

## **Broads Forum**

Minutes of the meeting held on 7 February 2013

### **Present:**

Dr Stephen Johnson (Interim Chairman)

Mr Andrew Alston	Mr Mike Flett	Mr John Lurkins
Dr Keith Bacon	Dr Martin George	Mr Peter Medhurst
Mr Brian Barker	Mr Tony Gibbons	Dr Philip Pearson
Prof Richard Card	Mr Peter Jermy	Mr Bryan Read
Mr Simon Daniels	Mr Robin Godber	Mr Richard Starling
Mr Martyn Davey	Mr Brian Holt	Mr Charles Swan
		Mr Matthew Thwaites

### **In Attendance:**

Ms R Evitt – Administrative Officer  
Mr S Hooton – Head of Strategy and Projects  
Ms A Kelly – Senior Ecologist  
Mrs A Long – Director of Planning and Strategy  
Mrs L Marsden – Landscape Officer  
Mr J Organ – Head of Governance and Executive Assistant  
Dr J Packman – Chief Executive  
Mr A Vernon – Head of Ranger Services

### **5/1 Apologies**

Apologies for absence were received from Mr J Barnwell, Mr H Cator (who was represented by Mr S Daniels), Mr M Evans (who was represented by Prof. R Card), Mr J Hiskett and Mr J Toser.

### **5/2 Chairman's announcements:**

#### **(1) Report back from Broads Authority meetings held on 23 November 2012 and 18 January 2013**

The Chairman reported that the Broads Authority meeting had covered a wide range of issues including: Buildings At Risk, Whitlingham Country Park, the Growth and Infrastructure Bill, the Asset Management Strategy, the Strategic Priorities 2013/14, Navigation Charges (which has been discussed twice), Breydon Water Water-Skiing (also discussed on two occasions), Wake Boarding Trials and the Authority's budget for 2013/14.

(2) **Membership Issues**

Barbara Greasley had been confirmed as a representative for the Commercial Interests Group.

(3) **Any Other Announcements**

There were no other announcements.

**5/3 To receive and confirm the minutes of the meeting held on 22 November 2012**

The minutes of the previous meeting were agreed as a correct record and signed by the Chairman subject to the following changes:

- **Page 2: Bullet Point 1.** *‘There were already two sets of pylons of the Yare Valley running in the general direction of this link – was it not possible that they could be reused?’*

Should read;

- There were already two sets of pylons of the Yare Valley running in the general direction of this link – was it not possible that they could be **up rated**?
- **Page 7: Point 5/8 Bullet Point 1.** *‘There was concern about famers, the implementation of HLS schemes, and the risk of grazing marshes being converted to arable.’*

Should read;

- There was concern about **farmers**, the implementation of HLS schemes, and the risk of grazing marshes being converted to arable.

**5/4 Summary of Progress/Actions/Response Taken following Discussions at Previous Meetings**

A report summarising the progress of current issues was received.

**5/5 Review of Consultative Arrangements and Community/Stakeholder Engagement: Broads Forum Revised Term of Reference (Draft) and Parish Forum Proposal (Draft)**

The Forum members received a report detailing the progress made to date on the Review of Consultative Arrangements and Community and Stakeholder Engagement.

Members were asked to consider the Revised Terms of Reference (draft) which followed on from the consideration given to improving the effectiveness of the Broads Forum at its previous meeting on 22 November 2012.

In addition, the views of members were requested on the Parish Forum proposal which had been drawn up in response to comments made during the review on potential improvements to the Broads Authority's community engagement methods.

### **Terms of Reference**

Richard Card (RC) commented that point 1.2 of the re drafted version of the Terms of Reference did not relate to the context of the rest of that section. He suggested changing the paragraph which underlined promoting and understanding the special quality of the Broads.

He also suggested that the document should commence with Membership of the Forum, not its Principles. The Members of the Forum and the relevant nominated groups they represented would be included in the appendix of the Terms of Reference document as agreed.

Andrew Alston (AA) commented that he was concerned regarding the reference within the Terms of Reference to the selection of a new Chairperson. He suggested that it would be advisable to procure an independent chairperson from outside the group.

It was noted that choosing a chair outside of the group was very difficult as there was a wide range of practical difficulties including clarification of who was to be responsible for the interview process.

The Forum agreed that the Chair should be elected, not appointed, and it was also agreed that the Forum could appoint its Chair from within its membership or externally if it wished to do so.

Concerns were raised, in the context of raising issues for comment or debate by the public five days in advance of meetings, over the amount of advance notice of Forum agendas that there would be. It was agreed that enough time must be made available for Parish Councils to influence the agenda and therefore the meeting, and also that public speaking at Forum meetings, must be controlled, but left to the discretion of the Chair.

Richard Starling (RC) commented that the processes suggested within the Terms of Reference to engage the public may have had the opposite effect and deterred them from engaging. More effort must be made to understand their reasons for disengaging and the efforts necessary to regain their trust.

AA suggested that there was nothing in the document specifically related to encouraging new areas of development and business. He encouraged the Forum to be open-minded and supportive of new development in the area.

Mike Flett (MF) commented that clarification on the point of Authority members attending but in a non-voting capacity was needed. Forum members rarely took a vote on issues, preferring to reach consensus; that Broads

Authority members and officers were always welcome to the meetings where they were “in attendance”.

It was agreed that the draft would be revised to take account of all the comments from members, and that a new, clean, version would be emailed to the Forum. Unless further substantive comments were received, this would be assumed to be the agreed new Terms of Reference, which would need to be approved by the Broads Authority at its meeting in March so that the new ToR could be applied to the Broads Forum meeting in April.

### **Parish Forums**

It was noted that there was potential to form Parish Forum groups. The Authority’s suggestion was that these groups could be configured to reflect the valleys, in a similar style to the current Authority Ranger Team boundaries. This sparked a debate about whether Parish Forums could reflect local authority areas and help local people identify their Broads Authority member who was also a local councillor.

Keith Bacon (KB) commented that traditionally the rivers were the boundaries between local authority areas and parishes, however this did not always work well when resolving issues in an area that was geographically united but run by different councils. He suggested that a valley approach could resolve this issue.

MF raised his concerns that the public were not made aware of their nominated district councillor and more effort should be made to make those responsible more visible and accountable.

The Chief Executive responded that this was a valid point but that there were two different issues. It was important to help the parishes to become aware of who was who but it was also important to enhance the arrangements we currently had. There was potential to use photographs of the relevant councillors on the Authority’s website.

Members pointed out that the existing Parish Forums or other local groups tended to focus on different issues. Some were more concerned with planning issues, others with conservation or navigation and because of this they may not merge well.

RS commented that the low response rate to the questionnaire from the Parish Councils was a concern. He suggested that officers should take the initiative and go out to the Parish Councils that did not engage and find out why.

The Chief Executive commented that the proposals were part of a bigger picture, including the Authority’s ambition for National Park status. This however was a long term ambition, and the changes within this document were short to medium proposals, the culmination of which led to improvements in the Authority’s engagement with people in the area.

Members noted the Authority's proposals to form Parish Forums based on the river valleys, and gave the idea a cautious welcome. They suggested that it might be trialled in one or more areas before being rolled out for all the Broads area. It should not be assumed that these Forums would automatically replace other local working, and well established groups.

### **Current Categories of Interest Groups**

Members agreed that they were content with the current categories of interest groups and accepted the task of reviewing the list of bodies represented at the Forum, as well as the appointment of Forum members from those groupings in the coming months. They also agreed that it was a good suggestion for the Authority to contact the groups whose representative(s) did not regularly attend.

## **5/6 Update on the Work of the Broads Climate Change Adaptation Panel**

Members received a report which informed the Forum of the work which had carried out to consider how to involve more stakeholders in deliberation about adaptation options for the Broads. The report summarised the four options that the consultants had suggested and reported that the Panel had agreed to use the Deliberative Engagement option as a template for the next phase.

The Panel had reiterated its desire to keep the Broads Forum informed of decisions and progress and would agree to the next steps in April 2013.

The Panel confirmed their desire to move forward together with the key partners to work with all the stakeholders to develop a collective view. The first effort would be directed at certain groups but any expression of interest would be welcomed.

It was requested that members of the Forum disseminated the information detailed in the report - and the following discussion - back to the groups of interest they represented.

Martin George (MG) agreed that a deliberative engagement process was a good way to move forward. He enquired whether it was possible to identify some of the more pertinent issues as some people, both young and old, were not always aware of the issues and some guidance was necessary. He continued that there were all sorts of uncertainties, but one thing was certain, things were going to change.

It was noted that the Panel's ultimate objective was to provide a pack of key information including likely impacts, opportunities and potential risks. This pack would educate and form a basis of what work could be done together.

KB enquired what 'Dialogue by Design' was. It was confirmed that Dialogue by Design was a company that worked with the Panel and that they were part of the Office of Public Management.

RS raised his concerns regarding the lack of specific practical solutions, for example a tidal barrier. He was also concerned that the engagement process was not dynamic enough. It was apparent that there was a range of groups interested in the communities' opinions but was anyone actually listening? The Head of Strategy and Projects explained this process was to develop the collective view and necessary evidence to influence local and national government policy and practice.

Members agreed that they needed to see some practical work being done in a reasonable timescale.

**The Chairman summarised the following points on this issue:**

- BA needs to identify the issue about what Climate Change really is and means for the Broads, and its potential impact on the BA and other partners' statutory responsibilities.
- Deliberative Engagement is the only way forward, with appropriate guidance about likely impacts and the sorts of solutions which might be proposed.
- A timescale for meaningful progress is required.

**5/7 Landscape Sensitivity Study**

Members received a presentation which set out the Authority's work on landscape sensitivity, commissioned by the Authority in 2012. Among the uses for this study was the assessment of the impact on the Broads of wind turbines, photovoltaic and associated infrastructure.

The study built on the previous landscape character work which had been completed in 2006. It also considered the sensitivity of the key landscape characteristics of the Broads local character areas to these forms of development. The report outlined the reason for the study and its summary findings to the Forum.

AA enquired whether the quality of the land was taken into consideration in respect of planning permission. It was noted that every planning application was assessed on its own merit and the land quality was looked at on an individual basis. AA also queried the use of Anaerobic Digesters and whether they had been included in the report. It was confirmed that they had not been part of this study.

KB suggested that some of the publicity material for the larger wind turbines suggested that the land quality improved during the 25 years the turbines were in situ and after dismantling was in excellent condition for use as arable land.

Philip Pearson(PP) commented that the study was of great value and that it had engaged a wide range of stakeholders. He continued that another piece

of work to be done was to look at the impact on biodiversity and wildlife from the mini turbines. He confirmed that the RSPB had already undertaken a study on the impact of the larger wind turbines on wildlife.

RS queried whether the survey took into consideration light pollution, which in his opinion was getting worse every year.

It was confirmed that the CPRE had produced a study on light pollution a few years ago, but the Authority had not commissioned such a study. It was noted that remote sensing technologies were needed to undertake such a study and it was a huge individual project in itself. However, it was taken into consideration on an individual basis in planning applications.

## **5/8 Broads Biodiversity and Water Strategy**

Members received a presentation which highlighted the Broads Biodiversity and Water Strategy project undertaken by Authority officers.

The Chief Executive commented that the only way forward was for all the stakeholders to work together with a joined up approach and that this work was an exercise in working smarter. He explained that, from 1 March 2013 the Authority would have its first Broads Catchment Officer funded by a wide range of stakeholders. The new officer would work across the whole catchment area.

MG requested that it should be noted that he was full of admiration for the work produced by the Senior Ecologist and her colleagues and that it was of immense importance. He also commented that her upbeat attitude, articulate delivery and passion for the subject were to be commended.

He continued, however, that he considered it was a gross waste of BA funds to look at improving elements of the River Bure until the phosphorus levels were reduced. It was crucial that a better working relationship with the Environment Agency and Anglia Water was achieved and that officers continued to put pressure on AW to improve the quality of the discharge from their plants.

PP commented that this was a great piece of work; with a wide range of stakeholders engaged in the process. He confirmed that it had opened up a lot of excellent dialogue and partnership working and had shown a way forward for the upcoming months.

RS commented that there was a serious need to keep the momentum, encouraging more work on the ground; he was concerned that there had been a lot of research but very little action.

KB noted that he was concerned that these sites and projects became exclusive to a select band of experts. More needed to be done to open these areas to the public, with more information and dialogue on the special habitats that we have in the area.

**The Chairman summarised the following points on this issue:**

- Positive welcome given by Forum to a very upbeat presentation showing substantial progress and the fruit of excellent work.
- Challenges remain – including treatment of Broads linked to the river systems (Hoveton Great Broad), and compliance with WFD.
- Working with Environment Agency and Anglian Water on this is a key role, and BA needs to keep up the pressure.
- Increasing public awareness of this work very important, and using non-technical language to do so.

**5/9 High Speed Boat Testing Outside Strumpshaw Fen**

Members received a presentation which highlighted the high speed boat testing outside Strumpshaw Fen.

It was noted that speed boat testing has been permitted on the River Yare adjacent to Strumpshaw Fen for over 35 years. Some of the testing generated a significant wake that had resulted in waves overtopping the river bank. During the breeding season this had resulted in nests of great crested grebe, coot and moorhen being washed out.

There were also safety implications, as visitors can be caught by the waves overtopping the bank. Staff undertaking routine maintenance on the river bank could also be washed into the river.

The Boating Safety Management Group meeting notes from 9 December 2010 identified the need for all boat testing areas to be reviewed. A review was undertaken in 2011, but was unable to reach any conclusions due to poor logbook recording of testing by boatyards. A more comprehensive review was urgently required to determine if this activity was compatible with this stretch of the River Yare on biodiversity and safety grounds and if alternative options were available.

The Director of Operations confirmed that boat testing took place within the speed limit and in excess of it. The level of high speed was taken in the context of all the other activities taking place in the area. An evidence based approach was needed with a wide range of different influences taken into account for an effective study. Rangers had been made aware of the level of concern that this issue had raised and would be supporting the RSPB to gather evidence for what was happening and its impacts.

MG commented that the twin engine ocean going vessels were being tested at full speed on this stretch of river. As there was no reed swamp a 3 foot wave was going to affect bank erosion. It was possible that a band of only 3 metres of reed swamp would absorb 75% of the wash.



Matthew Thwaites commented that as a representative of the boating industry it was absolutely crucial that there was testing on that stretch of the river as it was not possible to test on Breydon Water for a variety of reasons, including time constraints. He confirmed that every single boat needed to be tested and all the drivers had certification, and were keenly aware of safety issues, making sure that they slowed for other users.

KB asked whether the testing was demonstrations to customers or factory works. MT confirmed that 70% was for customer demonstrations and the rest was for factory work testing.

Members suggested that signage at the entrance and exit of the testing zones would be a good idea. It was confirmed that signage had been installed but a long time ago. It may now be covered by trees or reeds.

RS enquired whether signage was required on the boats taking the tests. It was confirmed that trade plates were required. However, there was potential for the trade plates to be larger so they could be more visible.

It was noted that the birds affected nested in April, May and June and it was suggested that one mitigation measure could be to test at low water only during these months.

RC commented that much more work needed to be done on gathering hard facts before forming a judgment. It was clear that the log books had not been kept up to date and that the information within them had been somewhat lacking. He enquired if there were any consequences of not filling in a log book appropriately.

The Head of Ranger Services confirmed that no one had been prosecuted to date. However there had been a blue book warning and now there was a greater understanding of the situation there would be more regular checks. He confirmed that the Authority did not have the power to make spot checks.

The Chief Executive commented that all the diverse elements had to be considered and that there were two different things that one needed to bear in mind: the legitimate need by the industry to test their boats and the impact on the biodiversity of the area. The RSPB and the Authority had to work together to reinstate the bank and encourage reed growth. A checklist of six actions had been agreed, and further work on this would be carried out by the BA and RSPB.

**The Chairman summarised the following points on this issue:**

- Concern expressed by the Forum about the reported incidents of last February and about the impacts of high speed testing at this location.
- Forum concerned to gather more information about a complex issue before expressing a collective opinion.

- The Forum understood and endorsed the steps currently being taken to resolve and ameliorate the situation and would welcome a report back at a future meeting.

#### **5/10 Chief Executive's Report**

Members received a report which detailed the recent activities of the Broads Authority.

John Lurkins (JL) commented that he had some concerns regarding the southern bank of the Chet and that the organisations involved would not fulfil their promise to improve the area. The Chief Executive confirmed that the Authority had pressed BESL to sort out a programme of works for the Chet but he had concerns about how their approach was being handled. He encouraged the relevant Parish Council to get involved and engage with the process.

Members enquired about the Whitlingham Countryside Park master plan. The Chief Executive commented that there were some key improvements the Authority wanted to see at the Country Park which included improved catering, better public toilets, better facilities for children and an improved visitor centre. He confirmed that there may be more concrete news for the Forum in the summer.

#### **5/11 To note whether any items have been proposed as items of urgent business**

There were no items of urgent business.

#### **5/12 Matters for Chairman to raise at next Broads Authority meeting**

The Chairman confirmed he would raise the following items at the next Broads Authority meeting:

- Climate Change.
- High Speed Testing at Strumpshaw.
- Biodiversity and Water Strategy.
- Terms of Reference, which would be on the agenda for the Authority's endorsement.

#### **5/13 Date of the Next Meeting**

The next meeting of the Forum would be held on Thursday 25 April 2013 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2.00pm.

#### **5/14 Matters to be discussed at the next meeting**

There were currently no items put forward for discussion at the next meeting of the Forum, though it was likely that items of Authority business would be

brought forward between now and April. Forum members were encouraged to follow the lead established by Dr Philip Pearson at this meeting in bringing issues to the Forum for debate.

The meeting concluded at 17.10

Chairman