

THE MAGAZINE OF THE



President: Bill O'Brien J.P.

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ISSUE 6/05 - October 2005

AGM / 'High Rate' Response / Residential Issues

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2005 CALENDAR

Council meeting	Copy date
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Nov 19th A.G.M.

Nov 26th Dec 3th



CHAIRMAN'S COLUMN

It was good to see those of you who came to our stand at the Preston Brook 'National', and a special welcome to all those who joined us up there, or anywhere! Many thanks also to those stalwarts who helped NABO at the show, and the red and blue shirted who made the whole event possible.

As I approach the end of my second year in the chair I am beginning to see what it would be like to be a propeller and experience 'slippage'. During my term of office, BW's Openness and Accountability proposals have become reality, but we are still not being consulted early enough on many vital issues to make the constructive progress I yearned for when I took the chair. I wanted NABO to be proactive and positive thinking, a body of boating expertise that the authorities would call upon for help and advice, but certain departments won't, especially BW's Boating Development Department, so we are still having to whinge and complain to protect the interests of our members. Many user meetings are covering the same issues as when I took office with much the same gripes.

EA on the other hand has opened the door so suddenly to our requests for early involvement that we have almost fallen flat on our faces. The T&W Act Order will be stuck with DEFRA for the rest of this year and yet we are merrily meeting to discuss how its measures will be implemented. Still, at the last meeting I got a good view of Lord Nelson's funeral re-enactment from top of Millbank Towers!

However there are compensations. At BW's Annual Meeting I was made very welcome and was known by many more people than at the 2004 meeting. Whatever we say of BW as a corporation there are some good folks working for it.

I am happy to do one more year in the chair if that is Council's wish, assuming the members re-elect me at the AGM. However I have no wish to hog it and certainly next year would be a good time to groom a replacement

Why do I do it? I am passionate about waterways. Robin Evans says he is passionate about waterways, but he doesn't know the half of it. For me life afloat is an unparalleled blend of familiarity and variety. I get out of bed in the morning (usually morning!), and know six strides will take me to the toilet. Five more strides and I can put my hand on everything to make Carole's morning coffee, almost without looking. No hassle, familiarity when most needed.

But when I open the curtains, what I see is probably not what I saw when I opened them the day before. It could be the rolling hills of the Aire Gap, the cranes of Bristol Docks, suits on their way to offices in central Birmingham, grebe on Tixall wide, gravel on its way up the Aire and Calder by barge, or maybe just nettles! Anyway, our own little domain is somewhere else, but it is still our own domain.

I want this for everybody else who wants it. Please come if you can to Stafford Boat Club in November for our AGM and let Robin Evans know what it is really like to be passionate about waterways.

Stuart Sampson

RESPONSE TO THE 2005 LICENCE FEE CONSULTATION

As you will no doubt be aware NABO was asked to respond to the latest consultation in which BW proposed a High Rate Licence 2.47 times the pleasure rate, and proposed all shared ownership boats and continuous cruising boats be included. The following was sent to BW to be taken into account in the first consultation which closed on the 30th of September:-

'The following represents NABO's response to both the consultation document and the subsequent meeting with BW.

Our initial reaction

- one of surprise, as only 2-3 years ago the basis for licensing was confirmed yet again to be:-

- "higher fee for businesses",*
- "unlimited use", and*
- "craft length,*

Now it would seem that the motive for changing the basis and the terminology results directly from the adverse ruling of the Waterway Ombudsman regarding multi owner boats.

Validity

We are of the opinion that whilst the questionnaire may be of interest, the law (in this instance the '95 Act) cannot be changed by consensus. The Business Rate directly relates to commercial undertakings that are deemed in a position to pay the higher rate due to profit motive. Accordingly to consider including in this bracket vessels without a mooring or shared vessels that are not commercially owned is inconsistent with the reasoning for the category's existence as defined in the Act. Also, in the eyes of a court, to move a comparatively small group from pleasure boat to business category with an increase of 147% would also be patently unfair.

The basic pleasure licence covers and allows unlimited use of the system for all boaters and cannot be changed arbitrarily.

In addition the interpretation of figures for usage by boats without a mooring is quite fallacious. Whilst agreeing that this group may 'use' their boats on more days, they certainly do not do the hours or distance that hire fleet boats do. Indeed the new Continuous Cruising Guidelines were introduced for the very reason that boats were not moving enough and some not at all, and they can be satisfied by cruising a mere 260 lock/miles in a year, a distance often accomplished by a holiday boat in a fortnight.

We consider the references to airline passengers and student books are not only irrelevant, but quite bizarre, even with the benefit of reading Oxera's paper on Price Discrimination.

Implementation

We also have grave doubts about the implementation, monitoring, and enforcement of the proposals. It would seem to be fraught with difficulties and serious consequences for boaters on fixed or low incomes, many of whom have told us they may be forced to abandon licensing their floating homes altogether.

To be informed at our meeting that boaters would, at the beginning of their licence, have to have planned their year's boating would be an unacceptable restriction and open to challenge. To be told that starting without a mooring at the "High Rate" and not being offered a refund when subsequently acquiring a home mooring during the period of the licence would be "tough, you've made your choice", is not only an unacceptable proposal but shows an unacceptable attitude.

The Consultation

The general tone of the consultation document is very cut and dried and it would seem that the differential between the two categories is set in stone. Therefore BW's attitude is more information gathering than consultation, and if this is so then there is nothing left to negotiate about.

Put simply, while BW maintains its position that the lack of a home mooring would incur a 147% differential then there are no possibilities for compromise and the differences between NABO and BW would seem irreconcilable. In accepting the rather dubious argument that a category of boaters costs BW more in maintenance it could only be in the order of a reasonable percentage. There is no way that BW could justify a 147% increase.

Conclusion

NABO does not accept the arguments put forward in this paper. NABO vigorously opposes the principles of this questionnaire, and, with hindsight of the way the results of a previous questionnaire have been used out of context, does not believe the consultation, as worded, will result in a fair reflection of boat owners views on the matters concerned.'

NABO is willing to work with BW in exploring a fair way forward for boat licensing, but not on the basis of this consultation.'

BW ANNUAL MEETING

Your chairman attended and met the new BW Chairman, Tony Hales, and the new Waterways Ombudsman, Hilary Bainbridge.

During the Q & A, much about the 'demotion' of the Milton Keynes/Bedford Link project in BW's priorities, your chairman asked if the dialogue was being recorded and would be published on BW's website so BW's verbal promises would be seen in writing. This has been done. Visit:

<http://www.britishwaterways.co.uk/accountability/index.html>

SAVE RED DIESEL!

You should all be aware by now that in Jan 2007, red diesel ceases to exist for pleasure boaters, and that all of us will expect to pay road fuel prices..

That is if we let the EU dictate. You should also be aware that through the summer, Brioni & I have been building a petition to keep red diesel. This petition has gained the attention of Mr David Drew (MP for Stroud). He has an interest personally, as he enjoys yearly narrowboat holidays, and is worried that the loss of red diesel will be just the beginning of future EU interference as well as incurring massive cost increases in running our boats. Mr Drew sees no reason why we should loose red diesel, and has offered us all his help to keep it.

So, at 1930, Saturday 29th October 2005, at the Dockers Club, Sharpness, Brioni, myself and Mr Drew are going to try and put Sharpness on the map. Mr Drew will chair a meeting of as many boaters as we can get into the Dockers. We hope to get a representation of boaters from all over Britain. It's a bit of a long shot, but we will try.

Your help is greatly needed. Please tell all your boating friends, no matter where they are. Ask them to be here whether they come by boat or drive. Lets show Mr Drew how much you enjoy your boating and that you need to keep your running costs as low as you can.

Meanwhile, I need more signatures on my petition. Please come up to "Stokie" & "Islander" of the top of Sharpness Marina and sign it. We have all got to do our bit to keep the red stuff.

Good luck & thanks

John "Stokie"

CONTINUOUS CRUISER DECLARATION

Members have been worried about signing a declaration which required them to **comply with** the Mooring Guidelines for Continuous Cruisers. After approaches to BW from NABO and RBOA, the form is being revised. It is a shame we were not consulted before the form was issued – it could have saved BW money.

NABO unreservedly accepted the Guidelines as an explanation of BW's interpretation of the 1995 BWAct on what is required of boats without home moorings and we recommend you read them carefully and adhere to them as closely as you can.

However much BW may regard holding employment as inconsistent with how it interprets *'to navigate throughout the period of the licence'*, it cannot withhold the licence due to any factors other than proven failure to navigate. It is entirely up to the boater to decide whether he or she can hold ties 'ashore' without having a home mooring and such personal circumstances are none of BW's business.

CANALPHONE UPGRADE

BW's Canalphone provides valuable up-to-date stoppage information service to boaters, with over 3,000 calls each year.

BW is investigating ways to improve the service, and are suggesting sub-dividing all waterways alphabetically, so there will be five choices with less information, rather than the current two options (North and South) which are longer.

The Proposed New Service

Subdividing waterways into:

A to J press 1

K to N press 2

O to R press 4

S to Z press 5

To get back to the Canalphone menu, press 0 or hold

The following details will be recorded for each stoppage:

- Canal name
- Lock number
- Date
- Description of the stoppage
- Local office contact number

Currently with just a North and South option, you can wait a long time before the message reaches your particular waterway.

Feedback required

Let NABO know or Amanda Strang at BW HQ

CAPTION COMPETITION

Only one response to this, you lazy lot!:-

'At last, a GOOD reason for supporting extended licensing hours'



RESIDENTIAL BOATING ISSUES *by Simon Robbins*

This time last year, Parliament was finalising what is now the 2004 Housing Act. The press took a lot of interest over better regulation and provision of Travellers' and Gypsies' sites. The legislation followed two strands: better and fairer terms and conditions for existing sites and new duties on Councils to facilitate new sites where there was a need for this in their locality.

A number of boaters pointed out that residential moorings would as a result be the only remaining established habitation not covered by any sort of basic legislation.

Ivor Caplin from the RBOA and individual moorers like myself highlighted some of the more serious problems people experience. In the extreme this has included harassment, removal of services, and summary eviction. Less dramatic but equally worrying were issues about the general management and maintenance of some moorings. A number of MPs and Lords took up the case.

The Government listened, declined to include residential moorings in the Housing Bill, but agreed to look into matters as "other business". As result there has been a steady stream of activity over the last year.

The Association of Inland Navigation Authorities (AINA) launched the "Residential Boating Issues Group". A series of meetings took place in Birmingham last November (2004) including a very full and frank session with boaters, which I attended on behalf of NABO. Adrian (Stott) also attended partly wearing his Barge Association hat, as did more than a dozen other boaters living on their boats across the country. There was also a session for private operators and a third session for navigation authorities. The consultants were then to draft a report.

Unfortunately nearly a year later delegates are still waiting to see the draft!

However, independently of this, the Office of the Deputy Prime Minister (ODPM) was making its own investigations. This is John Prescott's Department which among other things is the lead government department for Planning, Housing and Regeneration and which led on the Housing Act. It turns out that while the AINA exercise was going on, the ODPM was being lobbied by, among others, a number of Thames based boaters. They had major concerns about relationships with some mooring operators and about financial pressures being put on Thames moorings generally, both by waterfront redevelopment, and parallel trends towards big hikes in charges by navigation authorities.

The ODPM invited other individuals to come forward with evidence of problems with residential moorings and I responded to this. I have lived on my boat in and around London for the last 15 years, as a squatter, as a continuous cruiser, as a member of a boater's association who re-developed a derelict off-line mooring as temporary moorings, and for the last few years as a BW moorings warden. Following the representations they received from all sides, the ODPM officials were increasingly convinced there was a problem.

As a result a number of us have recently offered private comments on the draft of a consultation which the ODPM will hopefully be finalising with its Ministers and other departments over the next few weeks. The hope is that this will lead to a public consultation on residential boating issues.

Themes that have emerged include:

- Most of the moorers talking to the ODPM feel there are strong conflicts of interest where navigation authorities also have direct financial interests in moorings.
- The overall shortage of moorings of all types and the effect this has on the pricing of moorings.

The protocol is that no-one involved so far is supposed to say what the paper might look like because Ministers get the final say about what, if anything, is published. However a wide range of opinions and views have already been offered and all the common points of view I have heard from boaters over the years have been mentioned by someone along the way. Everyone involved hopes that the work that we and the civil servants have done so far, will receive Ministers' approval very shortly. If this leads to a public consultation, NABO, other boating organisations and navigation authorities, would be formally invited to comment.

More importantly, if a public consultation does come forward, anyone who wishes to is entitled to make personal representations directly to the Government about living on boats and the availability of moorings generally, both the positive and the negative. Unlike the AINA exercise navigation authorities would not get any opportunity to dilute our criticisms before the government gets to see what people have to say!

I suggest this is an opportunity not to be missed, and hope as many people as can will get involved if the public consultation goes ahead.

Footnote - Tony Hales has agreed that a Board Briefing Paper will be drafted on the issue.

OUR PLAN FOR THE FUTURE?

As far as we know there is no mention in any of BW's farseeing documents of how it intends to celebrate the 50th anniversary of its success in the Kerr Cup Pile Driving Competition.

Perhaps a press release could be forthcoming as to how the worthy winners intend to mark this auspicious occasion.



THE MAKING OF "A VOYAGE BETWEEN TWO SEAS"

Part 4 of A PERSONAL VIEW by Stuart Sampson

We only have enough space in this issue to satisfy your curiosity about filming in Bingley, as we left you at the end of Part 3 preparing to descend the 5-Rise Locks.

These locks count as the second of the seven wonders of the waterways that we passed on the Voyage, the Burnley Embankment being the first. As we entered the top chamber, Pete delivered his piece standing in the bows. From the stern it looked as though Pete was in danger of falling a long way had I failed to stop and caused him to topple over the gate. In fact the drop to the empty chamber below is quite frightening, but from my viewpoint it could have been all sixty feet that the locks take you down. Unfortunately the resident lock-keeper was away that week, so we filmed the descent without featuring anyone in particular. The five chambers are sufficiently similar that there was no need to repeat for change in angle, in fact I think it would have taken quite a feat of water management to reverse our descent. Barry Whitlock, the resident lock-keeper, was interviewed a week later and the shots of him cunningly arranged to intermesh with the descent.

There followed a short tree lined pound that reminds me somehow of the Canal du Midi, then the Bingley Three-rise and the Damart mill. The weather that day didn't tempt us to their products, rather we sought the products of a brewery. Apart from thirst, Pete had another reason for visiting pubs, a certain Leeds brewery

was running a T-shirt offer and he wanted all the spaces on his card stamped. While the crew were shooting views round Bingley church, Pete dragged me into a pub selling this beer, bought me a pint and asked them to stamp his card.

"We're not a *** post office!", was the reply so we abandoned two nearly full pint glasses and joined the crew at the Brown Cow where we partook of their Yorkshire Pudding Special, washing it down with beer from a more local brewery.

Still being Bank Holiday week, the canal abounded with children, making serious filming a bit difficult. East of Bingley is Dowley Gap, where the canal crosses the Aire on an aqueduct and follows the rest of the valley on the south side. Just before this there is a changeline bridge, built to take the towpath across the canal in such a way that there is no need to unhitch the towrope. We wanted to demonstrate this, and what better way to sort out the local youth than get them to appear on film doing some towing. I think Pete was missing his whip like I was missing my Equity card, but a gang was organised and pulled the Lady through by her bow rope. Unfortunately the bow post is not the best point to attach a towline, so we crashed into each side in turn, but somehow Keith got the shots. The worst to come out of it was a poor dog, which got on the water side of the gang and fell in. Some say he was pushed.

We crossed the aqueduct, with more kids diving in and putting themselves

at great risk of getting involved in the Lady's eighteen-inch propeller.

Another single lock and we approached Saltaire, where Pete had another walkabout to do. It was very hot and humid, and we dragged ourselves and the gear round this monument to Sir Titus Salt's benevolence. We had the good fortune to find a very fitting old lady in front of her almshouse door, who

agreed to be filmed and made a lovely cameo.

It was Friday, and we ended up at our location for the next Mondays shooting, the yard of Apollo Canal Carriers, where they let us moor in a side arm. Over the weekend we did day trips, but the heavens opened on the Sunday, damaging domestic relations, but little else at the time.

To be continued

THE CAMPAIGN TO SAVE JERICHO'S BOATYARD

12:05pm Friday 29th July, British Waterways officially terminated the running of Castlemill Boatyard, Jericho Oxford. Steve Goodlad, who ran Alchemy Boats from the site and managed the DIY boat repairs, handed the keys to a representative of BW. By 6pm members of the boating community had reclaimed the site. Since then the site has been run as a community boatyard. BW are preparing eviction notices and Castlemill Boatyard is taking legal advice.

The case has been on going for several years during which time BW have been trying to find a buyer for the site. Their favoured developer, Bellway Homes has applied for planning permission and been turned down, even after they appealed to the planning inspector, on the grounds that they have not included provision for a community centre or essential facilities for the residential boating community (as laid out in the local plan). The local community is enraged at the proposed plan which is for high density housing, which at four stories compromises views of the canal and the adjacent Church, St Barnabus.

The campaigners have issued a statement :

Castle Mill Boatyard Aims:

- To hold the site to the exclusion of British Waterways and its agents until such time as an equitable and legally binding agreement can be made with British Waterways.
- To maintain the functionality of the site as a working boatyard for the use of the boating community. This includes using the drydock, operating power-tools, running workshops, To operate the site as an interface between the boating community and the Jericho community. Working closely with the Jericho community association, St Barnabas Church and the Oxford City Council. To campaign to protect the way of life of residential boaters.
- To find a way forward which will enhance the character of Jericho drawing on its deep roots in the canal system. Protecting the heritage of the yard.

- To promote sustainable developments which fulfil the needs of the local area.
- To be inclusive, fair and patient.
- To be creative, communicative and abundant.

In order for the campaign to be successful, several criteria must be met.

First, any eviction attempt must be quashed in the courts and on the ground with full support from local residents and the boating community at large. The media must continue to be engaged, to keep the public informed and also to prevent BW from employing heavy-handed measures.

Secondly the boatyard must be kept running. Providing pump-out, water and fuel, providing a place for basic maintenance, and, when possible, providing facilities for hull repairs, whether that be by reinstating the old dry dock or providing a craning service. All workshops must be kept running and site safety must be upheld.

Thirdly we must look into the practices of BW and investigate its track record and question its current policy of selling off canal-side plots to land-based interests.

Lastly the future of the site must be revisited. A new development plan must be brought to light which services the needs of all boaters both residential and recreational, which provides for the needs of the Jericho community with much needed facilities and which draws on the sustainable design to create a vibrant hub where Oxford can interface with the canal.

For more information see: www.portmeadow.org
<http://www1.indymedia.org.uk/en/regions/oxford/>

PRIVATE OR BUSINESS CRAFT? asks Stephen Peters

It has been the practice of BW for many years to charge a price differential for craft that are not owned by a private individual. The old licence terminology of Hire etc, Multi User and Timeshare were replaced in 2003 with the new Leisure Business Craft licences. All went well until a recent decision by the Waterways Ombudsman concerning the classification of a vessel owned by a group of people who successfully convinced the Ombudsman that they should pay for a standard Private Pleasure Boat licence and not a Business licence costing more than twice as much.

Without exploring that particular case, it is interesting to consider the following factors concerning boats owned by more than one person or a company, if only because BW is planning to impose massive price increases on boats that cruise continuously, as a response to the Ombudsman's decision.

In Merchant Shipping law, ownership of a British registered vessel is divided into 64 equal shares. Each share may, in turn, be owned jointly by up to 5 individuals. Corporate bodies such as limited companies may own a vessel. In the pleasure

boating arena, most boats are not legally registered and are regarded simply as chattels (i.e. a movable article) and they may be owned by any number of persons or a company, either outright or jointly.

It appears that timeshare boats are owned by the timeshare company and members subscribe for a number of weeks' use of a boat each year, just like an overseas villa. The important point to grasp is that the members do not own the boats themselves.

Shared ownership boats are the other form of group usage of a boat where the individual people actually own the boat jointly. Each and every one of them is the legal owner (jointly or severally, depending on what they agree) and as such any one of these people can join NABO because they are "boat owners" (and a number of them actually do just that).

Sometimes a boat will be managed by a limited company set up to look after the running of the boat, to arrange moorings, insurance etc on behalf of the owners. They will pay a management fee to that company just as one would to letting agents who look after your property and collect the rent when you decide to let your home.

A slightly devious complication arises when the boat owners set up a so-called management company which actually acquires legal ownership of the craft which is then used by the group of owners as if it were their own property. HM Revenue and Customs would be very interested in such cases that might be a form of tax evasion. If the boat is owned by a company and used free of charge by the members of the group, then they are obtaining a benefit-in-kind and would be expected to pay income tax on that benefit. They may also be indirectly benefiting from any VAT reclaimed by the company. There is also the matter of potential capital gains tax to be considered. And the Maritime & Coastguard Agency is always keen to impose controls on vessels in commercial use for pleasure.

All craft have to be insured in order to obtain a licence and be used on BW waterways. It would be interesting to know how many shared ownership boats are insured by just one private owner without the insurers being made aware of the status of the boat, or the fact that the legal owner is a limited company. The insurance may well be null and void if the full facts had not been disclosed, as insurance contracts depend upon utmost good faith to be effective. Do the licensing authorities actually check the validity of the insurance policies presented to them when a licence is applied for?

It is difficult to see how any vessel owned and managed by a company should be treated differently from a boat owned by a social club for the use of its members, which is the definition of one category of boat covered by the present Business Licence. If BW has its way, the proposed higher rate licence fee will be applied to all shared ownership boats, leisure hire and timeshare craft **and** to so-called "continuous cruisers" - a false corruption of the actual phraseology to be found in the British Waterways Act 1995, and to be applied to boats having no home mooring.

RCR Advert

NOTICES

PASSWORDS

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

The members-only website section has a password, which has been sent out to on-line members via the members' bulletin list.

The User ID for the members section is the word 'member'.

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.

POST FOR NABO NEWS

For issue 7/05 the editor will be ashore so please send contributions by email to

news.editor@nabo.org.uk
or to

48 Old Lane, Bramhope,
Leeds LS16 9AZ



New RBOA Chairman

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Text your waterway reports to:

07930 419 981
07961 001814
07989 441674

REMINDER

EA STRONG STREAM LINES
Call **0845 988 1188**
then, when prompted, Dial 1
then 'quickdial':-

011131 for Thames

032112 for Nene

03321 for G. Ouse

Also **011132** for Thames works



RIVERS



IS VATMAN ROBIN RIVER USERS?

It has long been a matter of contention amongst riverboat owners that they ought not to be paying VAT on their river registrations and now one intrepid boat owner has decided to put the matter to the test via a VAT Tribunal.

In a private action, our Rivers Secretary Stephen Peters has appealed to the Tribunal seeking a ruling on whether BW is acting correctly when charging VAT on its river registration certificates.

Prior to 1989, BW did not charge VAT on any of its river registrations or canal licences but all that changed when it elected to waive the exemption granted by the VAT taxation laws which gave them the power to tax interests in, rights over, and licences to occupy land. This meant that it could charge VAT on tolls and dues, craft licences (other than unpowered houseboats with a mooring certificate), sailing rights on reservoirs, surface water discharges, licences to cut into a canal, cycling permits and rights over and under the towpath except for access to residential property. Certain land and buildings were excluded from the election to waive exemption - including Ardrishaig dock, Ellesmere Port docks, Gloucester Docks, Sharpness Docks and Weston Point Docks; and other dockland and land not forming part of the BW navigation portfolio. In 1993, properties at Hyde and Uxbridge were added to the land excluded from the taxation.

Boat owners with a long memory will recall that BW forgot to inform its customers about this change, and merrily levied VAT without making it obvious. Only after their actions were questioned, did they start to issue proper VAT receipts. The question now before the Tribunal is "Should BW be charging VAT on river registrations at all?"

This taxation has never been tested by any customer until now and according to HMRC (the new name for Customs & Excise) the appeal has "opened up a can of worms". You can always trust our Rivers Rep to raise vital issues to which no one has an answer!

The appeal has been delayed for the last 8 months whilst the VAT authorities consult with BW to establish exactly what they charge and why. The formulation of their Statement of Case has been impeded by the lack of access to private legislation in the form of the various BW Acts that are not readily available. (They should have asked NABO, but did not. In fact they have now asked BW to help them!)

The argument they are considering is whether VAT should be charged for a river registration i.e. an entry in a register. That is all the BW Act of 1971 requires, and it states that providing the applicant gives the required information and pays the

fee, BW SHALL register the boat. This emphasis is important, and reflects the fact that a Common Law Right of Navigation exists on the rivers for which BW is merely the navigation authority. It does not own the rivers and therefore is not granting any rights over its land or anyone else's for that matter. A boat has a right to use the rivers so why charge VAT?

This looks like being a very interesting case.

FLOODLINE - A CAUTIONARY TALE by Sue Burchett

We are on the Nene and found due to rain the river is running very fast. We spent 39 minutes (logged phone time) trying to get information from EA without result. The floodline said no flooding but didn't say when it was last updated, so the info was useless.

All the direct line numbers we were given directed us back to 0870 8506506 where we were asked if we were in Somerset or Gloucester. When we asked to be put through to Kettering (one of the direct line numbers we had been given, but got rerouted). There was no reply.

When the river comes up it does so quickly so up-to-date and reliable info is required, not a phone runaround.

1st call 11am - 0870 8506506 (number on lock) went round in loop.

2nd call 11.02 - 12 mins getting nowhere given phone no for Kettering

3rd call 11.16 - to floodline gave up.

4th call 11.18 - to Kettering told number had changed, given 0870 8506506 and rerouted.

5th call 11.20 - tried Peterborough told number changed as above. This must be recent as I phoned this number on 8th June.

6th call 11.21 - getting desperate phoned Cath Kemp. She has changed no. but Male gave me Head of Navigations number.

7th call 11.26 - phoned 01454 624376 left a message re problem promised a call back.

8th call 11.32 - tried floodline again told no flooding (wanted navigation advice could see there was no flooding) Didn't know when it was last updated, so not a lot of use.

9th call 11.39 - 0870 8506506 to try Kettering again. No reply.

10th call 12.25 Jenny Storey phoned me from 01454 624400. She works for floodline. She apologised for the problems and we discussed floodline. If you have web access it is updated every 15 mins. Of limited use to boat owners.

She still spoke of post codes and flooding when it is really strong stream advice

that is needed. We then decided to continue and found that the problem had been caused by someone manually adjusting a sluice that had failed to work automatically.

River is up about a foot. Ain't boating fun.

Verdict: the system failed the idiot test.

Sue, nb Nackered Navvy

EA PROSECUTES ILLEGAL WATERWAYS USER

The Environment Agency has successfully prosecuted a non-licensed boat user for the maximum £1,000 penalty under Section 9(1)(a) of the Thames Conservancy Act, 1966.

The offence was spotted by Environment Agency Waterways staff on 6 March at Whitchurch Lock when the boat owner failed to display his boat licence plates. The Environment Agency issued the owner with an unregistered vessel notice but he still failed to pay his craft registration fee of £52.70. In addition to the £1,000 fine, the boat owner was ordered to pay court costs of £60 and compensation equivalent to the cost of the registration fee to the Environment Agency by Oxford Magistrates Court.

The prosecution comes after successful campaigning by the Environment Agency to target and eliminate illegal, unlicensed boat users on the non-tidal Thames. The summer campaign, entitled 'Don't be a Toad', was fronted by Wind in the Willows character, Mr Toad.

Eileen McKeever, Thames Waterways Manager, was pleased with the outcome commenting: "*Most of our waterways users recognise the importance of registering their boats. Of the 540 unregistered boats reported on the non-tidal Thames this year, almost all paid their fee and few resulted in legal action. This case sends out a clear message that we will not tolerate illegal users and we will prosecute. The craft registration fee is an important source of income, helping us improve and modernise the Thames for waterways users.*"

RECENT PUBLICATIONS

An Inland Waterways Guide to SUPERMARKETS compiled by David Crabbe

An A5 publication from *MY OWN publishing* for those who can survive on supermarket produce alone and need a single guide for all the waterways of England and Wales. Verbal directions only, no maps so it's up to you to find your way back.

£5.95 Available through the IWA.



A Guide to Motor Barge Handling by Edward Burrell

This nicely presented A5 format book with a colour cover depicting the author's kraak is dedicated to all those locks, bollards, bridges etc that have taken a knock through want of training of barge skippers. It would have made timely reading for a skipper on the tidal Thames recently!



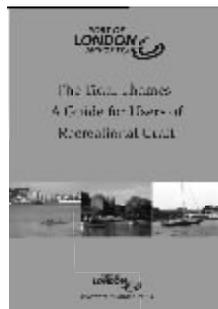
With the aid of little drawings and text spiced with humour, Edward explains that a barge under way is essentially adrift and you have command of only one of the three forces that determines where the barge will go. He also explains how bollards or bitts (the twin pillars seen on many Dutch barges) can be used in conjunction with ropes ashore and power to perform manoeuvres that those in lighter boats can do by (wo)manpower.

For the tips it offers to owners of other vessels the book is quite pricey at £18.50, but for someone who has bought a barge to live on and maybe one day cruise in it, it is well worth having if only to alleviate the trepidation.

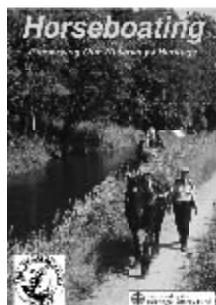
The Tidal Thames – a Guide for Users of Recreational Craft

Available free from the Port of London Authority (PLA), this updated orange covered 30-page booklet explains the key rules that apply on the tidal Thames and outlines basic safety procedures.

Contact Martin Garside, PLA, 7 Harp Lane, EC3R 6LB.
Tel: 020 7743 7915. Email: martin.garside@pola.co.uk



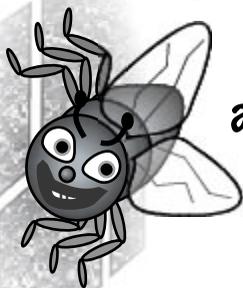
Horseboating - preserving our waterways heritage



Produced on CDROM by the Horse Boating Society this is mainly guidance for navigation authorities on how to keep the canals useable by horseboats. However it makes informative reading for anyone interested in how the waterways were built and what all those curious bits of ironmongery were for.

For further information see www.horseboating.org.uk

FLY ON THE WALL



at Council

After a good buzz in the North this summer I'm back on that Midlands wall and see a new face. It's that of Andrew Colyer from the western reaches of the K & A and he's happy to stand for Council.

A few more of you have made Council happy by wanting to be more involved. Various members kindly helped on the NABO stand at various rallies or visited to say 'hello'. Each event gained new members especially the National. A warm welcome to all of you. Council hopes you'll stay with us.

So, should there be life membership? If so how much? Should there be different rates for Seniors? (with presumably less life than a new young member!). Should there be a special offer to members who recruit others?

Council would like you to come to the AGM on 19th November to give your opinion and vote. This year it's at Stafford but not near the station. If you're coming by train do get in

touch with Aileen Butler on her mobile 07703 567764, by text, message or speak and perhaps she can co-ordinate taxi shares or lifts with passing kind members. If you're one of the latter remember to get in touch too!

At the AGM you'll hear about Crime on the Cut and security of tenure for residential moorers who currently have less security than mobile home owners.

Talking of AGMs, Council heard about the British Waterways AGM. Lack of cash is resulting in cut-backs although the 'Veg Pledge' has been taken on. Sadly the Milton Keynes Link will suffer. There will be NO cash from BW although they will continue to support the project, but this has already led to local supporters withdrawing their funding. There was NO discussion of craft licensing.

There was plenty of discussion on this subject by your Council. Council is sending a response from NABO to the consultation document, which is basically that NABO is not happy with any increase in licence fees. The deadline is on 30 September.

It seems that under the proposed licence categories, when you're moored you could be paying the low rate of fee and when cruising the high rate, so that if you cruise at all your licence would certainly cost

more. It means you would have to plan your year's cruising to know the cost of your licence. How practical is that?! And how would it affect the Gold Licence? Council heard from one member that marinas were being asked to keep a note of when people are out cruising. Is that happening at yours? Puts up the price of your weekend drink! But whatever happened to BW's openness and accountability?.

Your Council has been advised that the Consultation document is too vague for direct legal challenge although there could be a powerful human rights objections. However those can only be presented in the light of individual cases.

Council also thinks the definition of shared ownership too vague and could lead to a discrimination minefield.

The new licence application form asks about your employment. Such requests could also be a violation of human rights and this would also be discussed with BW.

And finally, the boatyard at Jericho, Oxford has closed and any boaters who moor there and people who lease the units are being charged with trespass. They want to keep the boatyard as a boatyard and feel that BW's leasing it by the week led to its decline as it was not a viable business proposition. Jericho is in a conservation area. NABO supports the retention of waterside facilities. There could be a review in April.

Come to a review of your Council and the NABO constitution at the AGM at Stafford.

Until next time

Byeeeeee



SIGNS QUIZ

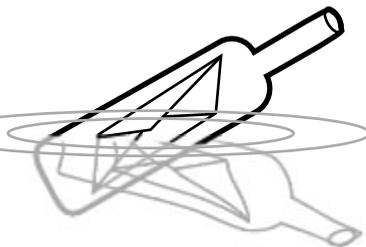


Many thanks to the two dozen or so of you who took the trouble to return them. Not a very representative sample but it was clear that some CEVNI signs are not intuitive, particularly the weir!

Also it would be good to see some of the ex highway signs adapted to account for 'driving' on the right. Some signs were thought to be too detailed, e.g. the undercurrent one, to be seen by someone with ageing eyesight or when partially obscured by foliage.

Overall score was around 65% and only six people would not cope with metric units. Someone thought the sign top left here was an upside-down self portrait of the designer!

LETTERS



Oxford Moorings

The 'tow path telegraph' told me about the moorings on the Oxford Canal near Isis Lock. The Oxford Council are unable to house the owners of boats there, so have apparently paid BW the mooring / licence fees for the year. Thereafter will be asking the boat owners to make a small contribution.

This is a deplorable situation. Presumably the local planning authority has allowed 'residential' use of the moorings. If not, BW must insist that the boaters comply with the guidelines for continuous cruising.

So despite BW's attempts to remove the boats, the local council appears to be encouraging the gathering. Will this also be happening in Bath on the Kennet & Avon and elsewhere?

Charles Moore
NB Moore 2 Life

Red Diesel Campaign

In connection with the Red Diesel issue I wrote to my MP, Peter Ainsworth as follows. Perhaps other NABO members would like to write to their MPs and MEPs in similar vein just to bring pressure. Could you bring this to the members' attention or maybe print my entire letter?

"Dear Mr Ainsworth

I emailed you earlier this year on the subject of our EU derogation regarding

Gas Oil (Red Diesel). You kindly obtained a response from John Healy MP at the Treasury. No doubt one of his difficulties in getting a continuation of the derogation, assuming that is what the Treasury wants, will be persuading the French to support it.

Having just returned from a canal trip on the Canal du Midi in France, I thought it worth bringing to your attention a flagrant breach of EU regulations that seems to be encouraged by the French Government. As I understand it, it is forbidden by EU regulation to empty sewage into any inland waterway. We in Britain ensure that all inland waterway craft fitted with toilets have foul water holding tanks and that these can be emptied only at approved pump out stations. French boats are permitted to pump their sewage directly into the canal. I was told that this is because of the expense of providing pump out stations (and the reluctance of French skippers to spend a centime more than they can!). Surely this could be used as a powerful bargaining counter, as long as our MEPs have the guts to stand up to the French. I would be grateful if you could pass this information on to the Treasury and any MEP who may be involved in looking after our inland waterway interests."

Roger Silvester

I would like to know why the BW patrol boat "Virago" based on the river Severn displays a Workboat Certificate in the windscreen bearing the number 44029 but also displays Index Number plates 507709.

Shurely shome mishtake?

An Observant Member (aka SRP)

Some more on CCs

I've run across the argument that it is unfair that CC's "boat more & pay less" to BW because they make no contribution through marina mooring fees. Two thoughts occurred to me.

1. A boater paying for a mooring is receiving a facility from a service provider (a mooring!), whose costs include payment to BW. Anyone who eats or drinks in BW pub is effectively doing the same thing; they get a pint & BW makes a bit. If the argument runs that CC's don't contribute as much as moorers & should pay more, then by the same logic boaters that don't drink in BW hostelrys (sensibly, in my opinion!) should also be subject to a surcharge on their licence. Ridiculous, of course.....

2. Lots of CC's buy a Gold Licence, & therefore spend much of their cruising time off of BW water. They moor up for the winter & pay for a winter mooring DIRECTLY to BW. This will be in excess of £500 p.a. How does that compare to the indirect contribution made by marina moorers?

When confronted by these arguments, reactions tend to be to blame the CC abusers, but that is merely deflecting the debate. This time round, whatever BW's real motives may be, the proposals

are aimed at & will penalise CC's who cruise, i.e. genuine CC's.

Continuous Moorers are a different issue, whatever the label on their licence.

I was pleased to read your robust rebuttal of these proposals in the mag.

All the best & thanks for your hard work,

Kevin Hood

Not So!

Unfortunately our snail mail connection has only recently delivered a letter from Denis Smith, an erstwhile 90s Council member.

In the May issue of NABO News the chairman had implied that previous chairmen had not always reported on meetings they had attended. Not so, he says. In his day all meetings were fully reported through the secretary, even before the convenience of email. He also said the BSS was not the only matter discussed in those days, but the list of other topics was depressingly familiar.

He felt NABO should not change its name and sharing owners should be Associate Members.

With my chairman's hat on I must apologise to him for doubting NABO's efficiency in his day and stand corrected, and as editor for not having space to print his letter in full.

He is selling his boat and letting his membership lapse so he won't know if I don't swat that 'perizzzing buzzzzing fly'. He says farewell to all those STILL on Council that he worked with.

Stuart Sampson

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

DESTINATION FROGHALL

A tribute to our friend Christine Vernon

On 23 July, we enjoyed an outing through Froghall Tunnel and the newly opened lock and basin, the start of the restoration of the Uttoxeter Canal. The event was momentous, the restoration of a lock that had almost disappeared, and the basin which had resembled a mangrove swamp. Beatrice, our local charity boat, was first through, carrying VIPs including Staffordshire Moorlands MP Charlotte Atkins, who cut the ribbon.

For us, it was a moving occasion when 14 year old Joey Warner, nephew of Christine Vernon, unveiled a lockside plaque in her memory. Chris was our dear friend, from Kent days, before we all three moved to Staffordshire. We introduced her to boating after the sudden death of her husband, and she became instantly hooked on the waterways. In her own words, 'the waterways changed my life' - the dedication on the plaque. Chris was not the volunteering type, not one to lay bricks or dig out mud; she was, however, an enthusiastic supporter of all restoration projects by generous financial support. When the Anderton Lift launched their sponsorship project, for instance, she was one of the first to sign up, and her hand was always in her pocket for one restoration or another.

When we moved to Staffordshire in 2001, Chris was suffering from breast cancer, and she decided to move north with us. She confided to us that she had left the bulk of her estate [nearly £25,000] to the IWA. It would have been easy for this bequest to disappear into an anonymous corporate pot, but Julie Arnold and all at the IWA Stoke on Trent Branch have been very supportive in ensuring that the gift was used locally. Various projects were suggested - including a sanitary station, which Chris would have found quite amusing - but in conjunction with Chris's cousin, Tony from Wigan, and her sister Margaret, from Newcastle upon Tyne, it was decided to put it towards Destination Froghall, specifically the moorings in the Basin. Brian and I, and Chris's family are grateful to all who contributed in any way. I am sure that many of the volunteers may be NABO members, so through NABO News, may we thank you all for whatever your contribution.

Chris was a keen and competent boater, such a shame that her poor health did not allow her to join Stoke on Trent Boat Club with us. Some of you may remember her from our six years on Ownerships' Sunseeker, or from our visits to waterways events around the system. She never lost her Yorkshire accent [there's no R in path was a common saying in Kent!] and dry humour. She attended art college and latterly designed and made evening and bridal wear. She also did cross-stitch, including all pictures on our boat. At the time of her retirement, she was working in the Job Centre at Gravesend, Kent, where she famously once told a claimant to ***** off and get a job! Thanks to everyone for giving Chris this final tribute.

*Erica and Brian Martin
nb Yeomans Too*

COUNTER POINTS

*Views from the
tiller dahn sarf
by Canaldrifter*

NABO is losing members, some tell us. Why? Because we are too anti-BW. We are too confrontational. NABO News is too negative. We never praise BW for all the good work that they do.

Believe me, folks, NABO Council would be extremely relieved if all they had to do was to hand out praise to BW for their good works and helpful policies. But it ain't like that, unfortunately.

If NABO had not spoken out, and not sought legal advice at the time, then most probably we would all be suffering BW's new draconian mooring code by now. If NABO does not take a stand against the latest proposed swingeing increase in licence fees for those boaters who do not have a home mooring, then what comes next?

However, it isn't, by any means, all negative out there. BW frontline staff are by-and-large extremely courteous and helpful. Also the Cut Crime project is forging ahead. This is a prime example of how NABO and BW can co-operate together positively, from an early stage.

And perhaps this is where great improvements could be made in relationships between NABO and BW. At present, BW seem to formulate ideas, then send out consultation documents filled with questions that may or may not be loaded, saying, 'This is what we propose to do. What is your reaction?'

Would it not make more sense for BW to approach NABO at a much earlier stage saying, 'Look guys. We've got this problem. It affects you boaters. Can we get together and discuss it across a table, and see what we can come up with together as a solution that is fair to everyone??'

Fortunately NABO is gaining far more members than it is losing. There is nothing like draconian proposals from BW for driving up membership. But wouldn't it be great if we were able to report back to those new members that BW will involve us more at an earlier stage of consultations? That way our voices could be heard, not in protest, but in helpful, positive contribution to the safe, peaceful, and satisfying equilibrium that we would all like to enjoy with BW on our waterways.

WET JUSTICE

In September, NABO member Peter Haydon was on the back of his boat moored opposite the weir at Teddington when he heard the smack of something hard hitting GRP in the fairway a good hundred metres upstream. This was followed by a revving and when he looked the cruiser had turned towards the bank where a gang of kids, some of whom had been swimming, was scattering in fright. They emerged when the boat had gone to find all their abandoned clothes had been soaked in river water and their bike tyres were flat.

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