

Navigation Committee

AGENDA

Thursday 22 February 2018

2.00pm

	Page
1. To receive apologies for absence	
2. To note whether any items have been proposed as matters of urgent business	
3. To receive declarations of interest	
4. Public Question Time To note whether any questions have been raised by members of the public	
5. To receive and confirm the minutes of the Navigation Committee meeting held on 14 December 2017	3 – 11
6. Summary of Actions and Outstanding Issues following Discussions at Previous Meetings Report by Administrative Officer (herewith)	12 – 13
7. Navigation Income and Expenditure: 1 April to 31 December 2017 Actual and 2017/18 Forecast Outturn Report by Chief Financial Officer (herewith)	14 – 24
8. Powerboat Racing Review 2017 Report by Head of Safety Management (herewith)	25 – 28
9. Broads Authority Safety Management System Audit Findings and Update Report by Head of Safety Management (herewith)	29 – 50
10. Broads Local Plan – update, comments received and residential moorings nominations for consideration. Report by Planning Policy Officer (herewith)	51 – 60
11. Planning Applications with Navigation Implications: Variation of condition 2: approved plans, and removal of conditions 7: ramp sections, and 9: archaeology of	61 – 63

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permission BA/2014/0407/FUL. Hoveton Marshes, Horning Road, Hoveton. Report by Planning Officer (herewith)	
12. Planning Applications with Navigation Implications: Floating pontoon with access ramp/walkway and removal of 3 mooring posts; BA/2017/0491/HOUSEH; Clearwater, Broadview Road, Lowestoft. Report by Planning Assistant (herewith)	64 – 65
13. Construction, Maintenance and Environment Work Programme Progress Update Report by Head of Construction, Maintenance & Environment (herewith)	66 – 69
14. Chief Executive’s Report Report (herewith) – For information only	70 – 79
15. Current Issues Open forum	
16. Items for Future Discussion	
17. To note the date of the next meeting – Thursday 19 April 2018 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2.00pm	
18. Exclusion of the Public The Committee is 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	
19. To receive and confirm the exempt minutes of the Navigation Committee meeting held on 14 December 2017	80 – 81

Navigation Committee

Minutes of the meeting held on 14 December 2017

Present:

Nicky Talbot (Chairman)

Mr K Allen	Mr A Goodchild	Mr S Sparrow
Mr J Ash	Mr M Heron	Mr B Wilkins
Ms L Aspland	Mr J Knight	Mr M Whitaker
Sir P Dixon	Mr G Munford	

In Attendance:

Mr S Birtles – Head of Safety Management
Mrs L Burchnall – Head of Ranger Services
Mr N Catherall – Planning Officer (Minute 3/12)
Mr A Clarke – Senior Waterways and Recreation Officer
Ms M Hammond – Planning Officer (Minute 3/11)
Mr D Harris – Solicitor and Monitoring Officer
Dr D Hoare – Head of Construction, Maintenance and Environment
Ms E Krelle – Chief Financial Officer
Mrs A Leeper – Asset Officer
Miss S Mullarney – Administrative Officer (Governance)
Dr J Packman – Chief Executive
Mr T Risebrow – Planning Officer (Compliance and Implementation) (Minute 3/10)
Mr R Rogers – Director of Operations
Mrs C Smith – Head of Planning (Minute 3/10 – 3/12)
Ms M-P Tighe – Director of Strategic Services

Also Present:

Bill Dickson and Lana Hempsall.

3/1 To receive apologies for absence

Apologies for absence were received from Matthew Bradbury.

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 and the press correspondent declared that they would be making their own recordings.

3/2 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.

3/3 To receive Declarations of Interest

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

3/4 Public Question Time

No public questions were raised.

3/5 To receive and confirm the minutes of the Navigation Committee meeting held on 19 October 2017

The minutes of the meeting held on 19 October 2017 were signed by the Chairman as a correct record of the meeting subject to the following amendment:

Minute 2/7 Items for future discussion:

‘A Member referred to the minutes of the 15 December 2016 meeting and the mention of a strategy for swing bridges.’

To be changed to:

‘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.’

3/6 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.

Following the cancelled meeting with Network Rail, the Chief Executive informed Members that he had written to the director of Network Rail regarding Somerleyton and Reedham bridges and has enquired about the status of the reports Network Rail had commissioned.

A Member’s comments enquiring of the progress with arrangements for making voice recordings available on the Authority’s web site were noted.

There were no further updates. Members noted the report.

3/7 Navigation Budget 2018/19 and Financial Strategy 2020/21

Members received a report which sought their views on the draft navigation income and expenditure budget for 2017/18, which has been prepared as part of a draft consolidated budget for the Authority. The draft budget is based on the overall 3% increase in navigation charges as formally adopted by the Full Authority on 24 November 2017 following the recommendations of the Navigation Committee.

The cost of the additional tree management equipment and speed signs following the approved toll increase had been incorporated into the budget. The Chief Financial Officer highlighted that in terms of the budget sensitivity analysis, the changes in boat numbers and the outcome of the pay negotiations could put pressure on the budget.

The Chief Financial Officer stressed that the 2019/2020 and 2020/2021 figures were draft at this stage.

The reported deficit of National Park income and expenditure forecast for the years until 2022 is considered to be appropriate and acceptable on account of the level of National Park reserves, which was above recommended levels.

Members noted the report.

3/8 Navigation Income and Expenditure: 1 April to 31 October 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 seven month period to 31 October 2017, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2018).

The Chief Financial Officer said that the report provided the most up to date figures available.

Members noted the report.

3/9 Boat Insurance Audit

Members were presented with the results from a recent audit of a sample of private boat owner's third party insurance compliance.

The Head of Safety Management informed Members that they had received an additional response since the report; the total number of boat owners who had policies that were fully compliant was 265, and there were 16 boat owners who had not responded to the request.

A Member queried why the Insurance Declaration doesn't state that it is a legal requirement to have insurance. The Solicitor and Monitoring Officer commented that it would be good to review the form particularly in light of the changes to the General Data Protection Regulations.

Another Member asked what the cost of the audit was and expressed concerns with enforcement rather than using the audit as a data collection exercise. It was confirmed by the Head of Safety Management that the outstanding responses would be followed up; the 16 boat owners who had not responded would be sent S21 notices. The Head of Ranger Services confirmed that there were currently 3 prosecution cases in process. The Solicitor and Monitoring Officer added that there would be an article regarding insurance published in Broadsheet.

It was noted that the audit required significant staff resources for chasing the responses. The cost of the Insurance Audit would be provided to Members at the next meeting.

One Member queried why a distinction was made between the way a boat was measured for consideration in the audit, the Head of Safety Management confirmed that this was the most practical way to assess the boats.

Members supported the audit being repeated again, the Chair concluded that 3 years was a sensible interval before repeating the exercise.

3/10 Unauthorised Development with Navigation Implications

Having declared an interest Mr Munford left for this item.

The Committee received a report regarding an unauthorised development at Barnes Brinkcraft in Hoveton. The Planning Officer (Compliance & Implementation) presented to Members maps and the plans submitted with the original application for the site. It was noted that the position of the pontoons had moved further into the river than illustrated from the original drawings.

Members discussed why the landowner had deviated from the original plan, and expressed concerns for safety particularly at busier times on the river. The Chairman asked if there had been any evidence or observations since the development that highlight the potential for an incident. The Head of Ranger Services said that the pontoon itself wasn't a hazard however explained that it was likely that it would have a knock on effect if there were larger boats on the outside of the pontoons. She added that there was an increased risk to canoes and day boats in this area when this section of river was busy.

One Member noted that there wasn't a restriction on the length of boats that could be moored at the site and said the focus for action should be on the effect the position of the pontoons would have on the navigation. He suggested using the byelaws to enforce movement of boats. It was confirmed that byelaws could be used but this would be heavily dependent on a Ranger being in the area, and therefore it would not be a sustainable approach for dealing with this high risk for encroachment into navigation. A Member said that they needed to find a way to manage the restriction, either by side on moorings or by setting a maximum length for boats mooring at the site.

Members discussed issues for smaller boats and the impact on the different types of vessels navigating the river at the same time, especially when the river is busy and the weather windy. Members agreed that the width of the river couldn't afford to get any narrower and stated that it was important that the encroachment into the navigation area be removed.

The impact on other local businesses was also discussed. Another Member said that they had had an informal discussion with a member of staff of Broads Tours who was very concerned. One Member inquired if there had been any discussions

with local businesses about the issue. The Head of Ranger Services said that there was a documented history about the impact of narrowing in the area on trip boats which was consistent throughout the 14 year period documented, however due to timescales they wanted to approach the Navigation Committee first.

The Chief Executive asked what the experience of managing mooring in this location in terms of enforcement was. The Head of Ranger Services said that while enforcement could be undertaken it is not operationally possible for a Ranger to be on site all the time. She added that it wouldn't take long for larger boats moored on this site to cause a hazard. To prevent this, she suggested making the moorings private with permanent berth moorings; side on only moorings; or suggested that the landowner have someone available to assist with moorings.

The Head of Planning informed Members that officers had been to the site and seen the pontoons from the river; they had also met with the landowner. She advised Members that the case would be presented to the next Planning Committee and the report would include the recommendation from this Navigation Committee. She added that there were different ways to address the issue from a planning perspective.

It was summarised that the Navigation Committee welcomes investment to provide improved mooring provision but has grave reservations about any encroachment on the navigation of the river and that the Planning Committee take this into account when seeking to resolve the matter with the landowner.

Mr Munford returned to the meeting.

3/11 Planning matter with Navigation Implications: Article 4 Directions restricting permitted development rights

The Planning Officer presented Members with the history and background of Article 4 Directions restricting permitted development rights for retail sales from moorings.

Following a question about licencing and the frequency of use of the Article 4 direction, the Asset Officer explained that there was a different toll required for business boats, however she stated that apart from Article 4 there was nothing to prevent business' using moorings for sales. The Asset Officer said that they receive a great number of enquiries in the first instance, but not all were written applications. The Head of Ranger Services informed Members that during the summer the Article 4 direction is used on a weekly basis.

The Committee collectively agreed to show support in retaining the Article 4 direction concerning retail sales from moorings subject to another review when appropriate.

3/12 Planning Application with Navigation Implications: BA/2017/0369/FUL, Mooring pontoons with bank cutback on the River Waveney frontage together with demasting, visitor and service moorings

Having declared an interest Mr Munford left for this item.

Members were presented with details of an application for the installation of 115m of floating pontoons along the River Waveney. Members were told that the site had had a previous planning application in 2014.

One Member asked what guarantee there would be for provisions for demasting moorings, he commented that this was absent from the original application. The Planning Officer said that should planning permission be granted there would be a specific condition covering this as well as a requirement for public signage. Another Member suggested securing the demasting mooring through an s106 agreement. The Member further asked about provisions for demasting berths on the other side of Haddiscoe Bridge, the Senior Waterways and Recreation Officer confirmed that these had been installed and they were operational.

Members welcomed the mooring and the provision for demasting moorings, with one Member stating that the NSBA were inclined to support the application. It was noted that the concerns with the previous application had been met and Members were encouraged by the benefits of the new development. The committee supported the development.

Mr Munford re-joined the meeting.

3/13 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 report included the dredging progress for 2017/18 (April 2017 to October 2017).

A presentation outlined the work carried out by the Construction team over the course of the year including dredging work and the removal of marker posts from the river Chet which had been completed satisfactorily.

The Head of Construction, Maintenance and Environment reported the work of the Maintenance team, and the development of a 5 year plan for the management of trees along river edges. The Chairman added that she was pleased that the maps of prioritised sites for riverside tree and scrub management were available online as they could be used by Members to demonstrate the work that the authority is doing.

One Member asked if Natural England was responsible for riverbank tree maintenance, specifically at Woodbastwick and Hoveton Hall estates. The Head of Construction, Maintenance and Environment clarified that the Broads Authority was managing prioritised sections of riverbank on land leased by Natural England, particularly where Natural England had no drivers for doing such work. He added that Natural England actively manages trees in the open fen of the Woodbastwick estate, but not the protected wet woodland features on the Hoveton side. The Authority has had to negotiate with Natural England to manage the wet woodland areas.

The Member further enquired about the work at Hickling, he commented that the Environment Agency hadn't yet issued the Environment Permit for sediment work and asked what the timescale for this was and how it would impact the programme. The Head of Construction, Maintenance and Environment said that this had delayed work and they expected to start at the end of January. He explained that the mud pump contractor was out for tender and ends on 4 January 2018, with the final consultation for the Environment Agency set for 15 January 2018.

The Head of Construction, Maintenance and Environment informed Members that the Rivers Engineer, Tom Hunter, was leaving the Broads Authority. Members thanked Tom for his work with the Authority and said they would be sad to see him go.

The report was noted.

3/14 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.

The Chief Executive updated Members on the prosecutions for failure to pay tolls, he highlighted that more recent prosecutions had issued fines of £440 and £600, higher amounts than noted in appendix 3. One Member queried the deterrent for non-payment of tolls given the sum of the fines. The Chief Executive said the prospect of legal proceedings was a deterrent for some individuals.

Member's noted the report.

3/15 Current Issues

One Member asked what had been learnt from the cutting of the aquatic plants at Hickling this year and if the Authority was prepared for lots of growth next year. The Head of Construction, Maintenance and Environment commented that the current models of Aquatic Plant Cutters (Berkenheger 6520) are capable of cutting all of the plants at Hickling and said that the trials had been very effective. It was noted that in 2017 185 days of actual cutting, the highest number of days in terms of Operation Technician time, was spent cutting aquatic plants on the public navigation.

It was noted that whilst the experimental aquatic plant cutting trial had gone to plan and the weed cutter proved completely suitable for the operation, the trial cutting did not give relief to the immediate problems, but would inform the decision making on plant maintenance cutting in subsequent years. The Chief Executive said Natural England had allowed the Authority to selectively cut rare plants for the first time.

3/16 Items for future discussion

A Member informed the Committee that he was aware that DEFRA was planning for serious drought if there was a dry winter. He asked what the navigation impact of a dry winter would be and what it would mean for the Broads, specifically Hickling.

3/17 To note the date of the next meeting

The next meeting of the Committee would be held on Thursday 22 February 2018 at Yare House, 62-64 Thorpe Road, Norwich commencing at 2pm.

3/18 Exclusion of the Public

The Committee is 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 leave the meeting.

3/19 To receive and confirm the exempt minutes of the Navigation Committee meeting held on 19 October 2017

The exempt minutes from the Navigation Committee meeting held on 19 October 2017 were signed by the Chairman as a correct record of the meeting.

3/20 Review of legal position concerning Mutford Lock

Following the request at the previous meeting, Members were presented with the legal advice obtained by the Solicitor and Monitoring Officer regarding the Harbour Revision Order for Mutford Lock.

It was unanimously agreed by Members that these matters and the views of this Committee be submitted to the full Authority meeting in January.

The meeting concluded at 4:30pm

Chairman

Code of Conduct for Members

Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 14 December 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
B Wilkins		No additional declarations of interest over those already recorded.	
M Whitaker	6-14	Toll payer, hire boat operator, BHBF Chair, resident.	
J Knight	6-14	Toll payer, Hire boat operator, land owner, resident	
S Sparrow	6-14	Hire boat operator, toll payer, resident, landowner	
M Heron	6-14	Toll payer, landowner, Member British Rowing/Norwich RC/NSBA	
K Allen	6-14	Director BASG	
G Munford	10, 12	Fellow director of Broads Tourism. Customer of Norfolk Boat Sails.	✓
P Dixon	10-12	Chair of Planning Committee	
J Ash		Trustee director of WYCCT	
A Goodchild	6-14	Toll payer, land owner, chair BM commercial, director GMS	
L Aspland		Toll payer, local resident, NBYC committee, hunter fleet	
N Talbot		Toll payer, NBYC, NSBA	

Summary of Actions and Outstanding Issues Following Discussions at Previous Meetings
Report by Administrative Officer

Date of Meeting and Minute No	Discussion	Responsible Person	Summary of Actions and Outstanding Issues
20 April 2017 Minute 1/8 Summary of Actions and Outstanding Issues following Discussions at Previous Meetings	Prof Williamson had been chased for the Staithes report and the Authority hoped to receive the maps by the end of April.	Senior Waterways & Recreation Officer	<p>The photographs of the maps available at the public record office have been received and the draft staithes report has been sent to all parish councils in the Broads with a request for comments and for parish councils to provide any additional information they hold.</p> <p>Comments received from Parish Councils will be reviewed by BA officers and Professor Williamson and the document amended as necessary prior to publication. Photographs received from UEA will also be published.</p>
19 October 2017 Minute 2/17 Items for future discussion	Network Rail Whole Life Strategy for swing bridges and replacing Trowse Swing Bridge with a fixed bridge.	Chief Executive	The Authority is in dialogue with Network Rail and was due to meet in November. This meeting was cancelled by Network Rail and is to be rescheduled for Wed 14 th of February. A paper will be provided to Members when more information is available.
14 December 2017 Minute 3/9	Cost of Boat Insurance Audit	Head of Safety Management	Initial estimates for the cost of the insurance audit (2017) carried out on a random sample size of 300

Date of Meeting and Minute No	Discussion	Responsible Person	Summary of Actions and Outstanding Issues
Boat Safety Audit			<p>Toll payers cost the Authority £2,000. This expenditure was on staff time and postage costs.</p> <p>Since the last Navigation Committee meeting S21 notices have been issued to the 16 boat owners who had not responded to the audit. The results have been amended to reflect the subsequent responses:</p> <p>90% of the sample size are now compliant 10 boat owners have not responded</p>

**Navigation Income and Expenditure:
 1 April to 31 December 2017 Actual and 2017/18 Forecast Outturn
 Report by Chief Financial Officer**

Summary: This report provides the Committee with details of the actual navigation income and expenditure for the nine month period to 31 December 2017, and provides a forecast of the projected expenditure at the end of the financial year (31 March 2018).

1 Introduction

1.1 This report provides a summary of the Income and Expenditure for the Navigation Budget up until 31 December, any amendments to the Latest Available Budget (LAB), Forecast Outturn (predicted year end position) and the movements on the earmarked reserves.

2 Overview of Actual Income and Expenditure

Table 1 – Actual Navigation I&E by Directorate to 31 December 2017

	Profiled Latest Available Budget	Actual Income and Expenditure	Actual Variance
Income	(3,150,820)	(3,233,407)	+ 82,587
Operations	1,635,390	1,701,644	- 66,255
Strategic Services	448,365	426,296	+ 22,069
Chief Executive	352,788	348,416	+ 4,372
Projects, Corporate Items and Contributions from Earmarked Reserves	(95,059)	(66,283)	- 28,776
Net (Surplus) / Deficit	(809,337)	(823,334)	+ 13,997

2.1 Core navigation income is above the profiled budget at the end of month nine. The overall position as at 31 December 2017 is a favourable variance of £13,997 or 1.73% difference from the profiled LAB. This is principally due to:

- An overall favourable variance of £82,086 within toll income:
 - Hire Craft Tolls £42,461 above the profiled budget.
 - Private Craft Tolls £27,687 above the profiled budget.
- An overspend within Operations budgets relating to:
 - Construction and Maintenance Salaries is under profiled budget by £12,423 due to a number of vacancies throughout the year.

- Equipment, Vehicles and Vessels is over profile by £11,592 due to repair expenditure being ahead of profile.
- Water Management is under profile by £50,246 due to two contracts being delayed, both are scheduled for delivery by 31 March 2018.
- Practical Maintenance is over profile by £175,429 due to timing differences on the profile originally set. This is due to Acle Bridge being purchased.
- Ranger Services is under profile by £14,566 due to additional income and small underspends within salaries and expenditure.
- Premises is under profile by £36,570 due to timing differences around the Dockyard Wet Shed repairs.
- An underspend within Strategic Services budgets relating to a number of small variances within various budgets.
- An underspend within Chief Executive budgets relating to:
 - Legal is over profile by £12,141 due to the higher proportion of outsourced work being Navigation.
 - Asset Management is under profile by £15,623 due to timing differences.
- An adverse variance within Reserves relating to the timing differences around the Dockyard Wet Shed repairs.

2.2 The charts at Appendix 1 provide a visual overview of actual income and expenditure compared with both the original budget and the LAB.

3 Latest Available Budget

3.1 The Authority's income and expenditure is monitored against the latest available budget (LAB) for 2017/18. The LAB is based on the original budget for the year, with adjustments for known and approved budget changes such as carry-forwards and budget virements. Full details of movements from the original budget are set out in Appendix 2.

Table 2 – Adjustments to Navigation LAB

	Ref	£
Original navigation budget 2017/18 (surplus)	Item 12 27/01/17	(766)
Approved carry-forwards from 2016/17	Item 11 19/05/17	8,995
Virement from ASS to OMA to reflect actual admin support	CEO approved	(474)
Virement from STR to VEH to use apprenticeship grant to purchase apprentice vehicle	Director approved	1,160
LAB at 31 December 2017		8,915

3.2 The LAB therefore provides for a navigation deficit of £8,915 in 2017/18 as at 31 December 2017.

4 Overview of Forecast Outturn 2017/18

- 4.1 Budget holders have been asked to comment on the expected expenditure at the end of the financial year in respect of all budget lines for which they are responsible. It must be emphasised that these forecast outturn figures should be seen as estimates and it is anticipated that they will continue to be refined and clarified through the financial year.
- 4.2 As at the end of December 2017, the forecast outturn indicates:
- The total forecast income is £3,255,232, or £75,732 more than the LAB.
 - Total expenditure is forecast to be £3,217,269.
 - The resulting surplus for the year is forecast to be £37,963.
- 4.3 The forecast outturn expenditure reflects the following changes from the LAB as shown in Table 3. The forecast surplus represents a favourable variance of £46,878 against the LAB.

Table 3 – Adjustments to Forecast Outturn

	£
Forecast outturn deficit per LAB	8,915
Adjustments reported 14/12/17	(36,107)
Increase to Hire Craft Toll income	(10,500)
Increase to Private Craft Toll income	(271)
Forecast outturn surplus as at 31 December 2017	(37,963)

- 4.4 The main reason for the difference between the forecast outturn and the LAB is the increase in hire and private craft toll income and a number of other savings within a variety of budgets.

5 Reserves

Table 4 – Navigation Earmarked Reserves

	Balance at 1 April 2017	In-year movements	Current reserve balance
	£	£	£
Property	(305,051)	(31,500)	(336,551)
Plant, Vessels and Equipment	(199,010)	(17,546)	(216,557)
Premises	(85,753)	(13,279)	(99,032)
Total	(589,815)	(62,326)	(652,140)

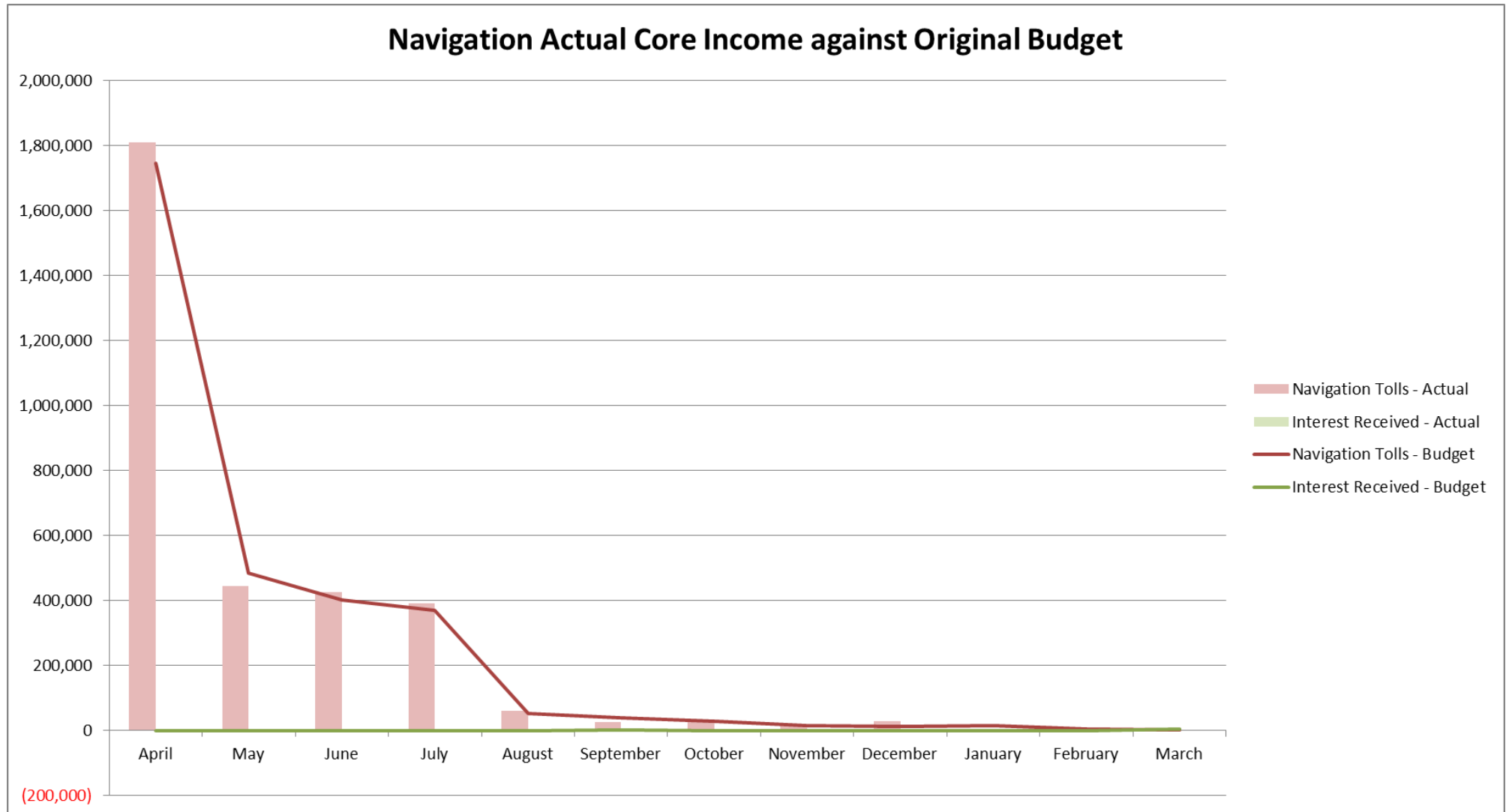
- 5.1 Items funded from the Property reserve at the end of December include the repairs to Irstead Billet. Items funded from the Plant, Vessel and Equipment reserve include the linkflotes, a replacement vehicle for the Construction and

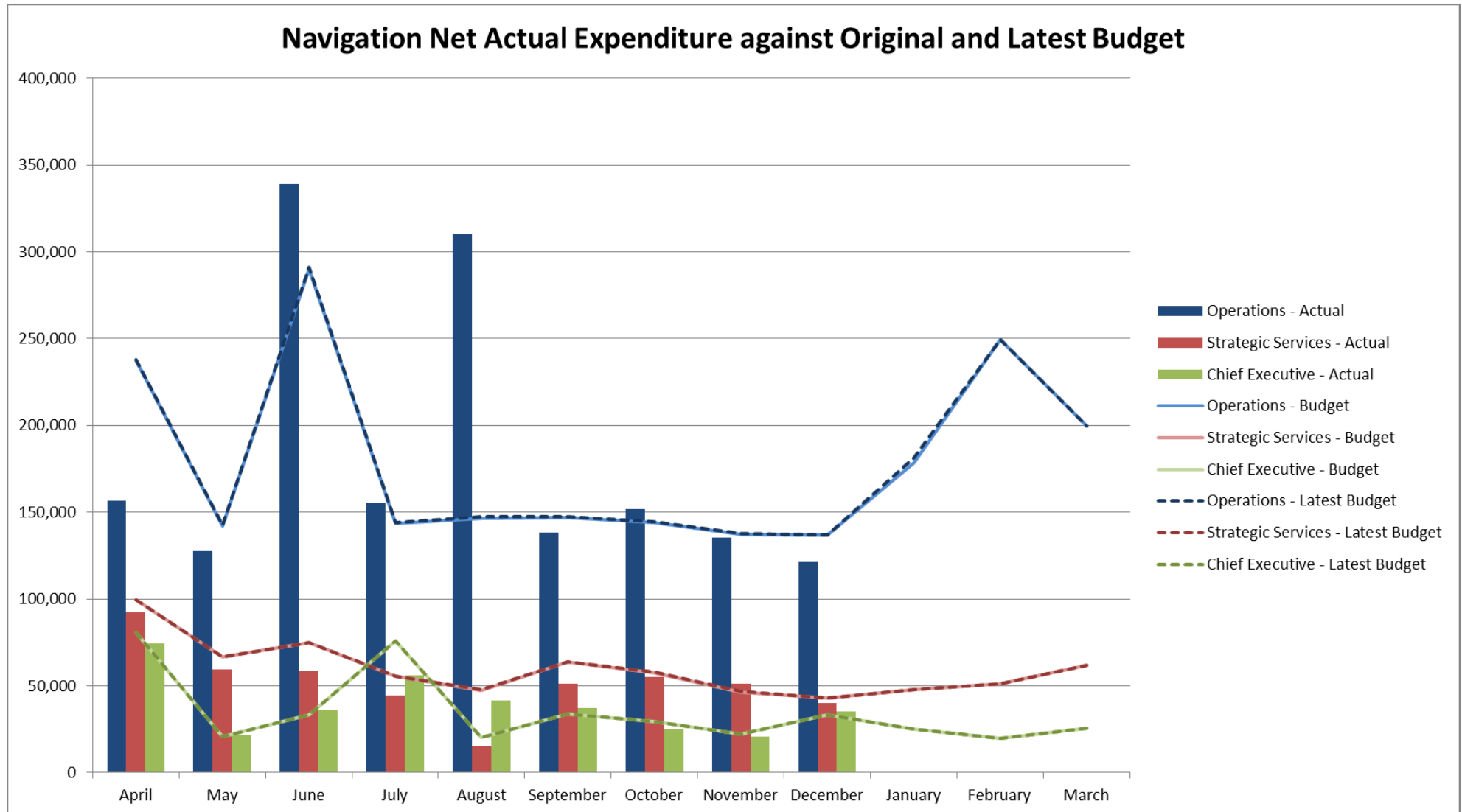
Maintenance team and an electric replacement pool vehicle. The Premises reserve has funded the initial electric works at the Dockyard Wet Shed.

6 Summary

- 6.1 The current forecast outturn position for the year suggests a surplus within the navigation budget which would result in a navigation reserve balance of approximately £364,000 at the end of 2017/18 (before any year-end adjustments). This would mean the Navigation Reserve would be above the recommended 10% at 11.3%. Year-end transfers of interest to the earmarked reserves will mean that it will fall to approximately 11.2%. This will be highly dependent on the actual level of interest received.

Background Papers:	Nil
Author:	Emma Krelle
Date of Report:	6 February 2018
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Navigation Actual Income and Expenditure Charts to 31 December 2017 APPENDIX 2 – Financial Monitor: Navigation Income and Expenditure 2017/18





To 31 December 2017

Budget Holder

(All)

Row Labels	Values				
	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Income	(3,179,500)		(3,179,500)	(3,255,232)	+ 75,732
National Park Grant	0		0	0	+ 0
Income	0		0	0	+ 0
Hire Craft Tolls	(1,073,400)		(1,073,400)	(1,116,132)	+ 42,732
Income	(1,073,400)		(1,073,400)	(1,116,132)	+ 42,732
Private Craft Tolls	(2,040,000)		(2,040,000)	(2,070,500)	+ 30,500
Income	(2,040,000)		(2,040,000)	(2,070,500)	+ 30,500
Short Visit Tolls	(39,800)		(39,800)	(39,800)	+ 0
Income	(39,800)		(39,800)	(39,800)	+ 0
Other Toll Income	(18,800)		(18,800)	(18,800)	+ 0
Income	(18,800)		(18,800)	(18,800)	+ 0
Interest	(7,500)		(7,500)	(10,000)	+ 2,500
Income	(7,500)		(7,500)	(10,000)	+ 2,500
Operations	2,288,320	4,992	2,293,312	2,329,512	- 36,200
Construction and Maintenance Salaries	744,102		744,102	744,102	+ 0
Income	(3,094)		(3,094)	(3,094)	+ 0
Salaries	747,196		747,196	747,196	+ 0
Expenditure			0		+ 0
Equipment, Vehicles & Vessels	348,250	2,800	351,050	351,050	+ 0
Income			0		+ 0
Expenditure	348,250	2,800	351,050	351,050	+ 0
Water Management	112,500		112,500	112,500	+ 0
Income			0		+ 0
Expenditure	112,500		112,500	112,500	+ 0
Land Management	0		0	0	+ 0

Row Labels	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Income	0		0	0	+ 0
Expenditure	0		0	0	+ 0
Practical Maintenance	358,200	2,565	360,765	390,765	- 30,000
Income	(10,500)		(10,500)	(10,500)	+ 0
Expenditure	368,700	2,565	371,265	401,265	- 30,000
Ranger Services	446,274	4,380	450,654	450,654	+ 0
Income	(76,278)		(76,278)	(76,278)	+ 0
Salaries	374,052	4,380	378,432	378,432	+ 0
Expenditure	148,500		148,500	148,500	+ 0
Pension Payments			0		+ 0
Safety	75,671		75,671	82,671	- 7,000
Income	(9,000)		(9,000)	(2,000)	- 7,000
Salaries	45,046		45,046	45,046	+ 0
Expenditure	39,625		39,625	39,625	+ 0
Volunteers	27,520		27,520	26,720	+ 800
Income	(400)		(400)	(400)	+ 0
Salaries	19,920		19,920	19,920	+ 0
Expenditure	8,000		8,000	7,200	+ 800
Premises	135,119	(6,055)	129,064	129,064	+ 0
Income	(1,600)		(1,600)	(1,600)	+ 0
Expenditure	136,719	(6,055)	130,664	130,664	+ 0
Operations Management and Administration	40,685	1,302	41,987	41,987	+ 0
Income	(1,143)		(1,143)	(1,143)	+ 0
Salaries	34,828	1,302	36,130	36,130	+ 0
Expenditure	7,000		7,000	7,000	+ 0
Strategic Services	580,216	410	580,626	579,279	+ 1,347
Development Management	0	0	0	0	+ 0
Income	0		0	0	+ 0
Salaries	0		0	0	+ 0

Row Labels	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Expenditure	0	0	0	0	+ 0
Pension Payments			0		+ 0
Strategy and Projects Salaries	26,635		26,635	26,635	+ 0
Income	0		0	0	+ 0
Salaries	24,835		24,835	24,835	+ 0
Expenditure	1,800		1,800	1,800	+ 0
Strategy and Projects			0		+ 0
Expenditure			0		+ 0
Biodiversity Strategy	0	0	0	0	+ 0
Income			0		+ 0
Expenditure	0	0	0	0	+ 0
Human Resources	53,542	410	53,952	53,952	+ 0
Salaries	29,147		29,147	29,147	+ 0
Expenditure	24,395	410	24,805	24,805	+ 0
Waterways and Recreation Strategy	47,210		47,210	47,210	+ 0
Salaries	38,210		38,210	38,210	+ 0
Expenditure	9,000		9,000	9,000	+ 0
Project Funding	0		0	0	+ 0
Income			0		+ 0
Expenditure	0		0	0	+ 0
Pension Payments			0		+ 0
Communications	80,813	0	80,813	80,813	+ 0
Income	(1,360)		(1,360)	(1,360)	+ 0
Salaries	71,673		71,673	71,673	+ 0
Expenditure	10,500	0	10,500	10,500	+ 0
Pension Payments			0		+ 0
Visitor Centres and Yacht Stations	75,765		75,765	75,765	+ 0
Income	(60,000)		(60,000)	(60,000)	+ 0
Salaries	111,765		111,765	111,765	+ 0

Row Labels	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Expenditure	24,000		24,000	24,000	+ 0
Collection of Tolls	128,550		128,550	131,930	- 3,380
Salaries	115,850		115,850	119,230	- 3,380
Expenditure	12,700		12,700	12,700	+ 0
ICT	100,604		100,604	99,597	+ 1,007
Salaries	59,849		59,849	59,849	+ 0
Expenditure	40,755		40,755	39,749	+ 1,007
Strategic Services Management and Administration	67,097		67,097	63,377	+ 3,720
Income	(458)		(458)	(458)	+ 0
Salaries	43,785		43,785	40,065	+ 3,720
Expenditure	23,769		23,769	23,769	+ 0
Chief Executive	419,677	3,415	423,092	423,092	+ 0
Legal	27,503		27,503	27,503	+ 0
Income			0		+ 0
Salaries	15,503		15,503	15,503	+ 0
Expenditure	12,000		12,000	12,000	+ 0
Governance	41,065	0	41,065	41,065	+ 0
Salaries	23,938		23,938	23,938	+ 0
Expenditure	17,127	0	17,127	17,127	+ 0
Chief Executive	43,911		43,911	43,911	+ 0
Salaries	43,911		43,911	43,911	+ 0
Expenditure			0		+ 0
Asset Management	72,267	3,415	75,682	75,682	+ 0
Income	(2,670)		(2,670)	(2,670)	+ 0
Salaries	23,562	(1,775)	21,787	21,787	+ 0
Expenditure	51,375	5,190	56,565	56,565	+ 0
Finance and Insurance	164,840		164,840	164,840	+ 0
Income	(3,245)		(3,245)	(3,245)	+ 0
Salaries	74,085		74,085	74,085	+ 0

Row Labels	Original Budget (Navigation)	Budget Adjustments (Navigation)	Latest Available Budget (Navigation)	Forecast Outturn (Navigation)	Forecast Outturn Variance (Navigation)
Expenditure	94,000		94,000	94,000	+ 0
Premises - Head Office	70,091		70,091	70,091	+ 0
Expenditure	70,091		70,091	70,091	+ 0
Projects and Corporate Items	30,720		30,720	24,720	+ 6,000
Partnerships / HLF	0		0	0	+ 0
Income	0		0	0	+ 0
Salaries	0		0	0	+ 0
Expenditure	0		0	0	+ 0
Corporate Items	30,720		30,720	24,720	+ 6,000
Expenditure	6,720		6,720	720	+ 6,000
Pension Payments	24,000		24,000	24,000	+ 0
Contributions from Earmarked Reserves	(140,200)	865	(139,335)	(139,335)	+ 0
Earmarked Reserves	(140,200)	865	(139,335)	(139,335)	+ 0
Expenditure	(140,200)	865	(139,335)	(139,335)	+ 0
Grand Total	(766)	9,682	8,915	(37,963)	+ 46,878

Powerboat Racing Review 2017
Report by Head of Safety Management

Summary: This report outlines the background to powerboat racing on Oulton Broad. Members' comments are sought on the conclusions as set out in section 5.1.

1 Background

- 1.1 The Broads Authority is obliged by the Port Marine Safety Code to undertake risk assessments of all boating activities and marine operations which take place on its waters, and to ensure that risks associated with any activity are managed so that they are as low as reasonably practicable. The Formal Safety Assessment (FSA) identified powerboat racing on Oulton Broad as being a priority for more detailed consideration. The recommendations for powerboat racing included considering the closure of the broad during racing events and ensuring that there is an adequate exclusion area and good buffer zone around the race circuit.
- 1.2 The Authority has continued to work closely with the Lowestoft and Oulton Broad Motor Boat Club (LOBMBC), Sentinel Leisure Trust (SLT) and the Royal Yachting Association (RYA) on the Management Plan, including the risk assessment and operating procedures.
- 1.3 The Management Plan continues to deliver success in the safe management of powerboat racing.

2 Annual Review – 2017

- 2.1 There were seven racing incidents recorded for the 2017 season this was a decrease on the previous year. All incidents were reviewed and both BA officers and the RYA were content with the findings and mitigation measures currently in place.
- 2.2 There was a report of a problem during one very busy weekend where the passenger boat which operators from near Mutford Lock could not get timely passage through the Broad whilst racing was taking place primarily due to a communication failure. However the situation was exasperated by the second patrol boat not being available from the racing club to assist with the general control of vessels.

- 2.3 LOBMBC have agreed to liaise with the passenger boat operator to identify a suitable method of communication going forward and also to provide the second patrol boat as set out in the management plan.
- 2.4 The risk assessment has been recently updated and was reviewed at the meeting where it was agreed that no further changes are currently required.
- 2.5 As a result no further changes are necessary to the Management Plan of powerboat racing for the 2018 racing season. The Broads Authority will continue to work with Oulton Broad harbour master, and the powerboat club to ensure that two patrols are provided to ensure safe transit of the broad for other users during powerboat racing events and continue where necessary to restrict boat movements while a race is being undertaken.

3 Fixture List for 2018 LOBMBC Powerboat Racing Season

- 3.1 On an annual basis the Club requests permission from the Broads Authority for 20 race dates per season. A Notice to Mariners is published in the local press and a notice is prominently displayed at the Club and the Oulton Broad Yacht Station, which specifies the purpose for which the powers of the closure are to be exercised, and the relevant dates.
- 3.2 Table 1 below shows the breakdown of requested days/dates from 2005 to 2018.

	No. of Thursday evenings	No. of Saturdays	No. of Sundays	No. of Mondays	TOTAL
2005 Season	15	0	2	3	20
2006 Season	15	0	2	3	20
2007 Season	14	1	3*	2	20
2008 Season	15	0	2	3	20
2009 Season	15	0	2	3	20
2010 Season	15	0	2	3	20
2011 Season	15	0	2	3	20
2012 Season	15	0	2	3	20
2013 Season	15	0	2	3	20
2014 Season	15	0	2	3	20
2015 Season	15	0	2	3	20
2016 Season	15	0	2	3	20
2017 Season	15	0	2	3	20
2018 Season	13	1	3*	3	20

* Increased under special request in order to host OSY400 world championships

- 3.3 The dates for all proposed events have been circulated to all parties concerned by the club and to date no objections have been raised.

3.4 The Boat Safety Management Group was consulted on the proposed 2018 fixture list and no objections were raised. The requested dates for the 2018 season are shown in Appendix 1.

4 Financial Implications

4.1 In order to verify the number of race craft taking part at each event, the local Ranger will visit the clubhouse to log the number of race craft tolls due at each event. For the 2018 season, LOBMBC will continue to make all payments of the current racing craft toll of £5.20 for each boat racing during each racing fixture. As long as the LOBMBC continue to provide safety patrolling cover they will not need to contribute to the cost of the Broads Authority launch and ranger.

5 Conclusion

5.1 In conclusion this report seeks the views of the committee on the following:

- i. the management of powerboat racing on Oulton Broad; and
- ii. the fixture list for the 2018 season.

Background papers:	Nil
Author:	Steve Birtles
Date of report:	22nd January 2017
Broads Plan Ref	Broads Plan 2017 – 4.3
Appendices	APPENDIX 1 – Fixture dates for 2018

Lowestoft & Oulton Broad Motor Boat Club

Proposed Fixture List for 2018 Powerboat racing season

Thursday	26 April	6.00pm
Thursday	3 May	6.00pm
Sunday	6 May	12.00 noon
Monday	7 May	12.00 noon
Thursday	17 May	6.00pm
Thursday	24 May	6.00pm
Monday	28 May	12.00 noon
Thursday	14 June	6.00pm
Thursday	21 June	6.00pm
Thursday	28 June	6.00pm
Thursday	5 July	6.00pm
Saturday	7 July	11.00am
Sunday	8 July	11.00am
Thursday	19 July	6.00pm
Thursday	26 July	6.00pm
Thursday	2 August	5.30pm
Thursday	9 August	5.30pm
Thursday	16 August	5.30pm
Monday	27 August	4.00pm
Sunday	9 September	12.00 noon

Broads Authority Safety Management System Audit Findings and Update
Report by Head of Safety Management

Summary: This report sets out findings from the recent external audit of the Authority's Safety Management System and the proposed update to the SMS.

The Committee's views are sought on the audit findings, recommendations and the SMS update set out in the Appendices.

1 Background

- 1.1 The Broads Authority, as a Competent Harbour Authority under the Pilotage Act 1987, is required to comply with the duties and responsibilities set out in the Port Marine Safety Code (PMSC)¹.
- 1.2 The Code requires that all harbour authorities base their powers, policies, plans and procedures on a Formal Safety Assessment (FSA) and that they maintain a Safety Management System to ensure that risks are reduced to a level which is as low as reasonably practicable (ALARP).
- 1.3 In 2016, the Authority published a Safety Management System (SMS)² to meet the needs of the updated PMSC.
- 1.4 The PMSC requires that the SMS is monitored and audited to ensure that it continues to meet the requirements of the code.
- 1.5 The SMS sets out an audit schedule which culminates in a requirement for a full audit which is to be undertaken by an independent third party to gain an objective opinion of the effectiveness and suitability of the SMS to meet its objectives and to verify continued compliance with the PMSC.

2 Audit

- 2.1 TIAA, the Authority's auditors were selected to carry out the independent audit as they have had previous experience of auditing harbours against the PMSC. The Audit took place at the Broads Authority offices in September 2017.

¹ Port Marine Safety Code, dated December 2012

² Broads Authority Port Marine Safety Code Safety Management System, Issue 6, dated April 2016

2.2 The Audit reviewed version 6 of the Safety Management System which was issued in April 2016.

3 Audit Report

3.1 The TIAA Audit report which sets out the audit findings and recommendations and the Authority's response is set out in Appendix 1

4 Safety Management System Update

4.1 In response to the audit a draft update to the Safety Management System has been completed. This update reflects the recommendations from the audit and further updates the SMS to cover a number of routine revisions. These additional updates include, changes to the Broads Authority management structure, reference to the new Broads Plan 2017, references to the latest edition of the PMSC and updates to vessels and equipment and to include policies and guidance that have been developed.

4.2 There is also a format change as the document will no longer have other substantive documents appended as these have been changed to reference documents and hyperlinks will be provided to facilitate easier access to these documents when published on the Broads Authority website.

5 Next Steps

5.1 There are a number of recommendations which do not specifically relate to the SMS document, these items will be progressed in line with the timescales agreed in the report.

5.2 The Audit report and the SMS update will be taken to the Broads Authority meeting in March for adoption.

Background papers: None

Author: Steve Birtles
Date of report: 9 February 2018

Appendices: APPENDIX 1- Broads Authority Assurance Review of Port Marine Safety Code 2017/18 (BA/18/02)

[APPENDIX 2- Draft Safety Management System update version 6.9](#)



Broads Authority

Assurance Review of Port Marine Safety Code

2017/18 (BA/18/02)

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November 2017

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Assurance Review of Port Marine Safety Code

Executive Summary

<p>OVERALL ASSURANCE ASSESSMENT</p>  <p>The diagram shows a central yellow circle labeled 'REASONABLE ASSURANCE' surrounded by a blue ring with the text 'Adequate & effective governance, risk and control processes'. To the right, four horizontal bars represent assurance levels: 'SUBSTANTIAL ASSURANCE' (green), 'REASONABLE ASSURANCE' (yellow), 'LIMITED ASSURANCE' (orange), and 'NO ASSURANCE' (red). The 'REASONABLE ASSURANCE' bar is highlighted.</p>	<p>ACTION POINTS</p> <table border="1"> <thead> <tr> <th>Control Area</th> <th>Urgent</th> <th>Important</th> <th>Needs Attention</th> <th>Operational</th> </tr> </thead> <tbody> <tr> <td>Governance*</td> <td>0</td> <td>4</td> <td>4</td> <td>0</td> </tr> <tr> <td>Hazards**</td> <td>0</td> <td>0</td> <td>1</td> <td>0</td> </tr> <tr> <td>Total</td> <td>0</td> <td>4</td> <td>5</td> <td>0</td> </tr> </tbody> </table> <p>*Governance includes the areas of Roles and Responsibilities; Consultation; Management of the Navigation; and Monitoring and Auditing. ** This recommendation also applies to the area of Risk Assessment.</p> <p>No weaknesses were found with regard to the areas of Conservancy, Pilotage; Marine Services and Emergency Response.</p>	Control Area	Urgent	Important	Needs Attention	Operational	Governance*	0	4	4	0	Hazards**	0	0	1	0	Total	0	4	5	0
Control Area	Urgent	Important	Needs Attention	Operational																	
Governance*	0	4	4	0																	
Hazards**	0	0	1	0																	
Total	0	4	5	0																	
<p>SCOPE</p> <p>The objective of the audit is to undertake an independent audit of the Authority's Safety Management System, in line with the requirement of the Port Marine Safety Code (PMSC).</p>																					

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RATIONALE

- The systems and processes of internal control are, overall, deemed 'Reasonable' in managing the risks associated with the audit. The assurance opinion has been derived as a result of four 'important' and five 'needs attention' recommendations being raised upon the conclusion of our work.

POSITIVE FINDINGS

It is acknowledged there are areas where sound controls are in place and operating consistently:

- The Designated Person (DP) (Head of Safety Management) has direct access to the Duty Holder, which is the full Broads Authority. There is a standing item on every Broads Authority meeting agenda and DP has direct access to the lead member for safety, who also chairs the Navigation Committee and the Boat Safety Management Group (BSMG).
- The Harbour Masters National Occupational Standards have been reviewed and a responsibility matrix has been produced, which details those posts within the Authority where certain harbour master functions reside, such as the Director of Operations and the Head of Safety Management.
- There is a standing safety committee meeting, namely the BSMG, for which terms of reference include providing advice on the on-going maintenance and delivery of the Safety Management System (SMS) in a timely fashion.
- An annual training plan is in place for the Operation Directorate, which includes the key officers involved with the SMS.
- The approach to consultation is contained within section 4 of the SMS, which describes how consultation is undertaken with the Navigation Committee, BSMG, Broads Forum and Broads Local Access Forum. In addition, consultation is undertaken with a number of stakeholders that include other harbour authorities, statutory/legislative bodies, special interest groups and local groups.
- The Norfolk and Suffolk Broads Act 1988 gives the Broads Authority the power to make byelaws "for the good management of the navigation area". The SMS and Broads Authority website is up to date with the latest set of byelaws.

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- A Hydrographic Policy audit has been undertaken which is due to be reported to the BSMG and there is a programme of hydrographic surveys in place which feeds into the dredging programme. The results of the surveys are also placed on the Broads Authority website so that this information can be viewed by users of the broads.
- The 2015/16 hazard review log is appended to the SMS and is reviewed every three years by way of a full stakeholder review. This is also reviewed on an ongoing basis by an annual and six monthly review and report to the BSMG of incidents that have occurred. Anything significant is also reported to the BSMG, in a timely manner, such as Hazard No. 26 Obstructions to navigation, which was reviewed at the 27 February 2017 BSMG.
- The Head of Safety Management monitors the Marine Accident Investigation Branch (MAIB) website and is sent reports from a variety of sources including the UK harbour masters and Boat Safety Scheme.

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ISSUES TO BE ADDRESSED

The audit has highlighted the following areas where four 'important' recommendations have been made.

Governance

- To arrange for a peer review to be undertaken of the Broads Authority's Safety Management System (SMS) by the Canal and River Trust as a reciprocal arrangement in between external audit visits. This will help to mitigate the associated risks with safety management and contribute to assessing the performance of the SMS through benchmarking against other similar organisations.
- A PMSC dedicated page is developed on the Authority's website, to include a performance dashboard, and a link to SMS, to reduce the risk that the PMSC is not complied with and performance of the PMSC is not transparent.
- The Authority's annual report should refer to the PMSC, including compliance with this and the standard of performance, cross referenced to the performance dashboard to help mitigate the risk that the PMSC is not complied with and performance of the PMSC is not transparent.
- To update the Authority's SMS to include reference to the commitment of the Broads Authority to comply with the standards laid down within the PMSC; reference be made to the harbour revision order being progressed for the transfer of Mutford Lock to the Authority; inclusion of an overall section on contractors and their obligations in respect of the PMSC; and the general direction and special direction policies as agreed with the Navigation Committee. Inclusion of relevant policies and harbour orders mitigates the risk that the Authority's powers and procedures are not transparent.

The audit has also highlighted the following areas where five 'needs attention' recommendations have been made.

Governance

- To formalise the reporting of internal audits by the Head of Safety Management to the appropriate committees / groups, e.g. the BSMG, including the annual schedule / internal audit programme of audits. This will help to mitigate the risk that some areas may not be in compliance.
- The PMSC is included as a standard item in the Authority's officer induction pack / process to reduce the risk that staff undertake tasks that are not in compliance with the code.
- Briefings given to the Navigation Committee and BSMG on the risk assessment process, hazard identification and assessment and the ALARP principle are documented and recorded in the minutes. Briefing packs, in relation to the risk assessment process, hazard identification and assessment and the ALARP

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principle, are made available to all new appointees to the Navigation Committee and the BSMG. This will help reduce the risk that misinformed decisions are made resulting in inadequate port marine safety.

- A timescale is finalised for the roll out of the document management system in relation to the safety management team, to mitigate the risk that out of date or incomplete documents are used.

Hazards

- To review the SMS risk categories / criteria of 'people', 'environment' and 'assets' against the four criteria of: 'life, environment, business (reputation) and damage (port and shipping)' as contained in the latest PMSC Guide to Good Practice, mitigating the risk that the consequences of risks/hazards are not appropriately assessed and mitigated as required.

Operational Effectiveness Matters

There are no operational effectiveness matters for management to consider.

Previous audit recommendations

The last independent audit was undertaken in September 2014 by BMT Isis (technical consultancy firm) with the report issued in December 2014, which was reported to the full Broads Authority on 15th May 2015. Of the six recommendations made within this audit report, three remain outstanding which relate to the use of a reciprocal arrangement with another harbour authority for external audit purposes; the status of each performance indicator to be clearly presented on a designated page on the Authority's website; and all new appointees to the Navigation Committee and the Boating Safety Management Group receive training on the risk assessment process, hazard identification and assessment and the ALARP principle. These have been superseded by recommendations raised within this audit, the control issues are still present but the recommendations have been expanded and modified to reflect the testing results and current situation.

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Report Findings and Management Action Plan

INTRODUCTION

1. This review was carried out in September 2017 as part of the planned internal audit work for 2017/18. Based on the work carried out an overall assessment of the overall adequacy of the arrangements to mitigate the key control risk areas is provided in the Executive Summary.

KEY FINDINGS & ACTION POINTS

2. The key control and operational practice findings that need to be addressed in order to strengthen the control environment are set out in the Management and Operational Effectiveness Action Plans. Recommendations for improvements should be assessed for their full impact before they are implemented.

SCOPE

3. The definition of the type of review, the limitations and the responsibilities of management in regard to this review are set out in the Annual Plan.

MATERIALITY

4. The PMSC was published by the Government in March 2000 and updated in November 2016. The Code establishes an agreed national standard for port marine safety, and formalises the duties and responsibilities for safety and environmental protection within UK ports and harbours. The Authority is designated a "Special Statutory Authority", affording the same level of protection as National Park status, but with tailor-made legislation relating to navigation. The Authority therefore balances the duties and powers of a harbour authority with those of a National Park authority. As a Special Statutory Authority, the Broads Authority has undertaken a pragmatic approach to the application of the PMSC. The Broads Authority undertakes the role of Duty Holder under the PMSC and has appointed the Head of Safety Management as the Designated Person who is required to provide independent assurance directly to the duty Holder that the safety management system is working effectively.

Failure to comply is not an offence in itself. However, the code represents good practice as recognised by a wide range of industry stakeholders and a failure to adhere to good practice may be indicative of a harbour authority being in breach of certain legal duties. Moreover, the organisation may suffer reputational damage if it has publicly committed to the code's standards and then fails to meet them. A successful prosecution has been brought against a harbour authority for breach of section 3 of the Health and Safety at Work Act 1974, in that non-compliance with the fundamental elements of the code evidenced a failure to provide a safe system of work.

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Management Action Plan

Rec.	Risk Area	Finding	Recommendation	Priority	Management Comments	Implementation Timetable (dd/mm/yy)	Responsible Officer (Job Title)
1	Compliance	<p>Governance – Independent assurance is provided by the three yearly external audit.</p> <p>This helps mitigate the risks associated with the DP not being an independent person to provide assurance to the Duty Holder that the SMS is working effectively. The DP is the Head of Safety Management.</p> <p>However, due to the current DP's involvement with the SMS, the 2014 audit recommended that a reciprocal arrangement with another harbour authority for external audit purposes is considered.</p> <p>The Head of Safety Management has been in contact with the Canal and River Trust, which has similarities with the Broads Authority including the DP also being the Head of Safety.</p>	<p>Recommendation 1: To arrange for a peer review to be undertaken of the Broads Authority's Safety Management System (SMS) by the Canal and River Trust, or another suitable organisation, as a reciprocal arrangement in between external audit visits in addition to the 3 yearly external audit.</p> <p>Rationale and risk: The PMSC Guide to Good Practice advocates that the DP is independent of the SMS process and external / peer reviews would assist in mitigating the risks associated with this. This will also assist in assessing the performance of the SMS through benchmarking against other similar organisations.</p>	2	<p><i>Agreed. The Authority has considered the issue of independence of the external auditors and the appointed designated person. The Authority is assured that the recent change in external audit providers adequately provides the assurance that the process is independent and complies with the requirements of the Port Marine Safety Code. However the recommendation of using a peer review or a MCA health check will give further assurance of independence.</i></p> <p><i>The Authority will commence talks with possible providers, by September 2018, regarding this proposal with the aim of scheduling an interim peer review or Health check in 2019.</i></p>	31/01/19	Head of Safety Management

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2	Compliance	<p><u>Governance</u> - The Authority's SMS, states that 'performance indicators will be monitored monthly to provide evidence of the continued functioning of the SMS, and enable progress towards (or away from) targets to be assessed. The status of each indicator, in relation to its defined target, will be recorded on the Authority's website.'</p> <p>However, as also highlighted in the recommendation from the 2014 audit, it is difficult to locate this information on the website.</p> <p>The Broads Authority 2015/16 annual report refers to some performance information in relation to the PMSC, but is not comprehensive.</p> <p>The 2014 external audit also recommended that the status of each indicator is to be clearly presented on a designated page on the Authority's website, detailing the target, current performance against the target and the historic trend.</p> <p>The PMSC is available on the Broads Authority's website, although this is quite difficult to locate as it is in an area not obviously linked to the PMSC.</p>	<p>Recommendation 2: To include a PMSC dedicated page on the Authority's website. This should include:</p> <ul style="list-style-type: none"> - A performance dashboard showing the status of each indicator, detailing the target, current performance against the target and the historic trend. - The Authority's SMS, highlighting the Authority's responsibilities as Duty Holder for the Broads. <p>Rationale and risk: A dedicated page on the website would increase the awareness and prominence of the PMSC and a consistent approach to reporting performance, mitigating the risk that the PMSC is not complied with and performance of the PMSC is not transparent.</p>	2	<p>Agreed.</p> <p><i>A dedicated webpage will be developed to pull together the elements that are already published but scattered around the website. This "new" page will allow for the compliance statements to be located where a clear focus exists on the PMSC and the SMS</i></p>	31/03/18	<p>Head of Safety Management, Head of Communications</p>
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3	Compliance	<p><u>Governance</u> - A statement regarding the standard of the organisation's performance should be included in the Duty Holder's annual Report. A review of the Broads Authority 2015/16 Annual report established no specific mention of the PMSC.</p>	<p>Recommendation 3: The Authority's annual report should refer to the PMSC, including compliance with this and the standard of performance, cross referenced to the performance dashboard.</p> <p>Rationale and risk: Inclusion in the authority's annual report would increase the awareness and prominence of the PMSC, mitigating the risk that the PMSC is not complied with and performance of the PMSC is not transparent.</p>	2	<p>Agreed.</p> <p><i>The Annual report is prepared during the spring of each year and published in the Summer. A statement to reflect the recommendation will be included in the next annual report and will feature as a standing item in future reports.</i></p>	30/09/18	<p><i>Head of Safety Management, Head of Communications</i></p>
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4	Compliance	<p><u>Governance</u> – The review of the Authority’s SMS identified the following items were not included:</p> <ul style="list-style-type: none"> - Commitment to comply with the standards laid down in the PMSC. The 2014 audit recommended that is included in the introduction section of the SMS; - Harbour revision orders are applicable to the Authority and there is one currently going through for the transfer of Mutford Lock to the Authority. This however, is not included in references made to Mutford Lock; - There are various references to the contractor obligations, in respect of the PMSC, but no overall section on contractors; - General direction and special direction policies as agreed with the Navigation Committee. 	<p>Recommendation 4: To update the Authority’s SMS as follows:</p> <ul style="list-style-type: none"> - The Introduction chapter to include reference to the commitment of the Broads Authority to comply with the standards laid down within the PMSC; - Reference is made to the harbour revision order being progressed for the transfer of Mutford Lock to the Authority; - Inclusion of an overall section on contractors and their obligations in respect of the PMSC; - Inclusion of the general direction and special direction policies as supported by the Navigation Committee. <p>Rationale and risk: This will document that the Duty Holder makes a clear published commitment to comply with the standards laid down in the Code. Clearly documented obligations of contractors mitigates the risk that contactors do not comply with the code. Inclusion of relevant policies and harbour orders mitigates the risk that the authority’s powers and procedures are not transparent.</p>	2	<p>Agreed.</p> <p><i>The SMS will be updated during the winter of 2017 for adoption by the Authority at its meeting in March 2018.</i></p> <p><i>All of the recommended changes and additions will be included in the new version 7 of the SMS.</i></p>	31/03/18	Head of Safety Management
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5	Compliance	<p>Governance – The Head of Safety Management undertakes internal audits for elements of the PMSC on a rolling basis, the last element being the hydrographic policy in May 2017, with a planned audit of conservancy due in December 2017 as shown in the Authority’s internal audit programme 2017/18.</p> <p>The hydrographic audit will be reported to the Broads Authority, Navigation Committee and the Boat Safety Management Group along with the results of this audit.</p> <p>There is, however, no standard procedure to report audit outcomes to a group/committee on a consistent basis.</p>	<p>Recommendation 5: To formalise the reporting of internal audits by the Head of Safety Management to the appropriate committees / groups, e.g. the BSMG including the annual schedule / Internal Audit Programme of audits. To ensure these cover all aspects of the PMSC.</p> <p>Rationale and risk: The BSMG would receive assurance that the SMS is reviewed against all aspects of the PMSC mitigating the risk that some areas may not be in compliance.</p>	3	<p>Agreed.</p> <p><i>SMS audits for 2017 will be reported to the Boat Safety Management Group in Jan 2018, Navigation Committee Feb 2018 and to the duty holders in March 2018. The SMS will be updated to reflect this formal reporting requirement at its next issue in March 2018</i></p>	31/03/18	Head of Safety Management
6	Compliance	<p>Governance – Officers of the Authority are not required to read and sign the SMS, although related duties are included in officers job descriptions, where applicable.</p> <p>However, to re-enforce the Authority’s obligations and commitment to the code, it is proposed that the PMSC is included in the Broads Authority induction pack/process.</p>	<p>Recommendation 6: The PMSC is included as a standard item in the Authority’s induction pack/process.</p> <p>Rationale and risk: The requirements of the PMSC are far reaching and affects many aspects of the Boards authority work. Including this in the induction process helps reduce the risk that staff undertake tasks that are not in compliance with the code.</p>	3	<p>Agreed.</p> <p><i>Duty Holders and operational staff have received PMSC awareness training.</i></p> <p><i>Induction programme will be updated to include mandatory PMSC SMS awareness training for new starters</i></p>	30/11/17	Head of Human Resources

7	Compliance	<p><u>Governance</u> – Members of the Broads Authority receive PMSC training, with refresher training provided in January 2017.</p> <p>Training to the Navigation Committee and the BSMG is provided via briefings from the Head of Safety Management when the hazard log is reviewed.</p> <p>However, these briefings are not evident from a review of the minutes.</p> <p>The stakeholder group involved in the review of specific hazards also receive a briefing pack.</p>	<p>Recommendation 7: Briefings given to the Navigation Committee and BSMG on the risk assessment process, hazard identification and assessment and the ALARP principle are documented and recorded in the minutes.</p> <p>Briefing packs in relation to the risk assessment process, hazard identification and assessment and the ALARP principle (which are provided to the stakeholder group involved in the review of hazards) should also be made available to all new appointees to the Navigation Committee and the BSMG. Consideration is also given to providing these to all members of the Navigation Committee and the BSMG.</p> <p>Rationale and risk: A record of all training provides confirmation that it has taken place and reduces the risk that misinformed decisions are made resulting in inadequate port marine safety.</p>	<p><i>Agreed.</i></p> <p><i>All members of Boat safety management group, the stakeholder hazard review group, the navigation committee and the Broads Authority receive training on risk assessment and ALARP principles before dealing with the risk assessments process.</i></p> <p><i>This formal training will be recorded in the minutes of each of the groups/committees at the next opportunity when hazards are reviewed/assessed scheduled for Feb 2019</i></p> <p><i>Any new members to the group will be trained in this regard prior to any risk review or assessment as part of the regular refresher training being delivered each time the risk review process is entered into.</i></p>	28/02/19	Solicitor and Monitoring Officer, Head of Safety Management
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8	Compliance	<p><u>Governance</u> – The 2014 audit recommended that the Broads Authority introduce a document control procedure to ensure that all safety related documentation is maintained, up to date and at the correct issue status.</p> <p>The Head of Safety Management has introduced a document version control procedure which includes different version numbers of documents.</p> <p>This is a temporary solution until the full roll out of the Authority’s document management system. The Head of Safety Management, however, is unsure of the timescale for this in relation to the Operations Directorate and therefore when it will be implemented for safety management.</p>	<p>Recommendation 8: A timescale is finalised for the roll out of the document management system in relation to the safety management team.</p> <p>Rationale and risk: Adequate document management provides a clear audit trail so that documents can be used in the right context and mitigate the risk that out of date or incomplete documents are used.</p>	3	<p><i>Agreed.</i></p> <p><i>A Document Management System work area is to be created where the Safety Management System documents will be stored with check-in and check-out monitoring including version control and tracking.</i></p> <p><i>All SMS document will then fall under strict version control and security systems.</i></p> <p><i>Meeting to scope project scheduled for 24 October. Timescales to be determined on completion of scoping; delivery is dependent on the IT work plan and priorities</i></p>	31/12/2017	Head of ICT and Collector of Tolls
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9	Compliance	<p><u>Hazards</u> – The PMSC Guide to Good Practice states that risks and the impact of identified outcomes should normally be assessed against four criteria; the consequence to: life, environment, business (reputation) and damage (port and shipping).</p> <p>However, the Authority’s SMS risk approach is assessed against people, environment and assets.</p>	<p>Recommendation 9: To review the SMS risk categories / criteria of people, environment and assets against the four criteria of: life, environment, business (reputation) and damage (port and shipping), as contained in the latest PMSC Guide to Good Practice.</p> <p>Rationale and risk: The risk categories/criteria will be based on the latest PMSC Guide to Good Practice mitigating the risk that the consequences of risks/hazards are not appropriately assessed and mitigated as required.</p>	3	<p><i>Agreed.</i></p> <p><i>A review of assessment criteria will be carried out by the Boat Safety management Group at its meeting in March 2018.</i></p> <p><i>Any “new” criteria will be used as the basis for the next formal stakeholder hazard review in February 2019</i></p>	31/03/18	<i>Head of Safety management</i>
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Operational Effectiveness Matters

Ref	Risk Area	Item	Management Comments
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No operational effectiveness matters were raised.

FINAL

Internal Audit work is performed in accordance with the IIA's recognised standards'

APPENDIX 1 - DEFINITIONS

RISK AREA ASSURANCE ASSESSMENTS

5. The definitions of the assurance assessments are:

Substantial Assurance	Based upon our findings there is a robust series of suitably designed internal controls in place upon which the organisation relies to manage the risk of failure of the continuous and effective achievement of the objectives of the process, which at the time or our review were being consistently applied.
Reasonable Assurance	Based upon our findings there is a series of controls in place, however there are potential risks that may not be sufficient to ensure that the individual objectives of the process are achieved in a continuous and effective manner. Improvements are required to enhance the adequacy and effectiveness of the controls to mitigate these risks.
Limited Assurance	Based upon our findings the controls in place are not sufficient to ensure that the organisation can rely upon them to manage the risks to the continuous and effective achievement of the objectives of the process. Significant improvements are required to improve the adequacy and effectiveness of the controls.
No Assurance	Based upon our findings there is a fundamental breakdown or absence of core internal controls such that the organisation cannot rely upon them to manage the risks to continuous and effective achievement of the objectives of the process. Immediate action is required to improve the adequacy and effectiveness of controls.

6. The definitions of the priority gradings are:

1	URGENT	Fundamental control issue on which action to implement should be taken within 1 month.	2	IMPORTANT	Control issue on which action should be taken to implement should be taken within 3 months.	3	NEEDS ATTENTION	Control issue on which action to implement should be taken within 6 months.
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Operational Effectiveness Matters need to be considered as part of management review of procedures, rather than on a one-by-one basis.

FINAL

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APPENDIX 2 - AUDIT TIMETABLE

7. The table below sets out the history of this report.

	Expected Date:	Actual Date:
Start of Fieldwork:	3rd July 2017	3rd July 2017
Debrief Meeting:	19th September 2017	19th September 2017
End of Fieldwork:	26th September 2017	19th September 2017
Draft Report Issued:	3rd October 2017	11th October 2017*
Exit Meeting:	10th October 2017	N/A
Final Report Issued:	12th October 2017	1st November 2017

*Delay due to timing of file review prior to issue.

FINAL

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APPENDIX 3 - ACKNOWLEDGEMENT

8. We would like to thank staff at Broads Authority for their co-operation and assistance during the course of our work, in particular:
- Steve Birtles - Head of Safety Management
 - Dan Hoare – Head of Construction, Maintenance and Environment

APPENDIX 4 - DISCLAIMER

9. The matters raised in this report are only those that came to the attention of our auditor during the course of the internal audit review and are not necessarily a comprehensive statement of all the weaknesses that exist or all the improvements that might be made. This report has been prepared solely for management's use and must not be recited or referred to in whole or in part to third parties without prior written consent. No responsibility to any third party is accepted as the report has not been prepared, and is not intended, for any other purpose. TIAA neither owes nor accepts any duty of care to any other party who may have received this report and specifically disclaims any liability for loss, damage or expense of whatsoever nature, which is caused by their reliance on our report.

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**Broads Local Plan – update, comments received and
residential moorings nominations for consideration.**

Report by Planning Policy Officer

Summary:	<ol style="list-style-type: none">1. The report provides an update on the progress of the Local Plan2. The report shows the general nature of the comments received and highlights policies that have navigation relevance.3. The report includes three additional nominations for residential moorings.
Recommendation:	1 and 2 are noted. Navigation Committee's thoughts on some particular comments received are welcomed and will be passed onto the Planning Committee. Similarly, with regards to the nominations for residential moorings, any comments are welcomed and will be passed onto the Planning Committee and the Broads Authority.

1. Introduction

- 1.1 The Publication version of the Local Plan for the Broads was subject to public consultation that ended on 12 January 2018.
- 1.2 This report provides an update to Navigation Committee members and asks for comments on some nominations for residential moorings received as part of this consultation.
- 1.3 The Broads Local Plan Submission Document is on the agenda of the Planning Committee on 2 March 2018 for comments, and on the Full Authority meeting on 16 March 2018 for approval.

2. Progress of the Local Plan

- 2.1 The Publication version of the Local Plan is the last stage of consultation before the Local Plan is submitted to the Planning Inspectorate. It was subject to public consultation from early November 2017 to 12 January 2018. Officers are reviewing the comments, liaising with some stakeholders to better understand their comments as well as to try and tackle some issues raised prior to submitting the Local Plan. We are producing a schedule of proposed changes to the Local Plan that have come about as a result of the consultation and this will be submitted to the Planning Inspectorate alongside the Local Plan.

2.2 In addition to consultation with the stakeholders on our database, we consulted the neighbours of the proposed residential mooring sites to ascertain their view. This bespoke consultation ran until 16 February (beyond the deadline for this report) but the general nature of comments received at the time of writing this report are covered in the next section and any further comments received will be reported verbally.

3. Comments received

3.1 At the time of writing this report, Officers were still going through the comments, still having meetings with some organisations and therefore still finalising our responses to the comments, therefore it was not possible to present a final version for this report. However a visual summary is presented in the matrix in Appendix A showing the type of comments received, to which policy they related and from whom they originated. Please note that this is in draft format.

3.2 Turning to the policies with potential navigation interest, the following is a list of such policies with a very brief summary of the comments received. There are of course many other policies in the Local Plan.

- Policy PUBDM2: Boat wash down facilities – RSPB queried what happens to capturing wash from the boats if boatyards do prove a viability issue.
- Policy PUBDM7: Green Infrastructure – minor comments from Historic England and EA.
- Policy PUBSP3: Climate Change - support/no comments
- Policy PUBDM8: Climate Smart Checklist - support/no comments
- Policy PUBDM21: Light pollution and dark skies – objection from the NFU as farmers need to have lights on at some times.
- Policy PUBSP8: Access around the Broads – should refer to historic environment
- Policy PUBSP9: Getting around the Broads - support/no comments
- Policy PUBDM23: Recreation Facilities Parking Areas - support/no comments
- Policy PUBSP11: Waterside sites - support/no comments
- Policy PUBDM27: Development on Waterside Sites – minor comments from the EA
- Policy PUBSP12: Sustainable Tourism – minor text changes proposed from Waveney District Council and Historic England
- Policy PUBDM28: Sustainable Tourism and Recreation Development - support/no comments
- Policy PUBSP13: Navigable Water Space – minor comment from Norwich City Council.
- Policy PUBSP14: Mooring Provision - support/no comments
- Policy PUBDM30: Access to the Water - support/no comments
- Policy PUBDM31: Riverbank stabilisation – minor comment from EA
- Policy PUBDM32: Moorings, mooring basins and marinas - support/no comments
- Policy PUBDM36: New Residential Moorings – James Knight objects to development boundary locational requirement and Norwich City Council

are seeking to allow residential moorings in main river channels rather than basins or marinas.

- Policy PUBDM45: Safety by the Water - support/no comments
- Policy PUBDM46: Planning Obligations and Developer Contributions – queries mainly relating to the list of schemes included within the policy.
- Policy PUBDM48: Advertisements and Signs - support/no comments
- Policy PUBDM49: Leisure plots and mooring plots - support/no comments
- Policy PUBBEC2: Beccles Residential Moorings (H. E. Hipperson's Boatyard) – minor text change proposed from Historic England.
- Policy PUBBRU2: Riverside Estate Boatyards, etc. - support/no comments
- Policy PUBBRU3: Mooring Plots - support/no comments
- Policy PUBBRU4: Brundall Marina - support/no comments
- Policy PUBBRU6: Brundall Gardens - support/no comments
- Policy PUBCHE1: Greenway Marine Residential Moorings – concern regarding potential anti-social behaviour of future occupiers and upkeep of moorings.
- Policy PUBDIL1: Dilham Marina (Tyler's Cut Moorings) - support/no comments
- Policy PUBGTY1: Marina Quays (Port of Yarmouth Marina) – site owner's representatives want the allocation extended and holiday homes, residential moorings and market homes permitted.
- Policy PUBHOR3: Waterside plots - support/no comments
- Policy PUBHOR4: Horning Sailing Club - support/no comments
- Policy PUBHOR5: Crabbett's Marsh - support/no comments
- Policy PUBHOR6: Horning - Boatyards, etc. at Ferry Rd. & Ferry View Rd - support/no comments
- Policy PUBHOR7: Woodbastwick Fen moorings - support/no comments
- Policy PUBLOD1: Loddon Marina Residential Moorings – concern regarding potential anti-social behaviour of future occupiers and upkeep of moorings.
- Policy PUBOUL1: Boathouse Lane Leisure Plots – minor text changes from Suffolk County Council.
- Policy PUBPOT 1: Bridge Area - support/no comments
- Policy PUBPOT3: Green Bank Zones - support/no comments
- Policy PUBSOL1: Riverside area moorings - support/no comments
- Policy PUBSTA1: Land at Stalham Staithe (Richardson's Boatyard) - support/no comments
- Policy PUBTSA2: Thorpe Island – Broadland District Council seek clarity and query evidence on which policy drafted. Thorpe St Andrew Town Council have concerns regarding some text wording. James Knight raises comments relating to various aspects including the site being ideal for residential moorings and querying various aspects of the policy.
- Policy PUBTSA3: Griffin Lane – boatyards and industrial area - support/no comments
- Policy PUBTSA4: Bungalow Lane – mooring plots and boatyards - support/no comments
- Policy PUBWHI1: Whitlingham Country Park - support/no comments
- Policy PUBSSTRI: Trinity Broads - support/no comments

- Policy PUBSSUT: Upper Thurne - support/no comments
- Policy PUBSSPUBS: Waterside Pubs Network - support/no comments
- Policy PUBSSSTAITHES: Staithes - support/no comments

4. Members' thoughts are requested on:

- Norwich City Council has proposed that in some areas, if impact on navigation is proven to not be an issue, residential moorings could be placed on main river channels, especially in Norwich. Do Members have any thoughts on this suggestion?
- Through planning permission, the Authority can condition the scale, size and number of boats at residential moorings, but not control non-planning issues (such as the boats being kept tidy) and we cannot require something like a tenancy agreement with the owner of the boatyard that covers how the moorings will be managed. Do Members have thoughts on how to address the management of residential moorings as well as the upkeep of the boats that use residential moorings?
- There have been some comments highlighting some concerns of potential future anti-social behaviour at Loddon Marina and Greenway Marine (because, allegedly, there have been incidences in the past) in relation to residential moorings. One way to respond would be to reduce the allocation at Loddon Marina from 10 residential moorings to 5. Views from the Navigation Committee are invited.

5. Additional nominations for Residential Moorings

- 5.1 Three further sites have been put forward for assessment and potential allocation for residential moorings. The table below shows a summary of the nominations, with the full draft assessment included at Appendix B. Navigation Committee Members' thoughts are requested on these nominations and these comments will be reported to Planning Committee and the Broads Authority.
- 5.2 Please note that the Authority cannot change the Local Plan at this stage. The assessment at Appendix B will be submitted to the Planning Inspectorate and a schedule of proposed changes will be submitted that will include any newly proposed policies covering any allocations that the Authority supports.
- 5.3 The Assessment at Appendix B assesses the nominations against the proposed Residential Moorings policy, against the Housing and Economic Land Availability Assessment Criteria and also against the Sustainability Appraisal Criteria.

Location	Number of residential moorings	Summary of considerations.	Proposed to be allocated in the Local Plan?
Ropes Hill, Horning	Up to 6	Would involve a new mooring cut in peat and a new utilities building. Moorings and residential are	Yes, up to 6 residential moorings, but only when adequate capacity at the Water Recycling

Location	Number of residential moorings	Summary of considerations.	Proposed to be allocated in the Local Plan?
		typical land uses in the area. Horning Knackers Wood Water Recycling Centre (WRC) capacity issues.	Centre is proven.
Somerleyton Marina, Somerleyton	Up to 10 residential moorings.	Quay heading will need improving. Waveney District allocating sites for tens of dwellings as well as placing a development boundary so the marina will be adjacent to this. Only a school is provided, but a shop has permission and will be provided in the future.	Yes, up to 10 residential moorings.
St Olaves Marina, St Olaves.	Up to 12 residential moorings.	Quay heading will need improving. On main river channel rather than in a marina. No development boundary nearby. Most services a drive away. Train station nearby. Bus service and bus stop nearby but not at peak times. Residential moorings here would offset cost of improving quay heading.	No. Isolated from services and facilities. On main river channel so potential impact on navigation.

6. Next Steps

- 6.1 Subject to approval from the Broads Authority at its meeting on 16 March 2018 it is proposed that the Local Plan and supporting documents will be submitted to the Planning Inspectorate soon after.

- 6.2 The examination stage of the Local Plan will then begin. This is where the Planning Inspector assesses the Local Plan and comments received to see whether the plan is 'sound' and can then be used in determining planning applications.
- 6.3 Whilst there is no set timetable, a programme will be provided following submission and the Planning Inspectorate guidelines indicate that hearings could begin towards the start to middle of June (i.e. 10 – 12 weeks from submission) and there will likely be a six week consultation as part of the Examination. It is provisionally anticipated that the Inspector's Report will be received in the autumn with adoption soon after.
- 6.4 It should be noted however that the examination process of some recently examined Local Plans has taken up to a year or even longer.

7. Conclusion

- 7.1 The level and content of the responses to the consultation is welcome. The responses show great interest in the Local Plan and in the Broads. There are many passionate stakeholders in the area.
- 7.2 Whilst many comments have been received, many are supporting the Local Plan or policies and many detailed comments can quite easily be addressed. There are some outstanding comments that will need further dialogue through the examination.
- 7.3 It will be for the Inspector to assess the Local Plan once it is submitted.

Background papers: None
Author: Natalie Beal
Date of report: 9 February 2018

Appendices: Appendix A - Broads Local Plan Publication version – Draft consultation response matrix
[Appendix B - Draft assessment of additional nominations for Residential Moorings](#)

**Planning Applications with Navigation Implications:
Variation of condition 2: approved plans, and removal of conditions 7: ramp
sections, and 9: archaeology of permission BA/2014/0407/FUL. Hoveton
Marshes, Horning Road, Hoveton.**
Report by Planning Officer

Summary: Planning application to vary and remove the conditions of an existing planning permission for a new access, car park and other infrastructure to facilitate the use of a canoe trail across Hoveton Marshes.

Member's views are sought on the proposals.

1 Background

- 1.1 The application site forms part of the Hoveton Estate and includes areas of agricultural land and sites around Pound End Broad and Hoveton Marshes. This area lies to the south of Horning Road between the main settlements of Hoveton and Horning and to the west of the River Bure, north of Hoveton Great Broad. Other than the far south of the application site where it adjoins Hoveton Great Broad, the majority of the application area is not under any habitat designation. The application site does not include any part of the River Bure or other publically navigable waters.
- 1.2 Members may recall that in September 2014, planning permission was granted for development to facilitate a lake restoration project, proposed by Natural England (BA/2014/0248/FUL). That project is now underway. Subsequent to that permission being granted, an application proposing development facilitating a canoe trail on Hoveton Marshes to the north of Hoveton Great Broad was considered (BA/2014/0407/FUL). This was submitted partly in response to desires expressed in consultation responses to the previous application to improve public access to the site. When considering the initial project (and associated funding bids) at the Broads Authority meeting of 26 September 2014, the Broads Authority concluded that it supported the project subject to the inclusion of better public access to the project site.
- 1.3 In March 2015 planning permission was granted for a new access, car park and other infrastructure to facilitate the restoration of the dykes and waterways across Horning Marshes and the subsequent development and use of a canoe trail (BA/2014/0407/FUL). The Navigation Committee was consulted on this application and did not have a recommendation but advised the normal safety criteria should apply to the proposed structures.

2 The Planning Application

- 2.1 The current application seeks to amend the permission which authorised the development and use of the canoe trail by varying and removing three of the conditions.
- 2.2 The amendments are: the provision of boat trips on an amended route, rather than canoe trips; slubbing out dykes with an excavator and depositing spoil on adjacent banks, rather than mud-pumping to a lagoon; and the slipway and staithe structures are proposed to be amended to allow boat, rather than canoe, access.
- 2.3 It is proposed to change the trail from guided canoes to a guided boat trip. This would be a propeller driven boat with an electric motor and maximum capacity of 17 adults, plus one crew. The precise specification would be agreed by condition. There would be a maximum of six trips per day on the same terms as the approved canoe trail. An amended route through the marshes is proposed and, as with the approved canoe trail, would not access the river.
- 2.4 The amended sediment removal method would not require the creation or use of a de-watering lagoon so a condition requiring an archaeological investigation of the approved lagoon area is proposed to be removed as is another requiring details of a ramp between the car park and footpath.
- 2.5 All other aspects of the development would remain as approved.
- 2.6 At the meeting of 2 February 2018, the Planning Committee resolved to grant planning permission for the proposal subject to any further consultation responses and the comments of the Navigation Committee.

3 Navigation Issues

- 3.1 The proposed development is all outside the public navigation.
- 3.2 Pound End Broad and the waterways across Hoveton Marshes are not open to navigation by the public. The proposal would allow a guided boat trail to operate here, in place of the approved canoe trail. The only use of the river associated with the development would be at the start and end of each season when the boat would be brought on and off site.

4 Conclusions

- 4.1 Member's views are sought on the proposed amendments to the approved trail and any matters of relevance to navigation. Any comments will be considered as part of the planning process.

Background papers:	None
Author:	Maria Hammond
Date of report:	7 February 2018
Broads Plan Objectives:	None
Appendices:	None

**Planning Applications with Navigation Implications:
Floating pontoon with access ramp/walkway and removal of 3 mooring posts;
BA/2017/0491/HOUSEH; Clearwater, Broadview Road, Lowestoft.**
Report by Planning Assistant

Summary: Planning application to remove three existing mooring posts and replace with a floating pontoon with a ramp providing access from the garden of Clearwater, Broadview Road, Lowestoft.
Member's views are sought on the proposals.

1 Background

- 1.1 The application site is a dwellinghouse, Clearwater, on the southern side of Broadview Road, Oulton Broad, Lowestoft. This is a substantial three storey detached dwelling dating from the 1970s which has been refurbished in a contemporary style. The dwelling sits within a large plot extending from the road to the Broad. There are three existing timber mooring posts that are located within the Broad approximately 6 metres to the south of the bank of the Broad and are 6 metres apart from one another in a west to east orientation.
- 1.2 The property Clearwater is located within development of houses which line the central part of the northern bank of Oulton Broad. A number of properties in this area take advantage of the location to moor to the Broad-side frontage and neighbouring properties, Dabchick Dyke, Waterside and Mere House have floating pontoons of various designs; perpendicular to the bank, adjacent to the bank and an L-shape around the end of a mooring cut.

2 The Planning Application

- 2.1 The current application seeks to remove the existing mooring posts and replace them with a floating pontoon. The floating pontoon would be located 2.2 metres from the bank and have a width of 2 metres; with the furthest edge of the pontoon therefore 4.2 metres from the bank of the Broad. The floating pontoon would be 11.5 metres in length. A ramp would provide access on the western end of the floating pontoon, across the 2.2 metre gap between the bank and the pontoon.

3 Navigation Issues

- 3.1 The proposed floating pontoon would sit closer to the property than the existing three mooring posts and would allow the mooring of boats within Oulton Broad.

4 Conclusions

- 4.1 Member's views are sought on the proposed development and any matters of relevance to navigation. Any comments will be considered as part of the planning process.

Background papers: None

Author: George Papworth
Date of report: 7 February 2018

Broads Plan Objectives: None

Appendices: None

**Construction, Maintenance and Environment Work Programme
Progress Update**

Report by Head of Construction, Maintenance & Environment

Summary: This report sets out the progress made in the delivery of the 2017/18 Construction, Maintenance and Environment Section work programme to date. A selection of images illustrating the work sites and tasks will be presented during the meeting.

1 Construction Programme update

- 1.1 The progress of the Construction and Maintenance work programme is described in this report. The detailed breakdown in Appendix 1 shows that up to the end of January 2018, 46,920 m³ of dredged sediment has been removed from the prioritised sites. This represents 88% of the programmed target of 53,000 m³.
- 1.2 Dredging on the Lower Bure between Stokesby and Runham has been completed. Sediment has been placed on the reeded river edge, particularly along a stretch of bank opposite Stracey Mill. The reed rond habitat needs to be restored and the dredged material remains shaped to the front face of the floodbank. The dredging has moved further downstream the Bure where a new off-loading location has been set up near Herringby, utilising a concrete pump to place the sediment directly at the base of the floodbank. On this stretch of river, the floodbank is at too great a distance from the river edge to reach with excavators.
- 1.3 Site visits and habitat mitigation work are being undertaken to establish forward dredging disposal sites at Horning on the Bure (near Ant Mouth) and downstream of Beccles on the Waveney.
- 1.4 The marker post removal and dredging on the River Chet, along the section between Chet Mouth and the wherry staithe near Hardley Flood, has been completed. At Limekiln Dyke, the dredging is to restore the waterways specification depth between Gaye's Staithe and Neatishead Staithe has also been completed. The sediment accumulation at the turning circle at the end of the navigable dyke has also been dealt with, where bars had formed at the entrances to several private boat dykes.
- 1.5 At the time of preparing this report, a trial of some hydraulic tree shears is being planned for early February. The use of cutting shears attached to an excavator will allow tree growth up to about 15-20 cm diameter to be cleared

from overhanging river margins and the on edge of banks. The handling, processing and tidying of cut material is the continual challenge, so reducing the manual handling of this task in unstable site conditions on the water's edge will be of benefit to the work force.

- 1.6 Fen maintenance work has been carried out with the fen harvester at the Authority's land at Buttle Marsh. There are some small contract fen cutting jobs coming up on NWT sites at Hickling NNR and Upton Fen. If water levels decide to drop, then the fen harvester will also be active at Hulver Ground, Horning and the Authority's land at Geldeston. The machine is also helping prepare dredging sites by cutting the reedbeds before sediment is offloaded.

2 Maintenance Programme Update

- 2.1 Timber refurbishment at Coltishall Common 24 hour mooring has been completed. Work is currently ongoing at Hoveton St John to replace the timberwork on the quay near the Tourist Information Centre. Belaugh, Ranworth on the Bure and Commissioners Cut on the Yare are due in the next two months
- 2.2 Some new posts for speed signs at the northern end of Barton Broad have been installed. Riverside tree management has been carried out at priority sites on the Ant at Catfield and the Bure at Horning. Work remaining includes spots on the Yare at Bargate Broad and Bramerton. Structural inspections are being carried out by the team as part of the ongoing asset management process on the timber framed buildings, bridges, bird hides etc. Any findings that require attention during these inspections will be included in the 2018/19 work programme.
- 2.3 The Authority has been facilitating a timely resolution to Norfolk County Council's on-going issues with replacing the fendering installed under Ludham Bridge. The council lost their ability to sub-contract work in the required timescale, so the Authority stepped in to provide project and contract management assistance. Temporary fendering was installed last year through the bridge to repair damage sustained through the season. The repairs however reduced the already narrow bridge width even further, so the loss of only 6 inches width on either side was enough to prevent passage of the larger wherries, which regularly travel this section of river for events and charters. A sub-contractor has been engaged and all the work on site is planned to be completed by mid March.

3 Environment & Design Team update

- 3.1 Mudpumping in the marked channel of Hickling Broad has commenced. The contractor, Inland Dredging, was ready and had mobilised and set up within a week of the Authority receiving the Environmental Permit to store the pumped sediment. A Notice to Mariners has been issued for the period when the dyke leading to Hickling Staithe is to be dredged, as this will effectively close the navigation. With the help of Norfolk Wildlife Trust, Whispering Reeds, Hickling Parish Council, Hickling Parish Staithe trustees and the Pleasureboat Inn, the

private boat-owners moored in this area are all aware and arrangements have been made for temporary alternate moorings during the work. Environment Officers will be tracking dredging progress and carrying out water quality monitoring throughout, to ensure safe environmental working thresholds are maintained.

- 3.2 A contractor has been engaged to carry out the clearance of vegetation from dykes at the back of Churchill's bay in Hickling Broad. This removed material will be used to top-up the planting in the reedswamp restoration areas completed last year. This work will start during the last week of February.
- 3.3 Work has also started on site for the replacement of the Thorpe ranger billet at the Dockyard. Planning permission was granted on the 2nd Feb, with demolition of the old shed planned for 12th Feb. Piling engineers are engaged to finalise the design and install the appropriate foundations for the new steel framed, powder coated steel clad boatshed.

4 Plant and Equipment Team

- 4.1 Both weed harvesters (Megan and Harris) are under cover for their annual refits, which routinely involves replacing bearings, engine servicing and checking the hydraulic drive systems. Megan is complete all bar some painting and Harris requires a whole new conveyor belt system for moving the weed inside the vessel once it is cut. This will arrive in April.
- 4.2 The ranger launch ML Martin Broom has had its refit completed at the Dockyard and the ML Ant is now in the workshop for annual refit and servicing.

Background papers: Nil

Author: Dan Hoare
Date of report: 6th February 2018

Broads Plan ref: 2.1; 2.3; 3.1; 3.2; 4.2; 6.1
Appendices: APPENDIX 1 – Dredging Progress 2017/18

APPENDIX 1

Dredging Progress 2017/18 (April 2017 to end January 2017)

Project Title	Project Element	Active BA dredging weeks Completed (to end Jan / Planned)	Volume Removed m ³		Annual project Cost ^a	Actual project cost (Apr-Jul)
			Planned	Actual	Planned	Actual
Haddiscoe Cut	Reedham End (Mar)	1 / 1	500	670	5,600	3,870
<i>Sediment into setback areas on the River Yare upstream of Reedham</i>						
Lower Bure	Phase 1. Stokesby to Three Mile House (Apr-Sep); Phase 2. Three Mile House to Marina Quay (Sep-Jan)	38/ 36	18,000	19,500	222,400	182,150
<i>Use of ronds again for dewatering and a second location using a concrete pump to move sediment to the folding behind the floodbank</i>						
Oulton Broad	Phase 1 - North Bay (Apr-Aug); Phase 2 - North Bay (Sep-Oct)	22 / 22	16,000	20,750	104,800	100,000
<i>Suffolk Wildlife Trust setback area and Authority's own sediment lagoon filled at Horseshoe Point</i>						
Bure Mouth	Use of plough dredging to clear shoals (Mar)	Contractor	2,000	-	15,000	0
<i>Subject to consent decision from Natural England for the submitted 10 year plan for navigation channel management in Breydon Water SSSI</i>						
Hickling Broad	Mudpumping marked channel in North Bay (Feb)	Contractor	6,000	-	69,300	32,567
<i>Use of sediment for arable benefit. Awaiting issue of the Environmental Permit from the Environment Agency. £30k from NPG.</i>						
Limekiln Dyke	Gaye's Staithe to Neatishead Staithe (Nov-Jan)	7 / 12	3,500	3500	33,300	13,159
<i>Sidecasting material to the bank clear of trees last year</i>						
River Chet	Shoals near Hardley Flood (Nov-Jan)	5 / 12	4,000	2500	22,300	13,734
<i>Sidecasting to provide additional material onto the weak/low sections of riverbank</i>						
Mid Bure	Thurne Mouth area (Mar)	0 / 4	3,000	-	28,400	2,496
<i>Priority shoals in Thurne Mouth area</i>						
Site restoration	Rockland, Acle, Hickling	-	-	-	21,190	41,786
<i>Restoration of dredge sites from work in 2016/17. Rockland Dyke restoration completed</i>						
TOTAL		73 / 87	53,000	46,920	522,290	389,762

^a –project costs includes staff time for all elements (pre-works ecological mitigation, site set-up, active dredging & site restoration); BA plant; & budgetary expenditure (equipment hire, survey costs, contractor costs, mitigation works, materials & consumables etc); within the reporting period.

Chief Executive's Report

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.

1. BA Follow up: 26 January 2018

Contact Officer/Broads Plan Objective: Sandra Beckett/None

In addition to the usual business at the Authority's meeting on 26 January 2018, the Authority received a number of detailed and interesting presentations on Natural Capital Accounting, The Broads Water Plant Survey Results for 2017 and the Norwich Local Plan.

1.1. Natural Capital Accounting

Professor Kerry Turner from CSERGE at the University of East Anglia, a former Chairman of the Authority and a leading environmental economist provided a presentation on the basic principles of Natural Capital Accounting, the concept of which has particular relevance for the Broads and the Authority's core business and was becoming more important to the economy of the 21st century. The approach goes beyond the consideration of the Gross Domestic Product being the measure of the wealth of a nation, by taking account of natural assets, land-use categories, ecosystem services, sustainability and ultimately welfare and wellbeing benefits. This was exemplified in the Balance Sheet approach through which the question of pressures and drivers and potential adverse impact on the environment and risks could be assessed. The presentation prompted an interesting debate on its potential application in the Broads with members recognising the complexities, that there would be some element of subjectivity but it should help to achieve a more objective approach to decision making. The need to work in collaboration with partners was also recognised. It was noted that the approach was still being developed and could be of excellent value in the future.

1.2. Broads Water Plant Survey Results 2017

The Environment and Design Supervisor gave the Authority a presentation to complement the report on the Broads Water Plant Survey Results carried out during the summer of 2017. The report and full survey are available from the Authority's website. [Broads-Water-Plant-Survey—Report](#)

Members were pleased to note that the methods being used were proving

to be very useful in helping to establish impacts as well as trends and prioritise where work was required and therefore assist in sustainable management and balancing navigational access and ecological function. The resources required for the surveys were highlighted, together with the acknowledgement of the valuable input from volunteers. Members are welcome to volunteer to help with the surveys and full training will be provided.

1.3. **Greater Norwich Local Plan –First Consultation Stage**

Mike Burrell from Norwich City Council gave a presentation providing a comprehensive overview on the Greater Norwich Local Plan and the consultation process. The plan built on the long established joint working relationships set up under the Greater Norwich Development Partnership involving Norwich City, Broadland District and South Norfolk Councils working with Norfolk County Council in association with the Broads Authority. It was aimed at planning for the housing needs and jobs required for the Greater Norwich area up to 2036, and was designed to set the strategic planning policies to guide future development.

The first draft version was open for consultation from 8 January to 15 March 2018 with documents available electronically and a series of public roadshows. The consultation is designed to ask questions, not to provide answers. The Authority agreed to authorise the Planning Committee to consider and submit representations on behalf of the Authority and a full report will be submitted to the next meeting of the Planning Committee on 2 March 2018. The consultation responses will inform the next version which will be the pre-submission consultation version of the Local Plan. The Authority will again be consulted possibly near the start of 2020.

Details of the Greater Norwich Local Plan are available from the following links:

[Greater-Norwich-Local-Planba260118](http://www.gnlp.org.uk/)
<http://www.gnlp.org.uk/>

1.4. **Strategic Direction – Strategic Priorities update 2017/18 and Strategic Priorities for 2018/19**

The Authority received an update on the Strategic Priorities for 2017/18 and agreed in outline the proposed Strategic Priorities for the forthcoming year 2018/19, accepting that these built on the successful bids for the two major programmes of CANAPE and the Water Mills and Marshes and the resulting significant commitment on the Authority's resources for their delivery. The other major pieces of work include:

- Broadland Futures (Integrated flood risk management) - Develop joint programme of work with the Environment Agency
- Catchment Management - Continue engagement with landowners and delivery of on-site projects
- External funding - Develop a strategic overview for external funding and capacity building

- Marketing, promotion and media relations - Take forward branding initiatives and implement Peer Review recommendations
- Peer Review - Prepare Action Plan to implement the recommendations from the Peer Review Team and outcomes from the Member Away Day on 30 January 2018
- Acle Bridge - Establish Member Group and develop a brief for the development of the site.

In addition, following a meeting of National Parks England and a meeting with the Minister of National Parks, Lord Gardiner, it became apparent that there was an urgency to highlight the special qualities and unique challenges facing the Authority in relation to the agri-environment especially following Brexit. Areas were being invited to bid for pilot studies to review how new payment schemes to farmers might be organized and implemented post Brexit. Although the Authority would be working with the other national parks and working within the National Parks England common framework, it was noted that many of the other national parks were in upland areas, whereas the lowland wet grassland in the Broads was very different and unique in that it had areas of key environmental habitat and species juxtaposed with areas of intensive agriculture. Therefore the Authority agreed that a pilot scheme be developed in association with other stakeholder organisations to respond to Defra's call for a proposal by the end of February 2018.

1.5. **Budget 2018/19 and Financial Strategy to 2020/21**

The Authority agreed the Budget for 2018/19 taking account of the 3% increase in navigation charges for 2108/19 and an assumption of a 2.5% per annum increase in the subsequent two years. Since providing the outline budget to the Authority in November and presentation to the Navigation Committee in December, the budget has been adjusted to allow for a 2% increase in salaries for April 2018 to March 2019, in light of current negotiations. However, the final settlement was yet to be determined. It was noted that officers would be examining the level of reserves and giving preliminary thought to the type of long term projects in which the Authority should be investing and the allocations required, particularly in light of the need for sustainability, prior to reporting back to the Authority. A full report on the Budget may be viewed on the website. [Report-on-Budget-2018/19-to-Broads-Authority260118](#)

1.6. **Acle Bridge Site**

The Authority agreed to establish a small working group of members to work with officers to develop plans for the Acle Bridge site, the potential for which would need to be discussed with third parties. The following members who volunteered were appointed: James Bensly, Mathew Bradbury, Bill Dickson, Bruce Keith, Nicky Talbot, and Haydn Thirtle. The first meeting has been arranged for 14 February 2018.

1.7. **Review of Audio Recording of Broads Authority Meetings**

The Authority considered that the use of audio recordings for its Committee meetings had achieved the specific purpose for which they had been trialled in helping to improve the accuracy of minutes, in resolving any disputes and reducing the number of challenges which had taken a considerable amount. They agreed that the use of audio recording of meetings be continued and copies provided to members of the public on request. It was also agreed that the recordings would be destroyed after two years from the date of the meeting, this being considered to be a reasonable time for retention

It was considered that the very limited demand for recordings did not warrant making the recordings available on the website at this stage.

It is emphasised that the minutes will be the record of the meeting.

1.8. **Mutford Lock**

The Authority considered the deliberations and recommendations from the Navigation Committee on 14 December 2017 together with the legal advice requested following which they accepted the Committee's recommendation. Therefore it was agreed that the two Harbour Revision Orders are submitted and the tripartite agreement, set out within the exempt report, be completed in all respects, to give effect to completing the transfer of the Lock into the navigation area and the ownership to the Broads Authority.

2. **Unauthorised Development with Navigation Implications**

The Planning Committee on 5 January 2018, received a report on the breach of conditions as part of planning permission granted in July 2017 at the Barnes Brinkcraft site in Hoveton for a mooring basin, configuration of moorings and location of pontoon (BA/2017/0155/FUL).

In accordance with the recommendations by the Navigation Committee, the Planning Committee, whilst acknowledging the continued investment in the site, felt very strongly that the encroachment of the unauthorised development at Barnes Brinkcraft into the navigation area was unacceptable; the Committee resolved to authorise officers to negotiate the restriction on the vessel length, an agreed mooring configuration, a scheme of management in respect of the pontoon, and the removal of the build-out.

The Head of Ranger Services has since met with the owners to draw up a potentially acceptable scheme with which officers were satisfied; this will include restrictions in which vessels could be moored to the pontoons together with a restriction on the length of the moorings. Officers are awaiting further details and the submission of a planning application. Once submitted, the planning application will be presented to the Planning

Committee after the comments of the Navigation Committee are sought.

A verbal update will be provided to the 22 February meeting.

3. Navigation Patrolling and Performance Targets

Contact Officer/Broads Plan Objective: Lucy Burchnall/4.3

The report of the significant use of powers by the rangers is displayed in Appendix 1. The range of duties undertaken by the Ranger Team is set out in Appendix 2. Average navigation/countryside splits are still higher on the navigation side however with the planned work now underway on the countryside sites this figure is now moving in line with the target of 60:40.

The report detailing the cases dealt with at Magistrates Court are shown in Appendix 3. Members have previously asked about enforcement of non-insurance and in the case of Mr Cutting the total fine included £660 for this offence. We also received for the first time a maximum fine of £1,000 for failure to navigate at a safe speed in the case against Mr Gibbs which was also publicised in the EDP.

4. Sunken and Abandoned Vessel Update

Contact Officer/Broads Plan Objective: Lucy Burchnall/4.3

The sunken and abandoned update is contained in Appendix 4. The high rainfall and water levels have led to a number of vessels sinking over this period all of which have been recovered or are in the process of being recovered in liaison with the owners.

5. Planning Enforcement Update

Contact Officer/Broads Plan Objective: Cally Smith/None

There are no further enforcement matters with navigation implications to report other than that mentioned at paragraph 2 above.

Background papers:	None
Author:	Sandra Beckett/Sarah Mullarney
Date of report:	February 2018
Broads Plan Objectives:	Multiple
Appendices:	APPENDIX 1 - Rangers Exercise of Powers Analysis
	APPENDIX 2 - Ranger Duties
	APPENDIX 3 - Report of Prosecutions dealt with in court during December 2017 to February 2018
	APPENDIX 4 - Sunken and Abandoned Vessels

Rangers Exercise of Powers Analysis <i>(Bracketed figures are running totals, April 2017 to March 2018)</i>						Date: JANUARY 2018		
	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	(112)	(67)	(91)	(142)	(1)		(26)	(22)
Speed	(2723)	(977)	1 (580)	1 (522)	(110)	(134)	(239)	(127)
Other	(54)	(62)	1 (23)	1 (69)	(13)	(9)	2 (37)	(7)
Blue Book Warnings								
Care & Caution	(10)	(5)	(4)	(2)			(1)	(10)
Speed	(92)	(23)	(8)	(10)	(5)	(4)	(12)	(4)
Other	(19)	(9)	(4)	(7)	(2)	(12)	1 (10)	(4)
Special Directions	(81)	(98)	5 (5)		(1)	(17)	(258)	
Launch Staffed (by Ranger)								
Launch Staffed (by Ranger)	21 (257)	21 (162)	14 (197)	(121)	(121)	20 (109)	20 (185)	22 (268)
Best Value Patrol Targets Percentage Compliance	100% (100%)	100% (80%)	100% (100%)	100% (100%)	100% (97%)	100% (93%)	100% (98%)	100% (94%)
Volunteer Patrols	3 (9)	(16)	(8)	(1)	(22)	(9)	(10)	
IRIS Reports	(107)	(56)	(38)	(27)	(59)	(55)	(32)	(76)
Broads Control Total Calls	TOTAL 233 (29,378)			Telephone 205 (23,911)		VHF 28 (5,467)		

January 2018

Total Time Allocated/Actual Ranger Team

Broads Authority Corporate	Work Area	Annual Allocation	Actual Days To Date
Corporate Time	Training	137	117.82
	Broads Control	39	82.91
	Team meetings / work planning	461	361.28
	Partnership working	66	31.27
	Assisting other sections	94	38.55
	Annual Leave		307.70
	Off Work Sick		103.31
	Time in Lieu		28.31
Premises Maintenance	Billets and boatsheds	19	30.78
Vessel & Equipment Maintenance	Launch - General		18.31
	Trailers - General		3.11
	Vehicle Maintenance		10.07
	Other equipment repair		39.59
Total		816	1173.01

Navigation	Work Area	Annual Allocation	Actual Days To Date
Navigation Maintenance	Patrolling	1356	1209.53
	Escorts	28	29.12
	Prosecution files	0	32.60
	Bankside tree management	81	55.10
	Obstruction removal	29	26.93
	Channel markers & buoys	35	8.92
	Signs & boards maintenance	78	16.45
Mooring Maintenance	Adjacent Waters		52.29
	Reactive mooring maintenance	129	15.57
Total		1736	1446.51

Actual Percentage	68%
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Conservation, Rec, C'side	Work Area	Annual Allocation	Actual Days To Date
Conservation	Fen management	14	8.14
	Lake / Riverbank restoration	36	1.22
	Invasive Species Control	33	2.06
	Other conservation work	158	134.06
	Pollution Response		8.24
Recreation/Countryside Maintenance	Visitor Site maintenance	143	269.25
	Whitlingham Country Park	294	219.68
Public engagement	Public footpath work	11	3.38
	Education work	10	17.03
Total		699	663.06
Team total		3251	3282.82

Actual Percentage	32%
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APPENDIX 3

Report of prosecutions dealt with in court during December 2017 to February 2018			
Defendant	Offence	Court	Result
Mr Phillips	Non Payment of Tolls	Norwich Magistrates	Full toll paid Costs awarded £20 Compensation £180.00
Mr Gibbs	Speed Limit Byelaws Offences Not registered Non Payment of Tolls	Norwich Magistrates	Fined £2350.00 Costs awarded £200 Victim surcharge £100 Compensation £101.50
Lord Hall	Non Payment of Tolls	Great Yarmouth Magistrates	Fined £293.00 Costs awarded £150 Victim surcharge £30 Compensation £192.75
Mr Harmer	Non Payment of Tolls	Great Yarmouth Magistrates	Fined £440.00 Costs awarded £150 Victim surcharge £44.00 Compensation £257.00
Mr Willis	Non Payment of Tolls	Great Yarmouth Magistrates	Fined £660.00 Costs awarded £150.00 Victim surcharge £66.00 Compensation £68.55
Mr Armitage	Navigation Byelaw Offences	Great Yarmouth Magistrates	Fine £1100.00 Costs awarded £150.00 Victim surcharge £66.00
Mr Curr	Non Payment of Tolls	Norwich Magistrates	Fined £660.00 Costs awarded £150.00 Victim surcharge £66.00 Compensation £514.00

Mr Hudd	Non Payment of Tolls	Norwich Magistrates	Fined £660.00 Costs awarded £150.00 Victim surcharge £66.00 Compensation £269.85
Mr Sams	Non Payment of Tolls	Norwich Magistrates	Fined £440.00 Costs awarded £150.00 Victim surcharge £44.00 Compensation £269.85
Mr Smith	Non Payment of Tolls	Norwich Magistrates	Fined £660.00 Costs awarded £150.00 Victim surcharge £66.00 Compensation £244.15
Mr Eves	Non Payment of Tolls Not registered	Great Yarmouth Magistrates	Fined £440.00 Costs awarded £150.00 Victim surcharge £44.00
Mr Foster	Non Payment of Tolls	Norwich Magistrates	Fined £440.00 Costs awarded £150.00 Victim surcharge £44.00 Compensation £133.00
Mr Cutting	Navigation Offences No insurance	Great Yarmouth Magistrates	Fined £910.00 Costs awarded £518.14 Victim surcharge £66.00
Mr Hill	Non Payment of Tolls	Great Yarmouth Magistrates	Fined £220.00 Costs awarded £150.00 Victim surcharge £30.00 Compensation £154.20
Mr Waterfield	Non Payment of Tolls	Great Yarmouth Magistrates	Fined £500.00 Costs awarded £150.00 Victim surcharge £50.00 Compensation £244.15
Mr Fry	Non Payment of Tolls	Norwich Magistrates	Fined £1153.64 Costs awarded £200.00 Victim surcharge £30.00 Compensation £200.00

Sunken and Abandoned Vessels

Description	Location found	Action	Notice Affixed	Result
Sunken cruiser	River Yare Old River Thorpe.	Vessel sunk at owners moorings	No	Not affecting the navigation owner will raise in due course
Sunken Cruiser	Oulton Broad	Harbour Master liaising with owner	No	Authority liaising with Harbour Master
Sunken Cruiser	Oulton Broad	Oil spill kit deployed, liaising with owner and yard over recovery. Recovering staff time and other costs through insurance	No	Vessel recovered
Sunken day boat	Reedham	Discussion with owner and Broadland DC (who are responsible for Reedham Quay in winter). Owner attempted to raise but unsuccessful. Deadline to raise given. Hazard marked and Rangers monitoring.	No	Vessel removed by owner
Sunken yacht	Geldeston	Liaising with owner	No	Authority liaising with owner
Abandoned sport vessel	Beccles	Ongoing investigations failed to find owner. Abandoned vessel notice affixed	Yes	Vessel removed from location pending disposal by Authority.