

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. It does not include matters which are already on the agenda for this meeting of the Committee. In two incidences decisions were taken by the Broads Authority which were not in accordance with the recommendations of the Navigation Committee; under these circumstances the Authority is required to report back to the Committee on the reasons for its decisions. Members are asked to note the report.

1 Breydon Water and Water Ski Designation

Contact Officer/Broads Plan Objective: Andrea Long

1.1 As the report for the Broads Authority was being compiled on the designation of a water skiing zone on Breydon Water, further information was supplied on the presence of significant populations of avocets and black-tailed godwits using the estuary in the summer months. Furthermore, there was not existing evidence of disturbance to birds in the winter months. As a result of this the Authority amended the proposal from that considered by the Navigation Committee on 11 October such that the Authority will be consulting on:

- (1) The establishment of a trial waterskiing zone for the purpose of monitoring the impact on the designated features of the Special Protection Area in line with the provisions of the Habitats Directive.
- (2) The designation of the trial zone will be for a **minimum** of one year **and all the year round** so that monitoring can be undertaken for the 12 months cycle:
- (3) The activity that will form the trial will encompass all aspects of water skiing as permitted in the Broads including wake boarding and "getting air".

2 Navigation Charges 2012/13

Contact Officer/Broads Plan Objective: John Packman/None

2.1 The Authority considered the report of the Tolls Working Group and the recommendations of the Navigation Committee when setting the navigation charges for 2012/13. The Authority adopted the recommendations of the Committee in respect of:

- (1) Adopting the Guiding Principles and Criteria recommended by the Tolls Working Group and endorsed by the Navigation Committee.

- (2) Reducing the charges for 7-day visit tolls from 70% to 50% of the 14 day toll as an incentive to visiting craft.
 - (3) Reducing the charges for a smaller private boat of 5 square metres from £97.44 to £90.00 to narrow the gap in charges with powered boats of the same size and that the charges for all other private boats be in line with Scenario 2 of Table 3 on page 9 of 29 in the report.
 - (4) Reducing the current multipliers to 2.65 and 2.95 for weekly hired and passenger boats respectively.
 - (5) Ferries are charged at the private rate toll.
 - (6) Further consideration should be given to charges for rowing craft and a discounting arrangement for boats visiting the Broads through Mutford Lock.
- 2.2 When it came to considering the level of overall toll income the Authority decided that it should be raised by 3% rather than the 1.5% proposed by the Navigation Committee.
- 2.3 All members recognised that the Authority still faces big challenges, especially dredging the rivers and broads and maintaining its assets, including 4km of public moorings. This followed a report and presentation on the Authority's Asset Strategy which is on this meeting's agenda.
- 2.4 Members opposing the lower increase were concerned that a 1.5% increase next year might be followed by a bigger increase the following year and it was better to smooth out the changes and they considered that the prior adoption of a financial strategy planning a year by year increase of 3% was more important. Other arguments in support were that it was not always a sound idea to seek compromise but to make difficult decisions and that the hire boat industry enjoyed tax relief on their payments. Prudent provision of reserve funds for asset replacement would mean larger sums would be needed than had previously been provided for, and the loss of Tolls income over the three years of the Financial Strategy would lead to a funding gap of around £130,000. The whole thrust of financial information presented to the meeting argued strongly for a 3% rise rather than 1.5%.
- 2.5 Members who supported the 1.5% increase made the point that all of these arguments had been fully considered and asked for recognition of the current hardship and economic uncertainty and the way in which the budget had been underspent in previous years. The measures were a complete package that had been agreed and should not be separated. Increases in subsequent years could be considered when the economic situation was clearer and the monies so far collected fully spent.
- 2.6 The vote was a finely balanced outcome with 8 to 7 against the resolution proposed by the Chairman of the Navigation Committee for a recommended 1.5% which would result in the Authority, as it would normally do, accepting

the Navigation Committee's recommendation. A subsequent proposition in support of the 3% increase in Tolls was carried by 9 votes to 6.

- 2.7 Members noted the recommendation of the Tolls Working Group, supported by the Navigation Committee, that the Hire Boat Multiplier should be considered by the Navigation Committee each year, recognised the complexity of this issue as difficult to resolve, and accepted that this was a matter upon which there needed to be further consideration.

3 Breydon Water Practical Works and Modelling

Contact Officer/Broads Plan Objective: Trudi Wakelin/NA4.1

- 3.1 Since the last report, works have been completed to improve the channel marking at Bure Mouth. This has involved the removal of the 'crooked' yellow post, as well as three additional post's stumps which were found by the diving contractor and the installation of a new yellow special mark along with new starboard marks to reduce the opportunity for craft to cut the corner.
- 3.2 Additionally, the contract for the hydrographic modelling study of Breydon Water has now been let to JBA consulting in association with Deltares. Work is ongoing to collect and collate the necessary data currently, with modelling and options development to take place in the new year.

4 Review of Consultative Arrangements

Contact Officer/Broads Plan Objective: Andrea Long/None

- 4.1 At its meeting of the 22 November 2012, the Broads Forum considered a number of suggestions to improve the overall efficiency and effectiveness of the Forum. Forum members had been canvassed for their own ideas at their July meeting and many had attended the facilitated workshop with consultants held on the 3 October 2012. Forum members agreed a number of changes to the operation of the Forum and these include – election of chairman from within the Forum membership, standing agenda item for parish issues, measures to increase communication between Forum members and nominating groups, wider publicity for Forum members to promote the work of the Forum, support for a better balance of agenda items between discussion and information items and between items suggested by Forum members and those raised by the Broads Authority. However Forum members did not support the establishment of an "on-line" discussion forum. The comments of the Forum will be fed back to the Member Working Group looking at the Review of Consultative Arrangements and it is hoped that the Broads Authority will given the go-ahead for the changes at its meeting in January 2013. Broads Forum members would then be able to consider a revised Terms of Reference at their next planned meeting in February 2013.

5 Strategic Priorities 2012/13

Contact Officer/Broads Plan Objective: John Packman/Multiple

- 5.1 The Authority's strategic priorities relating to the Management of the Navigation Area and Moorings are detailed at Appendix 1, together with the

action taken to date and their current status. The traffic lights for all key projects are currently green with the exception of:

- (a) Priority 2(c)1: Timetable slipped slightly, but report on this agenda.
- (b) Priority 3(b)2/3: The public consultation for the Integrated Access Strategy has been slightly delayed, but will commence in November. Presentation on this agenda.
- (c) Priority 4.1: A delayed start date for the development of the Dockyard has meant that the completion dates for this priority is likely to slip. This traffic light is currently yellow.

6 Navigation Patrolling and Performance Targets

Contact Officer/Broads Plan Objective: Adrian Vernon/NA4.3

- 6.1 The Rangers Exercise of Powers Analysis is now complete for the summer season and considerable activity can be seen. Staff sickness had a bearing on best value in some areas late in the season but this has now been resolved. Speeding in Wroxham and the Upper Bure continues to be a problem although as most offenders are dayboat helmsman it is easily dealt with by verbal and blue book warnings. To tackle this problem in future road type lighted signs, voluntary lower governing of dayboat engine speeds, encouraging yard owners to fit GPS instruments and the use of a new technology, namely long distance video binoculars, are all being considered.

7 Sunken and Abandoned Vessel Update

Contact Officer/Broads Plan Objective: Adrian Vernon/NA4

- 7.1 One long term sunken vessel in the Thorpe Old River has finally been raised by the owner thereby saving the Authority both time and money. A further vessel has sunk at the top end of the cut and it is hoped that all three vessels in the area will be removed by crane once permission has been granted by Network Rail. It is also hoped that following a forthcoming site meeting and discussions that Network Rail will take more serious steps to prevent further trespass mooring in the future.

8 Planning Enforcement Update

Contact Officer/Broads Plan Objective: Adrian Vernon and Cally Smith/None

- 8.1 Following queries raised by a member it was agreed to provide regular updates on the position regarding relevant planning enforcement actions. These details are included at Appendix 4.

Background papers: Nil

Author: John Organ
Date of report: November 2012





Broads Plan Objectives: NA4.1, NA4.3, NA5

Appendices: APPENDIX 1 — Strategic Priorities for 2012/13
APPENDIX 2 – Report on the Significant Exercise of Powers
by the Rangers during April to October 2012
APPENDIX 3 –Report of Sunken and Abandoned Vessels
APPENDIX 4 – Planning Enforcement Update

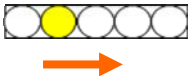
Strategic Priority Objectives, Projects and Key Milestones for 2012/13

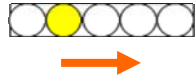
Priority 2 - Working in Partnership on the Sustainable Management of the Broads –
(c) Management of the Navigation Area

Ser	Objective	Lead Officer	Projects and Key Milestones	Action to Date	Status
2(c)1	NA1: Deliver a strategic catchment approach to sustainable sediment management to achieve a balance of inputs with outputs, securing defined waterways specifications for the navigation area.	Head of Construction & Maintenance	Implement PRISMA Project Plan by end of March 2013 Dredge 50,000m ³ of sediment from the navigation area by end March 2013	Works currently on target, Salhouse project started in October for the mid Bure dredging works and bank restoration	
			Identify, secure and prepare priority strategic disposal locations to deliver future dredging projects by March 2013	Second phase sites to be identified once Sediment Management Strategy is agreed. Deadline to be moved to 2013/14	
		Senior Waterways and Recreation Officer	Identify significant sediment sources and develop projects to reduce the inputs by Dec 2012	Surveys completed and project development phase is starting	
			Complete Sediment Management Strategy Review and update 5 year Action Plan by September 2012; review & agree appropriate performance indicators Dec 2012	Report on this agenda	
2(c)2	NA2: Manage trees and scrub along the river corridor in line with agreed management guidance and	Head of Construction & Maintenance	Identify priority tree clearance sites, and secure all necessary consents by Sept 2012 Complete 80 days of river bank tree clearance works by end March 2013, including providing opportunities for volunteers	Tree clearance works started end of October Programme currently includes 93 days	




	criteria.		Support and facilitate community or users groups to complete appropriate tree clearance work	Broadsword dates agreed for winter 2012/13, started on 21 st Oct following appropriate H&S training	
2(c)3	NA4: Implement, manage and promote safety management measures for the navigation and boats, to minimise risk and reduce environmental impact	Head of Construction and Maintenance	<p>Complete legal transfer of Breydon Water to Broads Authority jurisdiction by July 2012</p> <p>Complete programme of identified immediate maintenance requirements by March 2013</p> <p>Investigate sediment modelling of Breydon Water to inform Turntide Jetty replacement options by Sept 2012</p>	<p>Appointed day occurred on 1st June 2012</p> <p>Contract awarded for priority maintenance work, to be completed by end Nov 2012, in house works will be completed by end March 2013</p> <p>Contract awarded, final report due March 2013</p>	  


Priority 3 - Encouraging the Sustainable Use of the Broads – (a) Promoting Understanding, Enjoyment and Wellbeing

Ser	Objective	Lead Officer	Projects and Key Milestones	Action to Date	Status
3(b)2	TR3.1 Develop a strategic approach to sustainable access in the Broads	Head of Strategy and Projects and Senior Waterways & Recreation Officer	<p>Publish for public consultation the Integrated Access Strategy for the Broads by September 2012</p> <p>Publish action plan for implementing access priorities by December 2012</p>	Strategy consultation to begin with presentation to Broads Forum in November 2012. Presentation on this agenda.	

3(b)3	TR2.2 Maintain programme of expansion and improvement of moorings, slipways and yacht stations	Senior Waterways and Recreation officer	Refresh action plans for moorings and slipway strategies by Autumn 2012; Develop implementation funding options and priorities for development of new moorings and slipways to 2016 by Jan 2013	Progress linked to Integrated Access Strategy above. Potential new slipway projects being developed	
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Priority 4 - Governance/Organisational Development of the Authority

Ser	Objective	Lead Officer	Projects and Key Milestones	Action to Date	Status
4.1	Integrate our activities to deliver greater efficiencies and increased flexibility for the benefit of all our purposes and help the Authority respond to the changes in funding	Chief Executive/ Director of Change Management & Resources Director of Operations Director of Operations	New organisation transitional arrangements: - Complete organisational changes to the Authority by moving to a two Directorate structure in April 2013. - Relocate from the Ludham Field Base by end of March 2013. - Complete the development and improvement of the Dockyard site at Griffin Lane to meet the Authority's operational requirements by end of March 2013.	On schedule. Timetable amended, will now be vacated during 2013 following Dockyard completion. Contract signed, work started on 24 September, with expected completion date April 2013.	  
4.3	Obtain general stakeholder consensus towards a revised Tolls System, taking into account the	Chief Executive	Undertake review of the tolls system by September 2012. - Survey Broads boat owners and analyse results by May 2012. - Conduct workshop for members and stakeholders by end of June 2012.	Report to Broads Authority in May. Workshop held on 21 June 2012	

	<p>Authority's Financial Strategy.</p>		<ul style="list-style-type: none"> - Develop recommendations through a Working Group by end August 2012. - Consult Navigation Committee on recommendations by 6 September 2012, - Recommendations to be considered by Broads Authority by 21 September 2012. 	<p>Working Group Meetings held on 11 July 2012 and 6 September 2012</p> <p>Consultation of Navigation Committee held on 11 October. Recommendations accepted by Broads Authority on 23 November</p>	
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APPENDIX 2

Report on Exercise of Powers by Authorised Officers – Report to be completed for every Navigation Committee

Rangers Exercise of Powers Analysis <i>(Bracketed figures are running totals, April 2012 to October 2012)</i>						Date: OCTOBER 2012		
	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 and South Walsham	Hickling, P.Heigham, Upper Thurne & Womack	Lower Thurne & Lower Bure	Norwich and Upper Yare	Reedham, Chet & Middle Yare	Oulton Broad and Upper/Middle Waveney	Breydon Water, Lower Waveney and Yare
Verbal Warnings								
Care & Caution	4 (94)	(89)	5 (107)	11 (77)	2 (16)		(18)	1 (24)
Speed	311 (3282)	(489)	36 (490)	26 (479)	29 (216)	(204)	13 (207)	9 (208)
Tolls offences	12 (174)	(143)	(25)	(16)	(10)	(4)	2 (10)	(2)
Other	10 (101)	(17)	2 (14)	7 (21)	(14)	(10)	4 (39)	11 (38)
Blue Book Warnings								
Care & Caution	(6)	(3)	(2)	(3)	(1)	(1)	(4)	(2)
Speed	2 (80)	(16)	(3)	1 (38)	1 (9)	(9)	(22)	(13)
Other	2 (16)	1 (4)	2 (2)	(1)	1 (3)	(1)	1 (11)	(4)
Reports for Prosecutions	(1)		(1)	(1)			(1)	(5)
Special Directions						(30)	(171)	4 (40)
Toll Compliance Reports								
Non Payment	33 (129)	(31)	2 (40)	(31)	1 (67)	(63)	3 (95)	2 (40)
Non Display	25 (85)	(11)	(4)	(10)	(20)	(92)	(64)	1 (7)
28 Day request for information	1 (2)		(8)	(13)	(4)	(1)	(1)	(1)
BSS Hazardous Boat Inspections			(1)					
Enter Vessels Under BSS								
Launch Staffed	22 (191)	11 (96)	18 (128)	13 (80)	13 (121)	21 (107)	11 (132)	30 (209)
Best Value Patrol Targets Percentage Compliance	159% (145%)	36% (52%)	101% (81%)	107% (112%)	81% (95%)	157% (140%)	73% (87%)	79% (78%)
Volunteer Patrols	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!	#REF! #REF!
IRIS Reports	1 (98)	3 (39)	(20)	1 (43)	3 (58)	3 (35)	2 (51)	2 (99)
Broads Control Total Calls	TOTAL 3,242 (26,204)			Telephone	2,651 (20,395)		VHF	591 (5,809)

Sunken and Abandoned Vessels

Description	Location found	Action	Abandoned /Sunken Notice Affixed	Result
Abandoned/Sunken small cabin cruiser	Upstream end of Thorpe New Cut.	No known owner. Abandoned vessel notice issued	yes	We have arranged a meeting with Network Rail engineers to facilitate use of our crane rig close to the railway line. It is also hoped that Network Rail will be persuaded to properly maintain their broken fence that currently allows access to this site.
Abandoned/Sunken cruiser	Eastern side of Upstream end of Thorpe New Cut	New sunken vessel with no known owner.	yes	Recently sunk and now abandoned, it is hoped it will be removed when Network Rail give permission for our crane to be used in the area.
Abandoned/Sunken wooden cruiser	River Waveney Beccles	It is hoped that this vessel will be raised and removed when the BA undertake work in the area.	no	
Abandoned/Sunken wooden cruiser	Upstream end of Thorpe New Cut.	Vessel abandoned after sinking. Abandoned vessel notice affixed	Yes	As above we have arranged a meeting with Network Rail engineers to facilitate use of our crane rig close to the railway line.
Sunken Sailing Yacht	Oulton Broad	Vessel sunk at moorings, new owner found after extensive enquiries and has been requested to raise the vessel.	No	

Enforcement Update

This table shows the updates on enforcement matters relating to Navigation matters currently under consideration since the last Navigation Committee on 11 October 2012.

Committee Date	Location	Infringement	Action taken and current situation
7 December 2007 23 April 2010	South side of Thorpe Island (New Cut)	Unauthorised mooring of vessels	<ul style="list-style-type: none"> • Authorisation to serve any necessary notices and take enforcement action following legal advice. • Network Rail wrote directly to those concerned and set in train procedures for notices to quit land. • Network Rail procedures underway. • Trespass Notices and Injunctions served
5 December 2008 5 March 2010 16 July 2010	“Thorpe Island Marina” West Side of Thorpe Island Norwich (Former Jenner’s Basin)	Unauthorised development	<ul style="list-style-type: none"> • Temporary Stop Notice served on 10 and 11 November 2008 and Enforcement Notice served on 12 November 2008 with compliance required by 11 January 2009. • Authorisation granted to initiate prosecution proceedings should compliance not be achieved. • Landowner served with Section 330 Notice on 11 August 2011 . • Enforcement Notices served on 7 November 2011 on landowner, third party with legal interest and all occupiers. Various compliance dates from 12 December 2011 • Appeal lodged on 6 December 2011 • Public Inquiry took place on 1 and 2 May 2012 • Decision received on 15 June 2012. Inspector varied and upheld the Enforcement Notice in respect of removal of pontoons, storage container and engines but allowed the mooring of up to 12 boats only, subject to provision and implementation of landscaping and other schemes, strict compliance with conditions and no residential moorings. • Challenge to decision filed in High Court 12 July 2012 • High Court date set for 26 June 2013

Committee Date	Location	Infringement	Action taken and current situation
4 November 2011	Plots 37 and 38 Crabbetts Marsh, Horning	Unauthorised development of piling	<ul style="list-style-type: none"> • Authority given for enforcement notices to be served.. • Enforcement Notice served on 18 November 2011. • 19 December 2011 meeting with landowner • Appeal submitted. Start date 3 February 2012 • Appeal dismissed and enforcement notice upheld with corrections. Planning permission refused - 24 July 2012 Period for compliance 2 calendar months - by 13 October 2012 • Compliance not achieved. • Authority given for prosecution 9 November 2012.