

Navigation Committee

Agenda 05 September 2019

2.00pm

Dockyard, Griffin Lane, Norwich, NR7 0SL

Committee papers and accessibility

You may notice that our committee papers look a bit different. We have redesigned them to comply with new accessibility regulations for public sector websites that came into effect in September 2018. 'Accessibility' means making sure documents we produce for the web can be accessed by people with disabilities, including those with low vision and those who use a screen reader. The new style will be introduced for all our committees.

Our thanks go to the Norfolk and Norwich Association for the Blind for testing our new templates and helping with staff training.

If you have any questions or comments, please email us at committees@broads-authority.gov.uk or telephone 01603 610734.

Introduction

1. To receive apologies for absence
2. To receive declarations of interest
3. To note whether any items have been proposed as matters of urgent business
4. Public question time – to note whether any questions have been raised by members of the public
5. **To receive and confirm the minutes of the Navigation Committee meeting held on 13 June 2019** (Pages 3-13)
6. **Summary of actions and outstanding issues following discussion at previous meetings** (Pages 14-17)

Reports for information

7. **Chief Executive's report and current issues** (Pages 18-25)
Report by Chief Executive
8. **Navigation income and expenditure: 1 April to 30 June 2019 actual and 2019/20 forecast outturn** (Pages 26–40)
Report by Chief Financial Officer

9. **Review of Barnes Brinkcraft** (Pages 41–43)
Report by Head of Planning
10. **Safety by the Water guide (draft)** (Pages 44-45)
Report by Planning Policy Officer
11. **Insurance audit 2020** (Pages 46-47)
Report by Head of Safety Management
12. **Consultation: Implementation of CJEU judgment on diesel fuel used in private pleasure craft** (Pages 48-49)
Report by Director of Operations
13. **Air pollutant emissions from domestic vessels and inland waterways** (Pages 50–52)
Report by Director of Operations
14. **Construction, Maintenance, and Environment work programme – progress update** (Pages 53–59)
Report by Head of Construction, Maintenance, and Environment

Other matters

15. **To note the date of the next meeting – Thursday 31 October 2019 at 2.00pm at the Dockyard, Griffin Lane, Norwich**
16. Exclusion of the public
The Authority is asked to consider exclusion of the public from the meeting under Section 100A of the Local Government Act 1972 for the consideration of the item below on the grounds that it involves the likely disclosure of exempt information as defined by Paragraphs 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.
17. **To receive the Exempt Minutes from the meeting held on 13 June 2019** (Pages 60-63)
18. **Review of launch billets**
Update by Director of Operations

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.

Navigation Committee

05 September 2019

Agenda item number 6

Summary of actions and outstanding issues following discussions at previous meetings

Report by Administrative Officer

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Staithe report	20/04/2017	Senior Waterways and Recreation Officer	Lead officer: Senior Waterways and Recreation Officer Prof Williamson had been chased for the Staithe report and the Authority hoped to receive the maps by the end of April.	The Staithe Report is available to view on the Broads Authority website.	30/06/2019

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Network Rail Whole Life Strategy	19/10/2017	John Packman	Network Rail Whole Life Strategy for swing bridges and replacing Trowse Swing Bridge with a fixed bridge.	<p>As expected the swing bridges expanded in the high temperatures experinced in July meaning there were periods when they couldn't open. Somerleyton was affected more than Reedham (Reedham is kept cooler by the prevailing wind).</p> <p>Following consultation with key user groups, 'High Impact' days (calendar dates when groups would be on organised dates and higher usage of the swing bridges was expected) were shared with Network Rail and they had Engineering staff on stand-by ready to respond to mechnical issues on these key dates. Officers continue to liaise with Network Rail and communicate issues as they arise.</p> <p>The next meeting is planned for October 2019 to review the performance of the swing bridges during the summer period.</p>	

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Planning application with navigation implications: BA/2018/0466/FUL – Land at Burgh Castle – BFAP Compartment 34	17/01/2019	Rob Rogers	Lease arrangements and re-piling at Burgh Castle for the reinstatement of free 24 hour moorings.	Following an exempt paper (considered at Navigation Committee and Broads Authority) officers are progressing discussion with a landowner on the alternative Burgh Castle mooring site. A series of options have been presented to him for consideration, based upon the recommendations within the exempt report. We await the landowners response.	
The Port Marine Safety Code Safety Management System: Stakeholder Hazard Review 2019	13/06/2019	Rob Rogers	The draft Safety Management System (version 8) was presented at the 13 June 2019 Navigation Committee for member comments.	The final version, including changes following feedback, was presented to the Broads Authority at the 26 July meeting and version 8 of the Safety Management System was adopted. The next Stakeholder Review is planned for 2022.	05/09/2019

Title	Meeting date	Lead officer	Summary of actions	Progress so far	Target date
Planning application with navigation implications: BA/2018/0149/FUL - Broadlands Marina, Marsh Lane, Oulton Broad	13/06/2019	Nigel Catherall	Members reviewed the navigation implications for the resubmitted application. Members voted against maintaining an objection to the application.	The revised application was presented to the Planning Committee at the 19 July 2019 meeting. Members approved the application subject to conditions outlined in the report together with the 2 Informatives.	19/07/2019
Feedback on Navigation Committee appointment process	13/06/2019	John Packman	Areas for improvement with the co-opted member appointment process were identified. Members discussed the list of user organisations consulted as part of the process. Members were asked to provide feedback on this list to officers.	Member feedback has suggested grouping the organisations by interest rather than consulting a large list of individual organisations. Any formal changes to the process will be presented to the Broads Authority to adopt for future appointments.	01/09/2022

Author: Sarah Mullarney

Date of report: 21 August 2019

Navigation Committee

05 September 2019

Agenda item number 7

Chief Executive's report and current issues

Report by Chief Executive

Purpose

To brief the Committee on significant matters relating to the maintenance and management of the waterways and give members the opportunity to raise any such issues.

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1. Accessibility

- 1.1. Our committee reports have been redesigned to comply with the accessibility regulations for public sector websites that came into effect in September 2018. The aim is to make sure content uploaded to the website is accessible to all users, especially those with disabilities. The new format will be used for all committees and members' feedback is welcomed.

2. Broads Authority 26 July 2019

- 2.1. At the Authority's annual general meeting on 26 July 2019, members adopted the Broads Integrated Access Strategy and the Safety Management System, both of which had been reviewed by the Navigation Committee on 13 June 2019. The Authority also adopted the Broads Biodiversity and Water Strategy 2019-2024.
- 2.2. The Broads Authority approved the Navigation Committee's recommendations on the strategic approach for specific mooring locations and noted the discussion at the 13 June 2019 meeting in regards to the launch replacement programme. Further investigation and follow up action are underway.

3. Navigation patrolling and performance targets

- 3.1. The report of the significant use of powers by the rangers is displayed in Appendix 1 and reflects the busy period. Appendix 2 shows the average navigation/countryside splits for three months are higher on the navigation side as would be expected during the summer when patrolling is a priority.

4. Sunken and abandoned vessel update

- 4.1. The sunken and abandoned update is contained in Appendix 3. A significant number of vessels have been recovered over this period due to the availability of our works equipment to assist with this. There has also been a rise in the number of abandoned vessels which is due to the Rangers investigations into the non-payment of tolls and display of registration marks bringing these vessels to our attention.

5. Planning enforcement update

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

Author: John Packman

Date of report: 23 August 2019

Appendix 1 – Rangers exercise of powers analysis

Appendix 2 – Ranger duties total time allocated and actual days

Appendix 3 – Sunken and abandoned vessels current position as at 21 August 2019

Appendix 4 – Prosecutions dealt with in court for non-payment of tolls March 2019 to August 2019

Appendix 1

Rangers exercise of powers analysis

Table 1

Verbal warnings	Wroxham launch Wroxham and upper Bure	Irstead launch Ant	Ludham launch Hickling, Potter Heigham, upper Thurne	Ludham launch 2 lower Thurne and lower Bure	Norwich launch Norwich and upper Yare	Hardley Launch Reedham, Chet and middle Yare	Burgh St Peter launch Oulton Broad and upper/middle Waveney	Breydon launch Breydon water, lower Waveney and Yare
Care and caution	20	7	3	0	2	0	0	2
Speed	859	258	240	39	18	17	52	20
Other	18	19	25	0	10	2	0	1

Table 2

Written warnings	Wroxham launch	Irstead launch	Ludham launch	Ludham launch 2	Norwich launch	Hardley Launch	Burgh St Peter launch	Breydon launch
Care and caution	5	0	1	0	0	0	0	1
Speed	14	5	13	5	1	0	0	3
Other	6	6	2	0	2	10	0	0
Special directions	21	0	0	1	0	0	38	3

Table 3

Launch patrols	Wroxham launch	Irstead launch	Ludham launch	Ludham launch 2	Norwich launch	Hardley Launch	Burgh St Peter launch	Breydon launch
Launch staffed by ranger	56	44	58	25	43	39	41	55
Volunteer patrols	0	1	0	0	0	0	1	0
IRIS reports	12	5	6	7	19	11	7	16

Table 4

Broads Control total calls

Contact method	Number of calls
Telephone	6,573
VHF	1,542
Total	8,115

Appendix 2

Ranger duties total time allocated and actual days

Table 1

Broads Authority corporate duties

Work area	Annual allocation (days)	Actual days to date
Training	134	47.94
Broads Control	362	142.67
Team meetings, work planning	377	122.68
Partnership working	76	24.36
Assisting other sections	76	26.22
Billets and boatsheds	25	1.93
Launch – general	0	7.06
Trailers - general	0	0.41
Vehicle maintenance	0	1.35
Other equipment repair	0	4.46
Total	1050	379.07

Table 2

Navigation duties

Work area	Annual allocation (days)	Actual days to date
Patrolling	1299	724.97
Escorts	51	31.18
Prosecution files	0	25.10
Bankside tree management	66	5.27
Obstruction removal	28	8.38
Channel markers and buoys	41	2.91
Signs and boards maintenance	70	9.86
Adjacent waters	107	42.97
Reactive mooring maintenance	121	11.45
Total	1783	862.09

Table 3

Conservation, recreation, countryside maintenance duties

Work area	Annual allocation (days)	Actual days to date
Fen management	140	28.72
Lake, riverbank restoration	90	7.30
Invasive species control	20	3.11
Other conservation work	217	16.15
Pollution response	0	0.41
Visitor site maintenance	214	76.04
Whitlingham Country Park	282	99.56
Public footpath work	14	4.53
Education work	28	10.20
Total	1005	246.01

Team total up to 10 Aug 2019

Percentage Navigation: 78%

Percentage National Park: 22%

Appendix 3

Sunken and abandoned vessels current position as at 21 August 2019

Description	Location found	Action	Notice affixed	Result
Motor Cruiser	River Yare Old River Thorpe.	Vessel sunk at owners moorings	No	Not affecting the navigation
Motor Cruiser	Deal Ground, Yare	Vessel sunk	No	Liaising with owner
Motor Cruiser	Oulton Broad	Harbour Master unable to trace owner	No	To be lifted September 2019 when equipment is in the area
Yacht	Geldeston	BA to raise in liaison with owner	No	Removed
Motor cruiser	Geldeston	As above	No	Removed
Yacht	Rockland	BA to raise and remove June 2019	Yes	Removed
Motor Cruiser	Sutton/Stalham cut	Liaising with owner, not in the navigation	No	Ongoing
Aux Yacht	Potter Heigham	Abandoned Vessel	Yes	Currently for sale
Motor Cruiser	Ludham Bridge	Abandoned Vessel	Yes	Currently for sale
Rowing dinghy	Wroxham	Abandoned Vessel	Yes	Expires 22/08/19
Rowing dinghy	Potter Heigham	Abandoned Vessel	Yes	Expires 22/08/19
Motor Cruiser	Pyes Mill	Abandoned Vessel	Yes	Expires 05/09/19
Motor Cruiser	Oulton Broad	Abandoned Vessel	Yes	Expires 27/08/19

Appendix 4

Prosecutions dealt with in court for non-payment of tolls March 2019 to August 2019

Type of vessel	Vessel name	Fined	Costs awarded	Victim surcharge	Compensation
Houseboat	Silver Dawn 535F	£220.00	£150.00	£30.00	£79.65
Unpowered vessel	Noeleen H198	£220.00	£150.00	£564.80	£150.00
Houseboat	The Haven 21395	£220.00	£150.00	£30.00	£148.68
Aux Yacht	Starbeam	£150.00	£220.00	£30.00	£70.29
Motor Boat	Micmol Q772	£250.00	£150.00	£30.00	£291.28
Houseboat	Tiramisu 930R	£40.00	£75.00	£30.00	£100.89
Motor boat	Swallow 354Y	£300.00	-	£30.00	£516.36
Unregistered Sports Boat	-	£660.00	£150.00	£44.00	£66.20
Motor Boat	Rosina 487D	£80.00	£75.00	£30.00	£127.52
Motor Boat	Barbarella 1469Y	£440.00	£150.00	£44.00	£158.88
Motor Boat	Lovely Jubbly 836R	£440.00	£150.00	£30.00	£198.60
Aux Yacht	Fogster X459	-	£230.00	-	-
Motor boat	Commodore 293W	£440.00	£150.00	£30.00	£516.36
House boat	Bodge 41 1111Y	£100.00	£150.00	-	£33.84

Navigation Committee

05 September 2019

Agenda item number 8

Navigation income and expenditure 1 April to 30

June 2019 actual and 2019/20 forecast outturn

Report by Chief Financial Officer

Purpose

To inform the Committee of the actual Navigation Income and Expenditure for the three month period to 30 June 2019, and provide a forecast of the projected expenditure at the end of the financial year (31 March 2020).

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1. Introduction

- 1.1. This report provides a summary of the Income and Expenditure for the Navigation Budget up until 30 June, any amendments to the Latest Available Budget (LAB), Forecast Outturn (predicted year end position) and the movements on the earmarked reserves.

2. Overview of actual income and expenditure

Table 1

Actual Navigation income and expenditure by directorate to 30 June 2019

Directorate	Profiled Latest Available Budget £	Actual income and expenditure £	Actual variance £
Income	(2,628,576)	(2,659,228)	+30,652
Operations	732,244	668,348	+63,896
Strategic Services	80,417	78,108	+2,309
Chief Executive	198,558	185,351	+13,207
Projects, Corporate Items and Contributions from Earmarked Reserves	8,300	31,341	-23,041
Net (Surplus) / Deficit	(1,609,057)	(1,696,080)	+87,023

2.1. Core navigation income is above the profiled budget at the end of month three. The overall position as at 30 June 2019 is a favourable variance of £87,023 or a 5.41% difference from the profiled LAB. This is principally due to:

- An overall favourable variance of £30,652 within toll income:
 - Hire Craft Tolls is £30,267 above the profiled budget.
- An underspend within Operations relating to:
 - Equipment, Vehicles and Vessels is under profiled budget by £18,539 due to a one month delay on equipment funded from the earmarked reserves.
 - Practical Maintenance is under profiled budget by £14,386 due to timing differences.
 - Ranger Services is under profiled budget by £14,981 due to timing differences on launch repairs and maintenance.
- An underspend within Chief Executive relating to small variances within the legal budget and asset management.
- An adverse variance within reserves relating to timing differences around the replacement of equipment.

2.2. The charts at Appendix 1 provide a visual overview of actual income and expenditure compare with both the original budget and the LAB.

3. Latest available budget

- 3.1. The Authority's income and expenditure is monitored against the latest available budget (LAB) for 2019/20. The LAB is based on the original budget for the year, with adjustments for known and approved budget changes such as carry-forwards and budget virements. Full details of movements from the original budget are set out in Appendix 2.

Table 2

Adjustments to Navigation LAB

Item	Authorisation Reference	Amount £
Original navigation budget 2019/20 (deficit)	Broads Authority 1/02/19 Agenda item number 12	16,830
Approved carry-forwards from 2018/19	Broads Authority 17/05/19 Agenda item number 12	6,189
LAB at 30 June 2019	n/a	23,019

- 3.2. The LAB therefore provides for a navigation deficit of £23,019 in 2019/20 as at 30 June 2019.

4. Overview of forecast outturn 2019/20

- 4.1. Budget holders have been asked to comment on the expected income and expenditure at the end of the financial year in respect of all budget lines for which they are responsible.
- 4.2. As at the end of June 2019, the forecast indicates there has been no change compared to the LAB:
- The total forecast income is £3,440,000.
 - Total expenditure is forecast to be £3,463,019.
 - The resulting deficit for the year is forecast to be £23,019.

5. Reserves

- 5.1. As in previous years, the Authority's contributions to the reserves have all been made in full at the end of quarter one. This has resulted in the reserves showing increased balances at the end of June. This will reduce as planned purchases take place throughout the year.
- 5.2. The reserve balances at the end of June are set out in Table 3. The CANAPE reserve contains the expenditure relating to claims two and three. Reimbursement for claim two is expected to be received shortly.

Table 3

Navigation Earmarked Reserves

Reserve Name	Balance at 1 April 2019 £	In-year movements £	Current reserve balance £
Property	(361,259)	(25,962)	(387,221)
Plant, Vessels and Equipment	(252,182)	(111,258)	(363,440)
Premises	(76,149)	(33,950)	(110,099)
CANAPE	(39,655)	7,414	(32,240)
Computer Software	(3,789)	(3,300)	(7,089)
Total	(733,033)	(167,056)	(900,089)

6. Conclusion

- 6.1. The current forecast outturn position for the year suggests a deficit within the navigation budget which would result in a navigation reserve balance of approximately £403,000 at the end of 2019/20 (before any year-end adjustments). This would mean the Navigation Reserve would be above the recommended 10% at 11.6%. Year-end transfers of interest to the earmarked reserves will mean that it will fall to approximately 11.4%. This will be highly dependent on the level of interest received.

Author: Emma Krelle

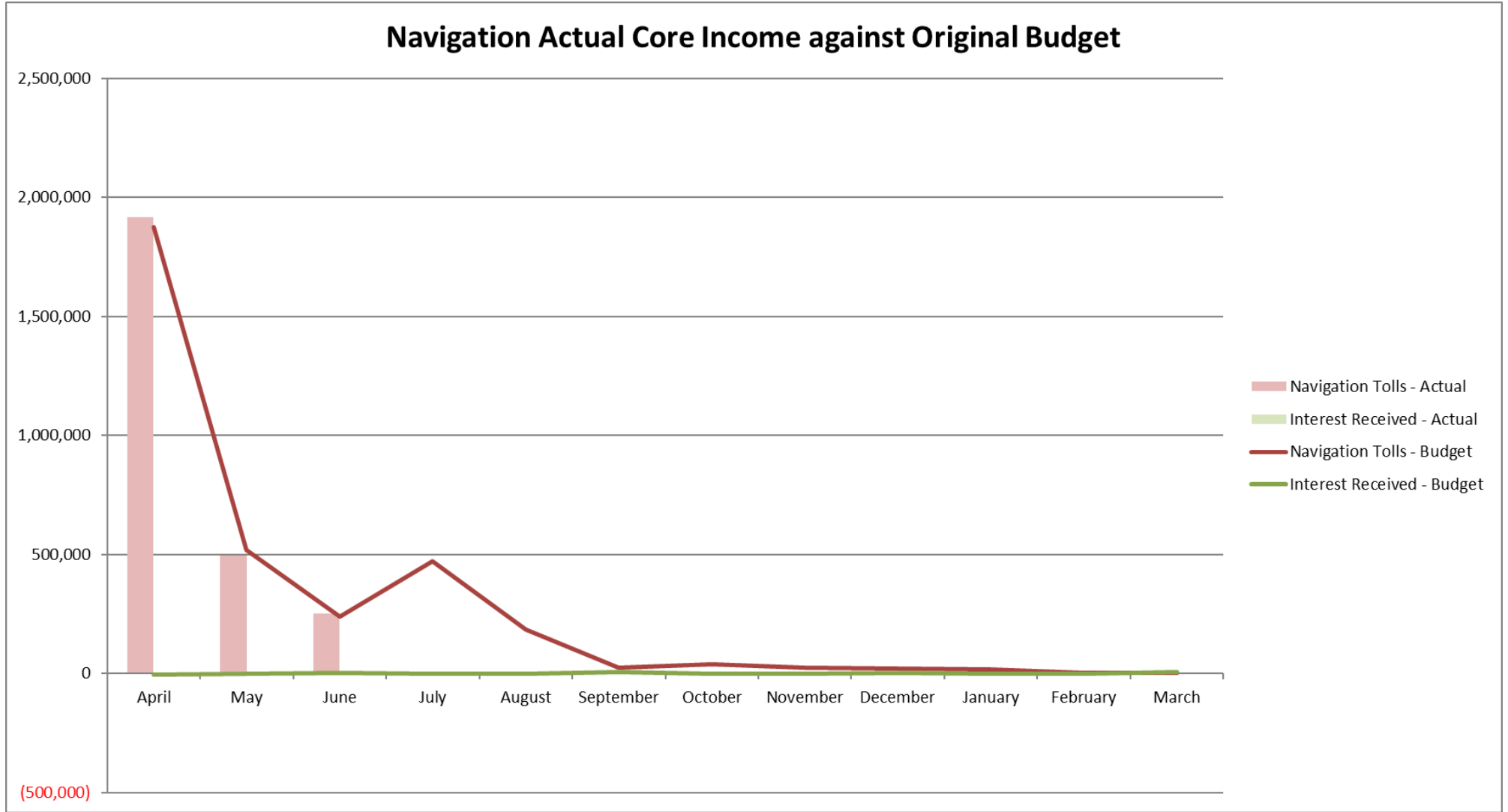
Date of report: 7 August 2019

Appendix 1 – Navigation actual income and expenditure charts to 30 June 2019

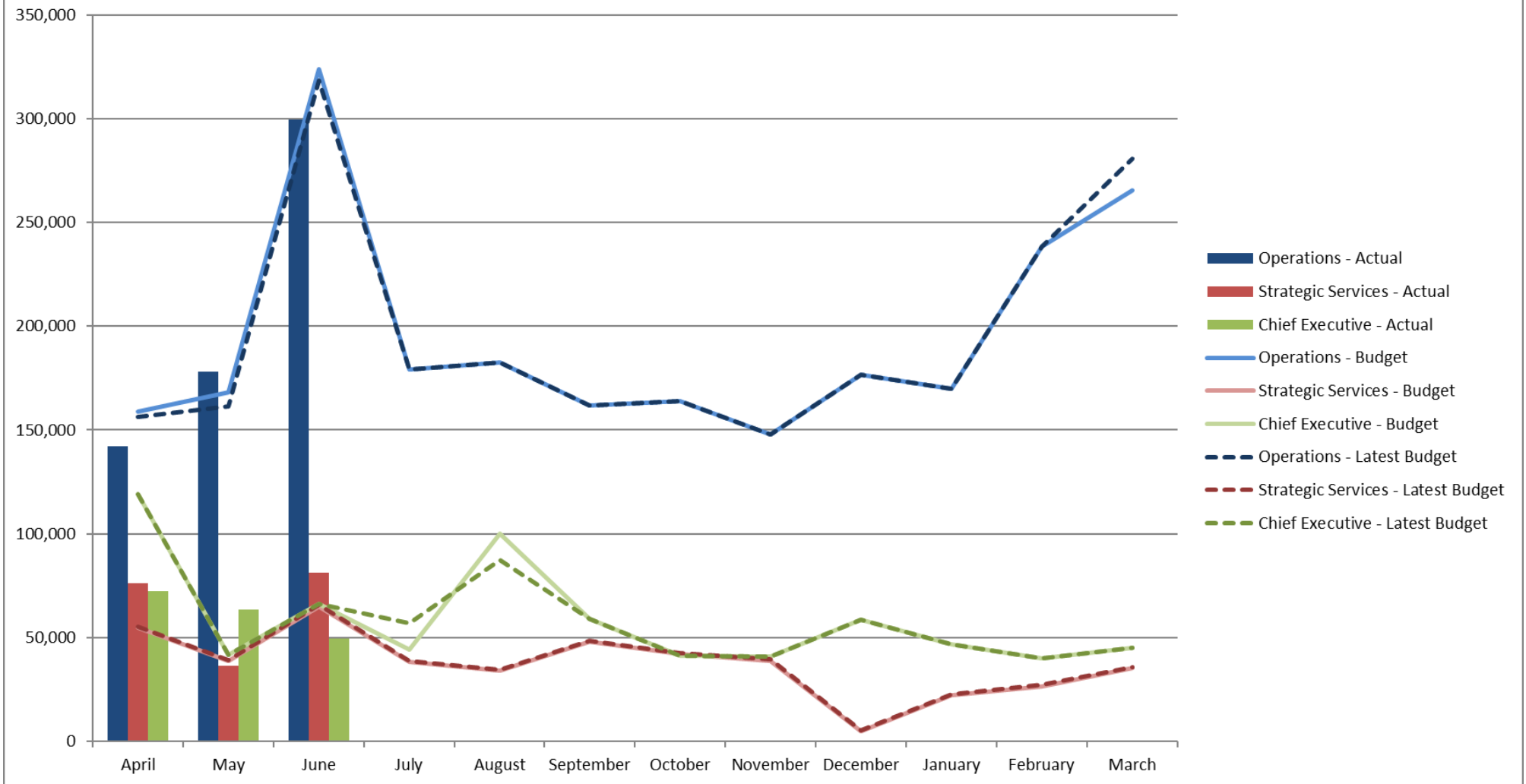
Appendix 2 – Financial monitor: navigation income and expenditure 2019/20

Appendix 1

Navigation actual income and expenditure charts to 30 June 2019



Navigation Net Actual Expenditure against Original and Latest Budget



Appendix 2

Financial monitor: navigation income and expenditure 2019/20

Table 1

Income

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Total Income	(3,440,000)	0	(3,440,000)	(3,440,000)	+ 0
National Park Grant	0	0	0	0	+ 0
Hire Craft Tolls	(1,189,000)	0	(1,189,000)	(1,189,000)	+ 0
Private Craft Tolls	(2,175,000)	0	(2,175,000)	(2,175,000)	+ 0
Short Visit Tolls	(42,000)	0	(42,000)	(42,000)	+ 0
Other Toll Income	(19,000)	0	(19,000)	(19,000)	+ 0
Interest	(15,000)	0	(15,000)	(15,000)	+ 0

Table 2

Operations directorate

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Total Operations	2,529,077	0	2,529,077	2,529,077	+ 0
Construction and	782,842	0	782,842	782,842	+ 0

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Maintenance Salaries					
Salaries	786,014	0	786,014	786,014	+ 0
Expenditure	(3,172)	0	(3,172)	(3,172)	+ 0
Equipment, Vehicles & Vessels	317,800	0	317,800	317,800	+ 0
Income	0	0	0	0	+ 0
Expenditure	317,800	0	317,800	317,800	+ 0
Water Management	119,470	0	119,470	119,470	+ 0
Expenditure	119,470	0	119,470	119,470	+ 0
Land Management	0	0	0	0	+ 0
Income	0	0	0	0	+ 0
Expenditure	0	0	0	0	+ 0
Practical Maintenance	400,500	0	400,500	400,500	+ 0
Income	(10,700)	0	(10,700)	(10,700)	+ 0
Expenditure	411,200	0	411,200	411,200	+ 0
Waterways and Recreation Strategy	48,980	0	48,980	48,980	+ 0
Salaries	39,980	0	39,980	39,980	+ 0

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Expenditure	9,000	0	9,000	9,000	+ 0
Project Funding	0	0	0	0	+ 0
Expenditure	0	0	0	0	+ 0
Ranger Services	504,724	0	504,724	504,724	+ 0
Income	(60,000)	0	(60,000)	(60,000)	+ 0
Salaries	420,756	0	420,756	420,756	+ 0
Expenditure	143,008	0	143,008	143,008	+ 0
Pension Payments	960	0	960	960	+ 0
Safety	77,793	0	77,793	77,793	+ 0
Income	(3,300)	0	(3,300)	(3,300)	+ 0
Salaries	44,153	0	44,153	44,153	+ 0
Expenditure	36,940	0	36,940	36,940	+ 0
Volunteers	30,936	0	30,936	30,936	+ 0
Salaries	20,696	0	20,696	20,696	+ 0
Expenditure	10,240	0	10,240	10,240	+ 0
Premises	133,637	0	133,637	133,637	+ 0
Income	(700)	0	(700)	(700)	+ 0
Expenditure	134,337	0	134,337	134,337	+ 0

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Operations Management and Administration	39,709	0	39,709	39,709	+ 0
Salaries	38,155	0	38,155	38,155	+ 0
Expenditure	1,554	0	1,554	1,554	+ 0
Premises - Head Office	72,686	0	72,686	72,686	+ 0
Income	(70)	0	(70)	(70)	+ 0
Expenditure	72,755	0	72,755	72,755	+ 0

Table 3

Strategic Services directorate

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Total Strategic Services	280,744	6,189	286,932	286,932	+ 0
Development Management	4,171	0	4,171	4,171	+ 0
Income	0	0	0	0	+ 0
Salaries	4,171	0	4,171	4,171	+ 0
Expenditure	0	0	0	0	+ 0

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Pension Payments	0	0	0	0	+ 0
Strategy and Projects Salaries	21,848	0	21,848	21,848	+ 0
Income	0	0	0	0	+ 0
Salaries	19,756	0	19,756	19,756	+ 0
Expenditure	2,093	0	2,093	2,093	+ 0
Biodiversity Strategy	0	0	0	0	+ 0
Expenditure	0	0	0	0	+ 0
Human Resources	55,235	6,189	61,424	61,424	+ 0
Salaries	31,332	0	31,332	31,332	+ 0
Expenditure	23,903	6,189	30,092	30,092	+ 0
Communications	79,286	0	79,286	79,286	+ 0
Income	0	0	0	0	+ 0
Salaries	66,073	0	66,073	66,073	+ 0
Expenditure	13,213	0	13,213	13,213	+ 0
Visitor Centres and Yacht Stations	86,940	0	86,940	86,940	+ 0
Income	(68,700)	0	(68,700)	(68,700)	+ 0

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Salaries	130,703	0	130,703	130,703	+ 0
Expenditure	24,938	0	24,938	24,938	+ 0
Strategic Services Management and Administration	33,264	0	33,264	33,264	+ 0
Salaries	32,181	0	32,181	32,181	+ 0
Expenditure	1,083	0	1,083	1,083	+ 0
Strategy and Projects	0	0	0	0	+ 0
Expenditure	0	0	0	0	+ 0

Table 4

Chief Executive directorate

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Total Chief Executive	665,420	0	665,420	665,420	+ 0
Legal	52,722	0	52,722	52,722	+ 0
Income	0	0	0	0	+ 0
Salaries	16,972	0	16,972	16,972	+ 0

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Expenditure	35,750	0	35,750	35,750	+ 0
Governance	76,077	0	76,077	76,077	+ 0
Income	0	0	0	0	+ 0
Salaries	37,448	0	37,448	37,448	+ 0
Expenditure	38,628	0	38,628	38,628	+ 0
Chief Executive	47,026	0	47,026	47,026	+ 0
Salaries	45,241	0	45,241	45,241	+ 0
Expenditure	1,785	0	1,785	1,785	+ 0
Asset Management	71,535	0	71,535	71,535	+ 0
Income	(4,364)	0	(4,364)	(4,364)	+ 0
Salaries	21,101	0	21,101	21,101	+ 0
Expenditure	54,798	0	54,798	54,798	+ 0
Finance and Insurance	175,607	0	175,607	175,607	+ 0
Income	0	0	0	0	+ 0
Salaries	80,550	0	80,550	80,550	+ 0
Expenditure	95,057	0	95,057	95,057	+ 0
Collection of Tolls	135,860	0	135,860	135,860	+ 0

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Salaries	123,360	0	123,360	123,360	+ 0
Expenditure	12,500	0	12,500	12,500	+ 0
ICT	106,593	0	106,593	106,593	+ 0
Salaries	63,578	0	63,578	63,578	+ 0
Expenditure	43,016	0	43,016	43,016	+ 0

Table 5

Projects and Corporate items

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Total Projects and Corporate Items	51,067	0	51,067	51,067	+ 0
Partnerships / HLF & CANAPE	12,587	0	12,587	12,587	+ 0
Income	(67,375)	0	(67,375)	(67,375)	+ 0
Salaries	23,170	0	23,170	23,170	+ 0
Expenditure	56,792	0	56,792	56,792	+ 0
Corporate Items	38,480	0	38,480	38,480	+ 0

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Expenditure	1,280	0	1,280	1,280	+ 0
Pension Payments	37,200	0	37,200	37,200	+ 0

Table 6

Contributions from earmarked reserves

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Total Contributions from Earmarked Reserves	(69,477)	0	(69,477)	(69,477)	+ 0
Earmarked Reserves	(69,477)	0	(69,477)	(69,477)	+ 0
Expenditure	(69,477)	0	(69,477)	(69,477)	+ 0

Table 7

Net (Surplus) / Deficit

Row Labels	Original Budget (Navigation) £	Budget Adjustments (Navigation) £	Latest Available Budget (Navigation) £	Forecast Outturn (Navigation) £	Forecast Outturn Variance (Navigation) £
Grand Total	16,830	6,189	23,019	23,019	- 0

Navigation Committee

05 September 2019

Agenda item number 9

Review of Barnes Brinkcraft

Report by Head of Planning

Purpose

To update the Navigation Committee on the operation of the pontoon at the Barnes Brinkcraft site in Hoveton

1. Background

- 1.1. In July 2017, planning permission was granted at the Barnes Brinkcraft site in Hoveton for works described as: ‘Replacement of 158m of quay heading, removal of 280 square metres of land, installation of pontoons, widening of access track and removal of storage shed’ (BA/2017/0155/FUL).
- 1.2. That planning permission was implemented in September 2017. However, the works were not in full accordance with the approved drawings. The main difference was that the new pontoon was located approximately 4.2m closer to the river than originally proposed. A spit of land downstream of the basin, which runs perpendicular to the river and separates this mooring basin from another mooring basin, was also extended out into the river by approximately 1.2m.
- 1.3. Complaints were received about the development, primarily on the grounds of excessive encroachment into the navigation as a result of the location of the new pontoon and boats moored thereon.
- 1.4. A report on the matter was brought before the Navigation Committee at their meeting on 14 December 2017. The Minutes record that:

“It was summarised that the Navigation Committee welcomes investment to provide improved mooring provision but has grave reservations about any encroachment on the navigation of the river and that the Planning Committee take this into account when seeking to resolve the matter with the landowner”.
- 1.5. The matter was then considered by the Planning Committee at its meeting on 18 December 2017. The Committee was given various options for addressing the matter and the Minutes record that:

“While the Authority welcomes the continued investment in the site by one of the largest hire boat operators, the encroachment of this unauthorised development into

the navigation area is deemed unacceptable. It is recommended that the Planning Committee authorises officers to negotiate the restriction on the vessel length, an agreed mooring configuration, a scheme of management in respect of the pontoon, and the removal of the build-out”.

- 1.6. Officers subsequently met with representatives of the operator and, at a meeting on 17 January 2018, a draft scheme to limit vessel length was agreed in principle. The details of this were provided to the Navigation Committee at their meeting on 22 February 2018, where they were discussed at length. The Committee agreed that a solution including the removal of one of the perpendicular pontoons and a length restriction would be likely to be satisfactory, that this should be undertaken on a trial basis and, that if no problems occurred, the applicant could be advised to submit a further application making the revised scheme permanent. The Committee asked to be kept apprised of the ongoing situation.
- 1.7. In June 2018, a planning application was submitted by Barnes Brinkcraft (BA/2018/0208/COND). The proposal was to retain the development as built, but with a limit on the length of vessels utilising the moorings to a maximum of 9.5 metres for the two moorings immediately north of the spit of land and a maximum of 8.2 metres for the four adjacent moorings, with the mooring to the north of these to be for a single side on mooring only. The application was considered by the Planning Committee at their meeting on 14 September 2018. The recommendation was for the application to be approved on a permanent basis as the proposal did not meet the criteria required to be considered for a temporary permission. The Planning Committee resolved to approve the planning application.
- 1.8. The planning permission was issued in November 2018.

2. Update

- 2.1. Further to the various discussions, signs were erected by the operator on the mooring pontoon over the summer and autumn of 2018. These signs stipulated that moorings should be stern-on only for the downstream moorings and side-on only for the longer upstream facility. The signs also stipulated a maximum vessel length in order to prevent unacceptable encroachment. There was also a “keep clear” sign attached to the extended spit of land.
- 2.2. The Authority’s navigation rangers have been monitoring the situation. They advise that the sign on the spit has worked well and boats no longer moor there.
- 2.3. The signs indicating the maximum vessel length also broadly work well. On a day to day basis when the yard is open (Monday to Saturday) the restrictions are adhered to and the rangers report that boatyard staff have responded quickly and helpfully when there is a problem and they have been asked to move a boat. This has happened three times. The only time there has been a problem is out of hours (after 18.00 or on a Sunday) when the yard is closed, because while the signs are clear the hirers do not always know

their boat length. If this occurs the ranger will ask the hirer to move the boat, so in practical terms this only becomes a problem if no one is on the boat and this has not yet occurred.

- 2.4. The other issue raised in regard to encroachment was the impact on the large local trip boats, which passage out of the Broads Tours basin opposite. The ranger advises that the skippers have been asked of their experiences and report no problems when the restrictions shown on the signs are being adhered to.

3. Conclusion

- 3.1. The construction of the new mooring pontoon forward of its approved position was a matter of considerable concern to the Navigation Committee, navigation staff and river users. It also represented a breach of a planning condition. A compromise solution was negotiated and has been found to be effective in protecting the interests of navigation while increasing the provision of visitor moorings in Hoveton.

Author: Cally Smith

Date of report: 19 August 2019

Background papers: [BA/2018/0208/COND application files](#)

Navigation Committee

05 September 2019

Agenda item number 10

Safety by the Water guide (draft)

Report by Planning Policy Officer

Purpose

A Safety by the Water Guide is being produced to help implement the Broads Local Plan. Members' comments are invited on the draft guide.

1. Introduction

- 1.1. Now the Broads Local Plan is adopted, it is considered that some requirements or policies will benefit from guides or supplementary planning documents to help with their interpretation and implementation.
- 1.2. The draft guide in Appendix 1 is about safety by the water. It has been produced by the Planning Policy Officer with input from the Head of Safety Management, Head of Ranger Services, Development Management Officer and Rivers Engineer.
- 1.3. Policy DM46 of the Local Plan addresses the importance of considering water safety management for schemes that result in more people being by the water, or that make it more difficult for people to get out of the water.

2. Consultation

- 2.1. Members' comments on the draft guide will be reported at the September meetings of the Planning Committee and then the Broads Authority will be asked to endorse the guide for public consultation. If approved, consultation dates are likely to be 27 September to 22 November. We will inform stakeholders on our contact database and publish the consultation on our website.

3. Next steps

- 3.1. We will log and respond to all representations received and record any changes to the draft guide. The final guide, along with consultation responses, will be brought back to Navigation Committee and Planning Committee before being taken to the Broads Authority for adoption.

Author: Natalie Beal

Date of report: 19 August 2019

Appendix 1 – [Draft Safety by the Water guide](#)

Navigation Committee

05 September 2019

Agenda item number 11

Insurance audit 2020

Report by Head of Safety Management

Purpose

This report seeks member's views on the proposal to cancel the audit of compliance with the boat insurance requirement and devote the resources to other more pressing safety matters.

1. Introduction

- 1.1. In 2010 the Broads Authority, after consultation with the Navigation Committee, set a requirement for boat owners to have compulsory third-party liability insurance in place to a value of £2,000,000.
- 1.2. This requirement is applicable to all vessels on the navigation and adjacent waters although the following exemptions were agreed.
 - Any unpowered vessels in the navigation or adjacent waters which are less than 6m² in block area
 - Any unpowered visiting vessel in the navigation area or adjacent waters 4m or less in length
- 1.3. To satisfy this provision, the Authority requires boat owners to make a declaration that they have the relevant insurance in place when paying their toll. This applies to annual and short visit tolls.
- 1.4. The method of self-declaration was agreed during the development of the Broads Authority Act 2009 and forms part of the legal agreement between the Broads Authority, the Royal Yachting Association and British Marine.
- 1.5. An audit of insurance was carried out in 2015, which sampled 100 private boat owners to validate the effectiveness of the self-declaration process and whether the correct insurance was in place at the time of declaration. The audit exercise was repeated in 2017, when 300 boats were audited to obtain a statistically reliable result. Both audits reported good compliance rates (2015 - 87% and 2017 over 90%).
- 1.6. Following the 2017 audit, the Navigation Committee requested that a subsequent audit be completed in 3 years' time.

2. Financial implications

- 2.1. The audit in 2017 took approximately 80 hours of officer time at an approximate cost of £2,500 including postage and consumables.
- 2.2. It is assumed that the forthcoming audit in 2020 would have the same sample size as the last audit (300) and projected costs therefore remain the same as the 2017 audit at £2,500.

3. Conclusion

- 3.1. Given the significant effort and time these audits take, the results from the previous audits and the likelihood that a repeat audit would deliver similar results, it is proposed that the audit in 2020 is cancelled and the exercise is considered complete as the effectiveness of self-declaration has been proven. This will allow for officer time to be focused on delivering other safety related projects –e.g.
 - How technology might be used to benefit the safety
 - Implementation of the Hire Boat Code

Author: Steve Birtles

Date of report: 12 August 2019

Background papers: [Boat Insurance Audit Navigation Committee 14 December 2017](#), [Boat Insurance Audit Navigation Committee 3 September 2015](#)

[Broads Plan](#) objectives: 4.3

Navigation Committee

05 September 2019

Agenda item number 12

Consultation: Implementation of CJEU judgment on diesel fuel used in private pleasure craft

Report by Director of Operations

Purpose

The Navigation Committee is invited to submit comments to a consultation on the Government's intention to implement the CJEU judgment requiring private pleasure craft to use white diesel for propulsion.

1. Introduction

- 1.1. This consultation outlines how the Government intends to implement the judgment by the Court of Justice of the European Union (CJEU) requiring private pleasure craft to use white diesel for propulsion. It also seeks evidence about the impact this will have on users of diesel propelled craft operating in UK inland waterways and along the coast, and the companies that supply diesel to them.
- 1.2. The responses to this consultation will help determine whether a phasing period will be required for suppliers, known as Registered Dealers in Controlled Oils (RDCOs), and users of diesel fuel to adapt to using only white diesel for propulsion of private pleasure craft and, if needed, the length of any such period.
- 1.3. This consultation is pertinent to UK users of diesel propelled craft, particularly private pleasure craft, and those involved in the supply of fuel to UK craft, in particular operators of ports, marinas and inland waterway refuelling stations.

2. Financial implications

- 2.1. In 2003, all EU Member States agreed the Energy Taxation Directive. In doing so, the UK Government agreed that its practice of allowing private pleasure craft to purchase and use red diesel in the UK to propel their craft should end by 2007.
- 2.2. In 2007, the Government published a consultation on options to bring the UK law on the use of red diesel in private pleasure craft into compliance with the Directive. Following this consultation, they decided to allow private pleasure craft users to continue to use red diesel for propulsion, subject to those users paying the difference

in duty between the red and white diesel rates (to meet the Energy Taxation Directive requirement that private pleasure craft must use diesel taxed at the white diesel rate for propulsion).

3. Responding to the consultation

- 3.1. The consultation has been open for 8 weeks with a closing date of 9 September 2019. The consultation document may be viewed at [Implementation of the Court of Justice of the European Union \(CJEU\) judgment on diesel fuel used in private pleasure craft](#)
- 3.2. It is likely that many of the navigation interests represented on the Navigation Committee have already responded to this consultation, but today's meeting is a final opportunity to help inform the Broads Authority's response.
- 3.3. Comments or enquiries may also be submitted to the HMRC lead officer by email to gary.satchell@hmrc.gov.uk, in writing to Gary Satchell, Excise & Environmental Taxes Policy Design Team, HM Revenue & Customs, Room 3/36, 100 Parliament Street, London SW1A 2BQ, or by calling 03000 585802 (Monday to Thursday only).

Author: Rob Rogers

Date of report: 12 August 2019

[Broads Plan](#) objectives: 2.2

Navigation Committee

05 September 2019

Agenda item number 13

Air pollutant emissions from domestic vessels and inland waterways

Report by Director of Operations

Purpose

Seek comments and advice from the Committee on the Department for Transport's call for evidence on air pollution from domestic vessels and inland waterways to assist officers in responding to the consultation.

1. Introduction

- 1.1. Poor air quality is one of the most significant risks posed to public health in the UK. The World Health Organisation has concluded that long-term exposure to air pollution reduces life expectancy, increasing deaths from circulatory, respiratory and heart conditions. The emission of air pollutants also has an impact on our natural environment, adversely affecting our waterways, biodiversity and crop yields.
- 1.2. In January 2019, the Government published its Clean Air Strategy setting out actions to tackle poor air quality attributable to a wide range of sources. This is a major, long-term programme of measures that include high-profile commitments. One of these is the Road to Zero Strategy, which outlines how the Government will support the transition to zero emission road transport and reduce emissions from conventional vehicles during the transition. Mitigating air pollutant emissions from the transport sector is a key focus of the Clean Air Strategy and, for the first time, the Government has brought forward measures that respond specifically to emissions from the maritime sector, including recreational vessels and those operating inland waterways. In summary, these measures are:
 - This Call for Evidence to gather information on vessels operating domestically in UK waters as a whole including in inland waterways.
 - A consultation on options for extending the existing Emissions Control Area in the North Sea and English Channel to other parts of the UK's waters and
 - A commitment from the Department for Transport to publish guidance for major ports in England, in order to facilitate their development of individual port air quality strategies.

- 1.3. The consultation entitled 'Air Pollutant Emissions from Domestic Vessels and Inland Waterways' calls for evidence on those vessels operating domestically in the UK. The information requested is focused primarily on those vessels not currently subject to international environmental standards for air pollutant emissions.
- 1.4. This diverse group of vessels includes both modern craft that are currently unregulated, and vessels that form part of a legacy fleet built before modern environmental standards were implemented. In the development of the Clean Air Strategy, it was identified that emissions from these vessels were potentially of concern. Due to a lack of centralised information to date, the Department has taken the view that a Call for Evidence is required to understand more clearly if a significant problem exists and to help shape any future policy responses.
- 1.5. Alongside the Call for Evidence, the Department is undertaking detailed environmental and economic modelling work on the scope and nature of emissions in the UK and to identify trends that may shape future policy decisions.

2. Information sought in this process

- 2.1. There are **six** principal evidence gaps that policymakers wish to address through this Call for Evidence and through wider research being undertaken by the Department.
 1. **The size and key characteristics of this sector:** An estimate of the total number of vessels and vessel types operating in England's inland waterways and the UK's coastal waters, as well as the age, engine size, and fuel type of these vessels. This information will assist the Department in quantifying the emissions produced by the propulsion engines of relevant vessel types, which is essential information for the understanding of this sector.
 2. **The functioning of the current regulatory landscape governing air pollutant emissions from vessels operating in England's inland waterways and UK coastal waters:** This includes the identification of any gaps in the existing regulatory framework or inconsistencies that have led to poor environmental or business outcomes.
 3. **Innovative approaches being taken in this sector:** The Department recognises that these sectors are highly diverse and include many innovative actors. Therefore, the Department would welcome responses that identify potential abatement methods, green technologies or opportunities for innovation that can mitigate the emission of air pollutants from vessels.
 4. **Identification of potential market failures or barriers (technical, commercial, financial, cultural) to the deployment of emissions abatement and reduction options in this sector (for instance infrastructure requirements or possible unintended consequences):** As part of the responses to this section, the Department would welcome solutions to these barriers and suggestions in relation to the role Government can play in removing or minimising them. In

particular we would seek the views of consultees on social and cultural factors that could influence the success or failure of measures to reduce emissions from the sector – for example could Government usefully publicise best practice and early adopters to encourage sectoral change?

5. **Longer term trends in the sector:** Here they are seeking to better understand likely changes in the inland waterways and coastal fleet in order to better shape any policy outcomes. The Department would value information on the long-term forecasts of vessel numbers, trends in operating profile and fuel type, fleet replacement rates and the uptake of new technologies or abatement measures. A better understanding of these trends will allow the Department to assess to what extent a movement to lower emission vessels is underway already and how the overall impact of these changes on the fleet will change in relation to emissions.
6. **Funding:** The Department is aware that some non-Government/private sector funding for innovation and infrastructure in the maritime sector is available, and which could in some cases be accessed to facilitate research into low and zero emission vessels. The Department would welcome responses from businesses and organisations that provide such financial support, setting out what funds are available and the conditions for accessing it. Additionally, respondents may wish to highlight where they see gaps in funding for innovation and infrastructure.

3. Submitting consultation responses

- 3.1. The Department has recognised that the summer season is particularly busy for many small craft operators, who form a key group of respondents and therefore the consultation period for this Call for Evidence is 11 July 2019 to 11 January 2020.
- 3.2. The Department has undertaken to publish a summary of responses within three months of the close of the Call for Evidence and paper copies will be available on request.
- 3.3. The Committee's views are sought to help inform the Broads Authority's response.

Author: Rob Rogers

Date of report: 2 August 2019

Background papers: [Domestic shipping air pollution: call for evidence](#)

[Broads Plan](#) objectives: 2.2

Navigation Committee

05 September 2019

Agenda item number 14

Construction, Maintenance and Environment work programme - progress update

Report by Head of Construction, Maintenance and Environment

Purpose

To update committee members on the Broads Authority's management activities to maintain the public navigation, develop mooring facilities for public use; and demonstration of the effective use of available resources.

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1. Maintaining water depths for navigation

- 1.1. The detailed breakdown in Appendix 1 gives the volumes for the annual dredging programme to the end of July 2019. A total of 12,340 m³ of dredged sediment has been removed from the prioritised sites. This figure represents 28% of the programmed target of 44,000 m³ for 2019/20.
- 1.2. Dredging in the River Bure moved on from South Walsham Fleet Dyke and in May started near Acle Bridge, with sediment taken to a floodbank set-back area near Oby. This task is expected to continue until the end of August. Mobilisation to the River Waveney also started in May, with dredging carrying on until mid-August, downstream of Beccles. The sediment from the River Waveney has been placed along the back of the floodbank on the Suffolk side. This will help provide material for any crest raising or floodbank strengthening work in the future.

- 1.3. Remaining planned dredging tasks for 2019/20 are at North Bay Oulton Broad, Hickling Broad, Waxham Cut and Tyler's Cut. Other than awaiting confirmation from Natural England for assent for the dredging at Waxham Cut, which is adjacent to a European Protected Site (Special Area for Conservation) and Site of Special Scientific Interest (SSSI), all projects are on track.
- 1.4. Programming the dredging dates and locations through the year depends upon several parameters, including availability of the correct equipment; landowner agreements for the sediment re-use areas on land; species mitigation; space for other waterways users; and efficient ordering of projects to minimise equipment movement and lifting. The summer programme is a challenge as all areas of the Broads are busy, but to achieve our Waterways Specification objectives, some compromise with users access will always be likely. Maintaining communication and engagement with stakeholders from the beginning at all project sites is essential.
- 1.5. At Hickling Broad, final planning for phase 2 of the EU Interreg funded CANAPE project is being completed. Priority areas for dredging in the marked channel have been identified, with an expected volume of 8,000 m³ to be used to fill the areas retained by the ring of geotextile tubes. The Authority is also working closely with Norfolk Wildlife Trust to clear some overgrown dykes to source live reed to plant along on top of the geotextile tubes and start the transformation into a reedbed.

2. Maintaining safe public mooring facilities

- 2.1. Annual inspection and maintenance to the Authority's mooring pontoon structures was completed in June. These pontoons are typically used for demasting and layby mooring near bridges.
- 2.2. Review of the provision of emergency and layby moorings near Breydon Bridge has suggested some design modifications to the three posted dolphins. The steel cross pieces pose mooring issues to some craft, so will be softened with timber inserts. Additional cross pieces will be installed to allow for comfortable fixing points at different states of tide. Overall location and provision of mooring points is to remain as is.
- 2.3. This winter's major project for re-piling will be at Acle Bridge 24-hour moorings. The Rivers Engineer is finalising the specification for the sheet piling along the mooring and modification/repair of the concrete edge near the existing sheds. The tender for the construction contract will be opened this October. Other work at Acle Bridge will include improvements to the electricity supply and distribution on site, which will facilitate later installation of electrical charging points along the mooring.

3. Our resources

- 3.1. Since the previous report, we welcome into the team Erica Murray, who joins us as Senior Environment Officer. Gavin Devaney, one of our Environment Officers, left the

Authority in July, and following a successful recruitment his replacement will start in October. Following the restructuring of the Strategy & Projects team earlier in the summer, the Waterways & Recreation Officer post will report directly to the Head of CME. The post has been filled by Lewis Treloar, who starts in September.

- 3.2. The tug Cannonbrook has been replaced with a similar specification, but newer vessel, as part of the ongoing asset replacement programme from reserve funds. Cannonbrook was built in 1951 and had reached a condition that was uneconomic for us to repair. Tug ‘Aberdour’ was purchased from a seller in Hull, where the vessel was used for light harbour duties. It has a low air draught and a 140 H.P. engine, so can be used for all of our pontoon moving requirements. A barge has also been purchased, which will replace our use of the motor wherry Onward. Since being taken out of service for moving mud, Onward has been used to house a fuel bowser and one of the Construction teams staff welfare huts when on site.
- 3.3. As part of the Authority’s vehicle replacement strategy, a replacement for a small van used by the Plant and Equipment team at the Dockyard has been ordered from reserve funds. Following a standard assessment of like-for-like costs of diesel vans, a similar specification but all-electric combi-style van was also assessed. Over the ten-year use period, the electric vehicle was slightly more expensive per year (£300), but offered zero carbon emissions. The capital cost for purchase was also higher than standard diesel options (around £8,000), but the savings were apparent over time with cheaper running costs. Given the carbon emission benefits and the opportunity to use an all-electric vehicle for operation purposes, the order has been placed and delivery is expected in December 2019.

4. Managing water plants

- 4.1. As we are in the middle of the active water plant cutting season, this is a good opportunity to refresh everyone on objectives and challenges of maintaining accessible waterways. Repeat cutting at all the main locations for dense and tall water plant growth has been maintained over the summer to date. Repairs to the weed harvester vessel while at Somerton Dyke caused a delay in the second cut, but this was resolved as quickly as possible. Regular cutting locations are given in Table 1. Up to four cuts in any one season is typical.

Table 1
Locations of regular weed cutting

River	Location
Ant	Wayford Bridge to Dilham Staithe
Thurne	Martham Ferry to Somerton Staithe
Thurne	Waxham Cut
Thurne	Catfield Dyke (mainly encroaching reeds)

River	Location
Thurne	Hickling Broad marked channel (cutting only from June to August, subject to good water clarity)
Bure	Belaugh to Horstead Lock
Yare	Thorpe River Green & Trowse Eye
Wensum	Lady Julian Bridge to New Mills
Waveney	Beccles to Geldeston Lock
Waveney	Geldeston Dyke

- 4.2. Maintenance standards of the cutting regime aim to cut to a depth of 150 cm below the water surface. See the [water plant Environmental Standard Operating Procedure](#) for more information on how we approach the main river sites. If the water depth to the sediment surface is less than this, a minimum 30 cm height of uncut water plants is retained at all locations. Some plant cover over the bed is essential for sediment stability. An uncut margin is also retained for biodiversity and bank stability. The width of this uncut margin varies between 1 m and 3 m according to channel width.
- 4.3. Water quality constraints relevant to the cutting operation are adhered to in line with Environment Agency guidance. Dissolved oxygen is a critical parameter for aquatic life, which varies naturally and can rapidly drop with the disturbance generated by weed cutting activity. Operators carry dissolved oxygen meters to test levels in the water. If dissolved oxygen concentrations are below critical thresholds for fish, then no cutting can occur until concentrations return. In Hickling Broad an additional environmental safeguard is included in the protocol for cutting water plants in the marked channel. If water plant coverage over the whole broad (as determined by hydroacoustic surveys) is below 30% or water clarity is below 30 cm (as determined by visibility of a Secchi disc) then cutting cannot occur, as assented by Natural England.
- 4.4. The ability to maintain regular cutting at each of these locations is also driven in any one season by the relative amount of plant growth. To generate additional flexibility in the work programme, contractors are now used to cut within Whitlingham Great Broad. This facilitates the Authority's Ra trip boat and the Norfolk County Council's (NCC) Outdoor Education Centre activities, for which NCC pays half the costs. Large amounts of growth mean slower progress at any one site, given more journeys to dispose of the cut weed on the allocated bankside areas. With a trend of increasing volumes of cut plant material as water clarity improves across all the rivers, the safe management and appropriate location of these heaps is also becoming a significant challenge.

5. Other navigation works

- 5.1. Upcoming work on Breydon Water to replace missing or broken marker posts and to replace temporary buoys will start in September. 15 steel posts have been purchased for installation and the work contracted to a Great Yarmouth based firm.

Author: Dan Hoare

Date of report: 20/8/19

Background papers: [Water plant cutting Environmental Standard Operating Procedure](#)

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

Appendix 1 – Dredging progress

Appendix 1

Dredging progress

Project title	Active Broads Authority dredging weeks completed/ planned	Volume m ³ Planned	Actual Volume removed m ³	Planned Annual project cost ¹	Actual project cost
Hickling Broad Dredging of marked channel & habitat creation (Oct - Feb)	0/22	8,000	0	149,670	13,080
Tyler's Cut, Dilham Dilham Staithe and 600m downstream (Nov - Dec)	0/17	3,000	0	40,330	350
Mid-Bure a) South Walsham Fleet Dyke (Apr - May) b) Oby to Acle Bridge (Jun - Aug)	16/22	13,000	7,330	126,640	63,510
Oulton Broad Dredging in North Bay (Aug - Sep)	0/9	6,000	0	51,680	370
Waxham Cut Dredging & sidecast (Nov - Jan)	0/13	4,000	0	38,090	860

¹ Project costs includes staff time for all elements (pre-works ecological mitigation, site set-up, active dredging & site restoration); BA plant; & budgetary expenditure (equipment hire, survey costs, contractor costs, mitigation works, materials & consumables etc); within the reporting period.

Project title	Active Broads Authority dredging weeks completed/ planned	Volume m³ Planned	Actual Volume removed m³	Planned Annual project cost ¹	Actual project cost
Waveney Beccles to Stanley Carrs (Apr - Jul)	9/16	8000	5,010	102,550	65,650
Lower Bure Plough dredge (Mar)	Contractor	2,000	0	10,000	0
Site Restoration Stokesby, Lower Bure & Postwick Tip	-	-	-	43,540	10,920
Site Preparation Peto's Marsh, Carlton Marshes	-	-	-	15,860	8,980
Total	25/99	44,000	12,340	568,360	163,720