

**Appointment of Navigation Officer**  
Report by Chief Executive

<b>Summary:</b>	<p>This report represents the formal consultation with the Navigation Committee on the appointment of the Navigation officer.</p> <p>The Committee's view on the appointment of the Head of Ranger Services to act as the Navigation Officer is sought.</p>
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**1 Background**

- 1.1 Members may be aware that the present Head of Ranger Services, Adrian Vernon, has given notice of his intention to retire on 31 March 2016.
- 1.2 This role requires the post holder to undertake the duties and responsibilities of Navigation Officer as defined in the Norfolk and Suffolk Broads Act 1988 which includes giving navigational directions to vessels as appropriate, including for towing and to grant permissions for events and regattas under schedule 5 of the Norfolk and Suffolk Broads Act 1988.

**2 Appointment Process**

- 2.1 The vacancy has been widely advertised and interviews were held on 2 February 2016.
- 2.2 The successful candidate was Lucy Burchnall, who has been the Deputy Head of Ranger Services since 1 April 2011. Lucy is currently an authorised officer for the purposes of the Broads Act and has deputised for the Head of Ranger Services as required. As well as her experience with the Broads Authority, Lucy has worked with the Environment Agency at the Harbour of Rye and on the Thames. She has over 20 years' experience of helming a variety of vessels ranging from sailing dinghies and yachts, through safety boats and RIBs to workboats and the BA launches.
- 2.3 The Norfolk and Suffolk Broads Act 1988 as amended by the Broads Authority Act 2009 requires;

*The Authority shall appoint a person to be known as the navigation officer and may appoint a person to act as deputy to the navigation officer*  
(Section 10(7))

*Before making any appointment under subsection (7) above; the Authority shall consult the Navigation Committee.*  
(Section 10(17) (b))

The functions of the Navigation Officers are set out in Schedule 5 Section 18 of the Act. They relate to “*Directions for regulating vessels*” and “*Seagoing freight traffic*”. A copy of the relevant extract from the Broads Act is appended.

The Committee’s view is therefore sought on this appointment.

### **3 Deputy to the Navigation Officer**

- 3.1 At its meeting on 22 October 2009 the Navigation Committee were consulted on the process for the approval of authorised officers under Broads Authority Act 2009. It was agreed that Rangers who had successfully completed the training schedule would be approved by the Chief Executive to act as authorised officers for the additional functions set out in the Broads Authority Act 2009. Rangers are also tasked in their job description to work to the direction of and assist the Navigation Officer in accordance with the requirements of Section 10 (7) of the Broads Act.
- 3.2 For the avoidance of doubt, the Committee’s view is sought on the appointment of all such trained Rangers to act as deputy to the Navigation Officer.

Background papers:	Nil
Author:	Trudi Wakelin
Date of report:	3 Feb 2016
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Extract from the Norfolk and Suffolk Broads Act 1988

**Extract from the Norfolk and Suffolk Broads Act 1988**

PART II

FUNCTIONS OF NAVIGATION OFFICERS

*Interpretation*

17. In this Part of this Schedule “the navigation officer” means –
- (a) in relation to the Norwich navigation, the Norwich navigation officer; and
  - (b) in relation to the remainder of the navigation area, the Broads navigation officer;
- and any person appointed by the Authority to act as deputy to the officer in question.

*Directions for regulating vessels*

- 18 (1) The navigation officer may give directions for all or any of the following purposes –
- (a) for regulating the time at which and the manner in which any vessel may enter, leave, or lie in the navigation areas;
  - (b) for regulating the position, mooring, unmooring, placing or removing of any vessel while it is in the navigation area;
  - (c) for regulating the position in which any vessel may, while in the navigation area, take in or discharge cargo or ballast or take in or land passengers;
  - (d) for regulating the manner in which any vessel entering the navigation area may be dismantled, either for the safety or the vessel or for preventing injury to other vessels or property or to any part of the navigation area;
  - (e) for removing unserviceable vessels and other obstructions from the navigation area and keeping it clear;
  - (f) for prohibiting the mooring or anchoring of any vessel in any particular part of parts of the navigation area;
  - (g) for regulating the manner in which vessels are to navigate while within the navigation area.
- (2) In any case which appears to the navigation officer to be an emergency, general direction given under this paragraph may be expressed to be applicable to all vessels or to all vessels of a particular class.
- (3) Directions under this paragraph shall be communicated to the person having charge of the vessel concerned by being given to him in writing

unless it is not reasonably practicable to do so, in which case they shall be communicated to him in such manner as the navigation officer considers appropriate.

- (4) The navigation officer shall not exercise his powers under this Schedule in any way which interferes with the discharge by the Commissioners of Her Majesty's Customs and Excise of any of their functions.
- (5) Where a vessel is within the navigation area, the person who has charge of it shall comply with any direction given under this paragraph which –
  - (a) applies in relation to his vessel; and
  - (b) has been communicated to him by or on behalf of the navigation officer;

and any such person who fails (without reasonable excuse) to do so shall be guilty of an offence and liable on summary conviction to a fine not exceeding level four on the standard scale.

#### *Seagoing freight traffic*

- 19 (1) The Norwich navigation officer shall exercise his powers under this Part of this Schedule with the object of securing, so far as is reasonably practicable and consistent with the maintenance of safety, that any seagoing freight vessel which is in, entering or leaving the Norwich navigation has a safe passage and is given priority over other traffic.
- (2) The navigation officer shall, in controlling the movement of any vessel, comply with any directions given (with the object mentioned in subparagraph (1) above) by the harbour master of Great Yarmouth unless he considers, in a particular case, that it is inadvisable on grounds of safety to do so.