

## Navigation Committee

Minutes of the meeting held on 14 June 2018

### Present:

Mrs Nicky Talbot – in the Chair

Mr K Allen

Mr M Heron

Mr M Whitaker

Ms L Aspland

Mr J Knight

Mr B Wilkins

Mr M Bradbury

Mr S Sparrow

### In Attendance:

Mr S Birtles – Head of Safety Management

Mr N Catherall – Planning Officer (item 6 & 11)

Mr D Harris – Solicitor and Monitoring Officer

Dr D Hoare – Head of Construction, Maintenance and Environment

Mr B Housden – Head of ICT & Collector of Tolls (item 8)

Mr M King – Waterways and Recreation Officer (item 10)

Ms E Krelle – Chief Financial Officer

Miss S Mullarney – Administrative Officer

Dr J Packman – Chief Executive

Mr R Rogers – Director of Operations

Ms C Smith – Head of Planning (item 6)

Mrs M-P Tighe – Director of Strategic Services

### Also Present:

Mr A Hartley, Jacquie Burgess, Bill Dickson, Melanie Vigo di Gallidoro, and Haydn Thirtle.

### 2/1 To receive apologies for absence

Apologies for absence were received from John Ash, Alan Goodchild and Greg Munford.

### 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.

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

The Chair announced that a Carbon Monoxide incident that occurred at Somerleyton would be addressed under item 7, Current Issues.

### 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 19 April 2018**

The minutes of the meeting held on 19 April 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.

##### **Network Rail**

The Chief Executive provided Members with an update on the recent discussions with Network Rail regarding the Somerleyton and Reedham swing bridges. It was reported that Network Rail would provide information on the number of incidents and the extent of heat failures. It was acknowledged that some of the failures may be due to mechanical issues rather than heat.

Members were further informed that Network Rail had instructed bridge operators to provide more information to boaters on the electronic signs. In addition to when the bridges are closed the signs will indicate why there is a problem and when it is expected they will be fixed. There would be a further meeting with Network Rail in the summer.

Following the Navigation Committee's recommendation that Reedham and Somerleyton bridges be replaced, Members were informed that there was no provision in the Network Rail budget for funding the bridges in the current funding period (CP6). The Chief Executive said that the Broads Authority had agreed to work with Network Rail members of staff on the case to acquire this funding in the next funding period.

A Member raised a question about the legislation requiring Network Rail to open the bridges. The Solicitor confirmed that the legislation did indeed give priority to river traffic over rail traffic although the legislation dated back to Victorian times with the exception of the Trowse Bridge Act 1985. With regards to Trowse Bridge there was an undertaking entered by Network Rail some years ago following the increase in rail traffic across the bridge which reflected the reality of the greater use of the bridge by the railway company. Recent correspondence from the Solicitor had resulted in the bridge having had investment planned for this year. A discussion took place surrounding prosecution powers where vessels were delayed. However, a Director expressed the view that for the time being an improved dialogue with Network Rail was likely to be more constructive.

The Chairman welcomed the feedback and the forthcoming communication between the Broads Authority and Network Rail.

**Unauthorised development at Barnes Brinkcraft**

Members were informed that the Broads Authority had received a planning application for the retention of the unauthorised pontoon at Barnes Brinkcraft, with a restriction on the vessel length; the Head of Planning explained to members the nature of the application and said that it was a compromise on the current development.

The Head of Planning informed Members that the landowners had been more proactive in managing the length of boats using the moorings but rangers have had to manage issues with 45ft boats moored at the site. She added that the landowners were proposing to install signs to address this.

Members discussed the revisions to the development; one Member asked if there had been any incidents of collisions with the boats moored at the site and if the planning application specified the extent to which the boats mooring there would encroach onto the river. The Director of Operations responded that there was no record of any collisions but that the management by the rangers was done to prevent this. Members discussed the importance of the long term management of the site such that wouldn't involve an excessive amount of rangers time. The Head of Planning added that the moorings wouldn't extend beyond the limit of what was previously agreed by the Authority, which was the outside (riverside) extent of the barge which had been moored on the site previously.

The Head of Planning reminded Members that the Navigation Committee had previously recommended issuing permission for a temporary period to enable the management of the site and the effectiveness of the measures to be monitored. As it stands, the application was for a variation of condition to allow the retention of pontoon in the existing location, however if Members were concerned with the management she said that a condition could be added to vary the application for a temporary period. It was explained that if there were any problems then this temporary permission would expire and permission would revert back to what was previously approved.

The Chair stated that further monitoring over the summer period would identify possible implications of the application such that it could be reviewed by the Navigation Committee at its next meeting.

It was subsequently proposed by Max Heron, seconded by Michael Whitaker and agreed unanimously to RECOMMEND,

If any planning application proposed maintains the extent of mooring within the line previously agreed by the Navigation Committee and it is complied with in practice then the Navigation Committee professes itself content.

The Head of Planning said that the Navigation Committee's recommendation would be considered as part of the planning process.

Members noted the report.

## **2/7 Current Issues**

The Head of Safety Management reported an incident to Members involving four individuals who were admitted to hospital with carbon monoxide poisoning. He explained that they were released from hospital later that day. An investigation was carried out on the vessel which determined that the single source of carbon monoxide was the engine exhaust.

One Member noted that the Hire Boat Federation had made it clear that every hire boat should have carbon monoxide alarms installed. The Chair concluded by reminding members of the carbon monoxide safety on boats leaflet issued by the Boat Safety Scheme which private boat owner were encouraged to read. She thanked the Head of Safety Management for updating Members of the incident

## **2/8 Broads Angling Services Group Donation Proposal**

As proposed at the last Navigation Committee meeting on 19 April 2018, a proposal to encourage donations for the construction and maintenance of slipways was presented as an item for discussion. Kelvin Allen presented Members with the background of the Broads Angling Service Group and details of a proposed BASG charitable fund for the purpose of funding more slipways and improved angling access in the Broads.

The Chair thanked Kelvin for his time in preparing the presentation.

Members discussed the project and scheme approach of using The Broads Trust to host donations. It was commented that people would be more likely to make a donation if they knew what the funds would be spent on. However it was noted that it would be problematic for the Broads Authority to be seen to support one charity with a specific role over another. The Chief Executive added that the National Park Partnership was in the process of setting up a national charity for the 15 National Parks. He said that ultimately the National Park Authorities are statutory bodies and not charities so advised working with and supporting the Broads Charitable Trust rather than setting up a new scheme. Another Member suggested investigating how other National Park Authorities operate Trusts and how they're structured to make the Broads Trust more effective.

## **2/9 Frequency of Meetings, Workshops and Site Visits**

Following the Broads Authority meeting on 18 May it was resolved to reduce the number of formal Broads Authority meetings to four per annum to make more time for informal meetings/workshops/site visits. Members of the Navigation Committee were asked to discuss the frequency of Navigation Committee meetings, workshops and site visits.

The Chief Executive first asked Members for formal confirmation on how the Committee considers planning applications that arose outside of scheduled meeting times. Members discussed the benefits of meeting face to face as well as the

facilities for communicating electronically and reporting comments back to the Chair and Vice Chair for them to determine if an urgent meeting was necessary.

Max Heron proposed, seconded by Matthew Bradbury and it was unanimously agreed that in the event of a planning application requiring the views of the Navigation Committee that members of the Navigation Committee be sent the details of the application and make any comments to the Chair and Vice Chair. Subject to the comments that come in the Chair and Vice Chair would determine whether there needed to be a formal consultation or not; and if a formal consultation was required, they would determine this could be via electronic means rather than meeting face to face.

Members discussed the frequency of formal committee meetings. Members noted the peak activity during the summer months and the importance of the Navigation Committee meeting during this time. One Member suggested the Navigation Committee meet five times per annum with meetings in June, September, October, January and April. It was proposed that there would be one site visit per annum in collaboration with Broads Authority members.

Another Member supported the proposal of five meetings per annum and suggested that future capital works and major projects going forward be assigned to the June or September meeting. Members also discussed the possibility of more site visits.

Members discussed the efficiency of meetings and the number of officers in attendance at committee meetings, it was suggested that officers could be present just for their item. One Member commented that Members needed to be more proactive in adding items to the agenda.

Kelvin Allen proposed, seconded by Linda Aspland and it was unanimously RESOLVED that;

the Navigation Committee meet formally five times per annum in April, June, September, October, and January, plus a site visit. It is proposed that this be reviewed in a years' time.

## **2/10 River Wensum Strategy**

Members received a report which provided an update on the progress with the River Wensum Strategy since the public consultation on the proposed strategy took place in 2017.

The Waterways and Recreation Officer informed Members that the final version of the strategy had not been fundamentally changed from the draft version which the Navigation Committee supported at its meeting on 7 September 2017. He added that the strategy would be taken to the Broads Authority meeting on 27 July for adoption. The Strategy would be delivered in September 2018 after which it will be reviewed annually by the River Wensum Partnership consisting of officers from the Broads Authority, Norwich City Council, Norfolk County Council and the Environment Agency.

One Member queried the time frame for the projects that were included in the strategy, the Waterways and Recreation Officer explained that there was a 10 year plan commencing with smaller projects before expanding as funding was received.

Members applauded the strategy and a river focused city. Alec Hartley further observed the importance of Norwich being the only city in a National Park.

Members noted the report.

## **2/11 Planning Application with Navigation Implications: BA/2018/0149/FUL Broadlands Marina, Oulton Broad**

Members were informed of a planning application that had been submitted to the Broads Authority for the installation of additional mooring pontoons at an existing marina. Views of the Navigation Committee would be considered as part of the planning process.

The Planning Officer presented Members with maps and photographs of the site and explained that the planning application was for a mixture of private and visitor moorings, the creation of additional reedbed, and reinstatement of slipway and pump-out facilities.

One Member provided the committee with additional information with an aerial photograph of the site; this was not part of the application or the report. It was his view that the proposal for moorings infringes on the navigation, and in relation to the sailing events at the venue as well as the proximity to the powerboat racing exclusion zone he said the proposal was too close for safety. He added that the NSBA and Waveney and Oulton Broad Yacht Club were happy for investment in the area and improvements to the marina but stated that the application would need to be modified to address the safety concerns.

Another Member said that Lowestoft Rowing Club had reported serious concerns to him with the application regarding obstructions at the site and would not want anything that projected any further than the existing marina.

Members were in favour of additional moorings but considered that anything that came out further than what one Member called the 'natural line' was a hazard to navigation. The Chair concluded that the applicant would need to have a look at how far out they were proposing to put the moorings and return with a revised proposal.

James Knight proposed, seconded by Brian Wilkins and it was unanimous agreed that,

The proposal in the view of the Navigation Committee interferes with the reasonable use of or enjoyment of the navigation area by other persons or vessels or persons exercising a public right of navigation.

The application would be presented at the Planning Committee with the views of the Navigation Committee.

## **2/12 Annual Income and Expenditure Report: 2017/18**

Members received a report which set out a summary of the Authority's income and expenditure for the 2017/18 financial year.

The Chief Financial Officer informed Members that the auditors had completed the onsite work and she said that no potential changes had been raised. However, Members were made aware that the report would be finalised at the July Financial Scrutiny and Audit Committee meeting.

The Chief Financial Officer provided Members with an update for the 2018/19 figures, she said that the toll income at the end of May was £32,000 ahead of the target for hire craft. It was further explained that the income for private craft tolls was £1,000 ahead of the target at the end of May. In total 85% of tolls had been collected for this financial year.

Members noted the report.

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

The Head of Construction, Maintenance and Environment introduced Adrian Sewell, the newly appointed rivers engineer.

Members were informed of the temporary closure of Horsey Dyke as requested by IDB to complete emergency work for the replacement of a failed box culvert which runs underneath this section of the boat dyke. The Head of Construction, Maintenance and Environment told Members that the works were programmed to begin on 1 September for 12 weeks. He added that as Horsey Mere would be closed for navigation from 1 November the total impact was for September and October.

Members were made aware that the provision of a temporary floating pontoon in the north of Horsey Mere would be provided by the contractor for a limited amount of private mooring and keep the wildlife trip boat active. In addition to this there would be a diversion route to the existing public footpath to accommodate access to the alternative mooring site.

Following a question about the location of the newly purchased electronic signs, the Head of Safety Management explained that one had been delivered with three more on order. He added that the rangers had been asked to identify locations and key areas for the signs to be placed. Members were made aware that the signs were mobile so could be moved around.

The Chair thanked the Head of Construction, Maintenance and Environment for including additional information in the report in terms of dredging following a request after the last meeting.

The Vice Chair stated that dredging was an important item for stakeholders and commended the work of Officers regarding a complex issue. He added that he was aware the Authority had invested in new efficient and safer equipment and hoped that, subject to disposal sites being available, the output may be higher. The Member also mentioned the importance of maintaining dredging volume output in view of the 900,000m<sup>3</sup> sediment removal backlog referred to in the 2007 Sediment Management Strategy. He added that he looked forward to Member engagement in the review process for the sediment management strategy.

The Head of Construction, Maintenance and Environment responded that the initial scoping meeting was looking at several areas of strategy relevant to waterways. He explained that the Integrated Access Strategy would be focused on this year, with a wider scope waterways management strategy being the focus for 2019/20 which would include sediment management. He said that this would include consultation with the Navigation Committee.

Members noted the report.

#### **2/14 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.

Members were provided with an update on the Acle Bridge Design Competition. The Chief Executive said that 163 submissions of interests were received of which 3 designs from the 95 valid submissions had been shortlisted for stage 2 of the competition. The Chief Executive explained that it was intended that an exhibition would be held later in the year to showcase the quality of the 95 submitted designs.

In regards to the catering facilities at Acle Bridge the Chief Executive said that Churchills, the contractors for Whitlingham, were looking into providing something for the summer.

#### **2/15 Items for Future Discussion**

One Member asked for more information to be provided at the next meeting on the frequency of ranger patrols. Following concerns the Member had received about the lack of visibility of rangers and a perceived decrease in patrols he said it would be useful to have the facts for year on year comparison. He further suggested engaging more volunteers at busy times.

The Head of Safety Management responded that the rangers had best value targets to meet for where and how frequently rangers have to patrol; he said that the figures published last year showed rangers had achieved 98% of these targets.

The Chief Executive added that there was already a number of volunteer rangers and said the Head of Ranger Services would be able to provide figures for the number of patrols.

**2/16 Date of the next meeting depending on outcome of item 9**

Following the outcome of item 9 it was agreed that the date of the next meeting would be held on Thursday 6 September 2018 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2.00pm

The meeting concluded at 5.10pm

Chairman

Code of Conduct for Members

**Declaration of Interests**

Committee: Navigation Committee

Date of Meeting: 14 June 2018

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	6-14	Hire boat operator, landowner, toll payer, resident	
James Knight	6-14	Hire boat operator, toll payer, property owner, member of yacht clubs	
Michael Whitaker	6-14	No changes from previously	
Kelvin Allen	6-14	No changes from previously	
Max Heron	6-14	No new declarations	
Linda Aspland		No new declarations	
Matthew Bradbury	6-14	BCU member No new declarations	
Brian Wilkins		No new declarations	
Nicky Talbot	6-14	No new declarations	