

Navigation Committee

AGENDA

Thursday 23 April 2015

2.00pm

	Page
1. To receive apologies for absence	
2. Appointment of interim Chairman	
3. To note whether any items have been proposed as matters of urgent business	
4. To receive Declarations of Interest	
5. Public Question Time To note whether any questions have been raised by members of the public	
6. To receive and confirm the minutes of the Navigation Committee meeting held on 26 February 2015 (herewith)	3 – 15
7. Summary of Actions and Outstanding Issues following Discussions at Previous Meetings Report by Administrative Officer (herewith)	16 – 17
8. Appointment of Co-opted Members to the Broads Authority Report by Solicitor and Monitoring Officer (herewith)	18 – 21
9. Broads Plan Review & Stakeholders Action Plan Report by Director of Planning & Resources (herewith)	22 – 29
10. Boat Statistics Report by Chief Executive (herewith)	30 – 32
11. Breydon Water: Water Skiing and Wakeboarding Trial Findings Report by Head of Safety Management (herewith)	33 – 71
12. Development of the Integrated Safety Management System (SMS) Report by Head of Safety Management (herewith)	72 – 73

13.	Marine Annual Incident Statistics Report by Head of Safety Management (herewith)	Page 74 – 80
14.	Planning Application with Navigation Implications: Proposed Residential Development at the former Ferry Boat Inn Report by Planning Officer (herewith)	81 – 87
15.	Navigation Income and Expenditure: 1 April 2014 to 28 February 2015 Actual and 2014/15 Forecast Outturn Report by Head of Finance (herewith)	88 – 97
16.	Construction, Maintenance and Environment Work Programme Progress Update Report by Head of Construction, Maintenance and Environment (herewith)	98 – 105
17.	Broads Safety Management Group: Update Notes of meeting held on 10 March 2015 (herewith)	106 – 113
18.	Chief Executive's Report Report (herewith) for information only	114 – 125
19.	Current Issues Open forum	
20.	Items for Future Discussion	
21.	To note the date of the next meeting – Thursday 4 June 2015 at Yare House, 62-64 Thorpe Road, Norwich commencing at 1.00pm	
22.	Exclusion of the Public The Committee is asked to consider excluding the public 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 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	
23.	To receive and confirm the exempt minutes of the Navigation Committee meeting held on 26 February 2015	

Navigation Committee

Minutes of the meeting held on 26 February 2015

Present:

Mr D A Broad (Chairman)

Mr K Allen	Mr P Greasley
Miss S Blane	Mr M Heron
Sir P Dixon	Mr J Knight
Mr P Durrant	Mr P Ollier
Mr A Goodchild	Mr M Whitaker

In Attendance:

Mr S Birtles – Head of Safety Management
Mr A Clarke – Senior Waterways and Recreation Officer
Ms E Guds – Administrative Officer (Governance)
Mr P Ionta – Solicitor and Monitoring Officer
Ms E Krelle – Head of Finance
Ms A Leeper – Asset Officer
Ms A Long – Director of Planning and Resources
Mr J Organ – Head of Governance and Executive Assistant
Dr J Packman – Chief Executive
Mr R Rogers – Head of Construction, Maintenance and Environment
Mrs T Wakelin – Director of Operations

Also Present:

Prof J Burgess – Vice-Chairman of the Authority
Mr R Card – Norfolk and Suffolk Boating Association
Ms H Edwards – Insight Track
Dr S Johnson – Chairman of the Authority
Mr K Marsh – Broadland Environmental Services Limited
Mr R Sanderson - Environment Agency

4/1 To receive apologies for absence and welcome

The Chairman welcomed Dr Johnson and Prof Burgess to the meeting and also those candidates who had been recommended by the Selection Panel as prospective appointees to the Navigation Committee, who were present as members of the public and were asked to introduce themselves.

Apologies for absence were received from Lana Hempsall.

4/2 To note whether any items have been proposed as matters of urgent business/ Variation in order of items on the agenda

No items had been proposed as matters of urgent business

4/3 To receive Declarations of Interest

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

4/4 Public Question Time

There were no public questions.

4/5 To Receive and Confirm the Minutes of the Meetings Held on 11 December 2014

The minutes of the meeting held on 11 December 2014 were confirmed as a correct record and signed by the Chairman.

4/6 Summary of Actions and Outstanding Issues Following Discussions at Previous Meetings

Members received a report summarising the progress of issues that had recently been presented to the Committee.

In response to a question by a member concerning negotiations over 24hr moorings at Thurne Mouth and Boundary Farm, the Chief Executive said that he was hopeful that an agreement would be reached which would allow the moorings to be retained with access to the shore.

Members were updated that a meeting regarding External Funding Opportunities had taken place and that a full report including suggested ideas would be brought back to the Authority.

A member said he wanted it noted that in *Minutes 3/12 Planning Application with Navigation Implications: Development to Facilitate Canoe Access on Pound End Broad and Hoveton Marshes* of 11 Dec 2014 the planning application was not in relation to public access but was an application for a canoe trail.

Members welcomed and noted the report.

4/7 Consultation on the appointments to the Navigation Committee and Broads Authority

In accordance with the provisions in the Norfolk and Suffolk Broads Act 1988 members were informed that their views were sought on the recommended appointments to the Navigation Committee made by the Selection Panel following the interviews held in January 2015. The Committee's recommendation for two Co-opted members to be appointed to the Authority and the term for such future appointments was also sought.

Members were made aware that a Selection Panel comprising John Edmonds as the independent chair, the Chairman of the Broads Authority, and representatives from the Norfolk & Suffolk Boating Association, and the British Marine Federation had agreed unanimously to recommend eight candidates to be appointed to the Navigation Committee.

Comments had been received from the consultative bodies, including comments from the Passenger Boat Association that had not been included in the report. Some of these comments expressed concerns about Category D, where the Selection Panel had recommended the appointment of candidates who had not been nominated and did not have a commercial background.

It was made clear that there was no requirement for the Selection Panel to only recommend candidates who had been nominated and clarification was provided by the Solicitor and Monitoring Officer that all toll payers came under the Category D status and therefore the process was considered to be legally sound.

A member challenged the view that 'all toll payers came under the Category D status' on the basis that, if this is what Parliament had intended, then that is what it would have said. The member considered that the Act appeared to be clear that it expected the interests of commercial and passenger boats to be specifically represented.

The Committee noted that the way that the relevant Acts had been interpreted placed constraints on the appointment process that was not entirely helpful and should be reviewed.

It was also considered that the appointment process could be improved and the Committee requested a review of the appointment process and for a full report to be brought to a future meeting for consideration. A member suggested that this should include an appropriate process for casual vacancies as currently this was not available.

As the current two co-opted members of the Navigation Committee appointed to the Authority would cease their term on 20 March 2015, it was necessary for the Committee to recommend the appointment of two co-opted members to the Authority on 20 March 2015 for an interim period until the Broads

Authority meeting on 15 May 2015. The Committee was also asked to consider whether future appointment of the two co-opted members to the Authority should be for a term that is equal to the co-opted term of appointment, or whether this should be for a period of one year, to be recommended by the Navigation Committee each April and appointed by the Authority each May.

The Committee recommended:

- (i) by 10 votes to 1 to support the recommendations of the Selection Panel for the eight co-opted members to the Navigation Committee.
- (ii) that Michael Whitaker and Alan Goodchild be appointed as the two Co-opted Members to the Broads Authority
- (iii) that the term of appointment of the two co-opted members to the Broads Authority should be annual.
- (iv) That the Authority review the process for appointing members to the Navigation Committee.

4/8 Stakeholder Surveys

This report provided members with a summary of the outcome of the surveys of private boat owners (PBOs), hire boat operators (HBOs), visitors and residents that had recently been carried out for the Authority by Insight Track, a local market research company.

Members were informed that the survey work was carried out in September and October 2014 and that the findings of the surveys provided the Authority with a solid evidence base on the views, priorities and opinions of its customers. The survey results also gave strong indicators for the setting of future priorities. Dredging and mooring provision were considered to be a high priority across all audiences as was wildlife conservation and educating the next generation about the Broads.

Significantly, the survey results also showed that walking and bird watching were key leisure activities undertaken on the Broads.

Although the survey highlighted a number of positive outcomes for the Authority, perceptions of the Authority in the hire boat industry were significantly less positive than in the other audience groups. HBOs particularly felt unsupported and thought the toll represented poor value for money.

Further the survey demonstrated that support for the promotion of National Park status was stronger amongst both visitors and residents, compared to the 42% of HBOs and 52% of PBOs who supported this.

Members welcomed the presentation and complimented Hannah Edwards on the survey which they believed to be very informative and very

understandable. The full survey report was available on the web site and was well-worth reading.

Members agreed that the survey demonstrated that walking, dredging, moorings and communication showed up as important factors. It was mentioned that valuable activities like walking and bird watching although free to the members of the public was costly to the Authority in maintaining footpaths and that therefore the Authority would be working together with partners like the Norfolk Access Forum to try and identify funding for this.

It also became apparent that more effective communication with stakeholders was needed, in particular with Hire Boat Operators and residents which should emphasise listening over publicising. In addition members believed that there was a need to have more effective communication with younger people and not focusing entirely on press releases. The Authority should adapt its style of communication to include social media and better Wi-Fi connections.

The officer responded that the main challenge for the future would be for the Authority to respond to the outcomes of the survey and that there clearly would be a need to consider how communication with all audience groups could be improved in order to keep them informed and involved in the work that the Authority does.

It was mentioned that while it was important that the Authority concentrated on what needs to be improved, it was equally important for them to recognise the positives and continued to provide a good service. In particular, the very high satisfaction with the visitor experience and equally high level of positive recommendations for others to visit were very good outcomes.

Members were in agreement that for this survey to be effective it would need to be repeated on a regular basis of about four to five years in order to give any actions taken time to establish themselves.

4/9 Powerboat Racing Annual Review

This report outlined the background to powerboat racing on Oulton Broad and the members' views were sought on the management of powerboat racing on Oulton Broad and the fixture list for the 2015 season.

Members were informed that the Formal Safety Assessment (FSA) identified powerboat racing on Oulton Broad as being a priority for more detailed consideration. The recommendations for powerboat racing included considering the closure of the Broad during racing events and ensuring that there is an adequate exclusion area and good buffer zone around the race circuit.

It was highlighted that the risk assessment had been reviewed and it was agreed the risk assessment should be amended to introduce an additional control measure relating to boats leaving the pits to join the race course.

As a result no further changes were considered necessary to the overall management plan for powerboat racing for the 2015 racing season.

Requested dates for the 2015 season were shown in Appendix 1 and members were made aware that, as long as the LOBMBC continued to provide safety patrolling cove, they would not need to contribute to the cost of the Broads Authority launch and ranger.

Members were satisfied to agree with the management of powerboat racing on Oulton Broad and the fixture list of the 2015 season however members noted the reduced numbers of spectators in recent years and discussed if there was scope for any additional promotion by the Authority in order to attract more visitors and funds to support this very exciting event

Members noted the report.

4/10 Paddy's Lane Boardwalk

Members received a report which set out the current situation in respect of Paddy's Lane boardwalk, which was identified as a low priority countryside asset as it does not fulfil a strategic need, or scores highly against the strategy's criteria for project prioritisation and was therefore identified for disposal in the Asset Management Plan.

However members of the Navigation Committee were keen to see the access retained and therefore agreed to the proposal that the site be brought into good condition using the current National Park Grant budget but thereafter be held as a Navigation asset and maintained using Navigation Income. A new lease would be negotiated with the landowners.

Members supported the approach proposed in the report.

4/11 Broads Authority Safety Management System External Audit

Members received a report which set out the findings from a recent external audit of the Authority's Safety Management System.

Members were reminded that as a Competent Harbour Authority, the Broads Authority was required to comply with the duties and responsibilities set out in the Port Marine Safety Code (PMSC).

Key points identified by the audit which were highlighted were that the Broads Authority complied with the PMSC and had adequate systems in place to

manage safety and continued to discharge its statutory functions effectively and efficiently and to high standards.

The Audit recommendations were that further development was needed for competence standards, training records and incident data analysis/measuring performance.

Members supported these recommendations and welcomed the audit findings and the report.

4/12 Broadland Flood Alleviation Project: Planning Application for Crest Raising and Piling Removal Works in Compartments 5 & 6 (River Ant, River Thurne and Womack Water)

Members received a report which provided them with a summary of Broadland Environmental Services Ltd (BESLs) planning application proposals for crest raising and piling removal in Compartments 5 and 6 on the true left bank of the Rivers Ant and Bure and the true right bank of the River Thurne and Womack Water and the north bank of Womack Water.

The crest raising works would have no impact on navigation and apart from the former 24-hour mooring at Ludham Bridge none of the piling identified for removal in this application was used for formal or informal mooring.

It was highlighted that much of the piling in Womack Dyke was in poor condition and had been hazard marked accordingly so its removal would be welcomed.

The Senior Waterways and Recreation Officer therefore informed the Committee that the proposal presented the Authority with no concerns and would propose to raise no objections to the works set out in the planning application but to recommend that planning permission be granted for the works provided that the appropriate conditions are included.

Members raised some concern however that the particular stretch of bank at Ludham Bridge would be heavily congested with boats and although not permitted, it was highly likely that it would still be used for mooring causing bank erosion. The officer responded that this would have to be monitored if this were the case.

Members noted the report.

4/13 Boat Census 2014

Members received a report which summarised the results of the 2014 Boat Census and provided an overview of boat movements around 14 designated census points located at specific points round the Broads network.

Members were reminded that a boat census around the Broads had been undertaken by the Broads Authority every four years since 1986 and that the key findings for 2014 were that it was evident that there had been slight increase in boat movements within the Broads river system.

Whilst there had been a drop in the number of hired motor cruisers recorded, there had been an increase in hired out board dinghies and launches smaller non-powered craft such as canoes and row boats, whose usage has increased by over 60% in the last four years. It was mentioned how this might have safety implications and might need to be examined.

Also, the northern rivers showed a much higher percentage of vessels on the river, with 73% of traffic being recorded by the Northern River Census takers. Members regretted that the southern broads are not visited as well as the northern ones and believed this was due to poor facilities and that better promotion and infrastructure of the southern rivers was needed to encourage maybe a different kind of customer to visit the beautiful tranquillity of the southern broads.

The Senior Waterways and Recreation Officer clarified that the reason for visitors not crossing Breydon Water was not because of safety concerns but mainly because of time restrictions more applicable now due to shorter booking periods but that this year the Authority was looking at promoting boating in the southern rivers.

Some discussion followed on the decline in the impact of certain visitor attractions and members were pleased to hear that the Berney Arms Windmill was now going to be open again for the forthcoming season. The nearby Inn remained closed and it was hoped that this would be resolved as its associated moorings were felt to be in a very strategic location for shelter and convenience.

Members noted the report.

4/14 Navigation Income and Expenditure: 1 April 2014 – 30 Nov 2014

The Committee received a report which provided them with details of the actual navigation income and expenditure for the eight month period to 30 November 2014, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2015).

There had been some significant movements in the forecast outturn position for the year, which now suggested a deficit within the navigation budget for the year. With the latest amendments to forecast outturn, this would result in a navigation reserve balance of approximately £271,000 at the end of 2014/15 (before any year-end adjustments), which equated to 9.1% of net expenditure, slightly below the recommended level of 10%. The 2015/16 budget reflected this latest forecast outturn position and makes proposals which will restore the balance of the navigation reserve in 2015/16.

Also Head of Finance informed the Committee that The Authority is able to undertake the work for Turntide Jetty in March 2015.

The Head of Finance also provided a verbal update on the January position stating that the Authority remains on track to achieve its forecast position.

The Chairman briefed members on some changes to the format of the reports that had been discussed at the February FSAC meeting. From 1 April 2015 the monitor would incorporate the budgets for expenditure out of the ear marked reserves. This would hopefully reduce some of the variances that were created as the expenditure from the reserves was approved at the same time as the budget.

Members noted the report.

4/15 Construction, Maintenance and Environment Work Programme Progress Update

Members received a report which set out the progress made in the delivery of the 2014/15 Construction, Maintenance and Environment Section work programme. The Head of Construction, Maintenance and Environment confirmed that the Authority were still on target with the dredging and that timber for Turn Tide Jetty had been sourced in the UK, which had saved time.

Members were informed that currently Natural England (NE) is not permitting any works within the Hickling Nature Reserve. A small window of opportunity for works was opened in January and February 2015, but NE concerned about Prymnesium Algae and Copper levels in the interstitial water and had stopped further works. The Broads Authority would work on their preferred methodology and conduct testing to enable works to progress in the next open window, which was thought to be in or around October/ November 2015, when water temperatures were 8 degrees or falling.

The Director of Operations confirmed that Copper and Prymnesium Algae was found in the entire water system, with heavy metals being located in other broads and rivers, including Hoverton Great Broad, and not just in Hickling Broad. The Head of Construction, Maintenance and Environment added that grab dredging had the potential of fluidising sediment, especially in the shallow waters at the top end of Hickling, and this was what was causing NE

some concerns. The use of a silt curtain at Duck Broad was found to compound the sediment fluidisation issue and the methodology for dredging Hickling is being reviewed in light of information reviewed from NE.

A member expressed the hope that similarly diligent monitoring would be applied to the proposed dredging in the similarly designated Hoveton Great Broad.

Members noted the report.

4/16 Chief Executive's Report

The Committee received a report which summarised the current position in respect of a number of projects and events, including decisions taken during the recent cycle of committee meetings.

As key issues the Chief Executive highlighted that the marketing brand for the area, the Broads National Park had its first outing at The Outdoor Adventure and Travel Show in London which was received very positively, in particular by young people.

The members were updated that the Secretary of State had confirmed that the levels of National Park Grant for 2015/16 would be in line with that previously announced, a 1.74% reduction, which was in line with the budget already approved by the Authority.

The Chief Executive informed members that the bid for £715,000 to the Department for Transport for the Wroxham/Hoveton to Horning Section of the Three Rivers Way Cycle Route had been successful and that the Authority had responded to the consultation issued by Network Rail.

In relation to the proposed Thorpe to Whitlingham ferry it was mentioned that attention needed to be paid to the safety aspects as this was a heavily navigated stretch of water.

Regarding the 'Eating Out' leaflet, concern was raised that the Authority seemed to work with one hire boat operator in particular and as a result of this the Chief Executive was advised by two members that the publication would not be distributed this year by a number of operators. To avoid the risk that the publication would be boycotted by other operators the Broads Hire Boat Federation would be offering advice and coordination in future.

After enquiring about the outcome of a speeding incidence in Horning members were informed that although this was a very difficult case the offender was successfully prosecuted and fined.

It was mentioned that following the decision by the Broads Authority to use the Broads National Park branding guidelines would be produced to help local companies make the best use of the opportunities provided.

In relation to the River Basin Plan Rory Sanderson from the Environment Agency explained to the members how they had modified some of their criteria around defining recreation and navigable waters, which appeared not to have any significant impacts on the way the issues on the rivers would be tackled under the Water Framework Directive.

The Head of Strategy and Projects assured the members that he had looked into this in great depth and did not believe there would be any implications for navigation. Director of Operations added that the only concern would be for transitional and coastal water bodies (TRAC) as the designated uses proposed by the EA would not be consistent with the Marine Management Organisation's designations.

Members however were not assured and said they would need more time to look into this matter with more detail. Members were particularly concerned at the possible impact on commercial vessels if the Broads were re-classified as being purely for recreational use and that this matter had not been brought to the Committee earlier.

As the deadline for the River Basin Management Plan consultation would be after the next Navigation Committee meeting, members asked that a response be drafted in consultation with the Chairman and Vice Chairman and it was suggested that their comments be reported to the Broads Authority meeting on the 20 March 2015 so that a formal response could be made. It was also requested that digital copies be circulated of the paper referred to by Mr Sanderson.

4/17 Current Issues

In relation to the waste disposal facilities at Ranworth, the Director of Operations reported that the Broads Authority was working in partnership with Broadland District Council who had offered to provide additional waste collections if they were required.

The Lead Member for the Broads Flood Alleviation Project updated the Committee on the very good progress in the last 12 months and the BESL representative outlined the procedures that they had been undertaking for the handover of the maintenance of piling to private riparian landowners.

4/18 Items for future discussion

There were no items for future discussion.

It being his final meeting, the Chairman paid tribute to the retiring members: Mr Ollier, Mr Greasley and Mr Betts and thanked the Secretary of State Members for their contribution to the Navigation Committee hitherto and in anticipation of them continuing to do so as to provide the very necessary continuity at a time of great change to the Committee's leadership and membership.

2/19 To note the date of the next meeting

The next meeting of the Committee would be held on Thursday 23 April 2015 at Yare House, 62-64 Thorpe Road, Norwich commencing at 1pm.

4/20 Exclusion of the Public

The Committee was asked to consider excluding the public 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 Paragraphs 1 and 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

4/21 Disposal of Geldeston Woodland

Members received a report which summarised the proposals submitted in the informal bid process in respect of the agreed disposal of the woodland at Geldeston as it was no longer required for any specific purpose.

Members were advised that The Authority had advertised the sale and invited bids to be submitted in an informal bid process taking into account the criteria set for disposal by the Broads Authority which was to include public access and maintenance of the woodland.

The Asset Officer presented the Committee with information regarding four bids received by the Authority, each demonstrating their long and short term goals. After careful consideration the Committee recommended when all the relevant issues were considered that the bid from the owner of the public house was preferred as most meeting both criteria and offering best value for money to the Authority. It was hoped that their expressed plans for a collaborative arrangement with local volunteers would succeed.

The meeting concluded at 4.50 pm

Chairman

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 26 February 2015

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Mr K Allen		Member of the Broads Angling Strategy Group
Mr J Knight		Hire Boat Operator, Toll Payer, Member of Yacht Clubs
Mr A Goodchild	4/7 – 4/16	Toll Payer, Landowner, MD GMS, Chair BMF cm
Mr D A Broad	4/7 – 4/16	Toll Payer, Member of Great Yarmouth Port Consultative Committee
Mr P Greasley	4/7- 4/16	Toll Payer/Boat Operator/BHBF Committee
Mr P Dixon	4/7 – 4/16	As previous
Mr M Heron	4/7– 4/16	Toll Payer, Landowner, Member of British Rowing, Norwich RC, NBYC, Rec, Chair Whitlingham Boathouses
Mr P Ollier	4/7 – 4/16	Toll Payer, NSBA Committee member, RYA and various Broads sailing clubs
Mr M Whitaker	4/7 – 4/16	Toll payer, Hire Boat Operator, BHBF Chairman

Summary of Actions and Outstanding Issues Following Discussions at Previous Meetings

Report by Administrative Officer

Date of Meeting and Minute No	Discussion	Responsible Person	Summary of Actions and Outstanding Issues
4 September 2014 Minute 1/15 Hickling Broad	Members agreed that Hickling Broad needed urgent attention and would like details about the project and be informed of the options to be explored.	Head of Construction, Maintenance and Environment	See Chief Executive Report.
23 October 2014 Minute 2/7 Mooring Strategy Review Update	Committee recommended that the establishment of a working group to look at ideas in order to raise more capital for moorings and access to the broads and look into the possibility of obtaining EU funding.	Senior Waterways and Recreation Officer	Following a meeting involving Phil Durrant and Kelvin Allan, a report on external funding was considered at the last meeting of the Broads Authority. The Broads Authority agreed that opportunities would be explored and a further report presented at a future meeting.

Date of Meeting and Minute No	Discussion	Responsible Person	Summary of Actions and Outstanding Issues
23 October 2014 Minute 2/11 Legality of Closed Broad	The Committee recommended that further engagement was needed by the Authority to encourage greater public access to private broads.	Director of Operations	An updated report will be brought to the Navigation Committee at the June meeting.
26 February 2015 Minute 4/22 Disposal of Geldeston Woodland	Feedback from Broads Authority meeting regarding disposal of Geldeston Woodland	Asset Officer	At the Broads Authority meeting on 20 March a decision was made to sell the woodland to the River Waveney Trust (See Chief Executive's Report).
26 February 2015 Minute 4/6 Summary of Actions and Outstanding Issues Following Discussions at Previous Meetings	Update in relation to negotiations over 24hr moorings at Thurne Mouth and Boundary Farm	Head of Development Management	Following decision at Broads Authority meeting on 20 March 2015 (see Chief Executive's report), paperwork has been formalised and is with landowner for agreement.

Appointment of Co-opted Members to the Broads Authority
Report by Monitoring Officer

Summary: In accordance with the provisions in the Norfolk and Suffolk Broads Act 1988 (as amended) and the decision of the full Authority dated 23 March 2015, the Committee is invited to recommend two co-opted members to be appointed to the Authority until 13 May 2016.

1 Introduction

- 1.1 The membership of the Broads Authority, as set out in Section 1 of the Broads Act, includes

“two members appointed by the Authority from those members of its Navigation Committee (established under section 9 of this Act) who are not already members of the Authority.”

- 1.2 At its meeting on 26 February 2015, the Navigation Committee

- accepted the recommendation of the Selection Panel and, in turn, recommended that the Authority appoint James Knight, Michael Whitaker, Nicky Talbot, Brian Wilkins, Linda Aspland, William Dickson, Max Heron and Alan Goodchild as Co-opted members to the Navigation Committee until the Authority's Meeting in March 2019;
- recommending that Mr Alan Goodchild and Mr Michael Whitaker be appointed to the Broads Authority until 15 May 2015; and
- recommending that the term of appointment of the two co-opted members to the Broads Authority post 15 May 2015 should be an annual term.

- 1.3 These recommendations were adopted unanimously by the Authority at its meeting on 20 March 2015.

2 Appointment of Two Co-opted Members to the Broads Authority as of 15 May 2015 until 13 May 2016.

- 2.1 The two co-opted members of the Navigation Committee appointed to the Authority will cease their term on 15 May 2015. These arrangements were put into place so as to allow the newly constituted Navigation Committee the opportunity to recommend the appointment of two co-opted members to the Authority at the 23 April 2015 Navigation Committee meeting for a term of one year. The Committee has the option of recommending to continue the appointments of the current two co-opted members or indeed to propose

alternative members to be co-opted to the Authority. The Committee's recommendation in this regard is sought.

- 2.2 Whilst there are members appointed by the Secretary of State who sit on both the Navigation Committee and the Planning Committee, it should be further be noted that, as a matter of custom and practice, one of the two co-opted members appointed to the Authority has, in addition to that appointment, been proposed to be appointed to the Planning Committee by the Authority. When this last took place, it was agreed by the Authority at its meeting on 23 September 2011.

Background papers: None

Author: Piero Ionta
Date of report: 8 April 2015

Broads Plan Objectives: None

Appendices: Appendix 1 – Extract of Minutes from Broads Authority dated 20 March 2015 – Agenda Item No 3(c)

Extract of minutes of the Broads Authority meeting held on 20 March 2015

5/3 Appointments

(d) **Appointment of the Navigation Committee and Appointment of Two Interim Co-opted Members of the Broads Authority**

The Authority received a report which outlined the process which had been used in making the appointments to the Navigation Committee in accordance with Section 9 of the Norfolk and Suffolk Broads Act 1988, and the need to appoint two co-opted Members from the Navigation Committee to the Authority. The consultee groups, and the Navigation Committee had subsequently been consulted on the recommendations of the selection panel. Having considered the concerns relating to Category D appointments and receiving clarification from the Solicitor that all toll payers came under Category D status and therefore the process was considered to be legally sound, the Navigation Committee had recommended that the recommendations of the Selection Panel appointments be accepted.

Members concurred with the views of the Navigation Committee that improvements could be made to the selection process and that it would be helpful to have a common understanding of how the categories were interpreted. They therefore agreed that this area be reviewed but that this would need to be within the confines of the Act and the Government's guidance.

Members also supported the recommendations from the Navigation Committee relating to co-opted members.

RESOLVED

- (i) that the recommendations of the Selection Panel be accepted and the following be appointed as Co-opted members to the Navigation Committee until the Authority's Meeting in March 2019:
 - *Category A*: James Knight (nominated by the BHBF and BMF)
Michael Whitaker (nominated by the BHBF and BMF)
 - *Category B*: Nicky Talbot (nominated by the NSBA and RYA)
 - *Category C*: Brian Wilkins (nominated by the NSBA and RYA)
 - *Category D*: Linda Aspland and William Dickson
 - *Category E*: Max Heron (nominated by British Rowing and the Eastern Region Rowing Council)
 - *Group F*: Alan Goodchild
- (ii) that Mr Alan Goodchild and Mr Michael Whitaker be appointed to the Authority until 15 May 2015; and

- (iii) to support the suggestion that the appointment process be reviewed on the lines outlined within the report and that in due course a further report on the matter be prepared; and
- (iv) that the future appointment of the two co-opted members should be for a period of one year.

Mr Broad and Mr Ollier duly stepped down as Members of the Authority. Their places were taken by Mr Whitaker and Mr Goodchild as the newly co-opted Members.

DRAFT

Broads Plan Review and Stakeholder Action Plan
Report by Director of Planning and Resources

Summary:	The report outlines the key stages in the Broads Plan Review and requests suggestions from the Committee on topics that could be the subject of specific engagement/discussion as part of that review.
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1 Background

- 1.1 At the Broads Authority meeting in March, Members agreed a set of five strategic priorities for the forthcoming financial year. Unusually, due to the size, complexity and need for stakeholder engagement the timescales involved with all identified 5 priorities identified extends beyond the usual annual cycle.
- 1.2 Details of the Strategic Priorities and their specific timescales are shown in Appendix 1 for Members' information.
- 1.3 At the same Broads Authority meeting, a Stakeholder Action Plan was agreed as a response to the recent Stakeholder Surveys undertaken by Insight Track. This Action plan had been formulated taking into account the comments of the Navigation Committee, Broads Forum and Broads Authority Members and forms one of the Strategic Priorities outlined earlier and is reproduced in full as Appendix 2 for Members' information.

2 Broads Plan Review

- 2.1 The review of the Statutory Management Plan for the Broads is due to take place over the next two years with a first draft plan ready for public consultation in February of 2016. Before that stage can be reached detailed work on the scope of the plan – content, issues, themes, direction – needs to be undertaken and an integral part of this is engagement with Stakeholders – both internal and external.
- 2.2 In the past the Authority has used a variety of methods to engage with stakeholders including attending society/parish meetings, stakeholder workshops, briefings, presentations and drop-in sessions. The method used has been tailored to the needs of the stakeholders, the intended outcome and the subject matter concerned.
- 2.3 One of the most popular and effective forms of engagement has been stakeholder workshops. These are useful for a range of outcomes e.g information gathering and awareness raising but also for debating detailed

issues and setting future direction. Some committee members may recall the Moorings Workshop held in July 2014 which helped shape the Asset Management Strategy and will influence future reviews of the Moorings section in the Integrated Access Strategy. During the Review of Consultative Arrangements and Stakeholder Engagement workshops were used to debate issues such as the effectiveness of the Broads Forum and the introduction of Parish Forums.

- 2.4 Navigation Committee Members are asked to identify topics that they feel should be the subject of future exploration through workshops as part of the Broads Plan Review. The aim of the workshops would be to help set a longer term, strategic direction for key issues. While the Broads Plan has a five-year timescale a ten year horizon might be an appropriate line of sight for setting targets for the future management of the navigation area.

3 Stakeholder Action Plan

- 3.1 Members will note that the key priority in the Stakeholder Action Plan is to hold a meeting with Hire Boat Operators to explore issues raised through the Stakeholder Surveys. Discussions on the timing, venue and content of such a meeting have already begun with the Chairman and Secretary of the Broads Hire Boat Federation (BHBF) and a date identified for the event in the middle of June.

Background papers:	Strategic Priorities 2015/16
Author:	Andrea Long
Date of report:	7 April 2015
Broads Plan Objectives:	Multiple
Appendices:	APPENDIX 1 – Strategic Priorities for 2015-16 APPENDIX 2 - Stakeholder Action Plan

APPENDIX 1

Broads Authority Strategic Priorities 2015/16				
	Project	Summary	Milestones	Contact officer
1	Broads Plan review	<p>Review and update the Broads Plan, the strategic management plan for the Broads.</p> <p>Work with partners, local communities and other stakeholders to review achievements (Broads Plan 2011) and set future aspirational strategy for 2017-22.</p> <p>The draft priority to develop a long-term navigation strategy will now be assessed as part of the Broads Plan review.</p>	<p>Scoping Mar-Nov 2015</p> <p>Consult on first draft plan by end Feb 2016</p> <p>Consult on revised draft by end July 2016</p> <p>Adopt plan March 2017 for implementation April 2017</p>	Maria Conti
2	Broads Landscape Partnership	<p>Submit an application to the Heritage Lottery Fund for £3m for a Landscape Partnership Scheme.</p> <p>If the application receives a successful HLF decision, subsequent development phase objectives will be developed. The proposed multiple projects within the bid would contribute significantly to the delivery of the Broads Plan.</p>	<p>Submit 1st application to HLF by 1 June 2015</p> <p>HLF decision Oct 2015</p> <p>(TBC: Further development phases Nov 2015 - May 2017, delivery May 2017- May 2022)</p>	Will Burchnall
3	Hickling Broad Lake Restoration Project	<p>Develop a long-term approach for the management of Hickling Broad, building on scientific evidence from the Broads Lake Review.</p> <p>In the short term, progress development of a number of smaller projects to meet immediate concerns.</p>	<p>Collate baseline data including Broads Lake Review outputs by April 2015</p> <p>Lake review stakeholder workshop - April 2015</p> <p>Develop partnership approach with stakeholders and agree refreshed vision for Hickling by Sept 2015</p>	Trudi Wakelin

			<p>Seek planning permission and in principle agreement from regulators to deliver the vision</p> <p>Develop external funding options - Jan 2016</p> <p>Undertake supporting research and pilots to inform feasibility by March 2016</p>	
4	Promoting the Broads	<p>Produce Broads National Park branding guidelines</p> <p>Review and update the Strategic Plan and Action Plan for Sustainable Tourism in the Broads in partnership with local businesses.</p>	<p>By Summer 2015</p> <p>Scoping Mar-Nov 2015</p> <p>Consult on first draft plan by end Feb 2016</p> <p>Consult on revised draft by end July 2016</p> <p>Adopt plan March 2017 for implementation April 2017</p>	Lorna Marsh
5	Stakeholder Action Plan	<p>Deliver multiple actions in response to the issues identified in the stakeholder surveys carried out in Sept-Oct 2014 with hire boat operators, private boat owners, residents and visitors.</p>	<p>As set in Stakeholder Action Plan 2015/16 (see separate report to Broads Authority - 20/03/15)</p>	Andrea Long

Appendix 2 - Stakeholder Action Plan

Stakeholder Group	Insight Track Analysis of Key Challenges and Opportunities	Action	Timescale	Lead Officer
Hire Boat Operators (HBOS)	<ul style="list-style-type: none"> • Opportunities to improve relationships and manage perceptions • Make them feel supported • Consult regarding agenda setting/focus • Engage to understand drivers of perceptions (positive and negative) • Improve perceptions of financial management 	<p>Hold workshops/meetings with Hire Boat Operators invited to attend</p> <ul style="list-style-type: none"> • Independently facilitated • Possible neutral venue • Exploration and identification of issues • Attempt to resolve and identify a way forward <p>NB: Future Actions may emerge from the workshop(s) that may need to be added to this action plan</p>	<p>PRIORITY ACTION: (following BA agreement in March of this Action Plan)</p> <p>Meeting Date - April/May 2015 for Initial Meeting</p> <p>Future Actions to be identified to take place throughout 2015-16</p>	Director of Planning and Resources
Private Boat Owners (PBOs)	<ul style="list-style-type: none"> • Private Boat Owners are likely to welcome improved and/or additional mooring • Private Boat Owners aged 18-34 present a potential area of 	<p>Improved Feedback Communication and Engagement; Clear communication/explanation of Tolls structure and how money is spent:</p>	<p>Throughout 2015-16</p> <p>March-Oct 2015</p>	Head of Communications

	<p>growth in terms of the number and size of boats they are likely to own in future</p>	<ul style="list-style-type: none"> • Systematic and better use of all communication methods existing methods e.g Broadsheet, Annual Meeting, parish forums to focus on issues and facilities that the BA provides/is developing. • Better use of Chief Execs Report to Navigation Committee to report on progress of projects, new facilities including regular updates • Refresh website content for tolls information and user-friendly explanation of limitations on mooring improvements <p>Emphasis on promoting entry level boating for families, children, young people:</p> <ul style="list-style-type: none"> • “Try it days” e.g Outdoors Festival • Engagement with Broads Tourism to encourage offers to young people, families or free/cheap 		
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		<p>taster sessions</p> <ul style="list-style-type: none"> • Use of promotion and sponsorship opportunities e.g early season and end of season promotions and mini campaigns • Target “Fresher’s Weeks” at UEA, City College, Lowestoft and Great Yarmouth Colleges (Also applicable to residents and visitors) 	September 2015	
Residents	<ul style="list-style-type: none"> • Communicate more effectively and frequently with Residents • Communicate flood management schemes, activity and responsibilities • Improve awareness of the Broads Authority amongst 18-24s • Work /communicate with Norfolk Trails regarding maintenance of footpaths 	<p>Review of “Bulletin” and extend its circulation to Parish Clerks</p> <p>Residents Newsletter (Electronic) – focussing on who the BA are, what the role is, achievements during the year and with a forward look to upcoming projects</p> <p>Roll out new Parish Forum format - engage Parishes in agenda setting and identification of issues</p> <p>Use of promotion and sponsorship opportunities with Broads Tourism e.g early season and end of season</p>	<p>Quarterly Throughout 2015-16</p> <p>Once during 2015 – to tie in with Annual Meeting/Report</p> <p>4 Area based forums throughout 2015-16</p> <p>March-Oct 2015</p>	<p>Director of Planning and Resources with Head of Communications</p> <p>Via Broads Local Access Forum Head of Strategy and Projects</p>

	<ul style="list-style-type: none"> Consider offering 'discounts' to Residents (e.g. tolls, parking ...) 	<p>promotions and mini campaigns aimed at encouraging local residents to get onto the water or on a bike</p> <p>Further work with Norfolk Trails</p> <p>Use of Broads⁰Community to communicate flood management and climate change information and advice</p>	Throughout 2015-16	
Visitors	<ul style="list-style-type: none"> Leverage the opening of the 'new A11' to improve perceptions of accessibility Opportunity to promote the Broads area as an all-year-round offering (considering high interest in bird-watching and walking, and not all visitors are hiring a boat) 	<p>Production of revised Sustainable Tourism Strategy (produced with Broads Tourism)</p> <ul style="list-style-type: none"> Promotion of Broads Experiences, Itineraries "Greeters" initiative Promotion of Proximity Campaign e.g only 2 hours from London (by road); rail promotion; <p>Use of Landscape Partnership to promote information and access within the Partnership Area (Southern Broads)</p>	<p>Throughout 2015-16</p> <p>Development Phase – 2015-17 Implementation 2017-22</p>	<p>Head of Communications with Tourism Promotion Officer</p> <p>Landscape Partnership</p>

Boat Statistics
Report by the Chief Executive

Summary: The stakeholder surveys contained some interesting statistics on current boat use and potential future use. This report presents two further items of evidence: boat hire statistics provided by the Broads Hire Boat Federation and the Authority's own record of boat registrations for 2014.

1 Introduction

- 1.1 Tracking key statistics for boat use, both private and hire, is important in providing evidence for policy making. The Stakeholder Surveys provided a useful evidence baseline and this can be supplemented by annual data from the Hire Boat Federation and the Authority's registration data.

2 Broads Hire Fleet Booking Averages 2010 - 2014

- 2.1 The results from the survey of hire boatyards in Autumn 2014 suggested that the mean number of days that boats had been hired out in the year was 68 (9.7 weeks) for day boats and 131 (18.7 weeks) for cabin boats. The Broads Hire Boat Federation has now supplied data for the period 2010-14 (see Appendix 1). The figures are broadly similar and show an improvement in 2014 over the previous year but a fall in performance compared to 2010-2012.

3 Boat Registrations for 2014 by Category

- 3.1 The Authority maintains an annual record of boat registrations by category which provides a fascinating insight into changes in both the hire and private fleets. The latest figures are contained in Appendix 2.
- 3.2 Further analysis of boat figures, for example by size, will be carried out as soon as resources become available.

Background papers: None
Author: John Packman
Date of report: April 2015

Broads Plan Objectives: Multiple
Appendices: APPENDIX 1 – Hire Boat bookings
APPENDIX 2 – Number of Boats registered by category and by year

APPENDIX 1:**BROADS HIRE FLEET BOOKING AVERAGES 2010 - 2014****(EXCLUDING DAY HIRE)**

In response to Broads Authority requests for booking statistics to provide evidence of the industry's performance, the following has been prepared from data provided by the Hoseasons Group (Hoseasons and Blakes) and independent BHBF member operators. "Average weeks" is chosen as the most reliable comparator - unaffected by inflation and other variable factors. One independent operator has been unable to provide "average weeks" data, but historically average booking performance has been reasonably consistent across the whole fleet.

	Hoseasons Group		Independents	
	(ex. h'boats)	(inc. h'boats)	Cruisers	Yachts
2010	21.1	22.1	20.6	21.5
2011	20.9	21.7	20.4	19.0
2012	19.0	19.1	19.0	20.0
2013	17.8	18.7	17.5	17.2
2014	19.5	20.0	18.7	17.0

T.E. Howes

Secretary, BHBF

10.03.15

PRIVATE BOATS	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Motor Cruisers	4,531	4,660	4,685	4,556	4,746	4852	4893	4945	4967	5059
Auxiliary Yachts	1,364	1,357	1,324	1,271	1,172	1215	1212	1188	1166	1168
Day Launches	734	715	665	661	575	562	549	542	521	514
Outboard Dinghies	1,494	1,425	1,364	1,309	1,270	1083	1112	1058	1043	1062
Workboats	150	161	133	121	159	170	175	179	188	180
TOTAL MOTOR BOATS:	8,273	8,318	8,171	7,918	7,922	7,882	7,941	7,912	7,885	7,983
Sailing Craft	1,561	1,491	1,415	1,315	1,339	1298	1275	1262	1214	1230
Rowing Craft	1,330	1,500	1,526	1,508	1,553	1622	1704	1701	1636	1578
Houseboats	16	20	21	16	21	26	21	23	33	27
Total	11,180	11,329	11,133	10,757	10,835	10,828	10,941	10,898	10,768	10,818

HIRE BOATS	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Motor Cruisers	870	822	829	813	855	889	920	908	887	862
Auxiliary Yachts	56	54	46	48	49	47	47	46	46	47
ALL CABIN HIRE BOATS:	926	876	875	861	904	936	967	954	933	909
Day Launches	290	288	285	279	270	279	284	274	267	274
Outboard Dinghies	25	25	22	21	20	14	12	10	11	13
Passenger Vessels	13	14	13	13	11	12	11	13	11	10
TOTAL MOTOR BOATS:	1,254	1,203	1,195	1,174	1,205	1,241	1,274	1,251	1,222	1,206
Sailing Craft	156	143	130	118	123	120	117	110	109	110
Rowing Craft	164	150	163	163	152	170	179	184	188	175
Houseboats	16	16	16	16	16	16	15	16	16	16
Total	1,590	1,512	1,504	1,471	1,496	1,547	1,585	1,561	1,535	1,507
Grand Total	12,770	12,841	12,637	12,228	12,331	12,375	12,526	12,459	12,303	12,325

Breydon Water: Water Skiing and Wakeboarding Trial Findings
Report by Head of Safety Management

Summary: This report sets out the findings of the trial of recreational wakeboarding including 'getting air' on Breydon Water.

The Committee's views are sought on the options for the future management of water skiing on Breydon Water as set out in Section 3.

1 Background

- 1.1 Water skiing has existed on the Broads for many years primarily based on Breydon Water and the wide rivers in the southern area of the Broads, on the rivers Yare and Waveney.
- 1.2 The Speed Limit Byelaws 1993 defined specific areas where water skiing could take place. These original ski zones consisted of five zones on the river Yare and five zones on the river Waveney. Breydon Water was not included in the designations as the area was outside of the Broads Authority remit as the area was under the jurisdiction of Great Yarmouth Port Authority at that time.
- 1.3 Since the Broads Act 2009 received Royal Assent in 2009 there have been many changes to the management of water skiing as there were specific provisions within the Act to allow the Authority to manage the activity. These changes have included the formal requirement for permits, changes to the original zones in geographic limits and timings, and the requirements for skiers and their boats. The original zones were repealed and re-designated under the Broads Authority Act 2009.
- 1.4 Whilst all of these changes were being implemented on the rivers within the Broads Authority jurisdiction, a limited amount of water skiing continued to exist on Breydon Water relatively unregulated as this area was still under the jurisdiction of Great Yarmouth Port Authority.
- 1.5 However within the 2009 Act a provision existed which allowed for the transfer of Breydon Water to the Broads Authority. Following negotiations with Great Yarmouth Port Authority the Broads Authority assumed responsibility for this area on 1st June 2012.
- 1.6 An unforeseen consequence of the transfer was the overnight banning of water skiing on Breydon Water as there had been no designation of a water ski zone as the Act made it an offence to water ski in an area which had not been previously designated for the purpose.

- 1.7 During the remaining period of 2012 the Authority worked with stakeholders to propose a zone where water skiing could take place on Breydon Water. As Breydon Water is an internationally important Special Protection Area (SPA), a Ramsar site and nationally important Site of Special Scientific Interest (SSSI) so any proposed designation relating to its use is required to be assessed in accordance with the Habitats Directive. Natural England was consulted on the proposed new zone following a Habitats Regulation Assessment (HRA) (see Appendix C), and after detailed communications mitigation measures were agreed with Natural England which would allow for the zone to be established (see Appendix D).
- 1.8 Following a public consultation the Authority at its meeting on 23rd March 2013 designated a water ski zone for the purposes of a trial for a period of at least a year with effect from the 1st April 2013. Permit conditions were developed, agreed mitigation measures were implemented, signs were erected, water ski permits amended to include Breydon Water as an available water space and communication channels were established to assist with the monitoring to reflect the mitigation measures and the newly designated zone was signed and ready for use on the 1 April 2013.
- 1.9 The zone is located in the straight stretch of the navigation channel for navigational safety reasons and is 1.4 nautical miles in length (see Appendix A).
- 1.10 Following an informal review at the end of 2013 which recorded no formal use of the water ski zone the Authority at its meeting in 21 March 2014 decided to extend the trail for a further year to allow for data to be gathered.
- 1.11 In a legal agreement between the Broads Authority and British Water Ski and Wakeboard it is agreed that any changes to water ski times, geographic limits and permit conditions will be reviewed by a stakeholder panel with an independent chairman. This Water Ski Review Panel was convened and has met on a number of occasions over the years to review proposed changes to the management of water skiing.
- 1.12 The Review Panel's membership includes a wide range of stakeholders including representatives from boating, angling, rowing, conservation organisations, the hire boat industry and water skiing. Their role is to consider all aspects of the activity, usage, safety, complaints and user and ranger feedback, any potential impact on conservation objectives and other users of the Broads and to make recommendations to the Authority based on evidence.
- 1.13 Following the continued trial the Water Ski Review Panel was asked to review the outcomes and prepare recommendations for the future management of water skiing on Breydon Water.

2 Breydon Water Ski Zone Review

- 2.1 At its meeting on the 2 October 2014 the Water Ski Review Panel considered the trial of water skiing on Breydon Water (see Appendix B).
- 2.2 There had been very little activity with only one formal use of water skiing being recorded over the last two seasons on Breydon Water. This level of activity was viewed as an indicator that the zone was not as appealing to water skiers as the other river zones and future usage was believed to continue at a similar very low level.
- 2.3 The Panel further considered the potential for disturbance by water skiing of the birds on Breydon Water which were in some areas increasing in numbers and concluded that the very low usage seen over the last few years if continued was unlikely to have a significant negative impact. However further options were considered including the relocation of the zone, which was rejected due to safety concerns, additional restrictions on total number of occasions when skiing could take place and a ban on skiing over the winter period when the site is heavily used by birds over wintering.
- 2.4 It was also recognised that the Authority had powers under the 2009 Act to regulate water skiing and if there were issues developing then the Authority had a legal framework to take any necessary action.
- 2.5 After much debate the Water Ski Review Panel concluded a recommendation for consideration by the Authority to formalise water skiing on Breydon Water within the existing designated zone. No additional management measures were proposed but to continue to monitor usage and review as appropriate using powers in the Broads Authority Act 2009. Water skiers on Breydon Water would still be required to log on through Broads Control to enable monitoring to be undertaken and recording of usage within permit conditions.
- 2.6 The Boat Safety Management Group considered the safety implications of the Panel's recommendation and is content for the recommendation to proceed.

3 Options

- 3.1 Using the evidence based approach the Navigation Committee's views are sought on the options below in consideration of navigational safety and the ease and convenience of the users of the Broads.

The options below are presented to the Committee for consideration:

Option a) Accept the recommendation from the Water Ski Review Panel and formally designate the existing zone for water skiing and wakeboarding without any additional controls

Pro's	Stakeholder reviewed and agreed by Panel and Boat Safety Management Group Zone and monitoring already established, safety assessed. Good visibility
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Cons	Zone is exposed to weather conditions. Zone is close to area where birds roost in summer and winter presenting potential for disturbance
Risks	May be negatively viewed by conservation interests
Cost	No additional cost other than routine maintenance unless there were significant changes to the existing Habitats Regulations Assessment following a review process

Option b) Accept the recommendation from the Water Ski Review Panel and formally designate the zone for Water skiing and Wakeboarding but with additional controls:

- Not permit water skiing and wakeboarding during the winter (1 Nov – 1 March)
- Further reduce the total amount of skiing occasions in any one year from 78 currently agreed to account for the winter ban

Pro's	Zone already established, safety assessed. Good visibility. Reduction in potential for disturbance to birds both in summer and winter
Cons	Zone is exposed to weather conditions. Zone is close to area where birds roost in summer and winter presenting potential for disturbance
Risks	May be less negatively viewed by conservation interests No demonstrated need for additional measures
Cost	No additional cost other than routine maintenance unless there were significant changes to the existing Habitats Regulations Assessment following a review process

Option c) Reject the recommendation and embark on an additional trial period to enable data to be gathered for future consideration by the Authority

Pro's	Zone already established, safety assessed. Good visibility. Allows the Authority to state with confidence that there is no significant likely impact on the birds
Cons	Zone is exposed to weather conditions. Additional monitoring will be time consuming and may not give concrete results either way.
Risks	Results of monitoring may not be conclusive due to other disturbance drivers and lack of sufficient activity
Cost	Approximately £10,000 in staff cost

Option d) Reject the recommendation and revoke the designated water ski zone

Pro's	Likely to be welcomed by conservation interests. Reduction in maintenance costs.
Cons	Removes access by users which is at odds with BA's principles but given the extremely low level of use has impact on very few individuals

Risks	Negatively viewed by water skiing interests and other users due to restriction of existing activity
Cost	Little cost in removing signs and updating documentation

4 Next Steps

- 4.1 The Navigation Committee's views on the options will be presented to the Broads Authority on the 15 May 2015.
- 4.2 Any proposal as a result of the outcome of the Broads Authority meeting on the 15 May 2015 will be subject to a public consultation in accordance with the provisions within the Broads Authority Act 2009, which includes consulting the Broads Forum, the results of which will be presented to the Authority for consideration before a decision is reached.
- 4.3 As part of this process the Habitats Regulations Assessment will be reviewed, amended where necessary and further consultation will be entered into with Natural England.
- 4.4 As part of that consultation the Navigation Committee will be formally consulted again on the proposed option.

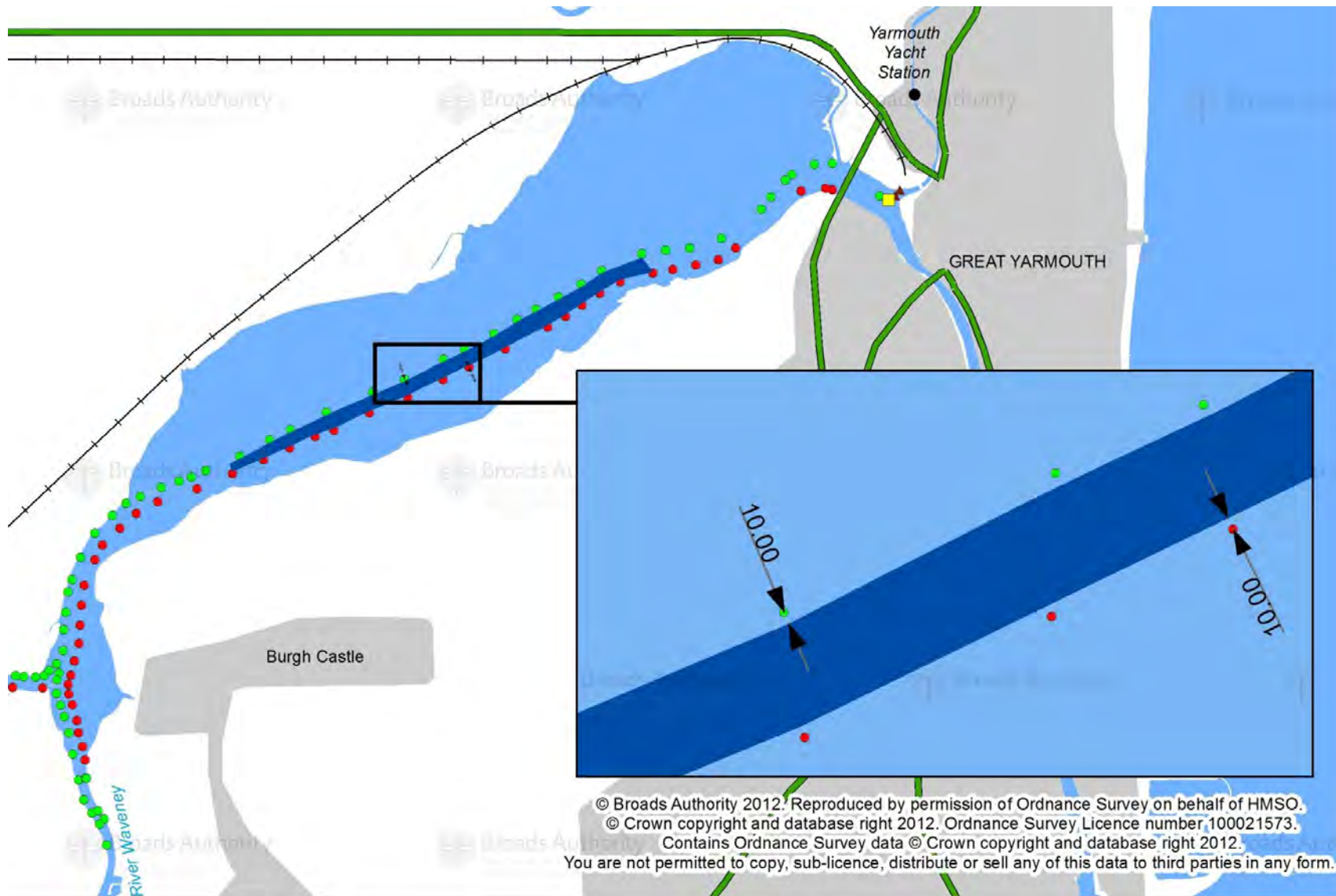
Background papers: None

Author: Steve Birtles
Date of report: 7 February 2014

Broads Plan Objectives: NA4

Appendices:
APPENDIX A – Map of Breydon Water waterski and wakeboard zone
APPENDIX B – Minutes of Water Ski Review meeting 2 October 2014
APPENDIX C - Habitats Regulation Assessment
APPENDIX D – Letter from Natural England

Appendix A



Appendix B

Broads Authority

Water Ski Review Meeting

Notes of the meeting held on 02 October 2014

Present

Ian White (in the Chair)	Independent Chair – Appointed by Broads Authority
David Broad	Broads Authority Member
Julian Barnwell	Eastern Rivers Ski Club (ERSC)
John Carr	Eastern Rivers Ski Club (ERSC)
Professor Richard Card	Norfolk & Suffolk Boating Association (NSBA)
Phillip Ollier	Royal Yachting Association (RYA)
Philip Pearson	Royal Society of the Protection of Birds (RSPB)

In attendance

Trudi Wakelin	Director of Operations, Broads Authority
Steve Birtles	Head of Safety Management, Broads Authority
Adrian Vernon	Head of Ranger Services, Broads Authority
John Ragan	Ranger Breydon Water, Broads Authority
Chris Bailey	Administrative Officer Operations, Broads Authority

1. Apologies and Welcome

Apologies were received from Tony Howes (Broads Hire Boat Federation), Laura Gillett (British Waterski and Wakeboard), Colwyn Thomas (Canoeing and Rowing), Colin Dye (Broads Society) and Diane Monsey (Natural England).

The Chairman welcomed everyone to the Water Ski Review meeting.

2. Minutes of the meeting held 15th October 2013

The minutes were approved as a correct record.

3. Matters Arising

AV reported that there had not been any complaints received during the season although there had been two minor incidents on the River Waveney. One had been when a ski boat was observed speeding towards the ski run and had been issued with a blue book warning and the second incident was where a ski boat may have turned outside the ski area and was currently being investigated. There had not been any issues on the River Yare or Breydon Water.

RC confirmed that no complaints had been received from NSBA members, which was felt to be due to good management of ERSC and thanks were expressed to the club for doing a good job.

JB confirmed that he had not heard anything from the rowing clubs which he felt

was a good sign. Skiers were using the Cantley area more therefore reducing the usage of Yare 1 where the rowers were. AV had attended a meeting with the rowers the previous evening where CT had confirmed that there had not been any issues.

Members discussed levels of activity during the season and it was confirmed that this year's log books were yet to be analysed. However permit number had reduced to 31. JB confirmed that ERSC had 105 members and three new boats had gone through the training and testing regime and that membership was static.

The Chairman reported that, as there had been little activity on Breydon Water during the 2013 season, it had been decided that the next meeting of the panel would be delayed until this October to allow for data to be collected from 2014.

4. Review of the Breydon Water Trial

The Water Ski Review Panel had been established for several years in advance of the 2009 Act which set out the panel's membership and terms of reference. The transfer of jurisdiction for Breydon Water from the Port Authority to the Broads Authority had the unforeseen consequence of outlawing water skiing on this stretch of water although this activity had historically taken place.

Consultation had been undertaken regarding establishing a ski zone on Breydon Water. A Habitats Regulation Assessment (HRA) had been conducted due to the site having several conservation designations and it being a Site of Special Scientific Interest (SSSI). Natural England (NE) having reviewed the Authority's HRA, suggested additional mitigation measures which were established through permit conditions for water skiing on Breydon Water.

At the Broads Authority's meeting in March 2013 it had been agreed that a dedicated ski zone be established on Breydon Water for a minimum of one year for the purpose of a trial with a review being undertaken in Spring 2014. Monitoring of the activity would be undertaken through:-

- Usage – numbers and times of skiers through logging on through Broads Control
- Active observations
- Ad hoc video recording

As there had been little activity to monitor during the 2013 season it had been agreed to extend the trial for a further year.

AV reported that there had been only one vessel skiing on Breydon during the 2014 season and this activity had been observed and digitally recorded. A meeting had been held on the 18th July with members from the Authority, NE and the RSPB where the video had been watched. At that meeting the RSPB had suggested a possible alternative location within Breydon Water for the water skiing to be undertaken. A site visit was subsequently conducted on the 25th September with members from the RSPB and NE member of the Navigation Committee and officers of the Authority.

The existing ski zone was visited and possible reasons why the area was not being used were identified:-

- Flat water was seldom obtained
- Strong tides
- Skiing freedom reduced by the zone and times when water skiing could take place
- The area had never been a particularly popular area for skiing
- Some of the original skiers had sold their vessels as skiing had become more expensive
- Some existing skiers did not want to comply with two people on a vessel and other BA permit conditions.

The RSPB's proposed ski zone in the area near the Dickey Works at the western end of Breydon Water between marker posts 62 to 48 was then visited. The RSPB's original proposal had been discounted as it had been felt that skiers would not be interested as the zone was too short. The area had been proposed as its narrower banks were already used by pedestrians and was felt that a person towed by a ski boat was unlikely to cause any further disturbance and would be easier for the RSPB to assist in bankside monitoring rather than on the water. It was also suggested that this area was more likely to have flat water. The RSPB had confirmed that they would check that the Dickey Works area itself was not significant for roosting birds.

SB had undertaken a risk assessment of the proposed area and the following comments were noted:-

- The length of the proposed was 980 meters which would make it the shortest designated ski zone on the Broads
- The width of the zone narrows towards the eastern end
- The zone included a bend
- There were submerged stakes in the Dickey Works area and additional channel markers would need to be installed at a cost of between £4-5K
- The NRA jetty was within the navigable channel which was a hard engineered structure

Due to these issues the risk assessment for the area had scored 14.5 and it was confirmed that 15 was classed as an unsafe area. The existing zone scored 11.

PP presented survey data which identified the numbers of birds using Breydon had increased over the last 10 years and confirmed that the importance of the estuary was increasing as well. On examination of the survey data it was noted that there had been a decline in some breeds of birds for which there was no explanation offered by the RSPB. It was further noted that bird numbers were increasing during the period 2008 to 2009 when water skiing was unregulated and there were water ski clubs at both Great Yarmouth and Gorleston using the area relatively frequently with no restrictions. Breydon Water had also been used by a couple for skiing during the winter months.

A member questioned what had happened to the birds to substantiate why the water skiers were being asked to move to a different area. It was explained that the winter season was a difficult time for birds who were more stressed and sensitive during this period and also varied between different species. There was concern for the birds in the 400m band at low water as there was the perception that someone outside the boat (a skier on the end of a towline) had a different effect on the birds than vessel movement.

AV thought that it was difficult to link the activity of skiing to the data collected and confirmed that there appeared to be no effect on the birds whether people were in or out of the cabin on the Breydon launch whereas people and dogs on the bankside had been observed causing disturbance. JB reported that ERSC with British Waterski and Wakeboard had employed a graduate to undertake a survey on the effects to the wildlife at Strumpshaw Fen. Taped noise of boats had been played and waterski boats had been used in the area with no differing effect of the birds.

It was recognised that the lack of water skiing on Breydon had caused difficulties in monitoring and that there needed to be activity undertaken to monitor what impact this had on the birds. Members noted that there was no sign of any birds on the video clip which had been taken when the only skiing activity on Breydon had been filmed this season.

JB suggested that if the period October through to March was a key time to wintering birds there was the option of having a closed season for the activity during this period.

It was felt that there was a perceived risk of disruptions to the wintering birds which had not been substantiated and concern was expressed that the proposed ski zone was at the beginning of Breydon Water from the Southern rivers which was a busy area for boat movement. It was suggested that there was not enough evidence to support the moving of the existing zone but the proposal could be a reserve site to be considered if there were problems in the future.

5. Future Management Options

Members reviewed the options for consideration for recommendation to the Authority noting that any revocation and designations would need to be subject to full consultation as set out in the Broads Authority Act 2009:

- a) Formalise the existing water ski zone on Breydon Water and continue to monitor usage and review as appropriate using powers in the Broads Authority Act 2009 – It was recognised the importance of gathering good evidence on the possible impact of water skiing and noted the increase year on year of bird numbers.
- b) Revoke the designation of the water ski zone thus removing water skiing in its entirety from Breydon Water – This option was not supported by members and was confirmed that Special Directions could be issued by the Authority if there were any issues.

- c) Revoke the existing water ski zone and designate a new zone stating where and when water skiing could take place as proposed by the RSPB – Although the proposed ski zone between marker post 48 to 62 could and had been used historically it was recognised the zone was not as good as the existing zone.
- d) Vary the times when water skiing could take place in the existing zone to further mitigate any potential significant effect on the features of the site. – Ski times were already defined relating to high and low water but the option to have a closed season from October through to March could be considered for the future if required. PP suggested that there could be amendment to the permitted ski times ½ before and 2 hours after low water, but concern was expressed regarding the need for vessels to transit Breydon at low to slack water to allow transit under the bridges. There was no real appetite for recommending this option

The Chairman suggested members recommended to the Authority the formalisation of the existing ski zone on Breydon Water as there did not appear to have any significant effect on the habitat and there was the requirement for the Authority to continue to monitor the position. There would be the requirement on the Authority to revisit and examine the following options if over a period of time the trend changed:-

- Introduce a close season in the winter
- Relocate zone upstream
- Revising skiing times bearing in mind the need for people to transit under the bridges
- Special Directions could be issued
- The Water Ski Review Panel could be reconvened

Members were reminded that water skiing on Breydon Water was not a new activity and that the only difference now due to that transfer of Breydon Water to the Authority was that it was regulated. The Authority was exercising control over the activity and was monitoring the impact. The Authority in conjunction with the RSPB and NE should look at statistical information against usage. Reliable evidence on the impact of activities undertaken outside of boats should be examined in order to make an informed judgement in the future. PP confirmed that the RSPB would be willing to assist in survey work but that charitable contributions could not be used for statutory obligations.

Members agreed the suggestion for the recommendation to formalise the existing water ski zone on Breydon Water and continue to monitor usage and review as appropriate using powers in the Broads Authority Act 2009. Water skiers on Breydon Water would still be required to log on through Broads Control to enable monitoring to be undertaken and recording of usage within permit conditions.


TW requested that a copy of the RSPB's survey data could be given to the Authority which would then be included in the report to the Broads Authority's members.

6. Any Other Business

This would be the last meeting of the Water Ski Review panel as it had completed its obligations to review and advise the Broads Authority on an appropriate management framework for water skiing and wakeboarding. The Authority would continue monitoring activity within the ski zones which would be reviewed under the Port Marine Safety Code's Annual Hazard Review through the Boat Safety Management Group. Members were advised that they could raise any issues with the Authority and if necessary a further meeting of the panel would be arranged.

The Chairman expressed his thanks to members of the panel saying that at the start of the process members had not been in favour of promoting water skiing on the Broads. However working through the collected evidence and the excellent input from the skiing fraternity had resulted in a positive outcome. It was recognised that it could be an awkward situation for the RSPB but that a sensible approach had always been taken and had worked well with the ski club for a better understanding of the issues. The Broads Authority staff were thanked for all the work undertaken.

DB expressed his thanks to the Chairman confirming that, although at present there was no need for the panel to meet again, the activity would continue to be monitored and that any issues relating to Breydon would be raised at the Breydon Water User Group meeting.

Appropriate Assessment Habitats Regulations Assessment		 Broads Authority <small>The Broads - a member of the National Park family</small>
<i>Broads Authority Assessment of Likely Significant Effect on a European Site</i> The new application for designating a water ski zone on Breydon Water.		
PART A		
1.	Type of permission/activity:	Designating a water skiing zone for recreational water skiing on Breydon Water (SSSI, SPA, Ramsar). Designating body is the Broads Authority
2.	National Grid reference:	See Maps Appendix 1
3.	Site reference:	Breydon Water (SSSI, SPA, Ramsar).
4.	Brief description of proposal:	The proposal involves allowing water skiing within a 1.4 nautical mile stretch of the navigation channel of Breydon Water
5.	European site name(s) and status:	Breydon Water (SPA, also SSSI and Ramsar site)
6.	List of interest features:	See Table 1 for full list of features notified for the Internationally important SPA, Ramsar and nationally important SSSI in the attached Conservation Objectives and Favourable Condition. SPA peak bird numbers (Jan 2011) See Appendix 3 for full summary data 7150 Golden plover 29370 Wigeon 16955 Lapwing 5407 Dunlin
7.	Is the proposal directly connected with or necessary to the management of the site	No

8. **What potential hazards are likely to affect the interest features?** (Refer to relevant sensitivity matrix and only include those to which the interest features are sensitive). **Are the interest features potentially exposed to the hazard?**

Potential Hazards and Exposure:

There is considerable literature on bird disturbance. The references used in this HRA is set out below:

- BOU proceedings: <http://onlinelibrary.wiley.com/doi/10.1111/ibi.2007.149.issue-s1/issuetoc>
- Davidson N., Rothwell, P. 1993. Disturbance to waterfowl on estuaries. WSGB 68 Special Issue is available at <http://elibrary.unm.edu/sora/IWSGB/n068/>
- BTO report: <http://www.bto.org/sites/default/files/u196/downloads/rr388.pdf>
- Orwell estuary disturbance study 2004-05: [http://www.suffolkcoastandheaths.org/uploads/STOUR-ORWELL%20DISTURBANCE%20STUDY%202004-05%20REPORT%2025-9-05\(2\).pdf](http://www.suffolkcoastandheaths.org/uploads/STOUR-ORWELL%20DISTURBANCE%20STUDY%202004-05%20REPORT%2025-9-05(2).pdf)
http://www.uea.ac.uk/env/all/teaching/eiaams/pdf_dissertations/2011/Millican_Luke_2011.pdf
http://www.solentforum.org/resources/pdf/natconsv/solent_disturbance_phase1.pdf
- **Direct disturbance to significant populations of wintering birds** – NE report (2001) states that birds are highly vulnerable to disturbance from waterskiing and that further investigation is required to assess the impacts at Breydon. Wintering birds are disturbed by high speed craft on Breydon Water SPA (pers comm. RSPB). This disturbance is in response to high speed boat activity across Breydon Water. The RSPB have observed that often flocks of birds will not settle for periods up to one hour or on some occasions they will leave the estuary, on which they rely for feeding and resting. Birds are not significantly disturbed by boats travelling within the channel at lower speeds (EN 2001). This disturbance had not been reported to the Port Authority or to Natural England as it was only observed on a few times.
- **Direct disturbance to significant populations of summer birds** – Birds are already exposed to a high background of regular recreational vessels within the navigation channel, particularly during the summer (over 400 movements recorded at Great Yarmouth Yacht station in the 2010 three day summer boat census – see Appendix 2). Waterskiing is likely to form a small fraction of the overall summer boating activity. The majority of waterskiing will take place in the summer. It is proposed that waterskiing will be confined to the navigation channel and a further 10m inside the posts for safety reasons. There is no evidence that suggests that summer birds are significantly disturbed by current recreation activity. However, there is a single record of possible fatalities of shelduck (Peter Allard pers. comm.) as a result of water skiing. The proposed water ski zone seeks to formalise and regulate the previous and current activity that mainly occurs in the summer to monitor and understand any impacts through data collection and observation.
An assessment of the historic level of use as well as frequency and timing, area of use, and control measures has been compiled and is attached as Appendix 5
- **Wash** – It is envisaged that the wash from water skiing will not be a significant hazard as all water ski tow boats have a planning hull profile and once up to cruising speed deliver very little wash compared to displacement hull forms of other recreational boating that occurs on the site. All permitted ski vessels are tested to ensure they comply with wash standards set out in Water Ski and Wakeboard environmental standards
- **Pollution** – It is not envisaged that pollution from water ski boats will be a significant issue as all vessels within the Broads are required to comply with the national Boat Safety Scheme which sets standards to control the risk of fire, explosion and pollution.
- **Noise** – All permitted ski vessels are tested to ensure they comply with British Water Ski and Wakeboards environmental standard and the noise levels demonstrated are not largely different from noise from other recreational boats.
- **Unqualified skippers** – All permitted ski vessel drivers are required to successfully complete the British Water Ski and Wakeboard ski boat driver course. There is no mandatory requirement for qualifications of skippers of other recreational boats.

All mitigations listed below will be enforced through the waterskiing permit scheme, and monitored and enforced on site where possible by the Broads Authority rangers.

The full list of mitigations that are proposed to be put in place for the proposed Breydon water ski zone are:

- Broads Authority Act 2009 states it is an offence to water ski in any area that has not been designated and as such water skiing will only be able to take place the proposed zone area on Breydon which will be signed. This is a restriction of approximately 59% of the previous area historically used for the activity therefore limiting any potential disturbance to a smaller area.
- Water skiing will only be able to take place at the times prescribed by the Authority. For Breydon Water this means that skiing is prohibited between 0.5 hrs before and 2 hrs after predicted low water at Yarmouth Yacht Station.
- Patrolling of Breydon Water will be undertaken by the Broads Authority year round, to police the permit conditions and issue Special Directions to regulate activity if required.
- All skiers will be required to book on with Broads Control before commencing skiing to facilitate active monitoring.
- All water skiing activity will be permitted and key permit conditions are set out below:
 1. All drivers to hold the Ski Boat Driver Award;
 2. A minimum level of insurance (£2,000,000 third party liability) required;
 3. Boats to have passed a wash and noise test and a steering check;
 4. All permit holders are required to be members of Eastern rivers ski club and British Water Ski and Wakeboard;
 5. All permit holders are required to submit log books of their activity at the end of the licence period to the Authority. These are used to monitor usage and review the activity.
- Other conditions relating to navigational safety, which were previously set out in byelaws.
- A full set of the current conditions are set out in Appendix 4, also included is the current legal agreement between the BA and British Water Ski and Wakeboard and the Eastern Rivers Ski club.
- Monitoring of the zone usage will take place throughout the year, including proactive monitoring via the booking on system (Broads Control) and observations made by the local rangers, and reactive monitoring through analysis log books.
- A review by Broads Authority officers will be triggered if usage of the zone exceeds the soft usage cap as defined in Appendix 5
- A review will be undertaken by the independent Water ski Review Panel in October 2013 to agree the effectiveness of the measures, usage of the zone, and identify whether any additional constraints need to be applied.

8. **What potential hazards are likely to affect the interest features?** (Refer to relevant sensitivity matrix and only include those to which the interest features are sensitive). **Are the interest features potentially exposed to the hazard?**

Sensitive Interest Feature:	Potential hazard:	Potential exposure to hazard & mechanism of effect/impact if known:
Aggregations of non-breeding birds:		
Bewick's Swan *	None above normal activities in this area	No
Wigeon *+	None above normal activities in this area	Yes
Shelduck *+	None above normal activities in this area	Yes
Avocet *	None above normal activities in this area	Yes
Golden Plover *	None above normal activities in this area	Yes
Ruff *	None above normal activities in this area	Yes
Common Tern *	None above normal activities in this area	No
Lapwing +	None above normal activities in this area	Yes
Shoveler +	None above normal activities in this area	Yes
Gadwall +	None above normal activities in this area	Yes
European white-fronted Goose	None above normal activities in this area	No
Black-tailed Godwit	None above normal activities in this area	Yes
Zostera community: Intertidal mudflats and sand flats; eel grass beds	None above normal activities in this area	No
Plant assemblage of coastal embankments, sea-walls, open poached, dry or periodically inundated brackish or saline mud	Changes in extent would be considered unfavorable if attributable to activities which interrupt natural estuarine processes. There is no evidence that the existing levels of boat activity which includes high speed boats and any associated erosion and resuspension is resulting in any impact on the designated features.	No

* Annex 1 species + Migratory species

9. Is the potential scale or magnitude of any effect likely to be significant?

a) Alone? (explain conclusion, e.g. in relation to de minimus criteria)	Yes/No, as the use is restricted to below half of historic use there is therefore a reduction to the degree of disturbance that the birds are already subjected to. No reported concerns have been raised and populations/ species present have increased since designations were applied. (Including the prevailing environmental influences)
b) In combination with other plans or projects?	Yes/ No Other normal boating activity (e.g. recreational boating).

<p>c) In combination with plans/projects of other Competent Authorities?</p>	<p>Consultation has been undertaken with NE as competent authority, RSPB, Great Yarmouth Bird Club and local naturalist Peter Allard.</p> <p>EA/BESL - Planning application to be submitted, accompanied by and EIA, in the next 4-6 weeks for improvement works to 1.2km of floodbank on the north side of Breydon. Discussions with NE and RSPB have resolved that there will be no significant effects on the SPA subject to suitable programming of works to avoid winter and breeding season.</p> <p>The work will include a small encroachment onto the SPA because of the need to do front face strengthening along the section immediately next to the railway line (drawings can be provided). BESL will be sourcing material from Railway Marsh (in partnership with RSPB), which is within the SSSI but not the SPA.</p> <p>BA – work to navigation channel marking. Works in two phases, to avoid as much as practical the main over-wintering period.</p> <ol style="list-style-type: none"> 1. Downstream of Breydon Bridge close to the mouth of the River Bure (outside of the SSSI). Remove and replace a damaged marker and install two additional marker posts. Due to the tidal conditions and channel restrictions, for safety reasons this work has to be undertaken outside of the main hire boat season. The work will take approximately 10 days and we have a start date of 12th November 2012 – now completed. 2. In the same area as above and on Breydon water. Removal of dolphins at the mouth of the River Bure and installation of timber marker posts and piles at the upstream end of Breydon Water. Programmed to start in April with approximately 2 weeks work on Breydon Water. <p>NCC/EA/BESL - Easy-access ramp from Asda car park, grass mesh, replacement hide and information board. This is already a heavily walked section around Breydon so this project is unlikely to change the degree of disturbance that the birds are already subjected to. The project will be accompanied by an Environmental Statement.</p> <p>There are no other Competent Authorities that have plans or projects that could act in combination with waterskiing. The Authority can conclude that this application alone will not result in adverse effect on the SPA and could also act in combination with other plans/projects being undertaken with the Breydon Water area.</p>
<p>10. Conclusion: Is the proposal likely to have a significant effect 'alone or in combination' on a European site?</p>	<p>Yes/No</p> <p>Given the historic and predicted use of the water ski zone coupled with the controls and mitigation measures proposed the Authority can conclude that there will be no likely significant effect on the features of the site.</p>
<p>11. Other competent authorities involved</p>	<p>Natural England</p>
<p>12. Determine the extent to which each possible impact can be avoided.</p>	<p>49</p>

What alternative solutions could be considered?	None	
11. Name of BA Officer:	Trudi Wakelin	Date: 25/03/13
12. NE comment on assessment: (If the NE officer disagrees with the conclusion of 10c, please include details of the other Competent Authorities which should be consulted).		
13. Name of NE Officer:		Date:

References

Breydon Water European marine site, English Nature's advice given under Regulation 33(2) of the Conservation (Natural Habitats & c.) Regulations 1994, published in 2001 by English Nature (now Natural England)

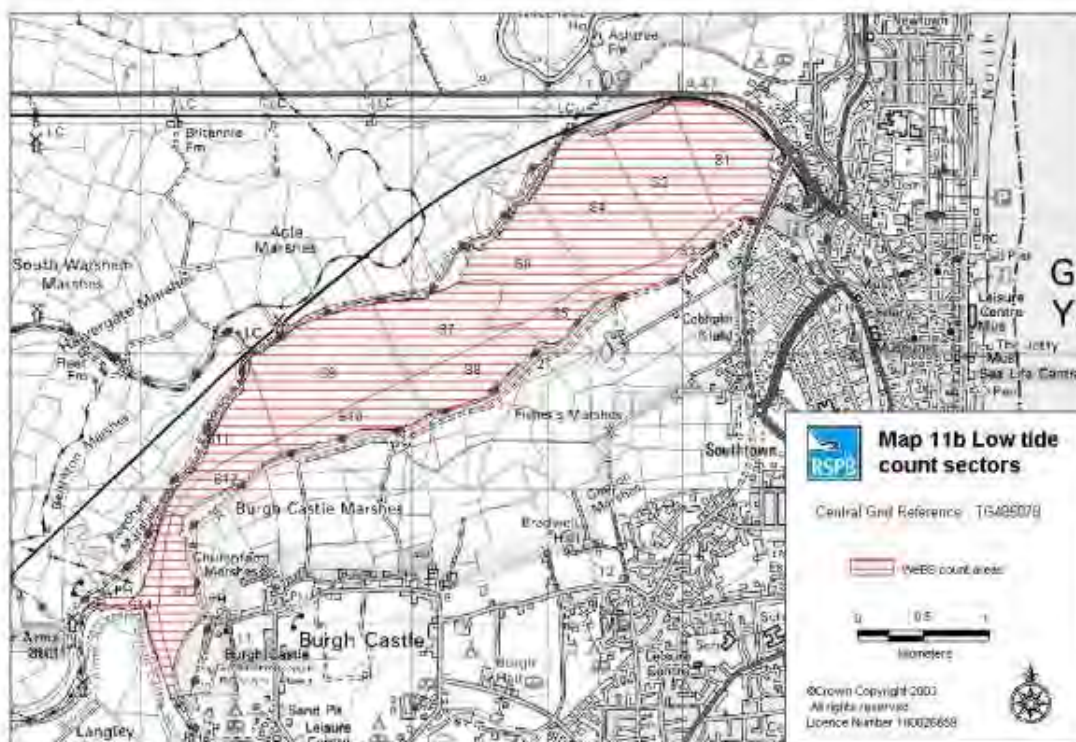
Appendix 1. Maps of Breydon

(see Appendix 4 and 5 in the main Broads Authority Committee report 231112) <http://www.broads-authority.gov.uk/authority/meetings/broads-authority.html>

Appendix 2. BoatTrafficthat is indicative of summer boating activity on Breydon water

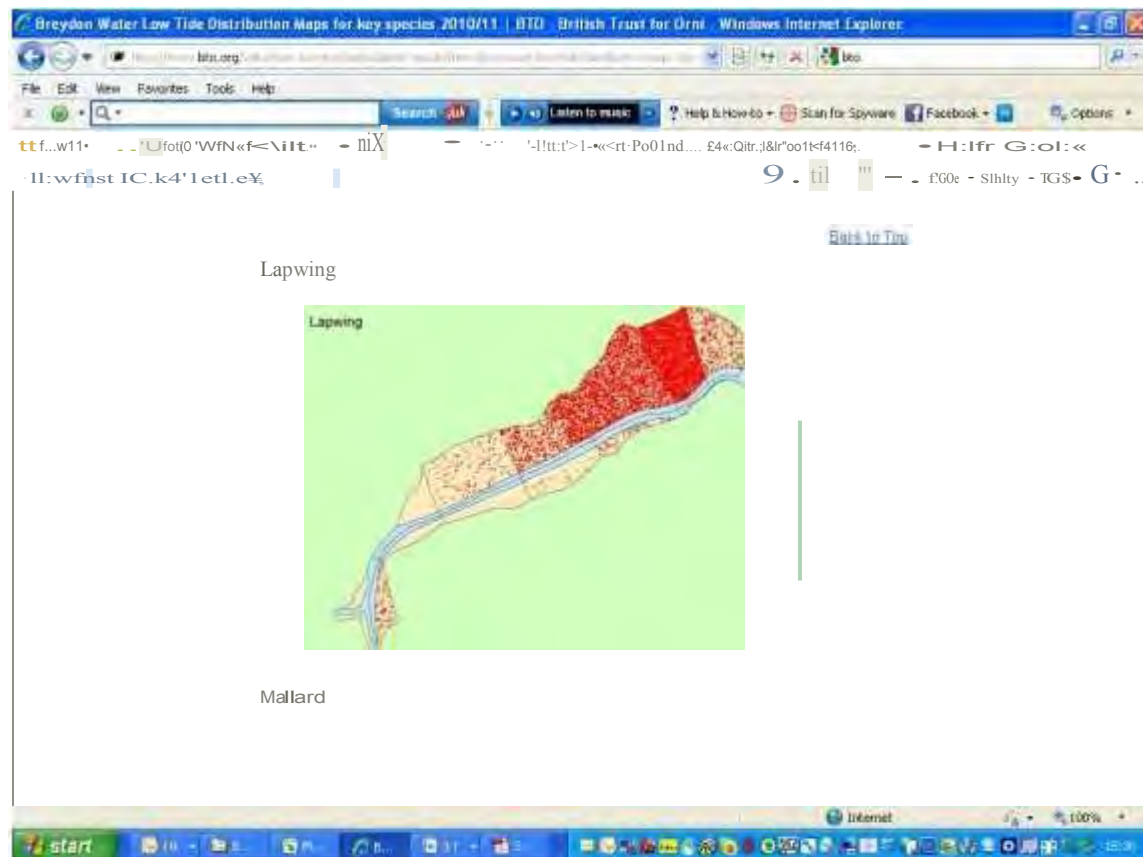
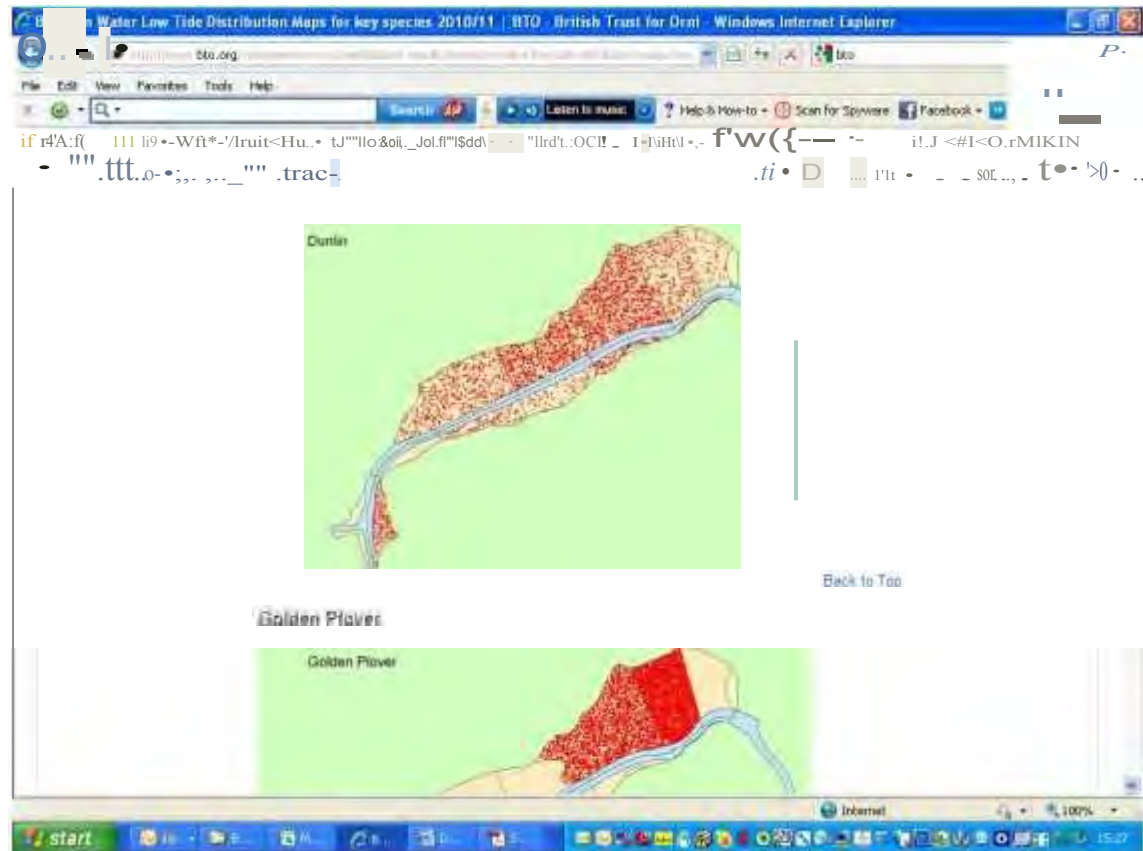
(see Appendix 6 and 7 in the main Broads Authority Committee report 231112) <http://www.broads-authority.gov.uk/authority/meetings/broads-authority.html>

Appendix 3. Low Tide Counts zones, summary data and distribution for Breydon Water



Site	Month	Species	LTC
Breydon Water and Berney Marshes	01-DEC-10	Lapwing	438
Breydon Water and Berney Marshes	01-NOV-10	Wigeon	6457
Breydon Water and Berney Marshes	01-NOV-10	Dunlin	3070
Breydon Water and Berney Marshes	01-JAN-11	Wigeon	29370
Breydon Water and Berney Marshes	01-FEB-11	Dunlin	3470
Breydon Water and Berney Marshes	01-NOV-10	Redshank	801
Breydon Water and Berney Marshes	01-JAN-11	Teal	562
Breydon Water and Berney Marshes	01-DEC-10	Teal	375
Breydon Water and Berney Marshes	01-JAN-11	Golden Plover	7150
Breydon Water and Berney Marshes	01-FEB-11	Black-tailed Godwit	548
Breydon Water and Berney Marshes	01-NOV-10	Black-tailed Godwit	878
Breydon Water and Berney Marshes	01-JAN-11	Lapwing	16955
Breydon Water and Berney Marshes	01-DEC-10	Dunlin	5407
Breydon Water and Berney Marshes	01-DEC-10	Wigeon	8812
Breydon Water and Berney Marshes	01-JAN-11	Avocet	150
Breydon Water and Berney Marshes	01-JAN-11	Redshank	1194
Breydon Water and Berney Marshes	01-FEB-11	Oystercatcher	34

Breydon Water Low Tide Distribution Maps for key species 2010/11





BROADS AUTHORITY

Water Skiing and Wake Boarding Permit

This Permit is issued under Section 27 of the Broads Authority Act 2009.

The Broads Authority hereby permits

_____ to navigate the Authorised Vessel

for the purpose of towing a water skier (or wake boarder) in the zones and at the times specified in Appendix 1 to this Permit provided this is in accordance with the conditions specified below.

This Permit is issued on the basis that

- a) the Authorised Vessel has a block area of no more than 13 square metres, has a planing hull, and does not have permanent covered accommodation.
- b) the Authorised Vessel has been registered in accordance with the Authority's Byelaws and that payment of the Prescribed Annual Toll for the vessel has been made.

In this Permit the following definitions apply:-

The "2009 Act" means the Broads Authority Act 2009

"Authorised Vessel" means the vessel described in Part 1 of the Schedule

"Authorised Person" means the persons named in Part 2 of the Schedule

The "Authority" means the Broads Authority

The "Permit Holder" means the person named above

The "Prescribed Annual Toll" means the appropriate annual toll within a scale of tolls, currently in force in any year, as prescribed by the Authority pursuant to Section 26 of the Harbours Act 1964

"Kill Cord" means a device to automatically stop the engine of the Authorised Vessel if the person navigating the Vessel leaves the helm

"Air Chair" means a board or chair with an integral hydrofoil for the purpose of lifting the rider and board or chair above the surface of the water

“Bank Start” means where a skier is pulled from a bank or platform by a water ski vessel to start the water skiing activity.

“Boom” a device which extends over the edge of a vessel for the purpose of providing physical support during training and for barefooting.

“Inflatable” means an object that can be inflated with gas or air.

“Jumping” means being towed by a boat and using a ramp to leave the surface of the water.

“Parascending” means being towed behind a vessel while attached to a specially designed parachute, known as a parasail.

“Kneeboard” means a buoyant board ridden in a kneeling stance that is used to ride on water whilst being towed behind a boat.

“Wakeboard” means a device where the feet are bound to a device at an acute angle to the parallel that is designed to travel on the wake created by the towing vessel,

“Water Ski” means a ski-like board used in pairs, or a mono ski, where the feet are bound in-line with the parallel that is designed to ride on water whilst being towed behind a boat.

THE CONDITIONS

1. This Permit runs from _____ to 31 March 2013 unless cancelled earlier by the Authority under Condition 23 of this Permit.
2. This Permit is personal to the Permit Holder and is not transferrable.
3. (a) This Permit does not permit anyone other than the Permit Holder and the Authorised Persons to navigate the Authorised Vessel.

(b) Condition 3(a) does not apply in respect of training for the British Water Ski ski-boat driver award that can be undertaken for a maximum of 3 months in the period covered by this Permit. The Permit Holder or Authorised Person must be on board the Authorised Vessel and is considered master of the vessel at all times during the period of training.
4. a) This Permit authorises the Permit Holder and the Authorised Persons to navigate the Authorised Vessel at a speed over the ground greater than specified in the Broads Authority Speed Limit Byelaws 1992 Schedule 1 while being used for the purpose of “towing a water skier” in the zones and at the times specified in Appendix 1 to this Permit

b) For this purpose, “towing a water skier” shall be deemed to include the act of recovering a water skier who has been separated from the vessel during towing.
5. The Permit Holder and any Authorised Person must:-

(a) Throughout the period of this Permit each maintain a policy of insurance in respect of any liability referred to in paragraph 2 of Schedule 3 to the 2009 Act in the sum of £2,000,000.

(b) On written request from an Officer of the Authority to do so produce to the Authority evidence of the insurance cover referred to in Condition 5 (a).
6. (a) The Permit Holder and any Authorised Person and any person under training must throughout the period of this Permit:-
 - (i) Each be a member of both the Eastern Rivers Ski Club and the [British Water Ski & Wakeboard](#)
 - (ii) Except where Permit Condition 6 (b) applies, only tow water skiers or wake boarders who are members of such clubs.

- (b) Condition 6 (a) (ii) does not apply in respect of water skiers and wake boarders who are towed up to a maximum of 4 occasions in the period covered by this Permit.
- 7. The Permit Holder and any Authorised Person must throughout the period of this Permit each hold a current British Water Ski Boat Driver Award or qualification approved by the Authority following consultation with the British Water Ski and Wakeboard.
- 8.
 - (a) Whilst in use for the purpose of water skiing or wake boarding the Authorised Vessel must display in the approved position a set of registration marks at a minimum height of 225mm (9 inches) and of a type, colour and material approved by the Authority.
 - (b) For this purpose, “approved position” means on each side of the bow and at the after end of the vessel so as to be visible from astern.
- 9. The Authorised Vessel must not be used pursuant to this Permit if, following its issue, either:-
 - (a) A material change is made to it or to its systems which in either case may affect the generation of wash or noise from the vessel, unless that change has been approved by The Authority; or
 - (b) A change is made to the vessel that either increases its block area to more than 13 square metres or involves the provision of a non-planing hull or permanent covered accommodation.
- 10. The Authorised Vessel must have completed and passed a Wash and Noise Test of a type approved by the Authority and complying with the pass criteria set out in Appendix 3 to this Permit.
- 11.
 - (a) The Authorised Vessel must be subjected to an annual test (which complies with the methodology set out in Appendix 4 of this Permit) carried out by a person approved by the Authority which verifies that:
 - (i) The steering system of the vessel is in good condition and fit for purpose and,
 - (ii) The Kill Cord functions correctly.
 - (b) The Permit Holder must produce to the Authority on request details of the test carried out under condition 11(a).
- 12. The Permit Holder and any Authorised Person must use “approved equipment” only
 - a) For this purpose, “approved equipment” shall be limited to
 - i. The Authorised Vessel
 - ii. Tow Rope;
 - iii. Knee Board

- iv. Wake Board
- v. Skis
- vi. Boom

13. The Permit Holder and any Authorised Person must not permit the use of ballast or excessive weight in the vessel or carry passengers in excess of the manufacturer's recommendations.
14. The Permit Holder and any Authorised Person must not permit the use of "air chairs", and any "inflatable".
15. The Permit Holder and any Authorised Person must not cause an Authorised Vessel to make any sustained wave, against a bank, of more than 300 mm (12 inches) in height from trough to crest.
16. (a) The Permit Holder must:-
 - (i) Maintain and keep up to date a log book issued by the Authority in respect of the use by the Permit Holder and any Authorised Person of the Authorised Vessel under this Permit.
 - (ii) Keep the log book on the Authorised Vessel whilst being used by the Permit Holder and any Authorised Person under this Permit.
 - (iii) Produce the log book on request to any officer of the Authority.
 - (iv) Return the log book to the Authority at the end of the period covered by this Permit or upon its cancellation if earlier.
- (b) Any Authorised Person whilst operating the Authorised Vessel under this Permit must produce the log book on request to any officer of the Authority.
17. The Permit Holder and any Authorised Person must navigate the Authorised Vessel with care and caution.
18. The Permit Holder and any Authorised Person must not navigate the Authorised Vessel unless there is also on board at least one person to provide assistance during towing.
19. The Permit Holder and any Authorised Person must not at any time navigate the Authorised Vessel so as to tow more than 2 persons.
20. The Permit Holder and any Authorised Person must ensure that any water skier or wake boarder being towed does not engage in parascending, ski jumping, or bank starts.
21. The Permit Holder and any Authorised Person must:-
 - (a) Use tow-ropes of equal length when towing two water skiers; and

- (b) Ensure that two water skiers do not cross in front of, or behind, each other; and
 - (c) Not navigate the Authorised Vessel without attaching the Kill Cord to their person in a way which ensures that it will operate effectively.
22. a) The Permit Holder and any Authorised Person must ensure that any water skier or wake boarder being towed remains in or on the water at all times during towing.
- b) Condition 22 (a) does not apply in respect of water skiers and wake boarders provided that all of the conditions 22 b) i),ii),iii), and iv) are complied with.
- i) Water skiing and wake boarding shall be limited to zones and times set out in Appendix 2.
 - ii) No more than six concurrent Authorised Vessels are used at any one time in any one zone set out in Appendix 2.
 - iii) The Permit holder and any Authorised Persons shall register with the Authority on each occasion their intention to navigate the Authorised Vessel.
 - iv) The Permit Holder and any Authorised Person must not at any time navigate the Authorised Vessel so as to tow more than 1 person.
23. The Authority may cancel this Permit, or amend its conditions, if:-
- (a) The Permit Holder or any Authorised Person is convicted of an offence under Section 29 of the 2009 Act; or under any byelaw made by the Authority; or
 - (b) Condition 5 of this Permit has not been observed.

The Schedule

Part 1

The Authorised vessel to which this Permit applies is as follows¹:

Part 2

¹ This information should be added by the Broads Authority only.

The Authorised Person/s to which this Permit applies is/are as follows²:

1	Permit Holder
2	Authorised Person
3	Authorised Person
4	Authorised Person

Appendices

- 1 Water Ski and Wake Boarding Zones and Times
- 2 Water Ski and Wake Boarding Zones and Times applicable to the Wake Boarding Trial 2012/13
- 3 Wash and Noise Test Pass Criteria
- 4 Annual Steering and Kill Cord Test Methodology

² This information should be added by the Broads Authority only. Additions **or** also only be made by the Broads Authority.

Breydon Water ski designation

Background

Waterskiing has taken place on Breydon Water for in excess of 40 years. During this time the Great Yarmouth Water ski Club operated approximately 25 – 30 boats, prior to the club's amalgamation with Eastern Rivers Ski Club (ERSC) in 2001.

Frequency and timing of use

The level of historic use has been investigated, through personal communications with the Chair of Eastern Rivers Ski Club and individual skiers, with 6 ski boats identified as active over recent years. 4 of the skiers involved have been interviewed concerning the frequency of their previous activities.

It has been confirmed that most activity has taken place between April – Nov, largely in evenings and weekend days, with 2 skiers reporting skiing activity in March, and 1 reporting activity all year and also in early mornings. All activity took part when weather and sea state were favourable.

The duration of skiing in the summer is usually between 2 to 3 hours per session although the shoulder months have reduced opportunity in the evenings due to available daylight. In the winter only one water skier has confirmed that they had previously water skied during the winter and only for periods of between 1 to 1.5 hours mainly due to the temperature encountered. The skier confirmed that they engaged in water skiing in all weathers however when very low temperatures existed this curtailed the duration to a maximum of 1 hour per session.

Historically those taking part in water skiing on Breydon rarely engaged in the activity together/ at the same time, as there were no restrictions on access.

With this information it can be estimated that maximum potential skiing movements are likely to be as follows in the table below, based on 2013 calendar/ tide table and the assumptions outlined;

The restriction the Authority has proposed regarding no water skiing to take place between 0.5 hour before to 2 hours after predicted low water at Yarmouth Yacht Station has reduced the available opportunities for water skiing in the evenings due to the timings of the low water event and the available daylight hours. The number of evenings when water skiing is viable are shown in column 6 in the table below. This is the number of evenings between 1600 hours and sunset where the available time to water ski is greater than 2 hours dictated by the tide restriction and available daylight.

E.g. Sunset is 2000 hrs minus 2 hours to ski minus 2 hours after low water when skiing is prohibited delivers a result that if a low water time later 1600 hrs skiing not viable. This method has been applied to the 2013/14 tide tables to determine the number of available skiing opportunities in the evenings. Furthermore if the low water events is mid day to early evening at weekends this will likely deter skiers from participating at the weekend days, this has been applied to the data shown in column 7 of the table which shows the likely remaining weekends available for skiing.

Further assuming that potential skiing opportunities will be affected by weather events occurring during the course of the year which will inhibit activity (high winds, rain, low temperatures) it is suggested that a reduction of a 20% weather factor be applied to reduce the maximum potential available opportunities, shown in the table below;

Reported individual use			Potential use opportunities			
Months	Reported frequency	Reported individual uses	Potential Evenings (after 4pm)	Potential Weekend days	Available potential after Tide/ daylight restrictions (Eve, after 4pm)	Available potential after Tide/ daylight restrictions (w/e days)
March	Every w/e day	10	20	10	5	6
April – October	Every w/e day	60	156	60	83	30
	30+ times	30				
	2x per week	62				
	Every Sunday* plus 1 weekday per week	30* 31				
Nov - Feb	2x per month	8	nil	34	nil	23
Maximum potential uses			176	104	88	59
Suitable Weather factor	-20%		280		147 (113 summer) (34 winter)	
total individual use		231			118 (91 summer) (27 winter)	
* Grand total noting reported concurrent use		183 (summer) 18 (winter)				

The grand total of available opportunities to water ski of 118 compared with the previous total reported use 231 would infer that if the activity were to remain as previously reported the overlap of uses would increase due to the reduced available time slots.

This would therefore reduce the number of likely disturbance events by 49% on those that were presented when the activity was uncontrolled. Additionally permit conditions require 3 persons in a ski team (helm/ lookout/ skier) then this also increases the likelihood of concurrent use. The water skiers on Breydon have reported that they very rarely saw other water skiers either confirming that the activity when concurrent occurred in more than one area of Breydon or that there was serial activity given the number of reported uses.

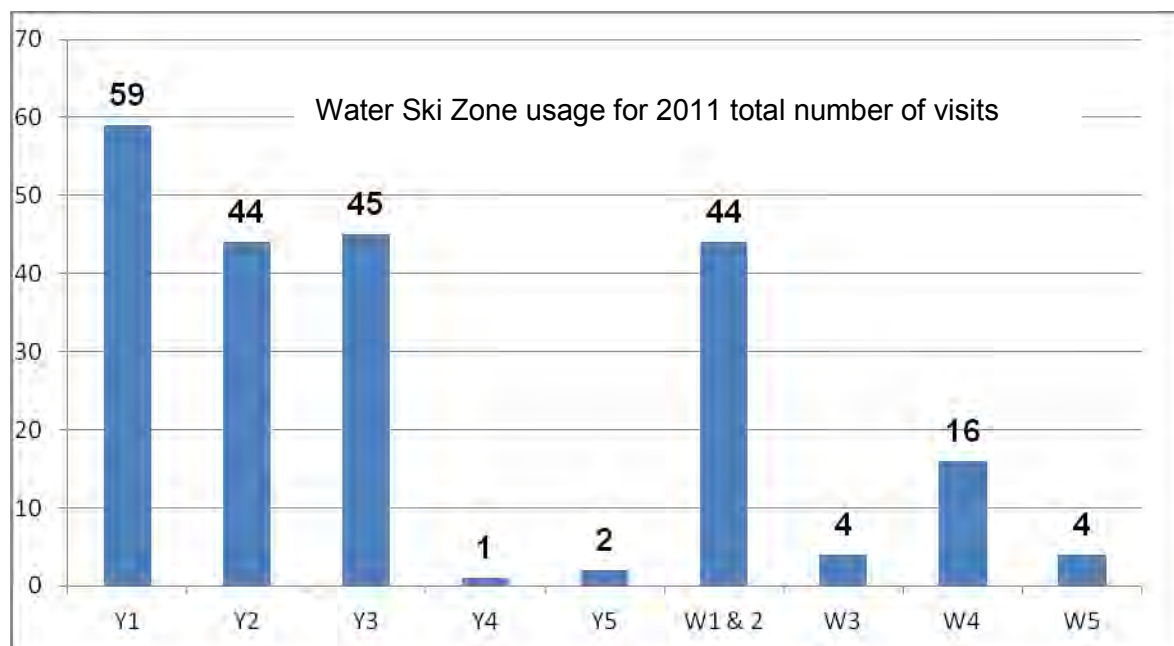
This level of activity of 231 visits would also assume that the number of active skiers were to remain as previously reported however the following must be considered –

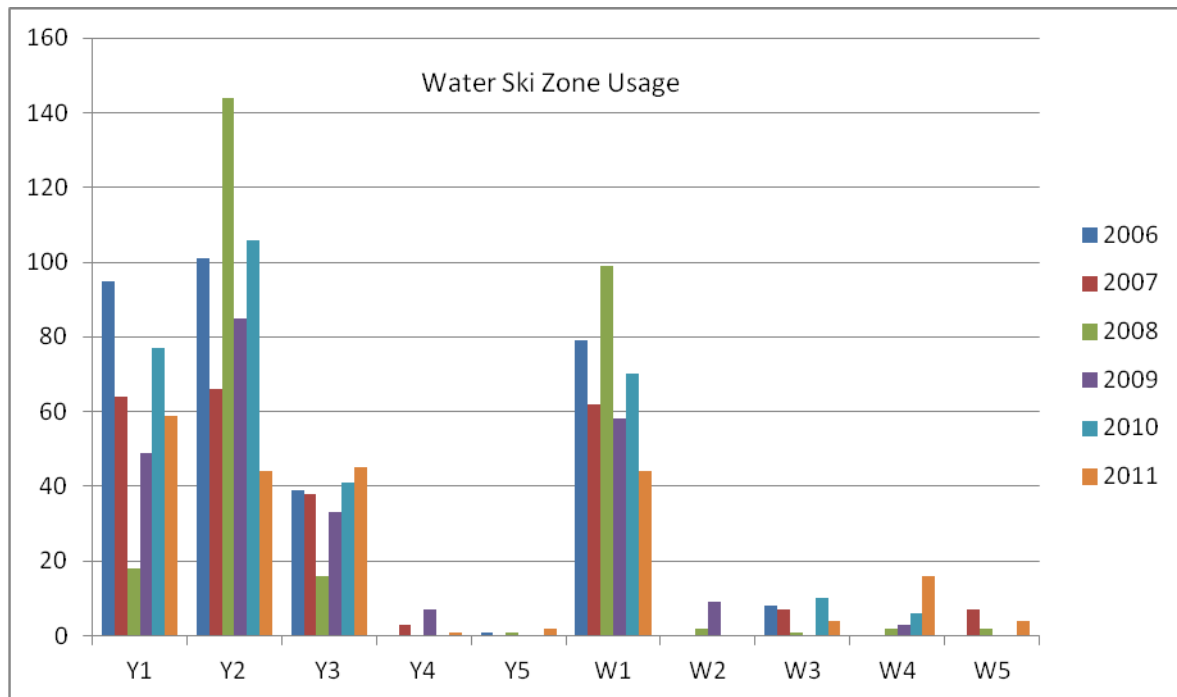
- a) the skier who reported to ski during the winter period has stopped water skiing and sold all of his equipment and his boat thus potentially removing all of the winter usage some 18 visits reported.
- b) from the analysis of water ski log books for the river sections that there is little to no activity during the winter period, these river sections would be preferred to Breydon as they offer better shelter and less choppy water.
- c) if skiing takes place in winter the duration of skiing is greatly reduced due to the temperature historically limited to only 1 hour in the depths of winter on Breydon.
- d) Individual use varies according to personal preferences and circumstance, but taking an average across the active permit holders in active zones it is reasonable to assume 13 uses per permit holder in the course of a year. If the 6 water skiers were to continue with this average this would equate to a total of 78 visits per year
- e) The zone is designated for recreational water skiing and physical constraints of individuals who take part will determine that 2 to 3 hours will be sufficient time, furthermore due to fitness levels the recreational skier is not likely to re –engage in skiing for a few days. This further reduces the likely number of disturbance events.

Evidence from the usage of the 9 existing river zones (see map at Appendix a) identifies that 36 permits have been issued in 2011, and the average uses in the well used zones was 48 visits per year. (See graph below) This usage is lower than that recorded or predicted for Breydon but one Breydon user who skis very regularly distorts these average figures. Indeed the figures for 2012 will show an increase in the river usage as this user has temporarily moved to the river sections.

Further examination of the 2011 data identifies that the majority of these uses were as a result of 15 water ski permit holders.

The number of permits issued by the Authority has consistently been below 40 for the last five years.





The width of the river in these zones are Waveney is 35m, Yare is 58m, Average overall 46.5m. Therefore the maximum distance from skier to bank edge will be approximately 23.3m. Additionally, zone Y2 is adjacent to Strumpshaw Fen and previous reviews have indicated no evidence of disturbance to wildlife at this proximity, albeit there is screening vegetation. The proposed width of the Breydon ski zone is 84m. At high water, the distance to the adjacent salt marsh is approximately 674m. From the edge of the Breydon water ski zone the average distance at low water to the mud flats is 14m. Water skiing is likely to take place in approximately the centre of the channel which is a distance of 42m to the edge of the mudflats. This is an increase of 55% on the distance to banks in the river zones. It should also be noted that it has been agreed to not allow water skiing 0.5hr before low water therefore the distance from the source of potential disturbance to the edge of the mud flats will always be greater than specified.

Area of use

Historically, the whole of Breydon Water has been used for skiing – anecdotally, reports have been received that previous water skiing activity took place outside of the marked navigable channel at high water but for the purposes of this assessment the area of the posted channel is used as a baseline = 54.1ha

The dimensions of the agreed zone is 22.44ha; which equates to 41% of the previously available area of the navigable channel although, therefore this reduction in available water space is a further restriction on the extent of the historic activity.

This is particularly relevant as the unregulated activity had potential of disturbing a larger area of the site however the proposed water ski zone concentrates the activity this combined with the potential for concurrent use therefore reduces the potential disturbance events and the area over which this potential disturbance may affect.

Breydon Water control measures

The control measures applied to the zone to allow waterskiing on Breydon Water can therefore be summarised as follows;

- Restricting the time when water skiing can take place specifically excluding around the low water event when lots of birds feed on the mud flats, thereby reducing the potential use to approximately 50% of the reported historic use.

- Reducing the area where water skiing can take place to within a small corridor in the navigation channel – a reduction of 59% taking only the navigation channel as previously available.
- Patrolling Breydon all year round to police the permit conditions, and issue Special Directions if required.
- Requiring all skiers to book on with Broads Control before commencing skiing.

Standard control measures

There is also a suite of standard control measures which apply on water ski zones, which will likewise be applied to Breydon Water;

- Requiring all water skiers to be members of ERSC and British Water ski, who follow a statement of purpose and environmental commitment, supported by environmental policy note, and who would enforce any breaches.
- Requiring all ski boat drivers to be qualified helmsmen
- Requiring all ski boats to satisfy maximum wash criteria
- Requiring all ski boats to satisfy maximum environmental noise standards
- Requiring all skiers to be permitted by the Broads Authority and subject to many permit conditions, any breaking of which could ban the skiers from obtaining a permit in the future. These conditions also include the requirement to complete a log book.
- Requiring all wake boarders to book on with Broads Control before commencing skiing.

Monitoring

The actual usage of the proposed zone will be monitored against a profiled target for the predicted use of 78 visits per year (the soft cap), which has been drawn from the river data averages. This will enable the Authority to rapidly act to any variances in use by calling an internal review to establish if additional control measures are required, and to extrapolate when the maximum potential use of 118 (91 summer) (27 winter) is anticipated to be exceeded.

Monitoring of the waterskiing will be done in 2 ways; firstly usage (number of times, number of skiers and duration) will be monitored by maintaining a running total of the number of uses by Broads Control based on the skiers logging on. Secondly, proactive trials will also be conducted with members of the ERSC with Broads Authority observers present to record the effects of waterskiing on the surrounding environment.

Additionally, Broads Authority Rangers who are rostered 7 days per week Easter – October, and 5 days per week November - Easter will also log the activity to ensure the conditions are being met, and check accurate recording with Broads Control. Regular observations will also be made of the environmental impact of the activity by staff and volunteers, including on other vessels and the bird responses. Regular, random digital video recording of skiing activity will also be completed as an objective record of the practice.

Review

It is proposed that this data will be reviewed at the end of the season, Oct 2013, and assessed to determine whether any impacts can be identified, and consider whether further constraints might be required. This will be conducted by the Water Ski Review Panel.

Additional constraints can include;

1. A restriction on the maximum number of times when waterskiing is permitted – suggested this is determined following an assessment of actual demand.
2. A restriction on the maximum number of permits which can be issued, generally or zone specific – suggest this is reviewed when data is gathered regarding pattern of use/ demand is assessed, although from the river data it is noted that the number of permits issued does not directly correlate to the level of use.
3. A Direction can be given to restrict the number of users skiing concurrently in a zone, on the grounds of congestion or safety – to be assessed following experience; Special directions can be used in the interim period if required by the Rangers.

4. Special Directions can be issued by Rangers to regulate navigation, and to restrict the speed of any vessel in the navigation area, and failure to comply with Directions is an offence under Broads Authority Act 2009.

Conclusion

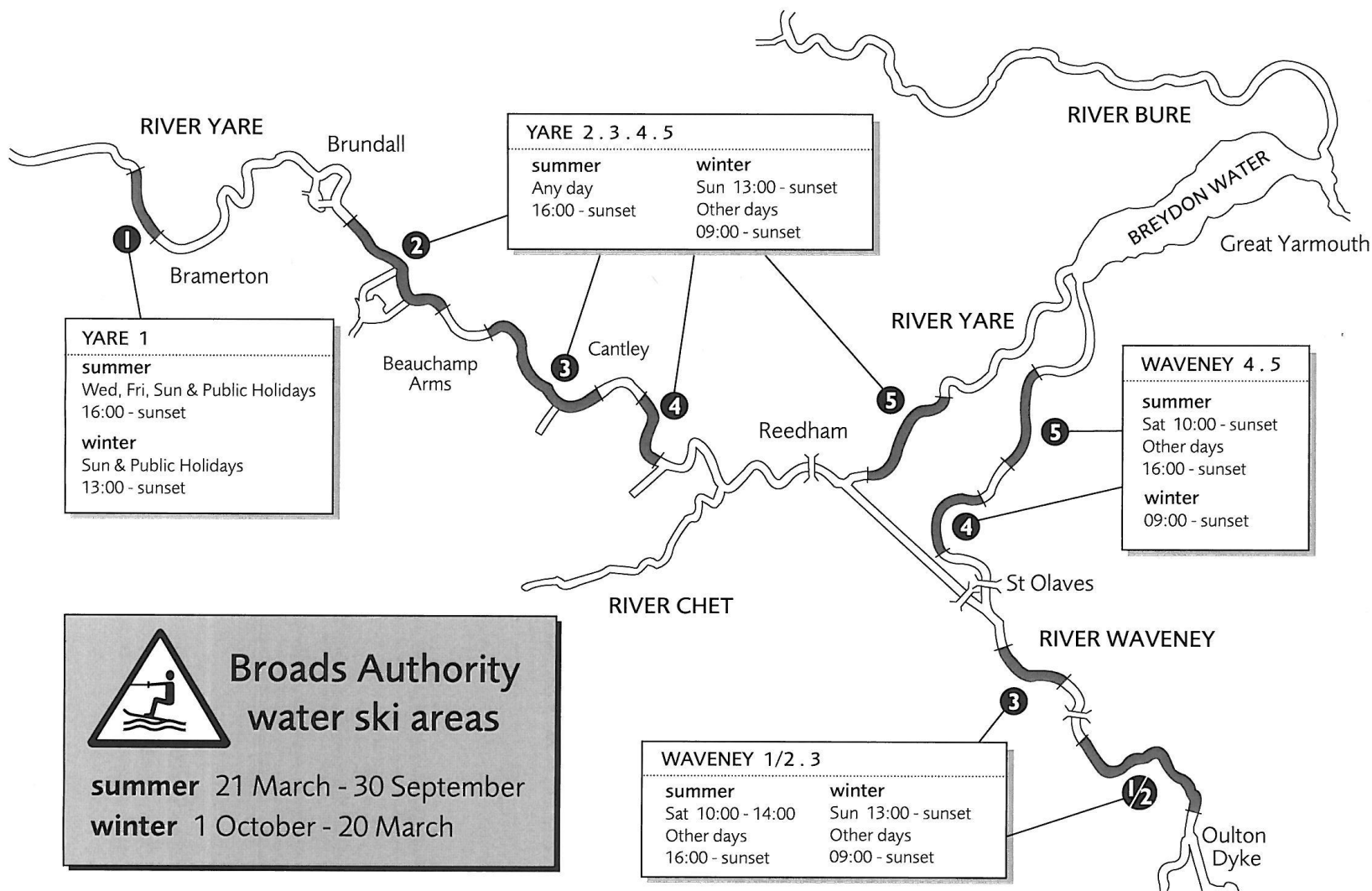
When this is compared with what restrictions were previously applied to water skiing on Breydon, this demonstrates that the Authority has been very careful and thorough in its precautionary approach to the likely affects of water skiing.

Also bearing in mind that water skiing was historically unrestricted on Breydon and when permit conditions were applied to the river systems there was not any increase in the numbers of skiers, rather the reverse. So from this it can be concluded that designating a ski zone on Breydon may see participant numbers fall rather than increase.

Given also that the RSPB local wardens have reported that bird numbers and species had significantly increased since the designations of the site SPA 1987, Ramsar 1996 etc and that these increases in bird population have occurred whilst the area has been used for recreation on the water in an unrestricted manner including waterskiing, which we now know has occurred during the summer months over many years, then this must demonstrate that recreation in general but specifically waterskiing is unlikely to have any significant effect on the features of the site. It is also noted that previously neither the RSPB nor NE have raised concerns that the features of the site may be being affected during this unregulated period.

After taking all of the above into account it is believed there are sufficient mitigation measures identified for the Authority to be comforted that they have taken all reasonable steps to ensure that there is no likely significant effect on the features of the site from waterskiing.

NB note this map relates to water ski zones/ times prior to 2013 season, now amended.





By email only

Norfolk Land
Management Team,
Dragonfly House,
2 Gilders Way,
Norwich,
NR3 1UB

Dear Steve

Application to permit water skiing: Breydon Water Special Protection Area and Site of Special Scientific Interest

Thank you for your email of the 25th March and the attached Habitat Regulations Assessment of the proposal to permit water skiing on Breydon Water SSSI/SPA. Note that this also constitutes a notice (under Section 28I of the Wildlife and Countryside Act 1981, as amended) to Natural England of the intention of the Broads Authority to permit water skiing on Breydon Water and therefore Natural England's role under the Act is to provide formal Advice on this proposal.

We note that the HRA concludes that the proposal constitutes a plan or project that is not directly connected with or necessary to the management of Breydon Water SPA but that is **not** likely to have a significant effect on the conservation objectives of the SPA.

Based on the information provided, Natural England **is not able to agree** with your conclusion. However, if certain conditions were attached (see below), we would potentially be able to advise that water skiing can be permitted with no likely significant effect on the integrity of the SPA. We would also be of the opinion that water skiing is unlikely to be damaging to the interest features of the SSSI.

Recommended Conditions

Use of the water ski zone should be capped at 78 'periods of use' from the 1st April up to and including the 31st October, with no more than 15 periods of use in any given calendar month. Each period of use should last up to but not more than 3 hours duration. The number of water skiers that can use the Zone during any given period of use does not need to be limited for conservation purposes.

Use of the Zone after the 31st October should not be capped but should be logged with Broads Control.

Natural England
Head Office
1 East Parade
Sheffield S1 2ET

An explanation for recommending these conditions is provided in Appendix 1.

The above is formal Advice and although the Broads Authority is not required to implement this advice in granting permission for water skiing on Breydon Water, **'I draw your attention to your duty, under section 28G of the Wildlife and Countryside Act 1981, as inserted by the Countryside and Rights of Way Act 2000, to take reasonable steps, consistent with the proper exercise of your functions, to further the conservation and enhancement of the SSSI.'**

I also draw your attention to the provisions of section 28I of the 1981 Act, in particular to the requirement that, should permission be given contrary to Natural England's advice or to the conditions which Natural England recommends should be attached to the permission, then you must ensure that:

- **notification is given to Natural England of the permission and terms of the permission and a statement of how, if at all, you have taken account of Natural England's advice**

and

- **the permission does not permit operations to begin before 21 days after details of the permission and a statement of how you have taken account of Natural England's advice, has been given to Natural England.'**

Appendix 1 – Explanation for recommending the proposed conditions

- The Broads Authority's understanding is that water skiing has taken place on Breydon Water for at least the last 40 years and certainly ever since it was designated as a SSSI in 1987. While water skiing is perceived to be a fast and noisy activity, likely to disturb and scare birds, bird numbers on Breydon Water have increased significantly since designation, suggesting that water skiing and boat traffic in general has not had a detrimental impact on the bird populations. However, this increase in bird numbers must be looked at within the context of the wider Broads area and certainly the vicinity of Halvergate and Berney Marshes, within which much effort has been made to provide habitat for both breeding and over-wintering birds. In addition, national and international changes in bird distribution may have also resulted in changes to the number of birds recorded on Breydon Water. It is therefore possible that bird numbers have increased in spite of disturbance from water skiing activity.
- While the impact of water skiing on bird populations on Breydon Water has never been specifically assessed, at the outset of the HRA process it was anecdotally reported that water skiing activity on Breydon Water has historically been infrequently and practiced by a small number of local water skiers. **Natural England's advice was therefore that, if the Broads Authority can demonstrate this, it should be able to determine no likely significant effect on the conservation objectives of the SPA**, on the basis that even an activity that causes disturbance can be determined to be not significant if it is infrequent and of short duration (e.g a digger slubbing out ditches on a marsh for a few days each year).
- In terms of water skiing activity in winter (November – March inclusive), the Broads Authority has clearly demonstrated that this is the case. However, with regards to summer activity, historic activity was found to be much higher than originally thought and although factors including tides and the weather are likely to practically limit the use of the water ski zone, there is still considerable uncertainty as to how much activity will take place in the proposed zone. This makes it difficult to determine no

likely significant effect and therefore the HRA should proceed to the appropriate assessment stage. **However, we suggest that, if further conditions were imposed on water skiing, we would agree with the determination that water skiing is not likely to have a significant effect on the conservation objectives of the SPA.**

Summer use (April – October inclusive)

- The reported recent historic use of Breydon Water during the summer months is quite high, particularly in comparison to the rest of the Broads; 213 uses by the 4 skiers interviewed, compared to 219 across the rest of The Broads as a whole in 2011. This equates to an average of 30 uses per month. The Broads Authority also states in the HRA that water skiers generally did not tend to ski at the same time, so this effectively equates to 30 disturbance events per month (occasions when water skiing could potentially disturb birds - although it is likely that there was some overlap of activity). Water skiing generally took place at weekends and on weekday evenings and each skier usually skied for between 2 and 3 hours
- **Based on the above information, Natural England would not be able to determine such a level of activity as having no likely significant effect on the conservation objectives of the SPA.** However, the Broads Authority suggests that the limits on the use of the Zone (no water skiing 0.5 hours before and 2 hours after predicted low water) and weather will reduce potential opportunities to use the Zone to 91 (evenings after 4pm and weekend days). However, there is a degree of uncertainty about this figure, particularly with regard to the reduced opportunities to ski due to bad weather (20% reduction is a some-what arbitrary figure). However, the Broads Authority goes on to report that, on average, water skiers in the existing water ski zones in The Broads each go water skiing 13 times a year. For the six skiers reported to use Breydon Water, that would equate to 78 uses. Such a useage would equate to less than 12 uses a month. **Given that each useage would last approximately 2-3 hours, Natural England would be able to determine such a level of activity as having no likely significant effect on the conservation objectives of the SPA.**
- Natural England therefore advises that, in addition to the control measures already proposed, the Broads Authority should limit the number of periods of use of the water ski zone over the summer months (1st April to 31st October) to 78, with no more than 15 periods of use in any given calendar month. Each period of use should last up to but not more than 3 hours duration. Please note that we do not believe that the number of water skiers using the zone at any one time needs to be limited for conservation reasons, so by agreeing/arranging to ski at the same time as others, individual water skiers could ski more than the average 13 times (indeed, in theory, all water skiers could continue to ski at their reported historic level of use).
- We are of the opinion that, while this proposed cap is a precautionary figure (which it needs to be, given the uncertainties about how birds react to water skiing on Breydon Water), it still facilitates a meaningful level of access for water skiers. As only a handful of water skiers regularly use Breydon Water and given that all water skiers would be members of the Eastern Rivers Ski Club, we would hope that water skiers would be able to work together to maximise their use of the water ski zone, while keeping disturbance events to an acceptable level. We also believe that, through the use of Broads Control and the its rangers, the Broads Authority has the ability to implement and enforce such a cap.

Please note that the impact of water skiing should still be monitored as proposed and that the cap on summer useage should be reviewed at the end of October 2013 (with the observations made during monitoring taken into account).

Winter use (November – March inclusive)

- Of the 4 water skiers interviewed, 1 water skier reported that they used to water ski between November and February inclusive and 2 water skiers stated that they used to water ski in March. Their combined activity amounted to 18 uses over the 5 coldest months of the year – an average of <4 uses a month. In addition, we understand from the Broads Authority that the skier who previously used to ski in the coldest months has now sold their equipment and so is unlikely to ski on Breydon Water in future. The Broads Authority also states in the HRA that water skiers tend to ski for shorter periods of time due to the colder temperatures.
- Natural England is of the opinion that there is sufficient evidence to reasonably expect a very low useage of the water ski zone during the winter months and that therefore, **we agree that the Broads Authority can reasonably conclude no likely significant effect of winter useage.** However, all use of the water ski zone during the winter should be logged with Broads Control and be subject to the other control measures proposed in the HRA.

If you would like to discuss our Advice in more detail, I would be happy to meet with you. May I also suggest though that the RSPB and Peter Allard also be invited to attend any such meeting so that they can also understand how we have come to our opinion on this matter.

Yours sincerely



Chris Bielby
SSSI Lead Adviser

**Development of the Integrated
Safety Management System (SMS)**
Report by Head of Safety Management

Summary: This report outlines the further development of the Safety Management System Issue 5 to include an identification and review of land based hazards.

The Committee is invited to note the report.

1 Introduction

- 1.1 The Port Marine Safety Code (PMSC) was published in March 2000 by DETR Ports Division. It aims to establish an agreed national standard for port marine safety and a measure by which authorities can be held accountable for their legal powers and duties to run their harbours safely.
- 1.2 The Broads Authority as duty holder for the Broads has developed a Safety Management System (SMS) as a clear commitment to the standard of safety required within the Broads to comply with the PMSC.
- 1.3 The Safety Management System Document has been developed with significant input from persons working on and around the Broads as well as users of the Broads and is supported by a series of risk assessments.
- 1.4 It has been the aspiration of the Authority to use the principles of the PMSC system to develop a safety management system relating to land based activities. This update of the Safety Management System encompasses the management of land based hazards in the form of an integrated hazard log.

2 Designated Person

- 2.1 The PMSC states that each harbour authority must appoint an individual as the Designated Person (DP) to provide independent assurance directly to the duty holder (the Authority). The main responsibility is to determine, through assessment and audit, the effectiveness of the SMS in ensuring compliance with the Code
- 2.2 The Authority has previously appointed the Head of Safety Management to act as the "Designated Person" as defined by the Port Marine Safety Code. Whilst this is not formally required for land based activities, it is proposed that the same process be adopted in this regard to give members assurance that equal weight is attached to these potential risks.

3 Safety Management System update

- 3.1 The Safety Management System has been updated and is ready for formal issue. Following consultation with the Local Access Forum this update includes arrangements for the management of land based activities.
- 3.2 The key areas of the update include the following:
- Progress made against Broads Plan Objectives (SMS section 2.6)
 - Complete replacement of the section relating to Hazards following the recent Hazard Reviews (SMS Annex M)
 - Updated section on Proactive monitoring. (SMS section 12.2)
 - Updated recommendations from the external audit (SMS Section 13)
- 3.3 The full update to the existing manual is at Appendix 1.
- 3.4 The Safety Management System will be subject to annual updates following the Hazard review, it is envisaged that these updates will be issued in the spring of each year.

Background papers: Broads Authority, Port Marine Safety Code, Safety Management System, Version 4.0 dated 2014

Author: Steve Birtles
Date of report: 7 March 2015

Broads Plan Objectives: NA4

Appendices: APPENDIX 1 – Broads Authority Port Marine Safety Code – Safety Management System <http://www.broads-authority.gov.uk/broads-authority/committees/navigation-committee/navigation-committee-23-april-2015>

Marine Annual Incident Statistics
Report by Head of Safety Management

Summary: This report gives details of the marine incidents reported during 2014 from April 2014 to March 2015, including an analysis of deaths and personal injury since 1993. There have been two fatalities, and one fire caused by a gas flashback.

1 Introduction

- 1.1 The reporting period is from 1 April 2014 to end March 2015. The report is limited to the Broads Authority's area of marine responsibility. Notable incidents are listed below.

2 Summary of Incidents Reported

2014	Incident Details	Hazard Log Category
1/4	Body of female recovered near Trowse Eye. Believed to have been in water some time.	Non boat related Fatality
1/4	Emergency services were called to reports of a woman in the water near Carrow Road at 3.35pm.	Fallen in
16/4	While attempting to moor a male crew member fell from the aft deck. Was safely recovered	Embarkation / disembarkation
20/4	9 yr girl pedestrian fell in and mother jumped in after her. Assisted out by passers by.	Fallen in
9/5	Male fell in while attempting to embark. Assisted by several police officers.	Embarkation / disembarkation
17/5	Woman fallen in from day boat attempting to moor.	Embarkation / disembarkation
18/5	Drunk male jumps in to swim river "for charity". Cannot swim well and shocked by cold. Assisted out by quay attendant.	Swimming
30/5	While mooring vessel hit quay causing male crew member to fall in. A second crew member jumped in to assist and both had to be rescued by quay staff.	Inexperienced helm

31/5	Collision between trip boat and a sailing dinghy.	Collision with commercial vessel
14/6	Whilst trying to moor hit another vessel causing male to fall in. Rescued by area Ranger using launch ladder.	Inexperienced helm
14/6	A half decker sank in the middle of the river. Three crew members swam ashore.	Inexperienced helm
15/6	Woman jumped ashore while mooring and broke ankle. Taken to hospital.	Embarkation / disembarkation
22/6	Vessel collided with the stationary chain ferry whilst attempting to moor at Reedham. A crew member injured her arm when it became trapped between the vessels. The casualty was taken to James Paget Hospital in Great Yarmouth for treatment	Collision with commercial vessel
28/6	Coastguard callout to boat fire at Wroxham turned out to be smoke from a slipping fan belt.	Fire
3/7	Quay attendant responded to call to a woman in the water by Bishops Bridge where emergency services were already in attendance.	Fallen in
9/7	Woman and young son and daughter on day boat. Daughter fell in from side of boat and mother jumped in to rescue her. Got child back onto boat but unable to get back on herself. Assisted by passing boats.	Fallen in
11/7	Male returning from night club at approx. midnight. Body recovered from water following day	Fatality
14/7	Hire cruiser hits canopy and top of stern cabin passing under Vauxhall bridge at wrong tidal state.	Collision with low bridge
19/7	Hire cruiser crashes into and rides up bank, causing vessel to sink.	Inexperienced helm
26/7	On board petrol fuel fire extinguished by owner using on-board appliance.	Fire
3/8	Sailing cruiser capsize. 6 crew swim to shore	Capsize
5/8	Woman suffers suspected spinal injury stepping ashore off high bow wearing long dress and flip flops. Recovered to hospital.	Embarkation / disembarkation
9/8	Hire cruiser stuck under Vauxhall	Collision with low

	bridge.	bridge
10/8	Moored vessel set alight and burnt out by arsonists unknown.	Fire
14/8	Hire cruiser hits moored boat, causing owner to fall overboard.	Inexperienced helm
16/8	Child walking decks of dayboat fallen in. Male jumped in to rescue her, but got into difficulties himself. Female jumped in and assisted both. Nearby private boater rescued all three using dinghy. Male taken to hospital by air ambulance.	Fallen in
20/8	Male suffers facial scalding when removing cap from hot header tank.	Injury
25/8	Coming in to moor single handed male fell in grasping bow warp. Boat still in gear and dragging casualty into middle of river. Rescued by third party.	Inexperienced helm
27/8	While mooring an elderly lady fell and broke her arm. Removed to hospital	Embarkation / disembarkation
3/9	Body of angler found in Oulton Broad having been reported missing by his wife.	Non- Boat related Fatality
5/9	Attempting to moor at Goodchilds a male fell in. Got himself out.	Embarkation / disembarkation
17/9	Moored cruiser hit by passing Environment Agency barge.	Collision with commercial vessel
23/9	Erratically helmed cruiser hit by works barge.	Inexperienced helm
24/9	Hire cruiser hits Reedham Ferry chains and rips out rudder and props.	Collision with commercial vessel
25/10	Hire cruiser reverses into passenger boat in Wroxham	Collision with commercial vessel
29/10	Hirer stepped off the vessel to adjust the bow line, slipped on the wet capping and fell head first into the river, the life jacket inflated successfully and he was soon assisted from the water. Although cold and wet no injuries were sustained.	Embarkation / disembarkation
30/11	A child who was feeding ducks, at the grass area adjacent to Mutford Lock fall into the river, at the mouth of the Lock entrance. Pulled out by an accompanying adult.	Fallen in
2/12	Coastguard reports that a body of an	Non boat related

	unidentified elderly woman found on the flats of Breydon Water.	Fatality
14/12	Residential boat destroyed by fire at Stalham. No casualties.	Fire
16/12	Residential boat owner found drowned alongside his vessel at Bramerton.	Fatality
27/1	Search for and subsequent recovery of a male body in the Beccles area.	Non boat related Fatality
26/1	Woman walks off quay at Swan Inn, Horning. Air ambulance crew revived her and recovered her to hospital where she died a few days later.	Non- boat related Fatality
23/2	Private cruiser attempting passage under low bridge at Great Yarmouth becomes trapped by bridge on rising tide. Vessel dragged out without casualties.	Strike low bridge
12/3	Hire cruiser attempting passage under low bridge at Great Yarmouth becomes trapped by bridge on rising tide. Vessel dragged out without casualties.	Strike low bridge

3 Conclusion

- 3.1 The Broads Authority has sought to continue to highlight the message of personal responsibility for safety in its publications and has encouraged boaters to take a more proactive role by becoming better-informed and wearing lifejackets. Reports from officers have indicated that again this year has seen a noticeable increase in the number of boaters seen wearing lifejackets particularly on hire boats.
- 3.2 Boat fires continue to remain at a low level demonstrated in previous years. All boats involved in fires held current Boat Safety Scheme Certificates.
- 3.3 The fire boating related statistics suggest that when viewed over several years, the statistics continue to demonstrate a fairly static position.
- 3.4 It should be noted that there were two fatalities relating to incidents from boat use, one from a hire boat and one from a private residential boat.
- 3.5 The majority of incidents where hospital treatment was required continue to be attributed to embarkation and disembarkation with a slight decrease in numbers in comparison with the previous year.
- 3.6 Incident reports can be submitted on-line via an electronic form which can be found on the Broads Authority website.

- 3.7 When consideration is given to 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.

4 Next Steps

- 4.1 It remains important for all agencies and organisations to continue to raise awareness of this hazard. In an effort to encourage more people to wear lifejackets or buoyancy aids the Authority and its partners, Broads Hire Boat Federation, Norfolk and Suffolk Boating Association and the booking agents Blakes and Hoseasons are to continue to support and promote the “Wear It” safety message.

Background papers: Previous annual reports

Author: Steve Birtles
Date of Report: 7 April 2015

Broads Plan Objectives: NA4.2

Appendices: TABLE 1 – Analysis of Death/Injuries Since 1993
TABLE 2 – Analysis of Fire and Explosions Since 1993

TABLE 1**Analysis of Death/Injuries Since 1993**

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Death																						
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
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
Cause of death																						
Severe injury	0	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	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
Drowning	0	1	2	1	0	4	5	1	3	3	5	0	4	3	0	0	0	1	3	2	0	5
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
Terminal Illness																			1	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	2	1
Reports of people inadvertently entering in the water See footnote.	0	0	3	2	4	8	2	5	1	4	15	16	12	23	29	17	34	20	17	18	12	22
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
Nature of injuries																						
Head	0	0	2	0	4	1	3	2	1	1	1	1	3	1	1	5	3	3	1	3	3	0
Arm/hand	0	0	2	1	6	0	0	1	3	1	1	1	0	1	6	4	1	4	4	2	4	1
Leg/foot	0	0	3	5	4	2	4	1	2	2	2	2	1	3	7	5	7	8	3	6	4	3
Torso, ribs, chest, back	0	0	1	0	2	0	1	4	1	1	2	0	1	4	3	0	2	4	2		2	2
Not described	0	0	1	1	0	0	0	0	0	0	10	2	1	4	0	0	8	10	2	2	5	2
Asphyxiated/CO poisoning	0	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1		0	2
Burns/Scalds	0	0	0	1	1	4	1	1	0	2	1	0	0	1	1	0	1	2	1		1	2
Heart attack																			3	5	1	2

Footnote: 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.

TABLE 2**Analysis of Fire and Explosions Since 1993**

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Number of incidents	2	4	7	2	5	4	6	3	4	2	2	0	2	22	8	4	4	3	3	1	1	3
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
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
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
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
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
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
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	2
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
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

**Planning Application with Navigation Implications: Proposed Residential Development at the Former Ferry Boat Inn
Erection of a Riverside Walkway/Staithe on the River Wensum and Construction of Projecting Balconies over the River Wensum**
Report by Planning Officer

Summary: A planning application (**BA/2015/0066/FUL**) has been submitted to the Broads Authority in respect of the erection of a riverside walkway/staithe on the western bank of the River Wensum and the construction of cantilevered balconies over the River Wensum. The walkway/staithe is proposed to be situated adjacent to the northern side of the Novi Sad footbridge and along the river frontage of the former Ferry Boat Inn site.

The walkway/staithe is part of the wider proposals for the redevelopment of the Ferry Boat Inn site for residential use, which is being considered and determined by Norwich City Council and which the Broads Authority has been consulted on. The reference number for the City Council Planning Application is **15/00273/F**.

Anticipated navigation issues are set out in Section 4, members' views are sought on these and the conclusions are set out in Section 5.

1 Background

- 1.1 The former Ferry Boat Inn site has lain vacant for a number of years since the closure of the pub in 2006. The existing buildings and river edge are in a deteriorating and semi-derelict state.
- 1.2 The applicant is therefore proposing to redevelop this site for residential use by restoring the Ferry Boat Inn building and constructing a series of new buildings ranging in height from 3 to 6 storeys to provide a total of 47 residential units ranging in scale from studios to 4-bed houses. The residential units fronting the river would have cantilevered balconies over the River Wensum and the scheme also proposes a cantilevered walkway/staithe over the River Wensum.

2 The Planning Application Process

- 2.1 The planning application for the construction of the residential units and associated infrastructure on the site itself has been submitted to Norwich City Council for determination.

The application can be viewed in full using the following link:

<http://planning.norwich.gov.uk/online-applications/>

and then searching for 15/00273/F.

The planning application for the cantilevered balconies and the walkway/staithe over the River Wensum has been submitted to the Broads Authority for determination.

The application can be viewed in full using the following link:

<http://planning.broads-authority.gov.uk/online-applications/>

and then searching for BA/2015/0066/FUL.

3 The Planning Application

- 3.1 Comments are now sought from the Navigation Committee on the planning application submitted to the Broads Authority.
- 3.2 The development site is situated on the western back of the River Wensum and adjacent to the northern side of the Novi Sad Friendship Bridge and the fendering around the base of the bridge. The southern boundary of the site adjoins the pedestrian ramp running down from King Street to the river beside the Novi Sad bridge and the northern boundary of the site adjoins the disused warehouse 'King Street Stores' with the Wensum Sports Centre to the north of that. The Riverside Retail Leisure Area is situated opposite the site on the eastern side of the river. There are existing moorings on the eastern bank of the river adjacent to the Riverside Complex.
- 3.3 The proposed walkway would extend from the base of the existing ramp alongside the Novi Sad Bridge across the front of the site for a distance of approximately 29m. This walkway would project into the river channel by 2.4m whilst providing a clear width of 2m. The walkway would have a shallow gradient of 1:42. The northern end of the walkway would adjoin the landing stage via two small sections of ramp measuring a total length of approximately 7m. The landing stage would extend along the remaining 9m of the site frontage and would project into the river channel by 2.25m. The application states that the landing stage would be able to support the launching of small craft and potentially provide de-masting facilities. The whole structure would be cantilevered from the structural frame of the building thereby avoiding any structural connection to the river wall. The primary structure of the walkway and landing stage would be fabricated in steel. The guardings to the walkway would be constructed in metal mesh. The walkway would be designed and structured to be capable of withstanding impact from vehicles within the river rather than requiring separate protection from fendering.
- 3.4 The balconies would have vertical metal railings and would project approximately 1.4m from the front elevation of the building and would therefore oversail the river by approximately 1.2m. The balconies would be added to the building at all 6 floor levels.

4 Navigation Issues

4.1 As the Navigation Authority, the Broads Authority requires that planning applications with navigation implications are subject to consultation with the Navigation Committee, and a number of possible issues have been identified which are outlined below.

4.1.1 **Restriction of River Width** – The proposed walkway would project into the river channel by a maximum of 2.4m for a total length of approximately 45m. This is a busy section of river, particularly in the main boating season, and it is heavily used by hire craft entering and leaving Norwich Yacht Station and also much larger craft. Hire craft are often helmed by inexperienced crew and a width restriction on what is already a narrow channel would present potential navigation safety issues. Additionally the emerging Wensum Corridor Strategy, which is being produced by Norwich City Council in partnership with the Broads Authority and Norfolk County Council, is seeking to encourage short stay mooring in the river corridor and sections of the opposite bank are likely to be identified in the Strategy for this purpose. It is also understood that the river bus is intending to use the bank opposite this site for the embarkation and disembarkation of passengers. All of this proposed additional navigation use renders the permanent width restriction that would result from the proposed walkway along the river frontage of the Ferry Boat Inn site completely unsupportable.

4.1.2 **Use of Staithe** – No details have been provided in the planning application as to how the proposed staithe/ demasting mooring / landing stage / boat launch point would operate and how it would be accessed for the purposes of launching boats. Also launching boats from a suspended structure is not an activity that is considered to be acceptable. The multiple use of this staithe area would not work satisfactorily and could not be supported.

4.1.3 **Projecting Balconies** – The suspended balconies on the river frontage of the proposed building, oversailing the walkway and the river, would also result in an encroachment on the navigable width of the river, particularly for vessels with masts. In general terms it is disappointing to see that, if constructed as shown on the plans, the proposed development would further add to the canalisation of the river frontage and the height of the buildings would exacerbate this effect. It would be preferable to see the residential blocks set back from the river frontage as this would lessen their visual impact on the river environment and would also give the opportunity to allow river front access to a viewing area without the need for encroachments on the channel width.

5 Conclusions

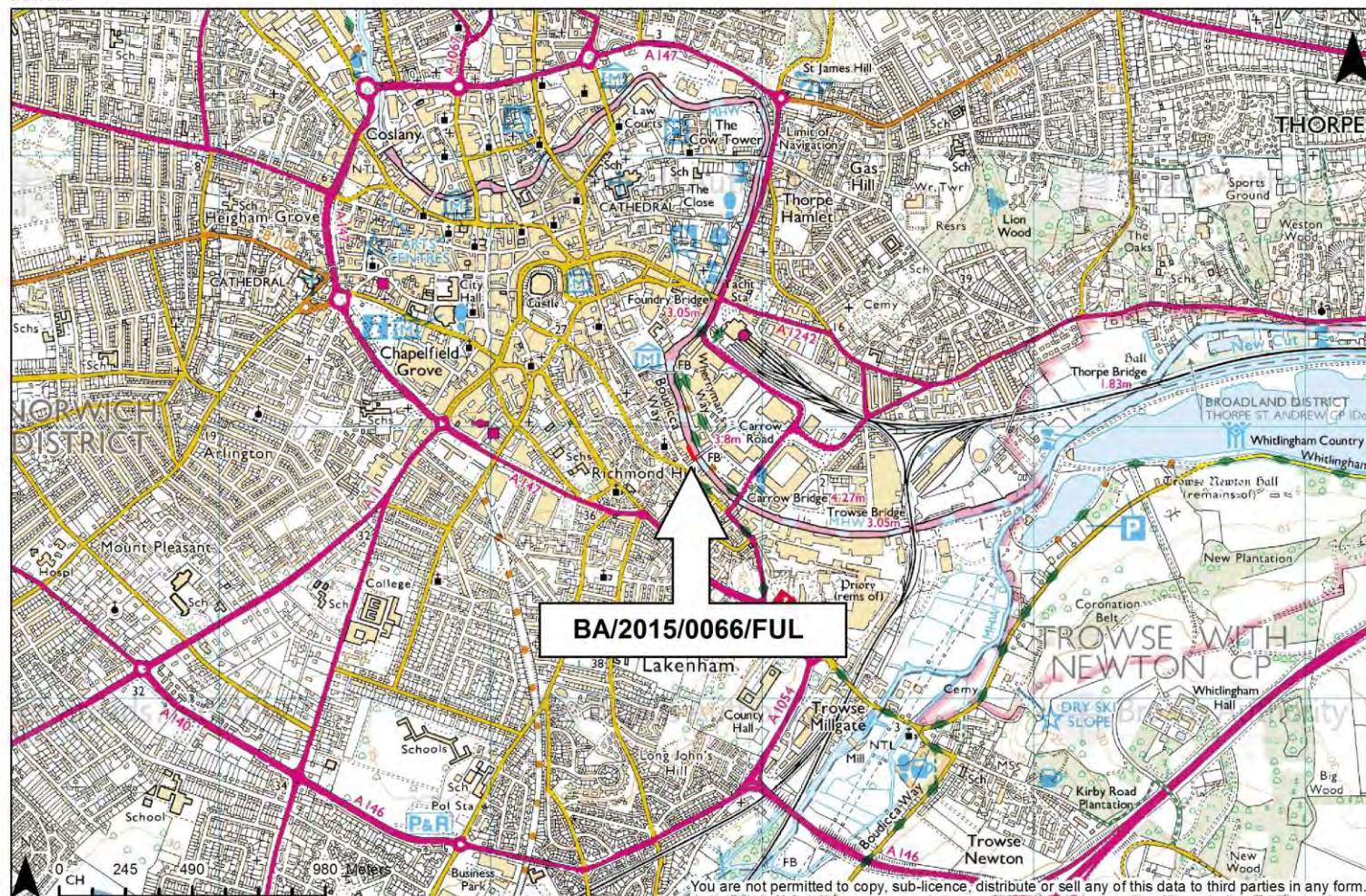
5.1 The application would result in a restriction in the width of the navigation and could potentially impact on the safety of existing and proposed boat users.

Member's views on these and any other matters of relevance to navigation are sought and will be considered as part of the planning process.

Background papers:	BA/2015/0066/FUL
Author:	Alison Macnab
Date of report:	7 April 2015
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Location Plans

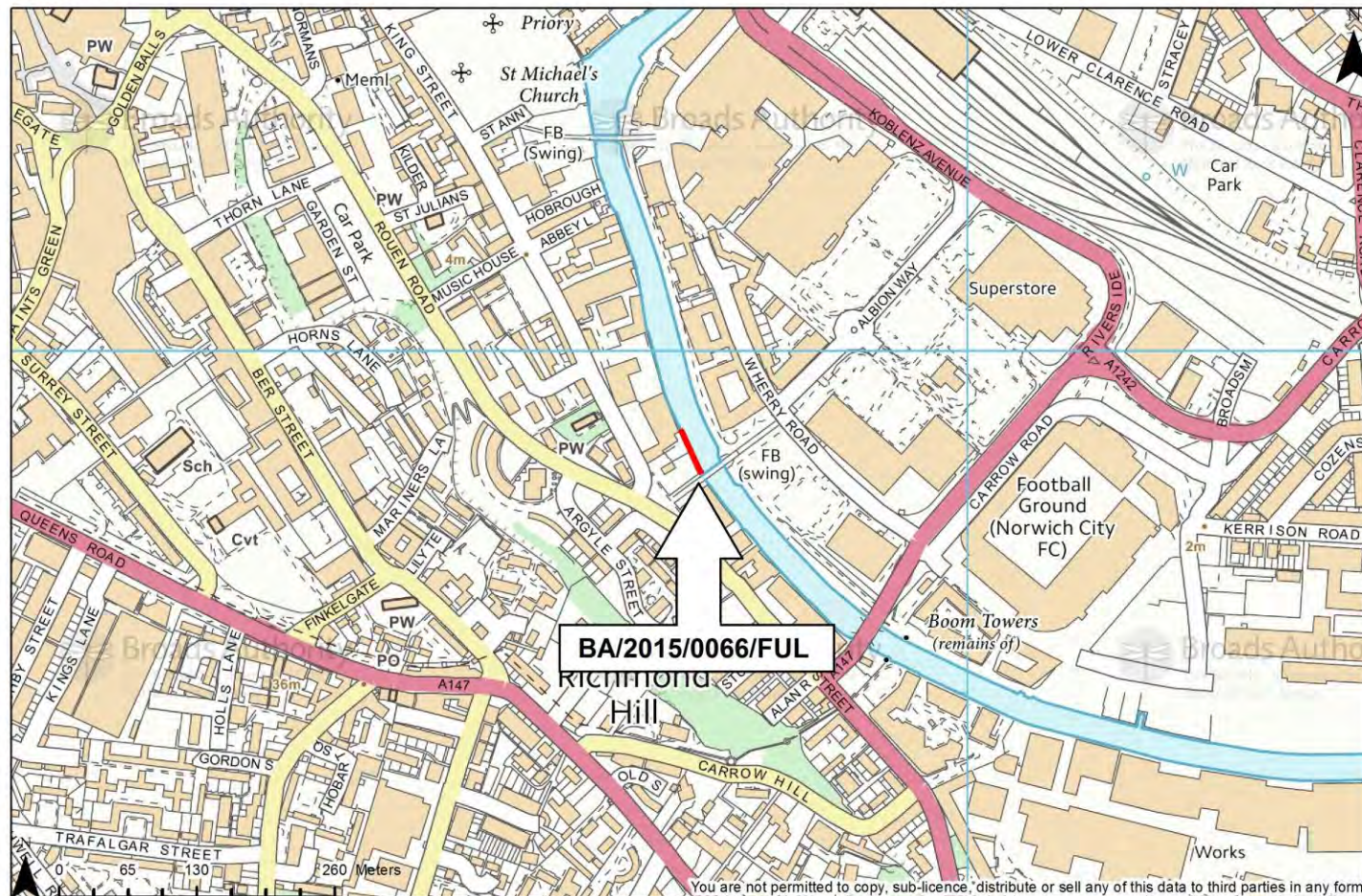
BA/2015/0066/FUL - Former Ferry Boat Inn, 191 King Street, Norwich

Erection of a riverside walkway / staithe on the River Wensum and construction of projecting balconies over the River Wensum associated with proposed residential development at the former Ferry Boat Inn.



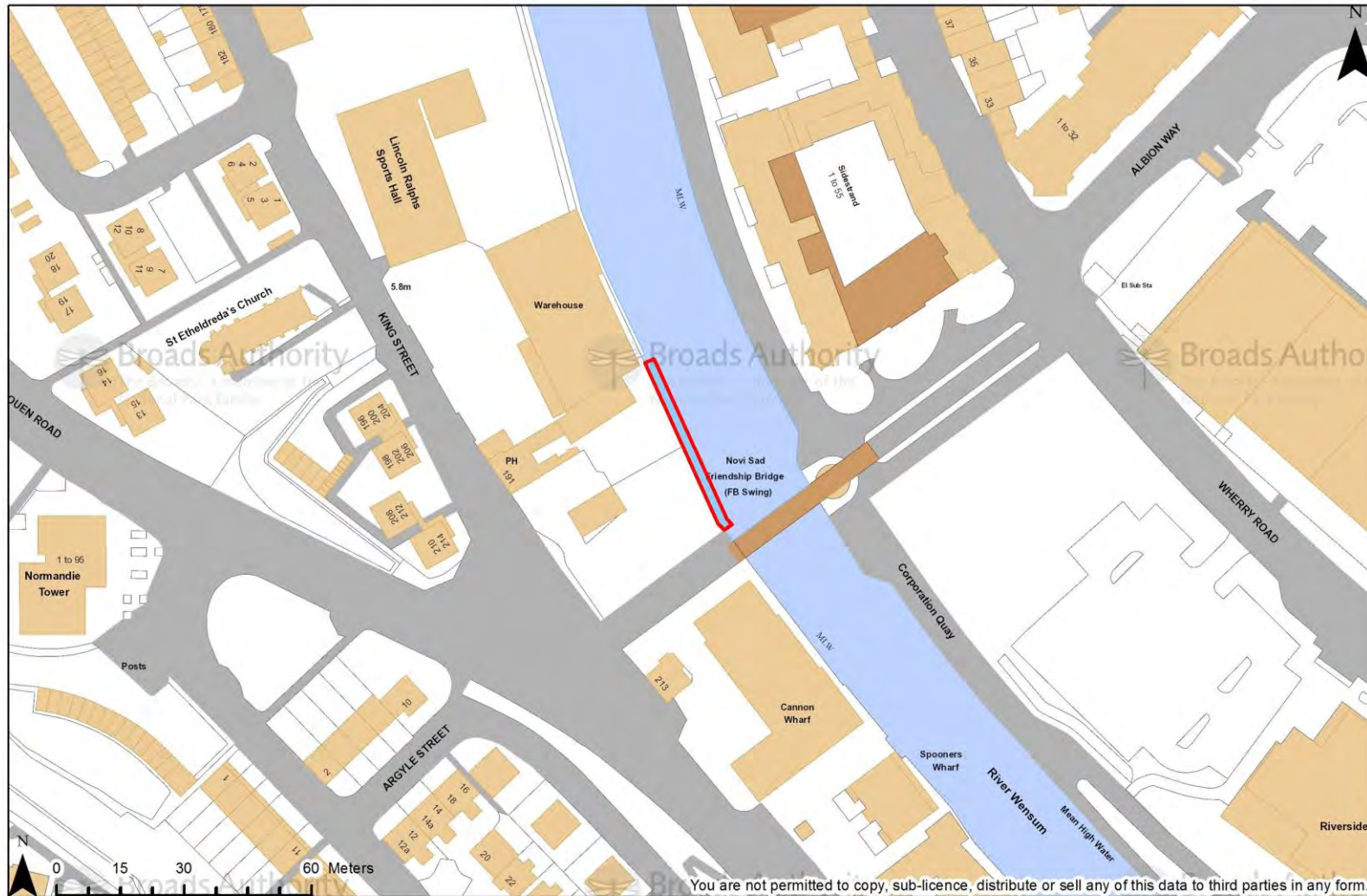
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**Navigation Income and Expenditure:
1 April to 28 February 2015 Actual and 2014/15 Forecast Outturn
Report by Head of Finance**

Summary: This report provides the Committee with details of the actual navigation income and expenditure for the eleven month period to 28 February 2015, and provides a forecast of the projected expenditure at the end of the financial year (31 March 2015).

Overall income is in line with the original budget though there has been a difference between hire boat and private income, the former down by nearly £45,000 and the later up by over £41,000. For expenditure it is forecast to be £8,717 below the latest available budget, though within this operational expenditure has been above budget and Planning and Resources below the latest available budget.

1 Overview of Actual Income and Expenditure

- 1.1 This financial monitoring report summarises details of the forecast outturn and actual expenditure for navigation.

Table 1 – Actual Navigation I&E by Directorate to 28 February 2015

	Profiled Latest Available Budget	Actual Income and Expenditure	Actual Variance
Income	(2,970,049)	(2,968,852)	-1,197
Operations	1,651,733	1,710,402	-58,669
Planning and Resources	750,867	653,032	+97,834
Chief Executive	138,496	136,168	+2,327
Projects, Corporate Items and Contributions from Earmarked Reserves	0	21,293	-21,293
Net (Surplus) / Deficit	(428,953)	(447,957)	+19,003

- 1.2 Core navigation income is slightly behind the profiled budget at the end of month eleven. The overall position as at 28 February 2015 is a favourable variance of £19,003 or 4.43% difference from the profiled LAB. This represents a decrease against the adverse variance of £17,893 reported for November. The February position is principally due to:

- An overall adverse variance of £1,246 within toll income:
 - Hire Craft Tolls £44,837 below the profiled budget.
 - Private Craft Tolls £41,072 above the profiled budget.

At the end of the financial year it is currently anticipated that the net position on Tolls will be broadly in line with the total budget (with Private Tolls up and Hire Tolls down), and this position has been reflected in forecast outturn figures.

- The Operations budget has moved to an overspend position, once contributions from reserves (£35,075 in relation to construction of a second wherry, and income of £24,360 for the sale of the Thurne and Barton launch) have been taken into account. There is in particular now an overspend of approximately £29,860 in the Equipment, Vehicles and Vessels budget due mainly to timing differences in repairs and maintenance expenditure. The Ranger budget has also moved into an overspend position of £41,141 due to reorganisation costs. This is offset by an underspend of £23,761 within Water Management where contractor work has been delayed on Upper Bure stabilisation works. This is likely to result in a carry-forward request for 2015/16. Expenditure remains slightly over profile in Safety, Asset Management and Operational Premises budgets.
- There is a underspend within Planning and Resources budgets though this principally relates to timing issues:
 - Finance, insurance and audit underspends (£16,405) which are mainly due to timing differences;
 - Yacht Station and Visitor Centre underspends (£15,814), relating to income being over the profiled budget as a result of changes in the range of products offered for sale and expenditure being behind as a result of timing differences;
 - ICT budget underspend (£13,694) which is mainly due to capacity issues within the department and is likely to result in a carry-forward request for 2015/16;
 - Legal budget underspend (£28,345) due to delayed and lower than budgeted invoicing;
 - Planning Management and Admin underspend (£10,778) due largely to underspends on office expenses including postage and photocopiers.

- 1.3 Expenditure within the individual directorate lines is partly offset by contributions from reserves (within the *Projects, Corporate Items and Contributions from Earmarked Reserves* line in Table 1). The charts at Appendix 1 provide a visual overview of actual income and expenditure compared with both the original budget and the LAB. There have been no changes to the Latest Available Budget since the last report.

2 Overview of Forecast Outturn 2014/15

2.1 Budget holders have been asked to comment on the expected expenditure at the end of the financial year in respect of all budget lines for which they are responsible. As at the end of February 2015, the forecast outturn indicates:

- The total forecast income is £2,973,961, or £7,910 less than the LAB.
- Total expenditure is forecast to be £2,957,796.
- The resulting surplus for the year is forecast to be £16,166.

2.2 The main reasons for the difference between the last forecast outturn reported and the LAB are reduced expenditure on legal advice of £27,000 and reduced income from the administration of the Boat Safety Scheme of £8,000:

3 Reserves

3.1 The balance of navigation earmarked reserves at the end of February 2015 is shown in Table 2 below.

Table 2 – Navigation Earmarked Reserves

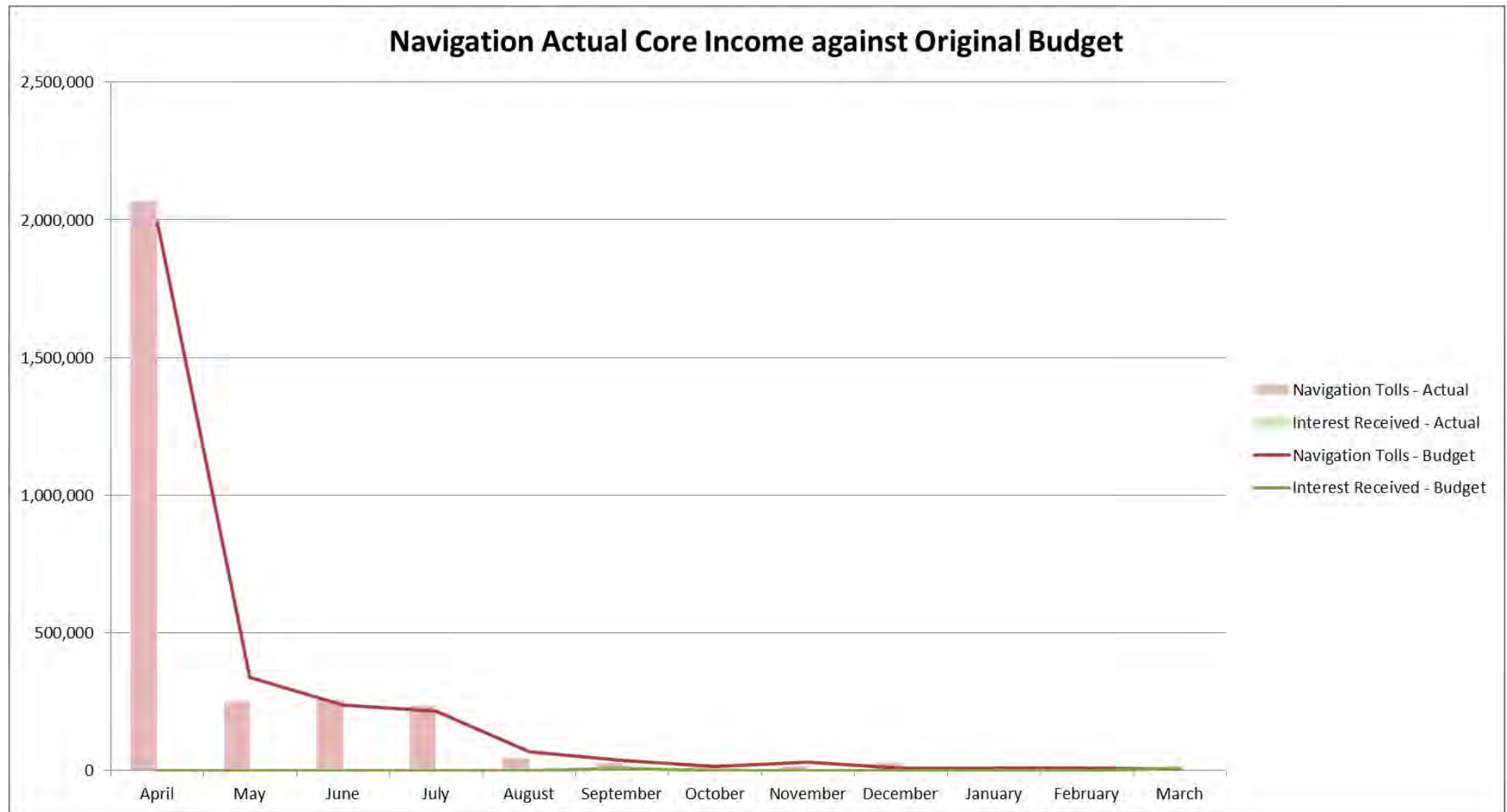
	Balance at 1 April 2014	In-year movements	Current reserve balance
	£	£	£
Property	492,020	13,517	505,537
Plant, Vessels and Equipment	139,857	57,885	197,742
Premises	59,994	13,500	73,494
PRISMA	244,954	(167,147)	77,807
Total	936,824	(82,245)	854,579

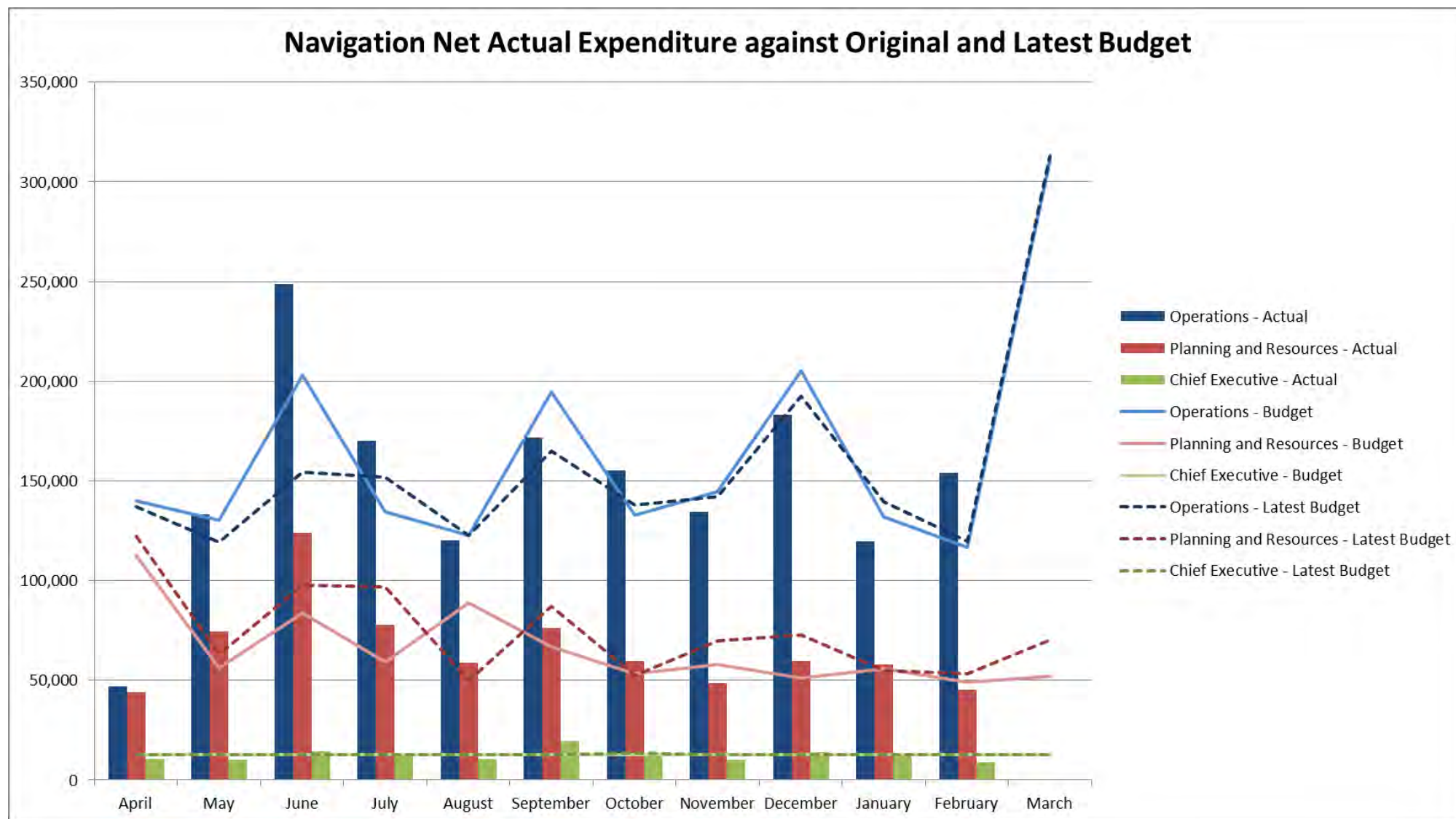
4 Summary

4.1 There have been some significant movements in the forecast outturn position for the year, as detailed above, which now suggests a small surplus of approximately £16,000 within the navigation budget for the year. With the latest amendments to forecast outturn, this would result in a navigation reserve balance of approximately £306,000 at the end of 2014/15 (before any year-end adjustments), which equates to 10.3% of net expenditure and is in line with the recommended level of 10%.

Background Papers: Nil
Author: Emma Krelle
Date of Report: 8 April 2015

Broads Plan Objectives: None
Appendices: APPENDIX 1 – Navigation Actual Income and Expenditure
Charts to 28 February 2015
APPENDIX 2 – Financial Monitor: Navigation Income and
Expenditure 2014/15





To 28 February 2015

Budget Holder

(All)

Row Labels	Values				
	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Income	(2,981,871)		(2,981,871)	(2,973,961)	(7,910)
National Park Grant	0		0	0	0
Income	0		0	0	0
Hire Craft Tolls	(1,118,300)		(1,118,300)	(1,073,105)	(45,195)
Income	(1,118,300)		(1,118,300)	(1,073,105)	(45,195)
Private Craft Tolls	(1,792,100)		(1,792,100)	(1,833,384)	41,284
Income	(1,792,100)		(1,792,100)	(1,833,384)	41,284
Short Visit Tolls	(37,721)		(37,721)	(37,721)	0
Income	(37,721)		(37,721)	(37,721)	0
Other Toll Income	(18,750)		(18,750)	(18,750)	0
Income	(18,750)		(18,750)	(18,750)	0
Interest	(15,000)		(15,000)	(11,000)	(4,000)
Income	(15,000)		(15,000)	(11,000)	(4,000)
Operations	1,966,843	12,871	1,979,713	2,011,544	(31,831)
Construction and Maintenance Salaries	575,734		575,734	571,430	4,304
Salaries	575,734		575,734	571,430	4,304
Expenditure			0		0
Equipment, Vehicles & Vessels	296,109	(15,365)	280,743	280,743	0
Income			0		0
Expenditure	296,109	(15,365)	280,743	280,743	0
Water Management	62,500	14,350	76,850	76,850	0
Income	0		0	0	0
Expenditure	62,500	14,350	76,850	76,850	0
Land Management	0		0	0	0
Income	0		0	0	0

Row Labels	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Expenditure	0		0	0	0
Practical Maintenance	310,035	7,170	317,205	317,527	(322)
Income	(7,000)		(7,000)	(8,700)	1,700
Expenditure	317,035	7,170	324,205	326,227	(2,022)
Ranger Services	435,606		435,606	455,604	(19,998)
Income	(10,000)		(10,000)	(10,000)	0
Salaries	348,006		348,006	368,004	(19,998)
Expenditure	97,600		97,600	97,600	0
Pension Payments			0		0
Safety	54,328		54,328	61,088	(6,760)
Income	(9,000)		(9,000)	(1,000)	(8,000)
Salaries	34,773		34,773	34,533	240
Expenditure	28,555		28,555	27,555	1,000
Asset Management	64,980		64,980	73,648	(8,668)
Income	(450)		(450)	(450)	0
Salaries	17,055		17,055	16,948	107
Expenditure	48,375		48,375	57,150	(8,775)
Volunteers	18,402		18,402	18,412	(10)
Income	(300)		(300)	(300)	0
Salaries	12,702		12,702	12,712	(10)
Expenditure	6,000		6,000	6,000	0
Premises	77,727	6,716	84,442	85,178	(736)
Income	(896)		(896)	(160)	(736)
Expenditure	78,623	6,716	85,338	85,338	0
Operations Management and Administration	71,422		71,422	71,063	359
Income			0		0
Salaries	64,422		64,422	64,063	359
Expenditure	7,000		7,000	7,000	0
Planning and Resources	787,289	19,239	806,528	750,574	55,954

Row Labels	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Development Management	0		0	0	0
Income	0		0	0	0
Salaries	0		0	0	0
Expenditure	0		0	0	0
Pension Payments			0		0
Strategy and Projects Salaries	22,417	769	23,186	21,496	1,690
Income	0		0	0	0
Salaries	22,417	769	23,186	21,496	1,690
Expenditure	0		0	0	0
Biodiversity Strategy	0		0	0	0
Income			0		0
Expenditure	0		0	0	0
Strategy and Projects	4,041		4,041	3,999	42
Income			0		0
Salaries	4,041		4,041	3,999	42
Expenditure	0		0	0	0
Waterways and Recreation Strategy	43,960		43,960	40,648	3,312
Salaries	34,960		34,960	31,648	3,312
Expenditure	9,000		9,000	9,000	0
Project Funding	13,760	16,970	30,730	30,696	34
Income	0		0	0	0
Salaries	3,760		3,760	3,726	34
Expenditure	10,000	16,970	26,970	26,970	0
Pension Payments			0		0
Partnerships / HLF	0		0	0	0
Expenditure	0		0	0	0
SDF	0		0	0	0
Expenditure	0		0	0	0
Finance and Insurance	158,187		158,187	149,287	8,900

Row Labels	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Income			0		0
Salaries	62,966		62,966	61,116	1,850
Expenditure	95,222		95,222	88,172	7,050
Communications	78,048		78,048	78,995	(947)
Income			0		0
Salaries	67,548		67,548	68,495	(947)
Expenditure	10,500		10,500	10,500	0
Visitor Centres and Yacht Stations	67,477	1,500	68,977	66,187	2,791
Income	(56,250)		(56,250)	(56,250)	0
Salaries	100,477		100,477	97,687	2,791
Expenditure	23,250	1,500	24,750	24,750	0
Collection of Tolls	113,660		113,660	113,192	468
Salaries	100,960		100,960	100,492	468
Expenditure	12,700		12,700	12,700	0
ICT	88,381		88,381	89,807	(1,426)
Income			0		0
Salaries	41,950		41,950	43,376	(1,426)
Expenditure	46,431		46,431	46,431	0
Legal	42,000		42,000	13,922	28,078
Income	0		0	(2,500)	2,500
Salaries	0		0	1,422	(1,422)
Expenditure	42,000		42,000	15,000	27,000
Premises - Head Office	69,600		69,600	65,119	4,481
Expenditure	69,600		69,600	65,119	4,481
Planning and Resources Management and Administration	85,757		85,757	77,226	8,531
Income	0		0	(3,300)	3,300
Salaries	44,882		44,882	45,591	(709)
Expenditure	40,876		40,876	34,936	5,940
Chief Executive	150,982		150,982	158,365	(7,383)

Row Labels	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Human Resources	54,587		54,587	64,893	(10,306)
Salaries	29,987		29,987	40,293	(10,306)
Expenditure	24,600		24,600	24,600	0
Governance	56,235		56,235	53,017	3,218
Income			0		0
Salaries	36,039		36,039	34,471	1,568
Expenditure	20,196		20,196	18,546	1,650
Chief Executive	40,159		40,159	40,454	(295)
Salaries	40,159		40,159	40,454	(295)
Expenditure			0		0
Projects and Corporate Items	37,200		37,200	37,313	(113)
PRISMA	0		0	113	(113)
Income			0		0
Salaries	10,410		10,410	10,523	(113)
Expenditure	(10,410)		(10,410)	(10,410)	0
STEP			0		0
Expenditure			0		0
Corporate Items	37,200		37,200	37,200	0
Pension Payments	37,200		37,200	37,200	0
Contributions from Earmarked Reserves			0		0
Earmarked Reserves			0		0
Expenditure			0		0
Grand Total	(39,558)	32,110	(7,449)	(16,166)	8,717

**Construction, Maintenance and Environment Work Programme
Progress Update**

Report by Head of Construction, Maintenance and Environment

Summary: This report sets out the outcome made in the delivery of the 2014/15 Construction, Maintenance & Environment Section work programme.

This report also details the headline projects for the 2015/16 year. Members' questions regarding the Construction, Maintenance or Environmental works programme are welcomed.

1 Construction Programme Outcome 2014/15

- 1.1 The outcome of the Construction and Maintenance work programme is described in this report. As previously reported verbally to members, a further detailed breakdown shows that up to the end of March 2015, 46,320m³ of sediment has been removed from the rivers and broads, and the details of quantities and costs achieved so far are set out in Appendix 1. This represents 93% of the programmed target of at least 50,000m³.
- 1.2 The dredge quantity is just below the target of 50,000m³. The shortfall was largely due to mechanical problems we faced at the mud pumping project (Upper Bure – Coltishall Locks) where the pump sank, soon after being mobilised into the water due to a faulty non-return valve. This meant a delay in starting the project as electrics and starter motors had to be replaced. We have made arrangements to continue to mud pump this location into May, to complete the project and get the maximum quantity of material into the lagoon area.
- 1.3 Two of the major dredging projects for 2014/15, have been completed. The Mid Bure (Thurne mouth to Horning Hall) has seen over 16,000m³ of sediments removed. The material was deposited in set-backs area on the River Thurne where it will be allowed to dry and some will be used for crest raising within the BESL maintenance period. 12,000m³ was dredged from the River Waveney, at Burgh Saint Peter's bends, and this material was used to fill the set-back at Black Mill. The Black Mill set-back is now full and restored to the profile agreed with BESL.
- 1.4 Haddiscoe Cut has also had a comprehensive dredging with over 6,000m³ removed from the Reedham and St Olaves ends. This project originally planned to remove 2,000m³ of sediments, but when readings were taken of the accumulated sediments, more than expected had been deposited,

therefore the dredging crews removed the additional material to ensure this section was brought back to specification.

- 1.5 Previous discussions with members highlighted that the target of 50,000m³ of sediment removal was difficult to visualise and that a better way of representing this achievement was needed. As a result of this we committed to demonstrating the volume removed in relation to the Waterways Specification. In order to accurately report the Waterways Specification we carry out Hydrographic Surveys of the rivers and broads, pre and post dredging, to gauge the effectiveness of our endeavours. These surveys are carried out by 'Landscape' who are on a three year contract. The programme for 2015/16 surveys includes post dredging surveys for the River Waveney, Haddiscoe Cut, the River Chet and the River Ant. The Bure will be surveyed once the 2015/16 dredging programme is complete, as more work is required on this river. A compliance report will be presented to Committee once these surveys are complete.

2 Maintenance Programme Outcome 2014/15

- 2.1 In the run-up to the Easter Holidays the Maintenance Team were fully engaged with ensuring that all 64 of the Broads Authority 24hr moorings are in a favourable condition, ready for the start of the 2015 season. In order to be ready to give moorings a high priority of care they have to have completed all their conservation tasks.
- 2.2 An important part of fen management is scrub clearance and How Hill, Hall Fen, Decoy Carr, Whitlingham, Stanley Carr, Mill Marsh, Common Fen and Rollesby Common have all had conservation works take place, most under the High Level Stewardship schemes. This labour intensive work is often complimented with input from volunteers, who give many hours to assist with repetitive task.
- 2.3 Thorpe Green, Commissioners Cut, How Hill and Aldeby moorings have all been refurbished this year, with new quay heading timbers, surfacing and mooring posts being installed
- 2.5 The Maintenance Crews have been heavily engaged with improvement projects at Potter Heigham, with landscaping and surface improvements taking place at Bridge Green and the Dingy Park. The Dingy Park location has also seen improvements made to the canoeing facilities, with better slipway access and secure storage for canoers wishing to enter Potter Heigham on foot.

3 Environment Team Programme Outcome 2014/15

- 3.1 The Environment Design Team (EDT) look after the Fen Management Programme, (Fen Harvesting and Pony Grazing) are responsible for ensuring permits and permissions are gained for dredging disposal/re-use, ensure tree and scrub management programmes are carried out as per the Environmental Standard Operating Procedures (ESOP's), innovative dredging re-use

schemes (erosion protection and erosion restoration) and assisting the Operations Technician and Rangers with any aspect of the environment as they go about their daily tasks. Three key navigation projects the EDT are dealing with are:

- 3.2 Turn Tide Jetty – The contractor, G.T Rochester, have mobilized their equipment to the quay at Fendercare, where materials are being loaded. This includes the recycled Greenheart timbers salvaged from the Solent and trimmed to give us the correct section sizes. Part of this mobilisation was to bring the large platform, JMC9, from Acle down the Bure and into Breydon. This was done under escort from the Ranger Service. A 50ft crawler crane has been loaded onto JMC9 (see photograph) to assist with loading and construction of the repairs to the jetty. The JMC9 will transit Breydon Water and begin work at the Jetty week commencing April 13.



- 3.3 Mutford Lock – Before Easter Oulton Broad Yacht Station staff were reporting problems with one set of gates at Mutford Lock, stating that the lock gates were not sealing. Without the gates sealing correctly water levels within the dock cannot be controlled enough to allow the lock to operate. Divers have assessed the gates and identified an alignment issue, due to a problem with the gate bearings. We are working with specialist divers and gaining advice from Consultants, who designed the gates, to be able to instigate repairs as soon as possible. We expect the work to adjust the gates and replace the worn bearings to be completed by the end of April. If these repairs are not successful, then we will need to consider further major works to the Lock gate system.
- 3.4 Officers have also responded to an application, received by the MMO (Marine Management Organisation), for a licence to discharge dredged sediments into the River Waveney, as Statutory Consultees. We raised concerns over a number of issues including, accumulative environmental impacts, sediment volumes, lack of chemical analysis and the overall potential impact on the SSSI, RAMSAR and SPA designation of Breydon water.

4 Fitters Programme Outcome 2014/15

- 4.1 The Motor Launch refit programme was split for 2014/15 with four launches being refitted at Cox's Boatyard and four launches being brought in-house' to be refitted 'at the Griffin Lane Dockyard. All the launches have now been returned to service ready for the 2015/16 season, with a few issues still being worked on with the Spirit of Breydon. The splitting of the refits has been successful and the in-house fitters have managed the launches as well as the much needed maintenance and servicing required by the other vessels and equipment used within Construction and Maintenance. This work has included:
- 4.2 The wherry, Tony Hewett, has had a new steel floor fitted. Due to wearing that occurs during offloading the fixings which allows the timber flooring to be secured has become exposed. The new steel floor will offer better protection to the wherry, especially as we move more towards dredging and offloading with 360 excavators. The second of the two large wherries, John Fox, is currently undergoing the same refit.
- 4.3 Grab 7, a large pontoon with fixed grab crane, has come to the end of its working life and is no longer economically viable to repair or maintain. The unit has been escorted back to the Dockyard where the crane unit is being dismantled, this will be used for spares, and the pontoon unit will be fully assessed to see if housing another crane is viable. Currently the work Grab 7 was doing is being performed by our new long reach Doosan excavator.
- 4.4 The three Trip Boats, Ra, Electric Eel and Liana have also been serviced and made ready for the beginning of the season. The Liana received a full refit and has been re-launched and the Electric Eel & Ra only requiring routine maintenance.
- 4.5 Currently the Fitters are busy carrying out diagnostic work on the workboat Shoveller, as she has had a major failure of her hydraulic motors. Repair options are being sought as this much used and heavily needed workboat has a full year of work commitments.

5 2015 – 2016 Navigation Work Programme

- 5.1 The enclosed table headlines the agreed dredging priorities for the year ahead. These locations were brought to the Navigation Committee last October in draft form, in order to affirm they represent a true priority to dredge and allow for changes to be made.

River or Broad	Location	Date	Volume m ³	Comment
Ant	Irstead	To end April 2015	1,500	Continuing from 2014/15
Chet	Pye's Mill to	To end April	1,000	Continuing

	Hardley Flood	2015		from 2014/15
Bure	Coltishall Lock	To mid May 2015	2,000	Continuing from 2014/15
Bure	Coltishall to Belaugh	Oct- Nov	3,000	
Bure	Horning Hall	May - July	8,000	
Bure	Acle to Stokesby	Sept - Oct	7,000	
Bure	Bure Mouth	May	500	Contract work with Gt Yarmouth Port Authority with disposal at sea
Oulton Broad	Channel	May - Aug	10,000	
Yare	Whitlingham bends	Sept - Oct	4,500	
Yare	Seven Mile House to Berney	Nov - Feb	5,000	
Hickling Broad	Channel	Dec - Mar	10,000	If dredging at Hickling does not progress we will dredge Rockland Boat dyke as a plan B
Total			52,500	

5.2 The below table highlights the major mooring works we plan to undertake in 2015/16

Mooring Location	Planned works
Bramerton Common	Timber work and re-surfacing
Wayford Bridge	Replacing timberworks
Womack Dyke	Timberwork, new safety chains & mooring posts
Aldeby	Timberwork and replace tie-rods
Cantley	Replace fendering
Reedham Quay	Replacement safety chains and fendering
Horning Marshes	Refurbish surfacing
Cockshoot	Repairs to tie-rods

5.3 We also plan to replace 10 channel markers on Breydon Water and 10 channel markers on Barton Water. The main focus for bankside tree clearance will be on the River Ant.

- 5.4 Members attention is drawn to Appendix 2 where the Operatives time allocation in 2015/16 has been split between the main work types. There are currently a further 478 days available and members views are sought on where they would like to see this resource deployed. (*Please note this allocation of spare days is dependent on a number of factors, including keeping sickness and reactive works to a minimum*)

Background papers: Nil

Author: Rob Rogers

Date of report: 7 April 2015

Broads Plan Objectives: NA1.1

Appendices: APPENDIX 1 –Dredging Progress Table 2014/15
APPENDIX 2 – Summary of Operation Technician Activities
2015/16

Dredging Outcome 2014/15 (April 2014 to end March 2015)

APPENDIX 1

Project Title	Project Element	Active dredging weeks Completed (Apr-Mar)/Planned	Volume Removed m ³		Annual project cost	Actual project cost ¹ (Apr-Mar)
			Planned	Actual	Planned	Actual
Mid Bure	Thurne Mouth to Horning Hall	27/28	19,000	16,960	£165,000	£132,370
<i>Completed. River Thurne rond and setback area near Ant mouth all utilized to plan</i>						
Waveney	Burgh St Peter bends	20/16	12,000	12,050	£112,500	£120,900
<i>Completed. Arisings to setback area at Black Mill on the lower Waveney now full</i>						
Haddiscoe Cut	Reedham end and St Olaves end	9/4	2,000	6,240	£22,700	£51,100
<i>Completed. Work was extended whilst waiting for hire of EA wherries before moving to R. Ant</i>						
River Ant	How Hill to Barton Broad	8/12	6,000	4,670	£99,500	£56,160
<i>Progressing well. Start date delayed to first week of February. Carrying into 2015/16</i>						
Upper Bure	Belaugh to Horstead Mill	6/12	6,000	900	£91,000	£35,190
<i>Mud pump started last week of February. Continuing into May 2015. Bank re-alignment scheme incorporating 3,000m³ gained planning permission but work has had to be deferred to October 2015</i>						
River Chet	Pye's Mill to Hardley Flood	11/10	5,000	5,500	£53,800	£40,210
<i>Side casting of sediment progressing well. Sediment being used to strengthen floodbank. Further 2 weeks in 2015/16</i>						
Heigham Sound	Restoration of lagoon area	0/0	0	-	£17,500	£17,390
<i>Replanting of lagoon baskets and on-going maintenance. Part PRISMA funded in 2014/15</i>						
Postwick Tip	Restoration of disposal cells & on-going management	0/0	0	-	£16,000	£6,710
<i>Movement of dry dredgings ready for site to receive wet dredgings completed end March 2015</i>						
TOTAL		81/82	50,000	46,320	£578,000	£408,930

¹ – Costs to end March 2015 are not final year end figures and more costs are expected

Summary of Operations Activities during 2014/15

APPENDIX 2

	Operations Technician working days	Percentage of Navigation allocation	Plan for 2015/16 Days	Plan for 2015/16 Percent
Number of Operations Technicians FTE	23.6		22.6 (plus proposed apprentices)	
Operations Technician days available	3172		3129 ^b	
Dredging	1807	57.6	1342	50.6
Moorings	263	8.4	291	11.0
Weed harvester	82	2.6	99	3.7
Bankside scrub removal	32	1.0	90	3.4
Channel markers	157	5.0	205	7.7
Signs & boards	47	1.5	40	1.6
Navigation obstructions	36	1.1	14	0.6
Reactive navigation works	27	0.9	60	2.2
Corporate working (training, meetings, etc.) ^a	197	6.3	188	7.1
Sickness ^a	248	7.9	120	4.5
Vessel & equipment maintenance ^a	93	3.0	62	2.3
Premises maintenance ^a	147	4.7	140	5.3
Total	3136	100	2651	100

^a – these activities are recorded and split as per Navigation : National Park allocation (60:40)

^b – Total Operations Technicians days are less in 2015/16, but apprentices will also contribute

BROADS AUTHORITY

BOATING SAFETY MANAGEMENT GROUP

Notes of the meeting held on 10th March 2015 at the Dockyard

Present

Phil Ollier (in the chair)	Broads Authority Lead Member for Safety Management
Tony Howes	Broads Hire Boat Federation (BHBF)
Colin Dye	Broads Hire Boat Federation (BHBF)
John Tibbenham	Norfolk & Suffolk Boating Association (NSBA)
Stuart Carruthers	Royal Yachting Association
Colwyn Thomas	Norwich Rowing Club
Trudi Wakelin	BA Director of Operations
Andy Elson	BA Ranger Services
Chris Bailey	BA Administrative Officer Operations

1. Chairman's Introduction

The Chairman welcomed everyone to what would be his last meeting as chairman.

2. Apologies

Apologies were received from David Broad (Broads Authority Navigation Committee), Pat McNamara (Port Company), Les Mogford (Norfolk & Suffolk Boating Association) Steve Birtles (BA Head of Safety Management), Adrian Vernon (BA Head of Ranger Services) Adrian Clarke (BA Senior Waterways and Recreation Officer) and Tom Hunter (BA Rivers Engineer).

3. Not Present

Anthony Trafford (British Marine Federation).

4. Minutes agreed

The notes of the meeting held 23rd September 2014 were agreed as a correct record.

5. Matter Arising

Reedham swing bridge – TW asked members for feedback relating to visibility of the electronic sign provided by Network Rail advising boaters opening delays of the bridge. Network Rail had requested precise rather

than anecdotal comments. Members discussed the standard messages displayed and confirmed that “Bridge opening please wait” caused confusion to boaters who could transit under the bridge when it was closed All

6. Action Points

Mooring provision downstream of Ludham Bridge – The moorings had reopened following repair work but there had been no further progress from the Environment Agency (EA) relating to the legal agreement. TW confirmed that she would ascertain whether the demasting signage at the upstream demasting mooring had been moved and the situation would be monitored. TW

Designated loading provision – Keith Bacon had been working with Adrian Clarke on updating the Staithes Register. A quotation had been received from the University of East Anglia (UEA) to undertake the study on Staithes which was over budget and KB had therefore agreed to take on some of the work himself.

Incident report form to be reprinted and linked to the NSBA website – Completed.

Open water swimming guidance – Information was now available on the Authority’s website.

Boat Safety Scheme information on isolator valves and holding tanks – The Boat Safety Scheme (BSS) office would record any BSS failures due to isolator valves not being fitted and advise the Authority accordingly.

Use of defibrillators – appropriate signage to be developed and existing defibrillator locations to be identified and listed – A list of locations of defibrillators had now been produced and was held in Broads Control who should be notified if further locations were identified. The Authority did not plan to provide signage but confirmed that co-ordination would be through Broads Control although it was stressed that the Authority could not guarantee ongoing accuracy of the list nor public access to the defibrillators at all times.

Speed indicators and regulations – TW reported that the BHBF had been provided with technical information relating to the device the Authority had located which could be mounted in the cockpit of vessels for £50 per unit for a minimum of 20 units supplied. TH was unaware that a suitable unit had been sourced and confirmed that he would raise the issue with the BHBF’s Technical Chairman. TH

Text messaging on Breydon Water – Discussion had been held with the BHBF regarding the continuation of the Breydon text messaging service which had not been taken up and the Authority was now looking at the possibility of providing information through an ‘App’ which would be a

longer term project.

7. Safety Management System

PMSC External Safety Audit

A copy of the Authority's Port Marine Safety Code Audit undertaken by BMT Isis in September 2014 had been circulated to members. The external audit was to provide assurance that the Authority was discharging its duty with hazards being identified and reduced to a level as low as reasonably practical (ALARP). A Safety Management System Audit Action Plan had subsequently been developed which detailed actions identified within the audit, responsible Officers and completion dates. It was noted that actions arising from the land based hazard review would also be incorporated into the Action Plan as appropriate.

Members discussed the requirement to provide an audit trail for training and the requirement to review the Authority's job descriptions against the new national competency standards.

It was noted that SB should be complimented for his professionalism and attention to detail. Members felt that TW and AV should also be congratulated as the results reflected well on all staff involved.

Hazard Review 2014, 2015 Process Update

Members discussed what the Authority classed as an incident as there were a number of collisions involving rowers which were not documented. TW confirmed there were issues with users and clubs not wishing to report incidents but there was a legal requirement to report anything which resulted in damage to people or property. An incident report form was available on the Authority's website. SC confirmed that the RYA had looked at what should be recorded 10 years ago and had created a decision flow chart as there was the need to be aware of anything which happened under the RYA name. However by the nature of some activities there was a high expectation of ending up in the water and the RYA were not interested in people capsizing unless they became trapped in the water. TW confirmed that the Authority was working with the National Water Safety Forum who had developed a Water Incident Database (WAID) which included all water related activities including open water swimming. CT expressed an interest in reviewing available information and confirmed that he would speak to the area Ranger. He suggested that it could be beneficial for the Authority to receive annual safety reports from clubs and that the Authority should note that only major incidents were recorded.

Members discussed the hazard review, details of which had previously been circulated. Three new hazards had been identified and draft risk

assessments had been reviewed at the BSMG meeting in September 2014. Comments had been received from CT which SB had responded to confirming amendments would be made to the description and mitigation measures for hazard 017.

Members discussed the development of the Code of Conduct for the use of Coaching Vessels on the River Yare Version 3 which was currently out for consultation and it was felt that a concise single page document would be more beneficial. Care and caution and speed restrictions in low wash areas were discussed together with potential problems when coaching vessels were navigating past moorings. CT reiterated the invitation for a BA representative to accompany a coaching launch supervising junior rowers so that the Authority could have a better understanding of the occasional difficulties of minimising wash whilst maintaining their duty of care and supervision to junior rowers. Similar invitations have been extended to BA staff on other occasions which they have so far declined. It was agreed that CT would arrange a further meeting between the Authority and rowing clubs which would be organised after the Authority's representative had accompanied a coaching launch.

CT

Integrated Action Plan

The Authority would work through the Hazard Review to extract any outstanding actions. Land based hazards have been referred to the Broads Local Access Forum (BLAF) with the intention that all hazards and further risk measures/ actions should be incorporated into a single document.

8. PSMC Notice to Mariners/Safety Alerts/ Report on Incidents

Notice to Mariners

No. 1 of 2015 – Dredging work on the River Chet

From Monday 5th January until Friday 27th March 2015 between the hours of 08:00 and 16:00 daily excluding weekends

No. 3 of 2015 – Closure of River Bure at Coltishall Lock

The canal section of the River Bure between the Mead and Coltishall Lock will be closed due to dredging operations during week days from Monday 12th January until Friday 24th April 2015.

No. 4 of 2015 – Navigation Restriction due to Power Boat Racing Oulton Broad 2015

Various dates from Thursday 23rd April 2015 through to Sunday 6th September 2015.

No. 5 of 2015 – Dredging on Hickling - Postponed

From Monday 16th March 2015 until Thursday 2nd April 2015 between 08:00 and 16:00 excluding weekends.

No. 6 of 2015 – Dredging work on the River Chet

From Monday 13th April 2015 until Friday 1st May between 08:00 and 16:00 excluding weekends.

Safety Alerts

Carbon Monoxide

TW reported that there was the potential requirement for carbon monoxide alarms to be fitted to hire boats fitted with solid fuel stoves due to the risk of CO poisoning. Members discussed the recommendations in the Marine Accident Investigation Branch (MAIB) report on the investigation of CO poisoning on a motor cruiser on Windermere where a portable generator had been installed in the engine bay resulting in two fatalities. It was felt that people needed to be educated on the requirement for adequate ventilation and dangers associated with modifying appliances. It was confirmed that the BSS circulated safety alerts in addition to advice provided by their examiners.

Members suggested that all boat owners should be encouraged to fit alarms where there was a source of CO and it was felt that the target audience was the liveaboard community. It was confirmed that the Authority's Rangers did have safety leaflets which they provided to this community but that owners did not always want to hear.

Members recommended that information detailing the dangers of CO poisoning should be circulated as widely as possible and be available on moorings and the Authority's notice boards, promoting the requirement for adequate ventilation and routine servicing of any appliance with a flame.

SB

Report on Incidents

AE gave a verbal update on incidents from October 2014 to January 2015:-

- 3:05260 Ludham bridge gauge board struck by hire cruiser and not bridge as originally recorded.
- 3:05272 Woman hit by cleat whilst mooring hire boat at Reedham Quay. Helm drove away whilst she was attaching mooring line which resulted in a cleat being ripped out of the vessel.
- 3:05275 Hire cruiser reversed out of boatyard into the bow of Wroxham trip boat with 61 passengers on board. No injuries sustained although extensive damage to the stern of the hire

vessel. The incident was investigated by the local Ranger and recommendations made.

- 3:05280 Moored boater claims hand burnt as a result of wash from safety boat. A verbal warning was given by the Ranger to the helm of the safety boat although it should be noted that there is some history of disputes between boat owner and the sailing club.
- 3:05284 Authority tug floorboards caught fire during escorted tow. Boards thrown overboard to extinguish fire and then retrieved. Exhaust has now been rerouted and is better protected.
- 3:05299 Contractors barge sunk at Potter Heigham. Criminal damage is suspected. It was a steel barge which was difficult to raise and resulted in crane charges of £30K. There had been minimal pollution.
- 3:05300 Fire on liveaboard boat at Sutton Staithe. The owner had left the doors on the wood burning stove open and had gone for a walk. Damage caused to quay heading and mooring posts. The Authority had arranged the removal and disposal of the vessel and there were issues with 2500ltrs of contaminated water. The Authority was trying to reclaim costs from the owner and investigations were ongoing.
- 3:05301 Liveaboard drowned at Bramerton had fallen overboard under the influence of alcohol.
- 3:05309 Suicide in river at Horning. The person was recovered by two members of the public and the air ambulance attended.

It had become apparent during the Breydon User Group meeting that the number of groundings recorded on the Authority's Incident and Safety logs were lower than actual groundings as recoveries undertaken by John Cressey had not been included and therefore a further 20 groundings should be added during this period. It was noted that the number of groundings had increased despite better signage being in place and more emphasis on handovers and in Broadcaster. People were also not taking into account advice on bridge heights despite information being available on the Authority's Better Boating DVD, website and Broadcaster.

9. Waterski Review progress report/update

At the Water Ski Review meeting held on 2nd October 2014 members recommended the Authority formalise water skiing on Breydon within the existing designated area and with the requirement for skiers to log on through Broads Control to enable the continuation of monitoring. To date the zone had little use with two permitted skiers and one rogue skier having used it.

The recommendation of the Water Ski Review Group would be presented to the Navigation Committee on the 23rd April 2015 and the Broads Authority on the 15th May 2015.

It was noted that members were comfortable with the recommendation.

10. Hire Boat Code Update

The Broads Authority had previously identified through its Safety Management Hazard Review in 2013 the requirement to update its Hire Boat Licensing Conditions to include the requirement for speed indicators at helm positions on powered vessels. This implementation had been delayed to coincide with the completion of the Hire Boat Code including unpowered boats.

Slow progress had been made on the Hire Boat Code recommendations due to detail issues in Part 1 of the code, which related to power boats. This had resulted in no progress being made to Part 2 of the Code for non-powered vessels. TW would be able to update Members on any progress made following the meeting of the BSMC on Tuesday 17th March.

TW

Due to the delays in the development of Part 2 of the Hire Boat Code relating to unpowered vessels the Authority proposed that, following consultation with the hire boat industry and affected parties, the Broads Authority Licensing Conditions relating to powered vessels would be reviewed in line with the newly revised Hire Boat Code for implementation in April 2016.

SB

Members agreed with the proposal.

Members discussed the implications of the Hire Boat Code Part 2 for unpowered vessels and identified potential operators. It was felt that there would not be much work required before issuing Operators Licences as Part 2 of the Code would be the same as Part 1 in terms of Risk Assessments, handover procedures and BSS with most procedures already in place. It was agreed that the Authority would commence working with Operators of unpowered vessels for Part 2 advising them of future requirements.

SB

11. Any Other Business

Future BSS requirements – TH reported that the BHBF were concerned over future requirements, commenting on the potential of CO alarm installation and slip resistant surfacing on boats. TW confirmed that currently both CO and smoke alarms were advisory and that she would check the position on slip resistant surfacing to ascertain whether this would be required by treating surfaces, signage or detailed in handover procedures. Members discussed people's enjoyment of sitting on cabin tops and what mitigation measures could be put in place by making the surface safe or informing hirers they were not allowed on the roof. TW explained that the Authority had to look at what was reasonably practical to ensure hirers safety and that this was a shared responsibility with the hire industry. It was agreed that TW would visit CD to look at practical issues.

TW

Transiting Breydon Water and Safe Passage through Great Yarmouth – Members discussed alternative options to inform boaters of tidal conditions and bridge clearances now that the Breydon Text Messaging Service was discontinued. The BHBF applied for a BMF grant for installation of electronic signage even though this had not been supported by officers and an ‘App’ had been suggested as an alternative method of communication. The BHBF had doubts concerning the use of an ‘App’ and believed that some form of illuminated signage would reduce the number of incidents. Member’s views were sought whether there was support for some form of visual signage. Various ideas were offered and it was confirmed that more signage had been discussed at the Breydon User Group meeting. It was noted that Members were supportive of measures to make people aware of conditions although they were aware there were practical problems. TH confirmed that he would continue investigation.

TH

Operation of new ferries on the River Yare – The Authority had received two applications for ferries to operate within zone 1 on the River Yare, one crossing from Thorpe Green to Whitlingham Broad and the second from Bungalow Lane in Thorpe across to Whitlingham Lane. To date neither applicants had supplied the Authority with the required documentation although a planning application had been approved for the physical works required to establish one of them. Providing everything was in place the Authority would be unable to refuse an application under the terms of the Navigation Byelaws. Both operators had been advised to liaise with other users within the area. TW confirmed that she would check what had been received as members would like to be aware of the position prior to reading it in the local press.

TW

Thanks – The Chairman thanked members of the group for their participation and contributions. Thanks were also expressed to PO in his role as Chairman.

12. Date of Next Meetings

Tuesday 15th September 2015 at 09:30 at the Dockyard

Chief Executive's Report

<p>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.</p>
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1 Broads Authority Interim Chairman and Vice-Chairman

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

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

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

3 Strategic Priorities 2015/16

Contact Officer/ Broads Plan Objective: Maria Conti /Multiple

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

4 Hickling Broad

Contact Officer/Broads Plan Objective: Trudi Wakelin/ NA1

- 4.1 At the last meeting of the Broads Authority the details of the agreed Strategic Objectives for 2015/16 were set, and these included: Develop a long-term approach for the management of Hickling Broad, building on scientific evidence from the Broads Lake Review. In the short term, progress development of a number of smaller projects to meet immediate concerns. The agreed milestones are to:

- Collate baseline data including Broads Lake Review outputs by April 2015
- Lake review stakeholder workshop - April 2015
- Develop partnership approach with stakeholders and agree refreshed vision for Hickling by Sept 2015
- Seek planning permission and in principle agreement from regulators to deliver the vision
- Develop external funding options - Jan 2016
- Undertake supporting research and pilots to inform feasibility by March 2016

- 4.2 Members are aware that previously planned dredging work had to be postponed as a result of delays in consenting processes, and at the same time a prymnesium outbreak occurred resulting in the Environment Agency needing to evacuate distressed fish from the area. The dredging programme has therefore been re-planned to allow works to take place in October/November 2015, subject to additional ongoing work to resolve concerns relating to copper contamination and consents being granted. At the same time officers are preparing all current baseline data to present to the Upper Thurne Working Group to develop a draft refreshed vision for Hickling for consultation, and a project plan for delivery of long term objectives.

5 External Funding

Contact Officer/Broads Plan Objective: Adrian Clarke/ PE1

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

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

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

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

6 Disposal of Geldeston Woodland

Contact Officer/Broads Plan Objective: Angie Leeper/ None

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

7 Consultation on the River Basin Management Plan

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

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

8 Broads Authority Safety Management System External Audit

Contact Officer: Head of Safety Management/ NA4.2

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

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

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

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

10 Lease of Moorings

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

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

11 Navigation Patrolling and Performance Targets

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

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

12 Sunken and Abandoned Vessel Update

Contact Officer/Broads Plan Objective: Adrian Vernon/NA4

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

13 Planning Enforcement Update

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

- 13.1 Following queries raised by a member, it was agreed to provide regular updates on the position regarding relevant planning enforcement actions. These details are included at Appendix 4.

Background papers: None

Author: Sandra Becket / Esmeralda Guds
Date of report: April 2015

Broads Plan Objectives: Multiple

Appendices: APPENDIX 1 –Report on the Significant Exercise of Powers by the
Rangers during February – March 2015
APPENDIX 2 – Prosecution during November 2014
APPENDIX 3 – Report of Sunken and Abandoned Vessels
APPENDIX 4– Planning Enforcement Update

APPENDIX 1

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

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

RANGER TEAM ACTIVITY

as at 14 April

	Navigation Activity								Countryside Activity							
February 2015	Nav Patrol Launch	Nav Patrol Foot/Road	Incident Working	Admin - Navigation	Training (Navigation)	Escort	Moorings Maintenance	Bank work	Country Patrol	Country Maintenance	Admin - Country	Training (Countryside)	Equipment Maintenance	Tree/Ground work	Group Activities	Education/School Visit
Percentage Total	9.49%	3.91%	0.07%	1.37%	0.26%	0.37%	0.46%	3.83%	4.79%	8.05%	0.35%		3.84%	2.60%	0.71%	
Wroxham team	10%	1%	36%	7%			44%	55%	23%	36%	12%		36%	17%	61%	
Thurne team	17%	2%		16%				3%	3%	19%	13%		19%			
Yare team	27%	3%	64%	11%		100%	12%	42%	6%	30%	29%		27%	64%		
Waveney team	2%			20%			29%		11%	8%			11%	19%	39%	
Breydon team	35%	62%		46%			15%		40%	6%	46%		7%			
Control Officer																
	#REF!								#REF!							

Month Percentages	
Navigation	58%
Country	42%
Total	100%
Time Off not included	

	General Support												Time Off			
	Broads Control	Travel Time	Activity Unknown	Training - Split	Meeting - Staff	Meeting - Public	Admin - Split	Admin - Volunteer	Training - (Volunteers)	Public Relations Event	Site Visit third party	Other Task	Time off in Lieu (not accurate)	Breaks (not including un-notified breaks)	Annual Leave	Sick
Percentage Total	5.80%	4.88%	5.12%		1.92%	1.00%	13.86%	0.59%	0.69%	0.37%	0.88%	2.04%	0.66%	2.15%	15.46%	4.45%
Wroxham team	12%	21%	11%				29%	24%		40%	4%		7%	15%	27%	14%
Thurne team	12%	13%	26%		5%		3%	63%			54%			6%	8%	31%
Yare team		10%	19%		21%		15%			58%	23%	22%		23%	16%	
Waveney team		19%	18%		35%		14%	6%					46%	8%	26%	
Breydon team	0%	23%	3%		19%	41%	12%	7%	100%		8%	4%		10%	4%	21%
Control Officer	76%		0%							2%		2%	46%	28%	8%	
	#REF!	#REF!	#REF!										#REF!			

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

Team percentages equal team contribution to activity

RANGER TEAM ACTIVITY

as at 14 April

	Navigation Activity								Countryside Activity							
March 2015	Nav Patrol Launch	Nav Patrol Foot/Road	Incident Working	Admin - Navigation	Training (Navigation)	Escort	Moorings Maintenance	Bank work	Country Patrol	Country Maintenance	Admin - Country	Training (Countryside)	Equipment Maintenance	Tree/Ground work	Group Activities	Education/School Visit
Percentage Total	8.21%	3.29%	0.69%	0.30%	0.72%	1.24%	0.66%	1.32%	2.64%	5.92%	0.37%	0.12%	3.71%	0.98%		0.40%
Wroxham team	5%	9%	38%	15%	21%		24%		19%	41%	8%		30%			49%
Thurne team	18%	6%		30%	31%	53%	3%	25%	25%	4%			18%			
Yare team	27%	7%	16%		27%		3%	1%	13%	41%	44%	100%	34%	48%		
Waveney team	17%	0%		55%			68%		20%	13%	2%		18%	52%		
Breydon team	34%	59%	33%		20%	25%	3%	74%	23%	0%			1%			51%
Control Officer																
	#REF!								#REF!							

Month Percentages	
Navigation	60%
Country	40%
Total	100%
Time Off not included	

	General Support												Time Off			
	Broads Control	Travel Time	Activity Unknown	Training - Split	Meeting - Staff	Meeting - Public	Admin - Split	Admin - Volunteer	Training - (Volunteers)	Public Relations Event	Site Visit third party	Other Task	Time off in Lieu (not accurate)	Breaks (not including un-notified breaks)	Annual Leave	Sick
Percentage Total	6.54%	3.81%	9.39%	6.61%	5.86%	0.99%	10.54%	1.09%	0.57%	0.26%	0.65%	4.06%	0.36%	1.55%	16.08%	1.02%
Wroxham team	5%	14%	7%	38%	11%		11%	2%			28%	24%	29%	4%	17%	100%
Thurne team	5%	17%	17%	10%	10%		10%	46%			4%	11%			27%	
Yare team		11%	26%	8%	23%		15%			100%	68%	15%		21%	11%	
Waveney team		26%	10%	11%	9%	14%	10%	26%				13%		7%	11%	
Breydon team	6%	28%	19%	11%	16%	38%	12%	27%	100%			36%		6%	14%	
Control Officer	66%			4%	2%									42%	5%	
	#REF!	#REF!	#REF!										#REF!			

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

Team percentages equal team contribution to activity

APPENDIX 2

Report of a prosecution dealt with in court during November 2014

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

APPENDIX 3

Sunken and abandoned vessels.

Description	Location found	Action	Abandoned /Sunken Notice Affixed	Result
Wooden Sailing cruiser	River Yare Trowse	No known owner.	yes	Vessel not raised by owner. Deadline expired and BA team will raise and remove when the programme allows

Enforcement Update

This table shows the updates on enforcement matters relating to Navigation matters currently under consideration since the last Navigation Committee on 26 February 2015

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

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