

## Chief Executive's Report

**Summary:** This report summarises the current position in respect of a number of important projects and events, including any decisions taken during the recent cycle of committee meetings.

### 1 Broads Authority Membership

Contact Officer/ Broads Plan Objective: John Packman/ None

- 1.1 At the Authority's meeting on 13 May 2016, Mr Michael Whitaker and Mrs Nicky Talbot were appointed to the Authority as Co-opted members from the Navigation Committee until May 2017. The Authority has four new Members: one new local authority appointment, Haydn Thirtle from Great Yarmouth Borough and three Secretary of State Appointees Mr Greg Munford, Ms Sarah Mukherjee and also Mr Bill Dickson who was appointed in place of Miss Sholeh Blane. This leaves a vacancy on the Navigation Committee which will need to be advertised in due course. Following the Authority's meeting on 8 July 2016, Mr Munford has been appointed to the Navigation Committee.

### 2 Tolls Review Group and Timetable

Contact Officer/Broads Plan Objective: John Packman/ None

- 2.1 The Tolls Working Group has had its last meeting at which it considered a series of detailed matters and the structure for its final report. The Members decided to revise the timetable for reporting to the Navigation Committee such that the proposed new structure for tolls will be considered at the same meeting in October as the consultation on charges for next year. This arrangement provides more time for finalising the report and will give Members of this Committee the opportunity to comment on both matters, the proposed structure and how that translates into next year's charges, together which has considerable advantages.

### 3 Staithes

Contact Officer/Broads Plan Objective: Adrian Clarke/ None

- 3.1 Members will be aware that the Broads Authority commissioned Professor Tom Williamson, professor of history in the landscape group in the School of History at the University of East Anglia to carry out research on the history of staithes in the Broads and the documentary evidence that proves their existence. This research was considered to be important as there has been no previous comprehensive academic study on the subject and the Authority has recognised that having evidence regarding the existence and rights connected to staithes is essential if it is to consider exercising its powers under Section 37 (1) of Schedule 3 Part II of the Norfolk and Suffolk Broads Act 1988 to prevent unlawful interference with staithes.

3.2 Professor Williamson has completed the research which mainly focused on an assessment of enclosure awards and tithe apportionments in the Broadland parishes and land ownership documents relating to the 1910 Finance Act. He reaches some fascinating conclusions regarding the way staithe came into being. Previous discussion has focused on the ownership of staithe whereas Professor Williamson's thesis is that staithe are best understood as a matter of rights rather than ownership. The historic evidence suggests that staithe are customary in character and came into being where two public highways (the river and the road) met. At these locations a right of transshipment became established and this was recognised rather than created in the enclosure awards, tithe apportionments and 1910 Finance Act records. The final version of the report on the research will shortly be available and a further report will be brought to the Committee once officers have considered it in detail.

#### **4 River Wensum Strategy**

Contact Officer/Broads Plan Objective: Adrian Clarke/ CC4 and TR1, TR2 and TR3

4.1 The Broads Authority has been working in partnership with Norwich City Council, Norfolk County Council, the Environment Agency and the Wensum River Parkway Partnership to produce a strategy for the management of the River Wensum in Norwich. Its purpose is to deliver a strong vision for the future of the river corridor within the City Council's boundary and Whittingham Country Park in order to maximise potential for regeneration, in particular by encouraging greater access to, and activity on the river and the adjacent land. The strategy also seeks to improve the river's environment, heritage and biodiversity value and stimulate appropriate development including leisure and business opportunities.

4.2 The City Council is lead partner in the strategy as it owns the river bed and much of the adjacent land. A public consultation was undertaken in 2015 to inform the content of the strategy and a strategy and action plan is now being developed by the partnership with a view to undertaking a consultation on a final draft strategy document later this year. As the action plan will include projects to provide new canoe launching facilities, moorings and other navigation infrastructure, a report on the draft document will be brought to a future meeting of the Navigation Committee for comment.

#### **5 Perci's Island and Woodbastwick 24hr Moorings**

5.1 As members will recall a confidential report was put before members on 3 September 2015. The report detailed the increasing issue of land owners expecting commercial rate rental income in respect of leased land for the provision of free Broads Authority 24hr moorings. Following the advice of the committee we were unable to agree a rental rate as advised by our property consultants and therefore the lease expired on 10 July when responsibility reverted back to the landowner Albemarle Cator, Woodbastwick Estates.

## **6 Ferry Inn Horning Mooring Trial**

Contact Officer/Broads Plan Objective: Lucy Burchnall/ TR2 and TR3

- 6.1 This is the second season trialling limited stern on mooring at the Ferry Inn. This trial includes a section of stern on mooring at the upstream end of the property of around 100ft. The trial has been monitored for both effect on other river users and for compliance against the agreement, several site visits and meetings have been held. Compliance with the agreement has been reasonable. However, Rangers have needed to ask for boats to be moved on several occasions when they have been moored in the wrong place causing an obstruction. Complaints and concerns about stern on mooring in this location have been received and are currently being followed up. This information will feed into the final decision on whether this agreement can be continued.
- 6.2 At a meeting on Wednesday 10 August 2016, the manager of the Ferry Inn requested permission for stern on mooring all the way round the frontage of his property if the mooring on the Woodbastwick side opposite was closed. At the meeting it was made clear there would be a number of safety concerns over this proposal. It was agreed to continue with the current trial. In correspondence on the 12 August, the Ferry Inn manager expressed his concern that a decision to allow stern on had not yet been made. A further meeting on 17 August clarified the Authority's position and concerns. At the time of writing the limited stern on trial is ongoing pending an update from the Manager of the Ferry Inn on how he wishes to proceed.

## **7 Navigation Patrolling and Performance Targets**

Contact Officer/Broads Plan Objective: Lucy Burchnall/NA4.3

- 7.1 The report of the significant use of powers by the rangers is displayed in Appendix 1 and reflects the busy period. The average navigation/countryside splits for three months are higher on the navigation side as would be expected during the summer when patrolling is a priority.
- 7.2 The report detailing the cases dealt with at Magistrates Court are shown in Appendix 2. The not guilty finding on the speeding case at Oulton Broad was disappointing. Learning outcomes around tightening case evidence have been drawn from this. Overall the Authority has a good record of cases going to court being found guilty.

## **8 Sunken and Abandoned Vessel Update**

Contact Officer/Broads Plan Objective: Lucy Burchnall/NA4

- 8.1 The sunken and abandoned vessels update is contained in Appendix 3. Seven boats which had either sunk and/or were abandoned have been removed from the system or sold since the last report. One owner has come forward to claim and register the vessel and a further one is at the dockyard while investigations into ownership continue. Two boats remain sunk upstream of Trowse bridge waiting for our work boats to be available in that area later this year.

## **9 Business Plan**

Contact Officer/ Broads Plan Objective: Simon Hooton/ None

- 9.1 The Authority adopted its Business Plan for 2016/17 at its meeting on 13 May 2016..This seeks to provide an overview of the Authority's priorities, activities and use of resources for the coming year and can be viewed on the Authority's website [http://www.broads-authority.gov.uk/data/assets/pdf\\_file/0012/756975/Business-Plan-2016-17.pdf](http://www.broads-authority.gov.uk/data/assets/pdf_file/0012/756975/Business-Plan-2016-17.pdf)
- 9.2 The Business Plan provides a link between the Broads Plan, the Financial Strategy and the Work Plans of the Directorates. Many of the ambitions emerging from the Broads Plan and challenges identified will be taken into account when considering the budget in the Autumn and decision on relative priorities. It was noted that staff resources were fully committed to delivering work programmes and that the Authority's income and expenditure was finely balanced. Therefore prudent management was required.

## **10 Planning Enforcement Update**

Contact Officer/Broads Plan Objective: Cally Smith/None

- 10.1 The Authority adopted its Local Enforcement Plan (Planning) at its meeting on 8 July 2016. This sets out how the Authority will address breaches of planning control, explains the background to the need for appropriate and proportionate enforcement and the Broads Authority's priorities around this. It has come out of the NPPF and as a result of the audit of the planning service and is part of good practice. There are no changes to the way in which the Authority deals with Enforcement; the plan actually sets out how the Authority operates, adopting the principles of expediency, proportionality, consistency and negotiation.
- 10.2 The Authority always starts with negotiation and where issues require attention these are approached sensitively. In all cases enforcement action is discretionary and all the principles are applied. The Enforcement Plan may be viewed on the Authority's website.  
[EnforcementPlan](#)
- 10.3 Following queries raised by a member, it was agreed to provide regular updates on the position regarding relevant planning enforcement actions. There are no outstanding enforcement actions with navigation implications to report to this meeting.

## **11 Hickling Broad Enhancements**

Contact officer/Broads Plan Objective: Trudi Wakelin (NA.1, NA3)

- 11.1 Following the Navigation Committee's Site visit on 2 June 2016 to Hickling Broad, the Authority's Planning Committee considered the first in a series of planning applications for enhancement works to the Broad building on the scientific evidence from the Broads Lake Review. The planning application

focused on addressing the significant reed swamp regression that has taken place in key locations and proposed two different techniques to secure environmental enhancements to tackle the problem. In order to gain a full appreciation of the application, the Planning Committee held a site visit on 18 August before its meeting on 19 August 2016 when it gave the proposals a thorough scrutiny. The application was approved subject to a number of detailed conditions, many of which will allay some of the concerns that had originally been expressed.

Background papers:	None
Author:	Sandra Becket / Esmeralda Guds
Date of report:	September 2016
Broads Plan Objectives:	Multiple
Appendices:	APPENDIX 1 –Report on the Significant Exercise of Powers by the Rangers during February – March 2015 APPENDIX 2 – Prosecutions during 2015/16 APPENDIX 3 – Report of Sunken and Abandoned Vessels

## APPENDIX 1

Rangers Exercise of Powers Analysis <i>(Bracketed figures are running totals, April 2016 to March 2017)</i>						Date: <b>May-July 2016</b>		
	Wroxham Launch	Irstead Launch	Ludham Launch	Ludham 2 Launch	Norwich Launch	Hardley Launch	B.St.Peter Launch	Breydon Launch
Launch Patrol Areas	Wroxham and Upper Bure	Ant	Hickling, P.Heigham, Upper Thurne & Womack	Lower Thurne, Lower Bure & South Walsham	Norwich and Upper Yare	Reedham, Chet & Middle Yare	Oulton Broad and Upper/Middle Waveney	Breydon Water, Lower Waveney and Yare
<b>Verbal Warnings</b>								
Care & Caution	13 ( 16 )	14 ( 20 )	1 ( 1 )	87 ( 93 )	6 ( 8 )		1 ( 1 )	7 ( 7 )
Speed	1399 ( 1647 )	637 ( 790 )	269 ( 317 )	426 ( 464 )	100 ( 130 )	78 ( 88 )	105 ( 122 )	91 ( 99 )
Tolls offences	5 ( 5 )	26 ( 32 )	3 ( 8 )	65 ( 74 )	11 ( 11 )		3 ( 4 )	1 ( 1 )
Other	12 ( 14 )	23 ( 27 )	1 ( 14 )	65 ( 68 )	4 ( 8 )	2 ( 2 )	12 ( 14 )	2 ( 4 )
<b>Blue Book Warnings</b>								
Care & Caution	15 ( 15 )	3 ( 4 )		1 ( 1 )	( 1 )			
Speed	28 ( 39 )	11 ( 17 )	2 ( 3 )	5 ( 5 )	4 ( 4 )	1 ( 4 )	5 ( 7 )	3 ( 5 )
Other	9 ( 12 )	6 ( 9 )	4 ( 5 )	1 ( 2 )	1 ( 1 )	1 ( 2 )	5 ( 10 )	7 ( 9 )
Reports for Prosecutions		1 ( 1 )						1 ( 1 )
Special Directions	2 ( 2 )	140 ( 140 )				57 ( 57 )	127 ( 129 )	1 ( 4 )
<b>Toll Compliance Reports</b>								
Non Payment	92 ( 92 )	100 ( 104 )	68 ( 69 )	22 ( 24 )	13 ( 79 )		107 ( 107 )	41 ( 41 )
Non Display	9 ( 9 )	4 ( 4 )	3 ( 3 )	2 ( 2 )				1 ( 1 )
28 Day request for information							5 ( 5 )	
BSS Hazardous Boat Inspections					( 1 )			1 ( 1 )
Enter Vessels Under BSS					( 1 )			
Launch Staffed (by Ranger)	87 ( 114 )	54 ( 75 )	57 ( 82 )	71 ( 84 )	55 ( 76 )	55 ( 77 )	49 ( 66 )	92 ( 122 )
Country Site Inspection Reports Percentage Compliance	100% ( 100% )	100% ( 100% )	(Combined figure)	100% ( 100% )	(Combined figure)	100% ( 100% )	100% ( 100% )	n/a
Best Value Patrol Targets Percentage Compliance	100% ( 100% )	100% ( 100% )	100% ( 100% )	100% ( 100% )	86% ( 96% )	100% ( 100% )	83% ( 92% )	91% ( 93% )
Volunteer Patrols	2 ( 2 )	7 ( 10 )	1 ( 1 )			5 ( 6 )		
IRIS Reports	63 ( 79 )	29 ( 41 )	11 ( 16 )	12 ( 12 )	12 ( 19 )	12 ( 19 )	29 ( 41 )	38 ( 50 )
Broads Control Total Calls	<b>TOTAL 12,129 ( 15,722 )</b>			Telephone <b>9,956 ( 12,903 )</b>		VHF <b>2,173 ( 2,819 )</b>		

**RANGER TEAM ACTIVITY**

as at 17 August

	Navigation Activity								Countryside Activity							
July 2016	Nav Patrol Launch	Nav Patrol Foot/Road	Incident Working	Admin - Navigation	Training (Navigation)	Escort	Moorings Maintenance	Bank work	Country Patrol	Country Maintenance	Admin - Country	Training (Countryside)	Equipment Maintenance	Tree/Ground work	Group Activities	Education/School Visit
<b>Percentage Total</b>	<b>35.51%</b>	<b>1.78%</b>	<b>0.24%</b>	<b>0.35%</b>	<b>2.31%</b>	<b>2.15%</b>	<b>1.24%</b>	<b>0.14%</b>	<b>2.62%</b>	<b>4.69%</b>	<b>0.04%</b>	<b>0.43%</b>	<b>4.88%</b>		<b>0.21%</b>	<b>0.78%</b>
Wroxham team	24%	28%	67%	42%	11%	11%	20%		21%	22%	100%		26%			
Thurne team	24%	7%	31%	46%	12%	37%	23%	100%	11%	20%			24%		40%	21%
Yare team	15%	7%		11%	10%	20%	7%		48%	45%		44%	22%		60%	29%
Waveney team	8%	18%			56%	5%	7%		1%			56%	5%			
Breydon team	23%	31%	22%			18%	40%		8%	5%			18%			50%
Control Officer																
	45%								10%							

Month Percentages	
Navigation	74%
Country	26%
<b>Total</b>	<b>100%</b>

*Time Off not included*

	General Support													Time Off				
	Broads Control	Travel Time	Bank Work - Split	Activity Unknown	Training - Split	Meeting - Staff	Meeting - Public	Admin - Split	Admin - Volunteer	Training - (Volunteers)	Public Relations Event	Site Visit third party	Other Task	Time off in Lieu (not accurate)	Breaks (not including un-notified breaks)	Annual Leave		
<b>Percentage Total</b>	<b>7.83%</b>	<b>3.25%</b>		<b>5.83%</b>	<b>0.86%</b>	<b>1.76%</b>	<b>0.17%</b>	<b>8.17%</b>		<b>0.56%</b>	<b>0.97%</b>		<b>0.40%</b>	<b>0.22%</b>	<b>2.96%</b>	<b>9.67%</b>		
Wroxham team	7%	30%		21%	14%	21%	9%	27%			25%		22%	100%	18%	34%		
Thurne team		15%		34%	16%	19%		26%		44%	42%		20%		14%	25%		
Yare team	3%	17%		12%		20%	26%	27%		19%	32%		45%		20%	11%		
Waveney team	1%	7%		2%	56%			4%							3%	16%		
Breydon team	6%	29%		7%		14%	66%	7%							7%	9%		
Control Officer	55%														18%			
	7%	3%	26%													11%		

Percentage with apportioned spl	
<i>Year to date (Apr - Mar)</i>	
Navigation	72%
Country	28%
<b>Total</b>	<b>100%</b>

*Time Off not included*

Team percentages equal team contribution to activity

**APPENDIX 2**

<b>Report of navigation prosecutions dealt with in court during April and July 2016</b>				
<b>Place</b>	<b>Defendant</b>	<b>Offence</b>	<b>Magistrates Court</b>	<b>Result</b>
Oulton Broad	A Beaumont-Smith	(1) Speed (2) Care and Caution	Great Yarmouth	Not Guilty

<b>Report of prosecutions dealt with in court during April to July 2016</b>			
<b>Defendant</b>	<b>Offence</b>	<b>Magistrates Court</b>	<b>Result</b>
B Ollis	Non- payment of tolls	Norwich	Fined £100 Costs awarded £150 Victim surcharge £20 Compensation £113.44
A Miller	Non- payment of tolls	Norwich	Fined £200 Costs awarded £150 Victim surcharge £20 Compensation £181.58
T Haynes	Non- payment of tolls (two offences)	Norwich	Fined £300 Costs awarded £150 Victim surcharge £30 Compensation £244.93
S Waterfield	Non- payment of tolls	Norwich	Fined £110 Costs awarded £150 Victim surcharge £20 Compensation £128.58



## Sunken and Abandoned Vessels

Description	Location found	Action	Abandoned /Sunken Notice Affixed	Result
Sunken and abandoned wooden sailing cruiser	River Yare, Trowse	No known owner	Yes	Deadline expired and BA team will raise and remove when the programme allows (scheduled November).
Sunken and abandoned aft cockpit cruiser hull	River Yare. New Cut Thorpe	No known owner found	Yes	Vessel raised and removed to Dockyard.
Sunken cruiser	River Yare Old River Thorpe.	Vessel sunk at owners moorings	No	Not affecting the navigation owner will raise in due course
Sunken wooden cruiser	River Yare Norwich.	Vessel sunk at moorings owner to raise	No	Vessel raised and removed to Dockyard.
Abandoned Small fibreglass cruiser	River Bure Upton	Vessel found drifting by police.	Yes	Vessel sold and removed for restoration.
Sunken Wooden Cabin Cruiser	River Wensum Norwich	Vessel sunk at moorings.	No	Owner has pumps in position ready to raise the vessel.
Sunken Wooden Cabin Cruiser	River Wensum Norwich	Vessel sunk at moorings	Yes	Vessel raised and removed to Dockyard.

Sunken Wooden Cabin Cruiser	River Wensum Norwich	Vessel sunk at moorings	no	Vessel raised and removed to Dockyard.
Sunken Wooden Yacht	Martham	Vessel abandoned	Yes	Vessel taken to Dockyard and destroyed
Sunken Vessel	River Yare, Trowse	Vessel sunk	Yes	Vessel raised and removed to Dockyard.
Abandoned Vessel	Beccles	Abandoned vessel on moorings	Yes	Owner came forward, registration documents sent
Abandoned Cruiser	Hickling	Vessel abandoned on Hickling Broad	Yes	Investigating ownership claims
Rowing dinghy	River Ant	Vessel found sunk in river	Yes	Vessel removed
Rowing dinghy	Acle Dyke	Vessel sunk on mooring	No	Owner made aware and vessel raised
Wooden Motor Cruiser	River Yare, Postwick reach	Vessel sunk on owners mooring	No	Not affecting the navigation owner will raise in due course