

## **Chief Executive's Report**

<p><b>Summary:</b> 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.</p>
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### **1 Broads Authority Interim Chairman and Vice-Chairman**

- 1.1 At its meeting on 20 March 2015, the Authority appointed Professor Jacquie Burgess as interim Chairman and Sir Peter Dixon as interim Vice-Chairman of the Authority until the annual meeting in July 2015 due to Stephen Johnson's term of office coming to an end on 31 March 2015.

### **2 Navigation Committee Membership and Co-opted members to the Authority** Contact Officer/Broads Plan Objective: Piero Ionta/None

- 2.1 At its meeting on 20 March 2015 the Authority received a report on the process used for making appointments to the Navigation Committee in accordance with Section 9 of the Norfolk and Suffolk Broads Act 1988. Members supported the recommendations from the Navigation Committee and agreed to accept the recommendations of the Selection Panel. The Authority also concurred with the Committee's views that improvements could be made to the selection process in that it would be helpful to have a common understanding of how the categories for appointment were interpreted. The Authority therefore agreed to support a review of the appointments procedure bearing in mind that this would need to be within the confines of the Broads Act and Government's guidance.
- 2.2 Mr Michael Whitaker and Mr Alan Goodchild were appointed to the Authority as co-opted members until 15 May 2015. It was also agreed that the co-opted members should be appointed to the Authority for a period of one year thereafter.
- 2.3 Mr Michael Whitaker was also appointed as Lead Member for Safety Management until the Annual Meeting in July 2015 when all the Lead member roles will be reviewed.

### **3 Strategic Priorities 2015/16**

Contact Officer/ Broads Plan Objective: Maria Conti /Multiple

- 3.1 At its meeting on 20 March 2015, the Authority agreed to adopt the Strategic Priorities for 2015/16 following consultation with the Navigation Committee, Broads Forum and Parish Councils. Members will recall that these included the Broads Plan Review, Broads Landscape Partnership Project, Hickling Broad Lake Restoration Project (see para 5 below), Promoting the Broads and also the Stakeholder Action Plan.

### **4 Hickling Broad**

Contact Officer/Broads Plan Objective: Trudi Wakelin/ NA1

- 4.1 At the last meeting of the Broads Authority the details of the agreed Strategic Objectives for 2015/16 were set, and these included: Develop a long-term approach for the management of Hickling Broad, building on scientific evidence from the Broads Lake Review. In the short term, progress development of a number of smaller projects to meet immediate concerns. The agreed milestones are to:
- Collate baseline data including Broads Lake Review outputs by April 2015
  - Lake review stakeholder workshop - April 2015
  - Develop partnership approach with stakeholders and agree refreshed vision for Hickling by Sept 2015
  - Seek planning permission and in principle agreement from regulators to deliver the vision
  - Develop external funding options - Jan 2016
  - Undertake supporting research and pilots to inform feasibility by March 2016
- 4.2 Members are aware that previously planned dredging work had to be postponed as a result of delays in consenting processes, and at the same time a prymnesium outbreak occurred resulting in the Environment Agency needing to evacuate distressed fish from the area. The dredging programme has therefore been re-planned to allow works to take place in October/November 2015, subject to additional ongoing work to resolve concerns relating to copper contamination and consents being granted. At the same time officers are preparing all current baseline data to present to the Upper Thurne Working Group to develop a draft refreshed vision for Hickling for consultation, and a project plan for delivery of long term objectives.

### **5 External Funding**

Contact Officer/Broads Plan Objective: Adrian Clarke/ PE1

- 5.1 Current priority preparing Landscape Partnership bid for around £2.6million. Officers are continuing to investigate options for potential future projects which

would be eligible for European and other funding. A meeting was held with Phil Durrant and Kelvin Allen to look at priorities on 6 February 2015. This Group which also included the Head of Strategy and Projects and the Head of Finance identified four potential pathways for pursuing external funding opportunities. These included:

- making more of corporate support,
- building closer links with the Love the Broads/Broads Charitable Trust
- building closer links with the University of East Anglia over research funding but not to the exclusion of other universities and
- developing a clear message on priority effort to maximise external support

- 5.2 At its meeting on 20 March 2015 the Authority welcomed the progress and supported the proposed areas for pursuing external funding opportunities which also included preparing a prospectus for engagement with local businesses in tandem with the Broads Plan Review. If potential opportunities are identified further reports will be forwarded to the Committee.

## **6 Disposal of Geldeston Woodland**

Contact Officer/Broads Plan Objective: Angie Leeper/ None

- 6.1 At its meeting on 20 March 2015, the Authority received a report summarising the proposals submitted in the informal bid process following the agreed disposal of Geldeston Woodland at its meeting on 21 November 2014. Members considered the four bids which had been received and noted the recommendations of the Navigation Committee from 26 February 2015. Since that meeting, Members were informed that the boundary dispute with the Locks Inn had now been resolved. Members were concerned that transferring to a commercial owner would have considerable risks associated with it and there would not be a guarantee that the Locks Inn would necessarily achieve the collaborative arrangements with local volunteers through the River Waveney Trust as desired. Given that the risks were considerable and sums involved appeared to be relatively small, Members considered it would be more appropriate in gaining community benefits and in the spirit of openness to accept the bid from the River Waveney Trust. It was considered that the Authority would obtain best value this way rather than rely upon the Locks Inn making good its proposals, including completing a five year management plan.
- 6.2 The Authority agreed by 10 votes in favour, 2 against and 5 abstentions, to authorise the Chief Executive to accept on behalf of the Authority the bid offer from the River Waveney Trust on the basis that the copse would remain as a public amenity and that the Authority would have first option on the sale for the same price, if the River Waveney Trust did not wish to continue as landowners. The sale of the land will be subject to contract.

## **7 Consultation on the River Basin Management Plan**

Contact Officer/ Broads Plan Objective: Simon Hooton/ CC4.2 and NA1.2

- 7.1 At its meeting on 20 March 2015, the Authority approved the suggested response to the proposed Cycle 2 consultation on The River Basin Management Plan. This included the comments received from the members of the Navigation Committee who were contacted by email, particularly relating to the definitions for Heavily Modified Water Bodies. The Authority's agreed response suggested maintaining a consistent approach across the whole system by using the "navigation" usage definition for this to avoid possible conflicts with the definitions within the Marine Management Organisation.

## **8 Broads Authority Safety Management System External Audit**

Contact Officer: Head of Safety Management/ NA4.2

- 8.1 At its meeting on 20 March 2015, the Authority received the findings from the recent external audit of the Authority's Safety Management System and adopted the Draft Audit Action Plan which had been supported by the Boat Safety Management Group and the Navigation Committee.

## **9 Planning Applications with navigation implications: Application BA.2014/0423/FUL Compartments 5 & 6 Sections of Womack Water, Right bank of River Thurne and Left Banks of Rivers Bure and Ant - Crest Raising and Piling Removal**

Contact Officers/Broads Plan Objective: Adrian Clarke/ Maria Hammond  
NA4/NA5.2 and TR1

- 9.1 At its meeting on 6 March 2015, the Planning Committee approved the application for crest raising and piling removal subject to a number of conditions which included those supported by the Navigation Committee and suggested by the NSBA relating to standard methodology, timing of works, channel marking and removal of channel marking, and erosion monitoring.

## **10 Lease of Moorings**

Contact Officer/Broads Plan Objective: Cally Smith/Angie Leeper/TR2

- 10.1 In line with the adopted Asset Management Strategy where it has been agreed by the Authority and the Navigation Committee to take on the liability for sites that had been identified as key priority sites, officers have been in negotiations with a landowner concerning moorings on the River Thurne. At its meeting on 20 March 2015, the Authority agreed to the proposed principles for a lease of the mooring in the vicinity and that the Chief Executive be delegated to finalise the details and signing of the lease.

## **11 Navigation Patrolling and Performance Targets**

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

- 11.1 The report of the significant use of powers by the rangers in Appendix 1 shows the amount of patrolling by launch decreased in the winter and this was due to reduced staffing levels and the undertaking of practical work. Much of the weekend patrolling is undertaken by vehicle. The high best value figures reflect the reduced winter targets which can easily be exceeded if a ranger is working in a particular area. The average navigation/countryside split for the period February and March is 59%/49%. The overall percentage for the year ending the 31 March is 67%/33%. This figure was in part due to the performing of light duties by one ranger who was awaiting early retirement and who was unable to undertake any practical work during the whole winter period. Another ranger was awaiting an operation. One replacement full-time ranger has now been recruited. During the summer period last year one ranger was on light duties, the Broads control operator was off for a long period following an operation and another ranger was called for jury service. These factors prevented further countryside work from being undertaken.
- 11.2 One prosecution case was heard during November that had yet to be reported to the committee. The case involved an off duty member of the BA staff who had previously been a ranger witnessing and photographing a vessel travelling at what he estimated to be well in excess of the 4 mph speed limit. An ex-member of the Broads Authority was also a witness. An expert witness was employed to assess the hull capabilities and the speed of the vessel from the wash. The results are shown in Appendix 2.

## **12 Sunken and Abandoned Vessel Update**

Contact Officer/Broads Plan Objective: Adrian Vernon/NA4

- 12.1 Rangers assisted in towing one long-term semi sunken houseboat to the slipway in Oulton Broad for disposal. The table in Appendix 3 shows the current sunken vessel status. Two sunken and abandoned vessel notices may be issued this month depending on the outcome of investigations into current and previous owners.

## **13 Planning Enforcement Update**

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

- 13.1 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 4.

Background papers:	None
Author:	Sandra Becket / Esmeralda Guds
Date of report:	April 2015
Broads Plan Objectives:	Multiple
Appendices:	APPENDIX 1 –Report on the Significant Exercise of Powers by the Rangers during February – March 2015 APPENDIX 2 – Prosecution during November 2014 APPENDIX 3 – Report of Sunken and Abandoned Vessels APPENDIX 4– Planning Enforcement Update

# APPENDIX 1

Report on Exercise of Powers by Authorised Officers – Report to be completed for every Navigation Committee

Rangers Exercise of Powers Analysis <i>(Bracketed figures are running totals, April 2014 to March 2015)</i>						Date: FEB-MAR 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
<b>Verbal Warnings</b>								
Care & Caution	4 ( 108 )	( 42 )	( 62 )	2 ( 114 )			( 13 )	( 53 )
Speed	26 ( 3073 )	( 359 )	( 468 )	10 ( 513 )	( 124 )	( 212 )	( 325 )	3 ( 225 )
Tolls offences	( 182 )	( 80 )	( 34 )	3 ( 109 )	( 20 )	( 2 )	( 36 )	( 33 )
Other	7 ( 55 )	( 6 )	( 19 )	( 82 )	( 9 )	( 20 )	( 32 )	3 ( 9 )
<b>Blue Book Warnings</b>								
Care & Caution	( 3 )		( 2 )	( 1 )		( 1 )	( 4 )	( 14 )
Speed	( 90 )	( 9 )	( 12 )	( 13 )	( 13 )	( 7 )	( 15 )	( 11 )
Other	( 7 )	( 7 )	( 2 )	1 ( 12 )	( 4 )	( 12 )	( 13 )	( 6 )
Reports for Prosecutions	( 1 )							( 1 )
Special Directions	( 29 )			3 ( 9 )		( 67 )	( 277 )	( 38 )
<b>Toll Compliance Reports</b>								
Non Payment	( 155 )	( 66 )	( 84 )	( 44 )	1 ( 56 )	( 64 )	( 86 )	( 25 )
Non Display	( 31 )	( 13 )	( 1 )	( 6 )	( 4 )		( 79 )	( 5 )
28 Day request for information	( 1 )						( 2 )	( 1 )
BSS Hazardous Boat Inspections	( 3 )			( 1 )	( 1 )			( 2 )
Enter Vessels Under BSS	( 1 )				( 1 )			
Launch Staffed (by Ranger)	8 ( 224 )	6 ( 111 )	10 ( 161 )	10 ( 147 )	19 ( 138 )	24 ( 144 )	14 ( 168 )	4 ( 236 )
Country Site Inspection Reports Percentage Compliance	40% ( 95% )	60% ( 68% )	(Combined figure) ( 31% )		(Combined figure) 25% ( 46% )		20% ( 36% )	( 60% )
Best Value Patrol Targets Percentage Compliance	338% ( 243% )	177% ( 98% )	162% ( 133% )	275% ( 182% )	388% ( 125% )	278% ( 201% )	222% ( 118% )	386% ( 198% )
Volunteer Patrols	14 ( 43 )	4 ( 6 )	3 ( 10 )	5 ( 11 )		( 2 )	1 ( 7 )	
IRIS Reports	4 ( 122 )	1 ( 35 )	6 ( 32 )	4 ( 48 )	( 65 )	( 37 )	2 ( 47 )	4 ( 98 )
Broads Control Total Calls	TOTAL 4,128 ( 40,041 )			Telephone 3,684 ( 30,042 )		VHF 444 ( 9,999 )		

# RANGER TEAM ACTIVITY

as at 14 April

	Navigation Activity								Countryside Activity							
February 2015	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
Percentage Total	9.49%	3.91%	0.07%	1.37%	0.26%	0.37%	0.46%	3.83%	4.79%	8.05%	0.35%		3.84%	2.60%	0.71%	
Wroxham team	10%	1%	36%	7%			44%	55%	23%	36%	12%		36%	17%	61%	
Thurne team	17%	2%		16%				3%	3%	19%	13%		19%			
Yare team	27%	3%	64%	11%		100%	12%	42%	6%	30%	29%		27%	64%		
Waveney team	2%			20%			29%		11%	8%			11%	19%	39%	
Breydon team	35%	62%		46%			15%		40%	6%	46%		7%			
Control Officer																
	#REF!								#REF!							

Month Percentages	
Navigation	58%
Country	42%
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	5.80%	4.88%	5.12%		1.92%	1.00%	13.86%	0.59%	0.69%	0.37%	0.88%	2.04%	0.66%	2.15%	15.46%	4.45%
Wroxham team	12%	21%	11%				29%	24%		40%	4%		7%	15%	27%	14%
Thurne team	12%	13%	26%		5%		3%	63%			54%			6%	8%	31%
Yare team		10%	19%		21%		15%			58%	23%	22%		23%	16%	
Waveney team		19%	18%		35%		14%	6%					46%	8%	26%	
Breydon team	0%	23%	3%		19%	41%	12%	7%	100%		8%	4%		10%	4%	21%
Control Officer	76%		0%							2%		2%	46%	28%	8%	
	#REF!	#REF!	#REF!										#REF!			

Percentage with apportioned split	
Year to date (Apr - Mar)	
Navigation	67%
Country	33%
Total	100%
Time Off not included	

Team percentages equal team contribution to activity



# RANGER TEAM ACTIVITY

as at 14 April

	Navigation Activity								Countryside Activity							
March 2015	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
Percentage Total	8.21%	3.29%	0.69%	0.30%	0.72%	1.24%	0.66%	1.32%	2.64%	5.92%	0.37%	0.12%	3.71%	0.98%		0.40%
Wroxham team	5%	9%	38%	15%	21%		24%		19%	41%	8%		30%			49%
Thurne team	18%	6%		30%	31%	53%	3%	25%	25%	4%			18%			
Yare team	27%	7%	16%		27%		3%	1%	13%	41%	44%	100%	34%	48%		
Waveney team	17%	0%		55%			68%		20%	13%	2%		18%	52%		
Breydon team	34%	59%	33%		20%	25%	3%	74%	23%	0%			1%			51%
Control Officer																
	#REF!								#REF!							

Month Percentages	
Navigation	60%
Country	40%
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	6.54%	3.81%	9.39%	6.61%	5.86%	0.99%	10.54%	1.09%	0.57%	0.26%	0.65%	4.06%	0.36%	1.55%	16.08%	1.02%
Wroxham team	5%	14%	7%	38%	11%		11%	2%			28%	24%	29%	4%	17%	100%
Thurne team	5%	17%	17%	10%	10%		10%	46%			4%	11%			27%	
Yare team		11%	26%	8%	23%		15%			100%	68%	15%		21%	11%	
Waveney team		26%	10%	11%	9%	14%	10%	26%				13%		7%	11%	
Breydon team	6%	28%	19%	11%	16%	38%	12%	27%	100%			36%		6%	14%	
Control Officer	66%			4%	2%									42%	5%	
	#REF!	#REF!	#REF!										#REF!			

Percentage with apportioned split	
Year to date (Apr - Mar)	
Navigation	67%
Country	33%
Total	100%
Time Off not included	

Team percentages equal team contribution to activity

## APPENDIX 2

### Report of a prosecution dealt with in court during November 2014

Place	Defendant	Offence	Magistrates Court	Result
Hoveton	G.Waring	(1) Speeding (2) Care and Caution.	Norwich	Pleaded not guilty. Found guilty of speeding. Fined £100.Costs awarded to BA £1000 Found not guilty of care and caution

## APPENDIX 3

### 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

### Enforcement Update

This table shows the updates on enforcement matters relating to Navigation matters currently under consideration since the last Navigation Committee on 26 February 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"> <li>• .Enforcement Notices served on 7 November 2011 on landowner, third party with legal interest and all occupiers. Various compliance dates from 12 December 2011</li> <li>• Appeal lodged on 6 December 2011</li> <li>• Public Inquiry took place on 1 and 2 May 2012</li> <li>• 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.</li> <li>• Challenge to decision filed in High Court 12 July 2012</li> <li>• High Court date set for 26 June 2013</li> <li>• Planning Inspectorate reviewed appeal decision and agreed it was flawed and therefore to be quashed</li> <li>• "Consent Order" has been lodged with the Courts by Inspectorate</li> <li>• Appeal being reconsidered –Planning Inspector Site Visit 28 January 2014</li> <li>• Hearing took place on 8 July 2014</li> <li>• <b>Appeal allowed in part and dismissed in part on 20 October 2014.</b> 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).</li> <li>• Planning Contravention Notices issued to investigate</li> </ul>

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