

# MINUTES OF MIDDLE LEVEL NAVIGATION ADVISORY COMMITTEE

## MINUTES OF MEETING HELD ON 10<sup>th</sup> NOVEMBER 2020

### Present

M Heading	-	Middle Level Commissioners
S Whittome	-	" " "
D C Thomas	-	" " "
L McShane	-	" " "
K Russell	-	" " "
C Howes	-	Inland Waterways Association
C Ovenden	-	Middle Level Watermen's Club
R Sexton	-	East Anglian Waterways Association
P Syred	-	Fox Narrowboats Ltd
D Laws	-	Fenland District Council
A Wildman	-	Residential Boat Owners Association

### 1. Apologies for absence

Jonathan Brown (Middle Level Commissioners) and Nathan Arnold (Environment Agency – Anglian Waterways Team)

The Chairman, Chris Howes, welcomed Colin Ovenden of the Middle Level Watermen's Club to his first meeting.

### 2. Minutes

The minutes of the Navigation Advisory Committee held on the 26<sup>th</sup> August 2020 were approved.

### 3. COVID-19 Action Plan Update

David Thomas gave an update on the restrictions in place since the 5<sup>th</sup> November and the second period of lockdown. With regard to the use of the waterways he noted that vessels should only use the waterway if passage is essential. However, the manned locks are open and boat owners can book a passage by appointment if their travel is essential. Staff are wherever possible working from home and there had been some additional rules applied for attendance at the office which is currently by appointment only.

David Thomas confirmed that the operatives were still working (with COVID measures in place) as normal, as they had been during the first period of lockdown.

### 4. Resolutions from the Board meeting

David Thomas advised that there had been four resolutions made at the board meeting which were of relevance to the Navigation Advisory Committee.

1. The Board had confirmed the appointment of Colin Ovenden of the March Watermen's Club to the Committee to increase the representation of local boat owners.

2. They had delegated to the Executive Committee the appointment of a representative from Huntingdonshire District Council to cover the western area of the District (including Ramsey) on the Committee.
  3. Kye Jerrome, the Environment Agency Fisheries Officer, was being temporarily seconded to another role at the Environment Agency for a period of 6 months. Chris Middleton would replace him on the Navigation Advisory Committee for a period of 6 months.
  4. The Board delegated decision making for next year's licensing fees to the Navigation Advisory Committee.
5. Tourism Update including March Town and Ramsey Market Town District Council Bids

David Thomas reported that at the last meeting he was tasked with finding out further information about the pump out facilities at March town centre and confirmed that he had taken this matter up with Phil Hughes of Fenland District Council. Councillor Laws reported that it was her understanding that the pump out facilities were to be relocated. Councillor Jan French was working with Phil Hughes and the Council to keep the pump out facilities and it was hoped that additional monies would be allocated to the March Town bid to allow these facilities to be relocated as part of the town centre improvements. With regards to the March town bid, Councillor Laws confirmed that the CCPA Board was to meet on the 25<sup>th</sup> November 2020 to make a decision about it.

Colin Ovenden raised a question about the reinstatement of the temporary moorings in March town centre which had been fenced off because they were unsafe. A further question was raised about enforcement for the moorings in front of The Ship public house in the town centre. Councillor Laws confirmed that Fenland District Council were not carrying out any enforcement work during the COVID-19 restrictions. Councillor Laws requested that problems which were occurring on the River Nene adjacent to the Millennium Bridge be brought to the attention of the Environment Agency. There were a number of boats moored here which were cluttering the banks at this location.

As regards to Whittlesey, the grant funding was to be used for the town centre but Councillor Laws also recognised that any grant funding expended on the waterways at this location would help to bring tourism into the town.

6. Residential Moorings Strategy

David Thomas stated that at the last meeting of the Navigation Advisory Committee it was agreed to set up a sub-committee to look at the residential moorings strategy. The Committee appointed Alan Wildman and Roger Sexton as well as Middle Level Commissioners' officers, David Thomas and Lorna McShane, to form the sub-committee and the first meeting of the sub-committee would be the 25<sup>th</sup> November 2020 by video conference and that a further meeting would be held in December, if needed. Councillor Laws confirmed that the Local Plan was progressing. As yet there had been no public consultation but during the lockdown period the draft policies were being pulled together and it was anticipated that public consultation would take place in February/March 2021. Alan Wildman stated that on the issue of continual cruising boats the RBOA do not support irresponsible boat owners. Alan Wildman stated that his recent experience was with the Broads Authority where his boat is currently moored and that they had a system of 24-hour moorings in the town centre to allow boat owners to use the town's facilities and then move on. A question was raised about the introduction of the boat safety scheme and David Thomas confirmed that there was to be a period of 12 months grace

after the introduction of the Byelaws, so effectively it would be April 2022 when the requirement to adhere to the boat safety scheme was introduced on the Middle Level waterways.

## 7. Facilities Provision

David Thomas stated that works were planned at Salters Lode with a contribution of £3,000 from Well Creek Trust. The aim was to provide as long a length of mooring as possible upstream of the lock for the allocated budget for these works. He confirmed that these would be Middle Level Commissioners' moorings. Colin Ovenden asked if he could be advised when these works were to be commenced and he would publicise this to his club members. David Thomas confirmed that when a date became fixed this would be passed on.

### Temporary Rural Moorings

David Thomas said that consideration was to be given to the provision of temporary rural moorings at locations on the Middle Level waterways where the Commissioners owned the bank. He noted however that whilst it would be possible to provide these moorings there would not always be access beyond the moorings to other places unless the bank was a public right of way. The proposal was to mow the reed fringes and allow 24-hour mooring. It was hoped that work on the first few temporary moorings could commence immediately and be in place before Christmas and that information would be issued about their locations on the Middle Level Commissioners' website on the navigation page.

John Revell had contacted David Thomas and put forward a number of suggestions for these 24-hour moorings outside of the main link route, which was considered useful. Chris Howes stated that a good location for a temporary 24-hour mooring would be where the Kings Dyke met the River Nene as this was approximately 3 hours travel time from Peterborough. Colin Ovenden advised that rural moorings would be difficult for cruisers to access and asked if some sort of floating pontoon arrangement could be provided at some key locations to assist the owners of cruisers.

## 8. Update on Licencing/Charging/Reciprocal arrangements

David Thomas confirmed that, at the present time, 70 boats had been registered and paid their licence fees which had brought in an income of £25,000 and it was intended that over the next couple of weeks there would be an initiative to try and encourage more boats to register with the Commissioners. He explained that it was intended that enforcement should take place from the new year 2021 and that stickers would be placed on unregistered boats with a note to encourage them to register their boats. David Thomas discussed a proposal for an initiative for next year's licensing fee to allow a discount for boats on the system which were registered before the 31<sup>st</sup> December 2020. Discussions were taking place with the Middle Level Commissioners, the Environment Agency and the Cam Conservators to streamline the licencing arrangements with a small additional charge being levied to allow access to neighbouring waters and he confirmed that discussions with the Canal and River Trust had started regarding arrangements with the Gold licence issued by them. One of the difficulties that had arisen was that there was currently no information on who in the Middle Level system held a Gold licence and the CRT were keen to know what interest there would be from boaters in the Middle Level system to acquire a Gold licence or how many Gold Licence holders passed through the system. It was suggested that the lock-keepers at either end of the Middle Level system could collect this information. If this could be done over the course of the next summer season it would put the Commissioners in a better position to provide this information.

Councillor Laws stated that she had received a call from the leader of Fenland District Council who had been approached by Stephen Barclay MP who asked whether there was any scope to reduce the charges for the registration of boats. Colin Ovenden stated that he had received a very informative letter from David Thomas explaining the costs to the Commissioners of providing the navigation system. David Thomas said that the Environment Agency had approximately 7,000 boats on their system which gave them an income of £2.5 million and at the most the Middle Level Commissioners had 350/400 boats on the system which would generate an income of £150-£180,000. To reduce charges would mean that there would be no meaningful sum to be spent on the improvements on the system, given that it was necessary to enforce and police the waterways and remove unregistered boats. The Commissioners were already under the Middle Level Act 2018 required to ring fence 25% of their income for the improvement of the facilities on the link route. It was noted that £200,000 had already been spent on the navigation system funded by ratepayers paying drainage rates. Colin Ovenden had asked David Thomas whether it would be possible to bring the level of charges up to the Environment Agency tariff over a period of time. David Thomas advised that they were not committed to the Environment Agency charges but if the charges were not set at the correct rate there would be insufficient income and it would be difficult to deliver much needed improvements on the navigation system.

Following a discussion by members of the committee it was determined that it was reasonable for the navigation fee to be set in line with those of the Cam Conservators and the Environment Agency, Anglian region. In coming to that decision they took into account the fact that although the Environment Agency had more waterway by length this, unlike the Middle Level system, this was not always navigable along its entire length due to strong stream warnings and that the Cam Conservators offer substantially less length for navigation and that length alone should not be the only factor to take into consideration.

Having considered a request for a phased introduction of fees, the Navigation Advisory Committee resolved the following:-

- The fees would be set at the same level as the Environment Agency, Anglian waterways but for those vessels that are registered before the 31<sup>st</sup> December 2020 a discount of 25% would be offered against the 2021/2022 licence fees. Any boat licensed after the 31<sup>st</sup> December 2020 for the current year will not receive the discount. The requirement to be licenced before enforcement action is considered will now be extended to the 31<sup>st</sup> December 2020.

#### 9. Non Boater Waterway User Interests – fishing/recreation/tourism

David Thomas referred to the earlier recommendation from the Board meeting that Kye Jerrome, Fisheries Officer at the Environment Agency, could be replaced on a temporary basis by Chris Middleton for a period of 6 months.

Colin Ovenden requested whether David Thomas' response to the Middle Level Watermen's Club could be publicised or published on Facebook. It was suggested that David Thomas could prepare a press release on the matters raised at the Navigation Advisory Committee and this was to be circulated to the Committee for approval before release. David Thomas referred to challenges he had received from the NBTA, in particular a complaint from their Chairperson which had been dealt with by him prior to the meeting. However he wished to bring up the issue of insurance as it appeared that the NBTA were now objecting to insurance being required as a condition of registration. It was unanimously agreed by the Committee that it was imperative that all boats using the system were insured.

10. Byelaws

Byelaws were still with Defra for confirmation and all supplementary information requested by Defra had been supplied. The latest information from Defra was that the Byelaws were now being referred to Defra's legal team to ensure there was nothing unlawful in them. Chris Howes confirmed that the Inland Waterways Association had raised the confirmation of the Byelaws with Defra at a recent meeting and the advice he had received was that it was hoped that they would be confirmed by the end of November, subject to COVID-19 restrictions and Brexit.

11. Boat Removal Protocol

It was confirmed that any comments on the Boat Removal Protocol had been incorporated and the protocol had now been published on the Commissioners' website.

12. Recommendations to the Board

There were no recommendation to the Board from the Committee.

13. Any other business

Paul Syred stated that she had recently heard that there was a Lock-keeper of the Year Competition and confirmed that Paul at Salters Lode and Ben from the Environment Agency had received a joint nomination as finalists in the competition. She also suggested it would be useful if we could suggest to Stephen Barclay MP that he become a member of the All Parliamentary Waterways Group and that a letter be sent officially from the Navigation Advisory Committee to Stephen Barclay asking him to join the group and that Councillor Laws would speak to Stephen Barclay separately to advise that it would be appreciated if he would join the group as it would be of benefit to his constituents in the areas covered by waterways.

14. Date of next meeting

Tuesday 16<sup>th</sup> February 2021 at 10.00am.

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Chairman