

Broads Authority

12 May 2023

Agenda item number 12

Capital Funding progress report

Report by Chief Executive

Purpose

To provide the Broads Authority members and Defra officials with a regular update on the progress implementing the capital funding programme.

Broads Plan context

B3 - seek biodiversity net gain and enhance areas of fen, reed bed, grazing marsh and wet woodland, to protect peatlands as carbon sinks.

C1 – maintain navigation depths to defined specifications, reduce sediment input and dispose of dredged material in sustainable and beneficial ways.

C2 – maintain existing navigation water space and develop appropriate opportunities to extend access for various types of craft.

C3 – manage water plants and riverside trees and scrub, and seek resources to increase operational targets.

E1 - improve the integrated network of access routes and points (with easier access for people with mobility and sensory needs), linked to visitor facilities.

Recommended decision

Note the progress in the delivery of the programme.

1. Introduction

1.1. The table in the appendix updates the Authority on the progress made since the last meeting in delivering the capital programme funded by Defra. A copy has been sent to Defra officials so that they are aware of the current position.

1.2. The key developments since the last report are:

- (a) All of the plant and equipment ordered for delivery by the end of March arrived on time. The barge/workboat is due for delivery in early May. Before commissioning into active service, the Truxor and water plant harvester have had some minor modifications to pass them through the Boat Safety Scheme requirements. The tractor and trailer (pictured below) will go into active service once the Authority's application for a Restricted Operators Licence has been approved, as our usage of

this machinery falls under HGV requirements.



- (b) Arrangements have been agreed with Defra so that the repair of the drainage structure to protect the Strumpshaw SSSI can be funded even though the work will not commence until the summer.
- (c) The purchase of the conservation site did not complete on 31 March. The solicitors were all set when at the last minute we received notification of an historic agreement which is currently preventing the sale from completing. The solicitor provided the following explanation on 30 March:

The title to the property is subject to a restriction, that specifies that no transfer of the property may be registered with the Land Registry unless a certificate is provided by the seller stating that they have complied with a historic document called the Horning Enclosure, which is dated 13 May 1818. The only copy of this document which is available is completely illegible and so neither party knows whether this is still relevant to the land or what the seller might need to do in order to comply with the document. The seller has investigated this and become aware that the Horning Enclosure was varied by a further document dated 1992 ("the 1992 Scheme"). They do not currently have a copy of the 1992 Scheme but have requested this from the Charity Commission. Until we know what the 1992 Scheme says, the seller is therefore unable to confirm by way of certificate to satisfy the Land Registry restriction, that they have complied with its terms. Without such a certificate, any transfer which is entered into will not be capable of registration at the Land Registry. The result of this would mean that legal title to the property would remain with the seller post completion, and only equitable title would pass to the Broads Authority. The seller would then be holding the property on trust indefinitely for the Broads Authority until such time as a certificate of compliance with the restriction could be supplied. As such, the most sensible option is to wait until a copy of the 1992 Scheme can be obtained and we can establish what action is required

in order for the seller to either be able to provide a letter of consent complying with the restriction or, if no longer relevant, apply to have the restriction removed from the title.

Officers have followed this legal advice and advised Defra of the issue.

2. Financial implications

- 2.1. Members had previously been alerted to the financial risk associated with the delivery timescale beyond 31 March 2023 for the construction of the work barge and the complexity around the restoration of the drainage structure at Strumpshaw SSSI. Both of these have now been mitigated and the risks significantly reduced.

3. Risk implications

- 3.1. The programme has now been largely delivered, on time and within budget. The remaining risks are deemed minor.

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[Broads Plan](#) strategic objectives: B3; C1-3 and E1

Appendix 1 - Capital Funding Monitoring Report - April 2023

Capital Funding Monitoring Report – April 2023

Defra has provided the Authority with additional funding of £1,338,880. The formal Change Control Notice was received on 14 December 2022. It includes:

- Capital funding for equipment and land purchase to commit by the end of March 2023, 8 projects totalling £1.115 million
- Capital and Revenue funding for Water Mills and Marshes of £223,880 over two years (2022/23 and 2023/24)

8 projects are designed to enhance the Broads Authority’s current management of 390 of the 2,000 hectares fen and grazing marsh and 125 miles of waterways and Broads. 25% of the Broads is designated SSSI and 25% of the UK’s conservation priority species are supported in these managed habitats. Also support the final delivery phase of the innovative Lottery funded Water, Mills and Marshes Programme.

This table updates progress on the capital expenditure, regularly reporting to Defra and the Authority’s Board.

Project	Purpose	Funding	Cost	Current Position
Water Mills & Marshes (Andrew Farrell)	Complete our works on the Mills, Trails, Access improvements, Changing Places Toilets, and capital works at Upton Marshes.	£ 142,112	£ 142,112	Work is ongoing in the delivery of mill restoration, trails, access improvements, Changing Places toilet and work at Upton Marshes. We will be completing individual projects over the course of 2023. Weather is our main consideration as some projects rely on drier conditions before works can proceed.
Truxor plus accessories (Matt Dane and Sue Stephenson)	Truxor is a low ground pressure and tread amphibious machine that allows it to travel over land into the water with no environmental damage Other items for transporting plant and equipment are a tractor with front loader and a low loader trailer.	£ 285,000	£288,400	Delivered

Project	Purpose	Funding	Cost	Current Position
Barge plus welfare unit (Rob Clarke and Wayne Collins)	This vessel would facilitate all manner of conservation and habitat creation projects on water.	£ 118,000	£70,780	Workboat/support barge currently in the final stages of construction for delivery in early May 2023. (£70,780)
3 Whaly workboats (Andy Elson and Rob Clarke)	The maintenance of the designated sites in the Broads requires access to areas where conventional craft cannot reach. The Whaly 435R is an incredibly robust, double-walled boat manufactured from high-grade plastic (Polyethylene).	£ 40,000	£23,300	Delivered
360 Excavator (Wayne Collins)	Long reach, 18 tonne JCB excavator and a 14 tonne JCB excavator on wide tracks for fen work A	£ 187,000	£247,700	Delivered
Water plant management machine (Rob Clarke)	Higher temperatures and more sunshine have contributed to an increase in water plant growth throughout the Broads. Waterways and broads need sensitive managed to create under-keel clearance and reduce suspended sediment, both increasing dissolved oxygen and improving the flow for fish and sensitive aquatic life within SSSI waterways. The Broads Authority has two such machines but in recent years these have been proven to be inadequate for the task and it is proposed to purchase a third machine.	£ 265,500	£268,450	Berkey weed harvester 6520 , two towable fuel bowsers and and two fuel cube storage bowsers have been delivered

Project	Purpose	Funding	Cost	Current Position
Reciprocating mower /brushcutters (Matt Dane)	Adapting to higher water levels and retain essential management of the fens and marshes requires various small, powered tools for use by staff and volunteers	£ 9,500	£11,130	Brushcutters, chainsaws and a reciprocating mower received.
Hulver Ground purchase (Sue Stephenson and Angie O'Connor)	How Hill National Nature Reserve forms a large area of established and designated fen within the River Ant valley, north of Ludham Bridge. An area of fen habitat adjacent to How Hill NNR that is currently managed by the Broads Authority under a land management agreement is due to be put up for auction. Purchase of this area of fen would safeguard the future management of this important habitat, containing rare plant species and communities, such as Crested Buckler-fern.	£ 150,000	£150,000	The sales contract is being prepared to reflect and deal with the vendors Land Registry issues.
Drainage structure repair at Strumpshaw Fen (Kate Knights)	Collapsed heritage drainage structure at Strumpshaw Fen is leading to significant flooding from the River Yare into the SSSI. Replacement of this sluice would allow for proper management of water levels on the site.	£ 60,000	£60,000	All permissions and consents are now in place and a contractor has been appointed.
		£1,257,112	£1,261,872	