

Chief Executive's Report

<p>Summary: This report summarises the current position in respect of a number of important projects and events, including any decisions taken during the recent cycle of committee meetings.</p>
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1 Bridges Update

Contact Officer/Broads Plan Objective: Angie Leeper/NA5

- 1.1 Consultation Document - Anglia: Route Study, Long Term Planning Process. The Authority provided a response to Network Rail's consultation document on the strategic vision for the future of the network over the next thirty years by the closing date of 3 February 2015. The draft response was circulated to all members for their comments prior to its submission and the final submission is available on request for those who wish to see it.

2 National Parks Branding of the Broads

Contact Officer/Broads Plan Objective: John Packman/PE1

- 2.1 At its meeting on 23 January 2015 the Broads Authority received a report on the consultation responses to the branding of the Broads Area as "Broads National Park". They gave this detailed consideration and sought reassurances and clarification on a number of issues, particularly from the Solicitor and Monitoring Officers on the legalities. They also noted the letter from the Defra National Park Minister Lord De Mauley.
- 2.2 The Authority noted and confirmed that the proposal did not involve any change in the legal name or functions of the Broads Authority and that there had been a generally positive response from the majority of those stakeholder organisations who had responded. They agreed to adopt the use of the brand "Broads National Park" for marketing related purposes as it would be conducive to the achievement of the three general duties in Section 2(1) of the Norfolk and Suffolk Broads Act 1988 and particularly to the enjoyment and understanding of the Broads special qualities and that the use of the brand would have a positive effect in raising the area's profile.
- 2.3 The Authority recognised the reservations and concerns of those stated by the Navigation Committee at its meeting on 11 December as well as those of the NSBA and Broads Society. It therefore agreed that the ambition in the Broads Plan 2011 for the Broads to become a national park in law would no longer be pursued. The Authority also confirmed and emphasised that for the avoidance of

doubt, there was no intention of seeking the application of the Sandford Principle (nor ever had been) as it applies to the national park authorities, to the Authority's three functions, all of which had equal weight. The Authority was of the view that the Habitat Regulations provides sufficient protection for the very special qualities of the area. The Authority was sensitive to the views of the respondents, particularly those who had expressed concerns and therefore agreed that guidelines for the use of the brand be drawn up for use by the staff and other organisations including appropriate signage, and that these be implemented gradually. The Authority agreed that the project be implemented in accordance with legal advice.

3 Budget 2015/16 and Financial Strategy 2017/18 and National Park Grant
Contact Officer/Broads Plan Objective: John Packman/Emma Krelle/Multiple

- 3.1 At its meeting on 23 January 2015 the Broads Authority agreed to adopt the draft budget for 2015/16 including the Earmarked Strategy for the period 2015/16 to 2017/18. This was based on an overall increase of 1.7% in navigation charges formally adopted by the Authority on 21 November 2014. The Authority also approved the principle that any underspends within the Moorings Maintenance and Repair budget (within the Practical maintenance line) be transferred to the dredging/moorings/Piling(property) reserve fund maintenance in line with the Authority's Asset Management Strategy and as notified and agreed by the Navigation Committee. The budget was based on the assumptions of a 1.74% reduction in national park grant already indicated by Defra.
- 3.2 Since the Authority's meeting, Defra Ministers have confirmed that the allocations to National Parks for 2015/16 will be in line with the figures previously provided to us. This is consistent with the figures in the budget approved for the coming financial year by the Broads Authority at its meeting.
- 3.3 The Authority was mindful of the uncertainties over public expenditure after the General Election and that it could not rule out the potential for an in-year cut by the new Government. They noted that the National Parks were working together to provide a collective positive representation to Defra concerning the necessary finances and resources required to fulfil their purposes and objectives.

4 Sediment Management Plan/Draft Dredging Programme for 2015/16Strategy
Contact Officer/Broads Plan Objective: Adrian Clarke/NA5 and TR2

- 4.1 At its meeting on 23 January 2015 the Broads Authority noted and welcomed the report on the progress of the Sediment Management Strategy including the proposed priority sites for dredging. The Authority endorsed the dredging programme for 2015/16 as agreed by the Navigation Committee at its meeting on 11 December 2015 and was pleased that the new methodology adopted for assessing Waterway Specification compliance was providing rational sound statistical data.

5 Planning Applications with navigation implications

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

5.1 Application BA/2014/0205/FUL St Olaves Marina, Beccles Road, St Olaves Proposed Mooring pontoons along River Waveney Frontage to St Olaves Marina Ltd

At its meeting on 9 January 2015 the Planning Committee unanimously agreed to refuse the amended application for proposed mooring pontoons along the River Waveney frontage to St Olaves Marina Ltd. The applicant had amended the application for a third time to address concerns which had been raised by the Authority and particularly to address the concerns over navigation. However, the amendments introduced an engineered river edge in the form of quay heading and it was considered that the resulting loss of natural reeded river bank habitat would have adverse impacts on the ecology and protected landscape character of the Broads. In addition the application would not provide new visitor moorings, or in lieu of visitor moorings, demasting moorings. The Committee was particularly concerned that the proposal would result in the reduction in the width of the river as a result of the pontoon and its use and consequently would have a negative impact on navigation. Members were concerned about the navigational safety aspects expressed by the Navigation Committee in this specific location and considered that the Authority would be derelict in its duties if it did not take these matters into account. The application was considered contrary to criteria 'a', 'b' and 'h' of Policy DP16 of the Development Management Plan.

5.2 Application BA/2014/0407/FUL Pound End Broad and Hoveton Marshes Horning Road, Hoveton. Development to facilitate canoe access on Pound End Broad and Hoveton Marshes

At its meeting on 6 February 2015, the Planning Committee agreed to approve the application for the development proposals associated with the Hoveton Great Broad restoration project in order to provide the infrastructure for a canoe trail. The canoe trail itself did not require planning permission. Members were particularly concerned about the special ecological qualities of the area and although mindful that greater public access is required for the Heritage Lottery Fund bid for the restoration proposal for Hoveton Great Broad and this is also the Authority's view, they were concerned that the access on this side of the Broad should be appropriately managed. The approval of the planning application is subject to some 30 conditions covering matters prior to construction, during construction, prior to first use, restoration and enhancement and operation.

6 Cycling Ambition in National Parks: Request for Funding – Three Rivers Way Hoveton to Horning

Contact Officer/ Broads Plan Objective: Adrian Clarke/TR1.1

- 6.1 The Broads Authority and Norfolk County Council have been successful in a bid for £715,000 to go towards a cycle and walking route between Hoveton and Horning. We are one of five national parks to win an award from the Government's Cycling Ambition in National Parks initiative.
- 6.2 The route will form the first phase of the Three Rivers Way, a long-planned project to ultimately connect Wroxham, Hoveton, Horning, Ludham and Potter Heigham. This first phase will run along the northern side of the A1062, providing improved local travel to school, work and shops, as well as a new attraction for visitors. For those arriving by train or car, the route is supported by cycle hire at Hoveton, Bewilderwood and Horning. Improving these links is one of the key aims of our Integrated Access Strategy.
- 6.3 The £1m scheme has significant local support which was fundamental to the bid's success and brings multiple benefits including encouraging more people to cycle and walk and bringing more visitor spending to the villages. The Authority agreed to £65,000 match funding for the project.

7 River Basin Plan

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

- 7.1 In developing the second round River Basin District Management Plan (the updating draft is currently out for consultation with a closing date of 10th April), the Environment Agency have modified some of their criteria around defining recreation and navigable waters. This appears not to have any significant impacts on the way the issues on the rivers will be tackled under the Water Framework Directive. However the Environment Agency's Catchment Manager will be available at the Navigation Committee meeting to outline the changes and be ready to answer any questions. https://consult.environment-agency.gov.uk/portal/ho/wfd/draft_plans/consult?pointId=3034101

8 Proposed Thorpe to Whitlingham Ferry

Contact Officer/Broads Plan Objective: Steve Birtles/ TR1

- 8.1 A proposal has been made by The Great Yare Company to run a Ferry Service between Thorpe River Green and the western end of Whitlingham Country Park, close to the Outdoor Activity Centre. The boat, 'Morlugh' is a 25ft Cygnus DS25 fishing boat suitable for carrying for 12 passengers.
- 8.2 The aim is to run a quarter-hourly service departing Thorpe on the hour/half hour, and returning at quarter past and quarter to the hour. The transit takes approximately 10 minutes at careful speed. These times may be adjusted by the operator based on demand and experience as the season progresses.

- 8.3 The intention of the operator is to appeal to young families, and also to cyclists seeking to ride around WCP. The boat is being fitted with a rack on the stern which will carry two/three bikes. In addition the company has a 14' punt which can be fitted with a rack to tow three/four more bikes behind.
- 8.4 The Company plan to start operating at Easter and operate weekends/holidays to the late May holiday, then seven days through to the end of the school summer holiday, reverting to weekends through to late October. This plan is dependent on demand.
- 8.5 Longer term the Company may look at developing the service to operate a triangle- Thorpe - WCP upper - WCP lower – Thorpe. As part of this they would like to provide a boarding pontoon at the short length of piled frontage just down river of Whitlingham Bend for drop-offs and pick-ups. Again, this is dependent on demand.
- 8.6 A formal application for a licence to operate the ferry has not yet been submitted to the Authority.
- 8.7 The previous proposal by a second operator for a ferry to run between Bungalow Lane, Thorpe and the downstream end of Whitlingham Country Park has made no further progress.

9 Navigation Patrolling and Performance Targets

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

- 9.1 As can be seen in Appendix 1 the amount of patrolling by launch decreases in the winter due to reduced staffing levels and the undertaking of practical work. Much of the weekend patrolling is undertaken by vehicle. The high best value figures reflect the reduced winter targets which can easily be exceeded if a ranger is working in a particular area. The average navigation/countryside split for the period is 57%/43%

10 Sunken and Abandoned Vessel Update

Contact Officer/Broads Plan Objective: Adrian Vernon/NA4

- 10.1 There have a few sunken vessels in the system during the period but they have been raised or are about to be raised by the owner. Appendix 2 shows the current position.
- 10.2 There was one case of speeding heard at Norwich Magistrates Court in January. Two rangers and the maintenance supervisor (an ex-ranger) witnessed a serious case of speeding when engaged on a site visit at Hoveton. They reported the helmsman who pleaded guilty at court and received a £120 fine with £120 costs. See appendix 3

11 Planning Enforcement Update

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

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

Background papers: None

Author: Sandra Beckett/ Esmeralda Guds

Date of report: February 2015

Broads Plan Objectives: Multiple

Appendices: APPENDIX 1 –Report on the Significant Exercise of Powers by the Rangers during December 2014 – January 2015
APPENDIX 2 – Report of Sunken and Abandoned Vessels
APPENDIX 3 - Report of a prosecution dealt with in court during January 2015
APPENDIX 4 – Planning Enforcement Update

Rangers Exercise of Powers Analysis (Bracketed figures are running totals, April 2014 to January 2015)							Date: Nov 2014 - Jan 2015	
	Wroxham Launch	Irstead Launch	Ludham Launch	Ludham 2 Launch	Norwich Launch	Hardley Launch	B.St.Peter Launch	Breydon Launch
Launch Patrol Areas	Wroxham and Upper Bure	Ant	Hickling, P.Heigham, Upper Thurne & Womack	Lower Thurne, Lower Bure & South Walsham	Norwich and Upper Yare	Reedham, Chet & Middle Yare	Oulton Broad and Upper/Middle Waveney	Breydon Water, Lower Waveney and Yare
Verbal Warnings								
Care & Caution	(104)	(42)	(62)	(112)			(13)	1 (53)
Speed	22 (3068)	(359)	7 (475)	1 (504)	(124)	(212)	(325)	10 (232)
Tolls offences	4 (185)	(80)	1 (33)	1 (107)	(20)	(2)	(36)	1 (33)
Other	(48)	(6)	2 (21)	(82)	(9)	(20)	2 (34)	2 (8)
Blue Book Warnings								
Care & Caution	(3)		(2)	(1)		(1)	(4)	1 (15)
Speed	(90)	(9)	1 (12)	(13)	(13)	1 (7)	(15)	1 (12)
Other	(7)	3 (9)	(2)	1 (11)	(4)	1 (12)	4 (14)	1 (7)
Reports for Prosecutions	(1)							(1)
Special Directions	(29)			6 (12)		(67)	1 (278)	(38)
Toll Compliance Repor								
Non Payment	1 (155)	(66)	(84)	(44)	(55)	(64)	(86)	3 (28)
Non Display	(31)	(13)	(1)	(6)	(4)		(79)	1 (6)
28 Day request for information	1 (2)						(2)	(1)
BSS Hazardous Boat Inspections	1 (4)			(1)	(1)			(2)
Enter Vessels Under BSS	(1)				(1)			
Launch Staffed (by Ranger)	17 (231)	2 (107)	33 (174)	5 (142)	17 (130)	16 (128)	18 (172)	24 (250)
Country Site Inspection Reports Percentage Compliance	100% (100%)	67% (61%)	(Combined figure)	100% (42%)	(Combined figure)	58% (47%)	75% (35%)	300% (100%)
Best Value Patrol Targets Percentage Compliance	438% (215%)	145% (59%)	164% (117%)	217% (149%)	121% (87%)	233% (166%)	169% (100%)	354% (149%)
Volunteer Patrols	21 (42)	1 (2)	6 (11)	2 (8)		2 (2)	3 (8)	
IRIS Reports	5 (122)	2 (36)	2 (27)	2 (46)	3 (67)	2 (39)	8 (52)	2 (96)
Broads Control Total Calls	TOTAL 5,848 (39,838)			Telephone 5,194 (29,830)		VHF 654 (10,008)		

RANGER TEAM ACTIVITY

as at 11 February

	Navigation Activity								Countryside Activity							
November 2014	Nav Patrol Launch	Nav Patrol Foot/Road	Incident Working	Admin - Navigation	Training (Navigation)	Escort	Moorings Maintenance	Bank work	Country Patrol	Country Maintenance	Admin - Country	Training (Countryside)	Equipment Maintenance	Tree/Ground work	Group Activities	Education/School Visit
Percentage Total	10.24%	6.56%	0.87%	1.27%		1.00%	0.64%	4.61%	2.85%	1.91%	1.46%	1.97%	3.85%	1.61%	0.32%	0.79%
Wroxham team	17%	11%	58%	26%			2%	34%	38%	76%	19%	6%	34%	23%	81%	
Thurne team	23%	9%	8%	4%		63%	49%	8%	4%	4%			26%	25%		23%
Yare team	5%	4%	3%	47%		9%	5%	52%	18%	14%	48%	38%	17%	13%	19%	51%
Waveney team	10%	4%	3%	4%		28%	44%	6%	1%				5%	16%		26%
Breydon team	45%	44%	3%	8%					27%	6%	4%	31%	23%	12%		
Control Officer		4%														
	#REF!								#REF!							
	General Support												Time Off			
	Broads Control	Travel Time	Activity Unknown	Training - Split	Meeting - Staff	Meeting - Public	Admin - Split	Admin - Volunteer	Training - (Volunteers)	Public Relations Event	Site Visit third party	Other Task	Time off in Lieu (not accurate)	Breaks (not including un-notified breaks)	Annual Leave	Sick
Percentage Total	5.79%	5.78%	5.02%	3.57%	7.49%	1.19%	12.78%	0.08%	1.30%		0.84%	0.75%	1.87%	1.34%	7.40%	0.83%
Wroxham team	27%	16%	34%	55%	19%	8%	19%	43%			26%		13%	27%		9%
Thurne team	5%	12%	20%		24%		12%		15%		39%		14%	2%		
Yare team	5%	13%	12%	8%	17%	13%	17%	57%			22%	15%	13%	24%	30%	
Waveney team	5%	18%	7%		9%	3%	10%		56%		13%	71%		3%	40%	
Breydon team		28%	7%	37%	18%		14%		15%			7%	33%	1%	3%	30%
Control Officer	54%		0%											32%	10%	62%
	#REF!	#REF!	#REF!										#REF!			

Month Percentages	
Navigation	64%
Country	36%
Total	100%
Time Off not included	

Percentage with apportioned split	
Year to date (Apr - Mar)	
Navigation	68%
Country	32%
Total	100%
Time Off not included	

Team percentages equal team contribution to activity

APPENDIX 2**Sunken and abandoned vessels**

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

APPENDIX 3**Report of a prosecution dealt with in court during January 2015**

Place	Offence	Magistrates Court	Result
Hoveton	(1) Speeding (2) Care and Caution.	Norwich	Pleaded guilty to speeding. Care and Caution withdrawn. (1) Fined £120 Costs 120. Victim surcharge £20

Enforcement Update

This table shows the updates on enforcement matters relating to Navigation matters currently under consideration since the last Navigation Committee on 23 October 2014.

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

Committee Date	Location	Infringement	Action taken and current situation
			<p>outstanding breaches on site.</p> <ul style="list-style-type: none"> • Challenge to the Inspector's Decision filed in the High Courts on 28 November 2014 • Acknowledgement of Service filed 16 December 2014. Court date awaited • Section 73 application submitted to the Authority to amend 19 of 20 conditions on the permission granted by the Inspectorate. Application not validated. • Appeal against non-determination submitted to PINS in respect of Section 73 application. • Further challenge to the Inspector's decision filed on 31 January 2015