

Navigation Committee

Minutes of the meeting held on 13 April 2023

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Present

Alan Goodchild – in the Chair (from item 2), Harry Blathwayt, Stephen Bolt, Mark Collins, Peter Dixon, Leslie Mogford, Bob Neate, Rasmus Sawyerr, Michael Scott, Simon Sparrow, Paul Thomas and Daniel Thwaites.

In attendance

Lucy Burchnall - Head of Ranger Services, Esmeralda Guds - Governance Officer, Dan Hoare – Head of Construction, Maintenance and Ecology, Emma Krelle – Director of Finance, John Packman - Chief Executive, Rob Rogers - Director of Operations and Sara Utting – Senior Governance Officer.

Also in attendance

Jonathon Goolden – Monitoring Officer

1. Apologies and welcome

The Chief Executive welcomed everyone to the meeting.

Apologies were received from Greg Munford.

Openness of Local Government Bodies Regulations 2014

The Chief Executive (CE) explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy should contact the Governance Team. The minutes remained the formal record of the meeting. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated.

2. Appointment of Chair

The CE reported that nominations for Chair had been invited in line with the procedure adopted following the 18 May 2018 Broads Authority meeting but welcomed any further nominations at the meeting.

Nominations for Simon Sparrow and Alan Goodchild had been received.

Simon Sparrow was proposed by Leslie Mogford and seconded by Paul Thomas. Alan Goodchild was proposed by Mark Collins and seconded by Peter Dixon.

In accordance with Standing Orders, voting papers were issued to members at the meeting for them to write down the name of their preferred candidate from the nominations received. Simon Sparrow received 4 votes and Alan Goodchild received 8 votes.

Alan Goodchild was appointed Chair of the Navigation Committee.

Alan Goodchild in the Chair.

3. Appointment of Vice Chair

Peter Dixon was proposed by Alan Goodchild and seconded by Mark Collins. No other nominations were received.

Peter Dixon was appointed Vice Chair of the Navigation Committee.

4. Declarations of interest

Members indicated they had no further declarations of interest other than those already registered, and as set out in Appendix 1 to these minutes.

5. Matters of urgent business

No items were proposed as a matter of urgent business.

6. Public question time

No public questions were raised.

7. Minutes of last meeting

The minutes of the meeting held on 12 January 2023 were signed by the Chair as a correct record of the meeting.

8. 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.

For the benefit of the new members, the CE explained that rather than discussing matters arising from the previous minutes, significant issues the committee had discussed before were listed and pursued so progress could be tracked.

The CE reported there were no further updates.

Members noted the report.

9. Appointment of two co-opted members to the Broads Authority

Members were asked to recommend the appointment of two co-opted members to the Broads Authority until 10 May 2024 as set out in Section 1(2)(c) of the Norfolk and Suffolk Broads Act 1988 as amended.

The Monitoring Officer explained that Schedule 4, paragraph 4(3) of the Act further stated that the Navigation Committee shall elect a Chair from among those of its members who are

members of the Authority. Given that Alan Goodchild had been elected Chair of the Committee, he would need to take up one of the seats on the Authority.

Alan Goodchild proposed, seconded by Michael Scott, that Peter Dixon be appointed as a member of the Broads Authority until 10 May 2024. No other nominations were received.

It was resolved that Alan Goodchild and Peter Dixon be recommended to the Broads Authority for appointment as the co-opted members to the Broads Authority until 10 May 2024.

10. Chief Executive's report and current issues

The CE introduced the report and commented that the three non-operational bridges in Great Yarmouth were still causing issues.

A member raised his concerns as Herring Bridge, Haven Bridge and Breydon Bridge all being out of action had consequences for the new Eastern IFCA vessel which was due to be launched in August 2023. The member requested whether the Broads Authority (BA) as a navigation authority could confirm the likelihood that all constructions and repairs to the three bridges would be completed at the estimated June 2023 date.

The Director of Operations (DO) responded that the BA had received the same details as others, which was that repairs on all three bridges were due to be completed this Summer. He added that repairs to Breydon Bridge, which was managed by National Highways, were delayed not just because of having to resolve the issue of lifting the ram, but also because of an investigation into an accident where a contractor was injured.

The Chair reported he had received an update earlier that day informing him that the trials to Haven Bridge had not been carried out as they were unable to test the power supply cables. He said that in his opinion Breydon Bridge could not be fixed until Haven Bridge was operational and could allow for the necessary equipment to come through. The Chair further reported that Herring Bridge was running to schedule from information he had received earlier.

Members noted the report.

11. Safety on the Broads update

The Director of Operations (DO) presented the report, supplemented by a presentation on water safety. Members were reminded that Safety on the Broads was a standing item on the agenda and fortunately often passed with nothing to report.

The DO stipulated that the Navigation Committee Chair by default would also become Chair of the Boat Safety Management Group.

A member asked whether the additional Rangers paid for by the 3% tolls increase in 2020 had been appointed. The DO explained that the additional seasonal Rangers were appointed in 2020 on a temporary basis, and that at the Broads Authority meeting on 20 January 2023,

members unanimously voted to retain the extra seasonal Rangers so 7-day patrolling would continue. The DO confirmed that 4 additional Seasonal Rangers, as well as a Compliance and Safety Ranger had been appointed and would start their duties as from 17 March 2023.

A member raised concerns about the poor de-masting facilities on Breydon Water and Great Yarmouth harbour. He asked whether consideration could be given for reviewing the opportunities of improving these facilities as he believed the current situation was quite dangerous. He further expressed his disappointment that the proposed pontoons at Herring bridge wouldn't be ready this season.

The Head of Maintenance, Construction and Ecology (HMCE) responded that a review in the past concluded that the exposure on Breydon Water wouldn't facilitate any pontoon installations and consequently the provision at Breydon was based on what structure would be able to withstand the exposure in that area. Conversations with interested parties were had in the past and the HMCE said he would be happy having those conversations again and keep the committee updated.

The Chair mentioned that the de-masting pontoon up-river from Vauxhall Bridge was a long way out of Yarmouth and wondered whether the pontoon should be nearer the bridge.

The HMCE explained that part of the Integrated Access Strategy was realising at least one mooring within each 30-minute cruising section. Gaining an additional mooring in this lower section of the river would meet that strategic objective. The next step would be identifying which piece of land for an additional mooring area the Authority could negotiate with the landowner.

A member commented that the BA should be commended for their response to the incidents which took place in August and September 2020, and that the measures taken had been proportionate and effective.

A concern was raised regarding the increasing number of paddle boards in close proximity with large motor cruisers. The member raised a further concern about handovers to dayboats and to what extent hire and day boats received the same or comparable level of scrutiny. He commented that at a practical level it was not feasible to give a hire day boat a 20-minute handover.

The DO responded that the Authority's view was not to categorize any user group higher than the other and that paddle boarders had the same rights to be on the rivers as other Broads users. He clarified that part of the new licensing meant that a paddle craft hirer would need to be licensed by the Authority, and hopefully this would result in seeing a better standard of water trials handovers. In regard to dayboats, the DO said that officers had witnessed a good handover generally. The rule of Care and Caution on the rivers applied to everyone, whether they were a sailor, motor cruiser or paddle boarder.

A member raised a concern around the dangers of helming and alcohol and asked what powers Rangers had when having to deal with incidents involving alcohol. The DO responded that Rangers didn't have powers to stop people from drinking but that the approach the

Authority had chosen to take was about balance and using their powers under care and caution, encouraging people to be safe and act responsibly while having a good time.

Members noted the report.

12. Channel marker policy

The Head of Ranger Services (HRS) introduced the report and made members aware of the new channel marker and Aids to Navigation policy within the Safety Management, System Document.

A member commented he was sorry to lose the white caps on the post on Breydon Water as they were easier to spot in the dark and fog.

Another member commented that the colour of the posts was not always noticeable when visibility was poor and so believed that the square or cone shaped box on top of the post was extra useful. He further commented that using white tops on red posts could be confusing as there was the risk of mistaking the post for a safe watermark. Regarding the benefits of posts versus buoys, the member commented that posts were not always dependable as sands in Breydon Water shift which meant posts might have to be moved from time to time if dredging was not possible. Buoys on the other hand were held down by several chains so wouldn't move.

The HRS responded that the Broads Authority inherited the posts when they took over Breydon Water from Great Yarmouth in 2012. She said that many rivers had a locally recognised way of marking channels and that it was allowed to deviate slightly from the guidance if this was set out clearly in the policy. She reported that the Authority was phasing out the white caps and confirmed these had always just been on green posts.

About the buoys, the HRS commented that the chains attached to these needed to be short so they wouldn't drift off too far with low tide. However, with strong winds and tides it was the lifting bobbing motion that moved the buoys. The HRS verified that buoys did move, and posts would work better in this area. The channel across Breydon is fairly stable and the posts accurately mark this. The Authority was aware of a few posts on the lower Bure where silt builds up on the inside of the marked channel. This was monitored by the ranger team and Rivers Engineer. This area was marked with signs warning boaters to keep clear of the banks.

The Chair added that the white caps were introduced as GRP caps (Glass Reinforced Plastic otherwise known as fibreglass) on initiative of the coast guard. This was done for safety reasons, as they were visible in the dark and numbered to aid the coast guard in identifying which post was referred to. The white caps were pointed to stop birds roosting on them.

The HRS confirmed that all posts were numbered, front and back.

Members noted the report.

13. Construction, Maintenance and Ecology work programme – progress update

The Head of Construction, Maintenance and Ecology (HCME) introduced the report and for the benefit of the newly appointed members explained that this report was a standing item on the agenda detailing four strands of BA's operational management of the waterways. These are dredging works; maintenance and provision of mooring facilities; vegetation management (water plants and riverside trees); and managing channel markers. Members were reminded that this was the point in the year when plans were laid out for dredging work and 24-hour moorings maintenance for the forthcoming financial year.

A member queried the dredging figures for the River Waveney in Appendix 1 page 65 as the figures showed that volume dredged had doubled while the cost had more than tripled. The HCME said he would double check whether the planned annual project cost of £50K was accurate to the 13 weeks dredged¹. He explained that as dredging at Oulton Broad kept changing, they were experiencing challenges with shifting baselines but would check the original plan for this current financial year and report back to the committee. The HCME confirmed that the figures for the actual project cost were correct, and that the biggest factor determining the cost was staff time and the value of having the plant and machinery on site.

A question was asked about water plant management of Floating Pennywort and Stoneworts, which were considered a big threat to navigation on the broads, and how the new machinery was able to help with this.

The HCME pointed out that there were two separate water plant management issues which should not be confused. Floating Pennywort present on the river Ant, was a non-native invasive species from South America which grows quickly and could therefore take over waterways, whereas Stoneworts in the Upper Thurne are native to the UK and protected under several conservation designations and the base of the SSSI designation at the Upper Thurne site. He reported that Stonewort growth at the Upper Thurne had been unprecedented for the last three years. Having three new water plant cutting vessels stationed in the Upper Thurne and between the Bure and the Ant, meant that the travel time between the northern rivers sites was reduced. Operators could be more reactive and reduce the time gaps between tasks.

A member asked whether the area of plant cutting in the marked channel of Hickling Broad could be extended. He continued he would like to see a recommendation for a further review

¹ on review of the Oulton Broad dredging figures, the running total of the actual cost figures for 2022/23 are correct. The variance in the ratio between volume and cost for the planned and actual figures is that the initial planned cost was too low. Not all resources needed by the project had been initially allocated, so the reporting has been against a baseline that rapidly changed as the project developed. As projects are planned well in advance, the likelihood of changes needing to be made to the overall work programme and therefore individual projects are high. I will seek a different way to report on project costs, that is less prone to reporting against short lived baselines or difficult to track if plans change.

of the situation in Hickling with the aim of improving navigation and where a balanced approach would be taken for allowing a bigger area for sailing while not significantly harming the improved ecology of the broad.

The HCME said the Authority was aware of a local boat yard at Hickling facing challenges in terms of user experience. The current strategy for Hickling was managing to maintain access within the marked channel by repeat water plant cutting and monitoring the growth again in May to see what the situation will be this year. The last three years the vigour of the plant growth had been significant and the HMCE agreed this was worthy of some level of review.

The Chair said he would like to thank the people involved in assisting keeping Mutford Lock open as this was the only access to open sea in the area. He acknowledged that until the bridge situation was sorted, some maintenance projects had to be put on hold and that this wasn't going unnoticed.

Members noted the report.

14. Income and expenditure update

Members received a report which presented the actual Navigation income and expenditure for the eleven-month period to 28 February 2023, and provided a forecast of the projected expenditure at the end of the financial year (31 March 2023).

For the benefit of the new members the Director of Finance (DoF) explained the format of the committee report. She further mentioned there was annual training in July which all members were invited to, covering the Authority's Statement of Accounts and the finances.

The DoF reported that the budget was set long in advance, so when setting the budget for 2022/23, interest rates on investment income were low. However, interest rates had risen considerably over the last financial year which had a positive effect on the income.

The DoF said that usually she was able to provide a verbal update on the latest actual figures, however on this occasion due to the end of the financial year, the 31 March figures were not available yet.

Members were updated that as from close of day on the 12 April 2023, 8249 tolls plaques had been issued which was an income of £3,023,395, compared with 2022 when 8268 plaques were issued with an income of £2,710,430. Most of the increase was due to the 13% tolls increase, bearing in mind that comparison could be quite different depending on when Easter falls.

In response to a question whether there was the option of paying tolls in instalments the DoF responded that currently the Authority didn't offer split payments as this had an impact on its cashflow. However, the new toll system which was currently under development would be exploring this option.

A member commented he believed that apportionment was counterproductive, attracting heat and negative attention away from the more serious challenges the Broads was facing. He

felt that landscape and navigation were two halves of the same coin and so favoured a strategic approach which would affect the whole landscape and navigation.

Another member commented that his understanding was that the extra funding from Defra was ring fenced and could not be spent on Navigation. This was confirmed as being the case.

For the benefit of the new members, the CE explained that in 2007 the BA reached an agreement with the Royal Yachting Association and British Marine, that the division between the Authority's two lines of income and expenditure would be removed. This was in the Private Bill which went to Parliament and was agreed by all, apart from Defra. The Minister at the time believed that maintenance of the navigation was providing a private benefit rather than a public benefit and therefore didn't want the National Park Grant to be used for this purpose. The CE and Chair at the time strongly argued this with the Minister but to no avail.

The CE continued saying that he believed there was a strong argument that maintenance of navigation was not a private matter but benefitted the public. He suggested that those who felt strongly about the Broads and navigation could argue for additional financial support for the maintenance of the waterways.

A Member asked where we stood with the recommendations of the Glover review.

The CE responded that he had seen little evidence of key findings coming out of the Glover review being pursued by Ministers. He said that the funding Defra had at their discretion was quite limited and Ministers were occupied with other concerns. The CE continued that instead, officers had been asked to draw up a list concerning capital requirements for navigation, ready to be submitted to Defra when the opportunity arose. The CE said he would like to stress the point to Defra that not just biodiversity, but the whole management of the Broads was regarded as important and that funding the navigation would support the second purpose of national parks, in promoting the enjoyment and understanding of the Broads. The CE continued that officers, members, and colleagues in the NSBA could and should work together on pushing back to MPs and Ministers in getting this point across and obtaining Defra's support.

Although agreeing with the point the CE was making, a member suggested approaching this argument carefully as the Minister could see the income of private funding as a reason to decrease National Park funding.

A member commented he was sad to see that the apportionment issue seemed to have driven a wedge between conservation and navigation and agreed that the Navigation Committee could possibly support the argument by getting some of the points made across.

Members noted the report.

15. Committee calendar 2023/24 - Navigation Committee dates

Members were asked to review the meeting dates for the forthcoming committee year.

There was a question about how the agenda was set and whether there was the opportunity for members to raise topics for the agenda.

The CE responded that the agenda was set by the Chair and CE and that there were strategic items the Authority was required to consult the committee on. He continued that it would be helpful if there was a program the Chair and he could discuss and work with, which would pick up on issues members would be particularly interested in and would like to see on the agenda.

The Monitoring Officer added that the Authority would like to have a conversation about focusing on a particular issue in a way that would bring expertise and views from stakeholders to the table. This would allow the committee to form opinions, which would support them when advising the Authority.

It was suggested that members would exchange any ideas for topics of interest amongst themselves before sharing these with the Governance Team.

Members noted the report.

16. Date of next meeting

The next meeting of the Navigation Committee would be held on Thursday 8 June, commencing at 10am.

The meeting ended at 11.57am

Signed

Chairman

Appendix 1 – Declaration of interests: Navigation Committee, 13 April 2023

Member	Agenda/minute	Nature of interest
Peter Dixon	13	Residence at Hickling Broad

DRAFT