

Broads Authority

Agenda 22 May 2020

10.00am

This is a remote meeting held under the provisions of [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020 no. 392](#).

Participants: You will be sent a link to join the meeting. The room will open at 9.30am and we request that you log in by 9.45am to allow us to check connections and other technical details.

Members of the public: To observe the meeting (as a non-participant), We will publish a Live Stream link 2 days before the start time before the meeting. Please use the following email for any queries about the meeting. committees@broads-authority.gov.uk

Introduction

1. **Welcome and introductions by the Chairman** (including remote meeting protocol)
2. Apologies
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 31 January 2020** (Pages 3-15)
7. **Summary of actions and outstanding issues following decisions at previous meetings – to note the schedule** (Pages 16-21)

Strategy and policy

8. **Procedures and actions for remote meetings held under the Coronavirus Act 2020** (includes Standing Orders and procedures) (Pages 22 - 31)
Report by Chief Executive and Head of Governance
9. **Response to the COVID-19 emergency and the financial position of the Broads Authority and local businesses** (Pages 32 - 44)
Report by Chief Executive, Chief Financial Officer and Collector of Tolls

Items for consent

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

10. **Annual Governance Statement 2019/2020 and Code of Corporate Governance 2020** (to accompany Statement of Accounts) (Pages 45 - 77)
Report by Head of Governance
11. **Flood Risk SPD for adoption** (following recommendation from Planning Committee on 6 March 2020) (Pages 78 - 181)
Report by Planning Policy Officer
12. **Annual report on requests to waive Standing Orders in 2019/2020** (Pages 182 -185)
Report by Chief Financial Officer

Reports for information

13. The Port Marine Safety Code: To consider any items of business raised by the designated person in respect of the Port Marine Safety Code
14. **Minutes to be received**
[Audit and Risk Committee – 19 November 2019](#)
[Planning Committee – 10 January 2020](#)
[Planning Committee – 7 February 2020](#)
15. **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
16. To answer any formal questions of which due notice has been given
17. **To note the dates of the next meetings**
(Proposed additional meeting on **24 or 25 June 2020** – see agenda item 8)
Friday 24 July 2020 at 10.00am (venue to be determined)
18. **Exclusion of the public**
The Authority is asked to consider exclusion of the public from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.
19. **To receive the Exempt Minutes from the meeting on 31 January 2020** (Pages 186 -189)

Broads Authority

Minutes of the meeting held on 31 January 2020

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Present

Bill Dickson – in the Chair, Louis Baugh, Harry Blathwayt, Matthew Bradbury, Jacquie Burgess, Andree Gee, Tim Jickells, James Knight, Greg Munford (Minute 13 onwards), Simon Roberts, Simon Sparrow, Nicky Talbot, Vic Thomson, Melanie Vigo di Gallidoro, Fran Whymark.

In attendance

John Packman – Chief Executive, Sandra Beckett – Administrative Officer (Governance), Steven Bell – Monitoring Officer, Maria Conti – Head of Governance, Andrea Kelly – Environment Policy Adviser (Minute 13), Emma Krelle – Chief Financial Officer, Rob Rogers – Director of Operations, Marie-Pierre Tighe – Director of Strategic Services.

Guest

Cllr William Nunn (Breckland Council) – LGA Regional Peer

1. Apologies and welcome

Introduction: The Chairman welcomed everyone to the first meeting of the Authority in 2020, on this historic day when the United Kingdom was officially leaving the European Union. As it was a year of transition nationally, he hoped that it would be equally transformational for the Broads Authority and the National Parks family as a whole. This would largely depend on the Government's response to the National Parks Grant Settlement, the Spending Review and also in part the Landscapes Review. The Chairman stressed that it came down to each and every one of us in the Authority to do the right thing, to show leadership and to refuse to allow the small issues, however contentious they may appear, to divert us from the wider purpose.

Apologies were received from Kelvin Allen, Julie Brociek-Coulton, Lana Hemsall and Bruce Keith. Apologies were also received from Greg Munford, who would be arriving later.

Welcome: As well as welcoming members of the public, the Chairman particularly welcomed Cllr William Nunn (Breckland Council), who would be observing the meeting in his capacity as the Local Government Association's (LGA) Regional Peer. He had been very helpful in supporting the Authority as part of the follow-up to the Peer Review.

2. Chairman's announcements

Openness of Local Government Bodies Regulations 2014

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

Congratulations

The Chairman congratulated Tim Jickells on being awarded the OBE in the New Year's Honours List.

Appraisals

The Chairman reported that the Chief Executive's performance appraisal had been completed by the LGA for the second year running. As before, the Chairs of the Authority's Committees, together with members of staff, contributed to the process. The Chairman commented that he understood the CEO was happy with the conclusions.

It was also time for the Member annual appraisals and the review forms to be sent out and dates for discussion arranged. Although the appraisal process was compulsory only for the Secretary of State appointees, it had proved in the past to be helpful and useful for all members to take part.

General proceedings

The Chairman commented he would take it that Members had read the papers and therefore the emphasis would be to ask questions and debate the issues. It was hoped they had sorted out any matters of fact before the meeting.

Exempt items

The agenda had been arranged to deal with confidential items first to ensure all Members were able to be present.

Former associates

The Chairman reported with sadness on the passing of **Alec Hartley**, a former member of the Broads Local Access Forum, on 3 January 2020, and of **Arthur Hindley** on 31 December 2019, a Senior River Inspector with the Authority after he was transferred from the Great Yarmouth Port and Haven Commissioners when the Broads Authority became a statutory authority. Mr Hindley had also been actively involved in the refurbishment of the Hoveton Riverside Park as a Hoveton resident.

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 within the necessary timescale of the scheme.

6. Minutes of Broads Authority meeting held on 22 November 2019

The Chairman reported that there was an amendment to page 5 of Minute 7 - Summary of Progress, under Hosting National Parks' Communications Unit, third line to read "English National Parks Chief Executives and English National Parks Chairs' Forum".

A further amendment was proposed to the final paragraph to read:

“A member requested that the Summary of Progress include more details including dates for actions, as previously agreed at the September 2019 meeting”.

Simon Sparrow proposed, seconded by Nicky Talbot and

It was resolved that the minutes of the meeting held on 22 November 2019 to include the amendments be approved as a correct record and signed by the Chairman.

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

The Authority received and noted a schedule of progress/actions taken following decisions of previous meetings. There were no further updates to report. The Chief Executive commented that the Summary of Progress was intended as a way of tracking actions on major decisions taken by the Authority, rather than having “matters arising”.

As previously requested, a Member considered that dates were important to understand the timeline and a formal resolution was required. Members recognised that this was helpful, although considered it was important for Members not to become over prescriptive on detail but to concentrate at a strategic level. Examples of actions where it would be useful to include dates were highlighted.

Fran Whymark proposed, seconded by Leslie Mogford and

It was resolved by 11 votes to 2 against and 2 abstentions to include details of significant events and best efforts be used to put dates on these where appropriate.

8. Exclusion of the public

The Authority **resolved** to exclude the public from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the following items on the grounds that they involved the likely disclosure of exempt information as defined by Paragraph 1,2, 3, and 4 Part1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.

The public left the meeting and the recording was suspended.

Matthew Bradbury proposed, seconded by Melanie Vigo di Gallidoro and **it was resolved that Mr Nunn be invited to remain for the confidential items, given his role as LGA Regional Peer.**

9. Exempt Minutes from the Broads Authority meeting on 22 November 2019.

The Exempt Minutes of the Broads Authority meeting held on 22 November 2019 were approved as a correct record and signed by the Chairman.

Steven Bell as Monitoring Officer left the room for the next item.

10. Review of Legal Services and Monitoring Officer

The Authority received a report containing exempt information on the provision of legal services to the Broads Authority after 31 March 2020 and the amended charges for the services of the Monitoring Officer. Members agreed that the new arrangements for procuring legal advice over the last year had worked well. They noted that the role of Monitoring Officer had taken more time than anticipated. Members supported the proposals.

Jacquie Burgess proposed, seconded by Andree Gee and

It was resolved by 15 votes to 0 against with 1 abstention:

- i. To appoint Birketts LLP to provide the Broads Authority with its legal advice under the Crown Commercial Services Agreement for a period of three years from 1 April 2020 to 31 March 2023.**
- ii. To appoint Nplaw to continue to provide advice and prosecutions on navigation matters, for the same period as in (i) above, at the discretion of the Chief Executive.**
- iii. To accept the revised basis of charges for the provision of the services of Mr Steven Bell of Birketts LLP as the Authority's Monitoring Officer.**

Steven Bell returned to the meeting.

11. Progress report by Monitoring Officer

The Authority received a report containing exempt information on the services provided and time taken by the Monitoring Officer since his appointment in March 2019.

Members were asked to consider what action should be taken to reduce the amount of Monitoring Officer time required, and how to reduce the financial, legal and reputational risks to the organisation. They provided the Chairman and Chief Executive with suggestions for a future meeting with a Local Authority on ways to proceed. The Chairman appreciated the comments received and would include the matters raised at this meeting in the discussions for a future meeting arranged in February with the aim of finding a constructive way forward. He asked for the Authority's latitude to use discretion and to act according to circumstances.

It was resolved that the Chairman and Chief Executive proceed to have discussions with the Local Authority Leader and Managing Director along the general lines discussed at this meeting as well as finding constructive ways forward on wider issues.

Members of the public were invited into the meeting and recording was continued.

12. Financial performance and direction

The Authority received a report providing a strategic overview of the key financial issues and items for decision. The report included the third report for this financial year 2019/2020 on

the consolidated income and expenditure figures up to 30 November 2019. It also gave the Budget for 2020/2021 and the assumptions applied in its preparation, as well as the Earmarked Reserves Strategy for the period 202/21 to 2022/23. In addition, the report outlined the next steps for considering early repayment of the Public Works Loan.

The Chief Financial Officer provided an update on the figures for 31 December 2019. The variance had increased to £349,469, a 23.9% difference from the profiled budget, mainly due to additional income received from the Rural Payment Agency, although these figures were now being checked. There were no changes to the Latest Available Budget. Changes to the Rural Payment Account income could cause changes to the forecast. Earmarked reserves (Table 4 of the report) had increased to £1,768,438 due to the HLF grant reimbursement.

With regard to the Budget, the Chief Financial Officer drew attention to the fact the National Park Grant (NPG) was still unknown and settlement was likely to be for one year only. Provision had been made for a 2% increase in salaries but likewise pay negotiations were unknown. The Budget was based on all posts being filled and therefore there was likely to be some savings between any resignation and new appointments. In addition, the replacement of the two smart cars would be deferred from 2019/2020 to 2020/21 as options were constantly increasing. Therefore, Officers would be carrying out further assessments for replacement. It was clarified that the original policy of replacement of vehicles every 7 years had been extended to 10 years. Both budget and reserves for 2021/22 would be further refined later in the year when the NPG and pay award had been settled.

A Member advocated the extension of the lifecycle of equipment wherever possible in order to reduce the regularity of buying and creating those industrial processes that pollute.

With regard to the Public Works Loan, it was noted that following the sale of the Ludham Field base and the creation of the Capital Receipts Reserve, there could be potential to repay the outstanding loan, as proposed by the Audit and Risk Committee in November 2019. It was emphasised that the reserve could only be used to fund capital expenditure or repay debt once. The balance of the reserve was split 60/40 between National Park Grant (NPG) and Navigation expenditure, but the loan repayments were considered 100% Navigation. The Navigation Committee would be consulted at its meeting in April and a report brought back to the Authority in May 2020 for decision. A further payment was due to be made in March, reducing the liability. It was clarified that although present budget arrangements were split 50/50 between NPG and Navigation due to the NPG being frozen for a number of years, when the original works to the Field Base were agreed, allocation of budget expenditure was 40 % navigation and 60% NPG. Therefore, this was the basis on which the allocation would be made. It was necessary to look back at how the original capital expenditure was funded to determine how it was to be used.

Following a Member's question regarding cybercrime, the Chairman of the Audit and Risk Committee commented that an exempt report on the fraudulent extraction of Authority funds had been given to the Authority in May 2019. He assured members that the incident had been dealt with as speedily and efficiently as possible. The Chief Financial Officer commented that the recent internal audit concluded that the Authority had the correct processes in place to

manage its finances for potential incidents. The Authority had insurance to cover such incidents but the excess was high at £25,000.

It was noted that within the Budget there remained very little or no capacity for taking on additional projects and the provision of funding represented the level of funding required to enable continuation of the levels of service already delivered.

The Chief Executive emphasised that the key points to note were the two areas of uncertainty relating to the level of NPG and the salary costs of staff which accounted in excess of 60% of the Authority's costs but were the Authority's most valuable resource. He commented that the level of NPG was being discussed with Defra. The Chairs of the National Parks had agreed to meet with their local MPs to discuss NPG also with the view that this should be set in line with inflation. It was anticipated that there would be more certainty in March.

Melanie Vigo di Gallidoro proposed, seconded by Matthew Bradbury and

It was resolved unanimously

- i. That the income and expenditure figures be noted.**
- ii. That the Authority adopts the 2020/21 Budget and endorses the assumptions made applied in the preparation of the Budget.**
- iii. That the Authority adopts the Earmarked Reserves Strategy for the period 2020/21 to 2022/23.**
- iv. That the Authority notes the next steps in considering repayment of the Public Works Loan.**

13. Landscapes Review

The Authority received a report outlining the proposed Broads Authority's preliminary response to the Government on the proposals in the Landscapes Review Final Report (Glover Review) published on 21 September 2019. A draft copy of the response had been provided to Members in November 2019 and, following further development, in January 2020. A number of the proposals would depend on the Government's response and therefore it was unclear what might change as a result of the Landscapes Review.

The Chairman commented that some of the proposals in the Review required some detailed debate, and it would be helpful if Members could provide guidance on priority themes to be developed for further discussion. It was important to bear in mind the caveats outlined under the previous minute about the Authority's resource capacity and the uncertainty about the level of DEFRA funding. However, a number of the recommendations in the Review were already in line with the Authority's strategic objectives and the Broads Plan. Therefore, he suggested the focus should be on where the Authority was already undertaking initiatives and resources were available. This was exemplified in the context of Proposal 5 on the New Environmental Land Management Schemes (ELMS), where the Authority was involved in the Test and Trials project.

The Environment Policy Adviser gave a presentation on the Test and Trials project, which was supporting the development of a new system for payments to farmers in the Broads. It followed Brexit and was about resetting of the agricultural support system. She emphasised that the Authority was in a good position to step up to the challenge within the area, given its rich soils, biodiversity and ability to embrace and mitigate against climate change (as it had done in the past through the ESA scheme). The policy context for ELMS was the 25-year Environment Plan, Health and Harmony and the Agricultural Bill, and was based on the premise of public money for public goods, nature recovery network and natural capital. The Test and Trials project was designed to provide a scheme that was comprehensive, provided tangible benefits and could be submitted to Defra. It was taking account of the public goods of clean and plentiful water, food, clean air, protection from and mitigation of environmental hazards, mitigation of and adaptation of climate change, thriving plant and wildlife, beauty, heritage and engagement. The Environment Policy Adviser outlined the proposed timeline for introducing schemes and the 7-year transition for payments. She informed the Authority of the organisations involved in the project and the proposed timing of the ELMS workshops. The first workshop was held in November 2019 and two more were planned: March 2020 in the North Broads and April 2020 in the Southern Broads. More details were available from the Authority's website, and copies of today's presentation would be circulated to Members.

<https://www.broads-authority.gov.uk/looking-after/projects/environment-land-management-system>

The Chairman thanked the Environment Policy Adviser for the presentation.

A Member commented that government spending reviews were often on a relatively short-term basis. Members considered it was important to emphasise to Defra that farmers and landowners required long term arrangements in order to implement schemes. It was also important to create schemes that were attractive and that people could sign up to and remain within.

Given the constraints and uncertainties for the Authority, Members agreed to concentrate on those areas where the Authority was already engaged in projects and making progress. The issues prioritised by Members for future discussion included climate change and carbon capture; biodiversity and the future of agriculture; and promoting wider participation within the National Parks and health and wellbeing benefits. It was also suggested further exploring Proposal 21, "Welcoming new landscape approaches in cities and the coast", with a view to creating Norwich City as a National Park City and possibly including Great Yarmouth and Lowestoft. This could help to increase positive cooperation and engagement with the constituent local authorities, building on the regular cycle of meetings held with the Leaders and Chief Executives of those local authorities.

The Chairman thanked members for their suggestions.

14. Strategic direction

The Authority received a report on the progress on its annual strategic priorities, guided by the themes within the Broads Plan.

It was resolved to note the report.

15. Statement of Community Involvement for adoption

The Authority received a report on the Statement of Community Involvement, which had been the subject of consultation between 22 November 2019 and 16 December 2019. The Planning Committee had considered the amended version following consultation at its meeting on 6 December 2019 and recommended that it be adopted.

It was resolved to adopt the Statement of Community Involvement.

16. Planning documents for public consultation: Flood Risk SPD

The Authority received a report on the Draft Flood Risk SPD, which had been reviewed following the adoption of the Local Plan for the Broads in May 2019 and subject to a first stage consultation between 22 November 2019 and 16 December 2019. The report detailed the responses received, a track changed version of the SPD and the next steps in the process.

It was resolved to endorse the revised Flood Risk SPD for second stage public consultation.

17. Memorandum of Understanding between the Broads Charitable Trust and the Broads Authority.

The Authority received a report on the proposal for the Broads Authority and Broads Charitable Trust to work collaboratively to attract external funding. This involved a proposed Memorandum of Understanding between the two parties.

It was resolved to agree to the Memorandum of Understanding between the Broads Charitable Trust and the Broads Authority.

18. Risk Management Policy and Register

The Authority received a report setting out the updated Corporate Risk Register and Risk Management Policy, following a review by the Audit and Risk Committee on 19 November 2019 and queries raised. The Corporate Risk Register focused on high level strategic risks that could threaten the Authority's core business and the way it operated. Ten main risks were identified, eight of which were assessed as 'medium risk', two as 'low risk' and none as 'high risk'. It was noted that the Authority also maintained Directorate Risk Registers, which identified risks that could threaten day-to-day operational activities in each directorate.

Some Members commented that the risk of cybercrime, referenced at no.9 in the register, should be given greater prominence, perhaps as a separate risk. The Chief Financial Officer, supported by the Chair of the Audit and Risk Committee, clarified that as the Corporate Risk

Register was designed to focus at the strategic level, the internal audit recommendation had been to reduce the number of categories. In addition, External Audit had made it clear it was necessary to manage the register in a way that items could be taken off the register. It was recognised that the risk from cybercrime, or more generally from fraud, crossed over into a number of the main areas of risk. It was agreed to include reference to the “loss of funds from fraud” under Risk 4 in the Register.

A Member considered Risk 2, relating to reputational damage, was under scored and it was suggested the likelihood score be increased from 2 to 3. It was noted that the risk score would remain as ‘medium risk’.

A Member referred to Risk 1 relating to loss of key staff, knowledge and expertise. The Chief Executive commented that this was a matter the Authority was very conscious of and efforts were taken to mitigate the risk wherever possible. He highlighted that the Authority was unique in comparison with a number of other organisations in that it had such broad responsibilities, there was often only one staff member in a key role, such as the GIS Officer, Rivers Engineer, and Waterways and Recreation Officer.

The Head of Governance reported that Risk 10 relating to the funding of EU-funded projects could be removed from the Corporate Risk Register, following the Government’s recent confirmation that there would not be a no-deal Brexit.

It was resolved to approve the updated Corporate Risk Register and Risk Management Policy with the amendments raised at this meeting.

19. 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 Director of Operations commented that, following the departure of the Head of Safety Management, the Authority had been non-compliant in one area of the Port Marine Safety Code concerning Operational Oil Spills. This was due to the next responsible Officer’s certificate of necessary training having fallen out of date. The Director of Operations apologised for the oversight, which was now being rectified. All other aspects for safety management skills were in place.

20. Minutes received

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

It was resolved to receive and note the minutes from:

Audit and Risk Committee – 23 July 2019

Broads Local Access Forum – 4 September 2019

Navigation Committee – 31 October 2019

Planning Committee on 8 November and 6 December 2019.

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

The Chairman invited Members to report on any significant meetings they had attended on behalf of the Authority.

Melanie Vigo di Gallidoro from Suffolk County Council referred to the development at Carlton Marshes by the Suffolk Wildlife Trust. It was pleasing that in addition to the proposal for moorings at Peto's Marsh, recent discussions had taken place about developing the footpath from the Station in Oulton Broad to the site. The development would be a tremendous asset to the Broads and Suffolk.

22. Formal questions

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

23. Date of next meeting

The next meeting of the Authority would be held on Friday 20 March 2020 at 10.00 am at Yare House, 62 – 64 Thorpe Road, Norwich.

The meeting ended at 12.15 pm

Signed by

Chairman

Appendix 1 – Declaration of interests Broads Authority, 31 January 2020

Member	Agenda/minute	Nature of interest
Matthew Bradbury	-	As previously notified
Leslie Mogford	-	As previously notified
Simon Roberts	-	As previously notified
Nicky Talbot	-	As previously notified
Harry Blathwayt	-	As previously notified
Andree Gee	-	As previously notified
James Knight	-	As previously notified
Vic Thomson	-	As previously notified
Melanie Vigo di Gallidoro	-	As previously notified
Fran Whymark	-	As previously notified
Simon Sparrow	-	As previously notified
Tim Jickells	-	As previously notified
Jacque Burgess	-	As previously notified
Louis Baugh	Agenda item 13	As previously notified and Re: Environmental Land Management (ELMS) - could be a beneficiary of the scheme if successful.
Tristram Hilburn	-	As previously notified

Broads Authority

22 May 2020

Agenda item number 7

Summary of progress

Report by Administrative Officer

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>Aug 2018: 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>Feb 2020: 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>28 Feb 2020: BA in phone conference with MMO and other parties to satisfy latest MMO questions.</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>Oct 2019: Defra awarded Broads Test and Trial contract. Sub-contracts awarded to Natural England, Norfolk Farming Wildlife Advisory Group and facilitator.</p> <p>Nov 2019: Broads Test and Trial published on website. Project investigating payments, management interventions, monitoring and verification of interventions.</p> <p>13 Nov 2019: 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. https://www.broads-authority.gov.uk/looking-after/projects/environment-land-management-system. Workshop report circulated to Steering Group and participants and interested parties.</p> <p>10 Feb 2020: Defra ELMs team and Broads farmer site visit.</p> <p>Mar-May 2020:</p> <p>Objective 2 - Developed detail and viability 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.</p> <p>Objective 3 - Trialled self-assessment form for fen and fen meadow in liaison with RSPB.</p>	30/10/2020

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
				Objective 4 - Assessed local board roles and membership. Objective 5 - mapped information to inform collaboration around the Broads. 29 April 2020: 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. May 2020: Preparing online surveys and pre-recorded presentations.	
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; andin the context of reviewing the Sustainable Tourism Strategy, to consider with members options for a wider project to enhance tourism in the Broads.	Ownership of toilet block transferred from Great Yarmouth Borough Council to BA.Repairs to moorings at Acle Bridge and installation of electric charging points included in work programme for Winter 2019/2020. Nov 2019: Acle Bridge site in Visitor Services Review (Exempt report) on BA agenda 22/11/19. Feb 2020: 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.	31/01/2020
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.	Sept 2019: Landscapes Review Final Report published 21 Sept. Awaiting Government response to review. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/833726/landscapes-review-final-report.pdf Nov 2019/Jan 2020: 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. Mar 2020: 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. May 2020: Report and presentation on climate change to be given at BA meeting 24 July 2020.	24/07/2020

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
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.	Collaborative work ongoing with Norfolk County Council. 4 Jul 2019: BA member and officer site visit to Norfolk coast in association with Norfolk Coast Partnership. 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. May 2020: Scoping Cooperation Agreement between BA and Norfolk County Council. BA supporting development of Norfolk and Suffolk Environment Plan, led by Norfolk and Suffolk County Councils. UEA developing asset inventory with set of indicators.	22/05/2020
Hosting National Parks' Communications Unit	22/03/2019	Rob Leigh	BA hosting UK National Parks Communications Service on basis set out in report, and Appendix 1 of report approved.	1-3 Oct 2019: BA hosted National Parks Heads of Communication Officers meeting. 28 Nov 2019: 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. 17 Jan 2020: 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. 2-4 Mar 2020: Heads of Communications meeting.	
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.	5 Feb 2020: 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. May 2020: With solicitors to finalise agreement; all parties happy to proceed.	03/06/2020
External funding	26/07/2019	John Packman	Proposed principles and key areas of work for external funding agreed as set out in report, to be developed by officers for further discussion with members to include the immediate next steps: Recruit a replacement Waterways and Recreation Officer with external funding	Sept 2019: Lewis Treloar appointed as BA Waterways and Recreation Officer. Jan 2020: Discussions with Broads Charitable Trust - Memorandum of Understanding between BA and Trust agreed by BA.	20/03/2020

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
			bid writing experience; Continue to work with Broads Charitable Trust to align priorities; Through the Broads Charitable Trust, submit bids for funding to charities already identified as having the potential to support the Water Mills and Marshes programme; Explore with Norfolk County Council opportunities for further joint submissions for external funding; and Continue discussions with the Norfolk Coast Partnership on potential areas for joint working and collaboration, including external fund raising.	Mar 2020: Bids prepared for external funding to support Water, Mills and Marshes programme. May 2020: Collaboration with Norfolk County Council ongoing. Director of Strategic Services attended Norfolk Coast Partnership forum in Nov 2019 on challenges of changing coast. 2020 Norfolk Coast Guardian newspaper (April) included article on Broadland Futures Initiative. April BFI meeting postponed due to COVID-19 crisis.	
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.	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. 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. May 2020: 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.	31/12/2021
Draft planning documents for consultation	27/09/2019	Natalie Beal	Draft Marketing and Viability Supplementary Planning Document approved for public consultation - response and further report to be considered by Planning Committee, potentially in workshop format. Draft Flood Risk SPD and Draft Statement of Community Involvement SCI approved for public consultation.	Sept 2019: Documents submitted for first public consultation from 30 Sept to 22 Nov. Jan 2020: 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. Jan-Mar 2020: 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 2020. Planning Committee 6 March recommended BA to adopt SPD following minor amendments. May 2020: Marketing and Viability SPD to Planning Committee 7 Feb and 6 Mar and recommended for second round consultation (done under delegated powers in light of COVID-19 lockdown). Consultation period from 16 March to 5 June 2020. Residential Moorings Guide endorsed for consultation by Planning Committee on 6 March 2020. Consultation period from 16 March to 5 June 2020.	24/07/2020

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
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).	6 Jan 2020: Consultation began for extinguishment of first bundle of footpaths (Cantley FP18, Stokesby FP6 and Mautby FP12) 5 Feb 2020: Consultation ended 3 Feb and Orders signed and sealed, with notices served to relevant stakeholders. 3 Mar 2020: One objection received a day before confirmation of the Orders was set to go ahead. 18 Mar 2020: Objection withdrawn following discussions. May 2020: Confirmation agreed, but progress postponed due to COVID-19 situation.	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.	8 Oct 2019: 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. Oct 2019: WRE added to BA Partnerships Register. Dec 2019: WRE Managing Director presented their work to Broadland Futures Initiative group. 14 Jan 2020: 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. 11 March 2020: Director of Strategic Services attended WRE meeting. Main discussion item was the draft business plan. April 2020: WRE hosted discussion with support from NALP to discuss potential water related project opportunities in Norfolk and Suffolk. Next meeting 22 June 2020, when 3-year business plan will be submitted for approval.	30/09/2020
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	Sept 2019: Principles agreed - first in series of items dealing with climate change. 22 Nov 2019: Presentation to BA from Asher Minns, Director of Tyndall Centre at UEA and update by CANAPE Project Manager/Carbon Reduction Projects Manager. 10 Jan 2020: Planning Committee report on planning policy response to climate change mitigation and adaptation. May 2020: 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.	

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
			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; andaspires to offsetting carbon emissions locally within the Broads by a Broads offsetting scheme.		
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.	Nov 2019: 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. Mar 2020: 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. May 2020: Plans on hold due to COVID-19 situation.	31/03/2020
Proposed Navigation Charges for 2020/21 in the navigation area and adjacent waters	22/11/2019	Bill Housden	That there should be a differential increase in tolls such that unpowered, electric and hybrid craft have lower increases than diesel or petrol-powered craft. That the level of tolls be increased by 2.9% with an increase of just 1% for unpowered, hybrid and electric craft.The increase to allow for £30,000 to cover the full cost of providing mooring at Peto's Marsh.Change the structure of the tolls such that electric powered auxiliary yachts pay the same as sailing boats.	24-25 Feb 2020: Notice sent to toll payers. May 2020: Updated report included in agenda.	31/05/2020
Mooring Provision - priorities (Exempt)	26/07/2019	Rob Rogers	To approve the Navigation Committee's recommendations on the strategic approach for the mooring locations in paragraphs 2 to 6 of the report.	16 Jan 2020: Exempt report to Navigation Committee with status update. Individual lease negotiations of new and existing sites progressing.	

Author: Sandra Beckett

Date of report: 13 May 2020

Broads Authority

22 May 2020

Agenda item number 8

Procedures and actions for remote meetings held under the Coronavirus Act 2020

Report by Chief Executive and Head of Governance

Purpose

The Broads Authority has prepared draft Remote Meeting Procedure Rules, together with proposals for meeting dates and member appointments, held under the provisions of the Coronavirus Act 2020 regulations.

Recommended decision

To endorse the draft Remote Meeting Procedure Rules (Appendix 1) and to agree that:

- (i) the Annual Meeting scheduled for July 2020 is deferred, that all appointments from the 2019 Annual Meeting continue, and that the position is reviewed at the Broads Authority meeting in September;
- (ii) an additional meeting of the Broads Authority is held on either 24 or 25 June;
- (iii) Matthew Bradbury and Simon Roberts are appointed to the Audit and Risk Committee; and
- (iv) Stephen Bolt is appointed to the Planning Committee.

1 Remote meeting procedure rules

- 1.1. The draft Remote Meeting Procedure Rules at Appendix 1 provide the means and guidance for the conduct of any remote meeting of the Broads Authority and its committees held under the provisions of [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020 no. 392](#) ('the Regulations').
- 1.2. The Regulations apply notwithstanding any other legislation, standing orders or other rules of the Authority governing meetings. These Remote Meeting Procedure Rules should be read in conjunction with the Authority's existing Standing Orders and procedure rules within its Constitution. Where there is a conflict, the Remote Meeting Procedure Rules are, in effect, mandatory Standing Orders, and take precedence in relation to any remote meeting.

- 1.3. These Remote Meeting Procedure Rules exist only on a temporary basis. If adopted at today's meeting, the Rules will have effect until 7 May 2021.

2 Annual Meeting and Member appointments

Annual Meeting

- 2.1. Under the above Regulations, the requirement to hold an Annual Meeting is to be disregarded and, prior to 7 May 2021, an Annual Meeting of the Authority may only take place:
- a) where called by the Chair; or
 - b) following a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of the Authority
- 2.2. Where an Annual Meeting is delayed, all appointments from the 2019 Annual Meeting continue.
- 2.3. Table 1 sets out what our constituent Local Authorities are doing in regard to their annual meetings and their outside body appointments to the Broads Authority. We are also liaising regularly with the English National Park Authorities, most of whom are delaying their annual meeting until later in the year.

Table 1

Annual meetings and appointments to outside bodies

Authority	Process
Norfolk	Outside body appointments determined by Leader – BA awaiting notification.
Suffolk	Current member appointed until 2021.
Broadland	AGM deferred, current member appointment extended.
Great Yarmouth	AGM deferred, current member appointment extended.
North Norfolk	Current member appointed until 2023.
Norwich	AGM deferred, current member appointment extended.
South Norfolk	AGM deferred, current member appointment extended.
East Suffolk Council	AGM deferred to 23 September 2020, current member appointment extended until this date.

- 2.4. Under the Regulations, it is proposed that the Broads Authority's Annual Meeting is deferred, with all appointments from the 2019 Annual Meeting continuing, and that

the position is reviewed, on the basis of the COVID-19 situation at that time, at the Authority's meeting in September.

- 2.5. It is also proposed that an additional meeting of the Broads Authority is held on either 24 or 25 June, to deal with our ongoing response to the COVID-19 situation.

Appointments to committees

- 2.6. There are vacancies on the Audit and Risk Committee (ARC) and on Planning Committee. It is proposed that:
- (i) Matthew Bradbury and Simon Roberts are appointed to ARC
 - (ii) Stephen Bolt is appointed to the Planning Committee

Author: John Packman, Maria Conti

Date of report: 04 May 2020

Background papers: [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020 no. 392](#)

Appendix 1 – Draft Procedure Rules for Remote Meetings

Standing Orders for the Regulation of Authority Proceedings: Remote meeting procedure rules

In effect from 22 May 2020 until 7 May 2021

1. Purpose

- 1.1. These Remote Meeting Procedure Rules provide the means and guidance for the conduct of any remote meeting of the Broads Authority and its sub-committees held under the provisions of [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020 no. 392](#) ('the Regulations'), made under section 78 of the Coronavirus Act 2020.
- 1.2. The Regulations apply notwithstanding any other legislation, Standing Orders or other rules of the Authority governing meetings. These Remote Meeting Procedure Rules form part of the Authority's Constitution and should be read in conjunction with the Authority's existing Standing Orders and procedure rules within its Constitution. Authority Members and Officers should also refer to the 'Remote meeting protocol for BA Members and Officers (Lifesize video-conferencing platform)'. Guidance will also be available to members of the public wishing to access a remote meeting.
- 1.3. Where there is a conflict, the Remote Meeting Procedure Rules are, in effect, mandatory Standing Orders, and take precedence in relation to any remote meeting.
- 1.4. These Remote Meeting Procedure Rules exist only on a temporary basis, having effect from 22 May 2020 for the period until 7 May 2021.

2. Annual Meeting

- 2.1. Under the Regulations, the requirement to hold an Annual Meeting in 2020 may be disregarded. The Authority has decided to so disregard that requirement and, prior to 7 May 2021, the next Annual Meeting of the Authority may only take place:
 - a) where called by the Chair; or
 - b) following a resolution calling for an Annual Meeting being passed at an ordinary or extraordinary meeting of the Authority.
- 2.2. All Member appointments from the 2019 Annual Meeting will continue until the next Annual Meeting or otherwise as determined by the Authority.

3. Notice of meeting and provision of papers

Access to information

- 3.1. For all purposes of the Constitution, the terms “notice”, “summons”, “agenda”, “report”, “written record” and “background papers” when referred to as being a document that is:
 - a) “open to inspection” shall include, for these and all other purposes, as being published on the Authority’s website; and
 - b) to be published, posted or made available at offices of the Authority shall include publication on the Authority’s website.

Notice

- 3.2. The normal notice requirements as set out in the Authority’s Constitution will also apply to remote meetings. The meeting time and agenda papers will be published on the Authority’s website. Any member of the public wishing to access a remote meeting will be sent joining instructions by email.
- 3.3. Under the Regulations, where notice of a meeting is required and has been given, the Chair of the remote meeting may move or cancel that meeting without further notice of the new date of that meeting being required to be given.

Remote access to meetings

- 3.4. For all purposes of the Constitution, the term “meeting” is not limited in meaning to a meeting of persons all of whom, or any of whom, are present in the same place, for which purposes any reference to:
 - a) “place” is to be interpreted as where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers: and
 - b) “open to the public” includes access to the meeting being through remote means including (but not limited to) video conferencing, live webcast, and live streaming; where a meeting is accessible to the public through such remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person; and
- 3.5. Members of the public (who do not have a right to speak at the meeting) will be asked to confirm their wish to attend a remote meeting in advance, giving notice of at least two working days before the meeting date.
- 3.6. If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair shall adjourn the meeting immediately. If the provision of access through remote means cannot be restored within a reasonable period, then the remaining business

will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

4. Management of remote meetings

Members in remote attendance

- 4.1. A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting's quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:
 - a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Members in attendance.
 - b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
 - c) as to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- 4.2. A Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in paragraph 4.1 above are not met. In such circumstances the Chair may, as they deem appropriate:
 - a) adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in 4.1 above to be re-established;
 - b) count the number of Members in attendance for the purposes of the quorum; or
 - c) continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.
- 4.3. If remote attendance by the Chair is lost, the Vice-Chair will chair the meeting until the Chair's remote attendance is re-established.

Quorum

- 4.4. The normal quorum requirements for meetings as set out in the Authority's Constitution will also apply to a remote meeting. The attendance of those members at the meeting will be recorded by the meeting moderator.
- 4.5. In the event of any apparent failure of the video, telephone or conferencing connection resulting in the conditions in paragraph 4.1 not being met the Chair, assisted by the meeting moderator, should immediately determine if the meeting is still quorate:
 - if it is, then the business of the meeting will continue; or

- if there is no quorum, then the meeting shall adjourn for a period specified by the Chair, expected to be no more than 15 minutes, to allow the connection to be re-established
- 4.6. Should any aspect of an individual's remote participation fail, the Chair may call a short adjournment of up to five minutes or so to determine whether the connection can quickly be re-established, either by audio-video technology or by telephone link. If the Chair advises of a short temporary adjournment to a remote meeting, all Members must remain in attendance with their microphones on mute, until the Chair instructs otherwise. The live stream will be suspended during an adjournment. If the connection is not restored within the specified time, the meeting should continue to deal with the business while this happens, providing the meeting remains quorate and the public are able to hear.
 - 4.7. In the event of audio connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure. If the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s. If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment.
 - 4.8. If a connection to a Member is lost during a regulatory meeting, the Chair will stop the meeting to enable the connection to be restored. If the connection cannot be restored within a reasonable time, the meeting will proceed, provided the meeting is quorate, but the Member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.
 - 4.9. In the event that a remote meeting starts quorate but due to unforeseen circumstances, such as lost connection, does not remain quorate and is temporarily suspended until the issue is resolved and the meeting recommences, the minutes of each meeting must fully record these circumstances.

Remote attendance by members of the public (under public speaking rights)

- 4.10. The arrangements as set out in the Authority's 'Public Question Time Scheme of Operation' (for a member or members of the public wishing to ask a question, present a petition or make a statement on any matter that relates to the business of the Broads Authority and its sub-committees) and 'Public Speaking at Planning Committee' (for applicants and objectors to development proposals who wish to speak to the Planning Committee) will also apply to a remote meeting, with the following additional provisions.
- 4.11. A member of the public entitled to attend the meeting in order to exercise a right to speak at the meeting is in remote attendance at any time if all three of the following conditions are satisfied, those conditions being that the member of the public in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, Members in attendance;
 - (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
 - (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- 4.12. A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in paragraph 3 above are not met. In such circumstances the Chair may, as he or she deems appropriate:
- (i) adjourn the meeting for a short period to permit the conditions for remote attendance to be re-established;
 - (ii) suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been re-established or, on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest; or
 - (iii) continue to transact the remaining business of the meeting in the absence of the member of the public in remote attendance.
- 4.13. A member of the public participating in a remote meeting is required to give advance notification and to submit their representation at least three working days before the meeting day to the Administrative Officer (Governance). No questions will be permitted at the remote meeting unless such advance notice has been given. The Officer will, for those items of business, send the member of the public an invitation to participate. Members of the public who wish to participate in meetings may need to familiarise themselves with the Authority's chosen conferencing technology.
- 4.14. If a member of the public exercising speaking rights is unable or unwilling to participate in a remote meeting, they may choose to make their representation in writing and request that it is read out by the Chair or a supporting officer at the meeting.
- 4.15. Any technological failure removing the ability for the public to access the meeting by remote means renders the whole meeting incapable of proceeding. A member of the public who attends to exercise their right to speak and is unable to do so renders only their item incapable of proceeding.
- 4.16. Once the member of the public has spoken, they will be removed from the remote meeting on the instruction of the Chair to maintain the good administration of the

meeting or to retain order. The member of the public may continue to follow proceedings through the live streaming facility.

5. Meeting procedures

- 5.1. The Chair will follow the rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.
- 5.2. The Chair, at the beginning of the meeting, will explain the protocol for member and public participation and the rules of debate. The Chair's ruling during the debate will be final.
- 5.3. Where members of the public are exercising speaking rights at the meeting via remote attendance, the Chair will as part of their introduction explain the procedure for their participation. Members of the public must adhere to this procedure otherwise they may be excluded from the meeting.

Remote voting

- 5.4. When the Chair is satisfied that there has been sufficient debate and (if the rules of the meeting require) there is a proposer and seconder for the item being discussed, the Chair will progress to making a decision.
- 5.5. Unless a Recorded Vote is called (which may be confirmed by the requisite number of Members confirming the demand verbally when requested by the Chair), the method of voting will be at the Chair's discretion and will be by one of the following methods:
 - a vote by use of the electronic means for remote voting; or
 - by the affirmation of the meeting if there is no dissent (by assent); or
 - by the Chair or moderator calling out the name of each member present with members stating 'for', 'against', or 'abstain' to indicate their vote when their name is called.
- 5.6. The Chair, assisted by the meeting moderator, will clearly state the result of the vote and the Chair will then move onto the next agenda item.
- 5.7. Details of how Members voted will not be kept or minuted unless a Recorded Vote is called. Where a Recorded Vote is requested, the Chair will ask members in turn to signify verbally whether or not they support that request.

6. Declaration of interests

- 6.1. Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the meeting moderator, who will invite the relevant Member by telephone or email to re-join the meeting at the appropriate time.

- 6.2. Where a Member is required to leave the meeting, the means of remote attendance and access is to be severed while any discussion or vote takes place in respect of the item or items of business in which the member or co-opted member may not participate.

7. Exclusion of public and press

- 7.1. For Authority meetings that are not open to the public, when confidential or 'exempt' issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration, the meeting moderator will ensure that there are no members of the public in remote attendance, or remotely accessing the meeting, able to hear or see the proceedings once the exclusion has been agreed by the meeting.
- 7.2. Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.
- 7.3. Any Member in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would be in breach of the Members' Code of Conduct responsibilities.

8. Public access to meeting documentation following the meeting

- 8.1. Members of the public may access minutes, decision notices and other relevant documents through the Authority's website. The definitions of 'access to information' and 'available to the public' are the same as at section 3 above.
- 8.2. Requests for access to the list of background papers and other relevant documents should be sent by email to committees@broads-authority.gov.uk.

Dated: 22 May 2020

Broads Authority

22 May 2020

Agenda item number 9

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

Purpose

This report updates Members on the Broads Authority's response to the COVID-19 emergency, setting out our financial position, actions to date to address the probable deficit in navigation income, and the latest on negotiations with Defra officials for financial support to the Broads Authority and the hire boat industry.

Recommended decision

To endorse the actions taken to date to:

- i. Protect the health and safety of staff and volunteers while maintaining service delivery and the maintenance of the Broads and its waterways;
 - ii. Seek financial support for local tourism businesses, particularly the hire boat industry;
 - iii. Request that the Government underwrites the Authority's deficit on its navigation income;
 - iv. Note the year end position for 31 March 2020 and agree the carry forwards;
 - v. Note the use of Urgent Action to approve the Capital, Treasury and Investment Strategy that should have been approved before 1 April;
 - vi. Ask officers to prepare an emergency budget, taking account of any decision by the Government on financial support, to bring navigation income and expenditure into balance; consult the Navigation Committee on the implications (June 11); and bring back recommendations to the next meeting of the Authority when it is hoped there will be greater certainty about the medium-term implications of the emergency.
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1. Introduction

- 1.1. Members will know from regular briefings that the Broads Authority’s priorities in responding to the COVID-19 crisis have been to:
- Protect staff and volunteers, while continuing as far as possible to deliver the Authority’s services and maintain the Broads and the waterways so they are ready for use when the current lockdown restrictions are eased;
 - Support the local tourism industry, in particular the future of the hire boat companies, who play a vital role in providing the public with a Broads experience; and
 - Ask Defra Ministers to underwrite the potential losses of navigation income this financial year as a result of the crisis.
- 1.2. This report considers each of these priorities and provides an update on the current situation.

2. Maintaining our service delivery

- 2.1. The Authority’s position since the lockdown started in March has clearly not been ‘business as usual’. We have had to re-prioritise our practical work to make it safe for our field staff to continue working within the guidelines set out for the construction industry. Other staff have adjusted to working from home and holding remote meetings, and social distancing measures are in place for the few members of staff still working from Yare House and the Dockyard.

- 2.2. By taking these measures, we have been able to maintain most of the Authority's practical work and services. Our Business Continuity Plan is working well and our IT systems have helped us adapt smoothly to new ways of working.
- 2.3. We continue to be mindful of the safety of our staff and have started planning for how social distancing will be maintained as the restrictions are gradually eased.

3. Supporting the Broads Hire Boat Industry

- 3.1. The Authority recognised the crisis faced by the hire boat companies when the travel restrictions were introduced. The companies quickly lost many of their bookings and face a bleak outlook. We immediately set up a conference call with our main contacts at British Marine, the UK industry body for the hire boat sector, and the Chairman of the Broads Hire Boat Federation.
- 3.2. Two actions flowed from this meeting: a statement indicating that the Broads Authority's legislation has a provision that means that, while the hire boats are effectively laid up in their yards, the companies are not required to pay a toll; and agreement that the Broads Authority would be a co-signatory with British Marine and the Canals and River Trust to a letter to the Secretary of State seeking financial support for the industry.
- 3.3. A further joint letter was sent in response to correspondence from Rebecca Pow MP. This was followed by a flurry of urgent enquiries from officials to help them in their briefing of Ministers. Further contact was made with the Broads Hire Boat Federation and advice sought directly from local companies on a very short timescale. Appendix 1 is a copy of one of these responses, sent on 2 May.
- 3.4. At the time of writing this report, we are still in discussion with Defra officials.

4. Acknowledging the concerns of our Private Boat Owners

- 4.1. The lockdown restrictions on travel in place before 13 May meant that our private boat owners (PBOs) were unable to use their vessels. However, the message to boaters during that time was that, if their boat was moored in the Broads waterways, there was still a statutory requirement to pay a charge to the Broads Authority. This has been a difficult message to impart, and our frontline staff have done an excellent job in explaining that without the boaters' tolls, we would be unable to continue the essential maintenance and safety work that would allow the waterways to be used again as soon as the restrictions were lifted. This has proved to be the case, as boaters were able to get back onto the water immediately following the easing of restrictions from 13 May.

5. Financial implications and Government support

- 5.1. The Authority has two main sources of income: A share of the National Park Grant (NPG) made available by Defra to the 9 English National Park Authorities and the Broads Authority, and navigation charges levied on private and hired boats. For the year

2020/21, the Authority had budgeted for a combined income of £6.9 million from these two sources (£3.4 million NPG, £3.5 million Navigation).

- 5.2. Expenditure is also accounted under the two separate headings of NPG and Navigation. Some services are fully funded from the NPG budget (for example, planning), some are fully funded from the Navigation budget (for example, tolls), and some are partly funded from NPG and Navigation.
- 5.3. NPG income is secure and Defra has forward funded £3.4 million (35%) to the Authority. Officers estimate there could be a loss of £150,000 in income to National Park services, principally Visitor Services, and this can be covered by the Authority's General Reserves. This means that the provision of these services, such as planning, nature conservation and tourist promotion, is secure.
- 5.4. However, navigation income is far short of the budgeted figure of £3.5 million. To date, we have received £1.24 million of the budgeted £2.2 million from private boat owners and next to zero income from hire boat operators.
- 5.5. As Members will be aware, the Authority maintains general reserves (Navigation and National Park), and earmarked reserves to fund major capital purchases and ring fenced externally funded projects. These form part of the useable reserves found in the Authority's balance sheet (Appendix 2 highlights the Authority's reserves as of 31 March 2020).
- 5.6. The Authority's consolidated financial position as at the end of 2019/20 demonstrated a surplus compared to the forecast deficit of £22,725 last reported to the Authority in January. Surplus or deficit go into or out of the general reserves at the end of the financial year. A contributing factor to the surplus was contractor works being delayed following restrictions arising from COVID-19.

Table 1

Actual Income and Expenditure by Directorate to 31 March 2020

Directorate	Latest Available Budget £	Actual Income and Expenditure £	Actual Variance £
Income	(6,869,078)	(6,898,276)	+ 29,198
Operations	4,002,972	3,805,018	+ 197,954
Strategic Services	1,638,058	1,626,887	+ 11,171
Chief Executive	1,450,888	1,363,907	+ 86,981
Projects, Corporate Items and Contributions from Earmarked Reserves	(112,365)	(94,188)	- 18,177
Net (Surplus)/Deficit	110,475	(196,652)	+ 307,127

- 5.7. The surplus for Navigation was £136,028 compared to a forecast surplus of £17,547 and a budgeted deficit of £32,289.
- 5.8. As a result of the COVID-19 crisis, this year has seen an increase to the number of carry forward requests submitted. These have been reviewed by Management Team and are shown in Table 2.

Table 2

Summary of 2019/20 carry forward requests

Budget Line	National Park £	Navigation £	Consolidated £	Reason for carry forward request
Practical Maintenance	0	62,438	62,438	Long-term high water delayed work in Jan and most of Feb. The COVID-19 lockdown put work on hold in late March as contractors paused work (still paused as at 6 May).
Practical Maintenance	0	7,500	7,500	Acle Bridge - installation of electric posts work cannot start until the piling and mooring work is completed.
Communications	6,000	0	6,000	Unavoidable delay with Broads Trust wherry educational project due to contractor commitments. Considerable work arising from project and budget would help progress the history and science elements of Broads Curriculum in 2020-21.
Dredging	0	3,000	3,000	Consultants were contracted to deliver water vole licensing actions on Peto's Marsh to support BA dredging re-use of the site. This work was due to be completed in March 2020 but the site was shut down owing to COVID-19 and the works were only partially completed. Licensing will still be required but this will be deferred until Feb/March 2021.

Budget Line	National Park £	Navigation £	Consolidated £	Reason for carry forward request
Communications	8,911	3,819	12,730	As part of rolling out the Broads National Park branding, Norwich Forum and Lowestoft train station signage was about to be produced. These projects will be prioritised as soon as COVID-19 restrictions are lifted.
Communications	4,045	1,734	5,779	Broadcaster could not be distributed by the BA in March because of Covid-19. Distribution is part of our arrangement with the publishers who manage the financing of the publication through advertisements.
Strategy and Projects	4,534	0	4,534	The budget was intended for use to commission a carbon emission baseline for the Broads, in partnership with the other English National Parks. It was ready to go in March, just before the COVID-19 lockdown.
Total	23,490	88,491	111,981	n/a

5.9. If Members approve the carry forwards, the surplus from 2019/20 will be used to fund these items in 2020/21 via the National Park and Navigation Reserves.

5.10. The Authority's National Park and Navigation Reserves allow for a working balance to help cushion uneven cash flows and a contingency to help cushion the impact of unexpected events. The Authority's earmarked reserves are mainly for the purchase and replacement of major items of capital equipment, etc. They are used as a means to build up funds to meet known or predicted requirements. They also contain ring fenced funds from partnerships and section 106 agreements that do not belong to the Authority. Unlike the National Park Authorities, the Authority is unique in the scale of its operational activity and the need to purchase, operate, maintain and replace large items of capital equipment such as mud wherries, 360-degree excavators and patrol vessels.

- 5.11. Organisations are expected to have sufficient earmarked reserves to fund their capital acquisitions and general reserves to provide for uneven cash flow and unexpected events. For the Authority, the total depletion of reserves would not be sustainable and would have serious implications for the future and more immediately for the audit, scheduled to begin on 18 May. The auditors will be reviewing the status of the Authority as a going concern and may issue a qualified opinion if there is no security over future levels of income 12 months from the date of the audit report. With the current level of activity, National Park reserves will be able to cover the losses of National Park income, but depending on when the COVID-19 restrictions are lifted and without financial support from Defra, for navigation the non-earmarked reserves will be exhausted by the end of September 2020.
- 5.12. The Authority has previously agreed minimum levels for the general reserves of 10% of Expenditure +£100,000 for the National Park side and 10% of Expenditure for Navigation. In the 2020/21 financial year, this amounts to £455k for National Park and £358k for Navigation, taking account of the latest pay deal negotiations announced on 16 April (the budget had originally been prepared on a 2% pay increase but latest negotiations are looking for 2.75%, which will be back dated to 1 April 2020). The available reserves are as shown in Table 3.

Table 3

Broads Authority reserves - summary

Reserves	National Park	Navigation
Opening Reserves 20/21	£1,114,460	£ 543,200
Minimum Levels 20/21	£ 455,000	£358,000
Carry forward requests (if approved)	£23,490	£88,491
Available	£635,970	£96,709

Analysis of current position

- 5.13. Officers have worked with the English Chief Executives, and particularly the Chief Executive of the Lake District National Park Authority, to put a case to Government for financial support. [Note: The Lake District NPA has been very successful in generating commercial income, which accounts for 53% of its income. These operations have been halted by the Government’s restrictions and consequently the Authority has a significant deficit in its budget.]
- 5.14. Submissions from the National Park Authorities and the Broads Authority have informed briefings for Ministers in Defra and The Treasury. We understand that

Ministers are sympathetic to the position and we are awaiting further information from officials as to what support might be available to the Broads Authority. Members will be updated at today's meeting.

6. Risk implications

- 6.1. The Authority's role in maintaining the waterways is under threat if navigation income fails to improve and the Government is unwilling to underwrite the lost income in 2020/21.
- 6.2. Looking beyond the current financial year, the Authority forecasts impacts from C-19 restrictions on local businesses for the 2021 tourist season and consequently on the Authority's income. For example, hire boat companies have taken and used deposits for holidays this year for bookings that will now take place next year. Without Government support, there are risks that the Authority will not emerge in a fit and financially stable position to be able to help the Broads and its important tourism industry.

7. Conclusion

- 7.1. Until the Government's response to our request for financial assistance is known, it is very difficult to plan for the future. It is proposed that, as soon as clarity is provided by Government officials, Authority officers prepare a revised budget balancing navigation income and expenditure and consult the Navigation Committee on the options before providing a report to the Authority.
- 7.2. It is hoped we can report to the Navigation Committee on 11 June. We propose that an additional meeting of the Broads Authority is held on 24 or 25 June to consider the Navigation Committee's views.

Authors: John Packman, Emma Krelle, Bill Housden

Date of report: 13 May 2020

Appendix 1 – Submission to Defra on the boating industry

Appendix 2 – Earmarked Reserves closing balances 31 March 2020

Broads Authority Response to Questions from Defra

I have quickly canvassed the views of a number of the boatyards of various sizes on the Broads and the general answer to your two questions is that the general Job Retention Scheme is very much appreciated and proving a critical lifeline today. However, neither of the measures cited in your questions will be very helpful to the front line tourism businesses, and in particular the hire boat operators. This is because there are extremely limited numbers of sole trader self-employed persons involved in the industry and, secondly, most are very reluctant to increase their debt at a time when there is no understanding of the length of time that this crisis will go on, nor do we currently have visibility of the Government's thinking or intentions in respect of tourism for the rest of 2020.

I have given an example response below but I think the key points to highlight are:

1. There is a symbiotic relationship between the Broads Authority and the hire boat companies. Our ability to maintain one of Britain's most precious landscapes and enable its enjoyment by millions of people depends on a viable hire boat industry – many of the wonders of our environment can only be seen from the water. Also without their contribution through tolls we would be unable to maintain the waterways without a very substantial increase in private boat tolls. This would likely lead to a drop off in private boat numbers and income, and sadly make the Broads only accessible to the privileged few. UK holiday and relaxation destinations are going to be a vital part of the recovery of our nation and now more than ever we have to ensure that we are ready to receive and welcome visitors in the coming years;
2. Boat Hire is a highly seasonal operation in respect of the income, but a year round operation in respect of the maintenance and upkeep of the hire fleets. Consequently although their income is highly seasonal, some costs – rent, insurance, utilities and staffing are 12 month costs. The business plans of these companies are highly dependent on the reserves that are built up during the summer season. If the summer season is shortened the cash reserves required to survive the winter will not exist. Therefore, the current business support whilst vital now, will not enable the survival of these businesses through the coming winter when hopefully the rest of the economy will be returning to normal;
3. As with many businesses people account for the majority of the costs. The current fear is that as the country eases movement restrictions over the coming months there will be an expectation that the Job Retention Scheme will cease. Without an extension of this scheme or something similar the hire boat businesses will face the unenviable choices of going bust or laying people off in the hope that their former members of staff will still be unemployed and available next summer. In a normal winter the hire boat operators would directly employ 400 Full Time Equivalent people;

4. Greater certainty would help. If it was known now that there was no prospect of the visitor economy starting before the 1st September then the most economical way to preserve these businesses could be to mothball their operations and reduce costs to the absolute minimum to try and survive through to next spring.

A. Hence the Broads Authority's request is that **Defra underwrites the potential £2.5 million loss of toll income** so that it can continue its essential work to support the waterway industry in the National Park.

B. Following detailed discussions with the local hire boat yards the Broads Authority is now asking for **£3.6 million local Broads Waterways Fund** to support our boating businesses to help see them through the winter. This would be on the following basis:

Winter employment support for 400 key staff for 25 weeks @ 40 hours per week on £9 per hour (less than their normal pay) = £3.6 million.

Without this we will see a catastrophic decline in the key part of a tourism industry worth +£600 million to the local economy and providing for 7,000 jobs.

Below is a response from one of the smaller family run boatyards which sums up the situation:

In reply to your e-mail Self Employed staff does not affect our business as all employees are PAYE.

The Government Loan Scheme is not of much help as it is a loan, when you have no income a loan still has to be repaid at some stage. Our biggest worry is that we have already lost the start of the season when finances are at the lowest, we have just had a 7 month period with no income but suppliers to pay for winter refurbishment work and the investment of a new 35' cruiser for the 2020 season with another mould now sitting on the car park paid for and a kit ready to start building.

Even if we are allowed to operate for part of the season there will not be sufficient income to avoid redundancies this autumn/winter.

We currently employ 9 full time and 3 part time staff for 12 months of the year and a further 15 seasonal staff, it will be very difficult for us to survive without further assistance from the government.

Appendix 2 - Earmarked Reserves closing balances 31 March 2020

Reserve Name	Sub Reserve Name	Balance 31/03/2020	Reason for holding
Property	Asset Management (100% NP)	270	Created following an audit when it was considered we were not adequately planning for future asset replacement of countryside sites.
	Dredging disposal/moorings/piling (100% Nav)	20	No contributions being made given affordability pressures in previous years. To help with cost of piling £1k per meter and funding new sites.
	Mutford Lock endowment (100% Nav)	373	Funds passed over as part of an endowment. To help cover the cost of any future failure/repairs of the lock.
Plant, Vessels and Equipment	Fen Management Equipment (100% NPG)	6	Fen Harvester cost approx. £97k. Will need replacing in the next 10 – 15 years.
	Dockyard Vessels and Equipment (30% NPG/70% NAV)	148	Wherries cost £120k, currently 6 on fleet, next due replacement 2022/23. Excavators historically funded through finance leases but cost £125k, 4 in fleet.
	Vessel replacement (100% NAV)	67	Ranger launches cost £120k, currently 8 in fleet, Next replacement due 2021/22.
	Vehicle replacement (60% NPG/40% NAV)	128	Desire to move to electric fleet, which will be more

Reserve Name	Sub Reserve Name	Balance 31/03/2020	Reason for holding
			expensive. 35 vehicles currently in operation.
Premises	Office Accommodation (100% NPG)	83	To fund relocation costs if head office becomes unavailable.
	Other depot's, boathouses, TICs and yacht stations (72% NPG/28% NAV)	90	Maintenance and repairs of sites. Liability of repairs assessed at £1.3m over 10 years from 2017-2027 (BA report 27/01/17).
	Dockyard (30% NPG/NAV)	74	Ongoing development of site.
Planning Delivery Grant (100% NPG)	n/a	220	Grants awarded for the planning service, most recently grants from MHCLG on registers. Helps fund the cost of Local Plan examination.
Upper Thurne Enhancement (100% NPG)	n/a	146	Ring-fenced Environment Agency funding for enhancement works in the Upper Thurne.
Catchment Partnership (100% NPG)	n/a	75	Ring-fenced income from various partners within the Broadland Catchment Partnership. Not available for BA to use, as not BA funds.
Section 106 (100% NPG)	n/a	44	Ring-fenced developers' contributions relating to planning application conditions. Not available for BA to use, as not BA funds.
Computer software (67% NPG/33% NAV)	n/a	22	To fund the ongoing replacement of Authority's computer

Reserve Name	Sub Reserve Name	Balance 31/03/2020	Reason for holding
			software. No additional provision being made to cover replacement of tolls system, which cost £86k in 2015. Replacement scheduled for consideration in 2020/21.
HLF (100% NPG)	n/a	12	Fund established for the Landscape Partnership project funded by the Heritage Lottery Fund. Helps with timing differences between claim and reimbursement.
CANAPE (50% NPG/50% NAV)	n/a	312	European grant part funded project relating to the CANAPE project. Helps with timing differences between claim and reimbursement.
UK NP Communications	n/a	28	Ring-fenced contributions from all 15 Parks to fund joint communications work.
Total		2,118	

Broads Authority

22 May 2020

Agenda item number 10

Annual Governance Statement 2019/20 and Code of Corporate Governance 2020

Report by Head of Governance

Purpose

Every year the Broads Authority reviews its governance and internal control systems, including risk management, and publishes an Annual Governance Statement, supported by a Code of Corporate Governance, to show how it is complying with the principles of good governance.

Recommended decision

To approve the Annual Governance Statement 2019/20 and note that, subject to the implementation of improvements identified in the Action Plan for 2020/21, the Authority's governance and internal control systems are considered to be adequate and effective.

1. Annual Governance Statement 2019/20

- 1.1. As a public body, the Broads Authority is responsible for making sure it has strong and up-to-date governance and internal control systems that comply with the principles of 'good governance'. Under the Accounts and Audit Regulations 2015, we must publish an Annual Governance Statement (Appendix 1) on the effectiveness of our systems during the past year, and an action plan for the forthcoming year to address any identified weaknesses.
- 1.2. The Statement is guided by the 'Delivering Good Governance in Local Government: Framework', which includes principles on integrity, ethical values and the rule of law; stakeholder engagement; sustainable economic, social and environmental benefits; leadership and resources; risk and performance; and transparency, reporting and review. Our internal and external audit, internal review and other reports, and the Code of Corporate Governance all provide evidence for the Statement.
- 1.3. The Assurance Review of Corporate Governance and Risk Management audit opinion 2019/20 concluded that the Authority's framework of governance, risk management and controls is 'Reasonable'. The opinion is derived as a result of one 'important' and one 'needs attention' recommendations. The audit also raised five 'operational effectiveness matters', where there may be opportunities to enhance operational

efficiency and value for money. The previous audit also concluded in a 'Reasonable' assurance opinion.

2. Code of Corporate Governance 2020

- 2.1. The Code of Corporate Governance (Appendix 2) helps us to develop our governance framework based on best practice and external guidance. The Code is updated annually, with significant changes reported in the Annual Governance Statement and any actions included in the Action Plan. The Code is signed by the Chair and Chief Executive and published on the Broads Authority website on the [how we work](#) page.

Author: Maria Conti

Date of report: 7 May 2020

[Broads Plan](#) objectives: None

Appendix 1 – Draft Annual Governance Statement 2019/20

Appendix 2 – Code of Corporate Governance 2020

Appendix 1

(Draft) Annual Governance Statement 2019/20 and Action Plan 2020/21, and (draft) Code of Corporate Governance 2020

Published May 2020

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About this Statement

As a public body, the Broads Authority is responsible for making sure its governance and internal control systems are robust, up-to-date and in line with the principles of good governance. This is about conducting our business in accordance with the law and with proper standards, using public money wisely and efficiently, and having the right arrangements in place to protect our assets and meet our strategic aims. It is also about our staff and Members representing the shared values and culture of the organisation.

To show how we are complying with good governance, we prepare an **Annual Governance Statement**¹ and publish it alongside our annual Statement of Accounts. The Statement is guided by '[Delivering Good Governance in Local Government](#)', which includes principles on integrity, ethical values and the rule of law; stakeholder engagement; sustainable economic, social and environmental benefits; leadership and resources; risk and performance; and transparency, reporting and review.

The Statement includes an annual action plan to address any weaknesses identified by internal and external audit, self-assessment and other reporting including our [Code of Corporate Governance](#) (Appendix 2).

This Annual Governance Statement was adopted in May 2020. Our action plan for 2020/21 and a review of last year's action plan are at Appendices 1(a) and 1(b).

1 Our governance framework

1.1 Purposes and duties

The Broads Authority is a statutory body with similar responsibilities to those of the English, Welsh and Scottish National Park Authorities². It is the local planning authority, and a harbour and navigation authority. It has a duty to manage the Broads to conserve and enhance its natural beauty, wildlife and cultural heritage, to promote opportunities for the public to understand and enjoy its special qualities, and to protect the interests of navigation.

In managing the area, the Authority must have regard to the national importance of the Broads for its natural beauty and opportunities for open-air recreation, the desirability of protecting its natural resources from damage, and the needs of agriculture and forestry and economic and social interests of those who live or work in the area. The Authority also has

¹ Regulation 6(1)(a) and (b) of the Accounts and Audit Regulations 2015

² The Broads Authority was established under the Norfolk and Suffolk Broads Act 1988.

Further provisions for the management of the area were made through the Broads Authority Act 2009.

the duty to maintain the navigation area to such standard as appears to be reasonably required and to develop and improve it as it thinks fit.

1.2. Strategy and policy

The [Broads Plan](#) is the key partnership strategy for the Broads, setting out a long-term vision and short-term objectives to benefit of the environment, local communities and visitors. The current Plan was adopted in March 2017 and we publish 6-monthly [progress updates](#) in May and November.

The [Broads Local Plan](#) adopted in 2019 sets out the policies used in determining planning applications for the plan period up to 2036. We are also producing supporting supplementary planning documents and guidance to help with the interpretation and implementation of some policies.

Sitting under the Broads Plan are more detailed [guiding strategies](#), generally focusing on a single theme and covering a short-term period. In the last year we reviewed and updated the Broads Integrated Access Strategy and the Broads Biodiversity & Water Strategy.

Our [Annual Business Plan](#) outlines our work priorities for the coming year and summarises last year's progress. The Plan is a link between the strategies for the Broads and our Directorate work plans. The Plan for 2020/21 is deferred until we have more information on the financial impact to the Authority as a result of the COVID-19 lockdown (see section 3).

Each year we also identify a small set of strategic priorities, focused on Authority-led projects that have high resource needs or a very large impact on the Broads, or that are politically sensitive. This helps us target our resources and make the most of partnership working and external funding opportunities. We report on their progress at each Broads Authority meeting.

2 External factors influencing our governance arrangements

2.1. Coronavirus (COVID-19) pandemic

Government measures put in place at the end of 2019/20 in response to the coronavirus (COVID-19) outbreak are significantly affecting the Broads Authority's operations, including its governance processes. Under the provisions of the [Coronavirus Act 2020](#), temporary standing orders for remote meeting procedure rules will be in place to May 2021. Some scheduled meetings were cancelled pending the remote meeting rules being in place.

The main impact to the Authority at the time of writing is the loss of income from tolls, especially from the hire boat industry. The Authority is liaising with the Government to seek support from Defra towards this loss, as well as support for the local tourism industry.

We may need to update this Annual Governance Statement with any further significant governance issues arising from the COVID-19 outbreak later in the year.

2.2. Brexit

Leaving the European Union has been overshadowed by the COVID-19 crisis. However, it remains a significant change for the country and will impact on the Authority, such as closing off a source of funding for joint projects with European partners. The timescale for CANAPE, our current EU-funded project, has been extended.

2.3. Landscapes Review

The [Landscapes Review Final Report](#) was published in September 2019, setting out 27 proposals to protect and improve England's protected landscapes. We await the Government's full response to the report, but have started to identify what we can do within our existing resources.

2.4. Peer Review

In May 2018, we implemented changes to our governance processes in response to the recommendations of a commissioned **Peer Review**. In 2019/20 a desk-based review of the effectiveness of the changes was carried out by a Lead Member and a Managing Director from two of the Norfolk local authorities. Their report made a number of suggestions, including the following:

- (a) The Authority's Chair and Chief Executive would attend the Norfolk Leaders and Chief Executives meeting every six months to give an update on progress and to hear challenges or concerns;
- (b) The Authority's Chief Executive would attend the Norfolk Chief Executives' meeting on a quarterly basis to update on areas of concern, discuss any proposal issues impacting or within the potential to impact on other Local Authorities;
- (c) The monthly Broads Briefing from the Authority's Chief Executive would be circulated to all Local Authorities and Parish Councils.
- (d) The Authority had engaged the support of the LGA and the Regional Peer (Cllr William Nunn) to support the leadership of the Authority in its relationship with the Local Authorities. This work includes:
 - Helping Authority members, particularly Local Authority appointees, to better understand their roles and responsibilities;
 - Supporting improved ways of working between the Local Authorities and understanding each other's values; and,
 - Supporting the Authority in operating within a complex political environment both locally and nationally.

3 Our committees and executive

3.1. Committees

The **Broads Authority** has unique governance arrangements, reflecting the interests of both national and local stakeholders. Of its 21 Members, ten are appointed by the Secretary of

State and the other nine are locally elected County and District Councillors. Other than Planning Committee and those matters specifically delegated to the Chief Executive, all matters are dealt with by the full Broads Authority as the prime decision maker. Routine decision making is delegated by Members to Officers of the Authority through the Scheme of Delegated Powers.

As mentioned above, the COVID-19 pandemic will impact our governance processes on a temporary basis. Committee meetings will be held remotely through video-conferencing, with live streaming for the public. Times of meetings may differ to those shown on the committee timetable for 2020/21.

Normally, the Broads Authority meets six times a year. Two of the scheduled meeting dates are allocated for site visits or workshops, to give Members more time to interact informally outside the main business meetings, and to see what is happening out in the Broads. There is a transparent process for the annual appointment of Chairs and Vice-Chairs, committee membership and appointments to outside bodies, which allows Members to express their preferences for serving on Committees and outside bodies. The Chairs' Group gives all Chairs and Vice-Chairs an active role in maintaining an overview of the work of the various committees, and supporting the Chair and Chief Executive.

The **Audit and Risk Committee (ARC)** is an advisory committee meeting three times a year. It is responsible for examining our governance, internal control and risk management framework, and taking a strategic view on whether our allocated resources are being used effectively.

Our functions as a [Local Planning Authority](#) are carried out by the **Planning Committee**, with powers delegated to Officers in line with national legislation. It is a decision-making committee and normally meets every four weeks. Planning decisions, whether made at Committee or through delegated powers, are published on our Planning website.

The **Navigation Committee** advises the Authority's on significant matters affecting the navigation area. While it does not make decisions, if the Authority does not accept the Committee's recommendations it must give reasons. There are five meetings a year, and members are also invited to the Authority's site visits and workshops.

The **Broads Local Access Forum** is a semi-independent body that advises the Authority on improving public access to land within the Broads executive area. It meets at least twice a year.

The Authority has two **Independent Persons**, appointed for a 4-year period, who are regularly consulted to help the Authority achieve high ethical standards. The current postholders were appointed in July 2016. Any new appointments may be on hold until the COVID-19 lockdown restrictions are eased.

3.2. Officers

The Authority has 132 full-time equivalent staff. There are four **statutory officers** who carry out specific duties. They are the Head of Paid Service (Chief Executive), Section 17 Officer

(Chief Financial Officer), Navigation Officer (Head of Ranger Services) and Monitoring Officer. The Chief Executive, Chief Financial Officer, Director of Strategic Services and Director of Operations make up our Management Team. We are also required to have a Data Protection Officer, and this role is currently held by the Director of Operations as a qualified Data Practitioner.

3.3. Financial arrangements

It is considered that the Authority's financial management arrangements conform with CIPFA's [Statement on the Role of the Chief Financial Officer in Local Government](#) (2016). As a key member of the Management Team, the Chief Financial Officer is actively involved in material business decisions to help the Authority develop, resource and implement its strategic plans sustainably and in the public interest.

We have a number of procedures in place to make sure we obtain best value for money in all we do, and we review them all on a regular basis. The Financial Regulations, reviewed in March 2018, were updated to reflect that the Section 17 Officer and Treasury is now managed in-house. Our Counter Fraud, Corruption and Bribery Strategy was updated in March 2018 and our Standing Orders Relating to Contracts in May 2018. We also reviewed our Vehicle Procurement Strategy in October 2019 and our Capital, Treasury and Investment Strategy in March 2020. Work is underway to update the Procurement Strategy and Standing Orders Relating to Contracts following recommendations from the Procurement Audit.

We monitor the effectiveness of our internal financial control systems through the consideration of regular internal audits, performance management and budget monitoring reports, and through ARC reports.

4 Decision making and openness

Our arrangements for decision making are set out in publicly available documents. These include Standing Orders, Scheme of Delegated Powers and a Protocol on Member and Officer Relations. In 2019/2020 we commissioned Birketts LLP to carry out a review of our constitutional and governance documents to make sure they are fit for purpose, in line with best practice and legislation, and easy to understand. This work is not completed. As mentioned above, we may be required to make temporary revisions to processes under the Coronavirus Act 2020.

Our committees each have distinct terms of reference. Meetings are held in public, apart from agenda items that are exempt under legislative guidance, and members of the public may ask questions. Our committee meetings are audio recorded and the public may request a copy of the recording.

Staff roles and responsibilities are defined through job descriptions and regularly updated policies and procedures, including an officer code of conduct and annual performance appraisals. In 2019/2020 we started to use the Best Companies Employee Survey. Our first Best Companies Index score was classed as 'good', which in terms of accreditation means

we are ‘one to watch’. We plan to run the next survey at the end of 2021, funding permitting, and aim to improve our baseline score.

The Freedom of Information Act (FOIA) and the Environmental Information Regulations (EIR) give rights of public access to information held by public authorities, including the Broads Authority. Our [Publication Scheme](#) highlights the information we publish, how we make it available, and our charging policy. Our commitment to protecting people’s privacy and processing personal data in accordance with data protection legislation is set out within our [Data Protection Policy](#).

5 Ethics and integrity

Under the Localism Act 2011 we have the duty to promote and maintain high standards, and we work to embed this throughout our governance and internal control systems. The seven principles of public life (known as the Nolan Principles) are incorporated in the **Members’ Code of Conduct**. Our Independent Persons provide external scrutiny of our standards processes.

We also have our own set of corporate **core values** which we promote to our staff and Members through posters and screen savers, codes of conduct and protocols, recruitment and appraisal processes, and development programmes.

Our Core Values

We show commitment - Working together for a common purpose; Showing flexibility, trust and enthusiasm; Delivering on our promises

We are caring - Setting realistic and properly resourced workloads; Supporting each other to get things done; Giving praise and daring to challenge

We are exemplary – Being visible, approachable and professional; Making sound judgements on strong evidence; Aiming higher, smarter and always inspiring

We are open and honest – Being fair and consistent in our words and actions; Always willing to ask, listen and respond; Doing what’s right and being accountable

We are sustainable – Looking after our resources wisely; Understanding the impact of our choices; Doing work that adds real value

6 Engaging with stakeholders

We encourage our partners, interest and user groups and local communities to engage with us in various ways. This includes drop in events such as partnership working groups and Parish Forums, direct contact such as officers or members attending user group meetings, public events, digital and social media, and formal written consultations. We also seek public opinion through surveys and the user analysis of our website and Facebook and Twitter feeds.

[Broads Engage](#) brings together many of the ways people can hear about and have a say on the use and management of the Broads. Due to the COVID-19 social distancing requirements, we are developing ways to engage with stakeholders through remote means.

7 Managing risk and performance

The Audit and Risk Committee's (ARC) responsibilities include gaining assurances from a range of measures and reports that the Authority is obtaining value for money in the use of its resources, and that risk and performance are being actively managed to achieve best results. Actions in this year's Action Plan to strengthen our risk management processes have been completed. We updated our Corporate Risk Register (previously called the Strategic Risk Register) and Directorate Risk Registers in 2019 and they are monitored every six months by ARC and by Management Team.

In 2019/20, we tested our **IT Disaster Recovery Infrastructure** and are updating our **Business Continuity and Emergency Response Plan**, which has been put into practice in response to the current COVID-19 situation.

We have **internal financial controls** to reflect good practice and make sure our finances are managed securely to minimise risk. These include approved budgets, separation of duties and authorised signatures. We also maintain a database of all our land and property assets and an Asset Management Strategy that includes an asset disposal policy, to help us plan our maintenance and replacement programme and reduce the risk of unexpected costs.

Our **performance** across our operations is assessed at regular Management Team meetings, with financial reports and budgets considered monthly and reports provided to Members at each Authority meeting.

There is a **whistleblowing policy** for our staff, and the Monitoring Officer has a duty to write a report if the Authority or any of its committees proposes action that would be unlawful or amount to maladministration.

8 Internal and external audit

Our **internal and external auditors** are the main independent sources of assurance on the operation of our governance framework and the Statement of Accounts.

An external provider reviews the effectiveness of our **internal control systems**, which includes our **internal audit function**. This helps to emphasise audit's key role and its connection to governance, risk management and internal control. The broad categories for internal audit are annual opinion, corporate governance, fundamental financial systems, service area audits and significant computer systems. The Head of Internal Audit (HIA) develops an annual **strategic audit plan** using a risk-based approach. The annual opinion is given on the overall adequacy and effectiveness of the Authority's internal control environment, highlighting significant issues.

The Management Team responds to each recommendation in the internal audit report, stating whether it is agreed and what action will be taken. The ARC receives a summary of internal audit work during the year and progress on implementing the audit recommendations. Any significant concerns are reported up to the Broads Authority. The Authority is also informed of the work of the appointed External Auditors, including the Annual Audit letter from the External Auditors.

The **Assurance Review of Corporate Governance and Risk Management audit opinion 2019/20** concluded that the Authority's framework of governance, risk management and controls is 'Reasonable'. This opinion was derived as a result of one 'important' and one 'needs attention' recommendations. The audit also raised five 'operational effectiveness matters', where there may be opportunities to enhance operational efficiency and value for money. The previous audit concluded in a 'Reasonable' assurance opinion, having raised two 'important' and five 'needs attention' recommendations. The auditors' opinion is that this indicates a positive direction of travel.

9 Action Plans

Our Annual Governance Statement Action Plan for 2020/21 and a summary of progress against last year's plan are in Appendices 1a and 1b.

This year's Action Plan focuses on performance monitoring and further refinements to our risk management policy and corporate risk register. We are satisfied that the Action Plan will address the identified weaknesses, and will report back on its implementation as part of our next Statement.

Broads Authority

Annual Governance Statement 2020/21

Signed

Chair of the Authority

Date2020

Signed.....

Chief Executive

Date2020

Broads Authority

Yare House

62-64 Thorpe Road

Norwich NR1 1RY

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Appendix 1a - Broads Authority Annual Governance Statement

Audit recommendations - Action Plan 2020/21

Audit recommendations	Lead Officers	Target date
Accountability and monitoring of performance		
<p>Performance indicators:</p> <p>Report annual National Park Authority 'family' indicators composite data to Management Team to compare and address any adverse areas of performance. Review how indicators align to Broads Plan and Annual Business Plan priorities and whether meaningful targets can be set for each indicator. Publish annual NPA family indicator outturn data relating to Broads Authority on BA website.</p> <p>Clarify how DEFRA uses and publicises family indicator data.</p> <p>Consider whether State of the Park indicators (where BA is data source) can be collected annually and reported in annual business planning process.</p>	Head of Governance	By 31/08/20
Complete Operations Directorate Risk Register as part of Individual Performance Review process.	Director of Operations	By 31/05/20
Risk Management		
<p>Define specific risk appetite statement within Risk Management Policy to complement risk tolerance levels, to provide more definite basis over level of risk BA is prepared to accept and which risks require additional action/mitigation.</p> <p>Assign target risk score to show risk level BA is aiming for. Report any risks sitting over tolerance/risk appetite and monitor until mitigated below tolerance levels.</p>	Head of Governance	Risk appetite statement updated in Risk Management Policy. No further action.

Ensure links to BA website pages in Annual Business Plans (ABP) are correct and update where necessary.	Head of Governance	Updated in this year's ABP
Procurement		
Review procurement strategy and Standing Orders Relating to Contracts to ensure both documents are up to date whilst reflecting current practices and revised job titles. In addition, the procurement strategy provides guidance on high risk/high value contracts and additional risks associated with such contracts. Refresher training to be rolled out to all relevant staff.	Chief Financial Officer	By 31/08/20
Review standard terms and conditions for contracts (goods and services) to provide template for all contracts over £5,000 in conjunction with the Authority's legal provider.	Chief Financial Officer	By 31/07/20
Communications and branding		
Continue updating of BA Communications Policy and guidance, and roll out of associated member and officer training.	Head of Comms	Work in progress (carried forward from 2019/20 action plan)
Governance		
Adopt revised constitutional documents following external review by Birketts LLP.	Chief Executive	Work delayed by COVID-19 crisis. Restart after Authority meetings are held in person.
Human Resources		
Continue preparation of report on equality assessment of employment policies and practices (Equalities Working Group)	Head of HR	By 31/3/21

Appendix 1b Broads Authority Annual Governance Statement

Audit recommendations – progress against Action Plan 2019/20

Actions	Lead Officers	Target date	Progress
Governance			
Commission external team to assess effectiveness of Peer Review Action Plan a year after its implementation	Chief Executive	31/07/19	Completed. Reviewed by Trevor Holden (CEO for Broadland District Council and South Norfolk Council) and Steve Blatch (CEO for North Norfolk District Council)
Commission Birketts LLP to review BA's constitutional documents to make sure they are fit for purpose, represent best practice, are in line with up-to-date legislation and are simpler to understand.	Chief Executive	Report to BA in Nov 2019	Consultant delays – work in progress (c/f to 2020/21 action plan)
Legal services			
Review performance of current legal services contractor and consider future arrangements, including potentially tendering for the work	Chief Financial Officer	6-month review in Sept 2019	Completed. Exempt report to BA 31/01/20
Risk management			
Update Risk Management Policy to reflect governance arrangements and responsibilities for risk, including those assigned to Audit & Risk Committee (ARC). Following Authority approval, publish policy on BA intranet.	Management Team	29/11/19	Completed
a. Review Strategic Risk Register (SRR) to identify which risks are strategic and which are operational/service level. Score all strategic risks and state which strategic objective they relate to, with colour coding clarifying 'risk appetite'.	Management Team	01/11/19	Completed. Strategic Risk Register is now called 'Corporate Risk Register'

Actions	Lead Officers	Target date	Progress
<p>Define scoring criteria for high/medium/low (H/M/L) risk in relation to severity/impact (for categories such as financial, reputation and service provision) and to likelihood.</p> <p>b. Explain changes from previous SRR in reports to ARC.</p>		12/11/19	Completed
<p>Update Risk Management page on BA intranet, incorporating revised documents and how risks are managed. Identify training needs across Authority.</p>	Head of Governance	29/11/19	Completed
<p>Introduce standard risk implications section on committee report template.</p>	Head of Governance	31/01/20	'Risk implications' included on committee report templates and reported if required.
<ul style="list-style-type: none"> • Make sure senior managers are aware that Business Continuity recovery timelines of up to 24 hours may not be achievable if such recovery has to be undertaken using tape backups stored at Dockyard. Formally document staff acceptance (or otherwise) to support this. • Look at options to enhance Data Replication (DR) service so it covers priority services such as Finance and Tolls. • Formally document all DR testing in test reports to relevant senior managers and use lessons learned to inform updating of DR plans. • Update relevant project management processes to include work to understand DR requirements for new or changed infrastructure. • Move server rack containing DR infrastructure from Dockyard to more appropriate location. 	Head of IT & Collector of Tolls	31/07/19	All actions completed

Communications and branding			
Update Communications Team workplan to include completion of Broads National Park branding strategy and work in relation to audit recommendations including training, updating intranet communications page and issuing internal guidance on use of BA and Broads National Park logos.	Head of Comms	05/07/19	Completed
<ul style="list-style-type: none"> • Following approval of NPA branding guidelines, update BA Communications Policy to include roles and responsibilities for overseeing management of correct branding, and include in separate branding section of policy. • Include information on role of Communications Team and on updated branding policy within BA induction checklist. • Produce guidance for staff on criteria for applying either BA or Broads National Park logo (or both) including reference to partnership/project work and to Broads National Park brand standards and branding strategy. • Revise and relaunch Communications page on BA intranet, to include strategy and associated documents, Communications Team details, and provision of staff and member training on branding. 	Head of Comms	31/10/19	Work in progress (c/f to 2020/21 action plan)
Human Resources			
Continue preparation of report on equality assessment of employment policies and practices (Equalities Working Group)	Head of HR	31/03/20	Work in progress (c/f to 2020/21 action plan)
Complete Phase 2 of updating internal HR policies and procedures	Head of HR	31/03/20	Process ongoing; key policies and procedures updated.

Appendix 2

Code of Corporate Governance 2020

The Code of Corporate Governance helps the Broads Authority, as a public body, to develop its governance framework based on good practice and external guidance, and to demonstrate compliance with the principles of good governance.

Good governance is about making sure we do the right things, in the right way and for the right people in a timely, inclusive, open, honest and accountable manner. It is the systems and processes, and the values and principles, which direct and control what we do and how we relate to our communities. A key focus for good governance within the public sector is to achieve sustainable results that benefit the economy, the environment and society.

Our Code of Corporate Governance is based on the core principles in the CIPFA/SOLACE Framework [Delivering Good Governance in Local Government](#). We also have our own set of core values to underpin the behaviour of our Members and staff, who all share responsibility for good governance.

We review and update the Code every year through consultation with senior staff, the Head of Internal Audit and the Chair of the Audit and Risk Committee. Any significant areas of concern raised in the review are referred to our Management Team or to the appropriate committee for comment or decision.

The Chief Executive is delegated to make necessary changes to the Code as a result of the review to keep it up-to-date. Significant changes to the Code are reported to the Authority in July as part of the Annual Governance Statement, and any new or outstanding actions are included in the Statement's Action Plan for the following year. The Code is approved by the Authority and signed by the Chair and Chief Executive.

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Chair of the Authority

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Chief Executive

Date: May 2020 (Review date April 2021)

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

Email broads@broads-authority.gov.uk

Broads Authority Code of Corporate Governance: Schedule (May 2020)

This schedule represents what we do, or intend to with immediate effect, to demonstrate our compliance with the principles of good governance in local government. The core principles and sub-principles are taken from the CIPFA/ SOLACE Framework [Delivering Good Governance in Local Government](#) (2016). We will review our performance against the Code during 2020/21 and report the results to the Authority meeting in July 2020 as part of the Annual Governance Statement.

Principle A: Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law

Sub-principles	Our evidence to support this principle
<p>Behaving with integrity</p> <ul style="list-style-type: none"> ➤ Behaving with integrity and leading a culture where acting in the public interest is visibly and consistently demonstrated, thereby protecting the reputation of the organisation ➤ Establishing and communicating specific standard operating principles or values for the organisation and its staff, building on the Seven Principles of Public Life (the Nolan Principles) ➤ Leading by example, embedding the above principles in effective, up-to-date policies and processes and using them as a framework for decision making and other actions 	<ul style="list-style-type: none"> • Annual Governance Statement and Action Plan • Appointment of Independent Persons • Audit and Risk Committee oversight • Codes of Conduct for Employees (HR Policy 2), Members and Planning Committee Members • Members Counter Fraud, Corruption and Bribery Strategy & Response Plan • Declaration of Gifts and Hospitality for Members and Officers • Disciplinary Procedures for Officers (HR Policy 11) • Financial Regulations, Contract Standing Orders and Procurement Strategy • Internal and External Audit • Local Protocol on Member and Officer Relations • Member and Officer induction and annual appraisal programmes • BA Core Values • Register of Interests for Members and declarations of interests made at meetings and recorded in minutes • Safeguarding Policy (HR Policy 22) • Standing Orders Relating to Contracts • Standing Orders for the regulation of Authority proceedings • Terms of Reference of Committees • Whistleblowing Policy for Officers (HR Policy 15)
<p>Demonstrating strong commitment to ethical values</p> <ul style="list-style-type: none"> ➤ Establishing, monitoring and maintaining the organisation's ethical standards and performance 	<ul style="list-style-type: none"> • Annual performance appraisal for Members and Officers • BA Core Values • Codes of Conduct for Employees (HR Policy 2), Members and Planning Committee Members • Equality Policy (HR Policy 1)

<ul style="list-style-type: none"> ➤ Underpinning personal behaviour with ethical values that permeate all aspects of the organisation’s culture and operation ➤ Developing and maintaining robust policies and procedures that place emphasis on agreed ethical values ➤ Making sure external providers of services on behalf of the organisation act with integrity and in compliance with ethical standards expected by the organisation 	<ul style="list-style-type: none"> • Best Companies Index employee survey • Procurement Strategy and procedures • Recruitment & Selection Policy (HR Policy 16) and procedures • Use of Independent Persons in complaints procedures • Whistleblowing Policy for Officers (HR Policy 15)
<p>Respecting the rule of law</p> <ul style="list-style-type: none"> ➤ Demonstrating a strong commitment to the rule of the law as well as adhering to relevant laws and regulations ➤ Making sure statutory officers, other key post holders and members are able to fulfil their responsibilities in accordance with legislative and regulatory requirements ➤ Making the best use of the full powers available for the benefit of citizens, communities and other stakeholders ➤ Dealing effectively with breaches of legal and regulatory provisions ➤ Dealing effectively with corruption and misuse of power 	<ul style="list-style-type: none"> • Codes of Conduct for Employees (HR Policy 2), for Members, and for Planning Committee Members and Officers • Committee structure in place with Terms of Reference, including powers reserved to the BA • Compliance with CIPFA’s statement on the role of the Chief Finance Officer in Local Govt (CIPFA 2015) • Counter Fraud, Corruption and Bribery Strategy and Response Plan • Disciplinary Procedures for Officers (HR Policy 11) • Financial Regulations, Contract Standing Orders and Procurement Strategy • Internal and external audit • Job descriptions and recruitment process for officers • Member induction programme and development protocol • Monitoring Officer appointed by BA • Provision of legal advice to Members and Officers • Register of Member and Officer interests and related party interests • Role descriptions for Members • Scheme of Powers Delegated to Officers • Statutory Officers appointed by the Authority • Whistleblowing Policy for Officers (HR Policy 15)

Principle B: Ensuring openness and comprehensive stakeholder engagement

Sub-principles	Our evidence to support this principle
<p>Ensuring openness</p> <ul style="list-style-type: none"> ➤ Demonstrating, documenting and communicating the organisation’s commitment to openness ➤ Making decisions that are open about actions, plans, resource use, forecasts, outputs and outcomes. The presumption is for openness - if that is not the case, a justification for the reasoning for keeping a decision confidential is provided ➤ Providing clear reasoning and evidence for decisions, in both public records and explanations to stakeholders, being explicit about the criteria, rationale and considerations used. In due course, making sure the impact and outcomes of those decisions are clear ➤ Using formal and informal consultation and engagement to determine the most appropriate and effective interventions or courses of action 	<ul style="list-style-type: none"> • Annual Governance Statement • BA Core Values • BA website (includes public information about Members and their roles, Officer roles, and how the public can input to and influence BA decisions) • Broads Engage stakeholder events and promotion • Broads Local Plan - formal consultation stages (set out in Statement of Community Involvement) • Chairman’s briefings • Committee meetings held in public and audio recordings of meetings available to public on request • Fair and transparent data processing through privacy notices • Financial Regulations and Standing Orders Relating to Contracts • Financial statements • Information published in respect of expenditure over £250 • Member Allowance Scheme • Public consultation processes for strategic plan reviews (e.g. Broads Plan, guiding strategies) • Public question time at committee meetings • Publication of agendas and reports in line with Local Government Act 1972 requirements • Record of decisions in committee minutes • Corporate Partnerships Register • Use of Transparency Regulations 2015
<p>Comprehensive stakeholder engagement</p> <ul style="list-style-type: none"> ➤ Engaging effectively with all stakeholders, making sure the purpose and aims for each stakeholder relationship are clear so outcomes are successful and sustainable ➤ Developing formal and informal partnerships to encourage more efficient use 	<ul style="list-style-type: none"> - Annual Business Plan, Annual Report and visitor publications (e.g. Broadcaster), social media accounts - Appointment process to Navigation Committee and Broads Local Access Forum - Broads Briefing monthly newsletter from CEO - Broads Engage stakeholder events (e.g. workshops, Parish Forums), feedback processes and promotion - Broads Local Access Forum - Broads Local Plan - formal consultation stages (set out in Statement of Community Involvement) - Broads Plan 6-monthly progress update report (and continual progress monitoring on e-system)

<p>of resources and more effective outcomes</p> <ul style="list-style-type: none"> ➤ Basing partnerships on trust, shared commitment to change, culture that promotes and accepts challenge among partners, and clear awareness of the added value of partnership working ➤ Establishing a clear policy on the type of issues the organisation will meaningfully consult on or involve communities, individuals, service users and other stakeholders to make sure the service (or other) provision is contributing towards intended outcomes ➤ Having effective communication methods and making sure members and officers are clear on their roles in community engagement ➤ Encouraging, collecting and evaluating the views and experiences of stakeholders of different backgrounds, including reference to future needs ➤ Implementing effective feedback mechanisms to show how stakeholder views have been considered ➤ Balancing feedback from more active stakeholder groups with other stakeholder groups to ensure inclusivity ➤ Taking account of the impact of decisions on future generations of tax payers and service users 	<ul style="list-style-type: none"> - Broadsheet (toll payer newsletter) - KPI annual reporting as part of NPA monitoring process to Defra - Learning resources on BA website, including Broads Curriculum materials for schools - Navigation Committee - Notices to Mariners - Public questions time at committee meetings - Regular meetings between Chairs and CEOs of BA and constituent local authorities - Regular officer level liaison with partner organisations - Visitor and user surveys
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Principle C: Defining outcomes in terms of sustainable economic, social and environmental benefits

Sub-principles	Our evidence to support this principle
<p>Defining outcomes</p> <ul style="list-style-type: none"> ➤ Having a clear vision statement of the organisation’s purpose and intended outcomes, with performance indicators, that provide the basis for its overall strategy, planning and other decisions ➤ Specifying the intended impact on/ changes for stakeholders in the short and longer term ➤ Delivering defined outcomes sustainably basis within available resources ➤ Identifying and managing risks to achieving outcomes ➤ Managing service user expectations with regard to setting priorities and making the best use of available resources 	<ul style="list-style-type: none"> • Annual Business Plan • BA guiding level strategies (e.g. Integrated Access, Sediment Management, Education, Biodiversity) • Broads Local Plan (spatial planning policy) • Broads Plan (key partnership strategy for the Broads, reviewed on 5-yearly cycle) • Norfolk & Suffolk Broads Act 1998 (BA statutory purposes) • Corporate and Directorate Risk Registers • Corporate Partnerships Register
<p>Considering social, economic and environmental benefits</p> <ul style="list-style-type: none"> ➤ Considering and balancing the combined economic, social and environmental impact of policies and plans when taking decisions about service provision ➤ Taking a longer-term view in decision making, taking account of risk and acting transparently where there are potential conflicts between the organisation’s intended outcomes and short-term factors such as the political cycle or financial constraints 	<ul style="list-style-type: none"> • Broads Local Plan • Broads Plan and guiding level strategies • Equalities Working Group • Norfolk & Suffolk Broads Act 1998 (BA statutory purposes) • Project Development Group procedures • Public consultation for strategic plan reviews

<ul style="list-style-type: none"> ➤ Determining the wider public interest associated with balancing conflicting interests in achieving the various economic, social and environmental benefits, through consultation where possible, to ensure appropriate trade-offs ➤ Ensuring fair access to services 	
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Principle D: Determining the interventions necessary to optimise the achievement of the intended outcomes

Sub-principles	Our evidence to support this principle
<p>Determining interventions</p> <ul style="list-style-type: none"> ➤ Making sure decision makers receive objective and rigorous analyses of various options showing how intended outcomes would be achieved and associated risks, to achieve best value. ➤ Considering stakeholder feedback when making decisions about service improvements, or where services are no longer required, to prioritise competing demands and limited resources such as people, skills and land, and bearing in mind future impacts. 	<ul style="list-style-type: none"> • BA and partner/stakeholder working groups • Budget setting process • Chairman’s briefing sessions • Chairs’ Group • Financial Regulations and Standing Orders Relating to Contracts • Member working groups • Project boards for large partnership projects (e.g. CANAPE and Water, Mills & Marshes) • Public consultation responses informing strategic plan and policy reviews (e.g. Broads Plan, Broads Local Plan)
<p>Planning interventions</p> <ul style="list-style-type: none"> ➤ Establishing and implementing robust planning and control cycles that cover strategic and operational plans, priorities and targets ➤ Engaging with internal and external stakeholders in determining how services and 	<ul style="list-style-type: none"> • Annual budget processes approved by BA with consultation by Navigation Committee • Financial Monitor • Financial Strategy • Key Performance Indicator (KPI) annual reporting as part of National Park Authority monitoring process to Defra • Performance reporting to Committees

<p>other courses of action should be planned and delivered</p> <ul style="list-style-type: none"> ➤ Considering and monitoring risks facing each partner when working collaboratively, including shared risks ➤ Having flexible and agile arrangements so mechanisms for delivering goods and services can adapt to changing circumstances ➤ Establishing appropriate key performance indicators (KPIs) as part of the planning process to identify how the performance of services and projects is to be measured ➤ Ensuring capacity exists to generate the information required to review service quality regularly ➤ Preparing budgets in accordance with objectives, strategies and the medium-term financial plan ➤ Informing medium- and long-term resource planning by drawing up realistic estimates of revenue and capital expenditure, aimed at developing a sustainable funding strategy 	<ul style="list-style-type: none"> • Regular monitoring undertaken by budget holders and Management Team and reported to committee • Review cycles for Broads Plan, guiding strategies (e.g. Integrated Access Strategy, Biodiversity & Water Strategy) and Broads Local Plan • Risk management (see principle F) • Corporate Risk Register review by Audit & Risk Committee
<p>Optimising achievement of outcomes</p> <ul style="list-style-type: none"> ➤ Ensuring the medium-term financial strategy integrates and balances service priorities, affordability and other resource constraints ➤ Ensuring the budgeting process is all-inclusive, taking into account the full cost of operations over the medium and longer term ➤ Ensuring the medium-term financial strategy sets the context for ongoing decisions 	<ul style="list-style-type: none"> • Annual setting of tolls in consultation with Navigation Committee and Member Working Group • Asset Management Strategy • Budget and 3-year Financial Strategy agreed by BA • Budget reports, management procedures and training • Budgets monitored by Audit & Risk Committee and BA • Capital, Treasury and Investment Strategy • Procurement Strategy and reference guide • Standing Orders Relating to Contracts

<p>on significant delivery issues, or responses to changes in the external environment that may arise during the budgetary period, to achieve outcomes while optimising resource use</p> <ul style="list-style-type: none"> ➤ Ensuring 'social value' through service planning and commissioning 	
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Principle E: Developing the Authority's capacity, including the capacity of its leadership and the individuals within it

Sub-principles	Our evidence to support this principle
<p>Developing capacity</p> <ul style="list-style-type: none"> ➤ Reviewing operations, performance and use of assets on a regular basis to ensure their continuing effectiveness ➤ Improving resource use through techniques such as benchmarking ➤ Recognising the benefits of partnerships and collaborative working where added value can be achieved ➤ Developing and maintaining an effective workforce plan to enhance the strategic allocation of resources 	<ul style="list-style-type: none"> • Annual presentation to BA on major partnerships • Health and Safety policies and procedures • ICT Corporate Group review of ICT performance • Management Team decision in recruitment processes • Member and Officer induction and appraisal programmes • Strategic Risk Register review • Whistleblowing Policy for Officers (HR Policy 15)
<p>Developing leadership capacity</p> <ul style="list-style-type: none"> ➤ Developing protocols to ensure elected and appointed leaders negotiate with each other regarding their respective roles early on in the relationship, and that a shared understanding of roles and objectives is maintained ➤ Publishing a statement that specifies the types of 	<ul style="list-style-type: none"> • Chief Finance Officer compliance with CIPFA Statement on the Role of the Chief Finance Officer in Local Government • Conditions of employment and HR policies • Contract management in respect of externally provided services • Data Protection Officer in place • Financial Regulations and Standing Orders • Member and Officer appraisal programmes, Member Development Protocol • Member workshops on key issues • Monitoring Officer appointed by BA

<p>decisions that are delegated and those reserved for the collective decision making of the governing body</p> <ul style="list-style-type: none"> ➤ Ensuring the Chair and Chief Executive Officer have clearly defined and distinctive leadership roles within a structure whereby the CEO leads in implementing strategy and managing the delivery of services and other outputs set by members, and each provides a check and a balance for each other's authority ➤ Developing the capabilities of members and senior management to achieve effective leadership, and to enable the organisation to respond successfully to changing legal and policy demands as well as economic, political and environmental changes and risks ➤ Having structures in place to encourage public participation ➤ Considering the leadership's own effectiveness and ensuring leaders are open to constructive feedback from peer review and inspections ➤ Holding staff to account through regular performance reviews that take account of training or development needs ➤ Maintaining the health and wellbeing of the workforce and helping individuals to maintain their own physical and mental wellbeing 	<ul style="list-style-type: none"> • Scheme of Powers Delegated to Officers • Standing Orders for the Regulation of Authority Proceedings • Terms of Reference for Committees
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Principle F: Managing risks and performance through robust internal controls and strong public finance management

Sub-principles	Our evidence to support this principle
<p>Managing risk</p> <ul style="list-style-type: none"> ➤ Recognising risk management is integral to all activities and must be considered in all aspects of decision making ➤ Implementing robust and integrated risk management arrangements and making sure they work effectively ➤ Allocating clear responsibilities for managing individual risks 	<ul style="list-style-type: none"> • Business Continuity Plan and Disaster Recovery Plan • Counter Fraud, Corruption and Bribery Strategy and Response Plan • Risk analysis in BA reports • Risk Management Policy • Corporate Risk Register (reviewed every 6 months and reported to Audit and Risk Committee)
<p>Managing performance</p> <ul style="list-style-type: none"> ➤ Effectively monitor service delivery including planning, specification, execution and independent post implementation review ➤ Making decisions based on relevant, clear objective analysis and advice, pointing out the implications and risks inherent in the organisation’s financial, social and environmental position and outlook ➤ Ensuring an effective scrutiny or oversight function is in place that provides constructive challenge and debate on policies and objectives before, during and after decisions are made. This will help enhance the performance of the organisation and any other organisation (or committee system) for which it is responsible ➤ Effectively and constructively challenging and policies and 	<ul style="list-style-type: none"> • Audit and Risk Committee • Capital, Treasury and Investment Policy • Chairs’ Group • Financial Monitor • Financial Regulations and procedures • Management Team and Section Head reviews of Directorate work plans and budgets • Procurement Strategy • Regular finance reports to BA, Audit & Risk Committee and Navigation Committee • Risk and financial implications in reports to BA • Standing Orders Relating to Contracts • Statement of Accounts follows budget headings • Terms of Reference for Committees

<p>objectives to support balanced and effective decision making</p> <ul style="list-style-type: none"> ➤ Providing members and senior management with regular reports on service delivery plans and on progress towards outcome achievement ➤ Ensuring consistency between specification stages (such as budgets) and post implementation reporting (such as financial statements) 	
<p>Developing robust internal control</p> <ul style="list-style-type: none"> ➤ Aligning the risk management strategy and policies on internal control with achieving objectives ➤ Regularly evaluating and monitoring risk management and internal control ➤ Having effective counter fraud and anti-corruption arrangements in place ➤ Making sure that additional assurance on the overall adequacy and effectiveness of the framework of governance, risk management and control is provided by the internal auditor ➤ Having an audit committee or equivalent group/function, independent of the executive and accountable to the governing body 	<ul style="list-style-type: none"> • Annual Governance Statement and Action Plan • Annual Internal Audit plans include key control and corporate governance • Annual Report and Opinion provided by Head of Internal Audit with ref to governance, risk management and internal control arrangements • Codes of Conduct for Employees (HR Policy 2), for Members, and for Planning Committee Members Standing Orders Relating to Contracts • Procurement Strategy • Counter Fraud, Corruption and Bribery Strategy and Response Plan • Disciplinary Procedures for Officers (HR Policy 11) • Effective internal audit function resourced and maintained • Financial Regulations, Contract Standing Orders and Procurement Strategy • Audit and Risk Committee • Best Companies Index employee survey • Internal and external annual audit processes • Local Protocol on Member and Officer Relations • Publication of reports and meeting minutes showing declarations of interest made • Risk Owners (e.g. reporting to Corporate Risk Register) • Scheme of Delegation of Powers to Officers • Standing Orders Relating to Contracts • Training for Members • Treasury and Investment Strategy
<p>Managing data</p> <ul style="list-style-type: none"> ➤ Having effective arrangements in place for the 	<ul style="list-style-type: none"> • Annual Governance Statement • Data and Information Retention Policy • Data Asset Register, privacy notices and Protection policy

<p>safe collection, storage, use and sharing of data, including processes to safeguard personal data</p> <ul style="list-style-type: none"> ➤ Having effective arrangements in place and operating when sharing data with other bodies ➤ Regularly reviewing and auditing the quality and accuracy of data used in decision making and performance monitoring 	<ul style="list-style-type: none"> • Data Protection Officer (qualified Data Practitioner), data protection training to Members and Officers • Encryption of portable devices • IT security arrangements • Review of contracts to ensure data security provisions are incorporated • Statement of Accounts narrative report
<p>Having strong public financial management</p> <ul style="list-style-type: none"> ➤ Ensuring financial management supports both long-term achievement of outcomes and short-term financial and operational performance ➤ Ensuring well-developed financial management is integrated at all levels of planning and control, including management of financial risks and controls 	<ul style="list-style-type: none"> • 3-year Financial Strategy • Annual budget and budget management procedures • Annual Business Plan • Annual Statement of Accounts • Asset Management Strategy • Chief Finance Officer compliance with the CIPFA Statement on the Role of the Chief Finance Officer in Local Government • Earmarked reserves for long-term replacement of assets • External Audit reports • Financial Regulations and procedures • Financial statements • Reports to BA include financial and risk considerations • Treasury and Investment Strategy

Principle G: Implement good practice in transparency, reporting and audit to deliver effective accountability

Sub-principles	Our evidence to support this principle
<p>Implementing good practice in transparency</p> <ul style="list-style-type: none"> ➤ Writing and communicating reports for public and other stakeholders in fair, balanced and understandable style, appropriate to the intended audience and easy to access and interrogate ➤ Striking a balance between providing the right amount of 	<ul style="list-style-type: none"> • Annual Governance Statement and Action Plan • Information published in respect of expenditure over £250 • Monthly data published on BA website in line with Local Government Transparency Code • Record of delegated decisions • Scheme of Delegation of Powers to Officers

<p>information to satisfy transparency demands and enhance public scrutiny, while not being too onerous to provide or for users to understand</p>	
<p>Implementing good practice in reporting</p> <ul style="list-style-type: none"> ➤ Reporting at least annually on performance, value for money and stewardship of resources to stakeholders in a timely and understandable way ➤ Ensuring members and senior management own the results reported ➤ Ensuring robust arrangements for assessing the extent to which principles in this Framework have been applied, and publishing the results on this assessment, including action plan for improvement and evidence to demonstrate good governance (AGS) ➤ Apply Framework to jointly managed or shared service organisations as appropriate ➤ Ensure performance information that accompanies the financial statements on a consistent and timely basis and the statements allow for comparison with other, similar organisations 	<ul style="list-style-type: none"> • Annual Governance Statement and Action Plan • Broads Plan 6-monthly progress reports • S17 officer reporting requirements • Statements of Accounts narrative report • Strategic Direction reports (BA annual strategic priorities)
<p>Developing assurance and effective accountability</p> <ul style="list-style-type: none"> ➤ Acting upon recommendations for corrective action made by external audit ➤ Ensuring an effective internal audit service with direct access to members is in place, 	<ul style="list-style-type: none"> • Annual Governance Statement and Action Plan • Attendance of internal and external auditors at Audit and Risk Committee (ARC) • Audit actions formally logged, followed up and reported to ARC • Follow up of internal audit recommendations by Chief Finance Officer and periodically reported to ARC

<p>providing assurance with regard to governance arrangements, and acting upon recommendations</p> <ul style="list-style-type: none"> ➤ Welcoming peer challenge, reviews and inspections from regulatory bodies and implementing recommendations ➤ Gaining assurance on risks associated with delivering services through third parties and evidencing this in the AGS ➤ When working in partnership, make sure arrangements for accountability are clear and the need for wider public accountability is recognised and met. 	<ul style="list-style-type: none"> • Head of Internal Audit compliance with CIPFA Statement on the Role of the Head of Internal Audit • Internal audit function delivered by contract and meets PSIAS requirements • Best Companies Index employee survey • Peer Review (2017) and Action Plan (reviewed 2019/20) • Corporate and Directorate Risk Registers
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Broads Authority

22 May 2020

Agenda item number 11

Flood Risk SPD for adoption

Report by Planning Policy Officer

Purpose

The Flood Risk Supplementary Planning Document (SPD) was adopted in 2017. Following the adoption of the Local Plan for the Broads in May 2019, the SPD is being reviewed and updated. The draft SPD has been subject to two rounds of public consultation and this report details responses received, a track changed version of the SPD and the next steps in the process.

Recommended decision

To endorse and adopt the Flood Risk SPD.

1. Introduction

- 1.1. The Local Plan for the Broads was adopted in May 2019, and the Broads Authority is now looking in more detail into the interpretation and implementation of its policies.
- 1.2. The Flood Risk Supplementary Planning Document (SPD) was adopted in 2017. Under the new Local Plan this SPD is out of date, and is acting as a guide rather than a supplementary planning document. We are therefore reviewing and updating it.
- 1.3. The draft Flood Risk SPD has been through two rounds of consultations. The comments received have been collated, read, responded to and amendments made. This report discusses comments received as part of the second round of consultation and recommends that the SPD be adopted.

2. Flood Risk Supplementary Planning Document

- 2.1. The NPPG states that: 'Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are, however, a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing Supplementary Planning Documents. In exceptional circumstances, a Strategic Environmental

Assessment (SEA) may be required when producing a Supplementary Planning Document.’

- 2.2. A full SEA of the Flood Risk SPD has not been completed, reflecting the responses from the Consultation Bodies. The responses to the SEA screening request are in the [Consultation: Flood Risk Supplementary Planning Document \(SPD\) report](#) to Planning Committee on 13 September 2019. No comments were received on the SEA Assessment during the first consultation period and therefore no changes have been made.
- 2.3. The draft SPD was subject to first stage public consultation for 8 weeks from 27 September to 22 November 2019. The responses received are in Appendix 1. The draft SPD was amended to reflect responses from the first round of consultation before being subject to a second round of consultation between 31 January and 4 March 2020. The responses received are in Appendix 2.

3. Planning Committee 6 March 2020

- 3.1. In the interest of expediency in adopting the SPD, and because the closing date for the second stage consultation was after the Planning Committee deadline, the responses to the second consultation and proposed changes to the SPD were reported verbally to Planning Committee. Members also made the following comments. Planning Committee endorsed the SPD and recommended that the Broads Authority adopts the Flood Risk SPD (Appendix 3).

Table 1

Responses and proposed changes to draft Flood Risk SPD

Comment	Information/amendment
Page 26: Clarify the author/status of the Shoreline Management Plan	Footnote 16 amended as follows: Kelling to Lowestoft Ness Shoreline Management Plan, 2020 . Go to page 100: https://www.great-yarmouth.gov.uk/CHttpHandler.ashx?id=1239&p=0 . Please note that the development of this revision of the SMP has been led by a group including technical officers and representatives from North Norfolk District Council, Great Yarmouth Borough Council, Waveney District Council, the Environment Agency, Natural England, Defra and Great Yarmouth Port Authority.
4.8.4 - add the link rather than say ‘here and here.	Amend to say: Maps of the Broads (2006) Internal Drainage District and the Norfolk Rivers Internal Drainage District are available at

Comment	Information/amendment
	https://www.wlma.org.uk/uploads/84-BIDB_drainindex.pdf and https://www.wlma.org.uk/uploads/179-NRIDB_Index.pdf .
<p>Check and clarify reference to the 1995 level (at 5.6.2) but levels will increase by 25% to 65% (at 4.1.1)</p>	<p>The reference to 1995 is because BESL used those levels as a benchmark. The flood defences were restored and strengthened to that level. The BESL approach started in 2001. The reference to 25% to 65% reflects changes to the levels published on the Government website in December 2019. The Broadland Futures Initiative will look at flood risk management from the mid 2020s onwards and so is likely to reflect current and potentially future Government requirements/directions like the 25% to 65%. No change to the SPD.</p>

4. Conclusion

- 4.1. It is recommended that the Broads Authority endorses the final draft SPD. Officers will then undertake the remaining stages of producing the SPD as required by the regulations. The final SPD will be published on the Authority’s website and will be used in determining planning applications.

Author: Natalie Beal

Date of report: 19 February 2020

[Broads Plan](#) objectives: 8.2

Appendix 1 – Comments received as part of the first round of consultation

Appendix 2 – Comments received as part of the second round of consultation

Appendix 3 – Track changed final version of the Flood Risk SPD

Appendix 1 – Comments received as part of the first round of consultation

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
#1	Laura Waters	Norfolk County Council	On 3rd January this year we responded directly to Natalie Beal on the Broads SPD as consulted on at the time. Elaine Simpson had various short comments to make on the document and we welcome that these comments have been included/utilised in the current document. Having had this opportunity to review the most recent consultation, as LLFA, we have no further comments to make on the SPD.	Support noted.	No change to Flood Risk SPD
#2	Lorraine Houseago	Norfolk County Council	We have no other comments to make.	Noted.	No change to Flood Risk SPD
#3	Nathan Makwana	Anglian Water Services	Having previously had the opportunity to comment and be involved on the development of the previous draft, I note that this iteration incorporates previously suggested comments. On this basis, Anglian Water have no further comment to make. We of course welcome any further opportunity to comment.	Support noted.	No change to Flood Risk SPD
#4	Penny Turner	Norfolk Policy ACLO	We have no comments on the above at this stage.	Noted.	No change to Flood Risk SPD
#5	Charlette Hounsell	Norwich City Council	Section 6.2 – it may be useful to reference in this section that consultation with neighbouring/overlapping authorities at pre-application stage is advised	Agree. Will incorporate into SPD.	6.2.2 It will also be appropriate to consult neighbouring Local Planning Authorities if scheme proposals are on or near to the border.
#6	Charlette Hounsell	Norwich City Council	Section 6.5.5 – in setting out what should be considered for a site to be reasonably available, there is no mention of site ownership or whether the owners of sites have any intention of them being developed. If owners of sites have no intention of developing them, can they be considered as reasonably available sites?	This is covered to some extent by the first bullet point, but we will expand this to address this comment.	6.5.5 A site is considered to be reasonably available if all of the following apply: <ul style="list-style-type: none"> The site is available to be developed (including considering site ownership or whether the owners of sites have any intention of them being developed);

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
#7	Charlette Hounsell	Norwich City Council	Section 6.5.9 & Section 7.1.3 – Suggest inclusion of reference to the need to comply with relevant planning policies of any relevant local authorities to the development site/proposal	Noted. This is a given, but we have added some text.	6.5.9 It is acknowledged that the area of search could be outside of the Broads Authority Executive Area and would require discussions with other Local Planning Authorities (<u>and proposals would therefore need to comply with relevant planning policies of the relevant Local Planning Authorities</u>). 7.1.3 It should be noted that all aspects of the development need to comply with policies of the Local Plan (adopted 2019) and that conformity with policies SP2 and DM5 does not override applicability of other policies (<u>of the Broads Authority and other relevant Local Planning Authority</u>).
#8	Charlette Hounsell	Norwich City Council	Section 6.10.6 – The last sentence of this paragraph refers to flood resistance and resilience of buildings information to be found at section 5. I believe this information is found at section 7.	Agreed.	Change from 5 to 7.
#9	Charlette Hounsell	Norwich City Council	Section 9 – Suggest inclusion of web links to local authorities and LLFAs	It is not clear what links are required. The changes to the SPD as a result of other comments from Charlotte may help raise awareness of other LPAs.	No change to SPD.
#10	Charlette Hounsell	Norwich City Council	Does this document take account of ADEPT and EA Flood Risk Emergency Plans for New Development guidance? https://www.adeptnet.org.uk/floodriskemergencyplan	The guide has been reviewed and a link included in the SPD and parts referenced throughout Appendix D. Generally, we feel the Broads SPD covers the thrust of the guide, but if any specific changes are required, please let us know as part of the next round of consultation on the SPD.	Text added to section 1. Link added to Section 3 of Appendix D.
#11	Charlette Hounsell	Norwich City Council	Part of utilities site is within Broads Authority area and adjacent to the East Norwich Area as defined in JCS 12 – should there be some reference to this?	The issue of cross boundary sites (which after clarification with Charlotte was what this comment sought to address) is covered by the other changes to the comments from Charlotte.	No change to SPD.

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
#12		Marine Management Organisation	<p>Page 16, Section 5.5.4: Refers to the tidal influence within the Broads, as well as the National Planning Policy Framework. We would also recommend you mention the East Inshore and East Offshore Marine Plans here, or elsewhere in section 5.5.</p> <p>Asked for clarification: As these are recommendations, I am not able to provide specific text. We suggest that your own interpretation of the East Marine Plans informs your plans, and refer to the Marine Plans where you deem appropriate. Coastal, and tidal flooding is covered across multiple policies within the East Marine Plans such as SOC1, CC1 and Objectives 6 and 9. Other signposting includes Paragraph 249 –Coastal change management.</p>	Noted and we will include some text.	<p>5.4 Marine Management Organisation and flood risk</p> <p>5.4.1 Coastal, and tidal flooding is covered across multiple policies within the East Marine Inshore and Off Shore Plans such as SOC1, CC1 and Objectives 6 and 9. Other references include Paragraph 249 – Coastal change management.</p>
#13		Marine Management Organisation	<p>Page 67: You refer to Environment Agency permits. It may also be appropriate to refer to Marine Licences from the Marine Management Organisation, as this may be relevant to applicants.</p> <p>Asked for clarification: With regards to referencing the Marine Management Organisations Marine Licences, lines 1552-1556 refer to the appropriate requirements for a “a permit under the Environmental Permitting 1554 (England and Wales) Regulations 2010 from the Environment Agency”. As there are exemptions, particularly within the Broads, I cannot suggest specific text. However, as this is directed at applicants this seems to be an appropriate place to note that a Marine Licence may be required for works that are carried out on tidal rivers.</p>	Noted and we will include some text.	As requested, we will add this to the Flood Risk Tick Sheet: Also note that a Marine Management Organisation Marine Licence may be required for works that are carried out on tidal rivers.
#14	Ben Wright	East Suffolk	Para 5.4.2 refers to the Waveney SFRA (2018). This SFRA was produced for both Councils and may be better referred to as the East Suffolk SFRA.	Agree - will change text.	Change to say 'East Coast'.
#15	Ben Wright	East Suffolk	Para 5.4.3 refers to Waveney. This reference should be changed to “the former Waveney area”.	Agree - will change text.	Change to say 'the Waveney part of East Suffolk'
#16	Ben Wright	East Suffolk	Para 5.4.4 – the joint statement with the EA continually refers to Waveney. This should be changed to either East Suffolk or the former Waveney area.	Noted and that is because it was produced in 2018. It is not proposed to go through all old documents adopted put in place before April 2019 to change the refence. But as and when documents like this are updated then we will make the amendment.	No change to Flood Risk SPD

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
#17	Jessica Nobbs	Water Management Alliance	<p>Section 8.3.5 of the document refers to Land Drainage Consent. It is identified that consent would be required from the relevant Internal Drainage Board (IDB) where alterations to a watercourse (including infilling, culverting or amending) are proposed as per the Board's Byelaws (specifically Byelaw 4) and Section 23, Land Drainage Act 1991. In addition to this, we feel it would be relevant to refer to other consents that may be required from the Board by including the two following statements:</p> <p>- If a surface water (or treated foul water) discharge is proposed to a watercourse within an Internal Drainage District (IDD) (either directly or indirectly), then the proposed development will require a Land Drainage Consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment a surface water development contribution fee, calculated in line with the Board's charging policy.</p> <p>- If there is a Board Adopted watercourse within/adjacent to the site boundary and should works be proposed within 9 metres of the watercourse, consent would be required to relax Byelaw 10 (no works within 9 metres of the edge of drainage or flood risk management infrastructure).</p>	Noted and will amend text.	<p>Other consents that may be required from the IDB include:</p> <ul style="list-style-type: none"> <u>If a surface water (or treated foul water) discharge is proposed to a watercourse within an Internal Drainage District (IDD) (either directly or indirectly), then the proposed development will require a Land Drainage Consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment a surface water development contribution fee, calculated in line with the Board's charging policy.</u> <u>If there is a Board Adopted watercourse within/adjacent to the site boundary and should works be proposed within 9 metres of the watercourse, consent would be required to relax Byelaw 10 (no works within 9 metres of the edge of drainage or flood risk management infrastructure).</u>
#18	Jessica Nobbs	Water Management Alliance	<p>Maps of the Broads (2006) Internal Drainage District and the Norfolk Rivers Internal Drainage District are available here and here. These maps show which watercourses are designated as Adopted Watercourses by each Board. The adoption of a watercourse is an acknowledgement by the Board that the watercourse is of arterial importance to the Internal Drainage District and as such will normally receive maintenance from the IDB. This maintenance is not necessarily carried out on an annual basis but on a recurrence deemed necessary to meet water level management requirements. The designations are made under permissive powers (meaning there is no obligation for IDBs to fulfil any formal maintenance requirement and there is no change in the ownership or liability associated with the watercourse).</p>	Noted and will amend text.	<p>4.8.4 Maps of the Broads (2006) Internal Drainage District and the Norfolk Rivers Internal Drainage District are available here and here. These maps show which watercourses are designated as Adopted Watercourses by each Board. The adoption of a watercourse is an acknowledgement by the Board that the watercourse is of arterial importance to the Internal Drainage District and as such will normally receive maintenance from the IDB. This maintenance is not necessarily carried out on an annual basis but on a recurrence deemed necessary to meet water level management requirements. The designations are made under permissive powers (meaning there is no obligation for</p>

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
					IDBs to fulfil any formal maintenance requirement and there is no change in the ownership or liability associated with the watercourse
#19	Liam Robson	Environment Agency	In relation to paragraph 5.5.8 it should be noted that Environment Agency flood warnings cover both tidal and fluvial flooding.	Noted and will amend text.	Although tidal surges can develop rapidly within 6-12 hours because of the movements of weather systems in the North Sea, the Environment Agency Flood Warning System covers the whole of the Broads area which could provide early warning (for fluvial and tidal flooding) .
#20	Liam Robson	Environment Agency	Paragraph 5.5.9 states the standard of protection in the Broads area. It should be noted that some defences have a 1 in 200 standard or higher.	Noted and will amend text.	5.6.9 Existing flood defences in the Broads area offer a low standard of protection (typically up to a 1 in 7-year standard and some defences have a 1 in 200 standard or higher), so they may be overtopped during a flood event.
#21	Liam Robson	Environment Agency	The tidal flood risk section of this document states that "...the prior has defences to protect up to the 0.5% annual probability tidal flood". It should be noted that not all defences may be up to this standard.	Noted, although this was copied verbatim from the SFRA. Will amend text.	There is acute risk of tidal flooding in Great Yarmouth and across the Broads within the study area; the prior has defences to protect up to the 0.5% annual probability tidal flood (although not all defences may be up to this standard) .
#22	Liam Robson	Environment Agency	The fluvial section of this table states how climate change will significantly influence the predicted flood levels as a consequence of changes to mean sea level. As this is in the fluvial section, it should mention climate change increasing river flows (between 25% and 65% increase).	Noted, but that is the fluvial column in a few tables, not just Great Yarmouth's. In the absence of a suggestion that addresses all of the tables, some text will be added to section 4.1.	4.1.1 Fluvial flood risk is flooding from rivers because of a river overflowing or its banks being breached. It should be noted that climate change is likely to result in increased river flows (between 25% and 65% increase)

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
#23	Liam Robson	Environment Agency	It is good to see the inclusion of paragraph 6.3.2 however, it is unclear that this is the only flood risk issue mentioned in detail in this summary section. This could therefore be moved to a more detailed section. Section 7.6.1 would be best, as it links to the need to let water in and adopt flood resilient construction measures if more than 600mm of water around the building.	Agree. Will move text.	6.3.2 moved to 7.6.1.
#24	Liam Robson	Environment Agency	In relation to point i in paragraph 6.10.3, the FRA should show the accurate location of the flood zones on their site based on a comparison of EA flood levels and GPS site survey, not just using our flood maps.	Noted and will amend text.	i. Flood risk zones 1 – 3 within the site with reference to the SFRA/EA Flood Zone maps. The FRA should show the accurate location of the flood zones on the site based on a comparison of EA flood levels and GPS site survey;
#25	Liam Robson	Environment Agency	It appears that the document states that what is considered to be safe will be taken on a case-by-case basis. You may want to consider further what safe specifically looks like.	EA were asked for their thoughts about what safe would look like but replied saying they did not object to the SPD. They were asked again for wording changes but did not provide any by the deadline for Planning Committee.	If any further comments are received then these will be reported to Planning Committee. Otherwise, no change.
#26	Liam Robson	Environment Agency	The mention of whether less vulnerable development at risk of flooding would be safe seems to indicate that you will not allow more vulnerable to flood. The SPD could therefore be enhanced by explicitly saying this as we require more vulnerable flood levels to be above actual risk 1%/0.5 cc flood levels (unless replacement dwellings). It should probably be under 6.10.5, could be under 6.10.6 but does not relate to residual risk, just actual risk. Perhaps a new paragraph between the two referring to the need for new more vulnerable development to not flood in the actual risk 1%/0.5% climate change flood event, through defences, raised land or raised floor levels.	Noted. Will add a new paragraph	6.10.6 It is important to note that the Environment Agency need new more vulnerable development to not flood in the actual risk 1%/0.5% climate change flood event, through the provision of defences, raised land or raised floor levels.
#27	Liam Robson	Environment Agency	In terms of safe refuge, we require all more vulnerable developments to have safe refuge above the extreme climate change flood level, unless agreed in consultation with emergency planners that it can be made safe through a flood response plan without refuge. It could be beneficial if the SPD were to have comments on refuge requirements e.g. are stairwells acceptable and when is refuge required?	Asked for clarification on this. Currently, Emergency Planners of the districts are not involved in Flood Response Plans/applications in the Broads. EA were asked for their thoughts about if stairwells are acceptable and when a refuge is required but replied saying they did not object to the SPD. They were asked again for wording changes but did not provide	Liaise with Emergency Planners regarding this comment. If any further comments are received then these will be reported to Planning Committee. Otherwise, no change.

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
				any by the deadline for Planning Committee.	
#28	Liam Robson	Environment Agency	Paragraph 6.11.3 states that a Flood Risk Assessment should propose mitigation measures. These should be provided up to the design flood event (1% fluvial/0.5% tidal) including climate change for the lifetime of the development.	Noted and will amend text.	6.11.3 A Flood Risk Assessment should consider whether this will happen and propose mitigation measures which should be provided up to the design flood event (1% fluvial/0.5% tidal) including climate change for the lifetime of the development. These may include for example the provision of compensatory floodplain storage, although this can be difficult to achieve in the Broads area. Compensatory floodplain storage is the lowering of higher land levels to provide additional flood storage at the same level as the flood storage is removed. Therefore, this is difficult to achieve in the Broads as the floodplain is very flat with little higher land available to lower. One of the only options in the Broads is the raising of buildings on stilts to provide voids underneath and not remove flood storage. Such measures would need to be designed to ensure that water is always stored under the building and can empty after a flood. This would require intermittent boarding, no storage under the building and regular maintenance.
#29	Liam Robson	Environment Agency	Paragraph 6.11.3 also references compensatory storage. It would be beneficial to define what compensatory storage is here i.e. the lowering of higher land levels to provide additional flood storage at the same level as the flood storage is removed. Therefore, this is difficult to achieve in the Broads as the floodplain is very flat with little higher land available to lower.	Noted and will amend text.	
#30	Liam Robson	Environment Agency	Paragraph 6.11.3 also includes a sentence which states “such measures would need to be designed to ensure that water is always stored under the building and can empty after a flood”. This is not compensatory storage and is instead providing a void under the building to reduce the volume of flood storage removed. There should therefore be a sentence before this one saying that ‘one of the only options in the Broads is the raising of buildings on stilts to provide voids underneath and not remove flood storage’.	Noted and will amend text.	
#31	Liam Robson	Environment Agency	The Flood Response Plan may be one aspect of the proposed management measures that make a development safe and acceptable in flood risk terms. So the development might not be acceptable terms until the Flood Response plan is submitted and considered.	Noted.	No change to Flood Risk SPD

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
#32	Liam Robson	Environment Agency	The Environment Agency and the Association of Directors of Environment, Economy, Planning and Transport (ADEPT) have produced some joint guidance on flood risk emergency plans for new development which can be downloaded at https://www.adeptnet.org.uk/floodriskemergencyplan . The SPD should ensure that it follows the requirements.	The guide has been reviewed and a link included in the SPD and parts referenced throughout Appendix D. Generally, we feel the Broads SPD covers the thrust of the guide, but if any specific changes are required, please let us know as part of the next round of consultation on the SPD.	Text added to section 1. Link added to Section 3 of Appendix D.
#33	Liam Robson	Environment Agency	Raising Floor Levels In relation to paragraph 7.2.3; we require raised floor levels (above 1% cc/0.5% cc) for residential building conversions, unless it is confirmed in consultation with emergency planners that the safety of the development can be managed through other means such as resilience/resistance measures and flood response plan. It could be beneficial if the SPD specifies when this would be acceptable and when raised floor levels required?	Asked for clarification on this. Currently, Emergency Planners of the districts are not involved in Flood Response Plans/applications in the Broads. EA were asked what specific changes they would like but replied saying they did not object to the SPD. They were asked again for wording changes but did not provide any by the deadline for Planning Committee.	Liaise with Emergency Planners regarding this comment. If any further comments are received then these will be reported to Planning Committee. Otherwise, no change.
#34	Liam Robson	Environment Agency	In terms of paragraph 7.2.4 We require the finished floor levels of new residential development to be above the actual risk design flood level including 100 years of climate change (1% fluvial plus cc / 0.5% tidal plus cc). We also require higher refuge above the extreme 0.1% cc flood level, unless in consultation with emergency planners that the development can be safe without higher refuge through evacuation and the Flood Response Plan. The SPD could therefore be enhanced by specifying when higher refuge is required.	Asked for clarification on this. Currently, Emergency Planners of the districts are not involved in Flood Response Plans/applications in the Broads. EA were asked what specific changes they would like but replied saying they did not object to the SPD. They were asked again for wording changes but did not provide any by the deadline for Planning Committee.	Liaise with Emergency Planners regarding this comment. If any further comments are received then these will be reported to Planning Committee. Otherwise, no change.
#35	Liam Robson	Environment Agency	Please note the sentence for citation 50 at the bottom of the page under line 962 is incomplete.	It is, it just is on the next page.	No change to Flood Risk SPD
#36	Liam Robson	Environment Agency	Environment Agency This paragraph states the Agency has principle responsibility for river flooding. This should also state tidal/coastal flooding.	Noted and will amend text.	The Agency has principle responsibility for river, tidal and coastal flooding.
#37	Liam Robson	Environment Agency	Chapter 1: Flood Response Plan Guidance The Environment Agency and the Association of Directors of Environment, Economy, Planning and Transport (ADEPT) have produced some joint guidance on flood risk emergency plans for new development which can be downloaded at https://www.adeptnet.org.uk/floodriskemergencyplan . This appendix should ensure that it follows the requirements of the ADEPT guidance. The ADEPT guidance goes into more detail on how information	The guide has been reviewed and a link included in the SPD and parts referenced throughout Appendix D. Generally, we feel the Broads SPD covers the thrust of the guide, but if any specific changes are required, please let us know as part of the next round of consultation on the SPD.	Text added to section 1. Link added to Section 3 of Appendix D.

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
			on safe access routes and refuge provision should be included in the Emergency Plan, perhaps some of this can be included? But the minimum is to ensure the ADEPT guidance is referenced in Appendix D.		
#38	Liam Robson	Environment Agency	Introduction Line 1264 states that “...if not submitted with an application, are often required by planning condition if permission is issue”. ADEPT guidance says this is not allowed, the Flood Response Plan needs to be submitted upfront, as it is necessary to determine the safety of the development.	Noted and will amend text.	This guidance has been produced to assist with the preparation of Flood Response Plans (FRP). FRPs should need to be provided as part of a Flood Risk Assessment where this is necessary to accompany a planning. application or, if not submitted with an application, are often required by planning condition if permission is issued.
#39	Charlie Middleton	Beccles Town Council	The Planning Committee, replying on behalf of Beccles Town Council, consider all three documents provide comprehensive support for the planning policies of the Broads Authority.	Support noted.	No change to SPD
#40	Iain Withington	North Norfolk District Council	Section 5.1.1 and 5.2.1: Could usefully insert into both paragraphs text around Climate change flood extents, that are incorporated in the SFRA and that development should also have regard to these food risk extents from all sources of flooding.	Noted and will amend text.	Add this text to 5.1.1: Development should also have regard to the climate change flood extents (from all sources of flooding) and these are mapped in the Strategic Flood Risk Assessment (see 5.5). Add this text to 5.1.2: As mentioned previously, the impact of climate change needs to be considered (see 5.1.1)
#41	Iain Withington	North Norfolk District Council	5.3: CC flood extents are mentioned here but greater emphasis that the SFRA demonstrates the CC flood extents and these should also be used as a basis for further comment and assessment i.e. through site specific FRAs	Noted and will amend text.	Add this text to 5.3.1: (and the SFRA demonstrate the climate change flood extents).
#42	Iain Withington	North Norfolk District Council	5.4.1: Could use the wording climate change flood extents rather than impacts	Noted and will amend text.	Change to say: they consider the impacts of climate <u>change flood extents</u>
#43	Iain Withington	North Norfolk District Council	5.4.3: Could mention that CC allowances have been agreed with the Environment Agency and LLFA in the SFRA and with all the Norfolk authorities	Noted and will amend text.	Add: In Norfolk, climate change allowances have been agreed with the Environment Agency and LLFA in the SFRA and with all the Norfolk authorities.

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
#44	Iain Withington	North Norfolk District Council	5.4.4: Add text around the precautionary approach adopted by the SFRA and expected time line for the updated modelling rather than as time goes by wording.	Noted and will amend text.	Amend text as follows: If a proposed development is shown to be in Flood Zone 3, further investigation should be undertaken as part of a detailed site-specific Flood Risk Assessment to define and confirm the extent of Flood Zone 3b. This may require detailed hydraulic modelling. so a site-specific flood risk assessment is required to assess actual flood risk to the site. To cover this, a joint position statement has been produced between the Broads Authority and the Environment Agency. The Joint Position Statement indicates that modelling on the Broadland Flood Alleviation Project Area (much of the area without modelling) will be completed by the end of 2021.
#45	Iain Withington	North Norfolk District Council	6.3: Include reference to CC flood extents.	Noted and will amend text.	Amend text to say: Developers should carefully assess the full range of issues associated with all sources of flood risk when producing development proposals, including climate change flood extents.
#46	Iain Withington	North Norfolk District Council	<p>Horning development: I can see no reference to the joint position statement with Anglian water on the development restrictions in the Horning water recycling centre catchment, i.e. Knackers wood WRC</p> <p>Reference should be given to the SCG which states that: 'New development likely to give rise to additional foul drainage output will not be permitted where either (a) this intensifies the use of non-mains foul drainage arrangements, or (b) this intensifies the use of mains foul sewer ahead of essential sewerage infrastructure works and demonstration that there is sufficient capacity at the sewage treatment works to serve the proposed development without harming nearby designated sites.'</p> <p>The SCG goes on to say "This means that there will be a presumption against developments that increase flows to the WRC in the short term. Similarly, there will be a presumption against developments that rely upon stand alone foul water treatment solutions as they too have the potential to adversely affect water quality."</p>	Noted. This SPD is about flood risk, not wastewater. The Position Statement is heavily referenced in the Local Plan. We will reference this in the table for North Norfolk under foul sewer.	Add this text: Of relevance to the North Norfolk area is the Joint Position Statement relating to Horning Knackers Wood Water Recycling Centre. To summarise, due to capacity issues, development that increases foul drainage output is not likely to be permitted.

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
			As far as I am aware the situation has not moved on and this still stands. See below AW text		
#47	Iain Withington	North Norfolk District Council	<p>Hoveton Anglian water have also commented on proposals in our emerging local plan with regard Hoveton, where it is understood they are developing a position statement. these comments stem from the acknowledgment of particular issues of discharge and flooding from the river into the drainage systems.</p> <p>“Policy DS13 states that a wider water catchment strategy and foul water drainage strategy are required for this allocation site. However, the supporting text refers to the water catchment strategy being aligned with the overall catchment strategy. Any site specific strategy would need to be aligned with any wider catchment strategy. Anglian Water asks that the wording relating to foul drainage be amended to ensure it is effective. To be effective there is a need to clarify what is the requirement for the applicant in relation to foul drainage and how this relates to any further technical work or investigation(s) undertaken by Anglian Water rather than the developer.”</p> <p>You may like to flag these issues for consideration in your NNDC tables for foul sewer and WRC</p>	Noted and will amend text. Also, will request that NNDC keep us informed of the progress on this issue.	Add this text: At the time of writing, there are early discussions between the Environment Agency, North Norfolk District Council and the Broads Authority about particular issues of discharge and flooding from the river into the drainage systems.

Reference	Name	Organisation	Comment	BA Responses	Proposed changes
#48	Iain Withington	North Norfolk District Council	Comment to NNDC Local Plan consultation from Anglian Water Services - for information. Horning WRC: There have been a number of recorded incidents of flooding within the Horning sewerage catchment from surface water, groundwater and fluvial sources which are the responsibility of multiple agencies. This reduces the available capacity of foul sewerage network for additional foul flows from additional development within the catchment as outlined in the Joint Position Statement for Horning. Anglian Water has undertaken CCTV surveys of the existing public sewerage network at Horning to investigate the cause(s) of these flooding incidents. Following the completion of surveys we have undertaken repairs in February/March 2018 to mitigate surface water ingress where it interacts with the foul sewerage network in Anglian Water's ownership. We have also been actively working with relevant (flood) risk management authorities to address historic flooding in the Horning sewerage catchment where it relates to Anglian Water's assets. As part of which we have been liaising with North Norfolk District Council to enable the removal of existing surface water connections to the foul sewerage network from existing residential and commercial properties so that existing surface water flows can be discharged to suitable alternatives e.g. watercourses. The Environment Agency has also committed to undertaking threshold surveys within the sewerage catchment to establish flood risk from the Broads for every household within the catchment. The Joint Position Statement for Horning is to be updated to reflect the current position relating to the investigation and works undertaken to date by Anglian Water and by other risk management authorities within the catchment.	Noted.	No change to SPD
#49	Iain Withington	North Norfolk District Council	Comment to NNDC Local Plan consultation from Anglian Water Services - for information. Hoverton: Anglian Water is currently preparing a position statement relating to Hoverton catchment which follows recent discussions with Cllr Dixon. It is intended to set out the current position relating to this catchment including historic issues within the network and the implications for new development.	Noted.	No change to SPD

Appendix 2 – Comments received as part of the second round of consultation

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
#1	Stewart Patience	Anglian Water Services	Thank you for the opportunity to provide comment on the amended draft Flood Risk SPD for the Broads Authority. Having previously had the opportunity to comment and be involved on the development of an earlier draft, the current version incorporates previously suggested comments. The proposed changes made following the previous consultation on the SPD do not appear to any issues of relevance for Anglian Water. On this basis, Anglian Water have no further comment to make and supports the current version of the SPD.	Support noted	No change to SPD
#2	Penny Turner	Norfolk Police	Thank you for the notification of the amended Flood Risk Supplementary Planning Document for the Broads. We have no specific comment regarding the content of this guidance.	Noted	No change to SPD
#3	John Ash	Broads Authority Member	79 After Intense rainfall you may want to add which may increase with climate change	Agree. Will add reference to climate change to 4.2.2.	4.2.2 Intense rainfall, often not lasting a long time, that is unable to soak into the ground or enter drainage systems, can run quickly off land and result in local flooding. Surface water flooding problems are linked to issues of poor drainage, or drainage blockage by debris, and sewer flooding. Instances of intense rainfall may increase as a result of climate change.
#4	John Ash	Broads Authority Member	320 I think it is not helpful saying the flooding is shallow. From my experience flooding can be over 1m in depth in places depending on the topography. 321 add: in or beside a breach in defences where the flow will be greater and the risk would	Noted. Will amend 5.6.9.	The nature of flooding in the Broads is such that flood water is likely to have a slow velocity, may be shallow in depth and may be low hazard (depending on topography), unless it is in an area or beside a breach in defences where the flow could will be greater and the risk would subsequently be higher.
#5	John Ash	Broads Authority Member	1327 add application at the end of the sentence.	Agree. Will amend.	Add 'application'.

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
#6	Lewis Chappell	Norfolk County Council LLFA	We welcome that comments made previously by the LLFA have been included in the draft provided for consultation. We recommend the following information to be included: Reference to Norfolk County Council (NCC) – Lead Local Flood Authority (LLFA) Statutory Consultee for Planning: Guidance Document should be made within the document. This outlines the LLFA guidance for developers regarding surface water flooding, drainage design and sustainable development. At this point, we have no further recommendations to make.	Agree. Will include a reference.	Will add reference to this document and this link in Section 9: https://www.norfolk.gov.uk/-/media/norfolk/downloads/rubbish-recycling-planning/flood-and-water-management/guidance-on-norfolk-county-councils-lead-local-flood-authority-role-as-statutory-consultee-to-planning.pdf
#7	Laura Waters	Norfolk County Council	Thank you for your consultation on the Flood Risk SPD for the Broads, as previous comments on the document have been included/utilised in the current document we have no further comments to make on the SPD.	Noted	No change to SPD
#8	Liam Robson	Environment Agency	Section 4.3: New climate change allowances were published in December 2019 on gov.uk, these will result in increases in flood level of between 1.2m and 1.6m compared to present day flood levels.	Agree. Will amend and add reference to this.	This text added as a new section - 4.9 Add this as new footnote to 6.10.4.
#9	Liam Robson	Environment Agency	Section 5.6.9: It may be better to reword this as: Existing flood defences in the Broads area offer a low standard of protection (typically up to a 1 in 7-year standard) so they may be overtopped during a flood event. However some defences are higher, with a 0.5% (1 in 200) standard or greater.	Agree. Will amend and add reference to this.	5.6.9 Existing flood defences in the Broads area offer a low standard of protection (typically up to a 1 in 7-year standard) so they may be overtopped during a flood event. However some defences are higher, with a 0.5% (1 in 200) standard or greater. Existing flood defences in the Broads area offer a low standard of protection (typically up to a 1 in 7-year standard), so they may be overtopped during a flood event.
#10	Liam Robson	Environment Agency	Line 326 and 327: The measures to take before, during and after a flood should be detailed within a Flood Response Plan for each development site.	Agree. Will amend and add reference to this.	5.6.10 Some people living and working within the Broads are historically familiar with the water environment and are unlikely to be surprised or alarmed by the possibility of floods or rising water levels or may be more prepared. That being said, others may not have had any experience of flooding. Measures will need to be in place to ensure effective communication with visitors - an issue which is already addressed on many sites locally. <u>The measures to take before, during and after a flood should be detailed</u>

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
					within a Flood Response Plan for each development site.
#11	Liam Robson	Environment Agency	Section 6.10.6: actual risk 1% (1 in 100) fluvial or 0.5% (1 in 200) tidal annual probability climate change flood event. Should it say the Environment Agency requires this or the NPPF Planning Practice Guidance? As the PPG allows flood resilient construction to be used for change of use/new less vulnerable but not new more vulnerable development, and therefore new more vulnerable to be dry in a flood. We also require refuge above the 0.1% (1 in 1000) climate change annual probability extreme flood for more vulnerable development.	Agree. Will amend and add reference to this.	6.10.6 It is important to note that the Environment Agency NPPG need new more vulnerable development to not flood in the actual risk 1% (1 in 100) fluvial or 0.5% (1 in 200) tidal annual probability climate change flood event through the provision of defences, raised land or raised floor levels. The Environment Agency also require refuge above the 0.1% (1 in 1000) climate change annual probability extreme flood for more vulnerable development.
#12	Liam Robson	Environment Agency	Line 702: Reword to 'if proposed less vulnerable development at actual or residual risk of flooding, or more vulnerable development at residual risk of flooding would be...'	Agree. Will amend and add reference to this.	The Authority will also consider if proposed less vulnerable development at actual or residual risk of flooding, or more vulnerable development at residual risk of flooding would be consider if proposed less vulnerable developments at risk of flooding that would be safe and sustainable and whether flood resilient measures and flood response plans are sufficient to mitigate risk.
#13	Liam Robson	Environment Agency	Line 705 and 706: And advice on Flood Response Plans can be found in Appendix D.	Agree. Will amend and add reference to this.	Advice on the flood resistance and resilience of buildings can be found at section 5.7 of this SPD and advice on Flood Response Plans can be found in Appendix D.
#14	Liam Robson	Environment Agency	Line 1019: This sentence still does not make sense. Words missing. Perhaps reword as: 'If the use of a culvert cannot be avoided then their size should be designed so they are appropriately designed for both low and high flows, are the biggest culvert that can be accommodated within the watercourse to maintain existing capacity and so have capacity for high flow conditions (and this specification might be a matter for the IDB, LLFA or Environment Agency	Agree. Will amend and add reference to this.	Replace existing wording with the proposed wording.
#15	Gary Burckitt	Member of community	The document implies that the "hold the line" policy will run until 2055. But goes on to state that "this is dependent on the option continuing to be technically and economically deliverable". – leading to the possibility of	Noted. The document uses the position set out in the Shoreline Management Plan. However we will amend 5.9.	As a summary for this document, the general approach to coastal erosion along this stretch for the present day and medium

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
			<p>managed realignment or a retired line of defence further inland. (Presumably at any time in the next 35 years. – Could be within a few years.)</p> <p>Whilst there is comfort in stating the line will be held until 2055, making it dependent on technical and economic factors surely means that it is under constant review and, in my opinion, does not reassure owners of domestic properties and business premises one little bit.</p>		<p>term is to hold the line up to 2055. This is dependent on the option continuing to be technically and economically deliverable and over time other options may be investigated such as possible managed realignment, or a retired line of defence further inland. In relation to the present day, the Plan says:</p>
#16	Robin Buxton	Horseley Parish Council	<p>Horseley Parish Council met on the 20th February and the Authority's Flood Risk Supplementary Planning Document Consultation was considered. Members support the purposes of the plan and indeed the contents apart from section 5.9 The Coast, in reference to the local sea defences, hold the line up to 2055, that this is dependent on the option continuing to be technically and economically deliverable and over time other options may be investigated such as possible managed realignment on a retired line of defence further inland. We strongly suggest that any reference to " what may be investigated such as possible managed realignment on a retired line of defence further inland" be removed as this is totally unacceptable to us. Such reference could result in a planning blight and may present problems for some properties obtaining flood insurance as happened during a Conservation body report made in the recent past. We understand that the Broads Authority is not qualified to speculate on what may or might not be investigated on coast related matters since the Authority is not a risk management authority under the Coast Protection Act. The forthcoming Broadland Futures Initiative project would be the appropriate opportunity to discuss future coastal matters rather than a planning guidance document.</p>	<p>Noted. The document uses the position set out in the Shoreline Management Plan. However we will amend 5.9.</p>	<p>As a summary for this document, the general approach to coastal erosion along this stretch for the present day and medium term is to hold the line up to 2055. This is dependent on the option continuing to be technically and economically deliverable and over time other options may be investigated such as possible managed realignment, or a retired line of defence further inland. In relation to the present day, the Plan says:</p>
#17	David Auston	Member of community	<p>From what I have understood of the paper I think it is vital to emphasise the importance of achieving an accurate and contemporary picture of land levels between the Broads and the coast and that until such work has been thoroughly carried out and the public informed, there should be no speculation indulged in publicly and even then only informed bodies should lead the debate. On this last point I believe that only risk management authorities should be involved thus precluding the Broads Authority who I believe do not come under that description. A great deal of damage is done by loose speculation which has no real scientific base. In all the above proceedings the general public and in particular those residents of areas under discussion have to be kept informed.</p> <p>Having said the above, I will indulge a little in my own speculation. I have</p>	<p>Noted. The document uses the position set out in the Shoreline Management Plan. However we will amend 5.9.</p>	<p>As a summary for this document, the general approach to coastal erosion along this stretch for the present day and medium term is to hold the line up to 2055. This is dependent on the option continuing to be technically and economically deliverable and over time other options may be investigated such as possible managed realignment, or a retired line of defence further inland. In relation to the present day, the Plan says:</p>

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
			read that the existing line of defence is to be held until 2055 so long as it is technically and economically deliverable. I would say that of course it is technically deliverable. You only have to look at the Dutch nation to see that, or to consider the proposition by Dutch scientists and engineers to build a dam across the North Sea from Scotland to Norway and at the southern end between England and France to understand that anything is possible. It is whether there is the political will which is a far more salient point. Finally, a retired line of defence would, I imagine, carry with it an economic cost on a par with that at the coast so why not hold it there? There can be no end to the policy of retreat.		
#18	Dennis Willis	Member of community	The draft SPD document fails to acknowledge that Hoveton exists. There are foul water flooding issues in Hoveton that affect the river Bure. (sharing evidence!).	Noted. Will amend text.	Add to foul sewer column on page 22: <ul style="list-style-type: none"> Anglian Water is currently preparing a position statement relating to Hoveton catchment. It is intended to set out the current position relating to this catchment including historic issues within the network and the implications for new development.
#19	Dennis Willis	Member of community	The BA should not consider just its own area regarding planning applications. (joined-up action!) It should have concern that nearby developments, in flood zones 1, WILL have impact on the executive area. Your 4.5.2 Refers: "Existing sewers can also become overloaded as new development adds to the discharge to their catchment,(urban creep). Sewer flooding is therefore a problem that could occur in many locations" ... it does in Hoveton, yet BA as consultee makes response that fails to refer to sewage discharges into the Broads (Planning application PF/11/07620). How can SPD address this issue? I'm waiting to see BA response as consultee to present planning application PF_19_1659 regarding the same issue.	Noted. Will pass on the comments made in this representation to NNDC, with the permission of Mr Willis. This comment has also been passed on to the DM Officer at the Broads Authority who is preparing the Authority's response. Row #18 last column shows that we will add text relating to Hoveton. The answer to the comment in #21 is of relevance to this comment. We have been made aware of the issues subsequently and will take them into account when commenting on planning applications in NNDC area.	No change to SPD.
#20	Dennis Willis	Member of community	Your amendment ref. North Norfolk includes: "At the time of writing, there are early discussions between the Environment Agency, North Norfolk District Council and the Broads Authority about particular issues of discharge and flooding from the river into the drainage systems". This should be definitive and refer "sewage drainage systems".	Agree. Will amend text.	Change to: sewage drainage systems

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
#21	Dennis Willis	Member of community	Early discussions? EA were aware of sewage system issues in Hoveton in 2017 and referred to it in January 2018 (AE/2017/122281/02-L01 to NNDC Planning)... And nothing has been done about addressing the issues. What can be included in SPD to address them?	We will send you the contact we have at EA and Anglian Water Services. Also see row #18.	No change to SPD.
#22	Dennis Willis	Member of community	Be reminded that Anglian Water has a legal requirement under the Water Act 1991 ...”to provide, improve and extend such a system of public sewers ... and so to cleanse and maintain those sewers ...as to ensure that that area is and continues to be effectually drained”! This means NOT drained into the Broads. (enhance the catchment!)	Noted.	No change to SPD.
#23	Dennis Willis	Member of community	Your amendment ref. North Norfolk, includes: “To summarise, due to capacity issues, development that increases foul drainage output is not likely to be permitted.” How can SBD/BA influence development in NNDC areas abutting the BA executive area that has the capacity to increase foul drainage output?	The Authority tends to be consulted on neighbouring applications that are near to our boundary. This is an issue we can raise in our response, if appropriate and relevant, noting your comment in row #19.	No change to SPD.
#24	Dennis Willis	Member of community	You refer North Norfolk, Groundwater: “No concerns specific to North Norfolk”. Developments in upper Hoveton (Brook Park Phases 1 and 2) create surface water discharge into areas of ground that WILL raise the water table at times of significant rainfall. This does affect those properties in areas of upper Hoveton – so there should be concerns.	Noted however this issue, as worded, seems more to do with surface water. Note that we are also seeking advice from EA on this query, but consider this more of a surface water issue and surface water is adequately addressed in the SPD and other documents - see #25 below.	No change to SPD.
#25	Dennis Willis	Member of community	The plan supports the use of SuDS. You should as planning authority ensure that approved SuDS are built as such by developers. Evidence exists that SuDS are not built as approved in Hoveton and in other areas of Norfolk. (carrying out joined-up actions that address agreed issues).	Noted. We have a strong Surface Water Run-off policy in our recently adopted Local Plan - DM6. As Mr Willis points out, the SPD also addresses SuDS. So there is the policy framework to address the need for SuDS. If Mr Willis would like to tell us of specific examples in the Broads Authority where SuDS are not being built as approved, the Authority will look into this.	No change to SPD.
#26	Dennis Willis	Member of community	Line 905 & 906 ...”deep infiltration is unlikely to work in the Broads Authority area due to high ground water levels”. Should read BA and abutting authority/council areas.	Noted. The SPD cannot guide development in neighbouring Local Planning Authority areas. With Mr Willis' permission, we will send this comment on to NNDC.	No change to SPD.

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
#27	Ray Holloway	Member of community	<p>The following comments are a combination of most comments made by Mr Holloway during an email conversation to ascertain the changes he would like to propose.</p> <p>I believe the Broads Authority should urgently remove a reference in its latest flood risk planning document to managed coastal retreat. A sentence could trigger a repeat of the problems that followed Natural England's report seven years ago. It caused panic when leaked to the press because it called for sea defences between Winterton and Horsey to be done away with and for there to be a managed retreat that could go as far inland as Potter Heigham. They withdrew it, funding came from the Government to maintain sea defences and the shoreline management plan is to hold the line until 2055. There is concern at the Broads Authority's statement that "...other options may be investigated such as managed re-alignment on a retired line of defence further inland." The Environment Agency has confirmed the Broads Authority is not a flood risk management authority under the Coastal Protection Act. Please note that my comments paraphrases a report from a local Parish Council meeting, but do reflect my personal opinion. The SMP was adopted in 2012, I consider quoting it by the BA to be irresponsible partly because the situation regarding erosion and climate change has moved on a long way in 8 years, and shoreline management is not part of your responsibility. My understanding is that the BA makes reference to managed retreat, possibly the reference is not the exactly correct wording from the SPD as I picked up the information from a Parish Council meeting. You'll appreciate that these consultation documents are rarely accessible to general public understanding, given their nature. As to how I wish to proceed, I would simply like to register that "any" reference to managed retreat however obliquely worded has no place in any plan or consultation and that to do so is irresponsible and beyond BA's responsibility. I hope this is possible as I believe it is very important and is relevant to all planning considerations along and adjacent to Norfolk's coast. My suggestion is that the following text is taken out of the document, struck through. 'This is dependent on the option continuing to be technically and economically deliverable and over time other options may be investigated such as possible managed realignment, or a retired line of defence further inland. In relation to the present day'</p>	Noted. The document uses the position set out in the Shoreline Management Plan. However we will amend 5.9.	As a summary for this document, the general approach to coastal erosion along this stretch for the present day and medium term is to hold the line up to 2055. This is dependent on the option continuing to be technically and economically deliverable and over time other options may be investigated such as possible managed realignment, or a retired line of defence further inland. In relation to the present day, the Plan says:
#28	Richard Starling	Somerton Parish Council	The Parish Council supports the main purposes of the plan to increase awareness, advice to developers and to maintain high standards of design.	Support noted.	No change to SPD

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
#29	Richard Starling	Somerton Parish Council	The plan should state that not all areas of the Broads have detailed hydraulic information and the Environment Agency acknowledges these limitations. The Broadland Futures Initiative minutes of their 21 October 2019 meeting (Note 6 A.O.B.) state “The need to establish the true picture regarding the functional floodplain” and, furthermore, “The need for up to date and accurate land levels especially between the Broads and the Coast”. The planning document should include these references to reflect the current position especially section 5.8. Functional Flood Plain. The Environment Agency recognise the need for more detailed surveys and they intent to publish an online public consultation regarding Broadland flood modelling in coming months. Until these surveys are completed the document should state that “the extent and efficiency of the Functional Flood Plain has yet to be established” This would be in line with current Environment Agency information.	Noted. The Local Plan sets this out on page 35. The Authority has a joint position statement with the EA on this very topic: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0011/958286/SFRA-Position-Statement-June-2018.pdf The SPD talks about this in section 5.5.4 The issue is therefore adequately addressed.	No change to SPD
#30	Richard Starling	Somerton Parish Council	The Coast (5.9) You mention, in relation to the local sea defences, hold the line up to 2055, that this is dependent on the option continuing to be technically and economically deliverable and over time other options may be investigated such as possible managed realignment on a retired line of defence further inland. The Broads Authority is not, according to the Environment Agency, a risk management authority under the Coast Protection Act and therefore Somerton Parish Council considers that the document should not include speculations on what might or may be investigated since the Authority is not qualified to make such statements. These references should therefore be removed or attributed to a body which is qualified.	Noted. The document uses the position set out in the Shoreline Management Plan. However we will amend 5.9.	As a summary for this document, the general approach to coastal erosion along this stretch for the present day and medium term is to hold the line up to 2055. This is dependent on the option continuing to be technically and economically deliverable and over time other options may be investigated such as possible managed realignment, or a retired line of defence further inland. In relation to the present day, the Plan says:
#31	Lorraine Houseago	Norfolk County Council	Thank you for consulting us on this amended planning document. We have no comments to make.	Noted.	No change to SPD
#32	Simon Marjoram	Broadland and South Norfolk Councils	References to the impacts of ‘climate change’, such as the suggested increase in river flows that have been added to para 4.4.1, should be cross-referenced to source material. It would also make the SPD more useful if, where possible, it could be quantified as to what taking into account climate change means in terms of what is required of applicants to demonstrate the acceptability of proposals.	Agreed. EA said the same.	See Row #18. And reference added to 4.4.1.
#33	Simon Marjoram	Broadland and South Norfolk Councils	The SPD would benefit from being more consistent in its reference to Neighbourhood Plans, e.g. para 7.1.3 refers to taking into account other policies in the Broads Local Plan and adjoining authorities’ Local Plans, but	Agreed. Will amend 7.1.3	7.1.3 It should be noted that all aspects of the development need to comply with policies of the Local Plan (adopted 2019) <u>as well as adopted Neighbourhood Plans</u> and

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
			should refer to Neighbourhood Plans too, as they also form part of the Development Plan; and		that conformity with policies SP2 and DM5 does not override applicability of other policies (of the Broads Authority and other relevant Local Planning Authority).
#34	Simon Marjoram	Broadland and South Norfolk Councils	The document numbering also goes awry in places (see sections 5.7 to 5.9).	Noted.	Check all formatting and numbering on adoption of the SPD. Also read through to check for any grammatical or typographical errors.
#35	Andrew Parnell	Great Yarmouth Borough Council	Great Yarmouth Borough Council welcomes the SPD and supports the approach of the Broads Authority to add further detail to Planning Policies around this important issue	Support noted.	No change to SPD.
#36	Andrew Parnell	Great Yarmouth Borough Council	Beginning at point 6.4 the tests to apply the sequential test may require more thought particularly in regards to area of search (6.5.8.)	Noted.	Add this as a bullet point to 6.5.8: Or a wider/another area as appropriate and subject to agreement with the Broads Authority
#37	Andrew Parnell	Great Yarmouth Borough Council	Our own draft policy available here (Policy E1, page 147) seeks to address the application of the sequential test. As an alternative for the broads would the relevant housing market area be an more appropriate area for applying the test for housing proposals?	Part of our area is in the Central Norfolk Housing Market Area which is the area of 5 districts. This approach might not work.	See response to #36 which may address this comment as well.
#38	Andrew Parnell	Great Yarmouth Borough Council	It is also unclear how a developer has to justify its area of search and what appropriate justification would constitute (6.5.11)	This depends in the site and the location. It will be for the applicant to address using this section as a guide.	No change to SPD.
#39	Paul Fletcher	Beccles Society	It is a very comprehensive document and is based on a lot of common sense in conjunction with planning policies. As such we have no further comments to make.	Support noted.	No change to SPD.
#40	Lisa Weller	Hoveton Parish Council	Hoveton Parish Council reviewed the draft Broads Flood Risk Supplementary Planning Document at its meeting of Monday 2nd March, and the Council noted that the draft document doesn't recognise the particular problems that exist in Hoveton regarding surface water and foul water flooding. Hoveton Parish Council would like to request that text is added within the table provided on page 21 of the draft document (sources of flood risk, North Norfolk), as follows:	Noted.	See next rows.

Ref	Name	Organisation	Comment	BA response	How SPD changed/amended
#41	Lisa Weller	Hoveton Parish Council	Under 'surface water' column: There are foul water flooding issues in Hoveton and Wroxham alongside the River Bure, from water running down and across Norwich Road in both these settlements and also in areas of Hoveton which experience serious surface water flooding at times of significant rainfall.	Agree and will amend table.	<ul style="list-style-type: none"> <u>Hoveton Parish Council, in response to the second consultation on the SPD, stated that there are foul water flooding issues in Hoveton and Wroxham alongside the River Bure, from water running down and across Norwich Road in both these settlements and also in areas of Hoveton which experience serious surface water flooding at times of significant rainfall.</u>
#42	Lisa Weller	Hoveton Parish Council	Under 'foul sewer' column: Within Hoveton, the existing sewers have become overloaded, especially as new developments have added their discharge to the catchment. Sewer flooding is therefore now a problem in parts of Hoveton, with discharges into residential properties, which will need to be resolved by Anglian Water.	Agree to some extent and will amend table. Also see row #18.	<ul style="list-style-type: none"> <u>Hoveton Parish Council, in response to the second consultation on the SPD, stated that the existing sewers have become overloaded and sewer flooding is now a problem in parts of Hoveton.</u>
#43	Hayley Goldson	Chedgrave Parish Council	Thank you for granting an extension on this matter. It was considered by Chedgrave Parish Council at its meeting on 5th March. Councillors have no comments.	Noted.	No changes to SPD



Broads Flood Risk Supplementary Planning Document

~~Draft for consultation September 2019~~

~~Consultation runs from
31 January 2020
to
4pm on 4 March 2020.~~

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

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1 **1. Introduction**

2 1.1 The purpose of this SPD is to

- 3 a) increase awareness of the nature of flood risk in the Broads area;
- 4 b) give advice to developers and others about the Authority’s approach to the issue of
- 5 development and flood risk, and;
- 6 c) stress the need to maintain a high standard of design in new waterside development.

7 1.2 Flooding can cause damage to property and infrastructure. Coastal flooding can be particularly
8 damaging. The threat of flooding can also cause fear and distress to people and in some cases,
9 flooding can lead to injury¹ and even loss of life. Inappropriate flooding can also harm the
10 important habitats and species who rely on the Broads. This can have long term consequences
11 for site maintenance and achieving conservation objectives. On the other hand, flooding is also a
12 natural process within a floodplain. In some circumstances it can benefit wildlife.

13 1.3 The Broads Authority is the Local Planning Authority within the Broads area and this
14 Supplementary Planning Document (SPD) applies only to land within the Authority’s executive
15 boundary. The Authority takes advice from the Environment Agency (EA) and Lead Local Flood
16 Authorities (LLFA) on flood related issues concerning development. The EA is responsible for
17 flood defence and has permissive powers to carry out work to construct and improve flood
18 defences.

19 1.4 The NPPF 2019 defines supplementary planning documents as ‘documents which add further
20 detail to the policies in the development plan. They can be used to provide further guidance for
21 development on specific sites, or on particular issues, such as design. Supplementary planning
22 documents are capable of being a material consideration in planning decisions but are not part
23 of the development plan.’

24 1.5 The Authority considers that this SPD will help applicants consider the issue of flooding in an
25 appropriate way. The SPD should be read alongside policy SP2 and DM5 of the Local Plan for the
26 Broads (adopted 2019). The SPD is a material consideration in determining planning
27 applications. The advice and guidance herein will not add unnecessary financial burden to
28 development.

29 1.6 This SPD replaces the 2017 Flood Risk SPD. The 2017 SPD was updated because the policy on
30 which the 2017 SPD was based (DP29 of the Development Management DPD) has been
31 superseded and replaced by SP2 and DM5 of the Local Plan for the Broads. The 2017 SPD was
32 also amended with some other changes that perhaps make things clearer or reflect changes to
33 guidance/practice.

¹ There is a residual risk from all water, especially if it is moving (a flood, at certain velocity and above 4-6cm in depth) which would sweep people and things before it.

34 **2. ~~About this consultation~~ Consultation and SEA Screening**

35 2.1 ~~This SPD replaces the 2017 SPD. This update to the 2017 SPD is required because the policy on~~
36 ~~which the 2017 SPD was based (DP29 of the Development Management DPD) has been~~
37 ~~superseded and replaced by SP2 and DM5 of the Local Plan for the Broads. We have also taken~~
38 ~~this opportunity to make some other changes that perhaps make things clearer or reflect~~
39 ~~changes to guidance/practice.~~

40
41 ~~2.2 We consulted on the first draft of this document back in September 2019. A second round of~~
~~consultation was held in January/February/March 2020. All comments were read and~~
~~responded to and some resulted in amendments to the SPD.~~

42 ~~2.2 Details of the consultations, with comments received and the Authority's responses can be~~
~~found at [xxx](#).~~

43 ~~2.3 This version is the draft for consultation. Please tell us your thoughts and suggest any changes~~
~~you think would make the SPD better and set out your reasons. This consultation runs from.~~
44 ~~We will then read to each of the comments received with our responses. We may make~~
45 ~~changes if we agree with you. If we do not make changes we will set out why. The final SPD will~~
46 ~~be adopted at a future meeting of Full Authority. Please email us your comments:~~
47 ~~planningpolicy@broads-authority.gov.uk.~~

48 ~~2.4.3 This consultation document and consultation process have been developed to~~
49 ~~adhereadhered~~ to the Broads Authority's Statement of Community Involvement².

50 ~~2.5 Information provided by you in response to this consultation, including personal data, may be~~
51 ~~published or disclosed in accordance with the access to information regimes (these are~~
52 ~~primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), and~~
53 ~~the Environmental Information Regulations 2004). Please see [Appendix G](#) for the Privacy Notice.~~

54 ~~2.6 Are you satisfied that this consultation has followed the Consultation Principles?~~ If not, or you
55 ~~have any other observations about how we can improve the process, please contact us at~~
56 ~~planningpolicy@broads-authority.gov.uk.~~

57 ~~2.7.2.4~~ Historic England, Natural England and the Environment Agency were asked for their opinions
58 relating to the need for a Strategic Environment Assessment. Historic England replied saying 'we
59 would advise that it is not necessary to undertake a Strategic Environmental Assessment of this
60 particular SPD'. The Environment Agency said 'we are satisfied that in itself the SPD will not
61 have additional significant environment effects further than those assessed as part of the Local
62 Plan. The SPD outlines the approach to take in order to comply with the Local Plan. Therefore
63 our view would be that the Flood Risk SPD does not require a specific SEA to be undertaken'.
64 Natural England said 'that there are unlikely to be significant environmental effects from the

² Our current SCI is here: http://www.broads-authority.gov.uk/data/assets/pdf_file/0006/576609/Final-Adopted-Statement-of-Community-Involvement-November-2014.pdf

65 proposed plan on sensitive sites that Natural England has a statutory duty to protect'. The SEA
66 Screening is at [Appendix H](#).

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67 **3. Local Plan policies SP2 and DM5.**

68 3.1 The Flood Risk SPD is in conformity with the Local Plan for the Broads (adopted 2019) and the
69 National Planning Policy Framework (NPPF) (2019). It expands on Local Plan policy SP2 and DM5
70 and DM6:

Policy SP2: Strategic flood risk policy

All new development:

- a) Will be located to minimise flood risk, mitigating any residual risk through design and management measures, and ensuring that flood risk to other areas is not materially increased; and
- b) Will incorporate appropriate surface water drainage mitigation measures, and will implement sustainable drainage (SuDS) principles, to minimise its own risk of flooding and to not materially increase the flood risk to other areas.

Particular care will be required in relation to habitats designated as being of international, national, regional and local importance in the area and beyond which are water sensitive.

Development proposals which would have an adverse impact on flood risk management will be refused.

Policy DM5: Development and flood risk

Development within the Environment Agency’s flood risk zones will be acceptable only when:

- i) It is compatible with national policy and when the sequential test and the exception test, where applicable, have been satisfied;
- ii) A site specific Flood Risk Assessment, where required, demonstrates an acceptable flood risk and/or suitable flood protection mitigation measures are incorporated into the proposals, where necessary, which can be satisfactorily implemented; and
- iii) It would not affect the ability for future flood alleviation projects to be undertaken.

The Site Specific Flood Risk Assessment will need to meet the requirements of the NPPG and demonstrate or assess:

- a) That the development is safe for its lifetime, taking into account the vulnerability of its users and climate change;
- b) Whether the proposed development will make a significant contribution to achieving the objectives of the Local Plan;
- c) Whether the development involves the redevelopment of previously developed land or buildings and would result in environmental improvements over the current condition of the site;
- d) Whether appropriate measures to ensure resilience to potential flooding have been incorporated into the development;
- e) Whether appropriate measures to reduce the risk of flooding (on and offsite), including sustainable drainage systems, have been incorporated;
- f) Where the proposal involves the replacement of an existing building, whether the replacement building is located and/or designed without increasing flood risk and, where possible, to reduce the risks and effects of flooding;

- g) Whether an acceptable flood risk and/or suitable flood protection mitigation measures are incorporated into the proposals, where necessary, which can be satisfactorily implemented;
- h) Whether the risk of flooding is not increased elsewhere and, wherever possible, is reduced;
- i) That the integrity of existing coastal and river defences are not undermined;
- j) That the development does not reduce the potential of land used for current or future flood management;
- k) Compatibility with the appropriate Catchment Flood Management Plan or Shoreline Management Plan;
- l) Use of development to reduce the risk of flooding through location, layout and design and incorporate sustainable drainage systems to minimise surface water run-off and avoid pollution (see DM6);
- m) That sites at little or no risk of flooding are developed in preference to areas at higher risk;
- n) There is safe access and egress from the site;
- o) There are management and maintenance plans for flood protection/mitigation measures, including arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime;
- p) That the development would not negatively impact on water quality of surface water and ground water; and
- q) There is a Flood Response Plan (FRP).

The relocation of existing development to an undeveloped site with a lower probability of flooding will be permitted where:

- r) The vacated site would be reinstated as naturally functioning flood plain;
- s) The benefits of flood risk reduction outweigh the benefits of leaving the proposed new site undeveloped; and
- t) The development of the proposed new site is appropriate when considered against the other policies of the Local Plan.

In the case of the replacement of an existing residential property in flood zone 3a, the replacement dwelling must be on a like-for-like basis, with no increase in the number of bedrooms, on the same sized footprint³ and wherever possible being relocated in a less vulnerable part of the site.

Any required additional or enhanced flood defences should not conflict with the purposes and special qualities of the Broads.

Policy DM6: Surface water run-off

All development proposals will need to incorporate measures to attenuate surface water run-off in a manner appropriate to the Broads. This will need to reflect the characteristics of the site in accordance with a drainage hierarchy for rainwater so that, in order of priority, they:

- a) Continue natural discharge processes;
- b) Store water for later use;
- c) Adopt shallow infiltration techniques in areas of suitable porosity;
- d) Store water in open water features for gradual release to a watercourse;

³ The “footprint” is the aggregate ground floor area of the existing on-site buildings, including outbuildings which affect the functionality of the floodplain but excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hard standing.

- e) Store water in sealed water features for gradual release to a watercourse;
- f) Discharge direct to a watercourse;
- g) Discharge direct to a surface water drain (highways, Anglian Water or other body or within private ownership);
- h) Discharge direct to deep infiltration or borehole soakaways; or
- i) Discharge direct to a combined sewer

The surface water runoff rate that will occur as a consequence of the development is required to be no more than the existing pre-development greenfield runoff rate. Brownfield sites should aim to reduce runoff as close to greenfield rates as possible. The discharge rate for brownfield sites should be no more than the rate prior to any new development. Applicants are encouraged to seek betterment in surface water runoff as part of their proposals for brownfield sites. The runoff rate should be agreed with the Local Planning Authority, in conjunction with the Lead Local Flood Authority and where relevant sewerage undertaker.

Sustainable Drainage Systems (SuDS) shall be used unless, following adequate assessment, soil conditions and/or engineering feasibility dictate otherwise.

Proposals to address surface water must be considered at an early stage of the scheme design process. The following criteria need to be addressed when designing measures to address surface water:

- i) Use a risk assessment on treatment stages to reflect the type of proposed development and how surface water run-off and drainage will affect the receptor. A 1.2m clearance between the base of infiltration SuDS and the peak seasonal groundwater levels is required;
- ii) Take the current drainage arrangements of the area into account (including groundwater levels);
- iii) Take natural site drainage and topography into account;
- iv) Effectively manage water including maintenance of and, where possible improvement to water quality; and
- v) Provide amenity for local residents whilst ensuring a safe environment.

Where SuDS via ground infiltration is feasible, to ensure that SuDS discharge water from the development at the same or lesser rate as prior to construction, developers must undertake groundwater monitoring within the winter period and winter percolation testing in accordance with the current procedure⁴.

Minor developments that increase the footprint of an impermeable surface are required, where appropriate, to incorporate mitigation measures to reduce surface water runoff, manage surface water flood risk to the development itself and to others, maximise the use of permeable materials to increase infiltration capacity, incorporate on-site water storage, and make use of green roofs and green walls wherever reasonably practicable and appropriate, in accordance with design policies.

Within the critical drainage catchments as identified by the Lead Local Flood Authority, and in other areas where the best available evidence indicates that a serious and exceptional risk of

⁴ Currently BRE Digest 365: www.brebookshop.com/details.jsp?id=327592

surface water flooding exists, all development proposals involving new buildings, extensions and additional areas of hard surfacing shall ensure that adequate and appropriate consideration has been given to mitigating surface water flood risk.

Schemes that involve SuDS will be required to provide details of the management regime to ensure effective operation of the type of SuDS delivered in perpetuity.

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72 4. Sources of flood risk

73 4.1 Fluvial

74 4.1.1 Fluvial flood risk is flooding from rivers because of a river overflowing or its banks being
75 breached. It should be noted that climate change is likely to result in increased river flows
76 (between 25% and 65% increase) (see [https://www.gov.uk/guidance/flood-risk-](https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)
77 [assessments-climate-change-allowances](https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)).

78 4.2 Surface water runoff (pluvial flooding)

79 4.2.1 This is rainwater (including snow and other precipitation) which (a) is on the surface of the
80 ground (whether or not it is moving), and (b) has not entered a watercourse, drainage
81 system or public sewer. (The Flood and Water Management Act 2010 (FWMA) definition)

82 4.2.2 Intense rainfall, often not lasting a long time, that is unable to soak into the ground or enter
83 drainage systems, can run quickly off land and result in local flooding. Surface water flooding
84 problems are linked to issues of poor drainage, or drainage blockage by debris, and sewer
85 flooding. Instances of intense rainfall may increase as a result of climate change.

86 4.2.3 There are several stakeholders identified by the FWMA who have a role in managing surface
87 runoff flooding, these are; Lead Local Flood Authorities, Local Planning Authorities, Water
88 Utilities Companies, Highways Authorities, Riparian Owners.

89 4.3 Tidal

90 4.3.1 Tidal flooding is caused by extreme tide levels beyond ground and/or defence levels. Tidal
91 flooding often also occurs by waves overtopping or breaching defences (artificial or natural
92 like dunes).

93 4.3.2 Tidal flood risk is assessed based on Extreme Still Water Sea Levels (ESWSL), plus an
94 allowance for the interaction of wind and waves. An ESWSL is the level the sea is expected to
95 reach during a storm event for a particular magnitude of flood event as a result of the
96 combination of astronomical tides and meteorological surges. The scale of these events is
97 referred to as 'still' water with additional allowances for the effect of waves, wind and swell.
98 The astronomical tide levels are mainly generated by the gravitational effects of the sun and
99 the moon. Surge events are the result of meteorological conditions where low atmospheric
100 pressure causes the sea level to be increased to a higher level than during more average or
101 high atmospheric pressure conditions. The wave heights and swells are influenced by the
102 strength, direction and persistence of the wind and the profile of the nearshore.

103 4.4 Groundwater

104 4.4.1 This is water below the surface of the ground and in direct contact with the ground or
105 subsoil. It is worth noting that this definition does not include water in buried pipes or other
106 containers. (The Flood and Water Management Act 2010 (FWMA) definition).

107 4.4.2 The UK Groundwater Forum describes groundwater flooding because of water rising from
108 the underlying strata or from water flowing from abnormal springs.

- 109 4.4.3 In comparison to fluvial flooding, current understanding of the risks posed by groundwater
110 flooding is limited and mapping of flood risk from groundwater sources is in its infancy.
- 111 4.4.4 Flooding from groundwater is classed as a Local Flood Risk and as such is the responsibility of
112 the Lead Local Flood Authority which is Suffolk/Norfolk County Council. Under the Flood and
113 Water Management Act (2010), LLFAs have powers to carry out risk management functions
114 relating to groundwater flood risk.
- 115 4.4.5 Groundwater flooding is most likely in low-lying areas with permeable strata (aquifers)
116 underneath and more likely to appear after periods of sustained rainfall. Groundwater
117 flooding tends to occur sporadically in both location and time, and tends to last longer than
118 fluvial, pluvial or sewer flooding. Groundwater flooding can also interact with other flood
119 sources, worsening the risk of pluvial, fluvial or sewer flooding by reducing rainfall
120 infiltration or discharge to sewers.
- 121 4.4.6 Groundwater flooding risk increases where long reaches of watercourse are culverted and
122 higher groundwater levels are not able to naturally pass into watercourses. It should be
123 noted that although an area may be designated as susceptible to groundwater flooding, this
124 does not mean that groundwater flooding will definitely be a problem within these areas;
125 rather it indicates potential risk.
- 126 4.4.7 The future risk from this source is less certain than other sources as climate change
127 predictions indicate that, although sea levels will rise (thus possibly raising groundwater
128 levels), overall summer rainfall will decrease, with a long-term effect of lowering the
129 groundwater levels. However, long periods of wet weather, such as those experienced in the
130 autumn and winter of 2000/01 are predicted to increase. These are the type of weather
131 patterns that can cause ground water flooding to occur.
- 132 **4.5 Foul Sewerage Flooding**
- 133 4.5.1 Sewer flooding can occur during periods of extreme weather when intense rainfall overloads
134 the sewer system capacity (surface water, foul or combined), and/or when sewers cannot
135 discharge properly to watercourses due to high water levels. Sewer flooding can also happen
136 because of blockages⁵, collapses or equipment failure in the sewerage system. Infiltration or
137 entry of soil or groundwater into the sewer system via faults in the fabric of the sewerage
138 system, is another cause of sewer flooding. Infiltration is often related to shallow
139 groundwater, and may cause high flows for prolonged periods of time.
- 140 4.5.2 Even where sewers are built to current standards, they are likely to be overwhelmed by
141 larger events of the magnitude often considered when looking at river or surface water
142 flooding. Existing sewers can also become overloaded as new development adds to the
143 discharge to their catchment, or due to incremental increases in roofed and paved surfaces

⁵ Anglian Water actively works with their customers as part of their Keep it Clear Campaign to reduce the number of blockages which occur from cooking fat, wipes and other items which should not be disposed in drains.

144 at the individual property scale (urban creep). Sewer flooding is therefore a problem that
145 could occur in many locations.

146 4.5.3 The applicant will need to consider the available capacity of existing sewers to receive
147 additional foul flows into the public sewerage network rather than historic issues which are
148 the responsibility of Anglian Water and other risk management authorities (where relevant).

149 4.5.4 Applicants should also assess the risk of foul sewerage flooding. Anglian Water Services are
150 the sewerage undertaker and can provide relevant information to applicants to inform
151 preparation of Flood Risk Assessments. See section 7.9 for the submission requirements for
152 applicants when preparing a foul drainage strategy proportionate to the scale of the
153 proposed development. Anglian Water offer pre-planning service for identifying feasible
154 drainage solutions for major development proposals.
155 (<https://www.anglianwater.co.uk/developers/development-services/pre-planning-services>)

156 4.6 Coastal

157 4.6.1 If the coast is eroding, then the potential effect is that tidal flood and erosion defences near
158 to the sea will be lost and flood risk may increase. To maintain an appropriate standard of
159 safety from flooding works may be needed to slow down or stop the rate of coastal erosion
160 and so maintain the integrity of the coastal defences. The (2010) North Norfolk Shoreline
161 Management Plan (SMP) SMP 6 Kelling to Lowestoft describe the high-level strategy and
162 coastal policies.

163 4.7 Reservoirs

164 4.7.1 Reservoir flooding is very different from other forms of flooding. It may happen with little or
165 no warning and evacuation will need to happen immediately. The likelihood of such flooding
166 is difficult to estimate, but it is less likely than flooding from rivers or surface water. It may
167 not be possible to seek refuge upstairs from floodwater as buildings could be unsafe or
168 unstable because of the force of water from the reservoir breach or failure.

169 4.7.2 Flooding from reservoirs with an impounded volume greater than 25,000 cubic metres are
170 governed by the Reservoir Act 1975 and are listed on a register held by the Environment
171 Agency. The level and standard of inspection and maintenance required under the Act
172 means that the risk of flooding from reservoirs is relatively low. Recent changes to legislation
173 under the Flood and Water Management Act require the Environment agency to designate
174 the risk of flooding from these reservoirs. The Environment agency is currently progressing a
175 'Risk Designation' process so that the risk is formally determined.

176 4.8 Ordinary Watercourses

177 4.8.1 Ordinary Watercourses are defined as; every river, stream, ditch, drain, cut, dyke, sluice,
178 sewer (other than a public sewer) and passage through which water flows and which does
179 not form part of a main river. These watercourses, although not shown at risk on the
180 Environment Agency flood map for planning, can be a source of fluvial flooding. The
181 Environment Agency flood map for planning can only model and show risk of flooding on

182 catchments greater than 3km². Appropriate site-specific risk assessments still need to
183 consider ordinary watercourses as a source of flood risk.

184 4.8.2 In terms of local flood risk management, these watercourses are still largely influenced by
185 the Land Drainage Act 1991. This Act identifies three key stakeholders in the management of
186 ordinary watercourses, these are; Internal Drainage Boards, Local District Authorities and
187 Riparian Owners.

188 4.8.3 In the County of Norfolk for example there are approximately 7,178 km of mapped ordinary
189 watercourses included in the Environment Agency’s Detailed River Network dataset. This is
190 probably a conservative figure as many ordinary watercourses in Norfolk remain unmapped.

191
192 4.8.4 Maps of the Broads (2006) Internal Drainage District and the Norfolk Rivers Internal Drainage
193 District are available at https://www.wlma.org.uk/uploads/84-BIDB_drainindex.pdf and
194 https://www.wlma.org.uk/uploads/179-NRIDB_Index.pdf. These maps show which
195 watercourses are designated as Adopted Watercourses by each Board. The adoption of a
196 watercourse is an acknowledgement by the Board that the watercourse is of arterial
197 importance to the Internal Drainage District and as such will normally receive maintenance
198 from the IDB. This maintenance is not necessarily carried out on an annual basis but on a
199 recurrence deemed necessary to meet water level management requirements. The
200 designations are made under permissive powers (meaning there is no obligation for IDBs to
201 fulfil any formal maintenance requirement and there is no change in the ownership or
202 liability associated with the watercourse

203 4.9 New climate change allowances

204 4.9.1 New climate change allowances were published in December 2019
205 (<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>), these
206 will result in increases in flood level of between 1.2m and 1.6m compared to present day
207 flood levels.

208 **5. Understanding Flood Risk**

209 **5.1 What is flood risk?**

210 5.1.1 According to the National Planning Practice Guidance (NPPG), “flood risk” is a combination
 211 of the probability and the potential consequences of flooding from all sources – including
 212 from rivers and the sea, directly from rainfall on the ground surface and rising groundwater,
 213 overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other
 214 artificial sources. Development should also have regard to the climate change flood extents
 215 (from all sources of flooding) and these are mapped in the Strategic Flood Risk Assessment
 216 (see 5.5).

217 **5.2 What are flood risk zones?**

218 5.2.1 Flood Zones 1, 2 and 3 outline areas at low risk, medium risk and high risk respectively from
 219 both tidal and fluvial flooding. Flood Zones do not consider the effects of flood defences, so
 220 are a worst-case assessment of flood risk. They are shown on the Environment
 221 Agency’s Flood Map for Planning (Rivers and Sea)⁶ and on the SFRA maps⁷ and defined in the
 222 table below (taken from the NPPG). As mentioned previously, the impact of climate change
 223 needs to be considered (see 5.1.1)

Flood Zone	Definition
Zone 1 Low Probability	Land having a less than 1 in 1,000 (0.1%) annual probability of river or sea flooding. All land outside Zones 2 and 3
Zone 2 Medium Probability	Land having between a 1 in 100 (1%) and 1 in 1,000 (0.1%) annual probability of river flooding; or Land having between a 1 in 200 (0.5%) and 1 in 1,000 (0.1%) annual probability of sea flooding.
Zone 3a High Probability	Land having a 1 in 100 (1%) or greater annual probability of river flooding; or Land having a 1 in 200 (0.5%) or greater annual probability of sea flooding.
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.

224 **5.3 EA flood risk**

225 5.3.1 The Environment Agency (EA) flood risk maps (river and sea) show the current probability or
 226 likelihood of flooding without defences in place. They therefore show a ‘worst case’
 227 scenario. However, the EA maps do not include climate change predictions of rising sea
 228 levels, increase in peak river flow, or increased peak rainfall intensity. Also, the EA flood risk
 229 maps just show areas identified as Flood Zone 3 and do not set out zones 3a and 3b. So, the
 230 EA maps are not sufficient to use to consider the impact of flooding to an individual
 231 property. Site-specific flood risk assessments (FRA) are required to consider the impacts of
 232 all sources of flooding on an individual property. These should also include climate change
 233 considerations (and the SFRAs demonstrate the climate change flood extents).

⁶ See the flood maps here: <http://apps.environment-agency.gov.uk/wiyby/37837.aspx>

⁷ SFRAs in place relevant to the Broads: <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

234 5.3.2 Whilst most of the Broads Authority area is covered by the river and coastal flood map,
 235 those areas outside of it (e.g. Flood Zone 1) should also look at the Risk of Surface Water
 236 Flood Map on the EA website. This shows surface water flooding but also shows a proxy risk
 237 for fluvial flooding experienced from an ordinary watercourse until a specific FRA is
 238 undertaken (i.e. where the EA fluvial modelling could not extend as the catchments were too
 239 small to include (those smaller than 3km²)).

240 **5.4 Marine Management Organisation and flood risk**

241 5.4.1 Coastal, and tidal flooding is covered across multiple policies within the East Marine Inshore
 242 and Off Shore Plans⁸ such as SOC1, CC1 and Objectives 6 and 9. Other references include
 243 Paragraph 249 – Coastal change management.

244 **5.5 Strategic Flood Risk Assessment**

245 5.5.1 A Strategic Flood Risk Assessment is a study carried out by one or more local planning
 246 authorities to assess the risk to an area from flooding from all sources, now and in the
 247 future. They consider the ~~impacts of~~ climate change flood extents, and assess the impact
 248 that land use changes and development in the area will have on flood risk. They are used to
 249 inform Local Plans and act as a starting point or basis for considering flood risk on a
 250 particular site. SFRA's are high-level strategic documents and, as such, do not go into detail
 251 on an individual site-specific basis.
 252

253 5.5.2 The Broads Authority Executive Area is covered by four Strategic Flood Risk Assessments
 254 (SFRA)⁹:

- 255 • Greater Norwich SFRA (2017)
- 256 • Great Yarmouth SFRA (2017)
- 257 • North Norfolk SFRA (2017)
- 258 • Waveney-East Suffolk SFRA (2018)

259 5.5.3 Many of the SFRA's did flood modelling to reflect up to date climate change allowances such
 260 as surface water extent with 40% climate change included. They also brought together the
 261 many flood model outputs that have been competed around Norfolk and the Waveney area
 262 or East Suffolk. In Norfolk, climate change allowances have been agreed with the
 263 Environment Agency and LLFA in the SFRA and with all the Norfolk authorities.

264 5.5.4 Not all of the Broads Authority Executive Area has been modelled for flood risk. For some
 265 areas the actual extent of flood zone 3b and 3a is not known. As such, a precautionary
 266 approach has been adopted. In areas of no modelling, it is presumed that the entire area is
 267 flood zone 3 (in Waveney)East Suffolk) or indicative flood zone 3b (in Norfolk). If a proposed
 268 development is shown to be in Flood Zone 3, further investigation should be undertaken as
 269 part of a detailed site specific Flood Risk Assessment to define and confirm the extent of
 270 Flood Zone 3b. This may require detailed hydraulic modelling. so a site-specific flood risk
 271 assessment is required to assess actual flood risk to the site. To cover this, a joint position

⁸ <https://www.gov.uk/government/publications/east-inshore-and-east-offshore-marine-plans>

⁹ Go here to see the SFRA's: <https://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

272 statement has been produced between the Broads Authority and the Environment Agency¹⁰.
273 The Joint Position Statement indicates that modelling on the Broadland Flood Alleviation
274 Project Area (much of the area without modelling) will be completed by the end of 2021.

275 5.5.5 More information on SFRAs can be found in Appendix C of the Local Plan or you can go here
276 to see the SFRAs yourself: [https://www.broads-authority.gov.uk/planning/planning-](https://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra)
277 [policies/sfra/sfra](https://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra)

278 5.5.6 As time goes by and further modelling is done, the EA maps will be updated and the SFRA
279 will become outdated. As DM5 explains in the reasoned justification, site specific FRAs will
280 find out the precise nature of flood risk on site, so they will consider both the SFRA and
281 Flood Map for Planning. Even in the future when they don't correspond anymore, the SFRA
282 will still be useful as it is likely that areas of flood zone 3b will not be drastically different.

283 5.6 Nature of flood risk in the Broads

284 5.6.1 Approximately 82.5% of the Broads Authority Executive Area is covered by flood zone 3 (3,
285 3a & 3b). This equates to 25,472 hectares. The Broads Authority boundary is tightly drawn
286 around the edge of the floodplain. The extent and nature of flood risk, with significant areas
287 of 'functional floodplain', mean that flood risk is a major constraint on development in the
288 Broads.

289 5.6.2 The flood risk in the Broads is mainly from both fluvial and tidal sources. The whole
290 character and development in the Broads over many hundreds of years has been closely
291 associated with the water environment and flood risk. Much of the Broads area is defended
292 by flood defence embankments, which are maintained by the Environment Agency to reduce
293 flooding. The flood defences, where they exist, only reduce the risk of flooding and will
294 never eliminate it; this has been the case historically within the Broads.

295 5.6.3 Working, living and visiting the Broads have been, and will continue to be, activities that
296 have co-existed with the risk of flooding. However, any new development (which includes
297 change of use, etc) must be in line with government policy and minimise flood risk. In the
298 Broads area, this means identifying the risks from flooding and ensuring that they are at as
299 low a level as possible compatible with the wetland and water-based environment.

300 5.6.4 The Broads is not subject to open sea conditions (relating to tidal range and wave action) but
301 much of the Broads are tidally influenced. Paragraph 163, footnote 50 of the NPPF refers to
302 'other sources of flooding' being assessed (surface water, sewer, reservoir, groundwater,
303 tidal, fluvial). Any flood risk assessment should therefore consider all sources of flooding but
304 it is acknowledged that the main focus will be tidal and fluvial flood risk.

305 5.6.5 The flood probability mapping carried out within the SFRA does not signify the degree of
306 hazard likely to be experienced in the Broads Authority area, especially in the more
307 upstream catchment areas and those areas not at risk of breaching of coastal defences,

¹⁰ Go here for the Joint Position Statement: http://www.broads-authority.gov.uk/data/assets/pdf_file/0011/958286/SFRA-Position-Statement-June-2018.pdf

308 because it does not quantify depth or water velocity. Hazard, or “danger to people”, is a
 309 function of depth and velocity. Hazard is very site specific and could vary greatly over a
 310 relatively small area due to the presence of drains, dykes, quay-headings, flood banks, etc.
 311 Hazards can be hidden by turbid floodwaters and a site-specific Flood Risk Assessment will
 312 need to measure this.

313 5.6.6 Setting aside the above, hazard and risk does tend to be predictable on the Broads and this
 314 has implications for how these are managed.

315 5.6.7 Fluvial flooding associated with upstream areas of individual catchments within the Broads is
 316 not normally “flashy” and the hazard from these floods, apart from unusual meteorological
 317 conditions, is not severe. Consideration of flood risk at a particular location should also take
 318 account of climate change as highlighted in section 5.3 and 5.4.

319 5.6.8 The typical Broads river has a permeable catchment¹¹, is groundwater dominated¹², and is a
 320 slow responding watercourse with a slow increase and decrease of flow in response to
 321 rainfall. Although tidal surges can develop rapidly within 6-12 hours because of the
 322 movements of weather systems in the North Sea, the Environment Agency Flood Warning
 323 System covers the whole of the Broads area which could provide early warning (for fluvial
 324 and tidal flooding). Signing up to this service is voluntary or it may be a requirement of
 325 planning permission.

326 5.6.9 Existing flood defences in the Broads area offer a low standard of protection (typically up to
 327 a 1 in 7-year standard) so they may be overtopped during a flood event. However some
 328 defences are higher, with a 0.5% (1 in 200) standard or greater.~~Existing flood defences in the~~
 329 ~~Broads area offer a low standard of protection (typically up to a 1 in 7-year standard), so~~
 330 ~~they may be overtopped during a flood event.~~ The nature of flooding in the Broads is such
 331 that flood water is likely to have a slow velocity, may be shallow in depth and may be low
 332 hazard (depending on topography), unless it is in an area or beside a breach in defences
 333 where the flow ~~could will~~ be greater and the risk would subsequently be higher.

334 5.6.10 Some people living and working within the Broads are historically familiar with the water
 335 environment and are unlikely to be surprised or alarmed by the possibility of floods or rising
 336 water levels or may be more prepared. That being said, others may not have had any
 337 experience of flooding. Measures will need to be in place to ensure effective communication
 338 with visitors - an issue which is already addressed on many sites locally. The measures to
 339 take before, during and after a flood should be detailed within a Flood Response Plan for
 340 each development site.

341 5.6.11 Any development encroaching within any of the plotted Flood Zones may increase flood risk
 342 to adjacent areas. The effect on flood risk of several small encroachments is cumulative. If

¹¹ A river catchment is the area of land whose water drains into that river. A permeable catchment lies on porous rock, such as chalk or sandstone.

¹² Where groundwater accounts for much of the inflow and outflow of the watercourse.

343 the requirements of the NPPF and NPPG are met in full, then additional development should
344 not increase flood risk elsewhere.

345 **5.6.12** The following provides information about specific areas of the Broads and the type of flood
346 risk that is particularly relevant to them. This information is taken from the various Strategic
347 Flood Risk Assessments.

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		Sources of flood risk						
		Tidal	Surface water	Fluvial	Groundwater	Foul sewer	Coastal	Reservoirs
Greater Norwich	<ul style="list-style-type: none"> Fluvial and tidal interactions influence flooding in the river network. Along parts of the River Yare (downstream of Norwich) and across the Broads tidal levels are higher than fluvial levels in some places. Combined river and tidal flooding is known to sometimes affect settlements including Wroxham and Brundall whilst high tide levels combined with a storm surge can affect the Broads. Additional impacts of tidal influence include rivers not being able to flow freely at high tide (called tide-locking). This would affect settlements such as Norwich and Wroxham. This can affect any locations up to the tidal limit of the rivers in the Greater Norwich area. 	<ul style="list-style-type: none"> No settlements in the Broads part of Greater Norwich identified as history of surface water flooding or being at the most risk. 	<ul style="list-style-type: none"> Fluvial flood risk is primarily associated with the River Yare, River Bure and River Waveney watercourses and their tributaries. Urban settlements are at risk from fluvial flooding from the River Yare, River Bure and River Waveney catchments (as well as other sources of flooding). The greatest fluvial flood risk area is from the River Wensum in Norwich (part of the River Yare catchment). Additional risk from the River Bure. Fluvial flooding can be exacerbated in the upper reaches of the catchment, due to mill structures restricting the flow (i.e. in Horstead). Often the combination of watercourses and the interaction of two or more sources of out of bank flow across the floodplain can have profound implications for the extent of the risk (i.e. the River Wensum and the River Yare within Norwich). 	<ul style="list-style-type: none"> Within Norwich city there are areas containing cavities in the underlying chalk strata. Water infiltration in the past has led to the collapse of these cavities resulting in subsidence. There are several locations within South Norfolk identified as being at risk of groundwater flooding but these are not in the Broads. Within the Broadland area it is believed pumping from the IDB maintain the water table at a relatively lower level reducing the risk of groundwater flooding. Much of the Broads Authority administrative area is shown to have a low susceptibility to groundwater flooding, i.e. within the <25% category. Areas with increased susceptibility tend to be found along the valleys of watercourses including the Rivers Waveney, Yare and Bure. However, for significant parts of the Broads Authority administrative area, there is no data shown in the AStGWf dataset. 	<ul style="list-style-type: none"> The 2007 Greater Norwich Water Cycle Study identified that sewerage treatment works ranged from having no spare capacity to considerable capacity The sewerage system within the city centre of the Norwich is at capacity and recommended upgrading the system. The majority of Norwich city is served by sewers with a 1 in 30-year design standard. Some smaller parts of the city have drains with a design below 1 in 5-years. A Section 19 Flood Investigation Report was created after heavy rainfall exceeded the capacity of the drainage systems and caused surface water flooding that resulted in approximately 80 properties being flooded in the Norwich Urban Area. A lack of coordination between stakeholders to maintain and clean the drainage system was identified as a key cause. Additional Section 19 Flood Investigation Reports found that flooding primarily due to the exceedance of drainage capacity had taken place at Station Road in Ditchingham. This indicates that some of flooding in South Norfolk is caused or exacerbated by sewer flooding. The DG5 register* indicates a total of 264 recorded flood incidents in Greater Norwich. 	<ul style="list-style-type: none"> N/A. 	<ul style="list-style-type: none"> Several reservoirs are located within the Greater Norwich area. However, there are also reservoirs outside of the area whose inundation mapping is shown to affect the Greater Norwich area 	

Sources of flood risk						
Tidal	Surface water	Fluvial	Groundwater	Foul sewer	Coastal	Reservoirs
<p>Great Yarmouth</p> <ul style="list-style-type: none"> Tidal flooding is the most significant flood risk in the borough. There is acute risk of tidal flooding in Great Yarmouth and across the Broads within the study area; the prior has defences to protect up to the 0.5% annual probability tidal flood (although not all defences may be up to this standard). Great Yarmouth is bound to the east by the North Sea and is entirely located within the tidally influenced area of the Broadlands River catchment. The Rivers Yare, Bure and Waveney are subject to significant tidal influences at the downstream ends of their catchments. Tidal influences are powerful enough to reverse the flow of the rivers and hold back water within the surrounding drainage system. This ‘tide-locking’ effect raises levels further up the catchments and in adjoining tributaries increasing the flood risk over a broad area. A combination of a storm surge caused by a low-pressure system within the North Sea coinciding with the arrival of high tide could result in a high risk of tidal / coastal flooding. The tidal flood risk is managed by an extensive network of flood asset infrastructure. However, there remains residual risk in the event of a breach or overtopping scenario. The consequences of a breach/failure of an asset could be significant and result in widespread inundation of adjacent lowlying land and property, as well as the potential for significant risk to life. 	<ul style="list-style-type: none"> Several settlements are at risk of flooding. These include Martham, Winterton-on-Sea, Caister-on-Sea, Great Yarmouth, Hemsby, Ormesby-St-Margaret, Hopton-on-Sea, Gorleston, Bradwell and Belton. More detailed investigation revealed eight Critical Drainage Areas (CDAs) where the risk of surface water flooding was most acute. Great Yarmouth CDA include Bradwell, Claydon, Southtown and Cobham, Gorleston, South Yarmouth, Northgate and North Yarmouth. Other CDAs in the study area are Caister on-Sea and Hemsby. A Section 19 Flood Investigation Report was prepared in 2015 following extensive flooding in the summer of 2014 that affected 59 properties. The flooding affected properties across eight catchments with the worst affected being Hemsby (28 properties) and Ormesby St. Margaret (17 properties). The flooding affected a wide area. 	<ul style="list-style-type: none"> Primarily associated with the Rivers Yare, Bure and Waveney and their tributaries. Due to the low-lying nature, fluvial as well as tidal flooding represents a significant risk. Tidal water levels along downstream reaches are strongly influenced by tide levels (climate change will significantly influence the predicted flood levels as a consequence of changes to mean sea level). Most of the rivers are embanked and are higher than the adjacent land. This represents a residual risk in the event of a breach or overtopping due to fluvial, tidal or combined flood events. Breach / failure events are difficult to predict but the effects are likely to be severe with rapid inundation of land behind the embankments and a severe risk to life to be expected. Flooding may not be from one watercourse alone. Often the combination of watercourses and the interaction of two or more sources of out of bank flow across the floodplain can have profound implications for the extent of the risk (i.e. the Rivers Bure Yare within Great Yarmouth). 	<ul style="list-style-type: none"> Groundwater emergence is more susceptible in areas to the north and south of the town. Areas to the north and south of the town centre, as well as those close to the coast where the tidal influence on groundwater is greatest, are considered among the most susceptible in the study area. Underlying groundwater levels in the Great Yarmouth area are very high. However, the water table is likely to be kept artificially low through the extensive use of pump infrastructure. As a result, pumping failures could have a potential effect on the water table. 	<ul style="list-style-type: none"> Surface water and sewer flooding within Great Yarmouth and Gorleston was frequently caused by the inadequate capacity of the existing sewage system, or by sewers unable to drain freely into rivers. There is an additional risk of foul sewer flooding as a resulting from misconnections between the surface water drainage and foul sewer. Historically the sewer network within the urban area of Great Yarmouth had been susceptible to flooding, although efforts were made by Anglian Water, and completed in 2009, to reduce this risk. Further reports of flooding had been made for both the Hemsby and Ormesby areas where sewage had reportedly escaped from the foul system. The DG5 register* indicates a total of 144 recorded flood incidents in the Great Yarmouth borough 	<ul style="list-style-type: none"> Coastal erosion is a prominent process along much of the Great Yarmouth coastline directly threatening some settlements and posing an additional threat to coastal defences. Should these defences be compromised there could be the additional risk of inundation to properties behind in areas susceptible to coastal flooding. Coastal flooding can also often occur by wave overtopping of defences. Coastal flood risk is expected to be attributable to storm surge tides combined with large waves. This may result in flooding of the beaches and undefended areas or cause overtopping of defences within the town of Great Yarmouth, as well as affecting the coastal zones to the north and south of the town. 	<ul style="list-style-type: none"> Three reservoirs are located within the Great Yarmouth borough however, there is also one reservoir outside of the area whose inundation mapping is shown to affect the district.

		Sources of flood risk						
		Tidal	Surface water	Fluvial	Groundwater	Foul sewer	Coastal	Reservoirs
North Norfolk		<ul style="list-style-type: none"> Tidal flooding is the most significant hazard in the district as North Norfolk is bounded to the north and east by the North Sea and many of its watercourses are tidally influenced. The Broads river network located to the east of the district in particular is dominated by tidal influence. As such, flooding within the Broads area is typically slow and relatively predictable due to the predominant tidal influence. Tidal flooding due to combination of high tidal levels and a storm surge is also a recognised issue throughout the Broads area. 	<ul style="list-style-type: none"> SFRA does not identify settlements in the Broads part of North Norfolk as having a history of surface water flooding or being at the most risk in the district. Hoveton Parish Council, in response to the second consultation on the SPD, stated that there are foul water flooding issues in Hoveton and Wroxham alongside the River Bure, from water running down and across Norwich Road in both these settlements and also in areas of Hoveton which experience serious surface water flooding at times of significant rainfall. 	<ul style="list-style-type: none"> Fluvial flooding in North Norfolk district is predominantly a combination of fluvial and tidal flooding particularly in the Broads river system that lies to the east and south of the district. Although North Norfolk is a largely rural district there are a sizable number of towns and villages where these watercourses have the potential to get out of bank and cause flooding to property. Fluvial flooding can be exacerbated in the upper reaches of the Broadlands catchment, due to mill structures restricting the flow (i.e. in Fakenham). Another complicating factor could be the failure or the overwhelming of pumping stations that may result in localised flooding. 	<ul style="list-style-type: none"> No concerns specific to North Norfolk. 	<ul style="list-style-type: none"> The DG5 register indicates a total of 109 recorded flood incidents in the North Norfolk district. Of relevance to the North Norfolk area is the Joint Position Statement relating to Horning Knackers Wood Water Recycling Centre¹³. To summarise, due to capacity issues, development that increases foul drainage output is not likely to be permitted. At the time of writing, there are early discussions between the Environment Agency, North Norfolk District Council and the Broads Authority about particular issues of discharge and flooding from the river into the sewage drainage systems. Hoveton Parish Council, in response to the second consultation on the SPD, stated that the existing sewers have become overloaded and sewer flooding is now a problem in parts of Hoveton. Anglian Water is currently preparing a position statement relating to Hoverton catchment. It is intended to set out the current position relating to this catchment including historic issues within the network and the implications for new development. 	<ul style="list-style-type: none"> Coastal erosion is a prominent process along much of the North Norfolk coast directly threatening some settlements and posing an additional threat to coastal defences. 	<ul style="list-style-type: none"> 15 reservoirs are located within the North Norfolk area however; there are also five reservoirs outside of the area whose inundation mapping is shown to affect the district.

¹³Knackers Wood Water Recycling Centre, Horning, Joint Position Statement https://www.broads-authority.gov.uk/data/assets/pdf_file/0006/1152357/20170124-Joint-Position-Statement-inc-LAs-Horning-v4-2017-signed.pdf

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		Sources of flood risk						
		Tidal	Surface water	Fluvial	Groundwater	Foul sewer	Coastal	Reservoirs
Waveney/East Suffolk		<ul style="list-style-type: none"> The eastern boundary of (the former) Waveney Districts (now East Suffolk) is formed by the land-sea interface. Daily tidal fluctuation, occurring when the freshwater from the rivers is met by the incoming tide from the North Sea and Surge tides, which occur due to climatic conditions creating bands of low pressure in the Atlantic and North Sea. This causes a surge of water to move across the Atlantic, travelling southwards into the North Sea and becoming compressed as it travels towards and through the narrow English Channel, between Great Britain and mainland Europe. This causes a rapid rise in sea levels, which can be exacerbated by strong northerly winds. Along the coastline there are several Main River estuaries and therefore the tidal conditions interact with fluvial mechanisms, caused by prolonged rainfall within the upper reaches of the river catchments. Tidal flooding constitutes the main form of flood risk along this boundary, which comprises an exposed but defended coastline. 	<ul style="list-style-type: none"> The area is mainly underlain by the Lowestoft Formation, which is found in the majority of inland non-riverine areas which is mainly chalky, pebbly, sandy clay (till), with variable permeability. Impermeable areas will encourage surface water runoff, potentially exacerbating surface water flood risk, whilst areas which are permeable will reduce the risk of surface water flooding by facilitating faster drainage of rainfall. As such, new development, and associated hard standing areas, can increase volumes of runoff. Ultimately this may lead to exceedance of the available pipe network capacity, resulting in surface water flooding. 	<ul style="list-style-type: none"> The River Waveney has a relatively shallow gradient of 1:2100 creating a low carrying capacity and a limited ability to erode and alter its course during a flood event. Areas surrounding the river are low-lying and flat, meaning when its banks are overtopped it spreads into an extensive floodplain. This subsequently drains slowly due to the low gradient and may be marshy in areas. There are a multitude of sluices found along the non-tidal reaches of the river to regulate levels during low flow conditions, to assist in land drainage and to supply a limited amount of flood storage to the system. Flooding in July 2015 demonstrated the high risk associated with Kirkley Stream, which flows north to join the Inner Harbour at Lowestoft. Subsequent hydraulic modelling has identified several locations along the watercourse as at risk of river and surface water flooding. The stream survey shows that there is very little fall along its length, only a 1.4 m drop in height over a distance of 1,500 m; a restriction in flow anywhere along the stream will quickly lead to rising water as the channel is essentially flat. 	<ul style="list-style-type: none"> Primary mechanisms for elevated groundwater are associated with <ul style="list-style-type: none"> Short period of above average rainfall in permeable superficial deposits Permeable superficial deposits in hydraulic continuity with high river water levels; Interruption of groundwater flow paths; and Cessation of groundwater abstraction causing groundwater rebound. The vast majority of the study area has a designation of “Limited potential for groundwater flooding to occur”, except in some concentrated areas surrounding the watercourses where the designation given is “Potential for groundwater flooding to occur at surface”. This is due to the permeable superficial alluvium being in hydraulic continuity with high water levels (river or tidal). 	<ul style="list-style-type: none"> Sewer outfalls linked to the harbour may become tide-locked during high tide; this has previously resulted in flooding of low-lying areas within Lowestoft (notably Station Square, Beven Street, Toning Street and Norwich Road) north of the harbour. South of the harbour also experiences similar levels of flood risk as the area is dependent on storm water overflows into the harbour and Anglian Water’s harbour pumping station which discharges towards Ness point. 	<ul style="list-style-type: none"> As many of the major settlements are located along the coast, there have been multiple flood alleviation schemes undertaken to protect these areas. Coastline is exposed but defended. It is expected that sea level will rise which will increase the rate of coastal erosion 	<ul style="list-style-type: none"> Throughout the district there are around 24 waterbodies with Potential Reservoir Flood Risk

351 * Anglian Water hold a DG5 register this database records incidents of flooding relating to public foul, combined or surface water sewers and identifies which properties suffered flooding. It is important to recognise the DG5 register does not contain
 352 information about properties and areas at risk of sewer flooding caused by operational issues such as blockages. Also, the register represents a snap shot in time and will get outdated with properties being added to the register following rainfall
 353 events, whilst risk will be reduced in some locations by capital investment to increase the capacity of the network. As such the sewer flooding flood risk register is not a comprehensive ‘at risk register’.

354 **5.7 The Broads Flood Risk Alleviation Project and Broadland Futures Initiative**

355 5.7.1 The Broadland Flood Alleviation Project (BFAP) is a long-term project to provide a range of
356 flood defence improvements, maintenance and emergency response services within the tidal areas
357 of the Rivers Yare, Bure, Waveney and their tributaries.

358 5.7.2 The main aim of project work was to strengthen existing flood defences and restore them to a
359 height that existed in 1995 (a level defined by the Environment Agency) and make additional
360 allowances for sea level rise and future settlement of the flood banks.

361 5.7.3 This aim has largely been achieved, through a phased programme of improvement works
362 comprising:

- 363 • Strengthening the existing flood banks, restoring them to agreed levels where excessive
364 settlement has occurred
- 365 • Replacing existing erosion protection that is in a poor condition using more environmentally
366 acceptable methods wherever possible
- 367 • Providing new protection where erosion is currently threatening the integrity of the flood
368 defences
- 369 • Carrying out works at undefended communities

370 5.7.4 The Broadland Futures Initiative (BFI)¹⁴ is a partnership for future flood risk management in the
371 Broadland area. The main goal is to agree a framework for future flood risk management that better
372 copes with our changing climate and rising sea level. The focus will be on what happens from the
373 mid-2020s onwards. Planning is needed now to secure support and make well-informed decisions.

374 5.7.5 The Initiative has been set up by organisations responsible for managing coastal and inland
375 flood risk. The Environment Agency have the lead responsibility and will be working with Natural
376 England, County Councils, Internal Drainage Boards, Broads Authority and National Farmers Union.
377 The Broads Authority will support the Initiative Project Team and governance arrangements.

378 5.7.6 The BFI will also work in partnership with local communities and other stakeholders to identify
379 the way forward. This will be a democratic process, with local politicians making the core decisions
380 to agree a framework for future flood risk management that better copes with our changing climate.

381 **5.8 Functional Flood Plain**

382 5.8.1 The NPPG¹⁵ describes the Functional Flood Plain as ‘*where water has to flow or be stored in*
383 *times of flood*’ and goes on to say:

384 *A functional floodplain is a very important planning tool in making space for flood waters when*
385 *flooding occurs. Generally, development should be directed away from these areas using the*
386 *Environment Agency’s catchment flood management plans, shoreline management plans and local*
387 *flood risk management strategies produced by lead local flood authorities.*

388 5.8.2 The flood probability mapping indicates in some areas that the functional floodplain extends to
389 the boundary of the Broads Authority area. The SFRAs identify Functional Floodplain and it covers a

¹⁴ Broadland Futures Initiative: <https://www.broads-authority.gov.uk/looking-after/climate-change/broadland-futures-initiative>

¹⁵ Functional floodplain: <https://www.gov.uk/guidance/flood-risk-and-coastal-change#Strategic-Flood-Risk-Assessment-section>

390 significant part of the Broads Authority area. FRAs will need to take this into account. See section 5.4
391 for more detail.

392 5.9 The Coast

393 5.9.1 The Broads Authority has a small stretch of coast in the Executive Area (Winterton/Horsey
394 area). The Kelling to Lowestoft Ness Shoreline Management Plan unit 6.13¹⁶ covers Eccles to
395 Winterton Beach Road. Coastal erosion is a sensitive issue and the detail of the approach for this
396 area is included in the Management Plan. As a summary for this document, the general approach to
397 coastal erosion along this stretch for the present day and medium term is to hold the line up to
398 2055. ~~This is dependent on the option continuing to be technically and economically deliverable and
399 over time other options may be investigated such as possible managed realignment, or a retired line
400 of defence further inland.~~ In relation to the present day, the Plan says:

401 *‘Due to the considerable assets at risk and the uncertainty of how the coastline could evolve, the*
402 *policy option from the present day is to continue to hold the line of the existing defence. This policy*
403 *option is likely to involve maintenance of existing seawalls and reef structures, replacing groynes as*
404 *necessary and continuing to re-nourish beaches with dredged sand. This policy option will provide an*
405 *appropriate standard of protection to all assets behind the present defence line, and, with the*
406 *recharge, a beach will be maintained as well as a supply of sediment to downdrift areas.’*

¹⁶ [Kelling to Lowestoft Ness Shoreline Management Plan, 2020](https://www.great-yarmouth.gov.uk/CHttpHandler.ashx?id=1239&p=0). Go to page 100: <https://www.great-yarmouth.gov.uk/CHttpHandler.ashx?id=1239&p=0>. Please note that the -development of this revision of the SMP has been led by a group including technical officers and representatives from North Norfolk District Council, Great Yarmouth Borough Council, Waveney District Council, the Environment Agency, Natural England, Defra and Great Yarmouth Port Authority.

6. Making and assessing a planning application

6.1 Site-Specific Flood Risk Assessment (FRA).

6.1.1 Proposals for developments in areas at risk of flooding are subject to set requirements and must be accompanied by an appropriate Site-Specific Flood Risk Assessment (FRA). The basic requirements of the FRA are set out in the NPPG. There is more on FRAs later in this section.

6.2 Where to get advice

6.2.1 The Broads Authority encourages applicants to seek pre-application advice on their proposals and officers can provide advice on which proposals will require an FRA. The Environment Agency¹⁷ can provide some of the necessary data for an FRA and offer a pre-application advice service¹⁸. The Environment Agency offer one free preliminary opinion to developers which outlines the nature of the information required to accompany an application. Further detailed advice, which may include a technical review of documents prior to submission, is available from the Environment Agency as part of a charged service. All requests for data are provided free of charge.

6.2.2 It will also be appropriate to consult neighbouring Local Planning Authorities if scheme proposals are on or near to the border.

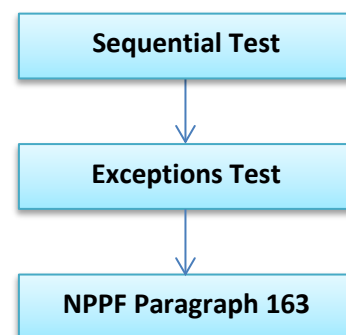
6.3 Considering flood risk

6.3.1 Developers should carefully assess the full range of issues associated with all sources of flood risk when producing development proposals, including climate change flood extents. Failure to consider these issues is likely to lead to delay or to refusal of planning permission. Developers must demonstrate that development minimises flood risk both on and off site, will ensure the safety of the occupants and will still be of a scale and design appropriate to its Broads setting. Flood risk mitigation, resilience and resistance measures should be considered at an early stage and integrated into a high-quality design which satisfies the objectives of other planning policies.

~~6.3.2 The Broads Authority, when determining a planning application, will need to be aware that if a building is subject to more than 600mm of external flood water, it may not be safe. We may refuse the application if this has not been considered adequately in the FRA.~~

6.4 Sequential and exceptions tests - general

6.4.1 The NPPG sets out a Sequential Test¹⁹ to development and all sources of flood risk that is done by the planning authority to direct development away from flood risk areas. It also sets out an Exception Test²⁰ for development located in zones of higher flood risk. This provides a method to manage all sources of flood risk, while still allowing necessary development to occur, subject to appropriate risk reduction and



¹⁷ You can email enquiries_eastanglia@environment-agency.gov.uk

¹⁸ The pre application enquiry form can be found here: <https://www.gov.uk/government/publications/pre-planning-application-enquiry-form-preliminary-opinion>

¹⁹ Sequential test: <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/the-sequential-risk-based-approach-to-the-location-of-development/>

²⁰ Exceptions Test: <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/the-exception-test/>

441 mitigation measures. The steps taken to assess an application for development in flood zones 3a and
 442 3b are in this simple flow chart.

443 6.4.2 The NPPF sets out clearly that the sequential test and exception test should be applied to all
 444 sources of flooding and prioritise acceptable land uses. There is a distinction between proposed
 445 development in flood risk zones 1, 2 and 3a and proposed development in flood risk zone 3b. In the
 446 case of the former, the NPPG is very clear on circumstances in which the Sequential and Exception
 447 tests must be applied. In terms of proposed development in Flood Zone 3b the NPPG sets out (in the
 448 table below, copied from the NPPG) which types of development are water compatible and may
 449 therefore be acceptable^{21 22}.

Flood Zones	Flood Risk Vulnerability Classification				
	Essential infrastructure	Highly vulnerable	More vulnerable	Less vulnerable	Water compatible
Zone 1	✓	✓	✓	✓	✓
Zone 2	✓	Exception Test required	✓	✓	✓
Zone 3a †	Exception Test required †	✗	Exception Test required	✓	✓
Zone 3b *	Exception Test required *	✗	✗	✗	✓*

450 Key: ✓ Development is appropriate ✗ Development should not be permitted.

451 † In Flood Zone 3a essential infrastructure should be designed and constructed to remain
 452 operational and safe in times of flood.

453 * In Flood Zone 3b (functional floodplain) essential infrastructure that has to be there and has
 454 passed the Exception Test, and water-compatible uses, should be designed and constructed to:

- 455 • remain operational and safe for users in times of flood;
- 456 • result in no net loss of floodplain storage;
- 457 • not impede water flows and not increase flood risk elsewhere

458 Although the sequential test must be applied, due to the limited availability of sites in Flood Zone 1,
 459 the main objective, as applied to the Broads, is likely to be to reduce flood risk to new development
 460 through the application of the sequential approach and to maximise opportunities to build in
 461 resilience both at the site and buildings level through design. The improvement of safety and
 462 management of risk, including response to risk, must be addressed at the design stage.

²¹ Flood Zone and flood risk tables: <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-2-flood-risk-vulnerability-classification/>

²² For more detail, go here: <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-3-flood-risk-vulnerability-and-flood-zone-compatibility/>

463 Any development being promoted in Flood Zone 1 should also consider flood risk from other sources
464 (not just river and sea flooding). This means that the updated surface water flood map on the
465 Environment Agency’s flood map and assessed through the 2017 and 2018 SFRAs, should also be
466 checked to apply the sequential approach and sequential test when making decisions. The 1:1000
467 year surface water map can be seen as equivalent probability to Flood zone 2 (river and sea map) or
468 flood zone 3 accounting for an allowance of climate change, and the 1:100 year surface water map
469 can be seen as equivalent to Flood Zone 3 (river and sea flood map) without climate change. This is
470 only practical to apply to significant flow paths shown on the surface water flood map and not to
471 small areas of ponding.

472 6.5 Sequential Test – specific requirements

473 6.5.1 The sequential test is designed to ensure that areas at little or no risk of flooding from any
474 source are developed in preference to areas at higher risk. The Sequential Test will be carried out by
475 the Broads Authority on relevant applications located in Flood Zones 2 and 3 in accordance with the
476 NPPF (except for minor development or changes of use – excluding a change of use involving
477 camping and caravans), drawing on information provided by the developer. Sites must be reasonably
478 available (see page 6.5.5 for more on this) to be considered as part of the Sequential Test. The
479 Environment Agency advises that the Sequential Test should be undertaken in isolation and judged
480 on flood risk issues only. The results of the test should then be compared to other non-flood risk
481 matters - a site may therefore pass the Sequential Test but still be considered inappropriate for
482 other reasons, such as being contrary to the Local Plan.

483 6.5.2 The Authority will aim to minimise flood risk by directing development away from areas of high
484 risk. However, this does not override other Local Plan policies which may indicate the unsuitability of
485 land in Flood Zones 1 or 2 for other reasons.

486 6.5.3 The NPPG says:

487 *The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea*
488 *flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in*
489 *their decision making should take into account the flood risk vulnerability of land uses and consider*
490 *reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding),*
491 *applying the Exception Test if required. Only where there are no reasonably available sites in Flood*
492 *Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea*
493 *flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the*
494 *Exception Test if required.*

495 6.5.4 The following sections elaborate on how various elements of the Sequential Test should be
496 addressed. In applying the sequential test, the Authority will use the following:

497 6.5.5 A site is considered to be **reasonably available** if all of the following apply:

- 498 • The site is available to be developed (including considering site ownership or whether the
499 owners of sites have any intention of them being developed); and
- 500 • The site is within the agreed area of search; and

- 501 • The site is of comparable size in that it can accommodate the requirements of the proposed
502 development; and
503 • The site is not safeguarded in the relevant Local Plan (including Minerals and Waste) or
504 Neighbourhood Plan for another use; and
505 • It does not conflict with any other policies in the Local Plan.

506 6.5.6 A site is not considered to be reasonably available if they fail to meet all of the above
507 requirements or already have planning permission for a development that is likely to be
508 implemented.

509 6.5.7 The **area of search** should be guided by the requirement for the proposed development in a
510 particular area and should be discussed with the Broads Authority at the pre-application stage.

511 6.5.8 The Authority considers the following areas of search to be reasonable:

- 512 • The rest of the particular district within the Broads Authority Executive Area
513 • Within the entire Parish (including the part that may be out of the Broads)
514 • Other settlements/parishes that are nearby (that may be out of the district)
515 • Or a wider/another area as appropriate and subject to agreement with the Broads Authority

516 6.5.9 It is acknowledged that the area of search could be outside of the Broads Authority Executive
517 Area and would require discussions with other Local Planning Authorities (and proposals would
518 therefore need to comply with relevant planning policies of the relevant Local Planning Authorities).
519 However, sites that are at less risk of flooding could be in the part of the settlement that is not in the
520 Broads.

521 6.5.10 The Authority acknowledges that some schemes are site specific, such as the regeneration of
522 a particular brownfield site or extension of a building, so it is impractical to change the location.

523 6.5.11 In all cases the developer must justify with evidence to the Broads Authority what area of
524 search has been used when making the application.

525 6.5.12 If there are found to be other reasonably available sites at a lower risk of flooding, then the
526 development has **failed the Sequential Test** and this could lead to refusal of planning permission.
527 Failing to pass the Sequential Test is sufficient grounds for refusal, as it would make the proposal
528 contrary to the NPPF and Local Plan policies.

529 6.5.13 If, however there are no other reasonably available sites, then the development has **passed**
530 **the Sequential Test**. The Exception Test may also need to be undertaken at this point (if required).

531 6.6 Exception Test – specific requirements

532 6.6.1 The NPPF says:

533 *158. The aim of the sequential test is to steer new development to areas with the lowest risk of*
534 *flooding. Development should not be allocated or permitted if there are reasonably available sites*
535 *appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood*

536 *risk assessment will provide the basis for applying this test. The sequential approach should be used*
537 *in areas known to be at risk now or in the future from any form of flooding.*

538

539 *159. If it is not possible for development to be located in zones with a lower risk of flooding (taking*
540 *into account wider sustainable development objectives), the exception test may have to be applied.*

541 *The need for the exception test will depend on the potential vulnerability of the site and of the*
542 *development proposed, in line with the Flood Risk Vulnerability Classification set out in national*
543 *planning guidance.*

544 6.6.2 The requirements of the Exception Test are set out in the NPPG. Table 3²³ of the NPPG sets out
545 when the Exception Test needs to be carried out. The Broads Authority has considered these tests
546 and has clarified how they will be interpreted locally in the context of the landscape character and
547 spatial vision. Again, the developer must provide the evidence to enable the Exception Test to be
548 applied by the Authority.

549 6.6.3 The following conditions must be met for the Authority to be sure that a proposal is
550 appropriate, in flood risk terms, if an Exception Test is required.

551 6.6.4 The NPPF at paragraph 160 says that for the Exception Test to be passed *‘it should be*
552 *demonstrated that: a) the development would provide wider sustainability benefits to the community*
553 *that outweigh the flood risk’*. To assess this, the Authority will use the most **up to date Local Plan**
554 **Sustainability Appraisal Objectives**. The current objectives are set out at [Appendix C](#).

555 6.6.5 The NPPF at paragraph 160 goes on to say that for the Exception Test to be passed *‘b) the*
556 *development will be safe for its lifetime taking account of the vulnerability of its users, without*
557 *increasing flood risk elsewhere, and, where possible, will reduce flood risk overall*. The Broads
558 Authority will presume **100 years for residential** development as per the National Planning Policy
559 Guidance. The Authority requires **developers to set out the anticipated lifetime of non-residential**
560 **development and justify this**.

561 6.6.6 In addition to these conditions, the following will also be applied as part of the Exception Test:

- 562 a) The development must not compromise future flood alleviation or flood defence schemes;
563 b) The Flood Risk Assessment must demonstrate how resilience to flooding has been incorporated
564 through a design which does not detract from the character of the locality;
565 c) The site-specific Flood Risk Assessment must demonstrate how the development will be
566 compatible with the nature of flooding in the Broads, considering climate change and sea level
567 rise over the planned life of the development (see section 6.5 on Climate Smart Thinking); and,
568 d) in the case of the replacement of a residential property, a residential development must be on a
569 like-for-like basis, with no increase in the number of bedrooms, on the same sized footprint²⁴,
570 potentially being relocated in a less vulnerable part of the site.

²³ For more detail, go here: <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-3-flood-risk-vulnerability-and-flood-zone-compatibility/>

²⁴ The “footprint” is the aggregate ground floor area of the existing on-site buildings, including outbuildings which affect the functionality of the floodplain but excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hardstanding.

571 **6.7 The nature of the land and the specific functionality of the floodplain**

572 6.7.1 The approach in any particular case will depend on the nature of the land and the specific
573 functionality of the floodplain, considering the presence of built structures and site infrastructure.
574 The following principles will apply to development in flood zone 3.

575 6.7.2 In the case of a **‘greenfield’ site** which has not been the subject of any previous development,
576 the site could function as an unconstrained, open floodplain, subject to the presence of any
577 ‘defences’. It may provide areas for water storage in times of flood and may have other value
578 associated with this, for example as wet woodland.

579 6.7.3 Sites categorised as **“brownfield sites which have been previously developed”** will often cover
580 sites larger than a single plot and may have been in use for a variety of uses, often employment
581 based. These will often be characterised by areas of built development, including buildings and
582 hardstandings, with undeveloped areas which might include vegetated margins or open areas. Parts
583 of the site may function as functional floodplain and parts will not. The functionality of any part will
584 depend on the way in which the water would behave in times of flood. If flood waters which
585 inundate the site in a 1:20 (5%) annual probability event can pass under or through a building or sit
586 on land this will be defined as functional floodplain. Where an existing building or structure acts as a
587 barrier to flood water then its functionality is compromised and it will not be classified as Flood Zone
588 3b and can be described as Flood Zone 3a.

589 6.7.4 When considering development proposals for brownfield sites which have been previously
590 developed, the objective is to locate development in a sequentially appropriate manner on the site
591 and to reduce risk through design. An initial site appraisal should identify the different flood risk
592 zones on the site (where applicable) and differentiate between areas of Flood Zone 3a and Flood
593 Zone 3b, as described above.

594 6.7.5 The objective when looking at development proposals on previously developed brownfield
595 sites is to seek opportunities to restore the functionality of the floodplain. This must, however, be
596 balanced against the need to maintain the land uses and development which support the economic
597 and social viability of the Broads communities. So, the over-riding principle in respect of
598 development is that it should not increase risk above the existing level.

599 6.7.6 Development should be located in a sequentially appropriate manner (which considers areas of
600 lower flood risk first as discussed in the following section) across any flood risk zones, in accordance
601 with the NPPG. Where there is existing development within Flood Zone 3a or 3b, opportunities to
602 improve flood risk should follow the following hierarchy:

- 603 i) relocate development to Flood Zone 1 (subject to other sources of flooding as discussed
- 604 previously)
- 605 ii) relocate development to a lower flood risk zone
- 606 iii) ensure there is no net increase in the development area within Flood Zone 3a.

607 6.7.7 Land uses or development which is of a higher level of vulnerability, as defined in the NPPG,
608 than existing or previous uses on the site will only be permitted if it complies with table 3²⁵ of the
609 NPPG and all the other policy requirements (such as safety and not increasing flood risk elsewhere).

610 6.7.8 Sites categorised as “**brownfield sites which are currently developed**” will often cover
611 individual sites where replacement development is proposed. These will often be smaller plots and
612 are owner occupied with limited (if any) opportunity for relocating development to an area of lesser
613 flood risk, either on-site or elsewhere.

614 6.7.9 When considering proposals for replacement development, an initial appraisal should identify
615 whether the development is in Flood Zone 3a or Flood Zone 3b.

616 6.7.10 If the site is in Flood Zone 3b, new water compatible development and essential
617 infrastructure that has been subject to the Exception Test (as defined in the NPPG) will be permitted
618 or a like-for-like replacement of an existing use. As detailed above, existing built development on site
619 may prevent parts of the site from functioning as Flood Zone 3b, meaning it will be considered as
620 Flood Zone 3a. In those cases, it may be acceptable to locate development appropriate to Flood
621 Zone 3a within the extent of the previously developed footprint. This will be subject to the usual
622 considerations in terms of safety of the development.

623 6.7.11 If the site is in Flood Zone 3a, new development for water compatible uses, less vulnerable
624 uses or more vulnerable subject to the Exception Test (as defined in the NPPG) will be permitted or a
625 like-for-like replacement of an existing use. In all cases the safety of the proposed development
626 would need to be considered.

627 6.7.12 The objective when looking at development proposals on brownfield sites which are currently
628 developed is to ensure that development does not increase flood risk to the site or the building or
629 elsewhere above the existing level. Opportunities to reduce flood risk should also be considered.

630 6.7.13 The Authority may permit the relocation of existing development out of Flood Zone 3b to an
631 undeveloped site with a lower probability of flooding where the vacated site is reinstated as
632 naturally functioning floodplain, and where the benefits to flood risk outweigh the benefits of
633 leaving the new site undeveloped. Such proposals will be considered against adopted planning
634 policies.

635 **6.8 Existing footprint of development in Flood Zone 3b and Permitted Development (PD)**

636 6.8.1 Firstly, it is worth noting that the following only applies to development within Flood Risk Zone
637 3B where ‘more vulnerable’ development is not considered appropriate, according to the NPPG.

²⁵ Table 3 is copied previously in this SPD or can be found here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/575184/Table_3_-_Flood_risk_vulnerability_and_flood_zone_compatibility_.pdf

638 6.8.2 For a replacement dwelling in Flood Zone 3B the existing footprint is currently defined in the
639 footnote to policy DM5²⁶. This does not make any reference to permitted development rights, only
640 to existing buildings. The ‘like for like’ requirement of the policy is still valid as that is the starting
641 point for the application – that the base position for any replacement dwelling in flood zone 3b is
642 like for like. The Authority and Environment Agency consider that a scheme for a replacement
643 dwelling may only include what is permitted through PD rights Class A enlargement, improvement or
644 other alteration of a dwelling house²⁷ as a pragmatic approach. The inclusion of these PD rights in
645 the calculation of footprint is considered a reasonable approach to take, as it would avoid the need
646 for applicants to first construct a rear extension only to include it in the calculations for a
647 replacement dwelling. It is important to note however that there may be other considerations that
648 might be relevant to decision making other than flood risk; for example landscape character impacts.

649 6.8.3 If an application for a replacement dwelling is approved, the PD rights for
650 extensions/outbuildings will be removed by the Authority in order to restrict further development
651 within the functional floodplain. Householder PD rights would also be removed when permitting
652 householder extensions within Flood Zone 3B, for the same reason; to restrict the further
653 development within the functional floodplain.

654 **6.9 Environment Agency’s standing advice**

655 6.9.1 You need to follow the Environment Agency’s standing advice²⁸ if you’re carrying out a flood
656 risk assessment for a development classed as:

- 657 • a minor extension (household extensions or non-domestic extensions less than 250 square
658 metres) in [flood zone 2 or 3](#)
- 659 • ‘[more vulnerable](#)’ in flood zone 2 (except for landfill or waste facility sites, caravan or
660 camping sites)
- 661 • ‘[less vulnerable](#)’ in flood zone 2 (except for agriculture and forestry, waste treatment, and
662 water and sewage treatment)
- 663 • ‘[water compatible](#)’ in flood zone 2

664 6.9.2 This includes developments involving a [change of use](#) into one of these vulnerable categories
665 or into the water compatible category.

666 **6.10 Information for Flood Risk Assessments**

667 6.10.1 Guidance on when an FRA is required and on preparing an FRA, including how to obtain flood
668 risk data, is available from the Environment Agency²⁹. The NPPG³⁰ sets what is required in an FRA
669 with a useful checklist.

670 6.10.2 The flood maps on the Environment Agency website³¹ and the SFRA³² show the flood zones
671 and other sources of flood risk, highlighting when an FRA is required for flood risk from a main river
672 or the sea. Further more detailed information will be required to consider the specific risk to the site

²⁶ Footnote 22 says the “footprint” is the aggregate ground floor area of the existing on site buildings, including outbuildings which affect the functionality of the floodplain but excluding temporary buildings, open spaces with direct external access between wings of a building, and areas of hard standing.

²⁷ SCHEDULE 2 Permitted development rights, PART 1 Development within the curtilage of a dwellinghouse, Class A – enlargement, improvement or other alteration of a dwellinghouse <http://www.legislation.gov.uk/ukxi/2015/596/made>

²⁸ <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>

²⁹ Flood risk assessment for planning applications <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

³⁰ Site-specific flood risk assessment: Checklist <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/site-specific-flood-risk-assessment-checklist/>

³¹ EA flood maps <http://apps.environment-agency.gov.uk/wiyby/37837.aspx>

³² SFRA <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

673 and how it should be managed. Other documents should be consulted to assess risk of flooding from
 674 other sources and historical accounts such as Strategic Flood Risk Assessments, Surface Water
 675 Management Plans³³ or local studies. Any site-specific FRA needs to also include an assessment of
 676 historical flooding.

677 6.10.3 A comprehensive and accurate site appraisal will be essential as part of an FRA to identify
 678 constraints and potential areas for development on a site within the floodplain¹. The appraisal as
 679 part of a Flood Risk Assessment should identify:

- 680 i) Flood risk zones 1 – 3 within the site with reference to the SFRA/EA Flood Zone maps. **The FRA**
 681 **should show the accurate location of the flood zones on the site based on a comparison of EA**
 682 **flood levels and GPS site survey;**
 683 ii) The boundaries between areas of Flood Zone 3a and the Flood Zone 3b;
 684 iii) The boundaries within mapped areas of Flood Zone 3b where water has to flow or be stored and
 685 land areas where buildings and other infrastructure restrict this functionality. The following will
 686 need to be considered in identifying these boundaries:
- 687 • Extent of buildings on site and their footprints
 - 688 • Extent of hardstandings on site and their coverage
 - 689 • Permeability of the buildings and hardstandings on site, including the contribution of voids
 - 690 • Extent of open areas and drainage infrastructure on site and their capacity
 - 691 • Flow pathways and patterns within and off-site

692 6.10.4 Climate change is an important consideration in producing FRAs. An allowance for climate
 693 change must be included as part of any submitted flood risk assessment. The SFRAs³⁴ show how
 694 climate change could affect an area. Guidance on the allowances to use can be found by using the
 695 following hyperlink [https://www.gov.uk/guidance/flood-risk-assessments-climate-change-](https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)
 696 [allowances](https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)³⁵. Environment Agency has prepared a locally specific factsheet on climate change
 697 allowances. This can be requested via enquiries_eastanglia@environment-agency.gov.uk.

698 6.10.5 Where redevelopment is appropriate in Flood Zones 3a and 3b, according to the principles of
 699 the Planning Practice Guidance (NPPG), it should seek to demonstrate an improvement in flood risk
 700 management (considering climate change over the development lifetime). For example, a building
 701 may be redesigned to be more flood resistant or have habitable areas raised and so at less risk. The
 702 frequency of flooding to the surrounding land may become greater and more hazardous with time,
 703 therefore offsetting any improvement to the design of the building and challenging the overall
 704 sustainability of the location for the given land use. These issues will need to be addressed in the
 705 site-specific Flood Risk Assessment (FRA). Some landowners may decide that risk management is too
 706 onerous and seek to relocate.

707 6.10.6 It is important to note that the Environment Agency need new more vulnerable development
 708 to not flood in the actual risk 1% (1 in 100) fluvial or 0.5% (1 in 200) tidal annual probability climate
 709 change flood event through the provision of defences, raised land or raised floor levels. The
 710 Environment Agency also require refuge above the 0.1% (1 in 1000) climate change annual
 711 probability extreme flood for more vulnerable development.

712 6.10.7 The management of residual risk is another area that has to be addressed. There is no
 713 definition of what is deemed to be ‘safe’, but there is information from various sources that can

³³ Surface Water Management Plans <https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/flood-and-water-management-policies/surface-water-management-plans> and <http://www.greensuffolk.org/flooding/surface-water-management-plans/>

³⁴ SFRA <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

³⁵ New climate change allowances were published in December 2019 on gov.uk, these will result in increases in flood level of between 1.2m and 1.6m compared to present day flood levels.

714 provide a guide to what is acceptable in respect of flood depths and velocities. It will be the
 715 Authority’s role to determine what is considered safe in terms of access routes during flood events
 716 and whether unsafe access can be adequately managed through the submission of a Flood Response
 717 Plan. The Authority will also consider if proposed less vulnerable development at actual or residual
 718 risk of flooding, or more vulnerable development at residual risk of flooding would be consider if
 719 proposed less vulnerable developments at risk of flooding that would be safe and sustainable and
 720 whether flood resilient measures and flood response plans are sufficient to mitigate risk. A key
 721 document in this respect is the Defra/EA Research Report FD2320, ‘Flood Risk Assessment Guidance
 722 for New Development’³⁶. Advice on the flood resistance and resilience of buildings can be found at
 723 section 5-7 of this SPD and advice on Flood Response Plans can be found in Appendix D.

724 6.10.8 Provision of this information (as set out in 6.10.3) will allow an accurate calculation to be
 725 made of the extent and location of Flood Zone 3a and Flood Zone 3b within the site. The objective of
 726 the appraisal is to identify the location and extent of the site that would be appropriate for
 727 development, so that the Broads Authority can ensure that it does not increase flood risk either off
 728 site or to the development. Understanding how a site is affected at times of flooding can identify
 729 opportunities to allow a development to go ahead, reduce flood risk and identify mechanisms to
 730 improve flood storage capacity through layout and design. The appraisal will demonstrate where this
 731 is required.

732 6.10.9 For certain application types the Environment Agency has prepared Flood Risk Standing
 733 Advice³⁷. Considerable additional information for developers and landowners is available.
 734 Developers should refer to these sources of information so they are fully informed of the
 735 requirements at the time of their application.

736 6.10.10 For minor development³⁸, a Local Flood Risk Tick Sheet has been produced. This will assist
 737 applicants in producing a flood risk assessment for minor developments. It is in conformity with the
 738 NPPG FRA guidance and is designed to be user friendly for the applicant yet provide the information
 739 the BA needs to determine applications. See [Appendix F](#).

740 **6.11 Without increasing flood risk elsewhere**

741 6.11.1 The NPPF at paragraph 163 says *‘when determining planning applications, local planning*
 742 *authorities should ensure flood risk is not increased elsewhere...’*.

743 6.11.2 One of the key objectives of a Flood Risk Assessment is to establish if a proposal will increase
 744 flood risk elsewhere. This may happen where development causes flows to be diverted, or where
 745 development takes up additional space within the floodplain causing floodplain storage capacity to
 746 be reduced.

747 6.11.3 A Flood Risk Assessment should consider whether this will happen and propose mitigation
 748 measures which should be provided up to the design flood event (1% fluvial/0.5% tidal) including
 749 climate change for the lifetime of the development. These may include for example the provision of
 750 compensatory floodplain storage, although this can be difficult to achieve in the Broads area.
 751 Compensatory floodplain storage is the lowering of higher land levels to provide additional flood
 752 storage at the same level as the flood storage is removed. Therefore, this is difficult to achieve in the

³⁶ Defra/EA Research Report FD2320 http://sciencesearch.defra.gov.uk/Document.aspx?Document=FD2320_3364_TRP.pdf

³⁷ Standing advice <https://www.gov.uk/guidance/flood-risk-assessment-standing-advice>

³⁸ Please note that this is minor development in relation to flood risk rather than other definitions of minor development:
<http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/what-is-meant-by-minor-development-in-relation-to-flood-risk/>

753 Broads as the floodplain is very flat with little higher land available to lower.- One of the only options
754 in the Broads is the raising of buildings on stilts to provide voids underneath and not remove flood
755 storage. Such measures would need to be designed to ensure that water is always stored under the
756 building and can empty after a flood. This would require intermittent boarding, no storage under the
757 building and regular maintenance.

758 6.11.4 Sustainable drainage (SuDS) proposals should also be included within an assessment where a
759 development would increase the impermeable area that would increase the surface water runoff
760 from the site. This will ensure that flood risk is not increased elsewhere. For Brownfield sites,
761 proposals should be put forward to limit the surface water discharge as close to greenfield runoff
762 rates.

763 6.12 Flood response plan template.

764 6.12.1 A site-specific Flood Response Plan will always be required for development in flood zone 3.
765 The client/developer responsibilities for health and safety and facilities management may also
766 require a site-specific flood response plan. These are important considerations on commercial sites
767 and are potential requirements for compliance with the Construction (Design and Management)
768 Regulations 2015³⁹.

769 6.12.2 They can form one means of managing residual risk where a development is found to be
770 acceptable in flood risk terms and is a valuable document for owners and occupiers of all property at
771 risk of flooding to have in place. The Authority has produced guidance and a suggested structure for
772 these plans. The guidance and structure can be found at [Appendix D](#).

³⁹ Construction (Design and Management) Regulations 2015 <http://www.hse.gov.uk/pUbns/priced/l153.pdf>

773 **7. Reducing Flood Risk to Development**

774 **7.1 Section introduction**

775 7.1.1 Developers must demonstrate that development both appropriately manages flood risk and
776 will still be of a scale and design appropriate to its Broads setting. The Authority will not permit
777 development where the accommodation of measures to reduce flood risk leads to other,
778 unacceptable, consequences. These may include an intrusive scale of building or land raising⁴⁰ which
779 is inappropriate in the landscape or built environment.

780 7.1.2 Developers should also note that, in accordance with advice in the NPPG, any necessary flood
781 defence works required because of the development form part of that development and should be
782 funded by the developer.

783 7.1.3 It should be noted that all aspects of the development need to comply with policies of the
784 Local Plan (adopted 2019) as well as adopted Neighbourhood Plans and that conformity with policies
785 SP2 and DM5 does not override applicability of other policies (of the Broads Authority and other
786 relevant Local Planning Authority).

787 7.1.4 The Authority will continue to give considerable weight to the advice of the Environment
788 Agency with regard to the appropriateness of development and necessary flood alleviation
789 measures.

790 7.1.5 The following sections discuss ways of potentially reducing flood risk to development. Historic
791 England was keen to emphasise the waterlogged archaeology in the area and that changes to the
792 flow of water could affect preservation.

793 **7.2 Raising Floor Levels**

794 7.2.1 This involves setting the building floor level above an appropriate flood level. This approach
795 provides a partial solution by giving protection to people and accommodation, provided that the
796 flood level does not exceed the floor level provided.

797 7.2.2 A development could be designed to allow the site to flood beneath a raised building. This
798 method does not protect the building curtilage or access roads from flooding. In addition, flooding
799 may prevent the effective operation of local drainage and sewage systems, with potential adverse
800 environmental and amenity consequences.

801 7.2.3 It is also difficult to apply new floor levels to building conversions.

802 7.2.4 The appropriate minimum floor levels to manage flood risk will be determined through the
803 site-specific Flood Risk Assessment. The use of raised floor levels has significant implications for
804 development. Firstly, it can lead to a raising of the ridge level and overall height of the building.
805 Secondly, it affects the relationship between the floor level and the surrounding site and therefore
806 the means of access into the building, including access for all (whereby access ramps for example
807 might need to be longer and higher when compared to not raising the floor). These aspects need

⁴⁰ See policy DM17 of the Local Plan for the Broads.

808 careful consideration by the architect at an early stage to ensure that the resulting development will
809 be acceptable in terms of its design in relation to its surroundings and that it complies with legal and
810 policy requirements with regard to access for all.

811 **7.3 Raising Plot Levels**

812 7.3.1 Developers may seek to reduce the risk of flooding by raising the level of the land, either in
813 isolation or in combination with a minimum floor level. This approach is unlikely to be a viable
814 option in the Broads. The Authority and the Environment Agency have a preference against raising
815 land levels, because:

- 816 (i) It can serve to divert flood water onto neighbouring plots, particularly in areas primarily affected
817 by fluvial flooding.
- 818 (ii) Land in the Broads area is often wet and of poor load bearing capacity. Raising land by adding
819 soil or other material may lead to the site sinking over a period of time.
- 820 (iii) It affects the relationship of the site to surrounding plots, and to access roads. On waterside
821 sites, the relationship to the river or broad is changed, often leading to the need for higher piling
822 and quay heading, affecting the visual quality of the water's edge.
- 823 (iv) It can be damaging to ecology, geomorphology, trees and other vegetation on the site.
- 824 (v) It can change the character of the landscape. Land raising can increase the height and
825 prominence of new buildings.
- 826 (vi) It may be difficult to ensure that any replacement of lost flood storage capacity behaves in the
827 same manner.

828 7.3.2 Furthermore, there is a policy in the new Local Plan for the Broads (policy DM17) which relates
829 to land raising and is of relevance.

830 7.3.3 Compensatory floodplain storage may be required as a mitigation measure, but this can be
831 difficult to achieve on small plots and the impact off-site would always need to be assessed.

832

833 **7.4 Bunds or Flood Walls**

834 7.4.1 In some exceptional cases it may be appropriate to consider the use of earth bunds or flood
835 walls to reduce the risk of flooding of development or to protect existing development. This
836 approach is less likely to be applicable to small-scale developments.

837 7.4.2 While acceptable in some locations, bunds or flood walls are likely to be damaging to the
838 character of the landscape or built environment in others.

839 7.4.3 As with land raising, bunds can divert flood water onto neighbouring land, particularly in areas
840 primarily affected by fluvial flooding. The provision of alternative flood storage capacity in the
841 drainage compartment will be a requirement in the use of this technique. Careful consideration will
842 be needed to ensure that the engineering requirements for bunds or flood walls are met and that, as
843 far as possible, they are designed to be sympathetic to the local character. In addition, it will be
844 important to ensure that a bund or flood wall does not prejudice the operational requirements of
845 the site, for example at a boatyard or other employment site. This requirement may not apply to the
846 use of bunds to create a temporary storage area or to provide pollution prevention but the potential
847 to increase flood risk elsewhere may need to be considered.

848 7.4.4 An Environmental Permit may be required under the Environmental Permitting (England and
849 Wales) Regulations 2010. Check the information at [https://www.gov.uk/topic/environmental-
management/environmental-permits](https://www.gov.uk/topic/environmental-
850 management/environmental-permits) for advice.

851 7.5 Floating/Amphibious Structures

852 7.5.1 Another option to explore is a fixed but floating solution to development for commercial uses
853 or replacement residential properties. Development might be located on land or in a mooring cut
854 within a currently developed plot giving connectivity with the landscape, retaining the feeling of
855 intimacy on the waterway and the sense of space between developments experienced throughout
856 the Broads system.

857 7.5.2 For such development to be acceptable, it must also not increase flood risk elsewhere; reduce
858 flood risk overall wherever possible; and be safe for its lifetime taking into account climate change.
859 Solutions would have to address design issues, including height and the visual impact of floats, as
860 well as consideration of safe access and egress at times of flood and infrastructure requirements.
861 Impact on navigation is also an important consideration.

862 7.5.3 The appropriateness of such development must be considered based upon its Flood Risk
863 Vulnerability Classification from Table 2 of the Flood Risk and Coastal Change Planning Practice
864 Guidance (discussed previously in this document).

865 7.5.4 Such development would also need to consider Water Framework Directive impacts through
866 an assessment of direct effects on river morphology.

867 7.6 Resilience and Resistance

868 7.6.1 Flood-resilient buildings are designed and constructed to reduce the impact of flood water
869 entering the building (through air bricks, through walls or through toilets or plug holes). As a result,
870 no permanent damage is caused, structural integrity is maintained and drying and cleaning is easier.
871 Flood-resistant construction can prevent entry of water or minimise the amount that may enter a
872 building where there is short duration flooding outside with water depths of 0.6 metres or less. 6.3.2
873 The Broads Authority, when determining a planning application, will need to be aware that if a
874 building is subject to more than 600mm of external flood water, it may not be safe. We may refuse
875 the application if this has not been considered adequately in the FRA.

876 7.6.2 Consideration should be given at the design stage to the potential effects of flooding on the
877 electrical, foul drainage and other key aspects of the development.

878 7.6.3 Developers may also put forward innovative approaches towards reducing the risks or effects
879 of flooding. The Broads Authority will consider such proposals which:

- 880 • Build in resilience and allow sites to flood, for example in commercial non- residential buildings
881 and voids around or under replacement chalets or extensions to buildings for example.
- 882 • Utilise floating walkways as a safe means of escape.

- 883 • Use soft river edge protection measures which absorb water, reduce erosion from wake and
884 encourage plant growth⁴¹.
- 885 • Provide compensatory flood storage capacity or washlands (which are areas provided to be
886 deliberately flooded).
- 887

888 7.6.4 Further information can be found in the following documents:

- 889 • Improving the Flood Performance of New Buildings: Flood Resilient Construction (CLG 2007)⁴²
890 • Six Steps to Property Level Flood Protection - Guidance for property owners⁴³
891 • Flood Protection and your property. A guide to protecting your home (Property Care Association,
892 2014)⁴⁴
893 • Homeowner’s guide to flood resilience – A living document (Know Your Flood Risk)⁴⁵
894 • The Property Flood Resilience Action Plan - DEFRA⁴⁶

895 7.7 Sustainable Drainage Systems (SUDS)

896 7.71 Policy DM6 of the Local Plan for the Broads refers to Surface Water Run Off. There is much
897 detailed information there. This section is more of a summary.

898 7.72 Surface water drainage systems developed in line with the ideals of sustainable development
899 are collectively referred to as Sustainable Drainage Systems (SuDS). Approaches to manage surface
900 water that consider water quantity (flooding), water quality (pollution), amenity and biodiversity
901 issues are collectively referred to as Sustainable drainage. The idea of SuDS is to copy, as closely as
902 possible, the natural drainage from a site before development. Including the use of shallow surface
903 structures to copy the pre-development scenario and manage water close to where it falls. SuDS can
904 be designed to slow water down (attenuate) before it enters streams, rivers and other watercourses,
905 they provide areas to store water in natural contours and can be used to allow water to soak
906 (infiltrate) into the ground, evaporate from surface water or transpire from vegetation (known as
907 evapotranspiration). It is important to include sufficient treatment steps as part of the design of
908 SuDS to ensure water quality is protected. There is also potential for schemes to include water reuse
909 such as through rainwater and stormwater harvesting as options than can help to alleviate surface
910 water flood risk. These are systems that are designed to both store water for reuse and attenuate
911 flows and would also reduce potable (clean) water use.

912 7.7.2 All major development is expected to include Sustainable Drainage (SuDS) to manage surface
913 water runoff, unless it is demonstrated to be in appropriate (as per NPPF paragraph 165). Also see
914 Policy DM6 of the Local Plan for the Broads.

⁴¹ See Design Guides: <https://www.broads-authority.gov.uk/planning/planning-permission/design-guides>

⁴² Flood Resilient Construction:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7730/flood_performance.pdf

⁴³ [https://www.bre.co.uk/filelibrary/pdf/projects/flooding/Property_owners_booklet_v2_web_\(2\).pdf](https://www.bre.co.uk/filelibrary/pdf/projects/flooding/Property_owners_booklet_v2_web_(2).pdf). The guidance has been endorsed by the National Flood Forum, the Association of British Insurers, Defra, the Environment Agency, the Flood Protection Association, and the Local Government Association and was produced through the EUFP7 funded SMARTeST Project (further details: www.floodresilience.eu).

⁴⁴ A guide to protecting your home <http://www.property-care.org/wp-content/uploads/2015/03/FPG-Leaflet-A5-Folded-to-A3-Draft-3-FINAL-WEB.pdf>

⁴⁵ Homeowners Guide to Flood resilience http://www.knowyourfloodrisk.co.uk/sites/default/files/FloodGuide_ForHomeowners.pdf

⁴⁶ THE PROPERTY FLOOD RESILIENCE ACTION PLAN

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551615/flood-resilience-bonfield-action-plan-2016.pdf

915 Applicants should follow SuDS hierarchy by fully considering alternatives before surface water
916 discharge to public sewer. AWS would only accept a surface water connection if evidence were to be
917 provided. AWS would welcome early liaison if applicants wish to pursue this option.

918 7.7.3 Where any SuDS are proposed it is important to demonstrate that the SuDS hierarchy has been
919 followed both in terms of:

- 920 • surface water disposal location, prioritised in the following order: disposal of water to shallow
921 infiltration, to a watercourse, to a surface water sewer, combined sewer / deep infiltration
922 generally greater than 2m below ground level (deep infiltration systems can pose a risk to
923 groundwater quality and are not usually supported. Deep infiltration is unlikely to work in the
924 Broads Authority area due to high groundwater levels.⁴⁷); and
- 925 • the SuDS components used within the management train (source, site and regional control).

926 7.7.4 At least one feasible proposal for the disposal of surface water drainage should be
927 demonstrated and, in many cases, supported by the inclusion of appropriate information. Evidence
928 is required to be provided to the Broads Authority and sewerage undertaker in relevant situations to
929 demonstrate that it is not possible to discharge surface water via infiltration or to a watercourse in
930 accordance with CIRIA SuDS Manual (2015) and Part H of Building Regulations. It is recognised that
931 many areas in the Broads Authority area may not be suitable for infiltration SuDS due to the location
932 in low lying areas very close to main rivers or due to high ground water levels. The Environment
933 Agency are also generally not supportive of infiltration SuDS because at such a shallow depth to
934 groundwater, it is essentially discharging any contaminants straight down to groundwater without
935 treatment. However, other SuDS disposal options are likely to be available and there are many SuDS
936 components which can attenuate and treat water quality without relying on infiltration. Careful
937 consideration would be needed to ensure that any development would not remove flood water
938 storage in areas of fluvial flood risk (e.g. Flood Zone 3) and that the SuDS scheme would work in an
939 area at risk of fluvial / tidal flooding. There may also be constraints to surface water discharges
940 relating to high water levels in a receiving watercourse especially those which are tidal.

941 7.7.5 There are various sources of technical information that can be used when addressing surface
942 water and designing SuDS:

- 943 • NPPG⁴⁸
- 944 • Non-statutory technical standards for the design, maintenance and operation of sustainable
945 drainage systems⁴⁹
- 946 • SuDS manual produced by CIRIA⁵⁰. More generally CIRIA are developing new best practice
947 guidance for integrated water management (including the use of SuDS). For information, go
948 here:
949 [https://www.ciria.org/Research/Projects_underway2/Delivering_successful_integrated_water](https://www.ciria.org/Research/Projects_underway2/Delivering_successful_integrated_water_mangement_through_the_planning_ystem.aspx)
950 [mangement_through_the_planning_ystem.aspx](https://www.ciria.org/Research/Projects_underway2/Delivering_successful_integrated_water_mangement_through_the_planning_ystem.aspx).
- 951 • With regards to adopting SuDS, Anglian Water's current standards for SuDs adoption are
952 available to view at the following address: <http://www.anglianwater.co.uk/developers/suds.aspx>

⁴⁷ There is guidance from Norfolk and Suffolk County Councils as the LLFAs for the area. At the time of writing, the guidance was under review.

⁴⁸ Why are sustainable drainage systems important? <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/reducing-the-causes-and-impacts-of-flooding/why-are-sustainable-drainage-systems-important/>

⁴⁹ Non-statutory technical standards for sustainable drainage systems

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf

⁵⁰In delivering SuDS there is a requirement to meet the framework set out by the Government's 'non statutory technical standards' and the revised SuDS Manual complements these but goes further to support the cost-effective delivery of multiple benefits.

https://www.ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx

953 **7.8 Addressing groundwater flood risk**

954 7.8.1 Groundwater flooding has a unique flooding mechanism. It may emerge from below ground
955 level and for this reason many conventional flood defence and mitigation methods are not suitable.
956 Flood risk may be reduced through building design by ensuring that floor levels are raised sufficiently
957 above the water table. Site design would also need to preserve any flow routes followed by the
958 groundwater overland and make sure flood risk is not increased downstream.

959 7.8.2 Proposed basement areas are likely to be particularly susceptible to groundwater flooding in
960 certain areas. This may be mitigated through waterproof construction; however, consideration
961 should be given to the potential impact on subterranean flow or water tables. When redeveloping
962 existing buildings, it may be acceptable to install pumps in basements as a resilience measure.
963 However, for new development this is unlikely to be considered an acceptable solution. Site specific
964 ground investigation is also likely to be required in locations where below ground development is
965 proposed or there is known groundwater flood risk.

966 **7.9 Addressing foul water/sewer flooding**

967 7.9.1 Anglian Water wish to emphasise that it shouldn't be assumed there is capacity within the
968 public sewerage network for additional surface water flows. Anglian Water's Surface Water Drainage
969 Policy is available to view here: [https://www.anglianwater.co.uk/siteassets/developer/surface-](https://www.anglianwater.co.uk/siteassets/developer/surface-water-drainage-policy.pdf)
970 [water-drainage-policy.pdf](https://www.anglianwater.co.uk/siteassets/developer/surface-water-drainage-policy.pdf).

971 7.9.2 Also, of relevance is policy DM2 of the Local Plan for the Broads.

972 7.9.3 Anglian Water wish to emphasise the submission requirements for applicants when proposing
973 a foul connection to the public sewerage network. The foul drainage strategy should include the
974 following information:

- 975
- 976 • Development size
 - 977 • Proposed discharge rate and method (gravity or pumped connection)
 - 978 • Discharge location identifying specific manhole
 - Feasible mitigation strategy in agreement with Anglian Water (if required).

979 **7.10 Addressing reservoir flood risk**

980 7.10.1 The risk of a reservoir failure is a residual risk. Whilst a residual risk, developers should
981 consider reservoir flooding during the planning stage.

982 7.10.2 Developers should contact the reservoir owner to obtain information which may include:
983 o reservoir characteristics: type, dam height at outlet, area/volume, overflow location;
984 o operation: discharge rates / maximum discharge;
985 o discharge during emergency drawdown; and
986 o inspection / maintenance regime.

987 7.10.3 Developers should apply the sequential approach to locating development within the site.
988 The following questions should be considered:

- 989 ○ can risk be avoided through substituting less vulnerable uses or by amending the site
990 lay-out?
991 ○ can it be demonstrated that less vulnerable uses for the site have been considered and
992 reasonably discounted? and
993 ○ can layout be varied to reduce the number of people or flood risk vulnerability or
994 building units be in higher risk parts of the site?

995 7.10.4 Developers should consult with relevant authorities regarding emergency plans in case of
996 reservoir breach. In addition to the risk of inundation those considering development in areas
997 affected by breach events should also assess the potential hydraulic forces imposed by the rapid
998 flood event and check that the proposed infrastructure fabric can withstand the loads imposed on
999 the structures by a breach event.

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1000 8. Other Important Considerations

1001 8.1 Planning permission does not guarantee insurance cover

1002 8.1.1 Future insurance cover (in terms of adequate value and at a reasonable cost) for development
 1003 in flood zones should be an important consideration for the applicant/developer of the scheme. If a
 1004 scheme was to get planning permission, there is no guarantee that it will successfully get adequate
 1005 insurance cover at a reasonable cost to the owner or occupier. The Broads Authority strongly
 1006 recommends that prior to application and delivery on site an insurance provider is contacted and the
 1007 likelihood of a development getting insured for an adequate value at an acceptable cost is
 1008 investigated. You may wish to contact Flood RE⁵¹ who is ‘helping to provide affordable and available
 1009 home insurance’.

1010 8.2 Check Building Regulation requirements

1011 8.2.1 A development proposal could seek to address flood risk through its design and seem
 1012 acceptable from a planning point of view, but there could be issues with meeting the requirements
 1013 of Building Regulations. The Broads Authority strongly recommends that any design measures to
 1014 mitigate against or manage flood risk and make a development resilient or resistant to flood risk is
 1015 discussed with a Building Regulations professional prior to application and delivery on site.

1016 8.3 Ensure you have the necessary consents

1017 8.3.1 Under the Environmental Permitting (England and Wales) Regulations 2010, an **environmental**
 1018 **permit** may be required for works in, under, over or within 8m of a main river or flood defence; or
 1019 within 16m of a tidally influenced main river or associated flood defence. In the Broads, main rivers
 1020 are usually tidally influenced so the wider distance will most likely apply.

1021 8.3.2 ‘Flood Risk Activities’ may require the Environment Agency to issue a **bespoke permit**, or may
 1022 be covered by a **standard rules permit** which includes a set of fixed rules. Activities identified as
 1023 lower risk may be excluded from the need for a permit or may need to be registered as an exempt
 1024 activity and comply with certain rules.

1025 8.3.3 Further information on Flood Risk Activity permits is available from:

1026 <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

1027 8.3.4 To apply or seek further advice, contact the Environment Agency by email:

1028 floodriskactivity@environment-agency.gov.uk or by telephone: 03708 506 506.

1029 8.3.5 **Land drainage consent**⁵² may also be required for any culverts or works affecting the flow of
 1030 an ordinary watercourse (non-main river). This consent would be required from the appropriate
 1031 Internal Drainage Board (IDB) or where not in an IDB area Norfolk/Suffolk County Council as LLFA. It
 1032 should be noted that the Broads Authority tries to avoid the use of culverts and the Environment
 1033 Agency are generally opposed to them as well⁵³. Consent for such works will not normally be

⁵¹ Flood Re is helping to provide affordable and available home insurance. <http://www.floodre.co.uk/>

⁵² Under section 23 of the Land Drainage Act 1991

⁵³ The Environment Agency say: *We are generally opposed to the culverting of watercourses because of the adverse ecological, flood risk, human safety and aesthetic impacts. We consider each application to culvert a watercourse on its own merits and in accordance with our risk-based approach to permitting. We will only approve a culvert if there is no reasonably practicable alternative, or if we think the*

1034 granted in watercourses due to the adverse impacts on ecology and the potential for an increase in
1035 flood risk, except when used as part of water control structures within drainage systems on marshes
1036 or fen sites and occasionally for access for equipment over marsh drainage dykes. Culverts are
1037 generally pipes through which the watercourse is channelled and can potentially restrict the flow. If
1038 the use of a culvert cannot be avoided then their size should be designed so they are appropriately
1039 designed for both low and high flows, are the biggest culvert that can be accommodated within the
1040 watercourse to maintain existing capacity and so have capacity for high flow conditions (and this
1041 specification might be a matter for the IDB, LLFA or Environment Agency to consider).~~If the use of a~~
1042 ~~culvert cannot be avoided then their size should be designed so they are appropriately designed for~~
1043 ~~both low and high have capacity for high flow conditions (and this specification might be a matter for~~
1044 ~~the IDB, LLFA or Environment Agency to consider).~~ It should be noted that these approvals are
1045 separate from the planning process.

1046 Other consents that may be required from the IDB include:

- 1047 • If a surface water (or treated foul water) discharge is proposed to a watercourse within an
1048 Internal Drainage District (IDD) (either directly or indirectly), then the proposed development
1049 will require a Land Drainage Consent in line with the Board's byelaws (specifically byelaw 3). Any
1050 consent granted will likely be conditional, pending the payment a surface water development
1051 contribution fee, calculated in line with the Board's charging policy.
- 1052 • If there is a Board Adopted watercourse within/adjacent to the site boundary and should works
1053 be proposed within 9 metres of the watercourse, consent would be required to relax Byelaw 10
1054 (no works within 9 metres of the edge of drainage or flood risk management infrastructure).

1055 **8.4 Flood Warnings – only for tidal and fluvial flooding**

1056 8.4.1 It is emphasised that the application of measures referred to in this document is not a
1057 guarantee against flooding. While the risk of flooding can be reduced, a residual risk will always
1058 remain.

1059 8.4.2 Individual dwellings and whole sites can be registered with the Environment Agency's flood
1060 warning service 'Floodline Warnings Direct'. The Floodline Warnings Direct (FWD) service provides
1061 information concerning the current and future flooding danger. If flooding in your area is
1062 anticipated, the Environment Agency will issue a flood warning by phone, text or email.

1063 8.4.3 The Environment Agency endeavour to give 10 to 12 hours' notice of Tidal Flooding through
1064 the Flood Warning Service to the coast, estuaries and Broads. This may vary depending on the
1065 conditions on the day, timing of the tide in question and your particular location in the Broads (due
1066 to the time the tide takes to travel up the Broadland rivers). The notice given for potential fluvial
1067 flooding problems will be no less than 2 hours and will usually be a lot more. Further information can
1068 be obtained via: <https://flood-warning-information.service.gov.uk>.

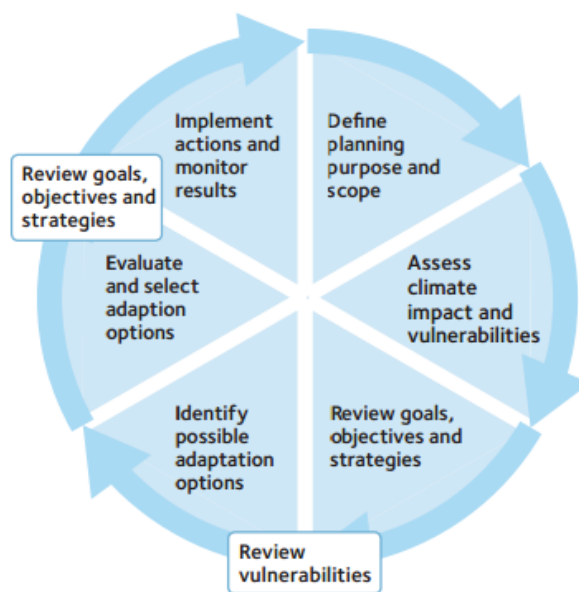
1069 8.4.4 It is not possible for the EA to warn for a 'Breach' of defences. This should be considered a part
1070 of the Flood Response Plan. There is no flood warnings for any watercourse outside of those

detrimental effects would be so minor that a costlier alternative would not be justified. In all cases where it is appropriate to do so, applicants must provide adequate mitigation measures, accept sole ownership and responsibility for future maintenance. We will actively pursue the restoration of culverted watercourses to open channels.

1071 formally covered by Flood Warning Service, only generalised flood alerts are available to indicate
 1072 weather conditions that might lead to surface water flooding, flooding on other watercourse or from
 1073 groundwater. These are not specific to an area or severity of flooding expected.

1074 **8.5 Consider a ‘Climate Smart’ Approach**

1075 8.5.1 To consider how to ensure your
 1076 development is suitably proofed against a
 1077 changing climate you may wish to take a
 1078 Climate-Smart Approach. The Approach takes
 1079 you through a series of simple steps to
 1080 consider how a difference in the climate might
 1081 impact on the way you live or work and what
 1082 options you could develop to help build
 1083 resilience or adapt to a changing regime.
 1084 These are summarised in this diagram and
 1085 more detail is given in [Appendix E](#).



1086 **Figure 1 Climate-smart planning cycle**

1086 8.5.2 The uncertainty about the impacts of
 1087 climate change should not be a reason to
 1088 avoid preparing
 1089 for it. However, we need climate adaptation responses that are robust, informed and
 1090 flexible. To help develop adaptation planning in the Broads we are suggesting using a
 1091 ‘climate-smart’ approach.

1092 8.5.3 The long-term aim of climate-smart planning is to sustain the environment and the multiple
 1093 benefits it provides for people. Adaptive actions should also seek to reduce greenhouse gas
 1094 emissions and improve evidence and understanding of climate change processes and impacts.

1095 8.5.4 We can test whether our plans will help us adapt to changes in weather, climate change and
 1096 sea level rise by:

- 1097 • Focusing on future possibilities rather than trying to retain the past
- 1098 • Being flexible enough to cope with climate uncertainties
- 1099 • Avoiding adaptation actions that actually makes (other) things worse – sometimes known as
 1100 ‘maladaptation’

1101 8.5.5 Climate-smart planning can be done at an individual site level or a larger area level. It should
 1102 help identify adaptive options within the proposed development or identify when there needs to be
 1103 changes to the proposed goals because climate (flood) risks means the original intentions become
 1104 unachievable – perhaps due to cost or technical issues. Climate-smart planning is therefore a
 1105 repeating cycle.

1106 8.5.6 An increased risk of flooding (from a rising sea level and more extreme rainfall events) is
 1107 probably the greatest changing risk but consideration of all extreme events, periods of increased
 1108 temperature and more cloud free days could all have impacts. Warmer weather and less days of
 1109 frost could be opportunities that might help a development and could be easily adapted to. A simple

- 1110 table of likely risks and some initial thinking about adaptation options can be found in the Full and
1111 Summary Broads Climate Adaptation Plans⁵⁴.

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⁵⁴ Climate Change Adaptation Report http://www.broads-authority.gov.uk/_data/assets/pdf_file/0005/709160/Climate-Adaptation-Plan-Report.pdf

1112 **9. Links to useful websites**

1113 **Finding out about flood risk**

1114 The EA website shows flood risk in the area:

1115 <https://flood-map-for-planning.service.gov.uk/>

1116 Long term flood risk assessment for locations in England can be found here:

1117 <https://flood-warning-information.service.gov.uk./long-term-flood-risk>

1118 **Government Guidance**

1119 Government Guidance can be found here:

1120 <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/>

1121 **Flood Risk Assessment**

1122 Flood risk assessment for planning applications. Find out when you need to do a flood risk
1123 assessment as part of your planning application, how to do one and how it's processed.

1124 <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

1125 Framework and Guidance for Assessing and Managing Flood Risk for New Development – Full
1126 Documentation and Tools. EA

1127 http://sciencesearch.defra.gov.uk/Document.aspx?Document=FD2320_3364_TRP.pdf

1128 **Surface Water Management Plans**

1129 Some areas of Norfolk and Suffolk have their own Surface Water Management Plans. Go here to
1130 have a look:

1131 [https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-](https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/flood-and-water-management-policies/surface-water-management-plans)

1132 [strategies/flood-and-water-management-policies/surface-water-management-plans](https://www.norfolk.gov.uk/what-we-do-and-how-we-work/policy-performance-and-partnerships/policies-and-strategies/flood-and-water-management-policies/surface-water-management-plans) and

1133 <http://www.greensuffolk.org/flooding/surface-water-management-plans/>

1134 **Preparing for flooding**

1135 <https://www.gov.uk/prepare-for-flooding>

1136 **Protecting property**

1137 SIX STEPS TO PROPERTY LEVEL FLOOD PROTECTION. Guidance for property owners.

1138 [https://www.bre.co.uk/filelibrary/pdf/projects/flooding/Property_owners_booklet_v2_web_\(2\).pdf](https://www.bre.co.uk/filelibrary/pdf/projects/flooding/Property_owners_booklet_v2_web_(2).pdf)

1139 Homeowners Guide to Flood resilience - A Living Document

1140 http://www.knowyourfloodrisk.co.uk/sites/default/files/FloodGuide_ForHomeowners.pdf

1141 THE PROPERTY FLOOD RESILIENCE ACTION PLAN. An action plan to enable better uptake of resilience
1142 measures for properties at high flood risk.

1143 [https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551615/flood-resilience-bonfield-action-](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551615/flood-resilience-bonfield-action-plan-2016.pdf)

1144 [plan-2016.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551615/flood-resilience-bonfield-action-plan-2016.pdf)

1145 **Flood Advice for Businesses.**

1146 http://www.knowyourfloodrisk.co.uk/sites/default/files/FloodGuide_ForBusinesses.pdf

- 1147 Would your business stay afloat? A guide to preparing your business for flooding.
1148 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410606/LIT_5284.pdf
- 1149 Flooding minimising the risk. Flood plan guidance for communities and groups. Practical advice to
1150 help you create a flood plan.
1151 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/292939/LIT_5286_b9ff43.pdf
- 1152 Combined resistance and resilience measures.
1153 http://www.knowyourfloodrisk.co.uk/sites/default/files/FloodGuide_ForResilience.pdf
1154
- 1155 Blue Pages. This is a directory of property flood products and services put together to advise and
1156 inform you of what's available to help reduce the risk of flooding to your home or business.
1157 <http://www.bluepages.org.uk/>
- 1158 **After a flood**
- 1159 Flood Recovery Guide.
1160 http://www.knowyourfloodrisk.co.uk/sites/default/files/FloodRecoveryGuide_Interactive.pdf
- 1161 **SuDS**
- 1162 Non-statutory technical standards for the design, maintenance and operation of sustainable
1163 drainage systems.
1164 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/415773/sustainable-drainage-technical-standards.pdf
1165
- 1166 SuDS manual produced by CIRIA .
1167 https://www.ciria.org/Memberships/The_SuDS_Manual_C753_Chapters.aspx
1168 With regards to adopting SuDS, Anglian Water's current standards for SuDS adoption are available to view at the following
1169 address: <http://www.anglianwater.co.uk/developers/suds.aspx>
- 1170 **Permits**
- 1171 Further information on Flood Risk Activity permits is available from: [https://www.gov.uk/guidance/flood-](https://www.gov.uk/guidance/flood-risk-activities-environmental-permits)
1172 [risk-activities-environmental-permits](https://www.gov.uk/guidance/flood-risk-activities-environmental-permits)
- 1173 **Flood Warnings**
- 1174 Flood warnings currently issued for England and Wales:
1175 <https://flood-warning-information.service.gov.uk>.
- 1176 Sign up for flood warnings (England and Wales)
1177 <https://www.gov.uk/sign-up-for-flood-warnings>
- 1178 **Norfolk Resilience Forum**
1179 <http://www.norfolkprepared.gov.uk/local-risks/plans/>
- 1180 **Norfolk County Council (NCC)**
1181 **Lead Local Flood Authority (LLFA) Statutory Consultee for Planning: Guidance Document**
1182 [https://www.norfolk.gov.uk/-/media/norfolk/downloads/rubbish-recycling-planning/flood-and-water-](https://www.norfolk.gov.uk/-/media/norfolk/downloads/rubbish-recycling-planning/flood-and-water-management/guidance-on-norfolk-county-councils-lead-local-flood-authority-role-as-statutory-consultee-to-planning.pdf)
1183 [management/guidance-on-norfolk-county-councils-lead-local-flood-authority-role-as-statutory-consultee-to-planning.pdf](https://www.norfolk.gov.uk/-/media/norfolk/downloads/rubbish-recycling-planning/flood-and-water-management/guidance-on-norfolk-county-councils-lead-local-flood-authority-role-as-statutory-consultee-to-planning.pdf)

1184 **10.Summary and Conclusions**

1185 The purpose of this SPD is to increase awareness of the nature of flood risk in the Broads area, give
1186 advice to developers and others about the Authority’s approach to the issue of development and
1187 flood risk, and stress the need to maintain a high standard of design in new waterside development.

1188 This SPD replaces the 2017 SPD

1189 The SPD seeks to clarify and expand on Policies SP2 and DM5 of the Local Plan for the Broads. It sets
1190 out a local approach to some national guidance. Furthermore, there are templates and checklists
1191 relating to small scale Flood Risk Assessments and Flood Response Plans.

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1192 **Appendix A: Glossary and Abbreviations**

1193 **Catchment**

1194 The area contributing surface water flow to a point on a drainage or river system. It can be divided
1195 into sub-catchments.

1196 **Climate Change**

1197 Climate refers to the weather over a period of time (at least a decade and probably nearer 30 years)
1198 and takes account of natural variability. Climate change refers to the current more rapid change of
1199 conditions that is being driven by increased greenhouse gas emission primarily from fossil fuels
1200 altering the gas levels in the atmosphere. This in turn alters the main weather processes and creates
1201 conditions that are unlike normal patterns.

1202 **Environment Agency**

1203 Are a UK non-departmental public body of DEFRA with the principle aim of protecting and enhancing
1204 the environment to contribute towards the objective of achieving sustainable development. The
1205 Agency has principle responsibility for river, tidal and coastal flooding.

1206 **Exception Test**

1207 If, following application of the Sequential Test (see below), it is not possible for proposed
1208 development to be located in zones of lower probability of flooding, the Exception Test should be
1209 applied. For the Exception Test to be passed:

- 1210 • it must be demonstrated that the development provides wider sustainability benefits to the
1211 community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one
1212 has been prepared; and
- 1213 • a site-specific flood risk assessment must demonstrate that the development will be safe for its
1214 lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere,
1215 and, where possible, will reduce flood risk overall.

1216 **Flood Resilience**

1217 Measures that minimise water ingress and promote fast drying and easy cleaning, to prevent any
1218 permanent damage.

1219 **Flood Resistance**

1220 Measures to prevent flood water entering a building or damaging its fabric. This has the same
1221 meaning as flood proof.

1222 **Flood Risk**

1223 The level of flood risk is the product of the frequency or likelihood of the flood events and their
1224 consequences (such as loss, damage, harm, distress and disruption).

1225 **Flood Zone**

1226 Flood Zones show the probability of flooding, ignoring the presence of existing defences

1227 **Zone 1: Low Probability of flooding**

1228 Land having a less than 1 in 1,000 (0.1%) annual probability of river or sea flooding.

1229 **Zone 2: Medium Probability of flooding**

1230 Land having between a 1 in 100 (1%) and 1 in 1,000 (0.1%) annual probability of river flooding; or
1231 Land having between a 1 in 200 (0.5%) and 1 in 1,000 (0.1%) annual probability of sea/tidal flooding.

1232 **Zone 3a: High Probability**

1233 Land having a 1 in 100 (1%) or greater annual probability of river flooding; or

1234 Land having a 1 in 200 (0.5%) or greater annual probability of sea/tidal flooding.

1235 **Zone 3b: The Functional Floodplain**

1236 This zone comprises land where water has to flow or be stored in times of flood, during a flood event
1237 with an annual probability of 1 in 20 (5%) or greater.

1238

1239 **Floodplain**

1240 Land adjacent to a watercourse that is subject to repeated flooding under natural conditions.

1241 **Flood Risk Assessment (FRA)**

1242 An assessment of the risk of flooding, particularly in relation to residential, commercial and
1243 industrial land use. FRAs are required to be completed according to the NPPF alongside planning
1244 applications in areas that are known to be at risk of flooding.

1245 **Fluvial flooding**

1246 Flooding from a watercourse (brooks, streams, rivers and lakes etc) that occurs when the water
1247 features cannot cope with the amount of water draining into them, from the land. When rainfall is
1248 heavy and / or prolonged, a large amount of run-off reaches the rivers and eventually causes them
1249 to overtop their banks.

1250 **Functional Floodplain**

1251 Land where water has to flow or be stored in times of flood.

1252 **Lead Local Flood Authority (LLFA)**

1253 Established through the Flood and Water Management Act as the body responsible for managing
1254 local flood risk from surface runoff, ordinary watercourses and groundwater.

1255 **Main River**

1256 Main rivers are usually larger rivers and streams. In England, the Environment Agency decides which
1257 watercourses are main rivers. It consults with other risk management authorities and the public
1258 before making these decisions. The main river map is then updated to reflect these changes.

1259 **Minor Development - flood risk**

- 1260
- 1261 • minor non-residential extensions: industrial/commercial/leisure etc. extensions with a footprint
1262 less than 250 square metres.
 - 1263 • alterations: development that does not increase the size of buildings eg alterations to external
1264 appearance.
 - 1265 • householder development: For example; sheds, garages, games rooms etc. within the curtilage
1266 of the existing dwelling, in addition to physical extensions to the existing dwelling itself. This
1267 definition excludes any proposed development that would create a separate dwelling within the
curtilage of the existing dwelling e.g. subdivision of houses into flats.

1268 **Material Consideration**

1269 A legal term describing a matter or subject which is relevant (material) for a local authority to
1270 consider when using its powers under planning law in dealing with a planning application.

1271 **Ordinary Watercourse**

1272 An 'ordinary watercourse' is a watercourse that is not part of a main river and includes rivers,
1273 streams, ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the
1274 meaning of the Water Industry Act 1991) and passages, through which water flows.

1275 **Pluvial Flooding**

1276 Flooding that result from rainfall generated overland flow before the runoff enters any watercourse
1277 or sewer. It is usually associated with high intensity rainfall events. Also referred to as surface water
1278 flooding.

1279

1280 **Residual Flood Risk⁵⁵**

1281 The remaining flood risk after risk reduction measures have been considered. Or the risk following
1282 the failure of defence/flood protection measures.

1283 **River Morphology**

1284 The shape of the river channel, including the form of the bed and banks.

1285 **Run-off**

1286 Water flow over the ground surface to the drainage system. This occurs if the ground is
1287 impermeable, is saturated or if rainfall is particularly intense.

1288 **Section 106 (Town and Country Planning Act 1990)**

1289 A section within the Town and Country Planning Act 1990 that allows a planning obligation to a local
1290 planning authority to be legally binding.

1291 **Sequential Test**

1292 The NPPF advocates that planners use a sequential test when considering land allocations for
1293 development to avoid flood risk where possible. The Sequential Test aims to steer development to
1294 Flood Zone 1, which is an area at low risk of flooding. Where it is not possible to locate development
1295 in such locations sites in Flood Zone 2 will be considered. Only where it is not possible to locate
1296 development within Flood Zones 1 and 2 will development in Flood Zone 3 be considered.

1297 **SUDS (Sustainable Drainage Systems)**

1298 A sequence of management practices and control structures designed to drain surface water in a
1299 more sustainable fashion than some conventional techniques. Surface water management - The
1300 management of runoff in stages as it drains from a site.

1301 **Watercourse**

1302 A term including all rivers, streams ditches drains cuts culverts dykes sluices and passages through
1303 which water flows.

1304 **Water Framework Directive**

1305 The Water Framework Directive (WFD) is legislation to protect and improve water resources. It
1306 requires an integrated approach to the management of water; including rivers, streams, lakes,
1307 estuaries and coastal waters, as well as surface water and groundwater.

⁵⁵ <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/developers-to-demonstrate-that-development-will-be-safe-to-satisfy-the-second-part-of-the-exception-test/what-is-residual-risk/>

1308 **Appendix B: The Broads Planning Policy Context**

1309 **National Planning Policy**

1310 The National Planning Policy Framework sets out government's planning policies for England and how
1311 these are expected to be applied. In relation to flood risk, paragraph 155 generally summarises the
1312 approach taken to flood risk:

1313 155. Inappropriate development in areas at risk of flooding should be avoided by directing
1314 development away from areas at highest risk (whether existing or future). Where development is
1315 necessary in such areas, the development should be made safe for its lifetime without increasing flood
1316 risk elsewhere.

1317 The National Planning Practice Guidance is an on-line resource that elaborates and gives more detail
1318 of policies in the NPPF. For example, the NPPG has vulnerability classification tables as well as
1319 information on what a Strategic Flood Risk Assessment should address.

1320 The NPPF and NPPG have replaced PPS25 in relation to the Government's planning policy on flood risk
1321 and flooding.

1322 The NPPG pages on flood risk and coastal change can be found here:
1323 <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/>

1324 The NPPF can be found here:
1325 <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

1326 **Neighbourhood Plans**

1327 At the time of writing, Acle, Brundall, Salhouse, Strumpshaw and Wroxham Neighbourhood Plans
1328 have been adopted. The Neighbourhood Plans do not include an additional policy on flood risk, but
1329 where flood risk has the potential to be a consideration on a particular site, the policy emphasises
1330 this and directs towards Broads Authority and national flood risk policy.

1331 **The New Broads Local Plan**

1332 The Core Strategy, Development Management DPD and Sites Specific Local Plan have been replaced
1333 in their entirety by the Local Plan for the Broads which was adopted May 2019. The flood risk policies
1334 of the new Local Plan are included at chapter 3.

1335

Appendix C: Sustainable Appraisal Objectives and Decision-Making

Criteria

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1337
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1342
1343

The NPPF at paragraph 160 says that for the Exception Test to be passed ‘it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk’. To assess this, the Authority will use the most up to date Local Plan Sustainability Appraisal Objectives. Currently, these are the Sustainability Objectives used to assess the new Local Plan for the Broads and are listed below with decision making criteria.

SA Objective	Decision making criteria/prompting questions. Positive impact: + or ++ Not appropriate: N/A Neutral: 0 Negative impact: - or -- Uncertain/depends on implementation: ?
ENV1: To reduce the adverse effects of traffic (on roads and water).	<ul style="list-style-type: none"> • How does the policy/allocation affect: <ul style="list-style-type: none"> ○ Walking, cycling, public transport? ○ Air quality? ○ Amenity? ○ Single occupancy car use? ○ Use of waterways? ○ Access to special qualities of the Broads by sustainable transport modes? ○ The net impact of transport infrastructure such as road signage, lighting, conspicuous structures and parking? • What is the resulting impact of traffic on <ul style="list-style-type: none"> ○ Heritage? ○ Landscape? ○ People? ○ Water? • Is the allocation within walking distance⁵⁶ of key services⁵⁷? • Will routes be <ul style="list-style-type: none"> ○ functional and accessible for all? ○ safe and attractive public spaces? • Does it consider the needs of the most vulnerable users first: pedestrians, then cyclists, then public transport users, specialist vehicles like ambulances and finally other motor vehicles?
ENV2: To improve water quality and use water efficiently.	<ul style="list-style-type: none"> • How does the policy/allocation affect <ul style="list-style-type: none"> ○ Water quality? ○ Water quantity? ○ Surface water run off? Does it reduce run-off rates? Does it increase water absorption / management? ○ Wastewater? ○ Drainage? ○ Pathways for pollutants?
ENV3: To protect and enhance biodiversity and geodiversity.	<ul style="list-style-type: none"> • How does the policy/allocation affect: <ul style="list-style-type: none"> ○ The ability to retain and maintain soil carbon? ○ Geological interests? ○ The potential for managed accessible geological feature exposures? ○ County Wildlife Sites? ○ Local and National Nature Reserves? ○ Ramsar Sites? ○ SPAs, SACs? ○ SSSIs? ○ BAP Priority Species and habitats? ○ Habitat connectivity and Ecological Networks?

⁵⁶ Manual For Streets says this is 10 minutes/800m

⁵⁷ Using the Greater Norwich Joint Core Strategy definition for Key Services: primary school; secondary school; convenience shop; village hall; primary health care; library; public transport

SA Objective	Decision making criteria/prompting questions. Positive impact: + or ++ Not appropriate: N/A Neutral: 0 Negative impact: - or -- Uncertain/depends on implementation: ?
	<ul style="list-style-type: none"> ○ Trees and hedgerows? ○ Waterbodies? ○ Green Infrastructure?
ENV4: To conserve and enhance the quality and local distinctiveness of landscapes and towns/villages.	<ul style="list-style-type: none"> ● How does the policy/allocation affect: <ul style="list-style-type: none"> ○ The setting of the Broads? ○ The perception of the Broads? ○ The Landscape Character? ○ The special qualities of the Broads⁵⁸? ○ Landscape features? ○ Peat? ○ Conservation Areas? ○ Designated and undesignated heritage assets? ○ The quality and local distinctiveness of the Broads towns/villages/buildings? ○ Open Space? ○ Green Infrastructure? ○ Harmful incremental change?
ENV5: To adapt to and mitigate against the impacts of climate change.	<ul style="list-style-type: none"> ● How does the policy/allocation affect: <ul style="list-style-type: none"> ○ Emissions of greenhouse gases? ○ Single occupancy car use? ○ HGV/delivery movements? ○ Public transport? ○ Cycling/walking? ○ Boat emissions? ○ The ability of communities to adapt? ○ The ability of habitats and species to adapt? ○ Peat? ○ Energy use? ○ Open Space? ○ Green Infrastructure?
ENV6: To avoid, reduce and manage flood risk.	<ul style="list-style-type: none"> ● Is flood risk avoided? ● Is flood risk managed/mitigated? ● How does the policy/allocation affect flooding: <ul style="list-style-type: none"> ○ On site? ○ In the vicinity? ○ Elsewhere? ● Is the allocation in the area of highest risk of flooding? ● Is the allocation appropriate to the flood risk on site? ● Does the policy consider different sources of flooding⁵⁹? ● What is the impact of climate change on flood risk? ● Can flood risk be reduced? ● How vulnerable is the proposed land use⁶⁰? ● Does it reduce run-off rates? ● Does it increase water absorption / management?
ENV7: To manage resources sustainably through the effective use of	<ul style="list-style-type: none"> ● Is the allocation on: <ul style="list-style-type: none"> ○ Brownfield Land? ○ Greenfield Land? ● Does the allocation use land effectively?

⁵⁸ Taken from the Climate Change Adaptation Plan: Open water in lakes and rivers, Breydon Water (estuary), Fens / reed beds, Grazing marshes and ditches, Wet woodlands, Historic buildings, especially mills, Boating and the riverside economy, Farmland (including rights of way), Open landscapes, big skies and tranquillity and The coast.

⁵⁹ Including from rivers and the sea, directly from rainfall on the ground surface and rising groundwater, overwhelmed sewers and drainage systems, and from reservoirs, canals and lakes and other artificial sources.

⁶⁰ <http://planningguidance.planningportal.gov.uk/blog/guidance/flood-risk-and-coastal-change/flood-zone-and-flood-risk-tables/table-2-flood-risk-vulnerability-classification/>

SA Objective	Decision making criteria/prompting questions. Positive impact: + or ++ Not appropriate: N/A Neutral: 0 Negative impact: - or -- Uncertain/depends on implementation: ?
land, energy and materials.	<ul style="list-style-type: none"> • Does the policy/allocation affect energy efficiency? • Are there any safeguarded mineral sites? • Will it prevent the sterilisation of known or suspected mineral resources by development? • Does the policy consider origin of resource/where resource derived from?
ENV8: To minimise the production and impacts of waste through reducing what is wasted, re-using and recycling what is left.	<ul style="list-style-type: none"> • Does the policy help reduce waste, reuse waste or recycle/compost?
ENV9: To conserve and where appropriate enhance the cultural heritage and archaeological importance of the area.	<ul style="list-style-type: none"> • Does the policy/allocation affect: <ul style="list-style-type: none"> ○ The quality and local distinctiveness of the Broads towns/villages/buildings? ○ Designated and undesignated heritage assets? ○ Conservation Areas? ○ Archaeology? ○ Local culture and traditions? ○ The wider cultural heritage of the broads? ○ The history, traditions, customs and the spaces and places these rely upon or relate to?
ENV10: To achieve the highest quality of design that is innovative, imaginable, and sustainable and reflects local distinctiveness.	<ul style="list-style-type: none"> • Does the policy/allocation <ul style="list-style-type: none"> ○ Appreciate what is special about the site? ○ Relate to the site’s setting in the landscape/townscape? ○ Appreciate the rich cultural heritage of the area? • Are these issues considered? <ul style="list-style-type: none"> ○ local character (including landscape setting) ○ safe, connected and efficient streets ○ a network of greenspaces (including parks) and public places ○ crime prevention ○ security and lighting measures ○ access and inclusion ○ efficient use of natural resources ○ cohesive & vibrant neighbourhoods ○ layout – the way in which buildings and spaces relate to each other ○ form – the shape of buildings ○ scale – the size of buildings ○ detailing – the important smaller elements of building and spaces ○ materials – what a building is made from ○ sensitive design of road infrastructure? (E.g. reduced signage road markings, use of local materials and alternative traffic calming methods).
ENV11: To improve air quality and minimise noise, vibration and light pollution.	<ul style="list-style-type: none"> • Does the policy/allocation affect: <ul style="list-style-type: none"> ○ Air quality? ○ Noise production? ○ Vibration? ○ Light pollution/dark skies? • How does the policy/allocation relate to Air Quality Management Areas? • Would the allocation make additional noise or be sensitive to the prevailing acoustic environment? • Does an existing lighting installation make the proposed location for a development unsuitable? • Have cumulative impacts of development/change been considered? • Does the policy/allocation affect the tranquillity of the Broads?

SA Objective	Decision making criteria/prompting questions. Positive impact: + or ++ Not appropriate: N/A Neutral: 0 Negative impact: - or -- Uncertain/depends on implementation: ?
ENV12: To increase the proportion of energy generated through renewable/low carbon processes without unacceptable adverse impacts to/on the Broads landscape	<ul style="list-style-type: none"> • Does the policy/allocation affect <ul style="list-style-type: none"> ○ Renewable/low carbon energy generation? ○ Renewable/low carbon energy transmission? ○ The setting of the Broads? ○ The perception of the Broads? ○ The Landscape Character? ○ The special qualities of the Broads? • Have Cumulative impacts of renewable/low carbon energy generation been considered?
ENV13: To reduce vulnerability to coastal change.	<ul style="list-style-type: none"> • Does the policy/allocation affect risk to people or property? • Does the policy affect opportunities for future coastal management? • Does the policy/allocation restrict choice for managing the coast in the future? • Does the policy/allocation consider the effect of or potential for damage (e.g. to a structure)?
SOC1: To improve the health of the population and promote a healthy lifestyle.	<ul style="list-style-type: none"> • Does the policy/allocation: <ul style="list-style-type: none"> ○ Affect health? ○ Affect wellbeing? ○ Promote active lifestyles? ○ Promote active travel? • Does the policy/allocation include: <ul style="list-style-type: none"> ○ Publicly accessible open space? ○ Sports facilities? ○ Health infrastructure? • Does the policy enable active use of water space?
SOC2: To reduce poverty, inequality and social exclusion.	<ul style="list-style-type: none"> • Does the policy/allocation affect any of these domains? <ul style="list-style-type: none"> ○ Income ○ Employment ○ Health and Disability ○ Education, Skills and Training ○ Barriers to Housing and Services ○ Crime ○ Living Environment • Does the policy/allocation affect inclusive communities? • Does it affect community cohesion? • Does it affect quality of life? • Does the policy avoid potential for inequality or serve to positively address existing identified inequalities through its implementation?
SOC3: To improve education and skills including those related to local traditional industries.	<ul style="list-style-type: none"> • Is the allocation/policy for an education/skills establishment? • Does the policy/allocation enable improved understanding of the special qualities, pressures and management of the Broads to all? • Does it relate to Traditional Broads industries? • Will it facilitate improved access to vocational training, education and skills for all, including young people? • Will it facilitate opportunity for delivery and uptake of traditional skills training which may benefit wider Broads purposes?
SOC4: To enable suitable stock of housing meeting local needs including affordability.	<ul style="list-style-type: none"> • Does the policy/allocation affect: <ul style="list-style-type: none"> ○ Housing? ○ Affordable Housing? ○ Gypsy and Traveller accommodation? ○ Residential moorings/boats used as residences?

SA Objective	Decision making criteria/prompting questions. Positive impact: + or ++ Not appropriate: N/A Neutral: 0 Negative impact: - or -- Uncertain/depends on implementation: ?
SOC5: To maximise opportunities for new/ additional employment	<ul style="list-style-type: none"> • Does the policy/allocation affect: <ul style="list-style-type: none"> ○ Employment land uses? ○ Numbers of jobs? ○ Tourism? ○ Does it relate to Traditional Broads industries?
SOC6a: To improve the quality, range and accessibility of community services and facilities.	<ul style="list-style-type: none"> • Is the allocation/policy for a key service? • Will the policy/allocation affect public transport, walking and cycling? • Does the policy/allocation relate to Local Green Space? • Will routes be functional and accessible for all? • Will routes be safe and attractive public spaces? • Does it consider the needs of the most vulnerable users first: pedestrians, then cyclists, then public transport users, specialist vehicles like ambulances and finally other motor vehicles?
SOC6b: To ensure new development is sustainability located with good access by means other than a private car to a range of community services and facilities.	<ul style="list-style-type: none"> • Is the allocation/policy within walking distance (800m) from Key Services (primary school; secondary school; convenience shop; village hall; primary health care; library; public transport)? • Is the allocation within a settlement boundary? • Will it support the retention of key facilities and services ensuring that local needs are met locally wherever possible or alternative sustainable access is provided? • Will the policy/allocation affect public transport, walking and cycling? • Will routes be functional and accessible for all? • Will routes be safe and attractive public spaces? • Does it consider the needs of the most vulnerable users first: pedestrians, then cyclists, then public transport users, specialist vehicles like ambulances and finally other motor vehicles?
SOC7: To build community identity, improve social welfare and reduce crime and anti-social activity.	<ul style="list-style-type: none"> • Does the policy/allocation relate to: <ul style="list-style-type: none"> ○ Designing out crime? ○ Designing in community safety? ○ An inclusive environment? ○ Robust structure and identity? ○ Interaction with other uses positively? ○ Avoiding opportunities for conflict?
ECO1: To support a flourishing and sustainable economy	<ul style="list-style-type: none"> • Will it provide the spaces and infrastructure to support self-employment opportunities and business start-up? • Will it support existing business viability and local employment growth?
ECO2: To ensure the economy actively contributes to social and environmental well-being.	<ul style="list-style-type: none"> • How does the policy/allocation affect 'Social Capital'? <ul style="list-style-type: none"> ○ Skills development ○ Community cohesion ○ Amenity ○ Job provision ○ Quality of life • How does it affect 'Low Carbon'? <ul style="list-style-type: none"> ○ Innovation ○ Resource efficiency • How does it affect 'Natural Capital'? <ul style="list-style-type: none"> ○ Landscape ○ Biodiversity
ECO3: To improve economic performance in rural areas.	<ul style="list-style-type: none"> • Does it contribute to a thriving rural community? • Does it contribute to a prosperous rural community?
ECO4: To offer opportunities for	<ul style="list-style-type: none"> • Does the policy/allocation affect: <ul style="list-style-type: none"> ○ Sustainable tourism.

SA Objective	Decision making criteria/prompting questions. Positive impact: + or ++ Not appropriate: N/A Neutral: 0 Negative impact: - or -- Uncertain/depends on implementation: ?
Tourism and recreation in a way that helps the economy, society and the environment.	<ul style="list-style-type: none"> ○ Responsible tourism. ● Does it: <ul style="list-style-type: none"> ○ Promote enjoyment and understanding of the Broads? ○ Raise awareness of the Broads as a special destination? ○ Drive up the quality of the visitor experience? ○ Strengthen tourism performance across the whole Broads area? ○ Maintain the Broads’ position as a premier inland boating destination in the UK? ○ Respect the sensitive environment of the Broads? ○ Provide the right conditions for successful tourism businesses? ○ Will it maximise benefits and minimise impacts from visitors to communities?

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1345 Appendix D: Flood Response Plan Guidance and Structure



1346 Broads Authority 1347 Flood Response Plan Guidance and Suggested Structure

1348 Chapter 1: Flood Response Plan Guidance

1349 **1. Introduction**

1350 This guidance has been produced to assist with the preparation of Flood Response Plans (FRP). FRPs
1351 ~~should need to~~ be provided as part of a Flood Risk Assessment where this is necessary to accompany
1352 a planning application. ~~or, if not submitted with an application, are often required by planning~~
1353 ~~condition if permission is issued.~~

1354 All residents and businesses in flood risk areas are encouraged to prepare and maintain a Flood
1355 Response Plan so they are prepared in the event of a flood.

1356 Floods present a danger to health and life and can damage property. It is important to be prepared
1357 in advance to limit the dangers and damage. At times of flooding, emergency and other local
1358 services will be under significant pressure. The better prepared you are, the less pressure the
1359 services will be under so they can attend to the most vulnerable in the community. Even if you are
1360 not physically injured in a flood, the consequences can have an emotional impact. The shock and
1361 disruption and damage to, or loss of, property and possessions can have big impacts. Being proactive
1362 and having a Plan you are familiar with in advance can help you take prompt, effective action when
1363 warnings are issued and result in an easy and efficient recovery.

1364 Every effort has been made to ensure this guidance is accurate and comprehensive as at the date it
1365 was prepared. However, it is the responsibility of the developer to ensure that any additional risks
1366 relevant to a particular property development are fully considered. The Broads Authority will not
1367 accept responsibility for any errors, omissions or misleading statements in this guidance or for any
1368 loss, damage or inconvenience caused as a result of relying on this guidance.

1369 You will need to adapt the template to reflect the specifics of your site; such as the size and the
1370 number of people who use and what they use it for.

1371 According to a new guide produced by ADEPT and the Environment Agency in September 2019⁶¹,
1372 flood response plans should address the following:

- 1373 • characterise and quantify the flood risk
- 1374 • list relevant flood warnings and estimate the likely lead-time available
- 1375 • detail who is at risk – including vulnerable people and transient users
- 1376 • explain how the EP will be triggered, by who and when
- 1377 • define any areas of responsibility for those participating in the EP

⁶¹ Flood risk emergency plans for new development: <https://www.adeptnet.org.uk/floodriskemergencyplan>

- 1378 • describe what actions are required by the people in the development
- 1379 • set out the type and performance of any flood resistance or resilience measures to be installed
- 1380 prior to a flood
- 1381 • establish safe access and escape routes to a safe location
- 1382 • outline the evacuation procedure, place of refuge and related equipment needed to serve
- 1383 occupants for the required duration
- 1384 • detail what emergency service infrastructure and/or contributions are proposed
- 1385 • establish procedures for implementing, monitoring and maintaining the plan throughout the
- 1386 lifetime of the development

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1387 **2. Flood Response Plans - considerations**

1388 **2.1 Flood Warnings**

1389 The Environment Agency is responsible for providing flood warnings to the public. Anyone can
1390 register with the Environment Agency's flood warning service 'Floodline Warnings Direct'⁶². The
1391 Floodline Warnings Direct (FWD) service provides information about the current and future flooding
1392 danger. If flooding may happen, the Environment Agency will issue a flood warning to registered
1393 users by telephoning a pre-arranged number with a recorded message or by sending a text or email.

1394 The 3 flood warning codes are shown below. You can go to the Flood Information Service⁶³ to see
1395 what warnings are in place around the Country.



Severe Flood Warning
Severe flooding. Danger to life.



Flood Warning
Flooding is expected.
Immediate action required



Flood Alert
Flooding is possible.
Be prepared

1396 **2.2 Liaise with neighbours**

1397 When drafting a FRP you are strongly encouraged to liaise with the owners/occupiers of any
1398 neighbouring and nearby sites. That way you can coordinate procedures and minimise confusion
1399 during an incident.

1400 **2.3 Evacuating**

1401 FRPs should reflect the fact that people should evacuate *prior* to a flood occurring. Once flooding
1402 has *inundated* an area, staying put rather than evacuating, could be the safer option. This is because
1403 of the dangers of moving in flooded areas such as lifted manhole covers and contaminated water. It
1404 is important to note that in the Broads area, flood waters may take a longer time to subside which
1405 can cause difficulties for those taking refuge within buildings. Your FRP needs to reflect the local
1406 circumstances.

1407 Ensure that the FRP deals with the potential difficulties involved in immediate evacuation which may
1408 need to be carried out in inclement weather. The FRP needs to address how people will reach local
1409 authority designated rest centres.

1410 **2.4 People requiring extra assistance**

1411 Informing appropriate response organisations, such as Social Services, about any elderly or
1412 vulnerable people who may require extra assistance in the event of an emergency such as a flood.

1413 Particular attention should be given to the communication of warnings to vulnerable people
1414 including those with impaired hearing or sight and those with restricted mobility.

1415 **3. Other sources of useful information**

⁶² Register With Floodline Warnings Direct <https://www.gov.uk/sign-up-for-flood-warnings>

⁶³ <https://flood-warning-information.service.gov.uk/>

1416 Emergencies web pages of the County and District Councils contain useful information which you
1417 may wish to consult/refer to in your FRP:

- 1418 • Norfolk County Council:
1419 http://www.norfolk.gov.uk/safety_emergencies_and_accidents/index.htm
- 1420 • Suffolk County Council and Waveney District Council:
1421 <https://www.suffolk.gov.uk/emergency-and-rescue/>
- 1422 • South Norfolk Council:
1423 <http://www.south-norfolk.gov.uk/environment/1507.asp>
- 1424 • Broadland Council:
1425 <http://www.broadland.gov.uk/environment/316.asp>
- 1426 • Norwich Council:
1427 https://www.norwich.gov.uk/info/20226/emergency_planning
- 1428 • North Norfolk Council:
1429 <https://www.north-norfolk.gov.uk/tasks/emergency-planning/>
- 1430 • Great Yarmouth Council:
1431 <http://www.great-yarmouth.gov.uk/article/2512/Emergency-planning>
- 1432 • Met Office website.
1433 <http://www.metoffice.gov.uk/public/weather/forecast/?tab=map>
- 1434 • National Flood Forum
1435 The NFF is an independent body that supports flood preparedness and flood recovery. It has
1436 advice about flood protection products and clean up processes. It also covers other areas of post
1437 flooding support. <http://www.floodforum.org.uk/>
- 1438 • [Flood risk emergency plans for new development](https://www.adeptnet.org.uk/floodriskemergencyplan)
1439 <https://www.adeptnet.org.uk/floodriskemergencyplan>

1440 **4. [Your Flood Response Plan](#)**

1441 Flood Response Plans may be different for different buildings. This would reflect the time of day
1442 someone might be there, how many people are in or around the building and what the building is
1443 used for.

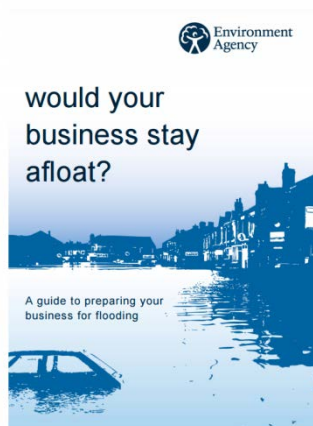
- 1444 • **Businesses** can follow the Environment Agency's guide 'Would your business stay afloat? A guide
1445 to preparing your business for flooding'⁶⁴.
- 1446 • **Community organisations** can follow the Environment Agency's guide 'Flooding - minimising the
1447 risk. Flood plan guidance for communities and groups. Practical advice to help you create a flood
1448 plan'⁶⁵.

⁶⁴ would your business stay afloat?

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410606/LIT_5284.pdf

⁶⁵ Flooding - minimising the risk

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/292939/LIT_5286_b9ff43.pdf



1449

1450 The following suggested structure is for the production of Plans for residential, holiday and other
 1451 development which includes overnight accommodation.

1452 **Chapter 2: Suggested structure for your Flood Response Plan**

1453 **1. Introduction**

- 1454 • Describe the site fully and accurately including where it is and what it is used for:
 - 1455 ○ State the name and address of the property.
 - 1456 ○ Attach a site plan to identify the location and size of the site.
 - 1457 ○ Identify what type of development it is (a residential dwelling, holiday let, second home,
 1458 etc.) and the size (number of storeys, number of bedrooms, any outbuildings, etc).
 - 1459 ○ Identify where the access into the site and into the building is – will this be safe at times
 1460 of flood? If not, are there other safe accesses that can be used?
 - 1461 ○ Identify where people could safely be rescued from in an emergency if a flood occurs
 1462 before the building is evacuated (usable safe refuge).
- 1463 • Identify potential sources of floodwater and what to look out for.
- 1464 • What timescale are people likely to have to respond to flood warnings?
- 1465 • State who will be responsible for implementing the Flood Response Plan and who will review it
 1466 and how regularly.
- 1467 • State the date the Plan was adopted and refer to timescales for review.
- 1468 • State which flood zone the site is in (as identified in a Flood Risk Assessment or on the
 1469 Environment Agency's website⁶⁶). A flood zone identifies how likely the site is to flood.
- 1470 • Identify the scope of the plan – the site, building, property and people

Zone 1: Low Probability of flooding

Land having a less than 1 in 1,000 (0.1%) annual probability of river or sea flooding.

Zone 2: Medium Probability of flooding

Land having between a 1 in 100 (1%) and 1 in 1,000 (0.1%) annual probability of river flooding; or
 Land having between a 1 in 200 (0.5%) and 1 in 1,000 (0.1%) annual probability of sea/tidal
 flooding.

Zone 3a: High Probability

⁶⁶ Long term flood risk assessment for locations in England
<http://watermaps.environment-agency.gov.uk/wiyby/wiyby.aspx?topic=floodmap#x=357683&y=355134&scale=2>

Land having a 1 in 100 (1%) or greater annual probability of river flooding; or
 Land having a 1 in 200 (0.5%) or greater annual probability of sea/tidal flooding.

Zone 3b: The Functional Floodplain

This zone comprises land where water has to flow or be stored in times of flood, during a flood event with an annual probability of 1 in 20 (5%) or greater.

1471 **2. Warning arrangements**

- 1472 • Register the site with the Environment Agency's Floodline Warnings Direct service.
- 1473 • Who receives these warnings and how? What if they are away? What will they do when they
- 1474 receive a warning?
- 1475 • Where will a copy of this Plan be kept? How will all residents/tenants know where to find it?
- 1476 • How will response organisations (like the police and fire service) be made aware of elderly or
- 1477 vulnerable people who may require extra assistance in the event of an emergency such as a
- 1478 flood?
- 1479 • If warnings are received outside of normal working hours, how will you tell the staff/visitors
- 1480 before they leave for work? Who will inspect the premises before letting them arrive?

1481 **3. Instructions to residents/tenants in the event of a flood warning**

1482 The plan needs to set out clear instructions and actions for each stage of warning. This needs to form

1483 an easy-to-refer-to plan that can be followed in an emergency, providing all the necessary

1484 information and identifying who is responsible for doing what. It needs to identify at which stage the

1485 property should be evacuated, how and where to. A plan showing a safe exit route needs to be

1486 included.



1487 If refuge is to be taken within the property, the plan needs to identify the circumstances when this


1488 should take place, where there is safe refuge and where any resources such as a flood kit (see

1489 below) will be found. Single storey properties may not have a place of safe refuge, so evacuating at

1490 an early stage to a safe place is more important.

1491 The following table shows the stages of flood warning. What will you do at each stage?

 Flood Alert Flooding is possible. Be prepared.	<ul style="list-style-type: none"> • How will you respond to this alert? • What will you need to do to be prepared? • Is any other action necessary? • Who do you need to tell there is an alert in place? What will they need to do?
 Flood Warning Flooding is expected. Immediate action required.	<ul style="list-style-type: none"> • How will you respond to this warning? • What is the immediate action you need to take? • Who do you need to tell there is a warning in place? What will they need to do?
	<ul style="list-style-type: none"> • How will you respond to this severe warning? • What action(s) do you need to take?

 <p>Severe Flood Warning Severe flooding. Danger to life.</p>	<ul style="list-style-type: none"> • Who do you need to tell there is a severe warning in place? What will they need to do?
<p>Warnings no longer in force - no flooding occurred</p>	<ul style="list-style-type: none"> • How will you know when warnings are no longer in force? • Who do you need to tell the danger has passed? • What action is necessary?
<p>Warnings no longer in force - flooding has occurred</p>	<ul style="list-style-type: none"> • How will you know when warnings are no longer in force? • Who do you need to tell the danger has passed? • What action is necessary? • Re-occupation of flooded premises should only be carried out following consultation with the emergency services and appropriate authorities. This is because of any residual hazards. Identify who needs to be consulted, when and how.

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1493 **Chapter 3: Important Considerations for your Flood Response Plan**

1494 The following considerations may be relevant and important to your Flood Response Plan. They
1495 could help reduce the impact of a flood on people and property. A comprehensive and effective Plan
1496 will identify all actions that would be necessary before, during and after a flood event.

1497 **Be Proactive**

- 1498 • Do not wait for a flood – be proactive and consider what can be permanently moved to a safer
1499 higher level. Produce a checklist of remaining items that must be moved if there is a flood event.
1500 E.g. important documents, IT or vehicles.
- 1501 • Check your insurance policy covers flooding.
- 1502 • Look at the best way of stopping floodwater entering your property. There are a range of flood
1503 protection products on the market, a directory of these is available from the National Flood
1504 Forum at www.bluepages.org.uk
- 1505 • Find out where you can get gel bags if you are in a fresh water area.
- 1506 • Identify who can help you and who you can help.
- 1507 • Understand the different flood warning levels.
- 1508 • Make sure you keep an up to date contact list for all staff/residents
- 1509 • Produce a Business Continuity Plan – part could relate to how to continue at times of flood.

1510 **Familiarisation**

- 1511 • Emphasise the need for all who work/live at your site to be familiar and comfortable with the
1512 Plan and its contents. You may wish to hold staff awareness briefings or add flood risk to the
1513 staff induction.
- 1514 • Consider practicing your response to warnings and how to evacuate.
- 1515 • Become familiar with the safest route from the property to any local evacuation centre. Get to
1516 know your local volunteer Emergency Co-ordinator. Ask the Emergency Planning Team at your
1517 local District Council for details.

1518 **Actions to consider (to identify at each stage of warning)**

- 1519 The plan should identify which actions will be undertaken when a flood alert is issued, which will be
1520 done when a flood warning is issued, etc.
- 1521 • Check at what time the flooding is expected. If the site is vulnerable to tidal flooding, there can
1522 be 6 to 12-hour warning.
 - 1523 • Stay calm and tune in to BBC Radio Norfolk/Suffolk for weather forecasts and local information.
 - 1524 • Fasten your outer doors and fix any flood protection devices.
 - 1525 • Shut off your gas/electric supplies – show on a plan where this is as well as give details of how to
1526 do this. Do not touch electrics if already wet.
 - 1527 • Fill bath and buckets with water in case supply is shut off. Drinking water should be stored in
1528 clean containers.
 - 1529 • Move any important documents, valuables and sentimental items above the flood level or
1530 protect them by placing them in sealed plastic bags.
 - 1531 • Move furniture and electrical items if possible. Roll up carpets and rugs. Remove curtains, or
1532 hang them over rods.
 - 1533 • Consider moving vehicles to higher ground and make safe or secure any large or loose items
1534 outside that could cause damage if moved by floodwater. Pay particular attention to how boats

- 1535 are moored – if too tightly, they could list. If too loose they could cast adrift or float onto the
1536 landside of the quay heading.
- 1537 • Ensure any hazardous materials are safe and secure and do not create any additional risks by
 - 1538 coming in contact with flood waters
 - 1539 • Tie or anchor down equipment that could potentially float and cause an additional hazard (e.g.
 - 1540 containers used for storage).
 - 1541 • Tell your neighbours about the warning, especially if they are elderly or vulnerable. Consider
 - 1542 coordinating plans with neighbours/neighbouring organisations.
 - 1543 • If advised to do so, move to an identified Evacuation Centre or other safe place (such as a friend
 - 1544 or relative). If it is not possible to evacuate, move to a safe refuge. If the property is single
 - 1545 storey, move to an identified refuge place with nearby neighbours with safe, higher level
 - 1546 accommodation.
 - 1547 • Take essential medicines, infant care items, personal documents/identification for each member
 - 1548 of the family when you evacuate.
 - 1549 • Take food, clothes, blankets, candles/torches with you when you evacuate.
 - 1550 • Remember any pets (and their needs such as food, cages and litter trays).
 - 1551 • Notify visitors to the site that it is not safe.
 - 1552 • How will you shut down the site in an orderly fashion so people and assets can be protected?

1553 Flood Kit

1554 The flood kit should include essential items, be stored in the refuge area and be as easily accessible
1555 as possible. The flood kit could contain:

- 1556 • Copies of insurance documents
- 1557 • A torch with spare batteries (or a wind-up torch)
- 1558 • Portable radio (wind-up preferred or store spare batteries)
- 1559 • Warm, waterproof clothing.
- 1560 • Rubber gloves
- 1561 • Wellingtons
- 1562 • Blankets
- 1563 • First aid kit with essential prescription medication/repeat prescription form
- 1564 • Bottled water and high energy food snacks (non-perishable and check use by dates)
- 1565 • A copy of the Flood response plan
- 1566 • List of important contact numbers
- 1567 • Wash kit and essential toiletries (such as toilet paper and wet wipes)
- 1568 • Children's essentials (such as milk, baby food, sterilised bottles, wipes, nappies, nappy bags,
- 1569 clothing, comforter, teddy or favourite toy)
- 1570 • Food and cages for pets
- 1571 • Laminated copy of the emergency card from the FRP
- 1572 • Plus, anything else you consider important.

1573 Dangers of flood water

1574 Include the dangers associated with flooding in your FEP. Do not assume that every flood event will
1575 be the same; just because flood water hasn't been deep or flowed fast in the past, it doesn't mean it
1576 won't in future. A brief guide is given below:

REMEMBER!

- 1577
- 1578 ➤ **Don't walk through flowing water** – currents can be deceptive. Shallow and fast-moving water
- 1579 can knock you off your feet!
- 1580 ➤ **Don't swim through fast flowing water** – you may get swept away or struck by an object in the
- 1581 water.
- 1582 ➤ If you *have* to walk in standing water, **use a pole or stick** to ensure that you do not step into
- 1583 deep water, open manholes or ditches. Use the stick to 'feel' your way.
- 1584 ➤ **Don't drive through a flooded area.** You may not be able to see obstacles under the water or
- 1585 abrupt drop-offs. Even half a meter of flood water can carry a car away.
- 1586 ➤ **Avoid contact with water** as it may be contaminated with sewerage, chemicals, oil or other
- 1587 substances.

Re-occupation after a flood

Re-occupation of flooded premises should only be carried out following consultation with the emergency services and appropriate authorities. This is because of any residual hazards. A statement to this effect could usefully be included in the response plan.

When you can reoccupy, you shall need to:

- Safely throw away food that has been in contact with flood water – it could be contaminated.
- Open doors and windows to ventilate your property.
- Call your insurance company Emergency Helpline as soon as possible. Makes notes of what the insurers say and keep correspondence with the insurers.
- Keep a record of the flood damage (use photographs or videos).
- Commission immediate emergency pumping/repair work if necessary, to protect your property from further damage. Check that you can do this without your insurance company's approval.
- Keep receipts of work paid for.
- Where detailed or lengthy repairs needed, get advice. Your insurer or loss adjuster can give advice on reputable contractors/tradesmen. Always check references of tradesmen.
- Check with your insurer regarding cost of alternative accommodation, if you need to move out. Make sure the insurer knows where to contact you.

Cleaning up...

- Find out where you can get help to clean up. Look on the internet for suppliers of cleaning materials and equipment to dry out your property. As a guide, it can take a brick house one month per inch to dry out.
- Don't attempt to dry out photos or papers – place in a plastic bag and if possible store in a fridge
- The Citizens Advice Bureau may be able to help.
- **Don't think flooding will not happen again – restock supplies and review your plan!**

Advice and information

- List useful telephone numbers and website - including responsible persons, emergency contacts, utilities providers, insurance companies and sources of information such as the local radio station. A copy could be included in the flood kit.
- Provide residents/tenants with information on how to register with the Environment Agency's Floodline Warnings Direct service.

- 1618 • Display notices within properties (translated where foreign visitors may be present), outlining
- 1619 procedures to be followed, escape routes and evacuation plans.
- 1620 • Review your FRP regularly.

Chapter 4: Flood Response plan checklist

1621 The following table is a summary of this FRP. Please use it as a checklist for when you produce your
 1622 FRP. Include this checklist as part of your FRP, perhaps as an appendix. Please complete it with
 1623 details such as page number or explanatory text. This checklist does not constitute your FRP – it is a
 1624 summary and simply a checklist to help you produce a robust FRP.
 1625

Have you done these things?	
Liaised with neighbours about responding to flood event	
Registered for flood warnings	
Identified anyone who will need extra assistance	
Identified a safe refuge	
Identified a safe escape route	
Made a flood kit	
Does your FRP address these things?	
Description and location of site	
Date FRP produced	
Warning arrangements	
How instructions will be given	
What you can do to be pro-active	
Identify escape routes, local evacuation centre and local emergency coordinator	
How tenants/occupiers will be made aware of the FRP including the safe refuge, escape route and flood kit	
Actions at each level of flood alert	
What will be in your flood kit	
Dangers of flood water	
Re-occupation procedure	
List useful telephone numbers and website	
Review after a flood event	
Other things to address:	
How often will you review the FRP?	
How will you tell your tenants/occupiers about the FRP and escape routes?	
Where will important information be displayed?	
Have you put your flood kit together?	
Where is the flood kit stored?	

1626

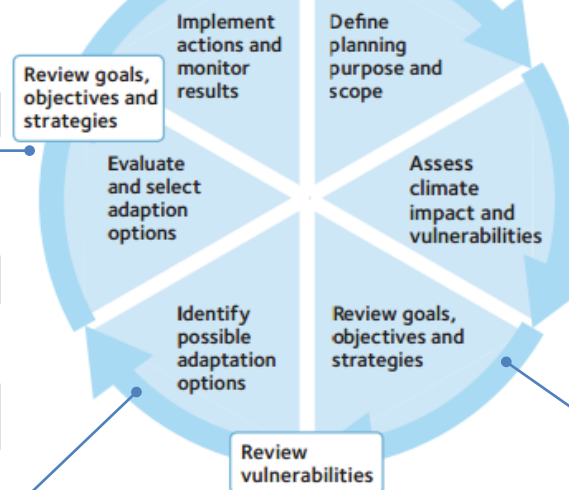
Appendix E: Climate smart planning cycle

It may be sensible to keep an accurate record of your options and decisions, so you can go back to the assumptions made if the adaptation choice is not working. The changes in the weather and climate can be recorded to give an accurate picture of any changes. Keep informed of changing predictions for climate change and monitor what happens to your development over the years. Different results to what was expected may suggest it would be sensible to go through the steps again to see what

Climate change predictions are based on what could happen, rather than knowing precisely what will happen. As such, do you want to consider the most likely changes, or be prepared for the most extreme conditions just in case? You probably need to understand the lifetime of your development and how things could change over that timescale.

Make the choice about which option to follow. This may be immediate action, or you can identify ‘triggers’ as to when you are going to act (e.g. you are willing to live with the driveway being flooded a few times a year at very high tides, but when it’s happening monthly it will be time to act).

Are there actions you can implement now that would help you cope with a new climate regime? Can you alter construction or management choices that minimise any risks? Can what you construct be altered easily in the future if predictions and/or on site experience is worse than you planned for? Are there different technologies that could be applied to lessen risks? If no options seem possible, you may wish to go back through the steps and modify your goals or objectives.



Taking the preferred projections (See the Met Office/UKCIP09 projections website for details) consider what the climate differences are likely to be and how they may impact on the proposed development. List, and possibly rank, the likely things that could create an adverse impact, as well as any opportunities a changing climate might offer for your development and how it is used.

What do you want to achieve? What will you have at the end of the timescale being considered? For example, how often will you use the development and at what time of year? Perhaps the flood impacts will be negligible or not manifesting themselves in the short-term. Be clear about what you would prefer to have in the future – for example, a development that never floods or one that floods a few times a year.

1627 **Appendix F: Flood Risk Assessment Tick Sheet**

1628 **Flood Risk Assessments for Householder and other minor extensions in Flood Zones 2 & 3**

1629 Applications for planning permission within either Flood Zones 2 & 3 should be accompanied by a
1630 flood risk assessment. This guidance is for domestic applications and non-domestic extensions where
1631 the additional footprint created by the development does not exceed 250 sq. metres (minor
1632 development⁶⁷). It does NOT apply if an additional dwelling is being created e.g. a self-contained
1633 annex. This Tick Sheet is consistent with the Environment Agency's Standing Advice. It is a pragmatic
1634 and proportionate response to low risk developments in order to reduce the burden on applicants,
1635 the LPA and consultees.

1636 Make sure that **floor levels are either no lower than existing floor levels or 300 millimetres (mm)**
1637 **above the estimated flood level.** If your floor levels aren't going to be 300mm above existing flood
1638 levels, you will need to consider appropriate flood resistance and resilience measures. If floor levels
1639 are proposed to be set lower than existing floor levels they should be above the known or modelled
1640 1 in 100 annual probability river flood (1%) or 1 in 200 annual probability sea flood (0.5%) in any
1641 year.

1642 Further information and guidance on flood resistance and resilience measures is available in the
1643 Flood Risk SPD and here <https://www.gov.uk/guidance/flood-risk-assessment-in-flood-zones-2-and-3#extra-flood-resistance-and-resilience-measures> &
1644 <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>
1645

1646 State in your Flood Risk Assessment all levels in relation to Ordnance Datum (the height above
1647 average sea level). You may be able to get this information from the Ordnance Survey⁶⁸. If not, you'll
1648 need to get a land survey carried out by a qualified surveyor.

1649 **Applicants/Agents: Please complete the table overleaf and include it with the planning application**
1650 **submission. The table, together with a plan showing the finished floor levels and estimated flood**
1651 **levels, will form the Flood Risk Assessment (FRA) and will act as an assurance to the Local Planning**
1652 **Authority that flood risk issues have been adequately addressed.**

1653 You may be able to get the estimated flood level from the Environment Agency. Please contact
1654 enquiries@environment-agency.gov.uk. If not, you'll need a flood risk specialist to calculate this
1655 for you.

1656 You can use the Tick Sheet over page or provide your written flood risk assessment in another
1657 format but it must include the relevant plans, surveys and assessments.

1658 Any proposed works or structures, in, under, over or within 8m of the top of the bank of a main
1659 river, or 16m of a tidal main river, may require a permit under the Environmental Permitting
1660 (England and Wales) Regulations 2010 from the Environment Agency. This was formerly called a
1661 Flood Defence Consent. Some activities⁶⁹ are also now excluded or exempt. A permit is separate to
1662 and in addition to any planning permission granted. **Also note that a Marine Management**
1663 **Organisation Marine Licence may be required for works that are carried out on tidal rivers.**

1664 Further details and guidance are available at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Or by contacting: floodriskpermit@environment-agency.gov.uk
1665

⁶⁷ Minor development in relation to flood risk: <http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/what-is-meant-by-minor-development-in-relation-to-flood-risk/>

⁶⁸ OS MAPS <https://www.ordnancesurvey.co.uk/>

⁶⁹ Flood risk activities: environmental permits <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits#check-if-what-you-are-doing-is-an-excluded-activity>

1666

Flood Risk Assessment

1667

Flood Risk Assessments for Householder and other minor extensions in Flood Zones 2 & 3

Applicant to choose one or other of the flood mitigation measures below	Applicant to indicate their choice in the box below. Enter 'yes' or 'no'
<p>Either; Floor levels within the proposed development will be set no lower than existing levels AND, flood resilient and/or flood resistant measures have been incorporated in the proposed development where appropriate</p>	
<p>Or; Floor levels within the proposed development will be set 300mm above the known or modelled 1 in 100 annual probability river flood (1%) or 1 in 200 annual probability sea flood (0.5%) in any year. This flood level is the extent of the Flood Zones. Please remember to include a plan showing the finished floor levels and the estimated flood levels.</p>	

<p>Site Address</p>	
<p>Proposal Description</p>	
<p>Estimated flood level (i.e. The 1 in 100 year flood level)</p>	
<p>Details of flood resilience and resistance measures</p>	

1668

1669 **Appendix G: Privacy notice**

1670 **Personal data**

1671 The following is to explain your rights and give you the information you are entitled to under the
1672 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-
1673 authority.gov.uk/ data/assets/pdf file/0003/1111485/Data-Protection-Policy-2018.pdf).

1674 The Broads Authority will process your personal data in accordance with the law and in the majority
1675 of circumstances this will mean that your personal data will be made publicly available as part of the
1676 process. It will not however be sold or transferred to third parties other than for the purposes of the
1677 consultation.

1678 **1. The identity of the data controller and contact details of our Data Protection Officer**

1679 The Broads Authority is the data controller. The Data Protection Officer can be contacted at
1680 dpo@broads-authority.gov.uk or (01603) 610734.

1681 **2. Why we are collecting your personal data**

1682 Your personal data is being collected as an essential part of the consultation process, so that we can
1683 contact you regarding your response and for statistical purposes. We may also use it to contact you
1684 about related matters. We will also contact you about later stages of the Local Plan process.

1685 **3. Our legal basis for processing your personal data**

1686 The Data Protection Act 2018 states that, as a Local Planning Authority, the Broads Authority may
1687 process personal data as necessary for the effective performance of a task carried out in the public
1688 interest, i.e. a consultation.

1689 **4. With whom we will be sharing your personal data**

1690 Your personal data will not be shared with any organisation outside of MHCLG. Only your name and
1691 organisation will be made public alongside your response to this consultation. Your personal data
1692 will not be transferred outside the EU.

1693 **5. For how long we will keep your personal data, or criteria used to determine the retention
1694 period.**

1695 Your personal data will be held for 16 years from the closure of the consultation in accordance with
1696 our Data and Information Retention Policy. A copy can be found here [http://www.broads-
authority.gov.uk/about-us/privacy](http://www.broads-
1697 authority.gov.uk/about-us/privacy).

1698 **6. Your rights, e.g. access, rectification, erasure**

1699 The data we are collecting is your personal data, and you have considerable say over what happens
1700 to it. You have the right:

- 1701 a) to see what data we have about you
- 1702 b) to ask us to stop using your data, but keep it on record
- 1703 c) to ask to have all or some of your data deleted or corrected
- 1704 d) to lodge a complaint with the independent Information Commissioner (ICO) if you think we
1705 are not handling your data fairly or in accordance with the law. You can contact the ICO at
1706 <https://ico.org.uk/>, or telephone 0303 123 1113.

1707 **7. Your personal data will not be used for any automated decision making.**

1708 **Appendix H: SEA Screening**

1709 The Strategic Environmental Assessment (SEA) Directive is a European Union requirement that seeks
 1710 to provide a high level of protection of the environment by integrating environmental considerations
 1711 into the process of preparing certain plans and programmes. Its aim is “to contribute to the
 1712 integration of environmental considerations into the preparation and adoption of plans and
 1713 programmes with a view to promoting sustainable development, by ensuring that, in accordance with
 1714 this Directive, an environmental assessment is carried out of certain plans and programmes which
 1715 are likely to have significant effects on the environment.”

1716 With regards to a SPD requiring a SEA, the NPPG says:

1717 Supplementary planning documents do not require a sustainability appraisal but may in exceptional
 1718 circumstances require a strategic environmental assessment if they are likely to have significant
 1719 environmental effects that have not already have been assessed during the preparation of the [Local](#)
 1720 [Plan](#).
 1721
 1722 A strategic environmental assessment is unlikely to be required where a supplementary planning
 1723 document deals only with a small area at a local level (see regulation 5(6) of the Environmental
 1724 Assessment of Plans and Programmes Regulations 2004), unless it is considered that there are likely
 1725 to be significant environmental effects.
 1726
 1727 Before deciding whether significant environment effects are likely, the local planning authority
 1728 should take into account the criteria specified in Schedule 1 to the Environmental Assessment of
 1729 Plans and Programmes Regulations 2004 and consult the consultation bodies.

1730 The following is an internal assessment relating to the requirement of the Flood Risk SPD to undergo
 1731 a Strategic Environmental Assessment.

The Environmental Assessment of Plans and Programmes Regulations 2004 requirement	Assessment of the Flood Risk SPD
Environmental assessment for plans and programmes: first formal preparatory act on or after 21st July 2004	
Is on or after 21st July 2004.	Yes. The SPD will be completed in 2019.
The plan or programme sets the framework for future development consent of projects.	No. It elaborates on already adopted policy.
The plan or programme is the subject of a determination under regulation 9(1) or a direction under regulation 10(3) that it is likely to have significant environmental effects.	See assessment in this table.
CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS ON THE ENVIRONMENT	
1. The characteristics of plans and programmes, having regard, in particular, to	
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The SPD expands on adopted policy. It will be a material consideration in determining planning applications. The SPD does relate to location (in referring to flood zones 3a and 3b) and size (of replacement dwellings) as well as operating conditions (in relation to resilience and guidance for flood evacuation plans).
the degree to which the plan or programme influences other plans and programmes including those in a hierarchy	The SPD does not influence other plans, rather expands on adopted policy. That is to say, it has been influenced by other plans or programmes.
the relevance of the plan or programme for the integration of environmental considerations in	The adopted policy and the SPD (which expands on adopted policy) seek to promote sustainable development.

particular with a view to promoting sustainable development	
environmental problems relevant to the plan or programme	The SPD relates to adopted policies on flood risk. The environmental problem is flood risk.
the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD relates to adopted policies on flood risk. The environmental problem is flood risk.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to	
the probability, duration, frequency and reversibility of the effects	The SPD will not affect the probability, duration or frequency of the causes of flood events. That is down to the weather or tide in the main. The impact of flooding on development (and people) already in place is not likely to be affected by this SPD (unless an application is submitted to change the existing development in some form). The adopted policy (on which this SPD expands) could affect the scale of flooding and impact on flooding although the development in the Broads tends to be minor in scale. If the SPD is followed, this could be a positive effect when compared to a development that does not follow a revised SPD.
the cumulative nature of the effects	Flood risk can be increased because of other developments. The SPD refers to the issue of increasing flood risk elsewhere which is linked to cumulative effects.
the transboundary nature of the effects	The Broads Authority sits within six districts so by its very nature there are transboundary considerations, in relation to administrative boundaries. Flood plains are identified for watercourses so to some extent, the transboundary nature of fluvial flooding is known. The transboundary nature of surface water flooding is an area of work which the Lead Local Flood Authorities either have or are working on.
the risks to human health or the environment (for example, due to accidents)	The SPD seeks to elaborate on adopted policies relating to flood risk. Flood risk can affect human health and the environment. The contents of the SPD seek to reduce flood risk and therefore reduce impacts on human health and the environment.
the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPD will cover the Broads Authority which includes 6,000 permanent residents. There are also visitors throughout the year.
the value and vulnerability of the area likely to be affected due to— <ul style="list-style-type: none"> special natural characteristics or cultural heritage; 	The Broads is special in its natural characteristics and cultural heritage.

<ul style="list-style-type: none"> • exceeded environmental quality standards or limit values; or • intensive land-use; 	<p>Unsure if standards or limits have been exceeded in the Broads Not relevant</p>
<p>The effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The area to which the SPD applies is the Broads with an equivalent status to that of a National Park.</p>

DRAFT

Broads Authority

22 May 2020

Agenda item number 12

Annual report on requests to waive Standing Orders 2019/2020

Report by Chief Financial Officer

Purpose

This report shows the 2019/20 summary of instances where Standing Orders were waived by the Chief Executive.

Recommended decision

To note the annual report of instances where Standing Orders have been waived.

1. Introduction

- 1.1. After the end of each financial year, the Broads Authority produces a report detailing instances when the Chief Executive authorised waivers of Standing Orders. Waivers can be approved only by certifying that there is an extreme urgency or only one supplier, and in certain other circumstances. All waivers authorised under delegated powers must be reported to the Authority on an annual basis.

2. Waivers authorised in 2019/20

- 2.1. Twelve separate waivers to Standing Orders were authorised by the Chief Executive in 2019/20, as shown in Table 1. The costs in the final column are shown exclusive of VAT.

Table 1

Summary of waivers authorised 2019/20

Ref	Details of Contract	Supplier	Amount (£)
A	Purchase of Earthwake equipment	Lland Ho Ltd	6,500
B	Purchase of barge and tug	KB Mason Marine	45,000
C	Contractors for DEFRA Test and Trial (ELMS)	Natural England/ Norfolk FWAG	15,200/ 16,065
D	Heritage Skills Project Officer	City College Norwich	81,850
E	Increase to cleaning contract hours	CLC Contractors Ltd	3,000

Ref	Details of Contract	Supplier	Amount (£)
F	Soil carbon mapping	Queen Mary University of London	9,963
G	Yare House electric charging points	Anglia Car Charging	12,834
H	Extension to soil carbon mapping	Queen Mary University of London	498
I	Mutford Lock operation 3 years plus option to extend for 2	Sentinel Enterprises Ltd	96,352
J	Microsoft Office 2019	Phoenix Software	25,714
K	Planning support	Martha Gray Works	27,407
L	Repairs to John Fox Cottage	Kereds Construction	7,950

2.2. Further details of the individual contracts and the reasons for waiving Standing Orders are set out below.

- A. **Sole supplier:** The Earthwake equipment was purchased and funded as part of the Broadland Catchment Partnership, to reduce run-off from winter cereal fields. As part of the partnership, the equipment is lent out within the catchment for farm estates to trial.
- B. **Second hand equipment:** Purchasing equipment second-hand means savings can be made, when compared to buying it new. However, it can be difficult to find other second-hand equipment to carry out market comparisons. The fitter team analyse all second-hand equipment service and repair histories to make sure the purchase makes economic sense.
- C. **Sole suppliers:** These suppliers had the expertise to deliver agri-environment support as part of the Broads Test & Trials (Environment Land Management Scheme) project. This project looks at agri-environment payment schemes post- Brexit and is 100% grant funded (in addition to National Park Grant) by DEFRA.
- D. **Competitive quotes not sought due to urgency:** Following the departure of the Heritage Skills Training Supervisor supporting the Water, Mills and Marshes project, the Authority required urgent cover to support the students working on the mill restoration. The project is in collaboration with a number of partners including Norwich City College and is funded by the grant from the National Heritage Lottery Fund.
- E. **Contract extension to original contract:** Although the contract was competitively tendered, it became clear that additional hours were required to

ensure cleanliness expectations could be met, given the increased use of the Dockyard facilities. This was only just 9.6% of the original contract value.

- F. **Competitive quotes not received:** Of the four contractors contacted, only two returned quotes. The carbon soil-mapping project is funded as part of the CANAPE project. A project of this type looks for innovative ways to achieve its aims and will help understanding of carbon and help influence land management practices.
- G. **Competitive quotes not received:** Requests were sent to three suppliers, but one declined to quote. The contract was awarded to the landlord's preferred contractor. Although slightly more expensive than the other supplier, the additional services for monitoring and extended warranty exceeded this.
- H. **Contract extension to original contract:** As the project progressed, it became clear that additional work was required to enhance the project. This work enabled an undergraduate student to transcribe the soil profiles so they could be put into the Geographic Information System (GIS). This was only just 5% of the original contract value. Also see paragraph F above.
- I. **Sole supplier:** Sentinel Enterprises are located in the Oulton Broad area, and contracted by Suffolk County Council and the Broads Authority to operate the lock and the road bridge. Both require specialised operation. Due to their proximity the contractors are able to respond to ad hoc requests. This waiver, and J, K and L in this list, were recognised as requiring waivers through the procurement audit carried out in 2019/20.
- J. **Competitive quotes not received:** Microsoft products need to be purchased through a licence agreement (Microsoft Select Plus Licence Agreement). One alternative quote was obtained, but Phoenix Software remained the most economically favourable supplier. See paragraph I above.
- K. **Competitive quotes not received:** Following the departure of a number of planning officers during 2018, support was required. Following little capacity within neighbouring districts to provide support, two contractors were approached. The most economically favourable contractor was chosen. See paragraph I above.
- L. **Competitive quotes not received:** Requests were sent to three suppliers, but one was unable to meet the timescales required. The contractor chosen was the most economically favourable and could meet the autumn deadline before further deterioration occurred. See paragraph I above.

3. Summary

- 3.1. Twelve waivers were approved by the Chief Executive in 2019/20 compared to nine in 2018/19. This is not unexpected, given that the externally funded projects (Water, Mills

& Marshes, CANAPE, and ELMS Test & Trial) are now into their delivery phases, which includes exploring alternative techniques. In purchasing second-hand equipment, it can be challenging to find comparisons in a competitive market. It should also be noted that the last four waivers approved arose out of internal audit recommendations from the procurement audit, which required retrospective approval. All approved waiver requests were considered to be justified and on the grounds of achieving the best outcome for the Authority at the best possible price.

Author: Emma Krelle

Date of report: 11 May 2020