



MINUTES OF THE MIDDLE LEVEL COMMISSIONERS' NAVIGATION ADVISORY COMMITTEE

MINUTES OF MEETING HELD ON 14th May 2024 at 9.30 AM at Middle Level Offices.

Present

R Sexton	-	EAWA
P Syred	-	Fox's Marina
A Wildman	-	Residential Boat Owners Association
N Arnold	-	Environment Agency
M Daines		Middle Level Watermen's Club

Also in attendance: Paul Burrows, Kevin Russell and Ruth Martin

Alan Wildman, Vice Chairman, took the Chair for the meeting.

Apologies for absence

Apologies were received from Chris Howes (Inland Waterways Association), Cllr Denise Laws (Fenland District Council), Phil Hughes (Fenland District Council), Chris Middleton (EA Fisheries), Jonathon Brown (MLC), Stephen Whittome (MLC) and Marc Heading (MLC).

1. Chairs Welcome including Confirmation of Minutes and Matters Arising

The minutes of the Navigation Advisory Committee held on the 17th January 2024 were confirmed as correct and approved.

Matters Arising

Monks Lode was discussed at the last meeting and Alan Wildman asked if this can now be considered navigable. Paul Burrows highlighted that it can be navigated and is considered covered under the Middle Level Act (2018) providing there are no obstructions preventing navigation, and that he would be happy for boaters to explore the stretch. Mike Daines asked if volunteers could clear the length and Paul Burrows agreed that a volunteer led programme of clearance would be welcomed. However this would require planning and advice in terms of environmental and operational considerations, and Paul agreed to meet with Kevin Russell, Jon Fenn and Sofi Lloyd to develop suitable advice and boundaries for any activity.

Action: Paul Burrows and team to develop suitable advice, Mike Daines to approach volunteers

Paul Burrows highlighted that this item has not yet been discussed at the Middle Level Commissioners Board meeting.

Declarations of Interests

As recorded in Member Interest Forms.

2. 2024 Licensing Latest

MLC Licences

Paul Burrows reported the current licensing levels:

246 Licences
29 New Licence Holders
217 Renewals
4 Cancelled Direct Debits so far

Last year in total there were 297 Licences issued.

The 'Marina Only' and 'Project Boat' licenses have been introduced with some teething trouble mainly associated with applications that do not meet the associated criteria. This will be monitored and reviewed ahead of 2025.

Paul Burrows asked the Committee to start to consider the MLC's licencing approach for next year, as it may be a prudent time to disconnect from mirroring the EA's fees. Nathan Arnold outlined the EA's approach, and Alan Wildman updated the Committee on CRT's approach this year. It was agreed to observe other organisations and see what can be learned.

Anglian Pass

Paul Burrows attended a Partners Meeting last week, where it was noted that in 2022/23, 630 Anglian Passes were issued. This had fallen slightly in 2023/24 to 610 Passes, although this still brought in an income of around £13,000 for each partner.

The figures this year to 26th April are lower, at 331 Passes, and it was observed that these have been mostly issued to smaller boats, so it would appear that the larger boat owners are waiting for some certainty around the Tidal River crossing.

The partners will meet again in September where they will be considering any actions that could be taken to support those who may have purchased their passes before the Tidal River crossing issues were fully apparent.

Nathan Arnold reported that the new 5 year Anglian Pass agreement has been signed, which had been agreed at the last meeting.

Refund Policy

Paul Burrows reported that since licensing started, refunds have been dealt with on an ad hoc basis, but a policy is now needed. A policy has been written, which is a blend of those published by the EA and CRT. Paul outlined the content for the Committee, and reported that the policy will be finalised in the next few weeks. It is intended that this will then be referred to in Renewal Letters next year.

Action: Paul Burrows to finalise Refund Policy and arrange inclusion in Renewal Letters

Nesting Birds

MLC have received a recent request for a suspension of a licence due to a bird nesting on a licence holder's boat. The CRT have some really useful information on this scenario and the licence holder was referred to this.

3. Gt. Ouse Tidal River Siltation – Passage between Denver and Salters Lode

Nathan Arnold gave an update of the silt removal works at Denver and Salter's Lode. The works are being carried out by River & Rural as sub-contractor to Jacksons. It is planned that the works will move to Salter's Lode on 27th May. It will not be clear how long the works at Salter's Lode will take until they get

there. Kevin Russell confirmed that it is MLC's intention to open the guillotine gate as soon as it is safe to do so.

Some discussion followed about the works, and Paul Burrows confirmed that a debrief with EA is booked for mid June. Topics will include where we are now, what needs planning for next year, and looking further into the future. This is not a new issue but it is getting more challenging over time. Paul felt it important that there is a clearer annual timeline for key decision points and that the preferred method of operation was explained.

Nathan agreed that both parties need to work as partnership and develop strategy together, there are lessons to be learned from this year and previous years, but we need to recognise that every year is different - this year the Nene has been in flood since October. Nathan reported that this year's Capital Programme there is funding to review the tidal strategy between Salter's Lode and Denver, and the EA hope to work with MLC within this review.

Paul observed that this year communication around the closure and ensuing works could have been better. He felt that some social media commentary had been fair, but some inaccurate. MLC staff and EA staff at Denver had taken the brunt of the verbal frustration. Nathan reported that the works may be completed quicker than currently planned and this is why the notice has been vague, but the EA will work on producing weekly updates from now. This was welcomed by all present. Paula Syred asked if it was planned to carry out silt clearance at the landing stage at Denver. Nathan was not sure but if it were, it would probably be after the works at Salter's Lode.

Paul advised that MLC cannot use the ML licence fee income outside of our system – this is made very clear in the Middle Level Act. Nathan observed that EA licence fee payers wanted to see more works undertaken on other EA assets. The Denver/Salter's Lode works accounted for around 10% of the entire maintenance budget, and there would be no Government subsidy as these were not Capital works.

To close Paul and Nathan updated the committee on further management of access in and out of the respective systems. They have been questioning if there are other sources of funding we can collectively be aware of. Paul reported that he had recently met with Dr Nik Johnson, the Mayor of Cambridgeshire and Peterborough, and brought the importance of navigation through the Middle Level to his attention.

4. Regulation and Enforcement Latest

Boat Removal Protocol and Managing abandoned and recovered vessels

Paul Burrows reported that the draft update to the Boat Removal Protocol had been approved by the Commissioners and has been published on the MLC website with a consultation period ending on 24th May. Currently no feedback has been received. On completion of the consultation period the protocol will give clearance to do more unlicensed boat removals.

Kevin Russell reported that he had found that we have a quicker response if we remove a boat compared to when we can't find owner, or the owner won't come forward. Last year no cases went to court but the legal process was costly, resulting in fee payment or boats being removed from our system. He reported that the Cam Conservators are trialling a hybrid model which we will review in the coming weeks. Kevin also reported that boats have been removed from The Slamp and there is currently a boat at the MLC moorings that has been removed, but no owner has come forward to date. A total of 8 boats have now been removed, but in a costly process. Paula Syred felt this was worthwhile as MLC have removed 8 dangerous boats. Paul reported that the operational process for physically removing boats is now being reviewed but we will need to work with others around the navigation as we have no slipway. From lessons learned during the winter, pollution is now deemed as an emergency in new protocol.

Paul Burrows advised that checks of boat insurance and Boat Safety Scheme certificates are now included as part of the licencing process. Kevin Russell observed that there are not many companies that will insure without a valid BSS.

A discussion over moorings enforcement followed, noting that the moorings in March belong to Fenland District Council and not MLC, and so it is their responsibility to enforce correct use of the moorings. Kevin Russell would like Fenland District Council to be more involved with navigation, particularly as it would help to reinforce the enforcement work that he is doing.

Paul Burrows highlighted that there had been no Fenland District Council attendance at the Navigation Advisory Committee meeting for some time and suggested that it may be worthwhile for the NAC to write to FDC. No further update on the FDC budget consultation on the West End Park mooring repairs since the last meeting, so it would be helpful to also raise this.

It was further suggested that East Cambs District Council had been in a similar position to FDC regarding management of moorings and the riverside, but they now had a much more resilient process in place, and the waterside amenities at Ely were much improved. Nathan Arnold told the committee that ECDC representatives had visited Oxford to see how the Council managed amenities there and drawn a great deal from the visit. Like Ely, the river in March is the focal point of the town and should be promoted.

Paula Syred and Alan Wildman agreed to draft a letter, with the help of Chris Howes if he is able to. As the correspondence is coming from the NAC, Paul Burrows requested to review the letter before it is sent. He also suggested that the letter should go to the Chief Executive at FDC. To reinforce the correspondence from the NAC, Paul agreed to also write with the MLC perspective. All present agreed to sharing of their contact details with other Committee members, and it was asked that MLC share details to enable the correspondence to be produced.

Action: Correspondence details to be shared for identified NAC members; NAC and Paul Burrows to write to FDC Chief Executive

5. St Germans pumping trial – review of 2023/24 winter experience

Paul Burrows reported that this had been the most challenging year to date, with the most water ever pumped. Winter pressures came earlier than expected and only 6 weeks after an agreement to trial manual pumping. The winter showed that a different approach to water management is needed, with regular changes in level. This was a new experience for boaters, which was mitigated somewhat by the introduction of the new text messaging service. He hoped that the boaters visit to St German's helped those that attended appreciate the scale of operational challenge we face.

Because of the reactive fighting nature of the winter, the trial could not be used to decide if this method of operation will become the norm. It has therefore been decided to repeat the trial next winter, in the hope that it will give us the information needed. Boaters will also need to recognise that in the future water levels are going to go up and down. The message is the experience from last winter is likely to become the norm, and the static river levels of the past cannot be relied upon.

Paul also reminded the Committee of the upcoming Bank Raising project, and how this will benefit navigation through the desilting works. He advised that it is in the MLC's best interest to keep the water levels stable wherever possible. Kevin Russell reminded everyone that there is only a difference of 8" in the levels. Roger added that throughout the winter the MLC staff did a wonderful job. Alan Wildman stated that he is a residential boat owner on the Norfolk Broads, and that he experienced volatile water levels throughout the winter and had a very different experience to the Middle Level, with the Broads experiencing extensive flooding.

6. Operational update and future capital programme development

Paul Burrows gave a verbal update. He outlined the impact the wet winter has had on flail mowing already this year, resulting in the need to make adjustments to plant and equipment and meaning that changes in the flail mowing programme may result in operations not getting to all banks this year. In addition, the programme is already being impacted by ground nesting birds due to the vegetation being longer than usual at this time of year, making ideal habitat.

Last year the weed boats had a few weeks where they couldn't get out because of staff availability. We are looking to bolster our boat crews with seasonal hands and aim to maximise 'cutting time' within the water. It is planned to have a crew out from next week.

The locations in which the boats will be working will be communicated more regularly than in previous years. The boats will be less reactive to reports of hotspots than in previous years as this can be time consuming and inefficient.

In terms of the Capital Programme there is a future need for more gate replacements and lots of learning to draw from the new gates at Marmont. Kevin Russell reported that there have been snagging issues with the new gates, but he thinks that more boat movement resulting in more usage of the gates would help.

Paul also reported on the completion of the new water point at the MLC offices and the opening of the visitor mooring, and Kevin reported that they have both been in use. Paul has approached FDC about the installation of a water point at their moorings at Whittlesey and has been advised that Phil Hughes at FDC is exploring this option with his team. Project planning is underway for works at Stanground, considering what could be delivered there. Under consideration at present are a water point, driveway works to improve access, and a cabin for relief lock keepers. Stage two could include Elsan and waste disposal. Kevin also updated that funding has been received for canoe portage at Stanground.

Paul has been in conversation with the EA regarding land ownership at Salter's Lode and the installation of a water point here. Roger Sexton asked if a water point and waste removal site could be installed at Outwell Basin. Paul thought that a water point is important at Salter's Lode but that the community there may not be accepting of anything more. Any installations will need to be mindful of the future of the Tidal crossing – if it is no longer certain, would investment be better elsewhere, such as Ramsey Forty Foot? Roger felt it is important to do something and be seen to be doing something. Paul said that at present the focus is on Stanground, although there is some future budget to upgrade the Ramsey Forty Foot mooring, hopefully in conjunction with the Town Council/HDC. However, any enforcement costs would also need to be funded potentially from the same budget. Ramsey Town Council have not yet finalised plans for the Ramsey basin, that is being funded from the Community Infrastructure Levy funding. Alan Wildman asked it if would be useful for the NAC to approach Ramsey Town Council to find out what is happening, and it was agreed that this would be useful.

Action: NAC to approach Ramsey Town Council for update on moorings

7. AOB

Nothing further raised.

8. Dates of Next Meetings

Tuesday 31st July 2024 at 9.30am at Middle Level Offices

Tuesday 1st October 2024 at 9.30am at Middle Level Offices

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Chairman

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Date