

Wakeboarding Trial Findings
Report by Head of Safety Management

Summary: This report sets out the findings of the trial of recreational wakeboarding including 'getting air' on the River Yare and River Waveney and the results of a consultation following the review panel recommendations.

Recommendation: That members approve the form of Wakeboarding including 'getting air' to take place alongside water skiing on the River Yare Zones 2 and 4 and the River Waveney Zone 3, 4 and 5 from 1 April 2014.

1 Background

- 1.1 At its meeting on 22 November 2012 the Water Skiing Review Panel set out a number of proposals relating to the development of water skiing on the Broads.
- 1.2 Following a consultation period, the Broads Authority at its meeting on 18 January 2013 supported the recommendations of the Panel including:
- the trial of wakeboarding allowing 'getting air' to be extended to Zone Y2 and Y4 and W3, W4 and W5
 - That 'getting air' be formally permitted on the previous trial zones Y3, Y5 and W1/2
 - The times when water skiing can take place be varied on the river Waveney to coincide with those on the river Yare
 - Permit conditions are amended to allow for permit holders and authorised persons to helm each other's boats

2 The Wakeboarding Trial

- 2.1 The Wakeboarding trial period commenced on 1 April 2013, permit holders were sent letters setting out the conditions of the trial and permit conditions reflected these terms.
- 2.2 From 2013 five water ski zones were allocated for the trial, Yare 2 and Yare 4, on the river Waveney W3, W4 and W5. Water ski zones where getting air is allowed and no longer part of the trial are Yare 3 and Yare 5, on the Waveney W1/2.
- 2.3 Wake boarders who intended to 'get air' were required to log their activity with Broads Control as previously prior to the commencement of the activity. This would allow this information to be disseminated to Rangers in order that

checks could be made, this method also allowed for the rapid analysis of usage data to feed into this review.

- 2.4 Of the 35 permits which were issued in 2013 only three permit holders took part in the trial using zone Yare 4 on two occasions and Yare 2 once. However there were 28 visits by six permit holders to Yare 3 which is no longer part of the trial.
- 2.5 Of these 28 visits to Yare 3 zone over 71% of the visits were made by two permit holders.

3 Ranger Feedback

- 3.1 Over the season the Yare team of two Rangers have been involved in monitoring by land and water and wakeboarding has been seen on a number of occasions. Each time vessels were being helmed in accordance with the trial and no problems were witnessed.

Three reports of unauthorised skiing or wakeboarding have been reported on the River Waveney but despite patrols by the rangers the culprits have not been found although they have some strong suspects in mind.

4 Complaints

- 4.1 No complaints relating to the trial were received by Broads Control. One report was made to the rangers regarding intentional bad behaviour of a ski boat skipper on Yare 4 near some moorings. This was investigated by the local ranger and the ski boat skipper apologised to the other boat crew.

5 User Feedback

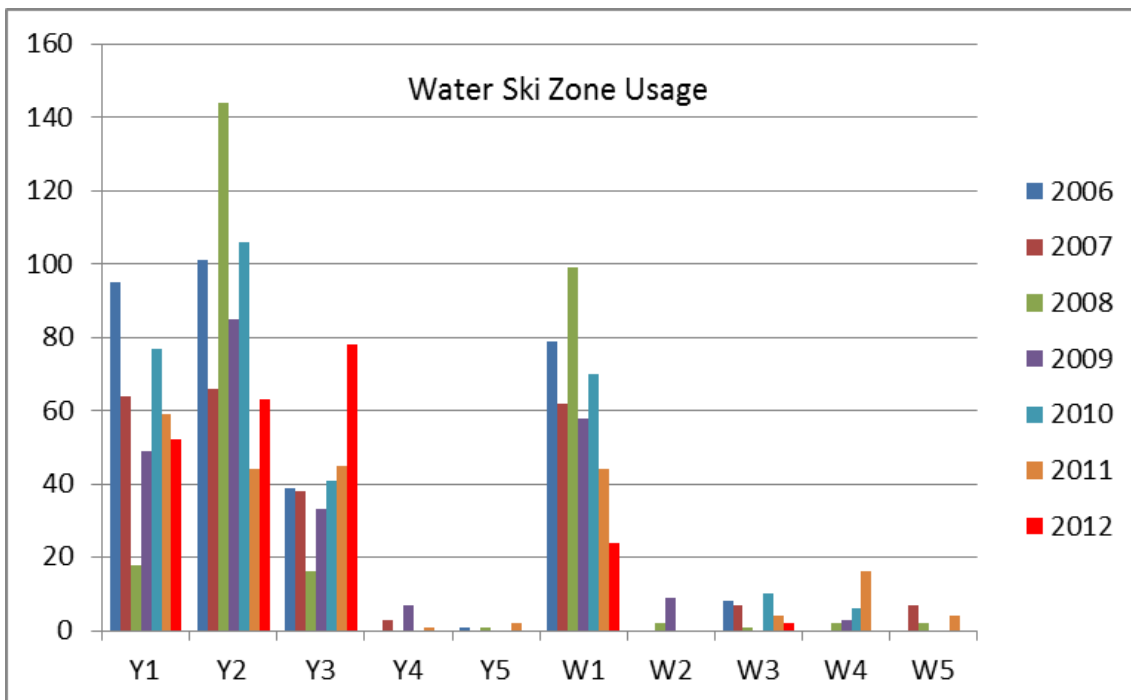
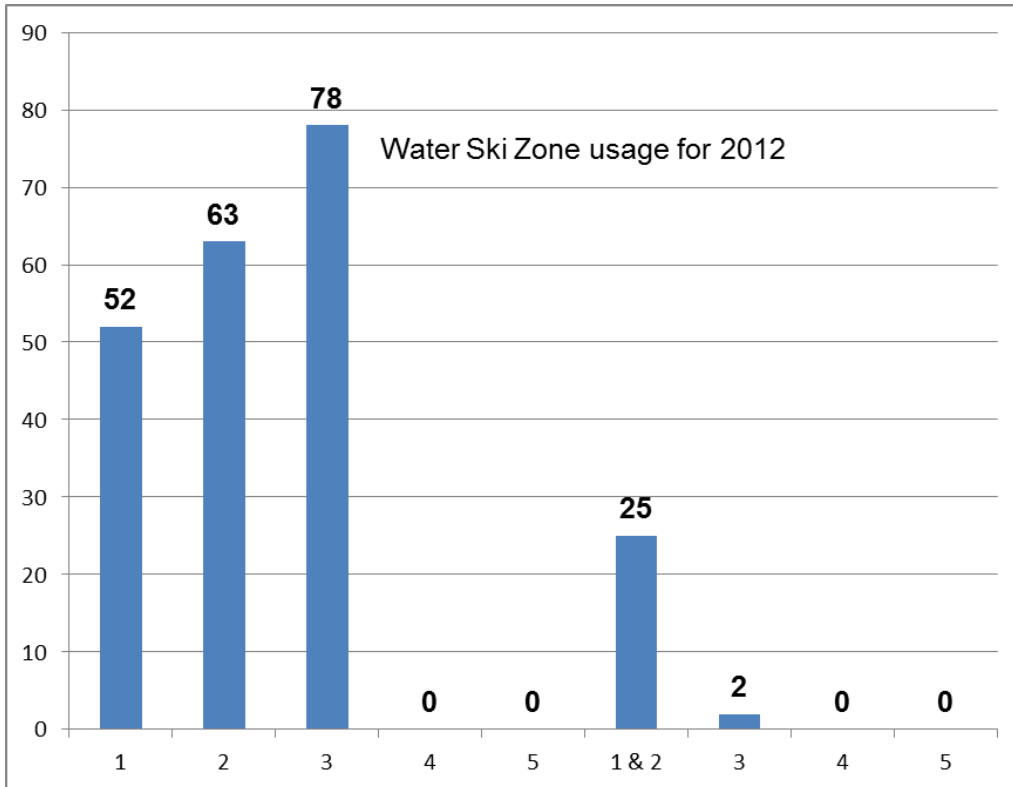
- 5.1 No user feedback has been received.

6 Permits and Usage

- 6.1 The number of water ski permits issued by the Authority has remained relatively static over the last five years which is probably reflected the new permit regime and the additional requirements which have been introduced.

Year	2005	2006	2007	2008	2009	2010	2011	2012	2013
Permits	67	54	48	39	40	31	38	36	35

- 6.2 The usage of the zones has been analysed for the year 2012/13 from data recorded in the permit log books which are required to be returned to the Authority on the completion of the permit year.
- 6.3 The graph below provides an indication of the activity in number of individual visits to each of the water ski zones during the season 2012/13.



6.4 The graph above shows water ski zone usage over the last 7 years

7 Options for Consideration

7.1 The following options were presented to the Review Panel for consideration at its meeting on 15 October 2013.

- 7.2 Option 1
Allow the practice of 'getting air' to continue as defined in the trial in the zones previously used for the trial and requiring users to log on with Broads Control prior to their activity and hold a further review after one year.
- 7.3 Option 2
Allow the practice of 'getting air' in all zones except Yare 1 with requirement to log on and off with Broads Control.
- 7.4 Option 3
Allow the practice of 'getting air' in all zones except Yare 1 with no requirement to log on and off with Broads Control.

8 Review Panel Recommendations

- 8.1 The Review Panel considered that option 3 should be recommended to the Authority for implementation from 1 April 2014.

9 Consultation

- 9.1 The Broads Authority Act 2009 includes provisions enabling the Authority to regulate waterskiing and wakeboarding. They include a power to designate, to amend or revoke zones within the Authority's navigation area where these activities will be permitted.
- 9.2 The proposed resolution will be to permit from 1 April 2014 a form of wakeboarding including manoeuvres and momentarily leaving the surface of the water in previously trialled zones on the River Yare numbered 2 and 4 and three zones on the River Waveney numbered 3, 4 and 5 in Appendix 2.
- 9.3 Section 26(5)(a) of the 2009 Act requires the Authority, before it passes the proposed resolution, to consult:-
- (a) such persons who own or occupy residential property, the amenity of which appears to the Authority likely to be affected by the proposed resolution; and
 - (b) Natural England and such organisations as appear to the Authority to represent persons likely to be affected by it.
- 9.4 A public consultation ran from 14 January 2014 until 14 February 2014.

10 Consultation Findings

- 10.1 The Authority consulted on the proposal to formalise a form of wakeboarding including "getting air" in the affected areas and the Authority received 5 responses in favour of the proposal and 2 responses opposed to the proposal. Detailed consultation responses are shown in Appendix 1

10.2 The Navigation Committee and the Broads Forum were consulted and it was felt that the Water Ski Review Panel recommendations should proceed as proposed. It should be noted that two members of the Broads Forum were not in favour of the proposals in the Yare 2 zone due to the perception of potential for increased levels of disturbance to visitors at the Strumpshaw nature reserve.

Background papers: Waterskiing Zones Mitigation and Wakeboarding Trial, Broads Authority 17 September 2011

Author: Steve Birtles

Date of report: 7 February 2014

Broads Plan Objectives: NA4

Appendices: APPENDIX 1 – Public Consultation Response
APPENDIX 2 – Consultation Schedule
APPENDIX 3 – List of Consultees
APPENDIX 4 – Water Ski Zone Map

APPENDIX 1

Respondent and Type	Response	BA Proposed Response
Georgina Agnies British Water Ski and Wakeboard Organisation	Please accept this email as confirmation that British Water Ski and Wakeboard together with Eastern Rivers Water Ski Club fully support the variation as detailed in your letter. Thank you for the continued engagement and development of the Broads management plan- we firmly believe here that it is an excellent example of best practice.	No response required
Julian Barnwell Eastern Rivers Ski Club Organisation	Thank you for your letter dated 13th of January. Please accept this email as confirmation that Eastern Rivers Water Ski Club fully supports the variation as outlined in your letter.	
Anna Millard Natural England Organisation	Natural England have no objections to the proposed formalised wakeboarding zones on the River Yare and the River Wensum	
Kevin East Canoe England Organisation	Thank you. Your letter dated 13 January 2014 and schedule has been circulated to local Canoe England affiliated clubs and centres. There have been no objections to the proposals for the variation of Waterskiing and Wakeboarding Zones.	
Rachel Card Norfolk and Suffolk Boating Association Organisation	<p>The NSBA is pleased to have the opportunity under the Broads Authority Act 2009, s 26(5)(a) to comment on the proposal to allow wakeboarding on the zones which are currently trial zones, namely Yare 2 and 3 and Waveney 3, 4 and 5.</p> <p>Given that the permitted times and zones avoid the local sailing clubs' regular Sunday racing, and as there are no other regular activities in these areas which involve a fleet of boats of any type, the NSBA has no objection to the proposal.</p>	
John Ellis Ted Ellis	The Ted Ellis Trust wishes to register its objection to the	The Broads Authority strictly manages the

Trust	<p>proposed resolution.</p> <p>The Trust strongly holds that the proposed activity is not suitable for a sensitive stretch of the River Yare that passes between two nationally important nature reserves separately managed by the RSPB and the Ted Ellis Trust.</p> <p>This is the area designated as Zone 2 stretching downriver from Brundall.</p> <p>Wake boarding requires speed of movement and the formation of significant wave patterns. The banks along that stretch of the river are unprotected and are thus vulnerable to erosion by such activity.</p> <p>The banks are already subject to significant wash from the testing of high-speed motor yachts which is to be deplored.</p> <p>The increased activity from water skiing and wake boarding can only exacerbate the situation. As well as potential erosion risks, these activities will inevitably cause unwanted and undesirable disturbance to wildlife. Both reserves manage riverside habitat for important and potentially threatened species.</p> <p>It should also be made clear that the nature of the sports concerned continues to change and is more dynamic than when first approved. Initially it was contended that there was minimal wake with boats and skiers skimming the surface. That explanation would hard to justify today.</p> <p>In the event of approval, we consider it paramount that these activities are closely monitored and subject to regular review.</p>	<p>sport of water skiing through robust permit conditions. The Authority also has a legal agreement with British Water Ski and Wakeboard and the Eastern Rivers Ski Club which sets out clear definitions as to what is and is not allowed during water skiing on the Broads.</p> <p>Over the years the Authority has seen a massive decline in the number of people engaged in water skiing on the broads and the number of permits issued last year continued to fall. Whilst this iteration in the sporting activity is proposed it is not envisaged that there will be significant increases in participants and indeed the Broads Authority has powers un the Broads Authority Act to continue to review and regulate the activity if it were required.</p>
Phillip Pearson. RSPB Organisation	<p>The Yare valley attracts many visitors due to its wildlife, but also the access available to the Broads landscape and riverside walks. Whilst the RSPB appreciates that there are a range of interests within the Broads that must be accommodated under the Broads Act 2009, this must be balanced.</p>	<p>Wakeboarding has existed on the Broads rivers for many years the proposal deals with removal of permit condition relating to the need to stay in contact with the water at all times. Whilst this is a</p>

	<p>Whilst waterskiing activity has generally declined in recent years (as indicated by the graphs presented in the Broads Forum report of 6th February 20143), Zones Y2 and Y3 continue to support a high proportion of waterskiing activity. These findings indicate that activity remains high within Y2 and has increased annually within Y3. Provision of an additional activity, wakeboarding, would increase attention on this area and have the potential to continue to increase such activity within this area.</p> <p>The Broads Plan 2011 highlights “tranquillity and wildness is integral to the distinctiveness of the Broads landscape character.” One aspect of the long-term aim for the Broads is to ensure that “the tranquillity and wildness of the Broads is protected and enhanced for people to enjoy.” The RSPB is seriously concerned that more and more activity is taking place within this area of the Yare valley: boat testing, low flying aircraft, wildfowling and water skiing. We recognise that these activities alone are not a significant concern due to the management measures being implemented at many locations. Indeed, the RSPB is working with Natural England to address impacts from low-flying aircraft and developing improved angling facilities at Buckenham Marshes that will support this activity whilst improving its management. We do not want to exclude people from this area, and are seeking opportunities with the Broads Authority to enable improved access through the Broads Integrated Access Strategy where it would be compatible with the nature conservation interest of the area. We do not consider wakeboarding or increased levels of waterskiing would be compatible with the wider aspirations for the area.</p> <p>All plans and projects must be screened for likely significant</p>	<p>variation on the current form of wakeboarding it is not envisaged that the proposal will deliver a significant increase in the overall water skiing activity on the rivers. The Authority has not seen any significant increase in permits since the allowance of getting air in other areas.</p> <p>The Authority will continue to monitor waterskiing on the Broads and where necessary use powers in the Broads act to further regulate this sport.</p>
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	<p>effects upon Natura 2000 sites. Where this screening is unable to exclude the risk of a likely significant effect an Appropriate Assessment (AA) must be carried out to determine if the plan or project will avoid an adverse effect upon a Natura 2000 site. The RSPB considers that while avoidance measures can be taken into account at the screening stage, mitigation measures can only be taken into account during appropriate assessment; this is especially so where the character of those mitigation measures is unknown. No such assessment appears to have been carried out to determine that the level of waterskiing and wakeboarding within the proposed zones is acceptable, especially given the potential cumulative and in combination effects that may exist through the range of activities operating within this area. This is necessary given the permitted activity would be during the breeding season, and cover the period where winter interest features are present.</p> <p>The RSPB is pleased to have been consulted on the proposal to formally permit wakeboarding within Zone Y2 and extend the trial to Y3. We support the need to regulate the activity to ensure it accords with the Broads Act. However, the RSPB objects to the proposals for wakeboarding, as we do not consider them to be justified, we do not consider them to be appropriate to the area, and we do not consider it accords with the objectives set out in the Broads Plan. At the very least, assessment of the impact on the Natura 2000 site integrity must be documented.</p>	
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Consultation Schedule

Zones to be formalised for Wake Boarding

River Yare

Stretch of Water

Zone 2 From a point 400 metres (437 yards) downstream of Hobro's Dyke to a point 25 metres (27 yards) downstream of Claxton Pump

Zone 4 From a point 1210 metres (1323 yards) upstream of the confluence of Hardley Dyke and the River Yare to a point 90 metres (98 yards) upstream of that confluence

Times

a Between the 21st March and the 30th September : between 1600 hours and sunset on any day.

b Between the 1st October and 20th March in any year: between 1300 hours and sunset on Sundays and between 0900 hours and sunset on any other day.

River Waveney,

Stretch of Water

Zone 3 From a point 400 metres (437 yards) downstream of Somerleyton Ferry Pier to a point 1310 metres (1432 yards) upstream of the road bridge spanning the River Waveney at St Olaves.

Zone 4 From a point 1210 metres (1323 yards) downstream of the road bridge spanning the River Waveney at St Olaves to a point 400 metres (437 yards) upstream of Seven Mile House (Pettingill's Mill).

Zone 5 From a point 400 metres (437 yards) downstream of Seven Mile House (Pettingill's Mill) to a point 2010 metres (2198 yards) upstream of the lower limit of the River Waveney being 460 metres (503 yards) upstream of the base Turntide Jetty

Times

a Between the 21st March and the 30th September : between 1600 hours and sunset on any day.

b Between the 1st October and 20th March in any year: between 1300 hours and sunset on Sundays, and between 0900 hours and sunset on any other day

List of Consultees

Persons who own or occupy residential property adjacent to the Water Ski Zones.

Natural England

Somerleyton Hall

RSPB – Strumpshaw

Eastern Rivers Water Ski Club

Norfolk & Suffolk Boating Association

Country Landowners Association

BHBF

BASG

Amateur Rowing Association

British Canoe Union

Broads Society

Inland Waterways Association

British Water Ski and Wakeboard

Norwich School Boat Club

Broadland Boat Club

Norfolk Skiff Club

Norwich Rowing Club

Norwich Canoe Club

Lowestoft Rowing Club

Beccles Rowing Club

Norwich High School Rowing Club

Yare Boat Club

UEA Boat Club

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