

The Future of the Broads National Park

The DEFRA review

Last year, the Department of Environment, Food and Rural Affairs invited views on how effectively the National Park Authorities and the Broads Authority are carrying out their functions, on their relationships with other organisations, and on the resource constraints under which they have to operate. The submission by the Broads Society was as follows:

The Broads Society is a voluntary body which was established in 1956 as a focus for those having a particular interest in Broadland. Our membership, which currently totals some 1700, reflects the wide range of persons who live and work in the region, and who make use of its waterways for business, pleasure and tourism.

Over the years, the Society has taken a particular interest in the steps being taken to safeguard what is generally regarded as Britain's most important lowland wetland system, and we were actively involved in the discussions which took place in the late 1970s which led to the setting up of the original Broads Authority under Sections 101 & 102 of the Local Government Act, 1972. This body suffered from a number of defects, notably the fact that responsibility for navigation remained vested in a separate organisation, and in the 1980s the Society was again closely involved in talks concerning the way the administration of the region could be improved. These ultimately led to the passing of the Norfolk & Suffolk Broads Act in 1989, and the formation of the present Broads Authority.

The Society welcomes the opportunity to comment on the points raised in the DEFRA consultation paper, and the generality of our views on these are set out in the memorandum signed by the Director of the Friends of the Peak District on behalf of us and eight other National Park Societies. Nevertheless, we should like to make the following additional comments specifically related to Broadland.

Policy Issues

During the passage of the Norfolk & Suffolk Broads Bill through Parliament, much discussion took place concerning the need to maintain a balance between the sometimes conflicting requirements of navigation and conservation. In the event, it was decided that the wording of the Bill, and the membership of the new Authority which was to be set under its provisions, should be such as to ensure that the interests of navigation and public enjoyment should not be prevailed over by those of conservation, and vice versa. More specifically, the Government of the day decided, despite much pressure from nature conservation interests, that the Sandford Principle should not apply in respect of Broadland issues.

In the circumstances, the Society has been much concerned over the past two or three years to note that the Government's decision to ratify the 1992 Habitats Directive has imposed a major constraint on the Broads Authority's ability to achieve an equitable balance between conservation, navigation and public enjoyment. This has been specially apparent in respect of a dispute which arose in the late 1990s following the appearance of a prolific growth of waterweeds in Hickling Broad, part of the Broadland 'Special Protection Area' and candidate 'Special Area of Conservation'. Mindful of the need to maintain this site - the largest of the Norfolk Broads - in a navigable condition, and yet at the same time ensure that its nature conservation interest was not significantly impaired, the Broads Authority drew up a set of

proposals in 1999 which would have involved the cutting of waterweeds in c. 36 ha of the c. 116 ha of open water in the site. These proposals were objected to by English Nature on the grounds that they would have a damaging effect on the ecology of the site, and in the event, following the setting up of a panel of experts by the Authority, waterweeds were only cut in a very small area that year. This outcome was regarded as unsatisfactory, not just by local sailing and tourism interests, but by many members of this Society, and very strong views on the subject were voiced at a public meeting which we convened in March 2000. Particular resentment was felt that the Habitats Directive was being implemented in such a way that the Broads Authority was being forced, in effect by European legislation, to modify its policies along the lines of the Sandford Principle, this despite the fact that Parliament had decided that this was not appropriate in Broadland. We believe that further controversies will arise in the region unless and until this policy conflict is resolved.

Insofar as planning is concerned, the Society has been concerned to note the mundane appearance of some of the buildings which have been granted planning permission by the present Broads Authority and its predecessor over the past 20 years or so. In part this reflects the fact that although the Broads was identified in the Hobhouse Committee's report (1947) as being deserving of national park status, this recommendation was not implemented (see note below). As a consequence, numerous buildings of indifferent appearance were granted planning permission during the 1950s, 1960s and 1970s in the area for which the Broads Authority is now responsible, and it has been difficult to persuade local people that standards of design deemed acceptable in those decades are no longer appropriate. The problem has been compounded by a number of other factors, including Government's tendency to override the Authority's wishes by granting planning consents on appeal, and by uncertainties among prospective developers as to the precise design standards which the Authority would deem acceptable. (Note. The reasons why this decision was taken, and a description of subsequent events, is provided in Chapter 12 of George, M. (1992) *The Land Use, Ecology & Conservation of Broadland*. 558 pp. Packard Publishing, Chichester.)

A further complicating factor is that the initial processing of planning applications is carried out for the Authority by staff of its six constituent district councils. Consistency between the recommendations made by each of these bodies is not always achieved. Moreover, decisions on issues not considered 'material' are made by the districts, even though the main decisions are made by the Authority, an arrangement which can lead to a poor standard of development control. In this connection, the Society suspects that the design standards which would be deemed acceptable in a district council are sometimes used in relation to the Broads Authority's Executive Area, this despite the general acceptance of the need to apply above-average standards of building design within the latter.

The Society is aware that considerable cost savings accrue to the Authority as a result of the way in which planning applications are currently pre-processed by the districts. However, we are not convinced that the advantages of this system outweigh the disadvantages, and we believe that consideration should be given to allocating the additional funds needed to enable the Authority to assume responsibility for all aspects of the planning function in its Executive Area. This would bring it into line with the policies adopted by other national park authorities.

Governance

The Society is aware that the newly appointed Chief Executive of the Broads Authority believes that Broadland could be more effectively managed, and that administrative costs could be reduced, if the number of members (currently 35) of his Authority was reduced. In our comments on the consultation report which he issued in connection with this and other proposals in September 2001, we stated that we considered it imperative that if this was done, either by Ministerial Order or by amending legislation, the present balance between conservation and navigation on the Authority should be retained. As far as the timing of such a change is concerned, we took the view that such a radical proposal would undoubtedly generate much debate locally over the coming months, and we therefore decided to reserve our position until the issues involved had been clarified.

Numerous organisations, both voluntary and professional, have an interest in Broadland - anglers, bird watchers, naturalists, field study centres, land use historians, archaeologists, sailors, water skiers, sail boarders, boat hirers and boatbuilders to name but a few - and the Society considers it essential that the Broads Authority is able to take account of the views of these bodies before determining its policies. In the circumstances, we have welcomed the Chief Executive's proposal to set up a consultative 'Forum' to facilitate this.

When attending meetings of the Authority and its various committees, we have sometimes been dismayed by the lack of knowledge displayed by some members, particularly those appointed by local authorities, about the region and its multifarious problems. Thought needs to be given as to how this situation can be rectified. We also believe that members should be periodically reminded that although they may have been nominated by a certain organisation, say a constituent local authority, their task is NOT to represent the views of that body, but to consider what is in the best interests of the Broads.

Experience over the past 50 years or so has demonstrated that water quality is the key issue as far as the future well-being of the region is concerned. Although a good working partnership exists between the Authority and the Environment Agency, we remain uneasy that responsibility for this vital function remains vested in the latter. We are, of course, aware of the reasons why it was deemed inappropriate, both in the late 1970s when the 'old' Broads Authority was being formed, and again in the late 1980s when the Norfolk & Suffolk Broads Bill was passing through Parliament, to transfer responsibility for water quality control to the new organisation. However, we feel that if, as seems probable, amending legislation is deemed necessary to bring about a reduction in the number of members of the Authority, the opportunity should be taken to reconsider whether it would be logical for the Authority to assume responsibility for all aspects of water management in its area of responsibility, rather than just navigation.

Boundaries

We are very unhappy that the boundary of the Authority's Executive Area so closely follows that of the flood plain. This results in a number of anomalies, not least the fact that planning control in many Broadland villages (eg Horning) is exercised partly by the Authority and partly by a District Council. If, as sometimes happens, a street forms the boundary between the two, this can result in planning inconsistencies. We are particularly concerned that the Authority has no direct control over what happens in the river catchments, this despite the fact that discharges from both agricultural and commercial 'developments' within the latter can have a profound effect on the quality of the water reaching the Broadland waterways. Enrichment of the latter by

nitrates and phosphates derived from farm land and intensive livestock units has been demonstrated to be of key importance in regard to the ecology of the whole region, and we believe that the Authority should be in a stronger position than it is at present to influence planning applications affecting the way catchment land is managed. We are specially concerned at the way in which quite large commercial developments can be granted planning permission within a Broadland river catchment by a district council without the Authority being consulted about the effects which such a development might have on its interests.

In the light of the above circumstances, we consider that if and when amendments are made to the legislation under which the Authority operates, the opportunity should be taken to consider extending the boundaries of its Executive Area to include substantial parts of the Broadland river catchments. An alternative would be to designate a 'Catchment Advisory Area' and arrange for all planning applications likely to affect the quantity and quality of the water reaching the region to be referred to the Broads Authority for comment. When the original Broads Authority was set up by local authorities in 1978, it was provided with such an Advisory Area, but this was not deemed necessary when the Norfolk & Suffolk Broads Bill was being drafted. We believe that this was a mistake.

If amendments are to be made to the formative Act, the opportunity should be taken to rectify various anomalies in the boundary of the Authority's Executive Area. For instance, Fritton Lake is currently omitted, this despite the fact that this is just as much a 'broad' as are the other c. 50 lakes in the region.

Resources

We feel very strongly that the financial resources currently available to the Authority are grossly insufficient given the magnitude of the tasks confronting it. In support of this contention, we would make the following points:

1. Although very large sums of money have been spent since the mid-1970s on improving our understanding of the water chemistry, ecology and hydrology of the region, and the reasons why many parts of it are in a degraded condition, much research still needs to be carried out. For instance, the controversy which arose in 1999 over the management of Hickling Broad, and which was alluded to earlier in this submission, has highlighted just how little understanding we have of the complex changes which have occurred in this part of the region since the beginning of the 20th century. And yet we cannot hope to manage this Broad and the other lakes in the Upper Thurne catchment in a way acceptable to both conservation and navigation interests unless and until we have this information. To obtain this, much research will need to be carried out. Although part of the cost of such studies will doubtless be met by bodies such as universities, the Environment Agency and English Nature, the Broads Authority will doubtless have to find substantial 'matching' sums. It is a moot point whether it will be in a position to do this unless its grant-in-aid is significantly increased.

2. The undrained wetland communities within Broadland constitute the largest series of species-rich fens in Britain. Not only does the ecology of these communities differ significantly from one river valley to another - thus creating a fenland system within the region of quite exceptional diversity - but they provide the habitat for such 'specials' as the Swallowtail Butterfly, Marsh Harrier, Bittern, Bearded Tit, Water Vole, Harvest Mouse, Crested Buckler Fern and Fen Orchid. The occurrence of these fens within the region, and the extremely rich and varied plant and animal life associated

with them, forms one of the main reasons why much of Broadland has been designated by Government as a Special Protection Area, and candidate Special Area for Conservation.

Unfortunately, many of the fens within the region are no longer actively managed, and have, in consequence, become overgrown by trees and bushes. Aware of this, the Authority drew up a Fenland Management Strategy in 1997, the stated aim of which was "... to restore the fens to a favourable nature conservation state, thereby delivering commitments under European Directives, and the Biodiversity Action Plan". Although steps are being taken to implement this Strategy, it is becoming increasingly apparent that the Authority will not, on the basis of its present budget, be able to fund more than a fraction of the work required. In this connection, we would point out that the Strategy indicates that some 2000 ha of fen is currently in an 'open' (ie unbushed) condition, but that trees and bushes need to be cleared from a further 1000 ha, at a mean cost recently estimated to be about £5,000 per hectare, if the ecological interest of the full range of Broadland fens is to be conserved. Any fens which have not been de-bushed within the next 10 years will have become so heavily overgrown with trees that it will not be practicable to clear them, and their principal features of interest will have been lost for good. This is a matter of concern given the importance which was attached to the need to maintain large expanses of 'open' fen vegetation within the region when it was afforded SPA and candidate SAC status.

We would also point out that in order to sustain the c. 2000 ha of 'open' fen vegetation in the region in a satisfactory ecological condition, this needs to be mown or grazed regularly if it is not to revert to a bushed-up condition. Given that mowing a hectare of fen can cost several hundred pounds, and that some areas are already beginning to suffer the effects of a lack of management, the on-going costs of managing fens in the region will form an increasingly heavy drain on the Authority's resources. This will rise still further if the target set out in the Fenland Management Strategy of de-bushing a further c. 1000 ha is achieved.

Whilst on the subject of fens, we would like to highly commend the Authority for the steps it is taking to find alternative markets for the fen hay and other produce obtained when these undrained wetlands are mown. We are particularly interested in the innovative experiments now being carried out by the Authority to determine whether these materials could be used as a 'green' fuel, and we believe that if the capital sums required to develop these techniques sufficiently could be found, the income generated would help to offset the very high cost of maintaining these fen communities in the desired ecological condition.

3. The Society has become increasingly alarmed at the apparent inability of the Authority to dredge the rivers at a pace commensurate with the speed at which they are silting up. Shoaling is now a serious problem in many places, and many of our sailing members have experienced difficulties as a consequence.

In its submission to DEFRA, the Broads Authority refers to the fact that the sum available for dredging in 2002/3 will be £325,000, but that it hopes by 2005 to increase this to £500,000 by raising the tolls levied on vessels using the Broadland waterways. The Authority goes on to state that it will be necessary to spend between £1.25 and £1.5 million on dredging the rivers and broads directly linked with them if it is to sustain the system in a navigable condition.

The Society does not dissent from these figures, and in support of them would point out that of the 18 broads which are partly, or seasonally, open to public navigation,

only two - Hoveton Little and Barton - with a combined water surface of c. 100 ha have so far been dredged by the Authority. This is less than a quarter of the total water surface area of these 18 sites, a disquieting statistic given that research has demonstrated that during the 1970s and 1980s the broads in open communication with the rivers Bure, Ant and Yare were filling up with sediment at the rate of over 1 cm per year. Improvements in water quality, and in particular the installation of phosphorus-reducing equipment in many of the sewage treatment works which discharge effluent into the Broadland rivers, may have reduced this sedimentation rate slightly. Nevertheless, parts of some of the broads in open communication with the river system - eg Rockland Broad - are already less than about a metre deep, and such areas cannot therefore be navigated by some of the larger vessels in use on the system. Similarly, one of the underlying factors responsible for the controversy which developed in respect of Hickling Broad during the late 1990s can be related to the strong probability that this site, which now has a mean depth of only 1.3 m, was some 25 to 30 cm deeper than this in the 1930s. As was pointed out above, studies aimed at improving our understanding of the ecological instability currently displayed by this site are currently under discussion. But the Society believes that these will demonstrate that, to satisfy the interests of conservation and navigation, the sediment in at least part of this broad will have to be removed by suction-dredging. This will be an extremely expensive project, not least because of the difficulties involved in finding land on which the sediment removed from the site can be deposited.

To summarise: the Broads Society believes that if Broadland is to be managed sustainably, and in the best interests of the features for which it is nationally renowned, namely conservation and water-based tourism and recreation, the financial resources available to the Broads Authority need to be substantially increased. We very much hope that this requirement can be met.

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