

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 Navigation Committee Membership and Co-opted members to the Authority

Contact Officer/Broads Plan Objective: Piero Ionta/None

- 1.1 At its meeting on 15 May 2015 the Authority agreed to appoint Mr Michael Whitaker and Mr James Knight as the co-opted members from the Navigation Committee until 13 May 2016.

2 Strategic Priorities 2015/16

Contact Officer/ Broads Plan Objective: Maria Conti /Multiple

- 2.1 At its meeting on 15 May 2015, the Authority received an update on the Strategic Priorities for 2015/16. This included progress on the Landscape Partnership Project prior to a bid being submitted to the Heritage Lottery Fund before the deadline of 1 June 2015 for £2.6 million towards the total £4.3 million value of the scheme. A decision by HLF is anticipated in October 2015. If successful this will allow the Authority to enter the development phase by the end of the year and a stage 2 submission about 18 months later.
- 2.2 Members also received progress on the Lake Review Research – see below.

3 Lake Review Research

Contact officer/Broads Plan Objective: Andrea Kelly/Simon Hooton/Trudi Wakelin/NA1

- 3.1 A successful member and partner workshop on the Broads Lake Review was chaired by Jacquie Burgess on 17 April. Presentations from Nigel Wilby (Stirling University), Andrea Kelly (BA) and Geoff Phillips (Honorary Stirling University) were well received and a panel discussion and question and answer sessions explored the report findings. A full workshop report is in preparation.
- 3.2 The strategic context for the lake review, set out in the Broads Plan and the Broads Biodiversity and Water Strategy, aims to use scientific data to 'improve our knowledge to enable a stronger evidence-based approach to habitats and species management'. The strategy contains an action to review lake restoration practices

and their performance, providing an assessment of much of the monitoring data and scientific evidence of lake ecology in the Broads to date.

- 3.3 The full range of lake management and restoration measures in the Broads was last evaluated in the mid-1990s. The 2015 review evaluates the research, monitoring and management since then, to understand management success over a longer time scale, take account of more recent management measures and, for the first time, consider the impacts of climate change.
- 3.4 The review builds on interim results from the 1990s and recent reviews on the effectiveness of restoration approaches applied to shallow lakes in the Netherlands and Denmark, to offer new insights into shallow lake restoration. The review was undertaken by leading freshwater scientists from the Centre of Hydrology and Ecology, ECON Ecological Consultancy, Stirling University and University College London.
- 3.5 The report considers management actions targeted at lake restoration, supported by an analysis of climatic changes. It then analyses water chemistry and plant data across the Broads network before grouping the broads into isolated, riverine and near brackish. It then identifies key thresholds, such as phosphorus, that restoration should aim to achieve in order to promote recovery. The report then explores the effects of the three major restoration methods: External load reduction, sediment removal and biomanipulation. The final section of the report sets out current achievements and challenges and some questions for future research and monitoring. Dossiers on individual broads, covering the larger or more significant water bodies, are annexed.
- 3.6 The summary and reports for the Broads Lake Review are available on the Broads Authority website, under 'Lake Restoration' <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/conservation-publications-and-reports/water-conservation-reports>.
- 3.7 The key rules for lake restoration, highlighted by the review, will be used to assign to each broad restoration methods to restore water quality and biodiversity value (such as external load reduction, sediment removal, biomanipulation, reedswamp restoration and other techniques such as sediment capping).
- 3.8 Key actions for individual broads will then be incorporated into conservation partners' own plans, such as Natural England's remedies database, land owner site management plans and business investment plans. Actions will need to be appropriate for the other uses of the sites. The outcomes of the Lake Review will be incorporated into the next Broads Plan, to be published in 2017. Table 1 summarises the mechanisms and timescales for disseminating the findings of the research and Figure 1 are initial thoughts on matching broads with actions.

Table 1. Communication and Action Plan

Work area	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Press release												
Presentation - Aquatic Plant International Conference Edinburgh												
Presentation - Wetland Futures National Conference												
Link to UK & Ireland Lakes Network website (and 2016 conference?)												
Inform and link to Aquatic Restoration Partnership website												
Presentations to partners, officers and members												
Workshop with Norfolk Wildlife Trust												
Presentation to Upper Thurne Working Group												
Presentation to Broads Angling Strategy Group												
Work with partners to assign restoration actions to each broad												
Incorporate restoration actions into conservation partners plans												
Complete site dossiers and make available to site managers/owners												
Develop Hickling enhancement												
Develop actions into Broads Plan review process												

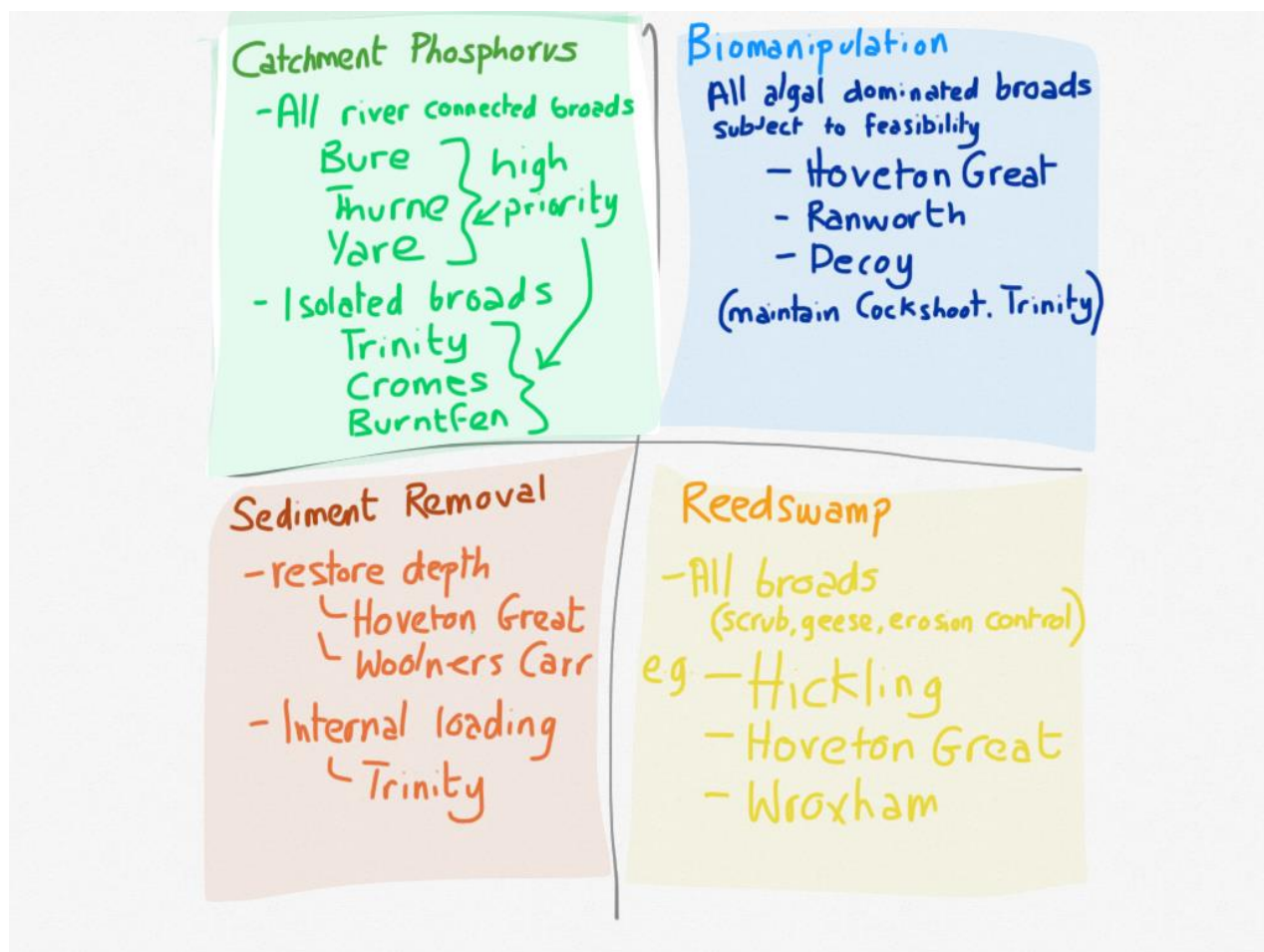


Figure 1 Initial Thoughts on assigning the main actions to broads

4 Hickling Broad Project

Contact Officer/Broads Plan Objective: Trudi Wakelin/ NA1

- 4.1 Since the strategic objectives were confirmed officers have been working on the process for developing and agreeing a refreshed vision for Hickling. Additional survey work has been undertaken to fill data gaps, further copper sampling has been undertaken and is currently being analysed, a meeting has been held with statutory partners to discuss the consenting regime, and a workshop is planned with the Upper Thurne Working Group for their next meeting on 9 June. Once the outputs of the workshop have been written up and agreed, a round of consultation with Broads Forum, Navigation Committee and the Broads Authority is planned for the next committee cycle, to finalise and sign off the vision in accordance with the agreed timetable.
- 4.2 A meeting was arranged by the Environment Agency on 30 April to discuss the recent prymnesium outbreak which had resulted in the Environment Agency and partners needing to take measures to protect the distressed fish in the area. An

update of work being carried out by the John Innes Centre was presented, and it is clear that a number of factors are involved, of which one is strongly felt to be low water levels. This may mean that localised dredging in some shallow areas where mechanical disturbance of the bed is happening regularly will be beneficial. A task and finish group is being set up by the EA to consider further management options and contingency plans.

5 Network Rail Update

Contact Officers/Broads Plan Objective: Angie Leeper/ NA5.1

- 5.1 Officers attended a high level liaison meeting with Network Rail representatives on 5 May to push for progress on the Whole Life Study in respect of Reedham and Somerleyton and the Anglia Route Study in respect of Trowse.
- 5.2 Reedham and Somerleyton Bridges - The Structures Renewals team are currently writing a remit to instruct a multi-criteria analysis for the two bridges in order to understand the social and political issues surrounding the requirements for the assets. This will further be used as evidence to build the business case to justify the large costs involved with their remediation. However, Network Rail has confirmed that there are no plans for major work within the current spending round.
- 5.3 Trowse - The Broads Authority was previously informed that Network Rail was looking to secure a contractor to fix the issues with the computer software. Following discussions, Network Rail has agreed that further information will be provided to the Broads Authority relating to the current status of the above proposal and the costs associated with the rectification of the computer system/bridge components to allow the bridge to swing.
- 5.4 Network Rail has also agreed to look again at the provision of additional manual opening times whilst Trowse is unable to operate electronically.
- 5.5 Network Rail's Senior Strategic Planner is currently leading on developing options for remediation of Trowse swing bridge within 'Norwich in 90'. The Final Anglia Route study is being released in Aug 2015, with the consultation responses due to be published at the end of May.

6 Breydon Water: Water Skiing and Wakeboarding Trial Findings

Contact officer/Broads Plan Objective: Steve Birtles/NA4

- 6.1 At its meeting on 15 May 2015, the Authority reviewed the options relating to the Breydon Water Ski Zone and considered the recommendations from the Navigation Committee based on the evidence from the Water Ski Review Panel and the Boat Safety Management Group. Members agreed to accept the preferred option to formally designate the existing zone for waterskiing and wakeboarding without any additional controls and, in accordance with the provisions of the

Broads Authority Act 2009 to carry out the necessary consultations. As part of this process the Navigation Committee will be formally consulted again on the preferred option.

7 Health and Safety

Contact Officer/Broads Plan Objective: Steve Birtles/NA4

- 7.1 At its meeting on 15 May 2015, the Authority received and noted the issues relating to health and safety matters and adopted the Integrated Safety Management System as well as supported the ongoing development of detailed supporting operational procedures. They also noted the Annual Marine Incident Statistics.

8. Supporting and Developing the Role of Members

Contact Officer/Broads Plan Objective: John Packman/none

- 8.1 At its meeting on 15 May 2015, the Authority considered a discussion paper on Supporting and Developing the Role of members based on the feedback from members in their Annual Development Interview and the Stakeholder Survey results concerning engagement with local people. The ambition is to increase the quality of the Authority's communication with our stakeholders through a more active ambassadorial role for all Members of the Authority, to enable members to gain a deeper collective understanding and engagement in the key issues for the Broads and the work of the Authority, to consider how the important work of the Local Access Forum could be brought more into the mainstream of the Broads Authority's discussion and debate and to reassess the areas of responsibility for Lead members so that they match issues of strategic relevance to the Authority.

Following a lengthy and lively debate Members agreed that:

- Broads Authority Members be asked to volunteer for one of four Parish Forum Teams (reflecting the areas covered by the Rangers) and asked to participate in the development of the programme for 2015
- The Annual Member Development Reviews be extended to the Co-opted Members of the Navigation Committee and these be used to seek ideas for workshops and identify training needs as well as to gain a comprehensive understanding of the skills of all members
- A Workshop Programme be developed in consultation with Members to improve understanding of strategic issues facing the Authority
- The appointment of Lead Members and Members on outside bodies will be aligned with priorities for the new Broads Plan and the skills and experience
- The constitution, including membership, period of office, and selection of members for the Broads Local Access Forum (BLAF) be reviewed with the current members of the BLAF.

9 Hire Boat Licensing

Contact Officer/Broads Plan Objective: Steve Birtles/NA4

- 9.1 The Authority proposes to review its licensing conditions for powered hire vessels following the completion of the amended Hire Boat Code and the outputs of the recent Hirer Safety Review. There will be a period of public consultation on the proposed new issue of the hire boat code which will be run nationally.
- 9.2 Subsequently the proposed amended conditions to the Broads Authority Scheme will be developed over the next few months and a period of local consultation will be entered into before implementation. The local consultation will include the Broads Hire Boat Federation, Boat Safety Management Group and the Navigation Committee at its September meeting. Consultation responses will be considered by the Authority before implementation in April 2016.
- 9.3 National bodies are in the process of scoping a code applicable to unpowered hire vessels. As progress is made in the development of a code further updates will be given. In the interim the Authority proposes start a conversation with those operators who are unfamiliar with the current licensing scheme due to the nature of their operations.

10 Navigation Patrolling and Performance Targets

Contact Officer/Broads Plan Objective: Adrian Vernon/NA4.3

- 10.1 The report of the significant use of powers by the rangers is displayed in Appendix 1. The slightly disappointing figures reflect that one member of staff was not available for half of April and that two new members of staff were under training. The average navigation/countryside split for April is 69%/31%. This figure reflects the Easter period and increased patrolling effort. The mooring inspection target compliance figure for April is 83%.

11 Sunken and Abandoned Vessel Update

Contact Officer/Broads Plan Objective: Adrian Vernon/NA4

- 11.1 The table in Appendix 2 shows the current sunken vessel status. A sunken and abandoned vessel notice has been issued on one new vessel.

12 Planning Enforcement Update

Contact Officer/Broads Plan Objective: Adrian Vernon and Cally Smith/None

- 12.1 Following queries raised by a member, it was agreed to provide regular updates on the position regarding relevant planning enforcement actions. These details are included at Appendix 3.

13 Tolls in Adjacent Waters

Contact Officer/Broads Plan Objective: Trudi Wakelin and Bill Housden/None

- 13.1 The Authority has and continues to take appropriate enforcement action to ensure that all tolls levied on behalf of the Authority are paid.
- 13.2 On Friday 15 May, The Authority sought to defend an appeal brought by an owner of a vessel in adjacent waters against their recent conviction/sentence (before Lowestoft Magistrates Court) on the grounds that its successful prosecution for payment of the “appropriate toll” demanded for the vessel was unlawful on the grounds that no services were provided to the owner of the vessel. Although it was accepted that the Authority has statutory authority to levy tolls in adjacent waters, regrettably, HHJ Holt allowed the appeal on the grounds that where no services are provided that the demand would be unlawful.
- 13.3 Officers have instructed Counsel to review the judgement in full so as to provide urgent advice so that it may be determined how best to proceed.

Background papers: None

Author: Sandra Becket / Esmeralda Guds

Date of report: May 2015

Broads Plan Objectives: Multiple

Appendices: APPENDIX 1 –Report on the Significant Exercise of Powers by the Rangers during February – March 2015
APPENDIX 2 – Report of Sunken and Abandoned Vessels
APPENDIX 3 – Planning Enforcement Update

APPENDIX 1

Rangers Exercise of Powers Analysis <i>(Bracketed figures are running totals, April 2015 to March 2016)</i>							Date: APRIL 2015	
	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
Verbal Warnings								
Care & Caution		3 (3)		26 (26)				1 (1)
Speed	382 (382)	129 (129)	55 (55)	89 (89)	12 (12)	1 (1)		29 (29)
Tolls offences	4 (4)	21 (21)		27 (27)	3 (3)	2 (2)		
Other	1 (1)	7 (7)	4 (4)	8 (8)		3 (3)		
Blue Book Warnings								
Care & Caution	3 (3)						1 (1)	1 (1)
Speed	15 (15)	2 (2)		3 (3)				
Other	1 (1)	2 (2)		1 (1)		1 (1)	4 (4)	2 (2)
Reports for Prosecutions		1 (1)						
Special Directions								
Toll Compliance Reports								
Non Payment	2 (2)	9 (9)	1 (1)		1 (1)	2 (2)		
Non Display			1 (1)					
28 Day request for information								
BSS Hazardous Boat Inspections								
Enter Vessels Under BSS								
Launch Staffed (by Ranger)	24 (24)	10 (10)	16 (16)	17 (17)	14 (14)	12 (12)	22 (22)	29 (29)
Country Site Inspection Reports Percentage Compliance	92% (92%)	71% (71%)	(Combined figure)	88% (88%)	(Combined figure)	25% (25%)	50% (50%)	
Best Value Patrol Targets Percentage Compliance	144% (144%)	65% (65%)	106% (106%)	142% (142%)	85% (85%)	187% (187%)	115% (115%)	86% (86%)
Volunteer Patrols	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!
IRIS Reports	18 (18)	4 (4)	8 (8)	5 (5)	7 (7)	3 (3)	10 (10)	10 (10)
Broads Control Total Calls	TOTAL 3,653 (3,653)			Telephone 2,928 (2,928)		VHF 725 (725)		

RANGER TEAM ACTIVITY

	Navigation Activity								Countryside Activity							
April 2015	Nav Patrol Launch	Nav Patrol Foot/Road	Incident Working	Admin - Navigation	Training (Navigation)	Escort	Moorings Maintenance	Bank/river work	Country Patrol	Country Maintenance	Admin - Country	Training (Countryside)	Equipment Maintenance	Tree/Ground work	Group Activities	Education/School Visit
Percentage Total	26.5%	1.9%	0.6%	0.5%	3.4%	0.2%	0.7%	0.5%	1.7%	4.7%	0.5%	0.1%	5.2%	1.4%	0.5%	
(Management)	9%			6%	17%				19%	8%		34%	9%	14%		
Wroxham team	17%	44%	26%	5%	38%	46%	29%	20%	40%	26%	16%	34%	30%	16%		
Thurne team	20%	4%	3%	68%	40%	54%	13%	15%	9%	36%			13%			
Yare team	8%	3%	30%	5%			25%	20%	31%	27%	84%		25%	43%	100%	
Waveney team	18%	19%	16%	5%			12%	38%		0%			9%	28%		
Breydon team	29%	29%	25%	9%			21%	8%		3%			15%			
Control Officer																
	35%								9%							

Month Percentages	
Navigation	68%
Country	32%
Total	100%
Time Off not included	

	General Support												Time Off			
	Broads Control	Travel Time	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	Sick
Percentage Total	7.2%	5.1%	4.2%	9.3%	4.8%	0.6%	6.8%	0.0%	0.1%	0.4%	0.6%	3.5%	0.7%	1.2%	2.6%	3.5%
(Management)		10%	8%	28%	28%	70%	33%				23%	13%		8%	17%	13%
Wroxham team		19%	25%	35%	31%	9%	16%			23%	13%	21%		13%	25%	
Thurne team		8%	41%	32%	13%	14%	13%			46%	15%	32%		1%	8%	6%
Yare team		12%	4%	0%	13%	3%	22%	100%	29%		21%	8%	66%	19%	33%	75%
Waveney team		12%	10%		6%		11%			30%	18%	11%	33%	1%	8%	
Breydon team	1%	39%	14%	0%	9%	4%	6%		71%		18%	18%	1%	2%	8%	6%
Control Officer	70%													43%		
	5%	5%	38%										7%			

Percentage with apportioned split	
<i>Year to date (Apr - Mar)</i>	
Navigation	68%
Country	32%
Total	100%
Time Off not included	

APPENDIX 2

Sunken and abandoned vessels

Description	Location found	Action	Abandoned /Sunken Notice Affixed	Result
Wooden sailing cruiser	River Yare. Trowse	No known owner.	Yes	Vessel not raised by owner. Deadline expired and BA team will raise and remove when the programme allows
Fibreglass cruiser hull	River Ant. Dilham	Investigation undertaken no known owner found.	Yes	Notice expires at the end of May. Contractor found to dispose of vessel.

Enforcement Update

This table shows the updates on enforcement matters relating to Navigation matters currently under consideration since the last Navigation Committee on 23 April 2015

Committee Date	Location	Infringement	Action taken and current situation
5 December 2008 5 March 2010 16 July 2010	"Thorpe Island Marina" West Side of Thorpe Island Norwich (Former Jenner's Basin)	Unauthorised development	<ul style="list-style-type: none"> • .Enforcement Notices served on 7 November 2011 on landowner, third party with legal interest and all occupiers. Various compliance dates from 12 December 2011 • Appeal lodged on 6 December 2011 • Public Inquiry took place on 1 and 2 May 2012 • Decision received on 15 June 2012. Inspector varied and upheld the Enforcement Notice in respect of removal of pontoons, storage container and engines but allowed the mooring of up to 12 boats only, subject to provision and implementation of landscaping and other schemes, strict compliance with conditions and no residential moorings. • Challenge to decision filed in High Court 12 July 2012 • High Court date set for 26 June 2013 • Planning Inspectorate reviewed appeal decision and agreed it was flawed and therefore to be quashed • "Consent Order" has been lodged with the Courts by Inspectorate • Appeal being reconsidered –Planning Inspector Site Visit 28 January 2014 • Hearing took place on 8 July 2014 • Appeal allowed in part and dismissed in part on 20 October 2014. Inspector determined that the original planning permission had been abandoned, but granted planning permission for 25 vessels, subject to conditions (Similar to previous decision above except in terms of vessel numbers). • Planning Contravention Notices issued to investigate

Committee Date	Location	Infringement	Action taken and current situation
			<p>outstanding breaches on site.</p> <ul style="list-style-type: none"> • Challenge to the Inspector's Decision filed in the High Courts on 28 November 2014 • Acknowledgement of Service filed 16 December 2014. • Section 73 application submitted to the Authority to amend 19 of 20 conditions on the permission granted by the Inspectorate. Application not validated. • Appeal against non-determination submitted to PINS in respect of Section 73 application. Not accepted. • Section 288 challenge submitted in February 2015. • Court date of 19 May 2015.