

MINUTES OF MIDDLE LEVEL NAVIGATION ADVISORY COMMITTEE

MINUTES OF MEETING HELD ON 17th AUGUST 2021 at 0930

Present

D C Thomas	-	Middle Level Commissioners
L McShane	-	“ “
K Russell	-	“ “
J Brown	-	“ “
N Arnold	-	Environment Agency
C Howes	-	Inland Waterways Association
C Ovenden	-	Middle Level Watermen’s Club
R Sexton	-	East Anglian Waterways Association
P Syred	-	Fox Narrowboats Ltd
A Wildman	-	Residential Boat Owners Association
Cllr D Laws	-	Fenland District Council
S Whittome	-	Middle Level Commissioners
S Corney	-	Huntingdonshire District Council
S Lemmon	-	Middle Level Commissioners

1. Apologies for absence

Chris Middleton (Environment Agency) and Phil Hughes (Fenland District Council).

2. Declarations of Interests

There were no further declarations of interest other than already declared on Members’ Interests forms.

3. Minutes

The minutes of the Navigation Advisory Committee held on the 25th May 2021 were approved with the exception of a minor amendment regarding the number of Anglian Water passes which should read “400”. (See also 4 (i) below)

4. (i) National Bargee Travellers Association (NBTA) - Complaint

The NBTA referred to a note in our previous minutes which stated that they were objecting to the need for boats to be insured. The NBTA said this was incorrect and asked for the previous minutes to be corrected. The Committee acknowledged the request for an amendment and apologised for this error. The Minutes of the Navigation Advisory Committee held on the 25th May 2021 are approved with the exception of this further minor alteration and are otherwise correctly recorded.

(ii) Mr Cooke, Brighton - Complaint

Alan Wildman read out the letter from Mr Cooke which stated that he had purchased an annual Registration Licence from Middle Level Commissioners and had recently made a trip to the Middle Level. He was disappointed with the facilities provided, especially as the fees were the

same as the Environment Agency but there were a lack of facilities including moorings, water and pump-out facilities. One of his particular concerns was the Ramsey Forty Foot Moorings and he had experienced difficulties accessing the bank from his boat and states that he fell which had resulted in a broken rib and an injury to his head. He felt the moorings were not fit for purpose and overall he was just disappointed by his experience of boating on MLC waters. A response had been sent to Mr Cooke advising about the purpose of the rural moorings. The rural moorings had been provided at the suggestion of boaters who had used the Friends of the River Nene moorings and the purpose was to provide a natural stopping-off place on private land which did not change the natural environment. David Thomas advised that the Middle Level Commissioners could not compete with the Canal and River Trust and Environment Agency on the provision of facilities as CRT get grant aid and receive a large income from licence fees. The Environment Agency also have a large number of boats and this creates greater revenue from fee income with which to provide facilities. David Thomas advised the Committee that where future rural moorings were provided the timber piles would be placed closer to the water's edge as the banks on the Middle Level Commissioners' waters are quite steep.

Paula Syred stated that she had received some feedback from boaters which was that it was sometimes difficult to distinguish the reed edge on the water, the banks needed to be profiled and posts moved nearer to the water's edge. She felt it would also be useful if the reeds were cleared from the banks. She also felt that this feedback was very useful for the future provision of rural moorings. In summary, the reed fringes should be flail-mowed, and the posts should be placed closer to the water's edge.

It was commented that the rural moorings were designed as a temporary stop for short breaks. The expectations of visitors should be managed and the unique nature of the Fens explained with information about the facilities available for boaters.

5. COVID-19 – Key Dates

David Thomas advised that we were almost back to operating as normal at the MLC offices, although a few constraints were still being implemented such as mask wearing in communal spaces and the use of hand sanitiser. Cllr Dee Laws commented that she had attended a meeting recently where she was advised that Covid figures were rising rapidly in this area and that vigilance was needed as there could be a serious risk of mutations of the virus in October. Nathan Arnold advised that the Environment Agency were still operating safety systems for their staff and were operating with Covid restrictions at manned locks.

6. Membership

David Thomas commented that Chris Middleton will remain as the Environment Agency representative for Fisheries, but at the current time would have no voting rights until his appointment was formally approved by the Board. David Thomas advised that Colin Ovenden who had previously been the acting commodore of the Watermen's Club was no longer in this position and therefore could no longer be a representative of the Club. Colin Ovenden stated that he was prepared to stay as a member of the NAC as he keeps in regular contact with boaters in the local area. David Thomas advised that Colin Ovenden would remain a member of the NAC until the November Board as his appointment was granted by the Board. The Committee felt that Colin Ovenden had made a valuable contribution to the NAC but felt that the Committee did need a representative from the Watermen's Club. It was agreed to write to the Watermen's Club and ask for a representative to be a member of the Navigation Advisory

Committee, and this needed to be approved at the next Board Meeting in November 2021. David Thomas stated that in view of Colin Ovenden's engagement with young people and his keenness to develop sports facilities on the waterways for them, he felt there was a role for him on the Committee as a youth representative. This was agreed by the Committee.

RESOLVED

David Thomas would write to Phil Hughes, Head of Leisure Services at Fenland District Council, advising that Chris Ovenden is expected to take on the role of Youth Representative on the Navigation Advisory Committee.

7. Tourism Update including March Town and Ramsey Schemes

Ramsey

David Thomas introduced Steve Corney to the meeting as Mayor of Ramsey Town Council. Steve Corney advised the Committee on the Market Town Strategy Bid and stated that Ramsey had ambitions to tidy up the wider Ramsey area and they hoped to use some of the market town funds to improve moorings at the Forty Foot rather than just concentrate on the Town Centre. The Town Council were looking again at the provision of moorings at High Lode, but, in the meantime, Accent Housing Ltd had commenced construction of a development at High Lode and had agreed to provide 120 metres of moorings. These were to be provided under the conditions of a consent granted by the Middle Level Commissioners for the development. The Commissioner's consent was required under the Land Drainage Act 1991 as the proposed housing development had encroached into the Commissioner's 20 metre byelaw protected strip. As part of the development a waterpoint and a rubbish disposal point would be installed. Consideration had been given to pump out facilities at this location. This had proved impractical because of the nearby housing and access. The works to the watercourse and the moorings would be undertaken by Middle Level Commissioners. When the works are completed, the Commissioners will adopt the completed moorings in perpetuity. The Ramsey Town Council will manage the water and rubbish point and after completion of the moorings the remaining open space land will be transferred to Ramsey Town Council who will maintain this area as public open space.

It was hoped that with these measures in place Ramsey would become more of a destination for boaters.

March Town Scheme

Cllr Dee Laws updated the Committee on the March Scheme and she advised that funding has been secured for the project, and as the Committee were aware, part of the scheme included riverside works which would improve the visibility of the river from the town. Fenland District Council are currently working with Cambridgeshire County Council on the design for the proposals and it was hoped that the timeframes for these works would become clearer in October. The riverside plan may need to be revised as a result of this design work by the County Council.

With regard to Fenland District Council's collapsed moorings, Phil Hughes had advised that the Fenland Councillors were keen to see a like-for-like replacement of these moorings and had asked Middle Level Commissioners for a formal estimate of costs for the purposes of procuring the works to the moorings.

David Thomas advised on the piling works at Nene Parade. Cambridgeshire County Council were planning works at this location and the cost of this work had been much higher than expected. For the time being these works have been put on hold.

8. Residential Moorings Strategy

David Thomas said the Residential Moorings Strategy had been produced as a draft document and had been considered by the Residential Boaters Association. The Strategy would now be placed as a draft document on the Commissioners' website. The Commissioners currently do not know how many residential boaters there are in the system. It was recognised that two types of moorings needed to be provided for residential boaters – both short term and permanent moorings. Cllr Dee Laws advised that the Fenland District Council were currently looking at parcels of land which would be submitted under the call for sites for the Local Plan preparation and some of these had offered moorings as part of the development. Alan Wildman stated that the strict management of the moorings is a key to successful residential moorings and with regard to Council Tax and with residential moorings it is the mooring not the boat that is valued for Council Tax. The situation regarding residential boating and Council Tax is quite a complex area. In some marinas boaters are given a fixed mooring and pay Council Tax at Band A. Other moorings required boats to move within the marina several times a year and these were charged a composite tax of £250.00 pa.

Alan Wildman thanked David Thomas for his work on the Residential Mooring Strategy. The NAC confirmed that this strategy could be adopted.

9. Facilities Provision

David Thomas outlined proposals for four more rural moorings at;

i) Burnt House Bridge, Whittlesey Dyke

ii) Angle Corner

iii) Leonard Child's Bridge

iv) Holloways Bridge

David Thomas stated that Chatteris Town Council had requested a meeting with him to consider future proposals for a marina near the Tesco stores and that he had arranged a meeting with them to discuss the proposal. With regard to the Stonea moorings at The Golden Lion Public House, this was not to be pursued as a rural mooring, a more permanent mooring would be needed at this point. The view of the Committee was that this mooring would be used and the proposal should be pursued.

Colin Ovenden stated that there were very few suitable launch sites available for canoers or kayakers. He had identified an area at Pophams Eau by the Weir that would be suitable if the weeds and reeds could be cut back. David Thomas agreed to arrange a meeting between Jon Fenn and Colin Ovenden to discuss this proposal and establish whether reeds could be cut back to allow canoes and kayaks to access and use this part of the watercourse.

10. Update on Registration/Charging/Reciprocal arrangements/Anglian Pass

Nathan Arnold reported on the Anglian Pass. 429 Passes had been sold since April producing an income of £27,000 and the Environment Agency had received positive feedback from boaters about it. Nathan reported that he had received a letter from the Chief Executive Officer of the Inland Waterways Association who had asked whether the Anglian Pass could be adapted to allow Canal and River Trust members who do not have a Gold Licence to purchase the Anglian Pass. Nathan Arnold said this letter had been responded to with an explanation of why the Anglian Pass had been introduced to allow easier passage for boaters between Anglian EA waters, Middle Level waters and the River Cam. The Environment Agency proposed to review the Anglian Pass at the end of the first year. Cllr Dee Laws asked for details of the Anglian Pass to be sent to Fenland District Council so that they could promote it on their website.

Middle Level Registered Boats

David Thomas reported that 168 boats have been licenced on the system which had produced an income of £98,000. In addition, weekly and monthly passes had been issued and these had produced an income of £1,500, with the potential income of £5,000 from the Anglian Pass this would result in a total of £105,000 income for this year. David Thomas explained that 25% of this income (approximately £25,000) is to be ring-fenced for improving facilities on the Link Route. The ringfenced improvement works account currently stands at £30,000 and obviously this sum needed to be built up in order to carry out works and improve facilities for boaters using the Link Route. Colin Ovenden raised concerns over EA proposals for increased licence costs and in particular the impact on cruisers. Nathan Arnold confirmed that the Environment Agency were going out to consultation on fees for boaters which included a move from simply charging based on length, to length and width of boat. Nathan explained that consultation was taking place on the cost of registration in all of its navigation areas, Anglian, Thames and Medway, and asked for responses to the consultation by 16th September 2021. David Thomas stated that a future consideration for NAC would be whether they still wished to align their charges to the new charging system proposed by the Environment Agency. Nathan Arnold explained that following the consultation period it was proposed to introduce the new charges from 1st April 2022 with the Thames region changes being introduced from 1st January 2022. Roger Sexton was of the opinion that Middle Level Commissioners need to look at improving their own charging regime and not aligning themselves to the Environment Agency. David Thomas explained that the changes suggested by the Environment Agency may not have as much impact of an on the Middle Level waters as other waterways as there are no Dutch Barges or wider cruisers on the Middle Level system. David Thomas encouraged all members to write to the Environment Agency with their representations before the closing date. Any comments made by the Middle Level Commissioners would be as a Navigation Authority. He explained that once the new Environment Agency arrangements were proposed the Navigation Advisory Committee would need to consider the proposals and make a decision on MLC proposed charges.

11. Non Boater Waterway User Interests – fishing/recreation/tourism

Chris Middleton had sent his apologies for not attending the meeting. However, he had asked that any incident regarding illegal fishing nets should be reported to the Environment Agency hotline for the Environment Agency to take further action.

12. Engagement with Waterways Users / Meeting with Owners of Bill Fen Marina

Cllr Steve Corney declared an interest in this matter as he has boat at Bill Fen Marina. Kevin Russell, the Enforcement Officer had been denied access to Bill Fen Marina for the purpose of enforcement and giving notices to boat owners within the Marina. A meeting had been arranged between John Shotbolt and Mel Lattimer with representatives of Middle Level Commissioners at which various issues were discussed including issues with children swimming in Lodes End Lock. David Thomas explained that a number of measures had been implemented including fencing, anti-climb paint, signs and padlocks. CCTV had been ruled out on grounds of cost and there being no electricity supply at this location. It was agreed at the meeting that the NAC would work with the Marina owners to deter access to children and would erect signs stating that breach of the byelaws was a criminal offence. Chris Howes suggested that we adopt signs such as ones they used to use on the Nene near Wellingborough which advised of the presence of rats and threat of Weil's Disease. The next item discussed at the meeting was flooding over the Christmas period; on 23rd December 2020 water levels had risen rapidly and the levels had become critical during the night. John Shotbolt was concerned that the MLC had not notified him of the flooding event which would have alerted him to the need to close the gate to High Lode. David Thomas explained there were no arrangements in place to notify Marina Operators. It was up to the Marine Operator to close the gate. He was, however, looking at a new telemetry system for IDB pumping stations and could see whether it was feasible to have an alarm raised at the Marina when a certain level was reached.

A letter from Mel Lattimer was discussed, which asked for discounts for elderly boat owners and suggested that Bill Fen Marina had not been consulted about the introduction of Boat Licencing charges. David Thomas has corrected several inaccuracies in the letter and it was agreed that a letter be sent from Chris Howes in reply to Mel Lattimer. David Thomas said that she had also claimed that White Fen Bridge was too low and this was affecting access to the Marina. Chris Howes advised it was possible to get boats through the White Fen Bridge, although at times it may require boat owners to wait until water levels were lower to pass. The Committee asked if the height of the bridge could be checked at various water levels. David Thomas agreed to investigate the matter and report back to the Committee. Chris Howes asked whether the Navigation Advisory Committee had its own headed paper and it was agreed that this would be considered. However, in the meantime, correspondence would be sent out on MLC headed notepaper making it clear that the response was from the NAC.

13. Byelaws

Lorna McShane advised the Committee that the enforcement process had begun with the first enforcement letter being placed on each boat in the system that appeared to be unregistered. This allowed a 28-day period for registration and gave details to the boat owner of how to register as well as a number of contacts if the boat owner was in financial difficulties. She advised that the next step was a second enforcement letter, a more forceful, legal letter which would advise about the prospect of prosecution and/or boat removal.

14. Recommendations to the Board

That Chris Middleton, Environment Agency Fisheries Officer, should be appointed to the Board replacing Kye Jerrom. He had been a temporary replacement on the Board for Kye Jerrom who had been seconded to other duties within the Environment Agency and this secondment had continued longer than anticipated. Chris Howes commended Alan Wildman for chairing the meeting on his behalf. This arrangement had worked well as Chris Howes had joined the meeting remotely and Chris suggested that going forward the Committee should look to appointing a Deputy Chair. It was moved and accepted that Alan Wildman be appointed as Vice

Chairman of the Committee. David Thomas noted that this was an appointment of the Navigation Committee and did not need to report it and gain approval of the Board.

15. Any Other Business

Roger Sexton asked a question about where tokens could be obtained for the March Town Pump-out and suggested that the proprietor of the card shop on the corner of the bridge had indicated a willingness to sell tokens for the Pump-out as this premises was immediately adjacent to it.

David Thomas said he had had a complaint re Elgoods Pub, Outwell Creek over the sub-letting of a mooring. He believed that this had always been public mooring and needed to be free for access.

David Thomas reported that works were to be carried out at Salters Lode in January - it was necessary to de-water the Lock and replace seals. It was also proposed to carry out works to Ashline Lock in January as repairs were needed to the slackers at this location.

David Thomas had received a request from a boat that was new to the waterways who had asked whether he could obtain 2 weekly licences for September and then he would buy a licence for the remaining 6 months of the registration year. It was confirmed by the Committee and advised by Nathan Arnold that a similar system was in place at the Environment Agency for boaters who were new to the waterways or had bought a boat to be allowed to buy a six month licence, but any other boater seeking to register in September who had been on the waters since April would be required to pay the full licence.

Alan Wildman agreed to send the Code of Practice for residential boaters that had been produced by the Residential Boat Owners Association to Nathan Arnold at the Environment Agency.

The Committee discussed a site visit to look at various points on the navigation system in late September. Paula Syred agreed to provide 2 day boats to accommodate the Navigation Advisory Committee and it was proposed that the visit should take place on Wednesday 29th September starting from the Benwick moorings at 0900.

*Post meeting note, this site visit was revised to commence at the Middle Level Offices at 1000 and the visit should look at various points on the River Nene between Middle Level Offices and the Twenty Foot River.

16. Date of Next Meeting

Wednesday 29th September 2021 at 10:00, Middle Level Commissioners moorings for site visit.

Next business meeting is Wednesday 8th December 2021, Middle Level Offices at 09:30.

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Chairman