

**MINUTES OF A COUNCIL MEETING of the NATIONAL
ASSOCIATION of BOAT OWNERS, held at The Waggon &
Horses, Oldbury, on SATURDAY 6th MARCH 2004**

Present: Stuart Sampson, chairman, in the chair (SS)
 Stephen Peters (SP) Geoff Rogerson (GRo)
 Aileen Butler (AB) Celia Kennedy (CK)
 Carole Sampson (CS) Peter White (PW)

Apologies for Absence: received from Gordon Reece.

1. MINUTES

a) Minor corrections having been made, the minutes were approved as a true record. The chairman signed the minutes.

b) Action Reports from the previous minutes.

CS All done.

Regarding the bank account signatories, she explained the recent problems she had had regarding this - she presented the appropriate form to GRo and SP for signing, collected the appropriate proof of residence from them, and hoped to have the matter finalised this coming week - and the auditor, who had needed further material before she would return the books. This also has been sorted out.

RESOLUTION: Proposed CS, seconded SS, that Gordon Reece and Stephen Peters be the official account holders for NABO. All were in favour.

GRo All done.

SS 1) Pending
 2) Done
 3) Done
 4) Done, awaiting further feedback.

SP 1) Done. The RYA had expressed thanks for the offer of support, and will include NABO in future publicity. Nothing further has been heard, and funds have not been accepted to date.
 2) & 3) Done.

AB 1) Application for space at the National is ready to be sent, once the figures have been checked, AB will forward the application to CS who will write a cheque and send it off. AB is awaiting application forms for Crick and Saul. AB CS
 CS informed Council that a member is prepared to distribute NABO Bumpf at the London Cavalcade: she will forward his name to AB. CS
 2) Not done. It was decided not to proceed with a publicity drive aimed at hirers at this time, due to mixed reactions from existing members.

2. MOORINGS CODE UPDATE

GRo feels that there are still a few problems to resolve, such as a pre-supposition that people will stay in one place for the full fourteen days, and that it does not allow a boat to stay within reach of an educational establishment for children's education. But generally, the new code represents a considerable back-tracking by BW, for which he thinks NABO can take all the credit. He therefore feels that, as we can expect no further discussion or concessions, BW will implement the code in its revised form, we should accept it in principle. The IWA takes a different view.

AB had read that the Moorings Code has been abandoned.

SS replied that technically, it has, the new 'code' consists of guidelines issued as "guidance for continuous cruisers" only. It is no longer part of the licence conditions. It was felt that it would be useful to have copies of the new licence conditions: CS to see to this. CS

RESOLUTION: that NABO welcomes the Continuous Cruising guidelines in principle, subject to re-consideration following implementation.

The vote: For, 6, Abstention, 1 The resolution was carried.

3. CORRESPONDENCE

a) CS read out a letter she had recently received from a resigning member. She suggested that it might be a good idea for Council members to communicate their boating habits to our members via the AGM cv's, so that they can see how representative we are.

SS wondered if we need to wait that long, and would folks be prepared to send him their information immediately, for inclusion in the next NABO News?

SP felt it was a good idea, and no-one expressed opposition. ALL

b) CS read out another letter from someone who no longer owns a boat, now owning two shares in two time-share boats, in which entitlement to full NABO membership was questioned.

SS and GRo stated that they are full members, they own a boat.

SP felt that it needs stating that we regard time-share owners as boat owners.

SP thought we should await further responses from members re shared owners and hirers being members, and then perhaps formulate a resolution for the next AGM.

c) In the absence of the treasurer, finance had been omitted from the agenda. However, CS had received a profit and loss statement from David Harle. This was distributed, and it was noted that the sale of goods was encouraging, and also that members were continuing to send donations. CS to inform DH that this statement is appreciated. CS

DH had also ask that we discuss his request that he should reduce the number of categories in the accounts. Council found this difficult to decide without knowing which categories he wishes to remove. CS to enquire. CS

4. EA TRANSPORT & WORKS ORDER

SP stated that other organisations had raised questions about the charging scheme, and wanted the EA to come up with firm proposals as to how it will charge.

SS said that the Dutch Barge Association thinks this will allow the EA to ignore its commitment to harmonise with other navigation authorities. SP explained that the Order will have little effect on whether the authority continues with the present system. i.e. not fully harmonised (length x breadth on the Thames, length only on the Medway, Anglian waterways etc.).

NABO reaffirms that we do not oppose the charging regime. All were in favour.

5. RED DIESEL

Further to Actions SP 1), Tim Bartlett is carrying out the research into the future duty problem on behalf of the IWA/RYA, although nothing is known about the form of the research.

SS explained that he had included a questionnaire in the last NABO News to try to find out boaters' usage of fuel on heating, electricity, and water heating as opposed to propulsion. So far, Melanie has received 80+ returns. SS asked for a volunteer to assess these, SP agreed. CS will arrange for Melanie to send them on. SP CS

GRo felt that we shouldn't just hand over funds to the project without being involved. We should be consulted and able to contribute.

There was general agreement about this.

GRo wondered if the likes of Ebersbacher should be informed that their future business could be affected.

SS wondered if we should contact BMF?

SP will communicate this to the RYA, and thought that Neil Northmore (chairman, inland navigation committee, RYA) should receive a concessionary NABO News in future. CS

6. VAT ON LICENCES

SP explained that BW are charging VAT on boat licences *and* on river registration certificates (commonly called river licences). The latter are NOT licences as there is a common law right of navigation on all rivers. The EA do not similarly charge for these on its rivers. The VAT office has stated that BW is correct to do so, but the EA and various other people think this may be wrong. SP wondered if we should take legal advice on the matter.

GRo wondered that, as a means of testing the validity of its position, if the VAT office supports BW, then can we not insist that they enforce EA doing the same?

SS felt that members might be concerned at NABO money being spent on a minority interest.

GRo agreed that an anomaly exists and that we should support the DBA in its efforts.

SP will pursue the matter with the RYA. SP

7. LICENSING, CONDITIONS AND CHARGING

CK felt that unenforceable licence conditions should not be included where the boater's signature will sign away rights. For example, permission to board a boat, which the police are not allowed to do.

SP felt that if a boater, when signing accepting the licence conditions, is entering into a contract with BW, then this should be stated on the form.

SS read out parts of the British Waterways 1962 Act which empowers BW to mete out licence requirements.

CS is to request copies of the new licence and mooring conditions x 8 and post them out to all. CS

It was felt that it would be useful to have copies of the relevant BW Acts.

CS thought they were available on the BW website. SS

SP thought we should consider buying copies from HMSO if necessary.

GRo felt that NABO should accept the new BW formula for determining licence increases.

CS felt that it was cause of much suspicion amongst boaters, as it looks as if BW has adopted criteria which will enable it to squeeze as much money as possible out of boaters.

CK did not agree either.

SS wondered why we need to formally accept the formula.

SS and SP felt that if BW insist on using this system to calculate licence increases, then it should be used on mooring fees as well.

This received agreement.

8. NABO POLICY REVIEW

CS distributed hard copy of the fleshing out of last meeting's items. No-one had been able to study this in detail prior to this meeting, so will discuss the items next time.

SS would like to publish these in NABO News for members to comment.

All agreed to this.

SP felt that we need a policy on policy formation. There used to be a system for doing this.

Allocation of new policy items.

Adrian Stott is to be asked to flesh out Channel Dimensions and Boats Mooring where they can cause obstruction. AS SS

CS to flesh out Dredging at Designated Mooring Areas CS

CK to take on Stoppage information CK

SS to take on Towpath Vegetation SS

Trevor Rogers to be asked to take on the BSS section TR S

The final two items - self pump--out and the disabling of top gate paddles - were thought to be unnecessary.

9. NABO DEFINITION OF THE TERMS 'LIVE-ABOARD' AND RESIDENTIAL

A member had asked for clarification of this.

BW (Eugene Baston) had been asked for its official understanding of these terms: Eugene had replied with his personal viewpoint. Namely that: a residential mooring requires planning permission and a postal address etc., a live-aboard is a person who lives on a boat, without a permanent mooring, who is not conforming with the 1995 Act.

GRo felt that the term live-aboard could be considered to be derogatory and we should not use it. All were agreed.

STATEMENT: NABO does not recognise the term 'live-aboard'. It only recognises the terms used in BW Acts.

10. WEBSITE WATERWAY REPORTS

SS explained that he had spent considerable time in setting the system up on the NABO website. He asked that all Councillors should look at it and publicise it. He went on to inform Council that BW (Eugene Baston) had asked to take it over, which means that it is deemed to be a good idea. SS had responded with a direct "no", stating that it is a NABO initiative and NABO should take the credit, and it should apply to all waterways and navigation authorities.

CS felt that there should be a press release proclaiming it.

SS asked for help from someone who could put up notices received by e-mail. No help was forthcoming from within Council, a request to be given out in NABO News. SS

11. MIDLANDS METRO

NABO has objected to Centro's assumption that there are high and low seasons in boating, whereby Centro does not have to obtain BW's permission for closures during the latter. As NABO is not a limited company, it is unable to enter into a contract with any body, so there is no more that can be done, other than to just register the objection.

12. A. O. B.

a) Alex Jenkins Waterway guides.

SS explained that he had been contacted by AJ, who, after hearing rumours about James Mason, had broken contact with the BBF. He will be producing more guides independently of any organisation, but will accept editorial and promotional information from NABO.

b) Annexcafe newsgroup.

Adrian Stott wishes to know if this is still required as it hasn't been used. No-one present felt likely to use it, so SS will inform him accordingly. SS

c) GRo asked about the state of NINF. SS answered that he cannot comment as he has only been to one meeting, but that David Blagrove is chairing it, Neil Edwards is administering it, and messages are going around. GRo wondered that the defection of the IWA re the dredging policy might have weakened it.

d) AB informed Council that a member had paid fees to her and has never received any acknowledgement, and she hoped that orders for pennants etc. which she has forwarded have been dealt with. CS stated that any such recurrence should be raised directly with her, and did not need to be raised at a Council meeting. CS to pursue the matter. CS

e) SP felt that we should look at the list of recipients of concessionary NABO News.

The following should be REMOVED:

Great Ouse Boating Association

Chris Coburn

Virginia Curren

Pamela Griffin

The Stour Trust


Bill Schlegel

The following AMENDMENTS should be made:

Mr. Smith should be Mr. M. Smith

David Pearce (chairman AWCC) should be added.

There being no further business, the meeting closed at 2.50pm.

Signed:  -----

Date: 25 April 2004 -----