

## AGENDA

**23 November 2018**

**10.00 am**

Page

1. **To receive apologies for absence and welcome**
2. **Chairman's Announcements**
3. **Introduction of Members and Declarations of Interest**
4. **To note whether any items have been proposed as matters of urgent business**
5. **Public Question Time**  
To note whether any questions have been raised by members of the public
6. **To receive and confirm the minutes of the Broads Authority meeting held on 28 September 2018** 4 – 13
7. **Summary of Progress/Actions Taken following Decisions of Previous Meetings** 14 – 17  
To note schedule

## STRATEGY AND POLICY

8. **National Parks Review – Response** 18 – 20  
Report by Chief Executive after consultation with the Chairs Group (included)
9. **Proposed Navigation Charges for 2019/20 in the Navigation Area and Adjacent Waters** 21 – 37  
Report by Chief Executive Officer, Chief Financial Officer and Collector of Tolls
10. **Financial Performance and Direction** 38 – 48  
Report by Chief Financial Officer (included)
11. **Strategic Direction** 49 – 61  
*Updates on Broads Plan, Guiding Strategies and BA Strategic Priorities 2018/19*  
Report by Chief Executive and Strategy Officer (included)
12. **Somerton Conservation Area Re-appraisal** 62 – 88  
Report by Historic Environment Manager (Included)

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13.	<b>Broads Local Plan – update and next stages</b> Report by Planning Policy Officer (included)	89 – 90

#### GOVERNANCE

14.	<b>Updates to Standing Orders</b> Report by Solicitor and Monitoring Officer (included)	91 – 111
15.	<b>Amendments to Members Code of Conduct</b> Report by Solicitor and Monitoring Officer (included)	112 – 140
16.	<b>Implementation of Unreasonable Complainants Policy</b> Report by Solicitor and Monitoring Officer (included)	141 – 146

#### BOAT SAFETY

17.	<b>Construction and Equipment Standards Boat Safety Scheme, Carbon Monoxide alarm requirement</b> Report by Head of Safety Management (included)	147 – 150
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#### REPORTS FOR INFORMATION

18.	<b>Water Ski Permit – amendment to conditions</b> Report by Head of Safety Management (included)	151 – 159
19.	<b>The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code:</b> <ul style="list-style-type: none"> <li>• <b>PMSC Aids to Navigation – Trinity House</b> Report by Head of Safety Management (included)</li> </ul>	160 – 184

#### MINUTES TO BE RECEIVED

20.	<b>To receive minutes of the following meetings:</b> Navigation Committee – 6 September (included) Planning Committee – 14 September 2018 (included) Planning Committee – 12 October 2018 (included)	185 – 191 192 – 201 202 – 212
21.	<b>Feedback from Members appointed to represent the Authority on outside bodies 2018/19</b>	

*Broads Tourism – Mr Paul Rice*

*How Hill Trust – Prof Jacquie Burgess*

*National Parks UK and National Parks England – Haydn Thirtle*

*Norfolk and Suffolk Broads Charitable Trust – Mr Bruce Keith and Mr Brian Wilkins*

*Norfolk Mills and Pumps Trust – Prof Jacquie Burgess*

*Upper Thurne Working Group – Mr Brian Wilkins*

*Whitlingham Charitable Trust – Mr Kelvin Allen, Mr John Ash, Mr*

*Matthew Bradbury and Mr Bruce Keith*

*Local Authority Feedback – John Timewell, Haydn Thirtle, Lana Hemsall, Paul Rice, Vic Thomson, Gail Harris, Mike Barnard, Melanie Vigo di Gallidoro*

22. **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**
23. **To answer any formal questions of which due notice has been given**
24. **To note the date of the next meeting – Friday 1 February 2018 at 10.00 am at Yare House, 62-64 Thorpe Road, Norwich**

## **Broads Authority**

Minutes of the meeting held on 28 September 2018

### **Present:**

Mr H Thirtle – in the Chair

Mr J Ash	Mr W A Dickson	Mrs N Talbot
Mr K Allen	Ms G Harris	Mr J Timewell
Mr L Baugh	Mrs L Hemsall	Mrs M Vigo di Gallidoro
Mr M Bradbury	Mr B Keith	Mr B Wilkins
Prof J Burgess	Mr S Roberts	

### **In Attendance:**

Dr J Packman – Chief Executive  
Mrs S A Beckett – Administrative Officer (Governance)  
Ms M Conti – Strategy and Project Officer (Minute 2/11 - 2/12)  
Mr D J Harris – Solicitor and Monitoring Officer  
Mr B Hogg – Historic Environment Manager (Minute 2/11)  
Mr S Hooton – Head of Strategy and Projects (Minute 2/11)  
Ms E Krelle – Chief Financial Officer  
Mr R Leigh – Head of Communications  
Mr H Mach – Canape Project Manager (Minute 2/11)  
Mr R Rogers – Director of Operations  
Ms M-P Tighe – Director of Strategic Services

### **Guests:**

Philip Bodie and Mark Buxton – Feildon and Mawson Architects. (Minute 2/11)  
Richard Linington and Kevin Brown – Planning Solutions Consulting Ltd  
(Minute 2/11)

## **2/1 Apologies and Welcome**

The Chairman welcomed everyone to the meeting. In particular he welcomed Mr Simon Roberts the new Secretary of State appointee.

Apologies had been received from Mike Barnard, Greg Munford and Vic Thomson. Gail Harris had to leave early.

## **2/2 Chairman's Announcements**

- (1) **Openness of Local Government Bodies Regulations 2014**  
The Chair reminded Members that part of the meeting would be recorded as a back-up for accuracy. The Broads Authority retained the copyright. If a member wished to receive a copy of the recording, they should contact the Solicitor and Monitoring Officer. No one else indicated that they would be recording or filming the meeting.

(2) **Dates to Note:**

**Navigation Committee Appointments**

The process for appointing Members to the Navigation Committee from next April had begun. Invitations for applicants have been publicised in Broads Sheet, which was sent out to all tollpayers, the Eastern Daily Press and with full details and application forms on the Authority's website. The deadline for application forms was 19 October 2018.

**Broads Engage – Tuesday 6 November 2018**

This was to be held at the Acle Recreation centre from 1.30pm to 4.30 pm and will concentrate on Access in the Broads to help inform the Access Strategy. All members were invited and encouraged to attend.

(3) **Chairman and Vice-chairman activities**

The Chairman provided members with an update on the appointments he had been involved in over the last two months:

He had chaired the following:

- Meeting with Network Rail on Swing Bridges – 1 August 2018
- Parish Forum – 19 September 2018
- Hearings Committee – 12 September 2018

He had attended

- A meeting with the Chairs and Chief Executives of the National Parks England in London on 27 September 2018
- Hosted the visit from the Permanent Secretary of Defra – Clare Moriarty;
- A meeting with Peter Aldous MP and he was also due to meet with Keith Simpson MP and Norman Lamb MP as well as Brandon Lewis MP;
- A number of Parish Council meetings and advised them on the role of the Broads Authority;
- The Volunteers Celebration Day on 16 September 2018, which was a great success and had been an excellent opportunity to show appreciation;

He had also chaired the pre-agenda meeting on 24 September that gave members the opportunity to discuss matters informally.

He had had meetings with 14 members of the Authority and hoped to meet with the remaining members.

The Vice-Chair had also been very active in attending meetings with him with officers as well as in the local community.

(4) **General Proceedings.**

The Chairman emphasised that the meeting would concentrate on two main items of business that would be dealt with exempt from the public

as they included confidential personal information and financial details with commercial sensitivity. This was the first meeting that would have more of a workshop format.

### **2/3 Introduction of Members and Declarations of Interest**

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

### **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 27 July 2018**

The minutes of the meeting held on 27 July 2018 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.

In particular attention was drawn to the following:

**Ludham Field Base:** This had now been sold at a price above the market value. As a capital receipt the proceeds could only be put against capital expenditure.

**Membership Appointments** – Unfortunately, Charles Reynolds was not able to take up his appointment as a member of the Authority. Great Yarmouth Borough was due to inform the Authority of a replacement appointment shortly.

Members noted the report.

### **2/8 Exclusion of the Public**

Kelvin Allen proposed, seconded by Jacquie Burgess 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 room.

*The audio recording was suspended.*

### **Summary of Exempt Minutes**

#### **2/9 Exempt Minutes of the Broads Authority meeting – 27 July 2018**

The exempt Minutes of the Broads Authority meeting held on 27 July 2018 were confirmed.

#### **2/10 Code of Conduct Complaint** Report from Hearings Committee

The Authority received a report containing exempt information providing the Decision Notice from the Hearings Committee together with the independent Investigation Report from the barrister concerning a code of conduct complaint made by a former member against a co-opted member of the Navigation Committee. The Chairman stated that there had been a full process of evaluation with an independent barrister at Eastern Law and a final hearing on 12 September 2018.

The Hearings Committee was unanimous in its decision having reviewed all the evidence presented to it and analysis of the facts. It accepted the findings of the Investigating Officer. By making certain posts on social media, accusing staff of deliberately misleading members, the subject member of the complaint has breached the Authority's Code of Conduct by demonstrating a lack of leadership and showing a lack of respect for the Authority's officers and employees. (Paragraphs 2.8 and 2.11 of the Code).

The Chairman stated that the Subject Member of the complaint was informed of the conclusions of the Hearings Committee on 19 September 2018. He had been offered a chance to apologise and complete the actions set out by the Committee including the retraction of his statements and been given seven days to do so from the date of the Decision Notice.

The Solicitor and Monitoring Officer reported that no acknowledgement of the decision or apology had been received.

The Chairman commented that regretfully there was no alternative but to put forward the recommendation from the Hearings Committee, as set out within the report. He therefore proposed the motion. This was seconded by Gail Harris.

It was RESOLVED by 12 votes for, one against and two abstentions

that the Subject Member of the complaint is removed from the Navigation Committee. (The Subject Member's continued membership of the Committee would in the circumstances, be incompatible with what would, in effect, be the continuation of conduct which has been found to be in serious breach of the Code of Conduct and would otherwise mean that the sanctions for the breach would have had no effect.)

As a result of the decision taken above, Bill Dickson proposed the following motion

That the Authority

- (i) express its thanks to the members of the Hearings Committee who had the task of dealing with the matter;
- (ii) expresses its profound regret for the serious distress this issue has caused members of staff over a protracted period;
- (iii) notes that the investigation found that officers did not in any way mislead the Planning Committee at all, far less "wilfully and deliberately", and that the Authority reaffirms its unqualified confidence in its officers.

The motion was seconded by Jacquie Burgess and it was

RESOLVED by 12 votes in favour, one against and two abstentions.

The Chairman supported by Members, commented that this had been a very difficult time for all concerned as well as being regrettable. It was hoped that this could draw a line under the matter.

## **2/11 Acle Bridge National Park Visitor and Education Centre**

The Authority received a report and presentations containing exempt information, which provided a rounded assessment of the potential development and risks of the project for a National Park Visitor and Education Centre at Acle Bridge.

The Chief Executive introduced the item providing the background to the specific project to develop the Acle Bridge site, as well as placing this in the wider context of the need to raise awareness of the Broads National Park and as a tourist destination and for investing significant funds in the infrastructure of the Broads as a whole. He explained that the architectural competition had proved to be far more popular than originally expected and had raised further questions and avenues of exploration as well as highlighting the need for further discussions with funding bodies.



Richard Linington and Kevin Brown of Planning Solutions Consulting Ltd provided their conclusions on the business analysis. Philip Bodie and Mark Baxter of Feilden and Mawson presented the further design work the company had undertaken together with an analysis of the costs of construction of the Centre.

Members were able to discuss the merits of the site, the building and its potential as a hub for tourism as well as a building in its own right, the differing models for its functions and the costs and risks involved. They recognised the challenges of the site and that more detailed work would be required.

Members considered a range of options open to them as to how to take forward the refurbishment and development of the site.

Following detailed and lengthy discussion, Members considered that for the project to succeed, there needed to be further thought and analysis as to how it could fit into a much wider vision for the whole of the area. They considered that it could be just one element in the context of a larger, more ambitious project delivering wider benefits and improvements to the whole of the infrastructure of the Broads and thus contribute to the area's further economic and social well-being. This would require discussions with New Anglia on how to raise the profile of tourism and its contribution to the area as well as engaging with other potential funding partners. The development of the Acle Bridge site could help cement those plans and provide a central hub for the area and link between the northern and southern broads.

Members were very appreciative of the work undertaken by Feildon and Mawson as well as Planning Solutions Consulting Ltd and expressed gratitude for their detailed contribution and clear presentations.

Jacquie Burgess proposed, seconded by John Timewell and it was

RESOLVED by 13 votes, 0 against and 1 abstention

To delegate authority to the Chief Executive

- (i) to continue discussions with the neighbouring landowner over the possibility of purchasing additional land at the Acle Bridge site;
- (ii) to continue discussions with Great Yarmouth Borough Council for the acquisition of the toilet block;
- (iii) to proceed with the essential repairs to the moorings at the Acle Bridge site subject to the views of the Navigation Committee;
- (iv) to investigate whether the development of a Visitor and Education Centre could form an important element in a wider more ambitious project to improve the infrastructure for Broads tourism and raise awareness of the special qualities of the area in future; and

- (v) in the context of reviewing the Sustainable Tourism Strategy to consider with members options for a wider project to enhance tourism in the Broads.

*The Public were invited back into the meeting and audio recording resumed.*

## **2/12 National Park Review**

The Authority received a report on the Government's decision to carry out a review of designated landscapes (National Parks and AONBs) as part of its 25 Year Environment Plan (2018). Julian Glover was leading the Review with support from an expert panel, which included Sarah Mukherjee, until recently a member of the Authority. The Review Team was due to visit the Broads at the beginning of November and a programme for this had been drafted. The views of members and staff would be provided through the feedback on the calls for evidence. Therefore, the Chief Executive suggested convening a small group of Members to include the Chairs Group to discuss a proposed response for submission.

Members were invited to suggest issues, which officers could investigate as the basis for a response to the call for evidence based on the eight areas the Review was asked to consider.

Members raised the following points:

- **Extending or creating new designated areas** Extension of the boundary: To consider the potential for extending the boundary to create a more coherent Park area, due to the difficulty of not having whole parishes within the Broads area.
- **Governance:** To consider the structure of the Broads Authority and have a more effective means of engaging with the navigation interests.
- To recognise the importance of those with specific expertise being included on the main board, not necessarily relying on those elected.
- **Finance:** To emphasise the impact from Brexit and the loss of that potential source of funding, if this is not replaced.
- To ensure that the Natural Capital of National Parks is recognised not only for commercial and environmental purposes but for the wellbeing of people, visitors and the local communities and:
- **Enhancing our environment and biodiversity** To raise awareness of the uniqueness of the Broads, its special ecosystem and its fragile nature. To emphasise the impact of climate change/sea level rise and the potential increase in flooding as well as the potential for increased incursion of salt water into a fresh water system. To raise the importance of flood defences and the role of and links with the Environment Agency.

- **Legislation for the Future** for the Authority to deliver the vision for the Broads. Eg; The Authority to have similar powers to the Highways Authority to ensure navigation is not impeded. ie: to deal with maintenance and neglect of riverbanks by landowners
- **Connecting more people with the environment and improving well-being:** To improve facilities and access to the Broads for all and especially providing boating facilities for those with disabilities.
- **Supporting Communities through Purposes:** At present, the National Park Authorities and the Broads Authority had the responsibility to take account of those who live and work in the area and their economic wellbeing. This could become a purpose and therefore strengthen the Authority's ability to engage.
- **Finance:** To ensure there is sufficient finance to carry out the duties and responsibilities for managing the National Park.

Members considered that it was important to provide the Review Team with key strategic messages and that these were prioritised, clear and precise.

RESOLVED unanimously

- (i) That the Chairs' Group together with the Chief Executive consider and provide a robust response for submission to the Review Team based on the eight areas required of the team and guidance from Members as indicated.
- (ii) That a report be brought back to the Authority for consideration in November.

## **2/13 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 to be raised under this item.

## **2/14 Minutes Received**

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

RESOLVED

- (i) **Financial Scrutiny and Audit Committee – 6 March 2018**

RESOLVED

That the minutes from the Financial Scrutiny and Audit Committee meeting held on 6 March 2018 be received.

The Chairman of the Financial Scrutiny and Audit Committee commented that the Annual Audit Letter had been circulated to all Members following the last meeting in July 2018.

(ii) **Broads Local Access Forum**

RESOLVED

That the minutes from the Broads Local Access Forum meeting held on 6 June 2018 be received.

(iii) **Navigation Committee – 14 June 2018**

RESOLVED

That the minutes from the Navigation Committee meeting held on 14 June 2018 be received.

(iv) **Planning Committee: 22 June, 20 July and 17 August 2018**

RESOLVED

that the minutes of the Planning Committee meetings held on 22 June, 20 July and 17 August 2018 be received.

**2/15 Items of Urgent Business**

There were no items of urgent business for consideration.

**2/16 Formal Questions**

There were no formal questions.

**2/17 Date of Next Meeting**

The next meeting of the Authority would be held on Friday 23 November at 10.00 am at Yare House, 62 – 64 Thorpe Road, Norwich.

The meeting ended at 13.15 pm

CHAIRMAN

**Code of Conduct for Members  
Declaration of Interests**

**Committee:** Broads Authority 28 September 2018

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest</b> (Please describe the nature of the interest)
Bruce Keith		Broads Charitable Trust and Whitlingham Charitable Trust
Simon Roberts		Suffolk Wildlife Trust Trustee
Gail Harris		None other than previously declared
Jacque Burgess		As previously declared
Kelvin Allen		As previously declared
Matthew Bradbury		As previously declared
John Ash		As previously declared
Louis Baugh		As previously declared
Nicky Talbot		Chair of Navigation Committee, NSBA, NBYC, Toll Payer
Brian Wilkins		As previously disclosed
Melanie Vigo di Gallidoro		Member of Hearings Committee
Bill Dickson		None other than those already declared.
Haydn Thirtle		As previously declared

### 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
26 January 2018 Minute 4/24 <b>Transfer of Mutford Lock</b>	<ul style="list-style-type: none"> <li>The two Harbour Revision Orders are submitted and the tripartite agreement noted in the report be completed in all respects, to give effect to completing the transfer of the Lock in the Navigation Area and the ownership to the Broads Authority.</li> </ul>	Solicitor and Monitoring Officer	<p>The two Harbour Revision Orders were published for a 42 day public consultation on 3 August 2018. No objections have been raised under either order.</p> <p>The MMO can now proceed to make a determination on the Order and it is hoped that this will be achieved by the end of 2018.</p>
16 March 2018 Minute 5/11 <b>Broads Local Plan</b>	<ul style="list-style-type: none"> <li>Broads Local Plan endorsed for submission to the Planning Inspectorate for the Examination in Public</li> </ul>	Planning Policy Officer	A final session of the Examination in Public EIP took place on 28 September 2018. Awaiting the report from the Inspector. Item on the Agenda.
16 March 2018 Minute 5/19 <b>Pilot Agri-Environment Scheme for the Broads</b>	<ul style="list-style-type: none"> <li>Contents of submission to Defra for pilot agri-environment scheme for the Broads, which builds on the partnership work with the National Farmers Union and local land managers and prepared with assistance of local conservation NGOs welcomed and noted.</li> </ul>	Head of Strategy and Projects/ Broadland Catchment Partnership Officer	<p>Discussions continue with farmers and conservation bodies to define what we would want in the Broads and if there are elements needing a trial or test.</p> <p>Defra is due to respond to the summer submissions in November. National Parks are represented on the Defra working groups but they recognise detailed work on Brexit is dominating.</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
<p>18 May 2018 Minute 6/15 <b>Peer Review Action Plan: Review of the Authority's Governance Structure</b></p> <p><b>Future arrangements for the Broads Forum – Engagement with stakeholders</b></p>	<ul style="list-style-type: none"> <li>Implement new process for the appraisal and support of the Chief Executive using the East of England Local Government Association to administer the process</li> <li>to retain the Broads Forum as one of many mechanisms for engaging with stakeholder organisations and move to twice yearly Broad Forum Workshops, each focussing on a key issue facing the Broads;</li> <li>All organisations represented on the Broads Forum to be invited, together with Authority Members and Officers; and experts and partner organisations with relevance to the issue under discussion also to attend.</li> </ul>	<p>Chief Executive/Strategy and Policy Officer</p>	<p>Appraisal of the Chief Executive using the new process undertaken. One suggestion to be taken forward with the LGA is for the Chair and Chief Executive to investigate the delivery of a Board Development Programme in 2019 supported by the East of England LGA.</p> <p>The new Format is being adopted with Broads Engage replacing Broads Forum. The first workshop was held on Tuesday 6 November at Acle War Memorial Recreation Centre, Bridewell Lane, Acle NR13 3RA from 1.30 pm – 4.30 pm. The topic was Access in the Broads – Priorities for Action. All stakeholder organisations including those represented on the previous Broads Forum were invited.</p> <p>The meeting was attended by 59 participants representing approximately 31 different organisations and groups. The participants included seven Broads Authority members and 15 attendees from parish councils.</p> <p>The proceedings from the workshop will be available from:</p> <p><a href="http://www.broads-authority.gov.uk/broadsengage">www.broads-authority.gov.uk/broadsengage</a>.</p>

Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
27 July 2018 Minute 1/13 <b>Expression of interest in the New Anglian Local Enterprise Partnership for the Broads Cycling Country</b>	<ul style="list-style-type: none"> <li>Support for the proposal for a pilot project to install Dutch Style cycling signage in the Broads and</li> <li>The allocation of £20,000 from the Projects budget to the project costs subject to clarification that British Cycling and other relevant organisations had been contacted.</li> </ul>	Senior Waterways and Recreation Officer	<p>New Anglia LEP indicated that the proposal would not be appropriate for funding from the Growth fund but they would support a tourism bid.</p> <p>Partners are reassessing and identifying other internal funding from Norfolk County Council. As part of the reassessment, partners are approaching British Cycling and Support England plus South Norfolk Council.</p>
27 July 2018 Minute 1/16 <b>Committee Membership and Member Appointments</b>	<ul style="list-style-type: none"> <li>Member Appointments to Committees and outside bodies agreed as in Appendix 2 to Minutes.</li> <li>Chief Executive in consultation with Chairman to be given delegated authority to appoint members to Committees where there may be gaps.</li> </ul>	Chief Executive	<p>Great Yarmouth Borough Council has appointed Mr Ron Hanton. He has indicated he is happy to be appointed to the Planning Committee. This may require confirming.</p> <p>The How Hill Trust has enquired whether the Broads Authority wishes to retain two members on the Trust. Members views are invited.</p>
28 September 2018 Minute 2/11 <b>Acle Bridge</b>	Chief Executive delegated to – <ul style="list-style-type: none"> <li>to continue discussions with the neighbouring landowner over the possibility of purchasing additional land at the Acle Bridge site;</li> <li>to continue discussions with Great Yarmouth Borough Council for the acquisition of the toilet block;</li> </ul>	Chief Executive	<p>Discussions with landowner and Great Yarmouth Borough Council ongoing.</p>



Date of Meeting/ Minute No.	Authority Decision(s)	Responsible Officer(s)	Summary of Progress/ Actions Taken
	<ul style="list-style-type: none"> <li>to proceed with the essential repairs to the moorings at the Acle Bridge site subject to the views of the Navigation Committee;</li> <li>to investigate whether the development of a Visitor and Education Centre could form an important element in a wider more ambitious project to improve the infrastructure for Broads tourism and raise awareness of the special qualities of the area in future; and</li> <li>in the context of reviewing the Sustainable Tourism Strategy, to consider with members options for a wider project to enhance tourism in the Broads.</li> </ul>		<p>Navigation Committee comments included as part of the report on Navigation Charges for 2019/20.</p> <p>Discussions taking place with New Anglia</p>

**National Parks Review**  
Report by Chief Executive

<b>Purpose:</b>	This report updates Members on the work of the Chairs' Group in compiling a response to the National Park Review.
<b>Recommendation:</b>	The Chief Executive, in consultation with the Chairs' Group, further refines the draft response to the National Park Review contained in Appendix 1 taking into account comments from all Members and submits it to Defra as the Authority's response.

- 1.1 At the last meeting of the Authority Members unanimously resolved:
- (i) That the Chairs' Group together with the Chief Executive consider and provide a robust response for submission to the Review Team based on the eight areas required of the team and guidance from Members as indicated.
  - (ii) That a report be brought back to the Authority for consideration in November.
- 1.2 Two meetings of the Chairs' Group have been held to discuss the response the National Park Review and Appendix 1 contains the current version of a draft response.
- 1.3 Members are invited to discuss the draft response and identify any additional points for inclusion in the Authority's response. A further meeting of the Chairs' Group has been arranged for further discussion and refining the document.

Background papers: None  
Author: John Packman  
Date of report: 12 November 2018

Broads Plan Objectives: Multiple  
Appendices: Draft response to the National Parks Review

## **The Future of England's National Parks: Questions from a Broads National Park perspective**

The Broads National Park, located in one of England's fastest growing regions, is an internationally important wetland which contains 25% of Britain's rarest species as well as being a major tourist destination for more than 7 million visitors a year. The catastrophic decline of the Broads ecosystem during the 1960s and 1970s was halted and reversed following establishment of the Broads Authority in 1979 with its commitment to sustainable, integrated management for both people and wildlife. The Broads, of all the UK National Parks, is arguably the most vulnerable to impacts of climate change and sea level rise, given it is an easterly, low-lying freshwater wetland predominantly within a floodplain. Other key threats to the integrity of the Park include changes to agri-environment schemes following Brexit, food and energy policy, and growing demands for housing and infrastructure in the East of England.

The Broads National Park is not well known locally or nationally despite its very special qualities and international significance. Progress is being made by the National Park Authorities on branding and communications, but it is clear that the majority of people living in the UK's towns and cities use the Parks infrequently. At the same time, membership of NPA Boards, including the Broads Authority, does not reflect the wider society in terms of gender, age or ethnic background.

Following discussion by the Authority's Chairs' Group, the Board, subject to confirmation in November, considers three of the Review Team's agenda questions to be of fundamental importance for the future of the Broads:

1. Are the purposes/functions and powers of the National Parks Authorities fit for the future?
2. Are the boundaries of the National Parks fit for the future?
3. Is the governance structure of the National Parks fit for the future?

### **1. Are the purposes/functions and powers of the National Parks Authorities fit for the future?**

(a) Comment: National Parks are living landscapes that include towns, villages and hamlets and sizeable populations, yet the social and economic welfare of the local population within the Parks is excluded in the English National Park purposes and considered only as a 'duty to have regard'. The branding project for the UK's National Parks is suggesting that "UK's National Parks are the most extraordinary landscapes, among the best in the world and that we should inspire everyone to care for them and then the Parks will be in the best shape to inspire more care ... a virtuous circle."

*For consideration: Whether the English NPs should have an overriding principle of sustainable development (as for the Welsh National Parks), and a fourth duty regarding the social and economic well-being of those who live or work in the Park (as for the Scottish National Parks). Equally fundamentally, following the UK branding ideas, whether the first two purposes should be recast to create a clear synergy in the public consciousness between conserving and enhancing on the one hand, and promoting understanding and enjoyment on the other.*

(b) Comment: The Broads Authority is a navigation and harbour authority with responsibility for maintaining and improving the waterways under Section 10 of the Broads Act. Its third purpose is to manage the Broads for the purpose of 'protecting the interests of navigation'. This purpose was considered essential and appropriate in an era now long gone when coasters brought their commercial cargoes up into Norwich, but the city is no longer a port and now the primary use of the waterways is recreational boating. This could be seen as falling primarily under the second purpose and it may be appropriate to review the wording of the purposes and consider whether the duty to maintain the navigation area should be given greater prominence.

*For consideration: Whether to review the Authority's responsibilities in relation to the recreational use of the waterways, protecting the interests of navigation and maintaining the navigation area in a way so the wording of the purposes better serves the modern use of the waterways and interests of all those with a stake in the Broads.*

(c) Comment: The Broads Authority would like to see some practical bureaucratic obstacles to its maintenance of the waterways addressed. A major example is that silt dredged from the rivers and broads is treated as a waste product and is, therefore, subject to Waste Regulations. This means many consents are required for the Authority to fulfil its statutory duties.

*For consideration: Whether the regulations governing the Authority's statutory duty to maintain the navigation area can be simplified to reduce cost and bureaucracy, for example removing the requirement that silt excavated from the Broads waterways should be treated as a waste product and be subject to the Waste Regulations.*

(d) Comment: In the NP National Awareness Survey (August 2018), members of the public ranked protection of nature, habitats and species as the most important responsibility of the NPs. However, the Parks were designated for their natural beauty, not their abundance of wildlife. Treated separately in the 1949 Act, the Review presents an opportunity to join up landscape and wildlife protection. In the Broads, wildlife and the natural environment face severe threats. One of the greatest concerns is the uncertainty surrounding the future of agri-environment payments to farmers. Agriculture and land management are critical to the health of ecosystems, not least through application of nutrients, management of run-off or the availability and use of water. These issues need to be dealt with more holistically than they have been, and more integrated management of land and water within each National Park is essential.

*For consideration: Whether the role of National Park Authorities could be strengthened with regard to the protection and enhancement of wildlife. This could be done through transferring to NPAs the responsibility and the necessary resources for overseeing the condition of National Nature Reserves and Sites of Special Scientific Interest within the Park boundaries, together with giving the NPAs a more defined role in supporting environmentally friendly agricultural practices. This would need a national approach to avoid fragmentation.*

## **2. Are the boundaries of the National Parks fit for the future?**

(a) Comment: Each National Park Authority will have detailed knowledge to be able to respond to this question. In our case, the boundary of the Broads Executive Area is drawn tightly around the floodplains and lower reaches of its 7 rivers. Having a boundary which follows a hydrological rather than a geo-political rationale causes difficulties for us. Our boundary is not coterminous with any other administrative entity or jurisdiction. **Parts** of 93 parishes fall within the Broads Executive Area and no parish is fully within the Park. The boundary divides settlements such as Horning, where only one side of the village's main street is in the Broads. This creates significant problems in terms of Broads Authority/district council planning boundaries and responsibilities. The small settlement of Wroxham/Hoveton, straddling the River Bure and regarded as a centre of the Broads tourism industry, is served by three local planning authorities. The difficulties of engaging with local communities and applying planning policies effectively are obvious. Similarly, individual farm holdings are frequently bisected, creating a situation where the prime agricultural land on the valley sides, which has a hydrological relationship with the adjacent grazing marshes, is outside the National Park.

*For consideration: That to improve engagement with the farming/landowning community and wider population, the boundaries of the Broads National Park should be reviewed to include whole parishes and where possible complete landholdings.*

## **3. Is the governance structure of the National Parks fit for the future?**

(a) Comment: NPAs have evolved from local authorities and their composition and operation have inherited many local authority characteristics, including disproportionately large boards, an appointment process that does not deliver diverse Boards with the range of skills required, and excessively onerous, complex budgetary and auditing requirements. Local authorities used to make direct contributions to the Broads Authority budget but these contributions were replaced by direct grant aid from Defra. The relationship with local authorities and the local authority mode of operation may no longer be appropriate.

*For consideration: Whether there should be a fundamental review of the governance structure and financial and audit requirements of the National Park Authorities. This could refer to the experience in Scotland regarding direct elections, different governance models such as that of Scottish Canals, and the duty to cooperate.*

(b) Comment: The English National Park Authorities appear to have a less effective relationship with central Government than do the National Park Authorities in Wales and Scotland which may largely be a matter of scale. However, this could be seen as a missed opportunity for the English National Park Authorities to help Government formulate and deliver appropriate policies for the management of the Parks.

*For consideration: Whether there should be a closer relationship between English National Parks and central Government, to enable the National Park Authorities to play a bigger part in delivering the Government's agenda.*

**Proposed Navigation Charges for 2019/20  
in the Navigation Area and Adjacent Waters**  
Report by Chief Executive, Chief Financial Officer and Collector of Tolls

**Recommendations:**

Following consultation with members of the Tolls Review Group and the Navigation Committee on options for additional expenditure this report **recommends** that:

- (i) In line with previous Broads Authority decisions an 'across the board' approach should be adopted with navigation income increasing at the same rate for the whole of the hire fleet and the private fleet.
- (ii) That tolls be raised by +2.6% to maintain the existing level of service (+2.1%) and provide for the installation of electric charging points (+0.5%) at the Acle Bridge mooring which is due to be refurbished next year.

To note that if implemented the proposed cash increases for the most common sizes and categories of craft would be as follows:

	Number of Boats (30 Sep 2018)	2018/19	2019/20	Increase p.a.
Private sailing craft				
<b>5 m<sup>2</sup></b>	504	£41.20	£42.30	+£1.10
<b>11 m<sup>2</sup></b>	143	£90.64	£93.06	+£2.42
Private motor boats				
<b>5 m<sup>2</sup></b>	721	£66.20	£67.95	+£1.75
<b>15 m<sup>2</sup></b>	256	£198.60	£203.85	+£5.25
<b>22 m<sup>2</sup></b>	336	£291.28	£298.98	+£7.70
<b>38 m<sup>2</sup></b>	108	£503.12	£516.42	+£13.30
Day hired boats				
<b>12 m<sup>2</sup></b>	72	£547.56	£561.84	+£14.28
Weekly hired motor craft				
<b>38 m<sup>2</sup></b>	60	£1,133.16	£1,162.80	+£29.64
<b>48 m<sup>2</sup></b>	61	£1,431.36	£1,468.80	+£37.44

Note: A complete list of the increases for all categories and sizes of craft is contained in Appendix 1.



## 1. Progress over the last year

- 1.1 Last November at its meeting the Broads Authority followed the advice of the Navigation Committee and raised charges in the Navigation Area and Adjacent Waters for 2018-19 by 3% across the board. This was in line with the Authority's financial plan and took account of the rate of inflation (CPI was 2.9% and RPI 3.9% as at August 2017). A range of options for additional expenditure was evaluated and it was resolved to purchase new equipment for bankside tree and scrub management and additional safety signs.
- 1.2 In line with that decision five electronic speed signs have been purchased. Four have been deployed and the Ranger Team rotate the locations between the Yare (Postwick) the Waveney (Waveney River Centre) the Thurne (Potter Heigham) and the Bure (Wroxham). Initial feedback indicates that they are effective in moderating the speed of vessels with fewer reports of speeding through sites since they have gone up.
- 1.3 The mechanical equipment, consisting of an excavator, floats and tree shears, to improve the effectiveness of the Authority's management of bankside trees and scrub has been purchased and were demonstrated to members on the morning of 25 October 2018.

## 2. Navigation Income and Expenditure 2018-19

- 2.1 Navigation income in the current year to date is above that budgeted, with the Predicted Outturn for 2018/19 shown in Table 1 being £15,000 above the Latest Available Budget.

**Table 1 Budget compared to Predicted Outturn for 2018/19**

	Latest Available Budget 2018/19	Predicted Outturn 2018/19
Navigation Income	(3,338,300)	(3,353,360)
Expenditure	3,341,353	3,333,652
(Surplus)/ <b>Deficit</b>	<b>3,053</b>	<b>(19,709)</b>
Transfer of accrued interest to ear-marked reserves	3,750	7,500
Opening Reserves	367,662	367,662
Closing Reserves	360,860	379,871
Reserves as % of Expenditure	<b>10.8%</b>	<b>11.4%</b>

- 2.2 Expenditure is been below budget by £7,700 due to a number of savings within budgets.
- 2.3 The Authority has completed the sale of the Ludham Field Base and the resultant capital receipt has been shared 60:40 between the National Park and Navigation. The receipt has to be ring fenced on the Balance Sheet for new capital expenditure or the repayment of debt.

### 3. Context

- 3.1 After a very wet and cold spring the hot summer has meant that the hire boat industry has had, what they describe as a satisfactory year and the Authority's own income has also recovered from a poor start.
- 3.2 However, the economic outlook is extremely uncertain not just around the UK's exit from the European Union but also regarding the fortunes of the world economy. Both are likely to impact not only on visitor numbers to the Broads but also on our private toll payers and therefore our advice is to be cautious in setting charges for the coming year.
- 3.3 When the Navigation Committee report was written in October only the August 2018 figures for inflation were available and these have been used consistently over the years when considering potential toll increases. These rates were below the figure for the same period last year with the Consumer Price Index (CPI) at 2.7%, and the Retail Price Index (RPI) at 3.5%. It should be noted that these decreased in September 2018 with CPI at 2.4% and RPI 3.3%.<sup>1</sup> Although inflation figures are provided to give some context to the decision, toll increases are not made on this alone. The decision should be based on what type of service the Authority wants to provide.
- 3.4 Although we live in uncertain times boat numbers and toll income have held up well. Table 2 shows the number of private boats by category and although the total number has fallen by just 58 (0.5%) income is within £2,400 (-0.1%) of that predicted. Table 3 which looks at the largest category, private motor boats, shows that the increases experienced 2016-17 in the number of small boats has held up.

**Table 2 Private Boats by Category**

Private Boats	30 Sep 2017	30 Sep 2018	Change	% Change
Motor Cruisers	5064	5022	-42	-0.8%
Auxiliary Yachts	1122	1086	-36	-3.2%
Day Launches	546	561	15	2.8%
Outboard Dinghies	1052	1036	-16	-1.5%
Workboats	158	155	-3	-1.9%
Passenger Vessels SPB	22	21	-1	-4.6%
<b>Total Motor Boats:</b>	<b>7964</b>	<b>7881</b>	<b>-83</b>	<b>-1.0%</b>
Sailing Craft	1066	1068	2	0.2%
Rowing Craft	1477	1499	22	1.5%
Houseboats	45	46	1	2.2%
<b>Total Sailing Boats</b>	<b>2588</b>	<b>2613</b>	<b>+25</b>	<b>1.0%</b>
<b>Total Private Boats</b>	<b>10552</b>	<b>10494</b>	<b>-58</b>	<b>-0.6%</b>

<sup>1</sup> Ref from the Navigation Committee charges on other inland waterways are rising at rates well in excess of CPI, notably in the Anglian Region of the Environment Agency where they are rising by +7.5% in 2019 & 2020.

**Table 3 Private motor boat fleet  
(Motor cruisers, day launches & outboard dinghies)**

Size m <sup>2</sup>	2016	2017	2018	Change 2017-18	Change 2016-18
1-10	1,646	1,820	1,818	-2	172
11-20	1,895	1,893	1,867	-26	-28
21-30	1,604	1,609	1,603	-6	-1
31-40	870	882	865	-17	-5
41-50	374	370	375	5	1
51-60	67	63	63	0	-4
61-70	16	14	18	4	2
71-80	2	4	6	2	4
81-90	3	3	2	-1	-1
91-100	2	2	1	-1	-1
101-110	1	2	1	-1	-
<b>Grand Total</b>	<b>6,480</b>	<b>6,662</b>	<b>6,619</b>	<b>-43</b>	<b>139</b>

- 3.5 Table 4 shows the year on year comparison for the number of hire boats and indicates that the total number has increased by 12. The impact of this is that hire boat income is just under £10,000 above the predicted level.

**Table 4 Number of Hire Boats 2017-18**

Hire Boats	2017	2018	Change	% Change
Motor Cruisers	802	806	4	0.5%
Auxiliary Yachts	45	46	1	2.2%
<b>All Cabin Hire Boats:</b>	<b>847</b>	<b>852</b>	<b>5</b>	<b>0.6%</b>
Day Launches	290	301	11	3.8%
Outboard Dinghies	9	9	0	0.0%
Passenger Vessels MCA	6	6	0	0.0%
Passenger Vessels SPB	6	7	1	16.7%
<b>Total Motor Boats:</b>	<b>1158</b>	<b>1175</b>	<b>17</b>	<b>1.5%</b>
Sailing Craft	101	95	-6	-5.9%
Rowing Craft	191	194	3	1.6%
Houseboats	28	26	-2	-7.1%
<b>Total</b>	<b>1478</b>	<b>1490</b>	<b>12</b>	<b>0.8%</b>

Thus while the economic context may be uncertain the position on boat numbers and navigation income and expenditure is reasonably favourable.

#### **4. Pressures on 2019-20 Navigation Expenditure**

- 4.1 In considering the level of charges for next year a number of pressures on Navigation Expenditure need to be taken into account.



- A 2% pay increase for staff
- Increased employer pension costs
- Need for additional expenditure to remove wrecks
- The 'low hanging fruit' in terms of dredging have been dealt with and the dredging budget needs further expenditure if the Authority is to maintain its target of 50,000 m<sup>3</sup> of material removed per annum
- The cost of servicing and repairing launches is increasing
- Breydon marker posts need replacement
- Legal fees - increased navigation prosecutions for boat owners not paying the required toll. The Broads Authority has no option but to prosecute as a last resort if the owner fails to pay.

4.2 All of these pressures mean that charges need to increase by 2.1% to maintain the existing standard of service and carry out essential maintenance work.

## 5. Options for Additional Expenditure

5.1 A range of actions requiring additional expenditure were presented to the members of the Tolls Review Group including:

- The installation of electric charging points at the Acle Bridge mooring which is planned to be refurbished next year. (+0.5%)
- Additional expenditure so that the repairs of the Acle Bridge moorings could be undertaken in one year rather than spread over two financial years. (+1.2%)
- Funding for a repeat of the stakeholder survey. (+0.9%)

5.2 The members of the Tolls Working Group decided to recommend the installation of the electric charging points only, which would result in an increase in charges of 2.6%. It was suggested that officers investigate a phased approach to the stakeholder survey and the mooring repairs.

## 6. Draft Income and Expenditure for 2019/20

6.1 Based on the above proposition a draft income and expenditure budget has been developed for 2019/20. See Tables 5 and 6 below.

**Table 5 Projected income by fleet**

	Projected Income 2019/20
<b>Hire Boat Income</b>	£1,189,000
<b>Private Boat Income</b>	£2,175,000
<b>Other Income</b>	£76,000
<b>TOTAL</b>	£3,440,000

**Table 6 Draft income and expenditure 2019/20**

	Draft Budget 2019/20 +2.6%
Navigation Income	£3,440,000
Expenditure	£3,462,000
(Surplus)/ Deficit	<b>£22,000</b>
Transfer of accrued interest to ear-marked reserves	£7,500
Opening Reserves	£379,871
Closing Reserves	£350,371
Reserves as % of Expenditure	<b>10.1%</b>

## 7. Charges for Categories of Boats

- 7.1 Taking the advice of the Tolls Review Group the charges for the different categories of boats have been calculated and are replicated in Table 7 for a c. 2.6% increase. They have been rounded up to the next whole penny.

**Table 7 Proposals for Charges for 2019/20**  
**Commercial Fleet**

<i>Category</i>	<i>Current Charge</i>	<i>Proposed Charge</i>
<b>1. Weekly hired motor craft</b>	£29.82 per m <sup>2</sup>	£30.60 per m <sup>2</sup>
<b>2. Weekly hired motor craft Electric</b>	£20.91 per m <sup>2</sup>	£21.46 per m <sup>2</sup>
<b>3. Day hired</b>	£45.63 per m <sup>2</sup>	£46.82 per m <sup>2</sup>
<b>4. Day hired Electric</b>	£31.83 per m <sup>2</sup>	£32.66 per m <sup>2</sup>
<b>5. MCA Passenger Boats and small passenger boats</b>	£39.25 per m <sup>2</sup>	£40.27 per m <sup>2</sup>
<b>6. Motorised Sailing Craft</b>	£24.21 per m <sup>2</sup>	£24.84 per m <sup>2</sup>
<b>7. Sailing Boats</b>	£18.03 per m <sup>2</sup>	£18.50 per m <sup>2</sup>
<b>8. Houseboats</b>	£15.40 per m <sup>2</sup>	£15.80 per m <sup>2</sup>
<b>9. Rowing, canoes etc.</b>	£67.68	£69.44

### Private Fleet

<i>Category</i>	<i>Current Charge</i>	<i>Proposed Charge</i>
<b>10. Motor Boats - petrol &amp; diesel</b>	£13.24 per m <sup>2</sup>	£13.59 per m <sup>2</sup>
<b>11. Motor Boats Electric</b>	£10.30 per m <sup>2</sup>	£10.57 per m <sup>2</sup>
<b>12. Motorised Sailing Craft</b>	£9.79 per m <sup>2</sup>	£10.05 per m <sup>2</sup>
<b>13. Sailing Boats</b>	£8.24 per m <sup>2</sup>	£8.46 per m <sup>2</sup>
<b>14. Houseboats</b>	£5.31 per m <sup>2</sup>	£5.45 per m <sup>2</sup>
<b>15. Rowing, canoes etc.</b>	£33.84	£34.72

- 7.1 Appendix 1 contains a schedule showing the implications of the three options for each category and size of boat.

## **8. Consultation with the Navigation Committee**

- 8.1 The Navigation Committee was consulted on the level of charges for 2019/20 at its meeting on 25 October 2018. Whilst the committee recognised the importance of repairing the moorings at Acle it was felt that this could be achieved over two financial years and within existing budgets. The Committee also commented that the installation of the electric charging points were an essential part of developing the Acle Bridge site. The committee unanimously recommended that:

“That charges be raised as an across the board percentage on last year’s rates of 2.6% to include the provision of installing electric charging points at Acle Bridge.”

## **9. Evaluation and Risk Analysis**

- 9.1 An increase in line with inflation is consistent with the Authority’s agreed policy following the major restructuring of charges two years ago. Given that the broader economic position is uncertain a 2.6% increase across the board is prudent in recognising the pressures on both the commercial and private owners of boats while providing sufficient resources to maintain the current standard of maintenance.

## **10. Equalities and Social Impact**

- 10.1 There is no evidence to suggest that an across the board increase of 2.6% will have a disproportionate impact on any particular group of owners.

## **11. Conclusions**

- 11.1 It is important that the Authority retains a balanced approach to charges between raising the necessary resources to undertake essential maintenance work while recognising the financial pressures on both commercial and private boat owners. With boat numbers remaining relatively stable an increase just below the August rate of inflation is prudent.

Background papers:	None
Authors:	John Packman, Emma Krelle, Bill Housden
Date of report:	8 November 2018
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Draft charges for 2019/20

## Schedule Showing 2.6% Increase in Charges for 2019/20

Category 1 - Weekly hired motor craft				
Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	+2.6% Toll 2019/20	Difference in cash (£) terms
12	14	357.84	367.20	9.36
13	3	387.66	397.80	10.14
15	8	447.30	459.00	11.70
17	1	506.94	520.20	13.26
18	4	536.76	550.80	14.04
19	8	566.58	581.40	14.82
20	13	596.40	612.00	15.60
21	10	626.22	642.60	16.38
22	19	656.04	673.20	17.16
23	9	685.86	703.80	17.94
24	2	715.68	734.40	18.72
25	5	745.50	765.00	19.50
26	7	775.32	795.60	20.28
27	8	805.14	826.20	21.06
28	39	834.96	856.80	21.84
29	12	864.78	887.40	22.62
30	21	894.60	918.00	23.40
31	13	924.42	948.60	24.18
32	11	954.24	979.20	24.96
33	16	984.06	1009.80	25.74
34	14	1013.88	1040.40	26.52
35	23	1043.70	1071.00	27.30
36	20	1073.52	1101.60	28.08
37	67	1103.34	1132.20	28.86
38	60	1133.16	1162.80	29.64
39	30	1162.98	1193.40	30.42
40	20	1192.80	1224.00	31.20
41	21	1222.62	1254.60	31.98
42	27	1252.44	1285.20	32.76
43	18	1282.26	1315.80	33.54
44	57	1312.08	1346.40	34.32
45	10	1341.90	1377.00	35.10
46	58	1371.72	1407.60	35.88

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
47	9	1401.54	1438.20	36.66
48	61	1431.36	1468.80	37.44
49	4	1461.18	1499.40	38.22
50	29	1491.00	1530.00	39.00
51	19	1520.82	1560.60	39.78
52	25	1550.64	1591.20	40.56
54	4	1610.28	1652.40	42.12
56	2	1669.92	1713.60	43.68

**Category 2 - Weekly hired motor craft electric**

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
40	1	836.40	858.40	22.00
41	1	857.31	879.86	22.55
48	3	1003.68	1030.08	26.40

**Category 3 - Day hired boats**

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
5	4	228.15	234.10	5.95
6	5	273.78	280.92	7.14
7	4	319.41	327.74	8.33
8	17	365.04	374.56	9.52
9	29	410.67	421.38	10.71
10	43	456.30	468.20	11.90
11	51	501.93	515.02	13.09
12	72	547.56	561.84	14.28
13	14	593.19	608.66	15.47
14	7	638.82	655.48	16.66
15	8	684.45	702.30	17.85
16	3	730.08	749.12	19.04
17	1	775.71	795.94	20.23
21	3	958.23	983.22	24.99

#### Category 4 - Day hired electric boats

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	+2.6% Toll 2019/20	Difference in cash (£) terms
7	5	222.81	228.62	5.81
9	2	286.47	293.94	7.47
10	13	318.30	326.60	8.30
11	13	350.13	359.26	9.13
12	6	381.96	391.92	9.96
14	4	445.62	457.24	11.62
15	6	477.45	489.90	12.45

#### Category 5 - MCA passenger boats and small passenger boats

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	+2.6% Toll 2019/20	Difference in cash (£) terms
5	1	196.25	201.35	5.10
8	2	314.00	322.16	8.16
9	1	353.25	362.43	9.18
18	1	706.50	724.86	18.36
19	1	745.75	765.13	19.38
23	1	902.75	926.21	23.46
72	2	2826.00	2899.44	73.44
84	1	3297.00	3382.68	85.68
89	2	3493.25	3584.03	90.78
98	1	3846.50	3946.46	99.96

**Category 6 – Motorised Sailing craft for hire**

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
13	1	314.73	322.92	8.19
15	1	363.15	372.60	9.45
16	3	387.36	397.44	10.08
17	1	411.57	422.28	10.71
18	3	435.78	447.12	11.34
21	5	508.41	521.64	13.23
22	2	532.62	546.48	13.86
23	4	556.83	571.32	14.49
24	3	581.04	596.16	15.12
25	9	605.25	621.00	15.75
26	8	629.46	645.84	16.38
29	1	702.09	720.36	18.27
30	2	726.30	745.20	18.90
34	1	823.14	844.56	21.42
35	2	847.35	869.40	22.05

**Category 7 - Sailing boats for hire**

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
5	62	90.15	92.50	2.35
7	1	126.21	129.50	3.29
8	1	144.24	148.00	3.76
10	4	180.30	185.00	4.70
11	11	198.33	203.50	5.17
12	1	216.36	222.00	5.64
14	2	252.42	259.00	6.58
16	10	288.48	296.00	7.52
22	3	396.66	407.00	10.34

<b>Category 8 - Houseboats for hire</b>				
Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
22	1	338.80	347.60	8.80
23	2	354.20	363.40	9.20
24	1	369.60	379.20	9.60
28	2	431.20	442.40	11.20
29	2	446.60	458.20	11.60
31	1	477.40	489.80	12.40
34	1	523.60	537.20	13.60
35	2	539.00	553.00	14.00
36	5	554.40	568.80	14.40
39	3	600.60	616.20	15.60
40	1	616.00	632.00	16.00
41	1	631.40	647.80	16.40
43	4	662.20	679.40	17.20

<b>Category 9 - Rowing boats, canoes etc. for hire</b>				
Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
All	194	67.68	69.44	1.76

<b>Category 10 - Private motor boats</b>				
Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
5	721	66.20	67.95	1.75
6	232	79.44	81.54	2.10
7	173	92.68	95.13	2.45
8	148	105.92	108.72	2.80
9	147	119.16	122.31	3.15
10	184	132.40	135.90	3.50
11	247	145.64	149.49	3.85
12	255	158.88	163.08	4.20
13	155	172.12	176.67	4.55



Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
14	196	185.36	190.26	4.90
15	256	198.60	203.85	5.25
16	219	211.84	217.44	5.60
17	118	225.08	231.03	5.95
18	147	238.32	244.62	6.30
19	111	251.56	258.21	6.65
20	136	264.80	271.80	7.00
21	191	278.04	285.39	7.35
22	336	291.28	298.98	7.70
23	253	304.52	312.57	8.05
24	93	317.76	326.16	8.40
25	89	331.00	339.75	8.75
26	95	344.24	353.34	9.10
27	116	357.48	366.93	9.45
28	183	370.72	380.52	9.80
29	129	383.96	394.11	10.15
30	109	397.20	407.70	10.50
31	81	410.44	421.29	10.85
32	62	423.68	434.88	11.20
33	110	436.92	448.47	11.55
34	105	450.16	462.06	11.90
35	108	463.40	475.65	12.25
36	60	476.64	489.24	12.60
37	89	489.88	502.83	12.95
38	108	503.12	516.42	13.30
39	74	516.36	530.01	13.65
40	68	529.60	543.60	14.00
41	88	542.84	557.19	14.35
42	65	556.08	570.78	14.70
43	39	569.32	584.37	15.05
44	24	582.56	597.96	15.40
45	14	595.80	611.55	15.75
46	60	609.04	625.14	16.10
47	26	622.28	638.73	16.45
48	24	635.52	652.32	16.80
49	24	648.76	665.91	17.15
50	11	662.00	679.50	17.50
51	8	675.24	693.09	17.85
52	16	688.48	706.68	18.20
53	5	701.72	720.27	18.55
54	13	714.96	733.86	18.90
55	10	728.20	747.45	19.25

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	+2.6% Toll 2019/20	Difference in cash (£) terms
56	1	741.44	761.04	19.60
57	3	754.68	774.63	19.95
59	2	781.16	801.81	20.65
60	5	794.40	815.40	21.00
62	5	820.88	842.58	21.70
63	4	834.12	856.17	22.05
64	3	847.36	869.76	22.40
66	1	873.84	896.94	23.10
67	1	887.08	910.53	23.45
69	2	913.56	937.71	24.15
70	2	926.80	951.30	24.50
72	1	953.28	978.48	25.20
73	1	966.52	992.07	25.55
76	1	1006.24	1032.84	26.60
77	1	1019.48	1046.43	26.95
79	1	1045.96	1073.61	27.65
80	1	1059.20	1087.20	28.00
86	2	1138.64	1168.74	30.10
94	1	1244.56	1277.46	32.90
105	1	1390.20	1426.95	36.75

Category 11 - Electric private motor boats				
Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	+2.6% Toll 2019/20	Difference in cash (£) terms
5	162	51.50	52.85	1.35
6	15	61.80	63.42	1.62
7	12	72.10	73.99	1.89
8	8	82.40	84.56	2.16
9	12	92.70	95.13	2.43
10	4	103.00	105.70	2.70
11	8	113.30	116.27	2.97
12	4	123.60	126.84	3.24
13	5	133.90	137.41	3.51
14	2	144.20	147.98	3.78
15	3	154.50	158.55	4.05
16	2	164.80	169.12	4.32
17	1	175.10	179.69	4.59
18	1	185.40	190.26	4.86

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	+2.6% Toll 2019/20	Difference in cash (£) terms
19	1	195.70	200.83	5.13
21	1	216.30	221.97	5.67
22	5	226.60	232.54	5.94
27	1	278.10	285.39	7.29
28	1	288.40	295.96	7.56
30	1	309.00	317.10	8.10

Category 12 - Motorised sailing craft				
Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	+2.6% Toll 2019/20	Difference in cash (£) terms
6	18	58.74	60.30	1.56
7	25	68.53	70.35	1.82
8	60	78.32	80.40	2.08
9	28	88.11	90.45	2.34
10	77	97.90	100.50	2.60
11	108	107.69	110.55	2.86
12	104	117.48	120.60	3.12
13	64	127.27	130.65	3.38
14	72	137.06	140.70	3.64
15	62	146.85	150.75	3.90
16	68	156.64	160.80	4.16
17	107	166.43	170.85	4.42
18	62	176.22	180.90	4.68
19	21	186.01	190.95	4.94
20	65	195.80	201.00	5.20
21	41	205.59	211.05	5.46
22	25	215.38	221.10	5.72
23	17	225.17	231.15	5.98
24	6	234.96	241.20	6.24
25	18	244.75	251.25	6.50
26	14	254.54	261.30	6.76
27	6	264.33	271.35	7.02
28	8	274.12	281.40	7.28
29	3	283.91	291.45	7.54
30	2	293.70	301.50	7.80
31	2	303.49	311.55	8.06
37	2	362.23	371.85	9.62
39	1	381.81	391.95	10.14

<b>Category 13 - Private sailing craft</b>				
Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
5	504	41.20	42.30	1.10
6	97	49.44	50.76	1.32
7	61	57.68	59.22	1.54
8	105	65.92	67.68	1.76
9	29	74.16	76.14	1.98
10	42	82.40	84.60	2.20
11	143	90.64	93.06	2.42
12	37	98.88	101.52	2.64
13	5	107.12	109.98	2.86
14	15	115.36	118.44	3.08
15	3	123.60	126.90	3.30
16	4	131.84	135.36	3.52
17	4	140.08	143.82	3.74
18	2	148.32	152.28	3.96
19	1	156.56	160.74	4.18
21	2	173.04	177.66	4.62
23	1	189.52	194.58	5.06
27	2	222.48	228.42	5.94
30	1	247.20	253.80	6.60
31	1	255.44	262.26	6.82
32	1	263.68	270.72	7.04
33	2	271.92	279.18	7.26
34	1	280.16	287.64	7.48
38	2	313.12	321.48	8.36
40	1	329.60	338.40	8.80
45	1	370.80	380.70	9.90
46	1	379.04	389.16	10.12

<b>Category 14 - Private houseboats</b>				
Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	<b>+2.6%</b> Toll 2019/20	Difference in cash (£) terms
11	2	58.41	59.95	1.54
13	1	69.03	70.85	1.82
17	4	90.27	92.65	2.38
18	1	95.58	98.10	2.52
19	2	100.89	103.55	2.66

Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	+2.6% Toll 2019/20	Difference in cash (£) terms
20	2	106.20	109.00	2.80
24	1	127.44	130.80	3.36
25	1	132.75	136.25	3.50
26	1	138.06	141.70	3.64
27	1	143.37	147.15	3.78
29	1	153.99	158.05	4.06
31	1	164.61	168.95	4.34
33	3	175.23	179.85	4.62
35	2	185.85	190.75	4.90
36	2	191.16	196.20	5.04
38	2	201.78	207.10	5.32
40	1	212.40	218.00	5.60
41	1	217.71	223.45	5.74
42	1	223.02	228.90	5.88
43	2	228.33	234.35	6.02
44	1	233.64	239.80	6.16
45	1	238.95	245.25	6.30
46	1	244.26	250.70	6.44
48	2	254.88	261.60	6.72
49	2	260.19	267.05	6.86
50	1	265.50	272.50	7.00
61	1	323.91	332.45	8.54
62	1	329.22	337.90	8.68
75	1	398.25	408.75	10.50
104	1	552.24	566.80	14.56
110	1	584.10	599.50	15.40
176	1	934.56	959.20	24.64

Category 15 - Private rowing boats, canoes etc.				
Size in Metre <sup>2</sup>	Number of craft (30 Sep 2018)	Toll 2018/19 £	+2.6% Toll 2019/20	Difference in cash (£) terms
All	1477	33.84	34.72	0.88

**Financial Performance and Direction**  
Report by Chief Financial Officer

**Summary:** This report provides the Authority with details of the actual income and expenditure for the six month period to 30 September 2018, and provides a forecast of the projected expenditure at the end of the financial year (31 March 2019).

**Recommendation:** That the report be noted.

**1. Introduction**

1.1 This financial monitoring report summarises details of the forecast outturn and actual expenditure for both National Park and Navigation.

**2. Overview of Actual Income and Expenditure**

Table 1 – Actual Consolidated I&E by Directorate to 30 September 2018

	<b>Profiled Latest Available Budget</b>	<b>Actual Income and Expenditure</b>	<b>Actual Variance</b>
Income	(4,928,594)	(4,933,162)	+ 4,568
Operations	1,957,371	1,886,241	+ 71,130
Strategic Services	1,148,608	1,042,383	+ 106,225
Chief Executive	706,589	734,356	- 27,767
Projects, Corporate Items and Contributions from Earmarked Reserves	84,650	85,108	- 458
<b>Net (Surplus) / Deficit</b>	<b>(1,031,376)</b>	<b>(1,185,074)</b>	<b>+ 153,698</b>

2.1 Core income is above the profiled budget at the end of month six. The overall position as at 30 September 2018 is a favourable variance of £153,698 or 14.9% difference from the profiled LAB. This is principally due to:

- An overall favourable variance of £4,568 within income:
  - Hire Craft Tolls £9,929 above budget.
  - Private Craft Tolls £6,953 below budget.
  - Short Visit Tolls £3,934 below budget.
  - Other Toll Income £948 above budget.
  - Interest Income £4,579 above budget.
- A favourable variance within Operations budgets relating to:

- Water Management is under budget by £11,218 due to timing differences.
  - Land Management is under budget by due to timing differences on Fen Management contractor work.
  - Ranger Services is under budget by £11,574 due to timing differences.
  - A favourable variance within Strategic Services budgets relating to:
    - Development Management is under budget by £48,753 due to additional income from the increased fees and salary savings. The income forecast has been adjusted and the salary savings will decrease through the use of a contractor.
    - Human Resources is under budget by £14,771 due to a reimbursement of staff training following an individual leaving the Authority and salary savings following a vacancy which has now been filled.
    - Project Funding is under budget by £29,463 due to timing differences.
    - Communications is under budget by £13,157 due to the Discover England funding being received up front with the corresponding expenditure being invoiced in instalments.
  - An adverse variance within Chief Executive budgets relating to:
    - Finance and Insurance is over budget by £13,354 due to higher insurance premiums. The forecast has been adjusted to reflect this.
- 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 2018/19. 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 2018/19 – deficit	Item 1 26/01/18	72,430
Approved budget carry-forwards	Item 12 18/05/18	1,558
<b>LAB at 30 September 2018 – deficit</b>		<b>73,988</b>

### 4. Overview of Forecast Outturn 2018/19

- 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	£
<b>Forecast outturn deficit per LAB</b>	<b>73,988</b>
Increase to Hire Craft Income	(9,929)
Decrease to Private Craft Income	2,369
Increase to Interest Income due to interest rate rise	(15,000)
Increase to Construction & Maintenance Salaries Income following insurance claim reimbursement for Horace	(2,930)
Increase to Planning Fees	(11,000)
Increase to Staff Training Income following employee reimbursement	(5,250)
Decrease to Collection of Tolls Salaries following a shorter seasonal contract	(9,280)
Decrease to Asset Management expenditure to reflect savings on land based leases	(2,025)
Increase to Finance and Insurance expenditure to reflect increased premiums	12,300
<b>Forecast outturn deficit as at 30 September 2018</b>	<b>33,243</b>

- 4.2 This represents a favourable variance of £40,745 between the forecast outturn and the LAB. This is a result of additional income and savings within expenditure.

## 5. Reserves

Table 4 – Consolidated Earmarked Reserves

	Balance at 1 April 2018	In-year movements	Current reserve balance
	£	£	£
Property	(479,194)	(68,462)	(547,656)
Plant, Vessels and Equipment	(202,154)	(113,354)	(315,508)
Premises	(148,424)	(53,109)	(201,533)
Planning Delivery Grant	(227,176)	0	(227,176)
Upper Thurne Enhancement	(100,175)	(16,068)	(116,243)
Section 106	(102,250)	0	(102,250)
Heritage Lottery Fund	(113,519)	106,072	(7,447)
Catchment Partnership	(99,481)	24,913	(74,568)
CANAPE	(72,259)	(11,858)	(84,117)
Computer Software	(40,307)	0	(40,307)
<b>Total</b>	<b>(1,584,939)</b>	<b>(131,866)</b>	<b>(1,716,805)</b>

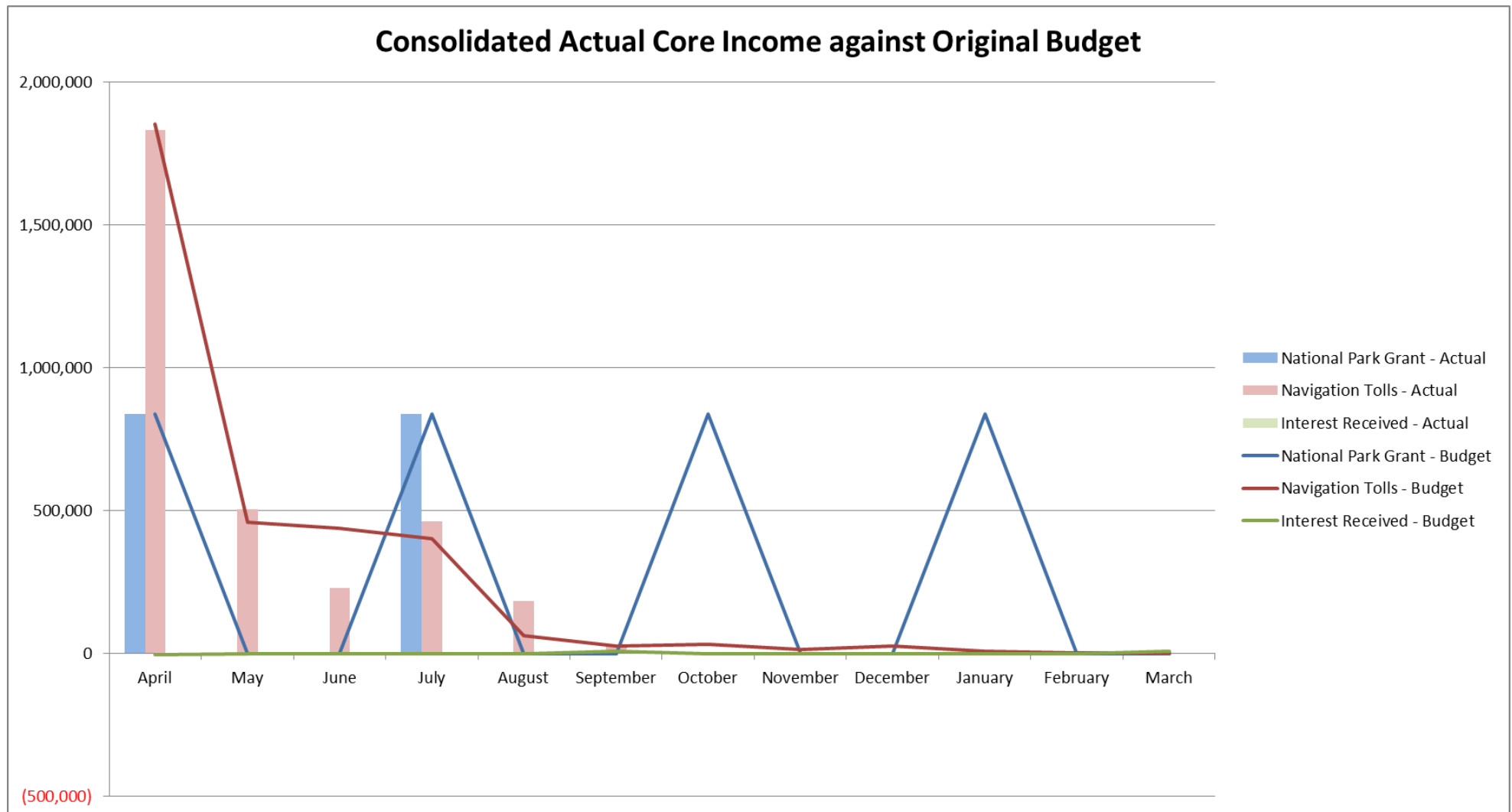


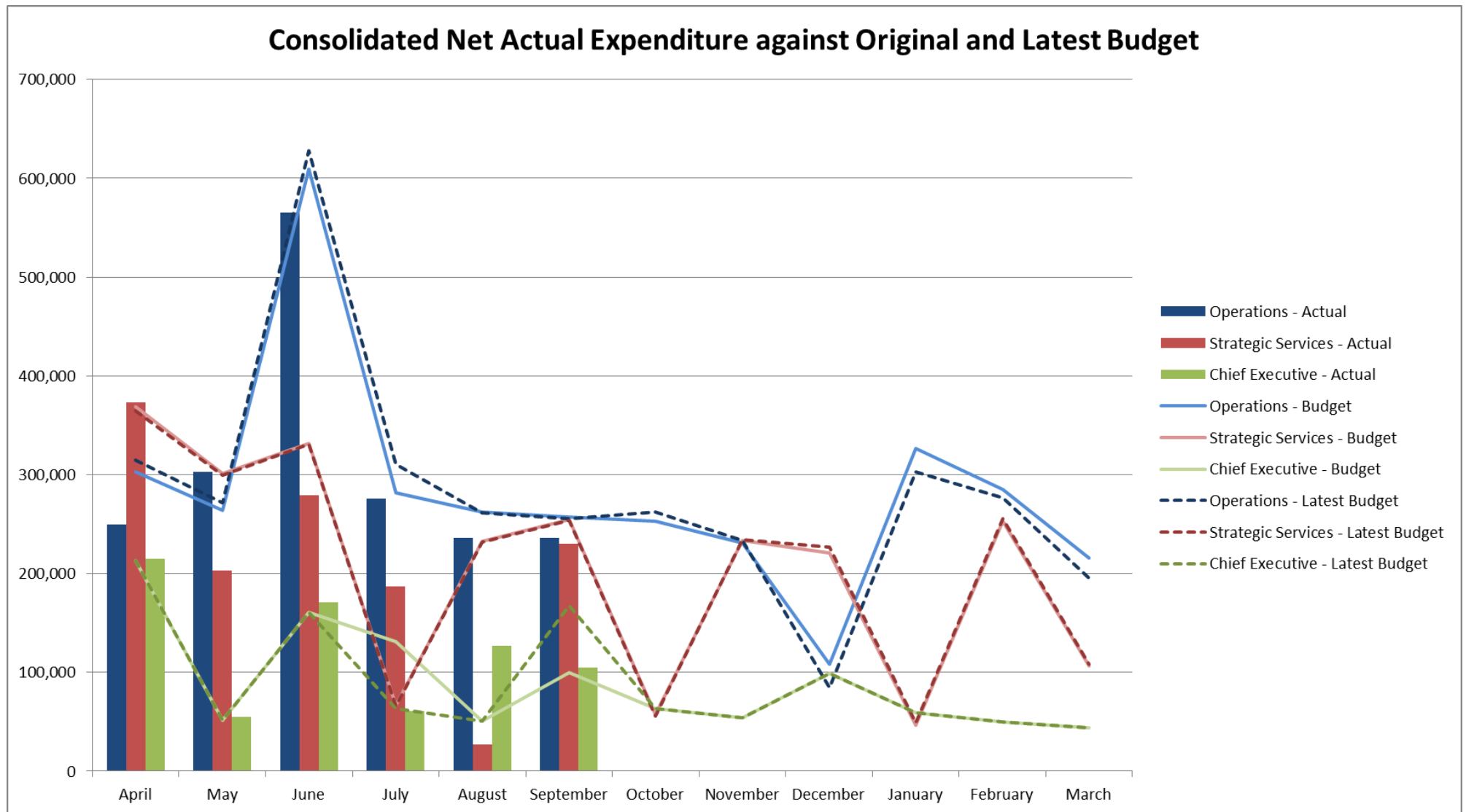
- 5.1 As with last year the Authority's contributions to the reserves have all been made in full at the end of quarter one. This has resulted in the reserves showing increased balances at the end of June. This will reduce as planned purchases take place throughout the year.
- 5.2 £764,790 of the current reserve balance relates to navigation reserves.

## **6. Summary**

- 6.1 The current forecast outturn position for the year suggests a deficit of £52,951 for the national park side and a surplus of £19,708 on navigation resulting in an overall deficit of £33,243 within the consolidated budget. This would indicate a general fund reserve balance of approximately £1,058,000 and a navigation reserve balance of approximately £387,000 at the end of 2018/19 before any transfers for interest. This will mean that the navigation reserve will be above the recommended level of 10% of net expenditure during 2018/19.

Background papers:	None
Author:	Emma Krelle
Date of report:	7 November 2018
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Consolidated Actual Income and Expenditure Charts to 31 March 2018 APPENDIX 2: Financial Monitor: Consolidated Income and Expenditure 2018/19





To 30 September 2018

Budget Holder

(All)

Values					
Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Income	(6,702,148)		(6,702,148)	(6,724,708)	22,560
National Park Grant	(3,356,348)		(3,356,348)	(3,356,348)	0
Income	(3,356,348)		(3,356,348)	(3,356,348)	0
Hire Craft Tolls	(1,149,300)		(1,149,300)	(1,159,229)	9,929
Income	(1,149,300)		(1,149,300)	(1,159,229)	9,929
Private Craft Tolls	(2,121,800)		(2,121,800)	(2,119,431)	-2,369
Income	(2,121,800)		(2,121,800)	(2,119,431)	-2,369
Short Visit Tolls	(40,900)		(40,900)	(40,900)	0
Income	(40,900)		(40,900)	(40,900)	0
Other Toll Income	(18,800)		(18,800)	(18,800)	0
Income	(18,800)		(18,800)	(18,800)	0
Interest	(15,000)		(15,000)	(30,000)	15,000
Income	(15,000)		(15,000)	(30,000)	15,000
Operations	3,501,440	24,200	3,525,640	3,522,710	2,930
Construction and Maintenance Salaries	1,184,010	0	1,184,010	1,181,080	2,930
Income	(4,530)		(4,530)	(7,460)	2,930
Salaries	1,188,540	0	1,188,540	1,188,540	0
Expenditure			0		0
Equipment, Vehicles & Vessels	451,500	0	451,500	451,500	0
Income			0		0
Expenditure	451,500	0	451,500	451,500	0
Water Management	103,000		103,000	103,000	0
Income			0		0
Expenditure	103,000		103,000	103,000	0
Land Management	(36,000)		(36,000)	(36,000)	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Income	(90,000)		(90,000)	(90,000)	0
Expenditure	54,000		54,000	54,000	0
Practical Maintenance	493,700		493,700	493,700	0
Income	(10,500)		(10,500)	(10,500)	0
Expenditure	504,200		504,200	504,200	0
Ranger Services	739,060		739,060	739,060	0
Income	(131,020)		(131,020)	(131,020)	0
Salaries	674,180		674,180	674,180	0
Expenditure	195,900		195,900	195,900	0
Pension Payments			0		0
Safety	160,390		160,390	160,390	0
Income	(2,000)		(2,000)	(2,000)	0
Salaries	61,290		61,290	61,290	0
Expenditure	101,100		101,100	101,100	0
Volunteers	75,350		75,350	75,350	0
Income	(1,000)		(1,000)	(1,000)	0
Salaries	50,450		50,450	50,450	0
Expenditure	25,900		25,900	25,900	0
Premises	208,170	24,200	232,370	232,370	0
Income			0		0
Expenditure	208,170	24,200	232,370	232,370	0
Operations Management and Administration	122,260		122,260	122,260	0
Income	(2,360)		(2,360)	(2,360)	0
Salaries	112,120		112,120	112,120	0
Expenditure	12,500		12,500	12,500	0
Strategic Services	2,207,620	1,558	2,209,178	2,197,108	12,070
Development Management	402,805		402,805	391,805	11,000
Income	(80,000)		(80,000)	(91,000)	11,000
Salaries	368,880		368,880	368,880	0
Expenditure	113,925		113,925	113,925	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Pension Payments			0		0
Strategy and Projects Salaries	296,440		296,440	309,900	-13,460
Income	(31,460)		(31,460)	(31,460)	0
Salaries	259,400		259,400	259,400	0
Expenditure	68,500		68,500	81,960	-13,460
Biodiversity Strategy	10,000		10,000	10,000	0
Income			0		0
Expenditure	10,000		10,000	10,000	0
Human Resources	134,710	1,558	136,268	131,018	5,250
Income	0		0	(5,250)	5,250
Salaries	75,210		75,210	75,210	0
Expenditure	59,500	1,558	61,058	61,058	0
Waterways and Recreation Strategy	87,480		87,480	87,480	0
Salaries	77,980		77,980	77,980	0
Expenditure	9,500		9,500	9,500	0
Project Funding	105,500		105,500	105,500	0
Expenditure	105,500		105,500	105,500	0
Pension Payments			0		0
Communications	302,030		302,030	302,030	0
Income	(6,150)		(6,150)	(6,150)	0
Salaries	233,680		233,680	233,680	0
Expenditure	74,500		74,500	74,500	0
Visitor Centres and Yacht Stations	208,710		208,710	208,710	0
Income	(237,500)		(237,500)	(237,500)	0
Salaries	314,210		314,210	314,210	0
Expenditure	132,000		132,000	132,000	0
Collection of Tolls	134,180		134,180	124,900	9,280
Salaries	121,480		121,480	112,200	9,280
Expenditure	12,700		12,700	12,700	0
ICT	308,890		308,890	308,890	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Salaries	188,440		188,440	188,440	0
Expenditure	120,450		120,450	120,450	0
Strategic Services Management and Administration	216,875		216,875	216,875	0
Income	(730)		(730)	(730)	0
Salaries	142,740		142,740	142,740	0
Expenditure	74,865		74,865	74,865	0
Chief Executive	1,076,443		1,076,443	1,086,718	-10,275
Legal	108,670		108,670	108,670	0
Income	(510)		(510)	(510)	0
Salaries	49,180		49,180	49,180	0
Expenditure	60,000		60,000	60,000	0
Governance	124,750		124,750	124,750	0
Salaries	72,850		72,850	72,850	0
Expenditure	51,900		51,900	51,900	0
Chief Executive	112,090		112,090	112,090	0
Salaries	112,090		112,090	112,090	0
Expenditure			0		0
Asset Management	115,080		115,080	113,055	2,025
Income	(22,000)		(22,000)	(22,000)	0
Salaries	47,330		47,330	47,330	0
Expenditure	89,750		89,750	87,725	2,025
Finance and Insurance	362,160		362,160	374,460	-12,300
Income	(5,930)		(5,930)	(5,930)	0
Salaries	154,090		154,090	154,090	0
Expenditure	214,000		214,000	226,300	-12,300
Premises - Head Office	253,693		253,693	253,693	0
Income			0		0
Expenditure	253,693		253,693	253,693	0
Projects and Corporate Items	216,707		216,707	216,707	0
Partnerships / HLF	138,207		138,207	138,207	0

Row Labels	Original Budget (Consolidated)	Budget Adjustments (Consolidated)	Latest Available Budget (Consolidated)	Forecast Outturn (Consolidated)	Forecast Outturn Variance (Consolidated)
Income	(1,182,118)		(1,182,118)	(1,182,118)	0
Salaries	169,940		169,940	169,940	0
Expenditure	1,150,385		1,150,385	1,150,385	0
Corporate Items	78,500		78,500	78,500	0
Expenditure	2,500		2,500	2,500	0
Pension Payments	76,000		76,000	76,000	0
Contributions from Earmarked Reserves	(227,632)	(24,200)	(251,832)	(265,292)	13,460
Earmarked Reserves	(227,632)	(24,200)	(251,832)	(265,292)	13,460
Expenditure	(227,632)	(24,200)	(251,832)	(265,292)	13,460
<b>Grand Total</b>	<b>72,430</b>	<b>1,558</b>	<b>73,988</b>	<b>33,243</b>	<b>40,745</b>



**Strategic Direction**  
Report by Chief Executive and Strategy Officer

<b>Purpose:</b>	The aim of this report is to update Members on the progress in implementing the Broads Plan and the Authority's annual strategic priorities, and provides updates on our guiding strategies.
<b>Recommendation:</b>	That the report is noted.

## **1 Strategic reporting**

- 1.1 The Broads Plan is the partnership management plan for the Broads. It sets out the long-term vision for the area and short-term objectives for the Authority and its partners working in the Broads. The current Plan covers the period 2017-22.
- 1.2 We produce a Broads Plan Progress Update in May and November each year and publish it at [www.broads-authority.gov.uk/broads-authority/how-we-work/strategy](http://www.broads-authority.gov.uk/broads-authority/how-we-work/strategy). The latest update, covering May to October 2018, is at Appendix 1.
- 1.3 Each year we also identify a small set of strategic priorities, guided by the Broads Plan. 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. This helps us target our resources and make the most of partnership working and external funding opportunities. The latest update is at Appendix 2.

## **2 Guiding strategies review**

- 2.1 We are reviewing and updating two guiding strategies for implementation next Spring. The Broads Biodiversity and Water Strategy will take account of the Government's 25 Year Environment Plan and the vision for local farming post-Brexit. The Broads Integrated Access Strategy is looking at opportunities for partnership working with local county councils and the wider community. 59 people representing 46 different user groups and parish councils attended a Broads Engage workshop on 6 November to discuss priority projects for access on and between land and water. The workshop output will be available on our website at [www.broads-authority.gov.uk/broads-engage](http://www.broads-authority.gov.uk/broads-engage).

Background papers:	None
Authors:	John Packman, Maria Conti
Date of report:	13 November 2018
Broads Plan Objectives:	Multiple
Appendices:	APPENDIX 1: Broads Plan update newsletter May-Oct 2018 APPENDIX 2: BA Strategic Priorities 2018/19

6-monthly newsletter highlighting action by the Broads Authority and its partners to implement the Broads Plan

**Aspiration 1** Improve water capture and efficient water use across the Broadland Rivers Catchment, and develop a longer-term integrated flood risk management strategy for the Broads and interrelated coastal frontage

**1.1** Promote and implement best practice water capture and water use measures at a community level, and support a whole farm water management approach across the Broadland Rivers Catchment

- New erosion reduction techniques being trialled on five arable farms in Bure and Waveney catchments. Wonder Wheel, Creyke Combi and Lland Ho Earthwake machines disrupt field tramlines to reduce run-off of water and nutrients from land into nearby watercourses.
- Natural England Catchment Sensitive Farming Officers engaged with c.150 holdings in catchment to offer advice on Countryside Stewardship and standalone measures to reduce diffuse water pollution from agriculture.

**1.2** Promote and implement catchment measures to manage water resources and respond to periods of water shortage and scarcity (incl. abstraction controls, water transfer and trading, infrastructure improvements)

Regional water companies have published their investment programmes for 2020-25:

- Anglian Water investing £6.5bn to include new technology to reduce pipe leakage by 22% and a £630m Water Resources Management Plan to remove risk of water restrictions for all customers even during severe drought.
- Essex & Suffolk Water committed to reducing water leakage across network by 17.5% and reducing customer usage by 20% by 2025.

**1.3** Maintain current coastal, tidal and fluvial flood risk management strategies relevant to the Broads, Great Yarmouth and interrelated coastal frontage, and prepare a longer-term, integrated, strategic approach

- Work underway on new natural flood management schemes on River Bure at Blackwater/Whitewater confluence, Camping Beck and Ingworth, and on River Yare at Marlingford. The schemes will help to store floodwater upstream and slow the flow along river channels.



- Environment Agency (EA) assessing management approaches to follow Broadland Flood Alleviation Project in 2021.
- National view sought for refresh of Shoreline Management Plans. Publication of UK Climate Projections (UKCIP18) in November 2018 will help inform action.
- Strategic Flood Risk Assessment for the Broads completed.
- Broadland Futures Initiative – see action 10.1

**1.4** Investigate, plan and promote schemes to hold back or divert flood water, moving from retrospective to proactive approaches

- Large scheme constructed at Swannington in Wensum catchment as part of Broadland Run-off Reduction Project. See [www.broadlandcatchmentpartnership.org.uk/initiatives/ruralsuds/](http://www.broadlandcatchmentpartnership.org.uk/initiatives/ruralsuds/)
- EU CATCH project, to help water sensitive cities in North Sea Region be more resilient to extreme weather events, has gone live in Norwich. See [www.northsearegion.eu/catch](http://www.northsearegion.eu/catch)

**Aspiration 2** Protect, conserve and enhance water quality and land and habitat condition to benefit priority species, recognising natural environmental change and retaining a thriving and sustainable agricultural industry

**2.1** Carry out lake restoration, maintenance and enhancement works, including bio-manipulation; use monitoring evidence to trial and implement further innovative lake restoration techniques

- CANAPE EU Interreg project: Planning permission received for Hickling Broad restoration works. Phase 1 underway to place and fill geotextile bags that will form perimeter of sediment infill area.
- Muckfleet Floodbank Improvement Phase 1: Winter/Spring tree clearance and desilting underway. *Anisus Vorticulus* snails on site to be translocated and displacement mitigation strategy being prepared for water voles and reptiles.
- Horsey Boat Dyke: Victorian culvert under repair.
- Somerton 100 drain: Desilting work underway.
- Halvergate Marshes: Work ongoing - bank work in Spring will complete project.
- Hoveton Great Broad: Sediment removal and creation of fen edge stage nearly complete. Next stage is to carry out biomanipulation work.
- Barton and Ranworth Broads: Norfolk Wildlife Trust (NWT) and Broads Authority (BA) submitted grant applications to help deliver clear water projects.

Left: Constructing roadside wetlands in Broadland Catchment to intercept surface runoff pathway

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**2.2** Promote and implement measures to reduce point and diffuse pollution into the floodplain and water courses, commensurate with EU/national water and habitat targets and with sustainable farming

- Anglian Water investment plan 2020-2025 includes £7.5m for first time rural sewerage schemes. Planned scheme sites in Broadland Rivers Catchment include Ludham.
- Diffuse Water Pollution Plan produced for River Wensum.

**2.3** Maintain and enhance existing areas of priority fen, reed bed, grazing marsh and wet woodland through site management agreements/prescriptions and support services to site managers

- Farming and conservation representatives meeting on influencing development of new agri-environment scheme post-Brexit and building evidence of need and outcomes for the Broads – next meeting late November.
- Water, Mills & Marshes programme 5A: Broads Land Management - RSPB Broads Advisor appointed and project launch planned for November.
- Wild Compost from BA softrock harvested reed at Suffolk Wildlife Trust (SWT) Carlton being created in EcoPods for marketing in 2019/20.
- Biochar creation and reed briquette projects underway. Reed compost created at How Hill for agricultural soil use.
- Biffa Landfill Communities Fund project completed at NWT Catfield Fen including scrub clearance, site surveys, Iron Horse equipment, piezometers and eco-hydrology report.
- BA contracted hydrological study of Barton Fen to understand how to protect sedge crop and the more natural functioning of the floodplain.
- Online survey underway investigating need for UK network for paludiculture (agriculture on wet peatlands).

**2.4** Define, implement and monitor management regimes for priority species and invasive non-native species

- Translocation of *Anisus vorticulus* at Damgate and Beccles sites showing good populations but translocation to Shipmeadow site appears to have failed.
- New style eel pass installed at Tunstall on River Bure and water vole mitigation measures ongoing at site.
- Trials to introduce rust biocontrol of Himalayan Balsam (Bure Valley) going well - CABI monitoring and evaluation will inform action in Summer 2019. Successful manual removal of Floating Pennywort in River Waveney, with one remaining 'hot spot' near Hoxne Mill.
- Good year for fen orchids at Sutton Fen, Catfield Fen and Upton Fen.

**2.5** Create 'bigger, better and more joined up' areas of priority habitat by identifying opportunities and developing site-specific plans for new habitat areas, connections, buffer zones and pollinator networks

- Norfolk Green Infrastructure (GI) Mapping Project Report published (June 2018) to inform Greater Norwich GI Delivery Plan and Joint Core Strategy. Report identifies and maps GI provision and corridors across Norfolk

including accessible green space, walking and cycling networks and ecological networks.

**2.6** Improve partnership coordination and communication of Broads biodiversity monitoring and research efforts, linked to national biodiversity network

- Swallowtail and Birdwing Society writing paper on conservation and long-term future of swallowtail butterflies in the Broads.

Water, Mills and Marshes: Project 5C2: Grasswrack pondweed restoration project underway at Upton Marshes.

Project 5E1 Delve into Ditches: 200 ditches surveyed and nearly 5000 individual plant records made. Survey has found rare Little Whirlpool Ramshorn snail and Shining Ramshorn snail in 17.5% and 20% of ditches compared to 3.4% and 5.5% in 1997.



Photo: Waveney ditches survey

**Aspiration 3** Apply a catchment-scale approach to reduce sediment input and the sediment backlog, and sustainably reuse or dispose of dredged material

**3.1** Implement dredging regimes in accordance with defined waterways specifications, and seek resources/legislation to accelerate the removal of sediment in the Broads system

- To end September 2018, 20,390 m<sup>3</sup> of dredged sediment removed from prioritised sites (51% of programmed target). Range and duration of site restoration following dredging and preparation time for future projects is particularly heavy this year.
- Drone footage of work on River Bure available at [www.broads-authority.gov.uk/looking-after/managing-land-and-water/dredging](http://www.broads-authority.gov.uk/looking-after/managing-land-and-water/dredging).
- Latest hydrographic surveys of bed profiles and sediment levels providing more accurate data on non-compliant areas and economically dredgable sediment across entire Broads system.
- Full dredging reports at [www.broads-authority.gov.uk/broads-authority/committees/navigation-committee](http://www.broads-authority.gov.uk/broads-authority/committees/navigation-committee).

**3.2** Implement plans and good practice guidance to reduce soil erosion into the waterways, manage areas lost or vulnerable to erosion, and dispose of dredged material in sustainable and beneficial ways

- Association of Inland Navigation Authorities (AINA) producing updated guidance on reuse of wet dredgings. Document due for publication in early 2019.



**Aspiration 4** Maintain a safe, open navigation and reduce pressures on busy or vulnerable areas

**4.1** Maintain existing navigation water space and develop appropriate opportunities to expand or extend access for various types of craft

BA and Network Rail (NR) agreed following set of actions on future management of swing bridges:

- Recording bridge failures affecting navigation
- Looking at 'High Impact' days to accommodate special boating events
- Navigators informing Broads Control about swing bridge issues to maintain record for NR action
- NR signal personnel to make good use of illuminated signs on bridges
- Upgrading of sensor and equipment for Somerleyton Swing Bridge in April/May 2019
- BA Rangers surveying NR Trinity House Aids to Navigation to inform NR maintenance and replacement programme

**4.2** Carry out appropriate aquatic plant cutting and tree and scrub management programmes and seek resources to increase operational targets

- Two BA weed harvesters in use throughout Summer in Southern and Northern rivers, following high water plant growth this year. Autumn/Winter tree management work underway. See programme at [www.broads-authority.gov.uk/looking-after/managing-land-and-water/riverside-tree-and-scrub-management](http://www.broads-authority.gov.uk/looking-after/managing-land-and-water/riverside-tree-and-scrub-management)
- BA purchased set of tree shears to manage tree and scrub growth that would otherwise be challenging to cut.



Photo: Tree shears in action

**4.3** Implement, promote and monitor measures to maintain and improve safety and security for the navigation and boats

- New portable electronic speed signs in use at speeding 'hotspots' to help raise boater awareness.
- 10 Ranger Super Safety Days held around Broads this summer, focusing on vessel and user safety.
- BA consulted on proposal to adopt Boat Safety Scheme (BSS) requirement for carbon monoxide alarms for boats with accommodation.



Photo: BA Ranger Super Safety Days

**Aspiration 5** Improve understanding, protection, conservation and enhancement of the Broads landscape character and distinctive built, cultural, archaeological and geological assets

**5.1** Implement measures to protect, conserve and enhance the distinctive landscape character and historic assets of the Broads

- Thorpe, Thurne and Buckenham war memorials added to National List of Heritage Assets.

Water, Mills and Marshes Landscape Partnership Scheme:

- Specialist structural engineering tender awarded and engineers completed site visits on engineering solutions for all 12 WMM drainage mills. Engineering costings submitted for Muttons Mill scheme.
- Skills training ongoing with students from City College Norwich on site at North Mill and in college for Wiseman's Mill, Oby and Six Mile Mill, Runham.
- Groups from Access Community Trust and St Edmunds Society getting skills training repairing North Mill.
- Strumpshaw engine house chimney works scheduled for completion end of November.
- WMM officers working with English Heritage on ideas for use of Berney Arms mill for landscape interpretation.

**5.2** Produce, update and promote local landscape conservation action plans, appraisals and enhancement schemes

- New Broads Landscape Character Assessment published online at [www.broads-authority.gov.uk/planning/planning-policies/landscape-character-assessments](http://www.broads-authority.gov.uk/planning/planning-policies/landscape-character-assessments).
- Short films introducing landscape character for Broads fens, drained marshes, settlements and open water in final stages of production.
- Somerton Conservation Area reappraisal recommended for adoption by BA Planning Committee. Draft Conservation Area Appraisals produced for Ludham and Horning.

**5.3** Develop measures to investigate, record and protect local built and cultural features, archaeology and potential hidden heritage (incl. waterlogged assets, waterways history, settlement patterns, WWII remains)

- Water, Mills and Marshes: Community Archaeology Training Day for schools sold out in 3 hours (120 tickets). Chet Boat construction underway, with oak donated by Raveningham Hall Estate split by hand ready for planking

creation. Original boat excavated from Loddon has been through preservation process and is back at Gressenhall for examination.

#### 5.4 Implement and promote measures to conserve and enhance local geodiversity sites and assets across identified work areas in Norfolk Geodiversity Action Plan

- All County Geodiversity Sites (CGS) and Candidate CGS in Norfolk plotted as GIS layer and will be made available to planners. No funding available to pursue County Geodiversity Site designation within Broads Authority area.
- Work underway to evaluate geological interpretation potential of Broads' churches as part of Norfolk Geodiversity Partnership's participation in Water, Mills and Marshes (WMM) scheme. Field trips made to 7 churches in Bure area and others planned in Yare and Waveney areas. NGP officers advising WMM project teams on landscape interpretation of Broads' marshland.

#### 5.5 Expand the longer-term resource of land management and heritage construction and maintenance skills training and qualifications

- Water, Mills and Marshes LPS Heritage Skills Training: City College Norwich (CNN) students involved in projects and training activities ready for start on site, including working at height and using lime mortar, producing door and window frames and assisting in site set-up. Project induction given to c.200 students at CNN, St Edmund's Society and Access Community Trust.
- Also see action 5.1.

#### 5.6 Build on measures to reduce the impacts on the Broads of visual intrusion and noise and light pollution, and pursue potential for dark sky place status

- £750k funding approved for undergrounding wires scheme at South Walsham and landowner agreements in principle signed. UK Power Networks working on wayleaves and formal agreements; work proposed to start Summer 2019.

**Aspiration 6** Provide opportunities for distinctive recreational experiences in harmony with the special qualities of the area

#### 6.1 Develop and implement schemes to upgrade and improve the network of access points and routes (where adverse effects can be prevented), linked to visitor facilities and including easier access for people with mobility and sensory needs

- Norfolk Access Improvement Plan 2018-28 produced. River Wensum Strategy adopted. 46 organisations at Broads Engage event on 6 November to develop project priorities for integrated access on and between land and water.
- BA completed new canoe launch at Horstead Mill and submitted planning application for safe canoe portages at New Mills, Norwich.
- Detailed BA construction and maintenance updates at [www.broads-authority.gov.uk/broads-authority/committees/navigation-committee](http://www.broads-authority.gov.uk/broads-authority/committees/navigation-committee)



Photos: Before and after - new canoe launch at Horstead Hill

#### 6.2 Implement measures to improve the network provision of riverside facilities, incl. refuse and recycling services, electric power points, water and pump out

- Acle Bridge site development: Successful architectural competition run and winning design selected from more than 100 applications. Initial business case produced and BA now considering site options including additional land purchase.
- BA Summer maintenance programme of network facility repairs completed - see [www.broads-authority.gov.uk/broads-authority/committees/navigation-committee](http://www.broads-authority.gov.uk/broads-authority/committees/navigation-committee).

#### 6.3 Maintain, develop and promote a coordinated and year-round programme of activities (taking measures to prevent any adverse environmental impacts)

- Discover England Fund project to create 'English National Park Experience Collection' developing Broads Experiences through local tourism providers (launch Jan 2019).

Experiences include A Taste of Traditional Norfolk Sailing, Capture The Broads photography, Vintage Broads Cruise, Wildlife & Water and Rails, Sails and Trails. Several accommodation providers also signed up to project. Trade Buyers Guide and website in development and online educational packages developed for travel trade. Workshops organised in Nov/Dec for local organisations to learn about developing experience products and accessing international markets.

Water, Mills & Marshes: Gateways and Going the Extra Mile:

- WMM Education and Engagement Team working with local groups including Neighbourhoods that Work and Herring House Trust to offer cultural and landscape heritage learning and experiences.



- Six local professional artists selected for 2019 'Woven Waters' exhibition at Norwich Cathedral, creating multi-media artworks in response to locations in WMM scheme.
- Arts Council England bid prepared for delivering art-based projects through community groups in Lowestoft and Great Yarmouth.
- BA exhibited at Norwich Science Festival in October.

#### 6.4 Implement Broads Angling Strategy action plan through partnership working and securing of additional resources

- Broads Angling Services Group CIC completed short-term objectives for community engagement with 58 volunteers signed up and 530 people on mailing list. Group identity and structures defined and resources in place. Group taken ownership of first community asset in Trinity Broads and scoping further local projects. Full updates at <https://basgonline.org/about-us/our-strategy/>

**Aspiration 7** Strengthen and promote key messages and tourism offer in keeping with the area's status, special qualities, history and traditions

#### 7.1 Develop integrated, multimedia communications to boost local community and visitor awareness and appreciation of the special qualities of the Broads National Park

- Broads National Park artwork installed at Norwich and Great Yarmouth rail stations and applications submitted for brown tourist road signs at 46 locations.
- Local media coverage Oct 2017-Oct 2018 recorded 138 stories on the BA's work in the Broads of which 88% were positive or neutral. Broadcast stories included Anglia TV feature 'Now and Then' highlighting the recovery of the Broads since the late 1970s.
- Broads Village at Royal Norfolk Show 2018 successful, with 14 organisations represented in 3 zones - Visiting, Looking After, and Discovering. Area awarded 'reserve' for best public sector collaboration.

#### 7.2 Maintain and upgrade the range and provision of multi-media and 'point of need' visitor information and interpretation

[www.visitthebroads.co.uk](http://www.visitthebroads.co.uk) website and social media accounts annual reporting July 2018 (and comparison w/July 2017): 13,437 website users (+10%), 56,046 website page views (+22.6%); 104k Twitter impressions, 17,081 Twitter followers (+24%); 17,691 Facebook reach, 1,802 Facebook likes (+51%); 1,070 Instagram followers (up from 45). July to October 2018.

#### 7.3 Implement industry-based measures to strengthen the quality and distinctiveness of the Broads tourism offer, including careers and skills training

- Broads Tourism/Visit the Broads work ongoing to revise digital strategy, create Broads restaurant week and launch new A6 Broads pocket guide.
- Broads Tourism running 'Welcome Afloat' training courses and developing information fact sheets for tourism staff dealing with visitors to the Broads.

- Broads Tourism developing green credentials self-assessment scheme for use by their members.
- STEAM visitor data report 2017 published. Data for 'Broads area of influence' (and change since 2016) show 7.7 million visitors (+3.1%) economic impact £606m (+2.2%), 5,519 directly employed (+0.5%), total employment 7,222 (+.04%), staying visitors down 2.7%, day visitors up 4.2%.

**Aspiration 8** Support development growth within and adjacent to the Broads, while avoiding adverse impacts on the area's special qualities

#### 8.1 Update and adopt Broads spatial planning policies and site specific allocations to support local business, housing need, community facilities and transport choices, and to ensure development occurs within environmental limits

- Broads Local Plan examination in public completed and Broads Authority awaiting Inspector's report.

#### 8.2 Develop comprehensive approach to enhancing sites that are strategically important for their heritage or green infrastructure value

- Whitlingham Charitable Trust developing future priorities plan and potential external funding for Whitlingham Country Park. Arminghall Trust assessing options for use of surrounding land. Broads Authority developing tender process for lease of catering franchise at Whitlingham Barn.

**Aspiration 9** Strengthen connections between a wide audience, particularly local communities and young people, and the Broads environment

#### 9.1 Widen the range of active and entry level/ taster initiatives that promote physical and mental health and wellbeing, based in the Broads natural environment



Photo: English Plus group visit to the Broads

- Water, Mills and Marshes 'try it out' activities offered at range of events in Summer/Autumn including Royal Norfolk Show, Norwich Science Festival and Great Yarmouth Maritime Festival.

- 70 people from English Plus, a community charity supporting new communities in Norwich, given guided tour as introduction to the Broads.

## 9.2 Offer a flexible range of practical volunteering programmes, events and training, and establish a longer-term succession strategy

- BA volunteer schemes ongoing, with increased support from corporate groups assisting vegetation management programme. Partnership work underway with community groups that work regularly with disadvantaged people.
- Water, Mills and Marshes - volunteer quarterly (Q) data: Q2: 195 volunteers, 43.45 days of activity, total activity value of £30,495; Q3: 230 volunteers, 69.25 days of activity, total activity value of £112827.50.

## 9.3 Increase the scope for partnership fundraising and other income generation initiatives to support Broads-themed projects

- BA has approached New Anglia Local Enterprise Partnership on potential financial support for Broads projects, and has also submitted proposals for sponsorship through National Parks Partnership.
- Report commissioned to inform best external funding options for Water, Mills and Marshes projects.
- Successful bid made to Heritage Lottery Fund to develop interpretive material on wherries has turned £1k grant from Broads Trust into £10k for partnership approach through Wherry Yacht Charter Trust.

## 9.4 Improve the capacity of the Broads Environmental Education Network (BEEN) to develop and run educational programmes and events for local schoolchildren

- Broads Curriculum website launched, and new web-based resources and videos in development.
- BEEN environmental education projects/awards achieved: Wensum Junior School project (250 year 3/4/5 pupils); 4 day project with Long Stratton High School (14 pupils); Enrichment and team building activities to City College groups, Beccles Free School and Everitt Academy; workshop at Castle Museum 6th Form Conference; 'A' level geography field trip for Lowestoft 6th Form College.
- Water, Mills and Marshes Programme 3 Learning & Future Skills: First 6 months of project reached 640 students and 44 teaching staff, with 19 schools signed up for September term. Trial of WMM full academic term activity module at Acle Primary School will include music, experience days, literacy and drama, enrichment and media projects.

## 9.5 Develop and run motivational outreach activities and award schemes for young people, including those from disadvantaged backgrounds, focusing on life and work skills training and practical experience

- BA accommodated eighteen 14-18 year old work placement students (total 104 work days) and attended 2 high school careers events.
- BA outreach projects/awards achieved: Engage Trust Enrichment Project (25 days); 20 John Muir Discovery Awards; Youth Ranger programme with Notre Dame High

School; Outreach workshop at Garrick Green School (100 pupils); Country Trust visits (5 Norfolk schools and 4 London schools on residential - 342 students); 2 day Eco-camp with 10 home educated pupils and their parents.



Photo: BA staff with apprentices Sept 2018

## Aspiration 10 Build the awareness and adaptive capacity of local communities to the challenges of climate change and sea level rise

### 10.1 Develop and promote tailored 'climate-smart' mitigation and adaptation measures, guidance and support to local communities

- Environment Agency secured £1.9m for Broadland Futures Initiative project on integrated flood risk management strategic planning for the Broads and coast. Broads Climate Partnership agreed draft strategy and draft communications and engagement plan. Regional Flood and Coastal Committee scoping stakeholder engagement on future of flood risk management in Anglian region.
- Defra published proposals for next round of climate adaptation reporting and National Park England Climate and Energy Working Group assessing reporting options through national park management plans.

### 10.2 Commission and coordinate research to inform management approaches to decrease carbon emissions and increase carbon sequestration in the Broads

- CANAPE project partners agreed use of Greenhouse gas Emission Site Types (GEST) methodology to determine greenhouse gas emissions from CANAPE project sites.

More information on key projects:



Broads Catchment Partnership: [www.broads-authority.gov.uk/looking-after/managing-land-and-water/beyond-the-broads](http://www.broads-authority.gov.uk/looking-after/managing-land-and-water/beyond-the-broads)

CANAPE: [www.northsearegion.eu/canape](http://www.northsearegion.eu/canape)


Water, Mills and Marshes: [www.watermillsandmarshes.org.uk](http://www.watermillsandmarshes.org.uk)





Website: [www.broads-authority.gov.uk/broads-authority/how-we-work/strategy](http://www.broads-authority.gov.uk/broads-authority/how-we-work/strategy)  
Email: [broadsplan@broads-authority.gov.uk](mailto:broadsplan@broads-authority.gov.uk)



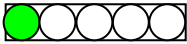
Broads Authority strategic priorities 2018/19					
	Projects	Aims and milestones	Latest progress	Status	Reporting officers
1	<b>Water, Mills and Marshes</b> (HLF Landscape Partnership Scheme)	<p><u>Aim: All projects implemented to agreed schedules</u></p> <ul style="list-style-type: none"> <li>• Monitor and report progress of scheme projects - Sept 2018 &amp; Mar 2019</li> <li>• Submit quarterly claims to HLF (Apr/Jul/Oct/ Jan</li> <li>• Establish working group to review WMM legacy and produce initial report by end Mar 2019</li> </ul>	<p>All projects on schedule:</p> <ul style="list-style-type: none"> <li>• 640 pupils and 44 teaching staff put through our education programme and 19 schools signed up for 2018/19</li> <li>• Drainage mill restoration underway at North Mill with City College Norwich students working on site</li> <li>• Archaeology day schools oversubscribed and additional sessions planned</li> <li>• Natural environment projects starting at Upton and Chedgrave. Broads Land Management officer recruited. 200 ditch and dyke surveys completed, 265 species of marginal plants identified and invertebrate identification underway – already seeing good reports for rare species and improved numbers from previous surveys.</li> <li>• HLF quarterly returns completed on time</li> <li>• WMM Legacy discussed at WMM Board in October, now planning for workshop with all project managers and WMM Board in December to expand on exit strategies developed during second round application phase.</li> </ul>		WMM Project Manager (Will Burchnell)
2	<b>CANAPE</b> (project management and delivery of Hickling Broad vision)	<p><u>Aim: Project implemented to agreed schedule</u></p> <ul style="list-style-type: none"> <li>• Monitor and report progress of project activities - Apr &amp; Oct 2018</li> <li>• Submit claim to INTERREG Programme - Oct 2018</li> </ul>	<p>First project report and finance claim submitted to Programme Secretariat; total value of claim 151,804€ (BA share is 98,891€). 2nd Project Steering Group meeting held on 31 October in Lembruch, Germany.</p> <p><u>Work package 3: Lake and Bog Restoration</u></p> <ul style="list-style-type: none"> <li>• Planning permission granted in August for works at Hickling Broad. Work is underway and will continue until water temperature rises above 8°C in Spring. Objective for first winter of works is to place and fill the geotextile tubes that will form the perimeter of the new area.</li> <li>• Project Partnership has agreed to use a methodology called GEST (Greenhouse gas Emission Site Types) to determine the carbon emissions of the project sites. This method uses water levels and vegetation type to estimate the carbon emissions.</li> </ul>		CANAPE Project Manager (Harry Mach)










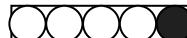

Broads Authority strategic priorities 2018/19					
			<p><u>Work package 4: Paludiculture</u></p> <ul style="list-style-type: none"> <li>• <b>Citizen Science</b> - Claritie CIC selected as contractor for Citizen Science and marketing programme. The activity involves working with 6<sup>th</sup> form students to carry out peat depth surveys. It will launch in January with the first sessions taking place in March.</li> <li>• <b>Charcoal</b> – 13 organisations have expressed interest in trialling the production of charcoal and biochar from waste wood and green waste. Ordering Biochar retort ready for first trials next summer – retort could be a display at 2019 Norfolk Show.</li> <li>• <b>Reed Briquettes</b> – Agreement in principle reached to use briquetter to produce product for demonstration; work ongoing to find suitable location for storage and operation.</li> <li>• <b>Compost</b> – Work ongoing to trial reed compost from How Hill. The plan is to incorporate some at Farmshare near Whitlingham</li> </ul>		
3	<b>Broadland Futures Initiative</b> (Integrated flood risk management)	<p><i><u>Aim: Profile raised on urgency to develop an integrated approach to flood risk management for Broads and coast</u></i></p> <ul style="list-style-type: none"> <li>• Confirm planned funding resources for next 5 years</li> <li>• Agree engagement plan – by June 2018</li> <li>• Establish governance arrangements– by Sept 2018</li> <li>• Report on stakeholder engagement outcomes by Nov 2018 and produce outline of agreed work areas to 2022 - by end March 2019</li> </ul>	<ul style="list-style-type: none"> <li>• Environment Agency project staff agreed with Defra on procurement process for Broadland Futures Initiative project, delaying work into 2019</li> <li>• Initial re-engagement with stakeholders now being developed for start of 2019</li> </ul>		Head of Strategy & Projects (Simon Hooton)

Broads Authority strategic priorities 2018/19					
4	<b>Broadland catchment management</b>	<p><u>Aim: Catchment water and land management improved through on-site measures, advice and investment</u></p> <ul style="list-style-type: none"> <li>Implement Broadland Rivers Catchment Plan actions incl. trialling 3 pieces of erosion reduction machinery with 6 farmers on c.300 acres, 6 river enhancement and natural flood management projects, production of website material, mapping and quarterly newsletter</li> </ul>	<p><u>Reducing run-off from fields:</u></p> <ul style="list-style-type: none"> <li>Tramline (compacted tractor wheelings) disruption machinery demonstrated to local arable farmers at Norfolk Farm Machinery Club (NORMAC) cultivations event in September</li> <li>Two farmers (Bure and Waveney catchments) each trialling Earthwake tramline disruption machinery on c.50 acres of winter cereals</li> <li>Local farmers taking up Tesco funding for cover crops</li> </ul> <p><u>Natural Flood Management projects (&amp; project lead):</u></p> <ul style="list-style-type: none"> <li>Marlingford, River Yare (Environment Agency) - construction underway</li> <li>Camping Beck, R Bure (Norfolk Rivers IDB) – construction underway</li> <li>Worthing, River Wensum (Norfolk Rivers Trust) – delayed, planned to go ahead Spring 2019.</li> <li>Ingworth, River Bure – project may not proceed as further investigation has shown that the levels may be insufficient to provide sufficient flood storage.</li> </ul> <p><u>Water Environment Grant bids</u></p> <p>Further info on costings requested for following submitted projects:</p> <ul style="list-style-type: none"> <li>Upper Bure: National Trust as lead partner working with Norfolk Rivers IDB to deliver river and drain habitat improvements to meet WFD objectives</li> <li>Lower Ant around Catfield and Sutton Fen: RSPB as lead partner working with BA&amp;NWT for habitat improvements and invasive species control to meet SSSI objectives.</li> </ul>		Broadland Catchment Officer (Neil Punchard)

Broads Authority strategic priorities 2018/19					
5	<b>External funding and capacity building</b>	<p><u>Aim: Strategic framework in place for BA external funding and capacity building</u></p> <ul style="list-style-type: none"> <li>Member and Officer working group to draft framework for external funding strategy - by end Dec 2018.</li> </ul>	Item withdrawn from Strategic Priorities - see para 6/17 in BA minutes 18 May 2018		Chief Financial Officer (Emma Krelle)
6	<b>Marketing, promotion and media relations</b>	<p><u>Aim: Increased public awareness of Broads National Park brand</u></p> <ul style="list-style-type: none"> <li>Implement Broads National Park branding guidelines and action plan, including promotion through NPUK Partnership, Broads Tourism, Discover England Fund, National Park Experiences project; Support BA-led projects incl. WMM and CANAPE, BA annual events programme, and news and events through print/social media.</li> </ul>	<ul style="list-style-type: none"> <li>Project to create 'English National Park Experience Collection' developing Broads Experiences through tourism providers (launch date Jan 2019). Experiences include A Taste of Traditional Norfolk Sailing, Capture The Broads photography, Vintage Broads Cruise, Wildlife &amp; Water and Rails, Sails and Trails. Trade Buyers Guide and website in development and online educational packages developed for travel trade.</li> <li>Broads National Park artwork now installed at Norwich and Great Yarmouth rail stations and applications submitted for brown tourist road signs at 46 locations.</li> <li>Local media coverage Oct 2017-Oct 2018 recorded 138 stories on the BA's work in the Broads, of which 88% were positive or neutral. Good range of broadcast features including Anglia TV 'Now and Then' highlighting the recovery of the Broads since the late 1970s.</li> <li>Broads Village at Royal Norfolk Show 2018 a success with 14 organisations represented in three zones - Visiting, Looking After, and Discovering. Area awarded 'reserve' for best public sector collaboration.</li> <li><a href="http://www.visitthebroads.co.uk">www.visitthebroads.co.uk</a> website and social media accounts annual reporting July 2018 (and comparison w/July 2017): 13,437 website users (+10%), 56,046 website page views (+22.6%); 104k Twitter impressions, 17,081 Twitter followers (+24% ); 17,691 Facebook reach, 1,802 Facebook likes (+51%); 1,070 Instagram followers (up from 45)</li> <li>Broads Authority has bid to host the proposed new UK Communications Team. BA selected and now awaiting</li> </ul>		Head of Communications (Rob Leigh)

Broads Authority strategic priorities 2018/19					
			final agreement on funding.		
7	<b>Peer Review Action Plan</b>	<p><u>Aim: Peer Review recommendations developed and implemented</u></p> <ul style="list-style-type: none"> <li>• Prepare and implement action plan</li> </ul>	BA and Navigation Committee agreed set of proposals in response to Peer Review (BA 18 May - see minute 6/15) and proposals implemented.		Chief Executive (John Packman)
8	<b>Acle Bridge site development</b>	<p><u>Aim: Site redeveloped</u></p> <ul style="list-style-type: none"> <li>• Manage processes to allow temporary (seasonal) onsite catering operation during 2018</li> <li>• Run architectural design competition for site proposals (Summer 2018)</li> <li>• Next stages to be agreed</li> </ul>	<p>Tender process run but catering operators unable to fulfil contract brief</p> <p>Competition run successfully and final design selected by shortlisting panel on 5 July. Winning architect firm attended BA meetings on 27 July and 28 September for discussions on design and potential next stages.</p> <p>At the BA meeting on 28 September, Members agreed to:</p> <ul style="list-style-type: none"> <li>• Continue discussions with the neighbouring landowner re. possibility of purchasing additional land at the site;</li> <li>• Continue discussions with Great Yarmouth Borough Council re. acquisition of the toilet block;</li> <li>• Proceed with the essential repairs to moorings at the site subject to views of Navigation Committee;</li> <li>• Investigate whether development of a Visitor and Education Centre could form an important element in a wider more ambitious project to improve the infrastructure for Broads tourism and raise awareness of the special qualities of the area in future; and</li> <li>• Consider options for a wider project to enhance tourism in the Broads in the context of reviewing the Sustainable Tourism Strategy</li> </ul>	 	Director of Operations (Rob Rogers)

Broads Authority strategic priorities 2018/19					
9	Future of agri-environment schemes (post-Brexit)	<u>Aim: Proposals identified on agreed future of AE schemes post-Brexit</u> <ul style="list-style-type: none"> <li>Develop pilot agri-environment scheme in liaison with farming community and other stakeholders</li> </ul>	Farmers and conservation bodies met on 10 October to agree areas of joint working to develop evidence on why the Broads needs changes to lowland grazing and fen options, and how a scheme might work, ready to submit to Defra.		Director of Strategic Services (Marie-Pierre Tighe)
10	Designated landscapes (National Parks and AONBs): 2018 Review	Milestones to be confirmed	<ul style="list-style-type: none"> <li>Members put forward list of issues as basis for response to call for evidence based on the eight areas the Review is considering (BA 28 September - minute 2/12)</li> <li>Review Team led by Julian Glover visited Broads on 1-2 November – update on today's agenda (item 8)</li> </ul>		Chief Executive (John Packman)

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

**Somerton Conservation Area Re-appraisal**  
Report by Historic Environment Manager

**Summary:** The Authority has a responsibility to review its Conservation Areas and to consider the designation of new ones if needed.

The purpose of this report is to inform members on the re-appraisal and consultation process for the existing Somerton Conservation Area prior to a decision on adoption of a new appraisal document.

A similar report was presented to Planning Committee on 12 October 2018, when it was resolved to approve the Conservation Area Appraisal and boundary changes, with amendment and recommend to the full Authority that it be adopted.

**Recommendation:**

That the Somerton Conservation Area re-appraisal, boundary changes and management plan for that part of the Area within the Broads Authority executive area be adopted.

**1 Introduction**

- 1.1 Members have previously agreed to assessment work being carried out on the phased re-appraisal of existing conservation areas, taking into account the duty of the Authority to identify and maintain up to date appraisals of existing conservation areas and, as appropriate, designate new areas.
- 1.2 Members will be aware that an informal agreement has been reached with the Districts' conservation officers whereby areas that fall mainly within the Broads Authority area would have the appraisal work carried out by the Broads Authority and areas that fell mainly outside the Broads Authority area would have the appraisal work carried out by the relevant district.
- 1.3 The Somerton Conservation Area is partly within the Broads Authority Executive Area and partly within Great Yarmouth Borough Council. The built up area falls mainly within the Broads Authority Executive Area therefore the appraisal work and the consultation exercise has been carried out and funded by the Broads Authority. Details of the consultation and feedback received as a result are outlined below.
- 1.4 In the preparation of the re-appraisal and management plan, Broads Authority officers have considered whether boundary changes are required and concluded that, in this instance, amendments to the Conservation Area boundary are appropriate. Great Yarmouth Borough Council's Conservation

Team have also been involved in and provided comments and input on the appraisal.

- 1.5 The Somerton Conservation Area consultation draft was initially discussed at the Broads Authority Planning Committee on 1 April 2016. At this meeting Members agreed the draft appraisal and to carry out a consultation exercise. Members of the Authority's Heritage Asset Review Group also considered the draft re-appraisal and subsequent updates regarding the consultation process. Feedback from the consultation process was considered at Broads Authority Planning Committee on 12 October 2018.
- 1.6 The Somerton Conservation Area has been in place since 1987. Currently there is no written appraisal or management plan.
- 1.7 A copy of the adoption draft of the Somerton Conservation Area re- appraisal, management plan is appended (Appendix 1).
- 1.8 A copy of the map showing the existing and proposed Conservation Area boundaries is attached at Appendix 2.

## **2 Somerton Conservation Area Consultation feedback**

- 2.1 In September 2017 all residents within the Conservation Area boundary were contacted by letter regarding the re-appraisal, as were Local Members and other key stakeholders. All were sent a leaflet setting out the process and implications of the re-appraisal along with a copy of the draft document. All were given the opportunity to comment on the proposals. The consultation process was undertaken in line with the Broads Authority's Statement of Community Involvement.
- 2.2 An open morning was also held at Somerton Village Hall on 7 October 2017 between 10.00am and 1.30pm with officers of the Broads Authority in attendance to answer any questions.
- 2.3 Following the initial 8 week consultation period, officers collated the feedback and responses to it. This is summarised below.
- 2.4 The level of feedback was reasonable.
  - In total 10 detailed written responses were received from residents, 4 from statutory consultees and 1 from the Parish Council. In addition 8 verbal representations / comments were made at the open morning, raising similar issues to the written representations;
  - Generally responses were balanced, with some supporting re-appraisal and management plans for the area, whilst some questioned Broads Authority involvement and proposed boundary changes. Some responses raised negative issues in terms of management of the area. Main issues were mostly about the proposed boundary changes. Some minor issues

were raised about traffic and footpaths. Responses also suggested small amendments and corrections to text;

- 3 responses objected outright to the re-appraisal;
- The Parish Council provided a detailed response outlining residents' comments they had received;
- In addition to the public response, responses were received from statutory consultees – Historic England, Norfolk County Council and Great Yarmouth Borough Council. They supported both the re-appraisal and the management proposals. Historic England and Norfolk County Council suggested minor amendments to text; and
- Anglian Water responded with no comment.

2.5 The re-appraisal suggested the following proposed changes to the boundary of the Conservation Area:

- The proposed inclusion of Staithe House Farm farmyard and adjacent buildings along Staithe road;
- The proposed inclusion of Manor Farm and adjacent buildings at Manor Farm Road; and
- The proposed inclusion of Staithe Farm and adjacent buildings at Sandy Lane.

2.6 The detailed feedback regarding these proposed boundary changes was as follows;

- 1 response strongly objected to the inclusion of Staithe House Farm farmyard. It also suggested that Staithe House, currently within the boundary, should be omitted;
- 1 response suggested that the inclusion of the converted modern barns at Manor Farm should be reconsidered;
- There was no objection and one representation supporting the inclusion of Staithe farm and adjacent buildings on Sandy Lane; an
- Various representations were also received suggesting additional further boundary amendments.

2.7 As a result of the feedback received from the formal consultation, comments were considered and where appropriate amendments made to the text of the re-appraisal.



- 2.8 These proposed amendments were discussed at the Heritage Asset Review Group meeting on the 23 March 2018. Members recommended re-consultation with the Parish Council.
- 2.9 Details of the feedback received from the formal consultation and subsequent re-consultation with the Parish Council is summarised in Appendix 3 of this report.

### **3 Assessment and Implications of Adoption**

#### **Assessment**

- 3.1 The Somerton Conservation Area is one of the 25 Conservation Areas either wholly or partly within the Broads Authority executive area. The Conservation Areas are designated heritage assets.
- 3.2 The Authority has a duty to periodically review conservation areas and provide up to date appraisal and management plans for them. Somerton Conservation Area currently has no up to date appraisal or management plan. The provision of an appraisal and management plan assists local residents in the preparation of appropriate development proposals within the Area and the Local Planning Authority in the determination of these applications.
- 3.3 Careful consideration has been given to all the representations resulting from the consultation process.
- Generally the comments suggesting amendment or correction to text have been adopted where appropriate.
  - Comments suggesting further extension to the area have been assessed by Officers. This has been carried out using Historic England advice contained in HE advice note 1 *“Conservation Area Designation, Appraisal and Management”*. The advice states that only areas considered of special interest should be identified, included and designated as Conservation Areas.
  - It is acknowledged that setting can be a consideration, but in the case of Somerton the special interest relates to the development of the settlement around the historic Staithe and estates rather than the wider landscape context.
  - Consequently the suggested extensions to the boundary resulting from the consultation are not proposed to be taken forward.
- 3.4 Regarding the areas of extension proposed in the re-appraisal at Staithe Farm and outbuildings, Manor Farm and converted barns and the Farmyard at Staithe House Farm:
- At Staithe Farm and outbuildings and Manor Farm and converted barns no objection was received to the proposed extensions;

- At Staithe Farm farmyard and buildings in Staithe Road strong objections were received from the owners, these objections were supported by the Parish Council
- 3.5 At Planning Committee on the 12 October 2018 following discussion members recommended that the proposed extension at Staithe House Farmyard including the property Sunways on Staithe Road should not be included as an extension to the existing area.

### **Implications of adoption**

- 3.6 There will be minor additional financial implications for the Broads Authority regarding the consideration of development management proposals or works to trees applications within the extension. There may be limited financial implications for the Broads Authority for any future re-appraisal work.
- 3.7 Similarly, minor financial implications will apply to residents and landowners regarding the preparation of development management proposals or works to trees applications within the extension.
- 3.8 Within the Broads Authority part of the area, the additional constraints in the main already apply. Outside of the Broads Authority Area additional restrictions on permitted development rights for householders result from inclusion within the boundary. These restrictions were summarised and circulated as part of the consultation process.
- 3.9 Great Yarmouth Borough Council Officers were supportive of the proposed extension within their boundary. The extension and appraisal for that part of the area within Great Yarmouth Borough Council's jurisdiction will need to be formally adopted by the Borough.
- 3.10 The re-appraisal provides a written interpretation of the characteristics of the Conservation Area and identifies key features, issues and opportunities for enhancement. It is considered that the document will assist residents and landowners in the preparation and development of proposals within the Conservation Area. The document will also help inform decisions over the management of the area by public bodies responsible for functions within the area.

## **4 Conclusions**

- 4.1 The consultation process has been inclusive and involved the local community in a collaborative way.
- 4.2 The majority of feedback received as a result of the consultation process has been positive and constructive and has been incorporated where appropriate into the appraisal document.

- 4.3 The Authority has a statutory duty to consider areas which are worthy of designation as conservation areas, to designate these areas as conservation areas and to publish up to date appraisals and management plans.
- 4.4 The minor financial implications of the proposed small extension to the area and that of any potential future re-appraisal work is outweighed by the statutory duty placed on the Authority to publish up to date appraisals of conservation areas.
- 4.5 Planning Committee considered a report and the associated documents at its meeting on 12 October 2018. Following detailed assessment of the public and stakeholder consultation Members considered that the area identified by the boundary map and described in the re-appraisal and management plan appended to this report is worthy of Conservation Area designation.
- 4.6 Planning Committee recommended that the proposed re-appraisal, management plan and boundary at appendix 1 and 2 below, be formally adopted by the Broads Authority for that part of the Area within the Broads boundary.

Background papers: None

Author: Ben Hogg

Date of report: 9 November 2018

Appendices: APPENDIX 1 –Somerton Conservation Area Re-Appraisal and Management Plan  
APPENDIX 2 – Map showing Conservation Area Boundary  
APPENDIX 3 – Summary of Consultation responses

### Somerton Conservation Area Appraisal

#### *Introduction*

##### *Why have Conservation Areas?*

A review of policies relating to the historic environment carried out by Historic England (then known as English Heritage) on behalf of the Secretary of States for Culture Media and Sport and the Environment Transport and the Regions was published in December 2000 under the heading 'Power of Place'.

The Report which reflected views now held generally by the population at large, confirmed 5 main messages

- i Most people place a high value on the historic environment and think it right there should be public funding to preserve it.
- ii Because people care about their environment they want to be involved in decisions affecting it.
- iii The historic environment is seen by most people as a totality. They care about the whole of their environment.
- iv Everyone has a part to play caring for the historic environment. More will be achieved if we work together.
- v Everything rests in sound knowledge and understanding and takes account of the values people place on their surroundings.

In summary we must balance the need to care for the historic environment with the need for change. We need to understand the character of places and the significance people ascribe to them.

The concept of Conservation Areas was first introduced in the Civic Amenities Act 1967, in which local planning authorities were encouraged to determine which parts of their area could be defined as "Areas of Special Architectural or Historic Interest, the character or appearance of which it is desirable to preserve or enhance".

The importance of the 1967 Act was for the first time recognition was given to the architectural or historic interest, not only of individual buildings but also to groups of buildings: the relationship of one building to another and the quality and the character of the spaces between them.

The duty of local planning authorities to designate Conservation Areas was embodied in the Town and Country Planning Act 1971, Section 277. Since then further legislation has sought to strengthen and protect these areas by reinforcing already established measures of planning control in the Planning (Listed Buildings and Conservation Areas) Act 1990, and now reflected in the National Planning Policy Framework (NPPF).

Unlike Listed Buildings, which are selected on national standards, the designation of Conservation Areas in the main is carried out at District level based upon criteria of local distinctiveness and the historic interest of an area as a whole. However, in the past, the criteria adopted by different local authorities in determining what constitutes a special area have tended to vary widely. For example, although public opinion seems to be overwhelmingly in favour of conserving and enhancing the familiar and cherished local scene, what is familiar to many, may only be cherished by some.

Over the last 30 years this approach has changed significantly. Much greater emphasis is now placed on involving the local community in evaluating 'what makes an area special', whether it should be designated and where boundaries should be drawn.

It is now recognised that the historical combination of local architectural style and the use of indigenous materials within the wider local landscape creates what has been termed 'local distinctiveness'. Distinctiveness varies within the relatively restricted confines of individual counties, which in turn are distinct in terms of the country as a whole.

Conservation Area designation for settlements and wider areas which embody this local distinctiveness may afford them protection against development which bears no relation to the locality either in terms of the buildings within it or landscape surrounding it.

The historical development of such settlements and their surrounding landscape are the 'journals' through which the social and economic development of the locality can be traced. The pattern of agricultural and industrial progress of settlements (their social history) is by definition expressed in the architecture and landscape of any area – the historic environment.

It is not intended (nor would it be desirable) to use Conservation Area designation as a way of preventing or restricting development, the expansion of a settlement or preventing contemporary innovative design. Logically in the future new development should add to, rather than detract from the character of an area and will in turn help to chart historical development. However, all development should seek to preserve and/or enhance the character and appearance of the area.

### **Aims and objectives**

Somerton Conservation Area was originally designated in 1987. This appraisal examines the historic settlement and special character of Somerton, reviews the boundaries of the Conservation Area and suggests areas for consideration.

If adopted, the appraisal will provide a sound basis for development management and encourage development initiatives which endeavour to improve and protect the Conservation Area as well as stimulating local interest and awareness of both problems and opportunities.

### **Planning policy context**

For planning related matters, the land and buildings in the western part of Somerton Conservation Area are within the Broads Authority area, and those within the remainder of the boundary, in Great Yarmouth Borough District, as indicated on the attached map.

There are a range of policies which affect Conservation Areas within both the Broads Authority and Great Yarmouth Borough Council areas, originating from both national and local sources. The latest national documents in respect of historic buildings and Conservation Areas are The Government's Statement on the Historic Environment for England 2010. The National Planning Policy Framework published in March 2012, and Planning Practice Guidance for the NPPF 2014, published by the Department for Communities and Local Government. The Broads Authority and Great Yarmouth Borough Council consider the various provisions contained in them in plan making and decision making.

Locally, in line with government policy, the Broads Authority is currently reviewing and revising local policies which will be published in the Local Plan (formerly the Local Development Framework (LDF)). The Broads Authority has an adopted Core Strategy (2007) and Development Management Policies DPD (2011) and its Sites Specifics DPD was adopted in June 2014. The Broads Authority has some saved Local Plan (2003 and 1997 respectively) Policies in place.

To support these policies, the Broads Authority provides further advice in a series of leaflets, which are currently being reviewed and expanded as part of the Local Plan process. A list of those currently available is attached in Appendix 2.

Great Yarmouth Borough Council has recently adopted a new core strategy in December 2015 and is producing their Sites Specifics DPD.

### **Preamble**

. As land within the Conservation Area is shared between The Broads Authority and Great Yarmouth Borough Council, this appraisal is being carried by the Broads Authority on behalf of both Authorities,

and in consultation with Great Yarmouth Borough Council. It considers the whole of the Somerton Conservation Area, divided into the following three character areas;

- West – The Grange and The Staithe
- Central – The Street and White House Farm
- East – Somerton and Burnley Halls

### **Summary of Special Interest**

A group of settlements with individual characters based around the staithe on the River Thurne and the two large estates of Burnley and Somerton Halls. Set in gently rolling fertile agricultural land, adjacent to the lower lying Broads marshes, the Conservation Area contains many mature trees. The use of local materials is a significant feature of the historic buildings in the settlements. The character areas are distinct. Development to the east of the conservation area sits on slightly higher ground towards Winterton and in some ways, is less typical of the character of a Broads village. The settlement to the west has many of the typical features of a Broads Village including a boat dyke, staithe and outlook to open marshes. The settlements clearly have much shared history as well as their own - the redundant Church of St Mary is a reminder of this. The grazing marsh, river, staithe and agriculture clearly shaped the settlements and this tradition continues today with locally harvested reed and sedge still being landed at the staithe for use locally as roofing material and cattle continuing to graze the marshes.

### **Location and context**

Somerton Parish comprises of two distinct settlements, east and west,, situated some 8 miles north of Great Yarmouth, 22 miles north-east of Norwich and just over 1 mile from the coast at Winterton-on-Sea.

#### *General settlement character and plan form*

In contrast to the linear pattern of developments on the coast to the east, development in the parish of Somerton is made up of groups of buildings associated with farmsteads, and in the case of the east settlement, large country houses and their estates. This pattern of land ownership is important in how the hamlets have evolved, as is the position of the parish between the Broads marshlands and the coast. They were traditionally agricultural communities based around the two large farming estates of Somerton and Burnley Halls, with the adjacent marshlands used for grazing livestock and the valley sides for general agricultural use. In the west, the proximity of the staithe on the River Thurne was important for trade and communications. Nowadays, the majority of the residents are employed away from the village, and the staithe is mainly used by visitors by boat or by road although some trades and practices continue locally.

#### *Geological background*

Many millions of years ago the area now occupied by Norfolk lay beneath the sea. Deposits laid down on the sea bed formed Cretaceous Chalk which underlies the whole of Norfolk. It is the oldest rock type to be found in East Anglia, with an approximate age of 100 million years, and because it was subjected to smoothing glacial action, it provides a much more subdued topography than in other areas of Britain. The chalk deposits were subsequently overlain in Pleistocene times by a series of sand, muds and gravels, and these shelly sand deposits are known as 'Craggs'. They bore the first brunt of the Ice Age as large glaciers moved into East Anglia from the north; the action of the ice moving over the loose deposits contorted the underlying material into complex thrust-type folds, known as 'contorted drift'. During the Ice Ages, rivers carved out wide but shallow valleys, which as they flowed down towards the lower levels, formed large loops or meanders with wide flood plains as can be seen on the River Thurne to the west of Somerton. The River Thurne once flowed out to sea along the line of the Hundred Stream between Horsey and Winterton, and the line of the old river can be seen to the north of Somerton as a wide rush filled depression, with fertile agricultural land on the very slightly higher valley sides.

### **Historical development**

The name Somerton derives from the Old English meaning 'summer enclosure', which suggests the movement of animals between winter and summer pasturage, (Winterton, being the winter pastures). The parish of Somerton has a long history and was well established at the time of the Norman Conquest, its population, land ownership and productive resources being extensively detailed in the Domesday Book of 1086. This document records that before 1066 the lands were under the jurisdiction of various individuals including Archbishop Stigand, Wymarc and Berard. It would seem at that time some of the lands were of great value, worth pounds rather than shillings.

### *Archaeology*

The Norfolk Historic Environment Service compiles records of known archaeological activity, sites, finds, cropmarks, earthworks, industrial remains, defensive structures and historic buildings in the county. These records are known as the Norfolk Historic Environment Record (NHER), and an abridged version can be accessed through the Norfolk Heritage Explorer website at [www.heritage.norfolk.gov.uk](http://www.heritage.norfolk.gov.uk).

### *Early History*

Many of the entries on the NHER for Somerton Parish are outside the Conservation Area boundary, but the earliest evidence of human activity in the Parish include archaeological finds such as a flint axe head from the Mesolithic period, a polished flint axe head from the Neolithic period and flint flakes from the Neolithic and Bronze Age periods which are commonly produced during the manufacture of flint tools. Aerial photography has identified ring ditches marking the location of prehistoric mounds or barrows in the areas around Collis Lane, Top Farm and High Barn Farm. The dating of these features is uncertain, although it is thought that they could be from the Bronze Age or even the earlier Neolithic period. The most exciting prehistoric site is at Gibbet Hill where the cropmarks of four ring ditches have been recorded. The location on a prominent, south facing spur of land indicates that this is likely to be a Bronze Age round barrow cemetery, which suggests a reasonable investment of human activity within the landscape during this period, with these different barrow clusters representing important ceremonial or funerary centres.

There is little direct evidence of settlement within Somerton Parish, during the Iron Age, although agriculture clearly took place. Cropmarks of field systems have been recorded at Blood Hills Farm and Top Farm.

The evidence for occupation in the Parish during the Roman period consists of finds of pottery sherds and coins, plus some possible Roman bricks re-used in St Mary's Church. Although no sites from the Saxon period have been identified, artefacts including pottery sherds, a French-style buckle, strap fitting and an early brooch have been found in the Parish.

### *Medieval period*

During the Medieval era there were two churches dedicated to St Mary in Somerton, both within the Conservation Area boundary. Records indicate that the eastern most one was last used in the 17<sup>th</sup> century, but it is now a ruin with only the roofless nave and tower surviving. The main fabric of Somerton Church dates from the 11<sup>th</sup> to the 14<sup>th</sup> century with an impressive round tower constructed during the 14<sup>th</sup> century. It is still in use and contains a number of important 14<sup>th</sup> century wall paintings. The church is on rising ground known as Blood Hills which is said to have been the scene of a bloody battle between the Vikings and the Saxons. In the churchyard is the grave of Robert Hales, the Norfolk Giant. He was born in the village in 1820 and one of nine children. Eventually reaching 7 ft and over 32 st, he worked in the circus world, met Queen Victoria and retired to a pub in London. As his health worsened he returned to Norfolk, where he died in 1863.

Another ecclesiastical foundation in Somerton during this period was St Leonard's Leper Hospital, now part of the garden of Hall Farm. Originally established in the late 1180s for the care of 13 lepers, by 1397 The hospital was caring for only four patients, the site was described as 'desolate' and the hospital was dissolved shortly afterwards.

Martham Broad was created by peat cutting/digging in the medieval period, parish records mention a sluice on or nearby. Parish records also indicate a gibbet on Gibbet Hill and the site of a mill at Top Farm. Amongst the artefacts for this period found through metal detecting and field walking across

the Parish include coins, buckles and pottery sherds as well as more unusual pieces such as a 14<sup>th</sup> century seal matrix featuring the pelican of piety and three of its young in their nest, a gold finger ring with a blue stone and a lead Papal bulla of Sextus IV.

### *Later history*

Many of the post-medieval records are concerned with the drainage of lands around Martham Broad. The fertile grazing marshes in the area were formed in the 18<sup>th</sup> and 19<sup>th</sup> centuries as a result of draining wet marshes, mainly fen and carr. Earthworks and cropmarks visible from aerial photographs indicate a number of ditches and drainage ditches serving drainage mills and pumping engines to help drain or irrigate the farmland. Nothing survives of the West Somerton Engine, but the brick tower of the West Somerton drainage mill stands a reminder of these activities, and a drainage mill north-east of Leath Farm is recorded on the 19<sup>th</sup> century Tithe map.

Unusually, there are two post medieval Halls in the Conservation Area at Somerton. Dating from the early 18<sup>th</sup> century Burnley Hall is a grand red brick building complete with stables, carriage house, icehouse, dovecote and a high boundary wall. Somerton Hall (sometimes referred to as just The Hall), has 16<sup>th</sup> and 18<sup>th</sup> century origins, and although much altered in the 19<sup>th</sup> century, the earlier walled gardens are still discernible and many of the associated farm buildings survive to the west of the Hall. It is clear from this that the halls must have represented elegant and significant estates, but unlike other Norfolk Halls, neither of them has a surviving associated park, although Burnley Hall is set in large grounds which may have been more extensive than they are now. Kelly's Directory of Cambridgeshire, Norfolk and Suffolk 1883 describes Burnley Hall as 'a mansion surrounded by beautiful gardens, plantations and lawn'.

In the west, Somerton is connected to the River Thurne via Martham Broad; the rivers, dykes and streams were once important arteries for the rural economy of less accessible villages. One of the most important wherry owners in Somerton were the Thain family. The 1881 census records that Dionysius Thain was living at Staithe House with his wife and eight children and was listed as a coal merchant. Three of his sons and their lodger were listed as wherryman. The Thains owned several trading wherries, amongst which was the Lord Roberts which was built at Somerton around 1899, by Ben Benns from Great Yarmouth, a journeyman builder who travelled to wherever he was needed to build boats. The Thain family were the last owners of the Lord Roberts which was in use on the Broads until the late 1960s; descendants still live in the village.

During the 19<sup>th</sup> century as rail and road transport became viable options for the movement of goods, the wherry trade declined and the lesser waterways in the upper reaches of the Norfolk and Suffolk Broads became neglected. Nowadays it is only smaller pleasure craft that can access villages such as Somerton. However, the cottages around the staithe have changed little in the last hundred years as can be seen from early 20<sup>th</sup> century photographs.

The most recent archaeological sites relate to activity during World War Two, due the position of the village near the coast. The sites of two pill boxes, a searchlight battery and a number of bomb craters have been identified as well as the crash site of a Wellington Bomber south of High Barn Farm.

East and West Somerton were merged to become Somerton in 1935.

## **Spatial and character analysis**

### *Landscape character*

The settlements at Somerton are situated in an area of great landscape and wildlife importance in the Upper Thurne part of the Broads river system. The western part of Somerton is at the head of navigation of the River Thurne, located on slightly raised ground at the edge of a large expanse of Broads marshland which stretches towards Martham Broad, Horsey Mere and the coastal dunes, with higher land to the south.

Deep, well drained coarse loamy soils, associated with the glaciofluvial and drift deposits have formed fertile, gently undulating land, predominately under grazing or arable cultivation. The field pattern in the area is geometric, of medium to large size, with fields defined by intermittent Enclosure hedgerows of variable density and quality. This area appears as more 'managed' than the



surrounding landscape with neatly trimmed hedges on many of the minor roads. Locally distinctive features are the dense woodland belts, wooded coverts and former decoy ponds to the north of and associated with the parkland of Burnley Hall, and the thickly wooded area around The Grange in the west. The road pattern is generally sinuous, with pronounced twists and turns following field boundaries, indicating the earlier land ownership.

#### *West - the Grange and the Staithe*

Development in this area is at the lower level towards the area of the former estuary of the River Thurne, and there are views into this part of the Conservation Area from Martham Road (outside the boundary) on the higher ground of the valley sides, across to The Grange woodland, which stands out as a feature within a landscape of largely open arable fields, as well as to the western part of the Conservation Area around the staithe. Sandy Lane slopes down to The Grange and views from here, Cottage Road and the eastern section of Horsey Road are long ranging with remnants of field boundary hedges and trees framing the skyline.

Views to and from the north eastern area around The Grange and around the staithe are across low lying open farmland punctuated by intermittent trees and hedges along the lines of drainage ditches, with the coverts of Burnley Hall visible on the skyline to the west. The settlement boundaries are distinctly contained by minor roads and field boundaries in this area. From certain positions, the Somerton wind turbines to the west and the West Somerton drainage mill to the north are prominent features on the skyline.

The Grange is in the western most part of the Conservation Area. A group of three buildings are shown here on 19<sup>th</sup> century maps and although the current house dates from the 20<sup>th</sup> century, some of the outbuildings may be of an earlier date. The house is hidden in a thickly wooded area on an otherwise generally open landscape and is bounded by Sandy Lane, Cottage Road and part of Common Road, the north and north east boundaries abutting grazing marshland. Slightly more visible from Sandy Lane, nearby Heronfield is an early 19<sup>th</sup> century, Grade II listed house constructed of local red brick with a black glazed pantile roof. The remainder of the development here consists of a number of traditional cottages, dating from at least the 18<sup>th</sup> and 19<sup>th</sup> centuries, on the edge of the woodland along Sandy Lane. The colour washed render and thatched roofs of Holly Cottage, West View Cottage and Rectory Cottage all contribute to the character of the Conservation Area. Trees in the wooded area of The Grange are protected by Tree Preservation Orders. The overall character of this area is of a group of traditional buildings nestling in the protection of a substantial group of tree planting against the elements of the surrounding open countryside.

At the end of Sandy Lane, to the north west of the Grange, Staithe Farm consists of a farmhouse and large barn, the latter recently converted to a house. Both are constructed of local red brick and red clay pantiles and appear to date from the late 18<sup>th</sup> or early 19<sup>th</sup> century. A similar group of buildings is shown on 19<sup>th</sup> century maps on this site. *It is proposed to extend the Conservation Area boundary here to include the buildings and their immediate environment as part of the historic settlement.* The open nature of the landscape permits long views across the grazing marshes to West Somerton drainage mill.

To the south-west of the Grange at the junction with Cottage Road, Grange Cottage, a single storey building on with, dates from the late 19<sup>th</sup> century, although much extended earlier this century. It is likely that it was associated with the former Grange. Opposite the junction of Cottage Road with Common Road, the village hall a small pitched roof building clad in green painted corrugated sheeting makes an unusual contribution to the area albeit that it is outside the Conservation Area boundary. The Conservation Area boundary runs along Cottage Road where at the eastern end at the junction with Common Road, East View, an early 20<sup>th</sup> century brick and rendered house adds to the character of the area.

The Grange section of the Conservation Area is connected to that around the staithe via Common Road and Horsey Road. Development on this section of Common Road is a mixture of 19<sup>th</sup> and 20<sup>th</sup> century houses and bungalows, the majority of which do not make any significant special contribution to the character of the Conservation Area. Sparrow House to the south of the road is traditionally built of colour washed render with deep-set dormers in a catslide thatched roof. Its scale and form

contribute to the character of the area the 20th century replacement windows and front door are not of traditional detail.

On the opposite side of the road, facing open farmland, Stanley Cottage has 19<sup>th</sup> century origins but has been much extended whilst First Cottage has retained its traditional character being built of colour washed render with a pantile roof. The low sweeping pantile roof and flint and brick boundary wall beside First Cottage are attractive features at the junction of Common Road with Horsey Road.

At the eastern most edge of this part of the Conservation Area, Ivy House faces the corner in a prominent position. A 19th century house of local red brick, there are several thatched, possibly earlier outbuildings in the grounds including an unusual curved roof single storey building on the footpath to the east of the house. All make positive contributions to the Conservation Area. Another barn and single storey outbuildings (all thatched) are in the curtilage of the neighbouring Home Farm House, although little remains of the earlier building which has been substantially altered and extended during the last century.

The majority of the houses on the remainder of the east side of Horsey Road are 20<sup>th</sup> century, and whilst attractive, mainly behind tall hedges, do not make any significant special historical contribution to the character of the Conservation Area. The exception is the last house, Deepwell Cottage, a storey and half cottage of traditional design built gable end to the road of local red brick and pantiles which has been sympathetically extended around a courtyard. The unusual brick and pebble boundary wall makes an attractive addition to the street scene.

The traditional pattern of development is more discernible on the west side of Horsey Road; The Old Post Office Cottage although considerably extended in the 20<sup>th</sup> century retains its traditional scale and form and uses the local materials of beech pebbles and red brick in the gable facing the road. The neighbouring terrace of three cottages may have 19<sup>th</sup> century origins. At the entrance to the staithe the low sweeping roof above a flint and brick wall of Tudor Cottage are distinctive features.

The staithe is visually the centrepiece of the Conservation Area. A distinctive Broads village scene with cottages grouped around two sides of a grassed area, opposite the staithe boat dyke. The cottages here are small scale, two storeys of colour washed render with thatch and red or black pantiles. Low timber bollards provide an effective and visually low key means of limiting parking to a small shingled area and this and the timber seats are appropriate for the setting of the staithe. Small boats moored by the timber quay heading, Reeds and rushes on the banks and long open views across marshland northwards to the West Somerton drainage mill are archetypal images of this part of the Broads. Horsey Road winds gently northwards between pollarded willows towards a thickly wooded horizon. This area has a very natural feel, with the only discordant element the electricity wires carried on a line of timber poles to the north-west, although even these have play a part in the local scene as they serve the pumps to drain the marshes.

A footpath on the opposite side of the waterway to the cottages heads along the river bank past the listed West Somerton drainage mill which is outside the Conservation Area.

The existing Conservation Area boundary includes the farmhouse at Staithe House Farm, which sits in a prominent position at the head of the waterway, but excludes the farmyard area behind. Part of Staithe Road is already in the Conservation Area although the buildings here are generally of little historic interest.

#### *West – The Street*

The settlement at The Street is some distance from Horsey Road. The narrow lane approach is unusually straight for the area and flanked by neatly cut hedges, which restrict views across the adjacent countryside, although the tower of St Mary's Church, the wind turbines and the wooded areas around Burnley Hall can be seen to the south and east. Once again the boundaries of development are noticeably defined on either side of The Street and the geometric pattern of its pantile roofs can be discerned from Horsey Road on slightly higher ground.

In contrast to development around the staithe, houses and cottages at The Street are generally tightly sited either side of the lane. With no footpaths and a number of the buildings built on the edge of the road The Street has a very self-contained appearance. This characteristic is reinforced as it is not a

'through road' for general traffic and has a quiet and peaceful nature. There is a mixture of building orientation with some gable end to the road, others with their roofs running parallel to it. There has been little 20<sup>th</sup> century development here and the majority of the houses and cottages date from the late 18<sup>th</sup> or early 19<sup>th</sup> century settlement. The pallet of building materials is more coherent here than at the Staithe area, including local red brick, beech pebbles, colour washed render, pantiles and thatch all of which add to the quality of the Conservation Area. Notable buildings include on the west side, White House Farm, and the barns to the west (now houses), Farriers, Thatched Cottage, The Two on the east side - The Gables, and Starlings Cottages (1 – 4).

#### *East – the Halls area*

The eastern part of the Conservation Area is centred on Burnley and Somerton Halls, built on the slightly elevated land above the former river valley floor.

The approach from the west is via Winterton Road which curves gently towards the Halls through open farmland with intermittent hedges, views of the wind turbines on the horizon to the south. The tower of St Mary's church heralds the settlement around the two Halls, but other views into the area are restrained by high walls, trees and extensive woodland.

Church Road flanked by neatly cut hedges, rises up to the church and the buildings around Somerton Hall. St Mary's Church is on the edge of the settlement and approached from Church Road through a 20<sup>th</sup> century lych-gate. The church, which has been comprehensively repaired in recent years, winning a heritage Angel Award from Historic England (then known as English Heritage) in 2012, is listed, Grade II\* and surrounded by a well kept churchyard. Although the buildings of Somerton Hall and the associated farm can be seen from the church approach, the Hall itself has little direct impact on the visual character of the Conservation Area, due to its position away from public roads. However, the site and its surroundings have a long and complex history and is important in the development of village. The location of a Leper Hospital founded in the 12<sup>th</sup> century (although no remains are now visible) and of a grand house from the 16<sup>th</sup> century, the existing Hall is thought to contain remnants of this and another in the 18<sup>th</sup> century, but was considerably altered and extended during the 19<sup>th</sup> century. Kelly's Directory of Cambridgeshire, Norfolk and Suffolk 1883 records that 'The Hall' is situated on an eminence, and commands views of the German Ocean both to the north and east, and is the old manor house of Somerton-cum-Butley'. Extensive farm buildings built of local red brick generally pre-date the external envelope of the Hall and provide evidence of its historic status. Built on ground rising up towards the church, there are several garden areas retained by substantial red brick walls, some of them elegantly curved. Hall Farmhouse and Hall Farm Cottages are also of interest, the latter adjacent to the churchyard making a positive visual contribution to the Conservation Area.

The main impact of the Somerton Hall estate from public roads is a surprising one after the surrounding gentle open countryside - a tall red brick wall set back behind a grassed area on the corner of Winterton Road and Dark Lane with a low 19<sup>th</sup> century gatehouse built in a subdued 'cottage orne' style, nestling below it in an almost subservient fashion. The roofs of the Hall can only just be seen over the wall through trees within the grounds. This is a prominent 'set piece' in this part of the Conservation Area.

At the corner of the wall to Somerton Hall, Winterton Road divides with Dark Lane running south beneath large trees between the two Halls to continue on out of the Conservation Area towards Winterton-on-Sea and Back Road east behind Burnley Hall. The entrance to Burnley Hall here is very much lower key than that to Somerton Hall. A white picket gateway leads from Winterton Road to the drive to Burnley Hall which is hidden behind mature trees. This and West Lodge, a 19<sup>th</sup> century thatched red brick 'gatehouse' beside the gateway are the only hints of the grand house behind. A similar house, East Lodge, is at the opposite end of the drive on Manor Farm Road.

Although Back Road is a public road, there is a definite sense of being in a private part of the estate. Another impressive red brick wall shields Burnley Hall from sight, allowing only intermittent views of the back of the house, outbuildings and the working farmyard area. The principle facades of Burnley Hall face west and south overlooking a low key landscape of rolling lawns shielded from public view by hedges and mature trees. However from Back Road, the tall chimneys and complex roofs of the rear of the hall together with high brick walls and lower flint and brick walls and the historic farm buildings, do more than hint at the status of the estate. Constructed in the early 18<sup>th</sup> century the

house was built with what were all the modern conveniences of the time – walled gardens, stables, carriage house, an icehouse and dovecote all partially enclosed by a high boundary wall.

Back Lane curves gently past open farmland to the north with wooded covert areas noticeable on the skyline, and then between trees, with the ruins of St Mary's Church to the south almost hidden in dense woodland. This is a very dramatic place – the tower and tall flint walls of the roofless nave of the former church clothed in ivy and window-less arches providing views through the woodland to the sky beyond.

The existing Conservation Area boundary runs along the edge of the wooded area around Burnley Hall including the East Lodge previously mentioned. To the east, Manor Farm is a group of buildings constructed in the 19<sup>th</sup> century and earlier comprising of a farmhouse, barns and farm buildings, all now sympathetically converted to residential.

*It is proposed to extend the boundary of the Conservation Area to include the buildings at Manor Farm as being part of the historic development of the village.*

#### *Architectural styles and materials.*

Six buildings within the Conservation Area boundary are included in the Secretary of State's List of Buildings of Special Architectural or Historic Interest. These are listed in Appendix 1. There are also a number of buildings which are considered to make a positive contribution to the character of the Conservation Area and these are noted in Appendices 3 and 4.

Although there is no prevalent architectural style, as would be found for example in planned suburban areas, there are unifying factors of the scale of the buildings and the use of materials. Aside from the two Halls, the traditional buildings are generally of a small domestic scale, two storeys with steeply pitched roofs although one and half storeys, where the upper floor is lit by dormers set into the roof are also found. Some buildings have low sweeping roofs such as that at Tudor Cottage. Colour washed render and red brick are most the commonly used wall materials with, for roofs, red or black pantiles, but there are still a pleasing number of buildings traditionally thatched in reed, often with sedge ridges. All of these materials would historically have been readily available in the local area, and some still are; render, bricks and pantiles using local clay, reed and sedge from the marshes and pebbles (rather than knapped field flints) from the nearby coastal fringes. Later buildings have not always used this more traditional palette as more non local materials became more freely available from the late C19.

#### *Ground surface materials and the public realm.*

It is notable that there are neither formal pavements beside the roads nor any street lighting in the villages, the lack of which emphasises the informal rural character of the area. Many of the buildings are constructed on the edge of the road and where this is not the case, the roads are fringed with only narrow grass verges. Any proposals to diminish this character by introducing lighting, kerbs, footpaths and modern materials should be carefully considered. Public road finishes are generally tarmac, the parking area at the staithe is hoggins and this informal material reinforces the rural character of the area as do the low timber posts and timber seats. In the main, the forecourts to buildings are sympathetic to the character of the location, bound gravel or shingle being the most commonly used finish, which is in keeping with the rural location.

#### *Trees, hedges and boundary treatments.*

There are significant areas of mature trees in the Conservation Area, notably around The Grange and Burnley Hall and in the grounds of Somerton Hall, the majority of which are protected by Tree Preservation Orders. Much of the surrounding countryside is open fields, but hedges are an important feature in the approaches to the Conservation Area, for example on The Street and Church Road. Within the Conservation Area, gardens are bounded by hedges or low brick or brick and flint walls, which are a feature of the area. These are considered as positive contributors to character reinforcing the rural character of the streetscape, where some more modern materials may not.

## Issues, pressure and opportunities for improvements.

Generally the buildings and gardens in the Conservation Area are well maintained and there do not appear to be any structures that would qualify to be on the Buildings at Risk Register.

However, the special character of Conservation Areas can easily be eroded by seemingly minor, and well intentioned, home improvements such as the insertion of replacement windows and doors with ones of an inappropriate design or material, (for example hinged opening lights in lieu of sash windows and UPVC instead of painted timber). This can be a particular issue with unlisted buildings that positively contribute to the character of the Conservation Area. In line with current legislation, all complete window replacements are required to achieve minimum insulation values, but recognising the affect that inappropriate replacements can have, Local Authorities can relax that requirement when considering the restoration or conversion of certain buildings within Conservation Areas, and when considering replacement advice should be sought from the Local Authority at an early stage.

Other pressures on the character of the Conservation Area are the unsympathetic addition of extensions, stand-alone structures such as garages and the over development of the sites on which the original buildings stand. Proposals for extending or altering existing properties should be carried out with due regard to the effect on the character of the area.

The village is a popular place and pressure for new development is inevitable. Approval was given some years ago for redevelopment at Staithe House Farm beside the river, but that has not yet come to fruition. Further new residential development could be acceptable in the Conservation Area if achievable without upsetting the delicate balance of its character and if appropriate in policy terms. The approaches to the village are so important that development outside the village envelope should be resisted.

### *Recommendations for suggested improvements.*

*The settlements are well maintained and no obvious areas for improvement were identified at the time of the survey. The informal character of a rural area can easily be eroded by the introduction of more urban elements.* **The Conservation Area boundary and suggested amendments.**

The boundaries to the Conservation Area are as illustrated on the accompanying map. It is suggested that the following amendments to the Conservation Area boundary could be considered;

<b>West (Broads Authority Executive area)</b>		
Staithe Farm, Sandy Lane	Extension of boundary to include Staithe Farmhouse and Staithe Farm Barn	To include this part of the historic settlement
<b>East (GYBC)</b>		
Manor Farm Road	Extension of boundary to include Manor Farmhouse and barns	To include this part of the historic settlement

### **Public consultation.**

Consultation with interested parties and organisations was carried out in accordance with the Broads Authority 'Statement of Community Involvement'. A joint consultation exercise was undertaken with Great Yarmouth Borough Council as the proposed Conservation Area boundaries include land in both planning authority areas as defined on the maps included in the character appraisal. A letter and leaflet were delivered to all residents living within the Conservation Area boundary, and copies of the appraisal documents were made available both online and in hard copy format in the Broads Authority offices and through the Parish Council. The leaflet included a comments section and consultees were also able to comment by letter or Email. The consultation included an open morning in the village, where consultees could comment directly to Officers.

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## Appendix 1

### **Listed structures in the Conservation Area (grade II unless otherwise indicated)**

Heronfield, Sandy Lane,

Church of St Mary (II\*)

Ruins of the Church of St Mary

Burnley Hall (II\*)

Stables at Burnley Hall

Garden Walls at Burnley Hall including Icehouse

## **Appendix 2**

### *Broads Authority Guidance leaflets*

- Keeping the Broads Special
- Do I need Planning Permission?
- How do I apply for Planning Permission?
- Building at the Waterside – A guide to design of waterside buildings in the Broads Authority area
- Environment and Landscape – How do I plan and manage trees and scrub alongside rivers?
- Development and Flood Risk in the Broads
- Riverbank Protection Works – A guide for riparian landowners
- Sustainability Guide – Sustainable development in the Broads

## **Appendix 3**

### ***Unlisted buildings that make a positive contribution to the character of the Conservation Area (within the Broads Authority Executive Area)***

Whilst the following buildings, boundary walls and structures within the present Conservation Area and the proposed extensions to it do not merit full statutory protection, they are considered to be of local architectural or historic interest, and every effort should be made to maintain their contribution to the character of the Conservation Area.

#### **West (BA Exec)**

##### **Sandy Lane**

Holly Cottage

West View Cottage

Rectory Cottage, former barn and curved boundary wall

Staithe Farmhouse

Staithe Farm Barn

##### **Cottage Road**

Grange Cottage

##### **Common Road**

East View

Sparrow House

First Cottage

### **Horsey Road**

Ivy House and outbuildings

Barn and outbuildings to Home Farm House

Deepwell Cottage and outbuildings

Tudor Cottage

### **The Staithe**

Rivers End

Staithe Cottage

Free Staithe Cottage

Staithe House Farmhouse

Wherries End

## ***Appendix 4***

### ***Buildings that contribute to the character of the Conservation Area (GYBC)***

#### **West**

##### **The Street (west side)**

White House Farm, outbuildings and garden wall

Former barns and outbuildings to the west of White House Farm

Farriers

Thatched Cottage

The Two Cottages

East Side

The Gables,

Starlings Cottages (1 – 4) and outbuildings

#### **East**

West Lodge

East Lodge

Manor Farmhouse

Former barns and outbuildings to the west, north and east of Manor Farmhouse

Somerton Hall

The Lodge

Barns and outbuildings at Somerton Hall

Garden and boundary walls at Somerton Hall

Hall Farmhouse

Hall Farm Cottages

## **Appendix 5**

### **Contact details and further information**

The Broads Authority

Yare House

62 – 64 Thorpe Road

Norwich

NR1 1RY

Tel: 01603 610734

Website: [www.broads-authority.gov.uk](http://www.broads-authority.gov.uk)

Great Yarmouth Borough Council

Town Hall

Hall Plain

Great Yarmouth

NR30 2QF

Tel: 01493 856100

Website: [www.great-yarmouth.gov.uk](http://www.great-yarmouth.gov.uk)

Norfolk Historic Environment Service

Union House

Gressenhall

Dereham

Norfolk NR20 4DR

Tel: 01362 869280

Website: [www.heritage.norfolk.gov.uk](http://www.heritage.norfolk.gov.uk)

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### **Sources and references**

*Whites Directory 1874 & 1845*

*Kelly's Directory of Cambridgeshire, Norfolk and Suffolk 1883*

*Historic England: Guidance on Conservation Area appraisals, 2006*

*Historic England: Guidance on the management of Conservation Areas, 2006*

*Understanding Place: Conservation Area designation, appraisal and management. Historic England 2010*

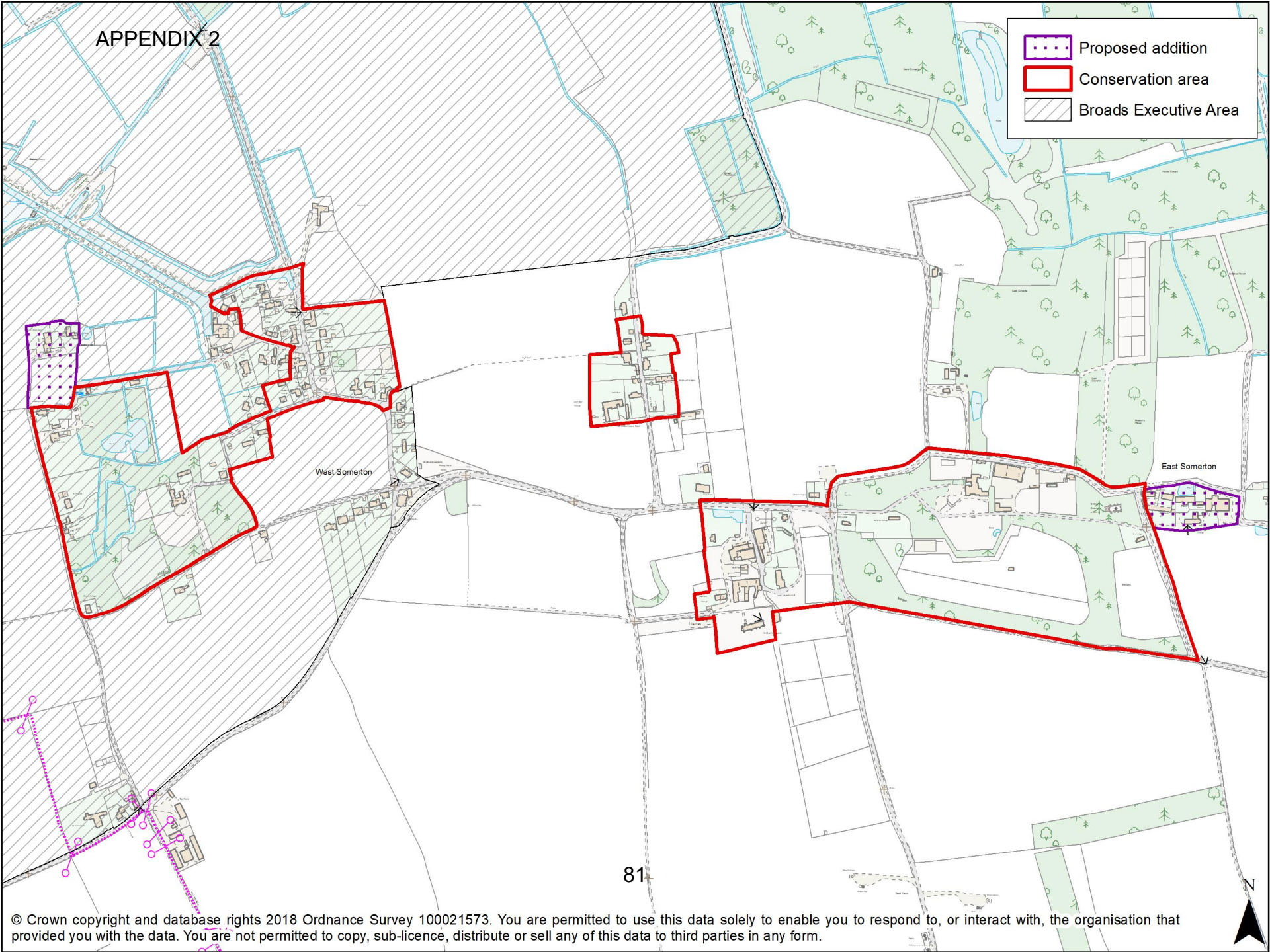
*The Buildings of England, Norfolk 1: Norwich and North-East, Nikolaus Pevsner*

*The Norfolk Broads, A Landscape History, Tom Williamson*

*Landscape Character Assessment, Great Yarmouth Borough Council, 2008*

*Broads Landscape Character Assessment, 2006*





## Somerton Conservation Area Appraisal

### Consultation responses.

The appraisal was prepared in consultation with Great Yarmouth Borough Council as part of the conservation area is within their boundary.

A public consultation morning was held between 10.00 am and 1.30 pm on Saturday 7th October 2017 at Somerton Village Hall. This was attended by officers from the Broads Authority Planning Team and by approximately 26 local residents to ask questions, propose or suggest minor amendments to the appraisal or boundary, and raise issues of concern.

From	Comment	Positive	Neutral	Negative	BA response
A resident	<ul style="list-style-type: none"> <li>- Map shows ponds which no longer exist</li> <li>- East &amp; West Somerton merged to Somerton 1935</li> <li>- Extension to boundary to East at Bloodhills Farm</li> <li>- Include Honey Pot &amp; Keepers Cottage</li> </ul>		<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> <li>•</li> </ul>		<ul style="list-style-type: none"> <li>- Amend map</li> <li>- Amend text</li> <li>- Agreed appropriate to consider this at next re-appraisal</li> <li>- Boundary amendment considered inappropriate at this time due to location outside main settlement.</li> </ul>
Somerton Parish Council	<p>Four comments have been received directly from parishioners/property owners:</p> <ul style="list-style-type: none"> <li>- The Street – 4 residents contacted the Chairman to inform they do not want any involvement with the BA in their area</li> <li>- Manor Farm – they have no objections (only 1 response informing ‘no objections’)</li> <li>- Staithe Farm, Sandy Lane – no objections from the owner</li> <li>- Staithe House Farm, Staithe Road– Email from the family stating – they strongly disagree and object to the proposed changes being put forward:</li> </ul> <p>The boundary should be left as it is.</p> <p>Part of the area is on their land, the farmyard has no special architectural or historical importance.</p>	<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>		<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>- Comment noted – the BA isn’t involved in the GYBC area this won’t change.</li> <li>- Comment noted.</li> <li>- Comment noted.</li> <li>- Comment noted. We consider Staithe Farm house to be a central feature at the head of the Staithe / River. The house, although altered, does make a positive contribution to the area and the farmstead represents a part of the historic development of the settlement.</li> </ul>

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From	Comment	Positive	Neutral	Negative	BA response
	There were also similar objections to having Broads Authority involvement from adjacent property owners.				
A resident	- Object to proposed boundary changes particularly inclusion of Staithe House Farm, as of no 'special architectural or historic interest'.			•	- See above - Retain in CA boundary as part of historic development of settlement
A resident	- Congratulate BA on thorough appraisal & agree with all three extensions - Include mention of flint, thatched barn in Staithe House farmyard - Include 4 houses on east side of Horsey Road - Omit reference to 'outbuildings' at Tudor Cottage	•	• • •		- Noted. - No change to text as no thatched barn exists at Staithe House Farm & brick barns considerably altered in recent years - Boundary amendment considered inappropriate judged against Historic England criteria. - Amend text
Anonymous	- Somerton should be left as it is without any changes - Various comments on the Broads Authority not related to the CAA		•	•	- Comment noted - Comments noted
A resident	- Extend boundary to include LA housing to east of Horsey Road including old school - Extend boundary to north of Burnley Hall to include Keepers Cottage & Honey Pot Cottage - Is the inclusion of Manor Farm relevant considering recent development nearby? - Comments relating to recent changes in area		• •	• •	- Boundary amendment considered inappropriate judged against Historic England criteria. - Boundary amendment considered inappropriate at this time due to location outside main settlement. - Retain Manor Farm area as proposed as part of the historic development of the settlement - Comments noted
A resident	- Exclude two buildings furthest east at East Somerton			•	- The converted barns. We consider that these contribute to the character of the area and chart the historical development of the

## APPENDIX 3

From	Comment	Positive	Neutral	Negative	BA response
	<ul style="list-style-type: none"> <li>- Extend boundary to north of Burnley Hall to include Keepers Cottage &amp; Honey Pot Cottage</li> <li>- Include Knight's Farm</li> <li>- Include Chapel Field &amp; Horsey Road</li> <li>- Include Village Hall</li> <li>- Include Lion PH, remains of brick kiln &amp; remains of WWII pill boxes</li> <li>- Move West Somerton boundary northwards to include green lane and old common</li> <li>- Include open space at end of Common Road (former Common?)</li> <li>- Comments relating to traffic issues &amp; footpaths</li> </ul>		<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> <li>•</li> <li>•</li> <li>•</li> <li>•</li> <li>•</li> </ul>		<p>settlement. Will confirm these are the buildings referred to.</p> <ul style="list-style-type: none"> <li>- Boundary amendment considered inappropriate at this time due to location outside main settlement.</li> <li>- Boundary amendment considered inappropriate judged against Historic England criteria.</li> <li>- Boundary amendment considered inappropriate judged against Historic England criteria.</li> <li>- Boundary amendment considered inappropriate judged against Historic England criteria.</li> <li>- Boundary amendment considered inappropriate judged against Historic England criteria.</li> <li>- Boundary amendment considered inappropriate judged against Historic England criteria.</li> <li>- Boundary amendment considered inappropriate judged against Historic England criteria.</li> <li>- BA to liaise with Highway Authority</li> </ul>
A resident	<ul style="list-style-type: none"> <li>- Consider extending boundary to include New Road (track) and any adjacent property, fields and landscape</li> <li>- Exclude 1 &amp; 2 Hales Cottages, Staithe Rd as of insufficient historic interest</li> </ul>		<ul style="list-style-type: none"> <li>•</li> <li>•</li> </ul>		<ul style="list-style-type: none"> <li>- Inappropriate to include large areas of landscape as CA designation largely concerned with historic settlements</li> <li>- Retain in Conservation Area. Whilst constructed in the 20<sup>th</sup> century, 1 &amp; 2 Hales Cottages are already in the Conservation Area and in the heart of the village. Consider boundary amendment not justified.</li> </ul>

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From	Comment	Positive	Neutral	Negative	BA response
	<ul style="list-style-type: none"> <li>- Consider including The Village Hall, Primary House (formerly the School), Chapel Field (site of village chapel) and the Lion PH.</li> <li>- Comments regarding traffic and parking issues</li> </ul>		•	•	<ul style="list-style-type: none"> <li>- Boundary amendment considered inappropriate judged against Historic England criteria.</li> <li>- BA to liaise with Highway Authority</li> </ul>
A resident	<ul style="list-style-type: none"> <li>- 'Outbuildings' at Rectory Cottage are barns to former Heronfield farmyard</li> <li>- Extension to boundary to include Staithe Farm welcomed</li> </ul>	•	•		<ul style="list-style-type: none"> <li>- Amend text</li> <li>- Comment noted</li> </ul>
A resident	<ul style="list-style-type: none"> <li>- Fully support proposals - well presented document</li> </ul>	•			<ul style="list-style-type: none"> <li>- Comment noted</li> </ul>
A resident	<ul style="list-style-type: none"> <li>- Fully support proposal – the more protection the better</li> </ul>	•			<ul style="list-style-type: none"> <li>- Comment noted</li> </ul>
Verbal comments received on day - 26 Attendees	<ul style="list-style-type: none"> <li>- All positive or Neutral</li> </ul>	•	•		<ul style="list-style-type: none"> <li>- Comments noted</li> </ul>

From the statutory/amenity bodies consulted, responses were received as follows:

Organisation	Comment				BA response
Great Yarmouth BC	<ul style="list-style-type: none"> <li>- We have been through the document and are happy with the proposed extension as well as the wording regarding GYBC.</li> </ul>	•			<ul style="list-style-type: none"> <li>- Comment noted</li> </ul>
Historic England	<ul style="list-style-type: none"> <li>- We welcome this useful and concise document</li> <li>- Various suggested text changes</li> <li>- Suggest using photographs and maps in published document</li> <li>- Consider inclusion of buildings on local list</li> </ul>	•	•		<ul style="list-style-type: none"> <li>- Comment noted</li> <li>- General Comments noted and text will be amended accordingly.</li> <li>- Comment noted</li> <li>- Buildings of Local interest may be considered for inclusion on the Local list at</li> </ul>

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Organisation	Comment				BA response
	<ul style="list-style-type: none"> <li>- Consider the use of Article 4 directions</li> <li>- Suggest identifying management proposals separately</li> <li>- Carefully consider areas of extension</li> <li>- Suggest Include Glossary of terms</li> <li>- Suggest referencing HE advice notes</li> </ul>		<ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> <li>•</li> <li>•</li> </ul>		<p>the next review.</p> <ul style="list-style-type: none"> <li>- Article 4 directions are not being considered for Somerton at this time.</li> <li>- Comment noted</li> <li>- Comment noted – see responses against individual suggested boundary amendments</li> <li>- Comment noted</li> <li>- Comment noted</li> </ul>
Broads Society	- No comment received				
Norfolk County Council, Historic Environment Service	- Various comments relating to background information		•		- Amend text
Anglian Water	- No comments		•		

### Further comments received as at September 2018

From	Comment	Positive	Neutral	Negative	BA response
Parish Council meeting 1 May 2018	<p>The Somerton Conservation Area review was considered by Parish Councillors at their meeting held on the 1<sup>st</sup> May 2018.</p> <p>Somerton Parish Council would like to make the following comments which we trust will be forwarded to the Members of the Authority's Planning Committee for consideration</p> <ol style="list-style-type: none"> <li>1. Staithe House Farm yard &amp; adjoining properties on the NE side of Staithe Road (Second Cottage, Grebe Cottage &amp; Sunways);</li> </ol> <p>There is very strong opposition from the owners</p>			<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>- Staithe house is already within the conservation area boundary. While the extension proposed will contain the modern agricultural buildings, the farmstead does form part of the settlement historically and</li> </ul>

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From	Comment	Positive	Neutral	Negative	BA response
	<p>of the farm yard and the property Sunways to the proposals to include these sites in to the Conservation Area. The Parish Council considers that the proposals are in effect seeking to conserve modern asbestos roof agricultural buildings that have no historical or architectural interest or significance. It is what buildings are there now which merits the justification for conservation area status and these buildings do not contribute in any way to the conservation area character. It may be a key location from the Broads Authority point of view but we feel, at this particular time, there is no justification for conserving these modern buildings. The same reasons apply to the property Sunways.</p> <p>Perhaps changes may come to the site in the future and another review may well be justified but, at this particular moment in time, we ask that this area be left as it is i.e. outside the conservation area.</p>				<p>occupies an important position at the head of the dyke. We remain of the opinion that inclusion is therefore justified. The property Sunways occupies a less important position and is of limited historic or architectural interest, and it is therefore not proposed to recommend the inclusion of this property at this time.</p>
	<p>2. Sandy Lane: The owner of the property indicated at the consultation meeting in the village hall that he was happy with the proposal to include his property in the Conservation Area. The Parish Council therefore supports this.</p>	•			<p>- The Parish Council's support for this is noted</p>
	<p>3. Village Hall: The Parish Council supports the unanimous view of the Village Hall Committee not to include the hall in the Conservation Area.</p>			•	<p>- The Parish Council's support for the Village Hall Committee's recommendation is noted. The Hall is of some historic but of limited architectural interest, so it is not proposed to recommend that the Hall is included at this time</p>
	<p>4. The Parish Council strongly objects to the Broads Authority making any decision regarding properties outside the Broads Authority Executive area and we request that these decisions are left to the Planning Department responsible for the area, Great Yarmouth Borough Council (GYBC).</p>			•	<p>- The Parish Council's objection is noted. The Broads Authority has worked closely with GYBC in the production and the content of the appraisal. The Broads Authority cannot and would not make any decision regarding the adoption of an</p>

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From	Comment	Positive	Neutral	Negative	BA response
	<p>Could you please confirm as to whether the Broads Authority will be informing GYBC of this matter and our request.</p> <p>Could we also point out that it was the Parish Council who first suggested conservation areas should be designated in Somerton. We worked with the Borough Council and we feel we have areas designated which have local support. Unfortunately, some of the Authority's suggestions have strong opposition and we feel that unless the proposals have both owners and locals support, there would be little purpose in having a conservation area in the first place.</p>		•		appraisal outside its Executive Area, which in this case must be done by GYBC.
Village Hall Committee	- Agreed unanimously that they did not want the Village Hall to be included in the conservation area			•	- Noted and text amended
A resident	- Staithe House Farm Yard, West Somerton. Please note our very strong objections to your plans to put the farm yard agricultural building into the conservation area. The buildings have no historical or architectural interest and we do not accept the Broads Authority reason that the buildings should be included based on location.			•	<p>- The owner's strong objection is noted.</p> <p>Staithe house is already within the conservation area boundary. While the extension proposed will contain the modern agricultural buildings, the farmstead does form part of the settlement historically and occupies an important position at the head of the dyke. We remain of the opinion that inclusion is therefore justified. The property Sunways occupies a less important position and is of limited historic or architectural interest, and it is therefore not proposed to recommend the inclusion of this property at this time.</p>



**Broads Local Plan – update and next stages**

Report by Planning Policy Officer

<b>Summary:</b>	It is anticipated that the next instructions from the Inspector could be received early December and could trigger a public consultation on the proposed Modifications to the Local Plan that have come about as a result of the examination process. The purpose of this report is to seek the Authority's support on how to handle that process to avoid a 10/12 week delay to the process.
<b>Recommendation:</b>	In the interest of expediency it is recommended that Members delegate to the Chief Executive after consultation with the Chair of the Broads Authority and the Chair of the Planning Committee the decision to authorise the consultation on modifications to the Local Plan on receipt of instructions from the Inspector.

**1 Background**

- 1.1 The Local Plan for the Broads is currently under examination by the Planning Inspector
- 1.2 Following submission of the Local Plan to the Planning Inspectorate in March, the Inspector issued a series of questions which interested parties and the Broads Authority were required to answer. These are known as Matters, Issues and Questions.
- 1.3 The Examination in the form of Hearings in Public was then held in July and September.
- 1.4 Following the Hearings in Public, the Inspector requested that the Authority undertake various tasks to elaborate on or provide justification for various policy approaches. At the time of writing this report, the final actions given to the Authority by the Planning Inspector were being completed.
- 1.5 More information can be found on the examination webpage:  
<http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/examination-of-the-local-plan-for-the-broads-2018>
- 1.6 Following the completion of these tasks/actions (likely to be by the end of November) the Inspector will write to the Authority to set out her comments on the Local Plan and to recommend the changes which need to be made. These are known as the Main Modifications.

## **2 Next steps**

- 2.1 The Authority is required to undertake a consultation on the Main Modifications and this will need to be for duration of at least six weeks. The Planning Committee's authority is required to commence this consultation.
- 2.2 The consultation responses are then collated and sent to the Inspector.
- 2.3 On receipt of responses to this consultation, the Inspector will then write her final report for the Authority to consider.

## **3 Timings and endorsement**

- 3.1 The letter from the Inspector could be received early to mid-December 2018. If this is the case, it will miss the deadline for the Planning Committee meeting in December with the next meeting being 11 January 2019. The next Full Authority meeting after the November one is 1 February 2019.
- 3.2 The time between receiving the Inspector's next instructions (around the start of December) and Full Authority could be up to 12 weeks. The time between potentially receiving the letter and January Planning Committee could be around 5 weeks.

## **4 Recommendation**

- 4.1 In the interest of expediency it is recommended that Members delegate to the and the Chief Executive after consultation with the Chair of the Broads Authority and the Chair of Planning Committee the decision to authorise the consultation on the modifications to the Local Plan on receipt of instructions from the Inspector.
- 4.2 An update report will be taken to the relevant Planning Committee and Full Authority meeting to keep members informed and members will be sent the consultation material.

## **5 Financial Implications**

- 5.1 The consultation would not involve open days. There would be printed copies and DVDs in our usual venues around the Broads as well as a press advert. The process could cost around £1,000, which is planned for.

Background papers: None

Author: Natalie Beal  
Date of report: 9 November 2018

Appendices: None

**Updates to Standing Orders**  
Report by Solicitor and Monitoring Officer

<b>Summary:</b>	In line with actions agreed following the Peer Review and the procedures for election of Chair and vice-Chair the Standing Orders have been reviewed.
<b>Recommendations:</b>	The proposed amendments to Standing Orders be adopted and implemented from the date of the Authority's next meeting.

**1 Introduction**

- 1.1 The Standing Orders for the Regulation of Authority Proceedings set out the rules by which meetings of the Broads Authority and its committees are conducted.
- 1.2 The Standing Orders have been reviewed to reflect the May 2018 changes agreed by the Broads Authority in relation to the election of Chair and vice-Chair.

**2 Proposed changes**

- 2.1 The proposed changes reflect what has already been agreed and put into practice by the Broads Authority.
- 2.2 The opportunity has also been taken make some other minor amendments to the Standing Orders.
- 2.3 The proposed changes are highlighted in green within the attached draft, for ease of identification.

**3 Conclusion**

- 3.1 The Broads Authority is invited to consider the draft amendments and to approve the same and to adopt them from the date of its next meeting.

Background papers:	Peer Review
Author:	David Harris
Date of report:	13 November 2018
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Draft amended Standing Orders



## Broads Authority

### Draft /Standing Orders for the Regulation of Authority Proceedings

(Approved by the Broads Authority 23 November 2018)

## 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 [words to be deleted referring to 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) A Member may 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**

- (1) Save where specifically provided to the contrary within Standing Orders or in circumstances required by law, voting is by a simple majority vote

of those present. Save for cases falling within Standing Order 15 (3) and (4) 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.

- (2) Where an equality of votes occurs during the course of any meeting, the person presiding at that meeting shall have a second or casting vote. For the avoidance of doubt the casting vote is where the person presiding has previously voted or has abstained on the same matter being voted upon.

## 15 Voting on Appointments and Chairs

### Chairs and vice-Chairs of the Authority

- (1) At the annual meeting of the Authority, a Chairman and vice-Chairman shall be appointed in accordance with paragraph 5 of Schedule 1 of the Norfolk and Suffolk Broads Act 1988. In order to be eligible for appointment, the names of candidates and their intended proposer and seconder shall be provided to the Monitoring Officer in the form directed by him or her not later than 4pm 14 calendar days before the annual meeting (or such earlier deadline as shall have been notified by the Monitoring Officer to members of the Authority at least one calendar month in advance).
- (2) The Monitoring Officer shall notify the annual meeting of any nominations received by the deadline and the intended proposers and seconders. The names of any nominations received after the deadline shall also be notified by the Monitoring Officer; however these shall not be eligible for appointment unless at the deadline there had been no notified candidates. Where there is only one eligible candidate, they shall upon being proposed and seconded be appointed as Chair or Vice-Chair without a vote.
- (3) Where there is more than one eligible candidate, voting papers shall be distributed at the annual meeting and each member shall write the name of their preferred candidate for the position. In the case of the ballot for Chairman of the Authority and Vice-Chair, the outgoing Chairman shall write on a ballot paper of a different colour the name of a candidate in the event of a casting vote being needed. The candidate with the majority of votes shall be appointed as Chairman or Vice-Chairman. In the event of an equality of votes the outgoing Chairman's casting vote shall be used.

### Voting on other Appointments



- (4) (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)(j) 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 neice;
  - (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

**Amendments to Members Code of Conduct**  
Report by Solicitor and Monitoring Officer

<b>Summary:</b>	This report provides further updates to the Members Code of Conduct to give greater clarity on dealing with complaints.
<b>Recommendations:</b>	That the Broads Authority approves the updates in line with the draft attached.

**1 Introduction**

- 1.1 The current Members Code of Conduct was adopted in September 2016 and has had a single update following the Peer Review.
- 1.2 It is considered that the Broads Authority should further update the policy, so that gives greater clarity on the early analysis of complaints and adopts sufficiently robust procedures for the early determination of frivolous and/or vexatious complaints.

**2 Background**

- 2.1 The Broads Authority has been invited to consider the adoption of a Policy for the Management of Unreasonable Complainant Behaviour elsewhere within the Agenda papers.
- 2.2 It is considered that fairness dictates that the members Code of Conduct also has sufficiently robust procedures for the dealing with complaints which may be regarded as frivolous or vexatious.
- 2.3 Following the dealing with complaints during his tenure, the Solicitor and Monitoring Officer has recommended updates to the Members Code of Conduct, in particular some adjustments to procedure, which would be useful in the event of any further complaints being received. These are generally straightforward and are highlighted in green.
- 2.4 There are no Member Code of Conduct complaints currently being considered by the Monitoring Officer and accordingly any changes will not affect the outcome of any such.

**3 Conclusion**

- 3.1 The Broads Authority is invited to consider the draft amendments and to adopt them for future use, where necessary.



Author:	David Harris
Date of report:	13 November 2018
Broads Plan Objectives:	None
Appendices:	APPENDIX A – Code of Conduct



# Code of Conduct for Members and Complaints Procedure

Version 2.2

Updated 23.11.18

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## Introduction and Overview

- 1.1 This revised Code of Conduct for Members (“the Code”) adopted on 30<sup>th</sup> September 2016 sets out the conduct which is expected of members and co-opted members (“Members”) of the Broads Authority (“the Authority”) when they are acting in that capacity, as required by section 27 of the Localism Act 2011.
- 1.2 The Nolan Report set out the seven Principles of Public Life, which are incorporated into the Code as required by section 28 Localism Act 2011. The Authority also has a statutory duty under section 27 of the Act to promote and maintain high standards of ethics and conduct by its Members.
- 1.3 Members will be offered training on the Code whether by the Monitoring Officer or from a representative body and the Authority expects all Members to take advantage of such training, including refresher courses, to ensure that they are fully aware of the provisions of the Code and the standards expected of them in public.
- 1.4 Members are also urged to avail themselves of the Local Resolution Procedure under the Code for dealing with Member versus Member complaints and other disagreements and to ensure the effective use of the Authority’s resources. The aim of Local Resolution is to resolve matters at an early stage so as to avoid the unnecessary escalation of the situation which may damage personal relationships within the Authority and the Authority’s reputation.
- 1.5 The following pages set out the Code and guidance and it is intended to be consistent with the seven principles. It is also not an exhaustive list of all legal obligations, which fall upon Members and does not discharge members from their duty to ensure that at all times they act within the seven principles attached to the Code. The Authority also has its core values, which Members are asked to observe and follow. These are set out in section 2.
- 1.6 Members must ensure that they take appropriate action in relation to any Disclosable Pecuniary Interest. Failure to do so may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.
- 1.7 Members should comply with the Code whenever they are acting in their official capacity as a Member including at full meetings, committee meetings and sub-committee meetings. The Code also applies to Members’ dealings with each other, with outside bodies, briefing meetings with officers, site visits, use of social media and in communication with the Authority, other than in a private capacity.
- 1.8 Freedom of expression is a right, which applies to all Members of the Authority. A Member’s freedom of expression attracts enhanced protection where the comments are political in nature. The criticism of opposing ideas

and opinion is considered to be part of democratic debate and it is unlikely that such comments would amount to a breach of the Code. Comments that breach the principle in paragraph 2.8 below may, in contrast, be a potential breach of the Code.

- 1.9 Members' attention is drawn to the Protocol on Member and Officer Relations in the Broads Authority, which sets out expectations of Members' conduct towards staff. The Authority has a Staff Code of Conduct for its staff which includes guidance on staff relations with Members, including on social media.
- 1.10 Members' attention is also drawn to the Authority's Standing Orders, which includes guidance on conduct within meetings of the Authority and its committees, including sanctions for disorderly conduct by Members within such meetings.
- 1.11 The Authority adopted in July 2017 Social Media Guidance for Members and Officers <sup>1</sup>.

1. paragraph inserted 120718

## 2 Principles of Conduct and Core Values

### Principles of Conduct

- 2.1 The Code promotes the highest standards of ethics and conduct and draws upon the Nolan principles of conduct as follows:

2.2 **Selflessness**

Members must act solely in the public interest. They must never use their position as Members improperly to confer an advantage on, or to avoid a disadvantage for, themselves or improperly to confer an advantage or disadvantage on others.

2.3 **Integrity and propriety**

Members must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. Members should not act or take decisions in order to gain financial or other material benefits for themselves, their families or friends. Members must declare and resolve any interests and relationships.

Note: Members should avoid putting Authority staff in breach of their own Code of Conduct, such as adding them as friends on social media platforms such as “Facebook”. Members should familiarise themselves with the Protocol on Member and Officer Relations in the Authority.

2.4 **Objectivity in decision making**

In carrying out their responsibilities including making appointments, awarding contracts, or recommending individuals for rewards or benefits, Members must make decisions on merit. Whilst Members must have regard to the professional advice of officers and may properly take account of the views of others, it is their responsibility to decide what view to take and, if appropriate how to vote on any issue.

2. Reference to views of political groups removed 231118

2.5 **Accountability**

Members are accountable to the public generally for their actions and for the way they carry out their responsibilities as a Member. They must be prepared to submit themselves to such public scrutiny as is appropriate to their responsibilities.

2.6 **Openness**

Members must be as open as possible about all their actions and those of the Authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law. Members should be transparent through being prepared to give reasons for their decisions and actions.

2.7 **Honesty**

Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

Interests must be registered and declared in a manner which conforms to the procedures set out below.

**2.8 Leadership**

Members must promote and support these principles by leadership and example so as to promote public confidence in their role and in the Authority. They must respect the impartiality and integrity of the Authority's statutory officers and its other employees. Members should be willing to support the Code and willing to challenge poor behaviour whenever it occurs.

Note: The Protocol on Member and Officer Relations section 3 provides that officers can expect from Members leadership and that they take responsibilities for decisions made by the Authority and for defending them publicly.

**2.9 Stewardship**

In discharging their duties and responsibilities, Members must ensure that the Authority's resources are used both lawfully and prudently. They must ensure that the Authority's resources are not used improperly for political purposes (which include any party political purposes). Expenses must be claimed in accordance with the Authority's guidance and supported by receipts, and claimed reasonably promptly.

**2.10 Confidentiality**

Members must not disclose any information given to them which should reasonably be regarded to be of a confidential nature, including items discussed in the confidential sections of meetings. This duty of non-disclosure may no longer apply where either the consent of the person authorised to give it has been obtained, or there is a legal requirement to disclose. If in doubt, Members are encouraged to seek the views of the Monitoring Officer.

Note: The Protocol on Member and Officer Relations in the Broads Authority section 8 on Disclosure of Information by Members sets out the procedure in relation to disclosure of confidential information, which involves 72 hours prior notification in advance to the Chief Executive or Solicitor and Monitoring Officer. The Information Commissioner has issued helpful guidance on the Freedom of Information Act and General Data Protection Act which is available on the ICO website [www.ico.gov.uk](http://www.ico.gov.uk) or by calling 0303 123 1113.

**2.11 Equality and respect**

Members must treat others with respect and promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability. Members should respect the impartiality and integrity of the Authority's statutory officers and its other employees.

Note: The Protocol on Member and Officer Relations sets out in detail the roles and responsibilities and the working relationships between Members and officers. Section 3 sets out expectations that each can expect from the other respect and courtesy and the highest standards of integrity.

## Core Values

- 2.12 In addition to the principles of conduct, Members should, so far as possible, reflect the Authority's Core Values, which have been drawn up by the Authority's staff and adopted by the Authority:
- 2.13 **Commitment** – We are committed to making a difference to the Broads for the benefit of all and we will have the courage of our convictions when faced with difficult decisions.
- 2.14 **Caring** – We are considerate and respectful of each other, working together to provide the best service we can.
- 2.15 **Open and honest** – We are open, honest and inclusive in our communication and in making decisions. We are approachable and available, reaching out to all groups.
- 2.16 **Sustainable** – We take the long-term view, are passionate about our environment and its ability to provide for a vibrant local economy and the well-being of local people.
- 2.17 **Exemplary** – We strive for excellence in all we do. We are ambitious, innovative and lead by example



### **3 Registering and declaring disclosable pecuniary and other non-pecuniary registrable interests and gifts**

- 3.1 A Member must within 28 days of taking office as a Member notify the Monitoring Officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State. This applies whether that interest is their own, their spouse's or civil partner's, or is the interest of someone with whom they are living with as a husband or wife, or as if they were civil partners. The interest will be included in the Authority's register of interests (a copy of which is available for public inspection and published on its web site).
- 3.2 In addition to 3.1, Members must within 28 days of taking office as a Member notify the Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which the Authority has decided should be included in the register.
- 3.3 If an interest above has not been notified or entered in the register, then the Member must disclose the interest to any meeting of the Authority at which they are present, where they have disclosable interest in any matter being considered and where the matter is not a "sensitive interest" as described in the Localism Act 2011. In relation to sensitive interests, which include any concern that disclosure might lead to the Member being subject to violence or intimidation, Members should speak to the Monitoring Officer, who may agree to exclude details from any publicly available version of the register of interests.
- 3.4 Following disclosure of an interest not on the Authority's register or the subject of pending notification, Members must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.
- 3.5 Unless dispensation has been granted, a Member may not participate in any discussion of, vote on, or discharge any function related to any matter in which they have a pecuniary interest as set out in 3.1 above. In addition a Member must observe the restrictions the Authority places on their involvement in matters where they have a pecuniary or non-pecuniary interest as defined by the Authority.

#### **Disclosure of interests at meetings**

- 3.6 Where an interest described above or in the following paragraph in any business of the Authority has been declared and, where a Member is aware or ought reasonably to be aware of the existence of that interest and they attend a meeting of the Authority at which the business is considered, the Member must disclose to that meeting the existence and nature of that interest at the commencement of its consideration. If not apparent in advance from any agenda, as soon as the interest becomes apparent as being relevant to the business under consideration a Member must immediately declare it.
- 3.7 Members have a personal interest in any business of the Authority where a decision in relation to that business might reasonably be regarded as affecting their well-being or financial position or the well-being or financial position of a

member of their family or any person with whom they have a close relationship to a greater extent than the majority of other Toll payers or inhabitants of the Authority's geographical area or "National Park area", as the case may be, affected by the decision.

### **Non-participation in the case of other prejudicial interest**

- 3.8 Where Members have a personal interest (as set out in 3.7 above) they will also have a prejudicial interest, if the following also applies. That is, on an objective analysis, Members' judgement of the public interest would be affected through their financial position or that of a person or body which has been, or should have been, notified in the register of interest by the Member. The test to be applied is whether a member of the public with knowledge of the facts would reasonably regard the pecuniary interest as so significant that it would prejudice the Member's judgment.
- 3.9 Where there is such a prejudicial interest, the Member must not participate in any discussion of, vote on or discharge any function related to such prejudicial interest. An application may be made for special dispensation from the Authority in relation to this and the Member must observe any restrictions placed by the Authority in such circumstances.
- 3.10 There are some subject areas in relation to the Authority which, once an interest has been disclosed, a Member may nonetheless attend a meeting and vote. These include:
- Setting of Tolls, where the extent of the interest is limited to owning a boat and thereby paying a Toll.
  - Matters relating to schools, when the Member is a parent, guardian or governor of a child at a different school in the area. These include school meals, school transport and expenses.
  - An allowance, payment or indemnity given to Members
- 3.11 There are other subject areas which may apply in local government, but it is considered that these are unlikely in practice to apply to Members of the Authority. Please ask your Monitoring Officer for further information.

### **Gifts and hospitality**

- 3.12 Members must declare all gifts, benefits or hospitality with a value of over £25. Members may also, if they wish declare those with a value below this level. The Monitoring officer will enter details of the gift on a public register of gifts and hospitality.

## 4 Complaints Procedure

- 4.1 The Localism Act provides that, where there are complaints of misconduct, the Authority must have in place arrangements under which allegations can be investigated and arrangements under which decisions on allegations can be made. The following procedure applies to complaints made against a Member by another Member, or by officers or any other person.
- 4.2 In relation to officers, a complaint should be after consultation with their Director and may be made in relation to a breach of the Protocol on Member and Officer Relations.

### Making a complaint

- 4.3 The complaint should be made to the Monitoring Officer in writing or by e-mail. The address is:

Monitoring Officer, Broads Authority, Yare House, 62-64 Thorpe Road,  
Norwich NR1 1RY

E-mail address: [david.harris@broads-authority.gov.uk](mailto:david.harris@broads-authority.gov.uk)

- 4.4 A copy of the complaint form, which should be used for all complaints, is attached at Appendix 1. This form should also be used for making a complaint under the Local Resolution Procedure. Completion of a Complaint Monitoring Form at Appendix 1a is also requested, but is not compulsory. **Complaints should be made within 3 calendar months of the matter complained of, unless the complainant can provide a good reason for not having done so.**

- 4.5 In order to make a complaint, a Member will need to have reasonable belief that there has been a breach of the Code. In order to have a reasonable belief that a breach has occurred, there will need to be direct evidence which supports the complaint. Members should consult the Monitoring Officer for advice if they are in doubt. Where the breach is a very minor or technical one, or where there is no clear evidence that a breach occurred, the Monitoring Officer may advise Member of the likely threshold and suggest that the matter might be more appropriately dealt with through the Authority's Local Resolution Process.

- 4.6 Once received a complaint will be acknowledged by the Monitoring Officer within five working days.

### Confidentiality

- 4.7 As a matter of fairness and natural justice the subject Member should usually be told who has complained about them and received details of the complaint. However, in exceptional circumstances, the Monitoring Officer may withhold the complainant's identity if on request they are satisfied that the complainant has reasonable grounds for believing that they or any witness relevant to the complaint may be at risk of physical harm, or his or her employment may be jeopardised if their identity is disclosed, or where there are medical risks

(supported by medical evidence) associated with the complainant's identity being disclosed.

- 4.8 If a request for confidentiality is refused, the Monitoring Officer will explain the reason and give the complainant the option to withdraw the complaint, rather than proceed with his or her identity being disclosed.
- 4.9 The complaint will be acknowledged and the subject Member will be informed that a complaint has been made about him or her. Such notification will state that the complaint has been made; the name of the complainant (unless the complainant has requested confidentiality and this is being upheld, brief details of the complaint and the paragraphs of the Code which may have been breached. In very limited situations, the subject of the complaint may not be notified, in which case the Monitoring Officer will record his reason. Such situations may be where it is not reasonably possible to identify who the subject of the complaint might be.
- 4.10 Where specific details of complaints are passed to the local press and media, or posted on social media, this may prejudice an investigation and may also be a breach of the Code. Well-founded breaches of the Code should be reported to the Monitoring Officer and Members making allegations should not generate publicity in advance of the outcome of the complaint.

### **Initial Assessment**

- 4.11 In determining whether to investigate a complaint, the Monitoring Officer will adopt a three-stage process, all in consultation with an Independent Person. At each stage the Monitoring Officer may request further clarification or documentation from the complainant, without this forming part of any investigation.

Stage 1 – The Monitoring Officer will decide whether the complaint is within the Authority's jurisdiction or "capacity", which will include consideration of the paragraphs of the Code to which the complaint might relate. If there is no jurisdiction then the complainant will be informed that the complaint will not be considered further.

Stage 2 - The Monitoring Officer will decide whether there is direct evidence that a breach took place. The level of proof will be on the balance of probabilities, that is to say, whether it is more likely than not. If there is no direct evidence, or if the complaint is considered to be vexatious (see paragraphs 4.20 and 4.21 below), or the matters complained of took place more than 3 months ago and there is no satisfactory explanation for the delay provided, then the complaint will be dismissed.

Stage 3 – The Monitoring Officer will decide whether the complaint is suitable to be dealt with within the Local Resolution Procedure, or whether it should be the subject of a full investigation. The criteria which will be used for this analysis are set out in Appendix 2.

### Local Resolution Procedure

- 4.12 The Local Resolution Procedure is a process for low-level complaints including those made by one Member against another.
- 4.13 If the Monitoring Officer, in consultation with the Independent Person, decides to refer the matter to local resolution, then the complainant will be informed within 5 working days and the Local Resolution Procedure shall then apply (see section 5 below).
- 4.14 The criteria for referring the matter to the Local Resolution Procedure will include the following:
- Complaints that one member has failed to show respect and consideration for others
  - Complaints that one Member has made vexatious, malicious or frivolous complaints towards another.
  - Other low-level complaints which in the opinion of the Monitoring Officer, following consultation with an Independent Person, are suitable for informal resolution.

### Formal Investigation

- 4.15 If the matter is to be fully investigated, as opposed to being dismissed or referred to the Local Resolution procedure, the Monitoring Officer will appoint an Investigating Officer who will prepare an initial report and recommendation. An Investigating Officer may be an officer or solicitor of another authority or a person independent of local government. When appointing the Investigating Officer, the Monitoring Officer will write to the relevant parties informing them that the matter is to be fully investigated and informing them who will be responsible for conducting the investigation. The Monitoring Officer should give an indication as to likely timescale for the completion of the investigation, which should be within 28 days. Referring a matter for investigation does not mean that there have been any findings of fact. It simply means that the alleged conduct, if proved, may amount to a failure to comply with the Code and that some action should be taken in response to the complaint.
- 4.16 A draft report will be sent by the Investigating Officer to the parties for them to comment on prior to the Monitoring Officer receiving the final version.
- 4.17 The Monitoring Officer will consider the recommendation of the Investigating Officer's report. If the recommendation is that there has been no breach of the Code, the Monitoring Officer will consult the Independent Person. If having taken into account the views of the Independent Person the Monitoring Officer approves the recommendation of the report then the Monitoring Officer will write to the complainant and the Member concerned to inform them that there will be no further action. This will normally be undertaken within 10 working days of the receipt of the report. The Monitoring Officer will give reasons for the decision. There is no appeal or review of that decision by the Authority or any other person.

- 4.18 If the investigation concludes that there is evidence of a breach of the Code then the Monitoring Officer will consult the Independent Person and make a decision either to:
- (a) resolve the matter without the need for a hearing. That may include the application of those sanctions limited to those set out in paragraph 5.9 below. The Monitoring Officer will write to the complainant and the member concerned to inform them of the decision. The Monitoring Officer will give reasons for the decision. There is no appeal or review of that decision by the Authority or any other person; or
  - (b) convene a meeting of the Authority's Hearings Committee, to hear the matter.
- 4.19 In exceptional circumstances it may be considered by the Monitoring Officer and Independent Person that the Chair of the Authority should be invited to consider whether the member should be asked to withdraw from Authority duties pending the outcome of the Hearings Committee. There will need to be reasonable grounds for the belief that such a step is in the interests of the subject Member or the Authority.

### Frivolous and Vexatious Complaints

- 4.20 Complaints made against other Members or officers or people working on behalf of the Authority must be based upon fact and not motivated by malice or by political rivalry. Members should avoid making complaints which have little or no substance or where the evidence of any breach is weak or non-existent. Such complaints may be dismissed at the initial assessment stage. In the case of doubt as to whether a threshold has been met, advice should be sought from the Monitoring Officer. The making of frivolous or vexatious complaints may be conduct which will be considered a breach of the Code and dealt with under the Local Resolution Procedure.
- 4.21 Guidance on what circumstances may lead to a determination that a complaint is frivolous or vexatious are set out in Appendix 3. 3.

3. Paragraph inserted 231118

## Local Resolution Procedure

- 4.22 The Authority has adopted this Local Resolution Procedure in order to promote and maintain high standards of conduct amongst members. It is intended to assist in the swift resolution of issues, so as to avoid the unnecessary escalation of the situation which may damage personal relationships within the Authority and the Authority's reputation. This procedure is also intended to resolve matters on an informal basis, where this is appropriate.
- 4.23 For informal resolution of a problem involving a member identified or reported to the Chair, Chief Executive or Monitoring Officer (where a formal complaint has not been made) the request will be passed on to the Chair and Vice-Chair (in the event they are not the original recipient). Confidential meetings will then be arranged between relevant parties with the Chair and Vice-Chair to engage in the process and seek a resolution to the issues raised. Any meetings may take place at the Authority's offices or other locations as is convenient. The process will be confidential and without prejudice to the parties involved to bring a formal complaint if the matter is not resolved. In the event that the matter is not resolved the content of the discussions shall not be referred to in any subsequent complaint. There is no power for any matter referred under the informal process to be subject to any sanction under the Code of Conduct. <sup>3</sup>.
- 4.24 Complaints may be dealt with under this procedure as follows. Anyone who wishes to submit an allegation under this procedure should send the complaint (in the case of an officer following consultation with their Director) to the Monitoring Officer. Additionally, the Monitoring Officer may have referred a complaint to this procedure following consultation with an Independent Person. Following receipt of the complaint, or referral, the Monitoring Officer will act as follows:

### Stage 1

- 4.25 The Monitoring Officer will undertake a brief preliminary investigation to establish the facts and the areas of dispute. Possible resolutions will be canvassed with the complainant and then the Member about whom the complaint has been made.
- 4.26 Then Monitoring Officer will also consider, following this, whether another course of action or more formal investigation, is more appropriate.

### Stage2

- 4.27 A mediation meeting will be held between the person making the complaint, the Member against whom the complaint is made, the Monitoring Officer and (if considered appropriate) other persons invited by the Monitoring Officer. Such persons may include an Independent Person, the Chief Executive, Chair of the Authority, political group leader, or in the case of a complaint being made by an officer a companion or Director. The meeting may commence

with the parties in separate rooms and the Monitoring Officer acting as a mediator. The purpose of the meeting will be to try and resolve the matter without it going further.

Stage 3

- 4.28 If the matter is not resolved at stage two and the complainant wishes to proceed with it, the matter will be referred to a local resolution hearing before the Hearings Committee (see section 6 below in relation to the constitution of the Hearings Committee). The person making the complaint will be asked to submit a statement in writing within 14 days and the member complained against will respond within 14 days. Either party may submit a statement from a witness.
- 4.29 Within 28 days of the written evidence a hearing will be set before the Hearings Committee. Any party may have at their own expense a companion or representative, provided that in the case of representation the Monitoring Officer and other party have been given 21 days' notice to this effect. Evidence will be limited to the contents of the statements. If any party does not attend, the hearing will proceed in their absence. The Monitoring officer will be available to advise the committee. After hearing oral evidence, the Hearings Committee will come to a conclusion on the allegation, which will be notified to the parties.
- 4.30 The possible outcomes to a hearing under the Local Resolution Procedure are:
- A finding that the matter does not warrant any further action to be taken
  - A recommendation to the Monitoring Officer that there be a change to procedures or that more formal investigation action be taken
  - A finding that the complaint be recorded by the Monitoring Officer as vexatious
  - A finding that the complaint is upheld, but no further action is required
  - A finding that the complaint is upheld and that the Member should be censured
- 4.31 Unless the complaint has been upheld, publicity will not be given to the names of the parties. The hearing before the Hearings Committee will be confidential.

3. Paragraph inserted 12.07.18



## 5 Hearings Procedure

- 5.1 If a hearing is required, the Monitoring Officer will write to the subject Member proposing a date for the hearing. This date will normally be within six weeks of the investigation report and will be before the Hearings Committee. The Hearings Committee shall be constituted in accordance with Part B of the Authority's Standing Orders and shall have a quorum of three Members.
- 5.2 The Monitoring Officer will outline the hearing procedure, the Member's rights and ask for a written response from the Member within a set time to establish whether:
- the Member wishes to attend the hearing
  - the Member disagrees with any of the findings of fact in the investigation report and if so which findings and the reason for disagreement
  - the Member wishes to give oral evidence, or rely on written submissions
  - witnesses will be called by the Member to give evidence (there is no power on the part of the Authority to compel attendance by a witness)
  - they wish any part of the hearing to be in private
  - they wish any part of the investigation report or other documents to be withheld from the public

5.3 In complex cases, if the Monitoring Officer considers that a preliminary hearing is necessary to consider the matters in 5.2, they shall convene one.

4. Paragraph inserted 231118

- 5.4 Any party may have at their own expense a companion or representative, provided that in the case of representation the Monitoring Officer and other party have been given 21 days' notice to this effect.
- 5.5 The parties and the Hearing Committee will be sent a full bundle of documents for the hearing at least 5 days prior to the hearing.

### Procedure at hearing

- 5.6 The procedure at the hearing will be in accordance with a procedure to be determined by the Monitoring Officer. It will usually adopt the following procedure
- The Investigating Officer will present his/her report to the Hearing Committee
  - The Investigating Officer will be questioned on the report by any party and by the Hearings Committee
  - Evidence will be given with questions being asked by any party and by the Hearings Committee. The order will be the complainant first, then the Member the subject of the complaint and then any witnesses in such order as the Hearings Committee decides appropriate

- The Hearings Committee will withdraw to consider their decision, with the outcome notified by the Chair. The decision will be confirmed in a Decision Notice which will be sent to the parties within 5 working days of the hearing.
- 5.7 If the Hearings Committee concludes that there has been no breach of the Code, there will be no further action. There is no appeal or review of that decision by the Authority or any other person. The Hearings Committee will give reasons for its decision.
- 5.8 If the Hearings Committee concludes that the Member the subject of the complaint has failed to comply with the Code, then the Authority has delegated its powers to make such sanction as it considers it to be appropriate and proportionate in order to promote and maintain high standards.

### **Sanctions**

- 5.9 These sanctions may include any of the following:
- A request that the Member submit a written apology in a form specified by the Hearings Committee
  - A request that the Member undertake specified training
  - A request that the Member participates in such conciliation as may be specified
  - A requirement that the Member deals with Authority business through one specified point of contact
  - Placing such restrictions on Members access to staff which may be reasonable in the circumstances and in accordance with the Protocol on Member and Officer relations, providing that such restrictions do not prevent the Member from carrying out their duties
  - A requirement that the Member does not attend at the Authority's offices, unless attending statutory meetings
  - Reporting the Member to his/her County or District Council, Secretary of State as appropriate and reporting the matter to a full meeting of the Authority
  - Reporting the matter to a full meeting of the Authority with a recommendation that the Member has any privileges to which they are entitled removed or that they be removed from any appointment made by the Authority to any external body
  - Reporting the matter to a full meeting of the Authority with a recommendation that the Member be removed from any committee to which they are currently appointed.
  - No sanction

### **Publication of findings**

- 5.10 A summary of the complaint and findings will be reported to a full meeting of the Authority, for their information.



## Members' Code of Conduct Complaint Form

To be used if you wish to make a complaint that a Member or co-opted Member of the Authority, has failed to comply with the Members' Code of Conduct.

If English is not your first language, please contact us if you require help to complete this form.

### Your details

#### 1. Please provide us with your name and contact details

Title:	
First Name:	
Last Name:	
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

We will only use the information you provide to us for the purposes of processing your complaint. Your information, including any personal information you provide to us (such as name and contact details) may be shared with the people referred to below, or with other relevant authorities as required, only for the purposes of processing your complaint.

All comments and complaints are treated confidentially and will not disadvantage you in any future dealings with Broads Authority. It may not always be possible to keep your details confidential, such as where your complaint is about a third party or where particular legislation applies to your complaint.

We will tell the following people about this complaint:

- The Member(s) you are complaining about
- The Monitoring Officer to the Authority
- The Authority's Independent Person
- The Chair of the Authority
- The Chief Executive of the Authority

If you have serious concerns about your name and details of your complaint being released, please complete **section 6** of this form.

**2. Please tell us which complainant type best describes you:**

<input type="checkbox"/>	Member of the public
<input type="checkbox"/>	A Member or co-opted Member of an authority
<input type="checkbox"/>	Member of Parliament
<input type="checkbox"/>	Local authority monitoring officer
<input type="checkbox"/>	Broads Authority employee or volunteer
<input type="checkbox"/>	Other (please provide details)

**Making your complaint**

- 3.** Once you have submitted your complaint, it will be considered by the Monitoring Officer of the Authority and after reasonable consultation with the Authority's Independent Person, who will assess, on the basis of your written submission and any additional relevant material, whether the alleged conduct might amount to a failure to comply with the Members' Code of Conduct.

The Monitoring Officer has the following range of options available to him/her: Formal Investigation (which will involve an investigation of the complaint), referral to the Authority's Local Resolution Procedure or no further action, for instance if it is considered that any failure to comply with the Code of Conduct is of a trivial nature.

- 4.** Please provide us with the name of the Member(s) you believe have breached the Broads Authority Members' Code of Conduct and, where the Member is also a Councillor, the name of their authority.

Title	First Name	Last Name	Authority Name

5. Please explain in this section (or on separate sheets) what the Member has done that you believe breached the Members' Code of Conduct. If you are complaining about more than one Member you should clearly explain what each individual person has done that you believe breached the Code of Conduct.

A copy of the Authority's Members' Code of Conduct can be found on the Broads Authority website at <http://www.broads-authority.gov.uk/>

Alternatively, a paper copy can be obtained from the Monitoring Officer to the Authority by writing to:

David Harris, Monitoring Officer, Broads Authority, Yare House, 62-64 Thorpe Road, Norwich, Norfolk. NR11RY

- You should be specific, wherever possible; about exactly what you are alleging the Member said or did. For instance, instead of writing that the Member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.
- You should tick the box to confirm that the facts set out are true

**Please provide us with the details of your complaint and the outcome from this complaints process that you would like to see happen. Continue on a separate sheet if there is not enough space on this form.**

Do you wish your complaint to be dealt with under the Authority's Local Resolution Procedure?

Yes/No

If you answered No, please briefly explain your reason:

☐ I confirm by ticking this box and sending this form that the facts I have set out in my complaint are true

Date:

**Only complete this next section if you are requesting that your identity is kept confidential.**

6. In the interests of fairness and natural justice, we believe Members who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or details of your complaint unless you have good reason to justify the Authority doing so.

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The Monitoring Officer to the Authority, in consultation with the Authority's Independent Person, will consider the request alongside the substance of your complaint. We will then

contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

**Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:**

### **Additional Help**

- 7.** Complaints must be submitted in writing. This includes electronic submissions. However, in line with the requirements of equalities legislation, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing.

If you need support in completing this form, please let us know as soon as possible.

This complaint should be submitted to the Monitoring Officer to the Authority, by sending to the following contact addresses:

By post to : David Harris, Monitoring Officer, Broads Authority, Yare House, 62-64 Thorpe Road, Norwich, Norfolk. NR11RY

Or by e-mail to: [monitoring.officer@broads-authority.gov.uk](mailto:monitoring.officer@broads-authority.gov.uk)

## Privacy and Data processing <sup>5</sup>.

8. The Authority will process any personal information in line with the Data Protection Act 2018 and the EU General Data Protection Regulation.

Information you provide to us on this form will be shared with certain individuals who undertake roles within the complaints process, including the subject Member, Independent Person, Investigating Officer (who may be external to the Authority) and members of the Hearings Committee.

You also acknowledge by making your complaint that personal information which you give us may be placed in the public domain should the matter proceed to a hearing.

The basis of processing will be that of public task i.e. tasks carried out by the Authority in the public interest or power vested in the Authority.

Your information will be retained for 7 years following the outcome of your complaint or last action taken in relation to it. We will process your data in accordance with Data Protection Principles using appropriate technical and organisational measures.

Broads Authority is the Data Controller in relation to your data. It has a Data Protection Officer (DPO) who can be contacted at the postal address on this form or at [dpo@broads-authority.gov.uk](mailto:dpo@broads-authority.gov.uk). Our DPO is currently our Monitoring Officer.

You have the right to see any personal information that we hold about you. Such requests are called subject access requests. If you would like to make a subject access request please contact the Authority's Data Protection Officer. We will respond to such requests within one month. There is no fee to make a request.

You may ask us to rectify any personal information which is incomplete or inaccurate. You may also ask us to erase such data once processing is no longer necessary or if you object to processing or consider that we are processing it unlawfully. We will consider such requests and if we refuse, we will give reasons.

<sup>5</sup>. Section 8 added 12.0718





**Private and Confidential**

## Code of Conduct Complaint Monitoring Form

The Broads Authority is committed to the provision of equal opportunity and specifically to conducting its affairs in a manner which will not discriminate against, either directly or indirectly, any person on the grounds of: disability; gender; transgender; race; ethnic or national origin; religion or belief; age or sexual orientation.

To help us meet this commitment, it would be helpful if you would complete this form. This monitoring form will be separated from your complaint on receipt and will be used solely for the purposes of monitoring the process.

### Section 1 (please tick the boxes which apply)

My age is:	Under 21	<input type="checkbox"/>
	21-30	<input type="checkbox"/>
	31-40	<input type="checkbox"/>
	41-50	<input type="checkbox"/>
	51-60	<input type="checkbox"/>
	61-64	<input type="checkbox"/>
	65 or over	<input type="checkbox"/>

My gender is:	Female	<input type="checkbox"/>
	Male	<input type="checkbox"/>

### Section 2 (please tick one box only)

I would describe myself as:	White:	British	<input type="checkbox"/>
		Irish	<input type="checkbox"/>
		Any other	<input type="checkbox"/> please write in

Mixed:	White and Black Caribbean	<input type="checkbox"/>
	White and Black African	<input type="checkbox"/>
	White and Asian	<input type="checkbox"/>
	Any other	<input type="checkbox"/> please write in

Asian or Asian British:	Indian	<input type="checkbox"/>
	Pakistani	<input type="checkbox"/>
		<input type="checkbox"/>

## APPENDIX A

	Bangladeshi Any other	<input type="checkbox"/> please write in
Black or Black British:	Caribbean African Any other	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> please write in
Chinese or other ethnic group:	Chinese Any other	<input type="checkbox"/> <input type="checkbox"/> please write in

Section 3		
Do you consider yourself to have a disability*?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Thank you for your co-operation. Please return this form with your complaint.

\*The Equality Act 2010 defines disability as 'a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities'.

**Criteria for consideration of a complaint by Monitoring Officer**

In deciding whether to accept or reject a complaint of breach of the Code, or to refer it to the Local Resolution Procedure, the Monitoring Officer has a wide discretion. He or she will take into account the following criteria, where relevant.

- Public interest factors including the seriousness of the alleged breach, whether there has been any breach of trust, the extent of any harm caused and whether there has been any discrimination.
- Proportionality by balancing the seriousness of the allegation against the resources required to investigate the allegation
- Whether there are any aggravating factors or significant mitigating factors
- Whether a prompt acknowledgment and apology has been offered
- Whether the complaint is one of a pattern by or against a Member
- Whether the complaint appears to be malicious, frivolous or vexatious
- Whether the complaint suggests that there is a wider problem as affects the Authority
- Whether training or conciliation would be the appropriate response
- Whether either the complainant or subject Member has indicated a preference for Local Dispute resolution

**Criteria for determination as to whether a complaint is frivolous or vexatious**

At the Initial Assessment Stage, the following criteria shall be used in determining whether a complaint is frivolous or vexatious:

- Whether the matters complained of occurred more than 3 calendar months earlier and if so whether any reason given for a delay in making the complaint is sufficient.
- Whether the complaint appears to be of “tit for tat” nature in that for example, the complainant has themselves been the subject of a complaint by the subject member.
- Whether in less-serious cases, the matter has already been the subject of reasonable and sufficient attempts by the subject member to apologise and make amends for any behaviour complained of.
- Whether the complainant has made other complaints under the Members’ Code of Conduct. If so, the number, nature and subject matter of those complaints will also be considered.
- Whether the subject matter of the complaint is a trivial matter out of proportion to its significance.
- Whether the complainant has adopted a “scattergun” approach: pursuing a complaint with the Authority and at the same time, with any number of the following such as a Member of Parliament, the Authority’s independent auditor, National Audit office, Government department, local police, solicitors, media and on social media.
- Whether the complaint arises from facts which have been the subject of a prior determination by a decision-making body.
- Whether the content of the complaint includes gratuitous comments about the subject Member or other third parties which could be considered insulting, abusive or defamatory in nature.

## **Implementation of Unreasonable Complainants Policy**

Report by Solicitor and Monitoring Officer

**Purpose:** This report sets out a proposed policy for the management of unreasonable complainant behaviour.

**Recommendation:** That the proposed policy is adopted

### **1 Introduction**

- 1.1 Many organisations, including the Ombudsman services themselves have a policy for the management of Unreasonable Complainant Behaviour.
- 1.2 It is considered that the Broads Authority itself should implement such a policy.

### **2 Background**

- 2.1 The Broads Authority deal's with a number of complaints each year. Many of these are dealt with routinely through a 3-stage process, with the complainant having the opportunity of taking complaints of alleged maladministration to the Local Government Ombudsman.
- 2.2 There are no officer roles within the Broads Authority dedicated solely to the dealing with complaints. Complaints to the Authority are dealt with by officers whose time is primarily resourced for other purposes.
- 2.3 As with many organisations, there are a small number of complainants who make frequent complaints to the Authority. It is considered useful for the Authority to have a policy, grounded in fairness, which enables it to manage unreasonable and repetitive complaints. Perhaps of greater concern, however, has been in the past few months more than one instance of Authority officers being challenged in a manner which may be considered intimidating.

### **3 Conclusion**

- 3.1 The Broads Authority is invited to consider the draft Policy and to adopt it for future use, where necessary.

Author:	David Harris
Date of report:	13 November 2018
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Draft Policy for the Management of Unreasonable Complainant Behaviour.

## **POLICY ON THE MANAGEMENT OF UNREASONABLE COMPLAINANT BEHAVIOUR**

Version 1.1

Updated 23.11.18

## **1. Introduction**

- 1.1 Broads Authority processes complaints in accordance with guidance issued by the Local Government and Social Care Ombudsman (LGO). During this process officers will come across a small number of complainants who take up an unwarranted amount of Authority resources, or who pursue otherwise reasonable complaints in an unreasonable manner and in addition to taking up resources, hinder consideration of their own complaint.
- 1.2 The aim of this policy is to identify situations where complaints could be considered unreasonably persistent and/or vexatious and how to respond to such situations.
- 1.3 This document also reflects the Local Government Ombudsman's guidance note on the management of unreasonable complainant behaviour issued in October 2017.
- 1.4 This Policy should be read in conjunction with the Authority's complaints procedure.

## **2. Definition of unreasonable complainant behaviour**

- 2.1 The following types of behaviour are regarded for the purpose of this Policy and in the pursuance of a complaint as unreasonable:
  - 2.1.1 The pursuance of unreasonably persistent or vexatious complaints ("Unreasonable complaints"); and/or
  - 2.1.2 The pursuance of reasonable complaints in an unreasonable manner ("Unreasonable complainant conduct").

## **3. Unreasonable complaints**

- 3.1 This is where the substance of the complaint at any stage includes any of the following:
  - 3.1.1 A complaint which is brought on the basis of or includes information unlawfully or improperly obtained, such as by the receipt of confidential information unlawfully disclosed to the complainant or by the recording of meetings or conversations without prior consent of the other party.
  - 3.1.2 A complaint which includes defamatory material relating to any third party.
  - 3.1.3 A complaint which includes threatening or intimidating content, such as expressing the intention to have a member of staff dismissed.
  - 3.1.4 A complaint in which the overarching theme of the complaint is similar to one which has already been determined by the complaints process and/or the LGO.

## **4. Unreasonable complainant behaviour**

- 4.1 This is where current or previous contact with the complainant shows that they have met one or more of the following criteria:



- 4.1.1 Persisting in pursuing a complaint where the Authority's complaints process has been fully and properly implemented and exhausted including the LGO.
- 4.1.2 Changing the substance of a complaint at a later stage of the complaints process.
- 4.1.3 Behaving towards Authority staff in an intimidating or aggressive manner or by a course of conduct which causes them harassment, alarm or distress. Such conduct may manifest itself by verbal or physical expression or by the content of written or electronic communication.
- 4.1.4 Breaching the right of the Authority's staff to privacy and family life by contacting or approaching them to raise complaints when they are either at home or where the complainant encounters them in locations where they are not at work, or by posting on their private social media account.
- 4.1.5 Having made a complaint, dominating the attention of one or more of the Authority's staff through frequent, lengthy contacts and repetitive information.
- 4.1.6 Engaging in a "scattergun" approach: pursuing a complaint or complaints with the Authority and at the same time with a Member of Parliament/the Authority's independent auditor/the Audit Commission/Press and on social media.
- 4.1.7 Photographing or filming the Authority's staff without their permission or recording meetings or conversations without the prior knowledge and consent of the individual concerned.
- 4.1.8 The complainant has made more than three complaints using the Authority's complaints procedure within a period of 12 months.

## **5. Warnings**

- 5.1 In most instances of unreasonable complainant behaviour, the complainant will be informed in writing that their behaviour is unreasonable and will be asked to change it. The warning will also explain that if they persist, that action may be taken to restrict their contact with the Authority.
- 5.2 Behaviour which threatens the immediate safety and welfare of the Authority's staff may be reported to the Police, or be the subject of other legal action, without prior warning.

## **6. Rejection of unreasonable complaints**

- 6.1 Complaints falling within paragraphs 3.1 to 3.4 may be rejected, with an indication to the complainant in writing given as to the reason for rejection.

## **7. Restricting access to the Authority's staff**

- 7.1 The Chief Executive, Solicitor and Monitoring Officer, Director or other member of the Authority's Management Team will decide whether the circumstances justify any restriction on access. They will record the reason for their decision and explain it in

writing to the person concerned. They will state how long any restriction will apply before it is reconsidered.

7.2 Any person aggrieved at any restriction of access or termination as in section 7 below may ask that the matter be reviewed by one of the Authority's Independent Persons. The outcome of such a review will be final.

7.3 The sort of restrictions which could be imposed include the following:

7.3.1 Restricting telephone calls to specified days and limited times

7.3.2 Limiting contacts to one form only (for example one letter or e-mail each week)

7.3.3 Requiring contact to take place with one named staff member

7.3.4 Requiring the complainant to enter into an agreement about their future behaviour before their complaint proceeds

7.3.5 Managing contact with the help of an independent advocate

## **8. Terminating access to the Authority**

8.1 If an individual continues to behave unreasonably after a warning or overrides any restrictions imposed, then any complaint may be dismissed. Access to the Authority may then be terminated for a specified period.

Prepared by Solicitor and Monitoring Officer

November 2018

Review date: November 2020

**Construction and Equipment Standards**  
**Boat Safety Scheme, Carbon Monoxide alarm requirement**  
Report by Head of Safety Management

<b>Summary:</b>	The report outlines a proposal to add to the construction and equipment standards set by the Authority a requirement for the mandatory installation of Carbon Monoxide alarms on boats with accommodation spaces.
<b>Recommendation:</b>	<ul style="list-style-type: none"><li>a) the Broads Authority notes the new BSS requirement from 1st January 2019 for suitable Carbon monoxide alarms in good condition to be present in all classes of boats with accommodation.</li><li>b) That the final decision to adopt the new requirement is delegated to the Chairman and Vice-Chairman of the Authority.</li></ul>

## **1 Background**

- 1.1 The current Boat Safety Scheme (BSS) requirements are based on 2002 BSS standards (Non-Private), Hire Boat Requirements 2017 and the Private Boat requirements 2013 which were subsequently adopted by the Authority. All of these adopted standards were based on the Broads Authority Boat Safety Standards Byelaws 2006.
- 1.2 As the currently proposed new requirement differs materially from the standards as set out in the Broads Authority Boat Safety Standards Byelaws 2006 the Authority is required to consult prior to adopting any changes to the standards.

## **2 The New BSS Requirement**

- 2.1 There have been a number of fatalities over the recent years from Carbon Monoxide (CO) poisoning on boats largely from large petrol engine exhausts. However in the past two years new information about CO has brought the need for action into focus. Marine Accident Investigation Branch (MAIB) tests have shown that petrol-engine exhausts cannot just fill a boat with fatal concentrations of CO in seconds, they can also emit enough toxic gas to form a potentially deadly atmosphere within adjacent boats.
- 2.2 The World Health Organisation has published guidelines for indoor exposure to CO are just less than 88 parts per million (ppm) over a 15-minute period or

no more than 30 ppm in a 60-minute duration. In August the UK regulations on the safe working exposure limits have seen a significant reduction of allowable concentrations of CO in a workplace atmosphere; 20 ppm for an 8-hour period and 100 ppm in a 15-minute time weighted average short-term exposure.

- 2.3 Initial research from a group of BSS Examiners using four-gas analysers since December last year has yielded results that suggest that each year, examiners may step aboard 300 boats that have 20 ppm and 27 boats that have 100 ppm of CO in the cabin when equipment is tested as part of the BSS Examination.
- 2.4 This would present an enhanced risk to anyone aboard or entering the boat at that time such as first responders to incidents or BSS Examiners about to start work as engine exhaust fumes have indicated that CO levels in the cabin space increased initially after engines were turned off.
- 2.5 The BSS Management Committee, with the full support of stakeholders on all three Scheme committees, are commending public support for the proposal for mandatory installation of CO alarms on boats with accommodation spaces.
- 2.6 It is proposed that the Broads Authority adopt the new BSS requirement from 1<sup>st</sup> January 2019 for suitable Carbon monoxide alarms in good condition to be present in all classes of boats with accommodation. This requirement will be applicable to private boats, hire boats and non-private (workboats, floating restaurants etc.) which are in scope of the Boat Safety Scheme requirements.
- 2.7 The intended benefits are set out below:
  - Firstly, it is intended to help prevent CO poisoning of people and their pets aboard boats from sources of CO generated by the activity of others. e.g. the use of engines and appliances on adjacent boats.
  - Secondly, the enhanced protection will also help protect first-responders/emergency services, BSS Examiners, waterways staff or other workers on, or in the immediate vicinity of the boat.
  - The additional recognised benefits beyond the regulatory target are a) the anticipated effectiveness of CO alarms in preventing death or injury to boat owners placed at risk in their own boats from running the boat's engines or appliances and b) to make craft occupants aware of moderate levels of CO which can be a long-term threat to health if left undetected.
  - Implementing the recommendation will help prevent CO poisoning fatalities and injuries to tenants on boats who may be at higher risk from CO poisoning.
  - The overall effect, based on the previous 20-year history of 30 CO boat fatalities nationally, it could be estimated that the next 20 years could see a reduction down to one boat CO fatality every ten years.

### **3 Consultation**

- 3.1 Whilst the Boat Safety Scheme has a requirement to consult those likely to be affected before implementation, the Broads Authority is also required to consult such bodies as appear to represent boating interests on its intention to impose construction standards.
- 3.2 A notice setting out the Broads Authority consultation was published in the Eastern Daily Press on the 22 August 2018 setting out the proposed changes and signposting the Boat Safety Scheme as the administrators of the consultation.
- 3.3 Letters were sent to the Royal Yachting Association, the Broads Hire Boat Federation, the Norfolk and Suffolk Boating Association and British Marine setting out the consultation and the details of how to respond.
- 3.4 All toll payers have been advised of the consultation via a special “broadsheet” distributed in September 2018. Additionally the consultation has been signposted on the Broads Authority website.
- 3.5 As part of the consultation both the Boat Safety Management Group and the Navigation Committee were consulted and they were largely in support of the proposed requirement.
- 3.6 Due to timings, there has not been any formal response to the BSS consultation, which closed on the 9<sup>th</sup> November 2018. The output of the consultation is being collated, however early indications suggest that there is wide support for the proposal from user groups and regulators.

### **4 Next Steps**

- 4.1 The responses to the national consultation will be considered by the Boat Safety Scheme internal committees and a final decision on the content and implementation of the proposed changes will be considered at the Boat Safety Scheme Management Committee in mid-December.
- 4.2 Given that the proposed implementation date of the new requirement is 1<sup>st</sup> January 2019 this will give little time to consider the output formally at a scheduled meeting of the Authority.
- 4.3 It is proposed that providing there are no material changes to the proposed requirements following the consultation that the Authority adopt the new Boat Safety Scheme requirement CO Alarms for all classes of boats with accommodation to be implemented from 1 January 2019.
- 4.4 If members are content it is proposed that, the consultation responses will be shared with the Chairman and Vice-Chairman of the Authority for a final decision for the Authority to adopt the new requirement.

Background papers:	None
Author:	Steve Birtles
Date of report:	9 November 2018
Broads Plan Objective:	4.3
Appendices:	None

**Water Ski Permit - amendment to conditions**

Report by Head of Safety Management

<b>Purpose:</b>	<p>This report set out a change in the policy as regards the necessity to undertake a Wash and Noise test as part of the Water Ski Permit conditions.</p> <p>A draft of the amended permit conditions is set out in Appendix 1.</p>
<b>Recommendation:</b>	<p>That the Authority adopt the proposed Permit conditions to be implemented from 1 April 2019.</p>

**1. Background**

- 1.1. The Authority developed a set of permit conditions for water skiing and wakeboarding in 2010 following concern over safety and that water ski tow boats and specifically boats used for towing wakeboarders who generated wash in excess of that specified in the Broads Authority Byelaws.
- 1.2. The current permit conditions requires all boats to complete a wash and noise test to determine whether the boat named on the permit produces excess wash and noise when in normal use.

**2. Wash and Noise Test**

- 2.1. To complete the test, various equipment is set up bankside and the vessels have to pass the test station at two speeds making a passage downstream and then upstream. Noise levels and wash heights are recorded.
- 2.2. The documented test procedure sets out the criteria derived from the Broads Authority Navigation Byelaws, the British Water Ski and Wakeboard environmental standards. A large number of water ski boats have completed the test and to date none have failed to meet the pass criteria.
- 2.3. It has been observed that there has been little variance in generated wash and noise during the tests by the range of water ski tow boats as the design, dimensions and engine size are very similar due to the nature of the use.

**3. Proposals**

- 3.1. As the boats have not demonstrated large variations or failed to meet the pass criteria and given the burden on the boat owner, the water ski club and the Authority to organise and carry out the tests it is proposed to remove the need to complete a wash and noise test from the permit conditions.

- 3.2. It is proposed that the change will be effective from 1<sup>st</sup> April 2019.
- 3.3. It is also proposed that if the Authority receives complaints regarding untested boats that a wash and noise test could be carried out as part of the investigation into the complaint.

#### **4. Consultation**

- 4.1. The Boat Safety Management Group was consulted at its meeting on 1st October 2018. The members were content with the proposals however, they did suggest that where a new type of vessel was registered, a make and model that had not previously been used on the Broads as a Water Ski tow boat, the Authority should reserve the right to insist on a wash and noise test being carried out.
- 4.2. The Navigation Committee welcomed the proposed amendment but did support the suggestion from the Boat Safety Management Group, which they recommended should be on the face of the permit conditions.
- 4.3. The Eastern Rivers Ski Club was content with the subsequent amendment to the proposed permit conditions.

Background papers: None

Author: Steve Birtles  
Date of report: 8 November 2018

Appendices: Appendix 1 - Draft Water Ski Permit conditions.



## **BROADS AUTHORITY**

### **Water Skiing and Wake Boarding Permit**

This Permit is issued under Section 27 of the Broads Authority Act 2009.

The Broads Authority hereby permits

\_\_\_\_\_ to navigate the Authorised Vessel

for the purpose of towing a water skier (or wake boarder) in the zones and at the times specified in Appendix 1 to this Permit provided this is in accordance with the conditions specified below.

This Permit is issued on the basis that

- a) the Authorised Vessel has a block area of no more than 13 square metres, has a planing hull, and does not have permanent covered accommodation.
- b) the Authorised Vessel has been registered in accordance with the Authority's Byelaws and that payment of the Prescribed Annual Toll for the vessel has been made.

In this Permit the following definitions apply:-

The "2009 Act" means the Broads Authority Act 2009

"Authorised Vessel" means the vessel described in Part 1 of the Schedule

"Authorised Person" means the persons named in Part 2 of the Schedule

The "Authority" means the Broads Authority

The "Permit Holder" means the person named above

The "Prescribed Annual Toll" means the appropriate annual toll within a scale of tolls, currently in force in any year, as prescribed by the Authority pursuant to Section 26 of the Harbours Act 1964

"Kill Cord" means a device to automatically stop the engine of the Authorised Vessel if the person navigating the Vessel leaves the helm

"Air Chair" means a board or chair with an integral hydrofoil for the purpose of lifting the rider and board or chair above the surface of the water

"Bank Start" means where a skier is pulled from a bank or platform by a water ski vessel to start the water skiing activity.

"Boom" a device which extends over the edge of a vessel for the purpose of providing physical support during training and for barefooting.

"Inflatable" means an object that can be inflated with gas or air.

“Jumping” means being towed by a boat and using a ramp to leave the surface of the water.

“Parascending” means being towed behind a vessel while attached to a specially designed parachute, known as a parasail.

“Kneeboard” means a buoyant board ridden in a kneeling stance that is used to ride on water whilst being towed behind a boat.

“Wakeboard” means a device where the feet are bound to a device at an acute angle to the parallel that is designed to travel on the wake created by the towing vessel,

“Water Ski” means a ski-like board used in pairs, or a mono ski, where the feet are bound in-line with the parallel that is designed to ride on water whilst being towed behind a boat.

## THE CONDITIONS

1. This Permit runs from \_\_\_\_\_ to \_\_\_\_\_ unless cancelled earlier by the Authority under Condition 23 of this Permit.
2. This Permit is personal to the Permit Holder and is not transferrable.
3. (a) This Permit does not permit anyone other than the Permit Holder and the Authorised Persons to navigate the Authorised Vessel.  
  
(b) Condition 3(a) does not apply in respect of training for the British Water Ski ski-boat driver award that can be undertaken for a maximum of 3 months in the period covered by this Permit. The Permit Holder or Authorised Person must be on board the Authorised Vessel and is considered master of the vessel at all times during the period of training.
4. a) This Permit authorises the Permit Holder and the Authorised Persons to navigate the Authorised Vessel at a speed over the ground greater than specified in the Broads Authority Speed Limit Byelaws 1992 Schedule 1 while being used for the purpose of "towing a water skier" in the zones and at the times specified in Appendix 1 to this Permit  
  
b) For this purpose, "towing a water skier" shall be deemed to include the act of recovering a water skier who has been separated from the vessel during towing.
5. The Permit Holder and any Authorised Person must:-  
  
(a) Throughout the period of this Permit each maintain a policy of insurance in respect of any liability referred to in paragraph 2 of Schedule 3 to the 2009 Act in the sum of £2,000,000.  
  
(b) On written request from an Officer of the Authority to do so produce to the Authority evidence of the insurance cover referred to in Condition 5 (a).
6. (a) The Permit Holder and any Authorised Person and any person under training must throughout the period of this Permit:-  
  
| (i) Each be a member of both the Eastern Rivers Ski Club and the British Water Ski & Wakeboard  
  
(ii) Except where Permit Condition 6 (b) applies, only tow water skiers or wake boarders who are members of such clubs.  
  
(b) Condition 6 (a) (ii) does not apply in respect of water skiers and wake boarders who are towed up to a maximum of 4 occasions in the period covered by this Permit.

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7. The Permit Holder and any Authorised Person must throughout the period of this Permit each hold a current British Water Ski Boat Driver Award or qualification approved by the Authority following consultation with the British Water Ski and Wakeboard.
8.
  - (a) Whilst in use for the purpose of water skiing or wake boarding the Authorised Vessel must display in the approved position a set of registration marks at a minimum height of 225mm (9 inches) and of a type, colour and material approved by the Authority.
  - (b) For this purpose, "approved position" means on each side of the bow and at the after end of the vessel so as to be visible from astern.
9. The Authorised Vessel must not be used pursuant to this Permit if, following its issue, either:-
  - (a) A material change is made to it or to its systems which in either case may affect the generation of wash or noise from the vessel, unless that change has been approved by The Authority; or
  - (b) A change is made to the vessel that either increases its block area to more than 13 square metres or involves the provision of a non-planning hull or permanent covered accommodation.
- ~~10. The Authorised Vessel must have completed and passed a Wash and Noise Test of a type approved by the Authority and complying with the pass criteria set out in Appendix 3 to this Permit.~~
- ~~10 The Permit Holder and any Authorised Person must not navigate an Authorised Vessel, which has failed to pass a Wash and Noise Test of a type approved by the Authority.~~
  - ~~a) The Authority may require a Wash and Noise test on any Authorised Vessel, registered after 1<sup>st</sup> April 2019. The pass criteria of the test are set out in Appendix 3~~
11.
  - (a) The Authorised Vessel must be subjected to an annual test (which complies with the methodology set out in Appendix 4 of this Permit) carried out by a person approved by the Authority which verifies that:
    - (i) The steering system of the vessel is in good condition and fit for purpose and,
    - (ii) The Kill Cord functions correctly.
  - (b) The Permit Holder must produce to the Authority on request details of the test carried out under condition 11(a).
- 12 The Permit Holder and any Authorised Person must use "approved equipment" only
  - a) For this purpose, "approved equipment" shall be limited to
    - i. The Authorised Vessel
    - ii. Tow Rope;
    - iii. Knee Board
    - iv. Wake Board
    - v. Skis

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vi. Boom

13. The Permit Holder and any Authorised Person must not permit the use of ballast or excessive weight in the vessel or carry passengers in excess of the manufacturer's recommendations.
14. The Permit Holder and any Authorised Person must not permit the use of "air chairs", and any "inflatable".
15. The Permit Holder and any Authorised Person must not cause an Authorised Vessel to make any sustained wave, against a bank, of more than 300 mm (12 inches) in height from trough to crest.
16. (a) The Permit Holder must:-
  - (i) Maintain and keep up to date a log book issued by the Authority in respect of the use by the Permit Holder and any Authorised Person of the Authorised Vessel under this Permit.
  - (ii) Keep the log book on the Authorised Vessel whilst being used by the Permit Holder and any Authorised Person under this Permit.
  - (iii) Produce the log book on request to any officer of the Authority.
  - (iv) Return the log book to the Authority at the end of the period covered by this Permit or upon its cancellation if earlier.
- (b) Any Authorised Person whilst operating the Authorised Vessel under this Permit must produce the log book on request to any officer of the Authority.
17. The Permit Holder and any Authorised Person must navigate the Authorised Vessel with care and caution.
18. The Permit Holder and any Authorised Person must not navigate the Authorised Vessel unless there is also on board at least one person to provide assistance during towing.
19. The Permit Holder and any Authorised Person must not at any time navigate the Authorised Vessel so as to tow more than 2 persons.
20. The Permit Holder and any Authorised Person must ensure that any water skier or wake boarder being towed does not engage in parascending, ski jumping, or bank starts.
21. The Permit Holder and any Authorised Person must:-
  - (a) Use tow-ropes of equal length when towing two water skiers; and
  - (b) Ensure that two water skiers do not cross in front of, or behind, each other; and
  - (c) Not navigate the Authorised Vessel without attaching the Kill Cord to their person in a way which ensures that it will operate effectively.

22. a) The Permit Holder and any Authorised Person must ensure that any water skier or wake boarder being towed remains in or on the water at all times during towing.
- b) Condition 22 (a) does not apply in respect of water skiers and wake boarders provided that all of the conditions 22 b) i),ii,iii), and iv) are complied with.
- i) Water skiing and wake boarding shall be limited to zones and times set out in Appendix 2.
- ii) No more than six concurrent Authorised Vessels are used at any one time in any one zone set out in Appendix 2.
- iii) The Permit holder and any Authorised Persons shall register with the Authority on each occasion their intention to navigate the Authorised Vessel.
- iv) The Permit Holder and any Authorised Person must not at any time navigate the Authorised Vessel so as to tow more than 1 person.
23. The Authority may cancel this Permit, or amend its conditions, if:-
- (a) The Permit Holder or any Authorised Person is convicted of an offence under Section 29 of the 2009 Act; or under any byelaw made by the Authority; or
- (b) Condition 5 of this Permit has not been observed.

## The Schedule

### Part 1

The Authorised vessel to which this Permit applies is as follows<sup>1</sup>:

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### Part 2

The Authorised Person/s to which this Permit applies is/are as follows<sup>2</sup>:

1	Permit Holder
2	Authorised Person
3	Authorised Person
4	Authorised Person

## Appendices

- 1 Water Ski and Wake Boarding Zones and Times

<sup>1</sup> This information should be added by the Broads Authority only.

<sup>2</sup> This information should be added by the Broads Authority only. Additions may also only be made by the Broads Authority.

- 2 Water Ski and Wake Boarding Zones and Times applicable to the Wake Boarding Trial 2012/13
- 3 Wash and Noise Test Pass Criteria
- 4 Annual Steering and Kill Cord Test Methodology

## **PMSC Aids to Navigation – Trinity House**

Report by Head of Safety Management

<b>Summary:</b>	This report provides members with information on the work the Authority has undertaken to identify and rectify deficient Aids to Navigation (AtoN) following the Trinity House annual report 2017, see Appendix 1.
<b>Recommendation:</b>	To note the report.

### **1. Background**

- 1.1. The Port Marine Safety Code requires all Aids to Navigation (AtoN) maintained by Harbour Authorities and any other existing Local Lighthouse Authorities to be maintained in accordance with the criteria laid down by the General Lighthouse Authority (GLA), and must be subject to periodic review.
- 1.2. The characteristics of these AtoN must comply with guidelines and recommendations as laid down by the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA). The GLA require Harbour Authorities and any other existing Local Lighthouse Authorities to be responsible for ensuring that any third party AtoN, within their area of responsibility, are also established and maintained to the same standards.
- 1.3. Trinity House (the GLA) carries out annual inspections of AtoN's for each Harbour Authority in the UK.

### **2. The Broads Aids to Navigation (AtoN)**

- 2.1. The Broads has 230 Aids to Navigation on the Broads system which is the second highest count for any harbour authority in the UK only the Port of London having more. Aids to Navigation range from channel marker posts, lights on fixed structures such as bridges and piers to signage at cable and gas crossing points.
- 2.2. Whilst the channel markers are directly controlled by the Broads Authority many of the other AtoN's are the responsibility of third parties such as utility companies, Network Rail and the Highways Agency. However the overall responsibility for the management of all AtoNs within the Broads lies with the Broads Authority.
- 2.3. Over the years the management of the third party AtoN's has proved extremely difficult with some utility companies not responding to letters and contacts from the Authority asking them to maintain their AtoN's which protect their assets.



- 2.4. The Trinity House Annual report, see Appendix 1, lists the Broads Authority as a poor performer primarily for the amount of third party AtoN's which are deficient in some way.

### **3. Progress**

- 3.1. In 2016 following the annual Trinity House inspection in which faults were recorded because some AtoN's just could not be found due to a vague description of the location on Trinity House listings. The Authority committed time and effort to locating these "missing" AtoN's. This resulted in an increase of deficient AtoN's in the following annual inspection as more were identified as a number of faults can be recorded against each AtoN.
- 3.2. Following a concerted effort to contact the third party owners of the AtoN's and the maintenance programme of replacing and maintaining the Authority owned AtoN's the position following the 2018 inspection is much improved with only 26.9% of deficiency which are all third party owned assets.
- 3.3. The Authority has also mapped onto its graphical information system (GIS) the location of all of the river furniture, signs, channel marker posts etc. including the formal AtoN's which will allow Rangers to regularly inspect and report on the condition of these assets.
- 3.4. This Positional data has been passed to Trinity House and they have confirmed that the Broads Authority is the first Harbour Authority to share GIS data with them.

### **4. Next steps**

- 4.1. A large number of the defective items on the rivers Yare and Wensum approaching Norwich can be rectified by rationalising the signage which is planned for 2018/19 which will result in a further reduction of defective items on the annual inspection.

Background papers: None

Author: Steve Birtles

Date of report: 10 October 2018

Appendices: Appendix 1 – Trinity House Annual Report 2017



## TRINITY HOUSE

### **INSPECTIONS/AUDITS OF LOCAL AIDS TO NAVIGATION AND OFFSHORE STRUCTURES**

### **2017 REPORT**



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*Cover picture: Kings Lynn, Roaring Middle Light Float*

## Executive summary

- The deficiency rate continues to trend downwards, 10008 local authority AtoN were inspected, with a reported deficiency rate of 10.68% which is down 1.65% on the previous year. Section 3.2 refers.
- The consistent poor performing authorities have been heavily targeted and the numbers are reducing; there are however still a few authorities – primarily non Competent Harbour Authorities (CHAs) – which continue to rank as persistent poor performers as detailed in Section 3.2.6. These Authorities will be targeted during the inspection and audit regime of 2018.
- CHA deficiency rates have decreased further in 2017 by 1.41% which corresponds to a relatively consistent defect rate over the previous three years – around 10%. Other AtoN providers are also showing a continued downward trend in deficiencies, falling this year to 12.5%. The highest defect remains ‘requiring painting’ at 25%, but of particular concern is the number of lights extinguished which has increased this year and represents 20% of total AtoN deficiencies. Section 3.2.8 refers.
- The Offshore Renewable Energy Installations (OREI) sector continues to grow and was again inspected in full, with a slight increase in deficiency rate to 10.91%.
- Oil and Gas has seen a slight increase in total defects observed but a marked improvement noted overall, with those platforms with major defects reduced to a single platform. This relates to the close liaison with the Offshore Petroleum Regulator for Environment and Decommissioning (OPRED), resulting in a greatly improved co-operation from the platform operators. Section 4 refers.

This report is submitted to the Secretary of State pursuant to Section 198(4) of the Merchant Shipping Act, 1995.

## **1. Policy**

- 1.1 Section 198(1) of the Merchant Shipping Act 1995 (the Act of 1995), empowers the General Lighthouse Authorities (GLAs) to inspect all lighthouses, buoys and beacons under Local Lighthouse Authority management. In addition, Section 195(1) of the Act of 1995 vests in the GLAs the superintendence and management of all lighthouses buoys and beacons within their areas.
- 1.2 Emphasis continues to be placed on a combination of inspecting local Aids to Navigation (AtoN) and auditing local AtoN provision against known (IALA) requirements.
- 1.3 Under the UK Government's Port Marine Safety Code (revised 2016) all AtoN maintained by Harbour Authorities and any other existing Local Lighthouse Authorities must be maintained in accordance with the availability criteria laid down by the GLAs, and must be subject to periodic review. The characteristics of these AtoN must comply with Guidelines and Recommendations as laid down by the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA). The GLAs require Harbour Authorities and any other existing Local Lighthouse Authorities to be responsible for ensuring that any third party AtoN, within their area of responsibility, are also established and maintained to the same standards.
- 1.4 The GLAs also require those responsible for local AtoN, which lie outside statutory Harbour and Local Lighthouse Authorities' areas of jurisdiction, e.g. AtoN established as a result of Marine and Coastal Access Act 2009, AtoN maintained by Government Agencies and the Ministry of Defence, to name but a few, to establish and maintain their AtoN to the same standards.
- 1.5 The GLAs require those responsible for local AtoN to keep appropriate records of availability statistics and failure response times, and provide to them summaries of these records.
- 1.6 In addition, each authority is required to establish procedures for responding to casualties to AtoN within the timescales as laid down and applied by the GLAs.

## **2. Purpose**

- 2.1 The manner in which Trinity House (TH) discharges its statutory duty as a General Lighthouse Authority in respect of local AtoN is therefore a combination of consent to changes, audit and inspection. This includes the duty of superintendence and management to ensure that AtoN maintained by other authorities within TH area of responsibility meet the agreed international standards.
- 2.2 Site visits:
- Allow authorities the opportunity to discuss with the Inspecting Officer all matters relating to their AtoN provision,
  - Allow TH the opportunity to discuss, face to face, the level of local AtoN provision,
  - Enable TH to more effectively review this level of provision and recommend changes to the level and / or to the maintenance regimes, taking into account safety of navigation requirements and environmental considerations.
- 2.3 Many Local Lighthouse Authorities welcome this annual visit, as they consider the audit and inspection to form an important external audit element of their port quality management systems.
- 2.4 The Local AtoN Manager (LAM) continues to work in conjunction with the Inspector of Seamarks (IOS) thus enabling TH to both inspect all AtoN whilst also being in a position to carry out audits and follow up inspections in those areas that generate the greatest risk, taking into account the navigational significance of the authorities' AtoN. Monitoring of availability statistics also provides for an element of continuous assessment for key Authorities.

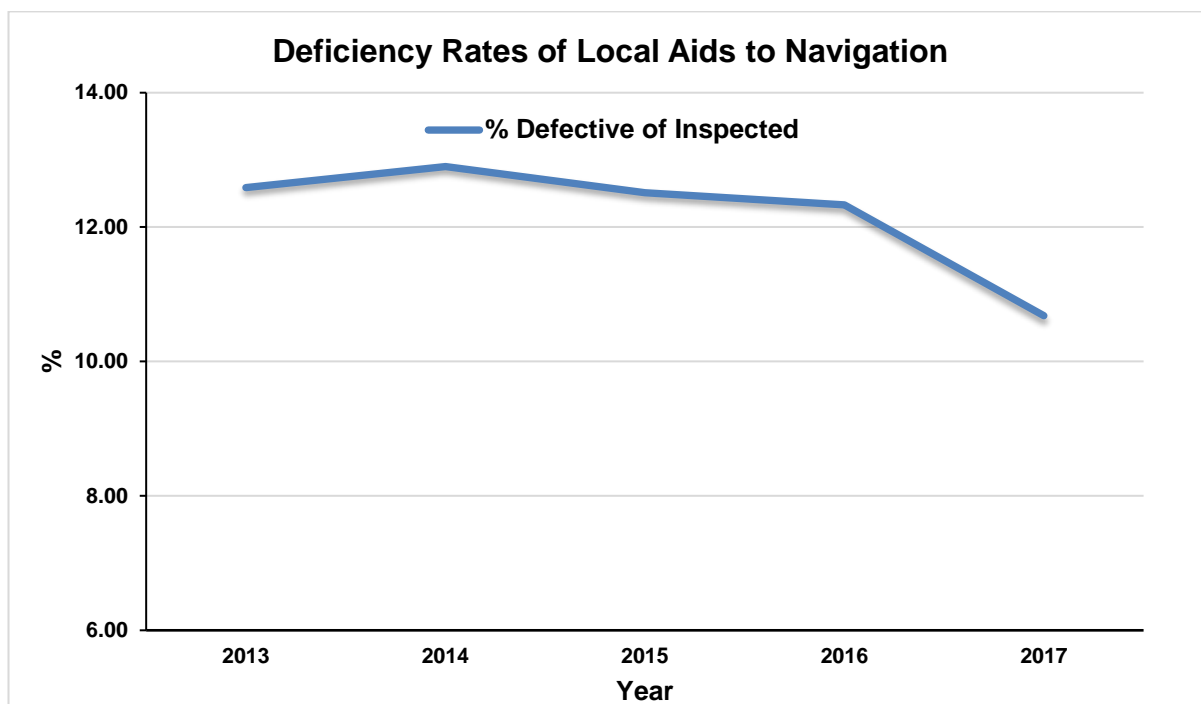
## **3. Local Aids to Navigation**

### **3.1 Inspections**

- 3.1.1 Inspections are arranged by direct contact with local authorities responsible for the provision of local AtoN. The authorities are invited to provide a representative to accompany the IOS during the inspection. The IOS is accompanied by a member of the Examiners Committee (responsible for deciding navigational requirements) when inspecting selected Ports and Harbours where considered necessary. Accompanied inspections for 2017 were Devonport, Portsmouth, Barrow, Thames Lower and West Coast Rigs.
- 3.1.2 Occasionally, inspections of local AtoN that can best be viewed from seaward and for which local authorities are unable to make a boat available, inspections are carried out either by the Commanding Officers of TH Tenders, or by the IOS utilising a TH launch.

### **3.2 Results of inspections**

- 3.2.1 A total of **10,008** AtoN were inspected and of these **1,069** were found to be other than in good and efficient order. This represents a deficiency rate of **10.68%**, continuing the decreasing trend by a further **1.65 %** over the previous year.



- 3.2.2 Trinity House aspires to inspect all local AtoN annually but this is not always achieved. This year 275 of the 10283 of the active local AtoN were not inspected for practical reasons such as bad weather (including reduced visibility), provision of local boats or access. This includes a large number of seasonal AtoN which were not inspected in due to the new LAM only assuming position in June 2017.
- 3.2.3 The continued decrease in deficiency rates is attributed to two main points:
- 2016 reported high number of 'requiring painting' in due to poor paint preparation and products used by a number of authorities, which has been corrected.
  - The strong and robust inspection and audit regime together with the established proactive use of the online reporting system has enabled targeting of key areas to be addressed.

### **Notable AtoN providers**

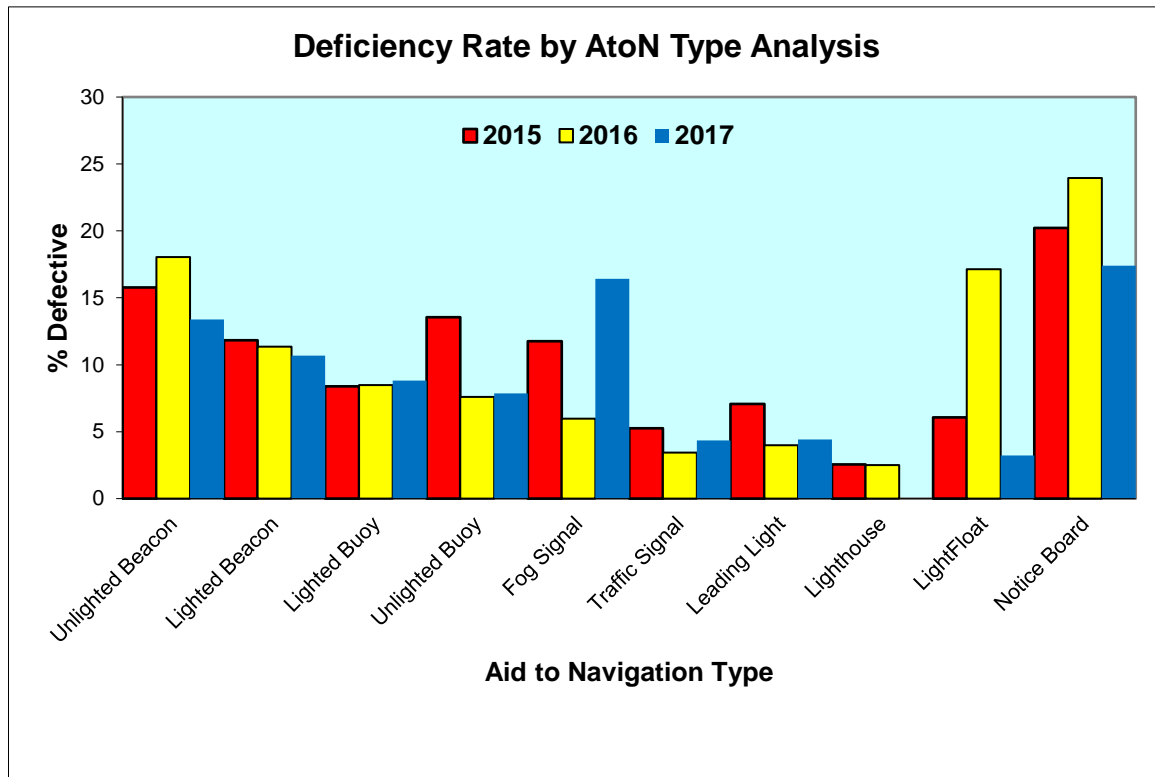
3.2.4 The table below details those authorities, with 10 or more AtoN, with a defect rate of  $\geq 25\%$ , listed from highest % defects downwards. These will be monitored and targeted during the inspection programme for 2018.

<b>A Number</b>	<b>Authority</b>	<b>No. of AtoN Inspected</b>	<b>No. Defective</b>	<b>% Defective</b>
A0115	British Telecom	80	40	50
A1630	Tollesbury Marina	23	11	47.83
A3005	Redcar & Cleveland Borough Council	11	5	45.45
A1200	Gosport Borough Council	10	4	40
A1210	Portsmouth City Council	15	6	40
A1875	North Norfolk District Council	46	17	36.96
A1925	Fosdyke Yacht Haven	19	7	36.84
A1855	Broads Authority	238	79	33.19
A1050	Bournemouth Borough Council	38	12	31.58
A0595	Newport City Council	11	3	27.27
A0619	Somerset County Council	11	3	27.27
A1275	Southern Water Services Limited	112	28	25

Those highlighted in red remain as poor AtoN providers from 2016; the Broads Authority however have an increased defect rate. The remaining providers show improving signs (see Section 3.2.6). New entries this year will be carefully monitored in 2018.



3.2.5 The deficiency rate by AtoN type is shown below. The significant observation this year is fog signal faults which have increased by more than 10% over the previous reporting period. This can be attributed to authorities undertaking upgrades to systems thus changes to fog signal codes, which had not been addressed to Trinity House. A detailed analysis of the defects in 2017 and of those AtoN inspected can be found at Annex 3. A listing of the Condition Codes is attached at Annex 2 and is subject to periodic review by the IOS.



Total AtoN Defective

	2015	2016	2017
<b>Unlighted Beacon</b>	512	584	427
<b>Lighted Beacon</b>	403	389	367
<b>Lighted Buoy</b>	133	144	145
<b>Unlighted Buoy</b>	151	82	82
<b>Fog Signal</b>	6	4	11
<b>Traffic Signal</b>	11	8	10
<b>Leading Light</b>	16	9	10
<b>Lighthouse</b>	1	1	0
<b>LightFloat</b>	2	6	1
<b>Notice Board</b>	19	23	14

3.2.6 The table below provides a year on year comparison of those authorities that fall into the category of having ten or more AtoN, combined with a defect rate  $\geq 25\%$ .

It should again be noted that authorities marked green have been found to have improved, those in amber remain within 15% of previous year, whilst only the Broads Authority has an increased defect rate and is shown in red.

A Number		2016			2017		
		AtoNs Inspected	No. Defective	% Defective	AtoNs Inspected	No. Defective	% Defective
A1506	Avant Homes	18	15	83.33	22	1	4.55
A1210	Portsmouth City Council	16	13	81.25	15	6	40
A1875	North Norfolk District Council	48	36	75	46	17	36.96
A0465	Saundersfoot Harbour Commissioners	22	15	68.18	4	0	0
A1470	Dover District Council	18	11	61.11	17	0	0
A1455	Shepway District Council	18	11	61.11	8	2	25
A3005	Redcar & Cleveland Borough Council	10	6	60	11	5	45.45
A0115	British Telecom	84	48	57.14	80	40	50
A1630	Tollesbury Marina	21	11	52.38	23	11	47.83
A1925	Fosdyke Yacht Haven	19	9	47.37	19	7	36.84
A0619	Somerset County Council	11	5	45.45	11	3	27.27
A1260	Hayling Island Sailing Club	22	9	40.91	22	5	22.73
A0843	Wales and West Utilities	17	6	35.29	17	2	11.76
A1250	Langstone Harbour Board	105	34	32.38	103	25	24.27
A0122	ABP Fleetwood	31	10	32.26	32	6	18.75
A0144	United Utilities	28	9	32.14	25	6	24
A0949	Offshore Shellfish Limited	10	3	30	12	1	8.33
A0245	Denbighshire County Council	64	19	29.69	62	13	20.97
A1855	Broads Authority	230	68	29.57	238	79	33.19
A1240	Isle of Wight Council	45	13	28.89	45	9	20
A1865	Great Yarmouth Borough Council	22	6	27.27	21	4	19.05
A1275	Southern Water Services Limited	115	31	26.96	112	28	25
A1180	ABP Southampton	311	82	26.37	311	54	17.36
A0590	Newport Harbour Commissioners	24	6	25	24	2	8.33

- **Avant Homes:** following long historical problems with this provider, pleased to report they are now fully compliant with a single AtoN fault last year
- **Portsmouth City Council:** Although some improvement has been noted there remain numerous defects. Gosport Council comes under the same controlling authority which jointly are showing an increased defect rate (see Section 3.2.4) and so they will be closely inspected during 2018.
- **North Norfolk District Council:** Groyne structures on this coast are in a very poor condition. AtoN provision will be monitored carefully in 2018 as some deterioration is expected.
- **Redcar & Cleveland Borough Council:** There is little evidence of any action to maintain AtoN. During the 2018 inspection the council will be addressed on planned maintenance requirements.
- **British Telecom:** Continue to be an ongoing concern. Changes in management with BT have seen a slight improvement and a major review of AtoN requirements is now underway. This will hopefully have a positive effect on results over the next two years.

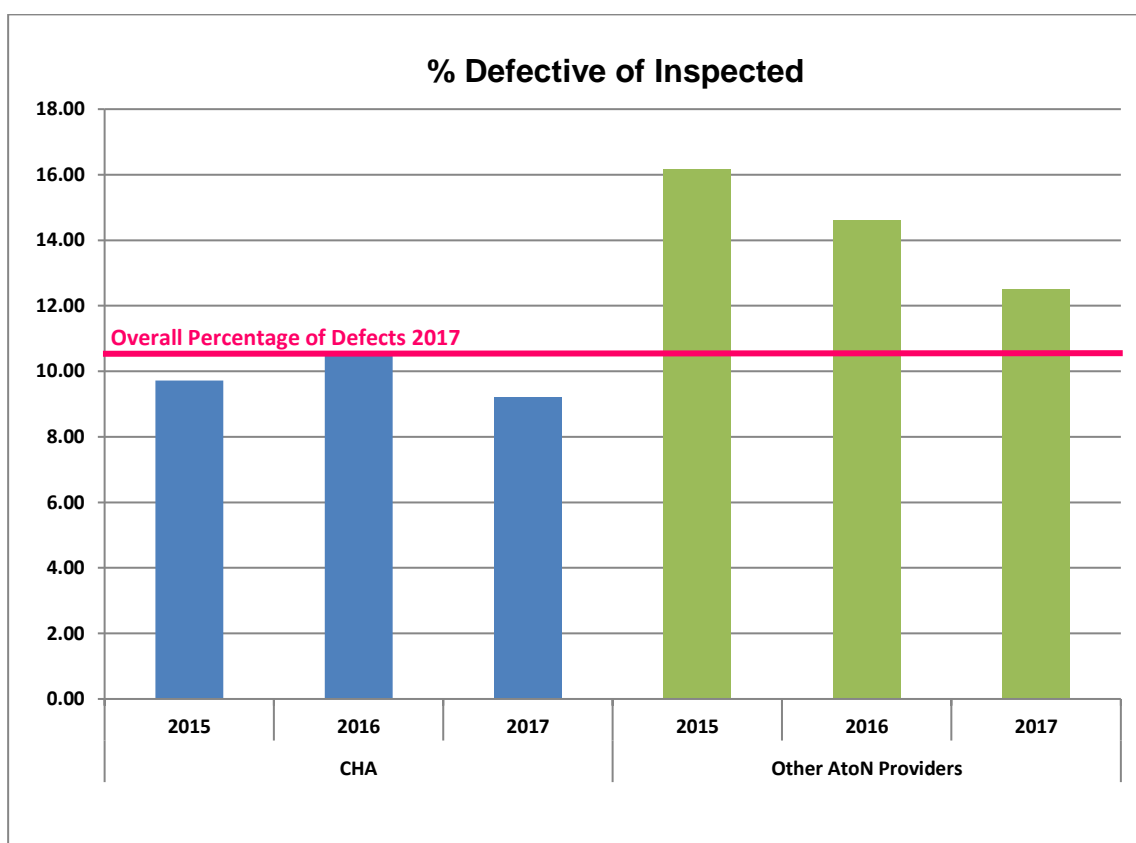
- **Tollesbury Marina:** Management changes here have seen a marked improvement in AtoN provision and maintenance; there is however still a long way to go. Detailed close up afloat inspections will be conducted in 2018. A follow up additional inspection in October 2017 indicated clear improvements in AtoN provision.
- **Broads Authority:** Continue to show a high and increasing number of defects, primarily low risk 3<sup>rd</sup> party cable crossings. Audits are planned which will include guidance on how to consolidate AtoN, working with 3<sup>rd</sup> parties to reduce deficiency rates within the authority area.

3.2.7 The following tables provide a direct comparison between Competent Harbour Authorities (CHAs) against other AtoN providers.

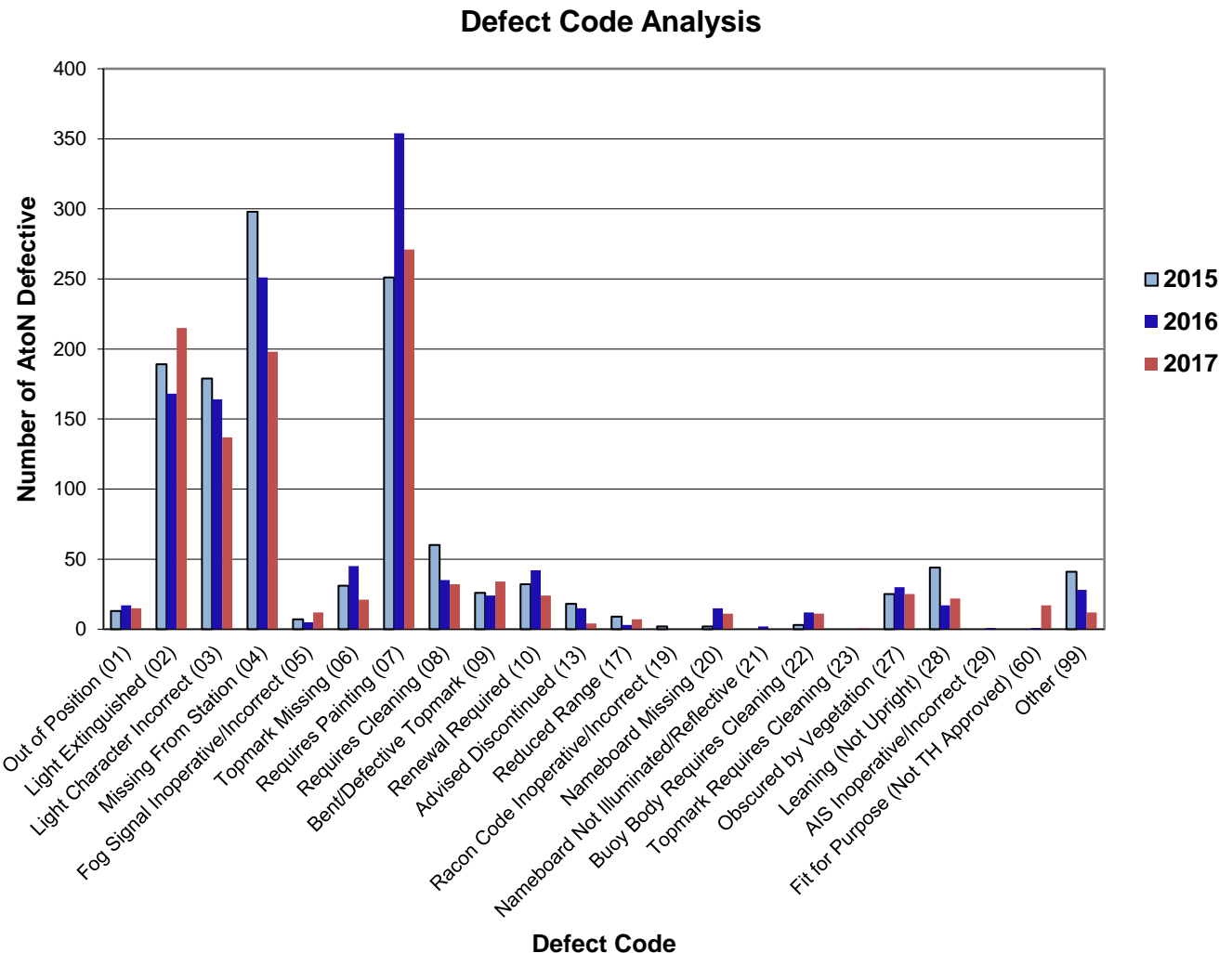
3.2.8 55% of the AtoN inspected are under the responsibilities of the CHAs and the deficiency rate with this group has decreased this year to 9.21% Other AtoN provider rates have also dropped this year to 12.50%.

#### CHA Defect Analysis

	CHA			Other AtoN Providers			All AtoN Providers		
	2015	2016	2017	2015	2016	2017	2015	2016	2017
Total AtoNs Inspected	5670	5772	5529	4351	4364	4479	10021	10136	10008
Total AtoNs Defective	551	613	509	703	637	560	1254	1250	1069
% Defective of Inspected	9.72	10.62	9.21	16.16	14.60	12.50	12.51	12.33	10.68



3.2.9 The analysis below shows defects by type and notably increase in 'Light Extinguished' (02). his appears a significant increase but is primarily related to numerous small jetty lights and up river lights with 3<sup>rd</sup> party owners. Pressure will continue on authorities to address this trend. 'Requires Painting' (07) remains the highest defect code. This primarily relates to local councils and the lack of planned maintenance regimes, which are being addressed on a case by case basis.



**\*NOTE:** This table needs to be read with caution as the Y axis of this graph is elongated by the four largest defect codes, requiring careful analysis of remaining codes.

Please see **Annex 2** for description of Inspection Condition Codes and **Annex 3** for a detailed breakdown of defect results.

### **3.3 Audit regime**

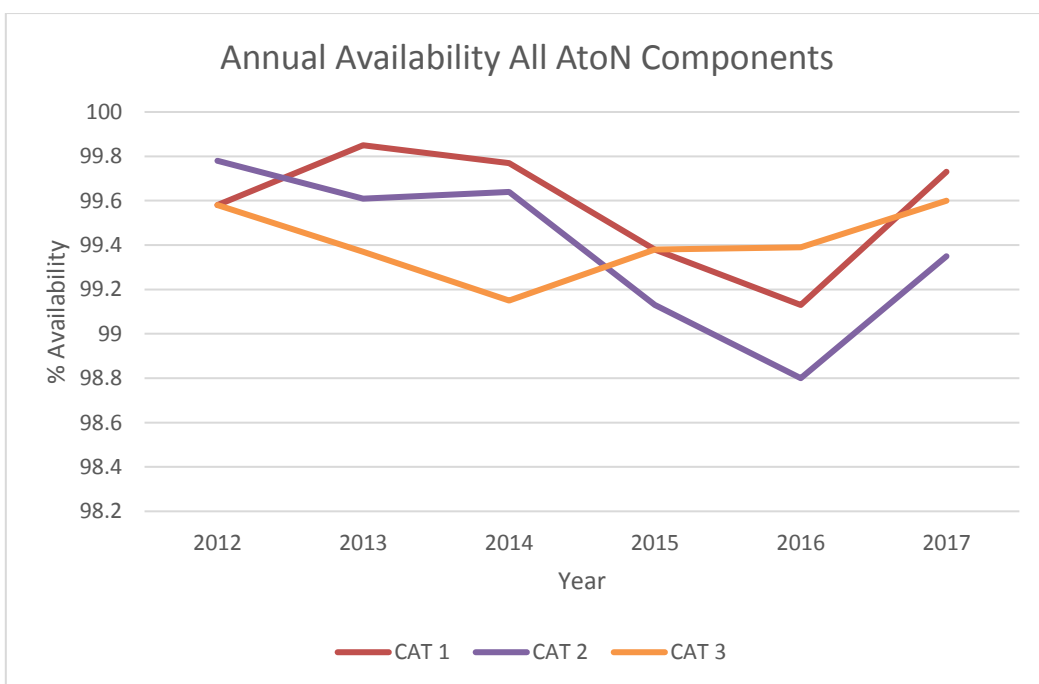
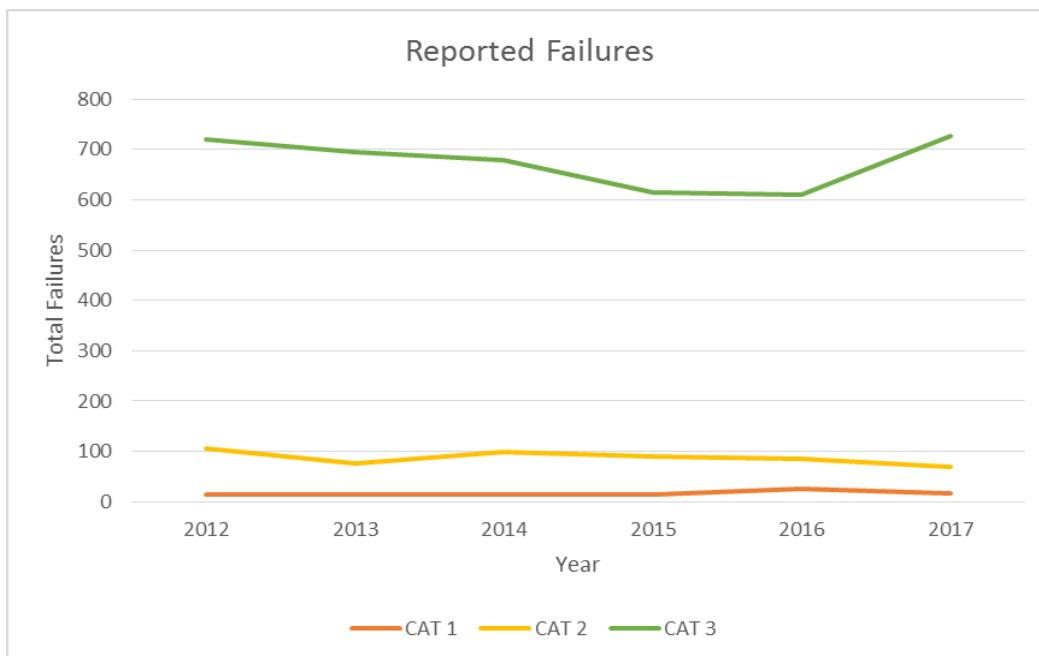
- 3.3.1 The 2017 audit programme was completed in full. There are now a total of 142 LLAs, including offshore wind farms (OWFs), that either have been, or will get, regularly audited within this figure.
- 3.3.2 A full audit programme was conducted in 2017 with a total of 64 Audits undertaken, which included 3 offshore wind farms.
- 3.3.3 No Non Conformances were issued in 2017. One Potential Improvement Notice (PIN) was issued to ABP Silloth.

### **3.4 Local AtoN availability**

- 3.4.1 All CHAs and operational OWFs are set up to report availability, and the majority are correctly reporting with just a single instance of the old quarterly reporting routines being found to still be taking place.

### 3.5 Local AtoN availability returns (Online Reporting)

- 3.5.1 All audited LLAs declared familiarity and competency with the system although it was noted that some had not used the system since their account was established.
- 3.5.2 The following graphs show the total number of reported defects and the database generated availability statistics. An increase in the number of reported casualties within Category 3 is believed to be a result of greater engagement in the automated defect reporting process by the Local Lighthouse Authorities, initiated by the previous year's audit program that built on the established number and diligence of users. When compared against the increased availability of the same category, conclusions can be drawn that the duration of defects is reduced compared to previous years despite more individual instances being reported.



#### **4. Seaward inspection of offshore structures (oil & gas)**

- 4.1 During the 2017 seaward inspection of Offshore Structures, 144 offshore structures within TH area of responsibility were inspected. A total of 575 AtoN were inspected of which 90 were found to be defective, which represents a total defect rate of 15.65%, up from 13.64% in 2016. On a platform basis, the number with defects was 37 which is down on the figure from 2016.

		2017		2016	
TOTAL PLATFORMS INSPECTED		144		143	
TOTAL ATONS INSPECTED		575		601	
TOTAL AND % OF ATONS DEFECTIVE		90	15.65%	82	13.64%
TOTAL AND % OF PLATFORMS WITH DEFECTS		37	25.69%	54	37.76%
TOTAL AND % OF PLATFORMS WITH MULTIPLE DEFECTS		23	15.97%	13	9.09%

- 4.2 The defect rate for AtoNs has increased, while the number of platforms with defects has actually decreased. This apparent anomaly is reflected in the large increase in platforms with multiple defects.
- 4.3 Cooperation from platform operators has improved considerably, due primarily to the strong relationship in place with OPRED. Despite the increase in overall defects, it is noteworthy that those platforms with major defects were reduced in 2017 to a single platform.

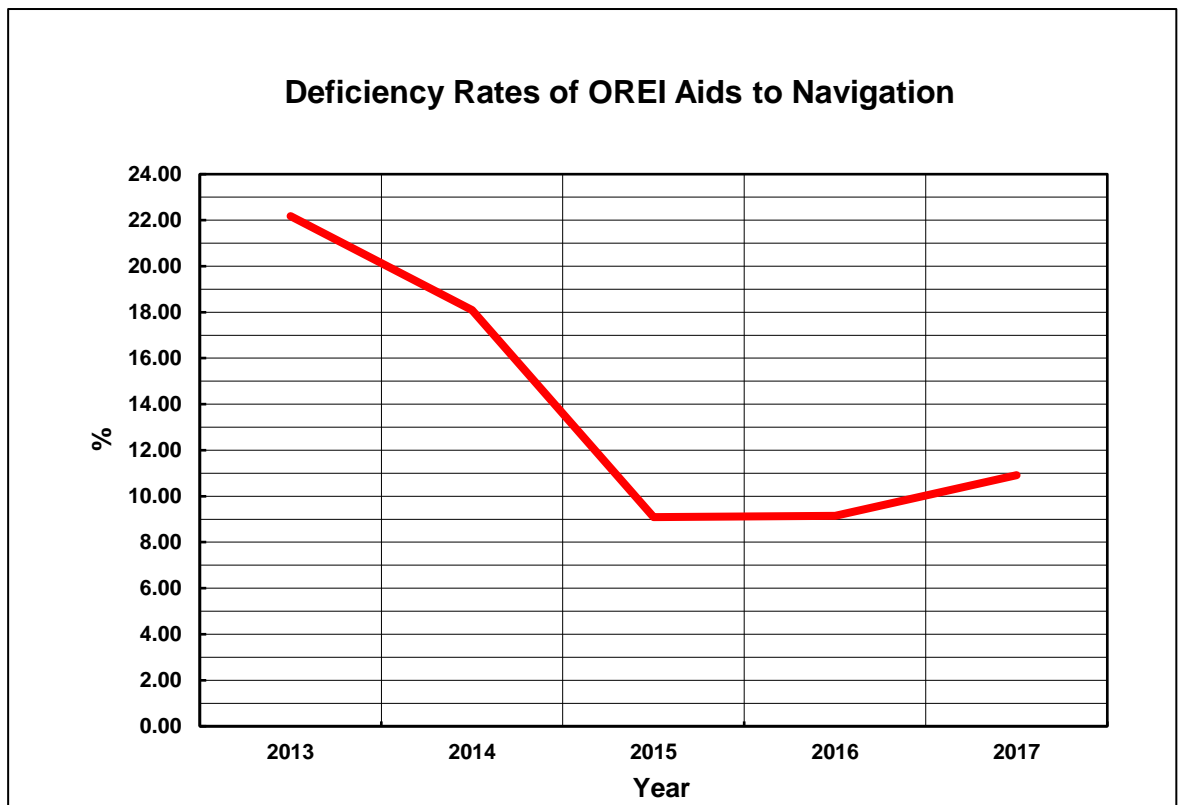
## 5. Offshore Renewable Energy Installations (OREI)

### 5.1 Inspections

There were 33 OREI sites with aids to navigation, all of which were visited in 2017. Of the 428 active aids to navigation relating to the 33 sites, 330 were inspected and 36 were found to be defective, giving a deficiency rate of 10.91%. Annex 4 details the full breakdown of inspection codes used and for what type of aid to navigation. The 2017 deficiency rate is an increase on that of 2016 (9.15%) and is largely due to aids to navigation failures on a number of Offshore Wind Farms that are over 5 years old and those on ageing Meteorological Masts.

In order to give a meaningful deficiency rate; a group of unlighted wind turbines at an OREI site are treated as one aid to navigation for reporting and inspection purposes and therefore the total of 24 unlighted wind turbines in fact represents 1367 individual unlighted wind turbine structures in reality.

The trend graph below highlights the significant progress made in this sector's AtoN provision over the last 5 years:



### 5.2 Inspection results by % AtoN defective

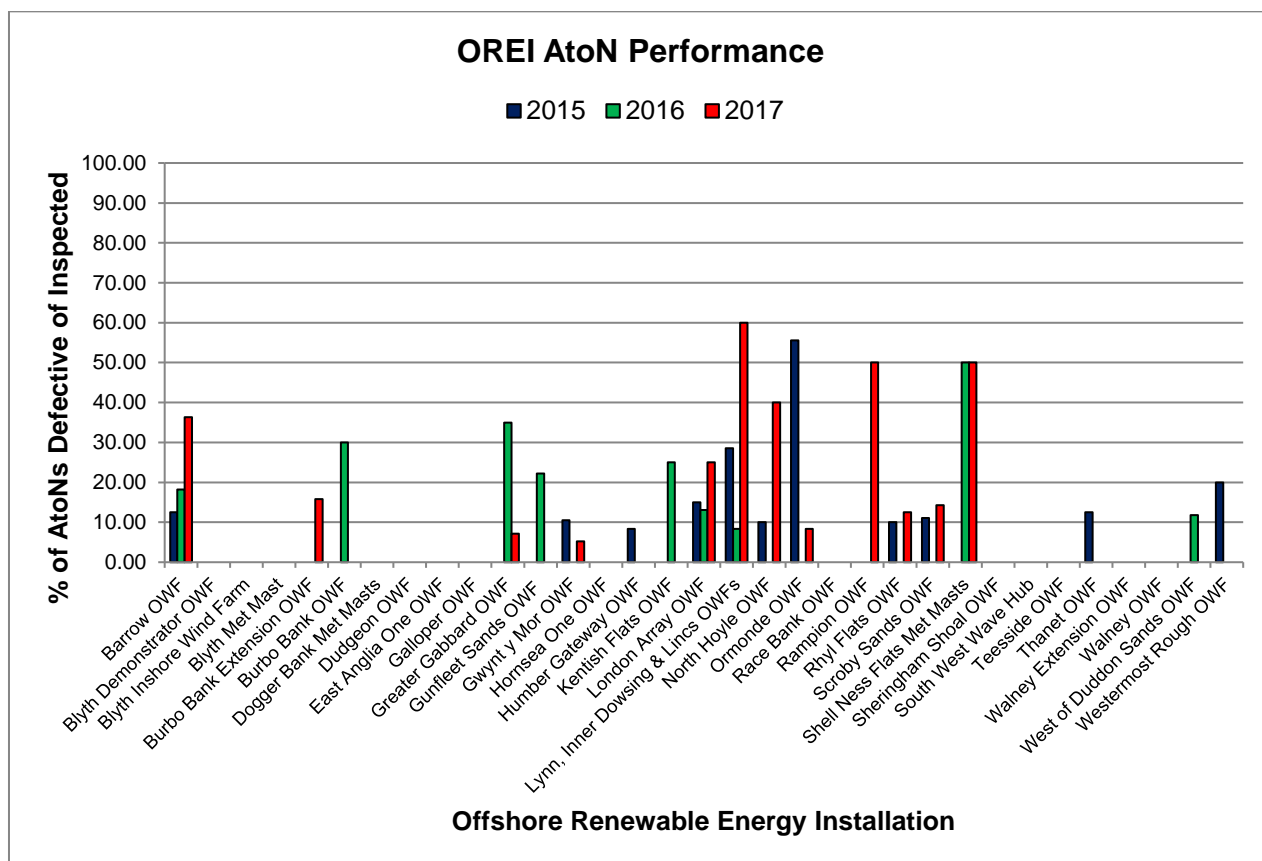
The table below details all OREI sites against their respective % of AtoNs defective. 6 of the sites below (highlighted in red) had a deficiency rate of more than 20%, which is of concern and Trinity House intend to target these sites in the 2018 inspection and audit regime.

It should be noted that the 24 Hornsea One OWF (offshore wind farm) construction phase buoys were not deployed until 31 October 2017 and therefore Trinity House was unable to schedule an inspection before the end of the year, resulting in the 0 AtoNs inspected for this site.



OREI	AtoNs Inspected	No. Defective	% Defective
Barrow OWF	11	4	36.36
Blyth Demonstrator OWF	7	0	0.00
Blyth Inshore Wind Farm	2	0	0.00
Blyth Met Mast	1	0	0.00
Burbo Bank Extension OWF	19	3	15.79
Burbo Bank OWF	10	0	0.00
Dogger Bank Met Masts	2	0	0.00
Dudgeon OWF	23	0	0.00
East Anglia One OWF	2	0	0.00
Galloper OWF	13	0	0.00
Greater Gabbard OWF	14	1	7.14
Gunfleet Sands OWF	18	0	0.00
Gwynt y Mor OWF	19	1	5.26
Hornsea One OWF	0	0	0.00
Humber Gateway OWF	11	0	0.00
Kentish Flats OWF	8	0	0.00
London Array OWF	20	5	25.00
Lynn, Inner Dowsing & Lincs OWFs	15	9	60.00
North Hoyle OWF	10	4	40.00
Ormonde OWF	12	1	8.33
Race Bank OWF	8	0	0.00
Rampion OWF	10	5	50.00
Rhyl Flats OWF	8	1	12.50
Scroby Sands OWF	7	1	14.29
Shell Ness Flats Met Masts	2	1	50.00
Sheringham Shoal OWF	7	0	0.00
South West Wave Hub	6	0	0.00
Teesside OWF	4	0	0.00
Thanet OWF	3	0	0.00
Walney Extension OWF	11	0	0.00
Walney OWF	20	0	0.00
West of Duddon Sands OWF	17	0	0.00
Westermest Rough OWF	10	0	0.00

The graph below shows OREI performance at inspection, over the last 3 years. Trinity House is encouraged by the significant improvements made at 4 of the 5 sites highlighted for targeting in the 2016 report: Burbo Bank OWF, Greater Gabbard OWF, Gunfleet Sands OWF and Kentish Flats OWF; with only one defective aid to navigation found across the 4 sites.



It should be noted that the Shell Ness Flats Met Masts are programmed to be decommissioned and removed during 2018.

The significant increases in deficiency rates at the following sites are acknowledged by Trinity House and we have worked with the relevant Operators in order to resolve these issues and will continue to do so into 2018:

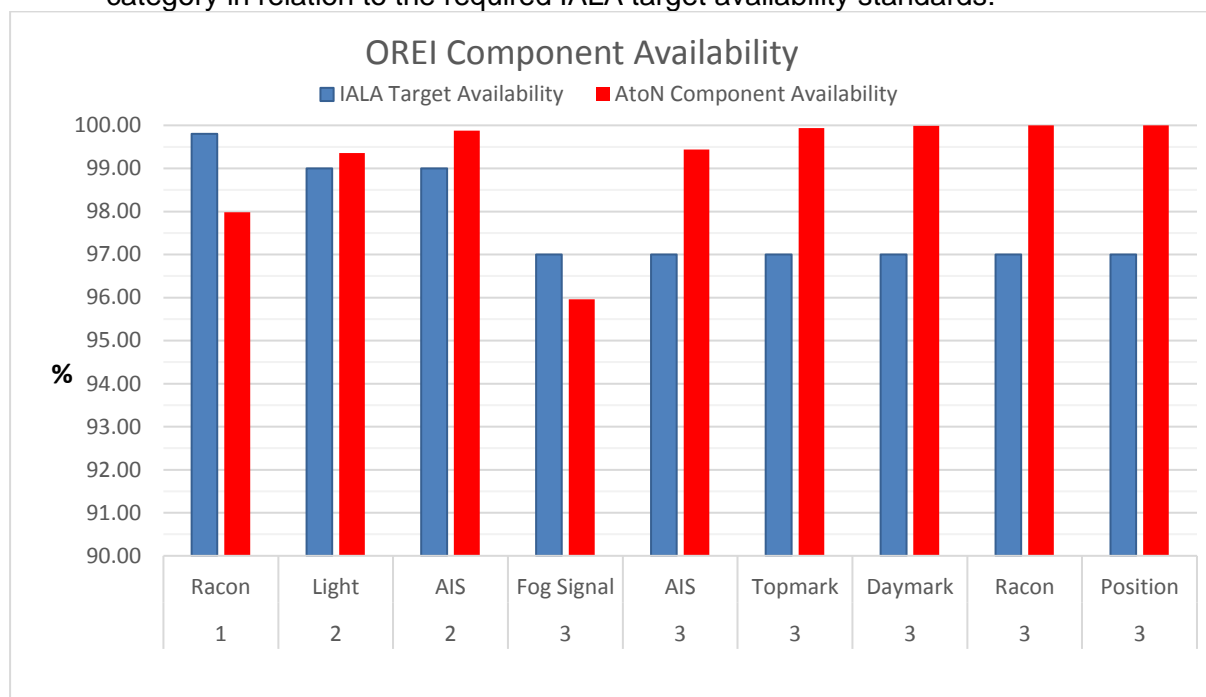
- Barrow OWF (Barrow Offshore Wind Ltd)
- London Array OWF (London Array Ltd)
- Lynn, Inner Dowsing & Lincs OWFs (Centrica Energy)
- North Hoyle OWF (Npower Renewables Ltd)
- Rampion OWF (E.ON UK)

Three of the five sites above are some of the earliest established and a number of their AtoN deficiencies are simply down to equipment reaching the end of their useful life and in need of replacement. Trinity House expect a vast improvement to their AtoN provision next year.

### 5.3 AtoN component availability statistics

All 33 OREI sites continued to report on their AtoN component availability and therefore we now have over two years' worth of reliable data.

The graph below shows the overall data for all AtoN components within each IALA category in relation to the required IALA target availability standards:



The above clearly shows a failure to meet the IALA target availability for both Cat 1 racon and Cat 3 fog signal components. However, as there is only one Cat 1 racon component any failure to this single component will have a significant impact on this availability percentage; which is detailed in the table. The Cat 3 fog signal failure is more concerning and relates to two offshore wind farm sites in particular, also detailed in the table below; which shows each individual OREI site that has failed to meet the IALA target availability for a particular category of components:

OREI	Category of Components	IALA Target Availability %	Availability % at 31/12/2017
East Anglia One OWF	1	99.80	97.98
Ormonde OWF	2	99.00	90.23
Shell Ness Flats Met Masts	2	99.00	91.26
East Anglia One OWF	2	99.00	97.80
Gunfleet Sands OWF	2	99.00	97.90
Thanet OWF	2	99.00	98.03
London Array OWF	3	97.00	94.23
Ormonde OWF	3	97.00	96.32

Trinity House will be monitoring the above sites closely during 2018 and engaging with the relevant authorities as appropriate, in order to achieve a more satisfactory level of availability performance from the OREI sector, both from an individual site perspective and as a whole.



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***Date***

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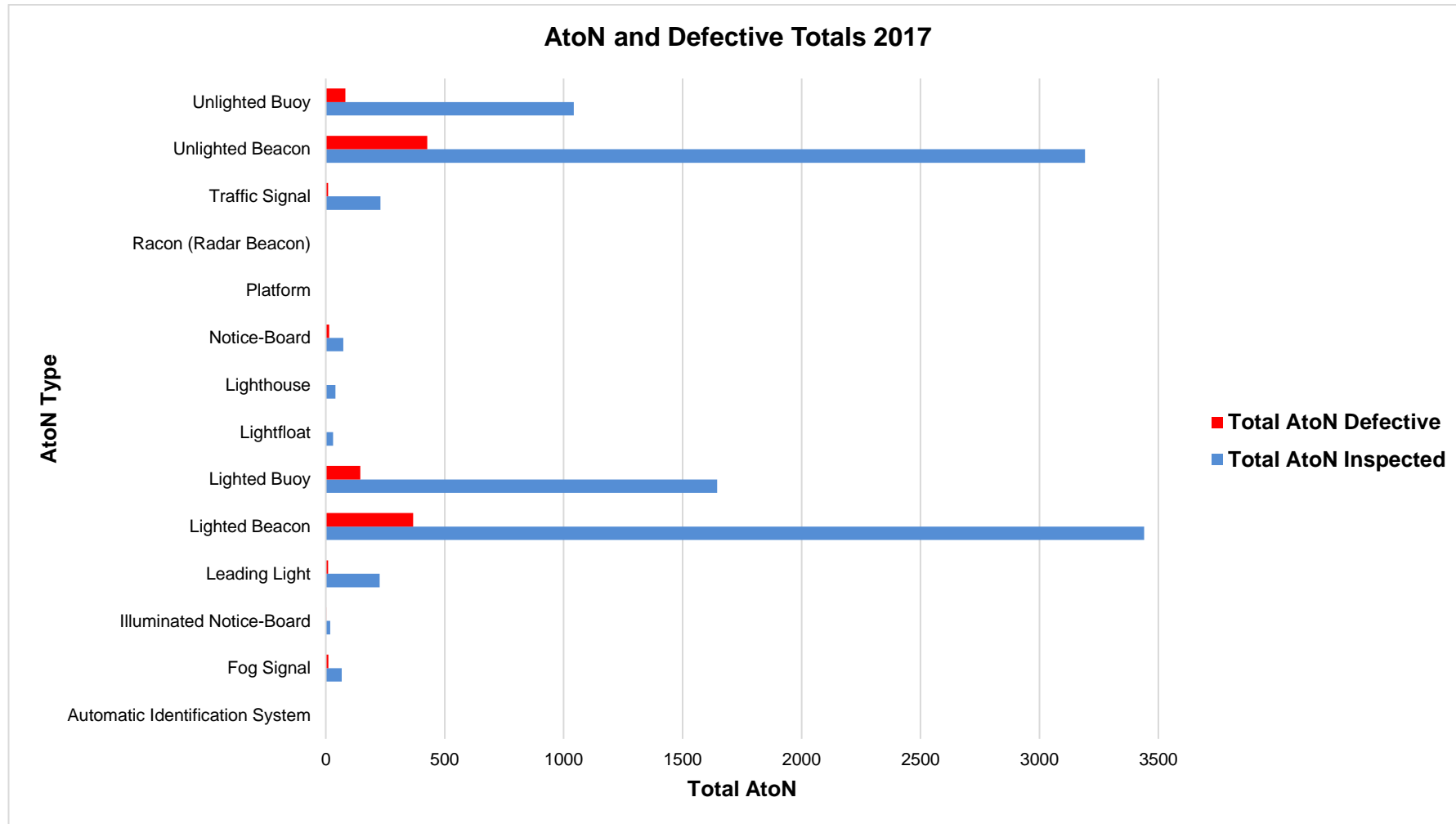
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Captain N Hope  
Captain S Gobbi  
Rear Admiral D Snelson  
Commodore B Walworth  
Captain Tony Tibbott  
Navigation Directorate

## Annexes

### Annex 1 – AtoNs and defective totals 2017



## **Annex 2 – Inspection condition codes**

Detailed below are the condition codes for use when reporting the results of inspections of local AtoN and Offshore Structures.

CODE	DESCRIPTION
00	Correct/Good Order
01	Out of Position
02	Light Extinguished
03	Light Character Incorrect
04	Missing from Station
05	Fog Signal Inoperative/Incorrect
06	Topmark Missing
07	Requires Painting
08	Requires Cleaning
09	Bent/Defective Topmark
10	Renewal Required
11	Light Not Seen
12	Not Seen (Not Found/Located)
13	Advised Discontinued
14	Multiple Defects – [inactive for inspection purposes but not for reporting purposes of this Report]
15	Seasonal/Occasional
16	Not Yet Established
17	Reduced Range
18	Lights Not Synchronised
19	Racon Code Incorrect
20	Nameboard Missing
21	Nameboard Not Illuminated/Reflective
22	Buoy Body Requires Cleaning
23	Topmark Requires Cleaning
24	Fog Signal Not Inspected
25	Not due for Inspection at this Time
26	Audit/Inspection Suspended
27	Obscured by Vegetation
28	Leaning (Not Upright)
29	AIS Inoperative/Incorrect
50	Good Order (Not IALA Recommended)
60	Fit for Purpose (Not TH Approved)
99	Other

### Annex 3 – AtoN defect analysis

Row Labels	Automatic Identification System	Fog Signal	Illuminated Notice-Board	Leading Light	Lighted Beacon	Lighted Buoy	Lightfloat	Lighthouse	Notice-Board	Platform	Racon (Radar Beacon)	Traffic Signal	Unlighted Beacon	Unlighted Buoy	Total AtoN In
Advised Discontinued												4			4
Bent/Defective Topmark					12	2							19	1	34
Buoy Body Requires Cleaning						10								1	11
Fit for Purpose (Not TH Approved)														17	17
Fog Signal Inoperative/Incorrect		11			1										12
Fog Signal Not Inspected		19			1										20
Good Order	1	37	15	216	3005	1464	30	40	60	1	1	197	2747	879	8693
Leaning (Not Upright)													21	1	22
Light Character Incorrect				2	123	9						3			137
Light Extinguished			2	6	175	25						3		4	215
Light Not Seen					7	2									9
Missing From Station					3	14			12				128	41	198
Nameboard Missing					5	5								1	11
Not Seen (Not Found/Located)			1			14							14	12	41
Not Yet Established					17	11						2	4	11	45
Obscured by Vegetation													25		25
Other					3	7							2		12
Out of Position					7	5							2	1	15
Reduced Range				1	5	1									7
Renewal Required						3							17	4	24
Requires Cleaning					1	24	1						2	4	32
Requires Painting				1	31	38			2				192	7	271
Seasonal/Occasional					43	9						21		58	131
Topmark Missing					1	1							19		21
Topmark Requires Cleaning						1									1
<b>Total AtoN Inspected</b>	<b>1</b>	<b>67</b>	<b>18</b>	<b>226</b>	<b>3440</b>	<b>1645</b>	<b>31</b>	<b>40</b>	<b>74</b>	<b>1</b>	<b>1</b>	<b>230</b>	<b>3192</b>	<b>1042</b>	<b>10008</b>
<b>Total AtoN Defective</b>	<b>0</b>	<b>11</b>	<b>2</b>	<b>10</b>	<b>367</b>	<b>145</b>	<b>1</b>	<b>0</b>	<b>14</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>427</b>	<b>82</b>	<b>1069</b>
<b>% Defective of Inspected</b>	<b>0</b>	<b>16.42</b>	<b>11.11</b>	<b>4.42</b>	<b>10.67</b>	<b>8.81</b>	<b>3.23</b>	<b>0</b>	<b>18.92</b>	<b>0</b>	<b>0</b>	<b>4.35</b>	<b>13.38</b>	<b>7.87</b>	<b>10.68</b>

Aid Type	Condition Codes																																Defect Totals		
	00	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	50	60		99	
Lighted Substation	2																																	0	
Unlighted Substation	15																																1	1	
Lighted Meteorological Mast	9		1	3											1																			5	
Unlighted Meteorological Mast	2																																	0	
Lighted Buoy	79				1		2																								1			4	
Lighted Wind Turbine	163		5	3		1									3			1	7														6	26	
Unlighted Wind Turbine	24																																	0	
Condition Total	294	0	6	6	1	1	2	0	0	0	0	0	0	4	0	0	1	7	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	7	36

SUMMARY TOTALS									
No.CORRECT			No.DEFECTIVE						% DEFECTIVE
294			36						10.91%



## **Navigation Committee**

Minutes of the meeting held on 6 September 2018

### **Present:**

Mrs Nicky Talbot – in the Chair

Mr K Allen

Mr B Dickson

Mr M Whitaker

Mr J Ash

Mr J Knight

Mr B Wilkins

Ms L Aspland

Mr S Sparrow

### **In Attendance:**

Mr S Birtles – Head of Safety Management (item 8)

Mrs L Burchnall – Head of Ranger Services (item 7)

Mr D Harris – Solicitor and Monitoring Officer

Dr D Hoare – Head of Construction, Maintenance and Environment

Ms E Krelle – Chief Financial Officer (item 11)

Miss S Mullarney – Administrative Officer

Dr J Packman – Chief Executive

Ms Ruth Sainsbury – Planning Officer (item 9)

Mrs C Smith – Head of Planning (item 10)

### **Also Present:**

Lana Hemsall.

### **3/1 To receive apologies for absence**

Apologies for absence were received from, Matthew Bradbury, Alan Goodchild, Max Heron and Greg Munford. Max Heron provided the Chair with comments on the agenda; these were read out at the relevant items.

The Chair welcomed Bill Dickson to his first meeting. Bill was appointed to the committee at the Broads Authority meeting on 27 July 2018.

The Chair also announced that the appointment process for the co-opted members of the Navigation Committee for 2019-22 was due to commence. The current co-opted members were reminded that they would need to apply for membership unless they would have completed the maximum 8 year term by March 2019. The deadline for applications is Friday 19 October.

The Chair proposed a variation to the order of the agenda: Item 10 Lake Lothing Third River Crossing to be discussed before item 9 Planning Application with Navigation Implications BA/2018/0312/FUL Marina Quays.

### **Recordings**

The Chair announced that the meeting would be recorded and that the copyright remains with the Authority; however a copy of the recording could be requested.

James Knight declared that he would be making his own recording.

**3/2 To note whether any items have been proposed as matters of urgent business**

No items were proposed as a matter of urgent business.

**3/3 To receive Declarations of Interest**

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

Simon Sparrow mentioned that he knew the applicant for item 9.

**3/4 Public Question Time**

No public questions were raised.

**3/5 To receive and confirm the minutes of the Navigation Committee meeting held on 14 June 2018**

One member questioned the decision at the last meeting to reduce the number of formal Navigation Committee meetings to five rather than four as the Broads Authority had done. The Chair reminded the committee that this decision was made with the view to reviewing the situation in a year's time.

The minutes of the meeting held on 14 June were signed by the Chairman as a correct record of the meeting.

**3/6 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.

The Solicitor and Monitoring Officer had recently facilitated a meeting with Prof. Williamson and Thorpe Town Council, who were due to meet again soon. Members were informed that the Staithes report was close to being finalised and published.

Members noted the report.

**3/7 Chief Executive's Report and Current Issues**

**Swing Bridges Workshop**

The Chief Executive thanked the Members that attended the workshop. The action list would be followed up at the next meeting with Network Rail. Members were informed that Network Rail had upgraded their telephone system and were in the process of upgrading the signalling system. From next spring this would put the bridge operators in a better position to respond to boat owners. In the meantime Broads Control has been acting as an intermediary.

A Member said the workshop was positive and suggested there be a further meeting for road bridges to discuss access to the Broads.

### **Incident on the River Chet**

Following a serious incident on the river Chet in June which resulted in a hire boat sinking after it had hit an underwater metal obstruction, members were told that following subsequent site visits and surveys, the removal of the dangerous piling and re-profiling of the bank was in the Environment Agency's work programme for October.

The Chief Executive further informed members that BESL had removed the most hazardous of the deformed stone filled gabion baskets at Haddiscoe New Cut and had a rolling programme to attend to those gabions that have lost their stone filling. He added that Broads Authority officers were in the process of looking at all flood defence piling which has deteriorated and presents a navigation hazard. These would be mapped and prioritised to enable the Environment Agency to deal with the greatest hazards.

The Chief Executive added that there was also an issue with areas of piling that were no longer considered part of the flood defence. It was noted that the Environment Agency may not retain responsibility for these. Options for retention would be reviewed for the significant areas; the committee would receive a report on this in the future.

### **Reservation of Moorings**

The Chief Executive explained that there was no formal policy on reserving moorings. It was noted that the requests for sections of moorings to be reserved for particular crafts had increased. A member commented that responses to enquires about reserving moorings in 2018 had not been coordinated very well. It was highlighted that 24 hour moorings were provided for the public and as a result, it would not be appropriate to reserve these at popular locations such as at Ranworth during the main holiday season. A member connected with the Wherry Yacht Charter commented that for 99% of the time there was not an issue. The Broads Authority continued to support the wherries and provisions would be made at the yacht stations to accommodate them. The Broads Authority would be meeting with the Wherry Yacht Charter in the autumn to explore other options.

### **Frequency of Ranger Patrols**

The Chief Executive commented that the number of person days for 2018 was identical to that in 2000, but the Authority was doing more with the same amount of resource. The emphasis was on patrolling at weekends in the summer and some areas, such as downstream of Wroxham and Breydon Water, required greater attention. In addition to the rangers, 50 volunteers assisted with patrols.

One member commented on the risk to small boat owners from speeding boats on the River Yare. He said that a report from the Broads Angling Services Group on this subject was due and proposed this as an item for a future navigation committee meeting. The Chief Executive reminded members that Broads Control was available and advised that speeding boats be reported. The Head of Safety

Management added that the stakeholder hazard review was due in the New Year, which would include speeding boats.

**BA/2018/0149/FUL Broadlands Marina, Oulton Broad**

The Head of Ranger Services provided an update on the development at a members request; members were informed that the application was on hold pending further discussion. A meeting has been scheduled for the end of September with relevant interested navigational parties.

**3/8 New Boat Safety Scheme carbon monoxide alarm requirement**

Members received a report on the Boat Safety Scheme's proposal for the mandatory installation of CO alarms on boats with accommodation spaces. The consultation is live and the Broads Authority has formally consulted bodies which represent boating interests as it is a proposed new requirement of the scheme. The BSS is conducting the consultation on behalf of the navigation authorities.

The Head of Safety Management identified that the sources of carbon monoxide were not just from large petrol engine boats but from normal gas cookers and BBQs. One member stressed the huge risk from BBQs and suggested this be highlighted when the scheme is published.

Members asked for clarification on the installation of the CO alarms and discussed how the new requirement would affect different vessels. The Head of Safety Management explained that the alarm would need to be permanently fixed and said the BSS technical committee had discussed the issue of boats with canopies. It was added that dependent on the size of the boat and the accommodation compartments, multiple alarms would be required.

Members also discussed the boats that do not qualify for Boat Safety Scheme assessments and whether they would be required to install a CO alarm. The Head of Safety Management concluded that the intention wasn't to extend the scope of the BSS but as an additional requirement to the existing checking procedure.

Members were in support of the proposal. The views of the committee would be submitted as part of the consultation process.

***Agenda Item 10 Lake Lothing Third River Crossing was dealt with at this point.***

**3/9 Planning Application with Navigation Implications  
BA/2018/0312/FUL Marina Quays**

The Planning Officer presented Members with the application for the installation of new moorings and refurbishment of the buildings at Marina Quays, Great Yarmouth. The Chair made Members aware that the applicant was present for the meeting.

Members welcomed the proposed development for the area and the additional moorings, however it was noted that some moorings might not be appropriate due

to the high build up of silt and width of the river. Members also highlighted safety issues for visitors who wouldn't be familiar with the tidal flow of the river. Members agreed single alongside moorings would be appropriate, with one member suggesting the applicant consider floating pontoons. Another member expressed concerns with narrowing the river unduly. A member queried the state of the quay heading and if the applicant was taking on the liability of maintaining this.

Members discussed the sediment maintenance of the site and the practicality of dredging. One member noted that there was the potential for boats to sit on a sloped edge at low tide. It was added that the applicant needed to consider how moorings were managed to avoid the dangers of boats sitting at an angle. Another member commented that the sediment pattern was likely to change when boats were moored at the site. The Head of Construction, Maintenance and Environment explained that the main section of the river was dredged to maintain navigation, however dredging closer to the piled edge would need consultation with the Environment Agency.

In response to a question about the condition of the concrete wall it was explained that it ran along the formal flood defence and any repairs or maintenance was the Environment Agency's responsibility.

The Head of Planning summarised that the committee had no in principle objections to the application but raised details around the sediment management, dredging, and safety of the visitor moorings. These views would be considered as part of the planning process.

### **3/10 Lake Lothing Third River Crossing**

#### ***Agenda Item 9 Planning Application with Navigation Implications BA/2018/0312/FUL Marina Quays was dealt with at this point.***

The Head of Planning presented Members with the Suffolk County Council application for a third river crossing at Lake Lothing, Lowestoft. Members watched a fly by video of the site and discussed the implications for the navigation.

Members noted that the proposal facilitated the broads navigation connecting to the sea; it was also noted and that the majority of leisure boaters would not require the bridge to open. One member commented on the importance of layby moorings at the bridge. Members were in favour of the rejuvenation of this part of Lowestoft with one member stating that it would attract new boaters.

Members were in support of the proposal and it was unanimously agreed that the committee did not feel that the proposal impeded navigation to the navigation area. The views of the committee would be reported at the 14 September Planning Committee meeting. A response from the Broads Authority would be fed back to the Planning Inspectorate as part of their consultation.

### **3/11 Navigation Income and Expenditure: 1 April to 30 June 2018 Actual and 2018/19 Forecast Outturn**

The Committee received a report on the details of the actual navigation income and expenditure for the three month period to 30 June 2018, and provided with a forecast of the projected expenditure at the end of the financial year.

The Chief Financial Officer provided members with an update on the income and expenditure at the end of August. She stated that 96% of the private craft toll income had been collected and that the hire craft toll income was £9,300 ahead of the annual budget. There were no changes to the forecast.

The Chief Financial Officer explained that there was a favourable variance of £48,502 due to delayed capital purchases including the purchase of the tree shears. The Head of Construction, Maintenance and Environment confirmed that an excavator and floats had been purchased and the tree shears ordered. Members were invited to view the new tree management equipment from a Ranger launch when it would be used for the first time at Barton Broad.

The Chair thanked the Chief Financial Officer and commented that the updated figures were more favourable than the report suggested. She reminded members that the proposed toll charges would be discussed at the next meeting.

Members noted the report.

### **3/12 Construction, Maintenance and Environment Work Programme Progress Update**

The Head of Construction, Maintenance and Environment provided members with an update on the work programme progress for 2018/19.

Members were informed that the start date for mobilisation and installation of the geotextile tubes onsite at Hickling was due to start in early October. It was noted that a lot of officer time would be required to set the job up but that the work would give 19,000m<sup>3</sup> worth of sediment capacity.

It was also reported that the Broads Authority had purchased its own concrete pump for the work at Hickling. The Head of Construction, Maintenance and Environment explained that this proved to be an effective method for reusing sediment. He further added that a larger yard crane had been purchased to enable work to be completed in house and to reduce the external capital expenditures.

Members noted the report.

### **3/13 To note the date of the next meeting**

The next meeting of the Navigation Committee would be held on Thursday 25 October 2018 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

The meeting concluded at 15:50

Chairman

## Code of Conduct for Members

**Declaration of Interests**

Committee: Navigation Committee

Date of Meeting: 6 September 2018

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
Bill Dickson	-	-	
Simon Sparrow	All	General	
Linda Aspland		As previously stated	
Kelvin Allen	-	-	
John Ash	7.6	Non pecuniary as trustee Wherry Yacht Chart Charitable Trust	
Michael Whitaker	6-12	No changes from previously	
Brian Wilkins	-	Interests all as previously advised	
Nicky Talbot	7.3	Employee of Norfolk Wildlife Trust – Interest as previously advised	
James Knight	6-12	As previously advised	

**Broads Authority**  
**Planning Committee**

Minutes of the meeting held on 14 September 2018

Present:

In the Chair - Mrs M Vigo di Gallidoro

Mr M Barnard  
Mr W A Dickson  
Mrs L Hempsall  
Mr B Keith

Mr P Rice  
Mr H Thirtle  
Mr J Timewell

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)  
Ms L Burchnell – Head of Ranger Services (Minute 2/8)  
Mr N Catherall – Planning Officer  
Mr T Risebrow – Planning Officer (Compliance and Implementation)  
Ms C Smith – Head of Planning  
Mrs M-P Tighe – Director of Strategic Services

Members of the Public in attendance who spoke:

**BA/2018/0208/COND Barnes Brinkcraft, Riverside Road, Hoveton**

Anthony Knights

On behalf of the Applicant

**2/1 Apologies for Absence, Welcome and Housekeeping Matters**

The Chair welcomed everyone to the meeting.

Apologies had been received from Prof J Burgess, Ms G Harris and Mr V Thomson.

**The Openness of Local Government Bodies Regulations**

The Chair gave notice that the Authority would be recording the meeting in accordance with the Code of Conduct. No other member of the public indicated that they would be recording the meeting.

**2/2 Declarations of Interest and introductions**

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered.

The Chair welcomed Jack Ibbotson as the Authority's new Planning Officer.



## **2/3 Minutes: 17 August 2018**

The minutes of the meeting held on 17 August 2018 were agreed as a correct record and signed by the Chair.

## **2/4 Points of Information Arising from the Minutes**

There were no points of information to report.

## **2/5 To note whether any items have been proposed as matters of urgent business**

There were no items of urgent business.

## **2/6 Chairman's Announcements and Introduction to Public Speaking**

### **(1) Broads Local Plan**

The Examination in Public of the Broads Local Plan took place on 6, 7 and 10 September 2018. The Inspector had complemented staff on the way the Examination had been run. Officers were given a number of tasks including the provision of further evidence on some of the policies within the Plan. The next steps included one more session on 28 September 2018, followed by consultation on the proposed modifications. It was anticipated that the Local Plan could be adopted early in 2019.

### **(2) Parish Forum –** The next Parish Forum event would be held on Wednesday 19 September 2018 starting at 6.30pm in the Authority's offices. The Chair emphasised that this was a very important part of the Authority's liaison with the parish councils. Their representatives could raise concerns and highlight matters, which they considered were working well. Paul Rice, Haydn Thirtle and Bill Dickson confirmed they would be attending.

### **(3) Public Speaking**

The Chair stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee. Members of the public were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented. They were reminded that, as the meeting was being recorded, any information they provided should be appropriate for the public. They were requested not to give out any sensitive personal information unless they felt this was necessary to support what they were saying and would not mind others being aware of it.

## **2/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

The Chair reported that she had received a request to defer consideration of item 9 (Enforcement Item for consideration) but she saw no reason to do so

and therefore it would be considered. She did not intend to vary the order of the agenda.

## **2/8 Applications for Planning Permission**

The Committee considered the following application submitted under the Town and Country Planning Act 1990 (also having regard to Human Rights), and reached the 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' reports, and which were given additional attention.

- (1) BA/2018/0208/COND Barnes Brinkcraft, Riverside Road, Hoveton**  
Variation of approved plans, Condition 2, of permission  
BA/2017/0155/FUL  
Applicant: Barnes Brinkcraft

The Planning Officer gave a detailed presentation and assessment of the application to vary a condition on the planning permission granted in July 2017. That application involved the replacement of 158m of quay heading, removal of 280 square metres of land, installation of pontoons, widening of access track and removal of storage shed on a very prominent site on the River Bure in Hoveton where the river began to narrow significantly. The works relevant to that application involved the removal of a peninsula of land running parallel to the river that enclosed the large mooring basin. This turned the mooring basin into a mooring bay enclosed on three sides rather than four. The plans involved the bisection of this new bay with a pontoon positioned parallel to the river to facilitate moorings either side via finger pontoons, to increase the capacity of the site.

Works started in September 2017 but, unfortunately the works were not completed in accordance with the planning permission. The present application sought to regularise the position following detailed negotiations and consultation with the Navigation Committee. The proposal sought to retain the development as built ie retaining the extension to the spit of land, the location of the pontoon closer to the river and the siting of finger jetties with a change in the configuration of moorings alongside the river. The plans included a limitation on the length of vessels using the moorings, with the mooring to the north of these for a single side-on mooring only and the provision of signs advising of the restrictions. The Planning Officer explained that the plans indicated that no vessel would protrude beyond where a barge had previously been located.

A letter had been received since the writing of the report, saying that the signs were impractical and unreadable. The Head of Ranger

Services commented that the Rangers had been carefully monitoring the area. The plans under consideration, as agreed by the Navigation Committee were workable. When the signs were in place over the summer there seemed to have been very little transgression. However, over the last few weeks, the signs had disintegrated, the lettering was not clear, and/or the signs were not visible and vessels had been protruding into the navigation. In addition, most problems occurred when staff were not available after 5.00 pm.

Mr Anthony Knight, the agent for the applicant explained that when work was being carried out to implement the original plans, it became apparent that the location of the pontoon would impinge on manoeuvrability of the boats within the basin. The piling had already been put in place and it would have been very expensive to take this out. The company providing the moorings had not taken sufficient account of this when providing the design. He further stated that his client was providing much needed visitor moorings and improved facilities in the heart of the Broads. Under the previous ownership, residential boats and two flat-a-floats had occupied the mooring basin and there had been no pump out facilities resulting in health and safety hazards. His client was aware that the signs were badly damaged and he intended to install new ones by the end of next week, giving the restrictions on the size of vessel, the use by visitors and the timings when staff would be available. These would be mounted on top of the pontoons so that they would be visible and vessels could not damage them. He considered that the problems were more likely to occur with those hire boats that did not belong to this particular boatyard.

Members acknowledged that this was a very busy part of the river system and in general considered that the keys to avoiding congestion and intrusion into the navigable channel were appropriate signing and management of the moorings, including staff availability. Therefore they considered that appropriate signage and management was required, the latter possibly being conditioned. They advocated a management plan being negotiated with the landowners to cover maintenance of signs, only suitable boats being moored, manning and timing restrictions of the area by staff. Some members had real concerns over safety in this area and objected to the application. One member considered that it did not seem at all appropriate for the outer limit of a substantial planning application to be based on the outer limit of a moveable vessel ie a barge, which had previously been in place.

The Head of Planning explained that were planning permission to be granted and the operation of the site was not in accordance with any planning condition or management plan, the LPA would be able to address the matter through a Breach of Condition Notice, against which there was no right of appeal. If there were continued non-compliance this would be pursued through prosecution. If the Authority refused permission, the applicant could appeal or revert to the previous scheme where there was no restriction on vessels' length. If the navigable

waterway was encroached, the infringement would be dealt with under navigation byelaws.

Lana Hemsall proposed, seconded by Mike Barnard that the application be approved with the addition of a management plan, either by agreement or as a condition.

RESOLVED by 4 votes to 2 against and 2 abstentions.

that the application be approved subject to the conditions outlined within the report that included details on signage, together with a negotiated management plan either by condition or agreement. The proposal is considered to accord with Policies with DP4, DP12, DP13, DP28 and DP29 of the Development Management Policies DPD (2011), and the National Planning Policy Framework (2018) which is a material consideration in the determination of this application.

**2/9 Enforcement of Planning Control: Enforcement Item for Consideration: Land at the Beauchamp Arms Public house, Ferry Road, Carleton St Peter.**

The Committee received a report and presentation concerning the unauthorised change of use of land for the installation of four static caravans in the grounds of the Beauchamp Arms Public house car park, situated in a remote but prominent location between the villages of Claxton and Langley on the south bank of the River Yare. The caravans were not in use or in a good state of repair. The landowner had indicated that he wished to hire them out as accommodation for anglers. The Planning Officer (Compliance and Implementation) apologised for two mistakes within the report at para 1.3 and 1.4. He corrected these as follows:

Para 1.3 Line 5 "he was also advised that planning permission would be required" instead of "was to be granted".

Para 1.4 Line 1: Replace "Since 2011 there have been no static caravans located at the site" with "There were static caravans located at the site until 2016."

An email from the owner had been forwarded to Members.

Officers had visited the site on a number of occasions and discussed the situation with the landowner. At the time of writing the report, there were four static caravans on the site. When the Officer had visited the site on 11 September 2018, one static had been removed from the site, and the three remaining had been moved with one on the car park and two on the access track. Prior to 2012, the static caravans on the site were likely to have been immune from enforcement action. However, in 2016 they had been removed from the site and therefore any established use had been removed. Since May 2018 to August 2018, four static vans were on the site.

The use of this site for the storage of caravans was considered contrary to development plan policy, in particularly adopted Development Management Policies DP1 and DP4. The site was also within a functional flood plain where it was unlikely that planning permission would be granted. The storage use was not linked in any reasonable or functional way to the adjacent public house use and the standing of the caravans had an adverse impact on the character and appearance of the local landscape. The owner had given no justification for why they were required and they did not appear to be associated with any lawful use on the site. Although the situation had changed since the writing of the report, Officers requested that they be given authority to take serve an Enforcement Notice should it be determined that it was necessary. The essential criteria would be applied as to whether it would be necessary, reasonable and expedient to do so.

A member expressed concern about giving permission to take enforcement action when a breach had not occurred. It was in the interests of the Authority to support riverside businesses and she hoped that the situation could be resolved through negotiation. Lana Hempsall proposed that any authority to take action be deferred until a breach had occurred and further negotiations had taken place. There was no seconder for the proposal and the motion fell.

Members noted that officers did have dialogue with the owner. In general, they considered that they needed to take a decision on what was before them.

Bill Dickson proposed, seconded by Mike Barnard and it was

RESOLVED by 5 votes for, 1 against and 2 abstentions,

that officers are given authority to issue and Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter should there be a breach of planning control and it be necessary, reasonable and expedient to do so.

## **2/10 Enforcement Update**

The Committee received an updated report on enforcement matters previously referred to Committee. Further updates were provided for:

***Burghwood Barns, Burghwood Road, Ormesby St Michael.*** The Breach of Conditions Notices had been issued concerning the non-compliance with conditions of BA/2018/0444/FUL and prosecution proceedings had commenced. The statements were with the Solicitor. It was not expected to get a hearing date with the courts until nearer the end of the year.

The Head of Planning commented that fortunately the Authority had not had to prosecute many cases.

***Marina Quays.*** An application had been received and the determination processes had commenced. The Navigation Committee had considered the proposal at its meeting on 6 September 2018 and consultations were taking

place at present. There was likely to be a public meeting. A report would be brought to a future Planning Committee.

**Former Waterside Rooms, Station Road, Hoveton:** Untidy land and Building.

The Section 215 Notices had been issued on 28 August 2018 with a compliance date of 28 October 2018. Officers had received notice that the company who owned the site had authorised some works. Officers intended to visit the site to report back on progress.

Members welcomed the progress made.

RESOLVED

that the report be noted.

**Having declared an interest, Mike Barnard and Melanie Vigo di Gallidoro removed themselves from the meeting and took no part in the following discussion.**

**Mr Bruce Keith - Vice-Chairman in the Chair for this item.**

## **2/11 Consultation: Lake Lothing Third River Crossing**

The Committee received a report and presentation on the recent consultation on the planning application for the third river crossing at Lake Lothing submitted by Suffolk County Council. It was noted that this development was a Nationally Significant Infrastructure Project (NSIP) and therefore the the Planning Inspectorate would determine the application. The crossing was to be located towards the eastern end of Lake Lothing, broadly central within the area of the port. This was the central location of the three options, which was favoured following the consultation by Suffolk County Council in 2015. It was noted that the Director of Operations and Head of Navigation Services had been part of the working group looking at the design and development of the river crossing and were satisfied that it would not interfere with the principles of the navigation of the river.

The Navigation Committee had considered the matter at its meeting on 6 September and fully supported the scheme. They were satisfied that the proposal would not have an adverse impact on navigation and would support the leisure industry. They considered that particular attention should be taken of tidal flow. They also suggested there should be some new moorings either side of the bridge. They did not have any objections. These comments together with the Minutes of the Navigation Committee, would be forwarded to the Planning Inspectorate along with the comments from this Committee.

Members considered that the animated “drive through” and artist’s impressions were very helpful in allowing them to focus on the potential impacts the bridge would have particularly on the landscape in relation to the Broads. They welcomed the provision of access for pedestrians and cyclists

and that this was being fully addressed in the detailed planning designs, which included a lift. They considered that the scheme was to be welcomed as it would help address the issues of traffic congestion and delay and provide significant enhancements to the town. It would also help support the leisure industry and commercial sector and be helpful for the area's future economy.

Members were pleased to note that the proposed bridge would be high enough to enable the majority of vessels wishing to visit the Broads to go under the bridge without being restricted. They also noted that the column structures were wide enough to allow the passage of substantially large vessels and smaller craft would not be impeded. As such, it would not introduce an extra impediment to the navigation. They were also satisfied that the crossing would not have any visual impact on the Broads landscape. They considered that it would be an important piece of infrastructure, an iconic structure in the landscape and important for the centre of Lowestoft for future generations.

Paul Rice proposed, seconded by Bill Dickson and it was

RESOLVED unanimously

that the report is noted and the proposed comments in the report be endorsed. The Authority commend and supports the proposal to construct a third river crossing in Lowestoft as it will help to address the issues of congestion and delay which impact adversely on the use and development of the town.

**Mike Barnard and Melanie Vigo di Gallidoro returned to the meeting.  
Melanie Vigo di Gallidoro – in the Chair**

## **2/12 Appeals to the Secretary of State**

The Committee received a schedule of decisions to the Secretary of State since 1 June 2018. This was an appeal concerning the conditions attached to the outline permission for development at Hedera House, Thurne. The Inspectorate had still not provided a start date.

RESOLVED

that the report be noted.

## **2/13 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 2 August 2018 to 29 August 2018. None of the decisions was a result of the monitoring programme.

RESOLVED

that the report be noted.

## **2/14 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 12 October 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The Chair gave notice that there would be training on flood protection following the Planning Committee meeting on 9 November 2018. Officers from the Environment Agency would provide the training.

The meeting concluded at 12.17 pm.

CHAIRMAN



## APPENDIX 1

### Code of Conduct for Members

#### Declaration of Interests

**Committee:** Planning Committee

**Date of Meeting:** 14 September 2018

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
Paul Rice		Chairman Broads Society
Haydn Thirtle	2/9	General – lobbied re Caravan units
Bill Dickson		None other than those already declared
Mike Barnard	2/11	Lake Lothing: Third River Crossing. – involved in many discussions through Waveney District Council.
Melanie Vigo di Gallidoro	2/11	Member of Suffolk County Council and Waveney District Council
Melanie Vigo di Gallidoro on behalf of Members	2/9	Enforcement Item: Static caravans at Beauchamp Arms, Public House, Ferry Road, Carleton St Peter.

**Broads Authority**  
**Planning Committee**

Minutes of the meeting held on 12 October 2018

Present:

In the Chair – Mr Bruce Keith

Mr M Barnard  
Mr W A Dickson  
Ms G Harris  
Mrs L Hemsall

Mr P Rice  
Mr H Thirtle  
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)  
Mr B Hogg – Historic Environment Manager (Minutes 3/12 – 3/13)  
Ms C Smith – Head of Planning  
Ms P Smith – Historic Environment Consultant (Minute 3/12)  
Mrs M-P Tighe – Director of Strategic Services

Ms Ruth Sainsbury – Planning Officer (for introductions)

Members of the Public in attendance to answer questions if required:

**Somerton Conservation Area Reappraisal (Minute 3/12)**

Mr Richard Starling                      On behalf of Somerton Parish Council

**3/1 Apologies for Absence, Welcome and Housekeeping Matters**

Bruce Keith (Vice-Chair) as Acting Chairman welcomed everyone to the meeting.

Apologies had been received from Melanie Vigo di Gallidoro (Chair), Jacquie Burgess and John Timewell.

**The Openness of Local Government Bodies Regulations**

The Chair gave notice that the Authority would be recording the meeting in accordance with the Code of Conduct and that copyright remained with the Authority. No other member of the public indicated that they would be recording the meeting.

**3/2 Declarations of Interest and introductions**

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered.

The Chairman welcomed Ruth Sainsbury Planning Officer to the Authority. The Authority contracted Ruth for a few months as a self-employed qualified Planner. She explained she was a Chartered Town Planner and had been a Senior Planning Officer at Broadland District Council for 17 years. At present, the main matter she was dealing with was the Marina Quays application at Great Yarmouth.

### **3/3 Minutes: 14 September 2018**

The minutes of the meeting held on 14 September 2018 were agreed and the Chairman signed them as a correct record.

### **3/4 Points of Information Arising from the Minutes**

#### **(1) Minute 2/10 Marina Quays:** (Also part of the report under Minute 3/9)

The Head of Planning reported that a number of objectors had convened a public meeting on 4 October 2018 to discuss the proposed development at Marina Quays in Great Yarmouth. Approximately 70 – 80 people attended the meeting where the developers described their proposals, the Authority's officers set out the planning process and there was an opportunity for questions. There was a wide ranging discussion with the main issues being access relating to highways and an existing public right of way, design and scale of the development, the moorings and how the boatyard would operate. The applicant was considering how to proceed and a report would be brought to the Committee in due course, although this was unlikely to be before December 2018.

#### **(2) Matter arising from a previous meeting**

The Chairman commented that he wished to report back to the Planning Committee on a decision taken at the last Broads Authority meeting because it was originally raised at a Planning Committee meeting on 23 June in 2017. The matter concerned the conduct of a member and a subsequent Code of Conduct Complaint. He stated:

'The Broads Authority resolved at its meeting on the 28<sup>th</sup> September 2018 :

- (i) to express its thanks to the Members of the Hearings Committee who had the task of dealing with the matter;
- (ii) to express its profound regret for the serious distress this issue has caused members of staff over a protracted period;
- (iii) to note that the investigation found that Officers did not in any way mislead the Planning Committee at all, far less "wilfully and deliberately", and that the Authority reaffirms its unqualified confidence in its officers.'

The Chairman stated that it would not be appropriate to discuss the matter and therefore it would now rest.

**(3) Minute 2/11 Lake Lothing Third River Crossing**

The Head of Planning reported that the Broads Authority's comments had been submitted to the Planning Inspector. As part of their case, Suffolk County Council wished to agree a Statement of Common Ground with the Authority. Officers would prepare this with the Chair of the Planning Committee.

**3/5 To note whether any items have been proposed as matters of urgent business**

There were no items of urgent business.

**3/6 Chairman's Announcements and Introduction to Public Speaking**

**Public Speaking**

The Chair stated that as there were no planning applications for consideration there would be no public speaking.

**3/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

The Chair proposed to vary the order of the Agenda to take Agenda Item 12 before item 9 to avoid the Chairman of Somerton Parish Council (Mr Richard Starling), having an unnecessary wait as he was attending specifically for the item on Somerton Conservation Area re-appraisal.

**3/8 Applications for Planning Permission**

There were no applications for planning permission to consider at this meeting.

*In accordance with Minute 3/7 and Standing Order No 3 (2)(a) Agenda Item 12 was considered at this point in the meeting.*

**3/9 Enforcement Update**

The Committee received an updated report on enforcement matters previously referred to Committee. Further updates were provided for:

**Burghwood Barns, Burghwood Road, Ormesby St Michael.** The Breach of Conditions Notices had been issued concerning the non-compliance with conditions of BA/2018/0444/FUL and prosecution proceedings had commenced. The statements had been referred to Nplaw.

**Barnes Brinkcraft, Riverside Estate, Hoveton.** Following the granting of planning permission subject to conditions including a Management Plan, a draft Management Plan was being progressed.

**Former Waterside Rooms, Station Road, Hoveton: Untidy land and Building.**

The Section 215 Notices had been issued on 28 August 2018 with a compliance date of 28 October 2018. Officers had inspected the site and it appeared that 90% of the required compliance work had been carried out. Two contractors were on site to complete the work.

Members welcomed the progress made.

RESOLVED

that the report be noted.

**3/10 Consultation Documents and Proposed Response : Great Yarmouth Local Plan**

The Committee received a report on the recent consultation from Great Yarmouth Borough Council on its Draft Local Plan part 2 – Development Management Policies, Site Allocations and Revised Housing Target, together with the proposed response, upon which members comments were invited.

The Committee commended the detailed response prepared and thanked officers for the thoroughness in their examination.

The Chairman proposed the recommendation in the report and it was

RESOLVED unanimously

that the report is noted and that the proposed response be endorsed for submission to Great Yarmouth Borough.

**3/11 Great Yarmouth Third River Crossing**

The Committee received a report and presentation on the recent consultation on the planning application for the third river crossing across the lower Yare at Great Yarmouth submitted by Norfolk County Council. This development was a Nationally Significant Infrastructure Project (NSIP) and therefore the Planning Inspectorate would determine the application. It was noted that initial discussions for a third river crossing had been held in 2007. Substantial funding towards the crossing had now been secured from the Department of Transport in 2017. The crossing was to be sited towards the south-east of the town approximately 1 kilometre south of the Haven Bridge at one of the narrowest crossing points of the river. The scheme was intended to address existing traffic congestion problems and respond to the growth of both vehicular and waterborne traffic by improving access across the town, to the port and associated employment areas.

The design of the bridge had not yet been finalised although at present it was proposed as a double leaf bascule bridge with two scenarios. Option 1 was to have the counter weights below the bridge with option 2 having the counterweights above the bridge with significant vertical supports that would be permanently visible whether the bridge was in an open or closed position, making the bridge more visible. As part of the presentation, members were able to view a flyby video of the proposals illustrating both options. In these, both schemes illustrated mooring points either side of the bridge on the western side. The proposals included an extensive set of documents with various modelling of the traffic movements.

The Head of Planning commented that a full landscape assessment to assess the visual impact of the proposal was required by the Planning Inspectorate, although it was recognised that the final design had not yet been decided. Officers considered that from the information provided the impacts of Option 1 would have less of an impact on the Broads than Option 2 and it was suggested that this form part of the recommendation.

The Head of Planning drew attention to the detailed comments received. She explained that members of the Navigation Committee had been consulted. They appreciated being advised of the plans and would like the opportunity to be consulted at the next stage. The air draught was an important consideration for the boating community and they advised that this needed to be taken into account at the inception stage. It was noted that the air draught was 4.5 metres, particularly taking into account commercial traffic. The Navigation Committee comments and these along with the comments from this meeting would be forwarded to the Planning Inspectorate.

The Authority had also received a response from the Barge Association pointing out the importance of the non-commercial traffic and the need for facilities for visitors to the area. They also wished to receive more details on the opening of the bridges and synchronisation of the openings with the other bridges when required. The NSBA's comments particularly about lay by moorings were also pertinent.

The Head of Planning concluded that a third river crossing in Great Yarmouth could be welcomed in principle as it would help to address the issues of congestion and poor environment quality which impact adversely on the use and development of the town. The Navigation Committee was also satisfied that the proposal would not have an adverse impact on navigation, and therefore she asked members to consider the proposed response set out in the report.

Members expressed appreciation for the flyby video and were fully supportive of the third river crossing as set out by the Head of Planning. However, given that the design had not yet been finalised, they considered that it was premature and not appropriate to state preferences for either of the particular options currently proposed. The character of the proposed siting of the bridge was very much industrial and the need for the bridge was probably of greater

importance than the design at this stage. In addition, members considered the bridge could be a statement. It was considered its functionality was of greater importance and that it should not impede navigation.

As a result of the views expressed, the Chairman proposed that the recommendation in the report be accepted subject to the removal of (ii) which stated a preference for Option 1, and that the first bullet point related to adequate layby moorings form part of (i).

The proposal was seconded by Lana Hemsall and it was

RESOLVED unanimously

that the report is noted and the following views be forwarded to Norfolk County Council and the Planning Inspectorate:

The proposal to construct a third river crossing in Great Yarmouth is a scheme which can be welcomed in principle as it would help to address the issues of congestion and poor environmental quality.

- (i) The Broads Authority can confirm its 'in principle' support for the scheme subject to adequate layby moorings in the form of fixed pontoons to be provided upstream and downstream of the proposed new bridge
- (ii) The following matters should be taken into account and addressed in the development of the final scheme:
  - Pontoon mooring to be provided upstream of Breydon Bridge to provide facility for yachts coming from Rivers Waveney and Yare to lower mast before passing through all Yarmouth bridges;
  - Arrangements for the opening should be identified in the scheme, with provision made for the opening of all Yarmouth bridges to be coordinated to enable vessels to pass through them sequentially without having to moor;
  - A Townscape and Visual Assessment (TVIA) should be provided and should include viewpoints from within the Broads area (to be agreed with the Broads Authority) and, where impacts are identified, should include suitable mitigation to reduce or avoid significant impact; and
  - Provision for off-carriageway routes for pedestrian and cyclists be incorporated into the scheme, including improvement of links to the town centre and to the south to reinforce the historic and functional connections with the wider hinterland.

*The following item was considered before Item 9.*

### **3/12 Somerton Conservation Area Re-Appraisal**

The Committee received a report and detailed presentation on the appraisal process for the Somerton Conservation Area (CA). This included three specific areas of both West Somerton and East Somerton. Although the area fell within both the Broads Authority and Great Yarmouth areas, the most densely developed part of the settlement fell within the Broads Authority Executive Area and therefore the Authority undertook the appraisal work and the consultation exercise in accordance with the Broads Authority's Statement of Community involvement. The Authority had worked closely with Great Yarmouth Borough Conservation Officers and there had been a long and collaborative consultation process with Somerton Parish Council including an open morning.

As a result of the feedback from the consultation, amendments were made to the text of the re-appraisal, to the management plan and the boundary. The Heritage Asset Review Group had also provided guidance in March 2018 and recommended that Somerton Parish Council be re-consulted. Additional feedback was received in Summer 2018.

The majority of the feedback from the full consultation had been either positive or neutral and constructive with the majority of responses in support of the retention of the area and the proposed boundary changes.

The Historic Environment Manager explained the reasons for not including some of the sites, which had been suggested for inclusion from the consultation, principally as they did not fully meet the Historic England criteria. These included open land, the Village Hall, and Sunways, Staithe road. It was proposed to retain the initially proposed extensions at Manor Farm and Staithe House Farm farmyard as well as Staithe Farm. The main area of contention related to the farmyard to Staithe House Farm, which is located at the head of the dyke. Although it was conceded that the farmyard and buildings did not enhance the area, officers considered this site to be appropriate for inclusion due to the importance of the whole site for views into the Conservation Area from the marshes and the approach to the village and Staithe from the water. It was also a natural extension of the existing area and representative of the close historical association between agriculture and the marshes. For these reasons, the site was in accordance with Historic England's Conservation Area criteria and justification for inclusion was due largely to its contextual element.

The Historic Environment Manager confirmed that designation of the Conservation Area did not prevent new development. All proposals would need to be considered in the context of the CA. He explained that there was no appeal process against designation. He also explained that Broads Authority and Great Yarmouth Borough Council officers had originally discussed having a contiguous area of East and West Somerton but this was not considered appropriate in the context of the Historic England criteria. HARG had also considered this possibility. Members accepted that having



three separate areas demonstrated the significant historical development of the different small farm settlements.

The Historic Environment Manager recommended the adoption of the CA with the proposed new boundary as set out in Appendix 2 to the report, which was justified against the Historic England criteria and the designation of such was in accordance with the Authority's statutory duty. Great Yarmouth Borough Council would be responsible for the adoption of the area within its boundary.

In response to a member's question, the Historic Environment Manager conceded the importance of the village hall as being integral to the community. However, he explained that it had not been included in the CA as it did not meet Historic England criteria due to its location and visual appearance. In addition, the village hall committee had not been in favour.

In response to a further member's question, the Historic Environment Manager explained in more detail the reasoning for including the farmyard at Staithe House Farm - that being the contextual importance of the farmyard in the development of the settlement.

Members commended the consultation process and the work involved to provide the interesting and comprehensive management plan. They noted the very strong views expressed by the parish council and the owner of the Staithe House Farm Yard and considered that these be taken into account.

Lana Hempsall proposed, seconded by Paul Rice and it was

RESOLVED by 6 votes to 1 against

- (i) that the Somerton Conservation Area Re-Appraisal and management plan for the Somerton Conservation Area, for that part of the Area within the Broads Authority executive area and set out in Appendix 2, subject to the removal of the farmyard at Staithe House Farm, is endorsed and

RECOMMENDED to the Broads Authority

- (ii) that the Somerton Conservation Area Re-Appraisal and Management Plan (as amended by Planning Committee), for that part of the area within the Broads Authority executive area is adopted.

### **3/13 Heritage Asset Review Group: Role and Membership**

The Committee received a report on the role and membership of the Heritage Asset Review Group, which also invited appointments to HARG from the Planning Committee. The membership automatically comprised the Chair and Vice-Chair of the Planning Committee plus a minimum of four other members. Membership of the group was not exclusive as other members of the Committee were welcome to attend. In light of changes to the membership of the Planning Committee since the last meeting, and as the next meeting of

HARG was due to take place on 7 December 2018, it was opportune to consider the membership.

Paul Rice expressed an interest in being part of the group, having previously been involved as Vice-chair of the Committee and also having a specific interest in heritage and landscape.

It was RESOLVED unanimously

- (i) that the report is noted.
- (ii) that the membership of the Heritage Asset Review Group be confirmed as:

Melanie Vigo di Gallidoro (Chairman of the Committee), Bruce Keith (Vice-Chair) , Mike Barnard, Jacquie Burgess, Bill Dickson, Paul Rice, and Haydn Thirtle.

### **3/14 Appeals to the Secretary of State**

The Committee received a schedule of decisions to the Secretary of State since 1 June 2018. This was an appeal concerning the conditions attached to the outline permission for development at Hedera House, Thurne. The Head of Planning explained the Inspectorate had still not provided a start date. It was understood that other Local Planning Authorities were experiencing similar delays.

RESOLVED

that the report be noted.

### **3/15 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 29 August 2018 to 26 September 2018.

With reference to BA/2018/0253/FUL where approval had been given for a replacement bungalow and relocation of a public footpath, it was clarified that it was the responsibility of the County Council to determine the alternative route although the planning authority could identify the requirement.

RESOLVED

that the report be noted.

### **3/16 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 9 November 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The Chair gave notice that there would be training on flood risk management following the next meeting. Officers from the Environment Agency would provide the training.

The meeting ended at 11.44 am

CHAIRMAN

## APPENDIX 1

### Code of Conduct for Members

#### Declaration of Interests

**Committee:** Planning Committee

**Date of Meeting:** 12 October 2018

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
Haydn Thirtle	3/10 and 3/11	Great Yarmouth Borough Councillor. Both consultation reports re Local Plan and Third River Crossing associated with Great Yarmouth
Bill Dickson		None other than those already declared
Paul Rice		Chairman Broads Society