

Navigation Committee

Minutes of the meeting held on 17 January 2019

Present:

Mrs Nicky Talbot – Chairperson

Mr K Allen

Mr A Goodchild

Mr S Sparrow

Mr J Ash

Mr G Munford

Mr B Wilkins

Ms L Aspland

In Attendance:

Mrs L Burchnall – Head of Ranger Services (item 11 & 13)

Mr D Harris – Solicitor and Monitoring Officer

Mr B Housden – Head of IT and Collector of Tolls (item 12)

Ms E Krelle – Chief Financial Officer (item 11 & 12)

Miss S Mullarney – Administrative Officer

Dr J Packman – Chief Executive

Mr R Rogers – Director of Operations

Ms R Sainsbury – Planning Officer (item 9 & 10)

Also in attendance:

Haydn Thirtle – Broads Authority Chairman

Kevin Marsh – Agent for planning applicants

Recommended candidates for appointment to the Navigation Committee – Alan Thomson, Andrew Hamilton, Mike Barnes, and Paul Thomas.

5/1 To receive apologies for absence

Apologies for absence were received from Matthew Bradbury, Bill Dickson and Max Heron. The Chair had received comments on the agenda from Bill Dickson and Max Heron. These were read out at the relevant items and formed part of the discussion.

Announcements

The Chair announced that Michael Whitaker had resigned from the Navigation Committee. The Chair thanked Michael for his work on the Navigation Committee and as Chairman. She said he was an invaluable colleague and a true representative of the Broads who would be missed.

The Chair also offered thanks to Alan Goodchild and Brian Wilkins who were attending their last meeting. She said their input to the committee had been invaluable. She further thanked Brian for his great assistance to her as Chairman. The Chair announced that she had personally thanked Max Heron, who was not in attendance at the meeting, but whose term was also coming to an end. She said he had been a very helpful Navigation Committee member. She wished all departing members all the best for the future.

The Chair welcomed the candidates recommended for appointment to the Navigation Committee who attended the meeting to observe proceedings.

The Head of Ranger Services introduced two new Rangers, Rich Keeble and Tobi Radcliff who had recently joined the team and would be based at Irstead covering the upper Bure.

Members were made aware that a report on the Power Boat Racing Review meeting, scheduled for Monday 21 January 2018, would be sent to Navigation Committee members electronically after this date. The Committee are consulted on the fixture dates for the 2019 period.

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.

5/2 To note whether any items have been proposed as matters of urgent business

No items were proposed as a matter of urgent business.

5/3 To receive Declarations of Interest

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

5/4 Public Question Time

No public questions were raised.

5/5 To receive and confirm the minutes of the Navigation Committee meeting held on 25 October 2018

The minutes of the meeting held on 25 October 2018 were signed by the Chairman as a correct record of the meeting.

5/6 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.

The Chief Executive said that it was hoped the Staites report would be published at the beginning of February.

Members noted the report.

5/7 Chief Executive's Report and Current Issues

Carbon Monoxide Alarm Requirements

At the 23 November 2018 Broads Authority meeting, members unanimously resolved to delegate decision to the Chief Executive, in consultation with the Chairs of the Navigation Committee and Broads Authority, to adopt the new requirement. The Chief Executive explained that this had occurred and the implementation date was 1 April 2019. He said that there was local interest for this new requirement but a national scheme has also been adopted.

Broads Engage

One member said the first Broads Engage workshop was a good session and asked for the timescales for the Access Strategy and Updated Mooring Strategy. The Director of Operations said that the strategies are to be updated this year.

Another member commented on the expectations from the workshop and asked what the process would be for the Navigation Committee to review the prioritisation of the suggested moorings, he added that budget constraints would need to be considered. The Director of Operations clarified that the Broads Engage workshop was an initial engagement step in the process. He confirmed that there would be opportunities for the Navigation Committee to review any new moorings proposed in the strategies. Further feedback on the Accessing the Broads, Broads Engage workshop would be made available.

Members noted the report.

5/8 Consultation on the Appointments to the Navigation Committee

Several members declared an interest in this item as they were involved in the appointment process and, they would not be commenting on this item. The Monitoring Officer gave them special dispensation to remain in the room. The declarations are outlined in Appendix 1.

The Solicitor and Monitoring Officer introduced a report written by the Selection Panel Chair for the Navigation Committee Appointments; it outlined the appointment process for selecting co-opted members to serve on the Navigation Committee for the next term period. He explained other organisations were consulted as part of the process and that their views had been taken into account. The Solicitor and Monitoring Officer said that the Authority had recently received correspondence from the Great Yarmouth Port Authority (GYPA) in regard to category F. He said that the Authority was in consultation with them and hoped to resolve any issues. A member suggested the category F appointed member continue to monitor GYPA developments.

As stated in the Broads Act, the Navigation Committee is to be consulted on the appointment process, before the Broads Authority confirm the appointments at the 1 February meeting. Members noted the report and the candidates recommended for appointment.

5/9 Planning Application with Navigation Implications: BA/2018/0466/FUL – Land at Burgh Castle – BFAP Compartment 34

The Chair introduced Kevin Marsh, agent for the applicants for the planning applications being presented for items 9 & 10.

The Planning Officer outlined an application for the installation of new piling in front of existing at land at Burgh Castle, in order to maintain the long term integrity of this section of flood defences. She informed the committee that the width of the river at this point was 50m and the development was not intended to impede the navigable channel in any way. Members were informed that the works would take six weeks to complete and it was intended to start work as soon as the application was approved to avoid impacting on the holiday season.

The Director of Operations gave a verbal update regarding the lease for the Burgh Castle moorings. He said that the Broads Authority had negotiated a new lease with the new landowner and stated that he would be speaking to the Environment Agency the following day regarding the site and he would update members on the outcome of the conversation.

Members commented on the necessity for free moorings at Burgh Castle, noting the distance between moorings across Breydon, and the importance of visitors to the Roman fort.

Members supported the application. The views of the committee will form part of the application process.

5/10 Planning Application with Navigation Implications: BA/2018/0475/FUL – Land downstream of Ludham Bridge

The Planning Officer outlined an application for rollback of 35 metres of flood bank on land downstream of Ludham Bridge. The purpose of the works was to provide an appropriate standard of flood defence to this part of the compartment, reducing the risk of piling or bank failure during a flood event. Members were informed that the encroachment into the river would be 650mm. The works were planned to commence as soon as the planning application was approved and was expected to take six to eight weeks to complete.

One member requested that the build out be kept to a minimum, noting the narrowness of the river and sharp bend and bridge near the site.

Members supported the application. The views of the committee will form part of the application process.

5/11 Launch Replacement Programme

The Head of Ranger Services explained that the needs of the current launches had changed due to the varying tasks of the Rangers. Members were informed of the current state of the patrol launches and the need for replacements in the future which would be fit for purpose.

Members discussed the criteria for the new launches as outlined in the report and it was noted that it would be challenging to find a suitable work boat that was as distinctive and recognisable as the current patrol launches.

Members discussed the financial contribution for new launches and the budget considerations for the longer term. The Chief Executive explained that in order to prepare for the long term replacement of the launches, it had been proposed to adjust the contribution to the Vessel Replacement Fund for 2020/21 and 2021/22. He added that finances were in a better position than when this contribution was reduced in 2016. The Chair clarified that the money contribution for replacement launches would mean that this couldn't be spent on other projects.

The Chief Executive explained that the preference was to purchase an off the shelf craft as opposed to creating something new, he added that the budget for this was no more than £120,000. The Chief Financial Officer added that selling the old boats would generate some income which would go back into the reserves for future replacement launches. Members considered that the budget would affect the design and materials for the boats with one member advising using an aluminium mould.

In response to a member question about the purchasing of electric powered craft, the Director of Operations said that this would be considered. He added that experience had shown that electric vessels were not reliable, however he noted the continuous improvements to the technology.

Members were in support of the pragmatic approach in considering a wide range of alternatives when replacing the launches. The views of the committee would be taken into consideration as part of the replacement policy. The Chief Executive concluded that further research would be presented to the committee at a future meeting.

5/12 Navigation Finance

The Chief Financial Officer presented members with the Navigation Income and Expenditure: 1 April to 30 November 2018 Actual and 2018/19 Forecast Outturn, and gave a verbal update on the December figures. She explained that there was a favourable variance to the end of December of £62,739 and that the tolls for private crafts was above what was expected so the forecast would be adjusted in the coming months. It was further explained that there had been a saving within the legal budget from an adjustment to working patterns resulting in an increase to surplus.

Members were also informed that the reserves had increased to £731,481, this was due to the first CANAPE claim being paid at the end of December; the shares to the partners had also been distributed.

The Chief Financial Officer presented the draft budget for 2019/20 and financial strategy to 2021/22, she explained that the budget incorporated the

2.6% increase in navigation charges as adopted by the Broads Authority at the 23 November 2018 meeting. It was added that the budget maintained existing services. In terms of the sensitivity analysis members were informed that the key risk was boat numbers.

In response to a Member's comment, the Chief Financial Officer clarified that the forecast reserve for 2018/19 was 11%, however due to the deficit in 2019/20 this would be brought back to 10%. She reiterated to members that there was no flexibility for additional projects.

One member queried the cost of Mutford Lock, the Chief Financial Officer stated that annual contributions were made into the property reserve within the earmarked reserves. She further added that the rent received from Mutford Lock is put back into the reserves.

Another member questioned legal costs and whether the potential of more prosecutions had been considered for next year's budget. The Chief Financial Officer explained that there was a change in the percentage split for legal expenditure. She said £35,750¹ was allocated for next year. The Chief Executive added that the aim was to increase compliance and to avoid legal costs and said ignoring offences would have a severe impact on the Authority's income. He said it was also an expectation of toll payers that the Authority enforce its powers.

The Head of IT and Collector of Tolls noted the number of factors resulting in prosecutions but said that since the Authority had stopped printing paper toll plaques procedures had been more efficient.

The views of the Navigation Committee will inform the final draft budget which is to be considered by the Broads Authority at the 1 February 2019 meeting.

Members noted the report.

5/13 Display of Registration Marks

Brian Wilkins did not participate in the discussion of this item after receiving advice from the Monitoring Officer that it would be inappropriate as he had lobbied Navigation Committee members on this subject.

Members were consulted on the Broads Authority's current policy of the display of registration marks. The Head of Ranger Services explained that since the removal of paper toll plaques it was critical that vessels could be identified from the registration number displayed on the stern of the boat. She said that the Broads Authority had asked Rangers to enforce the requirement and that this had been published in the Broadsheet newsletter. 2018 was the first year that notices were being issued for non compliance of visible registration marks. The Head of Ranger Services said that Officers had had several meetings with the NSBA regarding issues raised over the guidance.

¹ This is the correct figure, as confirmed following the meeting.

She added that rowing clubs had been consulted on the matter and advised that the display of the British Rowing number was satisfactory.

Simon Sparrow leaves

Members discussed various issues raised with the display of registration marks. In response to a member question the Head of Ranger Services clarified that if it is physically impossible to apply stern markings then it is not a requirement, however this is not the case with the majority of river cruisers. The Director of Operations said officers and rangers were able to advise boaters how best to display registration marks.

One member asked if there was an alternative for boaters who didn't want to cover decorative designs on their boats. Officers confirmed that the registration number could be applied in a variety of ways including being painted on, the essential requirement was to clearly display it on the vessel as per the guidance.

Another member expressed concerns with the possible costs of enforcement and whether this had been considered in terms of the budget for legal fees. The Chief Executive said that prosecution would only be considered at the end of the process and that the proposal was to provide people with more time to comply, he reiterated that it was a legal requirement to display registration marks. The Head of Ranger Services added that through discussions with other organisations it was hoped they would continue to encourage their members to comply.

One member stressed the importance of face to face engagement with stakeholders to alleviate any concerns over the matter. She offered to accompany the Head of Ranger Services with these discussions.

In general members were in support of Officers providing more time for compliance and recognised that the law was enforceable. Several members emphasised the Authority's duty to enforce the byelaws and the boater's responsibility to adhere to these regardless of personal preference. The Head of Ranger Services explained that if members agreed to the proposal, the process of checking for compliance would be started again from 1 April 2019 for those who had already received enforcement notices.

It was proposed by Alan Goodchild, seconded by Greg Munford that it be

RECOMMENDED by 5 votes in favour, and 2 abstentions

That the Broads Authority

provide a further reminder of the need to comply with the guidance in the February Broadsheet and to give all boat owners until the end of April to comply before taking further enforcement action. This would be prior to the first main Ranger inspection of the year in May when they check that tolls are paid and boat marks displayed.

5/14 Boat Census 2018 Report

The Director of Operations introduced a report on the results of the 2018 Boat Census. It was noted that there was a drop in boat movements compared to previous years as well as a drop in the number of private and hire crafts recorded.

Members commended the value of the boat census, commenting on the useful information produced, and were in support of continuing the process. The majority of members were in favour of moving to a 5-yearly interval in recognition of the amount of work required. The Director of Operations said he would investigate this further.

Members noted the report.

5/15 Construction, Maintenance and Environment Work Programme Progress Update

Members were provided with an update on the progress of the work programme for the Construction, Maintenance and Environment teams. The Director of Operations said that there was good progress at Hickling for the CANAPE project.

It was reported that bank and tree clearance was underway. A member asked if Officers had seen any significant difference with the recently purchased tree shears, the Director of Operations said the process had been improved with more being cut than could be processed. Officers were looking at how to improve this process. It was explained that the purchase of 2 more NATO floats was required

Members noted the report.

5/16 To note the date of the next meeting

In acknowledgment of his last meeting, Brian Wilkins stated that it had been an honour to serve on the committee, he said the challenges had been great and he had been pleased to be involved. Alan Goodchild added that he wished all the new members good luck in their term.

The Chief Executive thanked the departing members for their time on the committee and their welcomed insights. The Chairman of the Broads Authority added that he was appreciative of the skills and knowledge these members had brought to the Authority and thanked them for their work.

The next meeting of the Navigation Committee would be held on Thursday 11 April 2019 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

The meeting concluded at 16:10pm

Chairman

Code of Conduct for Members

Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 17 January 2019

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)	Please tick here if the interest is a Prejudicial interest
Alan Goodchild	7-15		
Greg Munford		As previously declared	
Linda Aspland	8	As previously declared	
Kelvin Allen		As previously declared	
John Ash	8	As previously declared	
Simon Sparrow	8	As previously declared	
Brian Wilkins	13	As previously declared as Chairman of NSBA	
Nicky Talbot	8 & 13	Appointee and Boat Owner	