

CONSERVATORS OF THE RIVER CAM

MINUTES OF A MEETING OF THE CONSERVATORS HELD IN COMMITTEE ROOM 1 (THE HEIDELBERG ROOM) AT THE GUILDHALL, CAMBRIDGE ON THURSDAY 13 JANUARY 2005 AT 9.30am

Present: Professor M D I Chisholm (in the chair)

Conservators: Mr J Adams, Mr L Anderson, City Councillor B Bradnack, Mr R Ingersent, Dr R Laws, City Cllr I Nimmo-Smith, Mr L Phillips and Dr R D Walker.

Observers: Mr D Bradley, Mr W Key and Cllr H Smith.

In Attendance: Mr R B Bamford and Mr J R Wakefield (from Archer and Archer - the Clerks), Mr G Facer (Engineer and Control Officer) and Mr C Sparkes (River Foreman).

And of the general public (who signed the attendance record): Ms E Cosham, Mr John Leader, Mr James Macnaghten and Mr Mark Rogers.

Action Required

By

1. Appointment of Conservators: The Clerks had been informed by Cambridgeshire County Council that they had re-appointed Cllr R Driver and the Environment Agency had re-appointed Professor M D I Chisholm and Mr J Adams for a further three years.
2. Apologies for absence had been received from Dr P Convey, Mr R Wakeford, Mr R Hardingham, Cllr R Driver and Mr R T Bryant.
3. Election of Chairman: On the nomination of Cllr Bradnack seconded by Mr L Anderson, Professor M D I Chisholm was re-appointed Chairman for the ensuing year, unanimously.
4. Minutes of the meeting held on 23rd September 2004 were approved after two small amendments to item 5.1.17 on the penultimate line of page 3 where the date was amended to 2005 and to item 5.3.7 where Dr Convey had made the comments referred to. The Chairman was authorised to sign the minutes subject to these corrections.
5. Matters Arising from those minutes as reported (not dealt with elsewhere on the agenda):
 5. The Mooring Policy: As circulated earlier, Cambridge City Council had prepared a consultation paper after discussions with the Conservators' officers. This consultation paper was currently being circulated by the City Council.
 6. 2.2 Interchange Agreement Changes: Because of the imminent changes to the structure of the Environment Agency's registration system it had been agreed between the

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officers and the Environment Agency that the current amendment to the Interchange Agreement, which related only to the percentage payable by the Agency, would be continued for the year 2005/06 pending the introduction of their new charging system.

- 7.2 Quotations for the External Painting of the Conservators' House had not yet been received.
 - 7.3 Interchange Agreement, Boat Count: Payment from the Environment Agency in the sum of £26,820.28 (for 249 boats) had been received on 25.11.04 (due 1.10.04).
 - 9.4 The software to allow template letters to be prepared on the new computer had been installed at the budget figure.
 - 10.3 The recommended work on Jesus Green Lock Keeper's House had been carried out at a total cost of £4,081.51.
 - 10.8 The Conservators' officers had had no further comment from Waterbeach Parish Council about the placement of a dog litter bin on the Halingway near Clayhithe Bridge.
 - 10.10 The Highway Agency had paid the sums due by them, some 4 months late.
6. Appointment of Deputy Chairman, Clerks and Engineer and Control Officer and his Deputy:
- 6.1 On the proposition of the Chairman seconded by Mr R Ingersent, Cllr I Nimmo Smith was appointed Deputy Chairman.
 - 6.2 Conservators re-appointed their Engineer and Control Officer, Mr G Facer, on the terms of the Service Level Agreement dated 9th March 2004 subject to an increase in the annual charge payable to him to the sum of £15,450 (+ 3% from last year).
 - 6.3 Conservators also appointed the River Foreman or when relevant his deputy as Deputy to the Engineer and Control Officer for any decision when Mr Facer was away or indisposed giving him or the Deputy the powers of the Control Officer vested in them in the Control Officer's absence, for all matters concerned with, inter alia, the Byelaws and the statutes affecting the Conservancy Area.
 - 6.4 The Conservators re-appointed their Clerks, Archer & Archer, on similar terms to previous years, wef 1.4.2005, subject to an increase in salary from £30,000 to £30,900 + VAT (+3%). They agreed that the Chairman should sign an acknowledgement of their standard terms letter, when it is issued in the format previously approved. This letter will make it clear that in addition to the charges set out above, Archer & Archer expect to charge for all matters of a legal nature, not within

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the normal Clerkship duties, with the approval of the Chairman: where appropriate an additional terms' letter will be issued, for specific instructions.

6.6 The Conservators agreed to delegate their powers to their officers and on the proposition of the Chairman seconded by Cllr Bradnack it was resolved nem con that:-

(a) the Chairman, the Clerks and the Engineer and Control Officer 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 such approval might delay any matters to the detriment of the Conservators or any third party.

(b) the Clerks 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 to sign proxy for the Conservators in respect of any voluntary arrangements of creditors, bankruptcy or liquidation proceedings in respect of the Conservators' 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 Clerks be appointed to appear on behalf of the Conservators before any Court of competent jurisdiction for these purposes and the powers of the Conservators for this purpose be delegated formally to Mr J R Wakefield.

(c) The Engineer (or the Clerks, where appropriate) be authorised to issue such notices as may be necessary in respect of all work to be undertaken on the Conservancy Area and the Upper River and to take appropriate steps to maintain the same in conformity with the current statutes and the Byelaws affecting the same.

(d) the Clerks after consultation with the Engineer 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.

7. Chairman's Report and Future Administration:

- 7.1 The Chairman reported that he had spoken to Cherry Hinton History Society and on the 6th January had spoken to the Rotary Club, Rutherford, on the Conservators. In addition, he had met two representatives of Cam boaters and had had a fruitful discussion with them which seemed to be beneficial to both parties.
- 7.2 Future Administration: He then referred to Mr Bamford's impending retirement as a partner and continuing as a consultant to Archer & Archer and Mr Facer's initial intention to act as Engineer for a relatively short time. He indicated that it would probably be best to be discussed generally by a working group but bearing in mind the various comments that had been set out in the paper which had been circulated, he felt Conservators might like to give their views on the possibility of having the two present appointments combined in one individual and, possibly, touching on the location of any future office.

All the Conservators contributed comments with regard to this. There were concerns that if the individual appointed was not an Engineer the costs of buying-in engineering might be expensive. Likewise, all the functions from the two officers were not necessarily easily flexible. It would be necessary to have the right combination. It was clear that Conservators appreciated that there were management advantages; but equally, there was the concern in case all their eggs were in one basket and the individual should fall ill.

Suggestions were made that the Environment Agency might be approached with a view to taking over both the Conservancy as a whole and/or registration matters which would reduce the quantity of paperwork required considerably. Mr John Adams indicated that it should be possible for Peterborough to take over the registration aspects once they were in line with their own. However there was the prospect of the Environment Agency's registration being dealt with nationally within the foreseeable future.

Both officers contributed agreeing with the proposal and saying that they would be perfectly happy to assist with the Conservators coming to a suitable conclusion. A working party was agreed consisting of the Chairman, Mr John Adams, Dr Robin Walker and Mr Rod Ingersent together with the officers. (After the meeting a meeting on 14th February was arranged for which details would be circulated later.)

Clerks

8. Hon Engineer and Control Officer's Report:

- 8.1 Cutter Ferry Bridge: Had successfully been removed on 9th December within the day's river closure window. There was now to be a cofferdam and/or uniflote width restriction of approximately 2 metres on the northern bank to facilitate reconstruction of the abutment. This

Engineer

would remain in place until the new bridge is lifted in place “sometime in March”. The Engineer would make the County aware that rowing events were to be avoided.

Engineer

- 8.2 Resurfacing of the Halingway: The County Council was expecting an imminent decision on whether planning permission was required for its proposed works. If it was not, the works were still planned to go ahead with completion by the end of March. It was understood that the Environment Agency had agreed with the proposals. The Conservators had reservations about the work clashing with some events, particularly the Lent Bumps. The Engineer agreed to make the County aware that work had to cease between Chesterton and Baitsbite for those Bumps and that the path had to be in a cycleable condition.

- 8.3 Riverbank Piling: The workforce had successfully completed one 60 metre length of this year’s piling works along a badly eroded stretch in Horningsea, leaving a further 50 metre length to be done in the new year.

During negotiations for next year’s SLA with the Environment Agency, the EA had agreed to continue supplying the sheet piles to enable this joint programme to continue.

- 8.4 Mooring Policy: Revised signs had been erected on the banks indicating the revised no mooring lengths to accord with the policy which came into effect on 1st October.

The opportunity was also taken to erect similar signs at the Locks, where none had previously been erected, indicating the 36m no mooring length defined in the Byelaws.

Two months’ grace was afforded to craft moored correctly under the previous policy but which infringed the revised restrictions. Any still offending were now being actively pursued under our normal non compliance procedures.

The City Council’s Mooring Policy had been circulated to a number of persons via post. It had been going out over the last week. The Clerks circulated copies with black and white plans to the meeting for those who had not already received them.

- 8.5 Camboaters: At the boaters’ invitation the Engineer and Control Officer attended one of their Committee Meetings in early December which he found to be very useful and informative. At the end of a question and answer session he felt that everyone was a little clearer in the aims and objectives of both organisations.

- 8.6 Resignation of Will Chipchase: Mr Chipchase resigned at the end of November to set up his own business.

Being a multi skilled young person with a common sense approach he had been an ideal candidate to succeed Colin Sparkes as Foreman in the future.

He had however offered his services to the Conservancy as a “contractor” to help out as and when if required, either on a labour only basis, or using the various items of specialised plant he owns (lorry with crane attachment for example) and this may be useful in the future, subject of course to his rates being competitive.

This lead to the question of replacement.

Both Colin Sparkes and Ralph Honey have had longish periods of time off sick with muscular injury, Colin with this back, Ralph with a long standing shoulder problem. It was becoming clear to them that the more physical duties carried out in all weathers were undoubtedly beginning to take their toll as they entered middle age.

The Conservators approved with the Engineer’s recommendation that rather than replace Mr Chipchase it was better to use some of the salary saved to engage tree surgeons to deal with the larger trees in conjunction with the ones they already address.

It was therefore resolved:-

Clerks

1. That Conservators expressed their thanks to Will Chipchase for his service with us, and

Engineer

2. That he was not replaced at the present time but that, within the total of his salary, it was appropriate to buy in external contractual services, at least for the present.

8.7 Health and Safety: All of the risk assessments had now been completed by Mr Martin Hudson and the Engineer and combined with the Health and Safety and Environment Policy Statements approved at the last meeting, which had been issued to the workforce.

No serious health and safety issues were identified but numerous recommendations had been put forward, some of the lesser ones having already been actioned but others with more significant cost implications were set out below for consideration:-

8.7.1. Lone Working: At times one member of the workforce may be on his own all day with no communication with other staff members.

It was resolved that all staff carry a mobile phone and communicate with other members on an agreed timescale during the day.

The cost of an additional phone would be around £50 with probably a rental cost of around £250 per annum.

- 8.7.2. Piling: Lifting piles from a stack is one of the most physical jobs the men do. We have a clamp which fits over the end to enable pitching and driving using the harvester, but not for picking up.

It was resolved that a suitable lifting clamp be purchased at a cost of about £200.

- 8.7.3. Trapped Log Removal: Lugging large logs out when trapped beneath sluice doors, particularly at Bishop's Mill, is another hard physical job where injury could easily be caused.

It was resolved that a purpose made pruning chainsaw be purchased which would enable the logs to be cut into smaller pieces in situ and enable them to be freed for easier collection downstream at a cost in the region of £600.

- 8.7.4. Grass Cutting of River Bank and immediately alongside River: Along much of the bank there is not the width to cut the river bank with the flail and tractor. We cut using the motor mower with central rotary blade. This necessitates tracking right along the top of the bank and any unstable bank sections or unseen holes could easily result in the mower and operative being pitched into the river. Mr Hudson recommended that this work be carried out using a side cutting mower or using our flail fitted to a smaller (narrower) tractor. Tentative enquiries indicate that such plant could cost up to £16,000 new, or £12,000 for good secondhand plant.

Alternatively this work could be carried out by a specialised contractor. The Conservators discussed these proposals at length indicating amongst other things that the EA might suggest a contractor with a narrow tractor. It was clear that only the very small area on the river bank between Baitsbite and Clayhithe would be covered by these arrangements. It was resolved that, initially, the workforce should use contractors to deal with the small area in question and to seek firm costs of suitable plant, details of which should be brought back to a later meeting once the cost of the contractors was known.

- 8.7.5. Welfare Facilities: Mr Hudson's comments were noted.

The Engineer drew attention to his predecessor's suggestion which would cost a minimum of £60,000.

Alternatively, by keeping the existing buildings as they were and, Planning Authority permitting, building a detached "welfare building", which could also include a Conservators' Office might be a possible cheaper solution.

Whatever was done, something in the order of at least £50K would be required if Conservators are minded to provide these facilities.

Conservators accepted that something had to be done as soon as possible. They would liked to have linked it with a Conservators' Office but this might prove to delay matters too much. Under the circumstances, they asked the Engineer to bring plans to the April meeting with a ball park figure of the overall cost.

- 8.8 Mr Leader raised the question of the foul water discharge beside the railway bridge from the caravan park. The Conservators had been made aware of this on previous occasions. It was pointed out that this was an Environment Agency responsibility and they had been informed. He was asked to give further details to Mr John Adams after the meeting.

Mr Leader also raised the question of depositing Berky's rubbish collections on banks close to his property for which, he knew from talking to employees of the owner, no consent had been given, and this had occurred elsewhere. He was asked to raise this with the Engineer after the meeting.

9. Finance Report:

- 9.1 The Clerks had not provided a statement of Budget Comparison, to try to save paper. They reported that everything was on course to provide, at the end of the year, the figures shown in the Draft Proposed Budget paper for 2005/06 which was before the meeting.

9.2 Transfers from Revenue Expenses to Repairs and Renewals Fund

The Conservators agreed that certain items currently entered as expenses under repairs and maintenance and the relevant professional fees could properly be transferred against the R&R Fund, as follows:-

Boiler repairs Clayhithe	186.12
Jesus Green Lock Keeper's Cottage - Repairs	<u>4,081.51</u>
	<u>£4,267.63</u>

9.3 Capital matters to be considered for 2005/06

Conservators decided that matters from the Business Plan should be considered in next year's work's programme as set out in the underlying table where all the R&R items were approved and the capital works of the insulation for the workshop was approved but the remaining capital items at a value of £64,112 were to be left over until after the April meeting when the Engineer had reported further about the workshop extension:-

[See table on next page]

	2005/06	2005/9
	Capital	R&R
1. Cyril C upgrade		5,000
2. Baitsbite Lock - replacements - essentials		125
3. Jesus Green Lock House - towards cost of outside painting		1,200
4. 1 & 2 Baitsbite Cottages - towards cost of outside painting		1,000
5. Workshop extension	30,000	
6. Lean-to Barn	20,000	
7. Fittings for 5 above	4,112	
8. Workshop heater		2,200
9. Workshop insulation	1,200	
10. Clayhithe House		8,900
11. Sewerage Plant	10,000	
Totals	£65,312	£18,425

- 9.4 Budget: Conservators noted the budget and the options for registration fees. Mr Adams indicated that the EA would be increasing their fees by 5.5%. After discussion the Conservators approved the budget as laid before them with a 7½% increase in registration fees on the proposition of the Chairman seconded by Dr Walker by a majority vote (5-3).

9.5 Registration Fees - owners' multiplier

Conservators agreed the continuing increase in the multiplier for owners' categories as follows:-

- 4 Colleges for their own members and non-paying guests should rise from 2.15 to 2.20
- 5) As above AND/OR for hire to the general public should rise) from 4.8 to 4.9
- 6) For commercial operators for punts etc should rise from 4.8 to 4.9
- 7 Hire of all other boats (we do not have anyone registered in this category) 3.5 to 3.6

9.6 Registration fees breakdown

Conservators confirmed suggested breakdown for the registration fees at 7½ % increase for 2005/06 with the proviso that the fee for motorised boats should not be greater than 95% of that charged by the Environment Agency.

- 9.7 The Clerks reported that they had had a report from the County's Pension Fund which was tabled.

10. Agreement for River Lowering (Middle River - along the Backs)

10.1 Mr Facer mentioned that there might be a lowering of the river for one day while the County Bridges Department viewed the tunnels at the bottom of Mill Lane (*not now required*). As agreed with the riparian owners, the Conservators agreed the dates of the “windows” when applications may be considered for winter lowering of the river for repair work to be carried out to riparian properties for the next three years.

10.2 The current window commenced on 1.12.04 and ends on 14.2.05 and the next three years have been agreed as:

1.11.2005 to 14.3.2006 (a longer gap - agreed every 3 years)

1.12.2006 to 14.2.2007.

1.12.2007 to 14.2.2008

Engineer/
Clerks

The officers were asked to follow through with recommendations concerning Scudamores’ suggestions set out in their letter of 1.12.03 which had been considered at the same meeting a year before. These related to the timing of the longer window and the level of charges which could not come into effect until after the window agreed for 1.11.2005 to 14.3.2006.

10.3 The fees were agreed as follows:-

For lowering middle river	£946
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For any obstruction where scaffolding up to 1 ½ m in from bank lasting for 14 days	£471
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With per week or part week thereafter	£194
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Approval of plans, without obstruction (Plus, where required, the cost of advertisement)	£99
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Clerks

10.4 The Conservators reserved the right to waive the fee where appropriate and to set a different fee where obstruction was more than 1 ½ m into the river. The powers of the Conservators being dealt with by the Engineer and Clerks in consultation with the Chairman under the standard power of delegation. The Clerks were asked to forward an extract of these minutes to the Secretary of the College Bursars’ Group, Mr Christopher Pratt the Bursar of Fitzwilliam.

Cllr Bradnack left the meeting.

11. Clerks’ Report

The Conservators noted the Clerks’ report laid before them.

11.1 The Clerks reported that the City had now set out its Policy for Licensing which had been tabled.

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11.2 Removal of Sunken/Abandoned Boats:

- (a) “White Elephant” had been sold by tender for £450 but as yet the cash had not been received.

12. Appointment of Observers:

The following observers were appointed:-

R J Bryant: Sailing and River Cam Users

D Bradley: IWA

W Key: CRA

Councillor H Smith: South Cambridgeshire District Council

13. Dates of Next Meetings:

The meetings for Thursday 14th April, Thursday 7th July and Thursday 22nd September 2005 were confirmed and 12th January 2006 was agreed.

14. Any Other Business:

- Engineer 14.1 Mr Leader drew the attention of the meeting to the fact that the Rowing Lake proposals were now in an amended form before South Cambridgeshire District Council and that it might be that the bridge over the cut from the river might be different. The Engineer agreed to check with the persons concerned to follow this up. Mr W Key agreed to let him know the name of the contact.

The meeting closed at 11.07am.