

Broads Authority

Navigation Committee

Minutes of the meeting held on 2 September 2010

Present

Mr P E Ollier (in the Chair)

Mr D A Broad
Sir Peter Dixon
Mr P Durrant

Mr P Frost
Mr P Greasley
Mrs A Haswell

Mr A S Mallett
Mr A Trafford

In Attendance

Mr S Birtles – Head of Waterways Strategy and Safety
Mr C Brown – For the Solicitor
Mr A Clarke – Broads Projects Officer
Ms M Conti – Broads Strategy Officer
Mr S Hooton – Director of Conservation and Countryside Management
Mr R G Holman – Director of Corporate Services
Mr T Hunter – Rivers Engineer
Mr J Organ – Head of Administration and Executive Assistant
Dr J Packman – Chief Executive
Mr M Rimmer – Waterways Strategy Officer
Mr R Rogers – Head of Construction and Facilities
Mrs L Shute – Administrative Officer
Mr A Vernon – Head Ranger (Navigation)
Mrs T Wakelin – Director of Waterways

Also Present

Mr K Marsh – BESL

6/1 Chairman's Announcements and Apologies

(1) Apologies

Apologies for absence were received from Mr M C Broom, Ms M Farrar and Dr P A Gurbutt.

(2) Changes to the Agenda

It was noted that agenda item number 14, South Walsham Slipway, had been deferred to the next meeting on 21 October.

(3) Welcome

The Chairman welcomed Tom Hunter, recently appointed Rivers Engineer, to his first Navigation Committee meeting.

(4) **Professor Aitken Clarke**

The Chairman reminded members that it would be Aitken Clark's memorial service at Norwich Cathedral at 2.30 pm on Friday 3 September.

(5) **Member Representation on Norwich Joint River Issues Group**

Members noted that the death of Patrick Lerner had meant that there was a member vacancy on the Norwich Joint Rivers Issues Group and agreed that Mr P Ollier should be recommended to fill the position.

6/2 Items of Urgent Business

There were no items of urgent business.

6/3 Declarations of Interest

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

6/4 Public Question Time

No questions were raised by members of the public. It was noted that a petition relating to South Walsham Slipway (item 6/14 below) had been withdrawn.

6/5 Minutes of the Navigation Committee Meeting held on 3 June 2010

The minutes of the meeting held on 3 June 2010 were approved as a correct record and signed by the Chairman.

(1) **Minute 5/5 (2): Minute 4/13 Navigation Account Income and Expenditure: 1 April to 28 February 2010**

The Director of Corporate Services confirmed that at its meeting on 25 June 2010 the Authority resolved to transfer:

- £20,000 into the Dockyard Vessels and Equipment Reserve; and
- £40,000 to the Dredging Disposal Sites Reserve.

6/6 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.

6/7 Water Skiing Zones Mitigation and Wakeboarding Trial

Members received a report setting out proposed mitigation measures and variations to the Waterskiing Zones on the Broads and a proposed trial of recreational wakeboarding.

It was noted that the Stakeholder Panel, which had been formed as part of the legal agreement which sets out the process for implementing the provisions in the Broads Authority Act 2009, had concluded that existing arrangements to manage waterskiing and wakeboarding were satisfactory. It had considered site specific risk assessments and addressed the outstanding issues to reduce risks in their recommendations and had adopted a cautionary approach as it was conscious of local concerns. If approved, a wakeboarding trial would be carried out within two of the ski zones under strict limitations, strictly monitored and reviewed after six months. The variations to zones and times were also subject to public consultation and, if agreed, would be implemented from 1 April 2011.

The consultation had run via a Public Notice, correspondence and committees during July and August. The development of the new arrangements had been considered by the Broads Forum at its July meeting where the proposals were largely supported. One member declared severe reservations regarding the proposed wakeboarding trial and sought assurances that any incidents would be diligently logged.

Members noted that the wakeboarding trial would remain subject to the existing limitations on wash and noise levels. Effectively the only differences to the status quo would be the equipment used and the relaxation of the requirement for the skier/boarder not to leave the surface of the water.

A recommendation that a limited trial for manoeuvres should take place in summer 2011 to inform future management options, with a further review to take place in autumn 2011, was supported.

6/8 Somerleyton Swing Bridge

Members received a report which summarised the activity taken to remedy the catastrophic failure of the pivot mechanism in the Somerleyton Bridge during May 2010 and the subsequent failure of the replacement bearing. Members noted details of discussions which had taken place with Network Rail and that in addition a draft legal undertaking concerning swing bridges, particularly Somerleyton, was being negotiated. This would hold Network Rail to the completion of works within an agreed time frame.

An update on the situation regarding swing bridges was received and members noted that testing had recommenced at Trowse Bridge and that although Oulton and Reedham Bridge were operational they both had problems. Somerleyton Bridge would continue to operate on a limited basis until October 2010 and a small gain in the opening period had been negotiated.

Members expressed great concern at the state of affairs and the inconvenience and disruption to boaters and agreed that the situation was unacceptable. Although there was some commitment to alleviating the situation at the operational level of Network Rail, it was important that this was reflected with a similar commitment at a higher level. Members were unanimous in supporting the Authority to take the strongest line to ensure that the long term operation of swing bridges was maintained and to bring the problem to the attention of senior managers in Network Rail and to appropriate Ministers.

6/9 Great Yarmouth Harbour Revision Order

Members received a report setting out details of a draft legal agreement which set out the Terms of Reference for a Community and Marine Liaison Committee with the Port of Great Yarmouth.

Members considered the latest copy of the legal agreement and Terms of Reference and noted that this was a consultation mechanism to give regular liaison between the Port Company and the Authority. The Committee supported the content of the legal agreement. Minor changes were suggested to the wording in Section 3 (f).

It was noted that the Authority was seeking operational meetings with the Harbour Master regarding safety issues but discussions with the Port Authority regarding the future potential of transporting sugar cane by water and transfer of the responsibility for Breydon and the Lower Bure to the Authority had been held.

Members expressed the opinion that the objection to the Harbour Revision Order should be kept in place until the legal agreement regarding the establishment of a Community and Marine Liaison Committee was in place.

6/10 Cantley River and Rail Working Group

A report outlining the contents of the final report of the consultant's feasibility study which had been commissioned to investigate and identify the various methods and the likely costs of transportation of imported raw sugar cane from Great Yarmouth Outer Harbour to the sugar processing plant at Cantley was received. It was noted that subject to the further study and finalisation of costs, the report had concluded that the transportation of the sugar cane by water was likely to be viable when compared with the costs of road/rail transport.

Members noted that initial criteria relating to the likely operation of the transportation including the classification of suitable vessels and safety issues had been identified. However the decision to pursue the waterways option would be a matter for British Sugar and the likely timeframe was not known. One of the feasibility study report's recommendations was for further study, including the finalisation of costs, the extension of hours of navigation and the preparation of a grant application, and it was noted that this would involve further costs.

Members welcomed the project and would encourage future initiatives for the provision of commercial river transport.

6/11 Dragonfly House Mooring

A report giving details of the background and financial implications of providing a visitor mooring in association with the new pedestrian bridge outside Dragonfly House was received. Members noted that although provision had been made in the Authority's budget for 2009/10 for £80,000 for the installation of the mooring, given the economic climate, a scheme in a reduced form costing in the order of £40,000 and funded from the Housing and Planning Delivery Grant had been developed.

It was noted that the amended scheme provided some ability to extend the facility should this be required in the future.

Members supported the amended scheme.

6/12 Planning Application with the potential to affect Navigation: Peto's Marsh

A report providing members with a summary of a planning application to carry out a private flood defence scheme for Peto's Marsh, located adjacent to Oulton Dyke and the true right bank of the River Waveney, was received. Details of works proposed by BESL for this part of Compartment 28 and their proposals for the construction of a crosswall were noted.

Members noted the background to the private application and that the majority of the works proposed were for strengthening of the floodbank. However, there was some concern as to the provision of proof that the stabilisation of the front face of the bank in Oulton Dyke and the installation of erosion protection matting would not destabilise the piling in front of the bank, and the clarification of who would accept responsibility for the piling when it deteriorates to the extent that it becomes a hazard to navigation. Members requested that the Environment Agency notifies the Authority if it decides to no longer accept responsibility for piling in Oulton Broad. Clarification of the methods to be used would also be required. In the absence of clarity on the responsibility for the piling, the Authority should object to the application.

Members expressed their disappointment at the limitations of the scheme and supported officers comments regarding the potential destabilisation of piling, the loss of the possibility of the use of dry dredgings in the earthworks, the loss of the incorporation of habitat creation and that access improvements had not been included as part of the scheme. However the Committee's main concern was the destabilisation of the piling and the protection and safety of the navigation at Oulton Dyke.

6/13 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.

(i) Navigation Hazards Presented by Old Piling

Members noted that work to identify navigation hazards in the system presented by old and failing piling had been completed and the Authority was working with BESL to agree a programmed approach to deal with the problem.

A member pointed out that clarification was needed as to who was responsible for the hazards. He quoted an incident where a boat owner was keen to know who was responsible for damage to his boat.

In reply to a member's question, details of how the hazards were marked was noted. The provision of channel marking had been established by the Boating Safety Management Group.

(2) Consultation for Compartment 9: Boundary Dyke to Stokesby

A report was received providing members with a summary of BESL's consultation proposals for Compartment 9 (Boundary Dyke to Stokesby) on the true left bank of the River Bure.

Members welcomed the flood defence benefits of the proposed scheme and the opportunities for partnership working to develop enhancements including the potential to provide mooring opportunities or angling access in appropriate locations, the opportunity to identify whether there was scope to use the setback areas in the compartment for dredging disposal and the possibility of protection this would afford for the valuable habitats in the area. They supported officers' responses including that appropriate specifications for piling, erosion monitoring and relevant erosion protection and channel marking should be agreed and conditioned on any planning application granted for the scheme.

6/14 South Walsham Slipway

This item was postponed to the next meeting on 21 October 2010.

6/15 Sediment Management Strategy: Draft Action Plan 2010/11

A report setting out the current position with regard to the volume of material required for removal in order to achieve the Waterway Specifications, the

current level of compliance achieved and the development of the draft Sediment Management Strategy (SMS) Action Plan 2010/11 was received.

It was noted that, following incorporation of members' comments on the Action Plan and Priority Actions, and approval by the Broads Authority, an updated SMS Action Plan 2010/11 document would be published. This would provide transparency on the Authority's programme as well as ensuring the supporting data was publicly available.

Given the number of regulatory, technical and operational developments since the original Strategy was published, and the expiry of the five year work plan next year, it was intended that the Strategy be revised and updated over the course of the coming year. In addition a report on the success of landowner discussions to identify sites suitable for disposal to be prepared later this year would inform the Strategy and Action Plan.

In reply to a member's comments, it was noted that limited dredging had been carried out at the Lower Bure in recent years and that work had been carried out with partners to develop a feasibility study for any work to be carried out at Hoveton Great Broad.

Members felt that the Sediment Management Strategy and Action Plan was a powerful tool for prioritising, quantifying and monitoring the progress of work to achieve Waterway Specifications by the comparison of dredging outputs with surveys and assessing their success against the backlog of work to be carried out. The updated Strategy would provide a focus for the Authority's activities and inform future work plans.

6/16 Dockyard Work Programme Update 2010/11

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.

6/17 Navigation Income and Expenditure; 1 April 2010 to 30 June 2010

Members received a report summarising actual income and expenditure for the period 1 April 2010 to 30 June 2010, compared to the revised budget.

Members noted that the payment of rent for Dragonfly House was still outstanding because the Authority was trying to resolve the issue about the inclusion of VAT in the invoices.

6/18 Chief Executive's Report

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

(1) Reduction in National Park Grant

Details of the measures taken as a result of the reduction in the Authority's National Park Grant by 5% for the current year and to accommodate future cuts were noted. To facilitate the process of examining all possible avenues for increasing income and reducing expenditure through different ways of delivering projects and services, service reviews had been initiated. A member Resource Allocation Working Group, supported by officers, had been set up to examine the results and report their findings to the Authority in November 2010. The Authority would not know what its future budget would be until later in the year but the latest guidance was that the Secretary of State had asked national park authorities to plan for a reduction in grant of 30% over four years.

Although representations were being made regarding the effect of substantial cut on services, it was acknowledged that the Government was determined to reduce spending across the whole of the public sector.

(2) Broads Plan Review

Although it had been originally intended to bring the draft Broads Plan to the meeting, the timetable for the draft Broads Plan Review had been delayed so that the results of the Government's Spending Review and decisions on future National Park Grant could be incorporated.

As a result of this, the Navigation Committee would be presented with a summary report of the responses made to the consultation together with an analysis of the responses, at a future meeting as part of a wider consultation with the Navigation Committee on the development of the Broads Plan. This would also include consultation on further development of the priorities for the Broads Plan in the light of a reduction in resources. However members' comments on the Broads Plan consultation document were welcomed at any time.

6/19 Current Issues

(1) Tolls in Adjacent Waters Survey

In response to a member's question, it was noted that the timetable for the survey on Adjacent Waters had been delayed as a result of staff sickness.

6/20 Date of Next Meeting and Future Events

The next meeting of the Committee would be held on Thursday 21 October 2010 at Dragonfly House, Gilders Way, Norwich, commencing at 2.00pm.

The meeting concluded at 4.32pm.

CHAIRMAN

CODE OF CONDUCT FOR MEMBERS

Declaration of Interests

Committee Navigation Committee
Date 2 September 2010

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 ✓
A S Mallett	General 6/11 – 6/14 minutes 18 Appendix 3 item 1	Toll payer and Member of NSBA and clubs Member BA Planning Committee (will not participate) As before Member Norwich Frostbite Sailing Club New Cut will withdraw if necessary	✓
P Dixon	6/13, 6/15, 6/17	Toll payer, Hickling resident,	
P E Ollier	6/17 – 6/18	NSBA Committee, various sailing clubs, Toll payer	
A Trafford	6/7 – 6/18	BHBF/BMF/Toll payer	
P Greasley	6/7 – 6/18	BHBF/Boat Operator/Commercial toll payer	
D A Broad	6/6 – 6/18 6/9	Toll payer, Member of Great Yarmouth Port Consultative Committee	