

# CONSULTATION ON THE ENGLISH NATIONAL PARKS AND THE BROADS. VISION FOR NATIONAL PARKS: GOVERNMENT PRIORITIES.

## BROADS SOCIETY RESPONSE

### INTRODUCTION

The Broads Society is the only voluntary organisation representing all users of the Broads.

The Society, now a registered charity, was founded in 1956 to promote the future well-being of the Broads area and provide a focus for all who are interested in the region - navigators, naturalists, farmers, residents and visitors alike.

The Broads Society's mission statement sums up our purpose:-

*Our members share a common purpose to help secure a sustainable future for The Broads as a unique and protected landscape in which leisure, tourism and the local economy can thrive in harmony with the natural environment.*

The Society long actively campaigned for national recognition of the Broads and was delighted at the passing of the Norfolk and Suffolk Broads Act of 1988. The Society has a membership of about 1,600 and is active in many areas, not least in planning matters. It is also a full and active participating member of the Campaign for National Parks.

The Broads Society believes that the National Parks in England and Wales have been a great success.

This consultation marks the first time that the Broads have been included with the rest of "the National Park family" in this process. We welcome this development, and the recognition it brings. We are also acutely conscious of the local passions raised by the use of the term "National Park" in connection with the Broads and are pleased to note the careful use (e.g. paragraph 30) of distinctions in the document where the Broads are of necessity differently managed from the Park Areas. We thank the preparers of the text in this regard and note the ease with which an exception has been made to suit local circumstances.

The following material presents our reactions to the consultation paper in two parts:

### PART A: OVERVIEW

An Overview with commentary on the situation of parks generally, with occasional reference to the Broads where relevant

### PART B: DETAILED COMMENTARY UPON THE CONSULTATION PAPER

A commentary on detailed elements in the text, with frequent references to the situation in the Broads including a dedicated Broads section.

# NATIONAL TREASURES, LOCAL STEWARDSHIP

## PART A. OVERVIEW

Since the formal beginnings of National Parks in 1949, a great number of important changes have occurred in our body politic:

- Government is hugely bigger than it was then, with more policies on more subjects to implement
- The population is better educated, wealthier and less deferential to authority
- We have more leisure time available to us
- People are more mobile, both socially and physically
- The proportions of our people engaged in agriculture and industry have declined. We have become a service economy
- Since the development of the internet people are better informed, more demanding, and less tolerant of poor service
- People are more conscious of the environment and man's impact upon it

We see three main consequences:-

### 1. A need for greater local input.

In the early days of National Parks, most of the staff were local. They had grown up locally and had no ambitions to move. Now, with increasing mobility, careers in local government anywhere are possible and officials are much less likely to be local. The result can be that relatively few officials have a real feel for the essence of the area they serve, why it was designated and what structures need to be in place for it to remain special. That said, we do not think it right to restrict the ability of people to move for the benefit of their career, but we do find it crucial to stress the importance of local input into the actual management, not just advice, of park areas.

We suggest a theme to help bring clarity to the situation, hence our heading: "National Treasures, Local Stewardship".

### 2. A need for more democratic input.

National Parks were rightly established as national resources to preserve and protect threatened areas for future generations. Some of the structures which were then used, particularly, the lack of local democratic input, are anachronistic in today's environment. It is possible for NPAs to operate successfully without explicit democratic input but to do that park management needs to go out of its way to involve the public at all levels. Where not done, it is easy in today's society for strains to result quite quickly. The Broads Society, seeing stresses with the local population, has argued in favour of more democratic input to the Broads Authority, even while we recognise that our area has unique challenges, containing as it does parts of over 90 parishes.

The point is that if people have to stand for election, they are answerable to their electorate for their actions. It matters less to us whether these are parish councillors electing from among their number (an arrangement that appears to work well in several parks) or direct elections from individual electors (which appears to work well in Scotland). Either is a complete world apart from where district councillors select one of their number to serve on an authority – there is no clear accountability to an electorate in that situation.

### 3. A need for focus.

Readers will be aware that all National Park Authorities have two primary goals whereas the Broads Authority has three.

We note that Section 7 of the document is by far the largest and contains many subjects not originally germane to the purposes of a National Park Authority. It is obvious that parks have become vehicles for the imposition of national policy on matters such as climate change, biodiversity, sustainability, agriculture, planning, ethnicity, the economy and a raft of other issues. The result is Authorities that are stretched in their attempt to serve multiple masters with multiple goals thus accountability for any one of those goals is reduced with a likely deterioration in overall performance.

Worse, strain can result where the Park Authority is pursuing multiple goals against the wishes of a local community which has no local input and hence ability to influence the course proposed.

We suggest that parks will better achieve their primary purposes if their goals are restricted and the number of additional responsibilities they are given is minimised. Governments have other means to achieve these additional goals.

# PART B – DETAILED COMMENTARY UPON THE CONSULTATION PAPER

*(Section and paragraph numbers are provided for ease of cross referencing.)*

## Abbreviations used

NP = National Park  
BA – Broads Authority

NPA = National Park Authority  
the paper = the DEFRA Consultation document

## NATIONAL ISSUES

### 4 NATIONAL PARK PURPOSES

#### 4.2 Conserving and enhancing natural beauty, wildlife and cultural heritage of the National Parks

##### 4.2.31

The Society believes that greater attention must be paid to minimising unsympathetic encroaching urbanisation of not only the Parks themselves but also the areas immediately surrounding them.

##### 4.3.37 Ethnicity

The Society finds it patronising to suggest that NPAs/BA should determine outcomes and services on the basis of ethnicity. NPAs/BA should appeal to all without favour of one part of the citizenry over another whilst always accommodating the needs of the disadvantaged whatever their background. We believe good management is colour blind.

A recent government report suggested that young white males are now performing less well than their peers at GCSE level, the major factor being cited as (lack of) wealth not race. The latest government policy therefore is to concentrate on disadvantage instead of ethnicity. The Society finds itself in agreement with the government here whereas the paper appears to conflict with the most recent government policy.

### 5 DELIVERY OF PARK PURPOSES

#### 5.3 The economic and social well-being of Park communities

*(Also section 7.15)*

The Society finds no specific mechanisms in the paper showing how this might work. Indeed, the Society believes that it is not possible for an NPA/BA to have serious impact on the economy and we feel that this should not be the responsibility of an NPA/BA, when knowledge of how business operates is not a criterion for membership of an Authority. Anecdotally, some authorities have conspicuously not supported local business with materials and equipment sourcing when perfectly viable local suppliers were to hand. We see an overlap here with regional Development Agencies; these are tasked with economic development thus are the appropriate (current) vehicle.

If DEFRA insists that NPAs/BA support local commercial enterprises then appropriate additional funding and business expertise must be made available to them to make this viable.

# PART B – DETAILED COMMENTARY UPON THE CONSULTATION PAPER

## 6 ADDITIONAL KEY STATUTORY DUTIES OF THE AUTHORITIES

### 6.2 Planning responsibilities of the Authorities

A significant part of the NPA/BA remit is responsibility for local planning applications.

The easy (and welcome) migration of people and careers across the country frequently results in both board members and officers in planning posts having little, or no, “hands on” experience of locally important sites and issues. This is particularly true of officers who, reasonably, move to further their careers but who do not develop intimate understanding of the area for which they are responsible. Careful control at board level is therefore mandatory but is often lacking.

The problem is compounded by the lack of democratic accountability when planning decisions are the responsibility of unelected board members and officers by delegation. Where democratic accountability is the norm there is scope for a poor planning situation to be addressed at the ballot box. This does not apply within NPAs/BA where the citizen is, effectively, disenfranchised.

Whilst officers know and work to the procedural requirements for properly assessing an application (often a box ticking exercise) it appears that greater attention is given to national priorities than local needs (“if the application meets national guidelines it cannot be declined”). A lack of local knowledge (and the “box ticking” mentality) can lead to poor decision making and acceptance of plans wholly out of character with the local landscape whilst creating friction with the people who live, work and relax in it.

The Society believes that it is vital that NPA/BA board members and planning officers have a thorough knowledge and “feel” for such highly valued landscapes and heritage. The Society recommends that the current situation be reconsidered as a matter of urgency.

## 7 GOVERNMENT PRIORITIES FOR THE PARKS

### Preface - The National Park Authority “workload”

This Society believes that the plethora of diverse government initiatives, some of which are evident in the consultation paper, gives rise to the danger that the original purposes of the NPAs (and to some extent the BA) are being lost or undermined. Paragraph 33 appears to agree with us!

Indeed, the long list at Section 7 is not only redolent of central government buck passing but is also unlikely to lead to any useful kind of prioritisation. We suggest that this needs a total rethink.

The Society recommends that DEFRA undertakes a thorough “root & branch” review of the extent to which NPAs/BA are able, within their limited resources, to address the entirety of subjects incorporated in this paper, and other external factors, many of which (e.g. fund raising) we believe are better handled centrally. Unchecked, there is dangerous scope for these additional burdens to dilute the proper mission of the NPAs/BA, a particular concern when there is frequently little to no democratic input. We urge DEFRA to review these processes to maximise accountability.

# PART B – DETAILED COMMENTARY UPON THE CONSULTATION PAPER

## 7.1 Helping people and nature adapt to climate change

### 7.1.71 7.2.74.

The Society draws DEFRA's attention to the fact that there remains considerable doubt over many recent claims from certain sections of the climate science community with influence over international organisations. Science is never settled. However, it is not for us to take a particular view on the issue.

"...the Parks must now place climate change at the centre of their mission..."

We believe that this statement diverts attention from the central two purposes of the NPAs and the three of BA. Latest scientific evidence at least casts doubt upon previous thinking of runaway warming. It is interesting to reflect that, if this paper had been written 40 years ago, cooling would have been the worry.

So, this Society believes that, whilst cognisance should be taken of changes in climate, unless dramatic change is irrefutably proven, NPAs and BA attention, time and (scarce) funds should not be diverted from their fundamental mission. Moreover, this Society believes that it is not within the NPA/BA span of control, or within their resources, to be responsible in this area; thus DEFRA should take the lead in order to maintain conformity and maximise efficiency.

Given the economic situation in the country and most recent scientific evidence, we do not believe climate change is a short term priority for NPAs/BA.

### *Carbon reduction*

The Society is concerned that the additional spend and diversion from core purposes may not be warranted by the scientific evidence. In any event, we believe that any such action transcends Park areas and is better pursued by national, rather than local, government initiatives.

## 7.3 Increasing Biodiversity

### 7.3.75

The Society encourages good husbandry but reminds DEFRA that many NP landscapes are man made – the lakes & fells and the Broads, for example. Without man's intervention these iconic landscapes would not exist. Our own "patch" is largely an industrial landscape formed by heavy peat extraction, marsh management for food and shelter (thatch), the clearance of excess tree & scrub from river banks (to aid passage of commercial sailing vessels) and dredging to enable such passage making. This work led to deeper, faster flowing and clearer waterways in which all kinds of flora and fauna flourished and to a large extent still does.

It should also be remembered that farming created a landscape in the Broads lowlands (grazing marshes) every bit as important and under threat as those in the hills of the Dales and Lakeland. The Society suggests that greater prominence be given to such specifics in the DEFRA vision.

The Society urges DEFRA to recognise the historic human activities that have made our NPs what they are today and to restrict unnecessary "meddling" to the minimum.

Changes to biodiversity happen on almost geological timescales thus the Society does not see this as a short term priority.

## PART B – DETAILED COMMENTARY UPON THE CONSULTATION PAPER

### 7.4.77 Management – Maximising value for money (VFM) for the tax payer

There are “hard” and “soft” aspects to VFM.

The Society believes that NPAs/BA must take greater steps to improve efficiency and service levels and that far too much money is spent on desk based “research” as opposed to real field work and action. There should be stronger DEFRA directives and standards to improve VFM.

Performance of NPAs/BA must be measurable; the Society suggests that performance against all 5 Year Plans be easily measurable and demonstrable and that where these targets are not met clear reasons must be given, remedial action must be taken and/or changed outcomes are highlighted. The outcomes should be published annually against Plan and be *easily* available on-line.

In order for stakeholders to “buy into” VFM, the Society believes that DEFRA should make it mandatory for NPAs/BA to open up the process and involve *all* NPA/BA stakeholders in formulating all future policies including 5 Year Plans and that they should be consulted, inter alia, on all specific NPA/BA targets.

Performance measurement by peer review has little merit. In order to achieve true objectivity, the Society would like to see full reviews carried out by an independent body (rather than national park “family” members).

The “soft” aspect is how the NPAs/BA role is perceived internally, NPA/BA philosophies if you like. How do management boards and senior officers understand their responsibilities? Do they see DEFRA as their client or the tax/toll-payer? We perceive a wide variety of performance across different NPAs/BA where some levelling up is needed. The Society urges DEFRA to engender a proactive and outward facing style in the higher echelons of NPA/BA management.

There is growing public concern about who sets policy in public organisations: the members or the officers? The Society believes that it is incumbent upon DEFRA to ensure that NPA/BA policies and actions are set by the member boards and not by officers. There is good evidence across the country to suggest that this is not always the case.

The Society recommends that each NPA and the BA should maintain a members’ Strategy & Policy Committee that drives Authority policy.

### 7.4.79 Funding

DEFRA requires each NPA/BA to search for third party funding itself. This smacks to us of wanting to have one’s cake and eat it too and it runs the risk that park maintenance will depend upon the wealth of the local area. So, the Society believes that funding is primarily the job of DEFRA: a centralised support system for funding will retain expertise, contact knowledge etc. in one office and eliminate wastage. A first class example is that this Society believes much greater access to European Union funding should be available but that the initiative should come from government level (DEFRA) not NPA/BA individuals.

Specifically, the Society believes that the BA is grossly under funded for its major purpose of protecting the navigation, and indeed for maintaining the unique landscape, controlling the growth of scrub across former marshland and along river banks.

# PART B – DETAILED COMMENTARY UPON THE CONSULTATION PAPER

## 7.17 Making Tourism sustainable

### 7.17.109 (targets)

To be useful, targets must, at least, be realistic and measurable which renders meaningless this statement: "...all tourism related travel to and within the Parks must be sustainable." Not only is this not realistically achievable it is also outwith the control of NPAs/BA. The Society asks DEFRA to review, or omit, this target.

We draw your attention to the Annex on page 38: "The National Parks will be energy neutral." What does this mean? How can it be measured? Without definition this is also a meaningless statement; the Society believes that such statements need proper clarification to be of help to NPAs/BA and asks DEFRA to do this. We believe that this is not within the control of the NPAs/BA.

## 8 GOVERNANCE

### 8.1 Membership (demographics and democracy)

At the inception, some 60 years ago, of the NPAs, movement of people and jobs across the country was far from the level it is today. This demographic change highlights one of the problems with national (DEFRA) member appointees to NPA/BA boards and many of their officers in that many are unfamiliar with the history, traditions and ways of life of those in the areas which they purport to serve. Member/officer local knowledge and expertise is often severely limited leading to members being "officer lead". The local element can be all but missing.

The Society urges DEFRA to reconsider the national appointment system and share of board membership; we believe that local representation should be foremost with a smaller proportion of national members being appointed for specific expertise. We believe that there is nothing intrinsically wrong with these national treasures being managed mainly by local experts.

In particular and most importantly, the Society believes that Broads Authority board requires special attention: see the section "Broads Authority Issues".

### 8.5 Parish members (National Parks only)

The Society finds it anomalous that this heading should exclude BA from local (parish) democratic representation and requests that this be resolved in favour of democracy in the Broads. There are choices to be made as to the optimum method, but in our view democratic input is so important that it demands attention.

There is a fault line running through NPA/BA legislation - the lack of true democratic accountability within the Authorities. This is particularly apparent where the Authority is the relevant planning authority: see "Planning responsibilities of the Authorities" above.

### 8.6 Member performance

The performance of individuals is also important. The officers should be part of standard performance review processes but what about board members? The Society suggests that members' attendance records and contributions should be scrutinised: it is not acceptable if a member is either mainly absent from meetings or, if present, does not contribute.



# PART B – DETAILED COMMENTARY UPON THE CONSULTATION PAPER

## BROADS AUTHORITY ISSUES

### 4.4 Protecting the interests of Navigation

#### 4.4.43

“The Broads Authority has a duty under the 1988 Act to protect the interests of navigation, and to maintain the navigation area for the purposes of navigation to such standards as appears to it to be reasonably required; and to take such steps to improve and develop it as it thinks fit.”

This Society believes that this definition (taken from the 1988 Act) is too loose to be meaningful or measurable; it therefore recommends that the phrase “...as appears to it to be reasonably required...” be replaced by specific standards. Similarly, the final words “... as it thinks fit.” should also be improved so that outcomes may be measurable. We appreciate that this may require change to primary legislation but hope that DEFRA can act in the spirit of this suggestion pending such change.

### 4.4 Funding

#### 4.4.44 & 4.4.48

The statement at paragraph 44 is incorrect inasmuch as funding for maintenance of the navigation is solely (not “principally”) sourced from tolls.

The prevailing notion within DEFRA appears to be that only tolls paid by users should fund maintenance of the navigation because they are the sole beneficiary of the navigation. The Society (having taken expert advice) is of the opinion that this is not a sensible argument. Dredging of the waterways benefits conservation and recreation in equal measure – without good river flows the waterways will stagnate (“a stinking morass”: P. Trett) with huge detrimental impact on the ecology of the Broads; recreational usage will decrease thus impacting the local economy.

The Society is sympathetic to the problems faced by the BA in, for example, meeting its statutory responsibility to maintain the navigation, in particular with regard to dredging and the serious lack of sufficient funds. The Society therefore welcomes the DEFRA commitment to “...discuss with the Broads Authority and ENPAA whether some additional funding should be incorporated within the Broads Authority’s grant baseline for future years.” Previous additional funds have been provided for recreation; the Society believes that this must, at least in part, include boating thus previous grant money should also have been available.

In other inland waterways, managed by the Dept of Transport/BWB etc. ..., specific funds are granted for their maintenance. *The Society strongly believes that BA should also be provided with substantial additional grant funds for the purpose of maintaining the navigation.*

## PART B – DETAILED COMMENTARY UPON THE CONSULTATION PAPER

### 5.3 & 7.15 Protecting local commercial interests

Economically important holiday and leisure industry infrastructure will be adversely affected by too heavy handed legislation. The Society requests that care is taken with all future statutory changes.

The Broads Authority's executive area (and just outside) includes some of the country's most prestigious boat building infrastructure and expertise. The Society recommends that DEFRA and BA should recognise this and provide every assistance to these enterprises, especially in economically difficult times. Sourcing of any boating related materials, craft or expertise outside of Broadland must only be undertaken as a last resort and following referral to the Navigation Committee.

### 7.8 Protection of land held in common use

#### 7.8.87

The Society applauds the comments with regard to Common land. In our case, in the Broads, a slightly different legal entity exists but nevertheless is one held for the common good: staithes. These are, mainly, parish and public landing (mooring) places created under the Enclosure Acts thus are held in perpetuity for the common good. The Society requests DEFRA to task BA (and provide the funds) with the specific responsibility for identification and maintenance of all those staithes that are rightfully public amenities.

#### 7.8.88

A related issue is the CROW Act: specific to the Broads is the closure of tidal, navigable, waterways, a fact avoided in the creation of the BA by the words in the 1988 Act describing the navigation area: "those stretches . . . . *in use* for navigation by virtue of any public right of navigation" (our italics). Those two words allowed previously enclosed tidal, navigable waterways to remain enclosed, a situation that still rankles with many local people.

## 8.1 GOVERNANCE

### Member selection

The standard NPA model for selection of members is not entirely relevant to BA as NPAs only have two purposes against the BA's three.

The Society believes that the BA board should be comprised not only of those able to demonstrate an understanding of conservation and recreation issues but also those who have a reasonable understanding of navigational matters with a minority being chosen solely for their detailed navigation expertise (this is outside of those members appointed from the Navigation Committee).

# PART B – DETAILED COMMENTARY UPON THE CONSULTATION PAPER

## MISCELLANEOUS

### List of Consultees

The Society is disappointed that it was not on the main consultee list and trusts that this omission will be rectified in future consultations.

### Access to Information

The Society recommends that all NPAs/BA use their websites to the full and that information contained therein is laid out logically & clearly so that information is quickly and easily found. Some Authority websites are sadly lacking in this respect. We believe that DEFRA should set minimum standards.

### Paper's construction & use of jargon

The paper is overly wordy (verbose, even) repetitive (climate change; Section 7.15 is very similar to 5.3) ill sequenced and full of meaningless text & jargon. What, exactly, does “delivery landscape” mean?

The Society suggests that all future publications are more carefully produced and meet the requirements of the *Plain English Campaign*.