

Broads Authority

Minutes of the meeting held on 10 May 2013

Present

Dr J S Johnson – in the Chair

Mr K Allen	Prof J A Burgess	Mrs L H Hemsall
Mr M Barnard	Sir Peter Dixon	Mr G McGregor
Mr L Baugh	Mr P Durrant	Mr P E Ollier
Miss S Blane	Dr J M Gray	Mr J Sharpe
Mrs J Brociek-Coulton	Mr C Gould	Mr P Warner
Mr D A Broad		

In Attendance:

Dr J Packman – Chief Executive
Mr T Adam – Head of Finance
Ms N Barnes – Head of Human Resources (for Item 12)
Mrs S A Beckett – Administrative Officer
Ms N Beal – Planning Policy Officer
Mr S Birtles – Head of Safety Management
Dr D Hoare – Environment and Design Supervisor
Ms V McNeill – Solicitor and Monitoring Officer
Mr R Rogers – Head of Construction and Maintenance
Ms A Leeper – Asset Officer
Ms A Long – Director of Planning and Resources
Ms L Marsh – Head of Communications
Mr J Organ – Head of Governance and Executive Assistant
Ms Shirmila Venn – Senior Finance Assistant
Ms T Wakelin – Director of Operations

Also in attendance:

Prof R Card – Chairman of Broads Forum
Ms J Wheeler – Birketts and Long Solicitor for Item 12

6/1 Apologies and Welcome

Apologies for absence were received from Mr N Dixon and Mr R Stevens

The Chairman welcomed everyone to the meeting. In particular he welcomed the three newly appointed members: Mr Peter Warner and Mr Kelvin Allen, both appointed by the Secretary of State from 1 April 2013 for a four year term and Mrs Lana Hemsall appointed by Broadland District Council in place of Mr Mallett.

He also welcomed Prof Richard Card who had been appointed as Chairman to the Broads Forum at its meeting on 25 April 2013.

The Chairman welcomed two newly appointed members of staff - Natalie Beal, Planning Policy Officer and Shirmila Venn – Senior Finance Assistant.

6/2 Chairman's Announcements

(1) Membership

Farewell:

Paul Rice was no longer a member of the Authority having lost his seat on Norfolk County Council. Mr Rice passed his best wishes on to all members saying how much he had enjoyed being on the Authority over the last year.

In addition, **Alan Mallett** had not been re-appointed by Broadland District Council and his presence after 13 years would certainly be missed. The Vice-Chairman, David Broad paid tribute to Alan's dedication to the Authority in which he played such a prominent role over the years including as Lead Member on Finance, Vice-Chairman of the Authority and a long serving member of both the Navigation and Planning Committees. As a very experienced sailor associated with dinghy sailing and the Frostbite Sailing Club, as well as writing regular columns for the Eastern Daily News he has made a great contribution to the Broads as well as being a true ambassador for the Authority. All members of the Authority joined in thanking Alan for his tremendous contribution and wished him the very best for the future.

Members congratulated Guy McGregor on his re-election to Suffolk County Council and Julie Brociek-Coulton on being elected to Norfolk County Council.

Some of the District and County Council members' appointments to the Authority had yet to be confirmed following their respective annual authority meetings and the Authority would be informed of these over the next two months.

(2) Annual Public Meeting/Open Days

The Authority would be holding two events on Friday 28 and Saturday 29 June at the Authority's newly built Dockyard premises, Griffin Lane, Norwich. It was intended that the official opening of the Dockyard would take place on Friday 28 June 2013 and on Saturday 29 June 2013 from 10.00am to 4.00pm there would an official Public Open Day to provide members of the public the opportunity to pose questions to the Chairman and Members of the Authority. It was hoped that as many members as possible would be able to come for at least part of the day.

- (3) **National Parks – National Assets** “Valuing England’s National Parks” report launch on Thursday 23 May 2013 4.00 – 6.00 pm Local Government House, London

The Chairman reported that Jacquie Burgess had volunteered to take his place at the National Park event in London as he would be attending the Waterways Renaissance Awards in Birmingham where the Authority had been nominated for an award in association with the Salhouse Broad Restoration project.

- (4) **Members Annual Site Visit**

The Members Annual Site Visit was now scheduled for Wednesday 24 July 2013 and would form part of the Member Development Programme, to be discussed at Minute 6/14.

- (5) **Workshop on Development of Broads Mills Strategy:**

Mill owners were now being canvassed on three dates for a workshop to help develop the Broads Mills Strategy (30, 31 May and 20 June) and members would receive details in due course.

6/3 Introduction of Members and Declarations of Interest

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

6/4 Items of Urgent Business

There were no items of urgent business.

6/5 Public Question Time

Three questions had been received from Mrs M Howes relating to the percentage of toll income in relation to the Authority’s total income for year 2012/13, the projected income for the years 2013/14 and 2014/15 and the number of toll payers on the Authority. These were read out and the Chairman provided the Authority’s response as set out in Appendix 2 to these minutes. Mrs Howes was given the opportunity to respond and in so doing asked a supplementary question “ What was the actual income from Defra for 2012/13?”. The Chairman reported that this was £3,774,799 for the year 2012/13. He confirmed that navigation income was used solely for the purposes of navigation in line with the provisions of the Broads Act 2009.

6/6 Minutes of Broads Authority Meeting held on 22 March 2013

The minutes of the meeting held on 22 March 2013 were approved as a correct record and signed by the Chairman.

6/7 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 addition, members noted the updates concerning:

- **Breydon Water and Water Ski Designation Zone**
The Authority had received a response from Natural England providing formal advice that there should be a cap on the number of periods when waterskiing could take place. Officers were consulting with the Water Ski Panel on the details. The signs were now in place and the Rangers would be updated on the situation.
- **Department of Transport DfT Funding for Cycling in National Parks**
The bid to the DfT in conjunction with Norfolk County Council for funding for cycling in National Parks had been submitted on time and it was anticipated that the response would be forthcoming shortly. The bid included match funding from the Authority of £69,000 over two years (£45,000 in Year 1). Tribute was paid to the officers from Norfolk County Council for their assistance.
- **Growth and Infrastructure Bill/Overhead Power Lines**
The Chief Executive reported that the Authority was still awaiting the publication of the consultation document.
- **Whitlingham Country Park: Next Stage of Development**
It was noted that the first meeting of the Members Working Group to steer the Whitlingham Country Park Development Proposals would be taking place straight after this Authority meeting.

6/8 Minutes Received

(1) Broads Local Access Forum: 6 March 2013

RESOLVED

that the minutes of the Broads Local Access Forum held on 6 March 2013 be received.

(2) Planning Committee: 28 March 2013

RESOLVED

that the minutes of the Planning Committee meetings held on 28 March 2013 be received.

(3) Navigation Committee: 18 April 2013

It was noted that the Committee's views were incorporated into the relevant reports for the Authority's meeting. In addition, the Committee had also provided comments on the Broads Angling Strategy recently published by the Environment Agency.

RESOLVED

that the minutes of the Navigation Committee meeting held on 18 April 2013 be received.

(4) Broads Forum: 25 April 2013

It was noted that the minutes of the Broads Forum for the meeting held on 25 April 2013 would be provided for the next Authority meeting. The comments from that meeting had been incorporated into the relevant reports for the Authority's meeting and the Chairman of Broads Forum would provide the Authority with the views of the Forum at the appropriate juncture.

The Chairman of the Forum provided members with a brief outline of the discussions at the meeting, explaining that he had been appointed as Chairman with Keith Bacon as Vice-Chairman for a one year term until the Forum's meeting on 1 May 2014. The members had expressly wished to pass on their indebtedness and thanks to the Authority's Chairman for the way in which he had taken on the role as acting Chairman of the Forum meetings in the interim.

Following on from the review of the consultation arrangements by the Authority, Prof Card reported that in order to strengthen the communications with Broads stakeholders, work was now underway to review the appointment process to the Forum with the aim of providing a full report on membership to the next meeting in July. In particular this included identifying gaps in membership as well as a process of appointing specified correspondents to act as a guaranteed link for each organisation to engage with their nominated representative.

The Committee had also received an update on the Broadland Flood Alleviation Project and particularly welcomed the long awaited flood risk management proposals for the River Chet (planning permission for which had been granted by the Authority on 26 April 2013).

The Forum had also given a broad welcome to the Broads Angling Strategy Consultation document, recognizing that angling was important to tourism in the area, including the hire boat industry, figures for which had been partly obtained from the recent Broads Hire Boat survey. Concerns over levels of access had been raised and the view expressed that these would need to be addressed within the strategy.

Members noted the report.

Strategy and Policy

6/9 Strategic Direction *including*

- *Progress on Strategic Direction for 2013/14*
- *A Future Strategy for Dredging*

Further to Minute 5/9, the Authority received a report setting out the Broads Authority's activities in delivering progress against the Broads Plan 2011 through a series of Strategic Priorities designed to meet those objectives where the Authority has been identified as the lead partner. The strategic priorities followed the three key themes in the Broads Plan together with an organisational priority as agreed in March 2011. Members noted the progress made towards the objectives, projects and key milestones for the Strategic Priorities for 2013/14 noting that some of the outstanding key milestones from 2012/13 had also been included and that the remainder would be pursued to completion with any significant issues associated with them being reported to the Authority. Members noted the reasons for the delay in the submission of the Site Specific Development Plan Document partly due to the High Court challenge to an enforcement appeal decision by the Inspectorate and the implications for policy.

In particular members received a presentation and gave consideration to the Options for a future strategy for dredging and the opportunities for a significant increase in output mindful that the Authority was committed to maintaining a target of dredging 50,000m³ of sediment per annum as set out in the strategic objective NA1.1 of the Broads Plan 2011 as well as the Authority's other navigational responsibilities. Members noted the current approach, funding arrangements and constraints and the routes to a significant increase in dredging capacity. They noted that although there was scope for shifting the balance to increase time spent on dredging this would impact on the Authority's other navigation activities such as the provision of moorings. These matters had also been considered by the Navigation Committee and Broads Forum both of which welcomed the opportunity to debate the issues but had recognised the implications and costs involved and had no enthusiasm to increase tolls to achieve an increase in the target or reduce other navigation works at the present time. They had therefore agreed to support Option 1 to maintain the current target but continue to seek further efficiencies and funding opportunities following on from the PRISMA lessons learnt to support dredging activities and increase dredging capacity. The Forum had also advocated gauging the views of toll payers as to whether they would be prepared to pay more for increased dredging in a future questionnaire.

In recognising that dredging and disposal was the largest cost facing the Authority in the maintenance of the navigation area, concern was expressed about the time and costs required to clear the estimated backlog of 1.17million m³. It was noted that precise figures required consideration in context and these were constantly being revised with the benefit of improved data from hydrographic surveys and modelling and in light of other works, including those of the Broads Flood Alleviation Project. The Authority's work in

conjunction with its partners on the wider catchment management, especially with the appointment of the Water Catchment Management Officer would also help to address the issues relating to the sources of sedimentation. Some members cautioned against taking some of the figures too literally. Members therefore agreed that it was important to consider the monitoring regimes and also to target dredging of sites which would provide greatest benefit and measure waterways compliance as a more representative indication of the navigability of waterways, as set out in the SMS Waterway specification agreed by the Authority (Minute 4/14 on 18 January 2013), not just taking account of volume measurements. This also included acquiring suitable sites to accommodate the sediment.

Members were also mindful of the other demands on the navigation resources and public perceptions of priorities in relation to tourism such as increased provision of moorings as well as better facilities, as had been highlighted for some members from their recent visits arranged by the Boat Hire Industry and the Broads Hire Boat Federation Hirers Survey Questionnaire.

In answer to a member's question relating to the business case and consideration of outsourcing, the Chief Executive explained the history behind the Authority's dredging operations, which had been complex, the uniqueness of the Broads area, the thorough analysis and business case that had been made when taking over the May Gurney operation to undertake dredging, the constant monitoring and the need to adhere to the requirements of the Broads Act 2009 in relation to navigation expenditure generally.

Following debate, members agreed that there was a need to be flexible and maintain a balance with regard to the Authority's other navigational responsibilities. Members therefore supported the Navigation Committee's conclusions and agreed that Option 1 be adopted as being most appropriate, i.e. to maintain the current dredging target of 50,000m³ per annum, but that efforts be continued to find ways of increasing efficiencies as well as pursuing sources of additional funding where opportunities arose.

RESOLVED

- (i) that the performance of the different projects to meet the Strategic Priorities for 2013/14 in the accompanying schedule Appendix 1 to the report be noted;
- (ii) that Option 1 as set out in Section 6 of the Strategy for dredging be provisionally adopted ie: maintain the status quo of at least 50,000m³ per annum of sediment removal, pending development of external funding bids which might allow an increased capacity to be achieved;
- (iii) that the Navigation Committee continue to keep the matter under review and give further consideration of options with a view to increasing efficiencies; and

- (iv) that the Authority publishes waterway compliance maps and the data detailing the area of the system which is compliant with specifications in future reports.

6/10 Financial Performance and Direction

The Authority received a report providing a strategic overview of current key financial issues and items for decision, alongside an update on actual and forecast performance against the budget for the year. They took each of the matters in turn.

Section 2: *Dragonfly House Costs*

Members were pleased to note that following further negotiation with Defra Estates, a full and final settlement had been agreed and paid for the Authority's occupancy of Dragonfly House in accordance with the original 2008 Stakeholder Paper. Therefore the call on the earmarked reserve to support the Authority's relocation to Yare House had been significantly less than budgeted and therefore the net saving over a ten year period would help reduce the impact of the reductions in National Park Grant and help to maintain and deliver projects and activities in association with the Authority's three purposes and to fulfil its statutory duties. A member commented that the matter had been complex and had required considerable negotiation with Defra which had been very professionally handled by officers. Therefore with members support, he wished to place on record thanks and appreciation for the successful outcome. This was endorsed.

RESOLVED

- (i) that the final position concerning Dragonfly House Costs as set out in Section 2 of the report be noted.

Section 3: *Standing Tender List – Fen Management Contracts*

Members received an explanation of the process through which contractors had been invited and assessed for inclusion in a standing list of contractors for the undertaking of fen management work in accordance with the Authority's Standing Orders. This list would be in place for a maximum of three years.

RESOLVED

- (ii) that the establishment of a standing list of contractors for the undertaking of fen management as set out in section 3 of the report be approved. The standing list to include four as named in the report and a further eight subject to receipt of relevant certificates; and
- (iii) that the arrangements for achieving value for money in setting fen management pay rates be noted.

Section 4: Consolidated Income and Expenditure for the period 1 April 2012 to 28 February 2013

Members noted the summary of actual income and expenditure for the eleven month period to 28 February 2013 and details for the forecast projected income and expenditure at the end of the financial year.

Members received an update on the anticipated end of year figures, noting that these were still very much provisional at this stage and would be subject to change, with the final figures available in July being subject to audit thereafter. The total income for the period was £6,637,000 with total net expenditure being £7,449,000. Members noted that the draft out turn represented a significant deficit position at the end of the year, in line with the planned drawing-down of reserves to fund capital and one-off expenditure in 2012/13 as agreed by the Financial Scrutiny and Audit Committee and the Authority. The actual deficit for the year was expected to be £812,000 with earmarked reserves being £1.8million and general reserves approximately £1million.

RESOLVED

- (iv) that the current actual and expenditure position for the year as set out in Section 4 of the report be noted.

Section 5: Annual Report on Requests to Waive Standing Orders Relating to Contracts

The Authority noted the fifteen separate matters where Standing Orders relating to Contracts had been waived due to extreme urgency or there being only one supplier of other unusual circumstances for the year 2012/13. Members were satisfied that there was a robust process in place for such waivers in order to achieve the best outcome for the Authority.

RESOLVED

- (v) that the annual report of instances where Standing Orders have been waived as set out in Section 5 of the report be noted.

6/11 Update on Swing Bridges

The Authority received a report setting out the current position regarding the Network Rail bridges together with the works undertaken over the last year and details of the development of a Whole Life Management Strategy including an update on the works to Trowse Bridge.

Members welcomed the improved communications between the Authority and Network Rail and Network Rail's recognition of the problems faced by boaters, the inadequacies of the bridges especially for their long term future and their increased commitment in addressing these by commissioning consultants to carry out a Whole Life Management Strategy. Members noted the findings so far from the Strategy Study and considered the outline options as set out in

Table 1 at Section 3 of the report with particular reference to the proposed design dimensions and the comments from the Navigation Committee which had been consulted at its meeting on 18 April 2013. It was noted that the Navigation Committee's views had been fed back to Network Rail making it clear that these were in respect of navigation only. In summary the Committee was clear that a fixed bridge at Reedham was an unacceptable option and should be ruled out as the air draft was not considered sufficient. A fixed bridge at Somerleyton would be acceptable subject to a sufficient air draft similar to the Haddiscoe flyover at St Olaves as well as appropriate consultation with boat users. However, there were strong views against the option of offline refurbishments and the risk of accepting temporary replacement fixed bridges.

Members also noted the project work timetable and welcomed the possibility of Network Rail and its consultants providing a presentation on their findings and proposed options to the Authority, potentially at a special workshop at an appropriate stage, possibly in the Autumn. Members particularly noted and welcomed the financial commitment and the "best endeavours" that Network Rail was making to improve the position with regard to the bridges within the Broads Authority area in line with the agreed Undertaking signed with the Authority in 2010. Given the considerable sums of money involved it was considered important that these were spent wisely on the best solution possible and that the Authority was able to provide a considered input.

RESOLVED

- (i) that it be confirmed that the actions taken by Network Rail are considered to be sufficient in terms of discharging their responsibilities in accordance with the Legal Undertaking agreement with the Authority; and
- (ii) that the views of the Navigation Committee concerning the options on the three bridges be endorsed.

6/12 Equality Policy

The Authority received a presentation by Jeanette Wheeler of Birketts on the provisions of the Equality Act 2010 and the Role of Members in order to raise Members' awareness of the main provisions and their duties as well as meeting their obligations under the Act. Members were referred to the Equality and Human Rights Commission website and encouraged to view the various codes which helped to provide practical guidance on how public bodies can comply with the Equality Duty and achieve good practice: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

Members welcomed the presentation and gave consideration to the various issues raised in relation to appropriate language and behavior, forms of discrimination including disability discrimination, harassment and victimization as well as the duty to provide appropriate facilities and exercise the public function having due regard to the provisions of the Equality Act 2010.

RESOLVED

that the report be noted.

6/13 Members' Code of Conduct

Further to Minute 5/13 the Authority received a report and gave consideration to a Revised Code of Conduct in order to take account of the adopted Equality Policy and the provisions of the Equality Act 2010. The Code of Conduct for Members as adopted in May 2012 did not make reference to the key principles enshrined in the legislation particularly with regard to respect. As members considered that this omission needed to be remedied, specific clauses were now proposed to be included to address this and these were based on the ten general principles of public life as set up under the Person Specification for Members of National Park Authorities (and the Broads Authority) and the Office of the Commissioner for Public Appointments.

Having received the presentation at Minute 6/12 and in order to be consistent, members considered that clause 7 should include all nine of the protected characteristics under employment law when adhering to the requirements of the Equality Act 2010. These being race, age, pregnancy & maternity, marriage & civil partnership, gender reassignment, religion and belief, sex, sexual orientation, and disability.

RESOLVED

- (i) that the report be noted; and
- (ii) that the revised Code of Conduct at Appendix 1 of the report subject to amendments to Clause 7 to include all nine of the protected characteristics within the requirements of the Equality Act 2010, be adopted.

6/14 Member Development Programme

The Authority received a report from the Chairman which set out a Draft Member Development Programme for 2013/14, building on the Member Development Strategy approved in May 2010 encompassing the key issues provided by the Broads Plan 2011 and the themes agreed under the Authority's Strategic Priorities and in particular being based upon discussions the Chairman had had with members during their Development Appraisals. The programme was designed to enhance members' wider understanding of the key issues facing the Authority, provide continuous development and give members the opportunity for engagement with officers and outside bodies to aid shared learning.

Members noted the attendance figures which, although these had increased for attendance at the full Authority meetings, they had dropped for attendance at the Committee meetings. However, it was recognised that attendance was only one aspect of the collective performance of the Authority.

In particular new members' attention was drawn to the contents of the Core Induction for new members including the ANPA New Members induction course to be held in Snowdonia in September and/or the New Forest in January 2014, which provided a valuable perspective and context for the Authority within the family of National Parks.

It was noted that the ANPA Annual Conference was to be held in the North York Moors National Park 25-27 September 2013 with places being limited to five delegates from each park, comprising 3 members and 2 officers. Some expressions of interest had been received and if anyone else was interested, they should contact the Administrative Officer.

The date scheduled for the Annual Site Visit as 24 July 2013 was accepted and members endorsed the suggestions for the sites to be included in the visit, noting that these reflected some of the development themes which had arisen from their discussions.

It was noted that members had received a direct invitation from the Hire Boat Industry to visit a number of boatyards and those who had taken that up considered that it had been very useful and informative, especially in relation to tolls and methods of payment. It was considered that a debriefing meeting for those members who had attended would be useful and that this should be organized as soon as possible while matters were still uppermost in members minds. It was also noted that there would be opportunities for other members to attend such visits as a few more boatyards had expressed a willingness to be included in the extended invitation to visit them.

The Chairman commented that in relation to key issue (i) of section 3.5 of the report relating to topics associated with Climate Change, it had been suggested that members take part in a trial stakeholder engagement workshop as a pilot to the main process in order to identify gaps as well as provide members with the opportunity to take a more active role in the main process.

A request was also made for a Member Development session on Sustainable Tourism and the role of partners, especially once the new Tourism Officer post was in place.

Members agreed in principle that there should be opportunities created for members to have more informal exchanges of views although in practice it was recognized that this was difficult to build this into the development programme formally. Although some members regretted that the practice of having private informal meetings before the Authority meeting had ceased, it was recognized that this had caused some members difficulties as it had extended the day and either not all members would attend the private sessions and /or they would leave early before all the business of the main meeting was complete. The site visits especially the Annual Site Visit and the Design Quality Tour did give members opportunities for networking and more informal exchanges and efforts to arrange such would continue to be explored.

Members noted that a detailed timetable would be drawn up and circulated.

RESOLVED

- (i) that the report be noted;
- (ii) that the Draft items for the Members Annual Site Visit on 24 July 2013 be endorsed;
- (iii) that the following additions be made to the Member Development Programme:
 - Workshop on Pilot Climate Change Stakeholder Engagement
 - De-briefing on Boatyard Visit held in April 2013
 - Sustainable Tourism and the role of partners following appointment of Tourism Officer post within the Communications Team;
- (iv) that the Member Development programme events be arranged where possible to fit in with other meetings.

6/15 Appointment of Member to the Navigation Committee

The Committee gave consideration to the appointment of two new members to the Navigation Committee in light of the vacancy created by Peter Frost completing his term of appointment to the Authority and the loss of Alan Mallett as a District Council appointee.

As there were likely to be further changes following the County Council elections and the annual meetings of the District Councils, it was proposed that the Chairman in association with the Chief Executive be given delegated powers to appoint new members to any vacancies that might arise on the Planning Committee to ensure that meetings remained quorate. This would be for the interim until the Authority's Annual meeting on 12 July 2013.

RESOLVED

- (i) that Mr Kelvin Allen and Mrs Lana Hemsall be appointed to the Navigation Committee until the Authority's Annual meeting on 12 July 2013 when the entire membership would be considered;
- (ii) that the Chairman and the Chief Executive be given delegated powers to make appointments to the Planning Committee until the Authority's annual meeting in July in order to ensure that the Committee was quorate.

Project Monitoring and Updates

6/16 The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code

The Head of Safety Management confirmed that there were no items which needed to be raised under this item.

6/17(i) Annual Health and Safety Report 2012/13

The Committee received the Annual Health and Safety Report for 2012/13 which focused on those health and safety matters within the organization and identified the priorities for the coming year.

RESOLVED

that the priorities for action on internal health and safety for the coming year be noted as follows:

- (i) to roll out safety observations system to help to influence a positive change in culture and to capture near miss events;
- (ii) to complete the accident investigation procedure and deliver accident investigation training;
- (iii) to re run the Health and Safety Attitude Survey to identify if actions have influenced behavior and to prioritise future work; and
- (iv) to carry out four site inspections to audit control measures.

6/17(ii) Annual Marine Safety Audit 2012

The Authority received a report which provided details of the incidents reported during the period 1 April 2012 to 31 March 2013 specifically limited to the Broads Authority's area of marine responsibility, including an analysis of deaths and personal injury since 1993. It was noted that of the nine fatalities on the Broads there were six deaths related to boats, and 15 people reported as requiring hospital treatment. Given the significant number of visitors and users of the Broads, members considered that this demonstrated that statistically the Broads continued to be a safe environment for boating and boat related activities. However, there was not room for complacency and efforts would continue to be made in association with partners to encourage the use of life jackets or buoyancy aids and to support safety messages.

It was noted that it was difficult to identify if there were any particular trends in the type of incidents and numbers might not always be definitive, especially if certain accidents were not reported to the Authority.

RESOLVED

that the report be noted.

6/18 Summary of Formal Complaints 2012/13

The Authority received a report summarising the formal complaints dealt with by the Authority during 2012/13 together with the outcome of those complaints. It was noted that of the four complaints received, two related to planning and two to navigation reflecting the two activities most likely to impact on members of the public on a day to day basis. It was particularly encouraging that no complaints had been submitted for determination by the Ombudsman during the year, and therefore there were no findings of maladministration against the Authority.

RESOLVED

that the report be noted.

6/19 Feedback from Lead Members and Those Appointed to Represent the Authority

There were no items to report.

6/20 Date of Next Meeting

The next meeting of the Authority would be held on Friday 12 July 2013 commencing at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich.

6/21 Items of Urgent Business

There were no items of urgent business.

6/22 Formal Questions

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

6/23 Exclusion of the Public

RESOLVED

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

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

Summary of Exempt Minutes

6/24 Exempt Minutes of Broads Authority meeting held on 22 March 2013

RESOLVED

that the exempt minutes of the Broads Authority meeting held 22 March 2013 be agreed as a correct record and signed by the Chairman.

Wayford Mill update

The Authority received an update on the situation containing exempt information with regard to the potential legal proceedings in relation to Wayford Mill and the meetings held with the local MP, Mr Norman Lamb.

RESOLVED

- (i) that the report be noted;
- (ii) that in light of Mr Lamb's request, a further meeting be arranged with the owner of Wayford Mill, Mr Lamb MP and the Chairman of the Authority together with the Local District Member on the Authority, Mr Stevens with a view to concluding the situation in line with the Authority's objectives and report back to the Authority; and
- (iii) that the Authority seek an adjournment to the proposed court hearing in May seeking an alternative date in late July.

6/25 Sale of Woodland

The Authority received a report containing exempt information concerning the potential sale of woodland currently within the Authority's ownership. Members considered the four options available with the aim of obtaining best value for the Authority and in the spirit of openness and fairness, taking account of advice from NPLaw and NPS property consultants.

RESOLVED

that the Authority proceed with the sale of the woodland on the basis of Option C as set out in the report - to sell the land by informal bid process but include the LGA wording for public open space.

The meeting concluded at 1.45 pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Broads Authority

Date of Meeting: 10 May 2013

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
M Barnard	6/25	Lobbied by applicant and local community
D A Broad	Items 6/9 – 6/25	Toll Payer, Member of Great Yarmouth Port Consultative Committee

Public Questions for Broads Authority on 10 May 2013 from Mrs M Howes

Question 1: What is the percentage of the toll income, from the total income of the Authority for 2013?

Response: The final year-end figures are currently being prepared for the 2012/13 Statement of Accounts, but the total income is estimated at £7,435,786, with Tolls income estimated at £2,819,561. The Tolls income therefore represents 38% of the total income for 2012/13 on the current estimated income.

Question 2: What is the projected percentage of the toll income for the projected budget totals for the years 2013/2014 and 2014/2015?

Response: The approved 2013/14 budget anticipates a total income of £7,068,431, with Tolls income anticipated at £2,906,484. This represents 41% of the projected total income for 2013/14.

The latest 2014/15 estimates, produced as part of the 2013/14 budget setting process, anticipates a total income of £6,935,711, with Tolls income anticipated at £3,008,116. This represents 43% of the estimated total income for 2014/15.

Question 3: How many of the DEFRA appointees were appointed by virtue of their being toll payers and how many toll payers are on the full Authority?

Response: The Secretary of State appoints ten members to the Authority to reflect the national importance of the Broads with responsibility for conservation, recreation, the maintenance of the navigation area, planning, access, land management and resources. Members are not appointed to represent any one specific responsibility, though one of the Secretary of State appointees is currently a toll payer. As at the time of drafting this response, we do not know precisely who will be appointed to the Authority for 2013/2014 from all of the Local Authorities. Prior to the elections on 2 May 2013, there were five members of the Authority who were toll payers and ten members of the Navigation Committee who were toll payers.