

Chief Executive's Report

Summary: This report summarises the current position in respect of a number of important projects and events, including any decisions taken during the recent cycle of committee meetings.

1. Broads Authority Membership

Contact Officer/Broads Plan Objective: John Packman/None

- 1.1 At its meeting on 19 May, the Authority confirmed the appointments of Nicky Talbot and Brian Wilkins as the co-opted members from the Navigation Committee to the Authority.

The Authority has one new Member, local authority appointee Melanie Vigo di Gallidoro from Suffolk County Council.

Following the meeting on the 28 July the appointments to the Navigation Committee from the full Authority remain the same as for 2016/17.

- 1.2 Jacquie Burgess and Peter Dixon were re-appointed as Chairman and Vice-Chairman of the Authority respectively at the Annual Meeting on 28 July 2017.

2. BA Follow up: From 19 May 2017 and 28 July 2017

Contact Officer/Broads Plan Objective: Sandra Beckett/None

2.1 Conservation Management

At its meeting on 19 May the Authority received a similar report to that which the Navigation Committee had received at your last meeting in April that provided an update on the practical work and monitoring of our Conservation Management. Dan Hoare, Head of Conservation Management and the Environment in his presentation made very specific reference to Hickling Broad emphasising the Authority's role in accordance with its three purposes. It was emphasised that due to the uniqueness and sensitivities of the site with its international designations under the Birds and Habitats Directives it was required to provide evidence to Natural England, as the designated regulator, in order to obtain consent to carry out any work in a sustainable way and demonstrate that there would be no adverse impacts.

The Authority had also received a public question relating to the role of the Authority on the management of water plants in Hickling Broad and many

of the points raised in that question were addressed. Unfortunately the Questioner was unable to stay for the presentation and therefore the Authority provided him with a further written response, particularly relating to the surveys.

2.2 **Staithe Research Project**

At its meeting on 28 July 2017, the Authority received an interesting and informative presentation from Professor Williamson on the Staithe Research Project that has been commissioned by the Authority through requests from the Broads Forum and Broads Local Access Forum. He explained the complexities involved and given the definition and evolution over time, it was apparent that the status of individual sites was not straightforward. The final report to include maps and photographs is due to be published later in the year.

2.3 **Anti-Social Behaviour**

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0004/982957/Anti-Social-Behaviour-ba280717.pdf

Given the recent coverage in the press concerning anti-social behaviour on the Broads, a report was prepared for the Authority on 28 July where it was emphasised that the Authority's priority is to manage safety on the waterways to a reasonable level to enable those using them to appreciate and enjoy the special qualities of the National Park. The Authority's rangers will assist wherever possible in certain instances; however, the prime responsibility for dealing with severe incidences of anti-social behaviour rests with the police. As members are aware, there is a close working relationship between the Broads Authority's Rangers and the Norfolk Constabulary through the police officers seconded to Broads Beat. Members at the meeting were mindful of the sensitivities involved for people witnessing such incidents and also of the need to view the matter proportionately whilst not underestimating the seriousness of the issue. It is recognised that such anti-social behaviour should not be tolerated as it can damage the reputation of the area and it is the Authority's duty to disseminate this message emphasising the special qualities of the area for all to enjoy whilst having consideration for others. The Chief Executive had had a meeting with the NSBA and BHBF on 20 July to discuss such matters and agreed on a number of actions.

As agreed by the Authority a short duration Member working group, supported by Broads Authority Officers engaging with the Broads Hire Boat Federation, the NSBA, Broads Society, and a representative from the Constabulary has been established. The group will meet on Wednesday 4 October 2017.

2.4 Governance

- 2.4.1 Over the two meetings, the Authority received a number of reports concerning governance arrangements which included Ethical Standards, the Protocol on Member and Officer Relations, Code of Conduct for Members on Planning Committee and Officers, Terms of Reference of Committees as well as Amendments to the Standing Orders and Social Media Policy. The paper on Ethical Standards has the key aim to have the Authority's core values of Sustainability, Exemplary, Commitment, Caring and Open and Honest being embedded in all that the Authority undertakes. This was adopted.
- 2.4.2 The Authority also adopted the amendments to the Standing Orders which include those amendments necessary as the result of the recent decision to audio record Authority meetings. As part of this reference is made to the use of handheld electronic devices or tablets within meetings where, again, taking account of the Authority's core values, these should not be used in a discourteous or disrespectful way. There is also clarification on voting.
- 2.4.3 The Protocol on Member and Officer Relations was commended and the Solicitor and Monitoring Officer was delegated to make some minor amendments partly for consistency and for clarification, and to consult Authority members prior to it being published. This has been done and the final version has been published on the Authority's website.
- 2.4.4 In discussions at the May meeting, the use of twitter, Facebook and other forms of social media was raised. These matters have been more fully addressed in a policy on the use of social media developed by the Head of Communications and the Solicitor and Monitoring Officer. At its meeting on 28 July 2017, the Authority adopted the Social Media Policy – Guidelines for Members and Officers and it is intended to hold a training session on social media as part of the Member Development Programme.

It was considered that all the reports were very timely and helpful and all members should be reminded of the contents of these papers. They can be viewed from the website in the Committee section under the Broads Authority meeting for 19 May 2017 and 28 July 2017 and will also be available under the Constitutional Documents section when finalised.

<http://www.broads-authority.gov.uk/broads-authority/committees/broads-authority/broads-authority-19-may-2017>

<http://www.broads-authority.gov.uk/broads-authority/committees/broads-authority/broads-authority-28-july-2019>

2.5 **Feedback from Member Annual Reviews**

[Feedback-from-Member-Annual-Reviews](#)

Following your one to one discussions with either the Chairman or Vice-Chairman of the Authority or Chairman of the Navigation Committee, the Chairman prepared a report for the Annual Meeting which can be viewed from the website. The Authority welcomed the process and Members considered that the report reflected the views and full range of opinions expressed in a transparent way. The review informed a series of principles which are also reflected in the Member Development Protocol that was adopted and referred to in the progress on the Peer Review.

2.6 **Governance and Peer Review**

The Peer Review on the Authority's Governance is due to take place on 10 – 12 October 2017 and the Authority received an update on the progress at its meeting on 28 July 2017. The Members Reference Group is comprised of Jacquie Burgess, Louis Baugh, Bill Dickson, Greg Munford, Nicky Talbot and Haydn Thirtle. This has now met on four occasions. It has made recommendations with regard to training for new members and a person specification for local authority appointees as well as giving consideration to a position paper for the review.

[Governance-and-Peer-Review-July2017](#)

2.7 **Report on Standards Complaints**

The Authority received a report on the complaints dealt with during the past two years under the Members' Code of Conduct. Over the years there have been very few Code of Conduct Complaints. Last year there were only two complaints by the public about the conduct of Members. However, there had been a large number of complaints by members against each other which is of concern. In total there were 15, all of which were dismissed. Eight complaints were made by one person. Due to the confidential nature of the process, it is not appropriate to set out the details of these complaints. There are now procedures and policies in place that build on best which should help to reduce the number and assist in speedy resolution. These procedures incorporate the seven principles set out in the Nolan Report and as required by section 28 Localism Act 2011 as well as the Authority's statutory duty under section 27 of the Act to promote and maintain high standards of ethics and conduct by its Members.

2.8. **Health and Safety**

In addition to receiving the corporate Health and Safety Annual Report and Annual Safety Marine Audit, which the Navigation Committee reviewed at its last meeting, the Authority also appointed Nicky Talbot as the Authority's lead member for Safety.

3. Standby Review

Contact Officer/Broads Plan Objective: Lucy Burchnall

A draft report detailing potential changes to the 'Stand-By' out of hours service has been agreed by Management Team, the next stage will be for staff to be consulted on the changes. This process is being managed by Head of Ranger Services & Head of Human Resources.

4. Tolls Update

Contact Officer/Broads Plan Objective: John Packman

The Chair Nicky Talbot considered that it would be useful for the Tolls Review Group to have overview of the situation regarding tolls for this last year. This will take place on 19 September 2017 before the Navigation Committee meeting on 19 October 2017 when the Committee will be considering the recommendations for setting of Tolls for 2018/19 prior to the Authority meeting in November.

5. Acle Bridge Update

Contact Officer/Broads Plan Objective: John Packman

The Authority completed the purchase of 620 metres of river frontage at Acle Bridge on 4th August. 200 metres of the river bank is piled and the majority is in reasonable condition. Just over 40 metres will need attention sooner rather than later. The value of this location is that we shall be able to provide free 24 hour moorings for visitors together with a demasting solution for Acle Bridge. The site has further potential, as and when funds become available, to provide additional facilities such as waste disposal, pump-out of chemical toilets, car parking and possibly a slipway. The buildings on the site are tired and in a neglected state, and over the coming weeks we will be assessing what to do with them.

6. Mooring Strategy Update

Contact Officer/Broads Plan Objective: Adrian Clarke

Members suggestions regarding the review of the Mooring Strategy made at the meeting of the Navigation Committee on 20 April (1/10):

“Officers undertook to review suggestions made at the meeting such as the possibility of free 48 hour rather than 24 hour moorings during off peak times on the southern rivers, the remapping of third party moorings as well as examining the existing policy principles as part of the review of the Integrated Access Strategy which would commence later in 2017”

This will be incorporated in the review of the Integrated Access Strategy which will start towards the end of 2017. Further reports will be brought to the committee as this work proceeds.

7. Marine Licensing update

Contact Officer/Broads Plan Objective: Dan Hoare

Following previous reports to Navigation Committee in June 2015 and the Broads Authority in July 2015, regarding the Marine Management Organisations (MMO) implementation of their Marine Licensing scheme in the Broads, there have been developments towards a simpler system for small works. The previous proposal put before members considered the merits of a joint-licensing scheme between the two organisations to streamline and simplify statutory requirements. However, various legal tests of the MMO legislation with other major port authorities have demonstrated that the joint licensing approach cannot work without legislative revision, taking on significant reporting requirements and Secretary of State approval. At the same time, the MMO has overhauled its licensing approach for small works and offers a web-based application system with a sliding scale of fees. Given these developments, officer recommendation was that no further pursuit of a joint-licensing scheme was required. The Authority will reference the separate recommendation for all works licence applicants in the Broads to have direct consultation with the MMO for Marine Licensing purposes, as is done for other statutory obligations.

8. Navigation Patrolling and Performance Targets

Contact Officer/Broads Plan Objective: Lucy Burchnall/NA4.3

The report of the significant use of powers by the rangers is displayed in Appendix 1 and reflects the busy period. The average navigation/countryside splits since April (Appendix 2) are higher on the navigation side as would be expected during the summer when patrolling is a priority. This new simplified time recording system for the team which was implemented in April also shows the predicted time to be spent on each element of the role to enable clearer monitoring and prioritisation of workloads.

Mr Barrett who was involved in the incident at Oulton Broad last year has pleaded guilty at Ipswich Crown Court and will be sentenced on 1st September. This case, working alongside with the MGCA, is a good example of organisations working together to promote safety on the Broads navigation. All completed cases are shown in Appendix 3.

9. Sunken and Abandoned Vessel Update

Contact Officer/Broads Plan Objective: Lucy Burchnall/NA4

As shown in Appendix 4, so far this year 5 vessels have been dealt with through the abandoned vessel process with 2 of these being eventually claimed and the appropriate tolls paid. One of these had to be recovered from the navigation having been set on fire. In addition 6 boats have been found/reported as sunk with 3 recovered and 3 ongoing.

10. Planning Enforcement Update

Contact Officer/Broads Plan Objective: Cally Smith/None

No matters currently under action which have a waterways element.

Background papers: None

Author: Sandra Beckett/Sarah Mullarney

Date of report: August 2017

Broads Plan Objectives: Multiple

Appendices:

APPENDIX 1 - Rangers Exercise of Powers Analysis

APPENDIX 2 - Ranger Team Activity

APPENDIX 3 - Report of prosecutions dealt with in court during April 2017 to August 2017

APPENDIX 4 - Sunken and Abandoned Vessels

APPENDIX 1

Rangers Exercise of Powers Analysis <i>(Bracketed figures are running totals, April 2017 to March 2018)</i>						Date: Apr-Jul 2017		
	Wroxham Launch	Irstead Launch	Ludham Launch	Ludham 2 Launch	Norwich Launch	Hardley Launch	B.St.Peter Launch	Breydon Launch
Launch Patrol Areas	Wroxham and Upper Bure	Ant	Hickling, P.Heigham, Upper Thurne & Womack	Lower Thurne, Lower Bure & South Walsham	Norwich and Upper Yare	Reedham, Chet & Middle Yare	Oulton Broad and Upper/Middle Waveney	Breydon Water, Lower Waveney and Yare
Verbal Warnings								
Care & Caution	65 (65)	38 (38)	54 (54)	75 (75)	1 (1)		13 (13)	13 (13)
Speed	1761 (1761)	545 (545)	353 (353)	275 (275)	96 (96)	99 (99)	137 (137)	94 (94)
Other	34 (34)	29 (29)	12 (12)	38 (38)	7 (7)	4 (4)	5 (5)	6 (6)
Blue Book Warnings								
Care & Caution	9 (9)	3 (3)	2 (2)	2 (2)				7 (7)
Speed	76 (76)	14 (14)	6 (6)	6 (6)	3 (3)	3 (3)	4 (4)	4 (4)
Other	6 (6)	6 (6)	3 (3)	7 (7)	2 (2)	9 (9)	2 (2)	2 (2)
Special Directions	63 (63)	57 (57)				9 (9)	170 (170)	
Launch Staffed (by Ranger)								
Launch Staffed (by Ranger)	117 (117)	40 (68)	88 (88)	75 (75)	59 (59)	46 (46)	87 (87)	122 (122)
Best Value Patrol Targets Percentage Compliance	100% (100%)	100% (100%)	100% (100%)	100% (100%)	93% (93%)	100% (100%)	99% (99%)	99% (99%)
Volunteer Patrols	2 (2)	1 (1)	3 (3)	1 (1)		2 (2)	5 (5)	
IRIS Reports	78 (78)	24 (24)	23 (23)	16 (16)	41 (41)	41 (41)	18 (18)	40 (40)
Broads Control Total Calls	TOTAL 15,514 (15,514)			Telephone 12,478 (12,478)			VHF 3,036 (3,036)	

APPENDIX 2

Total Time Allocated/Actual Ranger Team

Up to 22 August 2017

Broads Authority Corporate	Work Area	Annual Allocation	Actual Days To Date
Corporate Time	Training	137	71.78
	Broads Control	39	36.93
	Team meetings / work planning	461	147.64
	Partnership working	66	10.26
	Assisting other sections	94	16.93
	Annual Leave		190.07
	Off Work Sick		86.62
	Time in Lieu		10.74
Premises Maintenance	Billets and boatsheds	19	7.74
Vessel & Equipment Maintenance	Launch - General		1.08
	Trailers - General		0.47
	Vehicle Maintenance		5.20
	Other equipment repair		8.14
Total		816	593.59

Navigation	Work Area	Annual Allocation	Actual Days To Date
Navigation Maintenance	Patrolling	1356	797.63
	Escorts	28	6.99
	Prosecution files	0	21.39
	Bankside tree management	81	8.18
	Obstruction removal	29	15.41
	Channel markers & buoys	35	1.15
	Signs & boards maintenance	78	9.76
	Adjacent Waters		31.17
Mooring Maintenance	Reactive mooring maintenance	129	7.40
Total		1736	899.07

Actual Percentage	81%
-------------------	-----

Conservation, Rec, C'side	Work Area	Annual Allocation	Actual Days To Date
Conservation	Fen management	14	2.94
	Lake / Riverbank restoration	36	0.00
	Invasive Species Control	33	2.06
	Other conservation work	158	12.97
	Pollution Response		4.39
Recreation/Countryside Maintenance	Visitor Site maintenance	143	84.28
	Whitlingham Country Park	294	86.00
Public engagement	Public footpath work	11	2.97
	Education work	10	10.84
Total		699	206.47

Actual Percentage	19%
-------------------	-----

Team total	3251	1699.12
-------------------	-------------	----------------

APPENDIX 3

Report of prosecutions dealt with in court during April 2017 to August 2017			
Defendant	Offence	Court	Result
Mr. Lowton	Speeding	Norwich Magistrate	Fined £200 Costs awarded £150 Victim surcharge £30
Mr. Barrett	Joint Prosecution with MCGA under Merchant Shipping Act 1995	Ipswich Crown Court	Pleaded Guilty, Sentencing 1 st Sept 2017.

APPENDIX 4

Sunken and Abandoned Vessels

Description	Location found	Action	Notice Affixed	Result
Sunken cruiser	River Yare Old River Thorpe.	Vessel sunk at owners moorings	No	Not affecting the navigation owner will raise in due course
Abandoned Cruiser	Hickling	Vessel abandoned on Hickling Broad	Yes	Owner registered vessel and paid for this and last year's tolls.
Sunken Catamaran	Oulton Broad	Vessel located and marked with yellow posts	No	Now removed and disposed of
Auxiliary Yacht	Pyes Mill	Overstaying on 24 hour moorings. Investigations into ownership successful	Yes	Owner registered and paid toll, removed from mooring.
Motor Cruiser	Pyes Mill	Overstaying on 24 hour moorings. Investigations into ownership reached dead end	Yes	Found on fire to at moorings, fire service attended, removed from navigation and disposed of. Half costs recovered from SNDC (mooring owners)
Motor Cruiser	Pyes Mill	Overstaying on 24 hour moorings. Investigations into ownership reached dead end	Yes	Abandoned Vessel Notice expired. Removed to Dockyard and disposed of
Motor Cruiser	Beccles	Found floating in navigation, investigations into ownership reached dead end	Yes	Abandoned Vessel Notice expired. Removed to Dockyard and disposed of.
Motor Cruiser	Wayford	Owner was aware. Tried to raise vessel themselves but failed which left it blocking the navigation.	No	Oil spill booms and hazard markers deployed. Arranged for immediate removal and recharged insurance company
Motor Cruiser	Cold Harbour Farm	Vessel found stern underwater tied to fishing platform	No	Owner contacted they were aware of vessel has since been recovered.
Sunken Cruiser	Oulton Broad	Harbour Master liaising with owner	No	Area Ranger team monitoring.
Sunken Cruiser	Beccles	Ranger team investigated, not hazard or pollution threat. Owner aware	No	Owner responsible for raising vessel. Ranger team monitoring.