



MINUTES OF THE MIDDLE LEVEL COMMISSIONERS' NAVIGATION ADVISORY COMMITTEE

MINUTES OF MEETING HELD ON 1st October 2024 at 9.30 AM at Middle Level Offices.

Present

J Brown	Middle Level Commissioners
R Sexton	EAWA
J Revell	Inland Waterways Association
P Syred	Fox's Marina
A Wildman	Residential Boat Owners Association
N Arnold	Environment Agency
C Middleton	Environment Agency
M Daines	Middle Level Watermen's Club
S Corney	Huntingdonshire District Council & Ramsey Town Council

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

Apologies for absence

Apologies were received from Phil Hughes (FDC), Dee Laws (FDC), Stephen Whittome (MLC) and Marc Heading (MLC)

1. Welcome including Confirmation of Minutes and Matters Arising

Paul Burrows opened the meeting by advising the committee that he had received the sad news that Chris Howes has stepped down from the Committee. The Committee acknowledged the contribution made by Mr Howes, and his advocacy of the Middle Level navigation and his leadership of this committee recognised. All agreed that his input will be sorely missed, and a vote of thanks given.

The minutes of the Navigation Advisory Committee held on the 31st July 2024 were confirmed as correct and approved.

Matters Arising

No Matters Arising were noted and the minutes were taken as read. Roger Sexton observed that the minutes were very comprehensive.

Declarations of Interests

As recorded in Member Interest Forms.

2. Appointment of Chair and Vice Chair

With Chris Howes departing from the Committee, the position of Chair has become vacant. The Committee members reflected on how well Alan Wildman had stood in for the Chair during the last few

meetings and asked if he would consider taking on the role of Chair. Alan suggested that the Chair should live closer to the Middle Level than he does, but agreed to take on the role for a year with the view that whoever took on the Vice Chair role would work towards stepping into the Chair role next year. Mike Daines agreed to take on the role of Vice Chair with the intention of moving to the Chair this time next year.

Both appointments were agreed by all present.

3. 2024 Licensing Latest

MLC Licences

Ruth Martin reported the current licencing levels:

296 Navigation Licences sold in total (297 in 2023/24)

253 Full Licences

21 Marina Only Licences

20 Project Boat Licences

2 Trade Plate Licences

3 defaulted on their payment plan after the licence issued

Income to date from licences: £149,878.82

Income expected for remainder of year from direct debits: £36,223.58

Paul Burrows observed that these were good figures given the bumpy start to this season. Jonathon Brown asked how many unlicensed boats were on the system, and Kevin Russell estimated that around 60 unlicensed boats were on the Middle Level. Paul reported that an annual boat count is not undertaken, although Kevin reported that one was undertaken in the first year of licencing and over 600 boats were counted, although many of these have now gone. Alan Wildman asked if there was any indication of how many vessels were liveaboards to which Kevin reported very few.

EA and MLC Agreement for CRT Gold Holders based on ML

Nathan Arnold updated the Committee on the current position, reporting that a meeting was held last week between EA and CRT and that he will know more later this week. Once the new EA/CRT agreement is in place the EA/MLC agreement can be finalised, although the agreement has already been drafted by the EA. Paul Burrows reminded the Committee that this is a subsidiary agreement between the EA and MLC, and the Middle Level is not included in the CRT Gold Licence partnership. However, the agreement will allow us to recognise Home Moorings in the Middle Level for Gold Licence holders, and provided the Licensees use the correct details, MLC will receive c90% of the fee back.

Nathan reiterated that the CRT recognises MLC on their website. He advised that the fees less an administration fee will then be transferred to MLC at the end of the financial year. Nathan advised that this would likely be a figure of around £15,000 for about 20 boats.

John Revell added that as one of those 20 CRT Gold License holders he does most of his miles and locks on the CRT network but spends most of his time on the MLC network.

2025 Licensing

Following the discussions at the last meeting, a document showing projected licence fees based on 3%, 5% and 9% increase were circulated for discussion. Paul Burrows observed that the key question is should MLC now disconnect from the EA model. Nathan Arnold reminded the Committee that the figure of 9% is still only a proposal, and the actual figure will not be confirmed until November.

Paul suggested that a disconnect from the EA model would give MLC an opportunity to differentiate. He would also like to simplify the fee structure. The Committee need to discuss the level that they feel the fees should be pitched at. The operational costs of the navigable system are £400,000 to £600,000 every year and this cost needs to be shared with the boating community, but fees need to also be at a level that incentivises people to come onto the Middle Level. A final decision is not needed until January 2025 but the Committee were invited to discuss their thoughts.

John Revell felt that the Middle Level should have a free hand in the level of charges. He suggested that the categories also be reviewed and to consider if it is appropriate to have sailing boat and houseboat categories. He observed that any saving in administration could result.

Jonathon Brown added that the Commissioners are not boaters and rely on the knowledge and advice of this Committee. Roger Sexton added that the Commissioners are a commercial organisation as far as boating is concerned, and as such should undercut the Environment Agency. The Commissioners have few locks to maintain and so could charge less. Jonathon said he would not want to just maintain the status quo in order to reduce fees but would rather generate income from the fees to enable incremental development of the system. Improved infrastructure is needed in order to encourage more visitors and licence holders, and more work is needed to reach this point.

Paul Burrows advised the Committee that feedback received through the Boaters Survey was that more moorings are needed. Paula Syred advised that it was important to encourage compliant boaters onto the system, and that the standards and processes need to encourage this. All agreed that inflation figures should also be considered, and Roger suggested that as inflation currently sits around 3%, and increase of 5% would be appropriate. Stephen Corney added that people should be encouraged to come to the Middle Level not because it is cheap, but because of what we can offer, and agreed consideration of an increase of 5%.

Paul concluded the discussion, reminding the Committee that it was not necessary to make a decision until January, but that 5% would be noted as a possible figure and that this would be reviewed once the EA figure had been confirmed. The categories and figures would be reviewed in readiness for the next meeting of the Committee. Jonathon asked that the number of vessels in each category also be reported on at the next meeting.

Action: draft licensing options to be produced for discussion at the next meeting.

4. Boater Survey

Paul Burrows reported that the Draft survey presented at the last meeting had been published and that there have been 27 responses to date. Only 5 responses have been received from existing Middle Level licence holders, and 11 with Middle Level home moorings. Some respondents do not own boats. The survey will remain open until 31st October and Paul will present the feedback received to the Committee at the next meeting.

Paula Syred asked if anyone had any ideas of how this could be promoted to encourage further responses, due to the importance of getting people involved. Paul added he felt that the feedback has been balanced and largely reaffirming. With regard to the question of if MLC should mirror the EA fee structure, 10 respondents thought MLC should not, 13 did not commit either way and 4 thought we should follow the EA. Jonathon Brown asked how many responses would be needed to consider the survey a representative survey. It was agreed that all responses are valid, and Nathan Arnold added that previous EA surveys had seen around 10% of licence holders taking part, and that with this in mind, numbers over 30 would be a good response to the Middle Level survey. Stephen Corney added that Ramsey Town Council held a recent consultation and only received 180 responses from 10,000 residents.

It was agreed that the survey would remain a live document after October, allowing it to be updated in the future. In addition, Paul proposed to include a survey (or information on how to access it) with the next round of licencing paperwork, along with inviting navigation visitors to the office to take part in the survey.

Action: Overview of the results of the Boater Survey to 31st October at the next meeting. The survey to remain live after 31st October.

5. Regulation and Enforcement Latest

Ruth Martin and Kevin Russell gave the Committee an update on progress. Notices had been delivered to numerous boats and this has prompted some to licence their vessels. The details of five boat owners have been passed to a Debt Management Company on a 'no win no fee' basis, aiming to collect the value of the outstanding licence. Paul Burrows added that as we control which debts we pass to the company, we can carefully consider if debt collection is appropriate in each case thus safeguarding any vulnerable boat owners. Kevin advised the Committee that where we have names and addresses of boat owners, we have used these. Unfortunately, many of the unlicensed boats are not in good condition, the owners are unknown, and the cost of removal is high, around £2,000 for a cruiser. Many owners just walk away from the boats and so we need to balance the benefit of removing vessels to cost. Paul added that an abandoned boat has recently been recovered from Whittlesey using our relevant powers, and there will be a cost involved with this. Kevin added that the boat had been a well looked after vessel, but for reasons unknown to us, the owner is no longer looking after the boat and it has been vandalised. If we had failed to recover this boat it is likely that more damage would be incurred and the boat would become a significant hazard. Stephen Corney asked if MLC are able to sell recovered vessels and was advised of the Boat Removal Protocol, and that after the relevant notices and time periods the vessel can be sold. However, Kevin advised that sales have to be carefully considered as we do not wish to see unsafe and unlicensed boats returned to our system after they have been sold. He added that none of the boats recovered so far that have been sold have covered the costs of removal. Paula Syred said that Fox's Marina also have similar issues with non-payment of mooring fees and abandoned boats.

6. Facilities Latest

MLC

Kevin Russell reported that the water point and visitors space installed at the MLC office is being used regularly and working well. The roadway at Stanground Lock is now in place, and consultation continues with Anglian Water regarding the installation of a new water point. The easement negotiations with Peterborough City Council over land at the Green Wheel continue and should be finalised soon. It is hoped that the water point will be in place in time for the start of the next boating season. The installation of the mobile unit for relief lock keepers will follow, along with a plan around rubbish and Elsan disposal. As previously reported funding from Paddle UK had been secured for canoe portage, and this is still in storage at the MLC depot prior to installation.

Paul advised that MLC are still waiting for the EA to confirm their approval of the point as they own the land on which it will be positioned. Nathan Arnold will chase this up. It is hoped that rubbish collection and Elsan disposal can follow. However, any future liabilities this creates will need to be carefully considered.

Fenland District Council

As there were no FDC representatives at the meeting an update could not be given. At the last meeting, Phil Hughes committed to install a water point at the Manor Leisure Centre, with MLC agreeing to fund the installation and FDC covering the running costs. There are, however, still concerns about potential

vandalism of the water point. Updates on the Whittlesey mooring refurbishment and the March Town moorings were not received.

Ramsey Town Council / HDC

Stephen Corney reported that the Ramsey Town Centre redevelopment project is progressing, and drawings have been produced showing accessible routes to the river, which has located the paths to give access to the winding point. This is included in the Town Centre project funding, along with pods being built in the town centre that can be used as vending kiosks, and similar pods also being built at the riverside that will match those in the town. It is hoped that any located at the riverside will be used for coffee stalls, canoe hire or something similar. The Town Council are waiting for the final designs of the water point, and plans are positively moving forward.

Paul Burrows added that Ramsey was an area people supported in the boaters survey. Paul has also approached Benwick Parish Council to gauge interest in a water point and canoe portage in the village. He has also approached Whittlesey Sports Association to talk about portage, with the intention that there will be connected portage at Whittlesey, Stanground and into Peterborough. It is hoped that any funding from Paddle UK can link into other matched funding. Nathan Arnold asked if any further contact had been received from Tom Hennesey (Peterborough City Council), which Paul confirmed had not. Nathan added that Peterborough City Council were engaging at the start of the summer, but things had gone quiet but the EA are keen to engage so will continue to push.

7. Winter Operations Latest (including March Town Bridge potential closure)

Paul Burrows reported that MLC have experienced a very wet September, with the highest September pumping volumes at St Germans in its 90-year history. It is sincerely hoped that this is not a pattern for the coming winter. Last year a manual pumping trial was very successful, and it is intended to continue this for the coming winter. Importantly, the trial did not inhibit IDBs from pumping, and with the continuation of the trial it is hoped that we can draw more learning which can be used to manage the station more effectively and put less load on the station. In addition, it provides good data for future automatic functioning of the station, and also good information to feed into the Fens Reservoir project. For Boaters, the trial may result in more changeable water levels but Paul will continue to update social media to acknowledge when this may happen. Boat owners will need to recognise that remaining on the system will present a risk to their vessel that they need to weigh up, and they may need to carry out more regular checks to compensate for the changes in levels. Being marina based significantly reduces these risks. Everyone agreed that the Text Messaging service works well, but Paul advised that this relies on staff getting information out and in the heat of the moment and occasionally this may be missed, but best efforts will always be made.

Paul updated the Committee on the proposal to close navigation to allow works to be carried out on March Town Bridge by Cambridgeshire County Council. The works will likely be carried out between 4th November 2024 and 27th January 2025. Works are being carried out to the underside of the bridge from pontoons, and the bridge will also have scaffolding affixed, and therefore the river will be blocked. The closure notice will be issued following this meeting.

Discussions are continuing with the County Council, and it is hoped that it may be possible to lift the closure for some weekends during the period, but there is no guarantee that this will be possible. Paul added that penalty clauses will be built into the Consent issued for the works, so that any overrun will result in compensation being paid which can be ringfenced for Navigation.

Paul reported that operationally the summer has been an interesting one. Weed has been a particular challenge this year, but weed management has been quite successful. Two gangs have been out most of the summer, and the team have been focused on keeping boats in the water as much as possible, including carrying out some repairs in the field instead of bringing boats back to the depot. Paul has also

continued to keep people updated on boat locations through social media. However, there has to be some acceptance that with the workforce and boats that we have there is only so much that can be dealt with.

8. AOB

Chris Middleton advised the Committee of upcoming fishing matches around the Middle Level.

listed below are the proposed dates for the 2024 Angling Trust East Midland Winter League for inclusion in the meeting minutes so boaters are aware of the increased angling activity:

Round 3 practice match:	20 th October – anglers split between Bewick and March Bypass
Round 3 match:	27 th October – anglers split between Bewick and March Bypass
Round 4 practice match:	3 rd November – anglers split between Bewick and the Bower in Whittlesey
Round 4 match:	10 th November - anglers split between Bewick and the Bower in Whittlesey
Round 5 practice match:	17 th November – all anglers fishing in March
Round 5 match:	24 th November - all anglers fishing in March
Round 6 practice match:	1 st December – mixed across the drains
Round 6 match:	8 th December – mixed across the drains

A reserve date has been set for 15th December with anglers fishing across the drains.

80 anglers in all taking part during each round of the competition.

Chris also updated the Committee on the recent fish kill at Kings Dyke, advising that this had been a Category 1 event, and that it is under investigation. Aerators were installed in the river downstream of Ashline Lock, which resulted in an Emergency Closure to Navigation, but these were removed on 30th September and the Closure lifted. Paul Burrows reflected on the roles and responsibilities during this event. Any pollution should be reported directly to the EA, and in this case Anglian Water responded and the EA investigated. Our dilemma with events on our waterways is that we are not always included in the information transfer as much as we would like. A conversation was held with the EA and AW around 9 months ago about communication. A lessons learned discussion following the event will be needed. Some of the issues encountered could have been reflected in an emergency plan as they were foreseeable, and there needs to be some conversations in the longer term about the removal of some of the risk points. Finally, MLC were planning some channel works downstream of Ashline Locks which were scheduled to be carried out last week, but these have now been rescheduled.

Roger Sexton asked if there was any update on the Denver/Salters Lode siltation situation. Paul reported that a meeting was held recently at Denver with EA representatives. We already cannot safely lock large boats at Salters Lode, and some intervention will be needed before the next boating season. Currently Denver is not too bad, but Salters Lode looks like it will be choked by next March. The EA are scoping a more strategic piece of work on the channel. Nathan Arnold added that the EA have no further budget this financial year and winter dredging is not appropriate. Katherine Briscoe is working within the EA to develop a plan to sustainably maintain the channel, as the current approach is prohibitively costly.

Roger asked about the Fens Reservoir, and if it would be possible to see the Consultation Response Paul Burrows had sent. Paul advised that as the response was submitted on behalf of both MLC and the IDB's it administered, it would have to remain confidential. However, he could report that navigation interests had been reflected in the response based on previous NAC discussions. MLC are currently in discussions with AW regarding an updated Service Level Agreement, and we are also actively sourcing appropriate legal advice. We continue to have design conversations with AW. Paul is looking at what kind of governance will be needed going forward, and what authority Paul and the wider team have for MLC and the IDB's we also represent. We will also need to reflect on the role this Committee plays in this. This Committee's purpose is to advise the Commissioners on their navigation function, and members are

invited to bring their thoughts to this forum to help MLC understand the impact on navigation of any future proposals.

Paul concluded that MLC, like IWA, were bounded by some elements of confidentiality around conversations that had been held regarding the Reservoir, but it was generally agreed by the Committee that the Reservoir should be considered an opportunity and not a threat. Paul outlined his understanding that by next March AW intend to have a whole scheme solution identified, and so we will have an indication of whether the Old Delph to Chatteris link is being considered, and the impact the project will have on navigation will become clearer. Behind the scenes MLC are developing a Statement of Common Ground with AW, although this is all new to MLC and therefore why suitable legal representation is being sought. We are also looking for a financial contribution to MLC by AW as the project will have a big impact on our staffing capacity. Paul has written to the Secretary of State for the Environment, Steve Reed, advising that MLC infrastructure is key to wider regional growth, which in turn will need change led nationally.

John Revell reported to the Committee on his visits to Monks Lode, and that he is keen to encourage boaters to visit all reaches of the Middle Level system and not just the link route. He had also visited Yaxley and felt that this was the best section of river on the whole system and yet underutilised. He reported that the end of Monks Lode had been cleared which was much appreciated, although he added that there are two potential turning places on the reach and it would be useful if they were both usable by boats. He and a group of volunteers would like to remove a tree trunk from one area but was concerned about the volume of Ecological paperwork that needs to be completed before any works can commence. Paul Burrows advised that the paperwork must be completed to ensure that any work undertaken is in compliance with all Environmental legislation. We have recently experienced other volunteer organisations undertaking work without fully considering the environmental impact of their project, and this has caused issues. MLC must ensure that due diligence is completed, and all environmental checks and balances undertaken. Jonathon Brown added that the Environment Act 2021 presented a massive uplift in responsibilities. The Commissioners understand the substantial ramifications of the updated Act, and it may feel onerous to fill in such a long and detailed form, but it must be done to protect both the Commissioners and the volunteers undertaking the works. The Law is mighty regarding the Environment, and we have to do what it right. Paul added that as MLC regulate others, we must also adhere to the same standards. Our Operations manual has covered our usual operations, but non routine activity requires additional assessment. The form sent to John has been designed for IDBs to use, to ensure that the right checks are in place. We do not have a form designed for volunteer works, so have used what we have.

John Revell also asked the Committee about the review of Rural (or Transit) moorings. His personal view is that they are great, but only the Pondersbridge and Monks Lode locations are really rural. Paul Burrows advised that it is hoped to carry out a review of the moorings over winter and would welcome John's involvement. Consideration of the name 'Rural Moorings' is needed, along with any appropriate tweaks and adjustments to the existing moorings, as well as developing a standard design for the future.

Nathan Arnold advised the Committee that the EA are involved in an accessibility group, looking at the accessibility of their existing infrastructure and how this may be improved. The group has provided the EA with some good feedback and Nathan suggested that this Committee could consider something similar in future. Nathan also advised that the car park at the Denver Complex now has a barrier installed, which closes overnight. He reported that further improvements at the Complex were also planned.

Alan Wildman asked if any further action had been taken by MLC to take on enforcement on behalf of Local Authorities, as he had thought this had been agreed. Paul Burrows said that the NAC had not discussed or debated that point, let alone anything being agreed. Alan had thought Chris Howes had written a letter but Paul advised that the letter discussed by the NAC was associated with how our Local Authorities prioritise navigation and it had not been reviewed by this Committee and was not aware of any letter being sent.

9. Dates of Next Meetings

Tuesday 14th January 2025 at 9.30am at Middle Level Offices
Thursday 6th March 2025 at 9.30am at Middle Level Offices

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Chairman

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Date