

Broads Authority

29 November 2024

Agenda item number 19

General Direction

Report by the Head of Ranger Services

Purpose

This report updates the Board on the progress in implementing a General Direction to control the movement of vessels over 24 metres. It also makes clear that the General Direction should include private as well as commercial vessels.

Broads Plan context

C4 - Maintain and improve safety and security standards and user behaviour on the waterways.

Recommended decision

The Board notes the progress in resolving the outstanding issues concerning the General Direction and approves the inclusion of all vessels over 24 metres in length in its scope.

1. Introduction

- 1.1. Following consultation at the Navigation Committee in January this year and with the proposed changes added, the Broads Authority resolved unanimously that a General Direction be put in place, to restrict all commercial vessels over 24 metres from entering the Broads, subject to a risk assessment to see if such vessels could be safely accommodated without a pilot. The intention is now for this to apply to all vessels over 24 metres. This was pending checks on the outstanding questions raised in the report.
- 1.2. The questions raised related to whether the “Open Port Duty” which applies to Harbour Authorities by virtue of the Harbours, Docks and Piers Clauses Act 1847 would prevent the Authority from putting a restriction on vessels. After seeking legal advice, this does not apply as simply put, the Harbours, Docks and Piers Clauses Act 1847 does not apply to the Broads.
- 1.3. A draft General Direction is currently being produced. As is required, the General Direction must be published in the relevant local press, on the Broads Authority website and be sent to the statutory consultees which includes the Navigation Committee. If any of the statutory consultees objects within the stipulated notice

period, minimum 42 days, then the matter shall be referred to the independent person¹ as appointed jointly by the Broads Authority and the statutory consultees.

2. Changes to the Pilotage Review

- 2.1. At the Broads Authority meeting held in January 2024, it was resolved that a General Direction be put in place, to restrict all commercial vessels over 24 metres from entering the Broads, subject to a risk assessment to see if such vessels could be safely accommodated without a pilot.
- 2.2. The proposal is to change the General Direction to restrict all vessels over 24 metres from entering the Broads, subject to a risk assessment to see if such vessels could be safely accommodated without a pilot. This is on the basis that private vessel of those dimensions would pose a similar hazard.

3. Financial implications

- 3.1. This is a precautionary measure, and it is unlikely that there will be any financial implications.

4. Risk implications

- 4.1. This proposal is designed to put in place the necessary safety controls should a vessel greater than 24 metres in length seek to enter the Broads.

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[Broads Plan](#) strategic objectives: C4

¹ Paragraph 2 of Schedule 1 to the Broads Act 2009