

Broads Authority

Minutes of the meeting held on 27 September 2019

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Present

Bill Dickson – in the Chair, Louis Baugh, Harry Blathwayt, Julie Brociek-Coulton, Jacque Burgess, Andree Gee, Tristram Hilborn, Tim Jickells, James Knight, Leslie Mogford, Simon Roberts, Simon Sparrow, Vic Thomson, Fran Whymark.

In attendance

John Packman – Chief Executive, Natalie Beal – Planning Policy Officer (For Minutes 10 and 11) Sandra Beckett – Administrative Officer (Governance), Steven Bell – Monitoring Officer, Maria Conti – Head of Governance, Emma Krelle – Chief Financial Officer, Rob Leigh – Head of Communications, Harry Mach – CANAPE Project Manager, Rob Rogers – Director of Operations, Cally Smith – Head of Planning (Minutes 10 – 12), Marie-Pierre Tighe – Director of Strategic Services.

1. Apologies and welcome

The Chairman welcomed everyone to the meeting.

Apologies received from Kelvin Allen, Matthew Bradbury, Lana Hemsall, Bruce Keith, Greg Munford, Nicky Talbot, Melanie Vigo di Gallidoro.

2. Chairman's announcements

Openness of Local Government Bodies Regulations 2014

The Chairman reminded Members that the meeting would be recorded as a back-up for accuracy. The Broads Authority retained the copyright. If a member or a member of the public wished to receive a copy of the recording, they should contact the Governance team. No one else indicated that they would be recording or filming the meeting.

Dates to note

Parish Forum – 16 October 2019 at 6.00 pm in Yare House

Audit and Risk Committee – 19 November 2019

General proceedings

The Chairman commented that this meeting was scheduled as a workshop although it was important to deal with some business items beforehand. Following formal business, the workshop would focus on:

- **Response to climate change emergency and how the Authority could link in with the Local Authorities**
- **Preliminary discussion on the Final Report of the Landscape Review**

3. Introduction of members and declarations of interest

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

4. Items of urgent business

There were no items of urgent business.

5. Public question time

A question had been received from Claudia Dickson, on behalf of Reedham Parish Council, relating to the footpath at Reedham and Agenda Item 12 - Extinguishment of Public Rights of Way. Claudia Dickson met with the Authority's Waterways and Recreation Officer, Lewis Treloar, on 25 September 2019 and was satisfied with the response given. The response had been circulated to all Members for information and was attached to these minutes at Appendix 2.

6. Minutes of Broads Authority meeting held on 26 July 2019

The minutes of the meeting held on 26 July 2019 were approved as a correct record and signed by the Chairman, subject to an amendment under those Present to add "and 2" as follows: 'Haydn Thirtle – in the Chair for Minutes 1 and 2', as well as an amendment to the order in the format at the end of Minute 2 to read: 'Haydn Thirtle stepped down, Bill Dickson in the Chair. Fran Whymark took Haydn Thirtle's place at the table as the new member appointed by Norfolk County Council.'

7. Summary of actions and outstanding issues following decisions at previous meetings

The Authority received and noted a schedule of progress/actions taken following decisions of previous meetings. The Chief Executive provided further updates and drew attention to:

National Parks Review: Response – The Glover Review team's report on the Designated Landscapes National Parks and AONBs 2018 had been published as 'The Landscapes Review' on 21 September 2019. The most significant change would be the establishment of a National Landscape Service with overall responsibility for National Parks, AONBs and other designated landscapes. The review would be a main focus for the National Parks UK meeting on 30 October 2019, which would include a meeting of all the Chairman and Chief Executives of the National Parks with Lord Gardner, the Minister responsible for National Parks.

Hosting National Parks' Communications Unit – The unit was now up and running and had begun work to develop a three-year strategy for communications on behalf of all the National Parks. Alastair Barber, Marketing and Communications Manager, had been having interviews with all the National Park communication officers and Tobie Galvin, Digital Communications Officer, had begun a survey on the performance of the UK website. The Authority was due to host a meeting of the National Parks' Heads of Communications in the first week of October.

Pilot agri-environment scheme for the Broads Authority – The local working group had been set up and its first meeting was planned for October.

Members agreed that it would be helpful if the actions within the schedule were dated.

It was resolved to note the report.

8. Responding to climate change emergency

The Authority received a report proposing a formal recognition of the existence of a climate emergency and commitment of the Authority to reducing its CO₂ emissions to zero by 2040, in response to the Government's declaration of climate emergency. The Chief Executive provided the context for the report with recent events such as the UN Climate Action Summit, the ICC report on global sea level rises, and reports from the World Meteorological Organisation. He emphasised that, given the expansiveness and complexities of the subject, it was intended that this would be the first in a series of reports, this time focussing on mitigation at a strategic level, and suggesting a framework of principles to be adopted. He explained that the Authority, together with the other National Park Authorities (NPAs), had been considering and actively participating in climate change adaptation over the last 20 years or so. However, since funding cut backs for the NPAs this had slipped in the priorities, but it was now reenergised. The Authority's ability to influence was relatively small and, given that a number of local authorities had declared climate emergency, it was suggested that the Authority should engage with its constituent local authorities, businesses, residents and stakeholders to explore practical ways to reduce Co₂ emission from within the Broads area. This would be explored in more detail in the workshop session. It was intended that reports, including those on adaptation, would be prepared for future Authority meetings.

The CANAPE Project Manager drew attention to and explained in more detail the proposed principles, as well as how the Authority was actively reducing carbon emissions and the timescales involved. Members discussed these in more detail.

All members welcomed the report. Although it was recognised that a strategic approach was required and collaboration with other organisations was vital, it was also considered important to start at the grass roots and effect change with relatively small issues to help change attitudes and behaviour such as recycling, reducing use of plastics, as well as through building regulations and planning regulations.

Members noted the importance of the Broads ecosystems in mitigating climate change, due to their large carbon stores and capacity to act as a carbon sink. Members considered that the aspiration should be to offset carbon emissions within the executive area rather than through crediting schemes elsewhere.

There was debate on the first principle, with some members advocating the use of the same wording as Norfolk County Council and considering that the term 'emergency' was very emotive. Other members strongly disagreed, given that the statement was from Government, and it was an emergency that required a fundamental response as to how we live now. The statement provided a framework from which to develop policy and practical work. It was recognised that there was undeniable support for the paper overall. A member commented that, unless there was a substantial reason to amend the wording in (i), the statement should be adopted.

Jacquie Burgess proposed, seconded by Harry Blathwayt and **it was resolved** by 10 votes in favour and 4 against, **to adopt the Climate Change Emergency Statement for the Broads at Appendix 1 of the report and to add an additional principle (vii) to include an aspiration for offsetting carbon emissions locally. The principles are outlined as follows:**

- (i) Recognises a climate emergency and adopts the Statement in Appendix 1 of the report.
- (ii) Pledges to work towards making the Broads Authority 'carbon neutral' by 2030, with a further objective of reducing all carbon emissions to zero by 2040.
- (iii) Establishes a baseline for CO₂ emissions using a common methodology with the National Park Authorities and develops an Action Plan and monitoring system.
- (iv) Works with its constituent local authorities to reduce emissions from domestic, travel and other sources in the Broads and across the two counties.
- (v) Works with farmers, land managers, the National Farmers Union and Defra to influence land management practices, to maintain and build organic matter and carbon in soil, to improve biodiversity and store water to protect against flooding and drought.
- (vi) Works with boating and tourism organisations to continue promoting and developing environmentally friendly boating and sustainable tourism.

With the additional principle

- (vii) Aspires to offsetting carbon emissions locally within the Broads via a Broads offsetting scheme.

9. Financial performance and direction

The Authority received a report providing a strategic overview of the key financial issues and items for decision. It also included the first report for this financial year 2019/2020 on the consolidated income and expenditure figures up to 31 July 2019. The Chief Financial Officer also gave the updated figures for 31 August 2019. The favourable variance of £237,916 (a 10.83% difference from the profiled latest available budget) at the end of July had reduced to £170,983 (9.37%) at the end of August. The reason for this movement was predominantly related to toll income. Whilst in July toll income had been higher than predicted (+£87,088), at the end of August it was now broadly in line (+£344) with the profiled budget. There were no changes to the latest available budget or forecast at the end of August. The favourable variances in the Operations, Strategic Services budgets were largely due to timings and favourable variances in the Chief Executive's budget due to savings on salaries and delayed income now received in August. The earmarked reserves had increased to £1,983,438 due to the Water, Mills and Marshes Heritage Lottery Fund and CANAPE grant claims being received.

Members considered the proposal to create a new earmarked reserve for the newly created UK Communications team, recognising that all 15 National Park Authorities and National Park Partnerships had made up-front contributions and such a creation would be consistent with

other partnership work such as CANAPE, Heritage Lottery Fund (HLF) and Catchment Management.

They also considered three virements totalling £85,801 relating to salary budgets transferred between Directorates following staff review and transfer of responsibilities from Strategy and Projects to Construction and Maintenance, to Governance for the new Head of Governance role and to the Development Management Team.

Members also considered the proposed increase in reserve expenditure from the Plant, Vessels and Equipment Reserve for increasing the pool fleet for electric vehicles and to remove the need for hiring an extra van during water plant surveying. The additional reserve expenditure in total would be £32,675.

The Chairman of the Audit and Risk Committee confirmed that the proposals were consistent with the Authority's financial policies.

It was resolved unanimously:

- (i) To note the income and expenditure figures from 1 April to 31 July 2019**
- (ii) To support the creation of a new earmarked reserve, as set out in paragraph 3.2 of the report for the UK communications Team Funding**
- (iii) To approve the virements in paragraph 3.4 of the report and as outlined above**
- (iv) To approve the increased reserve expenditure in paragraph 5.3 of the report, as outlined above.**

10. Norfolk Strategic Planning Framework – version 2

The Authority received a report containing Version 2 of the Norfolk Strategic Planning Framework, which was designed to illustrate how the Norfolk Local Authorities were cooperating on cross boundary/strategic matters, mainly through agreements on the various strategic issues. The Framework was prepared by officers from the LPAs with the involvement of relevant bodies such as the Environment Agency. It was overseen by a member level group, the Norfolk Duty to Cooperate Member Forum, who approved the version at its meeting on 8 July 2019 and asked the Norfolk Local Planning Authorities to endorse it. The Authority's Planning Committee on 16 August 2019 recommended that it be endorsed by the Authority. It was noted that the Framework was a living document and work on version 3 had already started.

It was resolved to endorse the Norfolk Strategic Planning Framework – version 2.

11. Draft planning documents before consultation

The Authority received a report on two draft Supplementary Planning Documents (SPDs) prepared to help interpret and implement the Broads Local Plan policies adopted in May 2019. It was emphasised that the SPDs did not change or make new policies but were there to give additional guidance. The report also presented the updated Statement of Community

Involvement. It was proposed that all the documents be subject to consultation from 27 September to 22 November 2019. Members noted that all the documents were considered at the Planning Committee on 13 September 2019 and endorsed for public consultation.

Marketing and Viability SPD: The Planning Committee discussion had been wide ranging and a number of comments were made, as were highlighted in the report. The Committee endorsed the SPD for consultation and agreed that it should be with a wide group of stakeholders to obtain as much relevant expertise and input as possible. The Committee also suggested that certain areas be highlighted for attention in the consultation. It was also agreed that once the consultation comments were collated, and proposed Authority responses and potential amendments prepared, a further report setting these out be discussed by the Planning Committee, potentially in a workshop format. A member had serious concerns about the Marketing and Viability SPD and was disappointed that it had not been discussed further before being approved for consultation.

The Chairman put the Planning Committee's recommendation to the vote, and **it was resolved** by 13 votes in favour and 1 against

(i) to approve the draft Marketing and Viability SPD for public consultation.

Flood Risk SPD: This involved the review of the Broads Flood Risk SPD adopted in 2017 and amendments to the details in the Strategic Flood Risk Assessment based on updated information and to be consistent with the policies in the adopted Local Plan.

Jacque Burgess proposed, seconded by Simon Sparrow and **it was resolved unanimously**

(ii) to approve the draft Flood Risk SPD for public consultation.

Draft Statement of Community Involvement (SCI) – This had been reviewed and updated since it was last adopted in 2014, in line with the requirement for a review every five years. The SCI set out how the Authority would engage with stakeholders and the local community in the production and review of the Broads Local Plan and Broads Plan, and in the planning application process. Although there was no requirement to consult on the SCI, the Authority previously did so and it was proposed to continue with this approach. The aim was to give stakeholders the opportunity to suggest how they wished to be engaged and consulted.

Tim Jickells proposed, seconded by Jacque Burgess and **it was resolved unanimously**

(iii) to approve the draft Statement of Community Involvement (SCI) for public consultation.

12. Extinguishment of public rights of way

The Authority received a report on the current situation regarding the Public Rights of Way (PROWs) diverted as a result of the Broadland Flood Alleviation Project (BFAP) due to be completed in 2021, and the need to extinguish the previous routes. Since the report had been considered at the Planning Committee on 13 September 2019 it had been clarified that diversions had already been completed in one of the locations. Therefore, there was now a

need to divert sections of PROW at 12 locations, not 13, where they were no longer relevant. The majority of the legal diversions had been completed. It was confirmed that only when the new footpaths were in place would the old routes be extinguished. There were various means of carrying out the process.

The Head of Planning reported that one of the major concerns discussed at the Planning Committee was the issue of funding and apportionment of costs. Each of the extinguishment orders cost £1,800 and therefore the total cost would now be in the region of £22,000. It had been proposed that the costs be divided three ways between the Authority as the planning authority, BESL as the contractors for the BFAP and Norfolk County Council who would be undertaking the work. Norfolk County Council did not have a specific budget allocated. Although they had declined to contribute to the cost, they had suggested there may be alternative ways of managing the process. The Authority was still in negotiations with the County Council on how to pursue the process in the most cost-effective way possible. Members of the Committee had agreed to take a pragmatic approach so as to finalise and conclude these as part of the completion of the BFAP. The conclusion of the diversions would benefit all parties involved and have wider benefits for the public, especially those using the footpaths and the Broads generally.

Members concurred with the Planning Committee's views but expressed disappointment at having to deal with the unintended consequences of certain factors not undertaken at the design stage of a government-funded contract.

Harry Blathwayt proposed, seconded by Jacquie Burgess and **it was resolved unanimously to approve the preparation of the Public Path Extinguishment Orders for the PROWs which have been diverted under the Broads Flood Alleviation Project.**

13. Water Resources East

The Authority received a report on the Broads Authority's relationship with Water Resources East (WRE) and whether the Authority should join the WRE Board or the Strategic Advisory Group. The initiative, led by the water companies, to have a collaborative approach to water resources planning with a wide range of organisations was welcomed as it was considered vital for the future of the region, society, environment and economy. Given the importance and critical significance of water resources management in the Broadland Catchment, Members agreed that the Broads Authority should support and engage with the WRE. Some members supported joining the Strategic Advisory Group, given the limited resources available to the Authority and the costs involved in joining the Board, particularly given it was a new organisation. Other members considered that the Authority should have a high profile at the outset and therefore join at the Board level, at least for the first year. It was considered appropriate that the funds should come from the National Parks reserve.

Jacquie Burgess proposed, seconded by Tim Jickells and **it was resolved by 11 votes in favour, 3 against to join the WRE's Water Resources Board at a cost of £15,000 per year to support the work and connect initiatives in the catchment to the wider Eastern Region and this be reviewed after a year. The funds to come from the National Parks Reserve.**

14. The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code

There were no matters to report under this item.

15. Minutes received

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

It was resolved to receive and note the minutes from:

Audit and Risk Committee meeting on 5 March 2019

Broads Local Access Forum 5 June 2019

Navigation Committee 13 June 2019

Planning Committee 19 July and 16 August 2019

16. Formal questions

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

17. Date of next meeting

The next meeting of the Authority would be held on Friday 22 November 2019 at 10.00 am at Yare House, 62 – 64 Thorpe Road, Norwich.

18. Exclusion of the public

The Authority **resolved** to exclude the public from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined by Paragraph 1 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.

The public left the meeting and the recording was suspended.

19. Exempt minutes Broads Authority – 26 July 2019

The exempt minutes from the Broads Authority meeting held on 26 July 2019 were agreed as a correct record and signed by the Chairman.

20. Exempt minutes Navigation Committee – 13 June 2019

The exempt minutes from the Navigation Committee meeting held on 13 June 2019 were received and noted.

The meeting ended at 11.45 am.

Signed by

Chairman

Appendix 1

Declaration of interests Broads Authority, 27 September 2019

Member	Agenda/minute	Nature of interest
Leslie Mogford	-	No specific Interest
James Knight	6	As previously declared
James Knight	14 - Minutes of Planning Committee 16 August 2019	Owner of the subject of the Planning application
Simon Sparrow	-	As previously declared
Tim Jickells	-	As previously declared
Tristram Hilborn	-	As previously declared
Louis Baugh	-	As previously declared

Appendix 2

Public Question

Broads Authority Friday 27 September 2019, agenda Item 5

Public Question submitted by Mrs Claudia Dickson on behalf of Reedham Parish Council. Please can the Broads Authority confirm that the proposed closure of Reedham FP1, as detailed in the Head of Planning's Extinguishment of Public Rights of Ways paper, section 3.1, is the old route of a now diverted footpath and that there will be no break or gap in Reedham FP1 from Cantley FP18 to Brit House, Station Road?

Broads Authority response

The process for the Extinguishment of Public Right of Way (PROW) would not result in any loss of PROW, as the Dedication Agreements for the diverted sections will have to be completed before we proceed with the formal process for extinguishment. This is covered under paragraph 7.3 of the report.

Regarding the section FP1 in Reedham, the Dedication Agreement has not yet been completed (section 3.3). It falls under the category of PROWs for which the process for the legal diversion is underway but not yet complete. Therefore, we would not proceed with the extinguishment of this section until the legal diversion is complete.

It is confirmed that the proposed extinguishment at Reedham FP is the old route of a now diverted footpath (the work has been done).

The Broads Authority Waterways and Recreation Officer met with Claudia Dickson on 25 September 2019, and she confirmed that she was happy with the Broads Authority response.