

2005 No. 1067

COUNTRYSIDE, ENGLAND

**The Norfolk and Suffolk Broads Act 1988 (Alteration of
Constitution of the Broads Authority) Order 2005**

<i>Made</i> - - - -	<i>31st March 2005</i>
<i>Laid before Parliament</i>	<i>4th April 2005</i>
<i>Coming into force</i> - -	<i>1st June 2005</i>

The Secretary of State, having received a written proposal^(a) from the Broads Authority following its passing of a special resolution, and having consulted each of the appointing authorities and such bodies appearing to her to represent boating interests as she considered appropriate, in exercise of the powers conferred upon her by sections 7 and 24(3) of the Norfolk and Suffolk Broads Act 1988^(b) hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Norfolk and Suffolk Broads Act 1988 (Alteration of Constitution of the Broads Authority) Order 2005 and shall come into force on 1st June 2005.

Amendments to the Norfolk and Suffolk Broads Act 1988

2. This Order amends the Norfolk and Suffolk Broads Act 1988.

Membership of the Broads Authority

3. Section 1 (the Broads Authority) is amended as follows—

(a) for subsection (3)(a), substitute—

“(a) nine members appointed as follows—

two by Norfolk County Council;
one by Suffolk County Council;
one by Broadland District Council;
one by Great Yarmouth Borough Council;
one by North Norfolk District Council;
one by Norwich City Council;
one by South Norfolk District Council;
one by Waveney District Council;”;

(a) Broads Authority letter of 17th February 2004 to the Minister for Rural Affairs and Local Environment Quality, following its special resolution of 13th February 2004.
(b) 1988 c.4.

- (b) For subsection (3)(b), substitute—
“(b) ten members appointed by the Secretary of State; and”.

Consequential amendments

4. Section 9 (the Navigation Committee) is amended as follows—
- (a) in subsection (3), for “Six” substitute “Five”;
 - (b) omit subsection (4);
 - (c) in subsection (5)—
 - (i) for “seven” substitute “eight”; and
 - (ii) omit the word “and” immediately preceding subparagraph (e), and after that subparagraph add—
“and
(f) one shall be appointed after consultation with the Great Yarmouth Port Authority.”.
5. In section 14 (Authority’s power to make levies on participating authorities), in subsection (10), for “nine” substitute “five”.

Signed on behalf of the Secretary of State

31st March 2005

Alun Michael
Minister of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Norfolk and Suffolk Broads Act 1988 so as to reduce the membership of the Broads Authority (“the Authority”) from 35 to 21 members, and to make some consequential changes.

Article 3 reduces from four to two the number of members appointed to the Authority by Norfolk County Council, and reduces from two to one the number of members appointed by each of the following: Suffolk County Council, Broadland District Council, Great Yarmouth Borough Council, North Norfolk District Council, Norwich City Council, South Norfolk District Council and Waveney District Council. It also provides for ten members to be appointed by the Secretary of State under section 1(3)(b), in place of the fifteen by a number of bodies (including nine by the Secretary of State) previously provided for.

Article 4 makes related changes in respect of the Navigation Committee of the Authority. The number of Authority members the Authority is to appoint to the Committee is reduced from six to five. The requirement that these appointments should include one of the members appointed by the Great Yarmouth Port and Haven Commissioners (now called the Great Yarmouth Port Authority) is removed. The number of the remaining balance of non-Authority members of the Committee is increased from seven to eight, and one is to be appointed by the Authority after consulting the Great Yarmouth Port Authority.

Article 5 reduces from nine to five the number of members appointed by the local authorities who must support a resolution of the Authority relating to the amount to be levied upon them.

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