

Navigation Committee

Minutes of the meeting held on 13 June 2019

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Present

Nicky Talbot – in the Chair, Kelvin Allen, John Ash, Linda Aspland, Mike Barnes, Matthew Bradbury, Bill Dickson, Andy Hamilton, Greg Munford, Alan Thomson, Paul Thomas.

In attendance

Lucy Burchnall - Head of Ranger Services, Maria Conti – Head of Governance, Mark King - Waterways and Recreation Officer, Emma Krelle - Chief Financial Officer, Sarah Mullarney - Administrative Officer, John Packman - Chief Executive, Cheryl Peel – Senior Planning Officer, Rob Rogers - Director of Operations, Cally Smith – Head of Planning.

1. To receive apologies for absence

Apologies were received from Simon Sparrow. The Chair had received comments on the agenda from Simon Sparrow, these were read out at the relevant items and formed part of the discussion.

Recordings

The Chair announced that the meeting would be recorded and that the copyright remains with the Authority; however, a copy of the recording could be requested from the Governance team.

Welcome

The Chair welcomed Andy Hamilton, who was attending his first Navigation Committee meeting as a co-opted member.

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

No items were proposed as a matter of urgent business.

3. To receive declarations of interest

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

4. Public question time

No public questions were raised.

5. Minutes of Navigation Committee meeting held on 11 April 2019

The minutes of the meeting held on 11 April 2019 were signed by the Chair as a correct record of the meeting.

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.

Staithe report

The Chief Executive informed members that the Staithe report had been completed and that Professor Tom Williamson was looking at the process for making this available.

One member mentioned that the Broads Local Access Forum had reviewed the report at their last meeting, and were of the view that further work was needed to identify public right of access. The Chief Executive responded that the Authority was committed to publishing the report and he would follow up on the questions raised by the Local Access Forum.

Members noted the report.

7. Chief Executive's report and current issues

Broads Local Plan

Members noted the adoption of the Broads Local Plan, and expressed congratulations for the hard work of officers in completing it, in particular Natalie Beal, Planning Policy Officer.

Purchasing electric vans

One member commented that he had experience with electric vans and offered his advice in the procurement process.

Registration marks

A member fed back comments he had received regarding the issue of registration marks and stated that it was creating a bad feeling with toll payers. The Head of Ranger Services said that this was not the view being reported by Rangers. She reiterated that the guidance was clear on the matter and that the Rangers must follow the byelaws. It was noted that there would be individual cases that would need to be reviewed regarding the correct display of registration marks. She said it was important that officers worked with the boating public to help them understand why they needed to comply.

The Head of Ranger Services informed members that Rangers look for non-payment of tolls and incorrect display or non-display of registration marks during the adjacent water checks, which take place in May and September. She noted that compliance had improved and the checks had been completed, adding that the data on non-compliant boats would be available by the end of June.

The Chair said that the issue would be monitored over the season, and asked that specific issues be fed back to the Navigation Committee.

8. Planning application with navigation implications: BA/2018/0149/FUL

The Chief Executive introduced Cheryl Peel, Senior Planning Officer, who presented the planning application to members. The agent for the applicants was also in attendance to answer any technical questions.

Following comments from the Navigation Committee at the 14 June 2018 meeting the application for the installation of additional mooring pontoons to the existing Broadlands Marina, Oulton Broad, had been resubmitted. The revised application addressed the separation from the powerboat racing exclusion zone, and the pontoon area and additional projection into the broad had been reduced. The Senior Planning Officer addressed an error in the report, noting that the total number of moorings for the submission version should be 150, not 170.

Members discussed the number of visitor moorings. One member noted that while this had decreased from the original application, the percentage of visitor moorings remained the same as it considered the reduction made to the plan. The agent clarified that the visitor moorings would be provided alongside the existing small finger pontoons and would have direct access to facilities.

Members also discussed safety. One member mentioned that the Lowestoft Rowing Club had commented that the safe passage of small boats along the south side of the broad would be affected by the application. Another member voiced concerns with the moorings during regatta week, adding that yacht owners would lose the area to take sails down in a safe way.

Members acknowledged the ecological benefit of the reed bed on the site and discussed the balance of conservation and navigation considerations. One member queried whether the reed fringe could be reduced to allow the pontoons to move closer to the bank to restrict encroachment. The agent noted that the Broads Authority's Ecologist had been consulted on the application and was of the view that there be no further southward movement of the marina into the reedbed area. Another member concurred with the views of the Ecologist and stated that it was also good quality salt marsh and a unique habitat.

A member said that from a navigation point of view there was nothing in the application that couldn't be managed. He noted that the regatta was once a year and that members needed to consider if the application impeded the navigation enough to cause concern. The Chair reported that the view of the Oulton Broad Yacht Club was that it did. The member responded that from a safety point of view it could be managed. Another member noted that any development in the navigation area would impact someone, and said that an increase in moorings was to be welcomed.

The Chair concluded that there were a number of concerns regarding sailing and rowing boats and the use of water, but said the application would open the area to more people to enjoy and use moorings which hadn't been there previously. Members were asked to vote on whether they continued to register an objection to the application or not.

Three members voted for maintaining an objection to the application, and eight members voted against maintaining an objection.

The views of the Navigation Committee would be reported to the Planning Committee.

9. The Port Marine Safety Code Safety Management System: Stakeholder Hazard Review 2019

The Director of Operations briefed members on the process for the Stakeholder Hazard Review. The hazards were reviewed by a working group against four criteria. It was noted that four of the hazards had never happened in the Broads so weren't reviewed. The Director of Operations clarified that there were 54 hazards and not 58 as identified in the report. Members were informed that there were no high or significant risks and all 54 hazards were declared as low as reasonably practicable.

The report was also shared with the Boat Safety Management Group for comment. The Director of Operations acknowledged the comments received from John Tibbenham on behalf of the Norfolk and Suffolk Boating Association (NSBA) and said the report would be updated to reflect these. The NSBA also raised issues with two incidents at Acle Bridge, and asked for further clarification on the Authority's policy for providing de-masting moorings at all four quadrants of Acle Bridge. The Director of Operations would respond to John Tibbenham and update members at the next Navigation Committee meeting with the response.

One member questioned why the high rated hazards were not featured in the action plan. The Director of Operations said he would ask the Head of Safety Management to provide a response.

Another member commented on the accessibility of the document in regards to the traffic light system used and asked that this be reviewed for future reports. The Director of Operations agreed and explained that officers were reviewing the accessibility of all committee reports and developing a style guide.

In response to a member question about how the risk scores are determined, the Director of Operations said he would share a copy of the user guide with members.

One member queried the low risk score for **NS0040 Other nautical safety: water plants, Hickling Broad**, commenting that the issues with cutting and managing the aquatic plants at Hickling had been frequently discussed by the committee. The Director of Operations explained that the review covered the whole network and Hickling was a small part of this network. The Chief Executive added that the review considered the risk to people, which for this hazard was low.

The Chair thanked those involved in the stakeholder hazard review.

Members noted the report.

10. Guidance notes for those conducting works within the navigation area - documentation review consultation

The Director of Operations explained that there was a long-standing need to have a works licence on the Broads as part of the Norfolk and Suffolk Broads Act. Members were made aware that the guidance document was going through a revision and were asked to provide any comments. One member noted that the Senior Waterways and Recreation Officer had met with the John Innes Centre about Pymnesium, a toxin-producing microalga, and how to manage this as part of associated works, and asked that the meeting findings be reflected in the review.

The Chair concluded that it was a good piece of work.

Members noted the report.

11. General direction for escorts and large vessel movement

The Head of Ranger Services explained that there were certain requirements for any company, including the Broads Authority, when moving large equipment in the navigation area. She said it was necessary to set up a general direction to apply the same regulations for the movement of vessels which fall outside of the works license requirement. She explained that this was currently in practice but a legal framework would support this.

In response to a member question regarding the vessel dimension byelaws, the Head of Ranger Services explained that the size of the vessel was not the problem but rather it was a safety issue for other vessels. She added that the escort boat would be required to support other boats while the large vessel was being moved. It was also explained that most large vessels are moved within the works licence, including Broads Authority and Environment Agency vessels.

Members noted the report.

12. Broads Integrated Access Strategy and Action Plan

The Waterways and Recreation Officer informed members that the mooring action plan had been integrated into the recently updated Broads Integrated Access Strategy. The priority areas for mooring provision had been identified using GIS gap analysis, consultation with the NSBA, Broads Hire Boat Federation and Broads Authority officers, and comments received from the Broads Engage workshop. Members were asked to comment on the action plan.

In response to a member question about determining priorities, the Waterways and Recreation Officer explained that the work plan 'wish list' was categorised by what was achievable. The Director of Operations added that the Broads Engage workshop had produced a lot of feedback on where people did and didn't want moorings, and this information had been used with the gap analysis to produce key areas to look at. The Chief Executive added that public safety was a factor for prioritising the action plan.

The Chair noted that this was the last Navigation Committee for the Waterways and Recreation Officer, who was leaving the Authority, and wished him all the best for the future.

Members noted the report.

13. Feedback on Navigation Committee appointment process

The Chief Executive introduced the report, which identified key lessons from the recent appointment process for co-opted members of the Navigation Committee. This included reviewing the list of user organisations consulted on the appointments. It was noted that the number of responses to this consultation had been consistently low in recent years.

The Chief Executive acknowledged that more needed to be done with the Great Yarmouth Port Authority (GYPA) to improve their understanding of the process and their involvement, in advance of the next round of appointments. It had also been recommended by a member of the interview panel that the GYPA's right to consultation be reviewed if there were a revision of the Norfolk and Suffolk Broads Act. The Chief Executive clarified that there were no immediate plans to revise the Act.

Feedback also suggested that the shortlisting stage was the appropriate time to consult the Navigation Committee on the appointments. The Chief Executive added that a pen picture should be provided for each candidate to give more information on the prospective members.

Members discussed the list of user organisations consulted as part of the process and commented that it was important to include and engage with stakeholders for the appointments. One member agreed with the recommendation that the list of consulting bodies be reviewed, noting that some organisations were absent from the list. Another member commented that the interest of the organisations in the appointments may vary from year to year. It was also suggested that local branches of organisations be included, rather than the national body.

One member suggested reviewing the categories and the roles of the organisations.

Members were asked to review the organisation list and provide feedback to officers.

14. Annual income and expenditure report: 2018/19

The Chief Financial Officer introduced the annual report summarising the year end position. She highlighted that the figures were draft and subject to audit, with the auditors due on site on 15 July 2019.

The Chief Financial Officer recognised that there would be some changes to the statement of accounts, noting that the Norfolk Pension Fund had been audited recently and as a result had reissued the pension statement. She said this would affect the balance and income and expenditure statement. Because of the timescales the Broads Authority, at its 26 July meeting, may need to seek delegation for the Chair to approve the Statement of Accounts outside of committee.

Members were given an update on the toll income for the new financial year. The Chief Financial Officer said the income for hire craft tolls was £21,000 behind budget profile. She added that there could be a shortfall of £18,000 by the end of the financial year, but the reserves would support this. Private craft tolls were slightly ahead of budget.

Members noted the report.

15. Construction, maintenance and environment work programme progress update

The Director of Operations introduced the update for the work of the construction, maintenance, and environment teams.

It was explained that the annual target for the dredging programme was usually at least 50,000m³ of dredged sediment, but for 2019/2020 it was 44,000m³. The lower quantity was in recognition of the more difficult dredging areas to be targeted this year. The Director of Operations said this would allow Tyler's Cut and Waxham Cut to be dredged, noting their importance to the navigation. He added that Waxham Cut posed issues with blanket weed and with finding an area to put the dredged material.

One member asked if there was any correlation between the trial cutting from 2000 and now. The Director of Operations said there were many factors that influenced the aquatic plant growth, which made it difficult to draw any strong conclusions. In regards to Hickling, he said the cutting was only possible when the aquatic plants had reached a certain condition, but this had not arisen since 2000 in order to make a comparison.

The Chair asked that the Navigation Committee be kept informed of where the dredging was taking place and the amounts being dredged.

A member discussed the public perception that the Authority was cutting too many trees, while noting the difficult balance between the needs of navigation and the needs of conservation for bank side management. The Director of Operations said there were strict operating procedures for tree removal and would share more details with members.

Members noted the report.

16. Date of next meeting

The next meeting of the Navigation Committee would be held on Thursday 5 September 2019 at the Dockyard, Griffin Lane, Thorpe St Andrew, Norwich, NR7 0SL commencing at 2pm.

17. Exclusion of the public

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

The public left the meeting and the recording was suspended.

18. Exempt minutes of Navigation Committee meeting held on 11 April 2019

The exempt minutes of the meeting held on 11 April 2019 were signed by the Chair as a correct record of the meeting.

19. Launch replacement programme update

The Head of Ranger Services gave members an update on the launch replacement programme and the outcome of the recent trip to the Seaworks exhibition, attended by officers and some Navigation Committee members.

20. Mooring priorities

Members received a report on the Authority's strategy for the provision of moorings. Members were asked for their views on future action at a number of specific mooring locations.

The Director of Operations advised that he had met with the Environment Agency's new Regional Director and had asked them to confirm what piling was left to be removed under the BESL programme.

The views of the Navigation Committee would be reported to the Broads Authority at the 26 July 2019 meeting.

The meeting ended at 4:56pm.

Chairman

Appendix 1

Declaration of interests Navigation Committee, 13 June 2019

Member	Agenda/minute	Nature of interest
John Ash	none	As previously declared.
Kelvin Allen	none	As previously declared.
Matthew Bradbury	none	As previously declared.
Greg Munford	none	As previously declared.
Alan Thomson	none	Toll payer.
Nicky Talbot	none	Toll payer. As previously declared.
Andy Hamilton	none	As declared.
Linda Aspland	none	As declared.
Paul Thomas	none	Toll payer.
Mike Barnes	none	Toll payer.