

## **Broads Authority**

Minutes of the meeting held on 11 July 2014

### **Present:**

|                  |                 |               |
|------------------|-----------------|---------------|
| Mr K Allen       | Sir Peter Dixon | Mr P Ollier   |
| Mr M Barnard     | Mr P Durrant    | Mr J Sharpe   |
| Miss S Blane     | Dr J M Gray     | Mr J Timewell |
| Mr D A Broad     | Mrs L Hemsall   | Mr R Stevens  |
| Prof J A Burgess | Mr G McGregor   | Mr P Warner   |
| Mr N Dixon       | Dr J S Johnson  |               |

### **In Attendance:**

Dr J Packman – Chief Executive  
Mr T Adam – Head of Finance  
Mrs S A Beckett – Administrative Officer  
Mr S Birtles – Head of Safety Management  
Mr A Clarke – Senior Waterways and Recreation Officer  
Mr W Coulet – PRISMA Project Officer  
Ms H Franzen – Press Officer  
Mr S Hooton – Head of Strategy and Projects  
Ms A Kelly – Senior Ecologist  
Ms A Leeper – Asset Officer  
Ms L Marsh – Head of Communications  
Mr J Organ – Head of Governance and Executive Assistant  
Mr C Skinner – For Solicitor and Monitoring Officer  
Ms C Smith – Head of Development Management  
Ms T Wakelin – Director of Operations

### **Also in attendance:**

Mr J Ash – Sustainable Development Fund Administrator  
Dr K Bacon – Interim Chairman, Broads Forum and Chairman of Broads Local Access Forum.

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

The Chief Executive welcomed everyone to the meeting, particularly members of the public.

Apologies were received from Mr L Baugh, Mrs J Brociek-Coulton, Mr G W Germany. Mr R Stevens and Mr N Dixon would be arriving later.

## **1/2 Appointment of Chairman**

The Chief Executive invited nominations for the appointment of Chairman for the forthcoming year.

Mr McGregor proposed, seconded by Dr Gray the nomination of Dr Johnson. There being no other nominations

RESOLVED

that Dr Stephen Johnson be appointed as Chairman of the Authority until the end of his term of office in 2015.

### **Dr Stephen Johnson in the Chair**

## **1/3 Appointment of Vice-Chairman**

The Chairman invited nominations for the appointment of Vice-Chairman of the Authority for the forthcoming year. Dr Gray proposed, seconded by Mr McGregor the nomination of Prof. Burgess as Vice-Chairman. There being no other nominations

RESOLVED

that Prof Jacqueie Burgess be appointed as Vice-Chairman of the Authority for the forthcoming year 2014/15.

## **1/4 Chairman's Announcements**

### **(1) Essie Guds – Administrative Officer (Governance) and PA to the Chairman and Chief Executive**

The Chairman formally welcomed Esmeralda Guds who had been appointed as Administrative Officer (Governance) and PA to the Chairman and Chief Executive.

### **(2) Various Events and Future Dates to Note**

The Chairman reminded members of the following:

- **Workshop on Mooring Strategy– Tuesday 22 July 2014**  
Members and other stakeholders were invited to attend.
- **Members Annual Site Visit – Thursday 24 July 2014**  
Members received an outline programme with a map for the day, meeting and finishing at the Broads Authority offices.

- **Development Session on Statement of Accounts – 19 September 2014**

All members were encouraged to attend this morning event, providing the opportunity of gaining a greater understanding of the Authority's accounting requirements and procedures.

(3) **Order of Business**

The Chairman proposed to vary the order of business to take Item 25 on the Sustainable Development Fund following item 10 in order to enable the Administrator to leave the meeting.

**1/5 Introduction of Members and Declarations of Interest**

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

**1/6 Items of Urgent Business**

The Chairman proposed to take an Item of Urgent Business relating to Guidance to Defra on the Appointment of Members to the Authority in advance of a meeting he was due to have with Defra officials that afternoon. A paper had been circulated.

**1/7 Public Question Time**

**Question from Mr T C Harris: Catfield Fen water abstraction**

A question had been received from Mr Tim Harris concerning water abstraction at Catfield. This was read out and the Chairman provided the Authority's response as set out in Appendix 2 to these minutes. Mr Harris was given the opportunity to respond and commented that it was over six years since the matter had first been raised with the Environment Agency. The Chairman supported by members commented that it was a question for the Environment Agency and referred to the Authority's response, emphasising that the Authority had provided as much evidence as it was able to and it could only wait on the Environment Agency to issue its "minded to decision".

**Question, Statement and Petition from Mr G Doggett: Geldeston Woodland**

A statement together with questions and petition was received from Mr G Doggett, Chairman of the Waveney River Trust concerning the sale of Geldeston Woodland. Mr Doggett spoke to the Statement and petition and asked four questions which had previously been circulated. The Chairman provided the Authority's response as set out in Appendix 2 to these minutes. Mr Doggett was given the opportunity to respond.

Mr Doggett thanked the Authority for allowing him to put his questions and for the response. He was pleased to note that the Waveney River Trust was recognised as a valuable consultee. He commented that if the sale of woodland was triggered this would also impact on the access.

The Chairman emphasised that the Authority would be considering the matter later in the agenda.

#### **1/8 Minutes of Broads Authority Meeting held on 16 May 2014**

The minutes of the meeting held on 16 May 2014 were approved as a correct record and signed by the Chairman.

#### **1/9 Summary of Progress/Actions Taken Following Decisions of Previous Meetings**

The Authority received and noted a schedule of progress/actions taken following decisions of previous meetings.

In addition, members noted the updates concerning:

##### **(1) Ludham Bridge Footpath link to St Benets**

Agreement on the text for the legal agreement had been reached with the outstanding landowner on the permissive footpath. There were some amendments which were subject to Nplaw being satisfied. The aim was still to have the footpath opened this summer.

##### **(2) Navigation Committee Engagement:**

The Chief Executive explained that following a meeting with three members of the Navigation Committee on 24 June, a note providing clarification on the role of Members for the Communications Strategy was being reviewed by those attending the meeting and in due course this minor change to the Strategy would be considered by the Authority.

##### **(3) Broads Authority 25<sup>th</sup> Anniversary Events**

The Vice-Chairman was pleased to report that as part of the celebratory 25<sup>th</sup> Anniversary events, Professor Matless had agreed to provide a public lecture at the School of Environmental Sciences at UEA on 3 November 2014 starting at 6.30pm with a reception at 7.30pm. This would follow and supplement the publication of his book on the Nature of the Broads Landscape at the end of July. The invitation would be for all members and staff and the Authority's stakeholders. The date would be confirmed and arrangements would be made through the Head of Communications.

**(4) Waste Collections**

The Director of Operations provided the Authority with an update on the issues relating to the collection of waste following the report to the Navigation Committee on 5 June 2014 (Minute 7/6(1)) concerning the decision by Great Yarmouth Borough to withdraw collections from 10 key sites adjacent to or within the Broads area. Discussions had been and would continue to be held with officers to define a strategic and cooperative approach with all the Districts and find a solution in view of the cumulative adverse impact on the tourism and economy of the area. It was noted that Great Yarmouth Borough Council would be responsible for dealing with matters which would create a health hazard. It had been pointed out that under the terms of the Broads Act the Borough Council had a duty to have regard to conserving and enhancing the natural beauty of the Broads; and, promoting the enjoyment of the Broads by the public.

Members noted that active discussions were being held and the matter would be brought back to the Authority once there was a strategic solution the Authority could consider.

**1/10 Geldeston Woodland Sale**

The Authority received a report from the Asset Officer which provided a summary of the background and the current situation for the Broads Authority with regard to the woodland site at Geldeston Locks and provided details of the objections received from the public regarding the proposed sale of the woodland. Members noted the land in the ownership of the Authority included the area of woodland, as well as an area of marsh, part of which was used for car-parking, which was not under consideration for disposal at this juncture. This marsh/car-park area had been transferred to the Authority from the Great Yarmouth Port and Haven Commissioners, and had in the past been used for the disposal of dredgings; even if sold it was anticipated that this use should continue if required. Members also noted that the River Waveney Trust had nominated the woodland to be registered by South Norfolk Council on the Assets of Community Value Register under the Localism Bill 2011 which would give a further six month period for the Trust to purchase the woodland. The decision from South Norfolk Council had not yet been received.

The Solicitor advised that as the Authority had advertised the land in accordance with the procedures under the Local Government Act for public open spaces and, provided it had taken into account the objections received, it was entitled to impose a covenant on the land to bind successive owners to an obligation that the area be open for public access, although it was recognised that this would need to be monitored.

Members were keen to see a community solution for the area. They were mindful that, in addition to the amenity asset that the woodland appeared to provide the local community as well as serving the aims of the River

Waveney Trust, it was also seen as part of the viability of the Geldeston Locks Inn. Members were concerned that the sale of the woodland might also trigger concerns over the public access along the lane to the 24 hour moorings. It was understood that the Waveney River Trust could be in a position to raise the necessary finance to purchase the property in the Autumn. In light of the uncertainties relating to the situation, including the registration of the land as a Community Asset, and the future use of the car park and marsh as a whole, a strategic view was required on the retention or disposal of all three pieces of land. The Authority did not wish to be in dispute with the local community but it did have to have regard to its budgetary constraints and liabilities regarding maintenance and safety.

## RESOLVED

that the Authority defer a decision on the sale of Geldeston Woodland until the November meeting when the outcome of the application to register the area as community land would be known, and in order to enable discussions to take place with the landlord of the Geldeston Inn as well as the Waveney River Trust and Parish Council and to have a strategic view of all the land in the Authority's ownership in this location.

**The report on the Sustainable Development Fund was considered at this point.**

## Presentation

### **1/11 PRISMA (Promoting Integrated Sediment Management)**

The Authority received a report together with a presentation which provided an overview of the achievements of the PRISMA project which had run from June 2011 to 30 June 2014, with the final conference with all partners in Antwerp on 18 June 2014. Members noted that the Authority had received approved funding of € 876,360 (over £700,000) from the European Regional Development Fund £6.4m Interreg Project to carry out projects that supported the delivery of the Authority's strategic objectives highlighted in the Broads Plan 2011 which included the Sediment Management Strategy. Members noted the considerable outputs and achievements of the project especially those that were physical and quantifiable, but also recognised the invaluable amount of knowledge gained through the various trials and cross-border cooperation as well as from the administration and financial aspects involved. Members also noted the successes and failures and the financial costs and carbon emissions for each of the key projects undertaken. It was noted that although the project had confirmed that some of the traditional methods were the most appropriate, there was no single preferred option as every site required assessment for the most appropriate sustainable solution.

Members noted that there would be an estimated balance in the PRISMA reserve account of approximately £110,000 upon the project's completion taking into account receipt of the final claim amounts which represented a one-off sum for 2014/15. This arose due to the Authority making additional contributions from the Vessels & Equipment Reserve into the PRISMA

reserve during the first two years of the project to ensure cash balances were available. The cash availability was required due to the complex nature of the funding arrangements which involved Interreg funds usually being received six months after the actual claim submission, potentially causing a cash flow issue. Members therefore gave consideration to the three main options identified in Section 7 of the report relating to the use and apportionment of the residual budget within the reserve account in order to detail future plans. These included using the surplus as match funding for another EU/Interreg project especially given the experience gained, direct delivery of dredging project work or to help in delivering the Authority's Asset Management Plan.

Members noted the deliberations of the Navigation Committee and its recommendation to adopt Option 3.

Members congratulated the staff on an opportunity well seized and complimented the team on managing the complex project, the extended knowledge gained, and the excellent partnership arrangements established with European colleagues which could all be used to good effect in the future. In particular members expressed appreciation to the Project Manager, Will Coulet, for his significant contribution to the project.

#### RESOLVED

- (i) that the report be noted and the benefits gained and the excellent opportunities provided by the Project acknowledged and welcomed; and
- (ii) that the remaining balance in PRISMA reserve be vired to the vessel equipment reserve.

#### **1/12 Strategic Direction: Strategic Priorities 2014/15**

The Authority received a report setting out the Broads Authority's activities in delivering progress against the Broads Plan 2011 through a series of Strategic Priorities designed to meet those objectives where the Authority has been identified as the lead partner, following the three key themes in the Broads Plan together with an organisational priority as agreed in March 2011. Members noted the progress made towards the objectives, and projects and key outcomes to meet the Strategic Priorities for 2014/15 which had been agreed at the meeting on 21 March 2014. They noted that these did not replicate all the activities being undertaken by the Authority and that the completion of those 2013/14 Strategic Priority objectives not yet completed and carried forward for 2014/15 would be pursued with any key matters being reported to the Broads Authority.

With reference to Objective 3.2 and further to the decision made on 21 March 2014 (Minute 5/10) concerning the Whitlingham Country Park Development project, Members were informed that it had not been possible to resolve the matters relating to the partnership and lease arrangements or provide mitigating measures acceptable to all parties. Therefore, with much regret and

disappointment of all those involved, it was not possible to proceed with the project at the present time. However, the project development had been very worthwhile and it was hoped that there would be opportunities for it to be progressed in the future.

Members noted that there were other projects and initiatives which would benefit from the Authority's resources notably a potential HLF bid for a £3million Landscape Partnership Project focussing on the Lower Yare around Archaeology, Mill Restoration and Biodiversity. The project would involve engagement with the public, volunteers, training skills and partnership with the Norfolk Archaeological Trust, Norfolk Windmills and Pumps Trust and the RSPB. Members were very much in favour of such a project recognising the archaeological importance of the area which had as yet not been fully explored, and endorsed the proposal to work this up with partners with a view to submitting a bid to the HLF in May 2015. It was also suggested that interpretation and sustainable tourism be woven into the project and therefore Broads Tourism might be included as a partner.

#### RESOLVED

- (i) that the performance of the different projects to meet the Strategic Priorities for 2014/15 in the accompanying schedule Appendix 1 to the report be noted;
- (ii) that with much regret, the Whitlingham Country Park Development Project does not proceed at this juncture; and
- (iii) that the proposal to develop an HLF bid for a Landscape Partnership Project for submission of the first phase in May 2015 be supported.

### **1/13 Stakeholder Surveys**

The Authority received a report providing an update on the progress made on the proposed stakeholder surveys which the Authority was proposing to carry out as part of its strategic priorities for 2014/15. Members gave consideration to the approach being taken and the scope and costs of the proposed four surveys relating to private boat owners, as well as hire boat operators, visitors and residents.

Members noted that the original budget allocation was £10,000 for the private boat owners survey, but it had become apparent that professional survey work of the scale and nature required to obtain the sort of objective and statistically robust information the Authority needed in order to define policy in a fair and balanced way, could not be obtained for this price. The Private Boat Owners Survey Steering Group and the Navigation Committee had recommended that the private boat owners' survey proceed at a cost of £22,957. Following these recommendations further meetings with *Insight Track* had provided more detailed assessment and the additional cost of £37,355 now proposed was required for a total comprehensive Integrated Research project to proceed to include the further three surveys. The Private



Boat Owners steering group, BHBF and Hire Boat operators would be consulted on the key areas and subject matter for the respective surveys.

Members were assured that *Insight Track* was aware that visitors to the area were not just those using boats and recognised that it was important to gain the respective representative views. With regard to obtaining appropriate representative samples, members were assured that the Authority had appropriate access to obtain these, not only through toll payers but also Parish councils and companies such as Hoseasons. Members considered that in order to be fully engaged the Member Steering Group be consulted following officer discussions on the issues to be covered by *InsightTrack*, prior to signing off each of the processes.

Although *InsightTrack* had been through the Authority's procurement procedures for the private boat owners survey, Members agreed that in order to provide a consistent approach with a full understanding of the issues involved and to collect and collate the robust evidence required, it would be preferable to use the same company to carry out all four elements of the combined stakeholder research project. They understood that to proceed in this way it would be necessary to waive standing orders, on the grounds of efficiency and professionalism of operation, using a preferred supplier who had been chosen for part of the work through a competitive process, and in the light of having checked price comparators favourably against the costs of this type of survey work conducted by other National Parks

Following discussion on the apportionment of costs, in general, Members were of the view that these were appropriate.

Members therefore endorsed the approach and the engagement of the professional services of *InsightTrack* in order to gain robust evidence to inform policy making, and determine strategic priorities for future policy making. It was hoped that the survey work and final reporting could be completed by November. They recognised that this was a tight timescale and that it might not be feasible to use the results from these surveys in the consideration of toll-levels for 2015/16.

#### RESOLVED

- (i) that the contents of the report be noted and the four proposed stakeholder surveys proceed using the commercial market research company identified in the report, taking into account the comments made;
- (ii) that an increased budget of £47,355 for the proposed surveys be approved with the costs being apportioned £26,970 to the Navigation account (for the first two surveys specifically relating to boating (Private boat Owners Survey and the Hire Boat Operators Surveys (£22,975 + £3,995) and £20,385 to National Park Grant (for the visitors and residents surveys i.e. £10,820 + £9,565); and

- (iii) that Standing Orders be waived for the company identified to carry out the combined stakeholder research project (including the surveys of hire boat operators, residents and visitors as well as the private boat owners survey) in the interests of consistency , efficiency and professionalism of approach, and based on the competitive pricing evidenced from the Private Boat Owners' survey and comparative testing with similar work in other National Parks.

## **1/14 Financial Performance and Direction**

The Authority received a report providing a strategic overview of current financial issues.

### ***Summary of Statement of Accounts 2013-2014***

The Authority received a report summarising the key issues arising out of the Authority's Draft (unaudited) Statement of Accounts for the financial year ended 31 March 2014 which had been prepared, approved for issue by the Treasurer and Financial Adviser, and recommended for approval by the Financial Scrutiny and Audit Committee at its meeting on 8 July 2014. Members also received the consolidated income and expenditure outturn figures to include the general navigation income and expenditure for the year 2013/14.

Members were informed of the final year end consolidated actual expenditure against original and budget which had resulted in a consolidated surplus of £175,632 following £14,202 interest being transferred from earmarked reserves. Members noted the proposals to carry forward an additional £94,237 into the 2014/15 budget for the items considered by the FSAC, thus reducing the net surplus for the year 2013/14 to £81,395.

The draft Statement of Accounts for 2013/14 showed revenue reserves of £1,088,847 (general reserves £799,073, navigation reserves £289,774) that were considered to be adequate and which were in line with the levels considered by the Authority in setting the Financial Strategy for the period up to 2016/17. Taken alongside the significant earmarked reserve balances, the Authority's reserves were therefore considered to be sound. The outturn figures for 2013/14, and their implication for the overall level of reserves, would be taken into account in future budgeting proposals, and when making decisions about income and expenditure in 2014/15.

The full Statement of Accounts would be presented for adoption at the Authority's September meeting, following the completion of work by External Audit.

Members noted that some of the agenda items discussed at this meeting would (alongside the proposed carry forwards) have an impact on the Authority's 2014/15 budget (Stakeholders Survey1/13, National Park Corporate Sponsorship Activity 1/18) and if approved would have the effect of

increasing the National Park deficit in the 2014/15 budget to £163,517 and reducing the Navigation surplus in 2014/15 to £6,430.

Members welcomed the report and considered the accounts to be in good order with the outcomes being very close to expected budget and very much improved on the previous year.

#### RESOLVED

- (i) that the summary of the Statement of Accounts 2013/14 and the revenue account outturn figures be noted; and
- (ii) that the carry forward proposals set out in paragraph 4.2 of the report, totalling £94,237, be approved, and that this amount be added to the 2014/15 budget as additional expenditure.

### **1/15 Adopting the Site Specifics Local Plan**

The Authority received a report relating to the Sites Specifics Local Plan following the examination and subsequent six week consultation on the Main (and additional) Modifications of the Plan. Members were pleased to note that the Inspector had concluded that the Broads Authority Sites Specifics Local Plan was sound and had recommended that it be adopted, subject to the inclusion of the Main Modifications. Although the Planning committee had not been able to see the final report before this meeting, they were content for it to be referred directly to the Authority. On adoption, the statutory development plan for the Authority's planning area will comprise:

- The Core Strategy
- The Development Management DPD
- The Sites Specifics Local Plan

A full copy of the Site Specifics Local Plan would be included on the Authority's website.

Members welcomed the inclusion of specific site policies relating to residential moorings although they noted that the document did not as yet include updated policies relating to Thorpe Island where the Authority is awaiting the outcome of a Public Inquiry following the latest appeal.

A member raised a question specifically relating to the area at Acle which had been included in the Site Specifics as a cemetery. It was noted that a planning application had been approved but the landowner was unwilling to provide/sell the land for that specific purpose and therefore the inclusion may not be deliverable. Officers responded that no objection had been received during the consultation periods and therefore the area in question had been included in the Site Specifics Development Plan Document.

Members welcomed the Inspector's decision and

RESOLVED

that the Authority adopts the Broads Authority Sites Specifics Local Plan, incorporating the changes set out in the Inspector's Schedule of Main Modifications (Appendix B to the Report).

**1/16 Making the Strumpshaw Neighbourhood Plan part of the Development Plan for the Broads Authority**

The Authority received a report summarizing the outcome of the referendum on the Strumpshaw Neighbourhood Plan which had been considered by the Planning Committee at its meeting on 20 June 2014. Members noted the procedures under Paragraph 38A of the Planning and Compulsory Purchase Act 2004 and that more than half of those voting in the required referendum had done so in favour of the plan. This required the LPA to adopt the plan and consider it alongside its own Local Plan when considering planning applications. Members agreed to accept the Planning Committee's recommendation of endorsing the Neighbourhood Plan and

RESOLVED

that the Strumpshaw Neighbourhood Plan be adopted as part of the Development Plan for the Broads Authority.

**1/17 Pre-Planning Application Advice and the Options for Charging**

The Authority received a report which set out the background and options for charging for pre-application planning advice following the Authority having agreed to look into the question as a possible income stream in light of the reduction in the National Park Grant. Members noted the views of the Planning Committee when it had considered the matter at its meeting on 20 June, and were informed that, following careful consideration by the Financial Scrutiny and Audit Committee, its recommendation was that the charging for general pre-application advice be not pursued in light of the limited financial benefit and the adverse impact it would have on the delivery of the planning service but that alternative ways of increasing efficiencies be investigated including a review of the pre-application service, to identify what it offers and to provide clear guidance to applicants on service standards. On this basis the Authority could retain the option for charging for larger more complex schemes in future.

There was considerable debate and a variety of views expressed on the advantages and disadvantages of introducing charges. Members considered the different criteria and guidelines which might be used including the scale of development for which charging could be made. Some members were concerned that charging for pre-application advice could impose restraints and remove the discretion from the Planning Committee members and impact on the democratic process. It was recognised that the quality of the service currently provided was appreciated by planning agents and applicants and

this could be jeopardised. Other members were of the view that all costs should be paid for.

Members concluded that the introduction of pre-application charging was unlikely to generate a significant sum, and taking account of the additional costs to be incurred, in particular the real risks in terms of reputational damage and increasing workload, charging was not justified.

RESOLVED by 11 votes to 4 against and 2 abstentions

that the charging for pre-application planning advice is not pursued.

#### **1/18 National Parks UK: Corporate Sponsorship Project**

The Authority received a report and presentation which had been provided to the Minister, on the joint work of the fifteen National Parks in the UK on branding and with corporate sponsorship. This included raising the profile of National Parks using the key strapline Britain's Breathing Spaces (BBS) as a common basis for creative work and design for promotional material and work on the Corporate Sponsorship brand. Members noted the successful progress to date and the income received. They considered the proposals set out by the Chairs and Vice-Chairs of the National Parks to take forward the commercial sponsorship activities of National Parks UK, the costs for which would be £10,000 from each. Members noted that the aim was to raise collectively substantial funds over the next three to five years from the private sector to support the work of the park authorities and endorsed the approach.

Members noted that a report linking the national branding and Broads branding would be provided for the Authority's September meeting. One member asked if the link between the corporate sponsorship activities of National Parks UK and that of the Campaign for National Parks could be identified.

RESOLVED

- (i) that the progress on engaging with corporate sponsors to date be noted, including the £3,000 received from the agreement with AirWick; and
- (ii) that the contribution of £10,000 towards the joint activity as agreed by the Chairs/Vice Chairs of the National Park Authorities at their meeting on 11 June 2014 (para 4.2 of the report) be approved.

#### **1/19 Update on the Broads Authority Act 2009 Provision: Removal of Wrecks**

The Authority received a report on the proposal for the definition of *unserviceable* relating to the Removal of Wrecks provision as amended by the Broads Authority Act 2009. Members noted that the term unserviceable craft was not defined in the Act but specifically included to encompass situations where vessels might not be classified as "unsafe vessels". Members noted

that the Boat Safety management Committee and The Navigation Committee had recommended that the proposed definition of unserviceable be approved and had approved the procedures for dealing with the Removal of Wrecks.

**RESOLVED**

that the views of the Boat Safety Management Committee and Navigation Committee be noted and the definition of unserviceable and procedures for dealing with the Removal of Wrecks be noted and endorsed.

**1/20 Committee Membership, Member Appointments and Member Appraisals**

The Authority received a report providing details of proposed Committee Membership, Member Appointments to outside bodies and Lead Members for 2014/15. It was noted that George Jermany had been re-appointed by Great Yarmouth Borough to the Authority to replace Michael Jeal and was prepared to serve on the Planning Committee. Mr Jermany had previously been a member on the Authority until 2012. Members also noted the new template for the Authority's Development Appraisal to be completed by members each year.

Members were also informed that the Greater Norwich Development Partnership had been disbanded and the Norfolk Duty to Cooperate Member Forum replaced by the Norfolk Strategic Planning Members Forum of which Murray Gray was the Authority's representative. Murray Gray was also the Authority's representative on the Norfolk Water Management Partnership Strategic Forum as had been agreed by the Planning Committee in 2013 and subsequently by the Chairman. Members were asked to officially delegate the appointment of a future replacement member to the Norfolk Water Management Partnership Strategic Forum as well as the Norfolk Strategic Planning Members Forum to the Planning Committee. It was also proposed that Sholeh Blane be officially recognised as the Authority's Lead Member on Education.

**RESOLVED**

- (i) that the Broads Authority member appointments to the Planning, Financial Scrutiny and Audit, and Navigation Committees, as set out in paragraph 1.2 of the report and detailed in Appendix 3, be confirmed for the period until the Annual Meeting in July 2015;
- (ii) that the Lead Members, as set out in Section 2 of the report, and detailed in Appendix 3, be confirmed for the period until the Annual Meeting in July 2015 including the addition of Sholeh Blane as lead member for Education;
- (iii) that the revised template for the Authority's Development Appraisal be noted;

- (iv) that the Broads Authority appointment to Outside bodies for 2014 – 2015 be noted including the appointment of Murray Gray to the Norfolk Water Management Partnership Strategic Forum, the renaming of the Norfolk Duty to Cooperate Member Forum with the Norfolk Strategic Planning Members Forum, and the deletion of the Greater Norwich Development Partnership; and
- (v) that authority be delegated to the Planning Committee to appoint future replacement members to the Norfolk Strategic Planning Forum and the Norfolk Water Management Partnership Strategic Forum.

## **1/21 Minutes Received**

### **(1) Broads Forum – 1 May 2014**

The Interim Chairman of the Broads Forum had reported on the views of the Forum to the previous Authority meeting on 16 May and presented the detailed minutes for information.

RESOLVED

that the minutes of the Broads Forum meeting held on 1 May 2014 be received.

### **(3) Navigation Committee: 5 June 2014**

Members noted that the Navigation Committee's discussions particularly relating to the items on the agenda had been fed into the discussions at this meeting and would be fed into reports for future meetings.

RESOLVED

that the minutes of the Navigation Committee meetings held on 5 June 2014 be received.

### **(2) Planning Committee: 23 May and 20 June 2014**

RESOLVED

that the minutes of the Planning Committee meetings held on 23 May and 20 June 2014 be received.

### **(4) Broads Local Access Forum: 11 June 2014**

The Chairman of the Forum drew attention to the concerns raised by the Broads Local Access Forum relating to the limited public access proposals included in the proposed restoration of Hoveton Great Broad particularly given the scale of public funding involved. It was noted that the scheme was being developed by Natural England, the Environment

Agency and the Hoveton Estate with the aim of improving the ecological condition and visitor experience, although the landowners were not intending to contribute any funds to the project.

Members requested that Natural England be invited to provide the Authority with a presentation in September and be made aware of the concerns expressed.

RESOLVED

that the minutes of the Broads Local Access Forum meeting held on 11 June 2014 be received.

**1/22 The Port Marine Safety Code: To consider any items of business raised by the Designated Person in respect of the Port Marine Safety Code**

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

**1/23 Corporate Health and Safety Annual Report**

The Authority received a report setting out the details of the Corporate Health and Safety Annual report.

RESOLVED

that the report be noted.

**1/24 Annual Report of the Broads Local Access Forum**

The Authority received the report of the Broads Local Access Forum for the year 2013/14.

RESOLVED

that the report be noted and welcomed.

**1/25 Sustainable Development Fund Annual Report**

The Authority congratulated and expressed appreciation to the SDF Administrator, John Ash, who briefly introduced the report, for his efforts and those of his Committee in making the Fund such a success in providing grants for beneficial projects. The Authority was particularly pleased that it had been able to continue the Panel's work for a further two to three years following the first Government Spending Review. Members noted that the event to celebrate the achievements of the Development Fund was to be held on 30 July 2014, to which all members had been invited.



RESOLVED

that the report be noted and thanks be forwarded to all members of the Sustainable Development Fund Panel.

**1/26 Feedback from Lead Members and Those Appointed to Represent the Authority**

- (i) **Broads Authority Annual Public Meeting: Saturday 28 June 2014**  
The Vice-Chairman reported that the Annual Public meeting held at the Dockyard had been attended by approximately 50 people representing a variety of interests. A number of interesting questions had been received and it was considered to have been an excellent opportunity for engaging with stakeholders.
- (ii) **Lower Bure & Thurne Parish Forum: 12 June 2014**  
This was held at Fleggburgh Village Hall, Main Road, Fleggburgh and although fewer numbers had attended than for the previous two Parish Forums, it had been a successful event with many interesting questions being posed. There was particular interest in climate change. Members would be informed of the date of the next Parish Forum due to be held in the Waveney area.

**1/27 Formal Questions**

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

**1/28 Items of Urgent Business: Guidance to Defra on the appointment of members to the Broads Authority**

The Chairman reported he would be speaking to Defra officials on the afternoon of this meeting. As part of the new appointment arrangements, Defra had asked to be made aware of the challenges facing the Authority in the next three to five years, and, in the light of this, the skills, experience and expertise that the Authority would wish the successful candidates applying for vacancies to have. The Chairman commented that he considered the main challenges over that period to be those which had been identified in the Broads Plan relating to Climate Change and Flood Alleviation, Species decline, the Status of Wetland Habitats with special designations within the Broads, experience of management for waterways, the issue of agriculture and water abstraction, opportunities for deprived communities, and raising the profile of the area with those challenges. He invited members comments on the skills sets required particularly in relation to his own and John Sharpe's replacement.

Members noted the primary expertise as defined in part by the Broads Act, of the current Secretary of State Appointees as set out in the appendix to the paper. Members considered that there should be a balance of interests and skills and one member contended that this was lacking from the current list. It was also considered that new members should have experience and/or

knowledge of boating within the Broads. Others considered that the co-opted members from the Navigation Committee provided the navigational skills. It was pointed out that the term "Environment" was an all-encompassing label within which there were varying skills and that this was not necessarily synonymous with conservation, and that the Authority would in April 2015 lose the only current member with professional experience in nature conservation. In the discussions various suggestions were made as to the skill sets required. These included: navigational experience, knowledge of the management of waterways, knowledge of and connections with the Authority's key partners/stakeholders, skills of ecology and conservation, a good economic background and/or knowledge of commercial interests.

The Chairman thanked members for their advice which he would pass on to Defra.

#### **1/29 Date of Next Meeting**

The next meeting of the Authority would be held on Friday 26 September 2014 commencing at 10.00am at Yare House, 62 – 64 Thorpe Road, Norwich

The meeting concluded at 14.50 pm

CHAIRMAN

## Code of Conduct for Members

## Declaration of Interests

**Committee:** Broads Authority 16 May 2014

| <b>Name</b> | <b>Agenda/<br/>Minute<br/>No(s)</b>  | <b>Nature of Interest</b><br>(Please describe the nature of the interest)  |
|-------------|--------------------------------------|--|
| J M Gray    | 1/10                                 | Member River Waveney Trust and Member of South Norfolk Council   |
| M Barnard   | 1/10                                 | Approached by a District Councillors and proprietor of Locks Inn 2013  |
| D Broad     | Items 1/9 -<br>1/25<br><br>Item 1/17 | Toll Payer, Member of Great Yarmouth Port Consultative Committee<br><br>Pre-application Planning Advice as current beneficiary of the service as landowner of private moorings |
| K Bacon     | Item 1/7                             | Trustee owner of Catfield Fen  |

**Public Question Time**

**Questions and Statements submitted by Mr T C Harris and Mr G Doggett**

**Statement and Question from Mr T Harris  
Regarding Catfield Water Abstraction**

Since the last Broads Authority meeting there have been two significant developments.

Firstly it has been confirmed that the UK's largest population of the Fen Orchid, representing over 50% of the total population of Britain's most endangered plant, is at imminent risk of destruction from the rapid growth in Sphagnum which Natural England has described as "remarkable" and "may be indicative of a tipping point". This corroborates Prof Barendregt's findings of last year that Catfield Fen was in poor condition and at risk of irretrievable damage.

Secondly the Environment Agency on 3rd July has announced yet another delay of at least two more months in making its "minded to " decision for an abstraction licence application up for renewal in early 2012 and relating to a problem first reported in 2008 over six years ago. The Broads Authority has the relevant reports and is well aware of their scientific validity. Does it recognise the urgency of the present situation and will it be advising the Environment Agency accordingly?

**Broads Authority Response**

Thank you for your statement and question. The Broads Authority does consider the situation is urgent, but it is important that the Environment Agency gets this right and considers this matter fully to allow a robust decision to be made. We would support that this should be completed as soon as practically possible

**Statement Questions and Petition from Mr G Doggett, Chairman River  
Waveney Trust Regarding Item 10 – Geldeston Woodland**

Statement:

1. The River Waveney Trust is a charity caring for the River Waveney and its environs. It has 658 members (as at 4 July 2014) organized into 5 local groups in the towns of Diss, Harleston, Bungay, Beccles and Lowestoft. The Trust is an important and visible partner to the BA for the Broadland Catchment Plan and many biodiversity and water quality initiatives. The charity has a remit to guard and improve public access to the river and its tributaries. The Trust was alerted to issues around the sale of the woodland by Geldeston Parish Council in October 2013.

Subsequent site meetings and discussions with the BA Assets Officer were held. The Trust supported a Parish Council initiative to protect the woodland from sale to private interests and provided a supporting statement to the BA.

2. The Asset Officer's report to meeting on 10 May not supplied. This has hindered our understanding of BA position and doesn't explain why BA accepted informal bids for the woodland with no consultation with local interests.
3. Email 7/3/14: Questions asked and answered about RWT interest and proposal to take over the woodland management, retaining it for public interest and use. BA clearly knew about the working party (attended by BA officers) formed in February 2014 and currently working on a 20 year strategy for the Geldeston Locks area including the woodland and surrounding land including the important access road and car parking area – Locks Lane.

#### Questions:

1. Why have BA been so reluctant to disclose officer reports, especially that for the meeting of 10 May 2013?
2. Why have BA been reluctant to meet the River Waveney Trust to discuss future management of the woodland? This is a fourth option ("Option D") and was offered in November 2013. The officer reports ignore this initiative.
3. Can the BA confirm that there are no intentions to sell or dispose of the marsh and associated car parking area outlined on their ownership plan (attached)? If they are preparing this land for sale, why is no mention made in the officer briefing report for this meeting on 11 July?
4. Do members recognise the existence of River Waveney Trust as a consultative organization with an agenda for Geldeston Locks future usage?

#### Petition:

That the BA should halt all sale of land in and around Geldeston Locks until all future management options appraisal by the working group has been concluded and properly reported to members. That BA should engage with the River Waveney Trust to create the correct management of the BA assets with regard especially to habitat, tourism (especially canoeing and small boats visiting the Locks) and public access.

### **Broads Authority Response**

Thank you for your statement and petition, which the Authority will take into account when addressing this matter at Item 10 on the Broads Authority's agenda today.

In relation to your Question 1 please note that the Authority dealt with this item as a confidential report on 10 May 2013 as it involved commercially sensitive information and legal advice which was considered would not be in the public interest to disclose at that juncture (in accordance with Paragraph 3 of Part 1 of Schedule 12A to the

Local Government Act 1972 (as amended)). The summary minutes of that subject are set out in the Authority's minutes of 10 May 2013.

In relation to Question 2, officers have met with the River Waveney Trust when requested. There have been vast amounts of correspondence and telephone conversations and the Authority has never refused to attend a meeting when invited to attend. The Authority agreed in November 2013 to defer any moves towards the sale of the woodland until the end of February 2014 in order to allow the Parish Council and/or River Waveney Trust time to submit their final proposals for consideration. In March this year, Members considered the proposal by the Waveney River Trust for a long term lease rather than a sale, but noted that the Authority would remain liable for management costs as well as legal costs, which would be disadvantageous given the current economic position and reaffirmed their decision to proceed with the sale of this area of woodland.

In relation to Question 3, the Broads Authority's Management Team has agreed in principle to place the marsh and car park for sale but is awaiting the outcome from today's Authority meeting prior to a final decision regarding the potential sale of these two further sites.

Finally in relation to Question 4, the Broads Authority recognises the River Waveney Trust as a consultative body, which is why they have been invited to the Mooring Strategy workshop arranged for 22 July 2014.

Please note the report, which will be received later on today's agenda, provides members with the opportunity to discuss this, have regard to the objections received to the proposed disposal of this piece of woodland which will include the petition, and understand the Authority's professional opinion in more detail. This reply at the start of this meeting cannot forecast what decision Members may take. Any formal decision taken later today will be detailed in the minutes of this meeting.

## Membership of Committees 2014/15

| <b>Planning Committee</b>                       |                  |
|---|------------------|
| Fourteen Broads Authority members:              |                  |
| Mr M Barnard                                    | Mrs L H Hempsall |
| Miss S Blane                                    | Mr G Jermany     |
| Mrs J Brociek-Coulton                           | Dr J S Johnson   |
| Professor J A Burgess                           | Mr P E Ollier    |
| Mr N Dixon                                      | Mr R Stevens     |
| Mr C Gould                                      | Mr J Timewell    |
| Dr J M Gray                                     | Mr P Warner      |
| <b>Financial Scrutiny and Audit Committee</b>   |                  |
| Six Broads Authority members:                   |                  |
| Chairman of the Authority - Dr S J Johnson      |                  |
| Vice Chairman of the Authority – Prof J Burgess |                  |
| Chairman of the Navigation Committee            |                  |
| Mr N Dixon                                      |                  |
| Mr P Durrant                                    |                  |
| Mr G McGregor                                   |                  |
| <b>Navigation Committee</b>                     |                  |
| Five Broads Authority members:                  |                  |
| Mr K Allen                                      |                  |
| Miss S Blane                                    |                  |
| Sir P Dixon                                     |                  |
| Mr P Durrant                                    |                  |
| Mrs L H Hempsall                                |                  |
| Plus eight co-opted members:                    |                  |
| Mr L Betts                                      |                  |
| Mr D A Broad                                    |                  |
| Mr A Goodchild                                  |                  |
| Mr P Greasley                                   |                  |
| Mr M Heron                                      |                  |
| Mr J Knight                                     |                  |
| Mr P E Ollier                                   |                  |
| Mr M Whitaker                                   |                  |

## Lead Members

| <b><u>Topic</u></b>                   | <b>Lead Member</b>                          |
|---------------------------------------|---|
| Broads Flood Alleviation Project      | Phil Durrant                                |
| Climate Change and Catchment Approach | John Sharpe to be succeeded by Kelvin Allen |
| Equalities                            | Peter Warner                                |
| Safety Management                     | Phil Ollier                                 |
| Sustainability                        | Sir Peter Dixon                             |
| Sustainable Tourism                   | David Broad                                 |
| Education                             | Sholeh Blane                                |

## Appointments to Outside Bodies Broads Authority Appointments to Outside Bodies 2013 - 2015

| <b>Outside Bodies</b>  | <b>Representative</b>        | <b>Committee and Date</b>             | <b>Appointed Until</b> |
|--|------------------------------|---------------------------------------|------------------------|
| Association of National Park Authorities Executive Committee | Chairman – Dr S Johnson      | Broads Authority<br>12 July 2013      | Ex-officio ongoing     |
| Broads Local Access Forum                                    | Mr D Broad                   | Broads Authority<br>12 July 2013      | July 2015              |
| Broads Tourism   | Mr D Broad                   | Broads Authority<br>12 July 2013      | July 2015              |
| Campaign for National Parks (CNP)                            | Mr P Warner                  | Broads Authority<br>12 July 2013      | July 2015              |
| English National Park Authorities Association                | Dr J S Johnson (Chairman)    | Broads Authority<br>12 July 2013      | Ex-officio ongoing     |
| How Hill Trust   | Mrs S Blane<br>Mr R Stevens  | Broads Authority<br>12 July 2013      | July 2015              |
| Norfolk and Suffolk Broads Charitable Trust                  | Dr J S Johnson<br>Mr L Baugh | Broads Authority<br>12 July 2013      | July 2015              |
| Norfolk Strategic Planning Members Forum*                    | Dr J M Gray                  | Broads Authority<br>20 September 2013 | Ongoing                |



| <b>Outside Bodies</b>                                 | <b>Representative</b>  | <b>Committee and Date</b>        | <b>Appointed Until</b> |
|---|--|----------------------------------|------------------------|
| Norfolk Mills and Pumps Trust                         | Prof J Burgess<br>Mr C Gould   | Broads Authority<br>12 July 2013 | July 2015              |
| *Norfolk Water Management Partnership Strategic Forum | Dr J M Gray  | Planning Committee<br>2013       | July 2015              |
| Sustainable Development Fund Panel                    | Mr K Allen   | Broads Authority<br>12 July 2013 | July 2015              |
| Whitlingham Charitable Trust                          | Mrs S Blane<br>Mrs S Thomson<br>(South Norfolk District Council)<br>Mr J Sharpe<br>Mrs J Brociek-Coulton | Broads Authority<br>12 July 2013 | July 2015              |

\*Authority delegated to Planning Committee to appoint future replacement member to the Norfolk Strategic Planning Members Forum and the Norfolk Water Management Partnership Strategic Forum