

# Broads Authority

## Agenda 25 September 2020

10.00am

This is a remote meeting held under the Broads Authority's [Standing Orders on Procedure Rules for Remote Meetings](#).

**Participants:** You will be sent a link to join the meeting. The room will open at 9.00am and we request that you **log in by 9.30am** to allow us to check connections and other technical details.

**Members of the public:** We will publish a live stream link two days before the meeting at [Broads Authority 25 September 2020](#). The live stream will be suspended for any exempt items on the agenda. Please email [committees@broads-authority.gov.uk](mailto:committees@broads-authority.gov.uk) with any queries about this meeting.

### Introduction

1. To receive apologies for absence
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 24 July 2020** (Pages 4-13)
7. **Summary of actions and outstanding issues following decisions at previous meetings – to note the schedule** (Pages 14-20)

### Strategy and policy

8. **Response to the Covid-19 emergency and the financial position of the Broads Authority and local businesses** (Pages 21-30)  
Report by Chief Executive, Chief Financial Officer and Collector of Tolls
9. **Options for the use of the Capital Receipts Reserve funds** (Pages 31-34)  
Report by Chief Financial Officer and Director of Operations

10. **Wetland Demonstration Project** (Pages 35-40)  
Report by Environment Policy Adviser
11. **Joint Position Statement with the Environment Agency on Strategic Flood Risk Assessments** (Pages 41-47)  
Report by Planning Policy Officer

## Governance

12. **Annual Meeting arrangements** (Pages 48- 53)  
Report by Head of Governance

## Items for consent

**These items will be taken as a block. Member are asked to submit any questions relating to these items in advance of the meeting.**

13. **Planning policy – Residential Moorings Guide** (Pages 54-105)  
Report by Planning Policy Officer
14. **Planning policy – Guide to understanding and addressing the impact of new developments on peat soil** (Pages 106-134)  
Report by Planning Policy Officer
15. **Annual safety audit 2019/2020** (Pages 135-147)  
Report by Head of Safety Management

## Reports for information

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
17. **Minutes to be received**  
[Audit and Risk Committee – 3 March 2020](#)  
[Broads Local Access Forum – 3 June 2020](#)  
[Navigation Committee – 11 June 2020](#)  
[Planning Committee – 26 June 2020](#)  
[Planning Committee – 17 July 2020](#)  
[Planning Committee – 14 August 2020](#)
18. Feedback from Members appointed to represent the Authority on outside bodies
19. Other items of business  
Items of business which the chairman decides should be considered as a matter of urgency pursuant to section 1008 (4)(b) of the Local Government Act 1972

20. To answer any formal questions of which due notice has been given
21. To note the date of the next meeting/workshop – **Friday 20 November 2020** at 10.00am

# Broads Authority

## Minutes of the meeting held on 24 July 2020

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## **Present**

Bill Dickson – in the Chair, Kelvin Allen, Harry Blathwayt, Stephen Bolt, Matthew Bradbury, Gail Harris, Andree Gee, Tristram Hilborn, Tim Jickells, Bruce Keith, James Knight, Leslie Mogford, Simon Roberts, Matthew Shardlow, Simon Sparrow Nicky Talbot, Vic Thomson, Melanie Vigo di Gallidoro, Fran Whymark.

## **In attendance**

John Packman – Chief Executive, Esmeralda Guds (meeting moderator), Hilary Slater – Monitoring Officer, Natalie Beal - Planning Policy Officer, Sandra Beckett – Administrative Officer (Governance), Maria Conti – Head of Governance (minutes), Emma Krelle – Chief Financial Officer, Harry Mach – Carbon Reduction Project Manager, Rob Rogers – Director of Operations, Marie-Pierre Tighe – Director of Strategic Services, Lewis Treloar – Waterways and Recreation Officer, Sarah Mullarney (meeting moderator)

## **1. Apologies and welcome**

**Apologies** were received from Lana Hempsall and Greg Munford. The Chairman welcomed everyone to the meeting and formally welcomed Hilary Slater, the Authority's new Monitoring Officer.

## **2. Chairman's announcements**

Openness of Local Government Bodies Regulations 2014 and provisions of The Local Authorities Police and Crime Panels (Coronavirus) Flexibility of Local Authority and Police and Crime Panel Meetings England and Wales) Regulations no. 392.

The Chairman reminded members that the meeting was being held under the provisions of the above regulations and in accordance with the Broads Authority's Standing Orders for remote meeting procedures agreed on 22 May 2020. The meeting was being live streamed and recorded and the Broads Authority retained the copyright. The minutes remained the record of the meeting.

### **General proceedings**

The Chairman said he would take it that Members had read the papers and the emphasis at this meeting would be to ask any questions and debate the issues.

## **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

No public questions had been received.

## 6. Minutes of last meeting

The minutes of the Broads Authority meeting held on 25 June 2020 were approved as a correct record and signed by the Chairman.

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

The Authority noted a schedule of progress and action taken following decisions of previous meetings. The Chief Executive drew attention to the following matters:

**Acle Bridge:** Works onsite have restarted, with target completion date of 3 August for moorings and later in August for electric charging posts.

**Landscapes Review:** Government response to report awaited; Defra working with NPA Chief Executive Officers on concept for National Landscape Service.

**Visitor services review:** Area within Lowestoft rail station identified for visitor centre and Broads National Park graphics. Agreement reached with Suffolk Wildlife Trust on siting of and access to new pontoon at Carlton Marshes.

**Monitoring Officer appointment:** BA awaiting legal feedback on Section 113 Agreement; completion target moved to August.

**Response to COVID-19:** Hire boat toll income now coming in following resumption of hire boat operations. Final version of Change Control Notice sent to Defra on 22 July and circulated to members.

## 8. Climate Change Action Plan

The Carbon Reduction Project Manager (CPRM) presented his report on developing the Climate Change Action Plan for the Broads executive area and the initial carbon assessment of the Broads Authority.

He noted that achieving the carbon reduction targets in the Broads was highly dependent on working with others, and would include emissions from outside the area, such as visitor travel and incoming consumables. He highlighted Small World Consulting's collation of data on CO<sub>2</sub> consumption and emission by type. The Action Plan was being developed throughout this year, with public engagement focusing on getting buy in to a positive vision for the area.

The Broads Authority's own emissions related to fuel (59%), electricity (5%), consumption (22%), and travel (14%), although electricity emissions would be net zero next year when the Authority switched to a green energy tariff. A major challenge was in the use of heavy equipment such as dredgers and some work vessels.

A member commented that more precise data was needed on where emissions were coming from, to be able to target action effectively. He asked about the use of development planning, agricultural and green energy policies. Some members felt a compliant emissions curve target for the Broads executive area should not be set until more data was available.

The CRPM said that the Small World Consulting baseline project would collect targeted consumption and emissions data, and National Parks England was working with the Department for Business, Energy and Industrial Strategy (BEIS) to produce a consistent set of family indicators to support the case for improved Government funding. While there was minimal new build in the Broads, the Broads Local Plan contained policies on climate mitigation standards and regulations. The CANAPE peat mapping report was awaited, and the Authority was working with the farming community, including through the ELMS 'test and trial' project. Land management practices overall had to be considered; for example, not using cattle to graze Halvergate Marshes could actually increase CO2 emissions. Transport was a County Council responsibility, but the Authority was in discussion with parish councils about increasing electric charging points. More use of public transport was encouraged, although this was currently compromised by C-19.

A member referred to the importance of linking this work with the Authority's investment plans such as equipment purchases, and with wider strategies and policies across sectors such as tourism, agriculture and peat management. There were good opportunities for promoting green electricity across the counties.

A member said it was important to act now, even without all the data, to guide investment and resource allocation. It was noted that some boatyards had switched to synthetic diesel and gas to liquid fuel, and this could be considered for the Authority's vessels. Another member pointed out that new technologies needed to work in tandem with fossil fuels. The CRPM said the Authority was looking at cross-technologies for its own equipment, but there were issues of availability, cost and remote work locations to be considered. It was also noted that more heavy equipment may be needed in future, such as for flood protection works.

A member said the Authority should agree to the 1.5% target in the recommendation, but should revisit timescales for individual parts of the plan and be more ambitious. Climate change measures and green recovery were likely to be a focus of the Comprehensive Spending Review and the Authority also needed to look at funding streams for large scale projects beyond CANAPE and Water, Mills and Marshes.

A member suggested that the Authority should produce a revised Action Plan with more detail on sources of emissions, a full range of measures to address them, and predicted pathways. It was noted that the Plan was a strategic priority this year. Data and actions for the Broads Authority could be reported to the next Authority meeting, but it would take longer to compile this information for the executive area. The end of year impacts of C-19 on emissions would also skew the trend line in the immediate future.



Matthew Shardlow proposed, seconded by Bruce Keith, and **it was resolved** unanimously

- (i) to note the update on work undertaken since November 2019 and adopt the Action Plan set out in Appendix 1 including engaging with organisations that have responsibility for emissions in the Broads area to map a route towards zero carbon; and

by 15 votes for, 3 against and 1 abstention

- (ii) to set the target of a 1.5° compliant emissions curve for the Broads Executive area, in line with Tyndall Centre recommendations, and use this as the basis for public engagement and working with partners.

## 9. Draft Statement of Accounts 2019/20

The Authority received an update report on the Authority's Statement of Accounts (SoA) and its audit for the year ended 31 March 2020. The report had been received by the Audit and Risk Committee (ARC) on 21 July, when the external auditors outlined outstanding audit items. The deadline for approving the SoA had moved to 30 November.

A member asked about the early repayment fee for the Public Works Loan Board loan. The CFO advised that this was discussed by ARC in March, when it was agreed to go to the Navigation Committee and Broads Authority with details of the early repayment fee and options on what to do with the capital receipts reserve. This reporting process had been delayed due to Covid-19 and the postponement of meetings, and would now happen in September. The member queried the statement on page 77 of the SoA that refinancing the loan at lower interest rates would outweigh the early repayment fee. It was clarified that the Statement had been made by the CFO and reviewed by the auditors. The Authority had not been in a position to repay the loan as at 31 March.

**The report was noted.**

## 10. Strategic Direction and Annual Business Plan 2020/21

The Authority received a report setting out progress in implementing the Broads Plan and the Authority's annual strategic priorities. The report also presented the Authority's Annual Business Plan for 2020/21.

Leslie Mogford proposed, seconded by Gail Harris, and **it was resolved**

- (i) to note the report; and
- (ii) to adopt the Annual Business Plan for 2020/21.

## 11. Statement of Community Involvement – adoption

The Planning Policy Officer outlined the need to update the Authority's Statement of Community Involvement to reflect current Covid-19 social distancing and access

restrictions. The revised SCI had been endorsed by Planning Committee, although subsequent changes to planning regulations meant that the Authority was not now required to make a copy of consultation documents available for public inspection at its head office.

**It was resolved** to adopt the revised Statement of Community Involvement.

## 12. Broads Local Access Forum – Constitution and Annual Report 2019/20

The Waterways and Recreation Officer presented the Broads Local Access Forum (BLAF) Annual Report 2019/2020 on the development and improvement of public access within the Broads. The BLAF constitution had also been revised and required the Authority endorsement prior to formal adoption.

A member commented that BLAF was working well, and congratulated the Waterways and Recreation Officer for his hard work.

Kelvin Allen proposed, seconded by Andree Gee, and **it was resolved**

- (i) To note the BLAF Annual Report for 2019/20 at Appendix 1 to the report; and
- (ii) To endorse the BLAF revised constitution for adoption (Appendix 3 of the report).

## Consent items

Items 13 and 14 were taken as a block for approval. Members had been invited to submit comments before the meeting, and none were received. The Chairman asked if members endorsed the recommendations in the reports. No objections were received and all recommendations were approved.

## 13. Draft Coastal Adaptation SPD for consultation

The purpose of the Coastal Adaptation Supplementary Planning Document (SPD) is to provide guidance on aligned policy approaches along the coast and to take a holistic (whole coast) approach. The Planning Committee received the report on 17 July and endorsed the draft SPD for public consultation.

**It was resolved:**

- (i) To endorse the Coastal Adaptation SPD for consultation; and
- (ii) As four Local Planning Authorities are jointly producing this SPD, and some committees may make comments on the SPD that result in changes, that final Authority endorsement for consultation is delegated to the Director of Strategic Services in consultation with the Chairman of the Broads Authority and Chairman of the Planning Committee.

## 14. Summary of formal complaints for 2019/20

The report summarised the formal complaints received by the Broads Authority in 2019/20, together with the outcome of those complaints.

**It was resolved** to note the summary of formal complaints.

## 15. 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.

## 16. 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 the following minutes:

[Planning Committee – 6 March 2020](#)

[Planning Committee – 29 May 2020](#)

## 17. Feedback from Members appointed to represent the Authority on outside bodies 2019/2020

No feedback was reported.

## 18. Formal questions

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

## 19. Date of next meeting

The next meeting of the Authority would be on Friday 25 September 2020 at 10.00am. The meeting would be held remotely unless otherwise noted.

## 20. 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 paragraphs 1, 2, 3 and 4 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 livestream recording was suspended.

## 21. Exempt minutes: Broads Authority 25 June 2020

It was resolved to receive the exempt minutes of the Broads Authority meeting held on 25 June 2020.

The meeting ended at 12.17pm

Signed by

Chairman

## Appendix 1 – Declaration of interests: Broads Authority, 24 July 2020

Member	Agenda/minute	Nature of interest
Gail Harris	8 9, 10	Member, Norwich City Council Director, Forum Trust (appointed by Norwich CC)
James Knight	22	Hire boat operator
Simon Sparrow	22	Hire boat operator

# Broads Authority

25 September 2020

Agenda item number 7

## Summary of actions and outstanding issues following decisions at previous meetings

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Transfer of Mutford Lock	26/01/2018	John Packman	That 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 Mutford Lock in the Navigation Area and the ownership to the Broads Authority.	<p><b>Aug 2018:</b> The two HROs published for 42-day public consultation on 3 Aug. No objections have been raised under either order. MMO progressing HROs - anticipated to be determined by end July 2019.</p> <p><b>Feb 2020:</b> Final determination of HROs still awaited; Chairman took matter up informally with MMO at meetings in Dec 2019 and 12 Feb 2020. Date for final determination unknown.</p> <p><b>28 Feb 2020:</b> BA in phone conference with MMO and other parties to satisfy latest MMO questions.</p> <p><b>1 June 2020:</b> MMO drafted decision documents for Mutford Lock applications and put forward for final internal draft review. DfT have halted processing of HROs during COVID-19. Team keeping in correspondence and will update on time scales when known - suggested this may be in July.</p> <p><b>Sept 2020:</b> Awaiting determination of the HROs by MMO – agreed in principle. Further questions raised from MMO, responded on 20 August and response awaited from MMO legal team.</p>	31/07/2019
Pilot agri-environment scheme for the Broads (Broads Test and Trial of ELMS)	16/03/2018	Andrea Kelly	Content 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.	<p><b>Oct 2019:</b> Defra awarded Broads Test and Trial (T&amp;T) contract. Sub-contracts awarded to Natural England, Norfolk Farming Wildlife Advisory Group and facilitator.</p> <p><b>Nov 2019:</b> Broads Test and Trial published on website. Project investigating payments, management interventions, monitoring and verification of interventions.</p> <p><b>13 Nov 2019:</b> First partnership workshop with 63 farmers and land managers hosted by BA, NFU, Natural England, Norfolk Farming Wildlife Advisory Group and facilitator, excellent participant feedback. <a href="https://www.broads-authority.gov.uk/looking-after/projects/environment-land-management-system">https://www.broads-authority.gov.uk/looking-after/projects/environment-land-management-system</a>. Workshop report circulated to Steering Group and participants and interested parties.</p> <p><b>10 Feb 2020:</b> Defra ELMs team and Broads farmer site visit.</p> <p><b>Dec 2019 - May 2020:</b></p> <ul style="list-style-type: none"> <li>Objective 2 - Developed detail and costs of management interventions and scheme tiers for grazing marsh and fen/reedbed habitats; reviewed Site Emission Tool (carbon calculator) from similar habitats to trial from June 2020.</li> <li>Objective 3 - Trialled self-assessment form for fen and fen meadow in liaison with Conservation Organisations and British Reed Growers Association.</li> </ul>	30/10/2020

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
				<ul style="list-style-type: none"> <li>Objective 4 - Assessed local board roles and membership.</li> <li>Objective 5 - Mapped information to inform collaboration around the Broads.</li> </ul> <p><b>29 April 2020:</b> Submitted contract variation to Defra for extension from June-Oct and additional budget to collect data. Defra invited BA to submit costs for up to date fen management work.</p> <p><b>May 2020:</b> Preparing online surveys and pre-recorded presentations.</p> <p><b>June 2020:</b> Responded to Defra ELMS Policy Consultation and responding to Defra Peat Strategy Consultation.</p> <p>Signed new T&amp;T Defra contract. Sent two online surveys to over 300 farmers and land managers - 77 completed.</p> <p>Contributed to thematic webinar on advice provision to Defra policy team. Preparing presentation to T&amp;T thematic 15th July to Defra policy team. In discussion with partners and Defra on additional work to assess fen payments. Prepared grazing costs for verification with 10-15 farmers and land managers.</p> <p>Tested Site Emission Tool (carbon calculator) on one site and gaining agreement to test carbon savings on farmers land. Working with Oxford University Research Student to assess ELMS in Norfolk.</p> <p><b>Sept 20:</b> Analysed two online surveys. T&amp;T report written for approval by Steering Group. Outputs include Broads Tier Structure, grazing payments budget and Collaboration Plan. EPA presented conclusions to Defra ELM scheme Policy Team. Defra requested BA applies for contract extension for further ELM scheme work, focusing on advice provision, formation of Local Board and role of convenors.</p>	
Acle Bridge	28/09/2018	John Packman	Chief Executive delegated –to continue discussions with the neighbouring landowner over the possibility of purchasing additional land at the Acle Bridge site; to continue discussions with Great Yarmouth Borough Council for the acquisition of the toilet block; to proceed with the essential repairs to the moorings at the Acle Bridge site subject to the views of the Navigation Committee; 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 in the context of reviewing the Sustainable Tourism Strategy, to consider with members options for a wider project to enhance tourism in the Broads.	<p>Ownership of toilet block transferred from Great Yarmouth Borough Council to BA.</p> <p>Repairs to moorings at Acle Bridge and installation of electric charging points included in work programme for Winter 2019/2020.</p> <p><b>Nov 2019:</b> Acle Bridge site in Visitor Services Review (Exempt report) on BA agenda 22/11/19.</p> <p><b>Feb 2020:</b> Piling works started at Acle Bridge 24-hour moorings. Phase 1 to renew 110m of piling, install new mooring path and three electric charging points. Works to extend beyond Easter and involve moorings, section of Weavers Way, car park and toilet area. 55-metre section of mooring to be left open on upstream end for boaters to moor during works. Footpath access from mooring only available for pedestrians heading towards Oby and Thurne. Weavers Way public footpath through construction site closed until project completion. Advance notices installed on Weavers Way. Works monitored and areas of site opened as soon as safe to do so.</p> <p><b>June 2020:</b> Following break from site due to Covid-19, contractor returned late May and has made good progress with piling and tie-rods. Approx 6 more weeks of work required, taking project into late July.</p>	31/01/2020

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
				<b>Sept 2020:</b> Mooring works completed and 24 hour mooring site open to public. Due to high demand for electricians, installation of electric charging pillars delayed - expected within next 6 weeks.	
National Parks Review: Response	28/09/2018	John Packman	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. The deadline response submission 18 December 2018. Chairs' Group to meet again on 5 December 2018 to finalise the response and consider the points raised. Members were encouraged to submit any comments they wished to make individually to that group.	<p><b>Sept 2019:</b> Landscapes Review Final Report published 21 Sept. Awaiting Government response to review.  <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833726/landscapes-review-final-report.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833726/landscapes-review-final-report.pdf</a></p> <p><b>Nov 2019/Jan 2020:</b> Members received preliminary paper for discussion. Report on 31 Jan highlighted Review's 27 proposals and asked Members to consider BA priorities for more detailed discussion. Agreed to focus on where BA already taking action in line with Broads Plan, and where resources allow.</p> <p><b>Mar 2020:</b> Issues for future discussion: Climate change and carbon capture; Biodiversity and future of agriculture; Promoting wider participation with National Parks on health and wellbeing benefits; Explore Proposal 21 Welcoming new landscaping approaches in cities and the coast - e.g. Norwich City as a National Park City.</p> <p><b>May 2020:</b> Report and presentation on climate change given at BA meeting 24 July 2020. Awaiting Government response.</p>	24/07/2020
Collaboration with Norfolk County Council	01/02/2019	John Packman	That the Authority supports Norfolk County Council's aspiration for a single management structure for the Norfolk Coast Area of Outstanding Natural Beauty and the Wash, and North Norfolk Coast Natura 2000. That the areas of co-operation with Norfolk County Council and the progress that is being made is noted. That officers explore the possibility of more formal yet flexible platforms for future collaboration with Norfolk County Council focussing on procurement, bidding for external funding and staffing arrangements. (eg: A Memorandum of Understanding) Project proposal to be submitted to Norfolk County Council to be a partner in the EU Interreg programme Experience. This 3 year project involves taking forward the recent Discover England project to French and US markets and extending National Park branding. The draft budget is c £270,000 for over 3 years with a match funding contribution from the Authority of £75,013.	<p>Collaborative work ongoing with Norfolk County Council.</p> <p><b>4 Jul 2019:</b> BA member and officer site visit to Norfolk coast in association with Norfolk Coast Partnership.</p> <p>Project proposal for BA to be partner in Interreg EXPERIENCE project successful. Kick-off meeting (initially scheduled in Dec 2019 but postponed due to election purdah) in February 2020.</p> <p><b>May 2020:</b> Scoping Cooperation Agreement between BA and Norfolk County Council.</p> <p><b>June 2020:</b> BA supporting development of Norfolk and Suffolk Environment Plan, led by Norfolk and Suffolk County Councils. UEA developing asset inventory with set of indicators.</p> <p>July 2020: Cooperation Agreement between BA and Norfolk County Council under review by nplaw. Norfolk Coast Partnership Management Group due in July to be replaced by series of topic-specific emails, including 2020-21 planned actions for AONB and new Management Plan.</p> <p><b>Sept 2020:</b> Awaiting feedback on final draft of Cooperation Agreement between BA and Norfolk County Council. Feedback provided to North Norfolk AONB on their draft Management Plan.</p>	22/05/2020
Hosting National Parks'	22/03/2019	Rob Leigh	BA hosting UK National Parks Communications Service on basis set out in report, and Appendix 1 of report approved.	<b>1-3 Oct 2019:</b> BA hosted National Parks Heads of Communication Officers meeting.	



Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Communications Unit				<p><b>28 Nov 2019:</b> Communications Strategy approved by English CEOs Group and Chairs Group. Internal roll out of National Parks branding/messaging launched. BA staff briefed on 16 Oct and Members on 22 Nov.</p> <p><b>17 Jan 2020:</b> Work ongoing to scope review of National Parks website. Ongoing campaign support includes photography competition and Discover National Parks Fortnight 4-19 April 2020. Workplan and steering group meetings scheduled.</p> <p><b>2-4 Mar 2020:</b> Heads of Communications meeting.</p> <p><b>July 2020:</b> Virtual meeting of all Heads of Communications arranged for 29 Sept.</p> <p><b>August 2020:</b> New website progressing, with expected launch Autumn 2020. Collaborative safe visiting (Covid safe) visitor messaging campaigns ongoing,</p>	
Permissive footpath at Reedham: Recommendation from Broads Local Access Forum	26/07/2019	Rob Rogers	To instruct BA officers to continue discussions with Norfolk County Council, Reedham Parish Council and landowner to find collaborative solution to missing permissive footpath link at Reedham.	<p><b>5 Feb 2020:</b> Meeting between Lewis Treloar (BA), Chris Mutton (landowner), Reedham Parish Council and their solicitor to come up with agreed solution to reinstate permissive path. All parties agreed in principle to lease between BA and landowner, with RPC taking on management and financial aspects of route. Quotes for all materials and contractors provided. Awaiting RPC review of written agreement and all parties to sign.</p> <p><b>May 2020:</b> With solicitors to finalise agreement; all parties happy to proceed.</p> <p><b>July 2020:</b> Agreements signed and sealed. Contractor to begin work soon with the aim of reopening by September.</p>	03/06/2020
Wherryman's Way footpath on River Chet	26/07/2019	Rob Rogers	Wherryman's Way footpath by River Chet included in priority actions for new Waterways and Recreation Officer. Discussions with Norfolk County Council taking place.	<p>Work to be split into 2 phases over winter 2020 and 2021. Plan is to concentrate efforts in first year on Loddon FP4, Langley with Hardley FP9 and Loddon FP5. NCC to repair two bridges at Loddon FP4 by Sept 2020. Environmental officers to complete minor tree/shrub clearance by Oct 2020.</p> <p>BA operations team to dredge Chet for 3 months from Oct 2020 and dispose of material on sections of footpaths mentioned. They will return 6 months later to rebuild paths with new material. Similar work to continue in 2021 to restore rest of footpaths at eastern end of Hardley Flood.</p> <p><b>May 2020:</b> Project now part of a much larger programme of works in partnership with Norfolk County Council and CIL application; to include new circular routes, bank stabilisation, signs and infrastructure, and access for all resurfacing works. Programme improvements across entire Wherryman's Way beginning 2021.</p>	31/12/2021
Draft planning documents for consultation	27/09/2019	Natalie Beal	Draft Marketing and Viability Supplementary Planning Document was consulted on, but public venues were closed, so will need to be consulted on again. No set date for this consultation. Residential Moorings Guide was consulted on, but public venues were closed, so will need to be consulted on again. No set date for this consultation but it could be around September 2020.	<p><b>Sept 2019:</b> Documents submitted for first public consultation from 30 Sept to 22 Nov.</p> <p><b>Jan 2020:</b> Statement of Community Involvement (SCI) and responses to consultation considered by Planning Committee on 6 Dec 2019 and adopted by BA on 31 Jan 2020.</p> <p><b>Jan-Mar 2020:</b> Flood Risk SPD and responses to consultation considered by Planning Committee on 10 Jan. Amended SPD approved by BA for 2nd round consultation from 31 Jan to 6 March. Planning Committee 6 Mar recommended that BA adopt SPD following minor amendments.</p>	24/07/2020

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
			Flood Risk SPD adopted. Statement of Community Involvement adopted in January 2020.	<b>May 2020:</b> Marketing and Viability SPD before Planning Committee 7 Feb and 6 Mar and recommended for second round consultation (under delegated powers in light of COVID-19 lockdown). Consultation from 16 March to 5 June. Residential Moorings Guide endorsed for consultation by Planning Committee on 6 March, consultation period from 16 March to 5 June. <b>July 2020:</b> BA adopted amended SCI to reflect COVID-19 restrictions.	
Extinguishment of Public Rights of Way	27/09/2019	Lewis Treloar	To approve the preparation of the Public Extinguishment Orders for the PROWS which have been diverted under the Broads Flood Alleviation Project (BFAP).	<b>6 Jan 2020:</b> Consultation began for extinguishment of first bundle of footpaths (Cantley FP18, Stokesby FP6 and Mautby FP12) <b>5 Feb 2020:</b> Consultation ended 3 Feb and Orders signed and sealed, with notices served to relevant stakeholders. <b>3 Mar 2020:</b> One objection recieved a day before confirmation of the Orders was set to go ahead. <b>18 Mar 2020:</b> Objection withdrawn following discussions. <b>May 2020:</b> Confirmation agreed but progress postponed due to COVID-19 situation. <b>Jul 2020:</b> Awaiting guidance from Highways Authority on when process can be finalised. <b>Aug 2020:</b> Still no update from Defra.	31/05/2021
Water Resources East	27/09/2019	Marie-Pierre Tighe	Broads Authority to join Water Resources East (WRE) Water Resources Board at a cost of £15,000 for 2019/20 to support work and connect initiatives in Broadland catchment to wider Eastern Region. Funds to come from National Park Reserves. BA to review its WRE membership in September 2020.	<b>8 Oct 2019:</b> WRE Directors' Board meeting attended by Director of Strategic Services, who was appointed as Board member. On agenda: Board and governance matters, appointments, technical programme, engagement. 15 Oct 2019: WRE Strategic Advisory Group attended by Director of Strategic Services and Catchment Officer, engaging with wide range of stakeholders. <b>Oct 2019:</b> WRE added to BA Partnerships Register. <b>Dec 2019:</b> WRE Managing Director presented their work to Broadland Futures Initiative group. <b>14 Jan 2020:</b> Director of Strategic Services attended WRE meeting. On agenda: Procurement policy and appointment of auditor, operational budget, 2020/21 business plan. Overall aim is to agree Water Management Plan by December 2021. <b>11 March 2020:</b> Director of Strategic Services attended WRE meeting. Main discussion item was draft business plan. <b>April 2020:</b> WRE hosted discussion with support from NALP to discuss potential water related project opportunities in Norfolk and Suffolk. Next meeting 22 June 2020 <b>June 2020:</b> Board approved WRE 3-year business plan. <a href="https://wre.org.uk/wp-content/uploads/2020/07/WRE-Draft-3-Year-Business-Plan-2020-23-FINAL-for-publication.pdf.pagespeed.ce.gG1V1TGDOA.pdf">https://wre.org.uk/wp-content/uploads/2020/07/WRE-Draft-3-Year-Business-Plan-2020-23-FINAL-for-publication.pdf.pagespeed.ce.gG1V1TGDOA.pdf</a> "WRE's vision is for Eastern England to have sufficient water resources to support a flourishing economy, a thriving environment and the needs of its population, and for the region to be seen as an international exemplar for collaborative integrated water resource management." <b>Sept 2020:</b> Next board meeting on 12 October 2020.	30/09/2020

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Responding to Climate Change Emergency	27/09/2019	John Packman	To adopt the Climate Change Emergency Statement for the Broads included as Appendix 1 of the First Report and the principles outlined. Recognition of climate emergency to work toward making the Broads Authority 'carbon neutral' by 2030, with further objective of reducing all carbon emissions to zero by 2040. Establish base line for CO2 emissions using a common methodology with NPAs and develop an Action Plan and Monitoring system. Work with constituent local authorities to reduce emissions from domestic, travel and other sources in the Broads across the two counties. Work with farmers, land managers, NFU and Defra to influence land management practices, to maintain and build organic matter and carbon in soil, improve biodiversity and store water to protect against flooding and drought. Work with boating and tourism organisations to continue promoting and developing environmentally friendly boating and sustainable tourism; and aspires to offsetting carbon emissions locally within the Broads by a Broads offsetting scheme.	<p><b>Sept 2019:</b> Principles agreed - first in series of items dealing with climate change.</p> <p><b>22 Nov 2019:</b> Presentation to BA from Asher Minns, Director of Tyndall Centre at UEA and update by CANAPE Project Manager/Carbon Reduction Projects Manager.</p> <p><b>10 Jan 2020:</b> Planning Committee report on planning policy response to climate change mitigation and adaptation.</p> <p><b>May 2020:</b> Progress report to BA prepared on Climate Change Action Plan for Broads Authority and Broads Area. Deferred to BA meeting in July due to COVID-19 situation.</p> <p><b>July 2020:</b> Report and discussion by member at item 8 on the agenda "Climate Change action plan". It was agreed to set the target of a 1.5 degree compliant emissions curve for the Broads Executive area, in line with Tyndall Centre recommendations, and use this as the basis for public engagement and working with partners.</p> <p><b>Sept 2020:</b> National Parks England has received data from BEIS on emissions from the National Parks and the Broads. Work is underway to better understand these figures, in particular around boating emissions that are listed as several times higher than previous estimates.</p> <p>Savills have confirmed that the Yare House electricity supply has now been switched to a Green Tariff. We are currently investigating the capacity of the Broads Authority equipment to use higher percentages of biofuel. These measures will achieve the targeted savings for this year.</p> <p>With the South-Downs National Park we are working with Smallworld Consulting Ltd to deliver the Consumption Baseline for the Broads Area by March 2021.</p> <p>From the data provided by this and the BEIS data, we will establish the savings we need to make in each year to achieve carbon neutrality.</p>	
Visitor Services Review (Exempt)	22/11/2019	Rob Leigh	Report noted and strategic direction endorsed: To continue to examine the short-term options presented and test different small-scale options if possible. To defer considering a business case and site analysis for a Visitor and Education Centre.	<p><b>Nov 2019:</b> Acle Bridge site included in strategic approach to visitor services in Visitor Services Review (exempt report) to BA on 22 Nov. In line with BA decision, current visitor services development focusing on sites other than Acle Bridge, e.g. Forum in Norwich.</p> <p><b>Mar 2020:</b> Negotiations with Norwich City Council continuing positively. Aiming for launch of new facility in Norwich Forum in April. BA committed financial support from existing visitor centre budgets towards staff presence and refurbishment works. Good progress made for visitor centre presence at Lowestoft rail station, aiming to be in place in April and funded from existing visitor centre budgets.</p> <p><b>May 2020:</b> Plans on hold due to COVID-19 situation.</p> <p><b>July 2020:</b> Plans for refurbishment of new combined Norwich / Broads / Jarrold visitor centre at Norwich Forum on hold until close of season 2020; likely to be in done in time for 2021 season. May be possible to have Broads presence within visitor centre from late July 2021; awaiting update from Norwich City Council on reopening plans.</p> <p>Lowestoft Rail Station Broads National Park signs and Suffolk Wildlife Trust Carlton Marshes visitor centre display on hold due to COVID-19.</p>	31/03/2021

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
				Existing TICs at How Hill and Hoveton reopened on 4 July. Boat trips expected to be running again by end of July. <b>Sept 2020:</b> Ra trip boat awaiting repair to control unit, which has delayed trips restarting. Visitor centres: Norwich City Council trialling reopening Norwich Forum with reduced capacity; working towards refurbishment for 2021 season but uncertainty due to C-19 and Jarrolds reorganisation. Broads National Park display completed at Lowestoft train station TIC (run by Community Rail Partnership). Suffolk Wildlife Trust, Carlton Marshes - agreed to install Broads National Park displays before official opening Spring 2021 (soft opening Autumn 2020).	
Appointment of Monitoring Officer	25/06/2020	John Packman	To delegate to the Chief Executive, the authority to negotiate and enter into a Section 113 Agreement with East Suffolk Council to allow Mrs Slater and Mr Bing to work for the Broads Authority, whilst remaining East Suffolk Council employees.	<b>June 2020:</b> Draft S113 Agreement received on 25/06/2020. <b>July 2020:</b> Advice received from Birketts on the Draft Agreement. <b>August 2020:</b> Legal advice sent to East Suffolk.	24/07/2020
Response to the COVID-19 emergency and the financial position of the Broads Authority and local businesses	25/06/2020	John Packman	That the Authority supports the approach for hire boat charges in 2020/21 outlined in the report following consultation with the Navigation Committee on 11 June 2020. To authorise the Chief Executive to negotiate and sign a Change Control Notice to the Authority's Funding Agreement with Defra on the lines set out in paragraph 2.2. of the report, following consultation with the Chairman and Vice-Chairman of the Authority and the Chair and Vice-Chair of the Navigation Committee, and subsequent circulation of the document to members for comment.	<b>July 2020:</b> Chief Executive provided members with a verbal update at the 24 July 2020 Broads Authority meeting. Hire boat operators informed of arrangements agreed by the Authority on 1 July 2020. Survey of hire boat operators carried out on impacts of Covid-19 on their businesses. <b>Sept 2020:</b> Update on the Broads Authority's financial position and survey results to Navigation Committee on 3 Sept, who supported recommendations to BA as set out in report on today's agenda.	03/09/2020

Date of report: 10 September 2020

# Broads Authority

25 September 2020

Agenda item number 8

## Response to the Covid-19 emergency and the financial position of the Broads Authority and local businesses

Report by Chief Executive, Chief Financial Officer and Collector of Tolls

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### Purpose

This report gives an update on the financial impact of the Covid-19 lockdown restrictions on the Broads Authority and hire boat companies, and proposes a way forward.

### Recommendations

- (i) Undertake a further survey of hire boat yard bookings and income at the beginning of October.
  - (ii) Engage with individual yards to understand more fully their overall income position for this season and the prospects for 2021.
  - (iii) Require yards to pay the third toll instalment of 30% by 30 September as already agreed.
  - (iv) Delay the date for the fourth and final toll payment of 30% to 30 November, to give time for the Navigation Committee and the Broads Authority to consider the results of the second survey and the level of charges for 2021/22.
- 

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## 1. Introduction

- 1.1. The Covid-19 pandemic has had a devastating impact across the world and the Broads has not been immune to its effects. The UK Government's lockdown measures introduced in March prevented our private owners from using their craft, and almost overnight all holiday bookings were cancelled or postponed with huge impacts for the hire boat industry.
- 1.2. The Broads Authority acknowledges the frustration of private boat owners during lockdown. However, because the maintenance of the waterways continued throughout the lockdown period, people were able to return to water immediately when the restrictions were partly removed by the Government. We have received a small number of requests for a refund, compensation or reduction in tolls for the time people were not able to use their boats during lockdown. It should be noted that 'All vessels kept or used in the navigation area, or adjacent waters, for more than 28 days in any tolls year require an annual toll and must be registered with the Authority.' The Authority has worked with individuals unable to pay the toll but it is inappropriate to consider a general refund when the costs of maintenance have not decreased.
- 1.3. The hire boat industry is critical to the visitor economy and hire boat tolls contribute a significant proportion to the navigation maintenance. Recognising that the pandemic has potentially serious consequences for the industry's viability and its ability to sustain current levels of employment, the Broads Authority on 25 June endorsed an approach to assess the financial impacts on the hire industry in 2020/21.
- 1.4. The approach involved officers consulting the Broads Hire Boat Federation and individual hire boat companies and charities on their income for the season, and a comparison with last season. It was agreed that these figures would be reported to Navigation Committee on 3 September meeting and then to this meeting to indicate how the 2020/21 hire boat season had progressed and inform a decision on the final instalment of the 2020/21 hire boat tolls.

## 2. Feedback from the hire boat industry

- 2.1. With the help of the Broads Hire Boat Federation, the Authority sent a survey form (Appendix 1) to 24 local hire boat companies on 13 and 14 August, with a tight deadline of 19 August. The aim of the survey was to get a picture of the hire boat industry's lost income from the weeks when the lockdown was in place, and the expected additional income from a busier main season and a potentially extended season.
- 2.2. 10 responses were received, and are summarised in Appendix 2. The results show that there has been a considerable improvement in the position since July. After an extremely hesitant start to the season, the yards are now exceptionally busy and the Broads Hire Boat Federation reports that September is fully booked and bookings for October are also looking good. Further information has been sought about bookings in November to guide the Authority on the provision of its seasonal support services, such

as Rangers and yacht stations. To some extent the urgency of the crisis facing the industry has moderated, but there is still some uncertainty about what the rest of the season holds. The prospects for 2021, subject to C-19, also look very good.

- 2.3. Six yards responded to Question 5 regarding estimated total income for the season compared to last year, including Government (VAT reduced rate for hospitality, holiday accommodation and attractions and Coronavirus Job Retention Scheme) and local authority financial support. The results give a more positive picture on overall income, with a mean result of 95%. Several of the yards made the point that 2019 was a poor year and that a comparison with the previous four years, although more difficult to calculate, would give a more representative result. Estimating income for the rest of the year is also problematic when the situation is so uncertain, and for these reasons one of the yards preferred keeping the position under review. The day boat operators did not benefit from the VAT reduction and all have had additional costs associated with C-19.

### **3. Financial position of the Broads Authority**

- 3.1. The Broads Authority's priorities in responding to the C-19 crisis have been to keep its staff and volunteers safe, to support the local tourism sector and in particular the hire boat industry, and to continue delivering its services, including the maintenance of the waterways where safe to do so.
- 3.2. The Authority's own finances have been severely impacted by the suspension of hire boat operations during the C-19 imposed lockdown, and the reluctance of private owners to commit to using the waterways. However, since the restrictions have been eased, the financial position has improved and is now as follows.
- 3.3. At the time of writing, the income from private boats has risen to £1,961,000. This is £166,000 below the same point last year and £283,000 short of the total budget for the year. This is a considerable improvement on the position a couple of months ago. Many private boat owners were able to use their craft after seven weeks, with only those living some distance from the Broads having to wait 12 weeks. Furthermore, the Authority is processing a high number of Notices of Contravention and it is envisaged that private toll income will continue to improve once reminder letters have been sent.
- 3.4. Hire boat income has also improved and, including the split payments (not all of which have been received), tolls of £1,099,000 are being paid, of which the Authority is owed £939,000. This is £100,000 below the budgeted position. Of concern is the reduction in hire boat numbers, many of which are likely to be permanent. Overall, the numbers are down by 164 (-11%); the two largest groups are motor cruisers (-66) and day launches (-46). Table 1 provides an overview of actual navigation income and expenditure.

**Table 1**

Actual Consolidated Income and Expenditure by Directorate to 31 July 2020

Directorate	Profiled Latest Available Budget £	Actual income and expenditure £	Actual variance £
Income	(5,182,770)	(4,000,304)	- 1,182,466
Operations	1,796,702	1,092,913	+ 703,789
Strategic Services	514,059	444,864	+ 69,195
Chief Executive	702,967	634,970	+ 67,997
Projects, Corporate Items and Contributions from Earmarked Reserves	60,485	(14,305)	+ 74,790
<b>Net (Surplus) / Deficit</b>	<b>(2,108,557)</b>	<b>(1,841,862)</b>	<b>- 266,695</b>

- 3.5. Core navigation income is significantly below the profiled budget at the end of July. This has been offset partially by the savings identified by budget holders and the cancellation of the annual contributions to the earmarked reserves. The overall position as at 31 July 2020 is an adverse variance of £266,695 or a 12.65% difference from the profiled latest available budget (LAB).
- 3.6. The LAB has not been adjusted at this point; instead, adjustments have been made to the forecast outturn. The LAB currently provides for a deficit of £265,499. This is made up of the £153,518 original budget approved in January 2020 and the carry forwards of £111,981 agreed in May 2020.
- 3.7. The Forecast Outturn for 2020/21 is indicating a deficit of £160,088. This takes account of the confirmed pay negotiation of 2.75% (+0.75% compared to the original budget), budget holder savings and the cancelled contributions to the earmarked reserves. This assumes that the level of tolls processed in paragraph 3.3 will be collected in full. Both the LAB and forecast outturn will be revised in line with members' recommendations.
- 3.8. Table 2 gives an overview of the balances on the Earmarked Reserves at the end of July.



**Table 2****Consolidated Earmarked Reserves**

<b>Reserve Name</b>	<b>Balance at 1 April 2020 £</b>	<b>In-year movements £</b>	<b>Current reserve balance</b>
Property	(663,487)	(796)	(664,283)
Plant, Vessels and Equipment	(349,280)	30,000	(319,280)
Premises	(246,701)	15,960	(230,741)
Planning Delivery Grant	(220,082)	0	(220,082)
Upper Thurne Enhancement	(146,317)	2,932	(143,385)
Section 106	(43,561)	1,441	(42,120)
HLF	(11,955)	143,870	131,915
Catchment Partnership	(75,185)	(22,660)	(97,845)
CANAPE	(311,844)	139,399	(172,445)
Computer Software	(21,770)	488	(21,282)
UK Communications Team	(28,140)	(44,974)	(73,114)
<b>Total</b>	<b>(2,118,322)</b>	<b>265,660</b>	<b>(1,852,662)</b>

- 3.9. The Authority undertook detailed negotiations with Defra and secured a funding agreement that will see the first £400,000 of any shortfall in navigation income being met by the Authority from navigation reserves and savings, with the potential for a further £400,000 from an agreed transfer from National Park Reserves. Any outstanding amount above that, up to a maximum of £800,000, will be funded by Defra.

## 4. Conclusion

- 4.1. Given the unpredictable prospects for the rest of the season, and the need for greater clarity around the total income figures, the Navigation Committee was consulted on the recommendations at the top of the report. The Committee supported the approach outlined and this is recommended to the Authority. The Committee also supported the proposal that, given the financial challenge presented by the reduction in the number of hire boats, all Members should be invited to a Tolls Briefing at the beginning of October in advance of the consultation with Navigation Committee on next year's charges. This is being arranged.

Authors: John Packman, Emma Krelle, Bill Housden

Date of report: 4 September 2020

Appendix 1 – Hire boat operators -Survey of the season

Appendix 2 – Summary of survey returns

## Appendix 1 – Hire Boat Operators - Survey of the season

At its meeting on 25 June 2020, the Broads Authority endorsed an approach to hire boat charges for 2020/21. This was in response to the financial impacts on the hire boat industry of the Government's Covid-19 lockdown restrictions.

For this year, the navigation charges for the hire industry have been staggered in the following manner:

- 10% of the charge was due as soon as the boat is hired;
- 30% was to be paid on or before 31 August 2020;
- 30% would be paid on or before 30 September 2020; and,
- the final payment of 30% would be due on or before 31 October 2020.

The Authority's officers are now consulting the Broads Hire Boat Federation, individual hire boat companies and charities running hire boats on their income for the season, and a comparison with last season. It was agreed that these figures would be reported to the next meeting of the Navigation Committee on 3<sup>rd</sup> September and then to the Broads Authority meeting on 25 September to indicate how the 2020/21 hire boat season had progressed. This feedback will then be used to help decide on what approach to take to the outstanding tolls payments.

The timescale for the survey leaves requesting the information as late as possible to get the most up-to-date picture whilst still meeting the deadlines – extremely tight!

In this short timescale it is not possible to poll every operator and the intention of working with the Broads Hire Boat Federation is that all the major companies will be covered which should give a good indication of both how the season has performed up until Friday 14<sup>th</sup> August and what the prospects are from bookings for the rest of the year.

**Please return the information by 13:00 on Wednesday 19th August.**

The information we are seeking is the % percentage of income that companies have or will have lost over the course of the season as a whole – made up of:

- (i) the lost income from the weeks when the lockdown was in place and
- (ii) the potential additional income gained from a busier main summer and potentially extended season in response to the removal of the restrictions.
- (iii) taking into account income from government and local government.

So please complete the following table as appropriate – i.e. for those categories of vessel that are relevant. Question 5 applies across the whole business and includes Government financial support so is dealt with separately.

Name of Boat Yard \_\_\_\_\_

**Question 1. Actual Income for the different categories of vessel from 1 April 2019 to 30 June 2019 as % of last year's annual income.**

**Question 2. Actual Income for the different categories of vessel 1 April 2020 to 31 July 2020 as a % compared to the same period in 2019.**

**Question 3. Actual Income for the different categories of vessel 1 April 2020 to Friday 14 August 2020 as a % compared to the same period in 2019.**

**Question 4. Estimate of income for the different categories of vessel for the period 1 April to 31 December 2020 compared to estimated income for 1 April to 31 December 2019.**

Type of Hired Vessel	Question 1 %	Question 2 %	Question 3 %	Question 4 %
Weekly hired motor craft				
Day hired motor craft				
Motorised sailing craft				
Houseboats				
Rowing boats				
Sailing boats				
MCA Passenger Boats				
Small passenger boats				
TOTAL				

**Question 5. Estimate of income overall for the period 1 April to 31 December 2020, taking into account any grants from government, including the Job Retention Scheme, and local authorities compared to actual income for 1 April to 31 December 2019.**

**Estimated Income including grants 1 April 2020 to 31 December 2020 = \_\_\_\_\_%**  
**Actual Income 1 April 2020 to 31 December 2019**

Note: - The names of the companies that have taken place in the survey will be listed in the report to the Navigation Committee and the range of responses will be given but the individual company responses will not be made public.

**Please return to: Bill Housden, Collector of Tolls at [bill.housden@broads-authority.gov.uk](mailto:bill.housden@broads-authority.gov.uk) at the Broads Authority by 13:00 on Wednesday 19 August.**

With many thanks

John Packman  
Chief Executive  
Broads Authority      13 August 2020

## Appendix 2 – Summary of survey returns

Note: Responses all rounded to nearest 1%.

**Question 1. Actual Income for the different categories of vessel from 1 April 2019 to 30 June 2019 as % of last year's annual income.**

Type of Hired Vessel	Question 1 %	Mean
Weekly hired motor craft	27, 34, 35, 36, 38, 40,	35
Day hired motor craft	26, 29, 30, 30, 33, 33, 35, 35, 40	32
Motorised sailing craft		
Houseboats	40, 40	40
Rowing boats	37	
Sailing boats		
MCA Passenger Boats	35	
Small passenger boats	33	

**Question 2. Actual Income for the different categories of vessel 1 April 2020 to 31 July 2020 as a % compared to the same period in 2019.**

Type of Hired Vessel	Question 2 %	Mean
Weekly hired motor craft	20, 30, 38, 43, 46, 54,	39
Day hired motor craft	15, 55, 56, 61, 61, 72, 78, 83, 84	63
Motorised sailing craft		
Houseboats	44, 65	55
Rowing boats	0	
Sailing boats		
MCA Passenger Boats	7	
Small passenger boats	58	

**Question 3. Actual Income for the different categories of vessel 1 April 2020 to Friday 14 August 2020 as a % compared to the same period in 2019.**

Type of Hired Vessel	Question 3 %	Mean
Weekly hired motor craft	12, 49, 50, 53, 53, 56	46
Day hired motor craft	10, 66, 71, 73, 76, 78, 95, 98, 105	75
Motorised sailing craft		
Houseboats	62, 85	74
Rowing boats	10	
Sailing boats		
MCA Passenger Boats	17	
Small passenger boats	68	

**Question 4. Estimate of income for the different categories of vessel for the period 1 April to 31 December 2020 compared to estimated income for 1 April to 31 December 2019.**

<b>Type of Hired Vessel</b>	<b>Question 4 %</b>	<b>Mean</b>
Weekly hired motor craft	40, 58, 60, 68, 77, 84	65
Day hired motor craft	30, 75, 75, 77, 80, 81, 91, 96, 108	80
Motorised sailing craft		
Houseboats	90, 92,	
Rowing boats	50	
Sailing boats		
MCA Passenger Boats	10	
Small passenger boats	93	

**Question 5. Estimate of income overall for the period 1 April to 31 December 2020, taking into account any grants from government, including the Job Retention Scheme, and local authorities, compared to actual income for 1 April to 31 December 2019.**

**Estimated Income including grants 1 April 2020 to 31 December 2020 = \_\_\_\_\_%**  
**Actual Income 1 April 2020 to 31 December 2019**

80%, 86%, 92%, 93%, 96%, 120%      Mean = 95%

# Broads Authority

25 September 2020

Agenda item number 9

## Options for the use of the Capital Receipts Reserve funds

Report by Chief Financial Officer and Director of Operations

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### Summary

The report considers whether the Authority should repay the Public Works Loan Board (PWLB) loan early and proposes using the Capital Receipts Reserve (CRR) to fund improvements to the facilities for the boating public at Acle Bridge.

### Recommendation

- i. Early repayment of the PWLB loan is not appropriate;
  - ii. Officers prepare costed plans for the improvement of the facilities at Acle Bridge for the Navigation Committee and the Authority to consider at future meetings; and
  - iii. Note that the Management Team has decided to use a PWLB loan to finance the replacement of an excavator as highlighted in paragraph 4.1. of this report.
- 

## 1. Introduction

- 1.1. At the Audit and Risk Committee (ARC) in November 2019, a member raised a question regarding the repayment of the Public Works Loan Board (PWLB) loan taken out to purchase the Dockyard from May Gurney in 2007. The loan was for a 20-year period at a fixed interest rate of 4.82%. The suggestion was that the repayment could be funded by the Navigation share of the Capital Receipts Reserve (CRR), which contains the proceeds from the sale of the Ludham Fieldbase.
- 1.2. This was discussed again at the ARC meeting in March 2020, where the early repayment fee was highlighted. It was noted that, although it would bring small-scale savings (at that date), any other capital works such as improvements at Acle Bridge would then need to be funded by an increase in tolls or additional borrowing. The early repayment of the loan has been looked at a number of times over the years but had not been considered affordable. The CRR meant this was no longer the case. It was agreed that a report would be taken to the Navigation Committee in April and the Broads Authority in May. This was delayed by Covid-19 restrictions and the cancellation of meetings, and the Navigation Committee received the report on 3 September. The Navigation Committee supported the view that early repayment of the PWLB loan was not

advantageous and that a costed plan should be worked up to use the CRR to fund improvements to the facilities at Acle Bridge for further consideration by the Committee and the Authority.

## 2. Repayment costs

- 2.1. At the time of writing, there remains £108,750 outstanding on the loan. Repayments are made every six months (March and September) of equal instalments of principal (EIP). These instalments are included in the revenue budget for the next 7 years. The repayment of the loan is calculated on the rate in force when the repayment is agreed over the remaining terms of the original loan. The figures below will change on a daily basis and if repayment were authorised by the Authority it cannot occur until October, if cash flow permits, and after another instalment has been paid.
- 2.2. Table 1 below shows that, because of the early repayment fee, there is no financial benefit in early repayment of the loan compared to the costs of continuing the budgeted repayments until 2027.

**Table 1**

Loan costs

Cost type	Early Repayment Costs £	Continued Budgeted Costs £
Capital Repayment	108,750.00	108,750.00
Early repayment fee	19,835.69	0
Interest	1,904.79	20,967.04
<b>Total</b>	<b>130,490.48</b>	<b>129,717.04</b>

- 2.3. The CRR balance is £405,000 and is split 60% National Park and 40% Navigation. The Reserve can be used only for the repayment of debt or capital expenditure. Following the outbreak of Covid-19, interest rates are very low. The highest interest rate is currently 1.05% (1-year fixed deposits) and the lowest is 0.1% (instant access). If we take the higher rate, the Authority would lose £1,701.00 in interest, in addition to the cost of £773.44 by repaying earlier. Depending on cash flow, notice maybe required to access the funds, which can take between 32 and 95 days. If this was the case, then repayment may not take place until January 2021.

## 3. Potential improvements at Acle Bridge

- 3.1. The Acle Bridge site was purchased to safeguard the long length of mooring and the public toilets were subsequently purchased from Great Yarmouth BC. Using existing budgets the Authority has invested in new piling, capping, waling and mooring posts, electric charging points are being installed along with safety ladders and chains, making



it a safe and well provided Authority 24hr free mooring. The CRR gives us an opportunity to go further at this site.

- 3.2. The Authority has had an ambition that Acle Bridge would be able to offer high quality facilities to waterways users on the lines of a modern 'yacht station'. The old toilet block could be replaced with new year-round, 24/7 public toilets with showers and baby changing facilities. At this stage it is not clear whether demolition and replacement of the existing building is a better option than refurbishment but the ambition is to provide well illuminated, bright, hygienic, easy to clean and vandal proof facilities. Both North Norfolk and South Norfolk councils have recent experience of revamping public toilets and their advice would be sought.
- 3.3. One option is for the new facilities to be coin operated, with the income helping to fund the upkeep of the site.
- 3.4. If the Authority supports this outline proposal then it is suggested that officers develop costed plans for the Navigation Committee and the Authority to consider at a future date. This will include examination of the potential use of external funding and the appropriate split between Navigation and National Park expenditure from the CRR.

## 4. 2020/21 Capital Expenditure

- 4.1. When the Budget and the Capital, Treasury and Investment Strategy were prepared for 2020/21 it was identified that one of the Authority's excavators would need replacing in this financial year. This type of equipment is replaced every 10 years where there remains some residual value to offset against the purchase of a new piece of equipment. Due to the significant cost of excavators (£100,000 plus), all of the Authority's previous excavators have been financed over five years directly with the manufacturer, and this had been the plan for this year. However, the historically low interest rates mean that all finance options have been considered. The Management Team has decided, with the benefit of the Chief Financial Officer's advice, to fund the purchase of the new excavator through a new PWLB loan. As stated above, interest rates change on a daily basis and assume a rate of approximately 1.91% would be achieved. It is intended to submit an application for the loan in October.

## 5. Conclusion

- 5.1. The early repayment fee and the funding of future capital projects makes the early repayment of the PWLB loan unattractive. The Authority is not allowed to borrow in advance of need; however, current fixed interest rates from the PWLB vary from 1.97% for a 10-year repayment to 2.32% for a 20-year period. These rates move on a daily basis and, given the current climate and the uncertainty about future boat numbers, members may not wish to commit large future capital projects being financed by debt. However, the CRR provides funding to continue the upgrade of the facilities for the boating public at Acle Bridge.

Author: Emma Krelle and Rob Rogers

Date of report: 08 September 2020

[Broads Plan](#) objectives: 6.1, 6.2

# Broads Authority

25 September 2020

Agenda item number 10

## Wetland Demonstration Project

Report by Environment Policy Adviser

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### Purpose

This report outlines the opportunity for a new wetland demonstration project as part of the EU-funded CANAPE programme.

### Recommended decision

To approve a wetland demonstration project as part of the CANAPE programme in collaboration with the Horsey Estate, the Internal Drainage Board and the Environment Agency.

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## Contents

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## 1. Introduction

- 1.1. The Broads Authority has an opportunity to create a wetland demonstration site at the Horsey Estate in the Upper Thurne area (see Appendix A). The project would be to rewet around 3 hectares of agricultural peatland, with the rewetted area used to trial the production of reed mace (typha) and reed to showcase paludiculture, or wetland farming. At the moment, there is no paludiculture in the Broads apart from reed and sedge cutting, with limited markets for paludiculture farmed crops. The demonstration

site will test seeding and growing plants in the Broads, to see if these crops could be viable across larger areas, and also to test their water filtration capacity.

- 1.2. This is a relatively small-scale project in the Upper Thurne, with expected multiple benefits including improved water quality, reduced carbon emissions and water storage, reduced flood risk, and habitat creation. More specifically, it would help to achieve three main aims:
  - To filter ochre from the Brograve catchment, returning clean water to supply the protected downstream wetlands;
  - To rewet peat to reduce carbon emissions; and
  - To create a 3-hectare demonstration of wetland crops on deep peat agricultural land.
- 1.3. The construction work would be undertaken by the Internal Drainage Board (IDB) and the planting by the Broads Authority, with co-funding from the Authority and Environment Agency. The project is supported by the land manager (Horsey Estate) and land owner (National Trust).
- 1.4. This partnership project would contribute to the objectives of the following initiatives:
  - Environment Agency Water Environment Improvement Fund
  - IDB programme of integrated drainage improvements (planning the replacement of pumping stations in the Upper Thurne)
  - Broads Authority Interreg project CANAPE (Creating a New Approach to Peatland Ecosystems)
  - Other initiatives with an interest in the project, such as Water Resources East and Broadland Futures Initiative
- 1.5. This project would complement the IDB programme of installing new pumping stations with automated gates, which will also contribute to the reduction of ochre pollution. The pump replacements will run at variable speeds for better efficiency in both drought and flood event situations.
- 1.6. There are local complexities and sensitivities with managing land and water in the Upper Thurne. Partners are aiming to learn more from this test site, in addition to the upcoming Environment Land Management (ELM) scheme payments, to develop new ways to address the blockers to landscape change.
- 1.7. Work is also under development for two field parcels, directly south of the wetland demonstration project site, led by Norfolk Rivers Trust. Broads Authority officers are supporting a bid to the Green Recovery Fund in that area, with similar objectives around source pollution, water storage, carbon sequestration and biodiversity gain.

## 2. Objectives

2.1. The wetland demonstration project would meet CANAPE objectives by:

- Increasing the amount of peatland rewetted, thereby decreasing CO2 emissions
- Providing a demonstration site for farmers and land managers to see the potential of wetland agriculture
- Engaging with farmers and land managers in the Broads
- Collaborating with CANAPE partners and other projects, such as WaterWorks in the Cambridgeshire fens

2.2. The project would also help achieve these Broads Authority objectives:

- Improving water quality in the Upper Thurne broads by filtering ochre polluted drainage water
- Demonstrating the production of wetland crops which could, at a larger scale, be used for sustainable products such as building and thatching materials and biofuel
- Reducing Greenhouse Gas Emissions from the LULUCF1 in the Broads
- Provide habitat for iconic Broads species, such as the bittern and crane
- Working with private landowners/farmers to create nature friendly farming and wildlife corridors outside of designated sites
- Working in partnership with the Environment Agency and the IDB

## 3. Partner roles

3.1. Partner roles are as following:

- IDB (Lead Local Flood Authority for the pump drained catchment): Scheme design, construction and ongoing maintenance on drainage related infrastructure.
- Broads Authority: Vegetation planting, water quality testing, and arrangements with the land manager.
- Horsey Estate (land manager) and National Trust (land owner): Provision of 3ha of land with compensation against the disruption for taking part in the experimental pilot, but with no financial benefit to them by the end of the project. Support has been received in writing from both parties.

3.2. In addition to managing the Broads Authority tasks, the Environment Policy Adviser will also coordinate research and academic partners to produce evidence on different

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<sup>1</sup> Land Use, Land Use Change, and Forestry (LULUCF)

topics, such as carbon calculation and paludiculture. The Centre for Ecology and Hydrology has expressed its interest in the project.

## 4. Timeline

- 4.1. The Environment Agency and the IDB have allocated some funding towards this project. The project needs to be completed by December 2022.
- 4.2. The estimated timeline for the project is as follows:
  - September 2020 – Broads Authority approval, IDB commencing design work
  - October 2020 – Agreement with the land manager on the valuation of the compensation against the disruption
  - November 2020 – Begin procurement for BA planting contractor, IDB to prepare the land
  - Spring 2021 (TBC) - Construction and planting may occur either in spring or summer 2021

## 5. Financial implications

- 5.1. The costs of delivering the project are estimated as follows:
  - BA contract for External Expertise for construction, planting and grazing protection, land valuation, water quality tests at £60,000
  - BA staff time £5,000Total project expenditure: £65,000.
- 5.2. The project would be funded from various sources:
  - European Funding (ERDF) at £32,500
  - Funding from the Environment Agency at £20,000
  - Existing funding from CANAPE reserves at £12,500
- 5.3. There is some underspend in the CANAPE reserves due to the favourable exchange rate between the Euro and the Pound since the beginning of the project. There will be no need to add funds into the CANAPE reserves.

## 6. Risk implications

- 6.1. The main risks have been identified as follows. Mitigation measures are provided against each risk:
  - Creating wetter floodplain areas and planting wetland plants has been done in the Broads, so there is little risk on the ability to deliver the project. Some of the specific plants have not been planted in the Broads before, so a provision of the need to

plant a second time is included in the budget (if the first planting fails). We have checked that a sufficient supply of local provenance wetland plants is stocked by suppliers.

- Wetland planting has not been used until now for testing the water filtration and demonstrating new crops to the farming sector. The partnership will need to define clear roles and responsibility, including on the engagement plan with farmers.
- There needs to be an agreement with the land manager on the valuation of the disruption due to the trial. If no agreement is reached within the estimated budget, the project will not go ahead.
- Planting is seasonal and will be impacted by the weather. The timeline is flexible so that planting can be rescheduled later in 2021 if it is not possible to plant in spring 2021.

## 7. Conclusion

- 7.1. The wetland demonstration project is a partnership opportunity for the Broads Authority to continue working with farmers and land managers to deliver the desired outcomes in the Broads Plan. The pilot will also provide evidence for options that would be suitable for payments in the future Environment Land Management scheme.
- 7.2. The partnership and academic partners will use the wetland demonstration project to test how new land management approaches could be developed in the Broads.

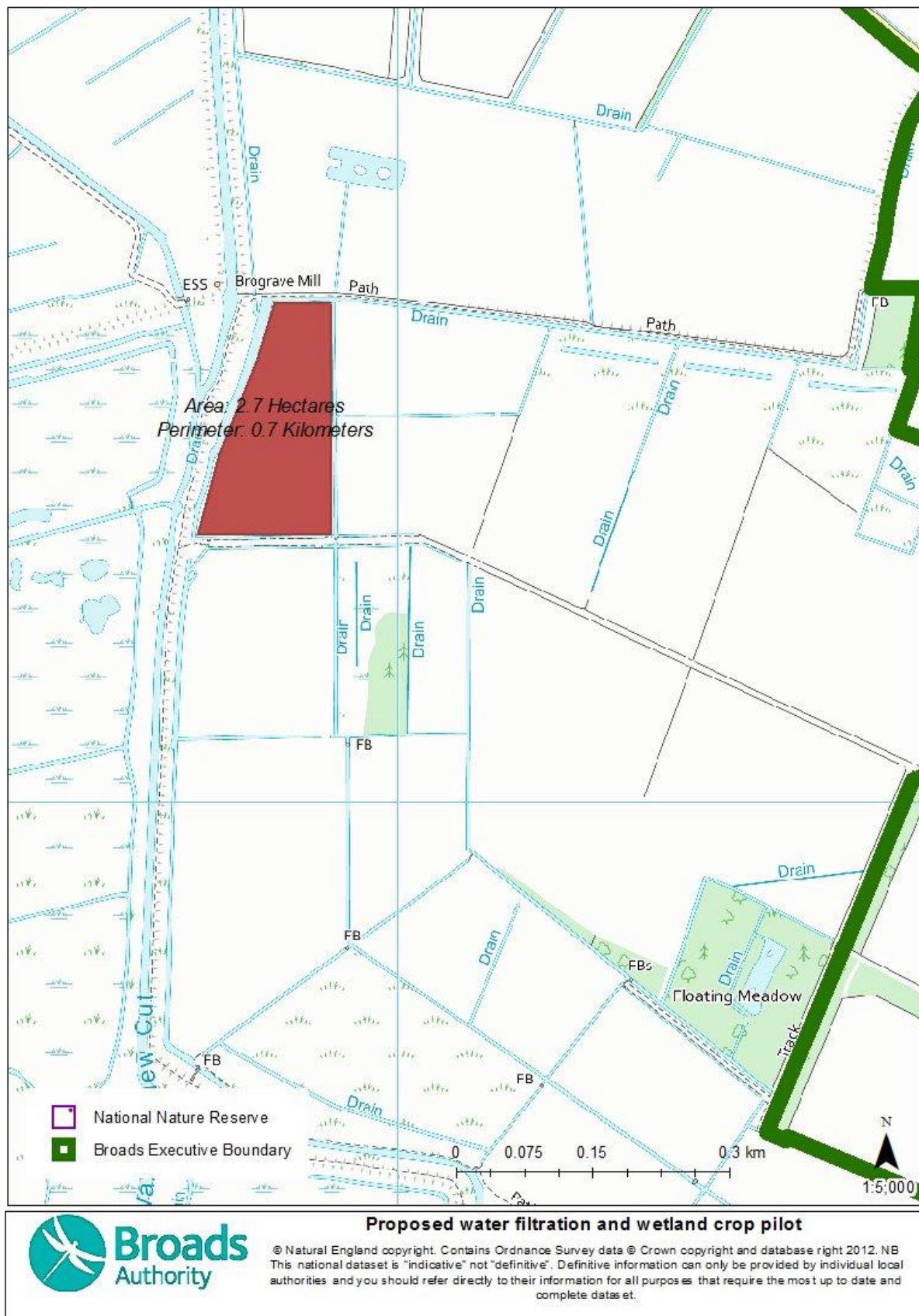
Author: Andrea Kelly

Date of report: 04 September 2020

[Broads Plan](#) objectives: 1.1, 2.1, 2.2, 2.3, 2.4, 2.5, 2.6

Appendix 1 – Location of the wetland demonstration site

## Appendix 1 – Location of the wetland demonstration site





# Broads Authority

25 September 2020

Agenda item number 11

## Joint Position Statement with the Environment Agency on Strategic Flood Risk Assessments

Report by Planning Policy Officer

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### Summary

A Joint Position Statement on Strategic Flood Risk Assessments was produced to support the progress of the Local Plan for the Broads. Since that time a number of things have changed, and an updated Joint Position Statement has been agreed with the Environment Agency.

### Recommendation

Adoption of the amended Joint Position Statement on Strategic Flood Risk Assessments.

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## 1. Introduction

- 1.1. To support the progress of the Local Plan for the Broads and explain the reasoning behind certain approaches, the Broads Authority worked with the Environment Agency to produce a Joint Position Statement on Strategic Flood Risk Assessments. Some time has passed since the original Statement was produced, and things have changed. The Statement has therefore been amended, as set out in this report.
- 1.2. The Joint Position Statement was presented to the Planning Committee in August 2020. The Committee endorsed the Statement and recommended it to the Broads Authority for adoption.

## 2. Strategic Flood Risk Assessments

- 2.1. The National Planning Policy Framework (NPPF) says that 'Local Plans should be supported by a Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards.'
- 2.2. The National Planning Policy Guidance (NPPG) defines a Strategic Flood Risk Assessment (SFRA) as 'a study carried out by one or more local planning authorities to assess the risk to an area from flooding from all sources, now and in the future, taking account of the impacts of climate change, and to assess the impact that land use changes and development in the area will have on flood risk'.

- 2.3. The Broads Authority Executive Area is covered by four SFRAs<sup>1</sup>, produced in 2017 and 2018.
- 2.4. SFRAs are produced mainly to support Local Plans. As they identify areas of land in Flood Zones 3a and 3b they are also useful in helping to understand flood risk related to development, although further flood risk work tends to be required as further detail for some planning applications.
- 2.5. The NPPG defines the flood zones as follows:

Zone 1 Low Probability	Land having a less than 1 in 1,000 annual probability of river or sea flooding. (Shown as 'clear' on the Flood Map – all land outside Zones 2 and 3)
Zone 2 Medium Probability	Land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding. (Land shown in light blue on the Flood Map)
Zone 3a High Probability	Land having a 1 in 100 or greater annual probability of river flooding; or Land having a 1 in 200 or greater annual probability of sea flooding. (Land shown in dark blue on the Flood Map)
Zone 3b The Functional Floodplain	This zone comprises land where water has to flow or be stored in times of flood. Local planning authorities should identify in their Strategic Flood Risk Assessments areas of functional floodplain and its boundaries accordingly, in agreement with the Environment Agency. (Not separately distinguished from Zone 3a on the Flood Map)

- 2.6. The SFRAs are now out of date, but are still useful in understanding what the flood risk could be at a particular site. The flood maps for planning<sup>2</sup>, produced and maintained by the Environment Agency, are updated regularly, but this mapping system does not delineate Flood Zone 3a and 3b. Therefore, the SFRAs and the flood maps for planning are used together to give an idea of what flood risk could be at a particular site. This is part of the update to the Joint Position Statement, and the Environment Agency agrees with this approach.

### 3. Original Joint Position Statement

- 3.1. The purpose of the original Joint Position Statement was to support the Local Plan for the Broads and help it progress up to and through examination.
- 3.2. Because the timing of the SFRA for the former Waveney area was slightly behind the Norfolk SFRAs, and to help us progress our Local Plan, the Joint Position Statement was produced to say that until the Waveney SFRA was finalised we could use the findings of the Norfolk SFRAs, which touched on part of the Waveney area.

<sup>1</sup> SFRAs: <https://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

<sup>2</sup> Flood Maps for planning: <https://flood-map-for-planning.service.gov.uk/>

- 3.3. In addition, as parts of the areas covered by the SFRAs did not have any modelling or up to date modelling the SFRAs, in agreement with the Local Planning Authorities and the Environment Agency, took a precautionary approach and said that these areas were treated as indicative Flood Zone 3b. One particularly large area that did not have an up to date model was the area covered by the Broadland Flood Alleviation Project (BFAP). The Joint Position Statement covers this issue.

## **4. Amendments to the Joint Position Statement**

- 4.1. The amended Joint Position Statement is at Appendix 1. Changes are marked on the document and are summarised as follows. These amendments have been agreed with the Environment Agency.

- The tense has been changed as the Local Plan has been adopted and the SFRA that covers the former Waveney area was completed in 2018.
- The approach to using both the SFRAs and the flood maps for planning is agreed in the Statement.
- Updates are made to the BFAP and modelling, with reference to the Broadland Futures Initiative.

Author: Natalie Beal

Date of report: 29 July 2020

Appendix 1 – Strategic Flood Risk Assessment Position Statement produced by the Broads Authority and the Environment Agency



**Strategic Flood Risk Assessment Position Statement**  
**Produced by the Broads Authority and the Environment Agency**

~~July 2018~~ **Updated July 2020**

1. Introduction

- 1.1. The NPPF says *'Local Plans should be supported by a Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards'*.
- 1.2. The NPPG defines a Strategic Flood Risk Assessment (SFRA) as *'a study carried out by one or more local planning authorities to assess the risk to an area from flooding from all sources, now and in the future, taking account of the impacts of climate change, and to assess the impact that land use changes and development in the area will have on flood risk'*.
- 1.3. The NPPG goes on to say that Local Planning Authorities should use the SFRA to:
- *'determine the variations in risk from all sources of flooding across their areas, and also the risks to and from surrounding areas in the same flood catchment;*
  - *inform the sustainability appraisal of the Local Plan, so that flood risk is fully taken into account when considering allocation options and in the preparation of plan policies, including policies for flood risk management to ensure that flood risk is not increased;*
  - *apply the Sequential Test and, where necessary, the Exception Test when determining land use allocations;*
  - *identify the requirements for site-specific flood risk assessments in particular locations, including those at risk from sources other than river and sea flooding;*
  - *determine the acceptability of flood risk in relation to emergency planning capability;*
  - *consider opportunities to reduce flood risk to existing communities and developments through better management of surface water, provision for conveyance and of storage for flood water'.*
- 1.4. The SFRA provides more detail than the Environment Agency Flood Map for Planning. For example, the ~~current~~ previous Broads SFRA modelled overtopping of the flood defences so it shows ~~ed~~ s actual flood risk, based on data available at the time of assessment, whereas the defined flood zones don't take account of any defences. The ~~current~~ previous Broads SFRA also includes ~~ed~~ s the effects of a breach in terms of likely hazard at a predetermined coastal location, shows ~~ed~~ s areas of Functional Floodplain (flood zone 3b), and indicates ~~ed~~ s how climate change is likely to lead to an increase flood risk.
- 1.5. SFRAs are very important when preparing a Local Plan as well as when determining Planning Applications.
- 1.6. This ~~original~~ original Position Paper (~~2018~~ 2020) ~~seeks to explain~~ explained the SFRA situation as it relates to the Broads Authority Executive Area and the production of the Broads Local Plan. This minor update reflects progress on the modelling of the area.

## 2. Strategic Flood Risk Assessment 2018 update

- 2.1. SFRA's for Broadland, South Norfolk, Norwich, Great Yarmouth and North Norfolk have been produced and are adopted and can be found here: <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>
- 2.2. At the time of writing, Waveney District Council were finalising their SFRA which will be of relevance to the Broads. Update: Waveney SFRA was completed in 2018.  
<https://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

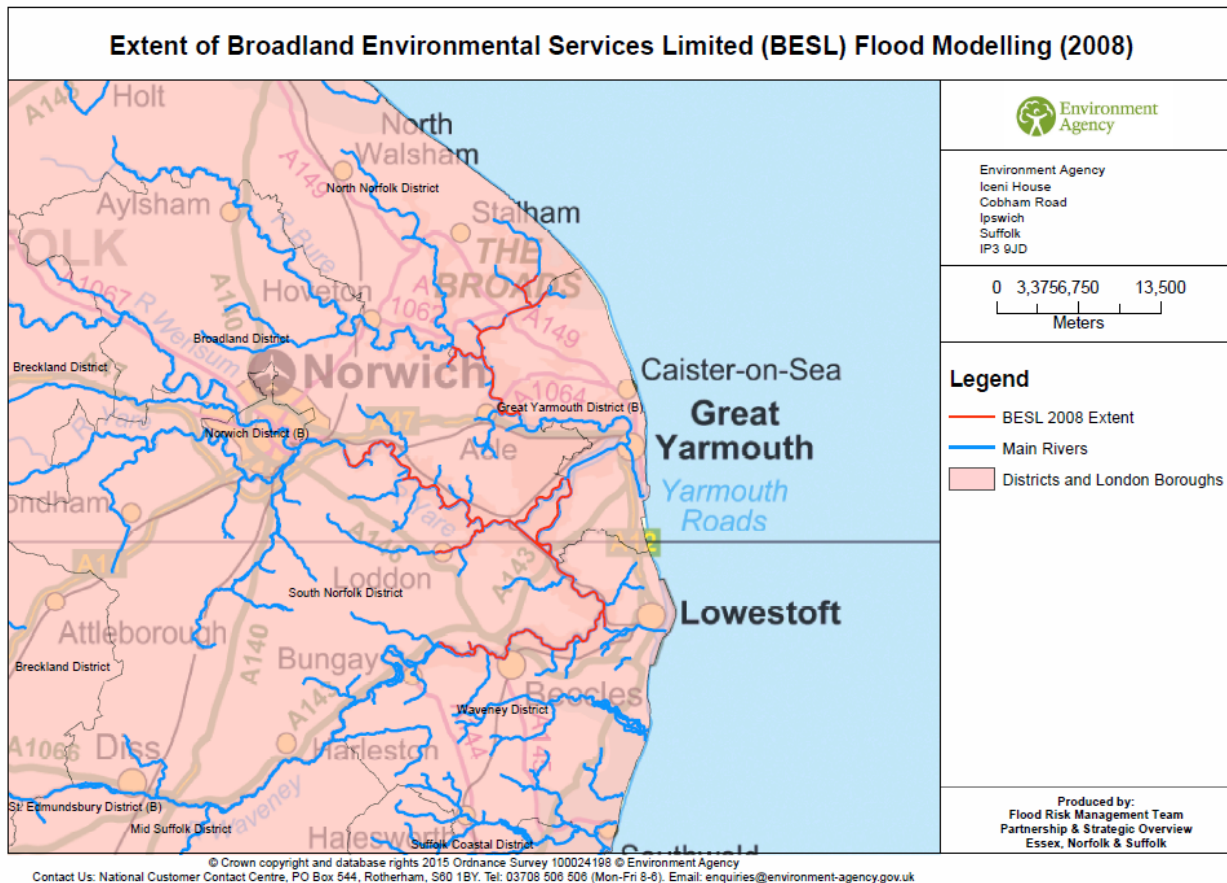
**Until the Waveney SFRA is in place and adopted, the Environment Agency has agreed that the Broads Authority will use the Norfolk SFRA's that provide information for the Waveney part of the Broads. Those submitting planning applications will also be advised to follow this approach. To reflect that the SFRA's have been completed, but the Environment Agency maps for flooding are updated periodically, the SFRA's and EA Flood Maps for Planning will both be used when considering planning applications.**

## 3. The 'BESL' model

- 3.1. When compiling the Project Brief for updating the Norfolk SFRA's and assessing the status of the flood risk models which the consultant would need to use to produce the SFRA's, it became obvious that there was an issue with a model that covered a large area of Norfolk, centred mainly on the Broads.
- 3.2. The model in question is the 'Broads BESL model'. BESL stands for Broadland Environment Services Limited. This organisation was commissioned by the Environment Agency to deliver the Broadland Flood Alleviation Project which is a 20-year programme of flood defence improvement and maintenance works in the Norfolk and Suffolk Broads<sup>1</sup>.
- 3.3. ~~At the time of writing, the model is not owned by the Environment Agency, but it will be transferred in due course. The model however requires further work to enable it to inform an SFRA.~~ The model is now owned by the Environment Agency and work is being undertaken to update it to inform the SFRA.
- 3.4. The area that is covered by the BESL model is shown in red on the following map. It can be seen that a large area of the Broads is covered by this model and therefore was not assessed as part of the current SFRA updates (both the Norfolk SFRA's and the ~~Waveney~~ SFRA for the former Waveney area, now East Suffolk).

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<sup>1</sup> <http://bfap.org.uk/>



#### 4. The agreed way forward

4.1. The following way forward has been agreed with the Environment Agency.

~~4.2. The Environment Agency intend to obtain the BESL model and intend to have it updated by the end of 2021. They will run the model to effectively produce an equivalent to the SFRA level 1 information.~~

4.3.4.2. The current SFRA for Norfolk and for the former Waveney area, now East Suffolk provides updated SFRA information for the parts of the Broads not covered by the BESL model. In Norfolk, for the parts of the Broads covered by the BESL area, a precautionary approach is taken whereby the high risk flood zone (Flood Zone 3) is classed wholly as 'indicative Flood Zone 3b – functional floodplain'. This means that applications within this area will require a site-specific flood risk assessment to confirm the nature of the flood risk to the site and ensure that only appropriate development is considered. The Waveney (now East Suffolk) SFRA adopts a similar approach, with the Report section making clear that Flood Zone 3 should be considered as Flood Zone 3b where there is not detailed modelling available.

#### 5. Broadland Futures Initiative

5.1. The Environment Agency are currently updating the Broadland Environmental Services Limited (BESL) modelling as part of the Broadland Futures Initiative (BFI). The information required to inform the SFRA will be produced as part of this project. It is intended that this work will be completed sometime after 2021. Once the model has been updated the Environment Agency will supply the relevant outputs to the Broads Authority and other affected planning authorities so the SFRA and its mapping can be updated.

## 5.6. Summary and Conclusions

5.1.6.1. SFRAs are very important for the production of Local Plans. There are updated SFRAs for most of Norfolk together and ~~work is nearing completion~~ for the Waveney area (~~now East Suffolk~~). However a large area of the Broads ~~will was~~ not ~~be~~ assessed in detail as part of this work because the BESL model neededs to be updated by the Environment Agency and the model run to produce SFRA equivalent information ~~by around the end of 2021.~~

5.2.6.2. The timing of the work means that the SFRAs that cover the Broads do not have modelled data to inform the BESL area. As such, the Local Plan for the Broads ~~will be was~~ examined and ~~potentially~~ adopted without a fully detailed SFRA in place for the entire area (as the BESL model will not be ready to use in an SFRA until ~~after~~ 2021).

5.3.6.3. The lack of an updated SFRA for much of the Broads has not held back or affected the Local Plan for the Broads for the following reasons:

- a) A suitable and pragmatic way forward ~~has been was~~ agreed with the Environment Agency – that a precautionary approach will be used in Norfolk and in Suffolk<sup>2</sup> where detailed flood modelling is not currently available.
- b) More fundamentally, the majority of the Broads is at risk of flooding and so flood risk is a usual constraint which development in the Broads is required to address at the application stage through a site specific Flood Risk Assessment.
- c) The Local Plan policies and adopted Flood Risk SPD continue to provide detail on the flood risk characteristics of the Broads and the approach required from those promoting development.
- d) Typically, a Level 1 SFRA helps Local Planning Authorities identify areas of differing flood risk across a district to inform choices about allocating growth. In the case of the Broads that is possibly less of an issue because the extent of flooding limits opportunities to place development in areas of low flood risk, meaning that a more detailed consideration will always be required, and the levels of growth/development required are much less than for other local planning authorities.
- e) A Sequential Test for the sites allocated for development ~~has been was~~ produced in liaison with the Environment Agency, using the Environment Agency flood risk information.

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<sup>2</sup> The Waveney and Suffolk Coastal, ~~now East Suffolk~~, approach is similar to the Norfolk SFRA for Flood Zone 3b. They state within the SFRA report that FZ3 should be used as 3b where there is not detailed modelling available. The only difference is that this is not mapped as 'indicative 3b' but just as FZ3.



# Broads Authority

25 September 2020

Agenda item number 12

## Annual Meeting arrangements

Report by Head of Governance

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### Purpose

The Broads Authority's Annual Meeting scheduled in July 2020 was postponed due to the Covid-19 outbreak. Members are now being asked to consider when the next Annual Meeting should take place.

### Recommended decision

To agree the date and arrangements for the next Annual Meeting.

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## 1. Options for next Annual Meeting

- 1.1. The election of the Chair and Vice-Chair of the Broads Authority, membership of committees and other appointments for the forthcoming year are formally reviewed and agreed at the Broads Authority's Annual Meeting, normally held each July.
- 1.2. This year's Annual Meeting, scheduled for 24 July, was postponed due to the impacts of the Covid-19 lockdown and social distancing measures on the Authority and its constituent local authorities. At present, all meetings of the Authority and its committees are held remotely under the provisions of the Coronavirus Regulations 2020 and the temporary 'Standing Orders for the Regulation of Authority Proceedings: Remote meeting procedure rules', which are in effect until 7 May 2021.
- 1.3. Members are now being asked to consider when the Authority's next Annual Meeting should take place. Suggested options are:
  - (a) to hold the 2020 Annual Meeting on 20 November, with appointments then effective until the Annual Meeting in July 2021, or
  - (b) to cancel the 2020 Annual Meeting and hold the next Annual Meeting in July 2021, with existing appointments (Appendix 1) effective until that time.

## 2. Voting procedures

- 2.1. At the time of writing this report, the number of Covid-19 cases is rising and the Government has just announced that it will be restricting the number of people who can meet to six. As such, there is no foreseeable prospect of the Authority's committees being able to meet physically this year. An Annual Meeting in November would have to



be held remotely, using remote voting procedures. National Park Authorities have taken different approaches to their annual meeting, with some deferring it until it can be held physically, and others holding it remotely. In many cases, particularly for the election of Chair and Vice-Chair to the Authority, appointments were not contested and so ballots were not needed. Some NPAs amended their standing orders to allow for a new voting process to replace the standard paper ballot (such as asking members to state verbally their preferred candidates, or use the 'raise hand' feature on the video-conferencing platform). Other NPAs, including those whose standing orders stipulate a secret ballot, used a more confidential voting process.

- 2.2. Normally, under the Broads Authority's 'Standing Orders for the regulation of Authority proceedings' (adopted Nov 2018), where there is more than one eligible candidate for a position, ballot papers are distributed and each member writes the name of their preferred candidate. The votes are then counted and verified by a member of the Governance team and by the Monitoring Officer. While our standing orders do not specify a secret ballot, the process gives privacy. There are remote voting methods that allow confidentiality, although in some cases the vote organiser only (generally the meeting moderator or Monitoring Officer) can see how individuals have voted. Depending on members' preferences, our standing orders for remote meetings can be amended to allow for an agreed voting process for appointments.

### **3. Other committees and appointments**

- 3.1. If the Annual Meeting is held in November, the Navigation Committee would need to recommend, at its meeting on 22 October, two appointees to serve on the Authority. The appointment of Chairs and Vice Chairs to the Audit and Risk Committee and the Planning Committee would follow the Annual Meeting, and would be in effect until the 2021 Annual Meeting.
- 3.2. The Authority will also need to appoint an Independent Person to replace Simon Smith, who has asked to stand down at the 2020 Annual Meeting following a four-year term. Our second Independent Person, Christine Lee, is willing to stay for a second term if approved by the Authority.

### **4. Conclusion**

- 4.1. Members are aware of the significant issues facing the Authority and the Broads, from the financial and operational impacts of Covid-19 to the outcomes of the Comprehensive Spending Review, the Landscapes Review, and the UK's exit from the EU. The review of the Broads Plan is also due to start in 2021. Cancelling the 2020 Annual Meeting and retaining the existing appointments until the Annual Meeting in July 2021 would provide some leadership continuity and experience. However, members should also have an open opportunity to stand, or be nominated for, chairs and other appointments. We are therefore asking members to consider the most appropriate way forward up to the 2021 Annual Meeting.

4.2. The existing appointments, membership of committees and external appointments are in Appendix 1.

Author: Maria Conti

Date of report: 09 September 2020

[Broads Plan](#) objectives

Appendix 1 - Appointments and committee membership (as at Sept 2020)

## Appendix 1 – Appointments and committee membership (as at Sept 2020)

**Table 1**

Committee membership

Committee	Members
Planning Committee	Harry Blathwayt Stephen Bolt Bill Dickson Andrée Gee Gail Harris Lana Hemsall Tim Jickells Bruce Keith (Vice Chair) James Knight Leslie Mogford Vic Thomson Melanie Vigo di Gallidoro (Chair) Fran Whymark Vacancy
Audit and Risk Committee	Matthew Bradbury Bill Dickson Gail Harris Lana Hemsall Tristram Hilborn Greg Munford Simon Roberts Nicky Talbot (Acting Chair) Fran Whymark
Navigation Committee	<b>Broads Authority members</b> Kelvin Allen Harry Blathwayt Matthew Bradbury Leslie Mogford Greg Munford  <b>Co-opted members</b> John Ash Linda Aspland Mike Barnes

Committee	Members
	Andy Hamilton Simon Sparrow (Vice Chair) Nicky Talbot (Chair) Paul Thomas Alan Thomson
Broads Local Access Forum	Kelvin Allen Vacancy
Hearings Committee	Bill Dickson Bruce Keith Greg Munford Simon Roberts Nicky Talbot Melanie Vigo di Gallidoro

**Table 2**

Appointments to outside bodies

Body	Member representative
How Hill Trust	Tim Jickells
Norfolk and Suffolk Broads Charitable Trust	Bruce Keith Simon Roberts
Broads Tourism	Mr Simon Sparrow
Upper Thurne Working Group	Mr Harry Blathwayt

**Table 3**

Appointments to Tolls Reference Group

Representative	Appointments
Chair of Broads Authority	Bill Dickson
Chair of Navigation Committee	Nicky Talbot
Broads Authority members	Simon Sparrow, Fran Whymark
Broads Authority member – not a navigator	Vacancy
Angling community	Kelvin Allen
Hire boat industry	James Knight
Private boating and sailing community	Vacancy

**Table 4**

Other appointments

<b>Body</b>	<b>Representative member</b>
National Parks UK and National Parks England	Chair of Broads Authority
Navigation safety (Port Marine Safety Code)	Chair of Navigation Committee
Greater Norwich Development Partnership, Norfolk Duty to Cooperate - Member Forum and Norfolk Strategic Framework	Chair and Vice-Chair of Planning Committee
Heritage Asset Review Group	Chair and Vice-Chair of Planning Committee Harry Blathwayt Bill Dickson Tim Jickells Vacancy (all Planning Committee members welcome to attend)

**Independent persons**

Mrs Christine Lee

Mr Simon Smith

# Broads Authority

25 September 2020

Agenda item number 13

## Planning policy – Residential Moorings Guide

Report by Planning Policy Officer

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### Purpose

The Residential Moorings Guide will help implement the policies of the Broads Local Plan relating to residential moorings. This report outlines the consultation responses to the first draft guide, and arrangements for consultation on the revised draft guide.

### Recommended decision

The revised Residential Moorings Guide is endorsed for public consultation.

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## 1. Introduction

- 1.1. The Residential Moorings Guide is designed to help implement the policies of the Broads Local Plan relating to residential moorings. It is for decision makers as well as applicants and site owners, and contains useful information to help make schemes as successful as possible.
- 1.2. The first draft Guide was subject to public consultation earlier this year. Due to the Covid-19 restrictions, the consultation did not follow our usual approach as set out in the Statement of Community Involvement. However, we have assessed the responses and made amendments to the draft Guide.
- 1.3. The revised draft Guide and responses to the first stage consultation have been discussed at the September Planning Committee. The feedback from that meeting is reported in section 4.

## 2. First draft consultation

- 2.1. The first stage consultation ran for 12 weeks, ending on 5 June. The consultation responses and our proposed amendments to the Guide are at Appendix 2. A summary of comments is as follows:
  - Some people queried the need for a guide. Our response is that it provides more information than is in the Local Plan, to encourage successful schemes.
  - Some queried the Guide's status and felt some aspects were not relevant to planning. We have amended the Guide to make things clearer, but agree that it

includes ideas and case studies that relate to issues outside of planning, but which may be useful to the promoter of the scheme.

- Some comments provided additional information, such as flood risk advice from the Environment Agency and security advice from Norfolk Police. This information has generally been included in the amended Guide.
- Some people were not able to respond because of the Covid-19 lockdown. These people will hopefully benefit from this second round of consultation.
- Comments that supported the Guide were welcomed.

### 3. Second consultation on the Guide

- 3.1. The revised draft Residential Moorings Guide is at Appendix 1. Proposed amendments are shown as follows: deletions are ~~red-crossed through~~ and additions are blue underlined.
- 3.2. The consultation period on the revised Guide will be approximately 8 weeks; dates are to be confirmed, but may be 25 September to 20 November. To reflect the Statement of Community Involvement, which was updated in response to the Covid-19 access restrictions and social distancing guidance, we propose the following.
  - Advertise the consultation with a notice in the Eastern Daily Press and on social media, and contact those on our Local Plan consultation database.
  - Paper copies of the draft Guide will not be available for inspection at the Authority's head office or at other venues. However, paper copies can be sent at no charge to those who request them.
  - The Planning Policy Officer will be available by phone or video call for anyone wishing to discuss the draft Guide.

### 4. Planning Committee

- 4.1. The revised draft Residential Moorings Guide was discussed at the September Planning Committee. The key points made are as follows:
  - 4.1.1. One Member said it was not clear what the guide was for. They said that some information is relevant to all moorings, not just residential moorings. They queried its relation to planning. **As set out in the response to the comments received as part of the first consultation, the guide does relate to the requirements of the policy, but does also address other issues that can help make a scheme successful. It is important to note that the areas that are allocated for residential moorings do not officially provide residential moorings currently (in one marina, there is permission for a manager's residential mooring) and so this information is intended to be helpful.**

4.1.2. Related to the above scheme, another Member suggested, on adoption, an appendix at the end that sets out what aspects relate to planning and which aspects are for information. This was agreed.

4.2. The Planning Committee endorsed the Guide and recommended that it be consulted on.

## **5. Conclusion and Recommendation**

5.1. The Residential Moorings Guide will help implement the policies of the adopted Local Plan for the Broads relating to residential moorings. It is recommended that Broads Authority approve the guide for public consultation.

## **6. Financial Implications**

6.1. There will be a cost of around £400 for a press advert that will be shared with the Peat Guide.

Author: Natalie Beal

Date of report: 11 September 2020

Appendix 1 – Revised draft Residential Moorings Guide for consultation

Appendix 2 – First draft Residential Moorings Guide - comments and proposed responses



## Residential Moorings Guide

**Draft for second consultation  
xxx 20202 to xxx 20202**

[Second consultation – xxx 2020](#)

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

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# 1. Introduction

In the current Local Plan for the Broads, the Authority is required to identify a need of 63 residential moorings<sup>1</sup> and subsequently allocate sites for residential moorings to count towards that need. The Local Plan also contains a detailed policy that all proposals for residential moorings are required to address (Policy DM37 – see [Appendix A](#)).

This guide is designed to help implement the policies of the Local Plan relating to residential moorings. It is designed for decision makers as well as applicants and site owners. It contains useful information to help make schemes for residential moorings as successful as possible.

## 2. Consultation

This version is an amended draft version out for its second consultation. Please tell us your thoughts and suggest any changes you think would make the Guide better and set out your reasons.

During the first consultation, movement and access to public venues was restricted due to COVID19. We extended the consultation period twice and it ran for many more weeks than originally intended. We also offered the opportunity to request a hard copy of the document. Despite that, we do not think the consultation was adequate so we are consulting a second time.

This consultation document and consultation process have been developed to adhere to the Broads Authority's Statement of Community Involvement<sup>2</sup>. We have updated our Statement of Community Involvement. The main changes to how we intend to consult on this document are as follows:

- If you wish to discuss the document, you can still call on 01603 610734 and ask to speak to Natalie Beal. You can also contact Natalie Beal to request a video conference appointment to talk about the document.
- No hard copies will be in libraries.
- No hard copies will be in Yare House<sup>3</sup>.
- If you wish to have a hard copy, we can send this to you. This will initially be for free, but if we get many requests, we may have to consider charging for postage and

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<sup>1</sup> [Norfolk Caravans and Houseboats Accommodation Needs Assessment \(ANA\) including for Gypsies, Travellers and Travelling Show people](#)

<sup>2</sup> Current Statement of Community Involvement is here [https://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0024/209337/Final\\_adopted\\_SCI\\_formatted\\_July\\_2020.pdf](https://www.broads-authority.gov.uk/_data/assets/pdf_file/0024/209337/Final_adopted_SCI_formatted_July_2020.pdf)

<sup>3</sup> Whilst this Guide is not a local plan or SPD, we still consult in the same way as we would those documents. The Government recently amended regulations saying that until 31 December 2021, Local Planning Authorities do not need to make hard copies of planning documents available in head offices or other venues.

printing. Please contact the number above to ask to speak to Natalie Beal to request a hard copy.

The second consultation on this document is for x weeks from xxxx to xxxx. We will then read each of the comments received and respond. We may make changes if we agree with you. If we do not make changes we will set out why. The final Guide will be adopted at a future meeting of the Broads Authority. Please email us your comments: [planningpolicy@broads-authority.gov.uk](mailto:planningpolicy@broads-authority.gov.uk).

Information provided by you in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), and the Environmental Information Regulations 2004). Please see [Appendix B](#) for the Privacy Notice. We will make your name and organisation public alongside your comment.

**Are you satisfied that this consultation has followed the Consultation Principles?** If not, or you have any other observations about how we can improve the process, please contact us at [planningpolicy@broads-authority.gov.uk](mailto:planningpolicy@broads-authority.gov.uk).

### 3. Residential Moorings - definitions

The supporting text of policy DM37 defines a residential mooring as ‘a mooring where someone lives aboard a vessel (capable of navigation), where the vessel is used as the main residence, and where the vessel is moored in one location for more than 28 days in a year. The vessel may occasionally/periodically go cruising and return to base’.

It goes on to say that ‘for the purposes of this policy, it should be noted that there is an expectation that the moorings will be occupied by a vessel of standard construction and appearance and which is conventionally understood to be a boat. For the avoidance of doubt, the policy does not apply to houseboats. Houseboats are considered to be structures without means of independent propulsion and will be dealt with on a case by case basis due to their potential impact on character of the area’.

The Environment Agency agree that all residential boats must be capable of navigation and so function as a boat, in order for residential moorings to be classed as ‘water compatible’ development. In response to the first consultation on this document, the Environment Agency went on to say that If the boat is non-navigable, such as a houseboat, the Environment Agency state that they would be classed as ‘more vulnerable’ residential development, and therefore Table 3 of the NPPF PPG would class them as inappropriate to be located in boatyards or mooring basins, as these areas are usually classed as Flood Zone 3b Functional Floodplain. The Environment Agency state that they would object in principle to any houseboats as they would be an inappropriate ‘more vulnerable’ development in Flood Zone 3b Functional Floodplain. So houseboats are unlikely to be permitted, unless their proposed location is somehow not classed as Functional Floodplain, which would

require the marina or mooring basin to not be at risk of flooding in a 5% (1 in 20) annual probability flood event.

## 4. Acceptable location for residential moorings

### 4.1 Where Residential Moorings could be permitted.

Policy DM37 sets out where residential moorings may be acceptable (criterion a) and would apply to applications for schemes in areas not allocated in the Local Plan. This section breaks that down and provides some more information.

i) 'Is in a mooring basin, marina or boatyard...'

The reason for this requirement is to remove any potential impact on navigation because of residential moorings as well as ensure access to boating facilities such as pump outs and maintenance.

ii) '...that is within or adjacent to a defined development boundary...'

The development boundary could be one of the four in the Local Plan for the Broads<sup>4</sup> or could be set out in the adopted Local Plan of one of our 5 district councils (see below for Norwich City). Development boundaries are areas within which housing (and in this case, residential moorings) are generally supported in principle (but subject to other policies in the Local Plan) because they have good access to key services and are well related to the existing built up area of a settlement.

iii) '...or 800m/10 minutes walking distance to three or more key services...'

Key services are set out in the supporting text for the policy and copied below. They reflect the Housing and Economic Land Availability Assessment methodology:

- A primary school
- A secondary school
- A local healthcare service (doctors' surgery)
- Retail and service provision for day to day needs (district/local shopping centre, village shop)
- Local employment opportunities which are defined as follows, which reflect areas with potentially a number of and variety of job opportunities:
  - Existing employment areas allocated/identified in our districts' Local Plans; or

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<sup>4</sup> These are in Wroxham/Hoveton, Thorpe St Andrew, Oulton Broad and Horning. See policy DM35 of the Local Plan and see the maps here: [DMS35: Residential development within defined development boundaries Maps](#)

○ City, Town or District Centre as identified in the Local Plan for the Broads or our District's Local Plan. We note that this means such centres count towards two of the three key services test; or

○ These sites that are allocated in the Local Plan for the Broads: BRU2, BRU4, CAN1, HOR6, POT1, STA1, TSA3.

• A peak-time public transport service to and from a higher order settlement (peak time for the purposes of this criterion will be 7-9am and 4-6pm)

Applications will need to submit supporting information about the location of these key services.

• '...and the walking route is able to be used and likely to be used safely, all year round...'

The walking route that is 800m or 10 minutes' walk to the key services needs to be available and attractive for use all year round. In practice this will more likely mean surfaced footways rather than rural public rights of ways. This will be judged on a case by case basis in liaison with the Highways Authority. Norfolk Police recommend that the route to the site should, where possible, be straight and have a width of 3m wide, with vegetation maintained to prevent fear of crime (removal of potential hiding places), and to consider lighting if appropriate (taking into account the dark skies policy of the Local Plan and the location of residential moorings). Applications will need to submit supporting information about the quality and experience of the routes used to travel between residential mooring and services.

• '...or is in Norwich City Council's Administrative Area'

Norwich City Council requested this addition as there are no mooring basins, marinas or boatyards in Norwich; this change now, ~~in theory,~~ allows for residential moorings in the City (subject to the normal planning application process) and is consistent with the policies of the River Wensum Strategy, a partnership document adopted by both the Broads Authority and Norwich City Council (and other partners).

It is important to note that applications in Norwich will need to be determined by Norwich City Council and the Broads Authority. Norwich City Council are the Local Planning Authority for the land. The Broads Authority is the Local Planning Authority for the river. Policies of both adopted Local Plans will be relevant to schemes in Norwich.

4.2 Location of residential moorings within a site/marina/boatyard/basin.  
An applicant may want certain specific moorings to be permitted for residential moorings or may want an area to be permitted with a maximum number of residential moorings within that area, to reflect the operations of the marina or boatyard or site. This will need to be discussed and agreed with the Local Planning Authority. It will be for the operator of the site to control which moorings are used for residential moorings in line with the permission

granted. The operator will need to produce a management plan (see section 6), and will also need to record the details of the residential moorings in a register (see section 7).

## 5. Flood Risk and climate change

The Authority will require site specific flood risk assessments including a flood response plan<sup>5</sup>. See policy DM5 of the Local Plan for the Broads as well as the Flood Risk SPD<sup>6</sup>.

Whilst the Authority appreciates that at times of flood the boat which is lived in will be already on water and is able to float, the issue is more to do with the risk arising because of flooding in this instance. The supporting text of DM37 identifies some issues that need to be addressed.

- a) The technique/method of mooring the vessel. The Flood Risk Assessment (FRA) should show how the boat will be moored to prevent it being too tight or too loose. If the vessel is moored too tightly it could list, and by being too loose it could float onto the landside of the quay heading or be cast adrift at times of flooding. Both scenarios have safety concerns for occupiers, possessions and other objects or vessels that could be hit by a loose boat, and should be addressed within the FRA.
- b) A Flood Response Plan needs to be produced. While it is acknowledged that residential boats will float, the access to the boat could be disrupted at times of flood, causing the occupier to be stranded on board the boat. The Flood Response Plan needs to advise what the occupier should do at times of flood to ensure their safety - whether they should evacuate the boat in advance of flooding or take refuge in the boat and therefore have supplies to help them sit out the flood.
- c) Finally, the FRA should include consideration of how the boat moored at the residential mooring will be monitored at times of flood to make sure it does not cause damage to other vessels, and to prevent damage to the belongings on board and the boat itself.

If the FRA and Flood Response Plan proposes refuge within the boat in times of flood then the Environment Agency states that the boat will need to be capable of rising up above the extreme 0.1% (1 in 1000) climate change flood level. The FRA will need to detail what the required height of rise will be and demonstrate that the boat's mooring can enable it to rise that high without posing a hazard to the occupants of the boat. If the FRA and Flood Response Plan does not propose refuge, but instead proposes evacuation in advance of a flood, then the FRA and response plan will need to show how the occupants will be able to

<sup>5</sup> A guide/template can be found here: [https://www.broads-authority.gov.uk/data/assets/word\\_doc/0032/298850/Appendix-D-Flood-Response-Plan-Guidance.docx](https://www.broads-authority.gov.uk/data/assets/word_doc/0032/298850/Appendix-D-Flood-Response-Plan-Guidance.docx)

<sup>6</sup> See guidance for best practice Broads Flood Risk Supplementary Planning Document: [https://www.broads-authority.gov.uk/data/assets/pdf\\_file/0019/236404/Broads-Flood-Risk-SPD-2020.pdf](https://www.broads-authority.gov.uk/data/assets/pdf_file/0019/236404/Broads-Flood-Risk-SPD-2020.pdf)

receive advanced warnings and where they will be able to evacuate to in time. The Environment Agency go on to say there is always a residual risk of warnings not being received, so the FRA will need to address this risk. The ability to take refuge within the boat, as described above, is a valuable fall-back measure and, if possible, the mooring should be designed to provide this refuge as a precaution, even if the preferred option is evacuation in advance of flooding.

Turning to climate change, you will be required to fill out a [climate change checklist](#)<sup>7</sup>. This identifies various effects that could arise in a changing climate. Flood risk may be one of them, but there are others. Filling out the checklist may ~~make~~ [help](#) you consider how you run and develop your site [in a changing climate](#). For example, how will you address risks associated with a changing climate? How will you manage high winds as a result of storms for example?

## 6. Management plan

You will be required to produce a plan that sets out how the residential moorings will be managed.

The management plan will help ensure the site as a whole is appropriately managed. The management plan will be a condition on the permission given to an application for residential moorings. A breach of this management plan would then be a breach of condition and could be enforced.

It is expected that a Management Plan will cover the following. This list is not exhaustive and there may be other aspects that need to be covered. You may already address these issues in some way [on your site](#).

- a) Site rules and/or terms and conditions.
- b) Noise – expectations relating to noise. This could cover aspects such as generators, when engines will run and generally any noise that could be considered a nuisance [such as boat maintenance and generally socialising at unsociable hours](#). Please note that there is a bye-law that could be of relevance: [Byelaw is 85 ‘Noise Nuisance’ of Broads Authority Navigation Byelaws 1995. Local Council guidance on noise would also be relevant and](#) so too will the amenity policy of the Local Plan for the Broads will be of relevance.
- c) Waste management – sewerage and rubbish and recycling. Methods for storage and removal need to be clearly identified.
- d) Management of increased vehicular movements.

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<sup>7</sup> Climate Change checklist: [https://www.broads-authority.gov.uk/\\_data/assets/word\\_doc/0033/259917/Climate20change20checklist20template.docx](https://www.broads-authority.gov.uk/_data/assets/word_doc/0033/259917/Climate20change20checklist20template.docx)



- 183 e) Storage provision for residential boaters – bicycles and residential paraphernalia.  
184 Details of any storage provision needs to be included. Need to consider the impact  
185 on the character of the area.
- 186 f) Details of water safety provisions – see policy in Local Plan and any related guidance  
187 produced.
- 188 g) Contact details of who to contact if the management requirements of the site are  
189 not adhered to.
- 190 h) Detail how the mooring will be managed. For example, who will be the point of  
191 contact and will they be on site 24/7 or 9-5 weekdays for example.
- 192 i) State requirements on how vessels will meet the requirements of the bye-laws and  
193 legislation for example the need for boat safety certificates and appropriate  
194 insurance.

## 195 7. Register

196 A register of those boats being lived on will be required. The register of who lives on which  
197 boat will be maintained at all times and needs to be made available for inspections by the  
198 Broads Authority as part of monitoring of conditions set on any permission. The reason for  
199 keeping this register is to ensure that only the permitted number of boats are being lived  
200 on.

## 201 8. Council Tax

202 The Broads Authority is the Local Planning Authority and does not collect Council Tax.  
203 Residential moorings may be liable for Council Tax. The British Waterways Marinas Ltd  
204 (BWML) has produced this information on residential moorings and Council Tax:  
205 <https://bwml.co.uk/council-tax-for-residential-moorings/> and the Residential Boat Owners  
206 Association (RBOA) also have information on Council Tax: <https://www.rboa.org.uk/q-a/>

207 **You should contact your District Council to confirm the approach to Council Tax.**

## 9. Facilities, services and other considerations

The policy, [DM37](#), refers to the provision of facilities. This section provides some further information about [the facilities and services set out in DM37 and other relevant policies of the Local Plan and how](#) you may wish to make [them](#) available at residential moorings.

### Policy DM37 says:

- b) Provides an adequate and appropriate range of ancillary facilities on site to meet the needs of the occupier of the residential moorings (for example potable water, wastewater pump out (see j below), and electricity) or provides adequate access to these ancillary facilities in the vicinity of the residential mooring;
- g) Has adequate car parking and makes provision for safe access for service and emergency vehicles and pedestrians;
- i) Makes adequate provision for waste, sewage disposal and the prevention of pollution; and
- j) Provides for the installation of pump out facilities (where on mains sewer) unless there are adequate facilities in the vicinity.

Proposals need to set out how provisions will be made for facilities associated with residential uses (such as rubbish, amenity space, external storage and clothes drying for example).

### 9.1 Potential ways to address policy DM37 requirements for facilities and services

**Please note that the following are examples from elsewhere in England to give you an idea of how these issues are addressed. The approach of others who provide and manage residential moorings may not necessarily be relevant ~~to the Broads or may not be relevant~~ to your site or may not be how you want to run your site. We strongly suggest you contact us to talk through your proposed approach in advance of putting it in place.**

**We also need this kind of information shows on plans with details included in planning applications to help us to assess the application. There is a checklist at [Appendix D](#) that applicants can work through to address the topics raised in this section.**

#### 9.1.1 Electricity

By providing electricity, there will be no need for boat engines or generators to be run (which have associated noise and fumes). Some electric units come with lights on the top

227 which can cause light pollution so providing these at sites in more rural areas or on edge of  
228 settlements will need careful consideration.

229 **Q: How will you provide the residential moorings with electricity?**

230 **Q: How will the electricity unit impact on/add to light pollution?**



231 **Electricity meter cards dispenser and electricity (and water) unit at Cowroast Marina.**

232 9.1.2 Water

233 The Environment Agency are keen to emphasise that applications should include details of  
234 early consultation with the relevant water company to ensure there is sufficient capacity in  
235 their network to supply water to moorings in that specific location. The abstraction of 20  
236 cubic metres or more a day from either surface or groundwater source would require an  
237 abstraction licence from the Environment Agency. If the chosen site for the additional  
238 moorings already holds an abstraction licence, there would need to be consideration of the  
239 impacts from additional needs as a result of the new moorings.

240 **Q: How will you provide the residential moorings with potable water?**

241 Case Study – Cowroast Marina

242 Residential moorings are provided with one water tap per two boats. They use trace heating  
243 on water taps to prevent freezing in winter.

244 9.1.3 Sewerage

245 Toilets on boats may require pumping out or somewhere to empty cassettes. Your marina  
246 or boatyard may have a system or process to deal with this already. We would assess this  
247 part of the application against policy DM2 and as set out in that policy and connection to

248 the public sewer network is the preferred approach. When considering how to address foul  
249 water, you will need to consider the potential for boats to release foul water directly to the  
250 waterbody. The Environment Agency also highlight that there is a byelaw that is relevant to  
251 the disposal of sewage from boats within the Broads which makes it illegal for boats to  
252 discharge their sewage straight to the rivers (Water Resources Act 1963, Rivers (Prevention  
253 of Pollution) Acts, 1951-1961, BYELAWS Regulating the use of boats fitted with sanitary  
254 appliances).

255 **Q: How will you deal with sewerage arising from the boats on residential moorings?**

256 Case Study – BWML moorings

257 BWML sites tend to include one pump out per month in their residential mooring contract.

258 9.1.4 Rubbish collection

259 You will need to address how waste arising from those living on the boats is dealt with. Your  
260 marina or boatyard may have a system or process to deal with rubbish already. We  
261 recommend that you contact your District/Borough/City Council to discuss waste  
262 management.

263 **Q: How will you deal with rubbish (including recyclable materials) arising from the boats**  
264 **on residential moorings?**

265 9.1.5 Cycle and Car parking

266 You need to ensure ample car and cycle parking for those who are using residential  
267 moorings. Again, you may have car parking or cycle parking on site already. We defer to the  
268 parking standards of the relevant district. The standards at the time of adoption of the Local  
269 Plan (May 2019) are at Appendix J, page 239, of the Local Plan for the Broads. Norfolk Police  
270 recommend that parking spaces be marked to help with correct usage (assists with rule  
271 setting) and suggest that you consider collapsible bollards/chain and lock, and where  
272 possible have some capability of surveillance over the area.

273 **Q: How will you address car and cycle parking for those who are using residential**  
274 **moorings?**

275 9.1.6 Amenity space and landscaping

276 The Amenity policy of the Local Plan (DM21) requires schemes to provide a ‘satisfactory and  
277 usable external amenity space to residential properties in keeping with the character of the  
278 surrounding development’. It may also be appropriate to provide landscape enhancements  
279 of the land associated with the Residential Mooring to improve the amenity of the area in  
280 connection with the development.

281 **Q. How will you address amenity space and landscaping?**

### 9.1.7 Storage

Scheme promoters/operators are required to address storage of residential paraphernalia. Unless a system for storing kit and possessions is put in place, the residential moorings could become cluttered with residential paraphernalia which will alter the character of the area. [Norfolk Police recommend storage is of robust construction with secure locks \(e.g. Sold Secure or equivalent\). If possible consider fencing off the area \(with lockable gate for residents only\) to provide an additional layer for what is to be stored within – these items will no doubt be portable with possible value to an offender\).](#)

**Q: How will you provide storage for those who are using residential moorings?**



**Storage lockers at Priory Marina**

### 9.1.8 Light pollution

[Schemes for residential mooring may include lighting. But sites for residential moorings may be on the fringe of settlements, where there is a transition from urban to rural and so the impact of lighting may be significant. The Authority also seeks dark waterways to protect the wildlife in the area. The need for such lighting needs to be justified in line with Local Plan for the Broads policy DM22. If lighting is justified and agreed, then the design needs to ensure no impact on the dark skies of the Broads. The Authority plans to produce light pollution guidance, but in the meantime, the policy requirements of the Local Plan will guide how applications are determined and assessed.](#)

**[Q: How does your scheme address light pollution? How does your scheme maintain dark skies?](#)**

### 9.2 Other facilities/extras

Depending on your specific circumstances, you may wish to provide other facilities for those who are living on the residential moorings at your site. This may depend on the location of your site as well as what buildings you already have on site. Examples include drying of clothes, post boxes and communal facilities. You will need to consider the impact on the character of the area. You may wish to ensure you have a fire or emergency evacuation procedure too.



310 Case Study - Cowroast Marina

311 There is a communal lounge with kitchenette. The lounge tends to be used once a month for  
312 functions.

313 Case Study – Priory Marina

314 Facilities on site for those living on boats include toilets, showers, library, post boxes  
315 (reception collects the parcels), large storage boxes, launderette, parking, cycle parking,  
316 electricity and water.

317 Part of contract includes 6 weeks out of water on hard standing for anti-fouling. The marina  
318 organises a crane company to come and remove boats and put them back in. The marina  
319 coordinate crane and dates – probably five boats at a time. Boats are lived on outside of the  
320 water.



321 **Post boxes**

322 In relation to post boxes, Norfolk Police say that there is an increasing rise in crime  
323 associated with post--delivery so post boxes should be of robust construction with max  
324 aperture size of 260mmx40mm and have anti-fishing properties (Secured by Design  
325 recommends letter boxes certificated to TS 009).

326 9.3 Other considerations

327 9.3.1 Informative – Environmental Permit for Flood Risk Activities

328 An environmental permit for flood risk activities will be needed for any proposal that wants  
329 to do work in, under, over or within 8 metres (m) from a fluvial main river and from any  
330 flood defence structure or culvert or 16m from a tidal main river and from any flood  
331 defence structure or culvert. Application forms and further information can be found at:  
332 <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Anyone carrying  
333 out these activities without a permit where one is required, is breaking the law.

334 9.3.2 Security

335 You should ensure you consider security at your site. This may already adequately be in  
336 place.

337 9.3.3 Low Impact Life on Board

338 In response to the consultation on this guide, the RBOA were keen to emphasise Low Impact  
339 Life On Board and, through RBOA, there is a wealth of advice in that respect. Low impact life  
340 on board is an expression from UK waterways boaters who care about the environment.

## 10. Key messages

- a) You need to consider flood risk through a flood risk assessment and flood response plan.
- b) You need to consider the impacts of Climate Change.
- c) A management plan is required that details how you will manage the residential moorings. A template is included at [Appendix C](#).
- d) You need to keep a register of those who are living on the residential moorings.
- e) You should contact your District Council to confirm the approach to Council Tax.
- f) You need to provide adequate facilities for those living at the residential moorings. You may already have many of these in place.
- g) There are many permitted residential moorings around the country who have systems in place. They may not necessarily be relevant to the Broads or may not be relevant to your site or may not be how you want to run your site. But they give you an idea of how to do things. We strongly suggest you contact us to talk through your proposed approach in advance of putting it in place.
- h) A template to address many of the requirements in the policy and guide is included at [Appendix D](#).

## 11. Helpful links and where to go to get advice

The Residential Boat Owners' Association (RBOA), the British Waterways Marinas Limited (BWML) and Canal and Rivers Trust (CRT) have many useful webpages that cover a variety of topic areas or issues that may be relevant to you.

**Please note that just because the BWML, CRT or RBOA suggest a certain approach, it may not necessarily be acceptable in the Broads or indeed it may not be how you wish to run your site. The point of sharing these websites with you is to give you information on how things are done elsewhere. We strongly recommend that you contact us to talk about any specific approach you wish to take to make sure it is acceptable here in the Broads.**

This webpage **covers many aspects** of living on a boat: <https://bwml.co.uk/guides/a-guide-to-residential-living/>

This webpage talks about **Council Tax**. <https://bwml.co.uk/council-tax-for-residential-moorings/>

**You should contact your District Council to confirm the approach to Council Tax.**



372 This webpage shows **where the BWML residential moorings are**. It also states what you get  
 373 when you stay at one of their Marinas. <https://bwml.co.uk/residential-moorings/>

374 Life Afloat; Ever wondered what life is like living on a boat? This webpage has **videos about**  
 375 **life afloat**: <https://bwml.co.uk/life-afloat/?src=residential>

376 This webpage shows how BWML approach **charging for electricity**:  
 377 <https://bwml.co.uk/electricity/>

378 This website contains **BWML's Terms and Conditions and policies**:  
 379 <https://bwml.co.uk/customer-info/>. And this website contains the **Terms and Conditions for**  
 380 **the Canals and Rivers Trust**:  
 381 <https://www.watersidemoorings.com/Home/TermsAndConditions>

382 This website talks about **insurance**. It talks about a specific deal that BWML have with one  
 383 particular policy provided. You may or may not be entitled to that deal, but the webpage  
 384 may contain advice useful for those who live on boats: [https://bwml.co.uk/marine-](https://bwml.co.uk/marine-insurance-for-bwml-berth-holders/)  
 385 [insurance-for-bwml-berth-holders/](https://bwml.co.uk/marine-insurance-for-bwml-berth-holders/).

386 **The Residential Boat Owners' Associations (RBOA)**. Their website says: 'Established in 1963  
 387 the Residential Boat Owners' Association is the only national organisation which exclusively  
 388 represents and promotes the interests of people living on boats in the British Isles. We  
 389 represent all those who have chosen to make a boat their home'. The RBOA ensure they  
 390 liaise with Navigation Authorities like the Broads Authority. <https://www.rboa.org.uk/>

391 **RBOA Code of Good Practice**. The Association would encourage all boaters who live afloat  
 392 to follow this Voluntary Code of Good Practice: [https://www.rboa.org.uk/code-of-good-](https://www.rboa.org.uk/code-of-good-practice/)  
 393 [practice/](https://www.rboa.org.uk/code-of-good-practice/)

394 **BOATSHIELD (& Outboard Engine Cover)**. This weblink from Norfolk & Suffolk Police offers  
 395 advice on boat safety and security, also information about the Boatshield Scheme.  
 396 <https://www.norfolk.police.uk/advice/roads-and-vehicles/boats>

397 **AWEIGH App**. Thousands of people enjoy the Broads throughout the year and the AWEIGH  
 398 app has been designed to help those on and around the waterways.  
 399 [apps.apple.com>app>aweigh](https://apps.apple.com>app>aweigh) Or [play.google.com>store>apps>details>id=com.aweigh](https://play.google.com>store>apps>details>id=com.aweigh)

400 **BOAT SECURITY ADVICE - NORFOLK & SUFFOLK POLICE**. Norfolk & Suffolk Police advice on  
 401 water safety and boat security:  
 402 [https://www.norfolk.police.uk/sites/norfolk/files/boatshield\\_v1.pdf](https://www.norfolk.police.uk/sites/norfolk/files/boatshield_v1.pdf)

## Appendix A – Adopted Policy DM37 – New Residential Moorings

### Policy DM37: New residential moorings

The Authority will endeavour to enable delivery to meet its assessed need of 63 residential moorings.

Applications for permanent residential moorings will be permitted provided that the mooring:

- a) Is in a mooring basin, marina or boatyard that is within or adjacent to a defined development boundary or 800m/10 minutes walking distance to three or more key services (see reasoned justification) and the walking route is able to be used and likely to be used safely, all year round or is in Norwich City Council's Administrative Area.
- b) Provides an adequate and appropriate range of ancillary facilities on site to meet the needs of the occupier of the residential moorings (for example potable water, wastewater pump out (see j below), and electricity) or provides adequate access to these ancillary facilities in the vicinity of the residential mooring;
- c) Would not result in the loss of moorings available to visitors/short stay use;
- d) Would not impede the use of the waterway;
- e) Would not have an adverse impact upon:
  - i) the character and appearance of the site or the surrounding area arising from the moorings and the use of adjacent land incidental to the mooring;
  - ii) protected species, priority habitats and designated wildlife sites;
  - iii) the amenities of neighbouring occupiers; or
  - iv) bank erosion.
- f) Provides safe access between vessels and the land without interfering with or endangering those using walkways;
- g) Has adequate car parking and makes provision for safe access for service and emergency vehicles and pedestrians;
- h) Would not prejudice the current or future use of adjoining land or buildings;
- i) Makes adequate provision for waste, sewage disposal and the prevention of pollution; and

434 j) Provides for the installation of pump out facilities (where on mains sewer) unless  
435 there are adequate facilities in the vicinity.

436 If more than one residential mooring is proposed, the proposal must be commensurate with  
437 the scale of development proposed for that settlement (as a whole).

438 Converting an entire basin, marina or boatyard to residential moorings would be judged on  
439 a case by case basis to assess and take account of the impact on infrastructure in the area  
440 (such as highways) and the impact on neighbouring uses.

441 Whilst the policy contains a general presumption in support of residential moorings in  
442 Norwich, the cumulative impact resulting from any proposal will be considered, along with  
443 the impact on the infrastructure and amenity of the area.

444 The economy policies of the Local Plan will also be of relevance and in Norwich, so too will  
445 the City Council's policies for proposals in Norwich.

446 Conditions will be used to restrict the number, scale and size of boats using the residential  
447 moorings. A management plan for the site and a register of those who live on boats will be  
448 required and will be covered by a planning condition imposed on any planning permission  
449 granted.

450 Proposals need to set out how provisions will be made for facilities associated with  
451 residential uses (such as rubbish, amenity space, external storage and clothes drying for  
452 example).

453 All such development will meet the requirements of the Water Framework Directive.

454 (Note: Refer to [www.gov.uk/guidance/pollution-prevention-for-businesses](http://www.gov.uk/guidance/pollution-prevention-for-businesses) for information  
455 on pollution prevention measures)

#### 456 Reasoned Justification

457 The Authority acknowledges that the high environmental quality of the Broads and wide  
458 range of opportunities it offers for boating make the area a popular location. As a  
459 consequence, there is a significant associated demand for residential moorings. The  
460 provision of residential moorings must, however, be carefully managed to make sure the  
461 special qualities of the Broads and their enjoyment are protected.

462 Tourism makes a valuable contribution to the local economy, and a statutory purpose of the  
463 Broads is to provide opportunities for the understanding and enjoyment of the special  
464 qualities of the area by the public. To make sure there are sufficient facilities to allow  
465 visitors to enjoy the Broads, the Authority will resist proposals for permanent residential  
466 moorings where they would result in the loss of visitor/short term moorings or boatyard  
467 services.

468 To ensure that people living on boats have access to adequate facilities and services such as  
469 education, recreation, and domestic waste collection, and to minimise impact of new  
470 development on landscape character, the Authority will require new residential moorings to  
471 be directed to mooring basins, marinas or boatyards within walking distance of at least  
472 three of the key services listed below or in or adjacent to defined development boundaries  
473 (which could be within the Broads Authority Executive Area or in the planning area of our  
474 constituent districts). Residential moorings may also be appropriate on parts of the river in  
475 Norwich, subject to other policy considerations in particular the impact on neighbouring  
476 uses and impact on navigation of the river. Proposals for residential moorings will be  
477 expected to be commensurate in scale with the size of the settlement and the level of  
478 residential development proposed for the settlement by the relevant Local Planning  
479 Authority. Furthermore, converting an entire marina, basin or boatyard, or in Norwich the  
480 entirety of the river banks, may not be appropriate because of the potential impact on  
481 neighbouring uses and infrastructure in the area, as well as the consequences of the loss of  
482 the facility for non-residential boaters; the Authority will consider such proposals on a case  
483 by case basis.

484 The key services referred to in the policy could be three or more of the following. These key  
485 services reflect the Housing and Economic Land Availability Assessment methodology:

- 486       • A primary school
- 487       • A secondary school
- 488       • A local healthcare service (doctors' surgery)
- 489       • Retail and service provision for day to day needs (district/local shopping centre,  
490       village shop)
- 491       • Local employment opportunities which are defined as follows, which reflect areas  
492       with potentially a number of and variety of job opportunities:
  - 493           ○ Existing employment areas allocated/identified in our districts' Local Plans; or
  - 494           ○ City, Town or District Centre as identified in the Local Plan for the Broads or  
495           our District's Local Plan. We note that this means such centres count towards  
496           two of the three key services test; or
  - 497           ○ These sites that are allocated in the Local Plan for the Broads: BRU2, BRU4,  
498           CAN1, HOR6, POT1, STA1, TSA3.
- 499       • A peak-time public transport service to and from a higher order settlement (peak  
500       time for the purposes of this criterion will be 7-9am and 4-6pm)

501 Residential moorings that have the potential to affect a protected site or species will only be  
502 permitted where a project level Appropriate Assessment (under the Habitats Directive) can  
503 successfully demonstrate that there are no adverse effects on qualifying features on the site  
504 or a detrimental impact on the species.

505 Where permission is granted for a new permanent residential mooring, planning conditions  
506 and/or obligations will be used to secure agreements for the management of the mooring  
507 and surrounding land. This will be done to protect visual and residential amenity and make  
508 sure the use of residential moorings does not compromise public safety. The use of  
509 surrounding land for incidental purposes such as storage and seating can have a negative  
510 impact if incorrectly managed. Proposals will need to set out how they will address areas for  
511 the drying of clothes and amenity space, as well as any other related facilities for those  
512 living on the boats. The Authority does not expect marinas and boatyards to subdivide or  
513 demarcate areas of land to be associated with residential moorings.

514 Policy DM50 provides guidance on the forms of development permissible on the adjacent  
515 waterside environment associated with a mooring.

516 For the purposes of this policy, a 'residential mooring' is a mooring where someone lives  
517 aboard a vessel (capable of navigation), where the vessel is used as the main residence, and  
518 where the vessel is moored in one location for more than 28 days in a year. The vessel may  
519 occasionally/periodically go cruising and return to base.

520 For the purposes of this policy, it should be noted that there is an expectation that the  
521 moorings will be occupied by a vessel of standard construction and appearance and which is  
522 conventionally understood to be a boat. For the avoidance of doubt, the policy does not  
523 apply to houseboats. Houseboats are considered to be structures without means of  
524 independent propulsion and will be dealt with on a case by case basis due to their potential  
525 impact on character of the area.

526 The policy requires a management plan for the site as well as a register of those boats being  
527 lived on. These will be required through conditions on planning application(s). The  
528 management plan will help ensure the site as a whole is appropriately managed. This would  
529 normally cover things like noise, waste, delivery times etc. and would have contact details of  
530 who to contact if the management requirements of the site are not adhered to. A breach of  
531 this management plan would then be a breach of condition and could be enforced. The  
532 register of who lives on which boat will be maintained at all times.

533 Proposals for residential moorings must ensure they have adequately considered the  
534 following:

- 535 a) The technique/method of mooring the vessel. The Flood Risk Assessment (FRA)  
536 should show how the boat will be moored to prevent it being too tight or too loose.  
537 If the vessel is moored too tightly it could list, and by being too loose it could float

538 onto the landside of the quay heading or be cast adrift at times of flooding. Both  
539 scenarios have safety concerns for occupiers, possessions and other objects or  
540 vessels that could be hit by a loose boat, and should be addressed within the FRA.

541 b) A Flood Response Plan needs to be produced. While it is acknowledged that  
542 residential boats will float, the access to the boat could be disrupted at times of  
543 flood, causing the occupier to be stranded on board the boat. The Flood Response  
544 Plan needs to advise what the occupier should do at times of flood to ensure their  
545 safety - whether they should evacuate the boat in advance of flooding or take refuge  
546 in the boat and therefore have supplies to help them sit out the flood.

547 c) Finally, the FRA should include consideration of how the boat moored at the  
548 residential mooring will be monitored at times of flood to make sure it does not  
549 cause damage to other vessels, and to prevent damage to the belongings on board  
550 and the boat itself.

551 The Authority intends to produce a guide for residential moorings as well as a template to  
552 assist with the production of management plans. The Authority is aware of guidance being  
553 produced by other organisations on residential moorings and we will ensure we are involved  
554 with those guides and reflect them in our own guide.

555 Development proposals for residential moorings should provide a biodiversity net gain as a  
556 result of the development as there are likely to be significant opportunities for waterside  
557 biodiversity enhancement.

#### 558 Meeting the need for residential moorings

559 The Accommodation Needs Assessment completed in 2017 identifies a need for 63  
560 residential moorings. This figure needs to be interpreted with some caution, as it is based on  
561 limited interviews with boat dwellers and on anecdotal estimates rather than a  
562 comprehensive count or survey of the people who live on boats.

563 The study also indicates that those living on boats do so from choice, rather than from an  
564 ethnic background, and that most are single people or childless couples.

565 The Local Plan seeks to address the need for residential moorings in several ways:

- 566 • Ten residential moorings have been permitted on appeal at Waveney River Centre  
567 and six sites have been allocated for residential moorings amounting to around 41  
568 residential moorings. See Appendix K for the residential moorings trajectory which  
569 shows the total identified supply as 10 residential moorings.
- 570 • Some areas of the Broads have been identified in this Local Plan as suitable in  
571 principal for residential moorings and these are policies STA1 and HOR6. Although  
572 they are potentially suitable in principle, deliverability is not confirmed, therefore  
573 they are not allocated in the Plan and do not appear in the identified supply figures.

574       • The Authority also intends to meet with marinas and boatyards that meet the  
575       locational criteria of the policy to discuss the potential for residential moorings.

576 The [Residential Moorings Topic Paper](#) (revised 2017)<sup>8</sup> and its [addendum](#)<sup>9</sup> has more  
577 information on meeting the need for residential moorings.

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<sup>8</sup> [https://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0019/1020475/Assessment-of-resi-moorings-nominations-update-and-topic-paper-July-2017.pdf](https://www.broads-authority.gov.uk/_data/assets/pdf_file/0019/1020475/Assessment-of-resi-moorings-nominations-update-and-topic-paper-July-2017.pdf)

<sup>9</sup> [https://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0010/1356778/EPS20-Assessment-of-residential-moorings-nominations-received-during-the-Publication-Consultation-January-2018-Amended-July-2018.pdf](https://www.broads-authority.gov.uk/_data/assets/pdf_file/0010/1356778/EPS20-Assessment-of-residential-moorings-nominations-received-during-the-Publication-Consultation-January-2018-Amended-July-2018.pdf)

## Appendix B – Privacy notice

### Personal data

The following is to explain your rights and give you the information you are entitled to under the Data Protection Act 2018. Our [Data Protection Policy](#) is available on the Broads Authority website..

The Broads Authority will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will be made publicly available as part of the process. It will not however be sold or transferred to third parties other than for the purposes of the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer  
The Broads Authority is the data controller. The Data Protection Officer can be contacted at: [dpo@broads-authority.gov.uk](mailto:dpo@broads-authority.gov.uk) or (01603) 610734.

#### 2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters. We will also contact you about later stages of the Local Plan process.

#### 3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a Local Planning Authority, the Broads Authority may process personal data as necessary for the effective performance of a task carried out in the public interest, i.e. a consultation.

#### 4. With whom we will be sharing your personal data

Your personal data will not be shared with any organisation outside of MHCLG. Only your name and organisation will be made public alongside your response to this consultation.

Your personal data will not be transferred outside the EU.

#### 5. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for 16 years from the closure of the consultation in accordance with our [Data and Information Retention Policy](#).

#### 6. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

a) to see what data we have about you

b) to ask us to stop using your data, but keep it on record



- 612 c) to ask to have all or some of your data deleted or corrected
- 613 d) to lodge a complaint with the independent Information Commissioner (ICO) if you
- 614 think we are not handling your data fairly or in accordance with the law. You can
- 615 contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.
- 616 7. Your personal data will not be used for any automated decision making.

## Appendix C – Residential Moorings management plan checklist

It is expected that a Management Plan will cover the following. This list is not exhaustive and there may be other aspects that need to be covered.

Checklist	✓
1. Site rules and/or terms and conditions.	
2. Noise – expectations relating to noise.	
3. Waste management – sewerage and rubbish and recycling.	
4. Management of increased vehicular movements.	
5. Storage provision for residential boaters.	
6. Details of water safety provisions.	
7. Contact details of who to contact if the management requirements of the site are not adhered to.	
8. State requirements on how vessels will meet the requirements of the bye-laws and legislation for example the need for boat safety certificates and appropriate insurance.	

## Appendix D – Residential moorings questionnaire

This simple questionnaire template covers most of the policy and guide requirements. It should be filled in and accompany applications for residential moorings.

Question	Answer
1. Have you completed a flood risk assessment?	
2. Have you completed a flood response plan?	
3. Have you completed a management plan?	
4. How will you provide the residential moorings with electricity? <a href="#">How will the electricity unit impact on/add to light pollution? Please mark on a plan of the site.</a>	
5. How will you provide the residential moorings with potable water? <a href="#">Please mark on a plan of the site.</a>	
6. How will you deal with sewerage arising from the boats on residential moorings? <a href="#">Please mark on a plan of the site.</a>	
7. How will you deal with rubbish (including recyclable materials) arising from the boats on residential moorings? <a href="#">Please mark on a plan of the site.</a>	
8. How will you address car and cycle parking for those who are using residential moorings? <a href="#">Please mark on a plan of the site.</a>	
9. How will you address amenity space and landscaping? <a href="#">Please mark on a plan of the site.</a>	
10. How will you provide storage for those who are using residential moorings? <a href="#">Please mark on a plan of the site.</a>	
11. <a href="#">How does your scheme address light pollution? How does your scheme maintain dark skies?</a>	

## Appendix 2 – First draft Residential Moorings Guide – comments and proposed responses

Ref	Name	Organisation	Comment	BA response	Amendments
#1	Trevor Warren	-	In the Draft, there are references to preserving/enhancing the local area amenity and character; e.g., lines 312 - 314 in Appendix A. I wonder if noise and light pollution have been sufficiently stressed. Section 6, line 127, refers to noise from generators; there are plenty of other source such as boat maintenance and normal social life. Similarly,	Comment noted. The Local Plan for the Broads has a policy on amenity which would be used to determine applications, but agree that there needs to be better mention of other sources of noise.	This could cover aspects such as generators, when engines will run and generally any noise that could be considered a nuisance <a href="#">such as boat maintenance and generally socialising at unsociable hours.</a>
#2	Trevor Warren	-	Section 9.1, line 178, mentions light pollution from generators. More significant might be general safety lighting required in a quayside setting. Both these conditions are made more conspicuous in a peaceful broads location.	Comment noted. The Local Plan for the Broads has a policy on dark skies which would be used to determine applications, but agree that there needs to be better mention of light pollution.	<a href="#">9.1.8 Light pollution</a> <a href="#">Schemes for residential mooring may include lighting. But sites for residential moorings may be on the fringe of settlements, where there is a transition from urban to rural and so the impact of lighting may be significant. The Authority also seeks dark waterways to protect the wildlife in the area. The need for such lighting needs to be justified in line with Local Plan for the Broads policy DM22. If lighting is justified and agreed, then the design needs to ensure no impact on the dark skies of the Broads. The Authority plans to produce light pollution guidance, but in the meantime, the policy requirements of the Local Plan will guide how applications are determined and assessed. Q: How does your scheme address light pollution? How does your scheme maintain dark skies?</a>
#3	Alistair Lipp	-	I am actually not in favour of residential moorings, but considering it is in the plan to have 63, then the proposals suggested seem to be a reasonable way of creating quality moorings.	Response noted.	No change to document.
#4	B J Du Brow	-	In these constrained times we are unable to give any useful comments.	Response noted.	No change to document.
#5	Jeremy Burton	Bungay Town Council	I confirm that the members of Bungay Town Council Planning, Environment and Highways Committee have considered these Documents and have no additional comments to make.	Response noted.	No change to document.
#6	Shamsul Hoque	Highways England	No comment	Response noted.	No change to document.
#7	Penny Turner	Norfolk Police	My main concern for residential moorings is potential vulnerability of uninvited access: (The lack, or reduction in perimeter security of a residence (mooring) due to nature of the site (i.e. open access	See following comments.	See following comments.

Ref	Name	Organisation	Comment	BA response	Amendments
			of quay side) may make it vulnerable to 'attack' from would be offenders).		
#8	Penny Turner	Norfolk Police	The location of residential moorings next to defined a defined development boundary for support of key services, together with the potential lack of 'usual' residential perimeter boundaries may open up access opportunities for uninvited visitors – being able to move along the same access routes as genuine users. Therefore it is essential to acknowledge what can be done to prevent would-be offenders entering residential boats. Proposed solutions would be individual to a site and its layout, but I recommend if possible that boatyards/Marinas control access to these moorings via a lockable gate (with resident access only) to the particular quay/boardwalk involved; and that individual boat owners also be aware of further protection/security products designed for boats to increase 'home' security. That this information be linked to 'Helpful links/advice (Section 11).	Comment noted. Security should be considered on a site by site basis. Sites in the Broads tend to be relatively small and many of them are adjacent to other facilities so there tends to be a high level of surveillance. We don't consider that there is a need for the guide to promote this level of security, but we will make reference to security.	New sub section in section 9: <a href="#">You should ensure you consider security at your site. This may already adequately be in place.</a>
#9	Penny Turner	Norfolk Police	Also, the proposed walking route of 800m/10 mins (usable all year round) should where possible be straight and a width of 3m wide, with vegetation maintained to prevent fear of crime (removal of potential hiding places), and to consider lighting if appropriate.	Agreed. Text to be added.	Add this text to the end of section 4: <a href="#">Norfolk Police recommend that the route to the site should, where possible, be straight and have a width of 3m wide, with vegetation maintained to prevent fear of crime (removal of potential hiding places), and to consider lighting if appropriate (taking into account the dark skies policy of the Local Plan and the location of residential moorings).</a>
#10	Penny Turner	Norfolk Police	I support management of sites with rules/terms of conditions, this together with the potential presence of staff would increase guardianship/ownership of area.	Support noted.	No change to document.
#11	Penny Turner	Norfolk Police	Again I support the proposal to provide parking and storage facilities to prevent moorings becoming cluttered.	Support noted.	No change to document.
#12	Penny Turner	Norfolk Police	I recommend that parking spaces be marked to help with correct usage (assists with rule setting) – consider collapsible bollards/chain & lock, and where possible have some capability of surveillance over the area.	Agreed. Text to be added.	Add to 9.5: <a href="#">Norfolk Police recommend that parking spaces be marked to help with correct usage (assists with rule setting) – consider collapsible bollards/chain &amp; lock, and where possible have some capability of surveillance over the area.</a>
#13	Penny Turner	Norfolk Police	With regards external storage facilities, I recommend they are of robust construction with secure locks (e.g. Sold Secure or equivalent). If	Agreed. Text to be added.	Add to 9.7: <a href="#">Norfolk Police recommend that storage is of robust construction with secure locks (e.g. Sold Secure or equivalent). If possible consider fencing</a>

Ref	Name	Organisation	Comment	BA response	Amendments
			possible consider fencing off the area (with lockable gate for residents only) to provide an additional layer for what is to be stored within – these items will no doubt be portable with possible value to an offender).		<u>off the area (with lockable gate for residents only) to provide an additional layer for what is to be stored within – these items will no doubt be portable with possible value to an offender).</u>
#14	Penny Turner	Norfolk Police	Post-boxes – there is an increasing rise in crime associated with post delivery so post boxes should be of robust construction with max aperture size of 260mmx40mm and have anti-fishing properties (the examples pictured look good, Secured by Design recommends letter boxes certificated to TS 009).	Agreed. Text to be added.	Will add this wording to section 9.8 in relation to extra facilities: <u>There is an increasing rise in crime associated with post delivery so post boxes should be of robust construction with max aperture size of 260mmx40mm and have anti-fishing properties (Secured by Design recommends letter boxes certificated to TS 009).</u>
#15	Penny Turner	Norfolk Police	<p>As mentioned above, I would like links to boat security to be included, but would wish to consult with my police colleagues on BroadBeat as to which should be included. (1st Principles boat security; BoatShield and Aweigh).</p> <p>LINK FOR BOATSHIELD (&amp; Outboard Engine Cover) This weblink from Norfolk &amp; Suffolk Police offers advice on boat safety and security, also information about the Boatshield Scheme. <a href="https://www.norfolk.police.uk/advice/roads-and-vehicles/boats">https://www.norfolk.police.uk/advice/roads-and-vehicles/boats</a></p> <p>AWEIGH App Thousands of people enjoy the Broads throughout the year and the AWEIGH app has been designed to help those on and around the waterways. apps.apple.com&gt;app&gt;aweigh play.google.com&gt;store&gt;apps&gt;details&gt;id=com.aweigh</p> <p>BOAT SECURITY ADVICE - NORFOLK &amp; SUFFOLK POLICE Norfolk &amp; Suffolk Police advice on water safety and boat security: <a href="https://www.norfolk.police.uk/sites/norfolk/files/boatshield_v1.pdf">https://www.norfolk.police.uk/sites/norfolk/files/boatshield_v1.pdf</a></p>	Agreed. Text to be added.	Add these links to guide.
#16	David Broad	-	Section 3. – I think that continuing to make a distinction between boats suitable for residential moorings and houseboats might become somewhat artificial and unnecessary with the passage of time. (a bit like mobile homes and caravans where the	We consider houseboats to be floating caravans or floating sheds on a pontoon and these will be dealt with on a case by case basis. We do not promote or expect these at residential moorings around the Broads. This is set out in the Local Plan.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
			former have residual wheels and tow bar stored underneath but are still classed the same for The Caravan Act/ planning purposes). The BA hung on to this motor and moving thing when the working party initially considered the issue, bit I would suggest it is now unnecessary and that it is the matters of controlling the use and appearance which is common and important to both.		
#17	David Broad	-	Item 7 – Register – It might be helpful and save unnecessary administration and enforcement if the policy stating that guests staying less than, say, 30days, were exempt	It does not seem onerous to write down the details of the person visiting or staying in a register.	No change to document.
#18	David Broad	-	Item 9.3 Pump Out and Sewerage – It could be inviting non-compliance by allowing holding tanks and pump-outs as an alternative to mains drainage. History and experience shows that valves are often used for illegal discharge. There could be a strong planning policy preference for the latter and the register extended for logging genuine pump out occurrences.	Noted. Whilst areas of residential moorings may provide toilets and shower blocks, the boats themselves are probably going to have toilets on them. It is not clear how we can stop that from happening through planning. Because they will have toilets on them, the sewerage and foul water need to go somewhere and that is what we are referring to - the provision on site of somewhere to dispose of foul water. We do have policies that promote the connection to the public sewer network as the preference, as set out in that policy, that the facilities provided for pump out to be connected to the public sewer network. If this is not possible, then we set out a hierarchy for disposal methods and seek thorough justification for the method used. If Mr Broad is suggesting that there should be some kind of mechanism that attaches to the on-board toilets and the like and connects to the public sewer network, then that would be something for the management to address as they plan the scheme. We could add some text to raise the issue of valves and illegal discharge and cross refer to the policy that seeks connection to the public network.	Add this to section 9.3: Toilets on boats may require pumping out or somewhere to empty cassettes. Your marina or boatyard may have a system or process to deal with this already. <u>We would assess this part of the application against policy DM2 and as set out in that policy, attachment to the public sewer network is the preferred approach. When considering how to address foul water, you will need to consider the potential for boats to release foul water directly to the waterbody. The Environment Agency also highlight that there is a byelaw that is relevant to the disposal of sewage from boats within the Broads which makes it illegal for boats to discharge their sewage straight to the rivers.</u>
#19	David Broad	-	Notwithstanding the above, you are to be congratulated in producing such a comprehensive and thoughtful draft policy and I look forward to hearing of its progress.	Support noted.	No change to document.
#20	Judith Davidson	Norwich City Council	I just have one comment / suggested change to make in relation to lines 81-84 of the document: • I would suggest deleting the words “ in theory” from this sentence, and adding to the end “and is consistent with the policies of the River Wensum	Agreed. Text to be added.	<ul style="list-style-type: none"> <li>• ‘...or is in Norwich City Council’s Administrative Area’</li> </ul> Norwich City Council requested this addition as there are no mooring basins, marinas or boatyards in Norwich; this change now, <del>in theory</del> , allows for

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			Strategy, a partnership document adopted by both the Broads Authority and Norwich City Council (and other partners)."		residential moorings in the City ( <u>subject to the normal planning application process</u> ) and is <u>consistent with the policies of the River Wensum Strategy, a partnership document adopted by both the Broads Authority and Norwich City Council (and other partners).</u>
#21	Liam Robson	Environment Agency	We agree that all residential boats must be capable of navigation and so function as a boat, in order for residential moorings to be classed as 'water compatible' development. If the boat is non-navigable, such as a houseboat, then they would be classed as 'more vulnerable' residential development, and therefore Table 3 of the NPPF PPG would class them as inappropriate to be located in boatyards or mooring basins, as these areas are usually classed as Flood Zone 3b Functional Floodplain. It may be beneficial to include this reason within the explanation as to why the boats on the residential moorings need to be navigable.	Agreed. Text to be added.	Section 3. Add this as last paragraph: <u>The Environment Agency agree that all residential boats must be capable of navigation and so function as a boat, in order for residential moorings to be classed as 'water compatible' development. If the boat is non-navigable, such as a houseboat, the Environment Agency state that they would be classed as 'more vulnerable' residential development, and therefore Table 3 of the NPPF PPG would class them as inappropriate to be located in boatyards or mooring basins, as these areas are usually classed as Flood Zone 3b Functional Floodplain. The Environment Agency state that they would object in principle to any houseboats as they would be an inappropriate 'more vulnerable' development in Flood Zone 3b Functional Floodplain. So houseboats are unlikely to be permitted, unless their proposed location is somehow not classed as Functional Floodplain, which would require the marina or mooring basin to not be at risk of flooding in a 5% (1 in 20) annual probability flood event.</u>
#22	Liam Robson	Environment Agency	Also, the last sentence of Section 3 states that 'Houseboats are considered to be structures without means of independent propulsion and will be dealt with on a case by case basis due to their potential impact on character of the area'. We would object in principle to any houseboats as they would be an inappropriate 'more vulnerable' development in Flood Zone 3b Functional Floodplain, so it may be beneficial to make it clear that houseboats are unlikely to be permitted, unless their proposed location is somehow not classed as Functional Floodplain, which would require the marina or mooring basin to not be at risk of flooding in a 5% (1 in 20) annual probability flood event.	Response noted. That wording is from the Local Plan. But we will add it to the guide.	



Ref	Name	Organisation	Comment	BA response	Amendments
#23	Liam Robson	Environment Agency	We support the need for a Flood Risk Assessment (FRA) and Flood Response Plan with all applications for residential moorings. If the FRA and Flood Response Plan proposes refuge within the boat in times of flood then the boat will need to be capable of rising up above the extreme 0.1% (1 in 1000) climate change flood level. The FRA will need to detail what the required height of rise will be and demonstrate that the boat's mooring can enable it to rise that high without posing a hazard to the occupants of the boat.	Agreed. Text to be added.	Add to section 5: <u>If the FRA and Flood Response Plan proposes refuge within the boat in times of flood then the Environment Agency states that the boat will need to be capable of rising up above the extreme 0.1% (1 in 1000) climate change flood level. The FRA will need to detail what the required height of rise will be and demonstrate that the boat's mooring can enable it to rise that high without posing a hazard to the occupants of the boat. If the FRA and Flood Response Plan does not propose refuge, but instead proposes evacuation in advance of a flood, then the FRA and response plan will need to show how the occupants will be able to receive advanced warnings and where they will be able to evacuate to in time. The Environment Agency go on to say there is always a residual risk of warnings not being received, so the FRA will need to address this risk. The ability to take refuge within the boat, as described above, is a valuable fall-back measure and, if possible, the mooring should be designed to provide this refuge as a precaution, even if the preferred option is evacuation in advance of flooding.</u>
#24	Liam Robson	Environment Agency	If the FRA and Flood Response Plan does not propose refuge, but instead proposes evacuation in advance of a flood, then the FRA and response plan will need to show how the occupants will be able to receive advanced warnings and where they will be able to evacuate to in time. There is always a residual risk of warnings not being received, so the FRA will need to address this risk. The ability to take refuge within the boat, as described above, is a valuable fall-back measure and, if possible, the mooring should be designed to provide this refuge as a precaution, even if the preferred option is evacuation in advance of flooding.	Agreed. Text to be added.	
#25	Liam Robson	Environment Agency	The LPA and their Emergency Planners will need to ensure that they are satisfied with the proposed residential moorings and the proposed measures to ensure the safety of the future occupants should a flood occur.	Noted. The Broads Authority does not have Emergency Planners in house. It is not clear how the District Emergency Planners are able to assist the Broads Authority. This issue is something that is being looked into currently.	No change to document.
#26	Liam Robson	Environment Agency	Line 131 refers to waste management. We would highlight that there is a byelaw that is relevant to the disposal of sewage from boats within the Norfolk and Suffolk Broads which makes it illegal for	Response noted. Text to be added.	See comment #18

Ref	Name	Organisation	Comment	BA response	Amendments
			boats to discharge their sewage straight to the rivers.		
#27	Liam Robson	Environment Agency	It may be beneficial to include the need for Flood Response signs in this section, so that everyone is aware of the flood risk and the actions to take.	Noted. The Flood Risk SPD has recently been updated and applicants would be directed to the FRP guidance in that.	No change to document.
#28	Liam Robson	Environment Agency	9.2 Water The management plans should include details of early consultation with the relevant water company to ensure there is sufficient capacity in their network to supply moorings in that specific location. The abstraction of 20 cubic metres or more a day from either surface or groundwater source would require an abstraction licence. If the chosen site for the additional moorings already holds an abstraction licence, there would need to be consideration of the impacts from additional update as a result of the new moorings.	Agreed. Text to be added.	Add this to 9.2: <u>The Environment Agency are keen to emphasise that applications should include details of early consultation with the relevant water company to ensure there is sufficient capacity in their network to supply moorings in that specific location. The abstraction of 20 cubic metres or more a day from either surface or groundwater source would require an abstraction licence. If the chosen site for the additional moorings already holds an abstraction licence, there would need to be consideration of the impacts from additional update as a result of the new moorings.</u>
#29	Liam Robson	Environment Agency	9.3 Sewage This section should be strengthened by stating that 'toilets on board will require pumping out' and if possible it would be beneficial to add – 'to either an appropriate package treatment plant, a containment tank emptied by registered waste carrier or to main sewer'.	Agreed. Text to be added.	See comment #18
#30	Liam Robson	Environment Agency	Informative – Environmental Permit for Flood Risk Activities An environmental permit for flood risk activities will be needed for any proposal that wants to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. Application forms and further information can be found at: <a href="https://www.gov.uk/guidance/flood-risk-activities-environmental-permits">https://www.gov.uk/guidance/flood-risk-activities-environmental-permits</a> . Anyone carrying out these activities without a permit where one is required, is breaking the law.	Agreed. Text to be added.	Add this to the end of section 9: <u>Informative – Environmental Permit for Flood Risk Activities An environmental permit for flood risk activities will be needed for any proposal that wants to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. Application forms and further information can be found at: <a href="https://www.gov.uk/guidance/flood-risk-activities-environmental-permits">https://www.gov.uk/guidance/flood-risk-activities-environmental-permits</a>. Anyone carrying out these activities without a permit where one is required, is breaking the law.</u>
#31	Kate Wood	Pegasus Group on behalf of Crown Point Estate	We welcome the Guide's intention to provide guidance that builds on already-adopted policy DM37 – New Residential Moorings. We note that this policy is extremely comprehensive in setting out requirements for location and facilities.	Noted.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
#32	Kate Wood	Pegasus Group on behalf of Crown Point Estate	The proposed Residential Moorings Guide adds little to the policy, but provides a helpful checklist which would be a useful basis for the planning officer's consideration of the individual elements requiring consideration.	We would suggest it adds to the policy and elaborates on many parts of the policy as well as many other aspects of a successful residential mooring scheme. But yes, it is also a useful basis as stated.	No change to document.
#33	Kate Wood	Pegasus Group on behalf of Crown Point Estate	We would like to see additional text in relation to management accommodation and the Council's commitment to engagement with the applicant, particularly at pre-application stage.	We offer a free pre-application advice service. The very nature of our role as a Local Planning Authority means we engage with applicants. Regarding management accommodation, DM38 covers that and refers to residential moorings. DM37 and this guide would then be used.	No change to document.
#34	Kate Wood	Pegasus Group on behalf of Crown Point Estate	Policy DM37 is a relatively self-contained policy. However, there may be circumstances, particularly with larger mooring developments, where the applicant considers that residential management accommodation would be necessary to ensure the moorings are well-managed, maintained and monitored. Such accommodation could, for example, be part of a larger building accommodating post boxes, storage lockers and other facilities.	Noted. If a scheme requires this, then DM38 would be used as would all other relevant policies of the Local Plan and all relevant SPDs and Guides. One point to note however the storage building might be in a high risk flood zone, so accommodation might not necessarily be appropriate there.	No change to document.
#35	Kate Wood	Pegasus Group on behalf of Crown Point Estate	There is no mention in the Guide of the Authority's pre-application service. We consider this should be included as an option for potential applicants to be aware of. With that option, we request that the Authority includes a commitment to provide advice in a timely manner and stand by its advice unless there have been significant material changes in policy circumstances since the advice was issued. This will enable applicants to have faith in the pre-application system. As you know, pre-application advice, especially when provided in an iterative way, ensures that a proposal can be refined to be the best scheme possible. This ultimately results in greater buy-in from consultees such as Parish Councils and neighbours, a greater likelihood of an efficient and successful application process, and improved development quality when implemented.	Noted. Any advice given on a proposal is as presented and its conformity with current policies. It will remain relevant unless the policy or other material considerations or the details of the application itself change. Pre-application advice is an officer level opinion and given without prejudice.	No change to document.
#36	James Knight	Individual	Although the Guide is presented as a planning document for adoption, the majority of its content falls into the category of helpful guidance for operators hoping to provide residential moorings, and is not directly related to planning.	Noted.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
#37	James Knight	Individual	There is an over-riding tendency, both in the policy and in the Guide, to treat residential moorings as materially different to ordinary leisure moorings. In fact, the use of the land is identical - mooring a boat – and the risks are broadly the same, since people live & sleep aboard for many weeks at a time, regardless of whether the boat is their primary residence. The differences from a planning perspective are: a) the fact that the vessel is used as a primary, rather than temporary, residence – which could result in increased demand on local services; b) the fact that residential paraphernalia can accumulate around the moorings, potentially changing the character of the surroundings	The policy treats them as different because the uses are different.	No change to document.
#38	James Knight	Individual	Whilst pleased to have the opportunity of providing input, this Guide ought more properly to be a living document which evolves over time to provide guidance to marina operators – not just as part of the planning process but for promoting ideas and best practice to all operators.	Noted. It will be used for both purposes. We will review guides over time, update and amend and re-consult as required.	No change to document.
#39	James Knight	Individual	The formal consultation process is really designed for strategic planning documents which are adopted for more than a few years, rather than for detailed guidance which, necessarily, should change over time.	The Broads Authority has undertaken consultation on many other guides that are used in planning and intends to produce more guides in future and intends to consult on them as well. We will review guides over time, update and amend and re-consult as required. The purpose of consultation is two fold. Firstly, people may have some really useful comments or observations that will improve the guide or correct it. Secondly, adoption reflects the fact that it has been through this process.	No change to document.
#40	James Knight	Individual	The relevant strategic planning policies for residential moorings are set out in policy DM37. By contrast, this Guide is largely concerned with providing opinions and guidance about current practices and has very little to do with planning.	The purpose of the guide is to provide information to support the policy and requirements and advice that may be useful.	No change to document.
#41	James Knight	Individual	Planning relates to the use and development of land (which includes the land beneath water such as rivers, moorings and basins). The specific characteristics of vessels moored over land will generally fall outside the ambit of planning.	Noted.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
#42	James Knight	Individual	<p>Whilst accepting that the definition is set out in the adopted policy, there are still significant grey areas surrounding the meaning of “main residence”. For example:</p> <p>a) Does “main residence” really mean “main UK residence”? If a person lives abroad for 6 months and on their boat on the Broads for 6 months, is this a residential mooring?</p> <p>b) If a person stays on their boat during the summer and in a (UK) house during the winter, where is their main residence?</p>	Noted. This is assessed on a case by case basis.	No change to document.
#43	James Knight	Individual	Since it is the boat itself which is “residential” and not the mooring, and the policy wording ties the mooring to a specific singular vessel, the policy could easily be circumvented by moving boats from one mooring to another every 28 days.	The policy is related to the use of the land.	No change to document.
#44	James Knight	Individual	A more sensible and enforceable future policy might instead want to consider limiting the overall number of moorings which could be used for residential purposes within a given marina or location, rather than trying to define individual moorings as residential - which is essentially impossible.	Noted. There are a number of possible approaches. These can be discussed through the determination process.	See #85.
#45	James Knight	Individual	In reviewing the policy direction, officers ought to consider what it is that they are trying to achieve by drawing distinctions between different types of mooring and by treating residential moorings as some kind of special case.	We will note this as and when the policy/Local Plan is reviewed and seek views during any consultation.	No change to document.
#46	James Knight	Individual	Acceptable location for residential moorings 4.1. This section is simply a summary of the adopted policy and is therefore not open for consultation.	Noted.	No change to document.
#47	James Knight	Individual	<p>The Guide requires mooring operators to detail the technique/method of mooring vessels in the FRA.</p> <p>It is an established fact of maritime law – and the Broads Authority’s own navigation byelaws – that responsibility for the safe mooring of a vessel lies at all times with the master of a vessel. Broads Authority byelaw 58(1) (moored vessels to be properly secured) refers. Any planning condition which required the landowner to be responsible for the safe mooring of a navigable vessel would fail the NPPF para 55 tests because it would:</p> <p>a) not be relevant to planning;</p> <p>b) attempt to duplicate non-planning controls (the</p>	The flood risk assessment and flood response plan will more than likely be required early on in the process so they can be used to determine the application. The Local Plan says that the FRA should show how the vessel will be moored so it does not cause issues at times of flooding. The Guide and Local Plan do not require a condition for a site manager to take over the mooring of a vessel; simply to show/discuss/state how, vessels will be checked to ensure the way they are moored will not impact on the vessel and its contents or other boats etc. nearby. It may be that the responsibility of mooring lies with the master, but if a manager of a site sees something that could need improving in	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
			<p>Navigation Byelaws);  c) be unreasonable as the landowner could not be expected to exercise the necessary degree of monitoring or control over the master of a vessel;  d) be unenforceable by virtue of the above.</p> <p>It would be perfectly reasonable to ask mooring operators to provide guidance on safe mooring techniques to their customers, but there can be no transfer of responsibility.</p>	<p>terms of mooring a vessel, especially when a flood event is likely/is happening, it seems reasonable that they may discuss this with the master perhaps. The Manager has responsibility for the site and a poorly moored vessel may impact others on the site. It might be, for example, that the applicant simply says that from time to time, and even more so when flooding could ensue, they will check how vessels are moored.</p>	
#48	James Knight	Individual	<p>The Climate Change Checklist link on the Guide is broken, and the document does not appear to exist on the Broads Authority website. There is a climate change checklist within Local Plan policy DM9, which I take to be the relevant list. Whilst this is a very useful checklist for new land-based developments, it is hard to see how very much of it could be applied to residential moorings in any practical way – or indeed to moorings more generally.</p>	<p>Will check the link and amend. The Checklist is here: <a href="https://www.broads-authority.gov.uk/data/assets/word_doc/0009/1603656/Climate20change20checklist20template.docx">https://www.broads-authority.gov.uk/data/assets/word_doc/0009/1603656/Climate20change20checklist20template.docx</a> and in the Local Plan. It is for the applicant to determine what aspects of the checklist are relevant and could be addressed in their scheme. If they think part is not relevant or does not apply, they have the option of ticking 'nil'.</p>	Check link.
#49	James Knight	Individual	<p>Clearly the existence of a management plan is of benefit to mooring operators, as well as to their residents and other berth holders.</p>	Noted.	No change to document.
#50	James Knight	Individual	<p>What is less clear is why the content of such a management plan could or should be within the ambit of planning. Planning authorities cannot prescribe the way in which businesses or moorings are managed. Management plans are operational documents, written to ensure that a business is run safely, efficiently, profitably and lawfully (including compliance with planning conditions).</p>	<p>The requirement for a Management Plan is in the adopted policy and this guide expands on what a Management Plan could address.</p>	No change to document.
#51	James Knight	Individual	<p>Planning conditions need to relate to planning and pass the NPPF para 55 tests. Amongst other things, they need to be specific, enforceable and not covered by other regulatory regimes. They should only be applied where they are necessary to make an unacceptable development acceptable. They can't simply be "nice to have".</p>	Noted.	No change to document.
#52	James Knight	Individual	<p>Boat safety certificates &amp; insurance are matters for individual boat owners and are covered by the</p>	Noted. This is not the intention of the guide.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
			Broads Authority's own boat registration regulations. They cannot be turned into planning conditions imposed upon the mooring operator.		
#53	James Knight	Individual	Similarly, noise pollution is covered by navigation byelaws as well as by district councils who are responsible for environmental protection - including waste management.	Noted. It is also addressed in the Local Plan as part of the Amenity policy, DM21.	No change to document.
#54	James Knight	Individual	Therefore, although the list is useful to an operator in terms of "things to consider", it would be inappropriate for any planning condition to require the existence of a management plan which featured such a list.	Noted and this will be considered on a case by case basis.	No change to document.
#55	James Knight	Individual	7.1. Where a planning condition restricts the number of residential moorings, it will be necessary to keep a register to ensure compliance with that planning condition. 7.2. The nature of the information made available for inspection to the LPA will need to be carefully considered to ensure compliance with GDPR and other privacy laws. It is important for the Broads Authority to consider what information it could require the operator to provide, and the reasons for requiring it.	Noted. The Authority is mindful of the requirements of other legislation.	No change to document.
#56	James Knight	Individual	Council Tax 8.1. This isn't a planning matter and there is no proposal upon which to consult, but it is useful information to provide in a guide.	Noted.	No change to document.
#57	James Knight	Individual	Facilities 9.1. This is all useful guidance and it is helpful to know how other marinas outside the Broads operate and provide facilities. 9.2. It might also be useful to provide details of relevant arrangements at marinas within the Broads, which offer residential moorings.	Noted. This information will be available on the operator's websites.	No change to document.
#58	James Knight	Individual	The questions within this section are posed as consultation queries but are really matters for individual planning applicants to consider. I cannot see how answers to these questions, provided as part of this consultation exercise, could inform the final version of a planning guidance document.	These questions are prompts for the applicant to answer as set out in Appendix D. They will remain as part of the final document. They are not consultation questions.	No change to document.
#59	James Knight	Individual	This Guide should not be considered as a planning document requiring adoption, but rather something to be continuously updated, intended to provide	The purpose of this guide, like the other adopted guides, is to provide advice and information. It will be updated as required.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
			helpful guidance to new and existing residential mooring operators.		
#60	James Knight	Individual	Planning (and other) documents from the LPA should not seek to prescribe the operational practices of businesses unless they directly relate to planning and are necessary in planning terms.	Noted.	No change to document.
#61	James Knight	Individual	Planning conditions must be limited to matters which are within the lawful control of the marina operator. They should never require the operator to be responsible for the conduct or actions of boat owners or others. Planning conditions which impose requirements on the operator relating to noise, boat safety, insurance, payment of tolls or mooring techniques would all probably be unlawful.	Noted.	No change to document.
#62	James Knight	Individual	Clarity is required on the nature of personal information which the operator can reasonably be asked to provide relating to individual berth holders.	Noted.	See #96, 97, 98 and 99.
#63	James Knight	Individual	The Guide as it stands is a hybrid document containing a mixture of planning policy, guidance, links, and questions aimed at specific applicants. It isn't capable of being "adopted" in the formal sense.	The purpose of the guide is to provide information to support the policy and requirements and advice that may be useful. By undertaking consultation, we get wider views which will strengthen the document. Adoption reflects the fact that it has been through this process.	No change to document.
#64	James Knight	Individual	The majority of the guidance (as distinct from the policy) is applicable to all moorings (not just residential ones), and the document ought to be re-imagined as a means of providing evolving guidance and best practice for marina operators - rather than seeking to prescribe operational procedures under the guise of planning conditions.	Noted. The suggestion about the potential wider role of the document is noted. But at this point, it is intended to focus primarily on residential moorings.	No change to document.
#65	James Knight	Individual	I am a Fellow of the Royal Institution of Chartered Surveyors and I have lived and worked around the Broads for all of my life. In addition to enjoying recreational boating activities, I have worked in a professional capacity advising on planning matters. During the past 17 years, I have been a Director of three successful Broads tourism businesses, each employing over 60 people, and have engaged with the planning system as an applicant on numerous occasions. One of these businesses includes a marina which operates 10 residential moorings on the southern Broads. I am a former member of the	Noted	No change to document.



Ref	Name	Organisation	Comment	BA response	Amendments
			RICS Governing Council, a South Norfolk District Councillor, and an appointed member of the Broads Authority and its Planning Committee. My response to this consultation is in my capacity as a private individual, property developer and company director. I am not responding in my capacity as a member of the Broads Authority or its Planning Committee.		
#66	Hayley Goldson	Chedgrave Parish Clerk	The content of Marketing and Viability Supplementary Planning Document (SPD) and Residential Moorings Guide was considered by Chedgrave Parish Council on 7th May 2020. I can advise that councillors support the document as long as the guidelines described in the document are adhered to (particularly in relation to residential moorings).	Support noted.	No change to document.
#67	William Hollocks	Loddon Marina	Can you please give me some background on why these are being proposed as you have just produced an excellent document on the Broads Plan that went through an extensive review by every party and then the Inspector for the Secretary of State and then approved at the highest level of government.	Guides and SPDs provide more detail on certain policies in Local Plans. For example, the moorings and riverbank stabilisation guide that we adopted a few years back and the Flood Risk SPD we soon adopted all provide much more detail than would be appropriate in a Local Plan. Policies in the Local Plan provide the hooks for the guides and SPDs. SPDs and Guides help with the implementation of policies. A Local Planning Authority does not need to produce them, but can do.	No change to document.
#68	William Hollocks	Loddon Marina	With regards the residential moorings there is every kind of boat currently on the Broads many used as residential and the BA already has bye law on this so why are the Planning Department trying to be a dictator on a matter which is under another departments jurisdiction (Lucy). The criteria for our residential moorings is well covered in policy LOD1. Does this mean that every boat that does meet this policy will be excluded from the Broads.	The policies relate to the use of the land, not the use of the boat. The Guide elaborates on already adopted policy (the Local Plan for the Broads was adopted in May 2019).	No change to document.
#69	William Hollocks	Loddon Marina	Can you please confirm that any policy you end up will be approved by the Secretary of State though his Inspector as an approved amendment to your Broads Plan. Without this as far as I can see it will be another attempt by the Planning Dictatorship to control the further deterioration of the business's on the Broads and will not be worth the paper it is written on.	These are not policies. These documents help to implement policies. Guides are not prescribed by regulations, but SPDs are. SPDs have a set procedure (see the regulations: <a href="http://www.legislation.gov.uk/uksi/2012/767/part/5/made">http://www.legislation.gov.uk/uksi/2012/767/part/5/made</a> ) and the Planning Inspector is not part of the process.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
#70	William Hollocks	Loddon Marina	By copy of this e-mail to DR Packman, Lucy as the responsible manager for navigation and bye laws on boats and Marie as the boss of the out of control Planning Department I am asking to put a stop to these amendments as it is a complete waste of money and has no justification to be in the public interest.	Noted	No change to document.
#71	William Hollocks	Loddon Marina	I am more than happy to start a campaign of getting support not for comments to the policies but to get them stopped. We are happy to lobby every Parish Council, BA members, Councils, MP's etc. I have also copied Mr Tarry as he is working with various parties to contribute to the consultation process.	Noted. But guides and SDPs are not policies. They help with the implementation of adopted policies	No change to document.
#72	Thomas Foreman	Thorpe St Andrew Town Council	The Committee welcomed the consultation by the Broads Authority on its Residential Moorings Guide and felt it was a very well-considered document.	Support noted.	No change to document.
#73	Thomas Foreman	Thorpe St Andrew Town Council	The Committee noted the important difference between houseboats and residential moorings, however, it was queried how the policy would apply to mixed sites with both houseboats and residential mooring.	The Local Plan at page 118, second para says that we expect schemes for residential moorings to be occupied by vessels regarded as boats and that houseboats will be dealt with on a case by case basis. That would be the same for mixed schemes, if any were to come forward as a planning application.	No change to document but see rows #21 and 22.
#74	Thomas Foreman	Thorpe St Andrew Town Council	The Committee felt that the management plan was a positive step, particularly with site rules explaining who is resident and how waste will be managed. As part of this section, it was felt the need for an Emergency Evacuation Plan should be included. If safe access for emergency service vehicles is important, it is also important to consider how people might evacuate prior to (or when) the emergency services arrive.	Noted. Access by emergency services would be considered as part of determining the application as per criterion g of DM37.	No change to document.
#75	Alan Wildman	Residential Boat Owners' Association	RBOA is keen to work with the Broads Authority with a view to demonstrating how, with good management controls at site level, residential boaters are of considerable benefit to moorings operators, other berth holders, local communities and the Norfolk Broads as a whole. It is to be hoped that if demand for residential moorings exceeds the 63 already identified, then BA might consider increasing the figure in order to meet that demand.	If applications come forward, they will be determined against the policies of the local plan. The number of 63 is not a maximum and we would not deny applications because we have permitted 63 residential moorings.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
#76	Alan Wildman	Residential Boat Owners' Association	Quite apart from the legal requirement and the many general benefits of having water based residents, to Navigation Authorities and to moorings providers, responsible residential boaters are particularly known to provide: <ul style="list-style-type: none"> <li>• Added security: Not just in terms of property - land dwellers, walkers, boaters and other waterway users often confirm that they feel safer knowing there are people living on the water, close by.</li> <li>• Local knowledge: Visitors to areas where there are live-aboards frequently interact and benefit from the available local knowledge, usually freely given, to enhance the visitors' enjoyment of the region.</li> <li>• Safety: Where there are residential craft moored, by nature usually occupied by necessarily safety aware individuals, others who might get into trouble near, in or on the water have potential assistance immediately at hand.</li> </ul>	Noted.	No change to document.
#77	Alan Wildman	Residential Boat Owners' Association	We welcome the distinction between houseboats and other residential craft and would suggest a good, clear description be used to clarify what constitutes those other residential craft. RBOA suggests - traditional in that they would be identified as boats by "the man on the Clapham Omnibus".	The Local Plan described what is expected at these moorings in the supporting text of DM37. Any changes to that wording would need to be as part of the Local Plan review.	No change to document.
#78	Alan Wildman	Residential Boat Owners' Association	It is hoped that planning restrictions on houseboats might be negotiable with the applicants, rather than overly dictatorial, something that could be made clear in The Guide.	The Local Plan is clear that houseboats will be judged on a case by case basis.	No change to document. Also see comments #21 and 22.
#79	Alan Wildman	Residential Boat Owners' Association	Some marinas and boatyards already have on-line moorings. To locate a small number of residential slots in amongst those already existing moorings would impede neither navigation nor access to facilities. Perhaps this could be made clearer in The Guide.	Planning applications will be determined against relevant policies in the Local Plan. Policy SP13 will be relevant and impact on navigation is included on DM37 at criterion d. Again, the policy DM37 sets out where residential moorings will be acceptable and other than in Norwich, that is in marinas or boatyards rather than on line. if the RBOA wish for that to be changed, it is something to discuss as part of the review of the Local Plan.	No change to document.
#80	Alan Wildman	Residential Boat Owners' Association	Some residential boaters have little need for nearby access to most "key" services; for instance, BA acknowledges that many residential boaters are single, perhaps slightly older (without children on board) and/or even fully retired. It is hoped that BA will look favourably on applications for residential	The Local Plan for the Broads was adopted in 2019. The policy sets out the requirements for the location of residential moorings and this guide cannot change policy. DM37 is clear about where residential moorings will be deemed acceptable. Indeed, access to services was a key consideration	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
			berths in areas that are a little remote from such services and could state that fact in The Guide.	when assessing the allocations in the Local Plan for residential moorings.	
#81	Alan Wildman	Residential Boat Owners' Association	Flood Risk and Climate Change BA comments in The Guide are clear.	Noted	No change to document.
#82	Alan Wildman	Residential Boat Owners' Association	RBOA will readily offer advice to operators who may need assistance with creating Management Plans covering "responsible" residential boating. RBOA acknowledges BA's reference to our Association and/or our website and would like to see that reference strengthened within The Guide. RBOA anticipates no commercial benefit from providing such advice.  Follow up: As regards what you might further comment on RBOA, perhaps just a mention that we do liaise with most major Navigation Authorities would suffice - if you agree and feel it appropriate, then all well and good	Agreed, will add the extra wording to the RBOA paragraph.	The Residential Boat Owners' Associations (RBOA). Their website says: 'Established in 1963 the Residential Boat Owners' Association is the only national organisation which exclusively represents and promotes the interests of people living on boats in the British Isles. We represent all those who have chosen to make a boat their home'. <a href="https://www.rboa.org.uk/">The RBOA ensure they liaise with Navigation Authorities like the Broads Authority. https://www.rboa.org.uk/</a>
#83	Alan Wildman	Residential Boat Owners' Association	RBOA acknowledges that clear, strong and fair site management is the key to acceptable live-aboard craft. Good management will encourage responsible site maintenance and preservation of natural habitat and biodiversity. Reference in The Guide to LILO (Low Impact Living Aboard) might be advisable – RBOA can provide guidance in this respect if required.  Follow up: For us, the points we would like to get across are that we (RBOA) are keen to lead operators and customers in the direction of Low Impact Life On Board and, through RBOA, there is a wealth of advice in that respect. Many will hopefully recognise the anachronism (LILO) and seek us out for such free advice.	Agree. Will add reference to LILO.	<a href="#">9.12 Low Impact Life on Board</a> <a href="#">In response to the consultation on this guide, the RBOA were keen to emphasise Low Impact Life On Board and, through RBOA, there is a wealth of advice in that respect. Low impact life on board is an expression from UK waterways boaters who care about the environment.</a>
#84	Alan Wildman	Residential Boat Owners' Association	RBOA believes that boats used as primary residences should not stand out from leisure craft moored in the same vicinities. We would support BA in taking a similar stance and including such advice in The Guide.	The policy and guide seek to influence and guide the moorings and use of land rather than what boats look like. It seems that is will be down to the owner of the boat and management of the moorings.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
#85	Alan Wildman	Residential Boat Owners' Association	RBOA believes that moorings operators should have absolute (but reasonable) control of boat placements within their operational sites and would like to see this mentioned in The Guide.	Agreed. Will add text.	Amend section 4 so there are two sub sections - one for geographical location and another for location of residential moorings within a site. Under location of residential moorings within a site add: ' <a href="#">An applicant may want certain specific moorings to be permitted for residential moorings or may want an area to be permitted with a maximum number of residential moorings within that area, to reflect the operations of the marina or boatyard or site. This will need to be discussed and agreed with the Local Planning Authority. It will then be for the operator of the site to control which moorings are used for residential moorings in line with the permission granted. This would then be logged in the register and the approach may be explained in the management plan</a> '.'
#86	Alan Wildman	Residential Boat Owners' Association	It is reasonable to expect that any proposed inspection of moorings operators' records should only be requested with a good reason so to do. Such request should be negotiable with the operator, which fact should be made clear in The Guide.	Noted. See #96, 97, 98 and 99.	See #96, 97, 98 and 99.
#87	Alan Wildman	Residential Boat Owners' Association	RBOA has extensive experience of Council Tax issues; again RBOA would be happy for The Guide to refer to our Association and/or our website for advice.	Agreed. Will add text.	At section 8 add: ' <a href="#">and the RBOA also have information on Council Tax: https://www.rboa.org.uk/q-a/</a> '
#88	Alan Wildman	Residential Boat Owners' Association	Some facilities which may not be available "on site" but are available just a short cruise away from base are perfectly acceptable to many live-aboards. This is often the case on other waterways. RBOA suggests that point be clearly made within The Guide. We believe it reasonable to acknowledge that many live-aboard requirements, such as laundry, clothes drying, storage, etc. are often fully catered for within the confines of the craft (boat) itself. Moorings operators might be advised, via The Guide, that such a requirement could be part of their own Management Plan.	The guide is clear in that it says the section relating to facilities are things that an operator may wish to make available. It gives examples and case studies. The elements of this section tend to relate to policy criteria and so the application will need to show how they are addressed. It is up to the operator to consider how the needs of those living on their boats will be catered for.	No change to document.
#89	Alan Wildman	Residential Boat Owners' Association	Key Messages A good summary.	Noted	No change to document.
#90	Alan Wildman	Residential Boat Owners' Association	Helpful links and where to go to get advice RBOA would encourage emphasis on the fact that we are a wholly volunteer group unlike other (commercial) organisations – our focus is not on RBOA revenue generation, but is solely on achieving	Noted. Consider the reference to the various organisations adequately addressed in the Guide.	No change to document.

Ref	Name	Organisation	Comment	BA response	Amendments
			our aims, as declared at the head of this response paper – RBOA is dedicated solely to the protection, promotion, universal acceptance and continued development of “responsible” residential boating (living-aboard).		
#91	Jason Beck	East Suffolk Council	East Suffolk Council, Planning Policy Department has no comments to make on this document.	Noted	No change to document.
#92	Emily Curtis	Loddon Parish Council	Councillors welcomed a management plan for the sites with residential moorings. LPC believes that a management plan would ensure the site was is well managed and will help protect land and boat residents from anti-social behaviour.	Support noted.	No change to document.
#93	Emily Curtis	Loddon Parish Council	Councillors welcomed that consideration is being given to climate change, and agreed that it is important to consider the necessity for a site to have adequate provision for waste, sewage disposal and the prevention of pollution. How will these considerations be monitored?	The ability to meet these requirements will be part of the assessment and form part of planning conditions which are routinely monitored.	No change to document.
#94	Emily Curtis	Loddon Parish Council	Councillors consider it is important that a safety plan for flooding is taken into consideration for the safety of the residents on the boat.	Support noted.	No change to document.
#95	Emily Curtis	Loddon Parish Council	Councillors welcomed the policy regarding the necessity for facilities and services available for residential moorings, it is important for people living on land or water to have access to adequate services and facilities.	Support noted.	No change to document.
#96	Emily Curtis	Loddon Parish Council	Councillors raised concerns over the necessity of a register and have asked why it is necessary for this information to be held by the site owner?	The site owner will log who is on what mooring and whether they are residential moorings or other types of moorings they offer, just like any business would keep records. The Broads Authority would request to see this register from time to time to ensure that only the permitted number of boats are being lived on. It would be for the operator to ensure they kept their register in line with GDPR requirements. This approach is similar to the requirement that holiday accommodation operators have - to keep a log of those who stay, including the time period for periodic inspection by the Broads Authority, again to ensure the accommodation is being used as permitted.	Add some further explanatory text to this section: 7. Register A register of those boats being lived on will be required. The register of who lives on which boat will be maintained at all times and is made available for inspections <u>by the Broads Authority as part of monitoring of conditions set on any permission. The reason for keeping this register is to ensure that only the permitted number of boats are being lived on.</u>
#97	Emily Curtis	Loddon Parish Council	What purpose does holding this register have for site owners?		

Ref	Name	Organisation	Comment	BA response	Amendments
#98	Emily Curtis	Loddon Parish Council	Is this retention of register data inline with GDPR and should this information be held securely, and for what length of time the data be stored.		
#99	Emily Curtis	Loddon Parish Council	Why do the Broads Authority need to inspect this register?		
#100	Emily Curtis	Loddon Parish Council	We would note that management of any antisocial behaviour by occupants of residential boats is dependent on the quality of designated site manager and what further control measures could be put in place to help the site manager deal with anti-social behaviour?	Operators will no doubt use a contract that sets out the requirements of staying on a boat at their site, including why and how such contract could be terminated. Perhaps anti-social behaviour may be such a reason for termination of a contract. Also such behaviour can be reported to the police or Council just the same as one would if there was anti-social behaviour from those living in a house on land.	No change to document.
#101	Emily Curtis	Loddon Parish Council	Will the Broads Authority have the power to withdraw a site owners licence to accommodate residential boats in the event of recurrent anti social behaviour?	Planning permission, once granted, cannot be revoked like a licence might be. Anti-social behaviour by those living on their boats will be down to the management of the site. Anti-social behaviour will be dealt with in the same way it will be dealt with in any other sort of housing.	No changes to document.
#102	Rachel Card	NSBA	The Norfolk and Suffolk Boating Association (NSBA) thanks the Broads Authority for the opportunity to participate in consultation on the above planning policy guide. The NSBA has no comment to make with regard to the advice and policies in this document.	Noted.	No change to document.
#103	Paul Harris	SNDC and BDC	I note that the document is referred to as a Guide, and whilst it is expressly 'designed to help implement the policies of the Local Plan' and seeks to elaborate on the adopted Broads Local Plan Policy DM37 - New Residential Moorings, it does not appear that you intend to adopt the Guide as a Supplement Planning Document, with the status which that confers.	Correct. We have a few other guides as well: <a href="https://www.broads-authority.gov.uk/planning/planning-permission/design-guides">https://www.broads-authority.gov.uk/planning/planning-permission/design-guides</a>	No change to document.
#104	Paul Harris	SNDC and BDC	Overall the Guide contains a range of useful information; however, at various points throughout the document, it is not entirely clear what issues the Broads Authority consider to be material to determining planning applications, and what is useful background information. The document could give the impression that a significant amount of information will be required to support a	The purpose of the guide is to provide information to support the policy and requirements and advice that may be useful.	No change to document.



Ref	Name	Organisation	Comment	BA response	Amendments
			planning application, where this may not actually be the case.		
#105	Paul Harris	SNDC and BDC	Section 5 – Flood risk and Climate Change The aims of this section, to ensure that safety considerations are assessed as part of any Flood Risk Assessment and Flood Response Plan, are supported. The Guide relates this section to Local Plan Policies DM5 and DM37, but it is not clear how much of the suggested information would actually be required to support a planning application; if this information is being required for planning purposes, consideration needs to be given as to (a) how requirements will be monitored, (b) whether they are enforceable under planning legislation and (c) whether they might already be covered by other legislation.	This section generally copies over text from the Local Plan. However amendments following this consultation, as detailed at #23 and #24 provide greater detail. Also see response to #47.	See #23, 24 and 47.
#106	Paul Harris	SNDC and BDC	Section 6 – Management Plan Whilst it could be useful to condition a management plan as part of any planning permission, the list of issues covered would appear to extend beyond those related to the planning aspects of development; for example, conditioning a management plan that incorporates the ‘site rules’ or ‘terms and conditions’ could be requiring information that is largely concerned with non-planning issues. In addition, a number of the issues the Guide suggests the management plan could cover would appear to be seeking/requiring a level of detail that would not be required for a more regular residential development, even where that development has shared/communal/public space – the Guide does not make it clear why this level is required, and how it might be used to enforce a planning condition.	The points made are noted. And it is accepted that there is a level of detail set out in the guide, and required to help assess a planning application and this level of details goes beyond that which would be requested for a land based dwelling. However, as a unit of accommodation, residential moorings are different. Facilities required aren't routinely provided on sites which may be used for residential moorings (e.g. waste, pollution prevention, electricity) so we need to see how they will be provide. And there is a level of risk for example from drowning which is not usually present with bricks and mortar accommodation. The purpose of the guide is to prompt people to think about these things.	No change to document.
#107	Paul Harris	SNDC and BDC	Section 7 – Register Again the Guide does not make it clear why a register of who lives on each boat is required for residential moorings (as opposed to a register of the moorings themselves), this would only seem relevant if the Broads Authority was applying specific occupancy conditions to a site; however, this is not clear from the Guide.	Noted. See #96, 97, 98 and 99.	See #96, 97, 98 and 99.



Ref	Name	Organisation	Comment	BA response	Amendments
#108	Paul Harris	SNDC and BDC	Section 8 – Council Tax It is useful to highlight need to speak with relevant Local Authorities regarding Council Tax, although it may be worth highlighting that this does not affect the planning decision on a particular site.	This section gives information and provides links to find out more as well as advising operators to contact the relevant district. There is nothing in the text to say that we require the applicant to do something.	No change to document.
#109	Paul Harris	SNDC and BDC	Section 9 – Facilities This sets out a useful checklist for site providers. Again, what is not entirely clear is which of these issues could be material to any decision on a planning application e.g. car parking, or amenity space provision and which provides useful sources of background information e.g. methods of potable water supply.	Section 9.1 to 9.8 relate to topics quoted in the policy. The section is also quite clear in that it uses some examples from elsewhere, but to discuss the approach favoured by the operator with the Broads Authority. 9.9 refers to other facilities/extras to consider.	No change to document.
#110	Paul Harris	SNDC and BDC	In conclusion, the document contains a lot of useful information for the providers of residential moorings. By linking the document closely to adopted Local Plan Policy DM37, it gives the impression that the Guide is setting out the information that will be required to determine planning applications under that policy; however, in some instances this appears not to be the case. As such, it would be useful if the document were more clearly structured to emphasise that information which might be used to determine a planning application, and that information which is a useful resource to site providers about good practice and achieving the best quality of provision.	This is a summary comment and the issues raised have been addressed in previous comments.	See previous comments.
#111	Paul Fletcher	Beccles Parish Council	I realise that I have missed the deadline for responses on the above document, ( Neighbourhood Plan and Beccles Society have taken up too much of my time). Nevertheless, I thought that you might like to know that we felt that it was a very comprehensive all encompassing document and we had no adverse comments to make.	Support noted.	No change to document.

# Broads Authority

25 September 2020

Agenda item number 14

## Planning policy – Guide to understanding and addressing the impact of new developments on peat soil

Report by Planning Policy Officer

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### Summary

The Local Plan for the Broads includes a policy that seeks the reduction in the amount of peat that is excavated. The aim of the Peat Guide is to elaborate on the policy and help with its implementation.

### Recommendation

The draft Peat Guide be endorsed for public consultation.

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## 1. Introduction

- 1.1. The Local Plan for the Broads includes a policy that seeks the reduction in the amount of peat that is excavated. If peat is excavated, it requires that its special characteristics are assessed, recorded and considered when disposing of it. The draft Peat Guide seeks to elaborate on the policy and help with its implementation.
- 1.2. The draft Guide has been discussed at the September Planning Committee and comments are reported in section 4.

## 2. About peat

- 2.1. Peat is a finite resource and has many special qualities. It is one of the main soil types in the Broads and an important asset, providing many ecosystem services<sup>1</sup>.

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<sup>1</sup> The diverse benefits that we derive from the natural environment are sometimes referred to as ecosystem services. Examples of these services include the supply of food, water and timber (provisioning services); the regulation of air quality, climate and flood risk (regulating services); opportunities for recreation, tourism and education (cultural services); and essential underlying functions such as soil formation and nutrient cycling (supporting services). [Payments for Ecosystem Services: A Best Practice Guide](#)

- 2.2. The soils formed by the Broads wetland vegetation store 38.8 million tonnes of carbon<sup>2</sup>. Peat soils release stored carbon if they are drained and allowed to dry out. The protection of peat soils is therefore critical to help address climate change.
- 2.3. Peat soils support internationally important fen, fen meadow, reedbed, wet woodland and lake habitats. For example, milk parsley, the food plant of the Swallowtail caterpillar, tends to grow only on peat soils in the Broads.
- 2.4. Historic England has identified the Broads as an area of 'exceptional waterlogged heritage'. Because of the soil conditions in the Broads, there is great potential for archaeology to be well preserved, giving an insight into the past.
- 2.5. The peat has accumulated over time and incorporates a record of past climatic and environmental changes that can increase knowledge of the evolution of the landscape.
- 2.6. Peaty soils help prevent flooding by absorbing and holding water like a sponge as well as filtering and purifying water.

### 3. About the guide

- 3.1. The Peat Guide is about understanding and addressing the impacts of new developments on peat soils. It relates to policy DM10 in the Local Plan for the Broads. This is effectively a 'reduce, re-use, recycle' policy in relation to the excavation of peat.
- 3.2. The Guide goes through different stages that aim to make sure the minimal amount of peat is excavated, its special qualities are considered and addressed, and it is disposed of in a way that does not turn it from a carbon sink to a carbon source. The three stages are: Assessing if the site to be developed is on peat soil; Developing on or removing peat; and Things to do if your development will be affecting peat soils.

### 4. Planning Committee – September 2020

- 4.1. The Peat Guide was discussed at the September Planning Committee. The key points made are as follows:
  - 4.1.1. The title may be confusing. Could it refer to excavating peat? **The policy and guide seek to reduce the amount of peat excavated in the first place. So it is not just about excavation. As for the title, perhaps a better title may come apparent during consultation.**
  - 4.1.2. The guide does not talk about offsetting. **Off-setting may be being looked at by the Authority as a wider initiative, but it is not meant to be addressed in the Guide. One of the reasons for the Guide is to reduce the amount of peat that is excavated, and**

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<sup>2</sup> NCA Profile 80, Natural England and the Broads Authority's Carbon Reduction Strategy: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0011/400052/Carbon-reduction-strategy.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0011/400052/Carbon-reduction-strategy.pdf)

**that if peat is excavated, for the special qualities of peat to be addressed appropriately.**

- 4.1.3. One Member provided some background to peat in the wider Anglian area, expressing concern about its loss.
- 4.2. The Planning Committee endorsed the Guide and recommended that it be consulted on.

## **5. About the consultation**

- 5.1. The consultation will run for 8 weeks, likely to be from 25 September to 20 November. We will advertise the consultation in the Eastern Daily Press and on social media, and contact people on our Local Plan consultation database. Due to Covid-19 restrictions, we will not make a copy of the document available for inspection at our head office or other public venues; however, we will send a paper copy free to anyone on request. People will also be able to call the Planning Policy Officer to discuss the document.

Author: Natalie Beal

Date of report: 11 September 2020

Appendix 1 – Draft Peat Guide for consultation

## Guide to understanding and addressing the impact of new developments on peat soil

**Draft for second consultation  
Xxx 20202 to xxx 20202**

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# 1. Introduction

Historically peat was extracted for fuel. The diggings were eventually abandoned and left to flood creating the shallow stretches of water now known as the broads (lakes). Today peat is considered as a finite and precious resource. In the Broad, development can take place in areas where peat might be developed on, excavated or removed.

Peat is formed from plant material that decays slowly in a waterlogged environment. Over thousands of years, peat becomes several metres thick. Because the main component is organic matter, peat is very spongy, highly compressible, and combustible. Here we use the definition used by soil scientists who define peat as organic soil with organic content of greater than 35% organic matter.

Peat soils have many important qualities (see section 3). The Local Plan for the Broad includes a policy (see [Appendix A](#)) that aims to reduce the impact on these important qualities by reducing the amount of peat removed. It goes on to ensure that any peat excavated is disposed of in a way that takes into consideration and protects its properties and qualities.

This guide provides additional information to help applicants meet the requirements of the policy. The process for considering schemes that are located on peat is as follows and this guide talks through the stages in more detail.

Stage	Section of this report
A. Assess if the scheme/proposal is situated on peat	Section 4
B. Does the scheme need to go there? What other locations could be considered?	Section 5
C. Can you reduce the amount of peat affected? Consider the format, scale and layout of the proposal.	Section 5
D. Can you justify why the scheme should go ahead?	Section 5
E. How have you considered and addressed archaeology, biodiversity, research (paleo-environment data), water and carbon qualities of the peat?	Section 6
F. Can you dispose of peat on site so it does not emit the carbon locked in?	Section 6
G. Can left over peat be used in other schemes in the area?	Section 6

Stage	Section of this report
H. Can left over peat be put to a suitable re-use?	Section 6

## 2. Consultation

This consultation document and consultation process have been developed to adhere to the Broads Authority's Statement of Community Involvement<sup>1</sup>. We have updated our Statement of Community Involvement. The main changes to how we intend to consult on this document are as follows:

- If you wish to discuss the document, you can still call on 01603 610734 and ask to speak to Natalie Beal. You can also contact Natalie Beal to request a video conference appointment to talk about the document.
- No hard copies will be in libraries.
- No hard copies will be in Yare House<sup>2</sup>.
- If you wish to have a hard copy, we can send this to you. This will initially be for free, but if we get many requests, we may have to consider charging for postage and printing. Please contact the number above to ask to speak to Natalie Beal to request a hard copy.

The second consultation on this document is for **x weeks from xxxx to xxxx**. We will then read each of the comments received and respond. We may make changes if we agree with you. If we do not make changes we will set out why. The final Guide will be adopted at a future meeting of the Broads Authority. Please email us your comments: [planningpolicy@broads-authority.gov.uk](mailto:planningpolicy@broads-authority.gov.uk).

Information provided by you in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), and the Environmental Information Regulations 2004). Please see [Appendix B](#) for the Privacy Notice. We will make your name and organisation public alongside your comment.

<sup>1</sup> Current Statement of Community Involvement is here [https://www.broads-authority.gov.uk/data/assets/pdf\\_file/0024/209337/Final\\_adopted\\_SCI\\_formatted\\_July\\_2020.pdf](https://www.broads-authority.gov.uk/data/assets/pdf_file/0024/209337/Final_adopted_SCI_formatted_July_2020.pdf)

<sup>2</sup> Whilst this Guide is not a local plan or SPD, we still consult in the same way as we would those documents. The Government recently amended regulations saying that until 31 December 2021, Local Planning Authorities do not need to make hard copies of planning documents available in head offices or other venues.



Are you satisfied that this consultation has followed the Consultation Principles? If not, or you have any other observations about how we can improve the process, please contact us at [planningpolicy@broads-authority.gov.uk](mailto:planningpolicy@broads-authority.gov.uk).

### 3. Why should we protect peat?

Peat is one of the main soil types in the Broads and an important asset with important qualities, providing many **ecosystem services**<sup>3</sup>.

The soils formed by the Broads wetland vegetation store 38.8 million tonnes of carbon<sup>4</sup>. Peat soils release stored **carbon** if they are drained and allowed to dry out. The protection of peat soils is therefore critical to help address climate change.

Peat soils support internationally important fen, fen meadow, reedbed, wet woodland and lake **habitats**. For example, milk parsley, the food plant of the Swallowtail caterpillar, tends to grow only on peat soils in the Broads.

Historic England has identified the Broads as an area of 'exceptional waterlogged heritage'. Because of the soil conditions in the Broads, there is great potential for **archaeology** to be well preserved, giving an insight into the past.

The peat has accumulated over time and incorporates a **record** of past climatic and environmental changes that can increase knowledge of the evolution of the landscape.

Peaty soils help prevent flooding by absorbing and holding **water** like a sponge as well as filtering and purifying water.

### 4. Assessing if the site to be developed is on peat soil – Stage 1.

#### 4.1. The British Geological Society Peat Layer

The British Geological Society peat layer (which is accessible through our internal mapping system and here: <http://mapapps.bgs.ac.uk/geologyofbritain3d/>) is the starting point, but it is not accurate in all locations, particularly around the boundaries of the peat shown. We would use this mapping system to check if a site is located on peat soils. A map showing the British Geological Society peat layer is at [Appendix B](#).

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<sup>3</sup> The diverse benefits that we derive from the natural environment are sometimes referred to as ecosystem services. Examples of these services include the supply of food, water and timber (provisioning services); the regulation of air quality, climate and flood risk (regulating services); opportunities for recreation, tourism and education (cultural services); and essential underlying functions such as soil formation and nutrient cycling (supporting services). [Payments for Ecosystem Services: A Best Practice Guide](#)

<sup>4</sup> NCA Profile 80, Natural England and the Broads Authority's Carbon Reduction Strategy: [www.broads-authority.gov.uk/data/assets/pdf\\_file/0011/400052/Carbon-reduction-strategy.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0011/400052/Carbon-reduction-strategy.pdf)

#### **4.2. The need for sampling**

If you (the applicant) disagree that your site is on peat soils, we will ask you to undertake soil core sampling. If your site is towards the edge of an area of peat (either inside or outside of the area) as shown on the BGS maps, we may ask you to obtain soil core samples<sup>5</sup>.

#### **4.3. How to take samples**

Where soil core samples are required, these samples would be to the depth of the proposed excavation. You should use a specialised soil corer or spade or excavator depending on the depth and area/volume of the scheme proposals. If the development is going to involve shallow excavation (0-30cm) or the proposals will cover peat, surface examination with a spade is sufficient. Development that will excavate to a greater depth (deeper than 30cm) will need a core sample. There may need to be multiple cores depending on the extent of the proposed scheme and the location. The depth and number of core samples will be agreed with the Authority in advance.

Please note that at the time of writing, there are wider discussions nationally regarding the potential to standardise how peat is assessed. Such standard, as and when it is in place, will be of relevance when considering schemes located on peat.

#### **4.4. Using suitable experienced Consultants or Contractors**

You may wish to engage the help of a consultant/contractor who is expert/experienced in soils and soil cores. There are numerous consultants/contractors listed on the internet. We are aware that taking cores of peat will result in a cost to you the applicant. The number of cores required and depth, as discussed previously, will be proportionate and will be agreed with the Broads Authority.

Costs will vary for different consultants.

#### **4.5. Reporting your findings.**

A report setting out the method used, including photographs of the soil cores and an assessment of the soil stratigraphy (layers) is required for submission to the Broads Authority to accompany planning applications. A minimum assessment would need to include datum level of the top of the ground surface where the core was collected; general description of the core stratigraphy and depths where distinct layers start and finish; detailed characterisation of each distinct layer, e.g. soil classification type; organic matter and mineral content of the layers may be required to identify degraded or peat mixed with other materials within the profile.

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<sup>5</sup> Please note that both Norfolk and Suffolk Historic Environment Record Services have confirmed that they do not consider the taking of cores as a concern due to the relative size of the cores. The knowledge-gain obtained from the cores will in most cases outweigh any adverse impact.

Ultimately it will conclude if the soil to be affected is peat soils. Again, the report would be proportionate to the size and scale of the scheme.

Please note that the document will be public and will be shared with Norfolk and Suffolk Historic Environment Records Services and Norfolk and Suffolk Biodiversity Information Services for their records. It will also be passed on to Cranfield University who hold the national survey data.

#### 4.6. Other sources of data

The Authority is in the process (at the time of writing) of commissioning work to produce more detailed peat mapping. This may be considered, when it is completed, in assessing if a site may or may not be on or near to peat. But until that point, the British Geological Layer will be the starting point, as discussed at 4.1.

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## 5. Developing on or removing peat – Stage 2

### 5.1. Consider the location of your scheme

The Authority's preference is not to develop on, excavate or remove peat. As such, can your scheme go elsewhere?

- a. Why does the development have to go where it is proposed?
- b. What **alternative locations** have you considered? Why have you discounted these alternative locations?

If there are no other suitable **locations** for the proposal that are not on peat soils, and you can evidence this and justify your conclusion, the next stage is to **reduce** the amount of peat that is developed.

### 5.2. Consider the layout and scale of your scheme

It may be that another part of your site is not peat soils. The **layout** of your development could be changed to avoid developing on or excavating peat soils. The **scale** of the development or part of the development on peat soils could be reduced.

- c. How can you reduce the amount/volume of peat that is to be developed? Please provide details. If you cannot reduce the volume, please say why.
- d. How can you change the **layout** of development to reduce the amount of peat soils affected? Please provide details. If you cannot change the layout, please say why.
- e. How can you reduce the **scale** of development to reduce the amount of peat soils affected? Please provide details. If you cannot change the scale, please say why.
- f. If amending the layout/scale of the site is not feasible, practical or viable and you intend to still develop on peat soils, you need to provide a robust justification for doing so.
- g. What volume of peat (m<sup>3</sup>) will be excavated? How is this different to your initial plans?

**When planning your scheme, you must consider what will be done with the left over peat/material. You need to be aware that if you intend to move the peat off site, you may need an Environmental Permit.**

## 6. Things to do if your development will be affecting peat soils – Stage 3.

If you have gone through the steps set out in the document and you can justify thoroughly why peat soils will be developed then you need to address the following.

### 6.1. Archaeology

Contact Norfolk or Suffolk Historic Environment Records Services to find out if there is any potential for archaeology. The following links may be of use:

- Norfolk Heritage Explorer: This website offers a unique opportunity to access an abridged version of the Norfolk Historic Environment Record database online.  
<http://www.heritage.norfolk.gov.uk/>
- Heritage gateway: <https://www.heritagegateway.org.uk/gateway/chr/>
- Suffolk Heritage Explorer: <https://heritage.suffolk.gov.uk/simple-search>
- Suffolk Historic Environment Record is a collection of information about the nature and location of archaeological sites in Suffolk: <https://www.suffolk.gov.uk/culture-heritage-and-leisure/suffolk-archaeological-service/what-is-the-historic-environment-record/>

- h. How have you considered and addressed archaeology on this site?
- i. Is there potential for archaeological finds on this site?

### 6.2. Research - Climatic records (paleo-environment) and geodiversity

The cores you extract (and associated report), the peat you excavate and/or the 'pit' that is the result of excavation might be of interest to several people/organisations. Such organisations include Universities, British Geological Survey, British Soil Society, Cranfield University, Norfolk and Suffolk Biodiversity Information Services, Norfolk and Suffolk Historic Environment Record Services and Norfolk Geodiversity Partnership.

We will share information (in line with GDPR) of schemes that we permit on peat with these organisations. They may contact you to arrange to visit the site when it is being excavated. We will also share any information provided by you (such as core reports) with organisations. The Authority does not consider this a burden on you. The sharing of information or allowing pits to be visited at a mutually convenient stage of the process are in the interest of helping with research and education. You will be able to arrange visits at a suitable time for you.

### 6.3. Biodiversity

One of the three main purposes of the Broads Authority is to conserve and enhance the natural beauty, wildlife and cultural heritage of the Broads.

The peat soils of the Broads support some of the most important habitats for wildlife conservation including fen, fen meadow, reedbed, wet woodland and the shallow lakes or 'Broads'. A quarter of the rarest species in the UK are found here.

These peaty habitats are recognised for their exceptional nature conservation importance, and hold conservation designations on national and international levels<sup>1</sup>. Outside of these designated areas peat habitats are still considered to be or have the potential to be restored to high biodiversity value, providing important habitat corridors for wildlife across the National Park and beyond.

The Natural Environment and Rural Communities (NERC) Act 2006 requires government departments to have regard to the purposes of conserving biodiversity. This may include enhancing, restoring or protecting a population or a habitat. In the Broads the habitats above are recognised under the NERC act as Section 41 / Biodiversity Action Plan (BAP) habitats. These areas should be protected and restored, with no loss to development.

The usual planning process will be followed in terms of habitat surveys, seeking biodiversity enhancements and, when the details are finalised, any requirement of biodiversity net gain.

j. How have you considered the biodiversity enhancement options on your peat site?
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#### 6.4. What to do with the excavated peat

You need to identify and explain as part of your peat report, how the peat excavated from your scheme will be re-used or disposed of. Peat will need to be re-used or disposed of in a way that ensures it keeps its important qualities. There are two ways to do this. The first, and this is the preference, is to re-use the peat so it stays wet. The second, and this is least preferred, is beneficial re use of peat that may result in it drying out, but make use of its qualities. These are discussed in more detail in the next sections.

##### 6.4.1. Re-using peat on your site

The peat needs to go somewhere it will be kept wet. It cannot be left piled up to dry out. If it dries out then it becomes a source of carbon dioxide and this is something we need to avoid.

Are there any voids on your site and could the peat go there? Are there any areas of your site that have sunk that could receive your peat (although see the land raising policy DM17)?

- i. These voids could be behind quay heading or underneath decking (subject to a suitable retainer) for example.
- ii. The receiving void will need to ensure the peat is kept wet for the long-term.

- iii. You will need to mark receiving areas on a plan that shows the anticipated volume of peat these receiving areas can take. Peat is very wet and the actual volume of excavated peat could realistically be greater than anticipated.
- iv. You will need to talk to your contractor about the relocation of the peat. It is important to note that this is a new approach and contractors are used to drying out the peat so the volume of material is reduced, which must be prevented. They may also have suggestions on how and where to dispose of peat.
- v. You will need to prepare the receiving areas before you excavate the peat. This is because you will need to put the peat in these receiving areas before the peat dries out. The time period for this depends on the season. The Authority acknowledges that excess water may need to drain away so the material is manageable; we are advised that 14 days to allow excess water to drain is acceptable. We will need to understand and agree the timeframe for moving peat, once drained.
- vi. You may need to place a tarpaulin over the peat to prevent it drying between excavation and backfilling or depositing the peat.
- vii. We will require you to tell us when you will be excavating so we can come and check on the progress and the method.

- k. Where do you intend to dispose of the excavated peat soils on site? Please show on a plan with anticipated volume of each receiving area.
- l. How will these areas ensure the peat is kept wet?
- m. When will the receiving areas be ready to receive peat soils? What is the time-period between excavation and backfilling/depositing? Have you arranged for the peat to be covered with tarpaulin for this period?

#### 6.4.2. Re-use of peat

The Authority accepts that peat can be used in a way that uses its qualities. This will only be considered when disposal/use on site or elsewhere (that keeps the peat wet) is not possible. The rationale for requesting re-use of peat must be accepted by the Authority before it is developed further. Alternatively, if suitable disposal can be found for some of the excavated material but not all, the remaining amount could be used..

It is acknowledged that re-use will probably result in the CO<sub>2</sub> being held in the peat being emitted which although is undesirable, the re-use will at least provide other advantages such as improving soil for local food growing and reducing food miles.

The main way to dispose of/re-use the peat is to incorporate it into agricultural land or local allotments. There is also the potential to dispose of some peat into soak dykes. Again, you will need to consider the Environmental Permitting section of this guide – 6.5.

In terms of re-use, you may want to speak to the following organisations to see if they or their associates are willing to receive and make use of the excavated material. They may be able to make a use out of the peat. These are in no particular order. Please also see the Environmental Permitting section of the guide.

- **Local allotment associations.** Contact the local Parish/Town Council for details of local allotment associations. They may be willing to receive some peat for the members to then use on their plots.
- **Norwich Farm Share's** vision is to support food systems that educate, connect and empower local communities to be healthier and more resilient, to be rooted to the land and to each other, and to experience a direct relationship with how our food is produced.
- **National Farmers' Union (East Anglia).** Probably for large quantities of peat, but get in touch with the NFU to discuss the potential for a farmer to make use of the peat.
- **Wayland Prison, working with Greener Growth CIC.** They are recovering two unused poly-tunnels to create a commercial herb-growing project. From this they will be able to provide transferable skills to residents within the Prison and create a space that will help with residents' wellbeing.
- **Crangleford community food growing.** Small-scale growing vegetables with a small poly-tunnel and raised beds. Working with lots of volunteers and getting children involved in the project.

It will be for the applicant to contact the organisations above regarding the potential for re-use of peat. The receiver may need assurances of the physical and chemical quality of the material. In terms of transporting the peat, that will need to be something that the applicant discusses with the receiver as well as timing of delivery and volume they will be willing to receive.

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| <ul style="list-style-type: none"><li>n. Have you contacted any operators to see if they are willing and able to receive and use the excavated peat?</li><li>o. Have you contacted local allotment organisations to see if they can make use of the peat?</li><li>p. Have you looked into the need for an Environmental Permit for moving the excavated peat off site for re-use?</li><li>q. What is the contingency plan for any peat left over after reducing the amount of peat excavated in for the first place, using the peat on site so it keeps wet, using the peat locally so it keeps wet and re-use of the peat?</li></ul> |
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#### 6.4.3. Disposing of peat - elsewhere

If there is nowhere on your site suitable then you may wish to talk to your neighbours to see if they have anywhere to dispose of your peat so it remains wet – again, under decking or backfilling for example.

There may be other areas locally that could receive the peat and keep it wet – for example, schemes planned by the Environment Agency, Norfolk or Suffolk Wildlife Trust and the Broads Authority<sup>6</sup> as well as other local contractors. You will need to discuss this option with the Broads Authority.

It is acknowledged that moving the peat elsewhere will emit greenhouse gasses, but see section 6.8 about transporting peat and associated emissions.

In all instances, you will need to consider the need for Environmental Permits (see 6.5) and also respond to the bullet points above. The receiving site may require planning permission as well.

If there is nowhere in your local area where peat could be disposed of in a way that keeps it wet then it is worth rethinking whether you should proceed with your development. The cost of transporting wet peat soil and obtaining a waste licence can be significant.

- r. Have you contacted neighbouring landowners or Operational teams in the Environment Agency, Norfolk and Suffolk Wildlife Trust and Broads Authority to check what local opportunities may exist for receiving peat and keeping it wet?
- s. How have you discussed your approach to dealing with the excavated peat with your contractor? Have they confirmed the approach is feasible?
- t. Have you looked into the need for an Environmental Permit for moving the excavated peat offsite?

#### 6.5. Moving peat - Environmental Permitting

Excavated peat that you no longer require for use on the same premises will likely be considered waste. If it is intended to reuse the waste peat at another location please be minded that the reuse may be subject to regulation by the Environment Agency.

You can find more information about environmental permits and waste exemptions granted by the Environment Agency here <https://www.gov.uk/topic/environmental-management/environmental-permits>.

If, after reading the information about permits and waste exemptions you are still unsure as to whether a permit or other regulatory control is required contact the Environment Agency

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<sup>6</sup> When we receive applications for development on peat that involved excavating material, we will circulate the details of the scheme internally as the Operations team may be aware of schemes that need material.

Customer Enquiries Team on 03708 506506 or send an email to [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)

The information the Environment Agency requires to assist with identifying the appropriate regulation should include as a minimum, a description of the waste, in this case peat, the volume of material in tonnes, and a description of the intended use e.g. spreading on an agricultural field.

If you pass on your waste to a third party you should make sure that the carrier of the waste is registered as a waste carrier and that the carrier provides you with documentation identifying the movement; most commonly a waste transfer note. If you are in doubt as to the legitimacy of the waste carrier you can check their validity on the Environment Agency's public register here <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers> or alternatively contact the Environment Agency Customer Enquiries team.

- u. If you are moving peat soils from site, how have you ensured you are going to be in accordance with Environmental Permitting requirements?

#### 6.6. Moving peat - Biosecurity

Biosecurity refers to a set of precautions that aim to prevent the introduction and spread of harmful organisms. These include non-native tree pests, such as insects, and disease-causing organisms, called pathogens, such as some bacteria and fungi. When moving material, such as peat soils and associated vegetation from site to site, an assessment of the risk to spreading disease and non-native species and their propagules (such as seeds and roots) needs to be considered.

To prevent the spread of invasive, non-native plants, you must not cause certain invasive and non-native plants to grow in the wild. This can include moving contaminated soil or plant cuttings. You can be fined or sent to prison for up to 2 years. Further details:

<https://www.gov.uk/guidance/prevent-the-spread-of-harmful-invasive-and-non-native-plants>

<https://www.gov.uk/government/publications/treatment-and-disposal-of-invasive-non-native-plants-rps-178>.

- v. If you are moving peat soils from site, how have you addressed biosecurity?

#### 6.7. Proposals that deposit material on peat/develop over peat

This guide has tended to address scenarios where peat is removed. It could be that, for example, a car park is developed on peat so the peat is covered by tarmac or concrete. There are also instances in the Broads where excavated material has been disposed of on peat causing significant soil compaction and habitat damage.

In terms of developing over peat, there may be a need for some element of digging or piling and the peat policy and this guide will still apply. In general, however, other than the impact of removing the existing surface of the peat (which could be a habitat and therefore other policies/Acts come into force as set out in this guide) the other qualities of the peat are not adversely affected.

In terms of disposing of excavated material from elsewhere on peat, Policy DM18 of the adopted Local Plan relating to Excavated Material is of relevance.

So, schemes that do not necessarily excavate peat, but develop over peat may have a negative impact on peat. As applications are determined, this impact will be a key consideration.

#### **6.8. Transporting peat - emissions**

Please note that the amount of carbon dioxide that peat can emit if dried out is very much more than the motor vehicle emissions associated with loading and moving peat elsewhere, locally, even considering the return journey of the particular vehicle.

Peat, if dried out, will emit 174kg of CO<sub>2</sub> per cubic metre of peat. This is a UK wide average figure and a standard estimate developed by Richard Lindsay of University East London for the RSPB. The actual amount of CO<sub>2</sub> of peat at a given site will vary, as peat is a spectrum and the wetter and more mineral the peat, the less CO<sub>2</sub> in a cubic metre.

A mid-sized HGV (rigid, up to 17 tonnes) has emissions of 0.88kgCO<sub>2</sub>/mile empty, 1.01kgCO<sub>2</sub>/mile 50% loaded, and 1.13kgCO<sub>2</sub>/mile 100% loaded.

Using excavated peat of 20 cubic metres as an example: The peat will emit 3.5 tonnes of CO<sub>2</sub> if left to dry out. Presuming the vehicle used to transport the peat off site is fully loaded and comes back empty (so double miles) (and excluding the fuel used to load and unload the vehicle), it is estimated that the peat can be moved up to 1,500 miles to result in less CO<sub>2</sub> emitted than if the peat is left to dry out.

We therefore consider moving peat to another area locally where it will be kept wet, subject to environmental permitting, is an option for disposing of excavated peat.

## 7. Key messages

- Peat has many important qualities and is a valuable resource.
- The Broads Authority aims to leave peat in situ.
- Schemes need to thoroughly justify why peat may be excavated.
- If a scheme needs to remove peat, it needs to be the minimal amount.
- The layout and scale of development and peat affected needs to be considered.
- If peat is excavated its properties need to be considered and protected.
- We will put organisations interested in peat (in terms of the properties, research and paleoenvironment) in touch with you.
- Any excavated peat needs to be placed in areas where it will remain wet.
- If this can't be achieved, you need to consider re-use of peat.
- You need to think about environmental permitting and biosecurity when moving soil off site.
- We urge all applicants to take advantage of our free pre-application advice.

## 8. Helpful links and where to go to get advice

NCA Profile: 80 The Broads (NE449), Natural England:

[publications.naturalengland.org.uk/publication/11549064](https://publications.naturalengland.org.uk/publication/11549064)

Positive Carbon Management of Peat Soils, Broads Authority: [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0010/416494/BA\\_PeatCarbonManagement.pdf](https://www.broads-authority.gov.uk/_data/assets/pdf_file/0010/416494/BA_PeatCarbonManagement.pdf)

Peatlands and Climate Change, Worrall et al, Scientific Review, December 2010: [www.iucn-uk-peatlandprogramme.org/sites/www.iucn-uk-peatlandprogramme.org/files/Review%20Peatlands%20and%20Climate%20Change,%20June%202011%20Final.pdf](https://www.iucn-uk-peatlandprogramme.org/sites/www.iucn-uk-peatlandprogramme.org/files/Review%20Peatlands%20and%20Climate%20Change,%20June%202011%20Final.pdf)

Fen Plant Communities of Broadland. Results of a Comprehensive Survey 2005-2009 (Broads Authority and Natural England): [www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0006/416391/Fen-plant-report-summary.pdf](https://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/416391/Fen-plant-report-summary.pdf)

Wetland and Waterlogged Heritage Survey NHPP Activity 3A5, Historic England, 2011 to 2015: [historicengland.org.uk/research/research-results/activities/3a5](https://historicengland.org.uk/research/research-results/activities/3a5)

## Appendix A – Adopted Policy DM10 Peat Soils

See map: Appendix B: Location of peat soils

Sites of peat soils will be protected, enhanced and preserved. Where development is proposed on sites within the areas on the map, it may be necessary for an evaluation to be submitted to assess the impact of the proposal in relation to palaeoenvironments, archaeology, biodiversity provision and carbon content.

There will be a presumption in favour of preservation in-situ for peat, and development proposals that will result in unavoidable harm to, or loss of, peat will only be permitted if it is demonstrated that:

- i. There is not a less harmful viable option;
- ii. The amount of harm has been reduced to the minimum possible;
- iii. Satisfactory provision is made for the evaluation, recording and interpretation of the peat before commencement of development; and
- iv. The peat is disposed of in a way that will limit carbon loss to the atmosphere

Development that seeks to enhance biodiversity but may result in some peat removal will still need to demonstrate the criteria i to iv and that the biodiversity benefit will outweigh carbon loss.

Proposals to enhance peat and protect its qualities will be supported.

### Reasoned justification

Peat is an abundant soil typology in the Broads and an important asset, providing many ecosystem services:

- **Climate change:** The soils formed by the Broads wetland vegetation store 38.8 million tonnes of carbon<sup>7</sup>. Peat soils release previously stored carbon when they are dry. UK peats therefore represent both a threat and an opportunity with respect to greenhouse gas emissions. Correct management and restoration could lead to enhanced storage of carbon and other greenhouse gases in these soils, while mismanagement or neglect could lead to these carbon sinks becoming net sources of greenhouse gases.
- **Biodiversity:** Peat soils support internationally important fen, fen meadow, wet woodland and lake habitats. 75% of the remaining species-rich peat fen in lowland Britain is found in the Broads. Milk parsley, the food plant of the Swallowtail

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<sup>7</sup> NCA Profile 80, Natural England and the Broads Authority's Carbon Reduction Strategy:  
[www.broads-authority.gov.uk/data/assets/pdf\\_file/0011/400052/Carbon-reduction-strategy.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0011/400052/Carbon-reduction-strategy.pdf)

caterpillar, grows only on peat soils. Fen orchids have their UK stronghold in the Broads so the peat soils are critical for the survival of this species. Other rare and important plant and invertebrate communities (collection of species) are supported by the peaty soils.

- **Archaeology:** Historic England has identified the Broads as an area of **exceptional waterlogged heritage**. Because of the soil conditions in the Broads, there is great potential for archaeology to be well preserved, giving an insight into the past. Archaeology is discussed in more detail in the Heritage section of this Plan.
- **Palaeoenvironments:** The peat has accumulated over time and thus incorporates a record of past climatic and environmental changes that can be reconstructed through, for example, the study of its stratigraphy and pollen content, leading to increased knowledge of the evolution of the landscape.
- **Water:** Peaty soils help prevent flooding by absorbing and holding water like a sponge as well as filtering and purifying water. Peat can absorb large quantities of nutrient and other pollutants, although peat soils can under certain conditions release these chemicals back into the surrounding water.

While there is a certain irony in protecting the peat soils in an area where the lakes originated from peat extraction, peat is a finite resource. Land management that could impact on the quality of the peat soil includes land drainage, introduction of polluted water, burying the peat under hard surfaces or gardens, compacting peat and peat removal to change the land use.

Lowland fen is a priority habitat under the UK Biodiversity Action Plan and the EU Habitats Directive because of the quality and diversity of species it supports. Peat is not a habitat that can be recreated elsewhere as the deep soils take many thousands of years to form.

On occasion, for nature conservation benefits, peat can be removed to create shallow turf ponds or scrapes (areas of temporary open water) on areas of fen or scrub habitat to maximise the biodiversity value and hold back succession to woodland habitat. The removal of peat can also be necessary for conservation management – for example, the most biodiverse areas of UK fen occur on areas where the turf has been stripped and vegetation subsequently grown back. This policy allows for such operations, provided they can justify the proposal against the criteria set out in the policy.

The NPPF and NPPG only mention peat soils in relation to its excavation as a mineral resource, rather than the issue in the Broads relating to impact due to groundworks from development and inappropriate land management.

The policy seeks protection of peat soils through changes in the location of development in the first instance and then designing proposals to minimise disturbance to the qualities of

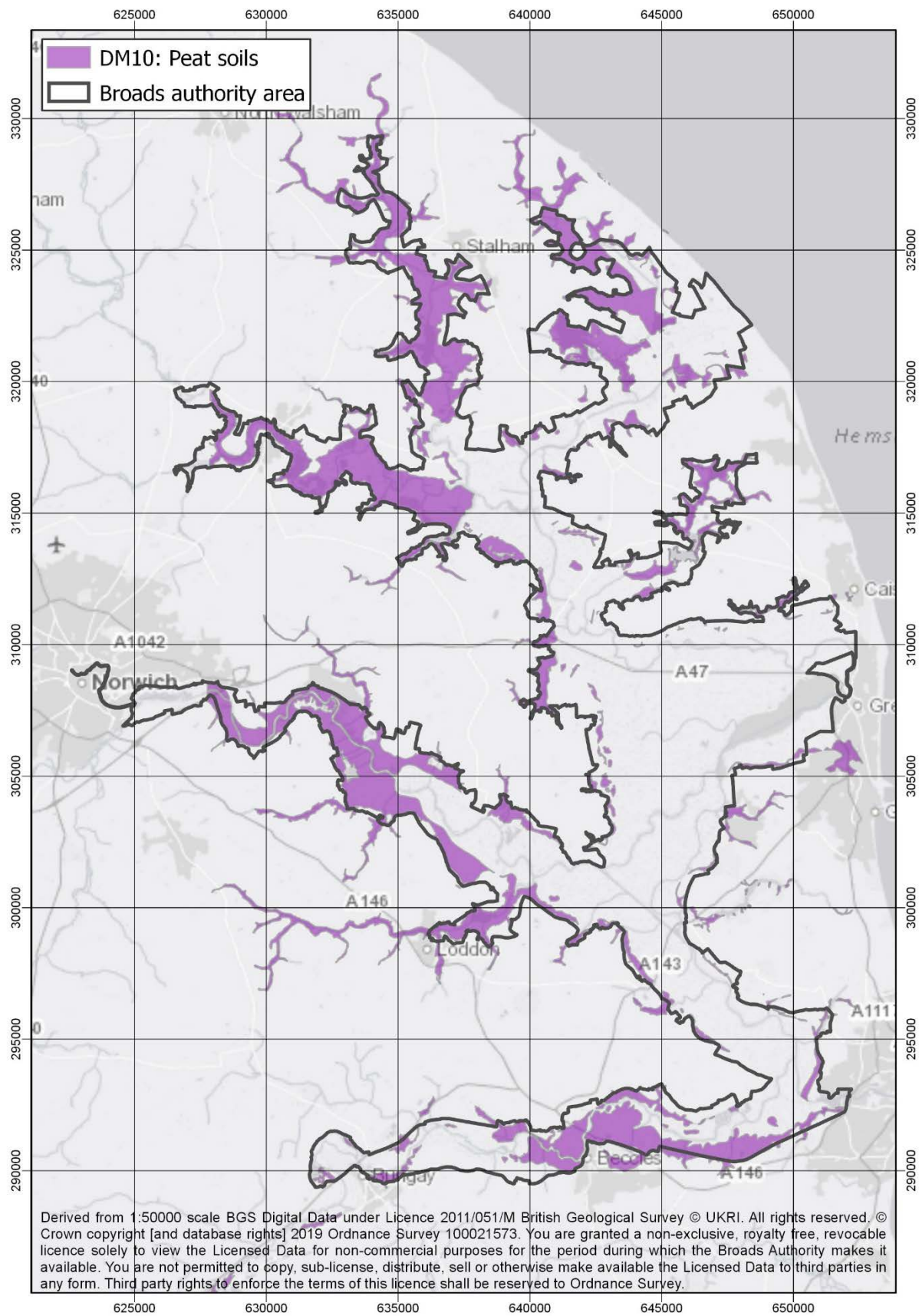
the peat and the amount of peat removed. Development proposed on areas of peat would require justification for the need to site the development on peat, and subsequently a peat assessment that shows how efforts have been made to reduce adverse impacts on peat. Proposals that would result in removal of peat are required to assess the archaeological and paleoenvironmental potential of peat and make adequate recordings prior to removal.

To prevent the loss of carbon to the atmosphere that is sequestered in peat soils, disposal is of great importance. The Authority expects peat to be disposed of in a way that maintains the carbon capture properties. Peat needs to go somewhere where it can remain wet (and hence retain its function to lock up carbon and prevent it being released into the atmosphere) or potentially provide a seedbank (the potential for ancient peat to provide a viable seedbank may need to be evidenced) or be reused for local benefit (for example by boosting organic matter in degraded arable soils). When dry, peat changes its properties and oxidizes, so transfer to the receiving site would need to be immediate.

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## Appendix B – Map of peat





## Appendix C – Peat report template

### About the planning application/scheme

Planning Application Number:	
Address:	
Summary of application:	

### About this report

Report produced by:	
Date of report:	

### If you have completed on site peat assessments

Have you completed coring samples of the site?	
Provide details of how the coring was carried out and what the findings are. This could be a cross reference to the report.	

### About your development proposal

a. Why does the development have to go where it is proposed?	
b. What <b>alternative locations</b> have you considered? Why have you discounted these alternative locations?	
c. How can you reduce the amount/volume of peat that is to be developed? Please provide details. If you cannot reduce the volume, please say why.	
d. How can you change the <b>layout</b> of development to reduce the amount of peat soils affected? Please provide details. If you cannot change the layout, please say why.	

e. How can you reduce the <b>scale</b> of development to reduce the amount of peat soils affected? Please provide details. If you cannot change the scale, please say why.	
f. If amending the layout/scale of the site is not feasible, practical or viable and you intend to still develop on peat soils, you need to provide a robust justification for doing so.	

#### About the peat that is to be excavated

g. What volume of peat (m <sup>3</sup> ) will be excavated? How is this different to your initial plans?	
----------------------------------------------------------------------------------------------------------	--

#### Addressing the special qualities of peat

h. How have you considered and addressed archaeology on this site?	
i. Is there potential for archaeological finds on this site?	
j. How have you considered the biodiversity enhancement options on your peat site?	

#### Disposal of the excavated peat

k. Where do you intend to dispose of the excavated peat soils on site? Please show on a plan with anticipated volume of each receiving area.	
l. How will these areas ensure the peat is kept wet?	
m. When will the receiving areas be ready to receive peat soils? What is the time-period between excavation and backfilling/depositing? Have you	

arranged for the peat to be covered with tarpaulin for this period?	
n. Have you contacted any operators to see if they are willing and able to receive and use the excavated peat?	
o. Have you contacted local allotment organisations to see if they can make use of the peat?	
p. Have you looked into the need for an Environmental Permit for moving the excavated peat off site for re-use?	
q. What is the contingency plan for any peat left over after reducing the amount of peat excavated in for the first place, using the peat on site so it keeps wet, using the peat locally so it keeps wet and re-use of the peat?	
r. Have you contacted neighbouring landowners or Operational teams in the Environment Agency, Norfolk and Suffolk Wildlife Trust and Broads Authority to check what local opportunities may exist for receiving peat and keeping it wet?	
s. How have you discussed your approach to dealing with the excavated peat with your contractor? Have they confirmed the approach is feasible?	
t. Have you looked into the need for an Environmental Permit for moving the excavated peat offsite?	
u. If you are moving peat soils from site, how have you ensured you are going to be in accordance with	

Environmental Permitting requirements?	
v. If you are moving peat soils from site, how have you addressed biosecurity?	

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## Appendix E – Privacy notice

### Personal data

The following is to explain your rights and give you the information you are entitled to under the Data Protection Act 2018. Our Data Protection Policy can be found here:

[http://www.broads-authority.gov.uk/data/assets/pdf\\_file/0003/1111485/Data-Protection-Policy-2018.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0003/1111485/Data-Protection-Policy-2018.pdf).

The Broads Authority will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will be made publicly available as part of the process. It will not however be sold or transferred to third parties other than for the purposes of the consultation.

#### 1. The identity of the data controller and contact details of our Data Protection Officer

The Broads Authority is the data controller. The Data Protection Officer can be contacted at [dpo@broads-authority.gov.uk](mailto:dpo@broads-authority.gov.uk) or (01603) 610734.

#### 2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters. We will also contact you about later stages of the Local Plan process.

#### 3. Our legal basis for processing your personal data

The Data Protection Act 2018 states that, as a Local Planning Authority, the Broads Authority may process personal data as necessary for the effective performance of a task carried out in the public interest, i.e. a consultation.

#### 4. With whom we will be sharing your personal data

Your personal data will not be shared with any organisation outside of MHCLG. Only your name and organisation will be made public alongside your response to this consultation.

Your personal data will not be transferred outside the EU.

#### 5. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for 16 years from the closure of the consultation in accordance with our Data and Information Retention Policy. A copy can be found here <http://www.broads-authority.gov.uk/about-us/privacy>.

#### 6. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

- a) to see what data we have about you

- b) to ask us to stop using your data, but keep it on record
  - c) to ask to have all or some of your data deleted or corrected
  - d) to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at <https://ico.org.uk/>, or telephone 0303 123 1113.
7. Your personal data will not be used for any automated decision making.

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# Broads Authority

25 September 2020

Agenda item number 15

## Annual safety audit 2019/2020

Report by Head of Safety Management

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### Purpose

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

### Recommendations

- (i) To note the priorities for action on internal health and safety for the coming year, which are to:
    - (a) Continue the promotion of the safety reporting system to help influence a positive change in culture and to capture near miss events (Opportunity for Improvement);
    - (b) Focus on reducing the number of incidents resulting from driving; and
    - (c) Continue monthly health and wellbeing communications with staff and volunteers.
  - (ii) To note the Annual Marine Incident Statistics.
- 

## 1. Health and Safety Annual Report

- 1.1. A focus on health and safety is always a high priority for the Broads Authority, given the environment in which it operates. Over the last ten years the safety of visitors has been the focus for heightened activity, with the Broads Authority Act 2009 and the Port Marine Safety Code providing a framework for action. The health and safety of our staff is also of high importance, due to their working environments and the use of heavy plant and equipment. The first health and safety annual report was presented to the Authority in May 2012, and the report for 2019/20 is at Appendix 1.
- 1.2. The Authority continues to demonstrate a good safety record, and incident and accident rates are consistent with previous years. The benchmarking information highlights a static trend in Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) reported incidents. The pressure remains for ongoing improvement, and it is recognised that continued resourcing and commitment at all levels is needed to improve the overall safety performance and culture in future years. The health and safety focus in 2020/21 will be on housekeeping, supervision and employee hazard awareness.

- 1.3. At the end of March 2020, we were faced with the Covid-19 (C-19) pandemic. We quickly assessed the risks and put C-19 secure control measures in place to protect our employees, in line with the current Government legislation and guidelines. By introducing safe systems of working, operational field-based activities were able to continue, and it was business as usual for office-based staff who relocated to work from home. All our staff have adapted quickly and well, and we have maintained business continuity as well as staff and volunteer safety.

## 2. Annual Marine Incident Statistics

- 2.1. It is with great sadness that we report the tragic loss of life of a holiday maker, from a hire boat on the river Bure at Great Yarmouth, on Wednesday 19 August. The BA staff and volunteers at Great Yarmouth Yacht Station acted swiftly and professionally in dealing with the incident, and by their actions and those of the Ranger Team, the emergency services were on the scene within minutes. The MAIB and Police are carrying out investigations and we have offered our services if required.
- 2.2. Appendix 2 gives details of the main incidents reported during the period April 2019 to March 2020, including an analysis of deaths and personal injury since 1993. When considering the large number of visitors to the Broads, the statistics demonstrate that the Broads continues to be a safe place for boating and boating-related activities.
- 2.3. The Authority has continued to highlight the message of personal responsibility for safety in its publications and encourage boaters to take a more proactive role by becoming better informed and wearing lifejackets at critical times. Reports from officers have indicated that this year has seen a noticeable increase in the number of boaters seen wearing lifejackets, particularly on hire boats, but this is balanced by near misses where people not wearing lifejackets fell into the water.
- 2.4. Notable points are:
- Boat fires continue to remain at a low level, as in previous years.
  - There were three incidents from vessels resulting in fatality. Two deaths were from drowning and the other was likely to be a result of natural causes.
  - The majority of incidents requiring hospital treatment continue to be attributed to embarkation and disembarkation.
  - Total incidents are slightly down from the previous year. This might be due to C-19 lockdown restrictions preventing hospitality businesses from operating and people travelling to holiday or second homes.
- 2.5. Incidents can be reported online at <https://www.broads-authority.gov.uk/contact-us/reporting-an-incident>.
- 2.6. Through the Boat Safety Scheme (BSS), the Authority recently introduced the requirement for boats with accommodation to have a Carbon Monoxide (CO) alarm



fitted. This follows the tragic deaths from CO of two people on the Broads in 2016. The BSS and the Authority will continue to raise awareness of the hazard, and leaflets and a communications campaign have been developed jointly by the Council for Gas Detection and Environmental Monitoring and the BSS.

- 2.7. Rangers continue to brief boaters on the dangers and effects of CO to help raise awareness of the hazard and the signs of CO poisoning, as well as keeping a stock of CO alarms for sale.

Author: Linda Ibbitson-Elks

Date of report: 21 August 2020

[Broads Plan](#) objectives: 4.3

Appendix 1 - Annual Health and Safety Report 2019/20

Appendix 2 - Annual Marine Incident Statistics

## Appendix 1 - Annual Health and Safety Report 2019/20

The Broads Authority's commitment to employee health and safety and its arrangements for management and delivery are set out in the Health and Safety Policy, published on the Authority's intranet and communicated to all staff. Supporting policies have been developed for the management of specific hazards. All hazards encountered by our employees, volunteers and the public are risk assessed and a series of generic risk assessments have been developed. Task risk assessments are completed and specific Covid-19 risk assessments have been completed for work sites, Authority premises and vessels.

### Training

Health and safety training in 2019/20 included:

- Brush Cutter & Clearing Saw
- First Aid
- RYA VHF Radio
- RYA Powerboat Level 2
- NCC Driving for Work

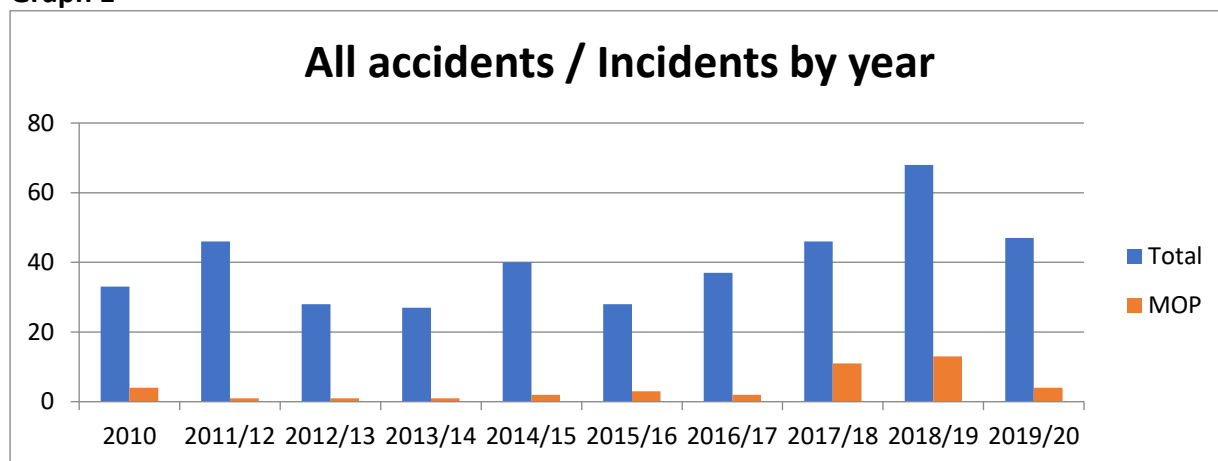
All training that could not be done online was cancelled due to Covid-19 and deferred to later in the year or when the Government eases the lockdown restrictions to allow training to continue.

The main activity in the last year has been the rollout to all staff of the new online health and safety courses, provided by the Electronic Learning Management System (ELMS). The use of this online training with a wider range of material is now available through the National Parks Partnership.

### Accident information

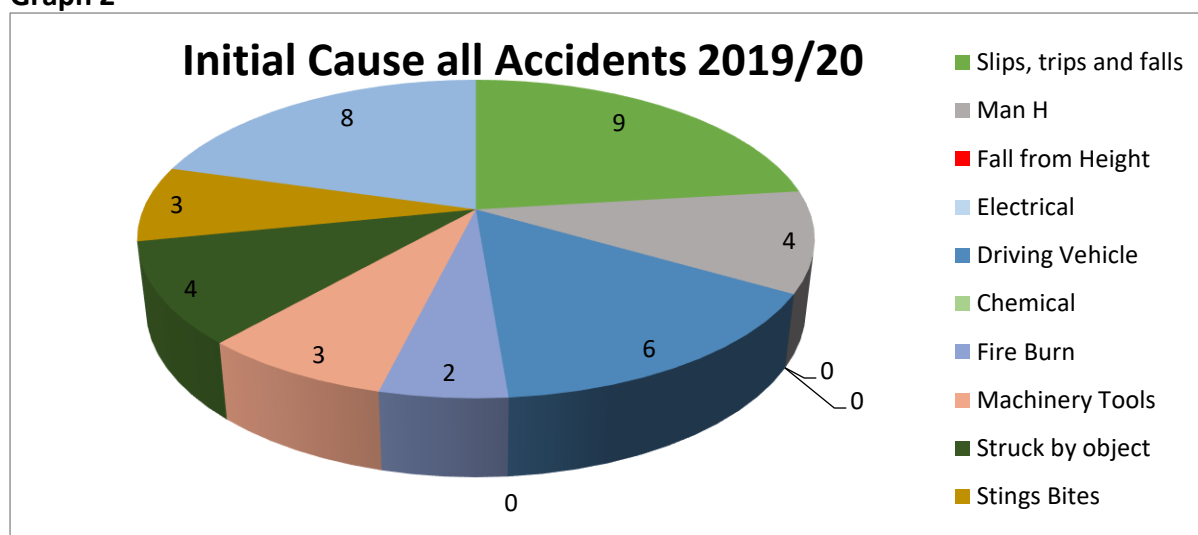
Graph 1 below shows the number of accidents reported over the last ten years, a total of 363 with an average of 30 per annum. The total number of incidents for this year is 47, significantly lower than last year (68). This is positive and demonstrates that the Authority continues to promote health and safety awareness.

**Graph 1**



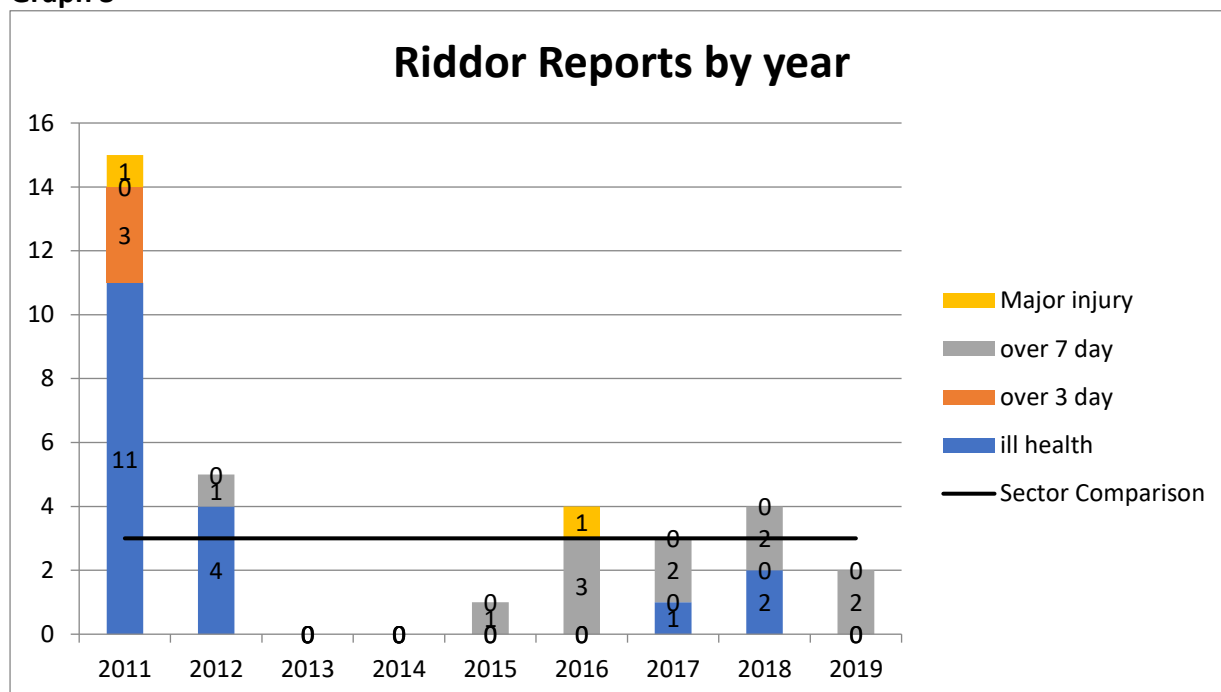
Graph 2 below shows the nature of the accidents for 2019/20, which are in line with previous years in terms of cause and incidence. The increase in vehicle driving incidents highlighted in last year's report (17) is significantly lower this year (6). This indicates that 'Driving for Work' awareness training has helped to reduce the number of incidents.

**Graph 2**

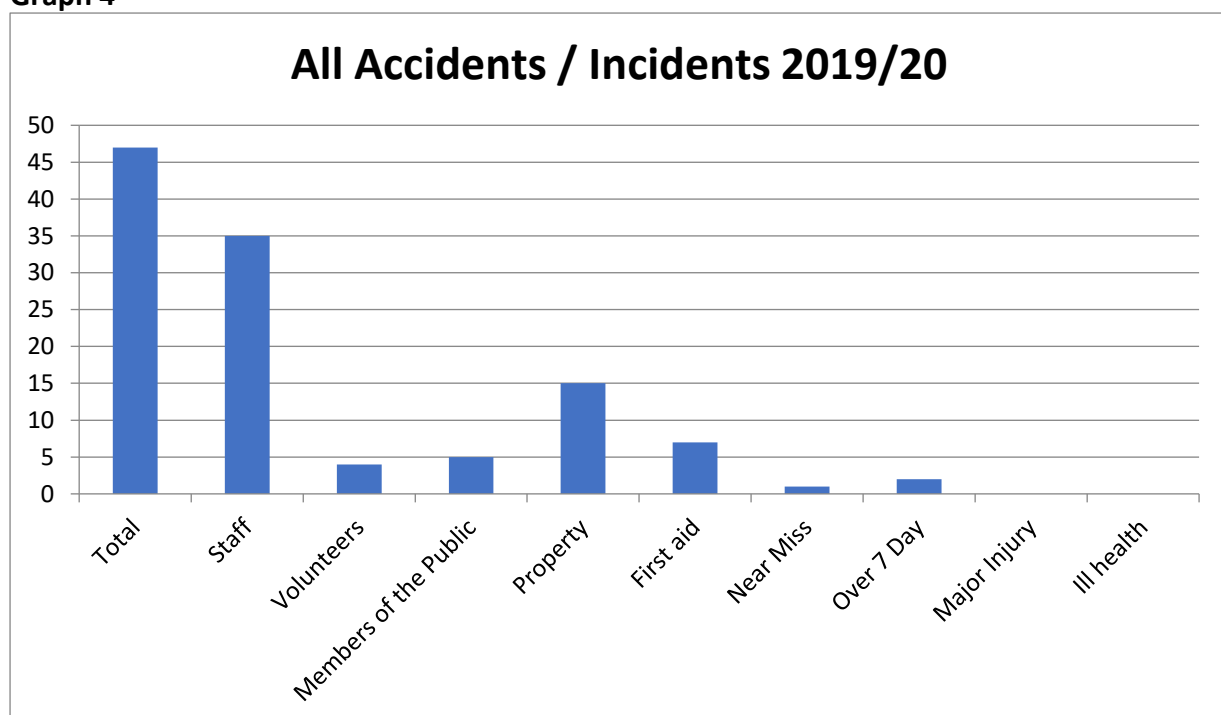


Graphs 3 and 4 below breaks down the figure of 47 reported incidents for the period from 1 April 2019 to 31 March 2019 based on the definitions in the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR), which represents incidents notified to the Health and Safety Executive.

**Graph 3**



**Graph 4**



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

## Accident Incidence Rate (AIR)

The AIR indicator measures accident statistics, and is a calculation that the Health and Safety Executive and most organisations use to measure their accident rate. By providing this figure, the Authority can benchmark itself against organisations who encounter similar

hazards in their operations. The sector selected for comparison is 'Specialised Construction', which demonstrates a similar hazard profile to that encountered by the Authority in its operations. The reference sectors three-year average AIR score of 1,240 would equate to three RIDDOR reportable ill health/accidents per annum. With only two RIDDOR reports this year, the Authority is below the sector average.

## Near miss and safety observations

Staff made 74 safety observations over the reporting period. Of these, 43 were cited as opportunities for improvement, 9 near misses and 4 examples of good practice. We intend to continue promoting the reporting of safety issues, as they form the basis of near miss reporting that in turn will begin to drive down the accident figures as corrective and preventative measures are implemented.

## Health and Safety Committee

During 2019/20 the Safety Committee worked on a range of issues, notably the revision of all generic risk assessments, reviewing accidents investigations, and progressing audit actions. Work is also being carried out for the introduction of a new code of practice for Noise at Work. Following the review of the annual accident statistics, it was recommended that work for the forthcoming year should focus on the following areas:

- Continue promotion of safety reporting system to help influence a positive change in culture and to capture near miss events
- Continue to focus on reducing the number of incidents resulting from driving
- Continue monthly health and wellbeing communications with staff and volunteers

## Proactive measures

Through its Employee Assistance Programme, the Authority provides advice and support to its staff, delivered by the independent provider 'Insight'. The programme includes:

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

The Authority also provides health surveillance through occupational health providers for those staff who may be affected by exposure to certain hazards such as vibration or noise. Additionally, occupational health professionals are employed to provide guidance where additional measures are required for the management of specific issues.

## Appendix 2 - Annual Marine Incident Statistics

The reporting period is from 1 April 2019 to the end of March 2020. The report is limited to the Broads Authority's executive area of marine responsibility. Notable incidents are listed below.

**Table 1**

Summary of incidents reported

2019	Incident Details	Hazard Log Category
2/4	Transferred to hospital from vessel at St Olaves	Medical
7/4	Transferred to hospital from vessel at Loddon	Fatality
9/4	Fell from vessel at Great Yarmouth. Assisted out.	Fallen in
11/4	Transferred to hospital from vessel at Ludham	Injury
12/4	Transferred to hospital from Martham Boats	Injury
12/4	5 persons assisted from water at Potter Heigham after yacht capsize	Fallen in
13/4	Transferred to hospital from vessel at Hoveton	Medical
21/4	Transferred to hospital from vessel at Wayford Bridge	Medical
21/4	Fell and suffered injury at Cantley moorings	Embarkation/Disembarkation
30/4	Fell in water from dayboat at Oulton Broad	Fallen in
4/5	Fell from hire cruiser at Acle	Fallen in
5/5	Transferred to hospital following collapse on hire boat	Medical
6/5	Fell in river while intoxicated at Norwich	Fallen in
10/5	Male jumped in river at Great Yarmouth to escape police	Jumped in
12/5	Fell in from dayboat while intoxicated	Fallen in
14/5	Injured by sailing boat mast at Ludham Bridge	Injury
14/5	Transferred to hospital from Upton	Medical
19/5	Fell while mooring at Womack	Embarkation/Disembarkation
21/5	Leg injury after falling from dayboat at Reedham Ferry	Embarkation/Disembarkation
22/5	Injured shoulder while mooring at St Benets	Embarkation/Disembarkation

<b>2019</b>	<b>Incident Details</b>	<b>Hazard Log Category</b>
24/5	Transferred to hospital from Reedham Quay	Medical
1/6	2 persons fell in at Great Yarmouth while intoxicated	Fallen in
7/6	Male fell in while mooring at Reedham	Embarkation/Disembarkation
9/6	2 persons transferred to hospital following bridge strike at Great Yarmouth	Injury
12/6	Male fell while mooring at Hoveton	Embarkation/Disembarkation
22/6	Male fell from dayboat while intoxicated. Suffered injury	Fallen in
26/6	Male jumped in at Norwich. Transferred to hospital	Jumped in
8/7	Male fell in from vessel at Somerleyton	Fallen in
18/7	Body recovered from river at Great Yarmouth	Fatality
25/7	Female and dog fell in at Norwich. Not injured	Fallen in
3/8	Female jumped in at Norwich	Jumped in
3/8	Female injured stepping on to dayboat at Salhouse	Embarkation/Disembarkation
7/8	Transferred to hospital from vessel at Somerleyton	Medical
8/8	Male injured when fell on hire boat	Injury
13/8	Male fell from boat at St Benets	Fallen in
16/8	Male fell from boat at St Benets	Fallen in
26/8	Engine fire on private vessel at Oulton Dyke. Extinguished, no injuries	Fire
30/8	Male fell on private boat at Loddon, transferred to hospital	Injury
6/9	Female jumped in at Wroxham. Mental health issues	Jumped in
7/9	Female fell from boat at Reedham Quay	Fallen in
8/9	Female injured while sailing. Transferred to hospital	Injury
8/9	Male injured when fell on hire boat at Oulton Broad	Injury

<b>2019</b>	<b>Incident Details</b>	<b>Hazard Log Category</b>
15/9	Male fell in and injured while leaving moorings at Womack Dyke. Transferred to hospital	Embarkation/Disembarkation
24/9	Transferred to hospital following fall on boat	Injury
26/9	Female injured while boarding boat at Thurne	Embarkation/Disembarkation
28/9	Female injured after falling in while mooring at Ranworth	Embarkation/Disembarkation
9/10	Female injured disembarking dayboat at Reedham	Embarkation/Disembarkation
21/10	Female fell in while mooring at Reedham	Embarkation/Disembarkation
28/10	Child rescued after falling off vessel at Thorpe	Fallen in
13/11	Female pushed into river at Sutton staithe	Pushed in
29/11	Female jumped in river at Wroxham	Jumped in
1/12	Female jumped in river at Wroxham	Jumped in
31/1	Body of female found in river under Breydon Bridge	Fatality
17/3	Male injured on hire cruiser near Wayford Bridge	Injury



## Analysis of death/injuries since 1993

Death	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
No of deaths on or from boats	2	2	3	1	1	3	2	1	3	2	6	0	0	2	0	0	0	2	4	2	0	2	1	5	1	2	1
Reported deaths not related to boating	1	3	4	-	2	1	4	4	2	3	1	0	7	2	1	1	3	3	3	8	2	5	4	2	1	2	2

Cause of death	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Severe injury	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0
Heart Attack	0	2	0	0	0	0	1	1	0	1	0	0	0	1	0	1	2	2	1	5	0	1	1	3	1	1	1
Drowning	0	1	2	1	0	4	5	1	3	3	5	0	4	3	0	0	0	1	3	2	0	5	3	0	0	3	2
Asphyxiation/CO poisoning	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0
Terminal Illness																			1	0	0	0	0	0	0	0	0
Not Known	0	2	4	0	2	0	0	1	0	0	2	0	3	0	1	0	1	2	2	0	0	1	0	2	1	0	0
Reports of people inadvertently entering in the water <sup>1</sup>	0	0	3	2	4	8	2	5	1	4	15	16	12	23	29	17	34	20	17	18	12	22	19	21	12	23	17
No of persons reported as requiring hospital treatment	0	0	0	9	8	7	9	8	7	7	18	2	4	13	12	11	22	30	17	15	19	14	13	30	36	49	33

<sup>1</sup> Reports where someone inadvertently found themselves in the water. It does not include capsizes of sailing dinghies etc, or from any other contact water sports where entry into the water is predictable

Nature of injuries	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Head	0	0	2	0	4	1	3	2	1	1	1	1	3	1	1	5	3	3	1	3	3		2	7	3	4	5
Arm/hand	0	0	2	1	6	0	0	1	3	1	1	1	0	1	6	4	1	4	4	2	4	1	0	3	4	6	7
Leg/foot	0	0	3	5	4	2	4	1	2	2	2	2	1	3	7	5	7	8	3	6	4	3	4	9	8	8	11
Torso, ribs, chest, back	0	0	1	0	2	0	1	4	1	1	2	0	1	4	3	0	2	4	2	0	2	2	2	1	5	8	2
Not described	0	0	1	1	0	0	0	0	0	0	10	2	1	4	0	0	8	10	2	2	5	1	4	6	12	13	8
Asphyxiated/C O poisoning	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	0	0	0	4	0
Burns/Scalds	0	0	0	1	1	4	1	1	0	2	1	0	0	1	1	0	1	2	1		1	2	0	0	0	0	0
Heart attack																			3	5	1	2	1	5	3	10	1

## Analysis of fire and explosions since 1993

Fire and explosions	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Number of incidents	2	4	7	2	5	4	6	3	4	2	2	0	2	22	8	4	4	3	3	1	1	1	0	2	2	5	1
Vessels involved (Private)	2	3	5	1	3	4	3	2	2	2	1	0	1	18	10	4	2	2	2	1	1	3	0	1	2	5	1
Vessels involved (Hire)	0	0	3	1	2	0	3	1	2	0	1	0	1	4	1	0	2	1	1	0	0	0	0	1	0	0	0
Prime cause LPG	0	0	2	0	0	2	0	1	1	0	2	0	0	0	1	0	0	1	0	0	1	0	0	0	0	0	0
Prime cause Petrol	0	2	2	0	1	1	1	0	0	1	0	0	0	1	2	0	0	0	2	1	0	1	0	0	0	1	0
Prime cause Electrical	1	0	0	0	2	0	0	1	1	1	0	0	1	0	1	2	2	1	1	0	0	0	0	1	0	1	0
Prime cause Other	1	1	3	2	2	1	5	1	2	0	0	0	1	21	4	2	2	1	0	0	0	2	0	1	2	3	1
No of vessels total loss	0	1	3	1	2	0	1	2	2	2	0	0	0	20	6	2	1	0	2	1	0	0	0	0	1	2	0
No of injuries from fires requiring hospital treatment	0	1	2	0	1	3	1	0	0	2	2	0	0	1	1	0	0	2	1	0	1	0	0	0	0	1	0
No of fatalities	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0