171,455	0
Pension Payments			0		0
Safety	125,600		125,600	123,650	1,950
Income	(9,000)		(9,000)	(1,000)	-8,000
Salaries	59,600		59,600	62,000	-2,400
Expenditure	75,000		75,000	62,650	12,350
Asset Management	151,280	2,880	154,160	150,680	3,480
Income	(1,000)		(1,000)	(8,100)	7,100
Salaries	41,530	2,880	44,410	48,030	-3,620
Expenditure	110,750		110,750	110,750	0
Premises	152,170		152,170	152,170	0
Income	(20,000)		(20,000)	(20,000)	0
Expenditure	172,170		172,170	172,170	0
Operations Management and Administration	126,550	(5,450)	121,100	119,100	2,000
Income	0		0	(2,000)	2,000
Salaries	114,050	(5,450)	108,600	108,600	0
Expenditure	12,500		12,500	12,500	0
Planning and Resources	2,738,835	38,159	2,776,995	2,727,640	49,355
Development Management	249,550	6,710	256,260	259,610	-3,350
Income	(60,000)		(60,000)	(80,000)	20,000
Salaries	284,550	6,710	291,260	291,260	0
Expenditure	25,000		25,000	48,350	-23,350
Pension Payments			0		0
Strategy and Projects Salaries	286,990	(4,140)	282,850	282,850	0
Income	(3,500)		(3,500)	(3,500)	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Salaries	202,490	(4,140)	198,350	198,350	0
Expenditure	88,000		88,000	88,000	0
Biodiversity Strategy	10,000	600	10,600	10,600	0
Income			0		0
Expenditure	10,000	600	10,600	10,600	0
Strategy and Projects	113,030	24,989	138,019	133,019	5,000
Income	0		0	(5,000)	5,000
Salaries	76,530		76,530	76,530	0
Expenditure	36,500	24,989	61,489	61,489	0
Waterways and Recreation Strategy	144,460		144,460	144,460	0
Salaries	69,960		69,960	69,960	0
Expenditure	74,500		74,500	74,500	0
Project Funding	105,500		105,500	100,000	5,500
Income	(19,000)		(19,000)	(19,000)	0
Expenditure	124,500		124,500	119,000	5,500
Pension Payments			0		0
Partnerships / HLF	50,000		50,000	50,000	0
Income	(231,846)		(231,846)	(231,846)	0
Salaries	48,960		48,960	48,960	0
Expenditure	232,886		232,886	232,886	0
Volunteers	66,620		66,620	66,620	0
Income	(1,000)		(1,000)	(1,000)	0
Salaries	47,620		47,620	47,620	0
Expenditure	20,000		20,000	20,000	0
Finance and Insurance	337,750		337,750	348,500	-10,750
Income			0		0
Salaries	137,750		137,750	139,500	-1,750
Expenditure	200,000		200,000	209,000	-9,000
Communications	268,250	23,700	291,950	291,950	0
Income			0		0
Salaries	188,750		188,750	188,750	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Expenditure	79,500	23,700	103,200	103,200	0
Visitor Centres and Yacht Stations	214,930		214,930	214,930	0
Income	(232,500)		(232,500)	(232,500)	0
Salaries	315,430		315,430	315,430	0
Expenditure	132,000		132,000	132,000	0
Collection of Tolls	122,230		122,230	113,730	8,500
Income			0		0
Salaries	109,530		109,530	105,030	4,500
Expenditure	12,700		12,700	8,700	4,000
ICT	300,117	(13,700)	286,417	274,817	11,600
Salaries	143,730		143,730	143,730	0
Expenditure	156,387	(13,700)	142,687	131,087	11,600
Premises - Head Office	254,548		254,548	241,693	12,855
Expenditure	254,548		254,548	241,693	12,855
Planning and Resources Management and Administration	214,860		214,860	194,860	20,000
Income	0		0	(12,000)	12,000
Salaries	133,660		133,660	133,660	0
Expenditure	81,200		81,200	73,200	8,000
Chief Executive	454,630	442	455,072	458,572	-3,500
Human Resources	117,730	442	118,172	119,542	-1,370
Income			0		0
Salaries	58,230		58,230	59,600	-1,370
Expenditure	59,500	442	59,942	59,942	0
Legal	109,970		109,970	114,400	-4,430
Income	0		0	(2,500)	2,500
Salaries	49,970		49,970	36,900	13,070
Expenditure	60,000		60,000	80,000	-20,000
Governance	123,290		123,290	120,990	2,300
Salaries	69,090		69,090	69,090	0
Expenditure	54,200		54,200	51,900	2,300
Chief Executive	103,640		103,640	103,640	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Salaries	103,640		103,640	103,640	0
Expenditure			0		0
Projects and Corporate Items	137,000		137,000	150,000	-13,000
Corporate Items	137,000		137,000	150,000	-13,000
Expenditure	0		0	13,000	-13,000
Pension Payments	137,000		137,000	137,000	0
Contributions from Earmarked Reserves	(293,975)	(176,000)	(469,975)	(481,580)	11,605
Earmarked Reserves	(293,975)	(176,000)	(469,975)	(481,580)	11,605
Expenditure	(293,975)	(176,000)	(469,975)	(481,580)	11,605
Grand Total	10,347	26,031	36,378	(24,871)	61,249

Year	Earmarked Reserves	Property Reserve - TOTAL	Plant, Vessels and Equipment Reserve - TOTAL	Premises Reserve - TOTAL	Other Earmarked Reserves - TOTAL	STEP	HLF	PRISMA	Total Earmarked Reserves - National Park	Total Earmarked Reserves - Navigation	GRAND TOTAL Earmarked Reserves
2013/14											
	Balance 31 March 2014	(568,100)	(217,282)	(138,723)	(621,240)	(7,983)	0	(244,953)	(861,458)	(936,823)	(1,798,281)
2014/15	Balance 31 March 2015	(582,589)	(239,080)	(168,723)	(463,794)	0	0	(170,648)	(668,717)	(956,115)	(1,624,833)
	Balance 01 April 2015	(586,756)	(240,790)	(169,930)	(424,080)	0	0	(171,869)	(630,470)	(962,954)	(1,593,424)
	Balance 01 April 2016	(360,603)	(302,225)	(201,675)	(423,886)	0	(55,956)	(0)	(679,020)	(665,323)	(1,344,343)
2016/17	Contributions to Reserves to 30/11/16										
	Vessels and Equipment (VES000451)	0	(92,000)	0	0	0	0	0	(27,600)	(64,400)	(92,000)
	Vehicles (VEH000451)	0	(22,000)	0	0	0	0	0	(6,600)	(15,400)	(22,000)
	Mutford Lock (MLK000451)	(25,000)	0	0	0	0	0	0	0	(25,000)	(25,000)
	Mutford Lock Rent (MLK000552)	(1,000)	0	0	0	0	0	0	0	(1,000)	(1,000)
	Launches (LAU000451)	0	(15,000)	0	0	0	0	0	0	(15,000)	(15,000)
	Ranger Vehicles (RAN000451)	0	(13,000)	0	0	0	0	0	(5,200)	(7,800)	(13,000)
	Dockyard Site (PRM009451)	0	0	(30,000)	0	0	0	0	(9,000)	(21,000)	(30,000)
	Pool Vehicles (PCP000451)	0	(14,000)	0	0	0	0	0	(9,380)	(4,620)	(14,000)
	Asset Management for Countryside sites (SIM00451)	(46,000)	0	0	0	0	0	0	(46,000)	0	(46,000)
	Launch sale (LAU000451)	0	(13,333)	0	0	0	0	0	0	(13,333)	(13,333)
	Dockyard sale income (VES000552)	0	(2,433)	0	0	0	0	0	(730)	(1,703)	(2,433)
	Section 106 Income (DVM000552)	0	0	0	(31,972)	0	0	0	(31,972)	0	(31,972)
	Heritage Lottery Fund Income (HLF61X552)	0	0	0	0	0	(71,809)	0	(71,809)	0	(71,809)
	Heritage Lottery Fund (HLF000451)	0	0	0	0	0	(50,000)	0	(50,000)	0	(50,000)
	Upper Thurne Project work (UTE000451)	0	0	0	(19,000)	0	0	0	(19,000)	0	(19,000)
	Upper Thurne income (UTE000552)	0	0	0	(1,857)	0	0	0	(1,857)	0	(1,857)
	External Contribution towards Enjoy the Broads website (CO	0	0	0	(3,000)	0	0	0	(3,000)	0	(3,000)
	Contributions from Reserves to 30/11/16										
	Fit out 2nd launch hull final 40% (LAU000450)	0	42,444	0	0	0	0	0	0	42,444	42,444
	3rd Wherry final 10% (VES000450)	0	11,300	0	0	0	0	0	3,390	7,910	11,300
	Linkflotes (VES000450)	0	55,776	0	0	0	0	0	5,578	50,198	55,776
	Weedharvester (VES000450)	0	30,000	0	0	0	0	0	9,000	21,000	30,000
	Small tools (VES000450)	0	1,917	0	0	0	0	0	575	1,342	1,917
	Norfolk CC Archaeology SLA (CUL000450)	0	0	0	3,500	0	0	0	3,500	0	3,500
	Replace DU11 EFL - Rangers (RAN000450)	0	19,956	0	0	0	0	0	11,974	7,982	19,956
	Consultants to cost dewatering options (MLK000450)	(5,000)	0	0	0	0	0	0	0	(5,000)	(5,000)
	Old workshop refurbishment (PRM009450)	0	0	20,751	0	0	0	0	6,225	14,525	20,751
	3 Rivers way cycle scheme (REC000450)	0	0	0	65,000	0	0	0	65,000	0	65,000
	Document Management System (ICT000450)	0	0	0	5,972	0	0	0	5,972	0	5,972
	Enjoy the Broads website (COM000450)	0	0	0	5,325	0	0	0	5,325	0	5,325
	Broads Plan (BPL000450)	0	0	0	400	0	0	0	400	0	400
	Local Plan (POL000450)	0	0	0	20	0	0	0	20	0	20
	Planning injunction costs (DVM000450)	0	0	0	23,645	0	0	0	23,645	0	23,645
	Upper Thurne Project work (UTE000450)	0	0	0	70	0	0	0	70	0	70
	Heritage Lottery Fund costs (HLFXXX450)	0	0	0	0	0	114,622	0	114,622	0	114,622
	Actual Balance 30/11/16	(437,603)	(312,596)	(210,924)	(375,782)	0	(63,142)	(0)	(705,872)	(694,176)	(1,400,048)
	Contributions to Reserves to 31/03/17										
	Mutford Lock Rent (MLK000552)	(1,000)	0	0	0	0	0	0	0	(1,000)	(1,000)
	Heritage Lottery Fund Income (HLF61X552)	0	0	0	0	0	(96,972)	0	(96,972)	0	(96,972)
	Contributions from Reserves to 31/03/17										
	Replace AP56 EJM - Pool Van (PCP000450)	0	12,000	0	0	0	0	0	8,040	3,960	12,000
	Replace CM&E DU61 NUX (VEH000450)	0	20,000	0	0	0	0	0	6,000	14,000	20,000
	Linkflotes (VES000450)	0	60,224	0	0	0	0	0	6,022	54,202	60,224
	Small tools (VES000450)	0	18,083	0	0	0	0	0	5,425	12,658	18,083
	Irstead Boat House repairs (BHB000450)	0	0	30,000	0	0	0	0	12,000	18,000	30,000
	Consultants to cost dewatering options (MLK000450)	15,000	0	0	0	0	0	0	0	15,000	15,000
	Old workshop refurbishment (PRM009450)	0	0	3,249	0	0	0	0	975	2,275	3,249
	Document Management System (ICT000450)	0	0	0	5,015	0	0	0	5,015	0	5,015
	Enjoy the Broads website (COM000450)	0	0	0	18,375	0	0	0	18,375	0	18,375
	Broads Plan (BPL000450)	0	0	0	3,000	0	0	0	3,000	0	3,000
	Local Plan (POL000450)	0	0	0	37,981	0	0	0	37,981	0	37,981
	Re-thatch John Cobbs Cottage costs unknown	0	0	0	0	0	0	0	0	0	0
	Heritage Lottery Fund costs (HLFXXX450)	0	0	0	0	0	77,174	0	77,174	0	77,174
	Forecast Balance 01 April 2017	(423,603)	(202,289)	(177,675)	(311,412)	0	(82,940)	(0)	(622,837)	(575,082)	(1,197,919)

Year	Earmarked Reserves	Property Reserve - TOTAL	Plant, Vessels and Equipment Reserve - TOTAL	Premises Reserve - TOTAL	Other Earmarked Reserves - TOTAL	STEP	HLF	PRISMA	Total Earmarked Reserves - National Park	Total Earmarked Reserves - Navigation	GRAND TOTAL Earmarked Reserves
2017/18	<u>Contributions to Reserves to 31/03/18</u>										
	Vessels and Equipment (VES000451)	0	(92,000)	0	0	0	0	0	(27,600)	(64,400)	(92,000)
	Vehicles (VEH000451)	0	(22,000)	0	0	0	0	0	(6,600)	(15,400)	(22,000)
	Mutford Lock (MLK000451)	(25,000)	0	0	0	0	0	0	0	(25,000)	(25,000)
	Mutford Lock Rent (MLK000451)	(2,000)	0	0	0	0	0	0	0	(2,000)	(2,000)
	Launches (LAU000451)	0	(15,000)	0	0	0	0	0	0	(15,000)	(15,000)
	Ranger Vehicles (RAN000451)	0	(13,000)	0	0	0	0	0	(5,200)	(7,800)	(13,000)
	Dockyard Site (PRM009451)	0	0	(30,000)	0	0	0	0	(9,000)	(21,000)	(30,000)
	Pool Vehicles (PCP000451)	0	(14,000)	0	0	0	0	0	(9,380)	(4,620)	(14,000)
	Asset Management for Countryside sites (SIM00451)	(46,000)	0	0	0	0	0	0	(46,000)	0	(46,000)
	Potter Heigham Chalet Income (UTE000451)	0	0	0	(19,000)	0	0	0	(19,000)	0	(19,000)
	Heritage Lottery Fund Income (HLF61X552)	0	0	0	0	0	(38,851)	0	(38,851)	0	(38,851)
	Heritage Lottery Fund (HLF000451)	0	0	0	0	0	(50,000)	0	(50,000)	0	(50,000)
	<u>Contributions from Reserves to 31/03/18</u>										
	Local Plan Inspection	0	0	0	60,000	0	0	0	60,000	0	60,000
	Mutford Lock costs from dewatering options (MLK000450)	8,500	0	0	0	0	0	0	0	8,500	8,500
	Norfolk CC Archaeology SLA (CUL000450)	0	0	0	3,500	0	0	0	3,500	0	3,500
	Linkflotes (VES000450)	0	116,000	0	0	0	0	0	34,800	81,200	116,000
	Replace CM&E AO06 XPF (VEH000450)	0	15,000	0	0	0	0	0	4,500	10,500	15,000
	Relocate Dockyard Wet Shed	0	0	60,000	0	0	0	0	18,000	42,000	60,000
	Heritage Lottery Fund costs (HLFXXX450)	0	0	0	0	0	21,791	0	21,791	0	21,791
	Forecast Balance 01 April 2018	(488,103)	(227,289)	(147,675)	(266,912)	0	(150,000)	(0)	(691,877)	(588,102)	(1,279,979)
2018/19	<u>Contributions to Reserves to 31/03/19</u>										
	Vessels and Equipment (VES000451)	0	(92,000)	0	0	0	0	0	(27,600)	(64,400)	(92,000)
	Vehicles (VEH000451)	0	(22,000)	0	0	0	0	0	(6,600)	(15,400)	(22,000)
	Mutford Lock (MLK000451)	(25,000)	0	0	0	0	0	0	0	(25,000)	(25,000)
	Mutford Lock Rent (MLK000451)	(2,000)	0	0	0	0	0	0	0	(2,000)	(2,000)
	Launches (LAU000451)	0	(18,000)	0	0	0	0	0	0	(18,000)	(18,000)
	Ranger Vehicles (RAN000451)	0	(13,000)	0	0	0	0	0	(5,200)	(7,800)	(13,000)
	Dockyard Site (PRM009451)	0	0	(30,000)	0	0	0	0	(9,000)	(21,000)	(30,000)
	Pool Vehicles (PCP000451)	0	(14,000)	0	0	0	0	0	(9,380)	(4,620)	(14,000)
	Asset Management for Countryside sites (SIM00451)	(46,000)	0	0	0	0	0	0	(46,000)	0	(46,000)
	Building repairs (PRM000450)	0	0	(50,000)	0	0	0	0	(36,000)	(14,000)	(50,000)
	Potter Heigham Chalet Income (UTE000451)	0	0	0	(19,000)	0	0	0	(19,000)	0	(19,000)
	<u>Contributions from Reserves to 31/03/19</u>										
	Norfolk CC Archaeology SLA (CUL000450)	0	0	0	3,500	0	0	0	3,500	0	3,500
	Replacement of three Yare House pool vehicles (one Kangoo)	0	36,000	0	0	0	0	0	24,120	11,880	36,000
	Peugeot Boxer dropside for CM&E	0	14,000	0	0	0	0	0	4,200	9,800	14,000
		0	0	0	0	0	0	0	0	0	0
	Forecast Balance 01 April 2019	(561,103)	(336,289)	(227,675)	(282,412)	0	(150,000)	(0)	(818,837)	(738,642)	(1,557,479)
2019/20	<u>Contributions to Reserves to 31/03/19</u>										
	Vessels and Equipment (VES000451)	0	(92,000)	0	0	0	0	0	(27,600)	(64,400)	(92,000)
	Vehicles (VEH000451)	0	(22,000)	0	0	0	0	0	(6,600)	(15,400)	(22,000)
	Mutford Lock (MLK000451)	(25,000)	0	0	0	0	0	0	0	(25,000)	(25,000)
	Mutford Lock Rent (MLK000451)	(2,000)	0	0	0	0	0	0	0	(2,000)	(2,000)
	Launches (LAU000451)	0	(18,000)	0	0	0	0	0	0	(18,000)	(18,000)
	Ranger Vehicles (RAN000451)	0	(13,000)	0	0	0	0	0	(5,200)	(7,800)	(13,000)
	Dockyard Site (PRM009451)	0	0	(30,000)	0	0	0	0	(9,000)	(21,000)	(30,000)
	Pool Vehicles (PCP000451)	0	(14,000)	0	0	0	0	0	(9,380)	(4,620)	(14,000)
	Building repairs (PRM000450)	0	0	(50,000)	0	0	0	0	(36,000)	(14,000)	(50,000)
	Asset Management for Countryside sites (SIM00451)	(46,000)	0	0	0	0	0	0	(46,000)	0	(46,000)
	Potter Heigham Chalet Income (UTE000451)	0	0	0	(19,000)	0	0	0	(19,000)	0	(19,000)
	<u>Contributions from Reserves to 31/03/20</u>										
	Replace Wherry Onward (VES000450)	0	107,000	0	0	0	0	0	32,100	74,900	107,000
	Replacement of two Yare House pool vehicles (two Smart)	0	16,000	0	0	0	0	0	10,720	5,280	16,000
	Replace CME Transit Van	0	11,500	0	0	0	0	0	3,450	8,050	11,500
	Forecast Balance 01 April 2020	(634,103)	(360,789)	(307,675)	(301,412)	0	(150,000)	(0)	(931,347)	(822,632)	(1,753,979)

Ethical Standards in the Broads Authority
Report by Solicitor and Monitoring Officer

Summary: This report considers the requirement of meeting and maintaining high ethical standards and considers current guidance.

Recommendation: That the report is noted and that the recommendations for further action in Section 4 be adopted.

1 Introduction

- 1.1 This report considers the broad question of ethical standards at the Broads Authority in the context of governance, reviewing current available guidelines and making any appropriate recommendations. This follows a low-priority recommendation made by internal audit, in 2016.
- 1.2 “Ethics” is described by Transparency International as “Based on core values, a set of standards for conduct in government companies and society that guide decisions, choices and actions”.
- 1.3 The current regime of standards in local government arises from a number of well-known and high profile reports, which led to the implementation of the Localism Act 2011. Best-known of these was the Nolan Report which established the Seven Principles of Public Life (the so-called Nolan Principles) and the requirement for local authorities to adopt a local code based on these.
- 1.4 The Seven Principles of Public Life are selflessness, integrity, objectivity, accountability, openness, honesty and leadership and are incorporated into the Broads Authority’s Members’ Code of Conduct adopted in September 2016.
- 1.5 The Localism Act 2011 transferred to local authorities the duty to promote and maintain high standards, previously exercised by Standards for England.
- 1.6 Useful guidance on ethics for public bodies and those organisations delivering public services is produced by the Committee on Standards in Public Life and contained in their publication “Ethical Standards for providers of public services”, dated June 2014 and their 2015 guidance.
- 1.7 High ethical standards are important for society as a whole. The Committee on Standards in Public Life points out that they are particularly important where public money is being spent on public services or public functions. This is because commissioning and procurement decisions can have a major impact on the users’ daily lives and the consequences of service delivery

failure can have a widespread impact on individuals and public trust. The Committee's research through Ipsos MORI found that the public want the same ethical standards across public sectors and supported by a code of conduct. Public and stakeholder views of what should constitute ethical standards are broadly in line with the Seven Principles of Public Life. Of particular importance is that the public care about "how" public services are delivered.

1.8 The Committee's 2015 guidance has some examples of measures which could be expected of, implemented and embedded by providers of public services. These may apply to many different types of organisations, including those who commission, procure or deliver services on behalf of authorities. These include:

- Evidence of leadership commitment to ethical standards
- Evidence of board and individual responsibility for ethical standards
- Evidence of internal control and accountability measures
- Evidence of establishing an ethical awareness and capability in recruitment, induction, progression, training and professional development
- Evidence of appraisal, promotion and reward that take account of values and ethical behaviour
- Evidence of commissioner-provider and user-provider dialogue.

1.9 The Broads Authority implements the CIPFA/Solace Framework "Delivering Good Governance", which underwent a significant review during 2016 and which is currently informing a review of the Authority's Code of Corporate Governance. This Framework implements the Accounts and Audit Regulations 2015 and recommends that Authorities adopt their own local code which reflects seven core principles. The first of these CIPFA core principles is "Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law". The sub-principles to this, so far as demonstrating strong commitment to ethical standards include:

- Seeking to establish, monitor and maintain the organisation's ethical standards and performance
- Underpinning personal behaviour with ethical values and ensuring they permeate all aspects of the organisation's culture and operation
- Developing and maintaining robust policies and procedures which place emphasis on agreed ethical values
- Ensuring that external providers of services on behalf of the organisation are required to act with integrity and in compliance with ethical standards expected by the organisation.

- 1.10 It will be seen that both the Committee on Standards in Public Life and CIPFA have broadly similar criteria and examples which may be regarded as applicable to the Broads Authority.
- 1.11 A number of officers and members are members of professional bodies and will be subject to those ethical standards.

2. Setting ethical standards

- 2.1 From the guidance above, the Broads Authority should be seen to set its ethical standards in a number of ways. These should include:
- Putting the standards in writing in the form of a local code and taking steps to explain them
 - Using these standards in recruitment, staff and member induction.
 - Ensuring that Members and the Authority's senior officers lead by example
 - Developing robust policies and procedures which reflect ethical values
 - Periodically reinforcing the standards through training and personal development
 - Using ethical standards as considerations when rewarding staff or making promotions
 - Using internal controls and procedures which reflect ethical standards
 - Carrying out periodic checks by way of Member and staff appraisals and stakeholder surveys which will allow an accurate picture of ethical standards to be obtained as well as providing an outlet whereby members and staff can report any practices about which they are uncomfortable.
 - Ensuring that advice is available on ethical standards and that there is a line of confidential reporting
 - Ensuring that in procurement exercises, that providers are required to act with integrity and in compliance with ethical standards expected by the Broads Authority

3. How does the Broads Authority currently demonstrate high ethical standards?

- 3.1 The Broads Authority has already adopted a number of core values as a local ethics code, which it is inculcating throughout the organisation. These are:

Sustainable – We consider the environmental and financial implications in everything we do

Exemplary – We strive for excellence in all we do

Commitment – We are committed to making a difference for the Broads for the benefit of everyone

Caring – We are considerate and respectful of each other

Open and Honest – We are open, honest and inclusive in all our decisions and communications

It is considered that these core values reflect high ethical standards and include considerations which benefit individuals, the environment and include financial responsibility and integrity. They are clearly consistent with the Seven Principles of Public Life and draw from them.

3.2 The Authority's core values are used and applied as follows:

- Through recruitment and staff interviews and induction. They were used as part of the interviews for the recent vacancy on the Navigation Committee and interviews for staff have a question which features the core values.
- There is an up-to-date Code of Conduct for members adopted in September 2016 and a similar document for staff, which adopt the core values and in the case of Members, the Nolan Principles
- Core values are used across a range of activities and exercises in order to raise awareness of them, such as on Staff Development Days. As part of May 2017's Staff Development Day, the core values formed part of a self-assessment exercise..
- Staff have undertaken an exercise whereby each department provides examples of behaviours which would meet and conversely not meet, core value standards
- The core values were part of the 2017 assessment by Investors in People
- The Authority's Code of Corporate Governance is currently in the process of being comprehensively reviewed against the core principles set by the CIPFA/Solace Framework
- Members and co-opted Members have been invited to undertake an annual appraisal, which has had a high take-up.
- Staff undertake an annual Individual Performance Review, whereby they are assessed against their use of core values over the past year.

4 Actions for Improvement

4.1 It is considered that there are areas where the Broads Authority could improve its use of, or further demonstrate its commitment to ethical standards. These include:

- The Members Induction Programme to include reference to ethical standards.

- That reviews of procedures and policies include the use of Independent Persons appointed under the Localism Act 2011 to provide external scrutiny of processes where appropriate.
- The current review of the Code of Corporate Governance includes a full implementation of those elements of the CIFA framework as address ethical standards and procedures.
- The Broads Authority seeks to engage in dialogue with stakeholders and outside bodies to allow itself to draw a picture of how its ethical standards are perceived by those bodies.
- When the Broads Authority repeats the stakeholder survey by Insight Track, or equivalent exercise, that this should include an assessment of ethics within it.
- Ensuring that when procuring contracts for the supply of goods and services to the Authority or on behalf of the Authority, that appropriate questionnaires are used and documents provided to it , to allow the Authority to be satisfied that it deals only with organisations which themselves have high ethical standards.

Background paper:	None
Author:	David Harris, Solicitor and Monitoring Officer
Date of report:	8 May 2017
Broads Plan Objectives:	None
Appendices:	None

Protocol on Member and Officer Relations
Report by Solicitor and Monitoring Officer

Summary: This report recommends amendments to the Protocol on Member and Officer Relations in the Broads Authority.

Recommendation: That Members approve the proposed draft amendments attached to this report.

1 Introduction

- 1.1 The Protocol on Member and Officer Relations was last revised in May 2009. It is considered that it should be updated to reflect legislative changes since the last review and other policies and procedures which have changed since that date.
- 1.2 Most local authorities and national park authorities have a Protocol on Member and Officer Relations. Many of these, especially those for national parks are drawn from a similar precedent. A number of these have been reviewed as part of the process and the best elements of those have been drawn from for the purpose of this review.
- 1.3 The most significant change since the last review has been the Localism Act 2011 which has put certain obligations on members and has incorporated the Nolan Principles and established specific statutory posts, such as the Monitoring Officer.
- 1.4 It is considered that the Authority's core values should be incorporated in to the Protocol, which has been done.

2 Recommendation

- 2.1 That the proposed amendments to the Protocol on Member and Officer Relations be approved by Members.

Author: David Harris, Solicitor and Monitoring Officer

Date of report: 8 May 2017

Broads Plan Objectives: None

Appendices: Draft amended Protocol on Member and Officer Relations with track changes.

DJH/SAB/rptba190517/Page 1 of 1/080517



Protocol on Member and Officer Relations in the Broads Authority

May 2017

Version 2.0
Review date: May 2020

DJH/SAB/rptapba190517/Page 1 of 17/080517

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1 Purpose

- 1.1 The purpose of this protocol is to clarify and assist in the development of good working relationships between members and officers of the Broads Authority to ensure the effective operation of the Authority. The principles of this protocol will also apply to co-opted and independent members of the Navigation and Standards Committees, and to externally engaged officers when acting on behalf of the Authority.

1.2 For convenience, reference throughout this protocol to members includes co-opted members.

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2 Core values

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2.1 In carrying out their roles, both members and officers should uphold and promote the Authority's core values. The core values assist the Authority in maintaining high ethical standards. The core values are:

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Sustainable – We consider the environmental and financial implications in everything we do

Exemplary – We strive for excellence in all we do

Commitment – We are committed to making a difference for the Broads for the benefit of everyone

Caring – We are considerate and respectful of each other

Open and Honest – We are open, honest and inclusive in all our decisions and communications

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3 Roles and Responsibilities of Members and Officers

3.1 Mutual respect and courtesy between Officers and Members is essential to all local government authorities and this affects the efficient administration of the Authority's functions and the reputation of the Authority itself.

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2.1 Both members and officers are servants of the public and they are indispensable to one another, but their responsibilities are distinct. Members are responsible to the public at large. Officers are responsible to the Authority but do have a public service role; their job is to advise the Authority and to carry out the Authority's work under the direction of the Authority and its committees.

3.2 Members and Officers need to be clear about their respective roles in the Authority and about less clear-cut areas. This can only be achieved if there is mutual understanding and good communications.

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32.2 The primary role and key functions of members are detailed in the 'Job Description for Members of National Park Authorities' at Attachment 1. To provide clarity for the additional characteristic of the Broads Authority, the Job Description for Appointed Members of the Broads Authority Navigation Committee is at Attachment 2. ~~Members are responsible for setting the strategy and policies of the Authority and monitoring their implementation while officers are responsible for providing advice to the membership and once the direction of travel is set then taking the relevant actions forward.~~

32.3 For the Authority to work effectively it requires a high degree of trust and common understanding between officers and members of the Authority. Both need to respect each other's roles and officers may from time to time have to give advice which the members might not agree with and members may from time to time take decisions contrary to the advice of officers. Those instances should be accepted as unusual but not unacceptable. Where officers do have to give advice that a certain course of action cannot be carried out, they should seek to give suggestions as to how members might achieve some or all of their objectives in other ways.

32.4 Members should leave the day-to-day implementation of policies, including management, to officers. Members have a right to ensure that their decisions for which they are statutorily responsible and accountable are implemented by officers in a timely and efficient manner.

3.5 Members should recognise that officers are required to be politically neutral and to serve all members equally.

3.6 The key role of members is to define the policy priorities, monitor implementation and to provide strategic leadership and direction in partnership with the executive.

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3.7 Members and officers together must establish the best way to put the values of the Authority, its statutory purposes and policies into effect.

43 **Expectations**

43.1 Members and officers can expect the following from each other:

- A commitment to the Authority as a whole and not only to any part of it.
- Respect and courtesy.
- The highest standards of integrity.
- A working partnership.
- An understanding of and support for respective roles, workloads, pressures and aspirations.
- Appropriate confidentiality.

- Not to be subject to bullying or to be put under undue pressure.
- That they will not use their position or relationship with each other to seek to advance their personal interests, or those of others, or to influence decisions improperly.
- Compliance with the Members' Code of Conduct or Employee Code of Conduct, as appropriate, at all times.

43.2 In addition, members can expect from officers:

- Timely response to enquiries and complaints.
- Pro-active and re-active professional advice, not influenced by political views or personal preference, which does not compromise the political neutrality of officers.
- Regular up to date information that can be considered appropriate and relevant to their needs, having regard to any individual responsibilities that they have and positions they hold.
- Awareness and sensitivity to the political environment.
- Training and development in order to carry out their role effectively.
- Support for the role of members within the arrangements made by the Authority.

43.3 In addition, officers can expect from members:

- Leadership.
- That they take responsibility for decisions made by the Authority and for defending them publicly.

54 Working Relationships

54.1 Both members and officers should take care not to give the impression that their distinct roles have become blurred in some way. Maintaining confidence in the separation of these roles necessarily imposes limitations on behaviour. Members and officers should exercise caution in forming close personal friendships between each other. This can confuse their separate roles and affect the proper discharge of the Authority's functions. The perception could be in others that a particular member or officer may be able to secure advantageous treatment as a result of such a friendship. This should not preclude organised or public social opportunities for officers and members to mix to aid understanding and empathy. Where a relative or close personal friend of an employee becomes a member of the Authority the employee should make the circumstances known to the Chief Executive.

5.2 Any act against an individual officer may be regarded as a form of bullying, intimidation or harassment if it is intended to influence unfairly that person's actions, thoughts or deeds. Whilst no policy statement can give guidance on every instance where such behaviour may occur, the Authority is committed to promoting standards of behaviour which reflect the proper, professional working relationship which should exist between members and officers at all

[times and to ensure normal standards of courtesy and behaviour between individuals.](#)

[54.32](#) All dealings between members and officers should [therefore](#) observe reasonable standards of courtesy and neither party should seek to take advantage of their position. Members' concerns about the conduct or performance of an officer should be made to the Chief Executive or in his absence a Director or the Monitoring Officer. It is particularly important that such concerns are made in this way and are not made in public such as at a meeting of the Authority, or its committees, sub-committees or other external bodies, [as officers cannot respond in public.](#)

[5.4](#) The corollary [to the member's concern about an officer's performance](#) is a concern by an officer in relation to a member's conduct. All such concerns should be brought to the attention of the Chief Executive who, if appropriate, may discuss the matter with the Chair of the Authority and, where appropriate, the Monitoring Officer.

[5.5](#) [Members should recognise and have regard to the Authority's role as an employer and the potential liability of the Authority for actions of members in relation to officers' employment rights.](#)

[65](#) Conduct of Meetings

[65.1](#) Agendas for meetings of the Authority, its committees, sub-committees and other bodies shall be prepared by the Chief Executive in consultation with the appropriate Chair (and/or Vice-Chair). Any member may ask the Chief Executive or Chair to include an item of business on the relevant agenda and where appropriate arrange for a report on the matter to be prepared. As a matter of courtesy, members should consult with the Chair before making such a request.

[65.2](#) The meetings are an opportunity for an open debate, within a healthy, collegiate and respectful environment, and supported by officers, who can supply information and advise on the merits or otherwise of courses of action. Members should always provide the opportunity for the presenting officer to introduce the subject and to emphasise or summarise the key issues or questions to be addressed. In the case of a report considered by a Committee, the Broads Forum or a Working Group, the relevant Chair should be asked to present the views of the relevant body.

[65.3](#) The Chair (or the Vice Chair) should then invite an open debate about the issues in which members may:

- Seek further information.
- Question officers about the proposals.
- State their agreement or opposition to the recommendations or proposals, with their reasons.
- Put forward alternative proposals.
- Exercise their proper right to scrutinise the Authority's work.

65.4 As good practice, members should keep to the point of the discussion as outlined in the paper before them. If members wish to raise significant questions, or have identified key points of difference of view with the papers presented, they should where possible and practicable give advance notice to the officer presenting the paper, thus giving officers an opportunity to come to the meeting prepared to respond to specific supplementary questions. However, members should not feel impeded in raising any issue or matter that they believe is relevant to the discussion should it subsequently arise.

65.5 Members contributions to the Authority should primarily be through the committees of which they are members. Should members wish to raise an issue for consideration by a committee of which they are not a member, this should be raised at the full Broads Authority for consideration in accordance with paragraph **5.6.1** above. Members' comments on reports and issues should also be raised in the appropriate committee of which they are a member; members should not direct comments to committees they are not a member of, unless these have been invited through a committee decision.

7 Consultation with Monitoring Officer or Chief Financial Officer

7.1 If members have any issues of legality, maladministration, financial impropriety or probity, or if members have are in any doubt as to whether decisions are or likely to be contrary to the Authority's policy, budget or law, members are required to consult with the Monitoring Officer or Chief Financial Officer as appropriate.

7.2 Whilst it is members' responsibility to ensure that they comply with the requirements of the Localism Act 2011 in relation to Disclosable Pecuniary Interests, they should seek guidance from the Monitoring Officer if in any doubt as to whether to declare an interest or gift.

86 Communications

86.1 Members and officers have an important role in promoting the work of the Broads Authority and ensuring that the Authority is correctly represented in media communications. Full guidance for members and officers on how to respond to media contacts is clearly laid out in the Authority's Communication Strategy. ~~will be provided by the Authority's Communications Strategy once developed.~~

86.2 The Chair of the Authority and Chief Executive should normally speak on behalf of the Authority, though from time to time other committee chairs or lead members might be asked by the Authority to speak to the media on specific issues¹. Members should discuss all media contacts with the Chair and Chief Executive (and/or in due course the Head of Communications) in the first instance, to ensure that the Authority is correctly represented. This

¹ This does not preclude local authority members from speaking on behalf of their constituent local authority.

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principle will also apply to any letters or other types of correspondence written for publication (including on websites), though this does not cover matters unrelated to the work of the Authority.

8.3 Where members run a private blog or social networking site or otherwise use social media they may inadvertently give the impression that they are acting in an official capacity. In such situations, members should make clear to readers that they are writing in a private capacity (or the capacity in which they are writing) and that it is not in their capacity as member of the Authority. The relationship between members and officers and this protocol will potentially be engaged by the use of social media. Members should follow the Authority's protocol on the use of social media, once developed.

8.4 – Members are reminded that special rules apply to the Authority's publicity during an election period. The rules are contained in the Code of Recommended Practice on Local Authority Publicity. Members should be vigilant not to breach this code and to take advice from the Head of Communications.

97 Provision of Information

97.1 The Chief Executive and the Directors (within their area of responsibility) have a responsibility to ensure that chairs, vice chairs and lead members are kept informed of relevant matters.

97.2 Members have a statutory right to see documents which contain information relating to meetings of the Authority and its committees. However, this statutory right does not extend to certain categories of exempt and confidential information.

97.3 Members have a common law right to inspect any Authority documents *if access to the documents is reasonably necessary to enable the member properly to perform their duties as a member of the Authority*. This principle is commonly referred to as the “need to know” principle and the exercise of this right depends upon the member’s ability to demonstrate a “need to know”. In this respect, a member does not have a “roving commission” to go and examine all documents of the Authority. A mere curiosity is not sufficient. The crucial question is whether there is a “need to know”.

97.4 It is, however, important that requests for information are directed at the right level within the Authority. Though members have the right to make requests for information under the Freedom of Information Act, this should not be the normal course of action, and members should use less formal methods for requesting information. The purpose of the process set out below is to indicate how such requests for information should be made and dealt with. Although primarily concerned with the provision of information (both written and oral) it also applies to requests for briefings and similar meetings.

- | [97.5](#) Where routine and straightforward information is easily provided with minimal officer time, information may be best dealt with in a timely manner by a request to the officer responsible. Where the information requested is extensive or involves significant officer time, the initial request for information should be made to the Chief Executive or relevant Director. The request should preferably be made in writing (either by letter or email) and should:
- Identify the information required by the member.
 - State the reasons for wishing to obtain it.
 - Make it clear whether the member has a personal interest in the matter (as defined in the Members Code of Conduct) and, if so, what it is.
- | [97.6](#) The officer receiving such a request is entitled to ask the member to make the request in writing if there is any doubt about any of these matters.
- | [97.7](#) An officer receiving a request for information will arrange for it to be provided expeditiously and in good time for the member to be able to use it as part of their responsibilities as a member. Any officer who is in any reasonable doubt regarding the release of the information will consult the Monitoring Officer for advice. If, after receiving this advice, it is not considered appropriate to release the information either because the member has not established a need to see it, or because the officer has other concerns (for example the member has a personal interest in the matter, the information is commercially or otherwise sensitive, or the amount of work involved in identifying and producing the information is considered to be excessive), and the member takes a different view, then the matter will be referred to the Chief Executive/Chair before making a decision.
- | [97.8](#) Data protection legislation restricts the processing of information relating to individuals. As a result, any such information cannot be shared without the agreement of that individual or unless one of the legal exemptions applies.

| [108](#) Disclosure of Information

| [10.1](#) Confidential papers (pink papers) are to be treated as confidential information unless the Authority or committee resolves not to exclude press or public. Members are reminded that the author of the report makes the initial decision as to whether the paper is to be treated as confidential. The decision as to whether they remain confidential is taken at the Authority or committee meeting to which they are presented.

| [10.2](#) For other information a member must not disclose information given to them in confidence, or information which they believe or ought reasonably to be aware is of a confidential nature. There are various exceptions to confidentiality, such as where there is an obligation in law to make a disclosure or it, or if there is a public interest which outweighs other considerations and disclosure is made in good faith. There are other examples of situations which may apply.

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10.34 A member who is unsure whether particular information is confidential shall take advice from the Chief Executive, or the Solicitor and Monitoring Officer.
Director of Corporate Services or Solicitor.

10.45 For the purposes of this protocol information may be confidential for a number of reasons e.g.:

- It is commercially sensitive.
- It concerns an Individual or their private business or business affairs.-
- It relates to enforcement action to be taken by the Authority-

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10.5 The Authority has previously agreed the following in relation to the disclosure of information:

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10.6 A member wishing to disclose (to the press or otherwise) information which he or she has reason to believe may be confidential or ought to know is confidential, must first notify either the Chief Executive, Director of Corporate Services or the Authority's Solicitor and Monitoring Officer, giving full written details of the information which it is proposed to disclose. This will then create the opportunity for the Authority, together with the member, to consider whether it is, in fact, confidential and, if it is, the extent to which any of it can appropriately be disclosed.

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10.7 In some cases, it will necessarily be that these issues cannot be resolved immediately. Therefore unless the Authority (through one of the three officers named above) agrees in writing that the information can be released earlier, the member will not release it for 72 hours following the written contact referred to in paragraph 10.6 above

11 Roles of Specific Officers as set out by law.

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11.1 There are three officers that have specific roles defined by statute that members should note:

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Head of Paid Service

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This role is carried out by the Chief Executive. The Head of Paid Service is under a duty where he or she considers it appropriate to report to the Authority and members on

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- The manner in which the discharge by the Authority of its different functions is co-ordinated

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- The number and grades of staff required by the Authority for the discharge of its functions

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- The organisation of the Authority's staff; and

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- The appointment and proper management of the Authority's staff

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Section 17 Chief Finance Officer

This role is carried out by the Chief Finance Officer and is responsible for the proper administration of the Authority's financial affairs. He or she is under a duty to report any decision involving unlawful expenditure by the Authority; any unlawful course of action likely to cause loss or deficiency on the part of the Authority; or an unlawful entry of an item of account.

Monitoring Officer

This role is carried out by the Solicitor and Monitoring Officer. He or she has a duty to put a formal report to the Authority where it appears that the Authority, its committees or officers are involved in any proposal decision or omission which is likely to be illegal or give rise to maladministration or injustice. The Monitoring Officer also has specific legal duties and powers in relation to the Members' Code of Conduct and the Financial, Scrutiny and Audit Committee when dealing with members' standards issues.

▲

Attachment 1 – Job Description for Members of National Park Authorities
Attachment 2 – Job Description for Appointed Members of the Broads Authority
Navigation Committee

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Attachment 1

Job Description for Members of National Park Authorities²

National Park Purposes

Each National Park exists to conserve the natural beauty, wildlife, and cultural heritage of its area, to promote wide public understanding and enjoyment of them and, with others, to seek to foster the economic and social well being of communities in the Park.

Purpose of the Role

The overall purpose of the Chair and Members is to ensure that the National Park Authority fulfils the National Park purposes to the full and does so in the way that best suits the special characteristics of the Park. They have a duty to achieve the efficient, effective and accountable governance of the Authority in the best interests of the National Park and to provide leadership, scrutiny and direction for the organisation as a whole in pursuing the aim of sustainable development – balancing and integrating the environment, social and economic considerations. The primary purpose of the role of the Member is to work with the Chair, Chief Executive³ and other Members to discharge the functions of the Authority and to steer and champion the management of the Authority so that it delivers benefits to the nation and its local communities in accordance with National Park purposes⁴.

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Key Functions

- act with independent judgement;
- use your skills experience, local, regional and national knowledge for the benefit of the Authority;
- collectively participate in the development of policy direction, strategic thinking and innovation within the Authority, through the development of management policy, business plans and participation in the activities of the Authority's Working Groups⁵;
- independently scrutinise the workings and policies of the Authority;
- be committed to working in the best interests of the National Park;
- influence the Authority to help it come to informed and balanced decisions;

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² Reference to National Park Authority includes for this purpose the Broads Authority which was established under its own Act of Parliament and has a third duty to protect the interests of navigation.

³ National Park Officer in some parks and Chief Executive in others.

⁴ In the case of the Broads Authority this includes the third purpose: to protect the interests of navigation

⁵ Note: A Members role is not to micro-manage the Authority, staff are employed to run the business of the Authority, but performance information needs to be available so that Members could be certain that Authority is delivering against its approved plans.

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- seek clarification of policy and action proposals if appropriate;
- challenge proposals that exceed or go against the statutory purposes of the Authority;
- accept collective responsibility for the decisions of the Authority;
- approve and monitor programmes to implement the Authority's policies;
- contribute opinions and advice from local, regional and national perspective;
- work with Members, staff and stakeholders to apply the principles of sustainable development and the principles of National Parks⁶ to all decision-making;
- be an ambassador for the National Park;
- Help to promote the profile and effectiveness of the Family of National Parks both through the work of your own Authority, cooperative action such as peer support and peer review and cooperation with the work of Defra, Natural England and the Association of National Park Authorities/English National Park Authorities Association.

In order to achieve this, Members will be expected to:

- attend and contribute to regular meetings of the Authority, its committees and working groups and raise issues of concern through the established procedures and mechanisms adopted by the Authority;
- read and understand, and seek clarification where necessary from Lead Officers, of briefing material provided for meetings so that you will be properly prepared for any debate on issues across the full range of the Authority's responsibilities ;
- champion and represent the Authority as an effective mechanism for promoting conservation of the Park's natural beauty, wildlife and cultural heritage, increasing public understanding and enjoyment of its special qualities and maintaining the social and economic well being of local communities; and in the case of the Broads Authority, protecting the interests of navigation;
- attend appropriate training courses, briefing sessions and events arranged or sponsored by the Authority and the Association of National Park Authorities;⁷

⁶ Note: the Sandford Principle does not apply to the Broads Authority which has three duties under the Norfolk and Suffolk Broads Act 1988

⁷ In the case of the Broads Authority this will include training in relation to the Authority's role as a navigation authority.

- adhere to the Standards of Conduct, Accountability and Openness of the National Park Authority;
- embrace the Government's programme for Implementing Electronic Government.

There will be opportunities to:

- serve on committees and working groups dealing with particular issues affecting the National Park;
- champion or lead a specific area of the Authority's work;
- talk about the work of the Authority to local community groups;
- learn about the National Park and other protected landscape matters on field visits and fact finding tours;
- meet other people responsible for National Park matters.

Performance Measurement

The Government, with the English National Park Authorities Association, is working up ideas for measuring the effectiveness of Authorities and their individual members. In the meantime, the following proxy measures provide a starting point for members and others to gauge the contribution which they are making to the life of the Authority

- Attendance at main Authority meetings

The measure being the % of full Authority meetings and approved duties actually attended which that member could have attended.

Target: at least 75% and 75% of each specific meeting

Purpose: to monitor participation and commitment.
- Representation of the Authority at approved external meetings and events.

Purpose: to ensure an even distribution of workload, and to monitor this workload in line with 'reasonable expectations' of time commitment.

Job Description for Appointed Members of the Broads Authority Navigation Committee

Role of the Navigation Committee

The Broads Authority's Navigation Committee has an important role, recently reinforced and agreed with the national boating organisations as:

“to act as a scrutiny and advisory committee in relation to the navigation, consulted in advance on all matters of significance to navigation and with the facility to have delegated to it navigation functions but with no obligation for this to happen. This leaves the Authority and, so far as functions are delegated to them, its officers, with the full executive function but with improved accountability, recognising that the Navigation Committee has an important role in advising upon, facilitating and scrutinising the activities of the Authority in relation to its role as a navigation authority.”⁸

Membership of the Navigation Committee

The Navigation Committee consists of thirteen members, five appointed from among members of the Authority, and eight others (for details see Annex 1). This job description and person specification is for the eight members of the Navigation Committee, who are not members of the Authority. The Authority members already have a job description prescribed by the Secretary of State.

Key Functions of the Appointed Members to the Navigation Committee

- provide advice to the Authority in relation to its navigation functions so that it can come to informed and balanced decisions;
- scrutinise the workings and policies of the Authority in relation to its navigation functions;
- represent the interests of users of the navigation at meetings of the Navigation Committee;
- act with independent judgement;
- use your skills, experience, and knowledge for the benefit of the Authority; and,
- be committed to working in the best interests of the Broads;

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In order to achieve this, appointed Members of the Navigation Committee will be expected to:

- attend and contribute to at least 75% of the meetings of the Navigation Committee and raise issues of concern through the established procedures and mechanisms adopted by the Authority;
- read and understand, and seek clarification where necessary from Lead Officers, of briefing material provided for meetings so that you will be properly prepared for any debate on issues across the full range of the Authority's navigation responsibilities;
- adhere to the authority's Code of Conduct and the general standards expected from those in public office.

⁸ (Appendix 3, paragraphs 1.6 and 1.7 of the agreement with RYA & BMF)

Person Specification

Essential Qualifications

Successful candidates will:

- have a good knowledge of the Broads and its special qualities;
- have a good knowledge of the navigation area and current relevant issues;
- have a good knowledge of the varied recreational uses of the Broads;
- have a good knowledge of the boating industry and the current issues the companies face;
- an ability to think independently;
- be able to see more than one side to every argument and take a balanced view;
- have excellent interpersonal and communication skills;
- be ready to contribute to discussions on how the Broads is managed for the benefit of local people, visitors who come to enjoy it, and for the nation as a whole;
- have some understanding of how committees work together to reach decisions, or be prepared to undergo basic training in this kind of activity;
- be able to take on board briefing material relating to issues affecting the Broads and its communities, draw conclusions from it, and use it effectively in discussion;
- be able to attend the meetings of the Navigation Committee and occasionally other events associated with the management of the Broads.

Desirable Qualifications

It is desirable though not essential that successful candidates will:

- be a current toll payer;
- be able and willing to exercise a representative role on behalf of users of the navigation area; and,
- be able to contribute on specific area (s) of competence and expertise such as: navigation safety, accountancy, business management and maintenance of the navigation.

Term of Office

Appointments and re-appointments to the Committee will be made for three years with a maximum aggregated term of ten years.

Annex 1– Membership of the Navigation Committee

Appointments to the Navigation Committee are made by the Authority, either directly from its own membership or after consultation with other bodies.

Section 9 of the Act sets out the framework for the Navigation Committee.

(2) The Navigation Committee shall consist of thirteen members appointed by the Authority.

(3) Five⁹ of the members of the Navigation Committee shall be appointed by the Authority from among the members of the Authority.

(5) Of the other eight¹⁰ members of the Navigation Committee, all of whom shall be appointed from among persons who are not members of the Authority—

(a) two shall be appointed after consultation with such bodies appearing to the Authority to represent the owners of pleasure craft available for hire or reward as it considers appropriate;

(b) one shall be appointed after consultation with such bodies appearing to it to represent nationally the owners of private pleasure craft as it considers appropriate;

(c) one shall be appointed after consultation with such bodies appearing to it to represent the owners of private pleasure craft which use any part of the Broads as it considers appropriate;

(d) two shall be appointed after consultation with such bodies appearing to it to represent persons who are likely to be required to pay ship, passenger or goods dues imposed by it as it considers appropriate;

(e) one shall be appointed after consultation with such bodies appearing to it to represent other users of the navigation area as it considers appropriate; and

(f) one shall be appointed after consultation with the Great Yarmouth Port Authority.

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⁹ Note six in the 1988 Act but subsequently amended when the Authority reduced its membership in 2005

¹⁰ Similarly seven in the 1988 act now eight.

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Amendments to Standing Orders
Report by Solicitor and Monitoring Officer

Summary: This report recommends amendments to Standing Orders for the regulation of Authority proceedings to include those amendments necessary as the result of the recent decision to audio record Authority meetings.

Recommendation: That Members approve the proposed draft amendments attached to this report, to take effect from the next meeting or committee meeting of the Authority.

1 Introduction

- 1.1 The Standing Orders for the regulation of Authority proceedings were last revised in September 2014. It is considered that they should be updated to reflect the decision of the Authority on 27 January 2017 to audio record its meetings and those of its committees.
- 1.2 The opportunity has also been taken to include provisions relating to both the recording of meetings (paragraph 7 (4) and 12) and the use of handheld electronic devices, which are a familiar feature of meetings (paragraph 12). These reflect the approach of most local authorities, that such devices should be used in meetings, subject to sensible oversight.
- 1.3 It is common practice within local authorities not to permit electronic communication to and from regulatory committee meetings, such as planning committees and the new provisions reflect that.
- 1.4 The existing standing orders, whilst providing for a quorum for the Hearings Committee (paragraph 24 (2)) contained no specific provision for the convening of such a committee and the opportunity has been taken to provide for this with a new provision at paragraph 21 (3).
- 1.5 Further amendments have been proposed which, whilst not making any significant changes, add additional clarity to existing provisions. These include the inclusion of specific legal requirements on Disclosable Pecuniary Interests at paragraphs 8 (18) and (19). The changes are indicated by the highlighting in the Appendix to this report.

2 Recommendation

- 2.1 That the proposed amendments to Standing Orders be approved by Members and take effect from the next meeting of the Authority or of its committees.

Author: David Harris, Solicitor and Monitoring Officer

Date of report: 3 May 2017

Broads Plan Objectives: None

Appendices: Appendix 1 Draft amended Standing Orders for the regulation of Authority proceedings.

Broads Authority

Standing Orders for the Regulation of Authority Proceedings

(Approved by the Broads Authority xx month 20xx)

Part A - Procedure at Meetings of the Authority

1 Chairman of Meeting

Any power or duty of the Chairman relating to the conduct of a meeting may be exercised by any other person presiding at the meeting.

2 Quorum

- (1) Subject to paragraph 45 of Schedule 12 to the Local Government Act 1972, business can only be transacted if at least six members are present.
- (2) If there is no quorum the meeting must be immediately adjourned and any remaining business postponed either to a time fixed by the Chairman at the adjournment or, if the Chairman does not fix a time, to the next ordinary meeting of the Authority.

3 Order of Business

- (1) Subject to paragraph (2) the order of business at every meeting of the Authority must be:
 - (a) to remind those present that the meeting is being recorded (in accordance with Standing Order 12) and to receive apologies for absence;
 - (b) where required to appoint a Chairman and Vice-Chairman or, if necessary, to choose a person to preside if the Chairman and Vice-Chairman are absent;
 - (c) to deal with any business which statute requires to be done before any other business;
 - (d) to receive declarations of interest relating to items on the agenda;

- (e) to note whether any items have been proposed as matters of urgent business, and determine if these are to be dealt with;
- (f) to note whether any questions have been raised by members of the public, and if so to receive and respond to such questions;
- (g) to **approve** and sign **as a correct record** the minutes of the last meeting;
- (h) to receive a summary of progress/actions taken following decisions of previous meetings of the Authority;
- (i) to consider reports and presentations from officers, including those relating to any business specifically required by law;
- (j)** to receive and consider the minutes and recommendations of committees, the Broads Forum and other panels and forums established by the Authority, where appropriate;
- (k) to consider any other item of business which the Chairman decides should be considered as a matter of urgency;
- (l) to answer any formal questions of which due notice has been given under Standing Order 6;
- (m) to consider motions in the order in which notice has been received under Standing Order 4;
- (n) to deal with any other business specified on the agenda; and
- (o) to deal with any matters of business which involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A to the Local Government Act 1972.

Variations in the Order of Business

- (2) The order of business under items 3 (1) (d) to (o) can be changed:
 - (a) at the discretion of the Chairman;
 - (b) by a resolution passed on a motion, duly moved and seconded, which must be moved and put without discussion. The motion need not be in writing but must specify the reason why the order of business is to be changed.

4 Notices of Motion

- (1) Motions under Standing Order 5 may be moved without notice.

- (2) Notice of every other motion must be given in writing and be signed by the member of the Authority giving the notice. It must be delivered at least ten days before the next meeting of the Authority at the office of the Chief Executive . The Chief Executive must date and number motions in the order in which they are received

Motions to be set out in Agenda

- (3) The Chief Executive must set out in the agenda for every meeting of the Authority all motions of which notice has been duly given in the order in which they have been received, unless the member giving the notice stated in writing when giving it that it would be moved at a later meeting, or has since written to withdraw it.

Motion not Moved

- (4) A motion must be moved in the form set out in the agenda. This can be done by the member who gave the notice, or another on behalf of that member. The motion must also be seconded. If this does not happen it will be treated as withdrawn and cannot be moved without fresh notice. Alternatively, if the Authority agrees, the motion can be postponed.

Automatic Reference to Committee

- (5) If the subject matter of any motion of which notice has been properly given comes within the province of any committee or committees it must upon being moved and seconded be referred without discussion to such committee or committees or to such other committee or committees as the Authority may determine, for consideration and report.

However, the Chairman may allow the motion to be dealt with at the meeting at which it is brought forward.

Scope of Motions

- (6) Every motion must either relate to a function of the Authority or, in the view of the Chairman, affect the Authority's area.

5 Motions and Amendments which can be moved without Notice

- (1) The following motion and amendments can be moved without notice:-
- (a) to appoint a Chairman of the meeting;
 - (b) relating to the accuracy of the minutes;
 - (c) that an item of business is taken before other items;
 - (d) to refer a matter to a Committee;

- (e) to appoint a Committee or its members as a result of an item mentioned in the agenda for the meeting;
- (f) to:
 - (i) receive and adopt reports;
 - (ii) receive confirm or amend minutes of previous meetings;
 - (iii) receive minutes of Committees;
 - (iv) receive, adopt or amend recommendations or of any officer.
- (g) that a recommendation of a Committee:
 - (i) be adopted;
 - (ii) be referred back to Committee for further consideration and report;
 - (iii) be received but be amended for adoption by the Authority in a manner specified;
- (h) that consideration of the motion be postponed;
- (i) that leave be given to withdraw a motion;
- (j) to extend the time limit for speeches;
- (k) that a motion be amended;
- (l) that the Authority proceed to the next business;
- (m) that the question be now put;
- (n) that the debate be adjourned;
- (o) that the Authority adjourn;
- (p) to suspend Standing Orders, in accordance with Standing Order 17;
- (q) under Section 100A (4) of the Local Government Act 1972 to exclude the public;
- (r) that a member named under Standing Order 10 be not further heard or must leave the meeting;
- (s) to give the consent of the Authority where it is required by these Standing Orders.

- (2) If on the passing of any motion or amendment action has previously been taken under delegated powers to an extent which makes it impracticable to deal with the item in the manner desired by the Authority, the motion or amendment shall have effect as requiring the Committee to re-examine the policy involved and report to the Authority thereon before taking any further decisions or implementing decisions already taken involving the same question of policy.
- (3) A motion by the Chairman must take precedence over any other motion and must be put forthwith without discussion or question and without the need of a seconder. However, after the withdrawal of the public following any such motion a member may, notwithstanding any other provision of these Standing Orders, move that the public be re-admitted and upon that motion being seconded it may be discussed and voted upon.

6 Questions by members

- (1) A member may ask any question upon the business before the Authority (i.e. if included within the Agenda papers) if the question is put before the Authority's consideration of such business is concluded. This includes questions relating to the minutes of a committee then being received for review or consideration.
- (2)
 - (a) Ask any question relating to the business of the Authority providing written notice is received by the Chief Executive at the Authority's office at least four clear working days before the meeting.
 - (b) Every question asked in accordance with 6 (2)(a) shall be put and answered without discussion although the person to whom the question is put may decline to answer it.
 - (c) An answer may be given:
 - (i) orally; or
 - (ii) by reference to an Authority publication if it contains the answer; or
 - (iii) if a reply to a question cannot conveniently be given at the meeting, to be given in writing circulated to members of the Authority within 10 working days.
 - (d) If a member who has given written notice of a question is not present when the question is to be put, that question may, with the consent of the Authority, be asked by any other member present.

7 Minutes

- (1) The minutes of the previous meeting of the Authority shall be taken as read. The Chairman will ask whether the minutes of the previous meeting of the Authority can be signed as a correct record by asking the question:

"May the minutes of the meeting held on the X day of Y be approved as a correct record?"

- (2) The only aspect of the minutes which can be discussed is their accuracy. Any question about their accuracy must be raised (by motion if the Chairman considers this to be necessary). If no such question is raised, or if it is raised, as soon as it has been resolved the Chairman must sign the minutes.
- (3) Any question on the accuracy of the report or minutes of a Committee or Sub-Committee must be referred to the next meeting of the Committee or Sub-Committee and must not be discussed at the meeting of the Authority.
- (4) Notwithstanding the existence of any audio or video recording of any previous meeting, the signed minutes of that meeting shall stand as the formal record.

8 Rules of Debate for Meetings of the Authority

Motions and Amendments

- (1) A motion or amendment cannot be discussed until it has been proposed and seconded. Unless notice has already been given under Standing Order 4 it must, if required by the Chairman, be put into writing and handed to the Chairman or Chief Executive before it is further discussed or put to the meeting.
- (2) When seconding a motion or amendment a member may, on stating the intention to do so, reserve a speech on the matter until later in the debate.

Content and Length of Speeches

- (3) A member can only speak about the matter under discussion or on a point of order, or in personal explanation. A speech must not exceed five minutes in the case of the mover of a motion or three minutes in all other cases unless the Authority agrees to make an exception.

When a Member May Speak Again

- (4) A member who has spoken on any motion cannot speak again whilst it is the subject of debate, except:-

- (a) to speak once on an amendment moved by another member;
- (b) to move a further amendment if the motion on which he last spoke has been amended;
- (c) if the member's first speech was on an amendment moved by another member, to speak on the main issue, whether or not the prior amendment was carried;
- (d) in exercise of a right of reply given by paragraph (10) or (12) of this Standing Order;
- (e) on a point of order;
- (f) in personal explanation;
- (g) to move a resolution under paragraph (12) of this Standing Order;
- (h) to demand a recorded vote in accordance with Standing Order 13;
- (i) to move the suspension of Standing Orders in accordance with Standing Order 17.

Amendments to Motions

- (5) An amendment must be relevant to the motion and must either:-

- (a) refer the subject under discussion to a Committee for consideration or re-consideration;
- (b) leave out words;
- (c) leave out words and add others;
- (d) add words.

Omissions or additions must not have the effect of merely negating the motion before the Authority.

- (6) Only one amendment may be moved and discussed at a time. No further amendment can be moved until the amendment under discussion has been dealt with.

However, the Chairman may allow two or more amendments to be discussed (but not voted on) together if circumstances suggest that this will help business to be dealt with more efficiently.

- (7) If an amendment is lost, other amendments can be moved on the original motion. If an amendment is carried, the amended motion takes the place of the original motion and becomes the motion upon which any further amendment can be moved.
- (8) Any proposed amendment to a motion should be written down by the member concerned and handed to the Chairman (unless this requirement is dispensed with by the Chairman), prior to any vote being taken.

Alteration to Motion

- (9) If the Authority without discussion agrees, the proposer of a motion may amend that motion either:-
- (a) before it is formally moved; or
 - (b) after it is moved, with the agreement of the seconder.

This can only be done if in either case the alteration is one which could have been made as an amendment to the motion.

Withdrawal of Motion

- (10) A member can withdraw a motion or amendment with the permission of his seconder and of the Authority which shall be signified without discussion. Unless this permission is refused a member cannot speak upon the motion after the mover has asked permission to withdraw it.

Right of Reply

- (11) The mover of a motion has a right to reply at the close of the discussion on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion (who otherwise cannot speak on the amendment) also has a right of reply at the close of the discussion on the amendment. The mover of the amendment has no right of reply to the discussion on that amendment.

Other Motions

- (12) When a motion is under debate no other motion can be moved except:
- (a) that the subject of debate:-
 - (i) be referred to a Committee for consideration; or
 - (ii) be referred back to a Committee for further consideration;
 - (b) to postpone consideration of the motion;

- (c) to amend the motion;
- (d) to proceed to the next business;
- (e) that the question be now put;
- (f) to adjourn the debate;
- (g) to adjourn the meeting;
- (h) that Standing Orders be suspended in accordance with Standing Order 17;
- (i) under Section 100A (4) of the Local Government Act 1972 to exclude the public;
- (j) under Standing Order 10 that a member be not further heard or must leave the meeting.

Ending a Debate

- (13) At the end of any speech another member can without comment move:-

"that the Authority proceed to the next business";

"that the question be now put";

"that the subject of debate be remitted to a Committee for consideration";

"that the subject of debate be referred back to a Committee for further consideration";

"that consideration of the motion be postponed";

"that the debate be now adjourned"; or

"that the Authority now adjourn";

on the seconding of which the Chairman must proceed as follows:-

- (a) on a motion "to proceed to the next business" or "to remit or refer back to the Committee", the Chairman must first give the mover of the original motion a right of reply. Then, the Chairman must put to the vote the motion to proceed to the next business, to remit the subject of debate to a Committee for consideration, or to refer the subject of debate back to a Committee for further consideration, as the case may be;

- (b) on a motion that the question be now put, the Chairman must first put that motion to the vote. If it is passed the Chairman must then give the mover of the original motion a right of reply before putting the original motion or amendment to the vote;
- (c) on a motion to postpone consideration of a motion or to adjourn the debate or the meeting, the Chairman must put the postponement or adjournment motion to the vote without giving the mover of the original motion the right of reply on that occasion.

Only the Chairman may move a second motion to the same effect under this paragraph in reference to the same motion or amendment within a period of thirty minutes.

- (14) When satisfied that a reasonable range of opinion has been expressed on a motion or amendment, the Chairman may conclude the debate by calling upon the mover of the original motion to reply.

Points of Order and Personal Explanations

- (15) (a) A point of order is a request by a member to the Chairman for a ruling on any alleged irregularity in the constitution or conduct of the meeting.
- (b) The point of order must be raised as soon as the alleged irregularity is noticed. The member who notices the irregularity must specify the Standing Order or the statutory provision concerned together with the alleged breach.
- (16) When a member is misunderstood or misquoted by a later speaker or wishes to correct an earlier mis-statement subsequently quoted by a later speaker the member can rise on a point of personal explanation and, with the permission of the Chairman, interrupt the speaker in order briefly to correct the misunderstanding.
- (17) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation is not open to discussion.

Respect for Chairman

- (18) Whenever the Chairman rises during a debate any member then speaking must cease to do so and the rest of the members must be silent.

Disclosable Pecuniary Interests

- (19) Whenever a member has a Disclosable Pecuniary Interest in any matter to be considered or being considered **at a meeting of the**

Authority, committee or sub-committee that member shall leave the room while that matter is being considered unless prior to the meeting the Monitoring Officer has authorised the member to remain. In any event by virtue of S. 31 of the Localism Act 2011 no member may participate in discussion of or vote on that matter.

(20) If not already disclosed in writing, a member must notify the Monitoring Officer in writing of any Disclosable Pecuniary Interest declared at a meeting within 14 days.

9 Motions Affecting Employees or Exempt Information

- (1) If any question arises at a meeting of the Authority to which the press or the public has been admitted as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any employee of the Authority or to any information likely to be exempt under schedule 12A of the Local Government Act 1972, that question must not be the subject of discussion until the Authority has decided whether or not to exercise any power to exclude the public.

10 Disorderly Conduct

- (1) If any member persistently disregards the ruling of the Chairman, or behaves irregularly, improperly or offensively, or intentionally obstructs the business of the Authority, the Chairman or any other member can move "that the member named be not further heard". If the motion is seconded it must be put to the vote without discussion.

Continuing Misconduct by a Named Member

- (2) If the member named continues to misbehave after a motion under paragraph (1) has been carried the Chairman will either:

move "that the member named leave the meeting" (in which case the motion must be put to the vote without seconding or discussion); or

adjourn the meeting for so long as he thinks necessary.

General Disturbance

- (3) If there is a general disturbance the Chairman can adjourn the meeting for a period to be specified at the time of the adjournment or to the next ordinary meeting of the Authority.

11 Disturbance by Members of the Public

If a member of the public interrupts the proceedings at any meeting the Chairman may issue a warning. If the interruption continues the Chairman may order the offender to be removed. In the case of general disturbance in

any part of the meeting place open to the public the Chairman may order that part to be cleared.

12 Recording of Meetings and use of hand-held electronic devices

(1) Members of the public may take photographs, film and audio-record those parts of the proceedings at which they are entitled to be present and report on all public meetings as long as they do not make oral commentary during the meeting. The Chairman should ensure that members of the public who actively object to being filmed are not to be filmed, without undermining the broader transparency of the meeting.

(2) Subject to the availability of a suitable recording device and operator, the Authority shall make its own audio recording of its meetings and committee meetings, save for confidential or exempt items. The Chairman should announce at the beginning of every such meeting that recording is taking place and that the Authority retains the copyright in such recordings.

(3) Members wishing to make their own recording of meetings should declare this to the Chairman at the commencement of the meeting and should not record confidential or exempt items.

(4) Members should not use hand-held electronic devices or tablets in a way which causes disruption to any meeting or in a manner which in the opinion of the Chairman is overly intrusive to the meeting or which shows disrespect or discourtesy to other participants. Such devices should be used in a manner whereby any audio signal is disabled.

(5) Members should not use hand-held electronic devices or tablets for recording or communicating the contents of confidential or exempt items or for communicating or receiving information during any Planning Committee meeting.

13 Rescission of Earlier Resolution

A motion cannot be moved to rescind a decision of the Authority taken within the preceding six months, nor can a motion or amendment to the same effect as one which has been rejected within the preceding six months be proposed, unless the notice thereof given under Standing Order 4 bears the names of at least six members of the Authority. When this motion or amendment has been dealt with no one can propose a similar motion for a further six months.

This Standing Order does not apply to motions moved as a result of a recommendation of a Committee.

14 Voting

Except in cases falling within Standing Order 15 (2) voting is by show of hands. But any member who wants the individual votes on any matter

recorded to show how each member voted must ask for this to be done either before or immediately after a vote is taken, and the request will be allowed if at least one third of the members present show their support by raising their hand at the time of the request. An individual's vote will only be recorded if the named member says "Yes" or "No" immediately after being called to do so.

15 Voting on Appointments

- (1) Subject to paragraphs (2) and (3), where there are more than two persons nominated for any single position or vacancy to be filled by the Authority (including any paid appointment and any Chairmanship or Vice-Chairmanship) and of the votes given there is not a majority in favour of one person, the name of the person having the lowest number of votes must be struck off the list and a fresh vote taken and so on until a majority of votes is given in favour of one person. The voting may take place by ballot, if the Authority so decides.
- (2)
 - (a) Where the number of positions or vacancies to be filled is two or more and the number of persons nominated exceeds the number of positions or vacancies to be filled, voting papers must be distributed and a vote taken by each member writing on one voting paper the names of no greater number of the persons nominated than would be required to fill the positions or vacancies under consideration.
 - (b) Where any person receives a number of votes equalling or exceeding the quota then that person will fill one of the positions or vacancies. If following that round of voting not all positions or vacancies are filled, then a fresh vote will be taken.
 - (c) If none of the persons receives sufficient votes to fill any of the positions or vacancies in any round of voting the person with the lowest number of votes must be struck off the list before a fresh vote is taken.
 - (d) This procedure will go on until all the positions or vacancies have been filled.
 - (e) The quota is determined by dividing the total number of votes which are actually cast by one more than the number of places to be filled and then by adding one; fractions will be ignored.
 - (f) In any round of voting any member may only cast one vote in favour of any one person.

16 Record of Attendances

Every member attending a meeting of the Authority must sign the attendance sheet circulated during the meeting. Any member who arrives later must bring

this to the notice of the appropriate **Governance Officer, or if he or she is present, the Monitoring Officer.**

17 Variation and Revocation of Standing Orders

Any motion to vary or revoke these Standing Orders must, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Authority.

18 Suspension of Standing Orders

- (1) Subject to paragraph (2) any of these Standing Orders may be suspended in relation to the meeting where its suspension is moved for any specified business at that meeting.
- (2) A motion to suspend Standing Orders cannot be moved without notice (i.e. under Standing Order 5 (1) (p)) unless at least 11 members of the Authority are present.
- (3) A motion to suspend Standing Orders must:
 - (a) specify the Standing Order(s) to be suspended;
 - (b) be moved in terms limited to an explanation of the reasons for the suspension;
 - (c) be seconded in formal terms only;and thereupon be put to the Authority without debate.

19 Interpretation of Standing Orders

The ruling of the Chairman as to the construction or application of any of these Standing Orders, or as to any proceedings of the Authority, is final for the purposes of the meeting at which it is given.

Standing Orders

Part B - Committees

20 Appointment of Committees

The Authority must at the annual meeting appoint such Committees as it is required to appoint by law and may at any time appoint any other Committees, which it considers are necessary to carry out the work of the Authority. However, except in relation to the Navigation Committee, the Authority must not appoint any member of a Committee so as to hold office later than the next annual meeting of the Authority;

In addition, the Authority may at any time:

- (i) dissolve a Committee.
- (ii) alter the membership of a Committee provided that the membership and appointment of co-opted members of the Navigation Committee are made in accordance with statutory procedures.

21 Committees

- (1) Every Committee will continue in being until its successor is appointed.
- (2) Every Committee will at its first meeting after the annual meeting of the Authority in any year and whenever else necessary elect a Chairman and (if so desired) a Vice-Chairman for the year, who will each serve until a successor is appointed. In the absence from a meeting of the Chairman and Vice-Chairman, a Chairman for that meeting must be appointed.
- (3) The Hearings Committee shall be convened by the Monitoring Officer when required under the Members' Code of Conduct and this shall include one of the Authority's Independent Persons (as a non-voting co-opted member) and three other members from five nominated by the Authority at its annual meeting which will include the Chairman of the Financial Scrutiny and Audit Committee.

22 Special Meetings of Committees

The Chairman of a Committee or the Chairman of the Authority may call a special meeting of a Committee at any time. A special meeting must also be called on the requisition of a quarter of the whole number of the Committee, delivered in writing to the Chief Executive, but in no case can fewer than three members requisition a special meeting. The notification of the special meeting must set out the business to be considered thereat, and no business other than that set out in the summons can be considered at that meeting.

23 Sub-Committees

Standing Order 21 applies to Sub-Committees as it applies to Committees.

24 Quorum of Committees and Sub-Committees

- (1) Except where authorised by a statute or ordered by the Authority business must not be transacted at a meeting of any Committee unless at least one quarter of the whole number of the voting members of the Committee or four voting members (whichever is more) are present.
- (2) In the case of the Hearings Committee the quorum is three members plus one of the Authority's Independent Persons.
- (3) In the case of the Financial Scrutiny and Audit Committee the quorum is three members.
- (4) Except where ordered by the Committee which has appointed it, business must not be transacted at a Sub-Committee unless at least one quarter of the whole number of the voting members of the Sub-Committee or three voting members (whichever is more) are present.

25 Financial Regulations

Every Committee and Sub-Committee must comply with the Financial Regulations of the Authority.

26 Record of Attendances

Every member attending a meeting of a committee or sub-committee must sign the attendance sheet provided for the purpose.

27 Voting in Committees and Sub-Committees

Voting at a meeting of a Committee or Sub-Committee must be by show of hands.

28 Questions at Meetings of Committees and Sub-Committees

A member of a Committee or Sub-Committee may, at any meeting of the Committee or Sub-Committee, ask through the Chairman any question relating to any matter within the terms of reference of the Committee or Sub-Committee, provided he has sent written notice of his intention, setting out the terms of the question, to the Chairman and also a copy thereof to the Chief Executive at least four clear working days prior to the meeting of the Committee or Sub-Committee at which such question is to be asked.

29 Adjournment of Committee and Sub-Committee Meetings

When a Committee or Sub-Committee adjourns, whether by resolution or by decision of the Chairman, the meeting must specify at that time, the date, time and place to which it is adjourned.

If this is not practicable and a meeting is adjourned for an unspecified period and/or to an unspecified place, the Chief Executive must notify all members of the Committee or Sub-Committee of the new date, time and place when these have been determined.

30 Mover of Motion may attend Committee

A member of the Authority who has moved a motion which has been referred to any Committee or Sub-Committee must have notice of the meeting of the Committee or Sub-Committee at which it is proposed to consider the motion. The mover can attend the meeting and can have an opportunity of explaining the motion to the meeting.

31 Application of Standing Orders to Committees and Sub-Committees

Every Committee and Sub-Committee shall carry out its business in conformity with the Standing Orders in Part A in so far as applicable to their terms of reference save that Standing Orders 2, 3(1)(f) and (l), 4(5), 5(1)(d), 5(1)(e), 5(1)(f)(iii) and 5(1)(g)) shall not apply to them. The following Standing Orders in Part A shall apply to Committees and Sub-Committees only to the extent indicated:

4(6) will apply, but the motion must relate to a function of the Committee.

8(2) and (4) will apply only when a formal motion or amendment is before the meeting and will not therefore preclude a member from speaking more than once in general debate prior to that stage;

13 will not apply otherwise than to debar a member from proposing at any meeting a motion to rescind any resolution passed at the same meeting or any motion of amendment to the same effect as one which has been rejected at the same meeting.

18 shall be modified as follows:

“18. Standing Orders 3, 4 and 8 only may be suspended in relation to the meeting where suspension is moved for any specified business at that meeting.”

Standing Orders

Part C - General

32 Canvassing of and Recommendations by Members and Officers

- (1) Candidates for any appointment with the Authority will be disqualified if they canvass Authority or Committee members in their favour. The effect of this paragraph must be included in all application forms.
- (2) A member may give a written reference to accompany an application, but must not in any way try to influence improperly the choice of candidate for any appointment.

33 Relatives of Members or Officers

- (1) A candidate for any appointment with the Authority who is related to any member or officer must when making application disclose that relationship to the Chief Executive . A candidate who knowingly fails to disclose such a relationship will be disqualified for the appointment and if appointed will be liable to instant dismissal. Every member and officer must disclose to the Chief Executive any known relationship to any candidate for an appointment under the Authority.
- (2) The effect of this Standing Order must be included in all application forms.
- (3) For the purpose of this Standing Order a candidate is related to a member or officer and a member or officer has a relationship with a candidate if the candidate's relationship with the member or officer is one of a:
 - (a) spouse, civil partner, partner, parent, parent-in-law, son, daughter, step son, step daughter, son-in-law, daughter-in-law, brother, sister, grandparent, grandchild, uncle, aunt, nephew or niece;
 - (b) child, or brother or sister, or parent of a spouse, civil partner, or partner;
 - (c) spouse, civil partner or partner of any such person in 33 (3) (a) and (b) above.

34 Common Seal and Signing of Documents

- (1) The Solicitor to the Authority shall keep the Common Seal of the Authority in a safe place.
- (2) The Common Seal may only be affixed to a document if the sealing has been authorised by a decision of the Authority or of a Committee,

Sub-Committee or an officer acting under statutory or delegated powers or duties. A decision which authorises the doing of any act which should or may be recorded or effected by means of a document under the Seal is sufficient authority for sealing any document necessary to record or give effect to the decision.

- (3) The Common Seal may only be affixed to a document if attested by the Chief Executive or the Solicitor or such other senior officer authorised by them .
- (4) A record of every sealing must be entered and consecutively numbered in a book and signed by the officer who attested the sealing.
- (5) A resolution of the Authority or of a Committee or Sub-Committee passed in the exercise of statutory delegated powers authorising the doing of any act which should or may be recorded or effected by means of a document under hand is sufficient authority for the signing of the document by the Chief Executive , Solicitor or by such officer of the Authority as is duly authorised to sign the document.

35 Inspection of Lands, Premises etc

Unless specifically authorised by the Authority or a Committee, a member of the Authority or of a Committee must not:-

- (a) issue any order relating to work being done by or for the Authority; or
- (b) as a member of the Authority or Committee claim any right to enter or to inspect property which the Authority has the power or duty to enter or inspect.

36 Documents Not for Publication

- (1) Except insofar as the subject matter of any document has become public in the ordinary course of the Authority's business or by a decision of a Sub-Committee, Committee or the Authority, a member who has inspected a document or minute for the purposes of his duties as a member must not communicate its contents to any member whose inspection thereof would be barred nor to any person other than a member of the Authority.
- (2) All reports and other documents and all proceedings of Committees and Sub-Committees must be treated as not for publication unless and until they become public in the ordinary course of the Authority's business or at the direction of a Committee exercising delegated powers.

19 May 2017

Health and Safety
Report by Head of Safety Management

Summary: This report presents the annual health and safety report and the annual review of marine incidents.

Recommendation: That the Authority

- (i) appoint a member to represent the Authority as lead member for safety
- (ii) note the priorities for action on internal health and safety for the coming year, which are to:
 - (a) continue to monitor application of the condition monitoring system on all Broads Authority navigation area assets;
 - (b) continue to promote the safety observations system to help to influence a positive change in culture and to capture near miss events;
 - (c) carry out five internal audits of key processes to audit control measures; and
- (iii) to note the Annual Marine Incident Statistics.

1 Introduction

- 1.1 This report covers three health and safety matters: the appointment of a lead member for safety, the annual safety report and annual marine statistics.

2 Lead Member for Safety

- 2.1 Due to the recent changes in the membership of the Navigation Committee and subsequent membership of the Broads Authority there is now a vacancy for the lead member responsible for safety.
- 2.2 Member responsibilities include chairing the twice yearly Boat Safety Management Group, occasional attendance to the Boat Safety Scheme Advisory Committee and to act as single point of contact for the Head of Safety Management (Port Marine Safety Code designated person).
- 2.3 It is recommended that the Authority appoint a lead member for safety

3 Health and Safety Annual Report

- 3.1 Health and safety has always been a high priority for the Broads Authority because of the environment in which it operates. Over the last ten years the safety of visitors has been the focus for heightened activity with the Broads Authority Act 2009 and the Port Marine Safety Code providing a framework for action. Similarly the health of staff has been a high priority and this is due to the environment employees work in and the use of heavy and potentially dangerous equipment. The first annual report was presented to the Authority in May 2012. Appendix 1 contains the report for the period 2016/17.
- 3.2 The Authority continues to demonstrate a good safety record and incident and accident rates are consistent with previous years. The benchmarking information highlights the need for continued improvement. The incident trend demonstrates that there has been an increase in Riddor reports to above the industry average of three per annum. It is recognised that continued resource and commitment at all levels will be required to improve the overall safety performance and culture in future years, particularly in areas of housekeeping, supervision and employee hazard awareness.
- 3.3 This approach combined with a proactive programme of promoting employee wellbeing demonstrates the Authority's commitment to maintaining a long term positive health and safety culture.

4 Annual Marine Incident Statistics

- 4.1 Appendix 2 provides details of the marine incidents reported during 2016/17 from April 2016 to March 2017, including an analysis of deaths and personal injury since 1993. When consideration is given to the large number of visitors to the Broads, the statistics demonstrate that the Broads continues to be a safe place for boating and boating related activities.
- 4.2 The Broads Authority has sought to continue to highlight the message of personal responsibility for safety in its publications and has encouraged boaters to take a more proactive role by becoming better-informed and wearing lifejackets. Reports from officers have indicated that again this year has seen a noticeable increase in the number of boaters seen wearing lifejackets particularly on hire boats.
- 4.3 Notable issues are:
- Boat fires continue to remain at a low level demonstrated in previous years. All boats involved in fires held current Boat Safety Scheme Certificates
 - The fire boating related statistics suggest that when viewed over several years, the statistics continue to demonstrate a fairly static position
 - It should be noted that there were five fatalities relating to incidents from boat use, two from Carbon Monoxide poisoning from a petrol engine exhaust and the remaining deaths were primarily natural causes

- The majority of incidents where hospital treatment was required continue to be attributed to embarkation and disembarkation with an increase in numbers in comparison with the previous year
 - Incident reports can be submitted on-line via an electronic form which can be found on the Broads Authority website <http://www.broads-authority.gov.uk/>
- 4.4 In terms of next steps it remains important for all agencies and organisations continue to raise awareness of the Carbon Monoxide hazard. Leaflets and a communications campaign has been developed jointly between CoGDEM and the Boat Safety Scheme.
- 4.5 Rangers have been briefed on Carbon monoxide and will be engaging with the boating community to help raise awareness of the hazard and the signs of carbon monoxide poisoning.
- 4.6 In an effort to encourage more people to wear lifejackets or buoyancy aids the Authority and its partners, Broads Hire Boat Federation, Norfolk and Suffolk Boating Association and the booking agents Blakes and Hoseasons are to continue to support and promote the “Wear It” safety message.

Background papers:	Previous annual reports
Author:	Steve Birtles
Date of report:	8 May 2017
Broads Plan Objectives:	NA4
Appendices:	APPENDIX 1 – Annual Health and Safety Report 2016 APPENDIX 2 – Annual Marine Incident Statistics

Annual Health and Safety Report 2016/17

- 1 The Authority's commitment to employee Health and Safety and the arrangements for management and delivery are set out in the Health and Safety Policy which is published on the Authority's Intranet and communicated to all staff. Supporting policies have been developed to set out arrangements for the management of specific hazards. All hazards that are encountered by the employees are risk assessed and a series of generic risk assessments have been developed. Task specific risk assessments are completed for all work sites. This system is well developed and in regular use by employees.

2 This Year's Training

- 2.1 The Authority has continued to deliver health and safety training using both internal and external resources. Training activity over the 2016/17 period included:

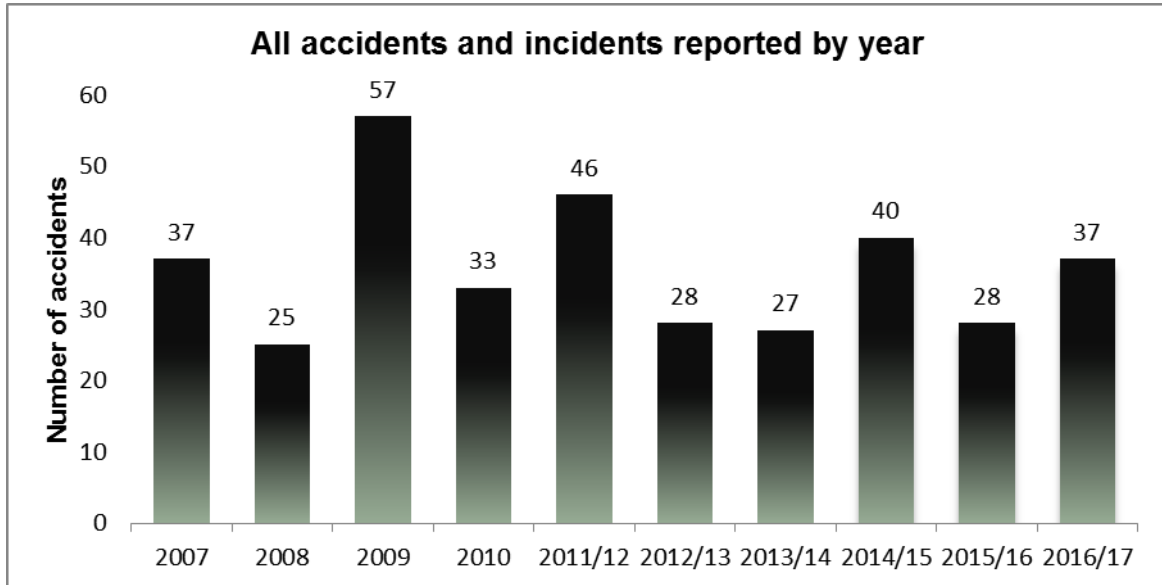
Risk Assessment	CoSHH
First Aid	Standby Training
Chainsaw refresher	VHF Radio
Manual Handling	Large vessel handling
Brush Cutter / Trimmers refresher	Slinger signaller
Boat Handling	Working at height
Construction Skills Certification	CDM refresher
Hazardous Boat Inspections	DSE Risk assessment
Launch Handling	Oxy Accetelene course

3 Implementation of the Authority's Condition Monitoring System

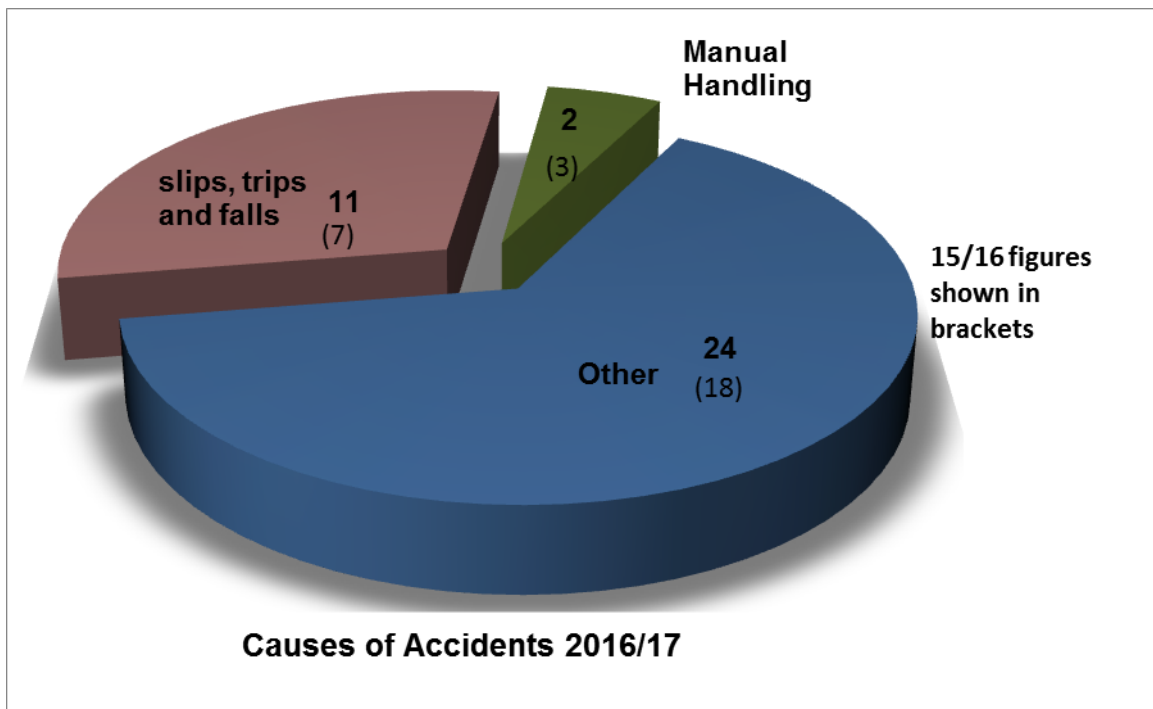
- 3.1 The main activity over the last year has been the implementation of the Authority's condition monitory facility to replace the paper bases system used by Rangers for checking and reporting defects. The graphical information system (GIS) based tools allows for the mapping of all assets onto the Authority's database and document management system. Rangers are now using electronic tablets to record condition of moorings and land based sites when on their duties, defects are logged on the devices and automatically forwarded to the maintenance supervisor for action.
- 3.2 The system is to be extended to record all signage and safety related furniture found on navigation area during the forthcoming year.

4 Accident Information

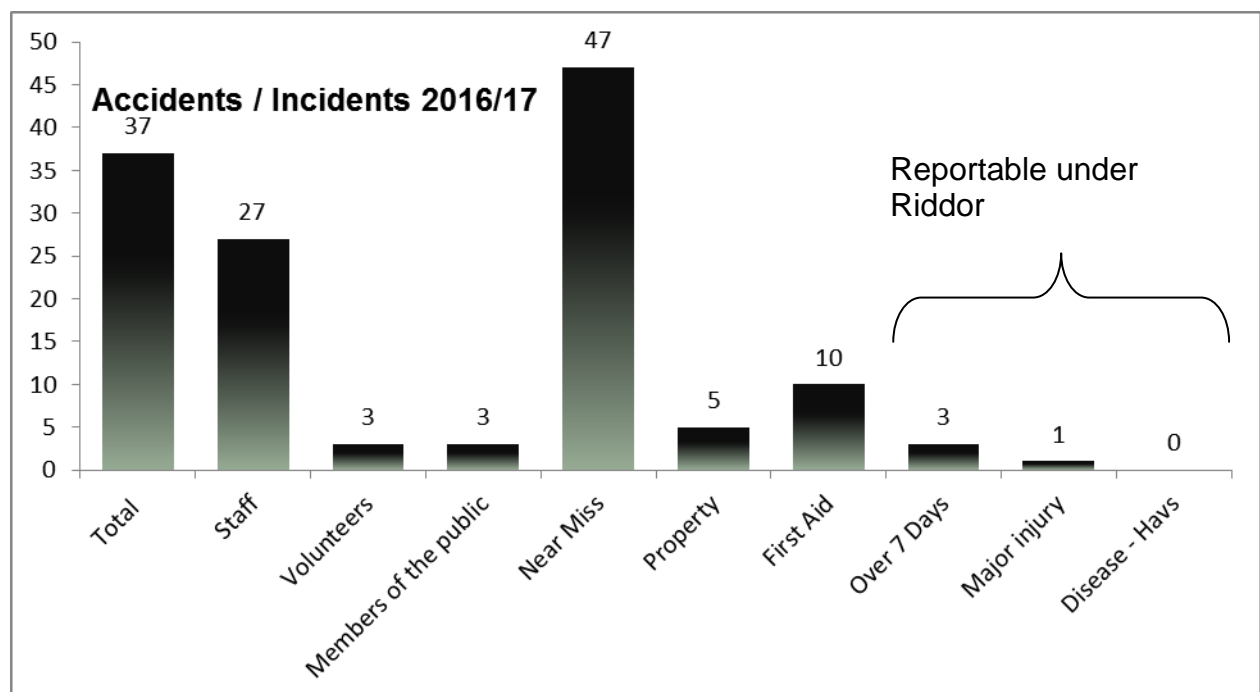
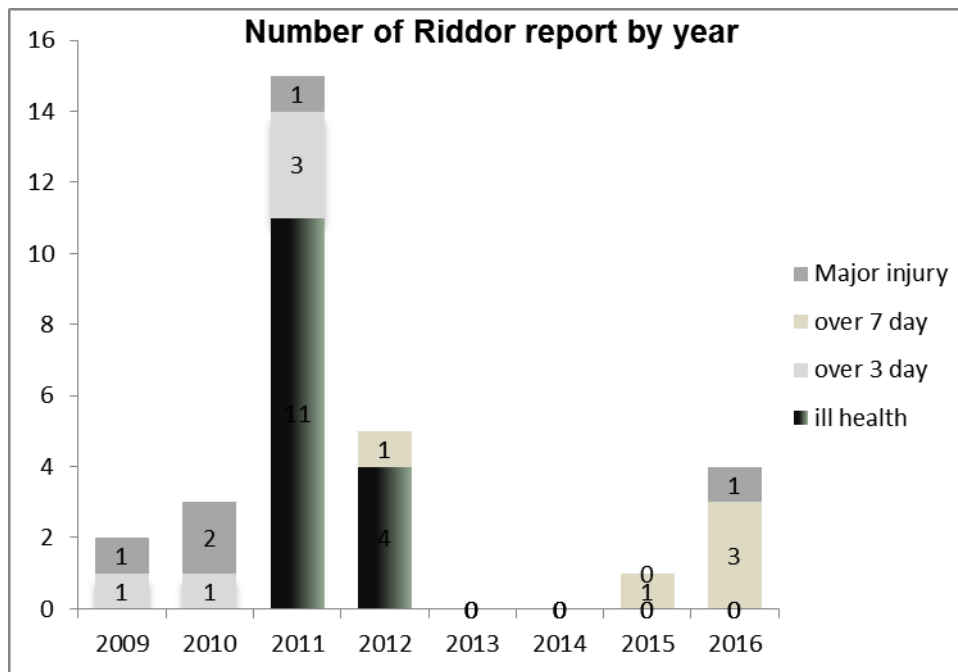
- 4.1 The following graph shows the number of accidents reported over the last ten years a total of 358 with an average of about 35 per annum. The total figures have shown a disappointing increase on last year.



- 4.2 The following pie chart shows the nature of the accidents which are very much in line with experience of previous years in the terms of cause and their incidence. The increase in slips trips and falls incidents indicates that there is more work to be done to continue to keep staff safe.



- 4.3 The next graph breaks down the figure of 37 reported incidents for the period from 1 April 2016 to 31 March 2017 based on the definitions contained in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) which represents those incidents that are notified to the Health and Safety Executive (HSE).



- 4.4 The reporting regulation changed in 2012 and employers are no longer required to notify the HSE of work related absence over 3 days, this has now been change to 7 days absence.

- 4.5 During the reporting period the Authority had no prosecutions, prohibition notices or improvement notices.

5 Accident Incidence Rate (AIR)

- 5.1 The AIR indicator measures accident statistics, and is a calculation that the Health and Safety Executive and most organisations use to measure their accident rate. By providing this figure the Authority can benchmark itself against organisations which encounter similar hazards in their operations.
- 5.2 The sector selected for comparison is “Specialised Construction” which demonstrates a similar hazard profile to that encountered by the Authority in its operations. The reference sectors three year average AIR score of 1,240 would equate to three RIDDOR reportable accidents per annum which is largely in line with previous years. However the increase in Riddor reports this year has been disappointing.

6 Near Miss and Safety Observations

- 6.1 There have been 47 safety observations made by staff over the reporting period. Of the 47 in total 8 were examples of good practice, 39 were near misses, where follow up action was required to prevent the situation developing into an accident. 1 related to a minor injury.
- 6.2 It is the intention to continue to promote the safety observations as they form the basis of near miss reporting which in turn will begin to drive down the accident figures as corrective and preventative measures are implemented.

7 Health and Safety Committee

- 7.1 During 2016/17 the Safety Committee has worked on a range of issues notably the revision of all generic risk assessments, Reviewing Accidents and investigations, Progressing Audit actions, monitoring of noise at work, hygiene training.
- 7.2 Follow the Committee’s recent meeting in which the annual accident statistics were reviewed, it was recommended that work for the forthcoming year should be focussed on the following areas:
- Continued promotion of safety observations system to help to influence a positive change in culture and to capture near miss events
 - Carry out five internal audits of key processes to audit control measures.

8 Proactive Measures

8.1 The Authority through its Employee Assistance Programme provides advice and support to its employees delivered by an independent provider "Insight". The programme includes the following features:

- Unlimited access to Insight Wellbeing at Work's 24 hour telephone counselling helpline
- Support and signposting to appropriate services and sources of information
- Legal and financial helpline
- Management advisory service
- Access to Employee Wellbeing Portal
- Support calls

8.2 The employee assistance programme was used on 5 occasions during the 2015/16 reporting period. The support further breaks down in the following areas:

Ad-hoc Counselling Support from Helpline	2
Legal / Financial Advice	1
Face to Face Counsellor Referral	1
Telephone Counsellor Referral	1

8.3 The Authority also provides health surveillance via its occupational health providers of those staff who may be affected by exposure to certain hazards such as vibration or noise. Additionally occupational health professionals are employed to provide guidance where additional measures are required for the management of specific issues. Occupational health use during the 2016/17 reporting period:

Occupational Health Advisor	83	occasions
Occupational Health Physician	9	occasions
Health questionnaire paper screening	12	occasions

Annual Marine Incident Statistics

1 Introduction

- 1.1 The reporting period is from 1 April 2016 to the end of March 2017. The report is limited to the Broads Authority's area of marine responsibility. Notable incidents are listed below.

2 Summary of Incidents Reported

2016	Incident Details	Hazard Log Category
06/04	Hire vessel attempted to navigate low bridge without the aid of the pilot. Damage to boat. No injuries to crew.	Bridges
07/04	Male collapsed on remote mooring due to injured leg.	Injury
08/04	Female fell in from rear of a hire cruiser, River Bure, Potter Heigham.	Fallen in
14/04	Male entered water to rescue his dog that had gone overboard. Sustained injuries to head and hip. Dog drowned.	Fallen in
28/04	Male suffers cardiac arrest on a dayboat, Horning. Fatality.	Fatality
11/05	Female slipped inside hire boat and broke hip at How Hill. Coastguard/Ambulance attended.	Injury
12/05	Male crew on trip boat falls in river whilst underway. North Cove.	Fallen in
16/05	2 people fell into water at NYS while mooring up.	Embarkation/Disembarkation
21/05	Man fell from roof of hire boat into cabin head first. Injuries. Air lifted to hospital.	Injury
21/05	Woman fell between 2 boats while mooring. Crush injuries. Ambulance to hospital.	Embarkation/Disembarkation
23/05	Collision between 2 vessels at Hardley. Man injured when hitting the windscreen.	Collision
24/05	Hire vessel collision with Somerleyton Bridge.	Bridge
29/05	Fire in rear cabin of hire vessel on Breydon. No injuries, motor in Webasto heater caught fire.	Fire
09/06	2 Fatalities on a private vessel moored at Wroxham Island. CO poisoning.	Fatality
11/06	Male fell in at GYYS while mooring.	Embarkation/

		Disembarkation
14/06	Hemsby Broads Lifeboat Callout: Casualty on board cruiser with broken ankle recovered from isolated mooring, Malthouse broad.	Injury
14/06	Hemsby Broads Lifeboat Callout: Male with suspected broken leg at Wroxham Bridge.	Injury
22/06	Hemsby Broads Lifeboat Callout: Casualty had suspected broken wrist, assisted from hire boat at Reedham Ferry.	Injury
22/06	Ambulance attends to a female with serious arm injuries after a fall from a boat nr. Acle.	Fallen in
23/06	Male fell from day boat whilst mooring, hitting head on post. Ambulance attended.	Embarkation/ Disembarkation
27/06	Male found in river after falling from a moving hire vessel late at night.	Fallen in
03/07	Male fell overboard at Reedham Quay. No Injuries.	Embarkation/ Disembarkation
23/07	Female cuts leg open while disembarking vessel. Attended hospital for stiches.	Embarkation/ Disembarkation
24/07	Young male fell from a vessel whilst mooring at GYYS. No injuries. No life jacket	Embarkation/ Disembarkation
24/07	Child falls from vessel into R. Bure, Decoy Staithe. Very shaken, advised hospital.	Embarkation/ Disembarkation
31/07	Male overboard while mooring at St Benets, R. Bure. No Injuries.	Embarkation/ Disembarkation
01/08	Male fell when disembarking hire boat. First aid to grazes.	Embarkation/ Disembarkation
02/08	Female fell into River Bure at GY, when vessel was leaving mooring. Ambulance attended. Bruises and shock.	Embarkation/ Disembarkation
04/08	Pan fire on private vessel moored at Somerleyton. Fire Service attends. All persons OK.	Fire
04/08	Male injured leg when disembarking from dayboat, Horning. Ambulance attends.	Embarkation/ Disembarkation
20/08	Female breaks leg when disembarking vessel at Potter Heigham	Embarkation/ Disembarkation
21/08	Hire cruiser collision with Vauxhall Bridge. No injuries sustained.	Bridges

25/08	Collision between RIB at speed and moored vessel. 4 PoB in water, Female and child seriously injured. CPR administered. All persons taken to hospital.	Collision
31/08	Hire vessel stuck under Potter Heigham Bridge.	Bridges
07/09	Fatality – 69yr old male suffered cardiac arrest whilst moored on private vessel at Hoveton.	Fatality
09/09	Male suffers injury to leg from a moving prop, after jumping from a dayboat naked.	Injury
20/09	Female fell in river Bure whilst attempting to board a canoe.	Embarkation/ Disembarkation
22/09	Female injured shoulder after a fall in hire cruiser. Declined medical attention.	Injury
28/09	Male fell in River Bure from moving hire boat at GYYS. Assisted out and given first aid.	Fallen in
29/09	2 Fatalities discovered near Breydon Water. Not thought to be suspicious.	Fatality
29/09	Female suffered bleed to brain after falling and hitting her head in a moving hire vessel.	Injury
30/09	Male evacuated from hire vessel at Potter Heigham due to suspected heart attack. Broadsbeat on scene.	Medical Evac
30/09	Male collapsed on small boat at Wayford Bridge. Air Ambulance and Mundesley/Winterton Coastguard attend.	Medical Evac
02/10	Hire vessel attempted to pass Vauxhall Bridge without enough clearance. Vessel got stuck. BA crew assisted out. No injury/damage.	Bridges
02/10	Female sustained head injury when disembarking hire vessel, Stokesby Ferry.	Embarkation/ Disembarkation
12/10	Fatality – Male suffers cardiac arrest whilst on board hire vessel.	Fatality
17/10	Female knocked unconscious and sustained back injury in collision	Collision
01/11	Person overboard and rescued at Pulls Ferry No further info.	Fallen in
02/03/2017	Fatality – Male body found in River Wensum, Fye Bridge area. Incident unexplained but not suspicious.	Fatality

3 Conclusion

- 3.1 The incidents to date do not appear to be dissimilar to those in presented in previous years. Although incidents requiring medical treatment have increased on the last few years.
- 3.2 As with previous years evidence suggests that disembarkation and falling in remains to be the main area of activity which results in injury and potential for drowning.
- 3.3 There have been two boating related deaths from Carbon Monoxide poisoning this year. The Marine Accident Investigation Branch is investigating the incident and their report is due to be published imminently. The report will likely stimulate interest in the issue of Carbon Monoxide. Rangers have received additional training regarding Safety messages surrounding CO so that they can actively engage with the public to raise awareness.

4 Looking Forward

- 4.1 The National Water Safety Forum's UK Drowning Prevention Strategy was launched last year at Westminster which calls for organisations to work together to deliver safety messages and encourage participation. The strategy aims to reduce accidental drowning in the UK by 50% by 2026.
- 4.2 The Broads Authority will work with stakeholder groups to assist in the delivery of the strategy initially to continue to promote the "Wear it" campaign and to raise awareness of everyday risk in, on and around water by sharing information.

TABLE 1
Analysis of Death/Injuries Since 1993

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
<u>Death</u>																								
No of deaths on or from boats	2	2	3	1	1	3	2	1	3	2	6	0	0	2	0	0	0	2	4	2	0	2	1	5
Reported deaths not related to boating	1	3	4	-	2	1	4	4	2	3	1	0	7	2	1	1	3	3	3	8	2	5	4	3
<u>Cause of death</u>																								
Severe injury	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Heart Attack	0	2	0	0	0	0	1	1	0	1	0	0	0	1	0	1	2	2	1	5	0	1	1	3
Drowning	0	1	2	1	0	4	5	1	3	3	5	0	4	3	0	0	0	1	3	2	0	5	3	0
Asphyxiation/CO poisoning	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
Terminal Illness																			1	0	0	0	0	0
Not Known	0	2	4	0	2	0	0	1	0	0	2	0	3	0	1	0	1	2	2	0	0	1	0	3
Reports of people inadvertently entering in the water See footnote.	0	0	3	2	4	8	2	5	1	4	15	16	12	23	29	17	34	20	17	18	12	22	19	21
No of persons reported as requiring hospital treatment	0	0	0	9	8	7	9	8	7	7	18	2	4	13	12	11	22	30	17	15	19	14	13	30
Nature of injuries																								
Head	0	0	2	0	4	1	3	2	1	1	1	1	3	1	1	5	3	3	1	3	3		2	7
Arm/hand	0	0	2	1	6	0	0	1	3	1	1	1	0	1	6	4	1	4	4	2	4	1	0	3
Leg/foot	0	0	3	5	4	2	4	1	2	2	2	2	1	3	7	5	7	8	3	6	4	3	4	9
Torso, ribs, chest, back	0	0	1	0	2	0	1	4	1	1	2	0	1	4	3	0	2	4	2	0	2	2	2	1
Not described	0	0	1	1	0	0	0	0	0	0	10	2	1	4	0	0	8	10	2	2	5	1	4	6
Asphyxiated/CO poisoning	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	0	0
Burns/Scalds	0	0	0	1	1	4	1	1	0	2	1	0	0	1	1	0	1	2	1		1	2	0	0
Heart attack																			3	5	1	2	1	5

Footnote: Reports where someone inadvertently found themselves in the water. It does not include capsizes of sailing dinghies etc., or from any other contact water sports where entry into the water is predictable.

TABLE 2
Analysis of Fire and Explosions Since 1993

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Number of incidents	2	4	7	2	5	4	6	3	4	2	2	0	2	22	8	4	4	3	3	1	1	1	0	2
Vessels involved (Private)	2	3	5	1	3	4	3	2	2	2	1	0	1	18	10	4	2	2	2	1	1	3	0	1
Vessels involved (Hire)	0	0	3	1	2	0	3	1	2	0	1	0	1	4	1	0	2	1	1	0	0	0	0	1
Prime cause LPG	0	0	2	0	0	2	0	1	1	0	2	0	0	0	1	0	0	1	0	0	1	0	0	0
Prime cause Petrol	0	2	2	0	1	1	1	0	0	1	0	0	0	1	2	0	0	0	2	1	0	1	0	0
Prime cause Electrical	1	0	0	0	2	0	0	1	1	1	0	0	1	0	1	2	2	1	1	0	0	0	0	1
Prime cause Other	1	1	3	2	2	1	5	1	2	0	0	0	1	21	4	2	2	1	0	0	0	2	0	1
No of vessels total loss	0	1	3	1	2	0	1	2	2	2	0	0	0	20	6	2	1	0	2	1	0	0	0	0
No of injuries from fires requiring hospital treatment	0	1	2	0	1	3	1	0	0	2	2	0	0	1	1	0	0	2	1	0	1	0	0	0
No of fatalities	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Summary of Formal Complaints
Report by Solicitor and Monitoring Officer

Summary: This report summarises the formal complaints dealt with by the Authority during 2016/17 together with the outcome of these complaints.

Recommendation: That the report be noted.

1 Introduction

- 1.1 It is considered good practice for local authorities and other public bodies to ensure that effective, transparent and accessible arrangements are in place for dealing with complaints, that complaints procedures are adequately publicised and that processes are in place to enable the Authority to monitor responses and ensure that lessons are learnt from the outcome of such complaints.
- 1.2 The complaints dealt with in this report are those which are made by members of the public and service users which originated during the period 1 April 2016 to 31 March 2017, together with a summary of the Authority's responses to these complaints.

2 Broads Authority Complaints Procedure

- 2.1 The Authority has a formal Complaints Procedure which is advertised on its website and which has a number of stages:
 - In the first instance complainants are advised to contact the manager responsible for the area of work where they have a complaint or comment, in order that the matter can be dealt with informally and as near as possible to the point of contact.
 - If it proves impossible to resolve the complaint informally, the complainant may submit a formal complaint in writing. This complaint is investigated by the appropriate Director who has a responsibility to reconsider the matter objectively and professionally.
 - Finally, if the complainant is still dissatisfied as a result of the Director's response, they may ask for the matter to be reviewed by the Chief Executive. The Chief Executive is required to review the complaint in an impartial manner and may, if he sees fit, seek advice from other officers, such as the Solicitor and Monitoring Officer, or from independent consultants or advisers if he believes that an external view would be helpful. This is the final stage of the Authority's formal complaints procedure.

- 2.2 The Authority also has a separate Members Code of Conduct and complaints procedure which provides clarification of the conduct expected by members and a summary of how the Authority deals with such complaints. This was updated in September 2016 and is also available via the Authority's website. The Authority also has its Protocol on Member and Officer Relations which details how Members should raise any complaints and concerns concerning Officers. This report does not include complaints made by Members; save in so far as any such may have been made in the capacity of a member of the public.

3 Local Government Ombudsman

- 3.1 The Local Government Ombudsman ("Ombudsman") investigates complaints by members of the public who consider that they have been caused injustice by the administrative actions (maladministration) of local authorities and other bodies within their jurisdiction, which includes the Broads Authority.
- 3.2 The Ombudsman provides a free, independent and impartial service, and will normally only agree to investigate a complaint if the internal complaints procedures of the appropriate body have been exhausted.
- 3.3 The Ombudsman reviewed two complaints in the period, one of which related to a complaint which originated within the period and one from the previous year. In addition the LGO has since the end of March 2017 considered and dismissed a complaint which originated during this period under review. The complaints to the LGO were all dismissed.
- 3.4 The complaint from the previous year dealt with by the Ombudsman related to the charging of a toll on a static houseboat moored in a marina. The Ombudsman discontinued the complaint as the complainant had other legal remedies available if he disagreed with the interpretation of legislation.

4 Formal Complaints 2016/17

- 4.1 A summary of the main subject complained of in each complaint during 2016/17 is therefore set out in the Appendix below, together with the responses made.
- 4.2 Members will note that ten formal complaints were received during this period, although of course other complaints and issues were dealt with and resolved on an informal basis. The Authority does not record the number of complaints resolved informally. One of the complaints listed in this year was in relation to an external organisation, which the Authority elected to deal with.
- 4.3 The summary of the responses demonstrate that the Authority was found partially at fault for two of the ten complaints received, where apologies were duly made to the complainants. This demonstrates that the Authority does look to provide a remedy to complaints when it is found at fault.

5 Comparison with previous years

5.1 In each of the previous four years, the number of formal complaints is as follows. There were eleven formal complaints received in 2015/16, sixteen during 2014/15, ten during 2013/14 and four during 2012/13.

5.2 In terms of complaints to the Local Government Ombudsman, in previous years, one complaint was made in 2015/16, two complaints in 2014/15, two complaints were made in 2013/14 and no complaints were made in 2012/13.

6 Summary

6.1 Given the wide breadth and volume of the Authority's work, the number of complaints which were taken to and dealt with at the 'formal' stage is considered to be small. It is very encouraging that there were no findings of maladministration against the Authority by the Local Government Ombudsman.

6.2 Officers will continue to monitor and record details of complaints and seek where possible to learn lessons from these, especially should the actions of the Authority have fallen below expected standards.

Background papers: Nil

Author: David Harris
Date of report: 9 May 2017

Broads Plan Objectives: None

Appendices: APPENDIX 1 - Formal Complaints 2016/17

Formal Complaints 2015/16

Summary of Complaint	Final Response Provided by	Summary of Response
1. Complaint relating to pre-planning advice, the officer's report and presentation at Planning Committee, resulting in conditions.	Local Government Ombudsman	Complainant advised and evidence provided by Director showing compliance with statutory procedures. Complainant went to Ombudsman who closed case after initial enquiries as pre-planning advice always is without prejudice, Ombudsman had no jurisdiction and that planning appeals more appropriate process.
2. Complaint relating to way in which planning application dealt with and issues concerning lawful use and pre-application advice (this was the same complainant as complaint 1 above made within a day of it)	Chief Executive	Complainant advised that Authority had followed planning policy and that pre-planning advice is without prejudice and the decision to apply for permission and its content a matter for the applicant.
3. Complaint about grant of planning permission for a replacement jetty which failed properly to take account of habitat regulations	Head of Planning	Complainant was advised the proposal was a like for like replacement and therefore the statutory procedure for an assessment under Habitats Regulations was not required. An apology issued for failure to carry out a courtesy consultation.
4. Complaint about failure to comply with FOI formal requirements in Stage 3 complaint, where a FOI request included as part of a complaint regarding closure of a permissive footpath.	Solicitor and Monitoring Officer	Solicitor and Monitoring Officer met with complainant and subsequently carried out a review of the FOI element and provided a formal reply.
5. Complaint by boat hirer relating to the condition of a hire vessel and out of date	Head of Safety	Head of Safety and Solicitor made unannounced visit to yard, vessel inspected and

gas safety certificate for the vessel.		gas safety certificate issue dealt with under appropriate procedure. Complainant advised.
6. Complaint about failure to consult over a planning application amendment and alleged predetermination by officers	Director of Planning and Resources	Advice given that statutory consultation requirements had been met, that officers did not give assurances as to how it would be dealt with and in any event the matter was determined by the Planning Committee not by officers under delegated powers.
7. A complaint that the tolls increase had been biased against a larger vessel owner, who did not have access to the whole river system.	Local Government Ombudsman	Ombudsman rejected complaint on the basis that the Authority had followed its procedures, consulted, had done nothing wrong and was entitled to set the toll [Note: LGO decision received after 31/3/17]
8. A complaint that the tolls increase was too high.	Head of IT and Collector of Tolls	Complainant informed that the correct procedures had been followed, that there had been proper consultation and the complainant provided with supporting documentation.
9. A complaint that the tolls increase was too high.	Chief Executive	Complainant informed that the correct procedures had been followed, that there had been proper consultation and the complainant provided with supporting documentation.
10. Complaint about pre-planning advice and delay	Head of Planning	Apology issued for delay and officer's judgment reaffirmed relating to main aspect of application. Complainant accepted apology.

Annual Report on Requests to Waive Standing Orders
Report by Chief Financial Officer

Summary: This report provides Members with the annual summary of instances where Contract Standing Orders have been waived by the Chief Executive during 2016/17.

Recommendations:
To note the annual report of instances where Standing Orders have been waived.

1. Introduction

- 1.1 The Authority's Standing Orders relating to Contracts provide for the Chief Executive to authorise a waiver of Standing Orders by certifying that there is an extreme urgency, only one supplier or in certain other circumstances. It also requires that all waivers authorised under delegated powers must be reported to the Authority.
- 1.2 It has been agreed that any waivers will be reported on an annual basis, after the end of each financial year.

2. Waivers Authorised During 2016/17

- 2.1 Four separate waivers to Standing Orders were authorised by the Chief Executive during the 2016/17 financial year. These are summarised in the table below. All costs are exclusive of VAT.

Ref	Details of Contract	Supplier	Amount (£)
A	To purchase second hand weed harvester	The Seaweed Company	30,000
B	To purchase 2 sets of linkflotes	VolkerBrooks	223,104
C	To purchase a wonder wheel	RWL services Ltd	9,500
D	To install goose wave barrier and guard	Olympic Ltd	9,800

- 2.2 Further details of the individual contracts and the reasons for waiving Standing Orders are set out below:

A **Competitive quotations not sought.** The Authority had previously purchased a second hand weed harvester in 2012 to replace the previous machine. However demand was such that both machines continued to be used. During the 2015 refit it became apparent that the old machine was

beyond repair but demand justified the use of two machines. Second hand machines are difficult to come by and a new machine would cost in the region of £165,000 so this was considered best value for money.

- B Sole Supplier.** Previous linkflotes have been purchased from this supplier which enables them to be inter-locked with other linkflotes. To enable this to continue, VolkerBrooks was the only supplier that could offer this. In addition the new linkflotes were manufactured with 'Spud Legs' enabling them to be anchored without the use of trailing winch wires. Two sets were ordered at the same time in order to take advantage of a discount for those previously scheduled to be purchased in 2017/18.
- C Sole Supplier.** This is an innovative piece of equipment to be used as part of the Tesco Water Sensitive Farming project. It will be used in trials which are aimed at reducing run off from arable fields. The aim of the project is to provide science and innovation for sustainable and resilient farming practices, to cut farm costs, increase productivity, efficiency and income, as well as storing carbon, reducing flooding and increasing water quality and soil health. Products available for such trials are mainly still in the prototype stages which means there was only one supplier available.
- D Competitive quotations not sought.** The specialist plant and equipment required plus the ecological knowledge meant it was difficult to find other competitive quotes. Two other suppliers were contacted but declined to quote due to their lack of specialist equipment. The chosen supplier had undertaken works on behalf of the Authority previously at Rockland which meant they were already familiar with the Authority's strict working standards.

3. Summary

- 3.1 The same number of waivers were approved by the Chief Executive in 2016/17 as there were in 2015/16. As with previous years, the use of specialist, bespoke and innovative equipment provides difficulty in finding comparisons. The most significant waiver in financial terms (B) had been subject to Member consultation outside of the committee cycle. All approved waiver requests were considered to be justified, for the different reasons as set out above, and on the grounds of achieving the best outcome for the Authority at the best possible price.

Background Papers:	None
Authors:	Emma Krelle
Date of Report:	2 May 2017
Broads Plan Objectives:	None
Appendices:	None

Navigation Committee

Minutes of the meeting held on 23 February 2017

Present:

Mrs N Talbot (Chairman)

Mr K Allen

Mr M Bradbury

Mr B Wilkins

Mr J Ash

Sir Peter Dixon

Ms L Aspland

Mr J Knight

In Attendance:

Mr S Birtles – Head of Safety Management

Mrs L Burchnall – Head of Ranger Services

Mr A Clarke – Senior Waterways & Recreation Officer

Ms E Guds – Administrative Officer (Governance)

Mr D Harris – Solicitor & Monitoring Officer

Ms E Krelle – Head of Finance

Ms A Leeper – Asset Officer

Ms A Long – Director of Planning and Resources

Dr J Packman – Chief Executive

Mr R Rogers – Director of Operations

Ms C Smith – Head of Planning

Also Present:

Prof J A Burgess, Chairman of the Authority

Mrs L Hemsall – Member

Mr V Thomson – Member

5/1 To receive apologies for absence

Apologies for absence were received from Michael Whitaker, Max Heron, Greg Munford and Alan Goodchild.

The Chair announced that the meeting would be recorded and that the copyright remains with the Authority. The confidential part of the meeting wouldn't be recorded and it was explained that this was in line with the approach other Authorities took. Also this would prove less problematic if a copy of the recording was requested.

James Knight declared that he would make his own recording.

5/2 To note whether any items have been proposed as matters of urgent business/ Variation in order of items on the agenda - *This item was considered following item 5/17*

The Chairman proposed that there should be a change in the running order of the agenda as she would like to include a matter of urgent business of a confidential nature which had arisen. The matter was urgent as the views of the Navigation Committee were required prior to the Authority making a decision at its meeting in March. She suggested that this be considered after Exclusion of the Public at the end of the Agenda.

5/3 To receive Declarations of Interest

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

5/4 Public Question Time

No public questions were raised.

5/5 To receive and confirm the minutes of the Navigation Committee meeting held on 15 December 2016

The Chair had received a comment in regards to minute 4/13 of the previous minutes that the duration of the new Co-opted Appointment to the Navigation Committee was still unclear.

The suggestion at the last meeting had been considered but following discussion with the Chair of the Authority it had been decided that as the recruitment process for appointees was time consuming, it would be more cost effective that the next appointment would be for two years. This will then allow the appointment to fall in line with the other appointees and end in March 2019.

When it was queried how a vacancy had become available on the Navigation Committee, it was explained that Bill Dickson, a Co-opted Member on the Navigation Committee, had successfully applied for and been appointed by Defra as a Secretary of State Appointee. This left a vacancy on the Navigation Committee.

The minutes of the meeting held on 15 December 2016 were confirmed as a correct record and signed by the Chairman subject to the following amendment:

Minute 4/8 Asset Management Strategy Buildings and Launches : Para 6 - '*what was essential maintenance work*' should read '*what was statutory compliance and essential maintenance work*'

Minute 4/5 To receive and confirm the minutes of the Navigation Committee meeting held on 27 October 2016 : Paragraph 2 – '*Members were made aware that*' should read '*Members noted the comment that*'

5/6 Summary of Actions and Outstanding Issues following Discussions at Previous Meetings

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

Review of Waste Facilities

Members were updated about the waste disposal issues at Ludham and Horning, which were two of the five sites at risk. It had been agreed that if the parish councils leased the sites then North Norfolk District Council would collect the waste and Norfolk County Council would pay the disposal cost.

This outcome was welcomed by the Committee, though one Member wanted the Authority to continue working with other bodies towards resolving any outstanding waste issues. The Committee was reminded that the Authority had adopted a policy towards the management of waste which had identified a network of strategic sites identified at the waste workshop.

It was understood that none of the sites discussed at the workshop were now at risk. It was pointed out that the Authority was unable to resolve the waste issues unless it was prepared to pay for waste facilities. It was highlighted that a map with risk spots was available on the website. The policy towards waste was adopted in November 2016 and it was felt that it would be premature to review it again at this moment in time. It was explained that the sites in Great Yarmouth had not been identified in the workshop as strategically important and the Borough Council had agreed to provide a larger litter bin at Potter Heigham.

Members noted that the Authority had attended the Norfolk Waste Partnership meetings when invited and it was confirmed that the Broads Authority would feedback on waste issues as they arose.

The Head of Ranger Services explained the measures the Authority took to ensure that small boats such as sailing dinghies had paid a toll. This included working with sailing clubs and race organisers at regattas.

Members noted the report.

5/7 Broads Plan Review: Final draft for comment – Navigation and Recreation sections

The Broads Plan is the key strategic management plan for the Broads. The current Plan was adopted in May 2011, and its review is identified as a Strategic Priority for the Broads Authority in 2015/16. It is anticipated that the final Broads Plan 2017-22 will be adopted at the Broads Authority meeting in March 2017.

The Authority consulted on a first draft Plan in Spring 2016, and a revised draft Plan in Autumn 2016. Members received a report which introduced the Navigation and Recreation sections of the final draft Plan.

In response to a comment on staithes, Members were updated on the state of the report by Prof Tom Williamson at UEA. The report had been completed and would be published once all of the maps had been received. Members were reminded that the key policy document for the protection of staithes was the Broads Local Plan. However it was agreed to include a brief line about the importance of staithes in the Landscape and Historic Character context section of the Broads Plan.

One Member stated that the context section was helpful, but suggested that the Plan would benefit from more use of cross referencing, particularly cross referencing to the Conservation Section.

When it was queried whether note had been taken of previous comments on the Broads Plan, it was explained that after each consultation a summary of the responses was published on the Broads Authority website. An appendix with all the consultation responses would be included in the final draft of the report to the Broads Authority.

One Member raised a concern in regards to the headings 'Recreation' and 'Navigation' and how, in his opinion, they didn't have the same status as navigation was a primary purpose of the Authority. In response it was suggested that most use of the navigation area was for recreational purposes. It was confirmed that the Broads Plan is a plan for the Broads and not just the Broads Authority.

The Committee agreed they would like regular updates on the Recreation section of the plan.

A further comment was made about the pressures of moorings and how the Broads Plan did not reflect the potential risk of providing moorings in the future. It was also felt that the Broads Plan did not cover the waste facility issue and a suggestion for waste facilities to become a strategic objective was muted.

It was pointed out that both moorings and waste issues had been captured within the Plan, but that the aim was to keep the Broads Plan as brief and strategic as possible and that the Mooring Strategy addressed the mooring issue in more detail.

Members noted the report.

5/8 Powerboat Racing

Members received a report which outlined the background to powerboat racing on Oulton Broad.

Members supported the continuation of the management arrangement of powerboat racing currently in place and noted the fixture list for the 2017 season.

5/9 River Chet Condition Update including Water Level Monitoring

Members received a report which provided them with an update on the condition of the true left bank of the River Chet and the results of water level monitoring that the Broads Authority had been carrying out since May 2016. The report outlined the latest position regarding the proposed removal of the navigation channel markers that were installed between Chet Mouth and Hardley Wherry Staithe, after flood defence works were completed on the banks of the river.

It was highlighted that the development of a strategy for the future management of Hardley Flood bank of the River Chet was identified as a key project in the Broads Plan with regard to reducing sediment input into the system.

It was queried whether the presence of Hardley Flood and the sluices to and from it were relevant to the water levels in the River Chet. It was explained that the sluices and culverts were deteriorating and that the gaps in the bank would increase in size if this was not addressed. However, without additional hydraulic modelling the likely effect of this on water depth and flows in the river was uncertain. The water level monitoring carried out to date did not indicate that there was an issue with water depth and flows but this might change if the bank keeps deteriorating. A brief for further hydraulic modelling has been prepared with a view to commissioning a study on the likely effects of various future scenarios for the management of the bank.

Members welcomed the water level monitoring data, it provided good evidence for decision making.

Members were informed that the preferable outcome would be the re-opening of the Wherryman's Way Footpath along the bank after it had been decided what would be the best option for the gaps in the banks. It was proposed to bring a report to a future meeting when the additional hydraulic modelling required had been carried out.

Members noted the report and acknowledged that good progress had been made.

5/10 Navigation Income and Expenditure 1 April to 31 December 2016 Actual and 2016/17 Forecast Outturn

Members received a report which provided the Committee with details of the actual navigation income and expenditure for the nine month period to 31 December 2016, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2017).

The Head of Finance was able to give a verbal update until the end of January 2017 and informed Members that the Actual Variance had risen from £90,245 to £99,444

The Latest Available Budget had remained the same and the responses for budget holders updates to the forecast outturn were due tomorrow on February 28th, so no updates were available for the meeting on this yet.

The Navigation earmarked reserves had reduced slightly to £686,077 due to the work which had started on the Irstead Boat House repairs.

Members noted the report.

5/11 Construction, Maintenance and Environment Work Programme Progress Update

The Committee received a report which set out the progress made in the delivery of the 2016/17 Construction, Maintenance and Environment Section work programme.

The Chief Executive mentioned that members of the CME team worked under severe weather conditions on a number of occasions.

Members noted the report.

5/12 Chief Executive's Report

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

In regards to the Horning Ferry Inn trials, Members supported the decision that the trials be discontinued. The trials revealed that due to traffic in the area, the location was unsuitable for stern on moorings. Members were informed that stern on moorings trials in other areas had worked where there were clear sight lines, more width in the river and less river traffic.

Members noted the report.

5/13 Current Issues

A Member enquired about the Network Rail Whole Life Strategy for bridges. They were advised that this had been delayed by Network Rail but would be brought to a future meeting when available.

5/14 Items for future discussion

No items for future discussion were identified.

5/15 To note the date of the next meeting

The next meeting of the Committee would be held on Thursday 20 April 2017 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

5/16 Exclusion of the Public

RESOLVED

The Committee is asked to consider excluding the public from the meeting under section 100A of the Local Government Act 1972 for 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

Members of the Public left the meeting

Summary of Exempt Minutes

5/17 Appointment to the Navigation Committee

The shortlisting of candidates for the current vacancy on the Navigation Committee had been undertaken. At this stage of the process the Navigation Committee was consulted as to whether the shortlisted candidates were suitable for interview.

Members noted the report.

Agenda item 5/2 was dealt with at this point

5/2 Priority Moorings

The Members received a verbal report containing exempt information concerning priority moorings for 2017/18. The Committee asked officers to develop a full business plan around this, for the Broads Authority to take a decision on in May 2017.

The meeting concluded at 4.40 pm

Chair

Code of Conduct for Members

Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 23 February 2017

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)	Please tick here if the interest is a Prejudicial interest
James Knight		General interest as toll payer, Hire Boat Operator and Yacht Club Member	
Brian Wilkins		Anything relating to Navigation and private boat owners	
Nicky Talbot		Toll Payer, Member of NSBA and NBYC	
Matthew Bradbury		Toll Payer, BCU Member	
John Ash		Toll Payer, Chairman and Director of WYCCT,	
Kelvin Allen		Chair of BASG	
Linda Aspland		Hunter fleet, Toll payer, NBYC Committee, local resident	
Peter Dixon		Hickling Dredging / Restoration	

Broads Authority
Planning Committee

Minutes of the meeting held on 3 March 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard
Prof J Burgess
Ms G Harris
Mr P Rice

Mr H Thirtle
Mr V Thomson
Mr J Timewell

In Attendance:

Ms N Beal – Planning Policy Officer (for Minutes 9/10 – 9/12)
Mrs S A Beckett – Administrative Officer (Governance)
Mr N Catherall – Planning Officer (for Minute 9/8(3))
Ms M Hammond – Planning Officer (for Minute 9/8 and Minute 9/14)
Mr D Harris – Solicitor and Monitoring Officer
Mr B Hogg – Historic Environment Manager (for Minute 9/13 – 9/16)
Ms A Long – Director of Planning and Resources
Ms C Smith – Head of Planning (excluding Minute 9/8(3))

Members of the Public in attendance who spoke

BA/2016/0444 /FUL Burghwood Barns, Burghwood, Ormesby

Mr M Hollowell Agent for the applicant

9/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting. Apologies were received from Mr W Dickson.

9/2 Declarations of Interest

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes.

9/3 Chairman's Announcements and Introduction to Public Speaking

The Chairman reported on the following:

(1) **Chris Skinner** – Sadly, as many members will be aware, Chris Skinner one of the Authority's legal advisers who had been of considerable support to the Authority over a number of years had recently died. The Authority had been well represented at the funeral and a letter had been written to the family expressing its condolences.

(2) The Openness of Local Government Bodies Regulations

The Chairman gave notice that the Authority would be recording this meeting following the decision by the full Authority on 27 January to record all its public meetings on a trial basis and it would be investigating ways of making recordings available on the website. This was as a means of increasing transparency and openness as well as to help with the accuracy of the minutes. He stressed that the copyright remained with the Authority and the minutes would be as a matter of record and not available for general distribution such as on U-tube.

(3) **Planning Training:** The Chairman informed members that immediately following the next Planning Committee meeting there would be a training session on Tree Preservation Orders, not likely to extend for more than an hour. In addition, the Director of Planning and Resources reported that members would also receive a briefing on the Government's White Paper on Housing, which would be the subject of a separate report. The Chairman of the Authority reported that there had been 100% attendance of the Committee at the last Planning training with three other non-planning committee members and it was hoped this level of attendance could be retained.

(4) **Introduction to Public Speaking** The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)

9/4 Minutes: 3 February 2017

The minutes of the meeting held on 3 February 2017 were agreed as a correct record and signed by the Chairman.

9/5 Points of Information Arising from the Minutes

None to report

9/6 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

9/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer or vary the order of the agenda had been received.

9/8 Applications for Planning Permission

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

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

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

(1) **BA/2016/0444/FUL Burghwood Barns, Burghwood Road, Ormesby St Michael**

Retrospective change of use to residential, garage, pond enlargement, new shed, roller-shutter doors on existing shed, alterations to windows, 4 additional car parking spaces and landscaping alterations.

Applicant: Mr D Tucker and Miss S Burton

The Planning Officer provided a detailed presentation of a retrospective proposal at a site off Burghwood Road, Ormesby relating to Burghwood Barns where planning permission had already been granted in 2013 and where since this permission further development had taken place, some of which was without the benefit of planning permission. The majority of the Committee had had the benefit of a site visit on 24 February 2017, a note of which had been circulated. In providing details of the complex history of the site with the help of aerial photographs together with the details of the development involved, the Planning Officer pointed out the details of a larger scale application which included 11,000 square metres. This had been refused in 2016 due to the inappropriate use of the land due to the significant adverse impact it would have on the character of the landscape and the special qualities of the area.

The Planning Officer explained the current application which included the annexation of some of the agricultural land and its use and development as residential garden. This included a pond, two new buildings, alterations to windows on the converted barn, car parking and landscaping. This also involved amendments to the roller-shutter doors on the outbuildings to be replaced with timber double doors and inclusion of pitched roofs, retention of the wood storage lean-to, raised vegetable beds, retention of the oil tank and brick-edged fire pit and storage buildings. It also included biodiversity enhancements involving re-profiling of the pond banks and landscaping. The application sought to regularise the development that had taken place and involved retaining part of the agricultural land that had been annexed as residential curtilage (5,000 square metres in total). The application excluded 6,000 square metres of the area which had been converted to residential garden including paths and gazebo. These areas would be delineated by a fence and hedgeline. The Planning Officer clarified that the proposals would be incidental to the use of the dwelling and not for commercial use.

The Planning Officer concluded that although the retrospective nature of parts of the application was regrettable, when considered on its own merits, the proposal would not, on balance, have such a significant detrimental landscape impact as to warrant a refusal of planning permission and enhancements to the biodiversity value of the pond and appearance of the buildings could be secured. Therefore the Planning Officer recommended approval subject to conditions.

The Head of Planning explained that the regulations concerning permitted development rights for the National Parks and the Broads were more stringent than for most local planning authorities. The definition of agricultural use was wide ranging and officers would examine this in detail with regards to appropriate management of the area to revert to agricultural use. The importance of retaining part of the site in agricultural use was for landscape purposes and to ensure there was a buffer zone between the residential curtilage and the SSSI and SAC. It would be incumbent on the applicant to discuss this with the LPA.

Mr Hollowell on behalf of the applicant provided some background to the original 2016 application and commented that the village of Ormesby had originally been a very important and productive area for soft fruit, namely blackcurrant bushes but this was diminishing and was why some of the larger fields adjacent to his client's site were no longer being used as such and had been sold. He explained that the applicant was pleased with the negotiations that had taken place with the Planning Officer to result in this application. During the negotiations on the 2016 application, Mr Hollowell explained that there had been discussions with Dr J Parmenter who was very involved with Essex and Suffolk Water to provide biodiversity enhancements, with the aim of extending the biodiversity to include the currently lawned area of land in the ownership of the applicant. The aim would be to revert the use of the land to a similar use that had existed 100 years ago. He commented that the client was happy to put the area of lawn back to agricultural use.

Members had gained a full appreciation of the site and regretted the retrospective nature of the application. On balance they considered that the Planning Officer's recommendation for approval of the application subject to the conditions could be accepted. However, one of their main concerns was associated with the extent of lighting of the site especially around the perimeter, particularly when mindful of the policies for Dark Skies in the Broads, especially in this area immediately adjacent to Ormesby Broad and the SSSI. They therefore considered that external lighting should be subject to condition and there should not be external lighting around the perimeter.

Members gave consideration to the remainder of the land which was not subject to this application, did not have the benefit of planning permission and was currently in use as residential curtilage including

paths and a gazebo. They considered the option of dealing with this by condition for the submission of a scheme to restore the land to agricultural use together with a time scale for a plan to be submitted and implemented; or as a stand-alone issue of enforcement to require appropriate action to be taken to require the removal of the operational development and restore the land to agricultural use. The applicant's agent commented that it should be possible to draw up a scheme that would enhance biodiversity as well as a reversion to agricultural use by the end of March and advocated enforcement to provide timescales. The Head of Planning commented that once the enforcement notice was issued there would be a 28 day period before it came into effect. There would then be a period for compliance, the time being up to the Committee to decide but a period of three months was suggested. If a scheme with which officers were satisfied were produced, then the enforcement notice could be removed. However, if a scheme was not provided, it would be open to the Authority to proceed with prosecution. Alternatively the applicant could put in an appeal against the 2016 permission.

Mr Rice proposed to approve the application as set out with conditions including lighting and to take enforcement action in relation to the unauthorised development of the additional lawn, not subject of this application, with a tight compliance period to enable an approved scheme. Members supported this approach and the Chairman put the following to the vote and it was

RESOLVED unanimously

- (i) that the application be approved subject to the conditions outlined within the report with an additional condition relating to lighting specifically for this to be removed from around the perimeter of the site. Subject to this, the proposal is considered acceptable in accordance with Policy CS1 of the adopted Core Strategy (2007), Policies DP1, DP2, DP4 and DP28 of the adopted Development Management Policies (2011), Policy XNS1 of the adopted Site Specific Policies (2014) and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application;
- (ii) that authority be given to serve an Enforcement notice requiring the reinstatement of the additional land, beyond that for which permission has been given, to agricultural use with a compliance period of three months;
- (iii) if a scheme is not forthcoming and compliance has not been achieved, authority given to proceed to prosecution.

- (2) **BA/2017/0010/HOUSEH Deerfoot, 76 Lower Street, Horning**
Garage and extension
Applicant: Mr Len Funnell

The application was before members as the applicant was related to a member of the Navigation Committee.

Members considered that this was a straight forward application, were familiar with the site having viewed this on the Design Quality Tour in 2015 and considered it to be acceptable. They concurred with the Planning Officer's assessment.

RESOLVED unanimously

that the application be approved subject to conditions as outlined in the report as it is considered acceptable in accordance with Policies DP4, DP5 and DP28 of the adopted Development Management Policies DPD (2011) and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

- (3) **BA/2017/0030/FUL Moorings Opposite Thurne Dyke Windpump**
Replacement quayheading
Applicant: East Anglian Cruising Club

The Head of Planning left the room for this item.

The Planning Officer explained that the application was before members as the applicant, the commodore of the East Anglian Cruising Club was related to a member of staff. The Planning Officer provided a detailed presentation of the proposal for replacement timber quayheading to the mooring basin adjacent to the river frontage on the west bank of the River Thurne opposite the Thurne Dyke windpump/drainage mill. It involved replacing this with like for like timber quay heading totalling 170 metres in length. Since the writing of the report the Authority's Ecologist had recommended that a water vole survey should be undertaken and results and potential mitigation measures submitted to the Authority prior to the work commencing. This could be dealt with by condition.

The Planning Officer concluded that the proposal would result in an appearance that would maintain the overall character and appearance of the existing location and surrounding area and therefore was recommended for approval subject to conditions including one relating to submission of a water vole survey.

Members concurred with the officer's assessment. It was clarified that the works would take place from the river.

John Timewell proposed, seconded by Gail Harris

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report with an additional condition for a water vole survey to be submitted prior to the commencement of the works. The proposal is considered to be in accordance with Policies DP4 and DP13 of the Development Management Policies DPD (2011), Policy CS1 of the Core Strategy (2007), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

9/9 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee. Further information was provided on the following:

Thorpe Island: The Head of Planning reported that in line with members' instructions officers had sought further advice from the barrister in relation to the Injunction. The Authority would need to demonstrate that it had done as much as possible to ensure compliance and therefore the option of taking direct action to remove the sunken vessels was being explored. As there were further implications and costs involved with this it would be a matter for the full Authority to consider and a report would be prepared for the meeting on 24 March 2017. The landowner had been advised that the Authority may be considering this.

The Authority had been granted an oral examination in the courts in respect of the monies already owed to the Authority on 4 April 2017 in Great Yarmouth. With regard to the breach relating to the residential use, it was understood that the resident on the boat within Jenners Basin had been in touch with the local housing authority and was likely to be rehoused. If the vessels were to be removed and the residential use cease, this would be some way to achieving compliance with the Injunction, and this could obviate the need to return to the Courts.

The Head of Planning reported that the planning application was still live although the further information requested had still not been received. Members discussed whether the removal of the uncertainty on planning might help to resolve the situation but were mindful of the lack of progress and difficulties in dealing with the landowner concerned. Members were also mindful of the residents living opposite the site who had considerable concerns. The matter of direct action would be discussed at the Authority meeting on 24 March 2017.

Ferry Inn, Horning Paul Rice, who had been acting as a mediator, reported that he had been informed by the site operator that the unauthorised caravan as well as the portacabin had been sold and were due to be removed. The trailer was due to be removed by the end of the month. The dead trees were to be removed and a planting scheme implemented. Although there was no

evidence of action having been actually taken as yet, the area had been tidied up. He re-emphasised that if full compliance was not achieved by the end of the month, no further negotiations would take place.

Staithe N Willow Unauthorised erection of fencing – The dismissal of the appeal against the Enforcement Notice required that compliance for removal of the fence be achieved by 9 March 2017. Following the request for a compromise solution, given that there were difficulties in removing the main posts, officers were in negotiation with the landowner. The height of the fence had been reduced, although the result was not yet of an appropriate standard and works were still in progress.

Eagle's Nest, Ferry Road, Horning The Head of Planning reported that a valid CLEUD application had now been received and approved. An application for change of use of the boathouse to a manager's dwelling had been received and this would come before the Committee in due course.

RESOLVED

that the Enforcement Update report be noted.

9/10 Broads Local Plan –March Bite Size piece to inform the publication version .

The Committee received a report providing an update on the Local Plan and introducing a topic for the publication version of the Broads Local Plan set out as follows:

(i) Appendix A BeWILDerwood Policy

This was a new policy relating to an important tourist attraction in the Broads and had been discussed with the owners. Members welcomed this considering it to be a very sound policy.

It was noted that the documents would inform the draft policy approach in the publication version and the final text within it. There may be other considerations coming to light between now and the final version that would be presented to Planning Committee in April 2017.

Members noted that the consultation stage on the preferred options had been completed with over 230 comments received and officers would be responding to these. The Planning Committee would receive a report on the consultations and this would highlight the main issues for discussion.

It was recognised that in common with other Local Planning Authorities, there was sometimes problems of the public's understanding of the processes required in the production of the Local Plan and the number of consultation rounds involved. Members considered that it was important for staff and members to help all those involved understand the processes better.

Members noted that progress on the evidence base on the Strategic Housing Market, the Economy Study, Strategic Flood Risk Assessment and the Gypsy, Traveller, Show People, Caravan and Houseboat assessments were well underway.

RESOLVED

that the details within the proposed topic paper (BeWILDerwood) to inform the publication version of the Broads Local Plan be endorsed and the progress on the Broads Local Plan concerning the evidence base for other topic papers be noted.

9/11 Flood Risk Supplementary Planning Document SPD for adoption

The Committee received a report on the new Flood Risk Supplementary Planning Document (SPD) that had been the subject of consultation in December 2016. This was designed to increase awareness of the nature of flood risk and the Broads area and provide advice for developers and others and would replace the SPD produced in 2008 and expand on Policy DM29 of the adopted Development Management DPD.

Members noted the comments received together with the Authority's response as set out in Appendix A of the report and the tracked changes to the document following consultation in Appendix B. They welcomed the revised SPD considering it to be a very well written and useful document.

RESOLVED

That the report be noted and

RECOMMENDED to the full Authority

that the new Flood Risk Supplementary Planning Document (as set out in Appendix C of the report) be approved for adoption.

9/12 Rollesby Neighbourhood Plan: to designate Rollesby as a Neighbourhood Area

The Committee received a report that introduced the Rollesby Neighbourhood Plan. Members noted that on the basis of the new NPPF guidance, once the nomination for becoming a Neighbourhood area was received by the relevant Local Planning Authority(s), there was no longer a requirement to consult on this proposal. The nomination was received on 16 January and had been acknowledged by Great Yarmouth Borough Council on 23 January 2017. There were no known or obvious reasons to not agree to Rollesby becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

RESOLVED

that Rollesby be designated as a Neighbourhood Area in order to produce a Neighbourhood Plan

9/13 Stalham Staithe Conservation Area Re-Appraisal

The Committee received a report and presentation on the consultation of the Stalham Staithe Conservation Area Re-Appraisal, which had been considered by the Heritage Asset Review Group at its meeting on 3 February 2017, with the proposal to consider the Area for adoption by the Authority. The re-appraisal formed part of the ongoing programme for review of the 25 Conservation Areas within the Broads. Most of the boundary of the area fell within the Broads executive area with a part under North Norfolk District Council's jurisdiction. Therefore the Authority had assumed responsibility for most of the consultation.

Members noted the detailed consultation that had taken place in line with the Statement of Community with 33 responses having been received (not 23 as stated in the report). The consultation had included local residents, Stalham Town council, and North Norfolk District Council as well as a public meeting. The issues raised in the process resulted in the Town Council and local residents setting up a Stalham Staithe Forum to feed into the consultation process as well as examine ways of resolving some of the issues raised during that consultation, many of which were outwith the Conservation Area appraisal process. Officers from the BA had attended a number of these.

The majority of the feedback from the consultation had been very positive and support for the retention of the existing Conservation Area (to retain the area of allotments and open ground to the north) was unanimous. As part of the consultation, it had been suggested that the boundary be extended to include the Broads Edge site. However, from detailed examination and assessment, this area did not meet the Heritage England criteria for inclusion as it lacked the special interest demanded for inclusion. Therefore it was not proposed to take this within the Conservation Area.

The appraisal and management plan would help residents and landowners in preparing development proposals within the Conservation Area and inform decisions by public bodies responsible for management of functions within the boundary.

Members considered that the area identified by the boundary map (excluding the extension that had been proposed by two respondents) and that described in the appraisal and management plan for Stalham Staithe was worthy of Conservation Area designation and welcomed the processes. They also praised the valuable involvement of the Local District member in engaging the local community in the process at an early stage.

RESOLVED

- (i) that the report be noted and

RECOMMENDED to the Authority

- (ii) that the Stalham Staithe Conservation Area Re-Appraisal that falls within the Broads Authority executive area and described in the appraisal and management plan for the Staithe be adopted.

9/14 Article 4 Directions

The Committee received a report setting out the purposes of Article 4 Directions and providing the results of a recent review of the 24 Article 4 Directions within the Broads Authority area. This work was part of the Authority's periodic review of its procedures and provisions which had already included the work on the Local Plan and the development of the Local Enforcement Plan. Article 4 Directions had been used to control certain sites and help respond to certain threats in the interests of protecting amenity and landscape. The report and presentation set out the location, dates and initial reasons, where known, of the existing 24 Article 4 Directions and provided recommendations following an assessment of those which it was considered should be retained, those which should be reviewed and those which should be removed. It was proposed to retain 14 of the 24 existing Directions, remove seven and further review three. The latter 10 Directions would need to be subject to the statutory processes. The current report provided the results of the first phase of the review, further reports on possible extension of existing Directions and any new Directions would be presented as phases two and three of the entire review.

Members welcomed the review and the approach being taken. With regard to the proposal to remove the Article 4 Directions relating to the retail sales from moored vessels at 23 moorings, members had some concerns and considered these should be deferred. Officers pointed out that if retained, there would need to be sound planning reasons to do so. However, there may be other ways of covering such activities and therefore it was suggested that the matter be referred to the Navigation Committee for its views in due course.

Members were particularly in favour of the proposal to notify and remind all the parish councils and District members of those Article 4 Directions to be retained.

RESOLVED unanimously

- (i) to endorse and approve the approach being taken in the review of the Article 4 Directions in accordance with the advice and guidance in the Planning Practice Guidance of NPPF to include three phases.
- (ii) that the recommended action on the 24 Article 4 Directions be approved subject to deferral of those relating to retail sales at moorings.
 - o that 14 Article 4 Directions as listed in the report be retained, 6 Article 4 Directions be removed and 4 be reviewed. Those to be

removed to be the subject of consultation starting in Spring 2017 and this be undertaken on the basis of the non- immediate Direction process.

- (iii) that the relevant parish councils and local district members be informed of those existing Article 4 Directions which the Authority has reviewed will remain and no changes will be made.

9/15 Heritage Asset Review Group – Notes from meeting on 3 February 2017

The Committee received the notes from the Heritage Asset Review Group held on Friday 3 February 2017.

RESOLVED

That the notes from the Group be noted.

9/16 Appeals to Secretary of State Update

The Committee received a report on the appeals to the Secretary of State against the Authority's decisions since 1 April 2016.

The Head of Planning commented that the decisions to allow the appeals concerning upvc windows and roller shutter doors and which could have policy implications would be addressed in a paper to be prepared for the next Planning Committee meeting, particularly in light of the comments within the section on design in the Government's White Paper.

RESOLVED

that the report be noted.

9/17 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 14 January 2017 to 14 February 2017.

RESOLVED

that the report be noted.

9/18 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 31 March 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

It was noted that the 31 March 2017 meeting would include briefing on the Government's White Paper on Housing and the meeting would be followed by training for members on tree preservation orders.

The meeting concluded at 12.12 pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: **Planning Committee**

Date of Meeting: 3 March 2017

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Haydn Thirtle	Minute 9/8(1) Minute 9/12	Lobbied by the applicant and visited the site: BA/2016/0444/FUL
Paul Rice	Minute 9/9	Ferry Inn Mediator, Chair of Broads Society
Jacquie Burgess		Toll Payer

Broads Authority
Planning Committee

Minutes of the meeting held on 31 March 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard
Ms G Harris
Mr P Rice

Mr H Thirtle
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr B Hogg – Historic Environment Manager (Minute 10/8(2))
Ms A Long – Director of Planning and Resources
Miss S Mullarney (Administrative Officer (Governance))
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke:

BA/2017/0059/CU Horizon Craft, Old Road, Acle

Mr Ryan Mabbott The Applicant

BA/2016/0323/FUL Bureside, water Works Lane, Horning

Prof Erika Denton The Applicant

10/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting. Apologies were received from Prof J Burgess, Mr W Dickson and Mr J Timewell. He also welcomed Sarah Mullarney who had recently joined the Governance team and was attending as an observer.

10/2 Declarations of Interest

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes.

10/3 Chairman's Announcements and Introduction to Public Speaking

The Chairman reported on the following:

(1) The Openness of Local Government Bodies Regulations

The Chairman gave notice that the Authority would be recording this meeting following the decision by the full Authority on 27 January to record all its public meetings on a trial basis and investigation of ways of making recordings available on the website were being made. The recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The copyright remained with the Authority and the minutes would be as a matter of record.

- (2) **Introduction to Public Speaking** The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)

10/4 Minutes: 3 March 2017

The minutes of the meeting held on 3 March 2017 were agreed as a correct record and signed by the Chairman.

10/5 Points of Information Arising from the Minutes

None to report

10/6 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

10/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer or vary the order of the agenda had been received.

10/8 Applications for Planning Permission

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

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

- (1) **BA/2017/0059/CU Horizon Craft, Old Road, Acle Upton with Fishley** Part change of use of boat shed and workshops to a bar and restaurant (Class A3). Installation of 8 shore power posts and extension of gravel walkway.
Applicant: Mr Ryan Mabbott

The Chairman stated that comments had been received from the local Ward member this morning. In accordance with the Authority's procedures, this was after the cut off point for receipt of information and would not normally be taken into account. However, given that this was the Ward Member therefore on this occasion, with Committee approval, an exception was being made. A copy of Mr O'Neill's email was circulated to the Committee.

The Head of Planning provided a detailed presentation of the application including two elements – the first involving a part change of use of a boat shed and workshops at Horizon Craft to a bar and restaurant; the second element of the application included an extension of 140 metres of a gravel walkway and the installation of 8 shore power posts and electric hook up for moored boats. The applicant leased the site from Richardsons with the aim of the providing diversification of the existing business, improve viability and extend the season. Members attention was drawn to the location of the site by the Acle Bridge where there was development at all four corners with a cluster of tourist and marine related businesses and with access off the main distributor A1064 road, a major factor in consideration of the application particularly with regard to the comments from the Highways Authority. The Head of Planning stated that being a main distributor road, the national speed limit was 60 mph with an advisory, not mandatory, speed limit of 30mph on the bridge, which it was noted was a blind summit. It was widely recognised that this limit was poorly observed. She provided the visibility measurements at different locations and the visibility requirements for differing speed limits and pointed out that the main problems occurred when traffic needed to turn right.

Since the writing of the report, additional consultations had been received from:

- Upton Parish Council – no objection
- Acle Parish Council stating that they supported the principle of the application but raised an objection due to the traffic concerns on lack of highways visibility and considered that a traffic survey and impact assessment should be done, and a speed reduction imposed.
- Frank O'Neill Local District Member – Fully Supported the application. Recognised the highway concerns and advocated that the Highways Authority convert the advisory 30mph speed limit to mandatory as well as impose this from Acle Bridge to the roundabout at the junction of the A47.
- Lana Hemsall – District Member for the adjacent ward, Acle. Raised concerns about the access and recommended a site visit and that Highways be pressed to undertake a traffic survey and assessment, that improvements be made and the Authority to make this a strategic priority. She also supported the principle of the application.
- Further correspondence from the Highways Authority which was covered within the presentation.

In providing the assessment, the Head of Planning concluded that the proposals were in accordance with the NPPF, compliant with Broads Authority policies and met the Acle Neighbourhood Plan aspirations, would not have an impact on the landscape or amenity, would increase employment and improve and contribute to the tourism facilities and network generally in the Broads. The main concern, related to the objections from the Highways and the question as to whether the difficulties could be mitigated or the speed limit reduced, both of which the Highways Authority had concluded could not be justified, details being set out at section 5 of the report and in their additional letter. It was stated that Highways could not make speed limit changes to make an unacceptable (in highway terms) development acceptable. They had also stated that the additional costs involved in mitigation including enforcement could not be justified. They also stated that a traffic impact assessment was not warranted.

The Head of Planning commented that the concerns of the Highways Authority had been carefully examined and the risks involved. However, it was concluded that taking into account all material considerations, there was a long established existing use of the site, there were already permitted development rights which could generate considerably more traffic than at present or an intensification of use, without further reference to the Planning Authority. It was unusual to go against the advice of the Highways Authority but the Head of Planning concluded that overall and on balance the recommendation was for approval as the material considerations outweighed the highway objections and the objectives of the plan would not be significantly harmed. Should members wish to approve the application, it would need to be advertised as a departure from policy, since it conflicted with the policy in relation to highway safety.

Mr Mabbott the applicant accepted that there were highway objections and commented that he would love to see traffic calming measures in place. As suggested by members he would support signage and was prepared to pay towards speed warning signage. He pointed out that the previous operator had operated 40- 50 hire boats from the site with associated people movements whereas the applicant had reduced the the number of boats operating from the site to 11 and resulting in fewer people movements and as a result he had increased the number of visitor moorings. In response to a member's concern about the potential impact, Mr Mabbott did not consider that there would be an intensification of road traffic. The intention of the enterprise was to provide a facility that would increase the numbers visiting from the river not the road. Safety was one of the most significant concerns and to mitigate these he proposed to introduce other measures such as changing the check -in times from 3 pm to 2.00pm and limiting change-over days to Fridays and Mondays to limit the concentration of traffic. It was intended to advertise the restaurant from the riverside, operating from 8 am to 11pm in the peak season and 12 noon to 11pm in the

winter months. He explained that they would be supporting events such as fetes and festivals to attract boaters but the number of cars visiting the site would be no more than when Richardsons was operating the premises. He fully supported the Acle Neighbourhood Plan and tourism in the Broads. Having enjoyably visited the Broads for over 30 years, it would be a shame if he was unable to put something back.

Members were supportive of the proposals in principle but were seriously concerned about the road safety in this location and acknowledged the concerns from the Highways Authority. One member commented that the highway objections were so strong that they should be given significant weight and not disregarded. Although it was accepted that this particular business may not result in a significant increase in traffic, it was noted that there were three other businesses operating in the location that could intensify the use and was of considerable concern. Members considered that there appeared to be a contradiction in the advice from the highways objection based on their thresholds requiring traffic assessments and advice concerning speed limits and considered that they should be more pro-active and involved in helping to mitigate the dangers and make the area safer irrespective of this planning application. Members welcomed the offer from the applicant to contribute to the costs of signage. They also noted that the tree at the entrance to the site restricted visibility and considered that if this could be removed it would help to provide some mitigation.

The majority of members did not wish to hinder the development and were minded to approve the application. However, they considered that this should be subject to conditions to include the removal of the tree at the access and details for signage and a mitigation scheme in terms of visibility to be submitted by the applicant. It was also proposed that a liaison group be set up to include the Highways Authority, the local businesses at Acle Bridge and representatives from the Parish Councils as well as involve the local County Council to examine whether anything else could be done in the area to resolve some of the highways issues. This would be similar to that which had been established in consideration of the Upton Dyke application and was for a specific purpose.

RESOLVED by 5 votes with 1 against.

- (i) that the Authority is minded to approve the application subject to the conditions outlined within the report, and additional conditions to remove the tree at the entrance to the site and for submission of details on a signage scheme relating to visibility to be submitted by the applicant to improve awareness of the site. The application is considered as a departure from Development Management Policy DP11 (2011) but is in accordance with Policies DP2, DP14, DP20, DP28 and DP29. It is also considered to be in accordance with Policy CS1 of the Core

Strategy (2007), and the National Planning Policy Framework (2012);

- (ii) that the application be advertised as a departure from policy; and
- (iii) that a liaison group be established to include the parish councils, and all the businesses at the site together with the Highways Authority to consider the traffic safety at the site with the aim of providing mitigation measures.

(2) **BA/2016/0323/FUL Bureside, Water Works Lane, Horning NR12 8NP** Replacement dwelling and associated works
Applicant: Prof. Erika Denton and Mr Rupert Cavendish

The Head of Planning provided an outline presentation of the application for the demolition of an existing early 20C dwelling and associated garage, originally associated with the Horning Water works, to be replaced with a new dwelling house of 2 1/2 storeys on a larger footprint sited a short distance to the west and south of the existing, closer to the centre of the site.

The Head of Planning explained that given the prominence of the proposed building and the importance of its setting to its acceptability, it would be beneficial for members to undertake a site visit in order to appreciate the local context prior to determination of the application. It was considered that it would be prudent to view the site from the river as well as from the land in order to see the relationship with the village and other properties, including the water works in the complete context of the landscape as there were different impacts from each.

Professor Denton, the applicant commented that the idea for the re-siting of a property was to make best use of the entire curtilage to be able to overlook the land owned by themselves, rather than land owned by the Water Authority, not create a greater view of the river.

RESOLVED unanimously

that the members undertake a site inspection on Thursday 20 April 2017 starting at 10.00am in order to gain a full appreciation of the site prior to determination.

10/9 Enforcement of planning control: Untidy land and buildings at Marina Quays, Great Yarmouth

The Committee received a report relating to three buildings at Marina Quays, , which were in a very prominent location on the north bank of the River Bure , the only waterborne entrance to Great Yarmouth from the north, where their poor state of repair was having an adverse effect on the amenity of the area. It was noted that this effect was manifested through a significantly detrimental

impact on the appearance of the area, which is accorded the same status as a National Park.

It was noted that Great Yarmouth Borough Council had served notice on the owners under the Local Government (Miscellaneous Provisions) Act 1982 in late 2016 to get the properties boarded up following reports of people gaining access and local concerns. Their Enforcement Board had referred the matter to the Authority. It would be difficult to require demolition of the property but the use of Section 215 Notice would require that the owners undertake works to improve the appearance of the buildings involving replacing the metal boards covering the windows with undamaged boards, repairing the damaged fascias and brickwork, repainting and removing the graffiti. Officers had been engaged with the owners who were interested in redevelopment of the site and there had been pre-application inquiries. The site had also been part of the Local Plan review. It was noted that Great Yarmouth Borough had considerable experience of issuing Section 215 Notices and Officers would liaise closely with them.

RESOLVED unanimously

That authority be given to serve a Section 215 Notice requiring the remedial works to be undertaken to tidy the buildings at Marina Quays.

The Chairman referred to the site at Berney Arms which had been discussed by the Authority last July and requested that Officers look into whether a Section 215 Notice would be an option.

10/10 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee. Further information was provided on the following:

Thorpe Island: As was reported at the Broads Authority meeting on 24 March 2017, the sale of Thorpe Island including Jenner's Basin was due to be completed today, 31 March 2017. Members would be kept informed.

Ferry Inn, Horning: Members were pleased to note that the unauthorised development including refrigerated container, portacabin and static caravan had been removed and therefore compliance achieved.

Staithe N Willow: Unauthorised erection of fencing – Further work was still required.

Broad Minded – Plot 9/9A Martham: Mooring of caravan on Floating Pontoon – Members were pleased to note that the structure had now been removed and therefore compliance had been achieved.

Burghwood Barns, Burghwod Road, Ormesby St Michael: Unauthorised development of agricultural land as residential curtilage – Enforcement Notice served on 8 March 2017, compliance to be achieved by 8 June 2017.

RESOLVED

that the Enforcement Update report be noted.

10/11 Norfolk Strategic Framework and Norfolk Strategic Planning Member Forum update

The Committee received a report providing an update on the progress of the Norfolk Strategic Framework (NSF), which was part of the authorities' Duty to Cooperate. The NSF was overseen by the Norfolk Strategic Planning Member Forum, and was attended by the Vice-Chairman of the Planning Committee as the Authority's representative. Members noted that the initial draft was being reviewed by members and would be further updated, the production of Housing and Economic Land Availability Assessments was progressing more slowly than anticipated and further work was required on Green Infrastructure and the Objectively Assessed Housing need.

Members noted the time line for the NSF production noting that the aim was for the Draft for approval for public consultation to be produced in June 2017. There had been some underspending of monies so far due to differing timings from each of the Districts.

The Chairman thanked Paul Rice for attending the NFS Member Forum.

RESOLVED

that the report be noted.

10/12 Consultation Documents Update and Proposed Responses

The Committee received a report on the proposed Authority responses to the consultations received from Great Yarmouth Borough and Highways England on the documents below and as set out in Appendix 1 to the report:

- Draft Great Yarmouth Borough Natura 2000 Sites Monitoring and Mitigation Strategy
- Highways England: A47 Great Yarmouth Junction improvements

Members endorsed the responses.

RESOLVED

That the report be noted and the consultation responses be forwarded to Great Yarmouth Borough Council and Highways England respectively

10/13 Housing White Paper

The Committee received a report outlining the recently published Housing White Paper together with the Authority's proposed responses to the 38 questions as part of the consultation. It was noted that many of the requirements of the proposals would not have a significant effect for the Authority but would have greater impact on its adjoining Districts.

In accordance with the decision by the Authority at its meeting on 24 March 2017 to indicate that it would accept the government's proposed increase in planning fees, a report for Planning Committee members to consider where the additional income should be targeted to provide tangible benefits would be brought to a future meeting prior to consideration by the full Authority. This was likely to be May 2017. It was confirmed that members had advocated that monitoring and enforcement could be areas for consideration.

Members endorsed the proposed response.

RESOLVED

that the report be noted.

10/14 Appeals to Secretary of State Update including Annual Review

The Committee received a report on the current appeals against the Authority's decisions since January 2017 together with an annual summary of the decisions received from the Secretary of State since April 2016.

The Head of Planning commented that the appeal decisions relating to design, involving upvc windows and cladding, and roller shutter doors which could have policy implications would be addressed in a paper to be prepared for the next Planning Committee meeting.

A member commented that using decisions on appeals for the Authority was not the correct metric for measuring performance and service. It was important to examine the quality and circumstances involved rather than bare statistics. Therefore it was important to produce defensible arguments.

RESOLVED

that the report be noted.

10/15 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 14 February 2017 to 14 March 2017.

Members praised the results of the monitoring process.

RESOLVED

that the report be noted.

10/16 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 28 April 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 12.00 noon.

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: **Planning Committee**

Date of Meeting: 31 March 2017

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Haydn Thirtle	Minute 10/9	Member of Great Yarmouth Borough Council. Planning advised on this matter
Paul Rice	Enforcement Minute 10/10	Chair of Broads Society, NSBA member, Mediator for Ferry Inn

Broads Forum Committee

Minutes of the meeting held on 27 April 2017

Present:

Dr Keith Bacon (Chairman)

Andrew Alston
Ashley Cato
Michael Flett
Tony Gibbons

Barbara Greasley
John Lurkins
Jennifer Parkhouse
Paul Savage

John Tibbenham
Peter Wall
Anthony Wright

In Attendance:

Ms Esmeralda Guds – Administrative Officer (Governance)
Mr Simon Hooton – Head of Strategy & Projects
Miss Sarah Mullarney – Administrative Officer (Governance)
Dr John Packman – Chief Executive
Mr Rob Rogers – Director of Operations

Also In attendance:

Mr Kelvin Allen – BSG and Member of the Authority
Prof Jacque Burgess – Chair of the Authority
Mr Steve Lane – Environment Agency
Mr Paul Mace – Norfolk County Council

3/1 Apologies for absence and welcome

Apologies were received from Henry Cator, Martyn Davey, John Hiskett, Philip Pearson, Charles Swan, Richard Starling, Hugh Taylor, Robin Godber, and Bryan Read.

Members were reminded to contact Substitutes if they knew they would be absent to attend instead.

The Chairman welcomed Jacque Burgess, the Chair of the Authority, to the meeting.

The Forum was reminded that they were entitled to make their own recordings and that this meeting was being recorded.

3/2 To receive and confirm the minutes of the meeting held on 2 February 2017

The minutes of the meeting held on 2 February 2017 were confirmed as a correct record and signed by the Chairman.

3/3 Public Question Time

No questions were raised by members of the public.

3/4 Summary of Progress/Actions/Response taken following discussions at previous meetings

The Members of the Forum had received a report summarising the progress of current issues and were informed there were no further updates.

The Chairman informed the Members that he wasn't able to provide any feedback on the last Broads Authority meeting on 27 March as he had sent his apologies, however updates on the Broads Authority meeting were provided in the Chief Executives report later on the Agenda.

Members noted the report.

3/5 Rural Development Leader Programme

Members received a presentation from Paul Mace (PM) about grant funding opportunities provided by the Leader Programme also known as the European Agricultural Fund for Rural Development (EAFRD).

Members were informed that there were five Local Action Groups (LAG) across Norfolk and North Suffolk, for which Norfolk County Council was the Accountable Body. These LAGs represented public, private and social organisations and created local development strategies defining local priorities and actions they wished to fund in their respective area.

It was noted that the Leader Programme was a varied programme which could deliver on six different Defra priorities and that the key aspect was to generate jobs and growth. Members were informed of the funding guidelines which defined who could apply and which criteria needed to be met. Projects were welcomed from anybody that could meet the relevant criteria and were primarily directed at job creation.

Members were further informed that up to a maximum of 40% of total budget could be funded if it could not be found elsewhere, but that all match funding would need to be in place and funding would be paid in arrears. In light of Brexit the Chancellor's Statement stated that funding would be guaranteed until the UK leaves the European Union.

Tony Gibbons (TB) raised concerns about the risk of an application being unsuccessful, especially as the project needed to be funded in full by the applicant in advance. It was explained this risk was relatively small because that as part of the application process the applicant would need to demonstrate how they would access/secure other funds before claiming the money back. Also, funding up to 40% was considered to be a high intervention rate, so applicants perceived the programme as an attractive opportunity.

When the Chair enquired whether a Parish Council would be eligible to apply, it was explained that it wasn't so much an issue whether they were eligible but, depending

on the project, they were unlikely to meet the criteria of creating new jobs and growth.

Andrew Alston (AA) commented that the Broads LAG was looking to appoint someone who understood training and mentoring due to new funding coming on stream.

Members welcomed the presentation.

3/6 Prevention of Saline Incursion

Members received a presentation from the Broads Angling Strategy Group (BASG) and the Environment Agency on the prevention of saline incursion.

On behalf of the BASG Tony Gibbons stressed the importance of protecting the Broads from saline intrusion and highlighted the detrimental consequences which could occur if nothing was done to prevent this.

TG referred to an incident in October 2013 when thousands of fish were found dead on the surface of the river Thurne and stressed the danger if a salt surge went as far as Wroxham as they would be unable to replace the fish stocks that would be lost.

TG continued that although a barrier would protect from flooding, it wouldn't protect against salt incursion. He explained that as salt water is heavier it enters the system underneath fresh water and therefore fish would stay near the top of the rivers. Salt incursion had proved to be an issue particularly in dykes where fish had nowhere to go.

Steve Lane (SL) from the Environment Agency (EA) gave a presentation to Members about how the EA was managing fisheries in the Broads. He highlighted the social economic importance of fish as a tourist attraction. He further mentioned that there was a strategic framework for fishing in place in partnership with the Broads Authority, the Angling Trust and the Broads Angling Strategy Group and that the three core objectives were Access to Angling in the Broads, Communication & Education, and Environment for Fish.

SL mentioned how salt surges and prymnesium were unique threats to the Broads. He explained that fish could maintain in brackish conditions if they had time to acclimatise, however fish couldn't react to the rapid change of surges. Therefore, apart from causing flooding, surges also had a serious impact on fish stocks.

SL continued that these risks could be managed by means of understanding fish stocks and their distribution. He described that through hydro acoustic surveys the EA was able to provide fish density distribution and that hydro survey boats were fitted out with water quality sensors to check dissolved oxygen, salinity, and pH levels within the rivers. Sonar survey would help track fish and monitor seasonal and daily movement and the reaction of fish to salt incursion.

A skimmer wall, which is a partial barrier, was described as a solution to push fresh water to the top, providing more time for a solution.

Andrew Alston (AA) asked that if the proposed directive on fish was brought in who would be responsible for fish in privately owned waterways and it was clarified that if the issue was significant enough the EA would work closely with the landowner or business towards resolving the issue.

AA informed Members that he was building a reservoir at Catfield and that it would be possible to pump water from there into Hickling Broad which might alleviate brackish conditions.

The Head of Strategy and Projects discussed the need to be confident enough to look at new potential solutions for flood surges which may affect people in different ways but overall would bring the best result to society.

Following on from that the Chairman raised the issue that in a situation of a seawater flood, whether it would be the EA's or the Internal Drainage Board's decision to protect either the farmlands and pump flood water into the rivers, or to safeguard the rivers and keep floodwater on the land. Members recognised that this scenario illustrated the many different requirements which needed to be balanced within the Broads and although it was appreciated that there was no easy solution, Members agreed it would be better to be prepared.

Kelvin Allen (KA) requested that in future angling bodies and fisheries would continue to be included in the flooding debate.

The Chairman queried about the decrease in younger people involved in fishing and the impact of this on angling in the Broads. SL stated that the Agency was working with the Angling Trust to coach and mentor younger people to encourage them to the sport.

KA presented to the Forum a forward view of the BASG, its achievements and the challenges ahead. He informed Members that the Angling Trust had managed to increase the EA budget by 81% to £386,000 over two years. Whilst there had been an increase in funding this had not been enough to solve the funding issue in the Broads and so the EA had recently funded a National Grants Officer to look at sourcing additional grants.

As the BASG wasn't set up to manage substantial grants it had recently been proposed to disband the BASG and set up a new community investment company called the Broads Angling Community Group.

The Broads Angling Strategy relates to the Broads Plan and the new company aims to refresh the Plan in stages.

Members welcomed the presentations.

3/7 Mooring Strategy Update 2017

Members received a report which provided them with an update on the Authority's mooring strategy and the action plan to maintain the Authority's moorings that was adopted by the Broads Authority in November 2014.

When Barbara Greasley (BG) requested whether details of the length of the moorings could be made available in Appendix 2 the Director of Operations informed members that at the recent Navigation Committee (20/04/17) it was agreed to update the table in Appendix 2 to include details on the length of moorings as well as colour coding, highlighting the popularity of each mooring.

Barbara Greasley (BG) stressed the usefulness for information of moorings for hire boat industries as currently customers were struggling to find places to moor.

Paul Savage (PS) questioned the accuracy of the total length of the moorings presented in the report and therefore whether the objectives mentioned in paragraph 1.2 were being met. He said the report gave the impression of an increase of total available short term moorings, and he commented that the increase in Broads Authority owned moorings didn't necessarily mean an increase in the overall mooring lengths available for visitors' use.

The Director of Operations commented that the Broads Authority didn't have an influence over moorings outside their remit and that once the figures of the length of moorings were available a more accurate view would be provided.

BG suggested carrying out another, more in depth survey, asking members of the public about mooring, to obtain more statistics she could bring back to a future Forum meeting.

When discussing the mooring strategy and increasing of moorings PS commented that more effort should be made in exploring the solutions of wild moorings.

The Chief Executive informed the Forum that discussions had taken place between the Authority and the NSBA and Hire Boat Association investigating sites where there might be opportunities for additional moorings. PS suggested widening those discussions to include invitations to other stakeholders and further requested whether more detailed information about the locations of moorings could be made available.

John Tibbenham (JT) queried why Reedham Quay was not featured on the list of mooring sites. The Director of Operations explained that no lease had been agreed with the council due to the repairs required at the site and that Officers were chasing the issue daily.

Further the Forum was updated that the Authority was still negotiating pontoons moorings at Boundary Farm and was trying to reach an agreement with the landowner in regards to waste collection issues.

Members noted the report.

3/8 Chief Executive's Report

The Members received a report summarising the current position in respect of a number of important projects and events such as:

- the follow up from the Broads Authority meeting 24 March
- Appointment to the Navigation Committee.
- Broads Plan 2017 Adoption
- Education and Volunteer Strategies
- Landscape Partnership Scheme
- New Flood Risk Supplementary Planning Document
- Peer Review

When PS enquired about the criteria of the Peer Review it was explained that unlike previous peer reviews this review wouldn't be reviewing the whole of the Authority (NPAPA) but a review around governance and relationships, in particular with the Local Authorities. Details could be found in the report on the website which went to the Broads Authority meeting on 24 March.

Members noted the report.

3/9 Parish Issues

Mike Flett updated the Forum that an agreement had been reached in which Ludham Parish Council had signed a lease for the land of £1 per annum allowing North Norfolk District Council to continue to collect the waste at Womack Staithe as domestic waste. The Parish Council was trying to reach a similar arrangement with the Environment Agency for Ludham Bridge Staithe, which was looking promising.

JT queried about the delay on weed cutting in Hickling Broad and it was explained that currently NE had only consented for weed cutting to be carried out within the navigation channel and that the Authority was currently going through a process whereby scientific data was gathered to accurately calculate the weed growth and density across the whole broad. Once this information was known the Broads Authority will progress the appropriate assessment required to gain consent from NE for any cutting trials within the Chara beds. A meeting had been arranged on 15 May to inform Stakeholders at Hickling of the processes and procedures required to progress this situation

3/10 Current Issues

No items were proposed as current issues.

3/11 To note whether any items have been proposed as items of urgent business

No items were proposed as items of urgent business.

3/12 Matters for Chairman to raise at the next Broads Authority Meeting

The Chairman would report to the Broads Authority meeting on the various issues discussed by the Forum.

3/13 Matters to be discussed at the next meeting

Members were asked to forward any suggestions for matters they wished to be discussed at the next meeting to the Chairman or the officers at the Authority.

Peter Wall suggested a report on tree preservation orders and riverbank clearance in particular at Womack Water and the River Ant.

Barbara Greasley highlighted that the Outdoors Festival starts on Sunday 1 May and that the launch that morning was very well received.

Jacquie Burgess reminded Members of the Forum of the Annual Open Morning on Saturday 13 May at Whitlingham Barn and the opening ceremony of the Ludham – St Benets permissive footpath on Tuesday 2 May 17.

3/14 To note the date of the next meeting

The next meeting of the Committee would be held on Thursday 27 July 2017 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

The meeting concluded at 415 pm.

Chairman