

## Navigation Committee

Minutes of the meeting held on 10 December 2015

### Present:

Mr M Whitaker (Chairman)

Mr K Allen	Sir P Dixon (3/1-3/13)	Mr J Knight
Ms L Aspland	Mr P Durrant	Mrs N Talbot
Mr M Bradbury	Mr M Heron	Mr B Wilkins
Mr W Dickson		

### In Attendance:

Ms N Beal – Planning Policy Officer  
Mr S Birtles – Head of Safety Management  
Mr A Clarke – Senior Waterways and Recreation Officer  
Ms E Guds – Administrative Officer (Governance)  
Mr B Hanson – Tourism and Promotion Officer  
Mr D Hoare – Environment and Design Supervisor  
Mr T Hunter – Rivers Engineer  
Ms E Krelle – Head of Finance  
Ms A Leeper – Asset Officer  
Ms A Long – Director of Planning and Resources  
Dr J Packman – Chief Executive  
Mr R Rogers – Head of Construction, Maintenance and Environment  
Mr A Vernon – Head of Ranger Services  
Mrs T Wakelin – Director of Operations

### Also Present:

Lana Hemsall Vice-Chair of the Planning Committee  
Paul Mitchelmore – Environment Agency

### 3/1 To receive apologies for absence

Apologies for absence were received from John Ash and Alan Goodchild.

The Chairman welcomed everyone to the meeting including Lana Hemsall, Vice Chair of the Planning Committee and Tony Howes as a member of the public.

### 3/2 To note whether any items have been proposed as matters of urgent business/ variation in order of items on the agenda

No items had been proposed as matters of urgent business

### 3/3 To receive Declarations of Interest

Members expressed their declarations of interest as set out in Appendix 1 of these minutes.

### **3/4 Public Question Time**

There were no public questions.

### **3/5 To receive and confirm the minutes of the meetings held on 22 October 2015**

The minutes of the meeting held on 22 October 2015 were confirmed as a correct record and signed by the Chairman.

### **3/6 Summary of Actions and Outstanding Issues following discussions at previous meetings**

Members received a report summarising the progress of issues that had recently been presented to the Committee.

The Chief Executive pointed out that a series of reports on current matters could be found in the Chief Executive's Report.

Members noted the report.

### **3/7 Draft Budget 2016/17 and Financial Strategy 2018/19**

Members were provided with a report which sought their views on the navigation income and expenditure budget for 2016/17, which was prepared as part of a consolidated budget for the Authority. The budget was based on an overall 4.5% increase in navigation charges as formally adopted by the Authority on 20 November 2015 following the recommendation of the Committee.

The Head of Finance touched upon a few matters mentioned in the report and said a lump sum from the Authority would be required to help towards making up the pension deficit. She further pointed out that it had been assumed, until further information was available from Defra, that the level of National Park Grant (NPG) would remain at the current level over the three years, that income from hire boats would continue to decline at a rate of £20,000 per annum and that salaries would rise with 1% in line with national guidelines.

It was further noted that the draft Budget showed that National Park income and expenditure would be running at a deficit for the next three years. However, under these assumptions even at the end of the three year period National Park Reserves would still be above the minimum recommended.

The Authority would continue to look for improved efficiency in the delivery of its services with the objective of continuing to deliver value for money.

There was some concern about any reduction in National Park Grant. One of the uncertainties was how National Park Grant would be allocated to take account of the extensions to the Yorkshire Dales and Lake District National Parks. The Chief Executive explained that compared to the larger National Parks, such as the Lake District, Peak District and the South Downs the Broads Authority's National Park

Grant was modest and he therefore hoped that in any reallocation of Grant the impact on the Broads Authority would be modest.

Members were further assured that although the figure for the reserves seemed high, compared to the national park authorities the Broads Authority's reserve was not unreasonable. The Chief Executive explained that retaining appropriate levels of reserves was essential if the Authority was to make the most of external funding opportunities, which usually require match funding, e.g. from sources such as the Heritage Lottery Fund and the EU's INTERREG programme.

A member commented that it was unfortunate that private craft didn't benefit from the 2% discount, especially as the multiplier had decreased and therefore proposed for the discount for hire craft to be removed.

The Chief Executive explained the Authority had a preferable arrangement with the Hire Boat industry as it recognised that navigation charges could represent a substantial bill at the beginning of the season, especially for the companies with a large number of craft. He explained that offering a 2% discount for early payment and/or the opportunity to pay in two instalments, encouraged early payment which helped with the administrative task of processing tolls. He asked members for their views as to whether the discount should continue.

It was suggested that this could be a matter for the Tolls Working Group to discuss with any changes to be implemented in April 2017. One member said that he didn't like the idea of offering a decrease in the multiplier to then take it away immediately by cancelling the 2% discount. Neither did he believe this was a matter for the Tolls Working Group but a separate issue for the Navigation Committee to consider as a whole and suggested a report on the matter to be brought to a future meeting.

On a different matter a member questioned the level of expenditure in areas such as Communications and Human Resources and requested more clarification. He doubted whether overheads would be as high if the Authority was solely a navigation authority.

The Chief Executive responded that the allocation of joint costs had been closely scrutinised and set by the Resources Allocation Working Group, chaired by Martin Broom, and the proportions were shown in the draft budget. He continued that the Authority took an integrated approach to the management of the Broads and that both navigation and National Park activities benefited from this. One example was the importance of expert conservation advice and supervision in obtaining the necessary consents for dredging the navigation area. Financially the maintenance of the navigation area in the Broads was in a good position and far better than was the case for many other navigation authorities, for example those run by County Councils and the Environment Agency, many of whom were struggling as a result of the cuts in public expenditure.

Members noted the report.

### **3/8 Broads Local Plan: Issues and Options**

Members received a report which introduced the Broads Local Plan Issues and Options Stage. This was the first stage in the preparation of a draft Local Plan and highlighted the key topics which future planning policies could cover. It also outlined some options for the direction of that planning policy. Local Planning Authorities were required to undertake public consultation at specific stages of plan preparation and it was anticipated that the Issues and Options would be the subject of a public consultation beginning in February 2016, after consideration by the Authority in January. The views of Navigation Committee were requested on the navigation aspects of the draft options.

The Planning Policy Officer took the members through the different stages of the plan production and pointed out how and when members' comments would be received. Although not being able to give an exact date, the Policy Planning Officer said that stakeholders and the public would be consulted on the next version, the Preferred Options, in the autumn. This version will have draft policy wording to comment on.

Members were pleased to see that a YouTube video clip was being considered as part of the campaign and would like to see more and other social media opportunities to engage with stakeholders. The Head of Communications confirmed that social media will be used and the Planning Policy Officer is investigating other ways for young people to be targeted.

One member commented that the Authority shouldn't miss the opportunity to identify infrastructure at risk from climate change and consider innovative ways to address the risk and was willing to offer his experience.

The Director of Planning and Resources pointed out to members that when looking at the existing policies there was an option to retain the current policy.

Members noted the report.

### **3/9 Review of the Broads Sustainable Tourism Strategy**

Members received a report which updated them on the review of the 'Strategy and Action Plan for Sustainable Tourism in the Broads' which had been first reported to the Committee at its October meeting.

The Tourism and Promotion Officer explained that whilst Broads Tourism (BT) had been strong and active for a number of years, it was currently going through a period of reflection. BT members recognised there were some challenges ahead but they are actively seeking to address these.

He further highlighted that apart from boating the Broads had much more to offer, like cycling and walking, which could attract younger people. He said one of the three main objectives was to "strengthen the variety, distinctiveness and quality of Broads tourism offer, capable of generating visits throughout the year."

A member commented that he felt disillusioned after a workshop he attended because it demonstrated the fragility of Broads Tourism and the very small budget available. The Tourism and Promotion Officer said that there had been subsequent meetings after the workshop which showed promise of improved levels of funding.

One member responded that if there was no budget owners would return to promoting their own businesses and abandon attempts at joint marketing. As regards to walking and cycling opportunities he commented that they would need the availability of good accommodation.

The Head of Communications said she recognised there was no quick and easy answer but that the Strategy was looking at how to make tourism self-sustainable and how to find funding.

Members noted the report.

### **3/10 Boat Safety Scheme for Hire Boats**

Members received a report which set out the results of the consultation on proposed changes to the Boat Safety Scheme requirements for hire boats. Members' views were sought on the proposal set out at 6.3 and a nomination for the Standards Appeal Panel.

The Chairman said that the view of the Hire Boat industry was that it supported the proposal set out in paragraph 6.3, namely that the Authority adopt the Boat Safety Scheme requirements for Hire Boats and that these should be implemented from April 2017. However the Chairman continued that the industry didn't support the proposal set out in paragraph 6.4, because if there was an incident and the industry had not been able to implement the changes before April 2016, the industry might be seen to be liable.

The Director of Operations explained that the reason for having an advisory period for the implementation was to balance the duties of the Authority to manage the risks to as low as reasonably practicable and the advisory element would be seen to discharge that duty. A period of a year was selected because the view was that April 2016 was too early for implementation, however the Authority had a duty of care and would need to promote those elements which were reasonably achievable e.g. smoke alarms.

The Committee supported the proposal set out in 6.3 that, providing there were no material changes to the proposed requirements, the Authority adopts the Boat Safety Scheme requirements for Hire Boats to be implemented from 1 April 2017. In regards to the proposal in 6.4 the Committee also supported the promotion of these changes by the Broads Authority for voluntary adoption in the intervening period. The Committee recommended the wording be re-phrased in discussion with the industry.

The Chairman suggested Alan Goodchild would be the most appropriate candidate for the Standards Appeal Panel but as Mr Goodchild was not present at the

meeting, the Chairman would approach him to see whether he would be willing to take on this role. This suggestion was supported by the Committee.

### **3/11 Review of Waste Facilities**

Members received a report which set out the current position in relation to waste facilities throughout the Broads Authority's area and sought members guidance on the conclusion set out in Section 6.

Officers set out the legal position, namely that the Broads Authority has no statutory obligation for waste collection other than on the land that it owns. Some businesses were now taking responsibility for their own waste.

Given the lack of complaints received and absence of budgetary provision, officers proposed that the position regarding waste facilities continue to be closely monitored over the next year to see whether any further issues arise.

The Committee agreed that close monitoring was beneficial but that further action was needed and that waiting for another year while not undertaking any steps wasn't the right approach. Members realised that a workshop might raise expectations and therefore proposed that an internal discussion involving interested members and relevant officers be held next year to look at sponsorship ideas and funding schemes for recycling.

All Members agreed to the proposal with one member abstaining.

### **3/12 Broadland Flood Alleviation Project: Planning Application for Piling Removal Works and the installation of Erosion Protection in Compartment 37 Upton Dyke**

The Committee received a report which provided them with a summary of Broadland Environmental Services Ltd (BESLs) planning application proposals for the removal of piling and installation of erosion protection in Upton Dyke situated in Compartment 37 on the true right bank of the River Bure.

The Senior Waterways and Recreation Officer highlighted that in the officers' view the narrow width of the dyke presented an increased risk of erosion of the bank and the deposition of that material in the bed of the dyke which, in turn, would require additional dredging to maintain access to the Parish Staithe and boatyard. He therefore suggested that conditions needed to be placed on any planning permission in order to gain more security.

The Chair mentioned the letter from Bryan Read received by all members expressing the concerns the Norfolk Heritage Fleet Trust had about the safety for the Hunter Boats relating to this planning application.

A further concern was expressed by the Vice-Chair of the Planning Committee who stressed she was talking on behalf of Upton Parish Council and not as a member of the Authority, stating the Parish also objected to the plans.

One member suggested it was worth looking into whether Upton Parish Council, which was collecting payment for moorings on the opposite bank, had enough funding to take on the responsibility for piling on both banks of the river.

Another suggestion was to look into the possibility of widening the dyke. The Senior Waterways & Recreation Officer commented that although eating into the roll back bank for erosion protection wouldn't be supported by the Environment Agency, it would be worth looking to see whether there was any scope for widening the dyke. Paul Mitchelmore added that BESL had discussed this option and said that he could explore to see whether this would be a possibility.

A further suggestion was, as there was a risk of erosion, to replace the peat with clay to prevent the dyke from closing up with sediment.

A member enquired whether BESL's actions would cause the need for dredging and so be a burden to the Authority. The Senior Waterways & Recreation Officer responded he didn't see this being an issue and assured the committee that the Authority had better mapping and sonar surveys in place which were included in the protocol. He continued that officers knew the work was being carried out and reports from BESL were being received.

Several other options were discussed including raising a green strip to walk on, using light weight timber staging which would be cheaper and installing additional piles next to the old ones. The majority of the Committee didn't support the application.

RESOLVED by 8 to 0 (with 2 abstentions and as a member of the Planning Committee Peter Dixon did not vote)

that the Committee recommends that the Planning Committee refuses the planning application for the removal of piling and installation of erosion protection in Upton Dyke on the true right bank of the River Bure and request officers to discuss alternative options such as widening of the Dyke with the applicant.

### **3/13 Waterways Specification Revisions**

In several localised areas of the Broads navigation, achieving compliance with waterways specification depths stated in the Sediment Management Strategy was an issue. These areas include:

- River Ant at Irstead
- River Chet at Pyes Mill
- River Bure at Coltishall

In each area natural bed material (typically sand and gravel) was within the ideal navigation envelope. This report considered the different factors affecting each site and suggested appropriate means of managing the issues. In some cases a revision to the current waterways specification depth was proposed.

Particular attention was given to the River Ant at Irstead where members and boat users had expressed most concern.

Consideration had also been made to the appropriateness of the current waterways specification depth for Hickling Broad outside the marked channel. This followed recent core samples identifying the level of the natural substrate. In this case no revisions were proposed.

In regards to the Ant, one member mentioned the Water Framework Directive (WFD) and suggested that instead of deepening the water channel by dredging, water levels should be raised. He continued that he didn't believe that the bottom had come up but that the water levels had dropped as a result of abstraction.

The Rivers Engineer replied that not much could be done to influence water levels as this was a reflection of the climate and tides. In addition a member pointed out that high water levels would cause problems when passing under bridges.

In regards to the river Ant, one member said that clearing about 100 cubic meters of sediment shouldn't take more than 3 to 4 days work. As the Ant was a busy waterway he proposed that a budget should be found to deepen this river at this point. The Head of Construction, Maintenance and Environment responded that as this would involve capital dredging, various permissions would be required and may be difficult to achieve.

Members agreed the proposed revision to waterways specification depths in respect of the river Chet at Pyes Mill and the River Bure at Coltishall, but not to the River Ant at Irstead

In relation to the River Ant members requested further detailed information about the implications of dredging a deeper central section, consents and costs etc, to be presented to a report to a future meeting with a view to considering a modified specification, the budget implications, and whether to bring forward such dredging work in due course.

### **3/14 Mooring Action Plan Update**

Members received an update on the Mooring Action Plan previously considered by the Navigation Committee in 2014 and adopted by the Broads Authority at its meeting on the 21 November 2014. The report set out the current programme to repile the Authority's mooring assets, identified that the continued inclusion of a number of sites in the programme was subject to the successful conclusion of lease negotiations and considered how the action plan could be adapted if lease negotiations were unsuccessful.

Members were asked whether they would support the replacement of mooring sites lost due to unsuccessful lease negotiations with new sites on a like for like basis. Additionally members were asked to support the acquisition of other mooring sites where the piling would remain the responsibility of the landowner or the Environment Agency.

The Senior Waterway & Recreation Officer identified two mooring sites which were currently being considered. At Rockland there was the possibility of developing a



new mooring approximately 150m long near the entrance to Rockland Broad and at Berney Arms the entire length of the piling owned by the landowner might be available.

Members supported the proposals, in particular the moorings at Berney Arms, and recommended that the Authority continue negotiations with the landowners.

### **3/15 Navigation Income and Expenditure: 1 April to 31 October 2015 Actual and 2015/16 Forecast Outturn**

Members received a report which provided them with details of the actual navigation income and expenditure for the seven month period to 31 October 2015, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2016).

The Head of Finance explained that the main reason for the actual variance was the change in predictions for navigation toll income, the delay in receipt of the invoice for the new wherry and the delayed letting of the launch contract. Taking these items into consideration, including the approval of the Hickling project, the forecast outturn was predicted to be a deficit of £11,518 at the end of the financial year.

Members noted the report.

### **3/16 Construction, Maintenance and Environment Work Programme Progress Update**

Members received a report which set out the progress made in the delivery of the 2015/16 Construction, Maintenance and Environment Section work programme.

Members noted the report.

### **2/17 Chief Executive's Report**

The Committee received a report which summarised the current position in respect of a number of projects and events, including decisions taken during the recent cycle of committee meetings.

The Chief Executive briefed members on a workshop on the Broads Plan at a meeting of the Broads Forum. He also circulated copies of new Enjoy the Broads leaflet.

The Chairman updated the Committee on the work of the Tolls Review Group. Good progress was being made and a further meeting was planned for the end of January.

Members noted the report.

## **2/18 Current Issues**

As a member of the National School Sailing Association, Paul Mitchelmore informed members of a regatta being held in Gorleston from the 25<sup>th</sup> to the 29<sup>th</sup> of July. The NSSA was in need of RIBs and crew and he would welcome any suggestions and sponsorship for the event.

## **2/19 Items for future discussion**

A Member asked about the progress with the negotiations for leases of mooring sites. The Chief Executive replied that negotiations in regards to Thurne Mouth were on-going and he hoped would be resolved satisfactorily in due course.

The Director of Operations added that the negotiations regarding moorings at Woodbastwick came to an end because, in line with the Navigation Committee's view, it was decided that the Authority would only continue to lease sites where the costs were reasonable and broadly in line with the Authority's professional property advice. Where a landowner was demanding a rent far exceeding that advice and an appropriate compromise could not be agreed, then, reluctantly, the Authority would not renew the lease.

## **2/20 To note the date of the next meeting**

The next meeting of the Committee would be held on Thursday 25 February 2016 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

The meeting concluded at 5.20 pm.

Chairman

Code of Conduct for Members

**Declaration of Interests**

Committee: Navigation Committee

Date of Meeting: 10 December 2015

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Kelvin Allen		Member of the Broads Angling Strategy Group and the Waveney Trust.
Mathew Bradbury		Toll Payer and BCU member
Linda Aspland		Member of NBYC and NSBA, Toll Payer
Bill Dickson		toll payer and property owner
Peter Dixon		As before
James Knight		Hire Boat Operator, Toll Payer, Director of Broads Holiday Businesses
Max Heron		Toll Payer, Landowner, Member of British Rowing, Norwich RC, NSBA, RCC, Chair Whitlingham Boathouses  Trustee and Director, Whitlingham Boathouses Foundation Ltd (no remuneration or expenses)  Director, Whitlingham Boathouses Ltd (dormant; no remuneration or expenses)
Nicky Talbot		Toll Payer, NSBA Member and Member of NBYC
Michael Whitaker		Toll payer, Hire Boat Operator, Herbert Woods, BHBF Chairman