

Navigation Committee

Minutes of the meeting held on 14 April 2022

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Present

Linda Aspland, Harry Blathwayt, Stephen Bolt, Matthew Bradbury, Leslie Mogford, Greg Munford, Simon Sparrow, Nicky Talbot and Paul Thomas

In attendance

Jason Brewster - Governance Officer, Michelle Glover – Governance Officer (minute-taker), John Packman - Chief Executive, Rob Rogers - Director of Operations, Adrian Sewell - Rivers Engineer for the Broads Authority, Marie-Pierre Tighe – Director of Strategic Services and Sara Utting – Senior Governance Officer

Also in attendance

Richard Eaton - Head of Property Litigation Team at Birketts Solicitors

1. Apologies for absence

Apologies were received from Alan Thomson, Andy Hamilton and Mike Barnes. Comments regarding agenda items 11 and 12 were received from Alan Thomson and Mike Barnes. These were read out by the Chair at the relevant item and formed part of the discussion.

Recordings / Openness of Local Government Bodies Regulations 2014

The Chief Executive (CE) announced that this meeting was being recorded. All recordings remained the copyright of the Broads Authority and the minutes remained the formal record of the meeting. Anyone wishing to receive a copy of the recording should contact the Governance team. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated.

Welcome

The Chief Executive welcomed all to the meeting and introduced Richard Eaton from Birketts Solicitors, and two new Governance Officers: Jason Brewster and Michelle Glover.

2. Appointment of Chair

The Chief Executive reported that nominations for Chair had been invited in line with the procedure adopted following the 18 May 2018 Broads Authority meeting.

Nicky Talbot had been proposed by Simon Sparrow and seconded by Linda Aspland. No other nominations had been received.

It was resolved that Nicky Talbot be appointed Chair of the Navigation Committee.

Nicky Talbot in the Chair.

3. Appointment of Vice Chair

Simon Sparrow had been proposed by Nicky Talbot and seconded by Linda Aspland. No other nominations had been received.

It was resolved that Simon Sparrow be appointed Vice Chair of the Navigation Committee.

Simon Sparrow in the Vice Chair.

Chair announcements

The Chair announced that membership for John Ash ended on 2 March 2022 as he was unable to attend the minimum number of meetings required by the Norfolk and Suffolk Broads Act 1988. The Chair expressed thanks to John for his seven years of invaluable knowledge and service.

4. Declarations of interest

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

5. Matters of urgent business

No items were proposed as a matter of urgent business.

6. Public question time

The following question has been received from a Mr Cowley:

“Given all the rising prices due to fuel and inflation, is the Broads Authority going to look at introducing quarterly or 6 monthly payments to help toll payers spread the cost over the year, rather than one instalment. Is this something the authority has considered?”

Response from Nicky Talbot, Chair of the Navigation Committee:

“Thank you for the question.

The Authority has considered the potential for offering staged payments to toll payments on a fairly regular basis. There are two main stumbling blocks: firstly, the seasonality of the use of the Broads combined with the fact that the toll is not an annual charge but a charge for 28 days or more; and secondly, the additional staffing resources that would be required to implement such a scheme for all boat owners.

Where an individual has severe financial or personal problems we encourage them to contact the Tolls Team and we will then work together to achieve compliance in a timely manner.

Initial work shall be starting later on in 2022/23 to scope the replacement of our current on-line computer payment system. As part of that project we will again look at the potential for offering staged payments.”

7. Minutes of last meeting

The minutes of the meeting held on 13 January 2022 were signed by the Chair as a correct record of the meeting.

8. 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 (CE) updated the Committee that Network Rail would be investing substantial money in repairing Somerleyton and Reedham swing bridges, the work of which was due to start in October.

The moorings were now open at Burgh Castle and with the exception of a small piece of work that needed finishing, all work was complete. This was a critical mooring because of its location to Breydon Water. The CE thanked the colleagues in the Environment Agency for their support and help with this.

The Landscapes Review workshop was successful and there was useful debate at the Authority meeting. The agreed response from members had been sent off and all had received a copy of the letter that Bill Dickson wrote to the Minister.

Carrow Road bridge repairs: Norfolk County Council (NCC) was exploring other options of progressing with this without locking the bridge shut. A member asked for assurance that everything possible would be done to keep this as a lifting bridge. The CE responded that this had been emphasised, and NCC was fully aware that the Broads Authority would oppose locking the bridge shut.

The report was noted.

9. Appointment of two co-opted members to the Broads Authority

Members were asked to recommend the appointment of two co-opted members to the Broads Authority until 12 May 2022 as set out in Section 1(2)(c) of the Norfolk and Suffolk Broads Act 1988 as amended.

Schedule 4, paragraph 4(3) of the Act further stated that the Navigation Committee shall elect a Chair from among those of its members who are members of the Authority. Given that Nicky Talbot had been elected Chair of the Committee, she would need to take up one of the seats on the Authority.

Nicky Talbot proposed, seconded by Greg Munford, that Simon Sparrow be appointed as a member of the Broads Authority until 12 May 2023. No other nominations were received.

It was resolved that Nicky Talbot and Simon Sparrow be recommended to the Broads Authority for appointment as the co-opted members to the Broads Authority until 12 May 2023.

10. Chief Executive's report and current issues

The Chief Executive introduced the report and provided some updates as follows.

Prosecutions

Most people pay their tolls on time but there was always a small number of people who refused to pay. Communications were kept open with them as much as possible, but there was often no option left but to take them to Court. There was a huge amount of work involved in this relatively small number but there was a good success rate, and it was noted that this was a significant piece of work by the Head of IT and Collector of Tolls.

On noting in Table 2 – Navigation Duties that patrolling days were lower from the allocated number, and reactive mooring maintenance was significantly down, a member asked if less reactive work was being undertaken.

The Director of Operations (DoO) answered that there was more focus on planned work and improving at knowing where staff need to be. The aim was on maintaining patrolling presence but some days had been lost due to Covid.

There was further discussion on prosecutions for non-payment of tolls, and clarification that the compensation figure was paid to the Court.

The report was noted.

11. Annual Safety Audit 2021/22

The DoO presented the report, which updated the Navigation Committee for the period 2021-22 and examined the package of measures and the effect that it had had.

The Chair commented that the report included a good cross section of views, and that the results of the survey and questionnaires had provided the evidence to help with decision making on this item. The Chair thanked the rangers and team for gathering that evidence.

The DoO commented that good presence on the rivers had been maintained with the additional patrolling, with rangers also patrolling at early and late times. The hire boat questionnaires had come back with quite startling results: handover issues were apparent, as were length of handovers and whether in-water trials were given. The survey would be run again this year to generate more data for future use. The DoO recommended that use of the British Marine's Quality Accredited Boatyard Scheme was increased.

A member asked if it was possible to make a comparison of the number of injuries in the report to injuries received in other activities such as gardening. The DoO commented that water related environments had very specific problems and it was impossible to compare with other activities.

Another member commented that it was very positive that the videos had been well received, and that other companies would be using them. The DoO said that the videos had been updated with lessons learned, and that boat yards owners were directing these to their customers before they arrived, which was positive.

A member asked about lessons learned from the incidents. The DoO said that slips, trips and falls form the majority of incidents, and as a result, surfacing materials were reviewed and replaced where necessary. Other unpredictable factors such as use of alcohol, or tidal action which raised or lowered the height of boats could make things more difficult for the customer, and these types of issues were more challenging to draw conclusions from.

The Chair commented that with all the available technology it was easy to communicate and report problems quickly and effectively.

Discussion followed around the value of using the British Marine Quality Accredited Boatyard Scheme. The general consensus was positive about adopting the scheme.

A member questioned about making the QAB scheme compulsory, and that from a purely safety point of view, it did not add anything beyond the BA's current checks. Given that the hire boat licensing officer's time had recently been increased from one day to three, it was hoped that this would address any gaps in the traffic light system.

The CE commented that considering the information about the accident being investigated by the MAIB, together with the feedback from the hirer boat helm questionnaire, there was strong argument for the Broads Authority incorporating the QAB into the Authority's licensing conditions. Also noted was the fact that the Chief Inspector thought it sufficiently important that he recommended amendment to the hire boat code such that an in-water trial before handover should become mandatory. In the survey of helms, 25% said that they had no in-water trial, and 13% said that their handover was 10 minutes or less. The industry as a whole took safety seriously, and there were some operators with excellent standards, but this was not universal. Members of the Authority were individually and collectively the duty holder for the Port Marine Safety Code, meaning that safety was at the top of the agenda. There would be benefits in the Authority making the QAB's independent inspection, which had an important safety element in it, compulsory for the hire boat industry.

A member asked whether the hire boat helm questionnaire was aimed at both cruisers and day boats. The DoO replied that the questionnaire was targeted at holiday cruisers.

There was mention of how the majority of visitors arrived well informed, having done their own research and preparation, and that the videos would be developed more and the links to them checked.

The Chair commented that the questionnaire would enable further analysis of which yards were involved, types of boats and other details.

Further comments from absent members regarding the use of the British Marine Quality Assurance accreditation were read out by the Chair. The points in summary were that boat handling, instruction and hand-over were important and should be specifically mentioned to

the hirers, and that on seeing the disappointing levels of in-water trials, it would be good to incorporate the British Marine Quality Assurance accreditation and to have this as a requirement for hire boat operators.

The Chair summarised the view of the Committee as supporting the recommendation.

It was resolved by consensus that the Navigation Committee supported the recommendation that the hire boat licencing system be amended to include the British Marine Quality Assurance accreditation as a compulsory element.

Greg Munford and Simon Sparrow did not voice their support due to their declared interests.

The report was noted.

12. Barton Turf Staithe

The DoO introduced the report and commented that the Authority could spend large sums of money to bring the offered section up to the required Broads Authority 24-hour free mooring standard only for the lease to be terminated by the Landowner after seven years.

Views of the members included the points that: a) a seven-year lease was too short, b) reduction of public mooring in favour of private mooring was against the Authority's principles, and that c) caution was needed with this proposal as it could set a precedent in both the long and short term.

The general consensus was that this site was not of great significance to the holiday industry, and a seven-year lease was also too short for the cost and investment needed to bring the site up to standard. The DoO thanked members for their views and advised that he would respond to Barton Turf and Irstead Parish Council informing them that the Authority had declined the offer.

The report was noted.

13. Construction, Maintenance and Ecology work programme – progress update

The report was introduced by Adrian Sewell - Rivers Engineer for the Broads Authority on behalf of the Head of Construction, Maintenance & Ecology.

A member asked if there had been any interest in the tender for building the barge/workboat. The DoO confirmed that there had been some interest, although there were not many local companies who could build what was required.

The report was noted.

14. Navigation income and expenditure 1 April to Feb 2022 actual and 2021/22 forecast outturn

The report from the Director of Finance was received. At the meeting, the CE supplied further information on toll income. As of close of play on Tuesday, 8,364 tolls had been issued with an income of £2.72m.

Increasing the tolls staff by one had been hugely beneficial and staff were now better placed to deal with the work that would be coming in this year.

The report was noted.

15. Committee Calendar 2022/23 – Navigation Committee dates

The 2022/23 calendar for the Navigation Committee was received.

The Chair reminded members that there was the opportunity to hold some meetings of the committee remotely.

The report was noted.

16. Date of next meeting

The next meeting of the Navigation Committee would be held on Thursday 9 June at 10am, venue to be confirmed.

17. Exclusion of the public

Proposed by Harry Blathwayt, and seconded by Greg Munford.

It was resolved by consensus to exclude the public from the meeting under section 100A of the Local Government Act 1972, as amended by The Local Government (Access to Information) (Variation) Order 2006, for consideration of the item below on the grounds that it involved 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. Mooring rights at How Hill

Richard Eaton, Head of Property Litigation Team at Birketts Solicitors summarised the report before members were canvassed for their views.

A summary of the discussion is contained in the exempt minutes.

The meeting ended at 11.50am

Signed

Chairman

Appendix 1 – Declaration of interests: Navigation Committee, 14 April 2022

Member	Agenda/minute	Nature of interest
Simon Sparrow and Greg Munford	11	Hire boat operator

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