

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 3 JULY 2003 AT 9.30am

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

Conservators: City Councillor B Bradnack, Mr C Darbyshire, Mr R C Hardingham, Mr R Ingersent, Ms B Morgan, City Cllr I Nimmo-Smith, Mr R E Wakeford and Dr R D Walker.

Observers: Mr D Bradley, Mr W Key and Councillor W H Saberton.

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

And of the general public: Messrs A C G Brown, R How, M Kinniburgh, J Leader, J Macnaghten, E T Mansfield, J W Martin, S Mason, and A Schultz.

Action Required

By

- 1.1 Apologies for absence had been received from Mr J Adams, Dr P Convey and Mr R Driver.
2. Minutes of the meeting held on 17th April 2003 were approved and the Chairman authorised to sign them.
3. Matters Arising from those minutes (not dealt with elsewhere on the agenda):

3.5.1.8 The Halingway Easement: Nothing further to report.

3.7.3 CamToo: Apart from an exchange of correspondence on the width of the waterway with Mr Moseley, and a meeting with the Environment Agency, nothing to report.

3.1.5.5 A Mr Bucannon had shown interest in the cottage at Clayhithe. He had been advised to check that his ideas were compatible with the local planning department's ideas before approaching the Conservators further.

3.16. Standardisation of Lighting: This has not been followed through due to pressure of work, although the rowing fraternity had agreed changes to their lighting arrangements in accordance with ARA suggestions. The Clerks would follow this through.

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4. Chairman's Report:

The Chairman had nothing to report which was not covered by the rest of the Agenda.

5. Business Plan 2003/08:

Copies of the latest draft of the Business Plan dated 17.6.03 had been circulated with the Agenda. The Chairman indicated that there were minor typing/grammatical errors which would be dealt with later. Dr Convey had circulated his comments on the Agenda items which included his views on the format of the plan. However, it was felt by Conservators that it was difficult at short notice to consider Dr Convey's substantial written comments. Mr Schultz, the Captain of Magdalene CBC, who drew attention to the absurdity of having £100,000 weedcutter but at least two sculls had overturned recently because of the weed in the river. He also drew attention to sandbanks at Green Dragon Bridge and Ditton Corner and the problems of the moored boats, which affected the navigation. There were comments that the mission statement lacked direction and that the financing arrangement linked to the continuing rise in registration fees was self destructive.

Dr Walker pointed out that there are problem; but that these were separate from the drafting of the business plan and it was essential to see what was acceptable in the plan and what was not. Dr Walker suggested that those who consider registration fees to be too high should be asked to make positive suggestions regarding cost savings which could be implemented.

The Chairman suggested that the Plan should be referred back to the committee which was made up of himself, Dr Walker, Cllr Bradnack, Mr R Ingersent and Mr J Adams together with Dr Convey so that he could propound his views and then it should be brought back to the Conservators at the September meeting. Any comments on the present plan would need to be with the Clerks within the next month so that they could be circulated to the committee before a meeting prior to the next meeting of Conservators on 25th September. This was carried nem con.

Clerks The Clerks would arrange with Beth Morgan for a copy of the plan to be on the website and to send a copy to Mr Martin who requested it.

6. Hon Engineer and Control Officer's Report:
Matters for Report:

6.1.1 Baitsbite Lock Vee Doors:

It was noted that leakage problems were being progressed with the installers. The Hon Engineer indicated that this was their liability. The River Foreman suggested that because the quoins had been reformed, it was possible that the doors were not aligned with the cill which had also been replaced. He suggested that it might be necessary for the installers to employ a diver to inspect.

6.1.2 Riverboat Restaurant:

The initial applications to the Engineer had indicated that the applicants wanted to moor a restaurant in the Mill Pond and the Conservators agreed that if it was so moored it would almost certainly cause a hazard to navigation and the applicant should be told straight away that it would be unlikely to be approved.

6.1.3 May Bumps and Moored Boats:

The problem of a rumoured regatta being held at the same time as the bumps was aired. It was agreed that the Conservators had done all they could do in policing the arrangements. It was understood how disruptive the concern for this had proved; but, nonetheless, because of the reports, there was nothing else that could have been done. Dr Convey's comments were noted. The problem of Mr Middleton's barge was noted and it was agreed to see the outcome with regard to the permanence of his present moorings before taking further action. The Conservators confirmed that they were still making enquiries about the name of the owner of "Stedfast". The Clerks reiterated the problem in English law of taking action against an individual who had failed to give his name. As to the problems of practising bung starts, the Hon Engineer had been approached to arrange a meeting with several boatmen of the Colleges which it was agreed that the Chairman should attend also. It was suggested that there should be not only a meeting with the boatmen but also with the owners of residential boats who suffered from the bung starts. Subsequently it might be necessary to have a joint meeting in the hope of being able to agree some form of settlement in the conflict.

With regard to Midsummer Fair, Cllr Nimmo Smith requested that any report concerning the problems with regard to hooliganism and vandalism following this Fair should be sent to Nigel Cutting of the City Council so that he could complete an internal report concerning the Fair and subsequently a meeting with the Police would be arranged.

6.1.4 Clayhithe:

6.1.4.1 Workshop Extension:

The Building Regulation Approval receipt was noted but no action was authorised at this meeting.

6.1.4.2 Chimney:

The problems with the chimney at the Clayhithe house were noted. It was suggested that the arrangements to take down some of the internal walling of the chimney within the house to fill the gaps of the chimney would be more destructive than the originally proposed arrangements.

Hon Engineer

It was therefore suggested that the Hon Engineer should, perhaps with the assistance of Cllr W H Saberton, the SCDC observer, discuss the matter with the Historic Buildings Officer at SCDC to try to resolve this problem in the simplest and cheapest possible way.

6.1.5 The Halingway and Towpath:

The Hon Engineer's comments were noted. Letters received by the Clerk and/or the Chairman were tabled for inspection from 36 individuals whose names are recorded as follows:-

Alcantara	Allen	Bailey	Barham	Barker
Benton	Blakemore	Blandford-Baker		Calladine
Collins	Convey	Dalley	Daniell	Davies
de Mauny	Dennis	Earl	Elliott	Fuller
Harradine	Harrison	Key	Lloyd C	Lloyd D
Mansfield	Marlow	Martin	Moseley	Oeffner
Pearson	Phillips	Rae	Rees	Rodrigues
Smith	Watson			

A full discussion was entered into. It was generally accepted that if the County were prepared to pay for the resurfacing of the towpath then that was acceptable providing the Conservators were happy with the other aspects of it, which included, the future maintenance and the responsibility for providing some form of slowing of cyclists so that safety could be maintained because cyclists were not the only users of the towpath. Dr Walker indicated his fears of small children inadvertently walking in front of a cyclist during a race. There were worries expressed that the County had not put a formal offer to the Conservators. It had merely been a suggestion from officers. It was agreed that the Chairman and Officers of the Conservators should meet with the relevant County Officers to confirm what is proposed and to make sure that the offer would take into account not only the cycling interests but those of walkers, fishermen and other users of the towpath, including the staff's engineering requirements of using the towpath with their vehicles. Mr Schultz also drew attention to the responsibility of preventing access onto the towpath by 4x4 vehicles. It was agreed that, if it were possible, the County would be asked to take over the total responsibility for the towpath and the river bank along the relevant sections so that the responsibility for the trees also passed to them.

During this discussion Mr Wakeford left at 11.07, was followed by Beth Morgan at 11.10. After this discussion a number of members of the general public left the meeting.

6.1.6 Staff Issues:

These were adjourned to a committee meeting to follow the meeting.

6.1.7 Tipper Truck:

It was noted that the tipper truck had been purchased. The insurance for this was £1,800 (*subsequent to the meeting the Clerks renegotiated the insurance to under £800*).

6.1.8 Bishop's Mill Automation:

The Conservators noted that we were awaiting further action from this.

6.1.9 Punting Issues:

The Hon Engineer reported that he was due to hold a meeting on punting requirements and indications were made from Mr Ingersent and Mr Macnaghten that perhaps chained together punts should be banned. This was left for discussion at that meeting.

6.1.10 Trees:

Conservators noted the report on trees in this section of the Hon Engineer's report.

6.1.11 Darwin's New Bridge:

The Conservators noted the Hon Engineer's comments on this.

6.1.12 Publications Received:

No member of the Conservators asked to see DEFRA's publication "Climate Adaption: Risk Uncertain in Decision Making".

Requiring Conservators' Decisions:

6.2.1 Large Boats, No Mooring Zones and Navigation:

The Conservators discussed the question of larger boats and moorings with particular reference to the turning of rowing VIIIs in the river which have a length of some 60 feet and a rowing breadth of 23.5 feet. It was accepted that the wide boat, referred to at the last meeting, could pass through the lock and therefore was under 14 foot beam. The Hon Engineer was concerned that boats larger than 14 feet in beam might be transported by road and deposited in the river without reference to him or the staff when the first they would know of it was when they were causing an obstruction. There would then be very little power to move them on. It was agreed that the officers should discuss matters with the representatives of Great Ouse Boating Association and others including the Environment Agency to see what steps, if any, they could take and recommend to be included in new byelaws and/or statute provisions to take care of them. In particular, it was pointed out that the arrival of such large boats, because they would be limited to this

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stretch of water, would be largely a problem for riparian owners to take up and this would be as much a City/SCDC problem as that for the Conservators. The general view was that boats above 14 foot beam should be excluded from the Conservators' stretch of the river and that registration fees should be adjusted for boats of size up to 14 foot in beam to take more account of the value of the area of the navigation taken up by such boats. This should be dealt with when registration charges are set next January.

6.2.2 Proposed New Cycle/Pedestrian River Crossing at Riverside opposite Simoco:

The Hon Engineer's report was noted on this. Plans were shown and after some discussion it was agreed that the clearance above water level should be 3.4m for the full extent of the river and that no elimination of this should be permitted on the outside thirds of the river coverage.

6.2.3 Trees - The Future Way Forward:

It was agreed that the sum of £6,000 be made available for major dangerous tree work. The general belief that all the willow trees including the white willow trees should be brought to pollarded height was questioned. It was agreed to discuss closely with the SCDC Trees Officer, perhaps with the aid of Cllr W H Saberton, with a view to perhaps obtaining some form of grant from SCDC in order to maintain any trees above normal pollarded height, which could be dealt with by the river crew. It was agreed that if further sums were required for the tree programme they would be discussed at a later meeting.

7. Finance Report:

7.1 Income and Expenditure:

7.1.1 Accounts for the year to 31.3.2003 had been prepared, audited and were before the meeting. On the proposition of the Chairman seconded by Mr Ingersent the Conservators unanimously approved the accounts and authorised Cllr Nimmo Smith and Dr Walker to sign the three top copies. In addition, the Clerks were authorised to sign the auditor's letter of representation on behalf of the Conservators.

7.1.2 It was noted that these accounts showed a marked improvement over the original budget due largely to the changes agreed in depreciation rates at the last meeting.

7.2.1 Registration Income had been forthcoming and £50,000 had been added to the London Treasurers Deposit where it could earn at least 1.5% more interest until such time as it was needed for running expenses (at least £5,000 would be needed to be withdrawn on 7th July).

7.2.2 All the Colleges had paid up by the Mays (after reminders to half a dozen) on what had been invoiced to them: but there was no real method of checking that all the boats used by them were registered. The Colleges do not complete the invoices with names of their boats and while the Clerks knew the registered number of the boats it was more difficult to see the number when painted on a boat, than the name (and often the sponsor!).

7.2.3 Details of current registrations were tabled.

7.2.4 No abnormal payments had been made in the first quarter.

7.3 Capital: It was reported that there was currently £225,000 invested with Barclays London Treasurers providing 2.76% on £175,000 and 2.5375% on £50,000 until 7.7.03 when new rates would be given to us and £250,000 on a Hallmark Account at Cambridge Building Society bringing in 2.90% (Conservators were unable to add to this investment due to changes in legislation).

7.4 It was reported that Conservators had been invited to submit an application for a grant for environmental projects to Cambridge City Council. If any Conservators could think of any matter which was of current important and which would justify one of these grants, please could they notify the Clerks and help the Clerks complete an application for the same. The Chairman agreed to discuss this with them.

Chairman/Clerks

8. Clerks' Report:

8.1 Boat Registration:

8.1.1 Registrations as reported in the Finance Report were progressing. A sheet was tabled showing the up-to-date position.

8.1.2 The decision at the last meeting to take firmer action against unregistered boats had been followed through by the Clerks with disappointing results; neither the EA nor the other navigation approached had sought such draconian powers on the grounds that the Home Office would not "wear" it. Thus no further action had been taken.

8.1.3 Proceedings will shortly be commenced against those outstanding of whom we have the required details. A number of boats appear to be registered late in the year (after 30th September) with the EA to get the benefit of reduced (half) fee. The Clerks were proposing to prosecute those who were on the navigation prior to that date last year and in this and future years, unregistered, unless they contribute a half fee to the Conservators. The Conservators confirmed this action.

8.2 Clayhithe Field had been let for 3 years to a Mr Smart.

8.3.1 Insurance for Third Party risks on our boats: On renewal the Clerks asked about increasing the level of cover above £1m. The Conservators decided that in view of the fact that no passengers were carried they would limit the increase to £2m at a current cost of £430 pa with effect from next year.

8.3.2 Insurance for boats generally:

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It was agreed that certainly College/Corporate punt operators should have insurance cover. Conservators postponed discussion as to whether or not to insist on the same for private punts and to what level to the September meeting and to discussion with the Punt Operators generally.

8.3.3 Insurance Employer's liability: The Conservators were covered to £10,000,000 (£5,000,000 for acts of terrorism): Public Liability cover was £5,000,000.

8.4 Health and Safety: The Safety Council had approached the Conservators to "join" at £234 for the first year. The Conservators decided that no action was needed.

8.5.1 Moorings: One of the larger boats had left the navigation. There was another, now, which with its satellite boats was causing difficulty.

8.5.2 Before making any more mooring restrictions, the Conservators agreed to seek advice from AINA and perhaps consult with GOBA to try to come to some agreed policy on whether to allow such boats on the navigation at all. It is not known whether they can be restricted by law. This had been discussed in the Hon Engineer's report.

8.5.3 Enforcement of mooring restrictions and the Byelaws was a problem in itself, (which was faced by every law abiding person, when others, who take not a shred of notice of any rules or regulations, appear to get away with it). Action before the counts was only available against named individuals although the anti squatters legislation could be available for boats moored in awkward places but only by the riparian owners.

8.5.4 Mooring proliferation: The problem had arisen largely because riparian owners seemed unaware of their rights or unwilling to confront those taking advantage of these moorings. The planning department of the Council might be persuaded to take action but this may have an adverse effect in that the boats will merely move elsewhere. Having said that, the Conservators can take action through their staff for boats moored on designated no mooring areas: but Conservators must then accept that other jobs may not be completed. Mooring was a riparian owners matter. Conservators can take action through the courts only, as stated above, when they know the names of individuals concerned.

Chairman/
Hon Engineer

- 8.5.5 The mooring opposite the boathouses along Midsummer Common was causing more difficulty. It was agreed that the Chairman and Hon Engineer would meet with Mr Rhodes, Boatman to four Colleges and, currently, Chairman of the Cambridge University Boatmen, and then with representatives of the boathouse owners.

This matter would be further discussed at the September meeting.

- 8.6 The Clerks received notice of the Cambridge Environment Week 2003 6-15th June.

9. Dates of Next Meetings:

The meetings for Thursday 25th September 2003, Thursday 15th January 2004 and Thursday 15th April 2004 were confirmed and Thursday 1st July 2004 was agreed.

10. Any Other Business:

- 10.1 Mr Darbyshire returned to the Halingway in the context of the Business Plan, and enquired whether the option of the County Council taking over full responsibility (including the trees) had been rejected. The Chairman indicated that this option would be considered with County Council officials.

The Chairman thanked all those participating in the meeting for their patience during a long running meeting.

There was no further business and the meeting finished at 12.50pm, when the Conservators went into committee to discuss staffing matters.