

Navigation Committee

Minutes of the meeting held on 11 April 2024

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Present

Alan Goodchild – in the Chair (from item 2), Harry Blathwayt, Stephen Bolt, Mark Collins, Peter Dixon, Greg Munford, Bob Neate, Remus Sawyerr, Simon Sparrow, Paul Thomas, and Daniel Thwaites.

In attendance

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

1. Apologies and welcome

The Chief Executive welcomed everyone to the meeting.

Apologies were received from Leslie Mogford and Michael Scott

Openness of Local Government Bodies Regulations 2014

The Chief Executive 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

Alan Goodchild was proposed by Mark Collins and seconded by Stephen Bolt.

There being no other nominations Alan Goodchild was appointed Chair of the Navigation Committee for the forthcoming year.

Alan Goodchild took the Chair.

3. Appointment of Vice-Chair

Peter Dixon was proposed by Mark Collins and seconded by Stephen Bolt.

There being no other nominations Peter Dixon was appointed Vice-Chair of the Navigation Committee for the forthcoming year.

4. Declarations of interest

Members stated 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. Minutes of last meeting

The minutes of the meeting held on 11 January 2024 were signed by the Chair as a correct record of the meeting.

7. 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 Director of Operations (DO) provided an update on the current status of the long-standing actions in relation to the swing bridges in the Broads area. The DO reported that he had chased Network Rail and they confirmed that the work to the Somerleyton and Reedham bridges was complete, however, they had been unable to go ahead with the Oulton swing bridge repairs as they were more substantial than first thought. Network Rail reported that they had completed extensive brickwork repairs to reinforce the control boxes, a full upgrade to the electrical system, a full upgrade and replacement to the manual winch system to enable the bridge to be swung open manually by the bridge operator if there was a problem with the machinery, and replacement of the navigation lights. What was not clear was whether, as part of the million pound scheme, the lifting equipment and jacks within the control box had been completed. The DO said that he had asked Network Rail whether this work had been completed and that he would report back to the committee once he had a further update.

The Chief Executive (CE) informed the committee that he attended a leisure users meeting at Peel Ports. Most of the meeting was taken up with discussions around Haven Bridge and it not being operational. The CE said that there was conflict over the operation of the bridge between Norfolk County Council (NCC) and Peel Ports. The CE said that although not in the Broads Authority area, Haven Bridge was important to the Authority due to the commercial operators within the Broads that needed access to the sea and, by not having timed and easy ways through the bridges, had an adverse impact on their business. In addition, there were a good number of leisure users who wished to get access to the sea, and if Haven Bridge was not working and there was not a mechanism that made it easy for them to transit through the port out to sea, that had an adverse effect. It was therefore important that the Broads Authority did its best to help get the situation resolved. The CE said that following the meeting he had written to the Chief Executive of NCC to see what he could do to resolve the issue, and also wrote to the Authority's two County Council appointees to alert them to the issue to see what they could do. The CE had received a response from the Chief Executive of NCC who said that he was looking into the matter and would respond further as soon as he had some information. The CE added that he thought that this was a serious issue for the Authority and therefore should push both Peel Ports and NCC hard to resolve the differences

of opinion and enter into an arrangement whereby Haven Bridge and Herring Bridge would open regularly.

A Member commented that the navigation community appreciated the CE's work on getting the Haven Bridge working and said that there was great concern about the current situation. He said that there was frustration that boats were unable to get through the bridges at Great Yarmouth and added that there was a safety context due to the lack of co-ordination around the timing of the opening of the bridges, and the fact that there was a lack of moorings between the bridges.

A Member asked whether, under the Broads Act and the duty to maintain navigation, there was a legal basis that the Authority could use to put pressure on the two parties regarding operation of Haven Bridge. The CE had offered to act as a mediator between Peel Ports and NCC, and was now looking at how pressure could be put on both parties to get the issue resolved. The CE added that the recent Levelling Up Act had changed the relationship between NCC and the Authority and the council now had a duty to further the Authority's purposes. The Authority may, therefore, be able to argue that by inhibiting the transit through the bridges, hinders our navigation purposes.

The Chair said that the bridges in Great Yarmouth were a big problem and commented that during the Planning Inspectorate's decision-making on the planning application for the new Herring Bridge, it was conditional that all three bridges should be streamlined in terms of opening.

A Member asked whether there was any update on the two bridges in Norwich. The CE replied that he understood that some maintenance had taken place.

The CE provided an update on the tolls software project. He confirmed that a contract had been let at a relatively moderate fee, for the updating of the software which underpinned the online toll payment system, and that work was expected to be completed by June 2024. He added that by upgrading the software, it made the toll payment system more robust and resilient. The CE said that he would report back to the committee how the work was progressing.

A Member asked whether the Authority were happy that they had understood the cyber risks of security associated with cloud-based software. The Director of Finance (DF) replied that in terms of cyber security, the Authority was audited every two years and as part of that, cyber security was included. In addition, penetration testing was carried out on a regular basis to ensure that the Authority's systems were secure.

A Member asked what the timescales were in relation to the provision of a an easy to use online system to pay short-visit tolls. The DF said that this would be part of the second stage of the project.

8. 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 9 May 2025 as set out in Section 1(2)(c) of the Norfolk and Suffolk Broads Act 1988 as amended. The Senior Governance Officer (SGO) explained that given that Alan Goodchild had been appointed Chair of the Navigation Committee, he would automatically take up one of those appointments. This, therefore, left one vacancy that needed to be filled.

Alan Goodchild proposed and Greg Munford seconded that Peter Dixon be appointed as a member of the Broads Authority until 9 May 2025. 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 9 May 2025.

9. Chief Executive's report and current issues

Members received the report of the Chief Executive (CE). The CE said that he had three items to cover in relation to his report. The first being the letter received from the DEFRA Minister in response to the Chair of the Authority's letter regarding the funding of the waterways which was approved at the Navigation Committee in January. The CE said that it was a reasonable response during interesting political times.

The second was in regard to the application for capital funding. The CE said that he and the Director of Finance (DF) had received correspondence from DEFRA on 28 March, informing them that the Authority would be awarded the additional £500,000, however, it would be split as £250,000 capital grant and £250,000 revenue. The CE added that this was a positive step as revenue income would be more flexible in the way that it could be used, however, they were waiting for a 'contract control notice' which would detail any restrictions on how the money could be used. The CE said that although this was good news, in real terms, the Authority had lost about half of its funding over the last few years because there had been no increase for inflation. Extra capital funding was helpful but it did not facilitate long-term planning.

A Member asked whether the principle adopted at the last Broads Authority meeting in relation to spending capital funding on National Park purposes which had a benefit to navigation extended to revenue income. The CE replied that the recommendation to the Broads Authority had included revenue, but DEFRA might take a different view and it would therefore need to be looked at carefully.

The third item was that the EDP had picked up on the statistics for sunken vessels in the Broads area in Appendix 4 of the report. The CE said that putting this in context, there was approximately 12,000 boats on the Broads and 14 of those had sunk over the winter, therefore, the number was relatively small. Following a Member's comments about the

responsibility of owners of moorings and how boats were moored, there was some discussion by Members on the various responsibilities surrounding safety of those boats that were moored up. The Chair commented that the Yacht Harbour Association had issued guidelines which underlined that floating pontoons would be the safer option in rising flood water.

A Member asked how the Authority dealt with the financial uncertainties and burdens that severe weather placed, and how that risk was managed. The DF replied that there was a navigation reserve which was kept at 10% of the expenditure. That reserve was there to cushion any unforeseen events. The reserve was reviewed a while ago, and at the time it looked sufficient for a catastrophic event within the Broads. The Head of Construction, Maintenance and Ecology (HCME) said that in addition to the financial resilience, there was a plan for asset resilience in terms of lifespan and maintenance. One action for this year was to review the design of moorings and footpaths which were in the front line of the impact of high water.

A Member commented on the figure of £200,000 for a new Ranger launch in table 1 of the proposed capital expenditure, and asked how that figure was arrived at as it seemed rather high. He suggested that the Authority contact boat yards that had already developed hybrid technology. The Head of Ranger Services (HRS) said that there was not a fixed price yet as hybrid technology was still being looked at, and added that the Authority had not gone out to tender as yet, although had committed to contact boat yards as part of the next stage.

A Member commented that any discussion on new Ranger launches should be discussed with the Navigation Committee in terms of design before going out to tender and thought that a recommendation from the committee would be of value to the Authority. The Director of Operations (DO) replied that the new launch would not be a radical redesign and would be similar to the launches that the Authority already had which was a tried and tested vessel, but would look at an alternative propulsion method. The DO added that the committee would be kept advised of where the project was, but it was an operational decision with a full tender process.

10. Income and expenditure

Members received the report from the Director of Finance (DF). The DF said that usually she would provide an update on the income and expenditure to date, however, this was not possible because the finance team were currently preparing the year end accounts, therefore the figures provided in the report to Members were the most up to date.

The DF provided an update on the current situation on tolls and said that as of 10 April 2024, the Authority had issued 445 fewer toll plaques compared to the previous year, which was a 5.6% variance. However, the Collector of Tolls was confident that this was comparable with recent years because where Easter fell could have an impact on those figures.

A Member asked for clarification on what Practical Maintenance, set out in table 2 of Appendix 2 of the report, covered. The DF said that budgets were grouped together within a summary heading and Practical Maintenance included things like other navigation works and

MMR (moorings, maintenance and repair). The Member asked what headings items such as dredging and plant cuttings were under. The DF confirmed that dredging would be grouped under water management and that plant cutting would come under a number of headings due to some of the costs being under Equipment, Vehicles and Vessels, and the operators time would come under Construction and Maintenance. The Member asked whether the figure of £84,000 under Water Management included salaries and the DF confirmed that the salaries were not included.

A Member referred to table 1 of Appendix 2 to the report and commented that Hire Craft toll income was down £8,307 and Private Craft toll income was down £71,306. However, when the budget was drawn up the Authority said that it expected the private and hire craft income to remain the same and said that it was actually less than forecast. The DF confirmed that these figures were less than actual budget not less than forecast. When the budget was set in January the Authority reported against actual budget and then Members were updated throughout the year on the forecast, so the variance was against actual budget. The Member asked whether the Authority had received less Private Craft income than budgeted for, how did that reflect on toll income for next year, and was it likely that that there would be less toll income than forecast. The Chief Executive (CE) replied that it was hard to judge – in terms of the hire boat industry it was more straightforward to predict, but for private boats it was harder so the previous year's figures were used when setting the budget. The DF confirmed that when setting the budget for 2024/25, it was set on the forecast figures and was not based on the budget for the previous year. The figures were reset each year based on the known boat numbers for that point in time, therefore, when setting the budget for 2024/25 they looked at how many private boats had paid and how many were in the system.

The DF commented that although the hire boat and private boat income was down, the Authority had been fortunate that the investment income had performed better than expected, which meant that the total variance was only £7,000 overall for the total income.

There was a discussion on the number of mooring spaces available at marinas owned by some of the Members of the committee. Some Members reported that numbers were down and had spaces available, however, some reported that they were at capacity and had a waiting list.

A Member commented that there was no reference to legal costs in relation to the action taken by the Hire Boat Federation with regard to tolls, and asked whether the Authority had a sense on what that was costing. The DF said that so far, this particular case had just cost staff time and a minimal cost in relation to the Monitoring Officer (MO).

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

Members received the report of the Head of Construction, Maintenance and Ecology (HCME). The HCME provided an update on dredging targets which were down about 5,000 cubic metres on the annual work programme. This was due to having to wait for parts for the

concrete pump and other work taking up some of the dredging equipment time. However, during that time not spent dredging, some of the construction team had helped the maintenance team with mooring repairs and helped clear the backlog of maintenance work which had built up during the recent high water.

High water had impacted the repiling work on Womack Island as the start date for the contractors had been significantly put back due to the whole site being under water until just before Easter.

The HCME referred Members to section 3 of the report in regard to the Upper Thurne Working Group and water plant management at Hickling Broad. There had been a proposal to widen the marked channel on Hickling Broad, however, when looking at the full work programme for the year, came to the conclusion that this was not possible in 2024/25. There were a number of factors influencing the decision including limited staff time for cutting, no current capacity for the disposal of additional cut material on the SSSI fen and not having a viable area to off load that material, and the lack of evidence that extra cutting would not negatively impact the SSSI protected area.

A Member asked when the refurbishment of the moorings at Repps Bank were undertaken, would the moorings be raised up higher than they were currently. He commented that they had been under water for the last three months, and that the latest situation was that there was only 4 inches of clearance, which made it a very difficult place to moor. The HCME said that he would report back to the Members on this point as he did not know the answer without checking the tender documents.

Members discussed at length, item 3 of the report and water plant management in Hickling Broad. Members noted that although the ecology had improved, the navigation was deteriorating in that area. Some Members were critical of the conclusions within the report and asked whether the programme for water plant management on Hickling Broad could be reconsidered. A Member asked whether it would be possible to ask Natural England for an easement in the licence surrounding the size and the position of the channel, given the recovery of certain water plant species, so that navigation could be improved for both access and leisure purposes.

A Member commented that Anglian Water had produced a good report for Hickling Parish Council regarding the work they were planning to reduce nutrients going into the Broad. Members asked whether the authority could address water plant management with Natural England with regard to an easement of the licence. The HCME said that the water plant management of this area was a matter that the Upper Thurne Working Group would be looking at.

A Member commented about water quality and the reported increase in E. coli in rivers, and asked whether there was a risk in the Broads. The Chief Executive (CE) reminded Members of the discussions had at a previous meeting where it was discussed whether the Authority should undertake regular water quality monitoring and it was agreed that it was not the Authority's statutory duty, however, it was agreed to continue to advise people not to enter

the water. Having seen the recent data about the number of discharges of sewage into the Broads, the Authority should be concerned. The CE said that within the Campaign for National Parks (CNP) Report, published on 10 April 2024, it highlighted the issue about water quality. The view that the Broads Authority had always taken was that, for Britain's most important wetland, it should be expected that the standards of water quality would be higher than the normal. The HCME said that this issue was discussed in the last two Broads Local Access Forum (BLAF) meetings in terms of access to water. The next meeting of BLAF would be at the Falcon Meadow in Bungay where the River Waveney Trust were looking to apply for a designated bathing site. The HCME said that this was not an easy thing to achieve and part of the application involved monitoring the water.

12. Reviewed Safety Management System (SMS)

Members received the report from the Director of Operations (DO). The DO recapped on some key points in relation to the Safety Management System (SMS) and said that the Port Marine Safety Code (PMSC) was the national standard for all ports and marinas in the UK, however, because ports and marinas come in a range of sizes, it was a requirement to have a Safety Management Plan which set out how the Authority would comply with the PMSC. The Authority's SMS was as set out in Appendix 1 to the report and the DO said that it was reviewed regularly and heavily audited – twice in the last six years – and held 'reasonable assurance'. The DO said that the report was just to inform Members that the document had been reviewed and put into a format that made it much easier to amend.

A Member asked whether the SMS applied to the port at Great Yarmouth and was there any leverage within it as to what was discussed earlier in the meeting in relation to the bridges at Great Yarmouth. The Chief Executive (CE) replied that Peel Ports have a similar SMS for the area that they cover and confirmed that it was not covered in the Authority's SMS.

13. The work of the Rangers

Members received the report from the Head of Ranger Services (HRS). The HRS said that Members would be aware of the day-to-day role of the Rangers, however, the report demonstrated how the duties of the Rangers linked back to the Authority's statutory duties as set out in the Port Marine Safety Code, as well as the corporate priorities, the role of working with partners, and generally assisting the public.

A Member asked whether the details of the number of visits set out in the Best Value Patrol targets table was over a period of time and how was that figure determined. The HRS confirmed that it set out the number of visits per month. It was based on the Best Value Review undertaken in 2003 which looked at boat movement numbers and any incidents, and therefore numbers had been set at that time. Since that review, the Authority monitored boat numbers and incidents and they had not changed much since that period. She added that the number in the table was the minimum, Rangers would go through certain areas a lot more than the minimum numbers. The table related more to the extreme outer edges of the Broads

area to ensure that those areas were covered, and this was reviewed every year and could be changed in relation to any incidents that might occur.

A Member asked how the targets were met and how often they were met. The HRS said that this was reported in the Chief Executive's report for each Navigation Committee meeting. She added that the figure was normally 100% and the lowest was 90%. She added that a new system was being trialled to deliver more accurate feedback.

A Member commented that, in relation to the Best Value Patrol targets, there was limited clearance under the bridge at Potter Heigham at present, and that it looked likely to remain that way for most of this year, and therefore suggested that numbers would need to be revisited as Rangers might not be able to get up to the Upper Thurne and it might only be work boats in that part of the system. He added that the visibility of Authority personnel was important and suggested that work boats should have Broads Authority branding so people could see that these boats were part of the Authority, especially in areas where Ranger launches were unable to get out.

A Member commented that this was an excellent report and gave an insight into the duties of the Rangers. He added that because the deployment of Rangers was discussed when setting the tolls, it was very important that the information from this report was available to those who were paying tolls.

14. Navigation Committee timetable 2024/2025

Members received the report of the Senior Governance Officer (SGO). The SGO said that the timetable was approved by the Broads Authority in March and asked that the Members of the Navigation Committee note the dates for meetings in the next year.

15. Date of next meeting

The next meeting of the Navigation Committee would be held on 6 June 2024 at a venue to be confirmed, commencing at 10am.

The meeting ended at 11:32am.

Signed

Chairman

Appendix 1 – Declaration of interests: Navigation Committee, 11 April 2024

Member	Agenda/minute	Nature of interest
Peter Dixon	11	Residence at Hickling Broad