



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 27th JANUARY 2022 at 9:30AM.

Present:

Conservators: Ms Catherine Hurst (Chair), Mr Clive Brown, Cllr Anna Bradnam (Deputy Chair), Dr May Block, Cllr Mike Sargeant, Mr Giles Greenfield, Mr Steven Morris, Mr Alistair Storer, Mr Tim Wotherspoon

Absent: Cllr Alan Cox.

Officers: Mrs Helen Cleary (CEO), Mr Tom Larnach (Clerk & Control Officer), Mrs Pearl Gonsalves (Licensing & Finance Officer).

Observers: Mr John Martin, Mr Bill Key, Mr Rodger Tellis, Ms Emma Wynne, Mr Rod Ingersent, Mr James Macnaghten, Ms Cath Lindon

Members of the public: Mr Andrew Blit, Mr Nigel Woodcock, Ms Lianne Stanford, Mr Finn Greenwood, Ms Irina Abnizova, Mr Joseph Hamer, Mr Keith Garrett, Ms Sally Dowding, Mr William Tan

1. Welcome and apologies received

Cllr Anna welcomed the newly appointed Conservators and the re-elected Conservators, who had provided evidence of their signatures to the necessary documents prior to the meeting to enable them to vote.

Apologies were received from Cllr Katie Thornburrow and Mr Paul Separovic.

2. Appointments:

2.1 Welcome to newly appointed Conservators

Newly appointed Conservators:

Mr Alistair Storer

Mr Tim Wotherspoon

Re elected Conservators

Ms Catherine Hurst

Dr May Block

Cllr Mike Sargeant

Mr Clive Brown

2.2 Appointment of Chair



CONSERVATORS OF THE RIVER CAM

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

The Control Officer took the Chair and invited nominations from Conservators for the post of Chair. Cllr Anna Bradnam proposed Ms Kate Hurst and this was seconded by Mr Clive Brown. There were no further nominations.

RESOLVED: Ms Kate Hurst was elected Chair for 2022, *nem. con.*

Ms Hurst took the Chair.

Ms Hurst welcomed Conservators and members of the public. The Chair informed the members of the public, the terms of the meeting. In order of questions, precedence is given the Conservators, followed by the Observers and then members of the public. The Chair requested that hands be raised or the raised hand function be used to ask questions. All should refrain from using the chat function as this is not being monitored.

2.3 Appointment of Deputy Chair

The Chair invited nominations for the post of the Deputy Chair. The Chair proposed Cllr Bradnam and this was seconded by Dr May Block and Mr Clive Brown. There were no further nominations.

RESOLVED: Cllr Anna Bradnam was elected Deputy Chair for 2022, *nem. con.*

2.4 Farewell to Conservators

The Chair bid farewell to the following Conservators whose tenure as a Conservator has come to an end.

Dr David Munday

Ms Ceri Salisbury

Mr Tony Wieser

The Chair welcomed the new Conservators Mr Alistair Storer and Mr Tim Wotherspoon.

2.5 Appointment of Committees

The Chair noted that a sub-committee structure had long existed to conduct business between the Board Meetings. The current structure involves two sub-committees, the General Purposes Committee and the Regulatory Committee.

2.5.1 General Purpose Committee

The Chair proposed that the current members, as listed below, would like to continue for 2022 as members of the GPC :

Ms Kate Hurst – Chair

Cllr Anna Bradnam

Mr Clive Brown

Mr Giles Greenwood



CONSERVATORS OF THE RIVER CAM

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

Mr Steven Morris

Resolved: It was unanimously agreed that the above be appointed members of the GPC for 2022.

2.5.2 Regulatory Committee

The Chair stated that the Regulatory Committee consisted of four Conservators and three Observers. Ms Ceri Salisbury and Mr Tony Wieser who stepped down as Conservators and Mr Clive Brown, chair of the Regulatory Committee, will be stepping down from the Regulatory Committee leaving three vacancies for Conservators. The Chair and Dr May Block have volunteered for the post. The Chair nominated Mr Giles Greenfield as Chair of the Regulatory Committee. Ms Emma Wynne and Ms Catherine Lindon were nominated as Observers to the Committee. The Chair stated as there are only three Observers on the Committee, Mr Bill Key and Mr John Martin will therefore have to alternate their attendance. The proposed members of the Regulatory Committee were:

- Mr Giles Greenfield – Chair
- Ms Catherine Hurst
- Dr May Block
- Ms Emma Wynne – Observer
- Ms Cath Lindon - Observer
- Mr Bill Key – Observer
- Mr John Martin – Observer (alternate to Mr Key)

Resolved: It was unanimously agreed that the above be appointed members of the Regulatory Committee for 2022.

Giles left the meeting at 9:50.

2.6 Appointment of Observers

Bill key asked the Chair, what is the role of an observer. The Chair invited Mr Brown to address the question, with his many years of experience as a Conservator and Chair of the Regulatory Committee meeting upto last year 2021.

Mr Brown stated the role of an Observer is not of a statutory nature. It has been recognised as a role with members who were distributed with the Board papers and formally invited to meetings. The closed session are meetings attended by Conservators only, where in staff issues have to be dealt with confidentially. Matters with commercial sensitivity are also dealt with in the closed meetings. Mr Key and Mr Martin were involved in discussions with regard to fee increases as they are members of the Regulatory Committee. Cllr Sargeant agreed with Clive's comments.

Mr Macnaghten expressed that responses from some Conservators are overly personal. This was noted by the Chair.

The following were the nominations for the role of Observers for 2022:



CONSERVATORS OF THE RIVER CAM

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

Mr Bill Key
Mr John Martin
Ms Emma Wynne
Ms Catherine Lindon
Mr Rod Ingersent
Mr James Macnaghten
Mr Mike Arnold
Mr Rodger Tellis

Resolved: It was agreed that the above listed Observers be appointed.

3 Delegation of Powers

3.1 Review and Adoption of Delegation of Powers

Conservators were asked to agree delegation of their powers as set out below to the Chairman, Deputy Chairman and their officers until the first meeting of 2023.

Conservators were reminded by the Chair that they derived their powers and responsibilities from the Acts of Parliament which governed the Conservancy. The delegation of powers enabled the Chair, Deputy Chair and officers to exercise some of those powers on the Conservators' behalf and thus carry out the business of the Conservancy between Board meetings.

RESOLVED: It was unanimously agreed to delegate the powers as set out below:

- (a) the Chair, Deputy Chair and officers be authorised to carry out all such matters requiring the authority of the Conservators in the event of any emergency works or works consequential on works approved by the Conservators being required and to take any decisions normally requiring to be given by the Conservators (including under the Licensing Act 2003) where the obtaining of approval from the Conservators might delay any matters to the detriment of the Conservators or any third party.
- (b) the Chief Executive Officer or Control Officer from time to time and such officer as acts in his or her stead from time to time, be authorised and directed to collect the registration fees, any arrears and all other charges due to the Conservators and to take such steps as may be necessary (through Court action including power to agree to and sign proxy for the Conservators in respect of any voluntary arrangements, bankruptcy, liquidation proceedings or any other insolvency process in respect of the Conservator's debtors or otherwise) on behalf of the Conservators to complete such collection or to enforce the byelaws and statutes and to defend actions on behalf of the Conservators. The Chief Executive Officer or Control Officer is also authorised to instruct solicitors and other professional advisers to pursue civil or criminal proceedings on behalf of the Conservators where such steps are proportionate to enforce the byelaws or where the Conservators have resolved to bring such proceedings in a particular case or cases and the Chief



CONSERVATORS OF THE RIVER CAM

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

Executive Officer or Control Officer is also authorised to gather evidence in relation to such proceedings or any suspected or possible breach of the byelaws or other legislation or to appoint or instruct others to do so and to give evidence in such proceedings on behalf of the Conservators in any court of competent jurisdiction. The Chief Executive Officer, Clerk or Control Officer also be appointed to instruct solicitors and other professional advisers on behalf of the Conservators in other circumstances where it is prudent in the interests of the execution of his or her duties or the protection of the interests of the Conservators to do so, provided that except in the case of an emergency he or she first obtains the approval of the Chairman. The Chief Executive Officer or Control Officer will provide quarterly reports to the Conservators for consideration at their meetings.

- (c) The Chief Executive Officer or Control Officer from time to time (who may also be known as the River Manager) and such officer as acts in his or her stead from time to time, be authorised to issue such notices as may be necessary in respect of all work to be undertaken on the Conservancy Area and to take appropriate steps to maintain the same in conformity with the current statutes and the Byelaws affecting the same.
- (d) The Chief Executive Officer or Control Officer from time to time (who may also be known as the River Manager) and such officer as acts in his or her stead from time to time, after consultation with the Chairman or Deputy Chairman, be given power to agree special terms for payment, to compromise or otherwise to amend any claim in respect of registration fees due to the Conservators and to agree terms for and to issue (with or without such conditions as they deemed appropriate) licences for work to be carried out in or over the navigation or on the banks to applicants and to refuse such applications and those for registration of boats, for any reason for which the Conservators have that power and without limiting the generality of this authority, particularly if they have any concern as to the safety of the navigation or any boats concerned or their effect on the safety of others to implement such powers; provided that details of all such licences granted or refused shall be reported to the next ensuing meeting of the Conservators.
- (e) After consultation with the Chairman or Deputy Chairman, the Chief Executive Officer or Control Officer from time to time and such officer as acts in his or her stead from time to time, be authorised to carry out all such matters requiring the authority of the Conservators in the event of any emergency works or works consequential on works approved by the Conservators and to take any decisions normally requiring to be given by the Conservators (including under the Licensing Act 2003) where the obtaining of approval from the Conservators might delay any matters to the detriment of the Conservators or any third party.

3.2 Review and Adoption of Terms of Reference for Committees

The Chair referred to the document presented and asked the Conservators to review and adopt the Terms of reference for Committees.



CONSERVATORS OF THE RIVER CAM

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

Mr Brown stated that the Terms of Reference and delegation of powers were amended this year by Hewitsons. This is mainly due to the increased involvement the General Purpose Committee has had in between Board meetings. The main changes in the document was to with roles, where in the River Manager role is split into Chief Executive Officer, River Patrol Officer and Clerk.

RESOLVED: It was unanimously agreed to adopt the Terms of Reference for Committees.

4 Minutes of the Meeting held on 28th October 2021

The Chairman invited the Board members to comment on the accuracy of the minutes.

RESOLVED: It was agreed that the minutes were a true and accurate record of the Conservators' meeting on 28th October 2021.

5 Matters arising (not otherwise on the agenda)

The Chair referred to Any other Business in the minutes of the previous meeting. The Chair updated the board on the banks by Jubilee Close garden and the pump out at Jesus Green, stating that metal frames were installed by the City Council. This metal frame still proves to be dangerous for river users. These concerns were raised to Cambridge City Council who stated that they are working on further solutions.

Anglian Waterways: The Chair invited the Clerk, Mr Larnach to report on the matter. Mr Larnach stated there was nothing report. Mr Larnach will be meeting with the team today to discuss the same.

6 Matter for Decision

The Chair recognised that most of the public interest lies in the matter of increases in vessel registration fees and categories. The Chair stated that the Clerk was unable to accept meeting invites until late at night as he was out on the river carrying out emergency remedial works. The Chair apologised for the delays in sending out meeting requests.

The Chair said the lack of increase in registration fees last due to the pandemic, the Conservancy is now in a situation to raise fees slightly. Some of those fees percentages are larger than anyone hoped. This is due to large CPI increase the whole country has faced. The Conservancy has taken into account the CPI rate increase in November 2021 and not the CPI rate in December 2021 as this was much higher. The Chair further stated that the fee increase includes a percentage plus CPI increase for 2022/23. As part of the public consultation, new vessel categories were set. It was noted that the balance of fees in terms of vessel sizes did not seem equitable. The Conservancy felt this was unfair and decided to adopt fees in line with the Environment Agency.



CONSERVATORS OF THE RIVER CAM

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

Mr Storer noted the fee increases in the manually propelled categories and understands why members of the public are outraged. The Chair stated that she is the head coach and boat house manager at Christ College Rowing club. The proposed fee increase would represent 0.4% increase in the budget for the rowing club.

6.1 Recommendations of the Regulatory Committee and General Purpose Committee with regard to increases in vessel registration fees for 2022/23.

The Chair invited Mr Brown to present the recommendations of the Regulatory Committee. Mr Brown stated that licence fees were not increased last year. Funds were not retained towards repairs and renewals and used more on operational expenditure. Emergency works are being carried out currently due to dangerous trees on the towpath. Cam Conservancy runs differently from other navigation authorities and does not have other sources of income from external bodies. The River Cam is most the populated river in the whole country and heavily used stretch of river. The River Cam is also well maintained.

Clr Sargeant commented that the Conservancy has been developing a business plan and one of the major issue is that there is a lack of repairs and renewals fund. The Conservancy has expensive equipment which requires major maintenance works to make them river worthy. Clr Sargeant asked about the variance in fee increase between powered, unpowered and commercial vessels. Mr Brown said that the unpowered vessel increase was low due to restructuring of certain categories of vessels and it was sought to keep the fee increase lower. The powered vessels were in line with the Environment Agency fee increases. The Commercial vessels fee increase were frozen last year but with the punt operations recommencing this year it was thought a fee increase would be justified.

Mr Martin said that the fee increase for 2022/23 is unfair and unjustified. There was no explanation given at the Regulatory Committee meetings as to why the increase was so substantial in the rowing vessel category. Mr Martin asked for the reasoning behind the £8.00 increase per meter for the manually propelled vessels. The rowers understand that the river has to maintained and paid for. The rowers support the purpose of the Conservancy to maintain navigation. Rowers would like to treated fairly. Mr Martin appealed to the Conservators a fee increase of £3.00 per meter which would be fair to the rowing community.

The Chair stated that Mr Martin's concerns over the fee increase were addressed in previous correspondences. Unpowered craft are classed as one group which includes the rowing craft. The fee increase is per meter is implied for all unpowered craft and not specifically for rowing craft.

Mr Brown said that the explanation of the fee increase were discussed in details. The fee increase seems fair.



CONSERVATORS OF THE RIVER CAM

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

Mr Ingersent said that with the Environment Agency's public consultation last year, an area based charge was proposed for powered, non powered and closed craft. Mr Ingersent asked whether the Conservancy considered this proposal when restructuring the licence fees. The Chair said that this was considered but rejected in the public consultation and thought it would not be proportionate in this case.

Votes in favour: 6

Votes against: 0

Abstentions: 2

Resolved: It was agreed to adopt the fee increases for vessel licences as set out in the table presented.

6.2 Recommendations of the Regulatory Committee and General Purpose Committee with regard to changes in registration categories and fees relating thereto.

The Chair stated that this item was largely discussed under item 6.1.

Mr Greenwood noted that the punts were not included in the fee restructuring and asked why they were distinguished from other categories of rowing craft.

The Chair said that the different categories involve powered, unpowered and commercial vessels. There is no distinction within unpowered craft.

Ms Lindon expressed a note of support towards the efforts made in restructuring of licence fees.

Stephen Morris left at 10:55

Votes in favour: 6

Against: 1

Resolved: It was agreed that the changes in registration categories and charges be adopted.

6.3 Recommendations of the Regulatory Committee and General Purposes Committee with regard to changes in general fees for 2022/23

The Chair informed the Board that the increases were based on the November 2021 CPI increase. This increase applies to Section 15 Licence application and consideration fees, pontoon fees (for new pontoon agreements) and event fees.

Votes in favour: 7

Resolved: It was agreed to adopt the increase of 4.6% for the categories of general fees.



CONSERVATORS OF THE RIVER CAM

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

6.4 Block Licence Fees 2022/23

The Chair referred to the paper presented.

Mr Brown stated that some of the block licences has not been reviewed for a few years. A reviewed block licence fee is required in line with the new proposed fees.

Ms Lindon asked once discussions with the Regulatory Committee are complete, would this then need to go to the full board for approval. Mr Brown stated that the Regulatory Committee will negotiate the fees with Cam Sailing Club. The Regulatory Committee are proposing to the Board that the Clerk and the Chair will agree and approve the fees and will not need to go back to the full Board.

Mr Storer was reminded that he must act in favour of the Conservancy keeping aside personal interests.

Votes in favour: 6

Abstention : 1

Resolved: It was agreed to approve the recommendations of the Regulatory Committee with regard to entering into new block licences with British Canoeing, Cam Sailing Club and Cambridge University Canoe Club.

6.5 Recommendations of the Regulatory committee with regard to Conditions of Registration 2022/23

The Chair referred to the document presented.

Votes in favour: Unanimous

Resolved: It was resolved that the recommended changes by the Regulatory Committee be adopted in the Conditions of Registration 2022-23.

6.6 Recommendations of the Regulatory Committee with regard to Pontoon Licences

The Chair invited Mr Brown to summarise the proposal.

Mr Brown stated that Granta Boat and Punt Company has a pontoon licence expiring on the 31st of March 2022. Granta has added a disabled pontoon which the Conservancy has received no income for, to date. The initial pontoon area has increased with the addition of disabled pontoon.

The new pontoon licence will include the payment of the disabled ramp.



CONSERVATORS OF THE RIVER CAM

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

Conservators were asked to approve that the Regulatory Committee draft the new pontoon licence for Granta Boat and Punt Company.

Votes in favour : Unanimous

Resolved: It was resolved that a new pontoon licence be drafted by the Regulatory Committee to Granta Boat and Punt Company.

6.7 Recommendations of the Regulatory Committee with regard to Fishing Lease – Cambridge Fish Preservation and Angling (CFPA)

The Chair stated that the fishing lease has come to an end and has requested a new lease from April 2022.

Votes in favour: Unanimous

Resolved: It was agreed to grant a new lease to Cambridge Fish Preservation and Angling (CFPA) provided CFPA agree to pay the costs incurred in its preparation. It was also agreed to delegate agreement of the terms of the new lease to the Regulatory Committee.

6.8 Recommendation of the General Purposes Committee with regard to the 2022/23 Budget.

The Chair summarised that budgets for the following are postponed for another year:

- Office software
- Interchange area camera
- Work on some lock moorings

The additions in the budget are:

- Tree maintenance
- Repairs and renewals

Mrs Cleary added that the tree maintenance programme is yet to be finalised as tendering is ongoing. The pension cessation agreement, payback amount is not agreed yet.

Cllr Sargeant asked if investments have to be sold in order to compensate for the pension cessation fees. Mr Brown assured the Board that the investments will not be required to be liquidated.

Cllr Sargeant asked what the estimated returns will be from the investment fund. With some interest rates there is likely to be an inflation. Mr Brown said this will not effect the investment invested.

Mr Martin asked whether the Officers planned to include a balance sheet in the budget proposal. In the last 11 years the Conservancy made a profit of almost £150,000 every year. Mr



CONSERVATORS OF THE RIVER CAM

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

Martin observed that in the budget proposal that the Conservancy would make a significant cost saving by adopting the outsourcing model. Where in the budget are the significant cost saving changes being made?

The Chair reminded Mr Martin that the balance sheet will not be included in the quarterly accounts as was stated in previous Board meetings. The Chair pointed out that the Conservancy will be making a saving. The business planning is in progress. Mr Brown stated that if the outsourcing was not implemented there would be significant increases in employment costs.

Cllr Anna said there were a number of different models and the outsourcing model was the best one. This budget was a recommendation from the General Purpose committee to the Board.

Votes in favour: Unanimous

Resolved: It was agreed to adopt the proposed operational and capital budget for the financial year 2022-23 as recommended by the General Purpose Committee, recognising that the costs relating to the LGSS Pension Fund Cessation fee may change.

2:21:48

7. Reports

7.1 CEO Report

7.1.1 Health and Safety Report

Mrs Cleary stated that the Conservancy has obligation under compliance with regards to health and safety. The following matters were raised:

Clayhithe Visitor mooring:

Mrs Cleary said that the repairs for Clayhithe visitor mooring was in the proposal for 2021/22, to undertake repair works. Some aspects of the site are deemed to be risky to members of the public. Due to the superseding requirements of emergency tree works, some of the budget is diverted to these tree works. Remedial works will be undertaken on Clayhithe visitor mooring before the end of March 2022.

Closure of the towpath:

Mrs Cleary stated that remedial tree works were undertaken to take down dangerous trees during the storms in December 2021, to protect members of public. The towpath was closed for 48 to 72 hours with appropriate licences acquired from the Cambridge City Council and public right of way. Operational funds were diverted to addressing the problems of the dangerous trees.

7.1.2 Finance and Licensing Report

The Conservancy has not received the anticipated income for this as yet. Income levels will not be achieved in some areas as previously anticipated. Our income streams are volatile. Licence



CONSERVATORS OF THE RIVER CAM

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

income from river users and section 15 licence income are vital to the Conservancy. County Council income has not yet been received. We anticipate receiving the same before the end of the financial year.

It was noted that the legal fees were high. This due to agreements that had to be put in place and the same was agreed by Conservators previously.

Capital expenditure and property sales has not changed since the last Board meeting held in October 2021.

£1 million is now invested with the property fund company.

Mrs Cleary referred to the report presented to the board. There are the usual offenders not being registered every year and fail to comply. Once the standing orders are received by the end of the January 2022, we will have an overview of the licensing income for 2021/22.

Cllr Sargeant referred to page 4 on the finance document and asked what is anticipated in Quarter 4 and on an ongoing basis for other costs. Cllr Sargeant was concerned that the Conservancy would be paying to the outsourcing contractor moving forward.

Mrs Cleary said there were other costs involved with staffing in Q3, which will normally not be seen in labour costs and this also included costs in the maintenance contract. We anticipate in Quarter 4 the labour costs will be around £200,000.

Mr Storer commented that the signage on the towpath during the last closure, was very poor and the barriers were insufficient. He requested that in the future towpath closure, that these signs are clearly visible and better barriered. Pedestrians and cyclists need to be given warnings of towpath closure from a distance. Mr Larnach stated that temporary measures had to be taken in the short notice given to close the towpath. Currently there is a notified closure in place, while carrying out tree works on the towpath. There are large red signs at the entrance of the towpaths along with barriers. Some pedestrians chose to move the barriers and walk through the work site. Tree works at this point comes to a halt, whilst the pedestrian is escorted safely to the other side.

7.2 Pension Report

The Chair stated that this point was discussed earlier on in this meeting. Mr Brown was invited to add further comments.

No further comments were made.

8. Dates of future meetings:



CONSERVATORS OF THE RIVER CAM

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

Dr Block noted that the 27th of January was on a Tuesday. As all Quarterly Board meetings are held on a Thursday this was changed to 29th of January 2023.

28th April 2022 (Venue TBC)

28th July 2022 (Venue TBC)

27th Oct 2022 Guild Hall – (Venue TBC)

27th January 2023 – (Venue TBC)

9. Any Other Business

Mr Martin asked if the Conservancy has another plan in place if River and Rural were unable to fulfil their requirements.

Mr Brown stated the agreement was detailed which deals with that contingency. Details of the contract are confidential.

Mr Martin requested when the five-year business plan will be presented. Mr Brown responded when the target stops moving.

Meeting concluded at 12:00pm