

Navigation Committee

Minutes of the meeting held on 22 October 2015

Present:

Mr M Whitaker (Chairman)

Mr K Allen

Mr M Bradbury

Mr M Heron

Mr J Ash

Mr W Dickson

Mr J Knight

Ms L Aspland

Mr P Durrant (2/10 – 2/19)

Mrs N Talbot

In Attendance:

Mr S Birtles – Head of Safety Management

Mr A Clarke – Senior Waterways and Recreation Officer

Ms E Guds – Administrative Officer (Governance)

Mr B Hanson – Tourism and Promotion Officer

Mr B Housden – Head of ICT/ Collector of Tolls

Ms A Macnab – Planning Officer

Ms L Marsh – Head of Communications

Dr J Packman – Chief Executive

Mr R Rogers – Head of Construction, Maintenance and Environment

Mr A Vernon – Head of Ranger Services

Mrs T Wakelin – Director of Operations

Also Present:

Prof J Burgess – Chairman of the Authority

Lana Hemsall – Vice-Chair of the Planning Committee

Tony Howes - Member of the public.

2/1 To receive apologies for absence

The Chairman welcomed everyone to the meeting and apologies for absence were received from Alan Goodchild, Peter Dixon and Brian Wilkins.

2/2 To note whether any items have been proposed as matters of urgent business/ variation in order of items on the agenda

No items had been proposed as matters of urgent business

Phil Durrant had notified the Chair he would not be able to attend the meeting until after 3 pm and therefore it was decided to change the running order of the Agenda to allow him to be present for agenda item 7, Navigation Charges.

2/3 To receive Declarations of Interest

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

2/4 Public Question Time

There were no public questions.

2/5 To receive and confirm the minutes of the meetings held on 3 September 2015

The minutes of the meeting held on 3 September 2015 were confirmed as a correct record and signed by the Chairman.

2/6 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 updated members that negotiations over 24 hour moorings at Thurne Mouth and Boundary Farm were still underway and a further meeting with the landowner and his wife was scheduled for Friday.

Members noted the report.

Agenda item 2/9 was dealt with at this point

2/7 Navigation Charges 2016/17 (this item was considered after 2/11)

Members received a report which sought their views on next year's navigation charges. It identified a number of pressures on income and expenditure together with options. Trends in boat numbers and the results from the Authority's stakeholder research were used to inform the analysis.

The Chief Executive identified that the following pressures for 2016/17 were:

- The current exceptionally low level of inflation
- Last year's lowest ever increase in navigation charges of 1.7%
- Decline in hire boat numbers
- Increased operational activity
- Increased employment costs
- Meeting the costs of the Hickling Broad project
- The costs of maintaining Mutford Lock
- Cuts in National Park Grant

In response to whether the Authority had looked beyond next year in relation to trends in hire boat numbers the Chief Executive answered that it had not but the expectation was that some of the smaller yards would continue to close and of the larger yards investing in new boats while selling off older boats to fund their investment.

The Chief Executive clarified that a simple multiplier of 3 had not been used in paragraph 4.3 but that it would seem prudent to make allowance for the potential loss of £20,000 of hire boat income in 2016/17 from a further decline in hire boat numbers.

He also highlighted that the decision to take over the practical work formerly performed by May Gurney meant that while more practical work was achieved for the same costs it reduced flexibility because there was a higher proportion of fixed costs which meant that the cash budgets were relatively small.

The Director of Operations reminded members that the Stakeholder Survey carried out by Insight Track suggested that the fleet within the hire boat industry was relatively stable as the same number of operators that predicted an increase in the size of their fleets was matched by those indicating a decrease and the majority would stay the same. So overall it appeared to be a very balanced picture.

A member asked about changes in the dredging programme for 2015/16 noting that the Hickling Project has taken the place of work elsewhere and therefore questioned why additional budget was needed. The Director of Operations explained that whilst staff time was incorporated in the dredging programme, additional budget was required for the purchase of silt curtains, purchase of materials and hire of equipment.

Another member questioned how it related to the work programmed for 2014/15. The Director of Operations responded that the water management budget (dredging) was underspent in 2014/15 by £21,000 because the work had been deferred but as this was a late change it had not been reflected in the budget for 2015/16 which had already been set.

One member commented that the budget was balanced so did not believe that having a low increase of 1.7% would put pressure on forthcoming years. The Chief Executive explained that the Authority's three year Financial Strategy had been based on 3% per annum increase in charges and that last year's low increase of 1.7% would have impact on subsequent years.

Some members supported this view and one added that the 1.7% increase on tolls last year got the Authority to a balanced budget however did not include certain expenditures. He continued that the Authority would need to be cautious of big swings in tolls as the cumulative impact would be significant.

The Member questioned whether toll increases should pay for fixed operational costs when the National Park Grant went down. The Director of Operations responded that a detailed report on the subject had been considered by the Navigation Committees in September 2014. A number of options had been considered and the Committee supported the approach of increasing the allocation of operational work to navigation because it provided increased practical work in managing the navigation.

A Member pointed out that the report did not suggest any means of accruing funds from other sources, i.e. sponsors. The Chief Executive responded he had learned recently that working with the Norfolk Rivers Trust had been successful in a bid to the World Wide Fund for Nature for funding provided by Coca Cola. In addition the Authority was awaiting the outcome of its bid to the Heritage Lottery Fund for £2.6million and is also seeking funding from Europe through the MULTIPLE bid, which would mean working with UK and European partners for the Hickling project. He added that the Authority would continue to look for a range of funding opportunities.

One Member commented that the Authority should certainly take the low inflation into account but did not think it should be a restricting factor. He said he was not in favour of cancelling any of the projects and did not see how the Authority could be required to take on more while not being able to commit to the projects already on the programme. He continued that the Authority would have a clear case for a 6.5% toll increase as long as they could show the public what they would receive in return. He did query however if a 6.5% increase in tolls this year would mean a further increase next year.

The Chief Executive responded that a 6.5% increase would definitely simplify matters because as explained earlier, it would have a positive cumulative impact for following years.

In relation to the Reserves a member suggested that the Authority should set a reasonable figure and set its demands accordingly. Other members agreed and suggested that the Reserves might not need to meet the 10% immediately but that this could be achieved gradually over more than one year.

Another member stated that the Authority would need to make brave and bold decisions in order to achieve what stakeholders expected them to accomplish. However while doing this he suggested the Authority should be responsive to the Hire Boat Industry's needs and supported them by reducing the multiplier slightly.

He suggested the multiplier for hired cruisers should be reduced from 2.62 to 2.55. Officers indicated that a quick calculation indicated that this would mean an effective increase of around 5.8% for private craft and about 2.3% for the hired cruisers.

A Member commented that although he welcomed this view, the majority of the Hire Boat companies had already set their budgets and hire prices for next year which meant they would need to absorb the majority of the increase themselves. He said it would therefore be useful if talks about the level of toll could take place earlier in the year.

Although members would prefer to see all projects completed, when having to compromise, the majority of members were in favour of dropping the removal of the hazards created by the Dickey Works.

Although not averse to a general increase in tolls, one member did not believe that it was appropriate to change the multiplier without evidence of the impact and whilst the Tolls Working Group was considering the future direction.

After careful consideration members

RECOMMENDED TO THE BROADS AUTHORITY BY 8 VOTES TO 1

to raise tolls such that toll income increases overall by 4.5% while reducing the multiplier for hired motor cruisers from 2.62 to 2.55 and to adopt the work programme in Option 3, which involved not proceeding with the hazard removal at the Dickey Works.

2/8 Boat Safety Scheme for Hire Boats

Members received a report which set out the recently launched consultation on proposed changes to the Boat Safety Scheme (BSS) requirements for hire boats. Members' views were sought on the proposed changes and the draft Broads Authority response to the BSS consultation set out in Appendix 1.

The Director of Operations informed members that the Authority is a consultee for the Boat Safety Scheme and draft responses were set out in Appendix 1. Once the new BSS requirements came into force the Authority would adopt them as construction standards.

The Head of Safety Management confirmed that in relation to question 7 the requirement of a visual indication concerning the risk of the swing of the tiller arm would only be applicable to narrow boats and said he would amend the consultation response to clarify this.

In relation to question 9, the Chair suggested that rather than having a Crew Area and Access Limitation Label visible from each helm position, to have a warning label on the areas which were off limits. The Head of Safety Management responded that this was a requirement which was part of the Hire Boat Code already and was mainly aimed at small day boats with potentially more stability issues and therefore the ability to put the boat in danger. He explained that the new BSS was a tie up between what was required following the Hirer Safety review and the four yearly independent inspections would also check whether those Hire Boat Code requirement elements were being met.

Members noted the report.

2/9 Planning Application with Navigation Implications: Generation Park (This item was considered following item 2/6)

A planning application had been submitted for the redevelopment of the Utilities Site in Norwich, known as Generation Park. Members received a report which set out the details of the application, explained which matters

had been applied for in Outline and in Full and identified which aspects of the development the Broads Authority would be responsible for determining.

The Planning Officer informed Members that the joint site visit with the City Council on 2 October 2015 was attended by members of the Planning Committee and James Knight, representing the Navigation Committee.

Members received a presentation on the Generation Park application site outlining mooring sites and the implications of moorings in the different zones. They were informed that generating extra moorings by creating a marina could not be justified because of the cost and therefore a marina was not included in the scheme. She continued that dredging would be necessary in places to enable the creation of the riverside moorings but that this would not happen until much further into the process.

In response to a comment that launching for canoes and small craft in Zone 3 should be made available to residents as well as non-residents, the Planning Officer said it was planned that the canoe launch would be open to everyone. However, she explained it would be difficult to launch a canoe when not residing on site as the vehicular access would be strictly limited.

A member who was not present at the meeting but had forwarded his comments to the Chair believed that if dredging and disposal of contaminated material was required the developer should cover the full cost. The Planning Officer confirmed that the developer would cover full cost of dredging.

One member queried the height and width of the restriction that would be caused by the bridge in relation to the restriction currently caused by the rail bridge. The Planning Officer confirmed that even with the bridge in a closed position it would restrict navigation to a lesser extent than the railway bridge.

Although appreciating the suggested moorings in Zone 1 and 2 some members questioned whether this would be enough and believed a closer look into the possibility of moorings in Zone 3 was needed. It was queried whether the Authority could afford to miss an opportunity of having a developer willing to provide moorings so questioned whether the trees were worth saving. Furthermore, they did not believe that clearing a strip of vegetation along the river would have a significant effect on the woodland behind it.

In relation to Zone 3 not providing enough space for pontoons and/or moorings, a member commented that the required 75% navigable width of the river was only a guideline and the actual width of the river and the space needed to safely navigate was more important.

One Member responded that he was supportive of no moorings in Zone 3 as it would make navigating the river bend located in this zone easier. He added that especially members from the Rowing Club and the Canoe Club were in favour of no moorings in Zone 3 because of the boating activity along this stretch of the river.

A different member commented that a marina would be an exciting new hub which would attract visitors and said he was disappointed that the plans for the marina were not being pursued.

In response to these comments the Planning Officer explained that when developing the river edge the aim was for the riverbank to fit in with its surroundings and achieve a sense of change through the different zones from urban to natural. She said that from an ecological and landscape point of view it was important to keep the end of Zone 3 green.

In relation to having to abandon the plans for a marina she responded that the development site was covered with pipes and wires and therefore only very few pockets where development was feasible were available. Unfortunately these development pockets were not suitable for the marina. She informed members that the Waterspace Management Plan which was submitted in support of the application on the website would provide more detailed information should members be interested.

She further reminded the Committee that the Authority had pushed for moorings as the original plans did not include any.

The majority of the members believed that the Generation Park development proposals struck a good balance overall between ecological, landscape and economic needs and agreed with the officer's comments in regards to:

- the construction of a swing or fixed bridge
- the provision of moorings in Zones 1 and 2; although a number of Members sought reconsideration of mooring in Zone 3
- there being no suitable location in the site for a marina
- the need for dredging at a later stage

2/10 Demasting Moorings

Members received a report which provided them with a summary of the results of a survey of demasting mooring provision in the Broads navigation area carried out by officers in summer 2014. The report also identified suggested priority sites for the provision of new demasting moorings, sought members' views as to whether the sites identified in the report would be the correct ones for prioritisation and also whether budget should be allocated for the provision of new demasting moorings.

The Senior Waterways and Recreation Officer reminded members that when identifying priority sites the Authority did not only need to consider the availability of demasting moorings but also the tide, height of the bridge and what kind of and how many visitors use the moorings.

He highlighted that Ludham was a priority site because currently there were no official moorings, and moorings at St Olaves, because of the strong tide and current, were considered to be essential for safety reasons. He continued

that Acle had dropped from 2nd to 3rd priority place as it has pub moorings on the true right bank and more further downstream. He continued that one of the problems was the cost of £13,000 per site.

Members in general agreed with the chosen priority sites and recognised that, due to restricted funds, choices would have to be made.

It was highlighted that informal demasting took place at many sites and the Director of Operations informed members that at Granary Staithe the landowner had allowed demasting moorings which would be mentioned in the Green Book so the sailing public would be aware of the fact.

A Member suggested that although moorings with the ability to disembark were favourable, having something in place in certain locations where one can moor at the riverbank, i.e. at Ludham would be useful. The Senior Waterways and Recreation Officer confirmed that there would be areas and opportunities where this would be possible.

Members noted the report.

2/11 Review of Sustainable Tourism Strategy

Members received a report which set out the rationale for, and the process of, reviewing the Strategy and Action Plan for Sustainable Tourism in the Broads 2011-15 and the key aims in producing a new strategy and action plan for the next five years.

The Tourism and Promotion Officer stressed that the Sustainable Tourism Strategy was for the Broads and not just for the Broads Authority and highlighted that tourism was a serious business for the Broads and drives its economy.

He commented that The Tourism Company had been chosen to help with the revision of the current strategy and with help of other stakeholders, to develop a new strategy.

He informed members that a stakeholder workshop on the strategy revision had been scheduled for 10 November 2015. He continued to say that the strategy was due to be completed February next year.

Phil Durrant entered the meeting.

In response to how funding for The Tourism Company was being generated the Tourism and Promotion Officer said the £15,000 cost was funded by the Broads Authority, with a further £4,000 set aside for printing etc. He added that the original Strategy was £26,000 and therefore he believed the Authority was getting good value for money. It was confirmed that none of the funding was coming from Navigation expenditure.

Members noted the report.

Agenda item 2/7 was dealt with at this point

2/12 Navigation Income and Expenditure 1 April to 31 August 2015 Actual and 2015/16 Forecast Outturn

The Committee received a report with details of the actual navigation income and expenditure for the five month period to 31 August 2015, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2016).

The Head of Finance explained that it had been previously agreed that if more up to date information was available this would be provided verbally. The latest figures up until the end of September 2015 indicated that the overall actual variance was now a favourable variance of £85,164. Although the £85,000 sounded like a large variance this was due to delay of invoices on the new wherry and the delay of going out to tender for the new launch following changes to the procurement regulations.

In response to a member enquiring if the process allowed the Authority to accrue from one year to the end, the Head of Finance said the Authority only did accruals at the end of the Financial Year. However to assist budget holders and the new year end deadlines from 2017/18 it was being investigated to record outstanding purchase orders on the accounts package. It was hoped that outstanding commitments (purchase orders) would be incorporated into the monitor report.

Members noted the report.

2/13 Construction, Maintenance and Environment Work Programme Progress Update

Members received a report which set out the progress made in the delivery of the 2015/16 Construction, Maintenance and Environment Section work programme.

Members were directed to the Draft 2016/2017 Dredging Programme and were invited to comment upon the priorities presented.

One of the members enquired whether there was a reason the Authority did not use suction methods when clearing the navigation channels. The Head of Construction, Maintenance and Environment responded that mud pumping would only be efficient when you have a large area of land to dispose of the sediment. Mud Pumping techniques still only pump 30% solid material, meaning a lot of water also gets pumped, hence the large area of land required to dry the sediment before beneficial re-use can take place.

Another member asked about the depth of the dykes at Rockland and was advised that they were about 1.2m deep.

One member commended the Authority on taking on three apprentices and this approach encouraged a younger workforce learning the trade.

Some Members expressed their disappointment with the landowner's decision not to allow visitors to use the Cockshoot Boardwalk, although access to the fishing platforms for anglers was still granted. The Chief Executive responded that the Authority shared their disappointment and said that feedback from the Norfolk Wildlife Trust supported the Authority's position regarding the site. However he said that access to Cockshoot Broad was important and the Authority would continue to promote use of the moorings.

Members noted the report.

2/14 Chief Executive's Report

The Committee received a report which summarised the current position in respect of a number of projects and events, including decisions taken during the recent cycle of committee meetings.

The Chair reminded members of the Parish Forum at Hickling on Monday 26 October 2015.

A Member enquired about the waste disposal issue and whether there would be a workshop. The Director of Operations indicated that a report on waste would be brought to the next meeting in December to seek the Committee's guidance on the way forward.

One member suggested that waste compounds could be sponsored to which the Chief Executive responded that the costs of waste collection rather than the provision of the compound itself was the major expense.

Members noted the report.

2/15 Current Issues

There were no current issues members wished to discuss.

2/16 Items for future discussion

One Member suggested a report on water levels as it was unclear whether mean water levels were rising and said that this had an effect on bridge clearance, fen management and salinity. The Chief Executive responded that officers were investigating whether this topic might be the subject for research by a UEA student.

One member updated the committee that, now a pump had been installed at Somerton by the Water Management Alliance, in the case of a prymnesium outbreak the Environment Agency would be able to respond more

immediately with fish refuge area. He further mentioned that fishing at the Upper Thurne had been at its best for 20 years.

Another member enquired about an update on the moorings strategy. The Director of Operations responded that a meeting was scheduled with BESL and the Environment Agency about piling removal on the river Chet and would ask for a progress report on landowners taking over responsibility for moorings. An update report would then be brought to a subsequent Committee meeting

2/17 To note the date of the next meeting

The next meeting of the Committee would be held on Thursday 10 December 2015 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

2/18 Exclusion of the Public

The Committee was asked to consider excluding the public 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

Members of the public left the meeting

2/19 To receive and confirm the exempt minutes of the Navigation Committee meeting held on 3 September 2015

The exempt minute of the meeting held on 3 September 2015 was confirmed as correct and signed by the Chairman.

One Member requested that when possible discussions about sensitive planning matters should be held in private. He was particularly concerned about strategic mooring provision east of Norwich. The Chief Executive explained that there was a very clear and specific legal test as to when an agenda item could be discussed in closed session.

The meeting concluded at 5.05 pm

Chairman

Code of Conduct for Members

Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 22 October 2015

Name Please Print	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Kelvin Allen		Member of the Broads Angling Strategy Group
John Ash	2/7	Toll Payer and Trustee Director of WYCCT
Linda Aspland		Member of NBYC and NSBA, Toll Payer
Mr B Dickson	2/7	toll payer and property owner
Mr J Knight	2/6 – 2/14	Hire Boat Operator, Toll Payer, Director of Broads Holiday Businesses
Mr M Heron	2/6 – 2/13 2/7	Toll Payer, Landowner, Member of British Rowing, Norwich RC, NSBA, RCC, Chair Whitlingham Boathouses Trustee and Director, Whitlingham Boathouses Foundation Ltd (no remuneration or expenses) Director, Whitlingham Boathouses Ltd (dormant; no remuneration or expenses)
Mrs N Talbot		Toll Payer, NSBA Member and Member of NBYC
Mr M Whitaker	2/6 – 2/14	Toll payer, Hire Boat Operator, BHBF Chairman