

Navigation Committee

Agenda 03 September 2020

2.00pm

This is a remote meeting held under the Broads Authority's [Standing Orders on Procedure Rules for Remote Meetings](#).

Participants: You will be sent a link to join the meeting. The room will open at 1.00pm and we request that you **log in by 1.30pm** to allow us to check connections and other technical details.

Members of the public: We will publish a live stream link two days before the meeting at [Navigation Committee 3 September 2020](#). The live stream will be suspended for any exempt items on the agenda. Please email committees@broads-authority.gov.uk with any queries about this meeting.

Introduction

1. To receive apologies for absence
2. To receive declarations of interest
3. To note whether any items have been proposed as matters of urgent business
4. Public question time – to note whether any questions have been raised by members of the public
5. **To receive and confirm the minutes of the Navigation Committee meeting held on 11 June 2020** (Pages 3-8)
6. **Summary of actions and outstanding issues following discussion at previous meetings** (Pages 9-10)

Reports for information

7. **Chief Executive's report and current issues** (Pages 11-17)
Report by Chief Executive
8. **River Wensum missing link project** (Page 18-21)
Report by Waterways and Recreation Officer. Presentation by Hudson Architects.
9. **Response to the COVID-19 emergency and the financial position of the Broads Authority and local businesses** (Pages 22- 30)
Report by Chief Executive, Chief Financial Officer, and Collector of Tolls

10. **Potential use of the Capital Receipts Reserve to fund improvements to the public facilities at Acle Bridge** (Pages 31-33)
Report by Chief Financial Officer and Director of Operations
11. **Construction, Maintenance, and Environment work programme – progress update** (Pages 34-38)
Report by Head of Construction, Maintenance, and Environment
12. **Hire Boat Code - draft version** (Pages 39-77)
Report by Head of Safety Management
13. **Annual Safety Audit** (Pages 78-85)
Report by Head of Safety Management

Other matters

14. **To note the date of the next meeting – Thursday 22 October 2020 at 2.00pm**
15. Exclusion of the public
The Authority is asked to consider exclusion of the public from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.
16. **To receive the Exempt Minutes from the meeting held on 11 June 2020** (Pages 86-88)

Navigation Committee

Minutes of the meeting held on 11 June 2020

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Present

Nicky Talbot – in the Chair, Kelvin Allen, John Ash, Linda Aspland, Mike Barnes, Harry Blathwayt, Matthew Bradbury, Andrew Hamilton (to item 9), Leslie Mogford, Greg Munford, Simon Sparrow, Alan Thomson.

In attendance

Dan Hoare – Head of Construction, Maintenance and Environment (CME), Bill Housden – Head of IT and Collector of Tolls, Emma Krelle - Chief Financial Officer, John Packman - Chief Executive, Cheryl Peel – Senior Planning Officer, Rob Rogers - Director of Operations, Cally Smith – Head of Planning, Marie-Pierre Tighe – Director of Strategic Services, Sarah Mullarney (meeting moderator), Essie Guds (meeting moderator), Maria Conti (minute taker).

1. To receive apologies for absence

Apologies were received from Paul Thomas.

Remote meeting standing orders and recording

The Chairman announced that the meeting was being held remotely under the Standing Orders for remote meetings adopted by the Broads Authority on 22 May 2020. The Standing Orders are made under the provisions of the Coronavirus Act 2020 and The Local Authorities Police and Crime Panels (Coronavirus) Flexibility of Local Authority and Police and Crime Panel Meetings England and Wales) Regulations no. 392.

The meeting was being live streamed and recorded, with the live stream accessible from a link on the Authority's website. The Broads Authority retained the copyright of the recording and the minutes remained the formal record of the meeting.

Welcome

The Chair welcomed everyone to the first remote meeting of the Navigation Committee, including those members of the public viewing the meeting via live streaming and Authority members joining the meeting as observers.

2. To receive declarations of interest

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

3. To note whether and items have been proposed as matters of urgent business

No items were proposed as a matter of urgent business.

4. Public question time

No public questions were raised.

5. Minutes of Navigation Committee meeting held on 16 January 2020

The minutes of the meeting held on 16 January 2020 were approved as a correct record of the meeting. The minutes would be signed electronically subsequent to the meeting.

6. Summary of actions and outstanding issues following discussions at previous meetings

Members received a summary of progress on issues recently presented to the Committee. There were no questions arising from the report.

7. Chief Executive's report and current issues

The Chief Executive introduced his report. He thanked the Authority's staff for adapting quickly to working under the Government's COVID-19 lockdown restrictions. The continuation of construction and maintenance work throughout the lockdown meant that people could use the waterways again as soon as the restrictions were eased.

The Government had now released guidance on allowing day boat hire, and it was anticipated that guidance on allowing overnight stays on boats and weekly boat hire would be in place by 4 July. The Chief Executive had asked Rebecca Pow MP, Defra Minister for Inland Waterways, to approve a start date of 3 July to support hire boat operators (HBOs). He had also asked for £3.6m to support HBOs through this winter, and was working with the Broads Hire Boat Federation on how hire yard and ancillary operations staff could be supported. The Authority was also in regular liaison with other navigation authorities and national park authorities to support cases for funding both nationally and locally. HBOs were producing safe distancing guidance for their staff and customers. The Authority's communications team was also issuing regular advice on social media and had recently produced COVID-19 safety posters and leaflets for hire boat users.

The Chief Executive thanked officers, members and others for their input to the substantial information needed to support a strong case to Defra. In response to a member's question about the Government's lockdown ruling on overnight stays, he acknowledged the frustrations and conflict of interests this was causing businesses, residents and visitors.

8. Construction, maintenance and environment work programme progress update

The Head of CME introduced his report. Operations work had continued at full capacity throughout the lockdown, although it had been necessary to redeploy some resources, seek new ways of working, and defer some planned work to next year. In response to a question about the results of last year's water survey at Hickling Broad, the Head of CME said the Authority was plotting Environment Agency collection point data into GIS. This would be used to model scenarios as part of the emerging water management strategy, which would be brought to the Committee for consultation.

9. Planning application with navigation implications: BA/2020/045/COND Piling left bank of Haddiscoe Cut, North of Haddiscoe Dam (A143), Northern River Edge, NR31 9HX

The Senior Planning Officer gave a presentation on the navigation implications of the above planning application, including photographs of the site showing the piling before and after refurbishment. There was no record of planning permissions for moorings at this site, although historically there had been some mooring here. Members were shown aerial photos taken between 2010 and 2014 showing boats moored on site, and a photo from 2018 when the piling had deteriorated and no boats were moored.

Planning permission had been granted to the Environment Agency for the piling works only, with a condition to clarify that this did not convey permission for moorings. The landowner (who is the current applicant) had asked for this condition to be removed, but had not submitted a proposal for mooring use.

Members were asked whether moorings at this site would impact on safe navigation.

A member thought permanently moored boats could cause some obstruction to navigation at the bridge, but would support 24-hour moorings. It was suggested this could be a condition of any application for moorings at this site. Another member said that moorings there would not be a hindrance to navigation. Other members agreed that 24-hour moorings would be acceptable, and would help meet the need for more short stay moorings as identified in the Authority's moorings strategy.

Another member considered that moorings would not impact on safe sailing. He suggested any permission for moorings could include 24 hour and residential mooring. It was noted that width restrictions were already covered by byelaws.

In conclusion, members agreed unanimously that moorings at this site would have no detrimental impact on the safe navigation of vessels. In a separate vote they agreed that they would support the use of the site for 24-hour moorings.

10. Trowse Rail Bridge

The Director of Operations updated members on progress by the Trowse Rail Working Group, whose membership included the Broads Authority, on potential solutions for Trowse Rail Bridge and the content of a Position Statement.

The Director of Operations said each sector within the Working Group had a clear idea of what it wanted, but as part of an overall vision for the area within the River Wensum Strategy. Dealing with the rail bridge was key to moving things forward, and progress was in its early stages. A member felt future development should embrace the river more, possibly to include a marina, and a bridge with better air draft would enable more boats to get into Norwich.

While the Authority was aware that Network Rail was in breach of legislation in terms of bridge opening for navigation on request, the Director of Operations emphasised that the

company had been working constructively with the Authority to find pragmatic solutions, and it was important to continue this collaborative approach. He also reported that Network Rail was looking at option appraisals for the swing bridges at Oulton Broad, Somerleyton and Reedham.

11. Annual income and expenditure 2019/2020

Members noted the summary report of the Authority's income and expenditure for the 2019/20 financial year. The Chief Financial Officer advised that the audit had started a week later than expected.

12. Date of next meeting

The next meeting of the Navigation Committee would be held on **Thursday 3 September 2020** at 2pm.

13. Exclusion of the public

It was resolved that the public be excluded from the meeting under section 100A of the Local Government Act 1972 for consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraph 1, 2, 3 of Part 1 of Schedule 12A to the Act as amended, and that the public interest in maintaining the exemption outweighs the public benefit in disclosing the information.

The public live stream recording was suspended.

14. Exempt minutes of Navigation Committee meeting held on 16 January 2020

The exempt minutes of the meeting held on 16 January 2020 were approved as a correct record of the meeting. The minutes would be signed electronically subsequent to the meeting.

15. Hire boat industry – financial position

Members received the exempt report. A more detailed report would be brought to the Committee at its next meeting, when more evidence was available.

The meeting ended at 4.24pm

Signed

Chairman

Appendix 1 – Declaration of interests Navigation Committee, 11 June 2020

Member	Agenda/minute	Nature of interest
Andy Hamilton	15	Hire Boat Operator
Greg Munford	15	Hire Boat Operator
Simon Sparrow	15	Hire Boat Operator

Navigation Committee

03 September 2020

Agenda item number 6

Summary of actions and outstanding issues following discussions at previous meetings

Report by Governance Officer

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Staithe report	20/04/2017	Lewis Treloar	Prof Williamson (author) pursued for the Staithe Report and the Authority hoped to receive the maps by the end of April.	The staithe report is complete with further investigative work continuing by the Broads Local Access Forum (BLAF) to ascertain whether more staithe could be added to the list. The previous BLAF meeting was postponed so no update has been received. Next meeting is the 3rd June 2020. Aug 2020: No further input to add more staithe to the list.	03/06/2020
Network Rail Whole Life Strategy	19/10/2017	John Packman	Network Rail Whole Life Strategy for swing bridges and replacing Trowse Swing Bridge with a fixed bridge.	May 2020: Following sensor replacement works at Somerleyton, Reedham & Oulton, Network Rail believes the operational reliability of these bridges will be improved. As we enter into Summer 2020 we will monitor opening and breakdowns to ascertain this reliability. The Authority & Network Rail continue to discuss swing bridge issues. The Authority is part of a Working Group with Norfolk County Council, Norwich City Council, LEP, Network Rail and Greater Anglia working on the issues at Trowse Bridge and gathering wider support and funding for a replacement/better operational reliability of this bridge. July 2020: The Trowse Rail Bridge Working Group continues to meet. The next phase of this project is to have a meeting with the Train Services Director for Southeastern. This meeting is being arranged and will include spokes people from the working group, which included John Packman. Further updates to be provided once a date has been confirmed.	
Planning application with navigation implications: BA/2018/0466/FUL – Land at Burgh Castle – BFAP Compartment 34	17/01/2019	Rob Rogers	Lease arrangements and re-piling at Burgh Castle for the reinstatement of free 24 hour moorings.	Following an exempt paper considered at Navigation Committee and Broads Authority, officers presented the landowner with a series of options on the alternative Burgh Castle mooring site, based upon the recommendations in the exempt report. 16/01/20: Members supported 99-year lease agreement, including the Broads Authority taking on full responsibility for the piling structure. 21/01/20: Management Team agreed 99-year lease at peppercorn rent and for Broads Authority to take full responsibility for the piling structure at Burgh Castle moorings.	

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
				27/05/20: Development and improvements at Belton Reach (new name for Burgh Castle's moved mooring location) are progressing from an operational planning perspective, although the project has been deferred to 2021/2022 due to Covid-19 funding issues.	
Feedback on Navigation Committee appointment process	13/06/2019	John Packman	Areas identified for improvement in the co-opted member appointment process. Members discussed the list of user organisations consulted as part of the process for feedback to officers.	Member feedback has suggested grouping the organisations by interest rather than consulting a large list of individual organisations. Any formal changes to the process will be presented to the Broads Authority to adopt for future appointments.	01/09/2022
Safety by the water guide	05/09/2019	Natalie Beal	Draft Safety by the Water Guide produced to support the Broads Local Plan. Members suggested the guide be reviewed by the Broads Authority's solicitor for advice on a disclaimer at the beginning of the document.	The comments of the Navigation Committee will be reported to the Planning Committee. The final guide will be shared with Navigation Committee members for review before it is adopted by the Broads Authority. This will be reported to Navigation Committee at a future date.	
Landscape review	16/01/2020	John Packman	Navigation Committee members were asked to comment on the draft Landscapes Review - response report for 31 January 2020 Broads Authority meeting.	Broads Authority report 31/1/20 on Landscapes Review Proposal 27: A new financial model – more money, more secure, more enterprising; "unnecessary complexities, such as the requirement for the Broads Authority to account for income and expenditure from National Park Grant separately ... should be addressed." BA draft response is that it would be a Government decision whether to combine the finances and the BA would await the Government's response.	
Mooring priorities - update	16/01/2020	Rob Rogers	Members made recommendations on the mooring updates previously reviewed by the Committee on 13 June 2019.	Lease negotiations of new and existing sites progressing. August 2020: The Acle Bridge moorings are open after major repairs to the piling, and the electric charging posts will be operational soon when UK Power Networks connects the power. The Castle Staithe mooring at Wroxham is repaired and open to the public. The Stalham Staithe mooring repairs are complete; when the Land Registry have completed the land transfer to the Town Council, the agreement with the BA to manage the site as a 24 hour mooring will start.	

Author: Sarah Mullarney

Date of report: 17 August 2020

Navigation Committee

03 September 2020

Agenda item number 7

Chief Executive's report and current issues

Report by Chief Executive

Purpose

The report summarises significant matters relating to the maintenance and management of the waterways and gives members an opportunity to raise any such issues.

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1. Monitoring Officer

- 1.1. At the Broads Authority meeting on 24 July, Hilary Slater was welcomed as the newly appointed Monitoring Officer to the Authority.

2. Climate Change Action Plan

- 2.1. At their meeting in July, Broads Authority members agreed to adopt the Climate Change Action Plan and to set a target of a 1.5° compliant emissions curve for the Broads executive area. This target will be used when working with partners.

3. Navigation patrolling and performance targets

- 3.1. The report of the significant use of powers by the rangers is displayed in Appendix 1 and reflects the busy period since the easing of lockdown restrictions. Appendix 2 shows the average navigation/countryside splits up to 10th August. While the percentage time spent on patrolling and other navigation work is typically higher in the summer this year the percentage is above average as patrolling was considered a priority task during the Covid-19 lockdown period while some of the Countryside tasks have been deferred.

4. Sunken and abandoned vessel update

- 4.1. The current position relating to abandoned and sunken vessels is set out in Appendix 3. There have been a large number of vessels to deal with over this period. Owners have either been identified or we have removed vessels from the system where owners could not be found.

5. Prosecutions dealt with in court for non-payment of tolls

- 5.1. There are no further updates since the last Navigation Committee meeting as the courts are not currently sitting for toll offences.

6. Planning enforcement update

- 6.1. There are no further enforcement matters with navigation implications to report.

Author: John Packman

Date of report: 21 August 2020

[Broads Plan](#) objectives

Appendix 1 – Rangers exercise of powers analysis

Appendix 2 – Ranger duties total time allocated and actual days

Appendix 3 – Sunken and abandoned vessels current position as at 20 August 2020/08/2020
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Appendix 1 – Rangers exercise of powers analysis June 2020-July 2020

Table 1

Verbal warnings	Wroxham launch Wroxham and upper Bure	Irstead launch Ant	Ludham launch Hickling, Potter Heigham, upper Thurne	Ludham launch 2 lower Thurne and lower Bure	Norwich launch Norwich and upper Yare	Hardley Launch Reedham, Chet and middle Yare	Burgh St Peter launch Oulton Broad and upper/middle Waveney	Breydon launch Breydon water, lower Waveney and Yare
Care and caution	14	5	1	7	1	7		1
Speed	615	344	128	90	14	10	51	18
Other	14	29		2	32	4	2	1

Table 2

Written warnings	Wroxham launch	Irstead launch	Ludham launch	Ludham launch 2	Norwich launch	Hardley Launch	Burgh St Peter launch	Breydon launch
Care and caution		1			1			
Speed	4	3	1	1		1	1	
Other		9	1		1	18		
Special directions	12	7			1			4

Table 3

Launch patrols	Wroxham launch	Irstead launch	Ludham launch	Ludham launch 2	Norwich launch	Hardley Launch	Burgh St Peter launch	Breydon launch
Launch staffed by ranger	53	40	37	24	40	39	37	36
Volunteer patrols								
IRIS reports	9	3	4	3	10	5	6	9

Table 4

Broads Control total calls

Contact method	Number of calls
Telephone	5504
VHF	320
Total	5824

Appendix 2 – Ranger duties: total time allocated and actual days

Table 1

Broads Authority corporate duties

Work area	Actual days to date
Training	95.54
Broads Control	137.09
Team meetings, work planning	249.80
Partnership working	3.78
Assisting other sections	19.86
Billets and boatsheds	2.70
Launch – general	1.35
Trailers - general	
Vehicle maintenance	1.69
Other equipment repair	1.62
Total	513.43

Table 2

Navigation duties

Work area	Actual days to date
Patrolling	539.97
Escorts	20.14
Prosecution files	17.43
Bankside tree management	27.77
Obstruction removal	6.96
Channel markers and buoys	1.01
Signs and boards maintenance	15.88
Adjacent waters	37.03
Reactive mooring maintenance	4.66
Total	670.85

Table 3

Conservation, recreation, countryside maintenance

Work area	Actual days to date
Fen management	2.43
Lake, riverbank restoration	0.61
Invasive species control	3.99
Other conservation work	6.28
Pollution response	1.15
Visitor site maintenance	115.14
Public engagement	0
Public footpath work	3.78
Education work	0
Total	133.38

Team total up to 10 August 2020

Percentage Navigation: 83%

Percentage National Park: 17%

Appendix 3 – Sunken and abandoned vessels current position as at 20 August 2020

Description	Location found	Action	Notice affixed	Result
Motor Cruiser	River Yare Old River Thorpe.	Vessel sunk at owner's moorings	No	Not affecting the navigation
Moto Cruiser	Sutton/Stalham cut	Liaising with owner, not in the navigation	No	Monitoring
Motor Cruiser	River Yare, Thorpe Marshes	Unregistered vessel new to system sunk	Yes	Deadline for notice expires 28 th August 20
Motor Cruiser	River Yare, Thorpe Marshes	Sunken vessel	Yes	Speaking to owner to raise
Motor Cruiser	River Yare, Thorpe Marshes	No response from owner	Yes	Person came forward and tolls paid
Rowing Dinghy	Polkeys Mill	Found, no marks	Yes	Vessel at Dockyard
Rowing Dinghy	Reedham	Found, no marks	Yes	Vessel at Dockyard
Rowing Dinghy	Chedgrave	Found, no marks	Yes	Vessel at Dockyard
Aux Yacht	River Yare, Thorpe Marshes	No owner traceable	Yes	Owner came forward and registered
Motor Cruiser	Pyes Mill	No owner traceable	Yes	Vessel removed
Motor Cruiser	Loddon	Vessel not registered	Yes	Owner came forward and registered
Motor Cruiser	River Yare, Thorpe	Vessel new to system not registered	Yes	Notice expires 19 th Sept 20

Navigation Committee

03 September 2020

Agenda item number 8

River Wensum missing link project

Report by Waterways and Recreation Officer

Purpose

This report is about a potential new walkway to bridge the 'missing link' along the Norwich Riverside Walk on the River Wensum between Duke's Palace Bridge and St George's Bridge. Members' views are invited on the preferred approach presented in the architect's feasibility assessment.

1. Introduction

- 1.1. Norfolk County Council (NCC), as members of the River Wensum Strategy Group, has been conducting feasibility studies into the potential provision of a key strategic stretch of riverside walk that is missing between Duke's Palace Bridge and Blackfriars Bridge.
- 1.2. The riverside walk ends at the rear of St Andrew's car park and the Norwich University of Arts (NUA) building, leaving a 20m gap with no access through to Blackfriars Bridge.
- 1.3. As part of the second phase of the study, NCC has commissioned Hudson's Architects to produce concept designs of the preferred options, along with realistic budget costings.

2. Background

- 2.1. Norwich's Riverside Walk is a well-used piece of green infrastructure that runs through the city, and has been delivered by Norwich City Council over the past 40 years through new development. Access to the riverside walk is particularly important for those living and working in the city centre, and will help support the green infrastructure requirements for anticipated new housing and employment growth identified in the city centre area and east Norwich in particular.
- 2.2. The River Wensum Strategy (2017) includes a project to complete a key stretch of the riverside walk in the city centre, between Duke's Palace Bridge and Blackfriars Bridge, where there is no riverside walk on either side of the river. The stretch of riverside walk between these bridges is incomplete and has proven difficult to achieve to date, given the form of existing development here, with buildings abutting the river on both sides. Public consultation on the strategy in summer 2017 identified strong support for completing the riverside walk in the city.

- 2.3. The completion of this stretch of Riverside Walk has been identified as a priority by Greater Norwich Growth Board partners (Norwich City Council, South Norfolk Council, Broadland District Council, Broads Authority, and Norfolk County Council). The project is in the Greater Norwich Delivery Plan, identified for completion in 2021/22. The riverside walk is also a strategic priority of our own Integrated Access Strategy (IAS).
- 2.4. Funding for this section has been confirmed following a successful bid to the Sustrans Paths for Everyone programme through the Department for Transport.

3. The need

- 3.1. This is a critical section of riverbank in the heart of the historic city. The absence of this key stretch of walkway compromises the riverside walk's potential to fully realise its benefits for all, including those in key user groups (for example those with health problems and/or living in socially deprived areas). Benefits include access to green infrastructure in the built-up city centre area, with related health and wellbeing. The riverside walk links to the wider Norfolk Trails network, so completion of missing links will provide greater access for city residents to a range of leisure opportunities within and on the edge of the city.
- 3.2. This part of the city centre is a focus for leisure uses and is particularly well used by the area's increasing student population associated with NUA. Completion of this stretch of riverside walk would link NUA's St George's Street and Duke Street buildings, as well as making it a much more attractive and direct link for residents and the area's many leisure users and businesses.
- 3.3. Creation of this new link would address key objectives of the River Wensum Strategy Group, including increasing access to and use of the river by all, enhancing the natural environment and green infrastructure, and addressing social deprivation and inequalities.

4. Navigation considerations/constraints

- 4.1. The Broads Authority has carried out site inspections of the approaches to the bridge from the river. While this new walkway could be problematic in terms of navigation impacts, the Authority's Head Ranger and the Waterways and Recreation Officer have agreed that there is scope for a path to be constructed on the south bank; however, this would have to minimise any encroachment on river width and satisfy various navigation safety considerations. The bridge is arched, and boats will tend to navigate through the centre channel. Therefore, if any new path does not protrude beyond the section of the arch that boats will preferentially avoid at a height lower than the apex of the bridge, there would be scope for a section of path to be constructed towards the NUA building. Due to security concerns raised by both NUA and NCC Highways, the path cannot directly abut the face of the building.

- 4.2. There is a pinch point immediately upstream of the bridge (approximately 14.1m). The width of the river between the upstream side of the bridge and the start of the current path at St Andrew's car park ranges between approximately 14.1m and 25m.
- 4.3. Considerations are being made about the minimum distance the piles can be driven into the river bed from the wall. The closer the piles are driven into the wall, the less impact of encroachment this will have on the navigation (See Appendix 1).
- 4.4. Further considerations are being made as to how high any path structure built will be suspended above the river (height of path and maximum/minimum height of whole structure). There is a difference in height between the path at St Andrew's car park and the bridge abutment next to the NUA building, and it will be necessary for anything built to ramp up to the bridge. To keep the proposed walkway higher than the height of the apex of Blackfriars Bridge where the river is at its narrowest, the new pathway will need to ramp up along Duke's Palace Wharf. The optimal gradient for this ramped approach is 1:20, which would extend the total length of the new walkway.

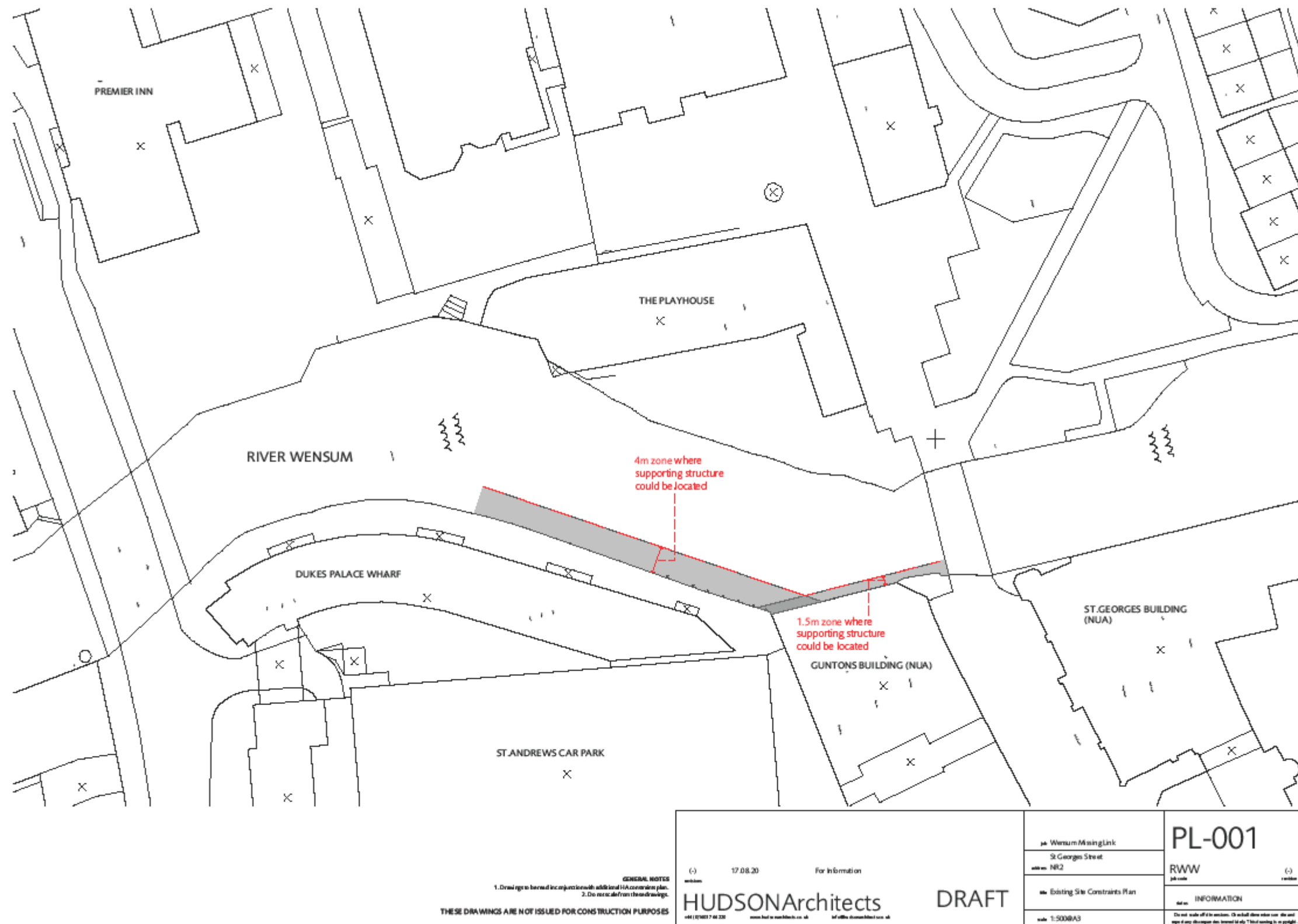
Author: Lewis Treloar

Date of report: 14 August 2020

[Broads Plan](#) objectives: 4.1, 6.1

Appendix 1 – Existing site constraints plan

Appendix 1 – Existing site constraints plan



Navigation Committee

03 September 2020

Agenda item number 9

Response to the Covid-19 emergency and the financial position of the Broads Authority and local businesses

Report by Chief Executive, Chief Financial Officer and Collector of Tolls

Purpose

This report gives an update on the financial impact of the Covid-19 lockdown restrictions on the Broads Authority and hire boat companies, and seeks the views of the Committee on proposed recommendations to the Broads Authority as set out in paragraph 4.2 of the report.

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1. Introduction

- 1.1. The Covid-19 pandemic has had a devastating impact across the world and the Broads has not been immune to its effects. The UK Government's lockdown measures introduced in March prevented our private owners from using their craft, and almost overnight all holiday bookings were cancelled or postponed with huge impacts for the hire boat industry.
- 1.2. The Broads Authority acknowledges the frustration of private boat owners during lockdown. However, because the maintenance of the waterways continued throughout the lockdown period, people were able to return to water immediately when the

restrictions were partly removed by the Government. We have received a small number of requests for a refund, compensation or reduction in tolls for the time people were not able to use their boats during lockdown. It should be noted that 'All vessels kept or used in the navigation area, or adjacent waters, for more than 28 days in any tolls year require an annual toll and must be registered with the Authority.' The Authority has worked with individuals unable to pay the toll but it is inappropriate to consider a general refund when the costs of maintenance have not decreased.

- 1.3. The hire boat industry is critical to the visitor economy and hire boat tolls contribute a significant proportion to the navigation maintenance. Recognising that the pandemic has potentially serious consequences for the industry's viability and its ability to sustain current levels of employment, the Broads Authority on 25 June endorsed an approach to assess the financial impacts on the hire industry in 2020/21.
- 1.4. The approach involved officers consulting the Broads Hire Boat Federation and individual hire boat companies and charities on their income for the season, and a comparison with last season. It was agreed that these figures would be reported to this meeting and then to the Broads Authority meeting on 25 September to indicate how the 2020/21 hire boat season had progressed and inform a decision on the final instalment of the 2020/21 hire boat tolls.

2. Feedback from the hire boat industry

- 2.1. With the help of the Broads Hire Boat Federation, the Authority sent a survey form (see Appendix 1) to 24 local hire boat companies on the 13 and 14 August with a tight deadline of 19 August. The aim of the survey was to get a picture of the hire boat industry's lost income from the weeks when the lockdown was in place, and the expected additional income from a busier main season and a potentially extended season.
- 2.2. 10 responses have been received and are summarised in Appendix 2. The results show that there has been a considerable improvement in the position since July. After an extremely hesitant start to the season, the yards are now exceptionally busy and the Broads Hire Boat Federation reports that September is fully booked and bookings for October are also looking good. Further information has been sought about bookings in November to help guide the Authority on the provision of its seasonal support services, such as Rangers and yacht stations. To some extent the urgency of the crisis facing the industry has moderated, but there is still some uncertainty about what the rest of the season holds. The prospects for 2021, subject to COVID-19, also look very good.
- 2.3. Six yards responded to Question 5 regarding estimated total income for the season compared to last year, including Government (VAT reduced rate for hospitality, holiday accommodation and attractions and Coronavirus Job Retention Scheme) and local authority financial support. The results give a more positive picture on overall income, with a mean result of 95%. Several of the yards made the point that 2019 was a poor year and that a comparison with the previous four years, although more difficult to

calculate, would give a more representative result. Estimating income for the rest of the year is also problematic when the situation is so uncertain and for these reasons one of the yards preferred keeping the position under review. The day boat operators did not benefit from the VAT reduction and all have had additional costs associated with COVID-19.

3. Financial position of the Broads Authority

- 3.1. The Broads Authority's priorities in responding to the Covid-19 crisis have been to keep its staff and volunteers safe, to support the local tourism sector and in particular the hire boat industry, and to continue delivering its services, including the maintenance of the waterways where safe to do so.
- 3.2. The Authority's own finances have been severely impacted by the suspension of hire boat operations during the Covid-19 imposed lockdown, and the reluctance of private owners to commit to using the waterways. However, since the restrictions have been eased, the financial position has improved and is now as follows.
- 3.3. At the time of writing, the income from private boats has risen to £1,961,000. This is £166,000 below the same point last year and £283,000 short of the total budget for the year. This is a considerable improvement on the position a couple of months ago. Many private boat owners were able to use their craft after seven weeks, with only those living some distance from the Broads having to wait 12 weeks. Furthermore, the Authority is processing a high number of Notices of Contravention and it is envisaged that private toll income will continue to improve once reminder letters have been sent.
- 3.4. Hire boat income has also improved and, including the split payments, not all of which have been received, tolls of £1,099,000 are being paid (of which the Authority is owed £939,000). This is £100,000 below the budgeted position. Of concern is the reduction in hire boat numbers, many of which are likely to be permanent. Overall, they are down by 164 (-11%); the two largest groups are motor cruisers (-66) and day launches (-46). Table 1 provides an overview of actual navigation income and expenditure.

Table 1

Actual Navigation Income and Expenditure by Directorate to 31 July 2020

Directorate	Profiled Latest Available Budget £	Actual income and expenditure £	Actual variance £
Income	(3,248,151)	(2,068,431)	- 1,179,719
Operations	1,107,172	607,929	+ 499,243
Strategic Services	111,554	108,240	+ 3,314
Chief Executive	310,087	280,053	+ 30,034
Projects, Corporate Items and	(58,355)	(19,927)	- 38,428

Directorate	Profiled Latest Available Budget £	Actual income and expenditure £	Actual variance £
Contributions from Earmarked Reserves			
Net (Surplus) / Deficit	(1,777,693)	(1,092,136)	- 685,557

- 3.5. Core navigation income is significantly below the profiled budget at the end of July. This has been offset partially by the savings identified by budget holders and the cancellation of the annual contributions to the earmarked reserves. The overall position as at 31 July 2020 is an adverse variance of £685,557 or a 38.56% difference from the profiled latest available budget (LAB).
- 3.6. The LAB has not been adjusted at this point; instead, adjustments have been made to the forecast outturn. The LAB currently provides for a deficit of £133,893. This is made up of the £45,402 original budget approved in January 2020 and the carry forwards of £88,491 agreed in May 2020.
- 3.7. The Forecast Outturn for 2020/21 is indicating a deficit of £190,185. This takes account of the current proposed pay negotiation of 2.75% (+0.75% compared to the original budget), budget holder savings and the cancelled contributions to the earmarked reserves. This assumes that the level of tolls processed in paragraph 3.3 will be collected in full. Both the LAB and forecast outturn will be revised in line with members' recommendations.
- 3.8. Table 2 gives an overview of the balances on the Earmarked Reserves at the end of July.

Table 2

Navigation Earmarked Reserves

Reserve Name	Balance at 1 April 2020 £	In-year movements £	Current reserve balance
Property	(393,440)	(796)	(394,236)
Plant, Vessels and Equipment	(310,245)	21,000	(289,245)
Premises	(89,966)	0	(89,966)
CANAPE	(155,922)	69,700	(86,222)
Computer Software	(7,184)	161	(7,023)
Total	(956,757)	90,065	(866,693)

- 3.9. The Authority undertook detailed negotiations with Defra and secured a funding agreement that will see the first £400,000 of any shortfall in navigation income being met by the Authority from navigation reserves and savings, with the potential for a

further £400,000 from an agreed transfer from National Park Reserves. Any outstanding amount above that, up to a maximum of £800,000, will be funded by Defra.

4. Conclusion

- 4.1. Given the unpredictable prospects for the rest of the season, and the need for greater clarity around the total income figures, the following recommendations are suggested.
- 4.2. It is proposed to recommend to the Broads Authority that it:
 - (i) Undertakes a further survey of hire boat yard bookings and income at the beginning of October.
 - (ii) Engages with individual yards to understand more fully their overall income position for this season and the prospects for 2021.
 - (iii) Requires yards to pay the third toll instalment of 30% by 30 September as already agreed.
 - (iv) Delays the date for the fourth and final toll payment of 30% to 30 November, to give time for the Navigation Committee and the Broads Authority to consider the results of the second survey and the level of charges for 2021/22.
- 4.2 Members' views on this approach are invited.

Authors: John Packman, Emma Krelle, Bill Housden

Date of report: 24 August 2020

Appendix 1 – Hire boat operators -Survey of the season

Appendix 2 – Summary of survey returns

Appendix 1. Hire Boat Operator - Survey of the Season

At its meeting on 25 June 2020, the Broads Authority endorsed an approach to hire boat charges for 2020/21. This was in response to the financial impacts on the hire boat industry of the Government's Covid-19 lockdown restrictions.

For this year, the navigation charges for the hire industry have been staggered in the following manner:

- 10% of the charge was due as soon as the boat is hired;
- 30% was to be paid on or before 31 August 2020;
- 30% would be paid on or before 30 September 2020; and,
- the final payment of 30% would be due on or before 31 October 2020.

The Authority's officers are now consulting the Broads Hire Boat Federation, individual hire boat companies and charities running hire boats on their income for the season, and a comparison with last season. It was agreed that these figures would be reported to the next meeting of the Navigation Committee on 3rd September and then to the Broads Authority meeting on 25 September to indicate how the 2020/21 hire boat season had progressed. This feedback will then be used to help decide on what approach to take to the outstanding tolls payments.

The timescale for the survey leaves requesting the information as late as possible to get the most up-to-date picture whilst still meeting the deadlines – extremely tight!

In this short timescale it is not possible to poll every operator and the intention of working with the Broads Hire Boat Federation is that all the major companies will be covered which should give a good indication of both how the season has performed up until Friday 14th August and what the prospects are from bookings for the rest of the year.

Please return the information by 13:00 on Wednesday 19th August.

The information we are seeking is the % percentage of income that companies have or will have lost over the course of the season as a whole – made up of:

- (i) the lost income from the weeks when the lockdown was in place and
- (ii) the potential additional income gained from a busier main summer and potentially extended season in response to the removal of the restrictions.
- (iii) taking into account income from government and local government.

So please complete the following table as appropriate – i.e. for those categories of vessel that are relevant. Question 5 applies across the whole business and includes Government financial support so is dealt with separately.

Name of Boat Yard _____

Question 1. Actual Income for the different categories of vessel from 1st April 2019 to 30 June 2019 as % of last year's annual income.

Question 2. Actual Income for the different categories of vessel 1st April 2020 to 31st July 2020 as a % compared to the same period in 2019.

Question 3. Actual Income for the different categories of vessel 1st April 2020 to Friday 14th August 2020 as a % compared to the same period in 2019.

Question 4. Estimate of income for the different categories of vessel for the period 1st April to 31st December 2020 compared to estimated income for 1st April to 31st December 2019.

Type of Hired Vessel	Question 1 %	Question 2 %	Question 3 %	Question 4 %
Weekly hired motor craft				
Day hired motor craft				
Motorised sailing craft				
Houseboats				
Rowing boats				
Sailing boats				
MCA Passenger Boats				
Small passenger boats				
TOTAL				

Question 5. Estimate of income overall for the period 1st April to 31st December 2020, taking into account any grants from government, including the Job Retention Scheme, and local authorities compared to actual income for 1st April to 31st December 2019.

Estimated Income including grants 1st April 2020 to 31st December 2020 = _____ %
Actual Income 1st April 2020 to 31st December 2019

Note: - The names of the companies that have taken place in the survey will be listed in the report to the Navigation Committee and the range of responses will be given but the individual company responses will not be made public.

Please return to: Bill Housden, Collector of Tolls at bill.housden@broads-authority.gov.uk at the Broads Authority by 13:00 on Wednesday 19th August.

With many thanks

John Packman
Chief Executive
Broads Authority 13th August 2020

Appendix 2 – Summary of Survey Returns

Note: Responses all rounded to nearest 1%.

Question 1. Actual Income for the different categories of vessel from 1st April 2019 to 30 June 2019 as % of last year's annual income.

Type of Hired Vessel	Question 1 %	Mean
Weekly hired motor craft	27, 34, 35, 36, 38, 40,	35
Day hired motor craft	26, 29, 30, 30, 33, 33, 35, 35, 40	32
Motorised sailing craft		
Houseboats	40, 40	40
Rowing boats	37	
Sailing boats		
MCA Passenger Boats	35	
Small passenger boats	33	

Question 2. Actual Income for the different categories of vessel 1st April 2020 to 31st July 2020 as a % compared to the same period in 2019.

Type of Hired Vessel	Question 2 %	Mean
Weekly hired motor craft	20, 30, 38, 43, 46, 54,	39
Day hired motor craft	15, 55, 56, 61, 61, 72, 78, 83, 84	63
Motorised sailing craft		
Houseboats	44, 65	55
Rowing boats	0	
Sailing boats		
MCA Passenger Boats	7	
Small passenger boats	58	

Question 3. Actual Income for the different categories of vessel 1st April 2020 to Friday 14th August 2020 as a % compared to the same period in 2019.

Type of Hired Vessel	Question 3 %	Mean
Weekly hired motor craft	12, 49, 50, 53, 53, 56	46
Day hired motor craft	10, 66, 71, 73, 76, 78, 95, 98, 105	75
Motorised sailing craft		
Houseboats	62, 85	74
Rowing boats	10	
Sailing boats		
MCA Passenger Boats	17	
Small passenger boats	68	

Question 4. Estimate of income for the different categories of vessel for the period 1st April to 31st December 2020 compared to estimated income for 1st April to 31st December 2019.

Type of Hired Vessel	Question 4 %	Mean
Weekly hired motor craft	40, 58, 60, 68, 77, 84	65
Day hired motor craft	30, 75, 75, 77, 80, 81, 91, 96, 108	80
Motorised sailing craft		
Houseboats	90, 92,	
Rowing boats	50	
Sailing boats		
MCA Passenger Boats	10	
Small passenger boats	93	

Question 5. Estimate of income overall for the period 1st April to 31st December 2020, taking into account any grants from government, including the Job Retention Scheme, and local authorities compared to actual income for 1st April to 31st December 2019.

Estimated Income including grants 1st April 2020 to 31st December 2020 = _____%
Actual Income 1st April 2020 to 31st December 2019

80%, 86%, 92%, 93%, 96%, 120% Mean = 95%

Navigation Committee

03 September 2020

Agenda item number 10

Potential use of the Capital Receipts Reserve to fund improvements to the public facilities at Acle Bridge

Report by Chief Financial Officer and Director of Operations

Purpose

The report seeks members' views on options for the use of the Capital Receipts Reserve (CRR), to fund improvements to the public facilities at Acle Bridge.

1. Introduction

- 1.1. At the Audit and Risk Committee (ARC) in November 2019, a member raised a question regarding the repayment of the Public Works Loan Board (PWLB) loan taken out to purchase the Dockyard from May Gurney in 2007. The loan was for a 20-year period at a fixed interest rate of 4.82%. The suggestion was that the repayment could be funded by the Navigation share of the Capital Receipts Reserve (CRR), which contains the proceeds from the sale of the Ludham Fieldbase.
- 1.2. This was discussed again at the ARC meeting in March 2020, where the early repayment fee was highlighted. It was noted that, although it would bring small-scale savings (at that date), any other capital works such as improvements at Acle Bridge would then need to be funded by an increase in tolls or additional borrowing. The early repayment of the loan has been looked at a number of times over the years but had not been considered affordable. The CRR meant this was no longer the case. It was agreed that a report would be taken to the Navigation Committee in April and the Broads Authority in May. Due to Covid-19 restrictions and the cancellation of meetings, this reporting has been delayed.

2. Repayment costs

- 2.1. As at the time of writing, there remains £108,750 outstanding on the loan. Repayments are made every six months (March and September) of equal instalments of principal (EIP). These instalments are included in the revenue budget for the next 7 years. The repayment of the loan is calculated on the rate in force when the repayment is agreed over the remaining terms of the original loan. The figures below will change on a daily

basis and if repayment was authorised by the Authority it cannot occur until October, if cash flow permits, and after another instalment has been paid.

- 2.2. Table 1 below shows that, because of the early repayment fee, there is little financial benefit in early repayment of the loan compared to the costs of continuing the budgeted repayments until 2027.

Table 1

Loan costs

Cost type	Early Repayment Costs £	Continued Budgeted Costs £
Capital Repayment	108,750.00	108,750.00
Early repayment fee	19,835.69	0
Interest	1,904.79	20,967.04
Total	130,490.48	129,717.04

- 2.3. The CRR balance is £405,000 and is split 60% National Park and 40% Navigation. The Reserve can be used only for the repayment of debt or capital expenditure. Following the outbreak of Covid-19, interest rates are very low. The highest interest rate is currently 1.05% (1-year fixed deposits) and the lowest is 0.1% (instant access). If we take the higher rate, the Authority would lose £1,701.00 in interest compared to the saving of £773.44 by repaying earlier. Depending on cash flow, notice maybe required to access the funds, which can take between 32 and 95 days. If this was the case, then repayment may not take place until January 2021.

3. Capital options

- 3.1. With the availability of the CRR, the Authority has an opportunity to make further improvements to the facilities offered to our waterway users, visitors and local people at Acle Bridge.
- 3.2. The Navigation share of the CRR is approximately £162,000 and the Acle site is currently 100% funded by Navigation. Depending on the facilities to be offered there is a potential to add a National Park contribution and external funding to upgrade the public facilities in line with the agreed vision.
- 3.3. The Acle Bridge mooring was purchased to safeguard the long length of mooring provision offered at this site. The public toilets were subsequently purchased from Great Yarmouth BC. The Authority has invested in new piling, capping, waling and mooring posts. Using existing budgets, electric charging points are being installed along with safety ladders and chains, making it a safe and well provided Authority 24hr free mooring. The CRR gives us an opportunity to go further at this site. The Authority has an ambition to upgrade the old toilet block. This could be replaced with new year-

round, 24/7 public toilets with showers and baby changing facilities. The car park could be remodelled and expanded and the thatched kiosk restored and enlarged to allow a bigger café offering.

- 3.4. The toilet and shower facilities could be coin operated, and income from their use would be used to help fund the upkeep of the site. Using the latest design for public toilets would ensure they were well illuminated, bright, hygienic, easy to clean and vandal proof. Both North Norfolk and South Norfolk have recent experience of revamping public toilets and their advice could be sought.
- 3.5. If this option to use the CRR to enhance the site is supported by the Committee and the Broads Authority, then plans would be developed, fully costed and brought back to the Committee at a future date.

4. Conclusion

- 4.1. The early repayment fee and the funding of future capital projects makes the early repayment of the PWLB loan unattractive. The Authority is not allowed to borrow in advance of need; however, current fixed interest rates from PWLB vary from 1.96% for a 10-year repayment and 2.2% for a 20-year period. These rates move on a daily basis and, given the current climate and the uncertainty about future boat numbers, it may be unwise to commit future capital projects being financed by debt. However, the Capital Receipts Reserve provides funding to continue the upgrade of the facilities for visitors at Acle Bridge.

Author: Emma Krelle and Rob Rogers

Date of report: 11 August 2020

[Broads Plan](#) objectives

Navigation Committee

03 September 2020

Agenda item number 11

Construction, Maintenance and Environment work programme - progress update

Report by Head of Construction, Maintenance and Environment

Purpose

The report gives an update on the Broads Authority's management activities to maintain the public navigation, develop mooring facilities for public use, and demonstrate the effective use of available resources.

1. Maintaining water depths for navigation

- 1.1. The detailed breakdown in Appendix 1 gives the volumes for the annual dredging programme from the start of April to the end of July 2020. A total of 13,070 m³ of dredged sediment has been removed from the prioritised sites. This figure represents 32 % of the programmed target of 41,400 m³ for 2020/21.
- 1.2. Active dredging projects are at Oulton Broad and the River Yare near Brundall. At Oulton Broad, dredging is taking place along the centre of the broad working towards Mutford Lock. The sediment is being used to create the reedbed area at Peto's Marsh. On the River Yare, shoals on the main river between Brundall and Bramerton have been targeted. A bar at the upstream entrance to Bargate Broad was also removed. The crew will soon move to Trowse to remove shoals at Trowse Eye and other areas towards Trowse Rail Bridge.
- 1.3. Successful site restoration at Tyler's Cut has been carried out, with the dredged material levelled and reseeded with grass. The site is on track to be handed back as planned to the landowner early this autumn.
- 1.4. Preparation for this winter's dredging work (see Appendix 1) is progressing well. The relevant site permissions and permits are in all place.

2. Maintaining safe public mooring facilities

- 2.1. The re-piling and refurbishment of the Acle Bridge 24 hr mooring has now been completed, following a delay due to Covid-19 working restrictions. New timber capping, mooring path and mooring posts have finished off the site, which is now open for public

use. The electric pillars have been installed, with final connection by the electrical contractors due by early September.

- 2.2. The mooring at Castle Staithe, Wroxham is now also open for public use and is being managed by the Authority as a free 24 hr mooring.

3. Our resources

- 3.1. The ongoing replacement programme of plant and equipment has proceeded as near to normal during this financial year. A replacement telehandler for the Dockyard and a replacement mini-excavator for the Maintenance Team have been purchased and delivered. Both are essential items for our ongoing works programme. The 31-year-old Sanderson telehandler to be retired certainly earned its keep.
- 3.2. In September, this year's group of Practical Environmental and Countryside Apprentices will have reached the end of their formal apprenticeship with the Authority. Emily, Becky and Eloise have completed all their required training units and have all done very well so far in the assessed learning units. Despite the lockdown interrupting the normal pattern of work on site, all the staff who have worked alongside them have been very pleased with their attitude and ability to assist with a wide range of maintenance tasks across the Broads. Thank you to all three for their hard work and commitment.

4. Managing water plants

- 4.1. As in previous years with relatively low spring rainfall, low water levels and plenty of spring and early summer sunshine, water plant growth this season has been vigorous. The Authority's two weed harvesters have been working continuously on the system since the start of May in the northern rivers and since the first week of June in the southern rivers. Weekly working hours have also been extended for the vessel and operative in the northern rivers to ensure the interval between cuts at the various hotspots on the Thurne, Bure and Ant is reduced as far as possible.
- 4.2. The Authority is in discussions with the Environment Agency's Flood Risk and Asset Performance teams about the issue of cut water plants travelling downstream of Horstead Mill, from Agency activities upstream. The impacts of large volumes of floating plant debris in the Broads navigation area are obvious to Broads' users, so working with the Agency to manage and further mitigate such impacts are ongoing.

5. Other navigation works

- 5.1. The programmed maintenance of Mutford Lock chamber in August was completed. The work was both timely and highly necessary. Aside from the usual accumulation of sediment and mussel shells that will eventually impact on the ability of the gates to open, the contractors removed a car tyre and a large metal pole wedged between a gate and the lock wall. Thankfully these items were removed before they got stuck and prevented the gate from closing fully.

- 5.2. The Authority has been actively involved in redrafting the Environment Agency guidance on the rules for exemptions from Environmental Permitting when placing dredged sediment on river banks. Reconsideration of the rules regarding aspects of sediment storage, distance travelled to offload and the subsequent re-handling of deposited material are all critically important factors for the Authority's future work. The simpler and more accessible locations along the main rivers have largely been used, so having the legislative guidance more closely aligned with our requirements and practice is extremely helpful. The revised guidance will be published on the Environment Agency's website this autumn.

Authors: Dan Hoare, Sue Stephenson

Date of report: 17 August 2020

[Broads Plan](#) objectives: 2.1, 2.3, 3.1, 3.2, 4.2, 6.1

Appendix 1 – Dredging progress 2020-2021

Appendix 1 - Dredging progress 2020-2021 (April 2020 to end March 2021)

Note: 'Planned annual project cost' includes staff time for all elements (pre-works ecological mitigation, site set-up, active dredging and site restoration), BA plant and budgetary expenditure (equipment hire, survey costs, contractor costs, mitigation works, materials and consumables, etc) within the reporting period.

Project title	Active BA dredging weeks completed/ planned	Planned volume removed m ³	Actual volume removed m ³	Planned annual project cost	Actual project cost
River Bure - COMPLETED South Walsham & Acle to Oby (Apr-May)	6/8	2,000	4,600	40,703	36,630
River Waveney - ACTIVE Oulton Broad to Peto's Marsh (May-Sept)	11/20	8,500	5,510	110,104	69,140
River Yare - ACTIVE Prioritised shoals between Trowse & Cantley (Jun-Sept)	7/15	6,400	2,960	114,507	36,470
River Thurne River Thurne sites & Catfield Dyke to Chara Bay (Oct-Feb) Plus 4 weeks for planting geotextile bags	0/19	8,000	0	150,664	4,870
River Yare Haddiscoe Cut to Raveningham (Nov-Feb)	0/20	8,500	0	106,990	60
River Thurne – Waxham Cut Sidecast (Jan-Feb)	0/7	6,000	0	26,862	520

Project title	Active BA dredging weeks completed/ planned	Planned volume removed m³	Actual volume removed m³	Planned annual project cost	Actual project cost
Lower Bure Plough dredge (Mar)	Contractor	2,000	0	10,000	0
Site Restoration Waxham Cut (Phase 1), Tyler's Cut	-	-	-	12,000	6,150
Site Preparation Peto's Marsh, Carlton Marshes	-	-	-	16,000	6,820
Total	24/89	41,400	13,070	587,830	160,660

Navigation Committee

03 September 2020

Agenda item number 12

Hire Boat Code- draft version

Report by Head of Safety Management

Purpose

This report explains the proposed changes to the Hire Boat Code following consultation with hire boat operators, navigation authorities and other interested industries.

1. Introduction

- 1.1. At the end of December 2019, British Marine and the Association of Inland Navigation Authorities (AINA) launched a consultation on proposed changes to the Code for the Design, Construction and Operation of Hire Boats, better known as the Hire Boat Code. The Hire Boat Code was developed by British Marine and AINA to help ensure the continued safe operation of hire boats on inland waterways. It provides the framework for safe business operations, clarification of operators, and navigation authorities and users responsibilities. It also helps businesses by consistent application of licensing requirements through inland navigation authority waterways in the UK.

2. Proposed changes

- 2.1. The proposed changes to the Code consider the many advances in boat design, regulation and operation since the first Code was published in 2009, ensuring the licensing framework is fit for the future.
- 2.2. The revised licensing conditions will encompass new areas, extending the licensing regime to canoes, kayaks and paddleboards (previously regulated under the Broads Paddling Scheme), and to hired sailing boats over 6m in length, and will make amendments to key technical standards.
- 2.3. While the existing Code is voluntary, the revised Code is intended to be adopted as mandatory where the licensing authorities have the power to do so.

3. Consultation

- 3.1. The consultation on the proposed changes to the Code was the first opportunity for members of British Marine, navigation authorities and the wider industry to review and assess how the changes would affect their businesses. The consultation ran from 16 December 2019 to 9 March 2020, a period of 12 weeks.

- 3.2. British Marine invited all impacted operators of hire craft, licensing authorities and hirers within its membership, as well as others interested in ensuring adequate levels of hire safety, to participate in the consultation.

4. Consultation response

- 4.1. There were thirty-three responses to the consultation. All responses were reviewed and taken into consideration, and the proposal amended where necessary. A summary of the responses is available at <https://www.aina.org.uk>.
- 4.2. Following a Hire Boat Working Group meeting on 15 July to discuss the consultation responses, a revised draft Hire Boat Code (Version 3) was produced (see Appendix 1).
- 4.3. There will be further investigation in September on specific concerns highlighted in the responses, namely:
- Down flooding heights (150mm) above the floor in front of cockpits; and
 - Potential risk to some heritage vessels associated with down flooding issues.

5. Implementation

- 5.1. Implementation of the Hire Boat Code as a condition of licensing by navigation authorities will allow sufficient time for operators to plan and budget for any alterations they may be required to make to their fleets, and to provide scope for the authorities to implement the code in accordance with their own regulatory framework and procedures, which will vary widely.
- 5.2. It is hoped to complete the final version of the Hire Boat Code by October 2020. It will be implemented as a condition of licensing by navigation authorities by 2022.

Author: Linda Ibbitson-Elks

Date of report: 14 August 2020

[Broads Plan](#) objectives: 4.3

Appendix 1 - Code of Practice for Hire Boats – (Draft Version 3)

Code of Practice for Hire Boats -

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1 Introduction

1.1 Definitions

1. **‘Hire boat’.** A vessel not intended for the carriage of more than twelve persons, offered without a skipper or crew for the sport or pleasure of those on-board, which is not a ‘pleasure vessel’ as defined in the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998, SI 1998, No, 2771¹, and that does not proceed to sea.

The above definition is considered to include vessels with no skipper or crew provided which are:-

- *let or hired under an arrangement, whether or not on a pre-contract basis*
- *the subject of a bare boat charter arrangement*
- *the subject of any form (including timeshare) of shared use arrangement where the boat is not wholly owned by individuals and used by them, or their immediate family² or friends*
- *used by persons who are not friends or immediate family of the owners. (Note that money does not have to change hands for the vessel to be considered a ‘hire boat’.)*

Excluded from this definition of ‘hire boat’ are boats with no skipper or crew provided which are:

- *houseboats or other vessels that are permanently attached to their moorings;*
- *used by the friends or immediate family of the owners and where any payment is only in respect of direct operating costs during the voyage;*
- *owned by a members’ club for use by its members or their immediate family where any payments made for its use are paid into club funds for the general use of the club;*
- *owned by a body corporate for the use of its employees or their friends or immediate family whether or not the user makes any separate payment for such use of the boat;*

¹ Within The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998, “pleasure vessel” means-

(a) any vessel which at the time it is being used is:

(i) (aa) in the case of a vessel wholly owned by an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or
(bb) in the case of a vessel owned by a body corporate, used only for sport or pleasure and on which the persons on board are employees or officers of the body corporate, or their immediate family or friends; and
(ii) on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or

(b) any vessel wholly owned by or on behalf of a members’ club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and for the use of which any charges levied are paid into club funds and applied for the general use of the club; and

(c) in the case of any vessel referred to in paragraphs (a) or (b) above no other payments are made by or on behalf of users of the vessel, other than by the owner

² Immediate family’ means in relation to an individual, the spouse or civil partner of the individual, and a relative of the individual’s spouse or civil partner; and ‘relative’ means brother, sister, ancestor, or lineal descendent.

- *in shared ownership where the boat is wholly owned by her users and used by them or their friends or immediate family.*
- *rescue or safety craft*

Note: The above lists are not exhaustive.

2. **'Hirer(s)'**. The person(s) hiring the boat from the Hire Operator and/or person(s) in the hire party.
3. **'Hire Operator'**. Person, company or organisation offering boats for hire (includes time-share operators).
4. **'Houseboat'**. Any vessel not being a power-driven vessel or being capable of being readily adapted to become a power driven vessel, which is kept stationary and is, or is capable of being used as either:
 - *A place of habitation, whether by day or night,*
 - *A place for receiving or accommodating persons for the purposes of shelter, recreation, entertainment, or refreshment,*
 - *Club premises, offices, kitchen, pantry or store*
5. **'Powered Boats'**. Boats that are not sailing boats and that are powered by internal (i.e.: spark or compression ignition) or external combustion engines (e.g.: steam engine) or electric motors as primary means of propulsion.
6. **'Day-hire Boats'**. Any hire boat not hired out overnight.
7. **'Licensing authority'**. Local or statutory navigation or harbour authority which has statutory powers to regulate hire operators and hire boats.
Local authorities are empowered under the Public Health Acts (Amendment) Act 1907, the Civic Amenities (Scotland) Act or under specific legislation to licence or regulate the operation of craft on defined waters.
8. **'Harbour Authority'**. A body with powers and responsibilities for managing harbour areas made under the Harbours, Docks, and Piers Clauses Act 1847, or the Harbours Act 1964, or local legislation.
9. **'Navigation Authority'**. A body with powers and responsibilities for waterways defined in specific legislation.
10. **'Inland waters'**. Waters listed in MCA notice MSN 1837(M) or its amendments as falling within the categories A to D, or waters not so listed but falling within the definitions given in MSN 1837(M), or controlled waters as defined in the Water Resources Act 1991.
11. **'Decked Boats'**. Boats fitted with a watertight deck or rigid cabin top covering at least 70% of the plan area at deck level. Sliding or lifting rigid cabin tops may be included in the area described as "decked". Boats with a rigid canopy over an open well are considered to be Open Boats unless more than 25% of the sides are enclosed by rigid structure.
12. **'Open Boats'**. All boats that are not Decked Boats
1. **'Sailing boat'**. A vessel which is designed to be navigated under wind power alone and for which any motor provided is an auxiliary means of propulsion and/or which possesses a non-dimensional ratio of (sail area) divided by (volume of displacement) $2/3$ of more than 7.-A boat fitted with sails of a total profile area (m²) greater than $0.3 L_H^2$ (where L_H is in metres) and for this Code of Practice above 6m L_H LOA.
2. **'Inflatable Boat'**. A buoyant hull achieving its intended shape and buoyancy by the medium of inflation of a fabric structure
3. **'Rigid Inflatable Boat'**. A buoyant structure comprising a lower hull formed by a rigid structure and achieving part of its intended shape with a buoyancy tube that is of either

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inflatable or foam-filled type and where the buoyancy of the tube comprises not less than 80% of the total buoyancy of the boat.

4. **'Personal Watercraft'**. Defined by the Recreational Craft Regulations 2017 as:
 - *Less than 4m long which uses an internal combustion engine*
 - *Uses a water jet pump as its primary source of propulsion*
 - *Designed to be operated by a person or persons sitting, standing or kneeling on, rather than within the confines of, a hull.*
5. **'Pontoon Boat'**. Boat comprising a platform mounted on two or more sealed cylindrical hulls. NB: Does not include cathedral hulls and multihulls
6. **'Notified Body'**. Notified bodies are appointed at the national level by ~~EEA~~ Member States to carry out conformity assessments on boats and engines according to the requirements of the Recreational Craft Directive.
7. **'Major Craft Conversion'**. Means a conversion of a boat which changes the means of propulsion of the boat, involves a major engine modification, or alters the boat to such an extent that it may not meet the applicable essential safety and environmental requirements laid down in the Recreational Craft Directive.
8. **'Crew Area'**. comprises the areas of the boat in which persons may be safely located when the boat is in use, and comprises all areas defined by the Hire Operator for people to stand, walk, sit or lie during normal operation of the boat, including internal decks.
9. **'Crew Limit (CL)'**. The maximum number of persons for which the boat is hired out, excluding any boatyard staff who may be on board during handover. This should include non-stability related aspects such as numbers of seating places and cabin ventilation. The crew limit must never exceed 12 persons.
10. **Narrowboat**. A boat with a maximum beam of 2.08m (6 feet 10 inches), constructed from steel and designed for the narrow waterways and canals.
11. **Length of Hull (L_H)**. Length of boat from the forward side of the stem at gunwale level to the aftermost point of the watertight hull, measured parallel to the loaded waterline (refer to ISO 8666).
- ~~12.~~ **Beam of the hull (B_H)**. Maximum hull beam of boat excluding rubbing strakes. (refer to ISO 8666).

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1.2 Introduction

This Code of Practice is for licensing and/or navigation authorities and anyone who hires out boats for leisure use on Britain's inland waterways. It is mandatory on navigations that have the necessary legal powers, including all those managed by the Canal and River Trust, Broads Authority and Environment Agency.

The Code of Practice has been produced jointly by the Association of Inland Navigation Authorities, British Marine and the Maritime and Coastguard Agency. It supersedes the earlier Hire Boat Code and has been consulted upon.

The Code of Practice sets down the basic principles of safe operation of all types of craft hired to members of the public and makes clear the responsibilities of each of the parties involved

Hire operators and licensing authorities must be able to provide evidence of compliance with the Code of Practice.

Hire boat operators, their staff, contractors or people working on their behalf should be mindful of their duties under the Equality Act and ensure compliance with the requirements of that Act.

The Statutory Code of Practice and other guidance for service providers is available on the Equality and Human Rights Commission website <https://www.equalityhumanrights.com/en>

The Hire Boat Code is predominantly concerned with safety aspects on inland waterways and doesn't seek to specifically address environmental aspects of hire boat use. Further information regarding relevant environmental issues for both operators and users can be found at www.thegreenblue.org.uk and on the webpages of the relevant navigation authorities.

Note:

This Code of Practice has been drafted on the basis that the licensing authority's legal powers are sufficient to allow for compliance with the stated requirements to be made a mandatory condition for the award of a licence. This is reflected in the use of words such as 'must or, 'will' when expressing requirements.

It is acknowledged that not all licensing authorities will have sufficient legal powers to support mandatory adoption of all the Code of Practice's requirements through licence conditions. In these instances, the relevant requirements should be viewed as best practice to be adopted as part of the hire operators' management of safety.

1.3 Scope of the Code of Practice

The Code of Practice can be applied to sailing boats over 6m ~~L_H~~ LOA and powered boats of all length, but excludes vessels designed to be propelled solely by human power, hired out on inland waters that have a licensing authority and covers categorised waters up to and including MCA Category D.

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Attention is drawn to the definitions used in the Code of Practice. An understanding of these is essential to the understanding and application of this Code of Practice.

It does not apply to boats covered by the Inland Waters Small Passenger Boats Code or other related Maritime and Coastguard Agency Codes.

The Code of Practice does not cover any facilities (such as moorings, launch points, refuelling) that may be necessary to hire out boats safely.

1.4 Local variations

However, given the range of vessels, operating environments and types of operation that are covered by the Code, it is not possible to cover every situation.

This Code is therefore not mandatory, but provides a framework for licensing authorities and operators to use in determining the appropriate standards for the vessels with which they are concerned. In particular, competent navigation or harbour authorities may make variations from this Code which take account of local circumstances.

1.5 Individual discretion

Individual operators may, in the particular circumstances of their operation, be able to achieve an equivalent or higher level of safety using means other than the specified standards. Such departures from the Code should however be based on an adequate risk assessment, and in waterways for which there is a navigation or harbour authority, should be agreed with the competent authorities.

1.6 Other Local requirements

In addition to the guidance in the Code, the local authority or the port/harbour authority for the area in which the vessel operates may lay down requirements for vessels and/or skippers under relevant by laws. Also, local authorities may have powers over the use of the foreshore and landing places, and to issue licenses for their use.

1.4.1.7 Structure

The Code of Practice sets down the common principles applying to licensing authorities, hire operators and hirers of any type of boat. Subsequent parts deal with the technical and operational aspects of safe operation for boats powered by engines or sail. Appendices provide detailed information on boat definitions, construction standards and compliance verification.

The Code of Practice has been structured on the basis that its content will be hosted on the Association of Inland Navigation Authorities (AINA) website and linked through partner organisations' websites.

1.5.1.8 Review

The Code of Practice will be kept under review to ensure that it remains compatible with other relevant codes and standards. Amendments may be published from time to time. There will be a formal review of the Code of Practice not later than five years from the date of publication, and thereafter at intervals not exceeding five years.

The Code of Practice will be reviewed by the owners and convened by AINA. The review will take account of:

- current information on hire boating incidents and risk analysis

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- changes to related requirements including those published by the Boat Safety Scheme, Maritime and Coastguard Agency, sports governing bodies and International Standards Organisation
- feedback from stakeholders and their representative bodies including licensing authorities, hire operators and hirers

The results of these reviews and any proposals for change will be published on the AINA website.

2 Common Principles for Safe Hire Boating

The principles in this section are based on the Principles for Water Safety, published by the National Water Safety Forum. Measures intended to ensure safe hire boating should be consistent, proportionate, and fully recognise the broader benefits to society from recreation on water.

2.1 Shared responsibilities

The licensing and/or navigation authority, the hire boat operator and the hirer all have responsibilities for safety in hire boating.

2.2 Boats suitable for purpose

The hire boat operator will ensure that the boat:

- is suitable for the waters on which it is to be used and the conditions likely to be encountered
- conforms to relevant construction, equipment, stability and condition standards
- is properly maintained

2.3 Adequate hirer ability

The hire boat operator must give the hirer(s) adequate instruction in the safe use of the craft for the waters on which it will be used.

The hire boat operator must not release the craft to any hirer(s) who is not, in the operator's opinion, able to navigate safely.

Hirer(s) are responsible for taking heed of instruction in the safe use of the craft given by the hire boat operator and the licensing and/or navigation authority.

2.4 Safety Information

The licensing and/or navigation authority, working with the hire boat operator where appropriate, will so far as reasonably practicable take measures to make information available in a timely fashion to hirers about navigation restrictions or other hazards to navigation, whether planned or unplanned. This may include use of signage, websites and email.

2.5 Incident Reporting and Recording

Licensing and/or navigation authorities, hire operators and hirers should work together to report and record incidents or near misses. Statutory reporting requirements may also apply see Maritime and Coastguard Agency document MGN 564 which includes a duty to notify for a recreational craft hired on a bareboat basis if the marine casualty involves an explosion, fire, or capsize of a power driven vessel, or results in death, serious injury³ or severe pollution.

³ In this context a serious injury renders the person unable to perform their usual duties for >72 hours, or requires their admittance to a hospital / medical facility for >24 hours.

2.6 Risk assessment and changed circumstances

The licensing and/or navigation authority and hire boat operator have statutory duties to carry out risk assessments.

The licensing and/or navigation authority must assess the risks to its users, including hirers, from its infrastructure and management including the effects of environmental conditions and asset degradation. This would include the communication of unsafe conditions to hire operators and hirers as appropriate.

Hire operators must make an assessment of risks to hirers taking account of the nature of the navigation, type of boat, equipment and potential environmental conditions. This Code of Practice provides a risk-based approach to many of the technical and operational aspects of boats and their hire.

Hire operators' risk assessments should pay particular attention to:

- Hazards specific to the boat's characteristics not covered by the technical standards in section 3
- Hazards outside the scope of this Code of Practice, for example facilities (such as moorings, launch points, refuelling) that may be required to hire boats out safely
- Effects on risk of changed circumstances

Changed circumstances may include:

- Incidents
- Hirer profile and behaviour
- Patterns of boat use
- Modifications to boats (including changes in condition)
- Environment (e.g. weather extremes, water conditions)
- Infrastructure (e.g. breakdowns, restricted access)

A risk-based approach should be adopted when considering changes. Risk assessments may need to be revised and changes communicated to those who may be affected.

A sample risk assessment can be found in Annex II.

2.7 Monitoring and Compliance

Licensing authorities must have a clear policy statement explaining verification of compliance with the Code of Practice. Hire operators must have a suitable management system in place to demonstrate compliance with the Code of Practice.

Hirers are responsible for the consequences of their actions. This should be made clear during the handover procedure.

3 Application

These sections build on the high level Common Principles for hire boat safety and set out more specific requirements for the types of hire boats used for hire in UK waters.

3.1 Responsibilities

The principal parties involved in the hire of a hire boat all have responsibilities for safety.

3.1.1 Hirers

The hirers have responsibilities which include:

- nominating a party leader (who may not be the same person who made the booking)
- the party leader and other party member(s) nominated to drive or handle the boat attending the handover briefings and taking heed of the advice and instruction given
- operating the boat and equipment in accordance with the instructions given during the handover briefings and in briefing material provided
- not to exceed the maximum number of persons and adhere to the crew areas as defined by the Hire Operator on the boat
- navigating in accordance with the advice and instructions given (in whatever form including written, verbal, electronic and by signs) by the hire boat operator and the body responsible for the waters to be navigated
- the party leader ensures that all members of the party are advised of key safety information and are appropriately supervised
- studying the briefing material provided.

3.1.2 Hire Operator

The hire operator will:

- ensure their boats comply with the standards required by this Code of Practice and its Supporting Documents, and are maintained in that condition (see section 3.2)
- at time of hire, not permit the boat to carry any number of persons in excess of that permitted by the Stability Compliance Declaration (Appendix III).
- provide handover briefings (section 3.3.3 (c)) ~~appropriate~~adequate for the type of boat, length of hire, expected conditions and experience of the crew
- at time of hire not permit a boat to depart if none of the hirers appear to have sufficient ability to navigate without putting others at risk, or appears unable to control passengers.
- maintain evidence to show compliance with the Code of Practice which may include:
 - Have a licence, registration certificate or other permission for the waterway(s) the boat will use (and display if required)
 - Have a documented safety management system
 - Fitness for purpose boat certification (e.g. Boat Safety Scheme certification section 3.2.2)
 - Miscellaneous equipment (Appendix II)
 - RCD Declaration of Conformity
 - Stability Compliance Declaration (Appendix IV)
 - Documented risk assessments
 - Gas Safety (Installation and Use) Certificate (where gas system is installed)
 - Appropriate insurance cover
 - Hand-over audit certification (where available)

Documented evidence should be retained for a period of at least 6 years.

3.1.3 The Licensing Authority

The licensing authority will within the scope of their declared enforcement policy, powers and the limits of practicability:

- introduce a regime to check compliance with the Code of Practice

- take appropriate action in identified cases of non-compliance

3.2 Technical standards and compliance.

In addition to the requirements set out below, hire boats which operate in MCA Category C and D waters may also be required to comply with other relevant technical standards such as communications equipment, navigation equipment, and lifesaving equipment. Hire operators should ensure that their vessels conform to all relevant standards for their type and area of operation

Pontoon boats and open boats less than 4 metres long shall not be operated in waters outside MCA categories A or B.

3.2.1 Recreational Craft Directive.

New craft within scope must comply with the Recreational Craft ~~Directive~~ Regulations/Directive (RCD)~~(RCD)~~.

It should be noted that as of January 18th 2017, Any person placing on the market or putting into service a CE marked boat after a major modification or conversion (as per the definition) shall apply the procedure, Post-construction assessment which always requires certification by Notified Body, before placing the product on the market or putting it into service.

For further information consult <https://www.gov.uk/government/publications/recreational-craft-regulations-2017>

3.2.2 Licensing Authority Standards.

Licensing authorities shall put into place provisions to manage safety as part of their licensing framework throughout a hire boat operational lifetime. Such measures should include those aimed at minimising the risks presented by the hire boat, such as from fires, explosion, pollution, Carbon Monoxide poisoning (ventilation shortfall), downflooding risks, measures to help prevent people falling overboard, slips, trips and falls, and electrocution. The Boat Safety Scheme is an option available to Licensing Authorities to manage these risks. Licensing Authorities who have not implemented the Boat Safety Scheme on their waters shall consider how they will assess the hire operator's compliance.

3.2.3 Stability

Boats must have adequate stability for the numbers of persons using the boat and the area of operation.

Boats which are let for hire must have a completed Stability Compliance Declaration upon entry into hire service and recertification~~again~~ if significant alterations affecting stability of the boat are made during its life.

Stability and Freeboard standards and test methods are set out in Appendix III, where a competent person⁴ will be required to carry out Level 2 testing.

Operators who place into service boats certified to the RCD where a Notified Body has certified the Stability and Buoyancy requirements may complete the Stability Compliance Declaration for the

⁴ A competent person is one having the ability, appropriate training, knowledge and experience to supervise or carry out the work being undertaken in a safe and proper manner.
[Definition from Institute of Gas Engineers 2001]

boat and provide the ~~official number~~~~Code of Practice~~ of the notified body who carried out the assessment. (this 4-digit code ~~may~~~~can~~ be found on the builder's plate under the CE certification mark)

Operators must make available the Stability Compliance Declaration for each boat upon request by the licensing authority.

A Crew Limit and Crew Area Sign stating identifying the Crew Limit maximum number of persons to be carried, the maximum load and the designated Crew Area must be fitted to each boat in a position that is clearly visible from the helm. Further information on Crew Limits, Crew Areas, and the Crew Limit and Crew Area Signs, is set out in Appendix VI.

Changes to a boat will often occur and these may not generally affect stability however where changes include the following items then the initial stability assessment and tests if required must be repeated and a new Stability Compliance Declaration is to be generated. If this results in a change to permitted load and or the Crew Limit maximum number of persons or the designated Crew Area then an updated Crew Limit and Crew Area Sign stating the maximum number of persons to be carried, the maximum load and designated crew areas must be fitted to the boat, as described above.

Changes affecting the stability of the boat and requiring re-assessment include:

- Change in mass or distribution of mass for example an engine change, fitting of new fuel tanks or additional equipment
- Structural change
- Change to crew area
- Change in area of operation
- An increase in the maximum number of persons to be carried

3.2.4 Modifications or alterations to vessels

Changes to vessels inevitably occur and need to be appropriately considered and carried out to avoid inadvertently introducing additional hazards and increased risk. Hire operators need to have processes in place which will ensure that the risks from any actual or proposed change are assessed and responded to appropriately.

In particular they need to pay attention to those changes with the greatest potential for increasing risk. These include:

- Stability. Additions to passenger numbers, structural alterations which may add weight or affect centre of gravity, fitting of different engines. These may require additional stability testing, see section 3.2.3.
- Fire or explosion. Installation of new gas appliances, re-routing of pipework, fuel system changes, electrical system changes.
- Ventilation. Changes to ventilation arrangements, appliance flues or anything which may impair maintenance of effective fixed ventilation to the required standard.

Any changes being considered must be assessed to ensure they will not increase risk or take the boat out of compliance with this Code of Practice. Changes must be carried out by competent fitters in accordance with any statutory requirements such as Gas Safety (Installation and Use) and fully tested. The assessment should be simply documented to show that the change has been adequately considered.

The Major Craft Conversion requirement within the Recreational Craft ~~Directive~~ Regulations is statutory and must be followed when a Major Craft Conversion takes place on a CE marked vessel.

3.3 Operational Standards

This section deals with:

- Hand-over and return
- Managing change

3.3.1 Hand-over and return

This section is primarily concerned with the way in which boat hirers are provided with sufficient information and instruction to enable them to safely undertake the trip. It follows the stages of a trip through from booking, to departure from the hire base, to the conclusion of the trip.

Note that national hire boat and day-boat handover audit schemes are available from the British Marine as part of their Quality Accredited Boatyard (QAB) Scheme

3.3.2 Pre trip information

Advanced booking gives an opportunity for the hire operator to provide the hirer with information both on navigating boats in general, such as using locks, rules of the road, mooring etc., and on the area in which they will be boating. General information is also available from some navigation authorities and industry associations. Navigation Authorities will often produce cruising notes.

3.3.3 Handover procedures

Whether the boat is a large well-equipped cruiser designed to provide living accommodation for several weeks, a simple day-boat or sailing boat, it is essential that before the hire operator gives control of the boat to the hirer, a systematic and documented handover procedure, appropriate to the type of boat, length of hire and its area of operation, is followed.

It is essential that the briefing is done by a suitably experienced member of the hire operator's staff who can deal confidently with any questions the hiring party may have.

The handover topics ~~may include~~ **include** ~~but are not limited to:~~

- a) Appliances
 - Heating, lighting and cooking, and sanitary facilities.
- b) Using the boat
 - Moving around and getting on and off the boat. Use of lifejackets
 - Engine starting, use and checks
 - Steering, stopping and mooring
 - Awareness of maximum number of persons allowed on the boat and access limitations to ensure stability (see section 3.1.2 (d) for detail)
 - Use of locks, bridges etc.
 - Awareness of navigation hazards (e.g. weirs, tidal flows and/or river flows, commercial traffic, shallow water etc.)
 - Speed limits, rules of the waterway
 - Restrictions to navigation notified by navigation or harbour authorities, or the MCA.
 - Raising and lowering sails (where applicable)
 - Sweep of narrowboat tiller arms (where appropriate)
 - The relevant safety information declared on safety signs.

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c) Safety Equipment.

- Life jackets
- Lifebuoys, throw-lines etc.
- Portable fire extinguishers and fire blanket
- Alarm activations

d) Briefing material

The handover should be supported by briefing material which may include information on:

- Personal safety – moving around and getting on and off the boat; and the use of lifejackets
- Relevant information on the crew areas assigned to the boat for vessel stability
- Reference information on how to use the boat's engine, transmission, and throttle, how to carry out engine checks and avoid moving machinery parts and hot surfaces.
- Safety on the move – use of locks, bridges, dealing with fouled propellers, going aground, etc.
- Safe use of appliances fitted in the boat – cookers, stoves, heaters etc.
- Avoiding fire, electrocution and carbon monoxide poisoning
- Dealing with emergencies including safety equipment and its use
- Navigation rules, including speed or wash limits, giving way, sound signals, etc.
- Mooring - how and where
- Navigation features and hazards such as locks, weirs, currents, low bridges or narrow bridge arches, obstructions, tides etc.
- Contact information including for emergencies

e) Communications

- Using the contact material in the boat manual.

f) Dealing with emergencies

- Man overboard
- Fire
- Sinking
- Breakdown
- Suspected carbon monoxide poisoning
- Emergency contact details
- Recording and reporting

3.3.4 Hirer Ability

During or at the completion of the handover briefing, the hire operator must decide whether the hirer and his party are sufficiently able to be allowed to take the boat out. Reasons for not doing so would include:

- Inability of the party leader(s) to demonstrate adequate control (even after repeated instruction)
- Perceived impairment through drink or drugs

- Inadequate resources available to the party to control children safely or supervise persons with special needs.

If the decision is made not to permit the boat to go out, this should be recorded in the handover documentation.

Throughout the handover process, the person giving the instruction should take account of any qualifications (for example, RYA qualifications, pre completed competency tests) or previous experience professed by the party leader(s), however this should only be recognised as an opportunity to accelerate the briefing, not dispense with it.

3.3.5 During and after the Hire Period

At the conclusion of the hire period the hirer should have the opportunity, where practicable, to report back to the hire operator on any problems or incidents that occurred. These would include:

- Incidents (Personal injury and/or damage to property)
- Breakdowns or deficiencies with the boat or equipment
- Vandalism or anti-social behaviour

Hire operators are reminded that they have a statutory duty to report certain types of incidents involving the use of hire craft to the Marine Accident Investigation Branch.

In the interests of building a better understanding of boating incidents and near misses, their frequency and causes, hire operators are encouraged to pass on details through their navigation authority, or British Marine, to ensure that any incident trends can be analysed and, if appropriate, addressed in future editions of this Code of Practice.

3.3.6 Documentation

The handover process is an essential element of safety management. It is important that an audit trail of its delivery is maintained. This may include:

- Booking terms and conditions
- Booking confirmation
- Customer log sheet. The record of when the hirer and his party arrived and departed, party member names, delivery of handover.
- Boat acceptance certificate. A record of the handover and the hirers' and party leader's written acceptance of it. Incident reports and records of any other customer feedback.

3.3.7 Audit

In view of the importance of the handover process, hire operators are strongly recommended to periodically have their handover arrangements independently audited. Licensing and/or certifying authorities can reserve the right to carry out sample audits; having an independent audit available is likely to satisfy such a requirement.

3.3.8 Changes to local area of operation.

Temporary or permanent changes to the environment in the area in which the hire boat operates could cause additional hazards which may require additional briefing of hirers, or restrictions to the area of operation. These could include:

- Complete or partial closures to navigable channels for maintenance purposes, or special events.
- Temporary obstructions restricting available channel or air-draft.
- Missing or unserviceable navigation signs or aids e.g. channel markers.

- Severe weather conditions causing flooding or high water flows.

Hire operators should ensure that they pay due heed to the available information sources such as navigation authority notices and bulletins, notices to mariners, extreme weather and flood alerts etc.

Navigation and harbour authorities need to ensure they take reasonable measures to notify boat operators of hazardous conditions of which they might otherwise not be aware.

Risk assessments should be reviewed and amended where necessary.

Appendix 1 Recommendations and best practice for inspection and maintenance of craft by hire operators.

1. Introduction

This section contains recommendations for what are considered to be reasonable minimum standards of inspection and maintenance to ensure that boats are dispatched in a safe, serviceable and fully equipped condition, and remain safe throughout their operating lives. Note that these recommendations apply only to safety-related aspects.

This appendix groups maintenance and inspection checks into three types:

- Turn-round. The minimum required at turn-round to ensure that the craft is dispatched in a safe and serviceable condition with all its safety equipment.
- Periodic. Items which should be checked regularly during the season to ensure safety. Operators may choose to combine these with the turn-round checks, or for boats used more intensively, typically day-boats, at time or number-of-trips intervals.
- Major Servicing. Carried out at least annually, this includes servicing of major items of equipment and machinery, inspections for deterioration, and replacement of parts as required for a further period of safe operation.

The following sections give an illustration of items covered under the three types of checks. It is not an exhaustive list. Hire operators are recommended to produce their own maintenance arrangements according to their type of operations and environment.

2. Turn-round

Items to be covered include:

- Lifebuoys
- Fire extinguishers/blankets
- Fuel
- Drip trays.
- Engine oil levels
- Ropes, fenders and anchors
- Smoke or CO alarm test.

3. Periodic

Items to be covered include:

Functional checks:

- Bilge pumping systems
- Cables and controls
- Switches and instruments
- Battery master switches
- Shore power RCD

Condition checks:

- Bilge water
- Alternator drive belt
- Coolant level
- Hydraulic system levels
- Ventilation clear (visual check)
- Safety signs (e.g. limited access areas)
- Slip-resistant surfaces
- Fuel and gas hoses
- Electric cables
- Battery security and terminals covered
- Sails and awnings
- Weed Hatch

4. Major Servicing

Items to be covered include:

Engine/gearbox. Routine maintenance (e.g. oil/filter changes, valve clearances, drive belt condition, cabling and terminals, starters, leak checking, mountings condition and alignment etc.), taking account of manufacturers recommendations.

Exhaust. Serviceability and condition check, including lagging.

Hull integrity. Inspections for deterioration, sea cocks serviceability, through hull hose connections, weed hatch

Cooling system. (flush, condition of hoses, clips, leak test) Includes calorifiers.

Fuel system. Condition check of pipes, connections, and tanks. Leak-free.

Cables and Controls. Check for damage and wear. Lubricate. Functional checks

Stern-gear. Inspect and service.

Fire extinguishers. Annual inspection.

Gas systems. Annual GSIUR inspection. All joints, flexible pipes and regulators, burners flame failure devices etc.

Battery condition. Also condition of cables and terminals.

Electrics. Condition of visible cables and terminals.

5. Documentation

It is recommended that hire operators produce their own maintenance schedules covering as a minimum the items listed above. It is also recommended that a record of the completion of major servicing is retained and signed off by the hire operator. (The signature of the hire operator's representative on handover documentation - Acceptance Certificate is confirming to the hirer that turn-round checks have been carried out.)

Appendix II - Hire Boat Activity Risk Assessment (example)

note this is representative only and in no way deals with all of the hazards that may be encountered.

Company Name: XYZ Boatyard, Milton Keynes

Date: 2nd March 2015

What are the hazards?	Who might be harmed and how?	What are you already doing?	Risk H/M/L	What further action is necessary?	Action by who?	Action by when?	Done	Residual Risk H/M/L
Slips, Trips and Falls	Hirers, Boatyard Staff	All boats inspected non-slip surfaces on access areas. Grab rails are installed on relevant area of the boat. Hirers advised to wear appropriate footwear. Hirers instructed not to jump when getting off and on the boat	M					
Carbon Monoxide Poisoning	Hirers, Boatyard Staff Poisoning and death	All boats with gas appliances are subject to annual gas safe check and ventilation is appropriate to the use. Hirers briefed on use fuel burning appliances. Boats checked after each period of hire and before new hire.	L					
Man overboard	Hirers, Boatyard Staff. Drowning	Grab rails present on appropriate areas, Staff wear personal flotation devices (PFD) when on boats and during show out. Hirers issued with PFD for the period of hire and hirers are briefed on how to correctly wear and fit a PFD. Hirers instructed on how to recover person from the water. All boats with large freeboard supplied with a means to assist recovery of a person from the water.	M					

Company Name: XYZ Boatyard, Milton Keynes

Date: 2nd March 2015

What are the hazards?	Who might be harmed and how?	What are you already doing?	Risk H/M/L	What further action is necessary?	Action by who?	Action by when?	Done	Residual Risk H/M/L
Fire and Explosion	Hirers, Boatyard Staff, adjacent people and property	Boats comply with Boat Safety Scheme requirements and are inspected prior to each period of hire. Hirers instructed not to take on board portable appliances and instructed in the use of fire extinguishers and their positions. All Flammable products stored correctly on site and staff trained in use of fire extinguishers. Fire assembly point marked. Evacuation procedure developed.	L					
Viral or bacterial infection, from water supply, and surfaces	Hirers, Boatyard Staff, Children and particularly Babies.	All boats are thoroughly cleaned prior to each hire period. Drinking Water points are signed and filters are regularly changed. Hirers advised to ensure adequate water supply and where to obtain supplies.	M					

Parking and Vehicles moving around the boatyard	Hirers, Boatyard Staff	<p>Car Park area segregated from general pedestrian area and busy footfall areas.</p> <p>5mph speed limit on site.</p> <p>Boatyard vehicles have audible alarms to warn of approach.</p>	M					
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Company Name: XYZ Boatyard, Milton Keynes

Date: 2nd March 2015

What are the hazards?	Who might be harmed and how?	What are you already doing?	Risk H/M/L	What further action is necessary?	Action by who?	Action by when?	Done	Residual Risk H/M/L
Vessel Stability	Hirers, Boatyard Staff Capsize, entrapment, drowning	All boats comply with Hire boat Code stability requirements. Hirers are briefed regarding stability and distribution of people. Hirers are restricted from areas which will have adverse effect on stability. Notices are fixed to boat stating maximum load and distribution. All significant changes to the boats are assessed to determine if they have an effect on stability.	L					
Vessel engine Breakdown	Hirers, Stranding	All engines annually serviced and maintained, all engines checked before each hire period. Hirers briefed on emergency call out telephone numbers Engineers available on call out duty, tow boat available for recovery	L					
Vessel Grounding	Hirers,	Hirers briefed on navigating the waterways and to take due regard of channel markers and navigation	M					

	Stranding Damage to Boat	warning signs. Briefing material left on board						
Collision	Hirers, and other river users Damage to property and injury	Hirers briefed on rules of the waterways and speed limits, boat handling instruction given to hirers and assessment completed before release.	M	Include boaters handbook in confirmation of booking documentation	Joe	For new season 2016		

Company Name: XYZ Boatyard, Milton Keynes

Date: 2nd March 2015

What are the hazards?	Who might be harmed and how?	What are you already doing?	Risk H/M/L	What further action is necessary?	Action by who?	Action by when?	Done	Residual Risk H/M/L
Mooring and Bridges	Hirers, and other river users, Crushing injuries, damage to other boats and property	Hirers briefed on rules of the waterways, boat handling instruction given to hirers and assessment completed before departure. Hirers briefed not to use body parts to fend off						

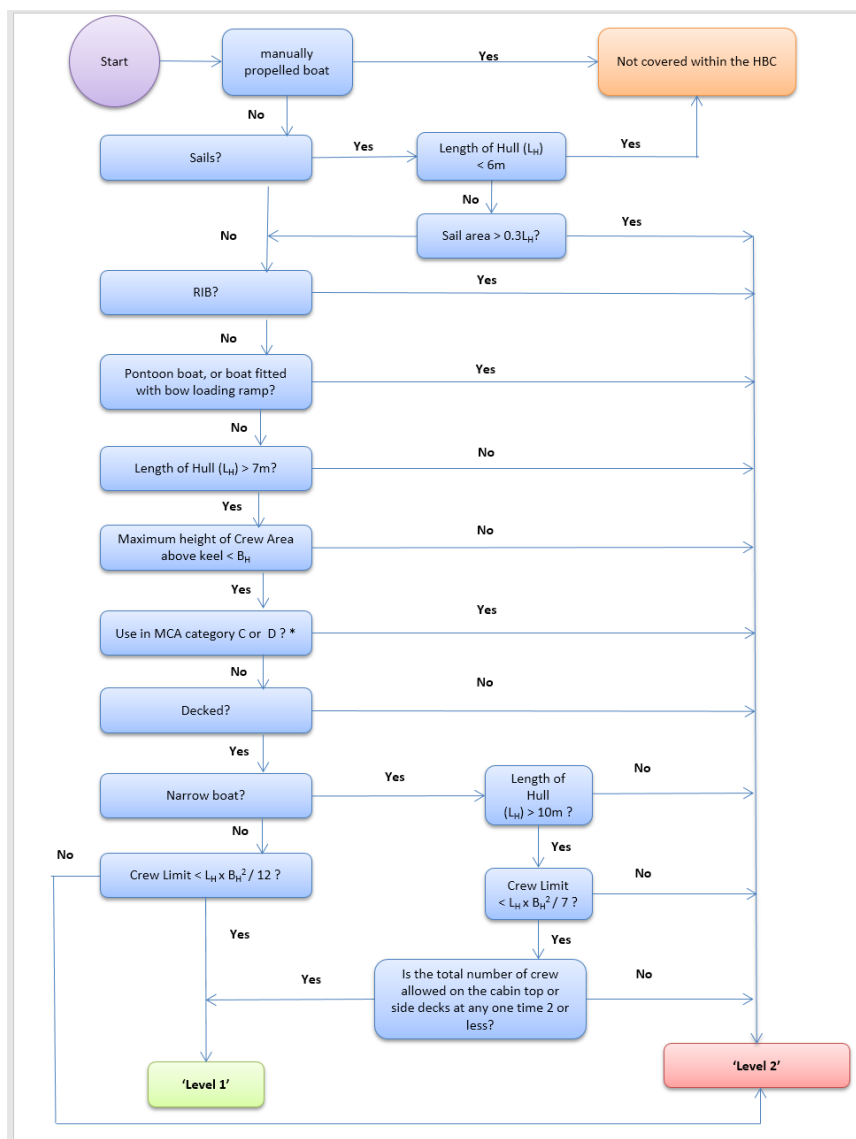
When producing the risk assessment, further consideration should be given to equipment listed below

Risk control measure	Application
Personal flotation devices	<p>Issued to each child, non-swimmer and passengers of reduced ability, and 'offered' to all others for Cat A and B waters; and issued and put on board for all on Cat C and D waters.</p> <p>Personal flotation devices must have minimum buoyancy of 100N on Cat A and B waters and a minimum of 150N on Cat C and D waters.</p>
Means of re-boarding following man-overboard	<p>Applicable to all hire boats except those restricted to shallow canals.</p> <p>The means to re-board can be achieved by boat design as provided by the boat builder in support of their conformity with the RCD or by portable equipment such as rope ladders or lengths of rope with footholds intended to be tied to a cleat.</p>
Anchor, chain and rope	<p>Application includes hire boats used on lakes, lochs, rivers, canalised rivers and tide ways.</p> <p>The type of anchor and length of chain/rope is dependent on risk assessment of local conditions and boat displacement.</p>
Bilge pumping	<p>Application includes all powered hire boats.</p> <p>Hire boats with overnight accommodation to have an automatic or manually operated pump. Day boats to be provided with a suitable bailer.</p>
Cleats and strong points	<p>Application includes all powered hire boats. To be provided appropriate to the vessel and its area of operation. Minimum of one at bow and stern.</p>
Mooring ropes, stakes and hammer	<p>A minimum of two ropes to be provided of adequate length and strength for the size of the boat and its area of operation, i.e. depth of locks.</p> <p>Ropes to be free of defects and knots.</p> <p>A minimum of two mooring stakes to be provided and one suitable hammer.</p>
Fit guard to propeller shaft (or other moving machinery), where accessible to hirers	<p>Application is limited to hire boats where hirer access to the spaces containing moving parts is authorised whilst the equipment is operating.</p> <p>The need and type of guard to be determined by risk assessment.</p>

Fit heat insulation or a guard to hot exhausts/flues where accessible to hirers	<p>Application is limited to hire boats where hirer access to the spaces containing hot engine or appliance exhausts/flues is authorised whilst the engine/appliance is operating, and where personal injury could occur if skin contact is made.</p> <p>The need and type of insulation/guard to be determined by risk assessment.</p>
Replacement soft furnishings/fabrics/foam should be of fire resistant/non-toxic material.	<p>Application applies to all powered hire boats but is not retrospective.</p> <p>The need is met by the selection of proprietary products/materials having such characteristics.</p>

Appendix III – Stability & Freeboard Standards

The following Flowchart should be used to ascertain the vessels stability and freeboard requirements within the Code of Practice.



*MCA categorisation is subject to the Transit allowance within Appendix V.

Certain calculations are comparative and therefore ensure the same scale is used, meters and meters or feet and feet.

Level 1

If the boat is considered Level 1 through the use of the flowchart it is not required to undergo a stability test. However, it is required to have an initial Freeboard Test which can be carried out by the operator and they must complete and sign the Stability Compliance Declaration. ~~must still be completed.~~

The freeboard test consists of two checks:

Check 1 - Measure height of all topsides hull openings. For any opening less than 250mm above the waterline at fully loaded condition, visually and manually check, that a duct or pipe is fitted and the routing of the duct or pipe takes it to a height not less than 250mm above the waterline at fully loaded condition. The duct or pipe must be permanent and secure and there must be no signs of leaks at connections or in the immediate vicinity.

For vessels with a weed hatch, check that the freeboard measurements of the weed hatch from the waterline are above 150mm, and the cover securing and sealing arrangements are in good condition.

Check 2 - Identify self draining cockpit and determine height above waterline. If height less than 250mm, visually check for presence of non-return valves in scuppers. If non-return valves are not fitted, measure height of any sill(s) and bulkhead(s) and confirm height is at least **150mm** above the level of the cockpit deck.

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Fully loading the boat for Level 1 checks:

Ensure the vessels tanks are all between 75% and 100% full.

- a. Establish the weight to be added to the boat in order to fully load it, by:
 - i) Multiplying the Intended maximum number of persons (Crew Limit) by 75kg;
 - ii) Adding a weight of 5kg/person (the Intended maximum number of persons) as an allowance for personnal effects for day-hire boats, or 20kg/person for boats with overnight accommodation or those used for camping;

This procedure will give the Total minimum weight (kg) to be added to the boat.

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- b. Load the boat with the Total minimum weight (kg) to be added, by:
 - i) The simplest way of adding the required weight is by using people. Assemble a group of people with a variety of body weights, likely to have a total weight greater than the Total minimum weight to be added. Label each person (A, B, C, etc), weigh each person and record the weights. Establish which people achieve the required Total minimum weight to be added, or slightly above, and locate them around the boat in practical positions based on the previously established Crew Areas (i.e. on thwarts and seats where appropriate) so as to produce a sensible operating trim (i.e. slightly stern down where practicable).

Level 2

If the boat is considered Level 2:

The boat is required to undergo a stability test and the operator must retain a copy of the completed Stability Compliance Declaration for each vessel.

The stability compliance declaration (Annex 4) for high risk vessels must be completed as per one of the following options:

Option 1:

Vessels certified to the Recreational Craft Directive which have been assessed by a ~~third party~~ Notified Body that includes stability may complete the stability compliance declaration themselves referencing the Notified Body's official number.

Option 2:

Vessels which have not been certified to the Recreational Craft Directive or vessels which have been certified without assessment by Notified Body may have an assessment carried out to ISO 12217-1:2015 by a competent person.

Option 3:

Vessels which have not been certified to the Recreational Craft Directive or vessels which have been certified without assessment by Notified Body may have an MCA SCV stability certification carried out by competent person.

Option 4:

Vessels which have not been certified to the Recreational Craft Directive or vessels which have been certified without assessment by Notified Body may have the Inland Waterways Small Passenger Boat Code stability assessment carried out by competent person.

Competent Person

A competent person is one having the ability, appropriate training, knowledge and experience to supervise or carry out the work being undertaken in a safe and proper manner.

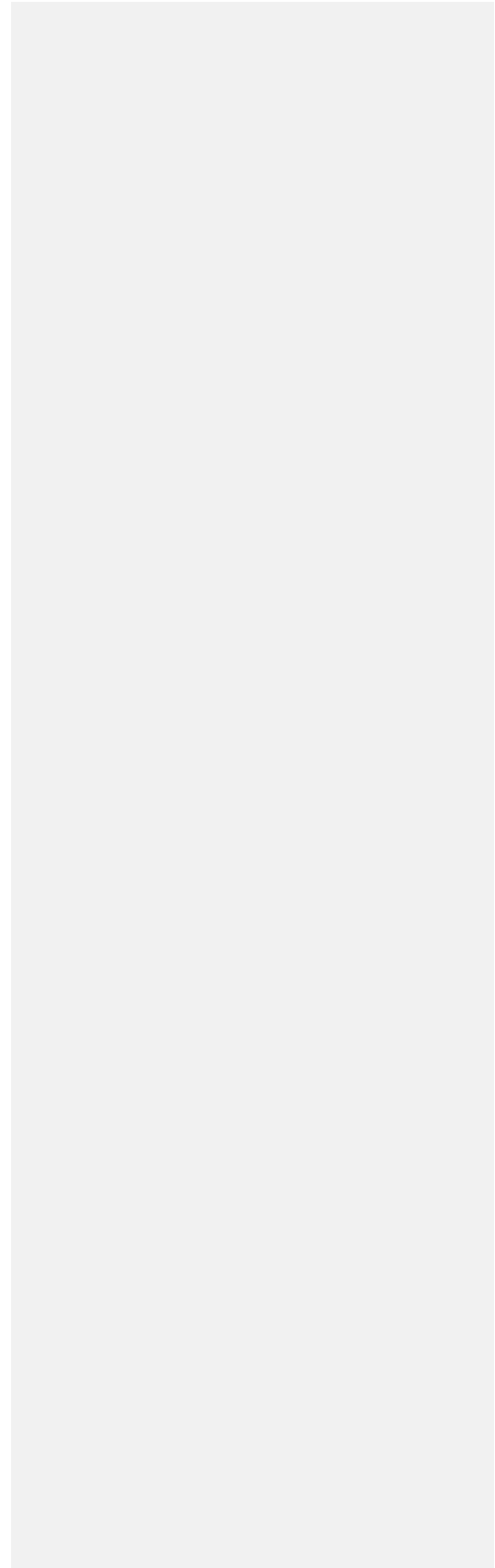
[Definition from Institute of Gas Engineers 2001]

It is the responsibility of the operator to choose the "competent person"

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Appendix IV – Stability Compliance Declaration



STABILITY COMPLIANCE DECLARATION

THE FOLLOWING VESSEL HAS UNDERGONE THE RELEVANT
STABILITY ASSESSMENT REQUIRED WITHIN THE HIRE BOAT CODE

Vessel name:

Vessel number:

Maximum crew number:

Stability & Freeboard Standards Level (circle applicable test)

Level 1 - Freeboard Check

Level 2 - Notified Body Assessment

Level 2 - ISO 12217 Assessment

Level 2 - MCA SCV Assessment

Level 2 - IWSPBC Assessment

Details of Assessor:

Name:

Date:

Signature:

FRONT PAGE

Details of Crew area defined by operator:

Stability Assessment checklist:

Check	Yes	No
<i>manually propelled boat?</i>		
<i>Sails?</i>		
<i>Vessel Length < 6m?</i>		
<i>Sail area > 0.3L_H?</i>		
<i>RIB?</i>		
<i>Pontoon Boat, or boat fitted with bow loading ramp?</i>		
<i>Hull length > 7m</i>		
<i>Crew area height above base plate > B_H?</i>		
<i>Use of vessel in MCA category C or D?</i>		
<i>Decked?</i>		
<i>Narrow Boat?</i>		
<i>Hull length over 10m?</i>		
<i>Max crew number, L_H x B²/7?</i>		
<i>Max crew number L_H x B²/12?</i>		
<i>Is the total number of crew allowed on the cabin top or side decks at any one time less than 2?</i>		
<i>Level 1</i>		
<i>Level 2</i>		

BACK PAGE

Appendix V - Guidance for Transiting Vessels

1. Where a vessel makes a short transit through waters of a higher MCA category but not to sea, it may not be necessary to apply all of the standards laid down for that higher category.

2. The operator should make a risk assessment to identify whether any additional safety measures are required. This should be discussed with the appropriate navigation authority. “Short transit” means a maximum of five hours cruising.

3. In carrying out a risk assessment the following factors, as a minimum, should be considered:

- is the transit made with passengers on board?
- is there a suitable “passage plan” in place, taking account of available navigation information, weather forecasts etc.?
- have points of shelter been identified and evaluated?
- do weather conditions significantly affect the level of risk on these waters?
- is the vessel moving from non-tidal or still water into flowing/tidal water?
- is the vessel likely to encounter a higher sea state or worse weather than the vessel is designed for? (This will be linked to freeboard, ISO RCD design category, if applicable, and passage planning);
- does the vessel have sufficient engine power to maintain control in these conditions?
- are the communications equipment and lifesaving appliances suitable for the transit voyage, i.e. would VHF equipment be needed, are there sufficient lifejackets/buoyancy aids?
- are there adequate protocols for contacting emergency services?
- are additional competent crew members needed for the transit?

4. Examples of “transit routes” are shown in the following table, but the list is not exhaustive:

Route	<u>MCA</u> Category	Expected Transit time (Actual transit time will depend on the state of the tide etc).
Thames – Brentford to Teddington	B – C	1 hour
Thames – Brentford/Teddington to Limehouse Basin	A/B – C	5 hours
Severn – Stourport to Worcester	A/B - C*	4 hours
Worcester to Tewkesbury		5 hours

Tewkesbury to Gloucester Dock*		2 hours * semi tidal waters (spring tide) for 1hr from Lower Lode Lock to Gloucester Dock
Bristol Avon - Bath to Bristol	A – B/C**	4 hours **for 1hr from Hanham Lock to Bristol Floating Harbour
Yorkshire Ouse - Selby to York	A - C	3 hours (max - against flow)
Trent Keadby - West Stockwith	A - C	3 hours (max - against flow)
Trent W. Stockwith – Torksey	A – C	4 hours (max – against flow)
Trent Torksey – Cromwell	A - C	2.5 – 5 hours depending on tide strength

Appendix VI – Crew Limit, Crew Area, and the Crew Limit and Crew Area Sign

Crew Limit

The Crew Limit is the maximum number of persons for which the boat is hired out, excluding any boatyard staff who may be on board during handover. Hire Operators must determine the Crew

Limit for each boat that ensures the boat's stability and freeboard are not compromised, and that the hirers can use the boat in a safe and effective manner.

Where a hire boat is CE marked the Crew Limit will have been set by the boat builder. Under such circumstances, Hire Operators must not increase the Crew Limit above that set by the boat builder and labelled as such on the builders plate unless the boat has been subsequently (re)tested against ISO 12217 Small craft - Stability and buoyancy assessment and categorization by a competent person. Please note that if this change has taken place after the 18th of January 2017 there is a legal responsibility to have the vessel re certified as per clause 3.2.1.

For Level 1 boats manufactured before July 1998 which are not CE marked, or where the boat builder has not designated the Crew Limit, Hire Operators should determine the Crew Limit through reference to the boat builder (where possible), and through knowledge of the boat's, or an equivalent boat's, proven safe record of service.

For Level 2 boats manufactured before July 1998 which are not CE marked, or where the boat builder has not designated the Crew Limit, Hire Operators should determine the Crew Limit during the stability and freeboard tests as set out at Appendix III.

For all Powered hire boats the Crew Limit shall not:

- i. exceed 12 persons.
- ii. exceed the number of seating places available on the boat.
- iii. where relevant, exceed the 'persons' figure used to determine the cabin fixed ventilation provision (as prescribed at Annex C of PD 54823:2016 Guidance for the design, commissioning and maintenance of LPG systems in small craft).

Crew Area

The Crew Area comprises of those areas of a boat in which hirers may be safely located when the boat is in use, and comprises all areas defined by the Hire Operator for hirers to stand, walk, sit or lie during normal operation of the boat, including internal decks. Hire Operators must determine the Crew Area for each boat in a robust way that ensures the boat's stability and freeboard are not compromised, and that the hirers can use the boat in a safe and effective manner.

Where a hire boat is CE marked the Crew Area will have been set by the boat builder. Under such circumstances, Hire Operators must not change the designated Crew Area or any access limitations beyond that set by the boat builder unless the boat has been subsequently (re)tested against ISO 12217 Small craft -- Stability and buoyancy assessment and categorization by a competent person. Please note that if this change has taken place after the 18th of January 2017 there is a legal responsibility to have the vessel re certified as per clause 3.2.1.

For Level 1 boats manufactured before July 1998 which are not CE marked, or where the boat builder has not designated the Crew Area, Hire Operators should determine the Crew Area and any access limitations through reference to the boat builder (where possible), and through knowledge of the boat's, or an equivalent boat's, proven safe record of service.

For Level 2 boats manufactured before July 1998 which are not CE marked, or where the boat builder has not designated the Crew Area, Hire Operators should determine the Crew Areas and any access limitations during the stability and freeboard tests as set out at Appendix III.

For all Powered hire boats, when determining the Crew Area Hire Operators should take account of:

- i. The Crew Area must always include all of those areas hirers will need to access in order to cruise, moor and generally use the boat in a safe and efficient manner. For example, access

points on/off the boat, helm position/s, access to mooring lines, cabin spaces, and areas linking cabin spaces to external Crew Areas.

- ii. Hire Operators may choose to exclude certain areas as Crew Area, or restrict the number of hirers permitted in a particular area (access limitation). For example, for a small day-hire cruiser the Hire Operator may exclude the forward deck from the Crew Area provided the bow mooring line can be accessed and use from aft, or they may choose to permit one hirer only to access the forward deck for mooring purposes only.
- iii. All external Crew Areas should be provided with effective slip-resistant surfaces/coatings and effective handholds.

Crew Limit and Crew Area Sign

All Powered hire boats must have a Crew Limit and Crew Area Sign fitted in a position where it is clearly visible from the main helm.

Crew Limit and Crew Area Signs must:

- i. Show pictorially a suitably accurate outline of the boat.
- ii. Clearly identify the Crew Limit.
- iii. Clearly identify any parts of the boat that are not designated Crew Areas, and any parts of the boat where the number of hirers is restricted.
- iv. Include a yellow warning triangle.

Examples of appropriate Crew Limit and Crew Area Signs are shown below –

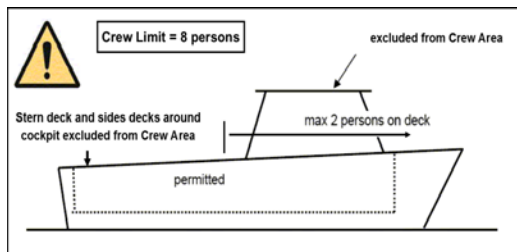


Fig 1 – example of side-elevation sign

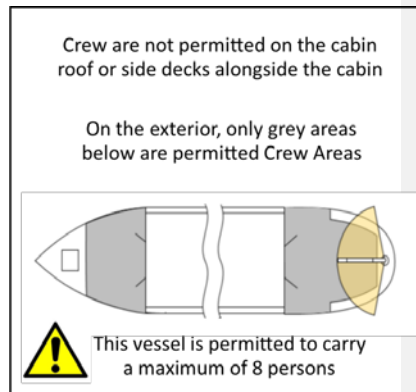


Fig 2 – example of plan-view sign

Note – Fig. 1 and 2 are provided for illustrative purposes only. Other layouts and wording are acceptable.

Navigation Committee

03 September 2020

Agenda item number 13

Annual safety audit 2019/2020

Report by Head of Safety Management

Purpose

This report presents the annual review of marine incidents.

1. Annual Marine Incident Statistics

- 1.1. Appendix 1 gives details of the main incidents reported during the period April 2019 to March 2020, including an analysis of deaths and personal injury since 1993. When considering the large number of visitors to the Broads, the statistics demonstrate that the Broads continues to be a safe place for boating and boating-related activities.
- 1.2. The Authority has continued to highlight the message of personal responsibility for safety in its publications and encourage boaters to take a more proactive role by becoming better informed and wearing lifejackets at critical times. Reports from officers have indicated that this year has seen a noticeable increase in the number of boaters seen wearing lifejackets, particularly on hire boats, but this is balanced by near misses where people not wearing lifejackets fell into the water.
- 1.3. Notable points are:
 - Boat fires continue to remain at a low level, as in previous years.
 - There were three incidents from vessels resulting in fatality. Two deaths were from drowning and the other was likely to be a result of natural causes.
 - The majority of incidents requiring hospital treatment continue to be attributed to embarkation and disembarkation.
 - Total incidents are slightly down from the previous year. This might be due to C-19 lockdown restrictions preventing hospitality businesses from operating and people travelling to holiday or second homes.
- 1.4. Through the Boat Safety Scheme (BSS), the Authority recently introduced the requirement for boats with accommodation to have a Carbon Monoxide (CO) alarm fitted. This follows the tragic deaths from CO of two people on the Broads in 2016. The BSS and the Authority will continue to raise awareness of the hazard, and leaflets

and a communications campaign have been developed jointly by the Council for Gas Detection and Environmental Monitoring and the BSS.

- 1.5. Rangers continue to brief boaters on the dangers and effects of CO to help raise awareness of the hazard and the signs of CO poisoning, as well as keeping a stock of CO alarms for sale.

Author: Linda Ibbitson-Elks

Date of report: 11 August 2020

[Broads Plan](#) objectives: 4.3

Appendix 1 – Annual Marine Incident Statistics

Appendix 1 - Annual Marine Incident Statistics

The reporting period is from 1 April 2019 to the end of March 2020. The report is limited to the Broads Authority's executive area of marine responsibility. Notable incidents are listed below.

Table 1

Summary of incidents reported

2019	Incident Details	Hazard Log Category
2/4	Transferred to hospital from vessel at St Olaves	Medical
7/4	Transferred to hospital from vessel at Loddon	Fatality
9/4	Fell from vessel at Great Yarmouth. Assisted out.	Fallen in
11/4	Transferred to hospital from vessel at Ludham	Injury
12/4	Transferred to hospital from Martham Boats	Injury
12/4	5 persons assisted from water at Potter Heigham after yacht capsized	Fallen in
13/4	Transferred to hospital from vessel at Hoveton	Medical
21/4	Transferred to hospital from vessel at Wayford Bridge	Medical
21/4	Fell and suffered injury at Cantley moorings	Embarkation/Disembarkation
30/4	Fell in water from dayboat at Oulton Broad	Fallen in
4/5	Fell from hire cruiser at Acle	Fallen in
5/5	Transferred to hospital following collapse on hire boat	Medical
6/5	Fell in river while intoxicated at Norwich	Fallen in
10/5	Male jumped in river at Great Yarmouth to escape police	Jumped in
12/5	Fell in from dayboat while intoxicated	Fallen in
14/5	Injured by sailing boat mast at Ludham Bridge	Injury
14/5	Transferred to hospital from Upton	Medical
19/5	Fell while mooring at Womack	Embarkation/Disembarkation
21/5	Leg injury after falling from dayboat at Reedham Ferry	Embarkation/Disembarkation
22/5	Injured shoulder while mooring at St Benets	Embarkation/Disembarkation

2019	Incident Details	Hazard Log Category
24/5	Transferred to hospital from Reedham Quay	Medical
1/6	2 persons fell in at Great Yarmouth while intoxicated	Fallen in
7/6	Male fell in while mooring at Reedham	Embarkation/Disembarkation
9/6	2 persons transferred to hospital following bridge strike at Great Yarmouth	Injury
12/6	Male fell while mooring at Hoveton	Embarkation/Disembarkation
22/6	Male fell from dayboat while intoxicated. Suffered injury	Fallen in
26/6	Male jumped in at Norwich. Transferred to hospital	Jumped in
8/7	Male fell in from vessel at Somerleyton	Fallen in
18/7	Body recovered from river at Great Yarmouth	Fatality
25/7	Female and dog fell in at Norwich. Not injured	Fallen in
3/8	Female jumped in at Norwich	Jumped in
3/8	Female injured stepping on to dayboat at Salhouse	Embarkation/Disembarkation
7/8	Transferred to hospital from vessel at Somerleyton	Medical
8/8	Male injured when fell on hire boat	Injury
13/8	Male fell from boat at St Benets	Fallen in
16/8	Male fell from boat at St Benets	Fallen in
26/8	Engine fire on private vessel at Oulton Dyke. Extinguished, no injuries	Fire
30/8	Male fell on private boat at Loddon, transferred to hospital	Injury
6/9	Female jumped in at Wroxham. Mental health issues	Jumped in
7/9	Female fell from boat at Reedham Quay	Fallen in
8/9	Female injured while sailing. Transferred to hospital	Injury
8/9	Male injured when fell on hire boat at Oulton Broad	Injury

2019	Incident Details	Hazard Log Category
15/9	Male fell in and injured while leaving moorings at Womack Dyke. Transferred to hospital	Embarkation/Disembarkation
24/9	Transferred to hospital following fall on boat	Injury
26/9	Female injured while boarding boat at Thurne	Embarkation/Disembarkation
28/9	Female injured after falling in while mooring at Ranworth	Embarkation/Disembarkation
9/10	Female injured disembarking dayboat at Reedham	Embarkation/Disembarkation
21/10	Female fell in while mooring at Reedham	Embarkation/Disembarkation
28/10	Child rescued after falling off vessel at Thorpe	Fallen in
13/11	Female pushed into river at Sutton staithe	Pushed in
29/11	Female jumped in river at Wroxham	Jumped in
1/12	Female jumped in river at Wroxham	Jumped in
31/1	Body of female found in river under Breydon Bridge	Fatality
17/3	Male injured on hire cruiser near Wayford Bridge	Injury

Analysis of death/injuries since 1993

Death	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
No of deaths on or from boats	2	2	3	1	1	3	2	1	3	2	6	0	0	2	0	0	0	2	4	2	0	2	1	5	1	2	1
Reported deaths not related to boating	1	3	4	-	2	1	4	4	2	3	1	0	7	2	1	1	3	3	3	8	2	5	4	2	1	2	2

Cause of death	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Severe injury	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0
Heart Attack	0	2	0	0	0	0	1	1	0	1	0	0	0	1	0	1	2	2	1	5	0	1	1	3	1	1	1
Drowning	0	1	2	1	0	4	5	1	3	3	5	0	4	3	0	0	0	1	3	2	0	5	3	0	0	3	2
Asphyxiation/CO poisoning	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0
Terminal Illness																			1	0	0	0	0	0	0	0	0
Not Known	0	2	4	0	2	0	0	1	0	0	2	0	3	0	1	0	1	2	2	0	0	1	0	2	1	0	0
Reports of people inadvertently entering in the water ¹	0	0	3	2	4	8	2	5	1	4	15	16	12	23	29	17	34	20	17	18	12	22	19	21	12	23	17
No of persons reported as requiring hospital treatment	0	0	0	9	8	7	9	8	7	7	18	2	4	13	12	11	22	30	17	15	19	14	13	30	36	49	33

¹ Reports where someone inadvertently found themselves in the water. It does not include capsizes of sailing dinghies etc, or from any other contact water sports where entry into the water is predictable

Nature of injuries	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Head	0	0	2	0	4	1	3	2	1	1	1	1	3	1	1	5	3	3	1	3	3		2	7	3	4	5
Arm/hand	0	0	2	1	6	0	0	1	3	1	1	1	0	1	6	4	1	4	4	2	4	1	0	3	4	6	7
Leg/foot	0	0	3	5	4	2	4	1	2	2	2	2	1	3	7	5	7	8	3	6	4	3	4	9	8	8	11
Torso, ribs, chest, back	0	0	1	0	2	0	1	4	1	1	2	0	1	4	3	0	2	4	2	0	2	2	2	1	5	8	2
Not described	0	0	1	1	0	0	0	0	0	0	10	2	1	4	0	0	8	10	2	2	5	1	4	6	12	13	8
Asphyxiated/C O poisoning	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	2	0	0	0	4	0
Burns/Scalds	0	0	0	1	1	4	1	1	0	2	1	0	0	1	1	0	1	2	1		1	2	0	0	0	0	0
Heart attack																			3	5	1	2	1	5	3	10	1

Analysis of fire and explosions since 1993

Fire and explosions	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Number of incidents	2	4	7	2	5	4	6	3	4	2	2	0	2	22	8	4	4	3	3	1	1	1	0	2	2	5	1
Vessels involved (Private)	2	3	5	1	3	4	3	2	2	2	1	0	1	18	10	4	2	2	2	1	1	3	0	1	2	5	1
Vessels involved (Hire)	0	0	3	1	2	0	3	1	2	0	1	0	1	4	1	0	2	1	1	0	0	0	0	1	0	0	0
Prime cause LPG	0	0	2	0	0	2	0	1	1	0	2	0	0	0	1	0	0	1	0	0	1	0	0	0	0	0	0
Prime cause Petrol	0	2	2	0	1	1	1	0	0	1	0	0	0	1	2	0	0	0	2	1	0	1	0	0	0	1	0
Prime cause Electrical	1	0	0	0	2	0	0	1	1	1	0	0	1	0	1	2	2	1	1	0	0	0	0	1	0	1	0
Prime cause Other	1	1	3	2	2	1	5	1	2	0	0	0	1	21	4	2	2	1	0	0	0	2	0	1	2	3	1
No of vessels total loss	0	1	3	1	2	0	1	2	2	2	0	0	0	20	6	2	1	0	2	1	0	0	0	0	1	2	0
No of injuries from fires requiring hospital treatment	0	1	2	0	1	3	1	0	0	2	2	0	0	1	1	0	0	2	1	0	1	0	0	0	0	1	0
No of fatalities	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Navigation Committee

Exempt minutes of the meeting held on 11 June 2020

15. Hire boat industry – financial position

The Chief Executive introduced his report on the Authority's proposed approach to hire boat tolls in response to the impacts of the Government's COVID-19 lockdown restrictions. The suspension of the holiday industry had caused a collapse in bookings and forced the hire boat companies to cease their operations and furlough staff.

To date, the Authority had received approximately £17,000 of the projected income of £1.19m from hire boat tolls. Income from private boats was approximately £325,000 behind the Authority's projections for a normal year.

In advance of lifting restrictions to allow hire boat operations to resume, the Authority was considering how it should protect the future of the industry by taking a flexible and proportionate approach to the charges that would fall due this year. The report set out the standard process of staged payments for hire craft.

Government guidance on allowing the resumption of day boat hire was released on 1 June, and further guidance on allowing overnight stays and weekly boat hire was anticipated by 4 July. However, the remainder of the season was unpredictable, particularly given the risk of further COVID lockdowns and public confidence in booking holidays.

It was therefore recommended that officers report back to the Navigation Committee and Broads Authority in September, when the position was clearer, to consider how to deal with the outstanding toll charges.

Members felt the Authority had taken a balanced and supportive approach to date in seeking to collect tolls while also supporting the hire boat industry. It was also important to know what funding support would be made available by the Government.

The Chief Executive said recent indications were that more people will be holidaying in the UK this year, which would be positive for local businesses. However, this may not be enough for some companies to survive, and the financial implications for next year were more serious. Defra had therefore been asked for £3.6m to help the industry, including ancillary services, to survive through to next season.

Members agreed to assess the situation in September, when hire company booking reports and other information would be available.

The Chief Executive gave special thanks to the Chief Financial Officer and the Collector of Tolls for providing extensive information, often at short notice, to Defra officials. He also thanked the Authority's Chair and Vice-Chair for their ongoing support.

Moving to the Authority's financial position, the Chief Executive had been advised that the Authority would have to demonstrate the use of its own reserves and other funds before Defra offered additional support. It was however necessary for the Authority to retain a level of reserves to allow it to remain a viable concern. Officers had identified the potential for the Authority to fund £800,000 of the projected deficit from reserves and through savings (£400,000 from Navigation Reserves and savings, and £400,000 as a one-off contribution from National Park Reserves and savings). This would leave a gap of between £200,000 and £800,000, which Defra had been asked to fill.

The Chief Executive reported that Defra had signed off with Ministers a process for doing this, and would prepare a Change Control Notice. The notice would amend the Authority's grant agreement so it could spend £400k from the National Park budget to support navigation, and Defra would underwrite the gap in loss of income above £800,000. Defra hoped to get this signed off 'relatively quickly'. This would mean that the Authority's earmarked reserves to fund capital purchases would remain intact.

The Chief Financial Officer (CFO) added that the budget holder exercise earlier in the year had identified all possible savings, and risk implications for future years meant delaying or cancelling some projects was not an option. The Authority would not make its usual contributions into annual reserves this year, and usually sought to maintain the navigation reserves as close to 10% as possible. It would need to increase tolls next year to stay in this position as costs were increasing, but it was recognised this would not be a desirable option.

In response to member questions, the CFO confirmed that the proceeds of the sale of the Field Base at Womack was in a protected capital receipts reserve, which could only be used for capital expenditure or the repayment of debt. Options for a new Ranger launch billet was under review and linked to work to the toilets at Acle Bridge.

A member questioned whether the Authority should consider staff redundancies. The Chief Executive replied that part of Defra's agreement for funding support was that there were no redundancies. In addition, if users wished to see standards of service on the waterways maintained at current levels, existing staffing resources were needed to do it.

In conclusion, the Chief Executive said that Government funding would help the Authority and the hire boat industry through this year. However, next year could be much more difficult. The Authority's National Park Grant could be impacted in the comprehensive spending review, and any loss of hire boats and private boats on the Broads would affect both the Authority and local businesses.

The Chair reiterated the important role of Navigation Committee members in supporting officers with expert advice, and in helping to manage public perception of the current situation. She thanked the Chief Executive for his report.

The Committee unanimously supported the approach proposed in the assessment of hire boat charges in the autumn and the position reached with Defra regarding funding the potential deficit in navigation income.