

## Navigation Committee

Minutes of the meeting held on 12 December 2013

### Present:

Mr D A Broad (Chairman)

Mr K Allen	Sir P Dixon	Mr M Heron
Mr L Betts	Mr A Goodchild	Mr J Knight
Ms S Blane	Mr P Greasley	Mr P Ollier
Mr P Durrant	Ms L Hemsall	Mr M Whitaker

### In Attendance:

Professor J Burgess – Vice-Chairman of the Authority  
Mr T Adam – Head of Finance  
Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Birtles – Head of Safety Management  
Mr A Clarke – Senior Waterways and Recreation Officer  
Ms M Conti – Strategy and Projects Officer  
Mr S Hooton – Head of Strategy and Projects  
Mr T Hunter – Rivers Engineer  
Ms A Leeper – Asset Officer  
Ms A Long – Director of Planning and Resources  
Mr J Organ – Head of Governance and Executive Assistant  
Dr J Packman – Chief Executive  
Mr R Rogers – Head of Construction and Maintenance  
Mr A Scales – Planning Officer  
Ms T Wakelin – Director of Operations

### Also in attendance:

Mr Ross Ingham – Ingham Pinnock Associates (for Agenda item 4/7) and Mr K Marsh – BESL/Environment Agency

#### **4/1 To receive apologies for absence**

Apologies for late arrival received from Ms L Hemsall.

#### **4/2 To note whether any items have been proposed as matters of urgent business**

The Chairman proposed to take an additional item as Urgent Business relating to a Planning Application with Navigation implications, which had been deferred from the Planning Committee meeting on 6 December for comments from the Navigation Committee.

He proposed to take this as Agenda Item 13(1).

**4/3 To receive Declarations of Interest**

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

**4/4 Public Question Time**

There were no public questions.

**4/5 To receive and confirm the minutes of the meetings held on 24 October 2013 and the Special meeting on 22 November 2013**

The Minutes of the meeting held on 24 October were confirmed for signature by the Chairman subject to amendments to:

- (i) **Minute 2/13 Boating Safety Management Group** to replace the first sentence of paragraph 2 with the following:

“A member advised that Whitlingham Boathouse had a defibrillator in place, a number of members of the club had been trained in its use and the emergency services had this logged.”

- (ii) **Minute 2/3 Appendix 1** within the declaration of interests for Mr M Whitaker: the deletion of the Great Yarmouth Port Consultative Committee.

The Minutes of the Special meeting held on 22 November 2013 were confirmed and signed by the Chairman with an additional paragraph relating to

- (i) **Minute 3/5 Navigation Charges** following the recommendation to read:

“The Chairman concluded by stating that the recommendation did not change the direction of the Broads Authority’s strategy, but just moderated the pace.” and

- (ii) **Minute 3/3 Appendix 1** within the declaration of interests for Mr M Whitaker: the deletion of Great Yarmouth Port Consultative Committee.

**4/6 Summary of Progress/Actions Taken Following Decisions of Previous Meetings**

The Committee received and noted a schedule of progress/actions taken following decisions of previous meetings. Updates were provided on the following:

(1) **Minute 1/13 Boat Waste Update**

The Chief Executive confirmed that a report on the implications of district council approaches to boat waste would be reported to the Navigation Committee in February 2014.

(2) **Minute 1/14 Boat Owners Survey**

The Senior Waterways and Recreation Officer clarified that the Boat Owners survey would be made up of three parts. The first would involve a survey of all private boatowners involving a questionnaire, the second component would involve a survey of commercial operators and the third component would be for visitors and customers of boat operators in the summer season of 2014 with the aim of having all the results available prior to the setting of navigation tolls for 2015/16.

Members noted the report.

**Variation in the Order of Business**

The Chairman gave notice that there would be a Variation in the Order of the Agenda to enable Ross Ingham from Ingham Pinnock Associates to provide a presentation relating to Agenda item 4/7 at 3.00pm.

**4/7 Potential Regional Development Growth Fund Bid (This item was taken after 4/13(1))**

The Committee received a report together with a presentation from Mr Ross Ingham which provided a summary of a proposal for a potential bid to the Department of Business Innovation and Skills (BIS) for Regional Growth Funding (RGF) for the boat and marine industry in the Broads. This had arisen from discussions between the Economic Development Department at Broadland District Council and Ingham Pinnock Associates, a firm of economic consultants with previous successful applications to BIS Regional Growth Fund. Mr Ingham explained the processes involved, the strict criteria required with the emphasis for any bid being on growth and the creation of employment, possibly having future export potential, with a minimum entry level of £1 million and an ability to deliver any such project immediately. The application and approval process was very streamlined and BIS would be able to provide instant guidance on any potential ideas. Applications involving research and development and training/apprenticeships could potentially be viewed favourably. Officers were of the view that there was scope within the boat building industry within the area, particularly if it could provide a viable challenge to its European counterparts.

Members noted that the basis for a competitive bid required strong evidence that there was an active willingness on the part of key businesses, industry groups and stakeholders in the boating industry in the Broads to be involved in the potential RGF programme as well as political and operational support

for such a bid. It was imperative that the bid was business led and therefore the onus would be on the marine industry itself to consider collectively potential ideas for funding. To progress the matter further and consider feasibility of any bid would require discussions with local boating and marine businesses, other local authorities and the Local Enterprise Partnership.

Members were supportive of the potential initiative in principle. However, they recognised that at present there was insufficient information available for the Authority to commit to being involved with a formal bid and therefore significantly more work would be required to take the matter forward including an assessment against other corporate priorities and opportunities for funding.

The Chairman thanked Mr Ingham for his helpful presentation.

#### **4/8 Breydon Water Navigation Works**

Members received a report and presentation from the Rivers Engineer that provided an overview of works undertaken on Breydon Water over the year. They noted the associated design and construction works with a particular focus on navigation marking and layby mooring facilities, management of hazards and dredging.

With regard to the Dickey Works, members noted that the conclusion of the survey report was that the existing superstructure remains had little effect on the local hydraulic flows although a sonar survey to determine the extent of the remaining structure and the navigation hazard it posed was required. The structural remains were marked but eventual removal was considered appropriate. Members noted that a trial would be undertaken to establish the feasibility of its removal and the extent of other services that would be required in doing so.

Members gave detailed consideration to the immediate and long term management requirements for the Turntide Jetty as a result of the appended condition survey report and the hydromorphological study of Breydon water and noted the recommendations of the report as follows:

- (i) improve navigation marking over the whole structure
  - to be completed before April 2014 (included in budgeted programme)
  - estimated cost £2,500 (local contractor)
- (ii) install additional steel wire ties to the narrow downstream extent to minimise any movement of elements into the channel
  - to be completed before April 2014 (included in budgeted programme)
  - estimated cost £2,500 (local contractor)
- (iii) reconstruction of the essential parts of the Turntide Jetty structure by re-piling either as a single operation or phased, as outlined in three

options with the likely budget implications based on a piling cost of £2,000 per linear metre with some additional allowance for site conditions and difficult access to the structure.

Members were supportive of the overall approach and the interim maintenance measures, noting that the costs were indicative before giving particular attention to the longer term options. Members were mindful that the condition of the Turntide Jetty was more serious than at first anticipated, that it would present a safety hazard and so action would be required sooner rather than later. Members were assured that alternative options had been considered, including the removal of the jetty altogether and the associated costs having been taken into account. They noted that the proposed future options had been brought before members at this juncture as part of the consideration of the Asset Management Strategy and keeping expenditure within revenue costs and limiting any need to dip into reserves.

Following detailed discussion, members were in favour of recommending the adoption of option 2 (involving the re-piling of the essential part of the structure of the Turntide Jetty in one operation, but with the work being programmed to start in March 2015 and extending over two financial years) being mindful of the Authority's other spending priorities in relation to moorings, and subject to detailed specifications and costs being brought back to a future Navigation Committee with the aim of not using reserves except in cases of absolute necessity bearing in mind safety considerations. Members would be updated on estimated costs in April 2014 following further design and planning work.

#### **4/9 Strategic Dredging Disposal Plan: Update**

The Committee received a progress report on the implementation of the dredging disposal strategy that sought to identify a series of sites for the development of a strategic network of licensed disposal areas to support future dredging programmes. Members noted that the Sediment Management Strategy had delivered all the elements identified as priority (with the help of PRISMA funds) over the last three years except that relating to the identification of a network of sites for the disposal of dredgings. Members noted that following discussions with landowners over the key sites within the Broads area especially in the lower Bure, they were not willing to sell land or enter into long term arrangements with the Authority. Members noted that the officers' conclusion was that the disposal strategy was no longer appropriate and given that the PRISMA funding would be coming to an end in June 2014 and with the valuable experience that had been gained over the last five years, an alternative approach was put forward for consideration.

Members were invited to provide their views and recommendations on the alternative way forward. This was to concentrate on the restoration or recreation of river banks and island features which had been lost to erosion, whilst being receptive to land purchase or flood alleviation opportunities which might arise in the future. Members noted that this would require the dredging

budget provision to be maintained at current levels at minimum, and that the annual target for dredging might need to be amended.

The Committee agreed with and supported the officer's recommendations to no longer focus on developing a network of licensed disposal sites and adopt the alternative approach as set out in Section 4 of the report.

#### **4/10 Sediment Management Strategy Compliance Monitoring Update**

Members received a report and presentation from the Senior Waterways and Recreation Officer and Rivers Engineer providing a summary of the work being undertaken to develop a new methodology for reporting on waterway specification compliance for the Authority's Sediment Management Strategy (SMS). Members' views were requested on the proposed new method using more detailed analysis of the hydrographic survey data available to the Authority which had been used as a trial on the River Bure. It was considered that the methodology proposed would simplify the compliance reporting process, allow for easier identification of non-compliant areas with greater accuracy and be more effective in prioritising the annual dredging programme potentially delivering efficiencies. It was clarified that the SMS had been appropriately assessed under the Habitats Regulations and no adverse comments had been received from colleagues in Natural England.

Members welcomed and endorsed the proposed approach as a pragmatic way forward, recognising that it would allow for more accurate and cost efficient dredging. Officers thought that it was possible that satellite navigation could further aid the process by allowing for accurate positioning of plant and equipment during dredging operations.

The Committee noted the report and endorsed the proposed methodology to be used for reporting on specification compliance of the SMS and for completing the exercise for the rest of the river system to define a new baseline against which performance could be measured and that a full report on the whole of the river system would be brought to the Committee in April 2014.

#### **4/11 Navigation Income and Expenditure: 1 April to 30 September 2013**

The Committee received details of the actual navigation income and expenditure for the six month period to 30 September 2013, together with a forecast of the projected expenditure at the end of the financial year (31 March 2014).

Core Navigation income remained slightly below the profiled budget due to variances on private and hire tolls which were expected to persist through the year and a delay in receipt of interest, which was a timing difference, although total investment interest for the year would be lower than budgeted. Members noted that the overall position as at 30 September showed a favourable variance of £23,797 or 1.82% from the profiled budget. However, £60,000

had been deferred from the Mooring budget and this would be put into the earmarked reserves, resulting in an adverse variance of 2.7%. As at 30 September 2013, the Latest Available Budget (LAB) provided for a deficit of £131,858 and the forecast outturn deficit was £90,421.

The Navigation earmarked reserves were currently at £786,557, though these excluded the additional £60,000 from the Mooring budget which would be transferred. The forecast outturn position suggested that the navigation reserve balance would be approximately £264,000 at the end of 2013/14. Though this was slightly below the recommended level of 10% of net expenditure, it was considered adequate when taken alongside the significant navigation earmarked reserves.

Members noted that a payment from Land and Water was provided in a lump sum to help offset the Dockyard costs instead of receiving an annual payment as this had been most financially advantageous to the Authority.

The report was noted.

#### **4/12 Navigation Budget 2014/15 and Financial Strategy**

The Committee received the proposed navigation income and expenditure budget for 2014/15 prepared as part of a consolidated budget for the Authority and based on an overall 2.8% increase in tolls as recommended by the Committee at its last meeting and formally adopted by the Authority at its meeting on 22 November 2013.

The Committee noted that Defra had not yet provided details of the National Park Grant (NPG) that would be allocated for the period 2014/15 and 2015/16 following Defra's settlement from the Comprehensive Spending Review and further reductions announced in the Autumn statement. The budget and financial strategy had therefore been generated reflecting the currently known grant allocations. This reflected the 6.4% reduction planned for 2014/15, but not the potential for additional reductions. It was therefore assumed that the current figure shown for NPG would reduce. It was also noted that the current NPG allocations resulted in deficit budgets of £155k in 2014/15, rising to £288k in 2016/17. These deficits were obviously not sustainable and would need to be addressed, in conjunction with any further NPG reductions, with the Financial Scrutiny & Audit Committee and the Broads Authority.

The Navigation position was different. Subject to boat numbers not changing, income would rise by 2.8% in 2014/15 and indicative 3% increases in income were assumed for 2015/16 and 2016/17 to represent inflation. This would result in the forecast Navigation deficit of £90k in the current year 2013/14, reversing to become a surplus of over £97k by 2016/17, although this did not provide for additional contributions to reserves to address future liabilities identified in the Authority's asset management plan.

Members noted that one amendment had been made to the format of the budget for 2014/15, to transfer operational property into the Operations directorate, to align the budget more closely with the position of the relevant budget holders within the organisation. The dredging budget had been reduced, but would allow for the delivery of annual dredging of at least 50,000m<sup>3</sup>. Annual salary increases of 2% had been assumed and allowed for. Changes in National Insurance arrangements would result in an additional cost of almost £70k to the Authority by 2016/17. Members noted that no general increases for inflation had been included in the expenditures.

A member raised concerns that the Operations Navigation expenditure appeared to drop by 5% between 2013/14 and 2016/17, whilst the Planning & Resources Navigation expenditure was increasing. It was clarified that 2013/14 was a slightly unrepresentative year upon which to make such comparisons, due to a number of one-off items such as: the significant carry-forward expenditure from 2012/13, the budget provision for works at Breydon Water in Operations, and the rent free period for Yare House in Planning & Resources. Officers advised that the trend in the period 2014/15 to 2016/17 was more appropriate to compare, with varying increases between 1.41% and 6.56% being shown in this period following the budget being “reset” to the minimum base in 2014/15. It was also noted that the 3% income increase assumption also assisted in increasing the currently low general Navigation reserves, building these up to £445k by 2016/17. It was noted that the apportionment of shared costs had not changed their weighting during the three year period, and details of these costs were provided to the Committee to aid transparency.

Members considered that the Committee could not take a view on the three year strategy until the NPG allocations were known, and that the focus for the Committee’s recommendation should therefore be restricted to the budget for 2014/15. Concern was also represented that a reduction to the NPG should not result in more costs being transferred to the Navigation expenditure. However, it was represented that this would only happen if more work was being undertaken on the Navigation side.

Despite the uncertainty in the NPG allocations, the Committee recorded its appreciation for the level of transparency in the budget and draft three year financial strategy.

In conclusion, the Committee recommended the approval of the 2014/15 budget, subject to any implications to the Navigation expenditure as a result of NPG reductions being brought back to the Committee.



**4/13 Planning Application with Navigation Implications: BESL – Pile Driving on River Chet**

**(1) BA/2013/0319/FUL South Bank of River Ant, downstream from Irstead Staithe, Irstead (additional item)**

The Planning Officer provided a presentation on a planning application which had been deferred from the Planning Committee on 6 December 2013 for further information and the observations of members of the Navigation Committee. Details had been sent to members by email with links to the Public Access area on the Authority's website containing all the relevant information. The proposal involved the provision of erosion protection in two eroded bays along the south bank of the River Ant using a soft engineering solution called nicospan. The area behind this would be in-filled with material dredged from the River Ant to be planted with a robust reed mix and the area would be marked with posts to demark the new edge. The application had not been submitted to the Navigation originally due to the limited size and nature of the proposals which involved the restoration of the original river bank and as there was no significant effect on the navigation.

The further information required related to the current use of the area, the reason for the choice of technique, concerns that the works might be similar to that which had taken place on the opposite side of the River Ant considered to be unsympathetic, and the proximity of trees in the area which would inhibit the success of the scheme for reed growth.

The Rivers Engineer gave an explanation and description of the alternative options which had been considered and discounted due to their unsuitability for the small scale of the site and their short term sustainability. The material to be used was considered to have a longer lifespan, was a soft engineering solution, rather than a hard piled edge and it had the potential for a more robust solution that could be used elsewhere in the Broads. The technique differed from that used on the opposite bank where wooden planks were used and provided a less natural appearance. It was clarified that the landowner did not wish to encourage informal mooring in this vicinity. With regard to the vegetation reed growth it was intended to become an intrinsic part of the structure. There was agreement with the landowner to remove the lower branches of the trees, the invasive scrub and, as part of the (Higher Level Stewardship) HLS agreement in this area, to pollard the willows in order to allow more light on to the bank and reduce any hindrance to navigation.

The Senior Waterways and Recreation Officer confirmed that the sediment management strategy identified that dealing with bank erosion was a priority for the Authority as bank erosion was identified as one of the major sources of sediment input to the system.

Members had particular concerns over the trees in the area overhanging the river and that this would inhibit a successful regeneration of vegetation as well as have an effect on sailing. Leaves falling from this vegetation were also a source of avoidable sedimentation. It was considered that the landowner should be encouraged to manage the trees in accordance with the HLS agreement. However, it was noted that the whole stretch of the river bank was not part of the application.

The Committee agreed to recommend that the application be approved and that the concerns relating to the management of trees be noted and addressed.

**(2) Compartment 22 – Pile Driving on the River Chet**

The Committee received a report on the recently submitted planning application for driving piles into the bed of the River Chet adjacent to the recently completed rollback flood banks in Compartment 22 on the true right bank of the River Chet between Loddon and Nogdam End. Members were reminded that this was an alternative methodology for dealing with piling that had fallen into disrepair and needed to be removed and that in view of members' concerns previously, permission had been given for a trial section using the same methodology within the vicinity. It was noted that part of the works were retrospective as BESL had extended the works from the trial area on the basis that it would be a more sustainable approach as machinery would still be in place and there would be minimum disruption to landowners and river users. The completion of the works was important due to the need to dredge this section of the River Chet in the very near future.

Members concurred with and endorsed the officers' comments on the approach and proposed response and were in support of the application subject to the detailed proposed conditions within section 4 of the report. These included a full survey of the actual river bed level, associated depth levels for driving the piles, a scanning sonar survey following completion of the works, temporary channel markers with agreed specifications, erosion monitoring and contingency measures if the piling failed to drive into the river bed.

Additionally members recommended a condition requiring BESL to remove any historic lines of piling should they become exposed after the pile driving works were completed.

**4/14 Consultation on Flood Defence Works for Compartment 17– Postwick Marshes**

Members received a report that summarised Broadland Environmental Services Ltd.'s (BESL) consultation proposals for Compartment 17 Postwick

Marshes on the true left bank of the River Yare between Postwick Grove and Ferry Lane, Postwick immediately adjacent to the Broads Authority's 24-hour mooring at Postwick Wharf. The report also outlined officers' response to the consultation .

The Senior Waterways and Recreation Officer advised members that officers were confident that the small scale proposed flood bank works would not have an impact on the navigation and therefore did not propose to raise any objections. However, agreement of the details of the proposed erosion protection and conditions relating to these details as well as any channel marking required should be placed on any planning permission granted for the scheme. Members noted that BESL had indicated that there would be no change to water levels or flooding patterns as a result of the works and an Environmental Impact Assessment (EIA) would be submitted with the planning application.

Subject to the EIA demonstrating that the designated sites on the River Yare would be unaffected, members endorsed the officer's comments on the consultation and considered that the scheme should be supported.

Members noted that the resulting planning application would be submitted to the Committee for their comments.

#### **4/15 Construction and Maintenance Work Programme**

The Committee received a progress report on the delivery of the 2013/14 Construction Maintenance and Environment Section work programme to date. Members also received a presentation providing more details on the dewatering Geo tunnel technique and the proposed improvements at Hardley and Loddon which represented the last of the PRISMA European funded projects.

Members noted the report.

#### **4/17 Chief Executive's Report**

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

With regard to Strategic Priorities for 2014/15, members noted that Officers would be working up draft objectives for wider consultation and these would come back to the Navigation Committee on 27 February 2014 for final comment, prior to being considered by the Authority in March 2014.

Members welcomed the progress and initiative on the assessment of mooring provision and noted that a workshop was planned for Spring 2014 to inform a detailed report to the Navigation Committee later in the year.

The report was noted.

#### **4/18 Current Issues**

##### **Navigation and Governance**

The Chairman advised that following the meeting with MPs, a meeting to take matters forward concerning the work of the Navigation Committee and governance issues had taken place on 29 November 2013 when those present comprised the Chairman and Vice-Chairman of the Authority, the Chairman and Vice-Chairman of the Navigation Committee, Mr Knight as a member of the Navigation Committee and the Chief Executive. He reported on the discussions that had covered:

- Reviewing consultation and arranging the business of the Committee;
- Communications about the work of the Committee and the role of members;
- Finance and overall governance.

A report on the proposals would be brought to the Navigation Committee in February 2014 and following further investigation and consideration by the Navigation Committee and agreement by the Authority an Action Plan would be prepared.

##### **Recent Flooding Events**

Mr Marsh (Environment Agency/BESL) was invited by the Chairman to join the meeting at the request of a member and reported, that following the recent flooding events, the Broads had fared relatively well with the flood alleviation measures in place having performed as they had been designed to do, particularly in the Haddiscoe island area. The area had been fortunate in that the flooding had not been on the scale expected, despite it being the largest significant surge tide since the floods in 1912 and 1953 and the last significant event being in 2007. The North Norfolk coast had received the brunt of the damage. A member commented that the over-topping at Potter Heigham had been less than had been experienced at the time of the high water levels in 2007. Mr Marsh commented that further feedback on the outcome of the recent flooding events would be welcomed and the impacts were still being analysed.

##### **Bicentenary of Carrow Cup**

Mr Heron advised members that on Saturday 14 December 2013 various events and races had been arranged to celebrate the bicentenary of the Carrow Cup boat race on the River Wensum in Norwich City with plenty of media coverage.

**4/19 Items for future discussion**

No items were recommended.

**4/20 To note the date of the next meeting**

The next meeting of the Committee would be held on Thursday 27 February at Yare House, 62-64 Thorpe Road, Norwich commencing at 1.00pm.

**4/21 Exclusion of the Public**

RESOLVED

That the public be excluded from the meeting under section 100A of the Local Government Act 1972 for consideration of the items below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraph 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.

**Summary of Exempt Minutes**

**4/22 Rental of Moorings**

The Committee received a report containing exempt information relating to the proposed rental of moorings for 24 hour mooring purposes previously prioritised by members.

Members supported the officers' professional advice and endorsed the officer's approach.

The meeting concluded at 16.52pm

Chairman

APPENDIX 1

Code of Conduct for Members

**Declaration of Interests**

Committee: Navigation Committee

Date of Meeting: 12 December 2013

<b>Name</b> <i>Please Print</i>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest</b> <i>(Please describe the nature of the interest)</i>
Sir P Dixon	4/9	Hickling Dredging Disposal Potential Site adjacent to Home
Mr D A Broad	5 - 14	Toll Payer, Member of Great Yarmouth Port Consultative Committee
Mr L Betts		Toll Payer and Land Owner
Ms S Blane	-	(No relevant interests)
Mr A Goodchild	4/7 - 4/16	Toll Payer, Land Owner, Member of ABA, Chairman of BMF Commercial Marine
Mr P Greasley	4/7 - 4/20	Toll Payer, Chair of BHBF, Passenger Boat Operator, Hire Boat Operator, Item 7(d) co-author
Ms L Hemsall	4/5	Personal Interest
Mr M Heron	4/8 - 4/16	Toll Payer, Land Owner, Member of British Rowing, NRC, NSBA, NBYC, RCC and Chair of Whitlingham Boathouses
Mr J Knight	4/7 - 4/21	Toll Payer, Hire Boat Operator, member of NSBA, NBYC, WOBYC, BHBF, RYA, BMF
Mr P Ollier	4/8 – 4/21	Toll Payer, NSBA Committee member, RYA and various sailing clubs
Mr M Whitaker	4/7 – 4/21	Toll Payer, Hire Boat Operator, member of BHBF Executive Committee