

Broads Authority
Navigation Committee

Minutes of the meeting held on 22 October 2009

Present

Mr D A Broad	Mr P Greasley	Mr A S Mallett
Mr M C Broom	Dr P A Gurbutt	Mr P E Ollier
Ms M Farrar	Mr P S Larner	Mr A Trafford
Mr P Frost		

In Attendance

Mrs A Abery – Management Accountant
Mr S Birtles – Head of Waterways Strategy and Safety
Mr A Clarke – Broads Projects Coordinator
Mr R G Holman – Director of Corporate Services
Mr S W P Housden – Collector of Tolls
Mr K Hounsome – Solicitor
Mr J Organ – Head of Administration and Executive Assistant
Dr J Packman – Chief Executive
Mr M Rimmer – Temporary Waterways Strategy Officer
Mr R Rogers – Head of Construction and Facilities
Mr R Savage – Rivers Engineer
Mrs L Shute – Administrative Officer
Mr A Vernon – Head Ranger (Navigation)
Mrs T Wakelin – Director of Waterways
Ms C Weller – Communications Manager

1/1 Apologies

Apologies for absence were received from Mr P Durrant and Mrs A Haswell.

1/2 Appointment of Chairman

The Chief Executive invited nominations for the position of Chairman for the forthcoming year.

It was proposed and duly seconded that Mr Broom be nominated as Chairman for the forthcoming year.

There being no other nominations it was

RESOLVED

that Mr Broom be appointed as Chairman of the Navigation Committee for the forthcoming year.

Mr Broom in the Chair

The Chairman thanked members for their continued support.

1/3 Appointment of Vice - Chairman

It was proposed and duly seconded that Mr Ollier be appointed as Vice Chairman for the forthcoming year.

There being no other nominations it was

RESOLVED

that Mr Ollier be appointed as Vice Chairman of the Navigation Committee for the forthcoming year.

1/4 Items of Urgent Business

There were no items of urgent business.

1/5 Declarations of Interest and Introduction

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

The Chairman introduced Mike Rimmer who had taken over from Angie Leeper as Temporary Waterways Strategy Officer.

1/6 Public Question Time

No questions were raised by members of the public.

1/7 Minutes of the Navigation Committee Meeting held on 3 September 2009

The minutes of the meeting held on 3 September 2009 were approved as a correct record and signed by the Chairman.

1/8 Summary of Progress/Actions/Response Taken following Discussions at Previous Meetings

A report detailing progress with various items on which the Committee wished to be kept up to date was received.

1/9 Navigation Finance and Tolls Review Group Report 2009

Members received the report of the Navigation Finance and Tolls Review Group, which had been established at the Authority meeting on 21 November 2008.

It was decided to consider agenda items 9 and 10 together as they were interrelated.

The Chairman presented the report of the Navigation Finance and Tolls Review Group highlighting its work in reviewing the future financial strategy for navigation and the recommendations made by the Group as a result of its review. Members noted that the finances as quoted in the report would require revising to take account of the recently confirmed salary settlement of 1% for the current financial year, which was 2% less than that anticipated. This would result in a £31,000 decrease in costs in 2009/10 and subsequent years and a similar increase in the expected contribution to reserves in 2010/11 and beyond, compared to the figures considered by the Group.

Members noted that the context for the work of the Group had changed during the period of its review as key financial influences such as a reduced effect of an increase in the price of diesel and maintaining the level of toll income had taken effect. Members recognised that some toll payers were facing difficult conditions because of the recession.

Members considered in turn the factors which had led to the six recommendations contained in the report.

- (1) **Recommendation 1: That the Authority carries out a fundamental review of staffing and budgets in tandem with the preparation of the new Broads Plan to ensure that priorities and expenditure are aligned.**

It was noted that the Group had closely examined the navigation income and expenditure and its practices and had come to the conclusion that the function was well run and operated to a tight budget. The current proportion of shared services costs charged to the navigation budget appear currently to be set at a fair level but it was noted that the Group did not have the mandate to look at expenditure across the whole of the Authority.

The Committee supported the Authority's policy to examine any vacancy arising, consider the need to fill the post and the opportunity to make any savings by redefining work practices.

The newly formed Finance and Audit Committee would be reviewing the Authority's overall budget.

Members supported the recommendation.

- (2) **Recommendation 2: That the Chairman and Chief Executive continue to press the case for additional Government funding to clear the backlog of dredging for the Broads, which provides multiple benefits through the restoration of aquatic ecosystems and the services they provide.**

Members were reminded that the Authority already had the information to prepare a budget for the current and following financial years as the level of National Park Grant for this period was known and included the additional National Park Grant. However, after this period, the level of

income was uncertain as was the economic and political future and its effects on the finances of the Authority. These were all factors which would affect the aspirations of the Authority to achieve a balanced budget by the end of 2012/13. The ambition was that toll income increases might be pegged at inflation levels from 2013/14 onwards.

The value of the Broads was highlighted and ways to encourage visitors to the Broads were suggested.

Members supported the recommendation.

- (3) **Recommendation 3: That the Authority continues to make annual provision for capital expenditure for essential equipment for the Dockyard and landowner payments for the disposal of dredged material.**

Members supported the recommendation.

- (4) **Recommendation 4: That the Authority adopts the figures as set in paragraph 2.3 of the report for income, expenditure and reserves as its 3-year Financial Strategy for Navigation.**

Members noted that the figures in the Group's report would be subject to amendment as a result of the lower than expected employees' salary settlement.

Members received a report giving details of the revised draft navigation income and expenditure figures for 2009/10 – 2010/11. These had been set out in a summary budget so that the Committee could consider if the balance of the budget was appropriate. It was noted that the Broads Authority Act 2009 removed the requirement to maintain separate general and navigation revenue accounts, and that in future a revised format Management Statement would be used for drawing up annual budgets.

Members noted that although the Group had recognised the uncertainties of forward planning, it had been keen to establish a three year indicative financial strategy. In view of the difficulties of forecasting income for 2011/12 and 2012/13 progress would need to be reviewed on an annual basis.

Members discussed the current economic position and likely scenarios for the future taking into account likely boat numbers and the need to exercise financial caution. They were keen to keep any rise in the tolls to a minimum for next year but needed to adopt a cautionary approach in order to stabilise future toll increases.

Members decided to amend the recommendation as follows:

That the Authority adopts the principle of a 3-year financial strategy for navigation which retains reserves at a minimum of

10% of net expenditure and seeks to achieve a balanced revenue budget by 2012/13.

Members went on to consider recommendation 6.

- (5) **Recommendation 6: That the Authority applies a 6% toll increase to all boats for 2010/11, and makes no change to the hire boat multiplier.**

Members discussed the factors affecting the level of the toll for 2010/11 and the three year income requirements. Although the Authority had budgeted prudently, a major factor to consider was the affect on the Authority if the Additional National Park Grant of £200,000 used for dredging the rivers and broads, was cut leaving a large gap in annual funding from 2011/12.

Some members wished to keep the toll increase for 2010/11 to 5% or lower. It was noted that this might result in a sizeable increase in 2011/12 which would not be helpful to toll payers. It was felt that it was preferable to cushion a large increase by spreading it over a three year budgeting period. The figures considered by the Review Group had envisaged toll increases of 6%, 6.5% and 7.5% in 2010/11, 2011/12 and 2012/13, respectively. The reduced pay settlement for 2009 and the consequent cost reduction of £31.000 in 2009/10 and succeeding years was demonstrated to allow projected increases of approximately 6% for each of the three years with the same effect on reserves as that envisaged by the Review Group. Officers expressed their intention of working to keep tolls increases at or below 6% for the next three years.

Members supported the recommendation by 6 votes to 4.

- (6) **Recommendation 5: That the relative charges for different sized boats and the hire boat multiplier be reviewed in time for any agreed changes to be implemented in April 2011, following consultation with the key boating organisations and having due regard to the full results of the toll payers questionnaire.**

Members noted that the recommendations of the Tolls Working Group made in 2005 were due for review next year and that the Review Group had agreed that the review should focus on the main issues of the relative charges for different size boats and the hire boat multiplier. It had also agreed that all interested bodies should be involved in the process and that the results of the 2009 tolls questionnaire should be taken into account.

Members supported the recommendation.

RECOMMENDED

- (i) that the Authority carries out a fundamental review of staffing

and budgets in tandem with the preparation of the new Broads Plan to ensure that priorities and expenditure are aligned;

- (ii) that the Chairman and Chief Executive continue to press the case for additional Government funding to clear the backlog of dredging for the Broads, which provides multiple benefits through the restoration of aquatic ecosystems and the services they provide;
- (iii) that the Authority continues to make annual provision for capital expenditure for essential equipment for the Dockyard and landowner payments for the disposal of dredged material;
- (iv) that the Authority adopts the principle of a 3-year financial strategy for navigation which retains reserves at a minimum of 10% of net expenditure and seeks to achieve a balanced revenue budget by 2012/13;
- (v) that the relative charges for different sized boats and the hire boat multiplier be reviewed in time for any agreed changes to be implemented in April 2011, following consultation with the key boating organisations and having due regard to the full results of the toll payers questionnaire; and.
- (vi) the Authority applies a 6% toll increase to all boats for 2010/11, and makes no change to the hire boat multiplier.

It was noted that the views of the Committee would be reported to the Broads Authority at its meeting on 20 November, when the level of toll for 2010/11 would be formally adopted.

1/10 Navigation Income and Expenditure 2009/10 (Revised) – 2010/11

This item was considered as part of Minute 1/9 above.

A detailed consolidated budget would be considered by the Committee at its meeting in December.

1/11 Broads Authority Act 2009 Formal Consultations

(1) Development of New Arrangements for Water Skiing and Wakeboarding

A report setting out the proposals for the first phase of the new arrangements for the management of water skiing and wakeboarding as agreed by the Waterski Review Panel and Broads Forum was received. The proposals had been the subject of a detailed consultation.

Members supported the draft permit conditions as attached to the report and noted that it was proposed to limit the number of boats entitled to permits to 166.

Permit conditions for guest skiers would be the subject of further development. Further work would be carried out relating to the definition of “momentarily” and “manoeuvre”.
Members supported the proposals as set out in the report.

(2) **Vessel Registration**

A report setting out the proposed procedures to implement the provisions in the Broads Authority Act relating to vessel registration was received.

It was noted that procedures for visiting craft would be the subject of further development.

Members supported the proposals including paragraphs 5.3 and 5.4 of the report which set out the information required for the registration of vessels.

(3) **Authorised Officers**

A report setting out the proposed process and procedure for the identification and approval of “Authorised Officers” for the execution of certain powers under the Broads Authority Act was received.

Members noted that a training plan including arrangements for refresher training would be developed.

Members supported the proposals as set out in the report which included paragraph 4.5 which proposed that the Authority continue to use the process for additional provisions within the Broads Authority Act.

(4) **Entry and Inspection of Vessels**

A report setting out the proposed policy, processes and procedures in order to implement the provisions relating to “Entry and Inspection of Vessels” within the Broads Authority Act was received.

Members supported the proposals including paragraphs 5.1 and 5.3 of the report which requires the Authorised Officer to use a specified form to notify the owner and master of their right to request a report of the findings of the inspection by the Authorised Officer on boarding the vessel and that the current recording and reporting of exercising of powers be continued.

(5) **Dealing with Unsafe Vessels**

A report setting out the process to develop procedures relating to the provisions within the Broads Authority Act for Dealing with Unsafe Vessels was received.

Members supported the proposals as set out in the report.

(6) **Procedures for Dealing with Requests for Information and Notices Requiring Information**

A report setting out the proposed process and procedures for requesting information relating to vessels under Sections 21, 22, and 23 of the Broads Authority Act was received.

Members supported the proposals as set out in the report.

(7) **Special Directions**

A report setting out the procedures for giving "Special Directions" within the Broads Authority Act and proposing a process and procedure for the authorisation and recording of Special Directions was received.

Members supported the proposals as set out in the report.

1/12 Broadland Flood Alleviation Project

(1) **General Update**

Members received a report providing an update on the Broadland Flood Alleviation Project, including the works scheduled and works at the design, pre-application stage and construction phase.

(2) **Erosion Monitoring at Piling Removal Sites**

A report providing members with a summary of the erosion monitoring data Broadland Environmental Services Ltd (BESL) has provided for the piling removal sites in the project area was received. This included details of the range of monitoring techniques used to determine whether any noticeable erosion was taking place in the piling removal areas being undertaken. Assessment of the extent of vegetation establishment on the cadge banks was also taking place.

Members noted that although in general there had been no significant change in river bed and cadge bank front face profiled areas where piling removal had taken place, there were areas causing concern. Officers felt that a precautionary approach to monitoring should be adopted in the lower system. Photographic evidence of the areas of concern were received and members agreed that urgent action was required for remedial works in areas of erosion in Compartments 11 and 35.

Members supported the officers comments and agreed that there was a need for ongoing quarterly monitoring in the Lower Yare and in particular the integrity of the banks in reach 3 in Compartment 35. In particular members expressed concern at the effects of the erosion on the navigation and asked that an urgent reply be requested from BESL

as to how they intended to provide the significant protection required. The erosion could be exacerbated with the onset of Winter.

(3) Planning Application for Piling Removal in Compartments 1 and 2, River Bure

Messrs Broom and Mallett declared an interest in this item as members of the Planning Committee and took no part in the discussion on the merits of the proposal.

A report providing members with a summary of the Broadland Flood Alleviation Project's (BFAP's) planning application for the removal of piling in Compartments 1 and 2 (Upton and South Walsham Marshes) on the River Bure was received. Members noted details of BESL's approach to setback design and piling removal, including monitoring methods proposed and what remedial action was planned to address any significant erosion of the road.

Members welcomed the significant benefits which the opportunities for setback works in this compartment would provide in respect of dredging disposal opportunities and landscape and ecological enhancements.

A member pointed out the need to ensure that the height of the bank was sufficiently above mean high water springs to allow sailing craft to hold themselves against windward banks for the purpose of raising and lowering sail. This was particularly important near the start and finish zones of regattas and other racing activities..

Members supported officers' precautionary approach to erosion monitoring and methodology as detailed in the report and proposed in the planning conditions for the application.

1/13 Boating Safety Management Group

(1) Update

The Chairman of the Boating Safety Management Group (BSMG), reported on the work carried out by the Group since the last meeting.

The notes of the BSMG meeting held on 22 September 2009 were received.

Members noted that the Group's work had included the continuation of the monitoring of the Port Marine Code Safety Management System and reviewing the impact and measures specified in the Broads Authority Act.

1/14 Dockyard Work Programme Update 2009/10

The Head of Construction and Facilities introduced a report giving details of the delivery of the dockyard work programme for the current financial year and its progress so far.

Members noted the reasons why the planned start date for the development work to create an island at Duck Broad had been delayed until April 2010 but were disappointed that this project has had to be put back.

Details of the recent acquisitions of a replacement crane and tug were noted. Members congratulated officers for their initiative in locating and acquiring this additional equipment.

1/15 Navigation Income and Expenditure: 1 April to 31 August 2009

Members received a report summarising actual income and expenditure for the period 1 April 2009 to 31 August 2009, compared to the revised budget.

In reply to a member's question it was confirmed that the apparent surplus was because more income had been received and less expenditure incurred than was predicted in the profiled budget for the five month period ended August 2009. The revised budget should be spent by the end of the financial year.

1/16 Survey of Toll Payers

A report summarising the results from the 2009 survey of Toll Payers was received.

Members noted that the results would be used for the review of the relative charges for differently sized boats and the hire boat multiplier.

1/17 Chief Executive's Report

A report summarising the current position in respect of a number of important projects and events was received.

1/18 Current Issues

(1) Provision of Moorings

A member commented that if there was an increase in visitors to the Broads and in the number of vessels on the Broads, the provision of additional moorings should be planned for the future.

Members discussed the issues involved in how and where increased moorings might be provided. There was only capacity in the southern broads and the reasons why there had been a decrease in boats using the southern broads was discussed.

It was agreed that the issues should be re-examined especially once the results of the survey on adjacent waters were known.

A report would be brought to the February meeting.

1/19 Date of Next Meeting

The next meeting of the Committee would be held on Thursday 10 December 2009 at Dragonfly House, Gilders Way, Norwich, commencing at 2.00pm.

The meeting concluded at 5.25 pm.

CHAIRMAN

CODE OF CONDUCT FOR MEMBERS

Declaration of Interests

Committee Navigation Committee
Date 22 October 2009

Name Please Print	Agenda/ Mins No(s)	Nature of Interest (Please describe the nature of the interest)	Please tick here if the interest is a Prejudicial interest ✓
P Greasley	8 - 18	Boat Owner/Operator/Broads Hire Boat Federation	
P S Lerner	9 - 18	Toll payer//Broads Society/EACC/ Norfolk and Suffolk Boating Association	
P E Ollier	9 - 18	Toll payer/NSBA/HSC/NPC.	
A Trafford	8 - 18	Toll payer/BHBF	
P A Gurbutt	9 - 18	Toll payer/BR/LRC	
A S Mallett	All	Toll payer/Frostbites/NBYC/NSBA	
D A Broad	9 - 18	Toll payer	
M C Broom	8 - 18	NSBA, BHBf, Port Authority, Toll payer	
M Farrar	8 - 18	Toll payer	