

THE MAGAZINE OF THE



President: Bill O'Brien J.P. M.P.

ISSUE 3/03 - May 2003

Mention in the Lords / Petition / Moorings Code

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2003 CALENDAR

Council meetings	Copy dates
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June 7th	June 14th
July 19th	July 26th
Sept 6th	Sept 13th
Oct 4th	Oct 4th
Nov 15th	A.G.M.
Nov 29th	t.b.a.

CHAIRMAN'S COLUMN

I am sitting at Little Venice where we have a stall. Our members have turned up trumps and have come along offering their help. The sun is shining and a steel band is playing. What could be more pleasant?

Our call for a regulator is proving more successful than we could have hoped. We have started collecting names on a petition. To my delight people are signing without being asked, in fact they are eager to sign. We have had people saying, "Our organisation will back you". Members of both the House of Commons and the House of Lords have taken up the call. Maybe they don't like their Acts of Parliament being bypassed anymore than we do.

BW has a new Chief Executive and a new Customer Service Manager. I would like us to work with them, with both sides explaining their problems honestly while the other gives them a fair hearing, so we can come to a common agreement; we have the ear of our members and can be a useful resource rather than an opposition.

BW has made so many errors of judgment in the last few years. They increased the mooring fees until boaters left to swell the numbers mooring on the towpath, now they have decided to "regulate" this by making it impossible to moor on the towpath unless you are willing to travel 120 lock-miles every three months. An impossibility for most who like to cruise rather than keep their boat permanently on a mooring. Do



they understand how many customers they are alienating?

A big thank you to all our members who are putting their heads above the parapet and taking the trouble to contact us, BW and their M.P.'s. People are also organising themselves into support groups, such as the Boaters Action Group at Marsworth, we are working with them, giving what advice and encouragement we can

Robin Evans, the BW Chief Executive, is countering all calls for a regulator by quoting IWA's press release, which mentions their request for an 'independent appeals committee'. We will give our thoughts on this when we get some details but the only thing we know so far is the name. No details have been released as to its make up or legality.

One of our Council members has received an overstaying notice. His crime? He had been on 14-day moorings for 4 days! So much for the "pragmatic" approach we have been promised. Today I met a priest who has the unusual parish of the canal system. His work takes him and his boat all over the network, but as he has to work in one town for three weeks he will fall foul of the new rules and have to ask British Waterway's permission to stay. Under the previous rules he would have moved to a different place with no problems.

We are concerned about EA's idea that their navigation function is



fulfilled if rivers are open to canoeists and unpowered boats. The level of activity on some waterways such as the Basingstoke Canal, where you can travel the length and back without seeing another boat moving shows that cruisers on rivers such as the Stour would be an asset rather than a liability. Is it any coincidence that the Boater's "Champion" on the EA board is a canoeist? As is the Head of Navigation! Narrowboats, family cruisers and day boats aren't powerboats. They usually travel slower than canoes and create less wash. It is the unpowered boats on the Thames that rock our steel narrowboat, making cooking an interesting exercise at times. This isn't a complaint as I love the diversity.

Adrian and I went to the Cruising Association at Limehouse basin. We met their senior officers and discussed working closer together on mutual interests such as the Boat Safety Scheme. They have a technical committee named RATS which consists of eight or nine members and looks at all technical rules and regulations as they come up. As these include International rules they are kept busy. The CA is losing control of Limehouse basin and BW will run it in future

Aileen and I went to see the site of the next London Boat Show. I was impressed but it will depend on the costs involved as to whether we attend, as this year's attendance cost a lot more than the Council had anticipated.

I met up with Ivor Caplan, chairman of the Residential Boat Owners Association to discuss the new Moorings Code. Ivor is still trying to get an answer to the question. "What is the problem that BW are trying to solve?" He agrees with us and the action that we are taking. Sally Ash has written to him saying that "RBOA and NABO are misreading the proposals and should read them again". They haven't said this to us and I can't really see how approximately twenty people can all come to the wrong conclusion.

To conclude. **I can't stress enough that the new Moorings Code is being included in the licencing terms and conditions. Read the licence conditions very carefully before signing to say you accept them. THE LICENCE CONDITIONS HAVE CHANGED and it is all too easy to sign without reading them. If you are happy, sign them, if you are not, sign but add "except where the law takes precedence".**

Sue Burchett

HOW YOU CAN DO YOUR BIT

- Sign one of our our petition forms supporting our campaign for an independent waterways regulator.
- Cut the petition form out of this issue and get other people to sign it too.
- Get us to send you a bigger form, or two, or three – and get even more people to sign it!
- If you have had to complain to BW, give us the details on the pullout form in this issue, or use one of the website forms (www.nabo.org.uk/forms).
- If you have any tales to relate regarding the application, or lack of application, of the Moorings Code, please contact NABO.

NABO, FREEPOST (BM8367), B31 2BR, or email: feedback@nabo.org.uk

THE OFFICE OF FAIR TRADING

- NABO SEEKS INQUIRY INTO BW CHARGES

Following the sometimes swingeing increases in mooring charges imposed by BW in 2002 NABO referred the matter to the Office of Fair Trading for their initial views.

The response we got back from the OFT was a bit like the curate's egg – good in parts. The outcome is that they have considered the position as follows. Firstly, does BW hold a dominant position in the relevant market? Secondly, does BW engage in conduct that constitutes an abuse of a dominant position?

A cursory examination of the BW Accounts by the OFT suggests to them that BW as a group is not making excessive profits but the OFT does not exclude the possibility that BW might be charging excessively high prices for its moorings.

The outcome is that the NABO complaint is now being looked at by the Market Policy Initiatives Division of the OFT which investigates whether markets are working efficiently for consumers. So all is not lost.

The machinations of BW regarding mooring price increases, new mooring conditions, introduction of the moorings code, and many other facets of the way they deal with customers has strengthened the resolve of NABO to campaign for some form of independent regulator to safeguard the interests of boaters and other consumers. If our target of a fully-fledged regulator like OFGEM could not be achieved, there might be possibilities for an enhanced role for IWAAC.

The Transport Act 1968 which established IWAAC could form the basis for expanding the remit of the body to act as a watchdog on the commercial activities of BW where they affect boat owners. NABO remains the only major boating association seeking this independent supervision of BW. Others seem to think that BW should simply be trusted to act in our best interests.

S.P.

OTHERS HAVE TOO...

To quote an extract from a letter sent by one of our London based members:-

"...To put this into perspective for you; A mortgage on an £80,000 house over 25 years is the equivalent sum we are being asked to pay. At the end of 25 years that house and land would become my property totally. In British Waterways case they are attempting to charge for a piece of water not even big enough to build a house on, the same price and furthermore to continue raising that price purely at their discretion. An ever-increasing mortgage. The average cost of a one-bedroom council flat in this area is £75 a week, £3600 a year. Can you really say that the rental value of a piece of water big enough to put something the size of a bedsit on is worth more than that of a council flat?

Just as another human being you must surely be able to see the injustice in this. As the Office of Fair Trading your role is to protect the individual from exploitation of this nature. You have the Competition Act and the Fair Trading Act at your disposal, and these Acts apply equally to the private sector as well as the public sector. The over-riding definition in the act is 'CHARGING A PRICE WHICH IS EXCESSIVE BECAUSE IT HAS NO REASONABLE RELATION TO THE ECONOMIC VALUE OF THE PRODUCT SUPPLIED, IS AN ABUSE'... "

NABO POLICY ON THE MOORINGS CODE

NABO Council passed the following proposition at their meeting in April:-

“...that NABO’s response on the trial demands:-

- 1/ Formal confirmation that in NO CIRCUMSTANCES will BW in any way penalise any boater as a result of the trial of this code unless said boater can be proven, using measures existing prior to 1/4/03, to have contravened the Law of the Land.*
- 2/ that BW will, throughout the ‘trial’, explain to NABO how the results are to be gathered and processed and make NABO party to said results and the deductions arising from them.*
- 3/ that BW will consult fully with all national User Groups any changes it proposes to make to the code or its implementation in the future.*
- 4/ that BW satisfies NABO that the trial will be done in such a way as to accurately reflect to boaters how the code will be applied after the trial period.”*

The last clause is to prevent BW giving boaters a false sense of security during the trial and then start an iron fist regime once it is over.

Already two instances have come to light to cast doubt on the validity of the trial.

Firstly, a Councillor brought to the meeting a notice served on him for staying more than 14 days on a mooring which he had in fact vacated for ten days during that period and his boat was pointing the other way when the accusation was made.

Secondly, two NABO councillors attended a Leeds & Liverpool User Group ‘Forum’ nearly a month after the code was introduced and that found none of the BW representatives present seemed to have any knowledge of the Moorings Code.

If that is what Council members have experienced, what is the wider picture?

NABO has no formal policy either in favour or against the principle of the Code, as it would not be representing the common ground of its membership if it did so, however it is keen that the Code be trialled fairly, legally and comprehensively. as much to ensure its success as its failure.

To this end Council would ask all NABO members to report full details of any incidences involving the Code, including transgressions that are not picked up. BW promise to apply it ‘pragmatically’, how can this be consistent with an impartial and objective approach? Facts and examples urgently needed, please.

NOBLE LORD ASKS QUESTION IN THE HOUSE

Quite unexpectedly, a member of the House of Lords recently took up the cudgel against BW and asked a searching question on the House.

Lord Corbett of Castle Vale (formerly Robin Corbett MP) asked *“Whether the Government will appoint a waterways regulator to monitor charges for moorings on canals, rivers, marinas and inshore waters?”*

The question drew a response from Lord Whitty, Parliamentary Under-Secretary of State at the Department for Environment, Food and Rural Affairs, confirming that the

Government is not convinced of the need for a waterways regulator since BW and other navigation authorities are subject to the law against anti-competitive practice.

Lord Whitty seemed satisfied to report that BW was in the process of discussing with the IWA a procedure for dealing with appeals against decisions on moorings and other charges.

Lord Corbett (like a terrier with a rat) would not allow the reply to go unchallenged. He pursued his question by pointing out that boat owners faced with no alternative moorings had sometimes been faced with mooring charge increases of up to 300 per cent in one year. He mentioned NABO as being one of the bodies seeking an independent regulator and Lord Whitty replied that the IWA is not in favour of a regulator, preferring instead a more effective appeals system with BW.

Lord Corbett was supported by Lord Livsey of Talgarth who asserted that mooring charges should be levied at a sustainable rate to all who enjoy boating and that the appointment of a regulator would help to achieve that good objective.

Lord Whitty responded by agreeing with the first part of the question and then expressed the view that mooring charges were simply commercial transactions reflecting the demand on certain moorings and that the facilities for some of the moorings had been improved.

It is good to know that NABO has supporters in such high places and we will continue our campaign for some form of independent regulation of BW.

CONSULTATION AND THE CHARTER MARK

In one of the BW's Customer Care commitments which qualifies them for the coveted Charter Mark from the Cabinet Office, they say: "*To make consultation with user groups effective, we will supply enough information and allow enough time so that those whom we consult can give a considered response.*"

They use the word '*consult*', which is defined in the dictionary as to '*seek advice*'. They are not obliged to act on said advice, but they say they wish the consultation to be '*effective*'. It would certainly not be effective if their subsequent actions took no account of the advice they had sought. Nowadays it seems the advice of many User Groups is being increasingly ignored, or not even sought, BW preferring to consult individuals and conduct surveys and trials, whose results can more easily be interpreted to give the answers they want.

These surveys look wonderful on paper in support of their Charter Mark, so it is no wonder that the likes of the Office of Fair Trading are going to be reluctant to find against an 'undertaking' which flaunts this seal of approval, and that arguments in favour of an independent regulator receive a poor hearing.

It is a great shame that NABO is now forced to seek its own evidence to put before the powers-that-be to show that British Waterways are not adhering to their Customer Services pledges. We will have to include all instances, not just those relating to its promises to so called 'User Groups', to substantiate our case. To this end we provide a feedback form in this issue

This **is** a campaign to discredit BW, and so will seem to many to be totally destructive and negative, but until those in power can be convinced that inland waters are not as peaceful as they imagine, they will continue to trust BW and not see the need for an independent regulator. We are sorry for those in BW whose work does deserve the Charter Mark, and there are many of them.

YOUR VIEWS ON THE MOORINGS CODE

Again we have had so many letters and other feedback that we cannot print it all in full, so you are going to have to trust my editorial judgement again.

Responses range from a letter from a boat club who is terminating its affiliation presumably because it believes NABO to be supporting boaters whose conduct the Code is aimed to prevent, to an anonymous person forwarding us a copy of their BW feedback form showing vehement condemnation of it in language too strong to print!

Celia Kennedy, our new Midlands Secretary, gave me a letter written before she was co-opted, in which she felt the Code to be legally unsafe in respect of new rules for boaters with home moorings:-

"Problem boat owners mooring on the more overcrowded southern canals have inadvertently provided British Waterways with a prime excuse to introduce more new legislative terms and conditions. As a result of the proposed legislation far reaching consequences will be felt by all boat owners, including marina-moored boats and those on countryside moorings, not just the live-aboards.

Under the 1995 Waterways Act, as I read it, boats with moorings are breaking no rules, the fourteen day rule is applicable only to Continuous Cruisers. . . . "

She then encouraged readers to refer to the Act, which can be ordered from Libraries. (You can also use the link at the end of the *News & Info* page on www.nabo.org.uk. to see it on line.) Further on she thought enforcement would be easier if boaters did not move around so much! The rest of her letter containing her views on other matters is included in the Letters columns later in this issue.

Simon Greer also highlights the incompatibility of the code to the 1995 Act:-

"I have now received BW's 'Trial Moorings Code' and am not surprised at the big black hole omission of anything that reflects the serious caveats and concerns that I know have already been submitted to Watford. But what can you expect?

There is so much to say about the document that is difficult to know where to start, so on this occasion I will confine my observations to a single area. It is paragraph 5 which tries to justify the need for a trial code.

There it states that BW, in producing the code, has attempted to create something that reflects the intentions of the Parliamentary draftsmen who wrote the 1995 Act.

The implication here is that there is some anonymous body of independent fair minded people out there, who, whilst being well intentioned, did not properly understand canal matters and were as a consequence less than adequate as expressing exactly what they really meant. Well nothing could be further from the truth.

Boaters should know the 1995 Act was a 'Private' piece of legislation. This means in simple terms that BW actually wrote the Law they wanted. . . "

He then describes his own involvement with the drafting of the Bill and the horrors that we have been spared due to subsequent 'Select Committee Hearings for the Boaters case'. He ends:- "And that is what we have today. Good

words, created by the adjudication of impartial MPs, created specifically for the protection of boaters.

If we allow BW to hoodwink us into backtracking on this one, we will do so at our own cost and at our own peril."

John O'Hara feels existing legislation should be applied before more measures are brought in, :-

"Once again BW are attempting to over regulate continuous cruising, this must be at least the third attempt that I can remember in the past five years, and I have a lousy memory!!.

I really did believe (naive fool that I am) that the last consultation document (was it November?) made a great deal of sense. The fact that boats that did overstay were going to be monitored for a 13 week period and then charged the lowest prevailing towpath mooring rate for the area the boat was staying in, seemed to me to be a fair, sensible and equitable solution to the problem.

It would have killed two birds with one stone, not only would it pacify boaters who are paying for moorings, it would also alleviate the problem of a severe shortage of affordable on-line moorings. Perhaps it is because it was such a

sensible idea that it seems to have been dropped."

He does not wish to be seen as a 'BW knocker' and says they have done sterling work in other areas, but their recent 'monopolistic and dictatorial tendencies' worry him and he feels NABO should continue fighting for an independent regulator: quoting the truism, "Power corrupts and absolute power corrupts absolutely".

On the internet forum, better use of existing legislation was recommended along with a suggestion how to give it 'more teeth':-

". . . The collection of fines that their enforcement notices eventually impose would make a significant dent in the instances of offending. There is also the ultimate weapon of naming and shaming that can be plastered onto the BW notice boards along the offenders' waterways. Why open a can of worms that new legislation would be, when the existing rules could be enforced with more rigour.?"

Porcine flight is probably more feasible than an agreement on this issue. The challenge of finding the least painful solution will remain the common goal of all parties.

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WORRIED WOMAN of the WATERWAYS

Now someone has suggested that there is too much **moaning** done by contributors to NABO News. Well I just hope that you, the discerning reader, can appreciate the difference between worrying and moaning.

There should be a certain amount of justifiable **moaning** but there is no point in boaters moaning amongst themselves. Put pen to paper, fingers to e.mail, or mouth to telephone and moan to the people who can do something about it.

I worry that they don't know what is wrong if we don't tell them!

I was once told not to **mither** but, as I had no idea what that meant (at that time), I didn't know how to do it. I now know, so no more of this mithering about moaning!

Mmm - aren't BW **meetings** lovely. Lots of free food and jolly chat, you could go to them forever. It is much more fun to have a meeting about something rather than DO anything about it. You can break into groups and have sub- **meetings**; plenary **meetings**; high level **meetings**; lots of discussion and consultation; produce documents, then reconvene the **meetings** and so on, and on, and on. Meanwhile what is getting done out on the system? Where are all the 'waterway operatives' who should be getting on with the job? At a **meeting** you can bet!

Still we can't moan about consultation meetings about **moorings**, because there weren't any!

BW have a new mooring policy but I worry that even a **Mensa Member** finds that difficult to understand.

My idea of a **mooring** policy is much simpler -

Boaters have priority over fishermen; cyclists; picnickers; courting couples etc. at all mooring places.

On arriving at a place to moor, especially at a designated mooring, do not plonk your boat right in the middle but moor at one end. Should there be another boat there, moor close to them to maximise the available space for others. If you arrive at moorings and find a few boats spaced out and hogging the whole mooring area, it should be the encouraged practice to move the boats closer to each other to make room, without the consent of the occupants if they aren't available and with their help if they are.

You are entitled to clamber all over boats moored on lock or bridge moorings and to move them if possible. The occupants having no redress whatsoever.

Boats with noisy central heating or generators should have a warning sign on the side so that you can avoid mooring near them at otherwise quiet spots.

BW should have a policy to dredge so that you can get to moorings especially at locks and bridges. Already this year I have more than one 'leap for your life' experience getting off to work a lift bridge when the boat couldn't get alongside the bridge moorings.

I worry that BW's mooring policy is really a **moving on** policy. They don't address any of the problems of mooring. Their solution, to the shortages of places to moor at popular sites, is to get people to move on, not improve the method and type of mooring.

I find their obsession with **moving** people on rather strange. I can't bear to stay in one place more than a couple of days, I get itchy feet or is it tiller hand? If you want to stay tied to the same spot haven't you 'lost the plot' about the point of being on a boat? You might as well be in a caravan park or, worse still, a house! That is discounting emergencies of course. No one can plan for the unexpected.

Another worry is the **method** of controlling the use of moorings by charging boaters to moor at a place after a set time. Even worse is a policy just to charge boaters to moor (as was the plan at Llangollen). Now is that a mooring policy or a 'move along there' policy? I worry that it is just a method for making **money!**

Now it is the merry month of May and I am in moving mode (as usual). No mooching about or moaning for me I'm making my way to canals new.

Enjoy your boating, leave the worrying to me,

Your friend WWW DOT

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Bless their cotton socks, or worsted trousers, BW management are doing their best, but they still don't seem to understand the essence of boating. They either don't appreciate how much we value the freedom to tie up and bed down wherever takes our fancy, or if they do, they are jealous of it and won't admit it. It's just as alien to them as a society where men could wear a loose cotton skirts on a hot day. Either they would have no experience of what that could offer, or they wouldn't admit it if they did!

As soon as they don their suits and ties, or the equivalent for the ladies, (apologies, IWA Council, I see you have to wear suits too), it's as though they put on their armour and brandish the only two weapons they possess to subdue the natives, namely fees and rules.

Of course they will claim they are wielding the former on command of Her Majesty's Government, the latter they imagine they are using for the common good, but from up on the saddles of their chargers, how do they know what that is?

It would be a lot easier for them if waterway boating was a competitive sport, then rules would be far easier to define and accept, and breaches could be deterred by disqualification and shame. However perhaps one of the greatest joys of boating is getting away from the race of modern life and not having to prove to anyone that you can boat better than anyone else, which rather blunts the effectiveness of 'rules of play' as a weapon.

It seems the other way to get on with the natives, namely dialogue and trade, means getting down off their high horses, something they don't seem to have time for these days – Certainly with the Moorings Code it was a case of, "*Must dash and get it to the stone tablet engravers, can't talk about it now*".

Luckily when they put out their first draft of the Mooring Code and I contacted them with a proposal to put it on our website, I was able to point out that boaters may be worried about establishing a '*place*' merely by mooring for lunch, and that there was no provision for stoppages and other unavoidable reasons for not complying. Thankfully the stone chips had not started flying by then and the very next day a new draft appeared. However my solitary voice was not up to scotching the '*42 days away from home mooring*' farce.

So now they exhort us to '*play it fair*' on '*level playing fields*' and use other sporting metaphors, but, until they realise that boating is more a way of life than an 'activity', particularly for those they deem not to be playing it fair, they are on a losing wicket (Sorry - another sporting metaphor!)

Talking of said way of life, the month of May is upon us, which means that Carole and I will soon be afloat ourselves, this time taking both the Editorial and Secretarial offices with us until September. As I may have hinted, this won't take us that far from home, although it does mean crossing the Pennines, three times, and showing our faces in that county where the colour of the rose is wrong!

I must apologise if that means contributions on paper may be delayed, they might reach me quicker if sent to the NABO address near the back of the magazine. Emails should be OK though.

Make the most of your cruising, we will endeavour to do the same.

Stuart Sampson, Editor– NABO News

NOTICES

POST FOR NABO NEWS

The Editor will be afloat for issue 4/03 so please send items on paper to
**NABO FREEPOST (BM8367),
Birmingham B31 2BR**

E-mail-
news.editor@nabo.org.uk

FREE BOOKLET

'Exploring the
Thames
Ring'

No longer
available by
post, sorry!
Pick one up
at our show
stands



Writing to your MP

If you feel strongly enough about something that you want to tell your MP, but don't know who that is, ask at your local library.

Alternatively, if you can access the internet, go to the page called "Who is my MP?" on the website www.parliament.uk. Enter your post code into the search box provided and the name and details for your local MP will come up.

The site also has a "Contact your MP" facility, including an e-mail form, if your MP has e-mail.

The address for letters to your MP is:-
*c/o The House of Commons,
London, SW1A 0AA.*

STOP PRESS

It seems the
**MOORINGS CODE
TRIAL on the K&A**
is over, notices are
going up
proclaiming it to
be law!

DID YOU KNOW?

You are no longer allowed to
have a barby on or by your
boat without the permission
of BW?

Check the new Mooring
Regulations

PASSWORDS

Any guidance papers tables still protected will open with password 'Branch' (Capital B)

The members-only website section has a **new password**, which has been sent out to on-line members via the members' bulletin list. This is because many copies of NABO News have been given out at events with the old password in them.

If you have not been given the new word please e-mail: webmaster@nabo.org.uk with your name and membership number to be given the password, and, if you want, to be put onto the bulletin list.

EUREKA! EUREKA!

Question: What does the launching this year of the survey vessel *M.V. Endeavour* have to do with a number of 'Naboites' part filling empty beer bottles with water?

Answer: both may be about to take part in bit of hydrographic research.

The new BW boat is equipped with sophisticated sonar that can chart the profile of a waterway, mapping depths to both the hard and soft (silt) bed. Readers of this article are about to find out how to collect for themselves possibly useful information using 'rough science' without having to get their feet wet.

Archimedes told us that an object placed in water will displace either its own volume of water, if it sinks, or its own weight of water if it floats. We will assume narrowboats are amongst the latter! Let us take a common size of cruising narrowboat, 57 feet long, 7 feet beam and on average drawing 2 feet. Knocking off 7 feet of length to account for swims, a rectangular box displacing the same amount of water will be 50 feet long and so displace 700 cubic feet of water. But what has the displacement of a boat got to do with beer bottles?

All right, take a beer bottle, put in enough water so it floats upright (Archimedes again!), lower it into the channel you want to measure, as far out as you can comfortably reach, and wait for a 'standard' narrowboat to approach. Just before it passes place something on the bank to mark the

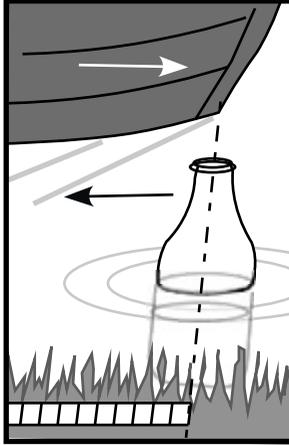
position of the bottle. When the boat has passed, measure how far the bottle has moved.

The theory is that our Greek's principle holds true even for bits of connected water. Draw an imaginary line across the canal where the beer bottle started, dividing the water into two lengths. As the boat moves across this line into the 'new' length, water equal to the boat's submerged volume will be displaced into the section of canal the boat has just left, moving the bottle in the opposite direction to the boat. The distance the bottle moves will be roughly the length of the channel that can accommodate the displacement of the boat. Assuming this is 700 cubic feet, we can divide 700 by the distance the

bottle moved to get the cross sectional area of the channel. If we know the canal width, then dividing again by this gives the average depth.

For example the bottle moved 5 feet and the canal is 35 feet wide. $700 \div 5$ is 140, so the channel cross section is 140 sq. feet. If it is 35 feet wide then the average depth is $140 \div 35 = 4$ feet. All right – do it in metres if you must, the maths is the same.

If this is not what BW says it should be (see Adrian Stott's article about notification of channel dimensions), then you have grounds for asking a few pertinent questions about dredging, but why does it matter, the boat got through OK?



Next time you try it, take a stopwatch too and time the bottle. This tells you the speed the displaced water is travelling. A little movement is always beneficial, discouraging stagnation etc, but too much disturbs the sediment, erodes the banks, washes out all the plankton from the reed roots that they say devours blue-green algae etc. etc.

It also sweeps away keepnets, annoys moored boaters and more.

Don't necessarily blame this on the skipper of the passing boat, you can work out his speed from your timing and the length of his boat. The probable culprit is poor dredging.

BRITISH WATERWAYS PLANS FISHERY AT ALVECHURCH

BW has submitted a planning application to Bromsgrove District Council for a 160 peg commercial fishery and associated facilities and buildings adjacent to the Worcester & Birmingham Canal at Lea End, Hopwood near Alvechurch.

The site was previously the subject of an application by BW to develop a new "natural environment" 200-berth marina but their application was withdrawn in the face of local opposition.

BW now proposes to construct 4 lakes with car parking for 104 vehicles together with visitor moorings along the canal. However, the future of this project looks doubtful because the site is in designated Green Belt and the planners look likely to refuse the application.

PICKING NITS

Members are always quick to point out little errors – why can't they get back to their tillers?

NABO News has been accused of mis-spelling 'Licence' with an 's' when used as a noun, it's OK for the verb 'to license', and for the noun in America of course. The trouble is that that word is like a weed in this magazine and we are bound to miss a few. Sorry, we do try!

Waterfront has come under fire too, Sadie Dean writes:

"Do BW really want people to use the 'Feedback' form on the back of their WATERFRONT magazine? If so why is it printed on paper that ball-point pens won't flow over, pencils dig into, and ink pens will write on but not dry, so all the writing smudges to illegibility?"

The BW Website outlines its complaints procedure on the page called 'Tell us what you think'. Unless they have changed it since this was written, you will find a sub-heading worded 'If you want to make a complainant' !

Our advice is not to follow their procedure, but to take one washing-up liquid bottle, four toilet-paper tubes, some sticky-backed plastic, five cocktail sticks and a frowny face . . .



RIVERS



GOOD NEWS FOR BW RIVER USERS (and others)

If you have a boat based on a BW river navigation then you stand to gain a number of additional benefits as a result of the recent licence charge revisions that came into effect on 1 April 2003 and for which NABO would like to take some credit.

Holders of river registration certificates (no, they are not “licences” despite what BW terms them – a licence implies permission to use something, whereas the 1971 BW Act states that a river registration certificate SHALL be issued to anyone applying for it!) will find that the river Severn is now more user-friendly. Gloucester Docks are now available free of charge as a Safe Haven for up to 14 days. This is in addition to the previous policy that allowed river craft into Diglis Basin and Stourport Basin without requiring a canal licence. Similarly, Trent boaters will now be able to enter at West Stockwith and Keadby locks for safe haven without paying an access charge. They will also benefit from free transit of the Stainforth & Keadby Canal, Aire & Calder Navigation and the Selby Canal when navigating between the Trent and Ouse providing they stay no longer than 72 hours on these canals. Things just keep getting better!

BW has also removed the ad hoc charges for use of Dee Locks in Chester, Marsh Locks on the river Weaver and Sharpness Lock at the Severn Estuary; and for access through Anderton Boat Lift, Standedge Tunnel and the Ribble Link by craft with long-term licences (i.e. longer than 1 month). The charge for use of West India Dock entrance lock outside high tide will remain.

Craft based on non-BW waterways and wishing to visit their canals and rivers will be able to obtain a new “30 Day Explorer” licence that will effectively be 30 one-day tickets that need not be used on consecutive days and will simply require the owner to date and display for each day of use. The one-day and Explorer licences are not available for craft floating in marinas or moorings connected to BW waters but they can be used by boats kept on land. Short-term licences do not include passage through the Anderton Lift, Standedge Tunnel or Ribble Link.

Get Updated with new Thames Waterways Newsletter

Keep up to date with all the latest happenings on the River Thames with the Environment Agency’s new Waterways Newsletter!

Packed with all the latest news on river works, projects, news stories, events, contact details and lots more, you will find this an enjoyable and informative read.

If you would like a copy of the April edition and future newsletters, please write to visitthames@environment-agency.gov.uk, including your postal address.

The newsletter will be sent out on a quarterly basis so don’t worry if you missed the last edition because the next one is due out in August.

BW CHANGES TRANSIT LICENCE ARRANGEMENTS

It would take an eagle-eyed boater with a good memory to spot the subtle change that BW has introduced with regard to short-term licences issued to visiting craft having no Boat Safety Certificate. The new licence application form clearly indicates that a visiting boat wishing to use BW waterways for a transit to and from non-BW waters must complete the self-certification section to confirm that the boat does not pose a danger and the boat will then be granted a maximum of 30 days per year use on the BW system without requiring a BSS examination and certificate.

Previously, the concession applied for 56 days and this resulted from protracted negotiations between BW and the RYA when the BSS was first being introduced (about 1995). In effect, it was two periods of 28 days short-term licence duration. The arrangement enabled transiting craft using the Caledonian Canal and Crinan Canal in Scotland to make the voyage via these two waterways with ample time for leisure cruising. The 56-day allowance could also be used by other craft coming in from overseas and venturing inland, for instance from the Low Countries into the River Trent and Ouse; or up the Bristol Channel and into the River Severn and then on to the independent Lower Avon and Upper Avon.

It remains to be seen whether this change (without prior consultation with RYA or anyone else) will adversely affect cruising plans for visitors. We would like to hear from anyone who suffers as a result.

P.S. Did you know that only the canalised sections of the Caledonian Canal are subject to the BW Act 1995? The Scottish Lords very cannily insisted that the four Scottish Lochs be excluded from the Act – BW only owns the canals and not the lochs. So the BSS does not apply and no BSC is required.

Good Question -

When tackled on pricing boaters off the water and boating becoming restricted to the rich, BW quotes the percentage of boaters on below-average incomes – How do they know?

Advertisement

FLY ON THE WALL



at Council

What did I see when I flew in to another Council meeting but another new face! This was Celia Kennedy who is prepared to add the responsibilities of being your Midlands Secretary to those of being a wife and mother of four living on a boat in the area.

But after the welcomes it was down to work and decisions on the trial moorings code. BW should keep NABO and all waterway groups informed of any changes in the proposal and at every stage of the trial. In no way should boaters be penalized as a result of the trial and before the formal introduction of the Code. Indeed, how will the Code be applied after the trial?

What your Council doesn't want to see is boaters lured into a false sense of security during the trial, then BW coming down like a ton of bricks after the Code's introduction.

Council is asking you to let them know if you have any involvement during the trial period.

'Crime on the Cut' was discussed again. It was felt that boaters

needed a phone number to ring in emergencies. It did not always seem appropriate to dial 999, although this was often the advice given in lieu of local police numbers and it was sometimes impossible to get through. A 0845 (ie national) number could be the answer.

While still on land and safety considerations, how about BW REMOVING safety railings on lock gates as a safety move to let anglers get past the paddle spindles? It doesn't make boaters feel safe though!

Another BW safety move has been to paint bollards with non-slip paint! Whoops!

Getting afloat again and back to business barges, Council agreed that some could be an asset, in the right place, but some were definitely navigational hazards or inappropriate to their surroundings. Each navigational authority should publicise any proposals for these structures in their area.

A drastic reduction in size now to powered craft on the Wye and Suffolk Stour, or rather NOT on that waterway as they have been excluded! This should be discussed with national user groups; NABO will oppose the decision.

Did you know BW has a Charter Mark? Sadly it seems to be falling down on about 50% of its promises, so should they still have one? If you know of any instances of their failure let the editor know because Council thinks DEFRA (Department of Environment, Food and Rural Affairs) should be told!

Now another plea for you to get involved. NABO needs a mail order person who has room for a couple of each of the items NABO sells (eg windlasses and pennants) and the time to pack them and take them to

the Post Office, probably no more than a couple of times a month. Can you help? If so please contact Aileen Butler on events@nabo.org.uk or 07703 567764.

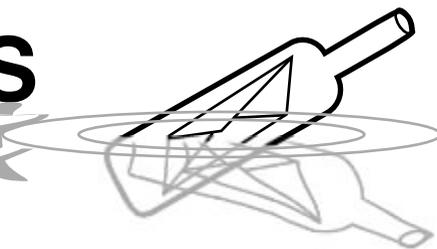
I, too, shall be buzzing around rallies this month hoping the sun will be out and so will you - to visit the stand and maybe to help out too. Hope to see you!

Byeeeeee



Advertisements

LETTERS



The Lot of a Live-aboard

Continuing from what she said in "Views on the Moorings Code"

... Boaters are no longer referred to as customers of BW, we are classed as users of what is now, essentially, a private (government sponsored) enterprise! Please consider carefully the licence refund policy, and I think you will see, as I did, provisions have already been made for licence increases with little if any refund when the stoppages begin.

Ironically, if all boaters are forced into continuous cruising, the chance of licence dodging by live-aboards will be of far greater concern for patrol officers than that of agreed mooring out and about within a twenty-mile home navigation sector. Life for patrol officers and boat owners alike would be less fraught with angst if they could more easily identify and clarify licensed boats within their sector.

Many marinas no longer grant moorings to live-aboards. Of those who would, most are unable to do so due to planning regulations or are full of private weekend boats used only for high-days and holidays. Effectively, canal boats once thought of as a poor man's holiday or dank live-aboard, have now become a source of trendy weekend retreats for

city dwellers who can afford astronomical licence fees, which are next on BW's agenda. Company owned boats make very good tax losses.

Before I close, a word of warning: Check the small print on the licence declaration and agreement under one signature. You cannot sign one and disagree with the other, there is no suggestion box. The worded form in BW's Terms and Conditions are not as written in the original 1995 Act. Why not?

Interestingly, most of the canal system has been restored by volunteers or their help (in terms of labour) Yet, British Waterways are now treating these people with disdain, and courting the very people who have no interest in the canal system other than that it is fashionable to pose with their boat, and those with a commercial interest, namely BW and self-interested subsidiary enterprise.

We are supposed to be living in a democratic society, not a dictatorship, so why are people who fought so hard to rebuild the canals given no voice by those heading BW? Consultation just means to tell us their plans. Let me know what you think.

Celia Kennedy

On Angling

Now some comments about the anglers. (I refuse to call them 'fishermen'. Fishermen are brave folk who go out into the sea to bring us home fish to eat. How degrading to be lumped together with the 'towing-path worm drowners'.) All of us surely know that the angling National Rod Licence is paid directly and entirely to the Environment Agency. Not a single brass farthing is passed on to BW from this licence. The only income to BW from anglers is the fee paid by the angling clubs for leasing the stretches of water.

Now BW is apparently quite content to lease a stretch of canal to an angling club, regardless of the other paying users of that length such as boaters, mooring tenants and so on. It is surely extraordinary that they can even mark visitor mooring sites, water points and winding holes as such. Just try politely asking an angler to move from one of these places, you'll be lucky to survive!! I believe that it is boaters finding anglers where they think they shouldn't be, and maybe sometimes the reverse, which is responsible for most of the hostility between the two groups. How can an angling club be allowed to organise a match on a length which encompasses locks, water points, winding holes, moorings, etc., etc.? Incredible though this may seem it happens, often. I had a devil of a fight just a few years ago to have angler's 'peg' numbers erased from the immediate entrances to the locks at Glascoate! No wonder there is resentment, especially

when many of us boaters know how little the anglers pay for their presence. 'Let he who pays the piper call the tune'. The anglers must be made to understand that for the pittance they currently pay they cannot overrule the legitimate needs of the major contributing user of the waterways.

Anglers opposite legitimate moorings is another contentious matter. We fought very hard to have this banned in the BW Code of Conduct booklet. After all most canals are very narrow and there is in the booklet a comment about anglers within 50 feet of a moored boat. Anglers opposite moored boats are within this distance. We didn't succeed. Try finding where your local anglers live and go and sit on a chair opposite their house, staring in at the windows all day and occasionally tossing or catapulting live bait at, or in through, the windows. See how long you are there before the police are called! After some particularly bad behaviour by our local anglers at Cowroast we gained the support of the local Member of Parliament. He wrote to the then BW Chairman and in due course fishing was banned on the whole stretch opposite. I suggest you consider this action if you have similar difficulties. Try asking your local anglers if they know about the BW Code of Conduct. You will find that most have never heard of it. This emphasises another distinction. Wherever we go our BW Licence Registration plates go with us. We are easily identifiable, BW knows who we all are and where we all live. BW have

Note – Views expressed in readers' letters are not to be taken as those of NABO as a whole

no idea at all who the individual anglers are or where they live, only the angling clubs can be contacted. How can any Code of Conduct booklet be distributed to them, let alone enforced?

I suggested to Dave Fletcher of BW some time ago that they really need to require their own licence to be held by individual anglers. Just a small licence fee, just to cover admin. With the price knocked off of what the clubs pay for their leases. At least that way they would know who the anglers were, and would get some income from them.

David Daines

Regarding the renting of mooring stretches to angling clubs, I learn from the fishery manager on the Leeds & Liverpool that BW deliberately do this so those lengths can be policed by the clubs, rather than allowing casual anglers who cannot be expected to know the Waterways Code to fish there. Whether this policy is understood in all areas remains questionable.

Regarding identifying anglers, licence disks to be stuck to the peaks of their Harvard caps would seem a good idea, they're usually looking down!
Ed.



Graffiti near Kirk Sandall, SSYN

Renting your house

I was advised not to sell my property when I decided to live on a boat three years ago. Just as well for I could not afford to buy it now! I recommend using a reputable Agent to look after the property and the tenancy. Do find out what the legal requirements are for landlords. For that is what you will be, a landlord. The agent should of course advise you what your responsibilities are.

My property was let as furnished. Expect to replace some furniture when you return. Some of my personal stuff was locked up in the attic for there is not enough room for all of it on a narrow boat. The property must be fully equipped for the number of people it can accommodate. Furniture must be fire proof. Any gas or electrical equipment provided by you as landlord must be tested and replaced if it goes wrong.

The tenant pays your rent through the agent. He also pays for gas, electricity, telephone and the rates. But he does not pay the water rate if the property is furnished. If you have a water meter then the tenant pays.

Don't forget that the income from letting property is taxable. If the property is jointly owned then you declare half the profit as your income. That is after the agent has taken some and all expenses are paid.

The income from letting and a small company pension has enabled my wife and I to live and enjoy life on the canals. I would not refer to it as a 'money spinner'.

Charles Moore

More on Renting

Re: the member considering renting out his home when cruising. It may well be worth him contacting an accountant because he may find himself liable to capital gains tax when/if he sells the house. My (limited) understanding is that homes are exempt from Capital Gains only if they are used as the principal residential home for the duration of ownership (excluding the first year and final three years of ownership). He is also liable under Schedule A for any income recieved from property.

The Inland Revenue are surprisingly helpful on these matters.

Michelle Harris

Finale

Heard on Classic FM:

“Classic Events on Classic FM – Now what are British Waterways doing?..” (good question!)

Answer – organising a concert at the Tees Barrage. What a shame we can’t all get up there to find out how much better boating is to music.

Note – Views expressed in readers’ letters are not to be taken as those of NABO as a whole



Is this yet another attempt to get office staff afloat, is it what they mean by a business barge, or is it just a NABO nightmare?

BW Customer Care - did they play it fair?



BW's Customer Charter describes how to complain and how BW should respond according to the standards for which it has been awarded the Charter Mark. This form is based on that.

Your name

E-mail or Telephone Number

Subject of your grievance

To whom it was initially addressed

Date it was sent

Can you supply copies of letters? YES NO

BW promise that, *"If you write to us, or email us, and your letter requires a reply, we will do our best to respond to you within 7 days of when we receive your letter/email. Where possible it will be a full reply (verbal or written), rather than an acknowledgement, but we will send a full reply within 21 days."*

Please judge BW's handling of your grievance through each stage of the complaints procedure according to this promise:-

<p>Initial approach: to the Waterway Manager or, for other departments, the Customer Services Manager</p> <p>Was BW's response:-</p> <table style="width: 100%;"> <tr> <td style="width: 30%;"><input type="checkbox"/></td> <td style="width: 40%;">on time?</td> <td style="width: 30%;"><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>late?</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>non-existent?</td> <td><input type="checkbox"/></td> </tr> </table> <p>Comments and/or quote from response:-</p>	<input type="checkbox"/>	on time?	<input type="checkbox"/>	<input type="checkbox"/>	late?	<input type="checkbox"/>	<input type="checkbox"/>	non-existent?	<input type="checkbox"/>			
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<p>Secondary approach: to Regional Director if dissatisfied with Waterway Manager's response</p> <p>Was BW's response:-</p> <table style="width: 100%;"> <tr> <td style="width: 30%;"><input type="checkbox"/></td> <td style="width: 40%;">on time?</td> <td style="width: 30%;"><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>late?</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>non-existent?</td> <td><input type="checkbox"/></td> </tr> </table> <p>Comments and/or quote from response:-</p>	<input type="checkbox"/>	on time?	<input type="checkbox"/>	<input type="checkbox"/>	late?	<input type="checkbox"/>	<input type="checkbox"/>	non-existent?	<input type="checkbox"/>			
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<p>Final BW approach: to Chief Executive</p> <p>Was BW's response:-</p> <table style="width: 100%;"> <tr> <td style="width: 30%;"><input type="checkbox"/></td> <td style="width: 40%;">on time?</td> <td style="width: 30%;"><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>late?</td> <td><input type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td>non-existent?</td> <td><input type="checkbox"/></td> </tr> </table> <p>Comments and/or quote from response:-</p>	<input type="checkbox"/>	on time?	<input type="checkbox"/>	<input type="checkbox"/>	late?	<input type="checkbox"/>	<input type="checkbox"/>	non-existent?	<input type="checkbox"/>			
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<p>If you have taken it further, have you contacted:-</p> <table style="width: 100%;"> <tr> <td style="width: 30%;"><input type="checkbox"/></td> <td style="width: 40%;">the Waterways Ombudsman</td> <td style="width: 30%;">Results of this:-</td> </tr> <tr> <td><input type="checkbox"/></td> <td>your MP?</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>A Solicitor or Barrister?</td> <td></td> </tr> <tr> <td><input type="checkbox"/></td> <td>Other: .</td> <td><input style="width: 150px;" type="text"/></td> </tr> </table>	<input type="checkbox"/>	the Waterways Ombudsman	Results of this:-	<input type="checkbox"/>	your MP?		<input type="checkbox"/>	A Solicitor or Barrister?		<input type="checkbox"/>	Other: .	<input style="width: 150px;" type="text"/>
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Please use the back of this form or additional sheets to elaborate

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