

## Navigation Committee

Minutes of the meeting held on 24 April 2014

### Present:

Mr D A Broad (Chairman)

Mr K Allen  
Ms S Blane  
Sir P Dixon

Mr P Durrant  
Mr M Heron

Mr P Ollier  
Mr M Whitaker

### In Attendance:

Dr J S Johnson – Chairman of the Authority  
Mr T Adam – Head of Finance  
Mr F Bootman – Planning Officer  
Mr A Clarke – Senior Waterways and Recreation Officer  
Mr T Hunter – Rivers Engineer  
Ms A Long – Director of Planning and Resources  
Ms L Marsh – Administrative Officer (Governance)  
Mr J Organ – Head of Governance and Executive Assistant  
Dr J Packman – Chief Executive  
Mr R Rogers – Head of Construction, Maintenance and Environment  
Mr A Vernon – Head of Ranger Services  
Ms T Wakelin – Director of Operations

#### 6/1 To receive apologies for absence

Apologies for absence received from Mr A Goodchild, Mr P Greasley, Ms L Hemsall and Mr J Knight.

#### 6/2 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

#### 6/3 To receive Declarations of Interest

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

#### 6/4 Public Question Time

There were no public questions.

**6/5 To Receive and Confirm the Minutes of the Meetings Held on 12 December 2013**

The minutes of the meeting held on 27 February 2014 were confirmed as correct and signed by the Chairman.

**6/6 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.

The Chief Executive confirmed that the current arrangement with Broadland District Council over the management of Reedham Quay was to continue and that no mooring fees would be introduced. The decision followed strong public feeling against the idea of charging for mooring which had little financial advantage to either the Authority or the Council. The Chairman confirmed he and the Vice Chairman had been consulted in advance of the decision along with the Chairman and Vice Chairman of the Authority.

The Chairman highlighted that it was previously agreed a further meeting would take place to follow up on the issues around Navigation Committee Engagement and that a meeting between the Chief Executive of the Authority and the Chairman of the NSBA had been held to start the process of looking at how the Authority might progress its long-term vision regarding National Park status. The Chairman reminded members that a governance and structure review would be linked in with the review of National Park status, expressing his support for a review in light of rising navigation income.

**6/7 Broads Authority Boat Test Area Review**

The Committee received a report from the Director of Operations setting out the background to the introduction of the Boat Test Areas, the findings of the recent review and proposals for future management. The Vice Chairman of the Navigation Committee reported that the Boat Safety Management Group in its last meeting had supported proposals to promote best practice through a voluntary Code of Practice.

The Director of Operations informed members that the review had not been able to find evidence of disturbance to wildlife by boat testing and that wintering wildfowl very quickly became acclimatised to the noise, which was more of an issue for people.

Members noted the commercial importance of boat testing and discussed communications about specific test zones. They concluded that the current strategy of not publicising the least used areas and warning other users about zones of higher use without actively promoting these was appropriate. The

Chairman of the Authority suggested that keeping the usage times consistent among all the zones might help communications. Members were informed by the Director of Operations that the most effective form of signage was being discussed with the Boat Safety Management Group and they agreed that this was a key issue.

The Committee welcomed the findings of the review and supported the future management proposals, recognising the economic importance of testing and that there needed to be further consideration around effective signage and communications.

#### **6/8 Sediment Management Strategy: Waterways Specifications Compliance Monitoring Update for the Whole River System.**

Members received a presentation from the Senior Waterways and Recreation Officer introducing the new methodology to monitor sediment management compliance using Geographic Information Systems (GIS). This had resulted in much more accurate data and detailed assessments therefore providing a significantly more effective tool for monitoring and prioritising dredging work. The data concluded that approximately 30% of the whole river system was non-compliant, which equated to 1,043,000m<sup>3</sup> of sediment that needed to be removed to achieve full compliance. This compared to the 1,172,803m<sup>3</sup> previously recorded under the less accurate system. Of this current figure 830,000m<sup>3</sup> was found to be economically viable to dredge. The results would provide a new baseline against which to measure future sediment management work.

The Senior Waterways and Recreation Officer and the Rivers Engineer explained that the data would be looked at in the context of economic viability, ease of sediment disposal, access, type of boat use, level of use, cost and any unresolved safety incidents when deciding on priorities for the dredging programme.

Members asked for the detailed figures to be placed on the public record and were informed that post-dredge surveys would be carried out to ensure records were kept up to date. The Senior Waterways and Recreation Officer and the Rivers Engineer explained that the data would be updated shortly and an updated report with the new figures would be brought to the Navigation Committee in September, along with the details of waterways identified as dredging priorities so members could comment. The Chairman suggested this information should also go on the website in order to inform users of the navigation who can then make comment. He referred to the Broads Authority's obligation as a harbour authority to make such information public.

Members welcomed the significant advances in methodology, acknowledging the new system as a powerful and effective tool in reviewing progress against the Authority's Sediment Managements Strategy and thanked all those involved in the work.

The Chairman concluded that this advance in monitoring represented another significant step forward in Sediment Management, as notable as the adoption of the original Sediment Management Strategy itself, and members noted that this would be worthy of a press briefing and release when the details and site options were available.

#### **6/9 Demasting Moorings**

The Committee received a report from the Senior Waterways and Recreation Officer provided an update on the development of demasting moorings, detailing issues in progressing the construction of the mooring at St Olaves which had been identified as a priority by members and seeking views on how the pontoon purchased for St Olaves should be used.

Members were informed that the issue with regards to St Olaves related to planning permission in that the landowner had previously been given pre-application advice that any application made by him for building a pontoon on the same site would not be supported. The Director of Planning and Resources explained that demasting moorings were not an issue, but the specific siting identified at St Olaves was not appropriate in terms of conservation and landscape sensitivity. She added it would not be appropriate for the Authority to use its permitted development rights for a development when officers had previously advised a private individual that such an application would not be supported. One member requested that a detailed report be brought to the Committee on the subject of the authority's permitted development rights.

The Committee was informed that no other sites at St Olaves could be easily identified for a demasting mooring and recommended that the pontoon already purchased be used to provide a safety mooring in the lower Bure.

Members concluded that a more strategic approach to the provision of moorings should be taken and felt that a working group should now be formed to look at the matter, including the implications relating to finance and maintenance. The Chairman advised that members had previously recommended the setting up of such a group.

#### **6/10 Planning Application with Navigation Implications: Re-establishment of Ferry Crossing to Include Landing Stage Improvement with Steps and Slipway**

Members received a presentation and report from the Planning Officer detailing an application for the installation of new steps, slipway and mooring posts at the existing Sugarbeet Staithe on the south bank of the River Yare to facilitate the reintroduction of a ferry crossing between Bungalow Lane in Thorpe St Andrew and Whitlingam Lane, Trowse.

Members were advised that planning permission was not needed for the ferry operation but the application had been brought to the Committee due to the

intended purpose of the associated bank-side development. The Committee also heard that there were issues over the public right of way at Bungalow Lane but these were not related to the applicant and were being investigated by Norfolk County Council.

The Senior Waterways and Recreation Officer informed the Committee that the Authority's Integrated Access Strategy recognised the importance of ferry crossings as a valuable link in the developing network of access around the Broads and encouraged the re-introduction of such routes.

One member expressed concerns over safety due to a perceived lack of visibility allowed by the intended route which altered from the original, now discontinued, crossing. He also informed the Committee that he did not believe the eight boating clubs in the area, which had 800 members in total, had been consulted on the development.

Most members felt that, with the appropriate caution by the ferry operator, safety and visibility would not be a problem and that such caution could be enforced with existing bylaws, but they agreed that consultation with the local clubs was required.

Concern was also raised about the type of vessel being proposed and its methods of propulsion but assurances were given that the Authority's licensing requirements and the MCA small passenger code would ensure suitability and compliance.

Members resolved to support the application subject to the necessary consultation with local boating clubs.

#### **6/11 Navigation Income and Expenditure: 1 April to 28 February 2014 Actual and 2013/14 Forecast Outturn**

The Head of Finance presented a report providing the details of the actual navigation income and expenditure for the eleven month period to 28 February 2014 and a forecast of the projected expenditure at the end of the financial year (31 March 2014).

Members noted that income was slightly behind budget due to small variances on both private tolls and hire tolls and a delay in receipt of investment income. They were also informed that it was anticipated that the current 95.2% underspend in the actual figures against the latest available budget would be in part resolved by significant expenditure during the last month of the financial year.

A forecast outturn deficit of £78,714 was now anticipated, a reduction of almost £30,000 against the deficit reported in February. This reduction was largely as a result of bringing in additional income and external contributions as well as procurement efficiencies. Navigation earmarked reserves were higher than reported at the last meeting and would increase again by year

end. The forecast for the navigation reserve balance at the end of 2013/14 was approximately £275,000, slightly below the target balance of 10%.

The Chief Executive informed members of the Authority's success in securing £82,000 of Defra funding for repairs to flood damage at Mutford Lock and Great Yarmouth Yacht Station. £80,000 had already been committed to repair the damage at Mutford Lock and therefore the same sum from the additional National Park Grant funding would go back into the earmarked reserves to cover that expenditure.

Members noted the report and thanked the Chief Executive for his work in the successful bid to Defra.

#### **6/12 Financial Strategy 2014/15 to 2016/17**

The Committee received a report from the Head of Finance detailing the navigation income and expenditure budget for 2014/15, approved by the Authority in March and based on an overall 2.8% increase in tolls as recommended by the Committee and adopted by the Authority in November.

Members discussed the strategy's assumptions of, firstly, an indicative toll increase of 3% in 2015/16 and 2016/17 and, secondly, the proposal to review the apportionments of operations work to identify priority areas for the Committee with a view to increasing the value of Navigation work undertaken by approximately £50,000 in 2015/16 and a cumulative £100,000 by 2016/17 (an indicative apportionment of practical works of 35:65 and 30:70). The Chief Executive and the Chairman of the Committee explained the need to not only take into account inflation but also asset maintenance and rebuilding of reserves.

In response to one member's concerns about whether it was possible to undertake enough work to meet the proposed 70% apportionment, the Director of Operations explained that a perceived underspend on navigation works was due to additional income which would be used by the end of the financial year.

Members felt that they would need to be convinced of the benefits of the extra apportionment and the Director of Operations explained there would be different options available relating to how Members would like to see this spent with a programme of different activities presented at a future meeting for the Committee to consider.

Members noted the report subject to consultation on the details of the extra spending of the proposed increased navigation works apportionment.

#### **6/13 Construction and Maintenance Work Programme**

The Head of Construction, Maintenance and Environment presented a report to the Committee setting out the progress made in the delivery of the 2013/14

Construction, Maintenance and Environment Section work programme to date.

Members welcomed the news that revised calculations, since the report was published, showed that 56,507m<sup>3</sup> of dredging had been achieved, representing 113% of the 50,000m<sup>3</sup> target, largely thanks to progress made at Duck Island and helped by the milder winter. Significant progress had also been made at Heigham Sound, Upton Dyke, the Chet and the hump in Breydon Water. The Committee also welcomed news of tree and scrub clearance on the Upper Bure and Upper Ant for navigation and land management purposes and the opening of the new 24 hour moorings at Hardley Cross with 90m of new mooring space and 25 new mooring posts.

The Chairman advised progress on all these matters would be good publicity for the Authority.

The Head of Construction, Maintenance and Environment explained the economic advantages of procuring plant and machinery while members requested clearer reporting of plant machine use to demonstrate they were being used efficiently. They welcomed the ongoing consultation taking place with the Vice Chairman to arrive at a practicable and meaningful solution for reporting plant utilisation

The Committee discussed the recent issue of expenses associated with dredging licences for private marinas and landowners. The Director of Operations informed members that the Authority did not have the time within a busy work programme to carry out the practical work involved in acquiring licences and permits for third parties but had made representations to trade partners and MPs on the issues involved and does give advice on dredging techniques, permits and works licences to private individuals. The Chairman thanked her for this assistance. A report on the Marine Management Organisation will be presented to Members to highlight the issues and help explain the permit requirements.

#### **6/14 Marine Safety Audit 2013**

The Head of Ranger Services presented a report by the Head of Safety Management detailing the marine incidents logged from April 2013 to March 2014 and an analysis of deaths and personal injuries since 1993.

Members noted that there had been two fatalities during 2013/14, but these had not been related to boat use, and one fire.

Injury resulting from embarkation and disembarkation was recognised as a recurring problem which could only be tackled with continued communication to boat users about safety.

Members welcomed the report and the reduction in drownings. The Vice Chairman expressed the gratitude of members for the role of Authority staff in

rescuing a father and son near Great Yarmouth Yacht Station and preventing this from becoming a more serious incident. The Head of Ranger Services also mentioned the assistance of the crew of a passing Herbert Woods cruiser. Members however noted that the incident also highlighted a problem with the vandalism of life buoys, agreeing that better engagement with EastPort over the safety of North Quay was required to address the issue. The Chairman and Head of Ranger Services resolved to take this up at the next meeting of the Port Consultative Committee.

#### **6/15 Boating Safety Management Group**

The Vice Chairman of the Committee presented the minutes of the Boating Safety Management Group meeting of 11 March 2014. Members noted the minutes and supported the suggestion from one member that rowing interests should have representation on the Group.

#### **6/16 Chief Executive's Report**

The Committee received a report which 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 Director of Operations informed members that four successful test lifts had been carried out on Trowse Bridge and the Head of Construction and Maintenance reported on the progress of work on Mutford Lock, which was expected to be completed by the end of May.

The Chief Executive highlighted excellent progress in this year's collection of tolls and that the payment arrangements for hire boat tolls, agreed with Broads Hire Boat Federation, had worked well.

Members discussed the value of the report on the Significant Exercise of Powers by the Rangers during February 2014 to March 2014 and the Director of Operations gave reassurance that the rangers were not logging activity every ten minutes but in blocks of that activity, which was broken down into smaller time periods for the purposes of the report.

The Head of Ranger Services reported on the details of one unsuccessful and one successful prosecution and informed members of the success of using GPS on 50 day boats in reducing speeding incidents.

The report was noted.

#### **6/17 Current Issues**

##### **Partnership working with Environment Agency**

Mr Allen informed members of an Environment Agency report detailing successful partnership working with the police and the Authority to tackle boat



thefts and rod licence evasion. The Head of Ranger Services added that the last Breydon Water Users Group meeting had also reported on inter-agency action being used against organised boat thefts

**6/18 Items for future discussion**

The Chairman recommended that the issue of expenses associated with dredging licences, detailed in minute 6/13, be discussed at the next meeting.

**6/19 To note the date of the next meeting**

The next meeting of the Committee would be held on Thursday 5 June 2014 at Yare House, 62-64 Thorpe Road, Norwich commencing at 1pm.

**6/20 Exclusion of the Public**

RESOLVED

That the public be excluded from the meeting under section 100A of the Local Government Act 1972 for consideration of the items 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.

**6/21 To receive the exempt minute of the Navigation Committee meeting held on 27 February 2014**

The exempt minute of the meeting held on 27 February 2014 was confirmed as correct and signed by the Chairman.

The meeting concluded at 4.15pm

Chairman

APPENDIX 1

Code of Conduct for Members

**Declaration of Interests**

Committee: Navigation Committee

Date of Meeting: 24 April 2014

<b>Name Please Print</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
Mr K Allen	6/6 – 6/21	Regional Chairman for the Angling Trust, Member of the Broads Angling Strategy Group
Ms S Blane	6/10	Member of Planning Committee
Mr D A Broad	6/6 – 6/21	Toll Payer, Member of Great Yarmouth Port Consultative Committee
Sir P Dixon	-	(No relevant interests)
Mr P Durrant	-	(No relevant interests)
Mr M Heron	6/6 – 6/21	Toll Payer, Land Owner, Member of British Rowing, NRC, NSBA, NBYC, RCC and Chair of Whitlingham Boathouses
Mr P Ollier	6/6 – 6/21	Toll Payer, NSBA Committee member, RYA and various sailing clubs
Mr M Whitaker	6/6 – 6/21	Toll Payer, Hire Boat Operator, member of BHBF Executive Committee