Broads Authority

Minutes of the meeting held on 29 September 2017

Present:

Sir Peter Dixon - In the Chair

| Mr J Ash | Mr W A Dickson | Mr H Thirtle |
|---------------|----------------|-------------------------|
| Mr M Barnard | Ms G Harris | Mr V Thomson |
| Mr L Baugh | Ms L Hempsall | Mr J Timewell |
| Mr M Bradbury | Ms S Mukherjee | Mrs M Vigo di Gallidoro |
| | | |

Prof J Burgess Mrs N Talbot Mr B Wilkins

In Attendance:

Dr J Packman - Chief Executive

Mrs S A Beckett – Administrative Officer (Governance)

Ms N Beal – Planning Policy Officer (Minute 2/10)

Ms M Conti – Strategy and Projects Officer (Minute 2/1 – 2/13)

Mr D Harris – Solicitor and Monitoring Officer

Mr M King – Waterways and Recreation Officer (Minute 2/1 - 2/9)

Ms E Krelle - Chief Financial Officer

Mr R Leigh – Head of Communications

Ms M-P Tighe – Director of Strategy and Sustainable Communities

Mr R Rogers – Director of Operations

Ms C Smith – Head of Planning (Minute 2/1 - 2/10)

Ms Sue Stephenson - Environment and Design Supervisor (Minute 2/8).

2/1 Apologies and Welcome

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

Apologies were received from Professor Jacquie Burgess, Mr Kelvin Allen, Mr Bruce Keith, Mr Paul Rice and Mr Greg Munford.

2/2 Chairman's Announcements

(1) Openness of Local Government Bodies Regulations 2014

The Chairman reminded members that in line with the decision made previously, the proceedings from this meeting would be recorded. He emphasised that the Broads Authority retains the copyright and the purpose of recording was as a back-up for accuracy. The system was still being trialled. If a member wished to receive a copy of the recording, they should contact the Solicitor and Monitoring Officer..

(2) Secretary of State Appointment: Mr Bruce Keith

The Chairman announced that Mr Bruce Keith had been appointed as the new Secretary of State member on the Authority. He was unfortunately not able to attend the meeting today as he was handing over the Presidency of the Chartered Institution of Water and Environmental Management in Cardiff. He had visited the Authority for his first introductory meeting with the Chief Executive and preliminary induction.

(3) New Staff: Marie-Pierre Tighe

The Chairman welcomed Marie-Pierre Tighe in her role as Director of Strategy and Sustainable Communities. Marie-Pierre had previously been working for Norfolk County Council.

(4) Dates to Note:

The Chairman confirmed that the next **Navigation Committee** meeting had been altered from 26 October to 19 October 2017 so that it would not clash with the National Parks UK Annual Conference.

The Chairman informed members that a **Parish Forum** to which the Chairman and Clerks of all the Parish Councils had been invited was held on Wednesday 20 September at the Kings Centre, 63 – 65 King Street. This had been attended by 25 Parish Council representatives and 7 members and considered to be well worthwhile. It was intended to hold such events twice yearly and the Chief Executive had provided the Parish Councils with some dates for 2018, in order to provide plenty of advance notice:

- Wednesday 21 March 2018 from 6:00 8:00 pm Parish Forum Kings Centre, Norwich
- Wednesday 19 September 2018 from 6:00 8:00 pm Parish Forum – Kings Centre, Norwich

These dates would be circulated to all Authority members.

National Parks UK Induction Course 31 October to 2 November 2017 in the Lake District.

Priority for attending the course was provided for new members and Bruce Keith and Melanie Vigo di Gallidoro would be attending. Unfortunately Greg Munford had had to drop out and therefore there was the opportunity for another member who had not attended the course before to take up the available space. A member suggested that Paul Rice may be interested in attending.

(5) General Proceedings.

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

(6) Variation in the Order of the Agenda

The Chairman announced that in accordance with Standing Order No 5(1) (c) he proposed to vary the order of the Agenda to take the exempt Items 23 – 25 after agenda item 7. This was to ensure that all Members were present.

2/3 Introduction of Members and Declarations of Interest

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

2/4 Items of Urgent Business

There were no items of urgent business.

2/5 Public Question Time

No public questions had been received.

2/6 Minutes of Broads Authority Meeting held on 28 July 2017

The minutes of the meeting held on 28 July 2017 were approved as a correct record and signed by the Chairman.

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

The Authority received and noted a schedule of progress/actions taken following decisions of previous meetings. It was noted that a number of the items on this agenda were very much interrelated and further progress was included within the Strategic Direction report.

In particular, the Chief Executive drew attention to the updates concerning:

Anti-Social Behaviour – The member working group would be meeting on 4 October. In the meantime a meeting had been held with Inspector Robert Wicks form Broads Beat who had provided some very useful information and advice.

Acle Bridge Moorings – Members welcomed the successful completion of the purchase of the river frontage at Acle Bridge considering it to be a very worthwhile investment in providing free 24 hour moorings. A member advocated that officers work closely with Acle Parish Council since improvements in the vicinity were included within the Acle Neighbourhood Plan. Members were informed that a working group was being set up to examine the potential for facilities at the site and officers would be in contact the parish council. The provision of mast lowering facilities would be considered as part of the whole. The Broads Local Access Forum had also welcomed the purchase.

Appointment to Outside Bodies: Membership Vacancies – Members were informed that Melanie Vigo di Gallidoro had agreed to be appointed to the Broads Local Access Forum. The Authority's new Member, Bruce Keith had agreed to represent the Authority on The Whitlingham Charitable Trust and the Broads Charitable Trust.

Sarah Mukherjee proposed seconded by Matthew Bradbury

RESOLVED

That the appointments of Mrs Melanie Vigo di Gallidoro to the Broads Local Access Forum and Mr Bruce Keith to the Whitlingham Charitable Trust and Broads Charitable Trust be endorsed.

National Parks Partnerships – NPP had its first Annual General meeting on 27 September 2017 which went very well. The partnership was very appreciative of the time and effort given by the members. Despite some of the original difficulties over the sponsorship deal, all were still very engaged and enthusiastic.

Water Mills and Marshes: Landscape Partnership Scheme

Although it was noted that most of the applicants for the Heritage Lottery funding had been experiencing delays, the indications from the HLF for the Authority's partnership project were still very favourable.

CANAPE – The first meeting of all the partners involved in the CANAPE project would be on 11 October 2017. This coincided with the Peer Review and therefore the offices would be very busy that day..

In accordance with the decision to vary the order of the agenda, Items 22 to 25 were taken at this point in the meeting. The Press and Public were excluded from the meeting Under Section 100A of the Local Government Act 1972 and audio recording was suspended. Following consideration of the items, the public were invited back into the meeting. Recording was resumed.

2/8 Riverside Tree and Scrub Management

The Authority received a report and presentation providing an outline of the Authority's five year management plan prioritising the location for riverside tree and scrub maintenance in order to maintain navigation safety and wind availability whilst retaining environmental features and interests. The Plan incorporated the permissions required, the consultation and agreed methodology. Members noted that the plan for a five year work programme had been agreed with and approved by Natural England and priorities developed in association between the Authority's rangers and Environment Officers based on a set of criteria. Years 2-5 (2018/19-2021/22) were subject to final operational work planning and budget availability in addition to obtaining further landowner permissions. It was also noted that a licence was

required from the Environment Agency (to use herbicide near water) and consultation in certain instances with the Authority's planning officers

In particular members noted that much was dependent on working closely with landowners and acquiring their consent to work on the river bank. It was clarified that the Authority would only be able to carry out work, without the landowner's consent, if there was a safety issue. Unlike the provisions under the Highways Act, the Authority was not able to recharge the landowner for the work undertaken. This factor had been carefully examined during the development of the Broads Authority Bill (Act 2009).

Members expressed appreciation for the interesting and informative report and particularly welcomed the easily understandable matrix and methodology that had been developed. They were mindful of the sensitive balance of interests involved in implementation of any works and considered that communication with stakeholders, landowners and users of the network was vital in providing that understanding. Officers appreciated this issue and advocated that a press release together with an article in Broadcaster and/or Broadsheet would be useful. Social media would also be a useful tool in explaining the tree and scrub management when work was taking place. Members wished to be kept informed of progress.

RESOLVED unanimously

that the report be noted and welcomed.

2/9 River Wensum Strategy

The Authority received a report and presentation on the consultation proposals for the River Wensum Strategy where Norwich City Council was the lead partner. The presentation highlighted the main aims and objectives of the strategy and its proposed action plan. The strategy aimed to deliver improvements to the River Wensum corridor over a ten year period.

Members noted that the Navigation Committee had considered the proposals at its meeting on 7 September 2017 and also had a site inspection instead of a meeting on 15 June 2017. They had been very heartened by the potential opportunities, applauded the vision and were hopeful of its delivery although had some concerns relating to funding. The Broads Local Access Forum had also welcomed the strategy.

Members noted that the objectives, policies and projects outlined in the draft strategy document proposed an integrated approach to managing the Wensum in order to maximise its potential for tourism, navigation, green infrastructure, biodiversity and business development. It was noted that one of the key concerns and aims of the strategy was to clarify which of the organisations involved was responsible for the individual areas of management. The delivery of the project would be in small steps, building on the success of each element, and using funds from each of the partners, initially the Authority's contribution would come from its project development

pot. Reference was made to the Norwich City Council bid to the Homes and Community Agency for Margin Viability Funding in respect of the Deal and Utility sites and the Chief Executive confirmed that he had recently signed a letter on behalf of the Authority confirming its support for this. It was clarified that the issues relating to the rail bridge as well as the opportunities for demasting moorings on the downstream side of Carrow Bridge would be taken into consideration.

Members welcomed the approach as they considered that the strategy presented a real opportunity to deliver a wide range of social, environmental and recreational benefits for the City through partnership working particularly through enhancements to land and water access by using the river corridor, given that it was such an important asset to the area.

It was noted that the working group for the Strategy would be meeting in the week beginning 2 October 2017 and the Authority's comments would be taken into account. Following consultation, the Authority would receive the comments and final report for adoption.

RESOLVED unanimously

that the vision and objectives of the draft strategy be endorsed and the comments on the proposed content of the strategy and its action plan set out above be referred to the strategy working group.

2/10 Broads Local Plan – Publication Version

The Authority received a report on the draft Broads Local Plan. This had been considered by the Broads Forum and the Navigation Committee at their meetings on 27 July 2017 and 7 September 2017 respectively. The Planning Committee had considered the proposed publication version of the Local Plan at its meeting on 15 September 2017 and recommended that it be approved for consultation subject to the amendments made as a result of the comments from the Habitats Regulations Assessment. Members noted that the Local Plan included strategic, development management and site specific policies and would help to determine planning applications. Members were provided with a track changed version of the Local Plan illustrating the changes that had been made since the Planning Committee meeting as well as a clean copy that would serve as the publication version for consultation, the Sustainability Appraisal, Habitat Regulation Assessment and the Response Form and Guidance, which had been developed with the approval of the Planning Committee. The pre-submission consultation would be the final stage before examination by a planning inspector.

The Navigation Committee had expressed preference for a specific objective to address navigation. The Planning Committee discussed this in great depth and concluded that due to the generic wording in objective 14 of the Local Plan this was adequate and no change was necessary. An explanation of the Planning Committee's decision had been provided to the Chairman of the Navigation Committee who was content. Other comments relating to

consistency of wording when referring to the Broads Area having "status equivalent to a National Park" versus "National Park Family" had been examined with the resulting use of the former. Comments relating to potential for business rate relief for struggling businesses were also made. This could not be reflected in the Local Plan but would be passed on to Development Management Officers. The Planning Committee had queried the capacity to monitor the policies but given the lessons learnt from the other national parks and the monitoring programme in place, officers provided assurances that this could be accommodated as part of their regular duties.

Changes to the Sustainability Appraisal included amendments to numbering, other effects of alternative options table being added and the New Anglian LEP Strategic Economic Plan 2017 had been reviewed.

In response to a member's question regarding the Sustainability Assessment, the Planning policy Officer clarified that although the Hedera House site in Thurne rated negative against access to services, it continued to be allocated since it was allocated in the 2014 Sites Specifics Local Plan. This had been as a result of a late representation and recommendation from the Planning Inspector who saw the benefits regeneration of the site would bring.

It was noted that the Strategic Flood Risk Assessment (SFRA) had not yet been finalised. Drafts had been reviewed and officers considered that any changes should not materially affect the policies although there may be some technical amendments providing updates to the text.

In addition to the SFRA, further evidence was required on Gypsy and Traveller and Travelling Showpeople, Caravan and Houseboat Accommodation Needs Assessment. This would be submitted to the Planning Committee meeting on 13 October 2017.

As a result it was anticipated that the Local Plan and supporting documents could be the subject of public consultation from the end of October/ beginning of November 2017 for 6 weeks. The Planning Policy Officer set out the consultation process including the distribution of paper copies to certain locations around the Broads, drop in sessions, and online summary leaflet. The comments received would be submitted to the Planning Committee and Broads Authority for assessment and proposed modifications. No changes would be made to the plan but the Publication Version and the comments together with the Authority's responses would be submitted to the Planning Inspector for public examination. It was expected that following receipt of the Inspector's report the Local Plan could be adopted, possibly by early Summer 2018.

In response to a Member's question concerning the assessment for residential moorings, the Planning Policy Officer explained the criteria for allocating these based on being within or adjacent to a development boundary and /or having good access to local facilities and services. Two calls for sites for residential moorings had been made as part of the Local Plan process and the Topic Paper provided full details.

Members appreciated the tremendous amount of work involved in producing the document and commended the officers. Members requested that they be informed of the dates for the drop in sessions in order to be able to support the officers.

RESOLVED unanimously

that the final publication version of the Broads Local Plan and supporting documents are approved for pre-submission public consultation subject to:

- the impact of the Gypsy and Traveller, Travelling Show People, Caravan and Houseboat Need Study and SFRA study being assessed: and
- and if these do not materially change the meaning of the policies and there is just a technical wording change,
- (ii) the final decision to consult be delegated to the Chief Executive in consultation with the Chair of the Broads Authority and Chair of Planning Committee.

2/11 Strategic Direction 2017/18 Update

The Authority received this year's third report on the progress of the Strategic Priorities identified at the January and March meetings for 2017/18; these were guided by the themes within the Authority's Broads Plan 2017 - 2022, adopted in March and officially launched on 26 July 2017. Members noted that progress updates on the Broads Plan linked the guiding strategies and these were reported twice yearly in May and November and were published on the Authority's website.

The Chief Executive drew attention to Priority 2: Catchment Management and the successful visit by a team from Tesco including one of the Company's Corporate Directors hosted by Louis Baugh, to view the equipment as part of the Water Sensitive Farming project 2017 being funded by the retail company. A member commented that the demonstration of the equipment and its practical benefits was a more effective communication tool than providing advice.

With reference to Priority 6: Marketing Promotion and Media Relations, the local press had featured the Authority's apprenticeship scheme where all three for 2016/17 had completed their course and the Authority had appointed another three for 2017/18 out of 25 who applied.

Members commended the Authority's presence at the Great Yarmouth Maritime Festival as it had been very well received and reached a different audience from other venues, with many people who had not visited the Broads. It was considered that this provided a further opportunity for reaching a wider audience, raising the profile of the Broads National Park and also working in partnership with Great Yarmouth Borough. A Member commented

that the recent Borough Council publication "Invest in Great Yarmouth" made particular reference to the Broads as part of this process.

Members were also informed of the links being made with Norwich Airport in order to promote the Broads through an advertising space free of charge. Other partnerships for promotion were being negotiated with Greater Anglia.

RESOLVED unanimously

that the updates for 2017/18 on the Strategic Priorities (Appendix 1 of the report) be noted.

2/12 Financial Performance and Direction:

(1) Consolidated Income and Expenditure from 1 April to 31 July 2017

The Authority received a report providing the consolidated income and expenditure from 1 April – 31 July 2017 which also reflected the movement of the monitor lines within the Directorates. While these movements were as a result of the changes in line management, the original budget remained the same.

It was noted that the latest available budget deficit at the end of July was £97,423 and following adjustments the forecast outturn deficit for the end of the year as at 31 July 2017 was £63,880. The figures for the end of August gave a forecast outturn deficit of £61,880. The main reason for this was the change in predictions for hire craft toll income and moorings expenditure. However, if the sale of the Field base was completed prior to the end of the financial year the adjustment for moorings could be removed.

Additional expenditure from the Plant Vessel and Equipment reserve was required to cover the replacement of a pool vehicle in 2017/18 and this had been brought forward from 2018/19. In addition, the Catchment Partnership reserve would decrease over the remainder of the year due to the employment of an officer in September for the project, drawing on the Tesco funds.

The current forecast outturn position for the year suggested a deficit of £68,124 for the national park side and a surplus of £4,244 on navigation resulting in an overall deficit of £63,880 within the consolidated budget, which would indicate a general fund reserve balance of approximately £974,000 and a navigation reserve balance of approximately £330,000 at the end of 2017/18 before any transfers for interest. This would mean that the navigation reserve would be slightly above the recommended level of 10% of net expenditure during 2017/18.

RESOLVED unanimously

(i) that the income and expenditure figures be noted;

(ii) that the additional expenditure from the *Plant Vessel and Equipment* and *Catchment Partnership* reserves set out in paragraphs 5.3 and 5.4 of the report be noted.

2/13 Peer Review Update

The Authority received a report providing the progress in preparing for the Peer Review due to take place between 10 - 12 October 2017. This also included a Position Statement signed off by the Member Reference Group that had been sent to the Peer Review team.

It was noted that invitations had been sent to all stakeholders to meet the Peer Review team, including the Leaders and Chief Executives of all the constituent local authorities. Members had been invited to a focus group on the afternoon of 10 October 2017 at the Dockyard or to have one to one interviews. All members had been invited to a presentation on the Team's findings on Thursday 12 October 2017. The findings of the review would be shared with the other national parks.

A member expressed appreciation at the decision to have a Peer Review undertaken but some disappointment that she had not been involved in the development of the Position Statement.

RESOLVED

that the progress on the preparations for the peer review and in particular the content of the Position Statement developed and signed off by the Governance Reference Group be noted.

2/14 Annual Report on Partnership Agreements

The Authority received a report on the Strategic Partnerships which were currently registered with the Broads Authority. It was noted that the schedule included a new column setting out the benefits of the partnership to the Authority and this was welcomed. Where actions were required to address weaknesses and manage risk, these were detailed within the Partnership Action Plan.

RESOLVED unanimously

that the current Register of Partnerships and Partnership Action Plan, at Appendices 1 and 2 respectively and the results of the Management Team's annual review of the Partnerships at paragraph 3.3 of the report be noted.

2/15 General Data Protection Regulations

The Authority received a report that provided a summary of important forthcoming changes to data law to be implemented from 25 May 2018.

In particular it was noted that the processing of data would need explicit consent and therefore a greater need to obtain specific consents for data processing on forms and an outline of the intended use by the Authority. Public authorities were also obliged to appoint a Data Protection Officer and it was intended that the Monitoring Officer would take on this role. The Management Team had implemented steps to ensure compliance with the new Regulations.

Members suggested that reference be made to other organisations such as the Environment Agency and other national parks as to how they were considering implementing the new regulations in order to pool information and help inform the Authority of the procedures required.

RESOLVED

That the report be noted.

2/16 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 matters which needed to be raised under this item.

He assured Members that the Boat Safety Group was continually reviewing the issues relating to carbon monoxide poisoning and providing advice and raising awareness on this and other safety matters.

2/17 Minutes Received

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

RESOLVED

(i) Navigation committee – 20 April 2017

RESOLVED

That the minutes from the Navigation Committee meeting held on 20 April 2017 be received.

(ii) Broads Forum Draft – 27 July 2017

RESOLVED

that the minutes from the Broads Forum meeting held on 27 July 2017 be received.

(iii) Planning Committee: 21 July 2017, 18 August 2017

RESOLVED

that the minutes of the Planning Committee meetings held on 21 July and 18 August 2017 be received.

2/18 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.

How Hill Trust—John Ash reported that the Trust was looking into the possibility of restoring the windpumps, focusing initially on the Clayrack windpump as a heritage and educational feature and model for future projects. In addition, disabled toilets were being installed in the main house.

National Parks UK and National Parks England. The Chief Executive reported that the national parks were looking at ways of working more closely together. There was little scope for sharing services but a great deal of scope for collaboration. He informed the Authority that as the Lead Chief Executive for the National Parks on communication he would be attending a meeting of all the communication officers for the national parks in Northumberland in November. The newly appointed Communications and Marketing Manager for National Parks, Rosie Hancock-Pook was making good progress. The officers would be developing the branding campaign and raising the profile of the national parks.

National Parks Partnership – there had been a big promotion on the Guardian Website over the weekend with Columbia clothing.

Norfolk and Suffolk Broads Charitable Trust – John Ash reported that there had been recent press coverage of the grants awarded by the Trust in 2017.

Upper Thurne Working Group Brian Wilkins reported that the Group had met in June and considered the mixed outcomes relating to Hickling concerning the water quality and the increase in navigation problems due to the aquatic plants. The understanding of this was ongoing. The Authority had been granted some concessions from Natural England with regard to increased cutting outside the marked channel which had been helpful. The scientific cuts had resumed and these would inform the potential management for the future. There was wide engagement with the parish councils in the area which was very positive.

Whitlingham Charitable Trust – Whitlingham Country Park. Matthew Bradbury reported that car parking was an ongoing saga but the Trust had managed to secure some of the funds owed and the income from the car parking was still coming through. The Company Secretary would be talking to a number of other organisations who used the firm "Parking with Ease" with the aim of moving matters forward. He also informed the Authority that a

working group of Trustees had been set up to look at fund raising and put a strategy in place. Discussions with the Authority would be required.

2/19 Items of Urgent Business

There were no other items of urgent business for consideration.

2/20 Formal Questions

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

2/21 Date of Next Meeting

The next meeting of the Authority would be held on Friday 24 November 2017 at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

The following items were taken after item 7 and before item 8.

2/22 Exclusion of the Public

Haydn Thirtle proposed, seconded by Nicky Talbot and it was

RESOLVED

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

Members of the Public left the meeting

Summary of Exempt Minutes

2/23 Exempt Minutes of the Broads Authority meeting – 28 July 2017

The exempt Minutes of the Authority's meeting on 28 July 2017 were received and signed as a correct record.

2/24 Exempt Minutes of the Navigation Committee – 20 April 2017

The Authority received the exempt minutes of the Navigation Committee meeting held on 20 April 2017.

RESOLVED

that the exempt minutes from the Navigation Committee meeting on 20 April 2017 be received.

2/25 Reference from the Planning Committee 23 June 2017

Further to Minute 1/34 the Authority received a report containing exempt information that was also legally privileged from an independent lawyer relating to a blog and correspondence that had originally been referred by the Planning Committee on 23 June 2017.

Members noted the report and did not discuss the matter in detail in order not to prejudice due process.

Nicky Talbot proposed, seconded by John Timewell

RESOLVED by 14 votes to 0 and one abstention

that prior to making a decision on what action should be taken, in order to provide due process, the Authority support the Chair of the meeting in making a Code of Conduct Complaint.

The meeting concluded at 12.34 pm

CHAIRMAN

APPENDIX 1

Code of Conduct for Members Declaration of Interests

Committee: Broads Authority 29 September 2017

| Name | Agenda/ Minute No(s) | Nature of Interest (Please describe the nature of the interest) |
|-------------|----------------------------|---|
| Gail Harris | 2/9 | River Wensum Strategy – Norwich City Council Lead Partner. |