



## CONSERVATORS OF THE RIVER CAM

*Navigation authority for the River Cam, between Cambridge and Bottisham Lock*

### MINUTES OF A MEETING OF THE CONSERVATORS HELD ON MICROSOFT TEAMS ON THURSDAY 29<sup>th</sup> APRIL 2021 at 9:30AM.

#### 1. Present and Apologies

##### **In Attendance:**

**Conservators:** Catherine Hurst (Chair); Cllr Anna Bradnam; Dr May Block; Mr Clive Brown  
Mr Giles Greenfield; Dr David Munday; Ms Ceridwen Salisbury; Cllr M Sargeant; Mr P  
Separovic; Cllr D Tunnacliffe; Mr Tony Wieser;

**Absent:** Cllr N Massey

**Officers:** Mr Tom Larnach (River Manager); Mrs Helen Cleary (Business Manager).

**Members of the Public:** Observers: Mr J Martin; Mr B Key; Mr R Ingersent; Mr J  
Macnaghten; Ms E Wynne.

Other members of the public: Mr T Wood; Mr Mike Arnold

The Chair welcomed new Conservator, Mr Tony Weiser. Mr Wieser provided evidence of his  
signature to the necessary documents during the course of the meeting to enable him to vote.

The Chair informed Conservators that apologies had been received from Mr Steven Morris,  
who was delayed due to a previous meeting.

The RM informed Conservators that Mr P Separovic was out on boat manoeuvres but would  
be in attendance where possible.

#### 2. Minutes of the meeting of Conservators held on 28<sup>TH</sup> January 2021

The Chair asked Conservators for comments on the minutes. Mr Wieser said that his name was  
incorrectly spelt throughout. It was agreed that with the change to the spelling of Mr Wieser's name the  
minutes for 28<sup>th</sup> January 2021 were approved.

#### 3. Matters Arising

(Not on the Agenda):

Cllr Bradnam referred to item 3 in the minutes of the previous meeting regarding the requirement for  
boat stickers in commercial punts. She asked whether the Conservancy had issued clarification, and if  
not that this matter could be carried forward to the next meeting.

Agenda Item 3.1 - Anglian Pass

Mr Brown informed Conservators that the agreement with the Environment Agency and Middle Level Commissioners had been executed, and that the Anglian Pass was now in operation. The EA, who are responsible for administering the scheme, had experienced some teething problems with the application system, but they felt it was now operating smoothly.

Agenda Item 3.2 - Swimming Event

The River Manager said that he had asked for a full proposal to take to the Regulatory Committee which he expected to receive the following week.

Agenda Item 3.3 - Presentation of Management Accounts

The Business Manager said that work to improve financial reporting was continuing. The object was to ensure that both the management accounts and the statutory audited accounts were aligned, and were readily understandable. She explained that this process had been delayed because of work on the current year end accounts, and preparations for the auditors.

Agenda Item 3.4 – Berky

The River Manager said that the renovation and repair work on the Berky weed harvester was nearing completion. It had been off river for approximately 12 weeks but was expected back on the Cam shortly. He said that the vessel would look different with the addition of a cab, hold extension, engine overhaul, repaint, anodes fitted, and complete refurbishment of the crane. Inspections will be required before it is used.

Agenda Item 3.5 - Business Plan

Mr Brown said that there would be an extraordinary meeting of Conservators to be held on the 11<sup>th</sup> May to consider proposals to enable the business plan to be taken further. A detailed paper was being prepared for Conservators to consider at that meeting.

**4. Ratification of executive decisions made by the Chair under delegated authority**

Agenda Item 4.1 - Vending Punt registration approved

The Chair noted that no issues had arisen regarding the operation of vending punts in the previous registration year and that there was no known reason to decline the request.

**This was ratified by majority of the Board with two abstentions declared**

Agenda Item 4.2 - 2021/22 Temporary Approval of Operational Budget

Mr Brown explained that this budget was necessary to authorise the Officers to incur expenditure necessary to carry on the operations for the organisation.



Cllr Sargeant asked for clarification on the matter of recruitment. It was explained that while projected recruitment was included in staff costs, no further recruitment would take place without agreement by Conservators in relation to the business plan proposals being presented on the 11<sup>th</sup> May. It was also pointed out that there had been a staff vacancy throughout the previous year and this replacement was included in the budget.

Mr Martin asked why the budget anticipated an increase in licence fee income when it was anticipated that vessel numbers were anticipated to stay constant. The Business Manager said that it was projected that powered vessel income would remain constant, but there was anticipated to be an increase in other classes of vessel, although this depended on the effect of future COVID restrictions.

**The operational budget was ratified by the majority of Conservators present with one abstention and one vote against.**

#### **5. 2021/22 Budget**

The Business Manager said that there had been a delay in producing the budget because of various options being considered by the General Purposes Committee and the Business Planning Working Group. The current budget reflected costs relating to the current business model, and might well change later in the year should the Business Plan require a different business model.

The Business Manager said that there had been operational cost savings during the previous (2020/21) year. Work had been cut back because of a significant anticipated drop in income resulting from the pandemic and because the main work vessel, Berky, was off river for repairs.

The Business Manager also highlighted that increased expenditure on essential navigation maintenance was proposed as demonstrated by the lines of OPPRJ (project), and which would form part of an ongoing annual programme. This was an aspect of river maintenance that had seen neglect over past years. It was considered essential that this type of regular maintenance should now be incorporated into the operational annual work.

**The Temporary Budget for 2021/22 was agreed by a majority vote of Conservators with no abstentions and one vote against.**

#### **6. Reports**

##### Agenda Item 6.1 - Finance and Licencing Report

The Business Manager said that the management accounts presented to Conservators were based on information that was as up to date as possible, but there would be amendments and adjustments which would appear in the final end of year statutory accounts. The income shown in the report represented actual cash received to date, and not accrued income. Expenditure represented all the committed expenditure, both paid and waiting to be paid.

The Business Manager said that Conservancy income was volatile. This was especially the case in relation to registration income as this was dependent on vessel numbers. The COVID-19



pandemic had an inevitable impact, especially in relation to club, college and commercial fees. During the financial year Conservators agreed to reduce the fees charged to commercial vessel operators to encourage registration, and this was deemed successful as numbers of commercial vessels registered even though this was only around a third of the number of vessels of previous years. Rowing vessel numbers were also reduced on previous years, but powered vessel registrations slightly increased on the previous year.

It was noted that despite the significant loss in registration fee income, and despite an expected overall deficit in income against expenditure, the accounts reflected a year end profit. This was largely the result of the unusually high income received from Section 15 consents, in particular to do with the Chesterton Bridge project, and the additional income from contract work.

The Business Manager explained that as part of the cost saving, the vacant role of the Licensing Officer was not filled. This did, however, have a significant impact on the workload of other officers. There were areas of overspend shown in the accounts. These had been approved by the Chair and Conservators, and most were in relation to legal fees. These were in respect of the sale of Jesus Green Lock House, Section 15 advice and other matters. The additional fencing at Clayhithe was required due to public health and safety risk factors.

Cllr Sargeant asked for clarity on the apparent lack of savings in labour costs despite the vacancy for one of the roles. The Business Manager explained that the Licensing Officer's role had become vacant towards the end of the previous financial year, and the second budget for 2020/21 had anticipated not recruiting for that post during that year. Mr Brown suggested comparing the employment figures for 2019/20 and 2020/21 which demonstrate the lower labour costs.

Cllr Sargeant asked for clarity regarding Berky and asked whether the Conservators had adequately considered the efficacy of repairing the vessel rather than replacing it and whether this was something that is addressed in the Business Plan. Mr Brown responded by saying that this had been considered but that the Conservators could not afford the cost of replacing Berky at around £400k. The River Manager said that the current repairs to Berky provided long term improvements which should extend the life of the vessel by 10 to 15 years, at which point a replacement should be part of the consideration. It was the River Manager's recommendation to renovate and repair Berky as being the most cost-effective solution at this time.

Mr Greenwood recorded his thanks to the Business Manager for the clarity and explanation of the figures presented to the Board. Mr Brown also agreed that thanks should be extended to the Business Manager for all her hard work in producing all the reports over the past week.

#### Agenda Item 6.2 - River Manager's Report

The River Manager said that the first matter which had to be addressed was the vegetation and maintenance of the towpath. Officers had carried out a lot of work in clearing vegetation from the towpath, bringing it back to a usable condition. This exposed the poor condition, including fungal disease of many of the Salix (Willow) trees along the towpath. For health and safety reasons, the decision was taken to push the trees over, some over the top of the ditch. These would be removed later



this year. Woodland Trust were contacted with the aim of obtaining trees to plant as replacements for those which have had to be removed.

The Woodland Trust donated over 160 different saplings, which had been planted with the help of local volunteers. A further 100 saplings had been delivered to Clayhithe for planting along the towpath. Because of the condition of the remaining trees further felling had been scheduled for the autumn and winter (outside the bird nesting season). To facilitate this, a tree survey was planned to cover all the trees along the towpath. An application would be made to the Woodland Trust for a contribution of more mature trees to mitigate against the loss of a number of established trees.

The second matter to report was works undertaken by the Conservancy under contract to the Environment Agency to carry out desilting works at Brandon Lock in Suffolk, which completed mid-February.

A further project was also undertaken as a contract to the Environment Agency to desilt the lock at Salters Load in Norfolk. This is the main access route from Middle Level waters to the Environment Agency waters. It was estimated that around 1500 to 2000 tonnes of sand and silt was removed, and the EA were pleased with the work which was completed in April.

Minor maintenance had also been carried out during the winter on Conservancy equipment as part of an annual program.

Plans for the coming year included about 15 metres of bank revetment works to be done after carrying out the relevant water vole surveys and displacement as necessary. This would be done upstream of the A14 bridge and a further section downstream of the bridge, where there had been a loss of approximately 1 metre of bank, and action therefore needed to be taken swiftly to prevent increased erosion.

The River Manager said that the work carried out along the towpath could be controversial, but he expressed his belief that the benefits to the towpath users, the wildlife and those using the river would be apparent once all the necessary work had been carried out.

Cllr Sargeant asked about historic maintenance of the trees and towpath and said that there should be a communication strategy to ensure that the wider public had the opportunity to understand what works were happening and why. A further question was whether a long term strategy was being considered in relation the proposed change of use of the river bank to one of a leisure emphasis rather than that of a purely commuting route.

The River Manager responded to say that the level of work that had been carried out earlier in the year was unexpected and largely in reaction to the health and safety issues that were presented. He agreed that a communication strategy would be appropriate if logistically possible. The River Manager went on to say that, historically, tree management was sporadic, but that in more recent years a limited annual program had been in place.

The River Manager said that the Conservators had a responsibility to manage its trees as it owed a duty of care to members of the public using the towpath. He said that it was important that the Conservators should be able to demonstrate their strategy to mitigate risk to the public should an incident arise, or an inspection take place. The Conservancy currently budgets £10,000 per annum on tree management and has done so for the last 3 years. He explained that the lifespan of a Salix would be around 30 years, and therefore account should be taken of age of trees and necessary maintenance.



The River Manager said that he was unaware of any proposed change of use of the towpath. .

The Chair asked Cllr Sargeant if he could investigate this initiative and report back to the Board. Cllr Sargeant indicated that he was happy to do so. Cllr Bradnam agreed to try to find out more details from the County Council on this matter. Cllr Bradnam agreed with Cllr Sargeant's suggestion regarding communications on works taking place on the towpath and asked that this information be put on the website.

The River Manager agreed that this was a good idea and suggested that perhaps one of the Conservators could consider being responsible for communications and be involved in the management of the website. Due to the small size of the team, it was not always possible to prioritise public communication when set alongside other work demands.

The Chair agreed that the involvement of a Conservator in matters of communication and website information was a good idea and asked Conservators to consider this role. She said that this issue would need revisiting in the near future.

The River Manager reminded Conservators that the Conservancy was in active negotiations relating to the maintenance of the tow path. This had proved necessary because, despite an agreement for the towpath use and maintenance, the County Council have proved reluctant to carry out its responsibilities under that agreement. He said that while it is the County Council's responsibility to maintain the vegetation along the towpath, this does not include a responsibility for the trees.

#### Agenda Item 6.3 - Chair – Report

The Chair said that she was pleased to be elected to the role of Chair in January. She said that with her experience of being a member of the Regulatory Committee, and latterly the Business Plan Working Group, she had felt that she had been able to hit the ground running, in particular in relation to the Business Plan, the Chisholm Trail project and the ongoing relationship with the County Council in relation to the towpath. The Chair thanked the River Manager who had been working very hard in relation to these projects.

The Chair said that a lot of work was being undertaken in modernising the presentation of the accounts and she wished to thank the Business Manager again for the exceptional hard work she has been doing over the last quarter in addition to her hard work on the business plan.

The Chair noted that the Business Manager, the River Manager and Mr Brown had given a lot of their time to familiarise her with information both past and present and enable her to better understand the organisation and the role of Chair in order to become an effective Chair now and in the future.

The Chair asked Conservators to get in touch with her between board meetings with any questions, suggestions or offers of assistance that they might have as this will enable members to be more informed and to make better decisions.

The Chair said that she would be inviting both Dr Walker and Professor Richards to a dinner in thanks for their long service as Conservators, which she hoped would take place later in the year, COVID restrictions permitting. All Conservators and Officers would be invited to attend.



Conservator Tenure:

The issue of Councillors leaving their political roles and as a consequence ceasing to be Conservators was raised by members. It was explained by Mr Brown that there was a misconception that should a Conservator cease to be an elected Councillor that they would also cease to be a Conservator. He explained that appointment as Conservator was independent of appointment as a Councillor, and there was no statutory requirement for the City Council appoint Councillors to the role of Conservator, Mr Brown further explained that each Conservator was appointed for a set period of time in the statutory appointment cycle, which for a full term was 3 years, that a Conservator might resign from their post or the appointing body may remove them from their post, and be replaced, otherwise it was assumed by statute that a Conservator will fulfil the term of their appointment.

Mr Brown went on to explain that the appointments followed a 3-year cycle by the appointing bodies in successive years thus providing for a staged replacement of Conservators. An appointment might be made for part of the 3-year period should a retirement or removal result in a vacancy. It was confirmed by the Business Manager that the Cambridge City Council appointments come to an end on the 31<sup>st</sup> December 2021, the Environment Agency and County Council appointments come to an end on 31<sup>st</sup> December 2022 and the Cambridge University appointments end on 31<sup>st</sup> December 2023.

It was noted that Cllr Tunnacliffe would be stepping down from political life and would not be standing at the imminent elections and would therefore cease to be a Councillor. He said that, if possible, he would like to serve as a Conservator until the end of his appointed tenure in December 2021.

Cllr Bradnam suggested that one of the documents provided at the beginning of tenure should indicate the date and period of tenure for reference both for the appointing bodies and the Conservator to avoid misunderstanding.

Cllr Sargeant requested a copy of the Board/Directors insurance policy. The River Manager agreed to provide a copy to any Conservators who wished to have sight of it.

**7. Dates of future meetings:**

29<sup>th</sup> July 2021 (Online – Microsoft Teams)  
28<sup>th</sup> Oct 2021 Guild Hall – Confirmed to begin at 09.30  
27<sup>th</sup> January 2021 – Guild Hall Confirmed at 09.30  
28<sup>th</sup> April 2022 – Guild Hall (to be confirmed) - **Agreed**

**8. Any Other Business**

Agenda Item 8.1 - GDPR requirements at end of tenure for Conservators

The Chair explained that it has become apparent after taking advice from Hewitsons that under the 2018 General Data Protection Regulation it is necessary for Conservators at the end of their tenure to sign an agreement in relation to GDPR and transfer any personal information and other sensitive data. This may involve confirmation of destruction, deletion and return information at the end of tenure.

Cllr Sargeant requested clarification on the matter of Conservators holding records of personal data, explaining that he was unaware that he had been in receipt of such information.



The Business Manager explained that some Conservators may not have had access to personal data in the course of their tenure, whereas others may have had access to matters such as staff personal data, debtors' data, and prosecution data during the course of their time as a Conservator, and that this process was part of the protection of that data. Conservators were informed by Mr Brown that the information provided in the end of tenure GDPR document would be clear in respect to what data it means and what actions are necessary.

Additional Item raised: Vending Punt Application

Mr Macnaghten (Observer) raised concerns in relation to the area of business as stated by the vending punt application in that this area represent a congested stretch of the Middle River/ 'Backs' where other parts of the 'Backs' would be less congested and potentially cause fewer problems to other river users.

The River Manage noted that the applicant was a returning vendor for which the Conservancy have received no complaints during the previous year of business. He asked that Mr Macnaghten notify him of any issues relating to this current year enabling the Conservancy to consider any future application in the light of these concerns or to address them directly with the applicant.

**Session ended at 11.15**

**Index of Papers referred to:**

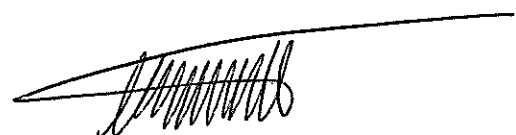
Agenda Item 2 – Minutes of Board Meeting 28/01/21

Agenda Item 4.1 – Vending Punt Application

Agenda Item 5 – 2021/22 Budget

Agenda Item 6.1a – Licensing Report

Agenda Item 6.1b - End of Year Finance Report

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