

## **Navigation Committee**

Minutes of the meeting held on 19 October 2017

### **Present:**

Nicky Talbot (Chairman)

Mr K Allen

Mr A Goodchild

Mr B Wilkins

Mr J Ash

Mr J Knight

Mr M Whitaker

Sir Peter Dixon

Mr S Sparrow

### **In Attendance:**

Mr S Birtles – Head of Safety Management

Mrs L Burchnall – Head of Ranger Services

Ms A Cornish – Planning Officer

Mr D Harris – Solicitor and Monitoring Officer

Dr D Hoare – Head of Construction, Maintenance and Environment

Mr B Housden – Head of IT and Collector of Tolls

Mr T Hunter – Rivers Engineer

Miss S Mullarney – Administrative Officer (Governance)

Dr J Packman – Chief Executive

Mr R Rogers – Director of Operations

Ms M-P Tighe – Director of Strategy and Sustainable Communities

### **Also Present:**

Prof J Burgess – Chairman of the Authority

### **2/1 To receive apologies for absence**

Apologies for absence were received from Linda Aspland, Matthew Bradbury, Max Heron, and Greg Munford.

Max Heron had forwarded comments regarding several agenda items, these formed part of the discussion.

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.

James Knight declared that he would be making his own recording.

### **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.

### **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**

No public questions were raised.

**2/5 To receive and confirm the minutes of the Navigation Committee meeting held on 07 September 2017**

The minutes of the meeting held on 07 September 2017 were signed by the Chairman as a correct record of the meeting.

**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 comments had been received from Parish Councils on the Staithes report and following this the intention was to meet with Professor Williamson in early November with the expectation that the report would be published late November, early December.

Members noted the report.

**2/7 Proposed Navigation Charges for 2018/19 in the Navigation Area and Adjacent Waters**

Members received a report on the proposed toll charges for 2018/19. The Committee was asked for its views on the level of charges in the Navigation Area and adjacent waters for 2018-19, and the proposal that the Authority stops printing adhesive toll plaques permanently other than for short visit tolls.

The views of the committee were sought on the basis that no changes were necessary to the amended structure for tolls implemented on 1<sup>st</sup> April 2017 and that navigation charges could be increased at the same rate for the hire fleet and the private fleet. A range of alternatives for additional work and associated increases in charges were presented for the Committee to consider.

Members were made aware that since the report the consumer price index (CPI) had risen from 2.9% to 3%. The retail price index (RPI) remained at 3.9% The Chief Executive informed Members that other inland navigation authorities had exchanged information on their proposed toll charges; the Canal and River Trust intended to raise charges by 3%, and the indications were that the Environment Agency planned to raise charges on the Thames by 5.7%, the Anglian region by 7%, and 10% for the Medway.

The Chief Executive summarised that the Authority was in a better position financially than anticipated due to an increase in private motor boats and hire boats,

however whilst the income was higher so too was the expenditure due to the purchase of Acle Bridge. He added that provisions needed to be made for inflation and identified that to continue the current services a minimum increase of 1% was needed.

Members agreed that the increase in boat owners was encouraging but noted that it couldn't be relied on that the increase would continue.

The majority of Members supported an increase in the level of patrolling. One Member suggested utilising volunteers for this purpose. The Head of Ranger Services explained that they would need to carefully consider when and where an increase in patrolling was required and highlighted that they couldn't expect volunteers to be available for evening and weekend work. She added that there was an active volunteer programme but they would still require Rangers to supervise volunteers.

One Member referred to the Insight Track research, conducted in 2014, the need for safety was highlighted as well as reducing anti-social behaviour. It was added that this could be dealt with effectively with added patrolling and the use of safety signs. Members agreed on the benefit and effectiveness of the safety signs.

In relation to additional bankside tree and scrub management one Member suggested volunteers could be used for this to break the backlog without any additional cost to the Authority. Another Member proposed a 10 year plan be developed to formally engage with landowners and Natural England to avoid negotiating every time tree removal is required.

The Head of Construction, Maintenance, and Environment explained that there was already a plan in place, consented by Natural England and the Environment Agency; this was on a 5 year basis, the maximum time allowed for planning purposes. He further explained that the Authority only has statutory powers to remove trees over water and the navigation area, landowner permission is required for trees on land.

One Member queried if more could be done to remove trees from the river and suggested that if tree shearing equipment was purchased this would provide a different way of working. It was emphasised that landowners agreement would need to be gained for the use of the kit on land as well as taking into account potential hazards and the physical impact any new kit would have on staff.

Members further discussed using additional income for dredging as an appropriate way to help with the backlog of work.

One Member inquired about the decision to review the increase for passenger boat tolls. Following a discussion it was explained that the Tolls Working Group had unanimously decided not to review this. It was confirmed that passenger boat tolls would be included as part of the overall review after 3 years of the implementation of the new structure.

In relation to the toll plaques the Chief Executive described the benefits of the application developed by students from the University of East Anglia on a placement at the Broads Authority. The app was used by Rangers on a mobile device and enabled them to quickly and effectively check toll and safety certificates for any boat. This has made boat checks less invasive as well as applications being processed faster. A Member suggested that Tolls receipts be sent out electronically, unless Tide Table were ordered.

Following discussions, Brian Wilkins proposed, seconded by Peter Dixon, and it was

RECOMMENDED by 6 votes to 3 against

*That the Navigation Committee recommends that the charges be raised as an across the board percentage on last year's rates of 3% to include the provision of the purchase of procurement of safety signs, hydraulic shears and maximising the output of ground tree clearing and dredging.*

The Committee agreed unanimously to the proposal that the Authority stops printing adhesive toll plaques permanently, other than for short visit tolls.

## **2/8 Mutford Lock**

Members received a report which provided an update on the Harbour Revision Order (HRO) for Mutford Lock and the estimated annual and capital costs.

The Rivers Engineer informed Members that the HRO was ready for submission and highlighted the estimated cost of £500,000 to £1,000,000 worth of maintenance on the Lock but stressed that not all of the maintenance was required now and some of the work could be completed over a longer timeframe. He added that further work would need to be completed to explore what maintenance needs to be carried out on the lock.

Members voiced concerns of the expense involved and asked for clarification of the risks involved if the HRO was not continued. The Chief Executive stated that once the HRO gets final approval, the Broads Authority would have a legal obligation to maintain the Lock.

Members discussed the role of the other organisations with one Member suggesting the lock could be a heritage asset for the Broads Authority.

Several Members queried what the risks of continuing with the HRO would be; the Solicitor and Monitoring Officer advised having a closed session so that he could offer Members advice on the legal implications.

RESOLVED

that the public be excluded from the meeting under Section 100A of the Local Government Act 1972 for further consideration of the item on the grounds that it involved the likely disclosure of exempt information as defined by Paragraphs and 3

and 5 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 and the audio recording was suspended. Members consulted on the advice in the closed session.

The Solicitor provided Members with an outline of the legal implications. Following further discussion it was agreed that further investigations of the legal implications be made prior to a recommendation being made to the full authority.

The public were invited back into the meeting and the audio recording resumed.

## **2/9 Asset Management Update**

Members received a report which gave an update on the development of the Asset Management Plan, the outcome of the internal audit and an update on the status of mooring provision and piling strategy. Members were pleased with the report and it was noted that the outcome of the internal audit was 'reasonable assurance'.

Members noted the report.

## **2/10 Boat Test Area Review**

A report reviewing the management of Boat Test Areas was presented to Members. It was proposed not to change the current management.

One Member said that he had received reports of small dinghies on the river Yare experiencing wash by boats travelling at some speed. The Member advised the boaters to report this to Broads Control. This advice was reiterated by the Head of Safety Management who confirmed that boat testing was reported to Broads Control in advance so that they had a clear log of when tests were carried out. He added that there is an agreement with boat yards to do a slow speed run before the high speed test to make sure there are no small boats present.

Members noted the report.

## **2/11 Broads Authority Commercial Paddling Scheme**

Members were presented with an updated scheme which included conditions for paddle boarding. The Head of Safety Management explained that paddle boards fall under navigation bylaws so the authority has powers to regulate their activity. Although it was added that whilst it was a requirement for buoyancy aids to be supplied to paddle board users, the Authority did not have the powers to make people wear them.

One Member asked about the perception of control and management and if it was adequate. The Head of Ranger Services said individual paddle boarders are entitled to use the navigation providing they follow the bylaws etc. However, conditions can be set for events and a standard guidance for events has been

produced. If Ranger Services are not happy that adequate safety measures have been put in place for events they won't permit them.

## **2/12 Construction, Maintenance and Environment Work Programme Progress Update**

The Committee received a report which set out the progress made in the delivery of the 2017/18 Construction, Maintenance and Environment Section work programme.

The Head of Construction, Maintenance and Environment informed Members that it was the end of the weed cutting season and explained that there had been strong water plant growth over the course of the year which was an increasing burden on staff time and equipment.

One Member commented that Hickling was a huge challenge this year for users, with poor sailing conditions and stranded hired electric day boats, and suggested altering priorities allocating more resources for this activity.

The Head of Construction, Maintenance, and Environment responded that the broad was currently in a phase of recovery and in terms of water quality and ecological targets under the water framework directive the plant growth is a success story in the Broads. He added that the stonewort cutting trials required at least three seasons of cutting before they had robust conclusions that could be reported back to Natural England.

Another Member informed the committee that the Environment Agency had secured funding to start tracking fish across the northern broads enabling them to monitor their impact and understand the wider movements of fish. The Chair commented that it would be interesting to share the results.

Members were also updated on CANAPE; the project would be focussing on Hickling and an area of sediment reuse had been identified. Another round of consultations with partners was being completed to identify any changes to priorities. Work aimed to start this time next year.

## **2/13 Planning Applications with Navigation Implications: Thorpe River Green, Thorpe St Andrews – Change of use to mixed used moorings**

Photos of the site and a plan for the planning application for a change of use to mixed used moorings at Thorpe River Green were presented to Members. The Planning Officer confirmed that the moorings would provide commercial short stay and private moorings. There would be no stern on moorings or double moorings. Boats would be moored directly to posts without pontoons.

Several Members expressed the opinion that single mooring would be essential for this site; the Planning Officer stated that this could be added as a condition to any planning permission that may be granted. Similarly a Member queried what was meant by private moorings, the Planning Officer said that it was not residential and would be specified as such in any planning permission that may be granted.

The Planning Officer stated that as the site was previously leased to the Broads Authority for short stay moorings that the safety measures including grab chains and ladders were already in place. Members views were sought before the application was brought to the Planning Committee.

Members approved the mixture of moorings proposed for the site.

**2/14 Navigation Income and Expenditure: 1 April to 31 August 2017 Actual and 2017/18 Forecast Outturn**

Members received a report which provided the Committee with details of the actual navigation income and expenditure for the five month period to 31 August 2017, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2018).

Members noted the report.

**2/15 Chief Executive's Report**

This report summarised the current position in respect of a number of important projects and events, including decisions taken during the recent cycle of committee meetings.

Member's noted the report.

**2/16 Current Issues**

No current issues were reported.

**2/17 Items for future discussion**

A Member queried whether the Authority had been consulted about Greater Anglia's new infrastructure plan particularly in regards to replacing Trowse Swing Bridge with a fixed bridge. He also referred to the minutes of the 15 December 2016 meeting and the mention of a Network Rail Whole Life Strategy for swing bridges. The Chief Executive confirmed that the Authority was in dialogue with Network Rail and that they hoped to discuss it with the company in November. Members were made aware that a paper would be provided when more information was available.

**2/18 To note the date of the next meeting**

The next meeting of the Committee would be held on Thursday 14 December at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

The meeting concluded at 16:06 pm

Chairman

## APPENDIX 1

### Code of Conduct for Members

#### Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 19 October 2017

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
Simon Sparrow	All	Hire boat operator, Toll payer, resident	
Michael Whitaker	6-14	Toll payer, Hire boat operator, Chair BHBF, resident	
James Knight	6-14	Toll payer, HBO, NBYC, BHBF, Director 2 Broads Holiday Businesses	
Kelvin Allen	6-14	Director BASG	
Alan Goodchild	6-14	Director GMS, Toll payer, Land owner, Chair British Marine Commercial	
Peter Dixon	13	Member of Planning Committee	
John Ash	All	Director, Trustee of WYCCT	
Brian Wilkins	All	Chair NSBA	
Nicky Talbot	All	NBYC, NSBA, Toll payer	