

Navigation Committee

Minutes of the meeting held on 11 April 2019

Present:

Mrs Nicky Talbot – Chairperson

Mr K Allen

Mr M Bradbury

Mr S Sparrow

Mr J Ash

Mr W Dickson

Mr A Thomson

Ms L Aspland

Mr G Munford

Mr P Thomas

Mr M Barnes

In Attendance:

Ms N Beal – Planning Policy Officer (item 11)

Mrs L Burchnall – Head of Ranger Services (item 17)

Miss S Mullarney – Administrative Officer

Dr J Packman – Chief Executive

Mr R Rogers – Director of Operations

Ms C Smith – Head of Planning (item 11)

Also in attendance:

Haydn Thirtle.

1/1 To receive apologies for absence

Apologies for absence were received from Andy Hamilton.

Recordings

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.

1/2 To note whether any items have been proposed as matters of urgent business

No items were proposed as a matter of urgent business.

1/3 Appointment of Chair

The Chief Executive reported that nominations for the Chair had been invited in line with the new procedure adopted following the 18 May 2018 Broads Authority meeting.

Nicky Talbot had been proposed by John Ash and seconded by Linda Aspland.

No other nominations had been received so it was

RESOLVED

That Nicky Talbot be appointed Chair of the Navigation Committee.

1/4 Appointment of Vice-Chair

The Chief Executive reported that nominations for Vice Chair had been received for Simon Sparrow, proposed by Nicky Talbot and seconded by Linda Aspland.

No other nominations had been received so it was

RESOLVED

That Simon Sparrow be appointed Vice Chair of the Navigation Committee.

Nicky Talbot in the Chair

1/5 To receive Declarations of Interest

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

1/6 Public Question Time

No public questions were raised.

1/7 To receive and confirm the minutes of the Navigation Committee meeting held on 17 January 2019

The minutes of the meeting held on 17 January 2019 were signed by the Chair as a correct record of the meeting.

1/8 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.

Staithe Report

Members were informed that Officers were chasing Somerton Boat Dyke Trust for confirmation that any issues with the report had been resolved. It was hoped to complete and make the report public soon.

Network Rail

Network Rail has asked the Authority to identify with local boating organisations high impact days where demands of particular groups of boats are at their highest. Network Rail has agreed to do their best on these days and will reposition crews closer to the bridges to better react to the high demand for bridge operation.

Members were informed that Network Rail had commissioned Atkins to carry out an Asset Management Plan to look at the cost for replacement and major refurbishment of Somerleyton and Reedham swing bridges. This was due to be completed by the end of March 2019.

One Member asked for an update on Trowse swing bridge. The Chief Executive said that it was currently not working but Network Rail had indicated that they have been examining how the computer system could be bypassed to enable the bridge to swing.

Burgh Castle

The Director of Operations gave an update, explaining that alternate mooring solutions were being investigated.

Registration Marks

Both the Chief Executive and the Chair thanked the Head of Ranger Services and the River Cruiser Class for meeting to discuss the issue. Members were informed that a compromise had been agreed on the display of registration marks on river cruisers. Vessels of a class designed specifically and exclusively for use on the Broads will not be required to display their registration marks on the stern provided the vessel is clearly marked on the stern with its registered name. Registration marks must be displayed both sides of vessel near the bow. Vessels with a long counter stern which are unable to display either registration marks or the registered name on the stern must display registration marks both sides of vessel near the bow.

The Chief Executive added that this revised wording had been agreed for the guidance to make the requirements for the river cruiser class clearer. Members were also informed that the Captain of the River Cruiser Class had written to all members of the River Cruiser Class to encourage all owners to meet the obligations set out in the byelaws.

One Member commented that the compromise suggested certain vessels were not following the same guidance. Officers responded that the important factor was that the Rangers were able to identify individual boats in order to carry out their duties. Clear sight of the name would enable them to do this and implement the byelaws.

The Head of Ranger Services agreed with the River Cruiser Class and the Rangers that they were comfortable that they would be able to identify the vessels. The situation is to be monitored over the season. The Chief Executive thanked the Committee for its support.

Members noted the report.

1/9 Appointment of Two Co-opted Members to the Broads Authority

Members received a report which sought the views and the recommendations of the Navigation Committee on the appointment of two co-opted members to

serve on the full Authority until 22 May 2020 as set out in Section 1(3)(c) of the Norfolk and Suffolk Broads Act 1988 as amended.

Schedule 4, paragraph 4(3) of the Norfolk and Suffolk Broads Act 1988 further states that the Navigation Committee shall elect a Chairman from among those of its members who are members of the Authority and may, if it thinks fit, appoint one of its members to be Vice-Chairman. With this in mind, given that Nicky Talbot had been elected Chair of the Committee, she would need to take up one of the seats on the Authority.

Bill Dickson proposed, seconded by Linda Aspland that Simon Sparrow be appointed as a Member of the Broads Authority until 22 May 2020. No other nominations were received, therefore it was

RESOLVED

That Nicky Talbot and Simon Sparrow be recommended to the Broads Authority for appointment as the co-opted Members to the Broads Authority until 22 May 2020.

1/10 Chief Executive's Report and Current Issues

Acle Moorings refurbishment

Members were informed that the refurbished café and shop was due to open on Tuesday 16 April 2019. In response to a member question regarding the proposed Education and Visitor Centre, the Chief Executive said the focus for recent months had been to refurbish the moorings, transfer the ownership of the public toilets and work with the catering contractor, in terms of the longer term plans vehicular access to the site was being assessed and options for financing the project were being examined.

PMSC Hazard Log-Stakeholder Review

The Chair thanked the Head of Safety Management and the other participants in the Review for a worthwhile exercise.

Marina Quays

Members were informed that a revised application for Marina Quays had been submitted. The original application was presented at the 6 September 2018 Navigation Committee meeting and Members had no 'in principle' objection. However, there were a number of planning concerns which resulted in the application being withdrawn. Members were advised that the new application has no changes that may affect navigation so there was no need to re-consult the Navigation Committee.

Members noted the report.

1/11 Local Plan for the Broads - adoption

The report outlined the processes of the Examination of the Local Plan for the Broads. Members were informed that the Inspector's report had not been

received in time for the meeting. It was hoped this would be available for review at the next Planning Committee meeting. This would subsequently be presented to the Broads Authority for adoption.

Navigation Committee Members would be informed when the report was available.

Members noted the report.

1/12 Navigation Income and Expenditure: 1 April 2018 to 28 February 2019 Actual and 2018/19 Forecast Outturn

The report informed members of the actual Navigation Income and Expenditure for the eleven month period to 28 February 2019 and provided a forecast of the projected expenditure at the end of the financial year.

The Chief Executive reported that the income was above what was budgeted and expenditure was on track. He added that the Navigation reserves were projected to be above the minimum reserve rate of 10% at the end of the year.

In response to a Member's question regarding legal expenditure and the difference between the budget and forecast outturn in the report, the Chief Executive clarified that the budget had not reflected actual expenditure and there had been little change in the actual legal costs attributed to navigation over the last two years. He explained that the two main legal costs for navigation expenditure were a proportion of the salary of the Solicitor and Monitoring Officer, legal costs associated with leases and property and prosecutions. It was explained that nplaw would continue to undertake the Authority's prosecution work and Birketts the remaining legal work. The Chief Executive stressed that the Authority had to enforce the Authority's byelaws but legal action was a last resort and issues such as the non-payment of tolls were often resolved before they reached court. The budget would be amended going forward to reflect the actual expenditure of 2018/19, with costs being ascribed to Navigation or National Park budgets dependent on where the costs fall.

The Member further questioned the legal services value for money stating that the Committee needed to be able to explain where toll payers money was going. One member responded that there would be no incentive to pay for tolls if the Authority didn't prosecute those who refused to pay. Another member agreed that prosecutions could not be selective. The Chief Executive reiterated this and said every opportunity was given for compliance. The Chair concluded that the Broads Authority needed legal advice on these matters and said Members had seen evidence of prosecutions in various reports presented to the Navigation Committee.

Members noted the report.

1/13 Safety Audit 2018 Report

Members noted the details of incidents reported during 2018. Members commented on the steady trend of numbers of people falling into the water. The Director of Operations explained that the incidents listed weren't all attended by the Broads Authority.

Members discussed what information was captured for each incident and the possible causes for the incidents. One member highlighted that context was needed for the figures in the report, he said that it was a relatively small percentage of incidents for the proportion of vessels on the Broads. The Director of Operations added that referrals for medical advice were on the increase which would account for the trend of incidents requiring hospital treatment.

Members noted the report.

1/14 Construction, Maintenance and Environment Work Programme Progress Update

Members were provided with an update on the progress of the work programme for the Construction, Maintenance and Environment teams.

One member asked for an update on the tree shears, the Director of Operations said that they were proving to be more efficient in removing the bankside scrub and tree but that additional kit might be needed to be purchased in the future to speed up the clearing up process.

Members noted the report.

1/15 Navigation Committee Timetable of Meetings 2019/20

The Committee Timetable for 2019/20 had been approved at the 22 March 2019 Broads Authority meeting subject to the views of the Navigation Committee. Members were asked to review the Navigation Committee meetings for the coming year.

There were no objections to the Navigation Committee meeting dates for 2019/2020.

1/16 Exclusion of the Public

It was resolved that the public be excluded 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

1/17 Launch Replacement Programme

Members were advised of the next phase of delivering the Launch Replacement Programme following discussion at the previous Navigation Committee meeting.

Members discussed the proposal for some members to attend the Seawork International Trade Show in June. It was suggested that a small group attend the show on Tuesday 11 June and all members to meet as scheduled on 13 June. The Chair and Vice Chair proposed to represent the Committee at the site visit. Mike Barnes also volunteered to attend the trade show.

1/18 To note the date of the next meeting

The next meeting of the Navigation Committee would be held on Thursday 13 June 2019 at the Dockyard, Griffin Lane, Thorpe St Andrew, Norwich, NR7 0SL commencing at 2pm.

The meeting concluded at 3.30pm

Chairman

Code of Conduct for Members

Declaration of Interests

Committee: Navigation Committee

Date of Meeting: 11 April 2019

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
John Ash		As previously declared.	
Bill Dickson			
Linda Aspland		As previously declared.	
Mike Barnes		As previously declared.	
Alan Thomson			
Matthew Bradbury		As previously declared.	
Nicky Talbot		None to declare re agenda. Toll payer.	
Simon Sparrow		Toll payer, hire boat operator, resident.	
Greg Munford		Chief Exec Richardsons Leisure Ltd President British Marine Resident in Authority area No specific interests.	