

# MINUTES of a COUNCIL MEETING of the NATIONAL ASSOCIATION of BOAT OWNERS, held at The Waggon & Horses, Oldbury on SATURDAY 19th JULY 2003

**Present:** Trevor Rogers, vice- chairman, in the chair (TR)  
Sue Burchett, NABO chairman (SB)                      Stuart Sampson                      (SS)  
Carole Sampson    (CS)                                      Stephen Peters                      (SP)  
Gordon Reece    (GR)                                      Aileen Butler                      (AB)  
Geoff Rogerson    (GRo)

**Apologies for Absence:** received from Peter Foster, Peter White, Peter Lea, Paul Herbert, Celia Kennedy, Adrian Stott.

Sue Burchett wished it minuted that agreed Council Procedures had been abandoned for this meeting without Council approval.

## 1. MINUTES

- a) With the month amended from May to June, the minutes of the last 2003 meeting were accepted as a true record. The chairman signed the minutes.
- b) Action Reports from the previous minutes.
  - SB     (i) to be covered later in the agenda
  - (ii) Eugene Baston did, and he isn't
  - SP     (i) Done, awaiting reply
  - (ii) to be covered later in the agenda
  - PL     Unknown
  - AS     Believe completed

## 2. COUNCIL SITUATION AND PROCEDURES

SB felt that she had resigned at the last meeting, followed up with an e-mail restating it, however, she is prepared to continue as titular head of NABO but is not prepared to chair any more Council meetings.

**Proposal:** that Council give a complete vote of confidence in SB as chairman of NABO

Proposed TR, seconded GRo, Thirded GR. The vote was unanimous.

CS asked who will chair future meetings?

GRo thought that by default it should be the vice-chairman, although we may need a third person to cover in the absence of TR.

TR explained that he had originally agreed to chair the meetings but had felt unable to do so due to procedures.

GRo, having missed the original meeting at which the procedures had been agreed, asked what they are.

SB and CS felt that we should go through the procedures and decide which are useful and which aren't.

GR commented that the agenda for the last meeting was unsatisfactory as some crucial subjects had not been included.

SP had been present when the procedures were agreed, but was still shocked at their implementation - he had not understood the implications, and felt that the proposal system does not satisfy the way we need to work.

SS felt that a possible way forward was that a topic could be raised as a question instead of a proposal.

**Proposal:** that for this meeting, procedures should be held in abeyance whilst they are discussed.

Proposed GRo, seconded GR. All were in favour.

## 2a COUNCIL PROCEDURES DISCUSSION

Each clause was read out fully prior to being discussed.

- 1) TR felt that the words 'wherever possible' should be added. All agreed.  
CS asked that a hard copy of each report should be given to the minute taker for inclusion with the minutes.
- 2) CS wondered if this should apply to the minutes only.  
GRo does not like discussion via e-mail, describing it as too robotic.  
AB felt that it could be useful for a chairman to know of any dissension in advance so that suitable time could be allowed for future discussion.  
SB pointed out that anyone not attending would have an opportunity to contribute.  
CS felt that any Council member could make comments to the meeting chairman.  
SB felt that they wouldn't do so.

In summary, TR felt this clause warranted further discussion at the next meeting.

- 3) GRo felt that this clause was redundant - we needn't come to meetings.  
GRo, SP, CS, and GR were all unhappy with this clause.  
SS wondered if the timescale caused difficulties.

In summary, TR noted Council's reservations and felt it should be discussed at the next meeting.

CS stated that she had felt uncomfortable with the situation as left at the end of the last meeting, and would not like to see the present uncertainty continuing for the next six weeks. We were quorate, so felt that a decision should be made today.

GR said that this hadn't worked.

SB said she wouldn't like to revert to the old system.

**Proposal:** that Council revert to the tried method of discussion, from which a proposal could be formulated, followed by an action if appropriate.

Proposed GRo, seconded CS.

The vote: In favour 6, Against 0, Abstentions 2. Proposal carried.

- 4) SS felt that this clause was consequential on clause 3.  
After discussion, this was agreed.

- 5) Also consequential on clause 3.  
GRo felt that there is a difference between the original meaning and how it should be interpreted.  
TR had made enquiries and had ascertained that no discussion was intended with this clause.  
SB proposed that this clause be accepted. There was no seconder.  
**An amendment to the clause was proposed:** that the last sentence (This is all that should be done at meetings) should be deleted, and "there should be opportunity for debate of issues" be added.  
Proposed SP, seconded SB.  
The vote: In favour 6, Against 0, Abstentions 2. Amendment carried.
- 6) SP thought there might be a problem over which chairman, when someone other than SB is chairing the meetings.  
Generally, it was agreed that this clause should stand, subject to last minute items being able to be included.
- 7) SS thought that the clause could be amended from 'minutes' to 'meeting notes'.  
GRo thought there should be a degree of confidentiality with personal issues.  
CS had thought that a degree of openness with members was a good thing, but now did not necessarily think so when considering the minutes of the last meeting.  
GRo quoted clause 13h from The Constitution, and thought it was adequate.  
The first two sentences of the Procedures clause 7 were endorsed.
- 8) There was some confusion as to what was meant by 'website'.  
CS felt that it could mean 'council website'.  
After discussion, it was agreed that 'to be published' should replace 'website'.
- 9) Whilst this is something to aim for, it was felt that some leeway should be included. "Except in exceptional circumstances" to be added. All agreed.
- 10) This clause accepted.

CS is to produce a new Council Procedures document, which is to be ratified at the next meeting. GRo wished it clarified that those clauses which have been amended following a vote in favour of that amendment, may only be changed after a subsequent proposal to change it again. This was agreed. CS

Who will chair the next meeting?

SP proposed, seconded CS, that he should chair it.

TR thought that this would present the best opportunity for conciliation.

GR was concerned that we would need to be finding the next chairman at every meeting, and that it should be the vice-chairman. GRo supported this view.

SB informed those present that the relationship between herself and the vice-chairman had broken down, and that although she was happy that he continue to chair this meeting, would not be happy that he should do so at future meetings.

TR agreed with this, and felt that we should take the most conciliatory route.

An amendment was proposed, that SP chairs Council meetings up to the AGM. Proposed SP, seconded GR, all were in favour.

## 5. TREASURER - CLARIFICATION and ELECTION

The letter of resignation from David Harle as a Council member and as Treasurer, was read out. SB wished it noted that Adrian Stott had joined Council at her insistence.

SP proposed that a letter of thanks should be sent to him, together with an invitation to come back. CS to do this. CS

GR had been approached by SB, and had agreed to offer his services as cheque signer, with David Harle continuing as book keeper. All were in favour.

**Council members should note that expense claim forms should still be sent to David Harle.**

## 6. MOORINGS CODE - LEGAL OPINION

Hard copies of the document were available. IT WAS STRESSED THAT THE DOCUMENT AND ITS CONTENTS ARE CONFIDENTIAL - we have paid a lot of money for this advice, and we do not want BW getting to know what we are up to.

GRo introduced the topic, summarising the points of issue and verdicts.

CS asked what is a judicial review?

SP explained that the case is taken before a judge for a ruling.

GRo needs to contact our solicitors for details of what is involved and an estimate of the potential cost involved. He proposes to write to BW, and circulated a draft letter, which would be considered by our solicitors first. A few minor amendments were suggested, SS feeling that Item 5 should come first to generate a more positive attitude. GRo

CS read out the response from Robin Evans in reply to the letter she wrote expressing our concerns about the Code - see minutes April 2003, Item 3. GRc requested copies of these documents for him to send to the solicitor.

GRo felt that having sought advice, we should be prepared to act, including a judicial review, although this could be expensive.

SB felt that we could ask for help from other organisations.

SS thought we should consider how much benefit there would be for the majority of our members.

SP thought they would all benefit, even if they don't know it.

GRo thinks it would strengthen the case for a Regulator with Lord Corbett.

SB mentioned that the IWA appeals proposal has been abandoned by BW.

## 7. EA TRANSPORT & WORKS ACT

SP had written to the EA, and ~~is awaiting a reply, although~~ a meeting has been arranged with John Redmond next Wednesday, 23rd July. He has received the *IWA,* RYA, DBA, GOBA, and ATYC (Association of Thames Yacht Clubs) responses, all of whom are not happy with the document.

TR observed that the regulations could be applied to any waterway, e.g. ~~Scottish~~

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creeks, inlets, etc., and by any navigation authority. "Any other waterway" is not acceptable. Once a vessel is registered, empowerment is given to collect charges TR felt that unless our objections are heeded, the matter will have to be taken to a public enquiry, which would effectively scupper the Act.

## 8. WATERWAYS REGULATOR - BW PROPOSALS

The document "Improving Openness and Accountability" was launched at the BW AGM. The word 'Regulator' ~~is~~ mentioned, which was felt to be an indication that BW are concerned at NABO's campaign.

GRo quoted paragraph 19, which suggests that the legal problem regarding the Moorings Code could be considered by the Ombudsman. A NABO response is to be formulated for approval at the next meeting: SP agreed to do this. SP

He asked Council members to send him comments. ALL

TR had noted that the new BW proposal could not be implemented until March '04, but the suggestion had been made that it didn't need to wait that long, so it is to be implemented straightaway - this is against the consultation code contained therein!

SS asked what we are doing with the petition?

SB had several ideas as to how to further the campaign.

- a) A meeting with BMF and RYA to gain their support, CBOA and RBOA are already onside.
- b) Questions could be asked at the next three PWG meetings.
- c) We could organise a parliamentary reception. This would be expensive (£1500 ?), but Penny Barber would organise it.

SB felt that the petition should be continued at least until the National Rally.

CS thought the figures should be expressed as a percentage. e.g. 99.9% of those approached had been willing to sign, etc. This to be mentioned in NABO News, and these figures to be passed on to Lord Corbett. SS

## 9. VISITOR MOORINGS - COUNCIL POLICY?

SS feels that there is generally inappropriate placing of permanent moorings where there should be Visitor Moorings. During the current BW reorganisation, perhaps now is the time to propose an alteration in BW policy. It should be possible to find prepared rural locations, where boats can moor close enough to the bank. There should be provision at the top and bottom of lock flights, for example.

SB said that there had already been a BW consultation on this subject about two years ago.

GR said that this happens in the Northwest, but a 48-hour limit is being put on them.

SS pointed out that in the document "Our Plan for the Future 2003-2007", the delivery of Visitor Moorings falls well below the budget estimate.

GR mentioned the proposed charging scheme for Llangollen. Moorings should be free for the first 24 hours.

It was agreed that SS and SB would formulate a policy wording for the next Council

meeting.

SS SB

## 10. EVENTS

AB asked if anyone is going to the National Rally at Beale Park over August Bank Holiday weekend. Can anyone help at the stand?

TR thought a rota would be a good idea so that people could slot in.

SB said that this had worked for the London Boat Show.

GRo + SB offered help, TR would fit in.

AB suggested appealing to our membership - SS to do a emailshot, with volunteers contacting AB by text or phone, or e-mail to SB. SS

SP asked about the magazine back issues. TR will take them to the Reading store

SB raised the issue of our Boats on Show share, the event having made a loss of £38,000. The directors and EA have put more money into the company, a further decision to be made in August. At the recent meeting, she had stated that NABO is not prepared to put in any more money, and does not wish to be involved next year. After discussion, it was decided to hang on to the share: it is worthless, unsellable, so the do-nothing option is the sensible course.

## 11. FOOT & MOUTH CONTINGENCY PLANS

CS had received an e-mail from Keith Noble (NABO member) suggesting that NABO should be involved with the DEFRA consultation document. (The e-mail had been circulated to Council members.) She had seen the IWA response, but felt that ours should be more concerned with canals (i.e. boats) than towpaths. CS to review the document and produce observations. GRo to forward the original consultation document.

GRo CS

## 12. THAMES ALLIANCE

TR had attended a Thames Alliance Meeting. There is a proposal by EA to re-invigorate the non-tidal Thames. Legally, EA consults through the RFERAC committees, which more or less precludes users. More private boats are wanted on the river, and the question of the adequacy of moorings was raised. TR will pursue this, and write an article for NABO News. TR

## 13. REGIONAL ISSUES

GR had been contacted by Sadie Dean. She and 5 - 6 members had attended the Middlewich Folk and Boat Festival, which has been a thriving event with a good atmosphere. This year, it was boycotted by many, as the event has been taken over by BW, who have imposed a charge for providing virtually nothing. This has affected the spirit of the event.

CS commented that BW have also taken over Crick show, leading to the imposition of VAT and a hike in costs.

GRo informed Council of proposed additional on-line moorings between Bath and Bradford-on-Avon. It was noted that Robin Evans wants visitors to canals to

double in the next ten years.

#### 14. BW MEETINGS

TR reported on the BW AGM, at which it appeared that BW is more of a property development company instead of being biased towards waterways. Glossy reports were produced. There is concern about the loss of wharfage to planning developments. BMF feels that BW have an unfair advantage.

SB noted that there is to be a revision of waterway standards.

SP asked about water pumping. TR said there were problems, but had asked to be informed when it starts.

#### 15. A.O.B.

a) As a way forward, CS suggested that we adopt a "meeting programme" instead of an agenda. She is to formulate this as a proposal for the next meeting. CS

b) SB asked about a £100 donation to WRG, for its pantomime. We would be able to put NABO bumpf on the seats, and we would be mentioned as a sponsor. SP proposed £150, seconded by CS, unanimously agreed.


c) AB questioned the date of the next meeting, asking if it could be a week later. CS thought this should have been suggested at the time when the meeting dates were arranged - AB had not been there. No change this year, but school holiday dates should be avoided next year.

d) TR asked if anyone was interested to become involved in the BSS meetings. Audible silenced observed.

e) SB raised the issue of Roving Licences. BW were offering these to Continuous Cruisers on the Rochdale Canal who wished to remain in one area. She spoke to GR about the matter after the meeting had closed.

The meeting closed at 3.30p.m.

Date, place and time of next meeting: Saturday 6th September, at the Waggon & Horses, Oldbury, at 10.30a.m.

Signed: 

Date: 6-9-03