

MINUTES OF A COUNCIL MEETING of the NATIONAL ASSOCIATION of BOAT OWNERS, held at The Waggon & Horses, Oldbury, on SATURDAY 3rd JUNE 2006

Present: Stuart Sampson, chairman, in the chair (SS)
Aileen Butler (AB) Stephen Peters (SP)
Tony Haynes (TH) Simon Robbins (SR)
Gordon Reece (GR) Peter Foster (PF)
Carole Sampson (CS)

Apologies for Absence: Andy Colyer (funeral) and Geoffrey Rogerson (unwell).

SS informed Council that Merleen Watson has resigned.

TH felt that she had given excuses not reasons for this.

SP commented that we should learn from this, and perhaps newcomers should have a mentor to guide them into Council.

SR agreed with this, as he had found meetings overwhelming at the beginning.

1. MINUTES

a) With all who had been present in agreement, the minutes of the 22/04/06 meeting were approved as a true record. The chairman signed the minutes.

b) Action reports.

AC a), b), and c) done. d) unknown.

CS One press release had been sent via SS, another pending.

SS All done, nothing heard from SIBUG or Nick Scott

TH All done.

SP Done by SS, but Jim Knight is now no longer the Waterways Minister!

ALL Done: SR still finding the system complicated.

c) Matters arising from the minutes.

i) NABO document for potential boaters. These had been well received at the Crick Show, but it was recommended by those manning the stand that a charge be made for them. It was decided that there would be a cover charge of £1, even if later they are given away. It was agreed to send copies with a press release to the waterway magazines. **TH**

ii) SIBUG and business members. Nick Scott has been in contact with TH. Nick is currently recruiting for NABO.

iii) The licence consultation has ended, with future fees levied as per NABO's response. Shared owners all appear to be happy, and it was thought that NABO had been influential in bringing the matter to a satisfactory conclusion.

2. BWAFF

a) Restoration priorities.

BW is not giving support to restoration projects until local support has been stimulated by the prospects of job creation and an improvement to local amenities. As a result, navigation requirements can be overlooked. SS wondered if NABO should take an active role in promoting restoration, or leave it to the IWA.

AB thought that new cruising routes are in the interests of boaters, so perhaps we could canvass members opinions and pass on the information to the IWA.

CS said that BW has limited funds for restoration, isn't the success of restoration projects now down to local funding?

SS informed Council that BW has some funds, but it will not prioritise projects.

SP felt that a list of projects should be kept by someone.

SS said that IWAAC and IWAC are involved to some extent.

CS felt that NABO should not get involved. At our last AGM, members made it clear that they think money is better spent on maintaining the current system without increasing its size.

PF said that NABO is not a canal society but a boating organisation. We need to ensure that boaters do not feel that their licence fees are being spent on restoration.

TH noted that restorations always start from individuals and grow from there.

GR noted that BW has already had its fingers bitten with the Rochdale and Huddersfield Narrow Canals.

It was therefore decided not to get involved, but to give support when requested to do so.

b) Vice-chairman election.

SS explained that there is shortly to be an election for the above post on BWAFC. The current occupant is standing for re-election, but SS feels that he is not the most suitable person for the job. There needs to be a boating person. He had asked the chairman of AWCC, but he is already busy enough, so SS had been asked in return. This would mean that another person would be required to represent NABO as the vice-chair is meant to be impartial. GRo is an obvious choice, TH said he would attend the meetings if GRo is unavailable. Council therefore supported SS if he decides to stand.

c) SP asked what else had happened at the meeting.

SS replied that not much was relevant to boaters. The use of volunteers was discussed, as well as BW's property portfolio. NABO was publicly thanked for its input regarding redevelopment in the northeast. BW had stated that it only owns 3% of land available. SR thought this to be a publicity figure, as that 3% is worth much more as it is the strip of land next to the water.

3. EA

a) Transport & Works Act Order.

TH had attended the recent EA Harmony Forum meeting, and had a copy of the latest document. The issue of the 3-year gold licence was raised - no-one present there or on Council had ever heard of it. It is to be scrapped as it has never been taken up, but then it has never been publicised.

TH went through the revisions to the original Act Order.

Note has been taken of our concerns regarding the adjacent waters clause.

Whilst consultation with users has been included, the phrase 'that their views should be taken into account' has not. This phraseology has a legal meaning, and after discussion, it was decided to press for this in our response. TH

SP was concerned about the difficulty an individual would have in consulting the register. They can at present, but won't be able to when the Order is passed. There could well be an instance when an individual needs to know the owner of a boat - e.g. after a collision.

SS said that promises had been made in the original Memorandum of Understanding, but due to conflict between the Data Protection Act and the Freedom of Information Act, the EA is unable to reconcile that conflict and had removed the individual access clause.

CS asked what happens regarding car ownership details?

SP replied that at the discretion of the DVLC, with a good reason being given, the information will be released.

CS asked who the EA is protecting?

Answer: its members.

SP stated that there needs to be a mechanism whereby a boat owner should have access to the register in exceptional circumstances.

SR commented that whatever we request should be kept simple.

All agreed that NABO's response should contain comments in these two areas. Deadline is urgent, TH to formulate a response. TH

b) EA funding.

TH informed Council that EA licence holders are facing a 14.1% increase for the next three years (based on the previous years figures) and probably for the next nine years. He feels that this is a fait accompli. There is much apathy amongst boaters on the Thames, but there is to be an open meeting of the Association of Thames Yacht Clubs soon. Louis Jankel should be attending this.

SS said that although we talk about the Thames, we shouldn't forget the Medway and Anglian regions, which will be similarly affected.

TH replied that Thames boaters do feel that they subsidise those other waters.

Discussion moved on to lock keeper provision.

PF reminded Council that lock keepers have the additional responsibility for manning the weirs and sluices to control water levels.

CS thought that mechanisation is/would be introduced.

TH said that this is already happening, and some locks may be mechanised so that some lock keepers would be removed.

SS explained that there is to be a new survey to ascertain boaters' costs.

TH said that boaters are objecting to it, as it is badly worded and unfair.

CS commented that BW will be watching these events with interest.

4. ODPM REPORT

a) SR had a copy of the report.

135 responses had been received. The main conclusions were:

- no legislation at this time
- a model written agreement will be drawn up
- Ongoing planning consultations will continue, so that more residential moorings will be created.

Furthermore, the ODPM will write to the navigation authorities reminding them of their obligations to residential boaters.

Therefore, a middle road is being adopted, whereby the current status quo will not continue, nor will there be legislation.

SR feels that it is an excellent report, giving much to work with.

GR commented that residential moorings are being offered at Preston Brook Marina, a new move by Peel Holdings.

A copy of the report was given to AB, further copies requested by GR and PF, the url requested by TH.

b) BW mooring contracts.

SR reported that productive meetings are being held with BW. One outcome is that BW is considering the possibility of selling-on a mooring with the sale of the boat, providing BW receives some sort of payment for the transfer.

CS asked about waiting lists.

SR replied that in practice, they would only be relevant to newly-created moorings.

Regarding the fee, various options were being considered, such as a proportion of the boat sale price.

CS felt strongly that the boat is owned by the owner, not by BW, and that BW should only be entitled to an administration fee for the change of mooring holder. This should be a fixed fee, and she proposed £20.

Seconded PF.

SR amused.

5. NABO CONSTITUTION

This item had arisen out of previous discussion regarding NABO becoming a company limited by guarantee.

SS explained that under the Constitution, clause 9.1 protects clause 2, not clause 1 which states the Associations name. Therefore, the name could be changed. SS had consulted Peter Lea, the ~~first~~ NABO chairman who had been involved in the drawing up of the Constitution - he feels there's not much to be gained from becoming a plc.

SP said that in the future, we may need to be a legal entity and make legal contracts.

SS further explained that he had approached Professor Jeffrey Jowell QC, writer of

Constitutions for BAAF and Bosnia, who felt that we should look at clause 9.1 (which stated that it itself could not be changed) as it might cause problems in the future, although he did not say why. SS had asked GRo to approach Shakespeare's solicitors, who had said it would be possible to become a plc without having to be dissolved first (and lose the current assets) and they would be able to deal with the matter.

Realising that this would cost a lot of money, PF proposed that the matter be buried.

SR agreed.

TH offered to approach a relative who is a university law lecturer.

SP suggested that the clause be given as an exercise to her students. Council approved this suggestion.

TH

6. SOUTHEAST REPRESENTATION

TH and SR had had a productive meeting with Adrian Stott. It was realised that there is more give-and-take in a face-to-face meeting than just conversing via e-mails. They had agreed to meet regularly, possible after each Council meeting. SR found this worthwhile.

Furthermore, TH proposed that Louis Jankel be made officially NABO's Thames representative.

CS wondered if members might be concerned that NABO puts more effort into the south of the country.

TH responded by saying that there is a lot going on in London and the Thames at present.

It was agreed. Louis' new title to be mentioned in NABO News.

SS

7. BW FACILITIES

SS explained that as part of BW's Customer Insight Programme, it is conducting an Essential Facilities Survey, to find out where it needs to spend its money. This is being conducted by a firm called Ecotech, all over the country. Boaters will be approached on

the towpath etc.. He had reminded Sally Ash that our members 'paid' us to represent them, but generally he feels this is a move in the right direction.
SR exercised a cautionary note: that BW is in a learning process when it comes to consultation!

8. Default Item: LICENSING, MOORINGS, CONDITIONS AND CHARGING

Nothing to comment at this time.

9. BASINGSTOKE BUSINESS PLAN

TH explained that he is hoping the Canal Authority will become a Trust in the near future. Following the IWA rally, the canal will be closed from mid-June until November due to lack of water. He is concerned that it could well remain closed after that - the cheapest option.

10. LONDON'S WATERWAYS COMMISSION + OLYMPICS

SR has heard a rumour that DEFRA is taking over the management of London's Waterways Olympics Projects, already a year behind schedule. He hopes that the Olympics will leave a legacy of improvements and facilities to the waterways.

11. GOBA

SS informed Council of problems with Cambridge Council which is trying to abandon the City's visitor moorings in favour of long-term residential moorings. SS had sent NABO's support, and proposed a closer working relationship between NABO and GOBA: no reply received.

CS commented that GOBA isn't really in a position to complain when it does not welcome visitors on its' moorings.

12. EVENTS

AB reported about the Crick Show. SS had attended on the Saturday, she on the Monday. Difficulties had resulted from the police who had closed roads following a local fire. The Buying a Boat document had proved successful, and should be sold not given away. (See earlier item.)

Council expressed thanks, especially to John Russell who had been responsible for the stand, to Bob Ellis who had helped, and Ken and Iris for help and transport.

SS asked if we need a smaller banner, half-size?

AB was asked to contact Sue Burchett to find out who had made the original ones. **AB**

13. FINANCE

SP presented a budget for 2006-2007. He was thanked by the chairman.

Balances are as follows:

Alliance & Leicester	£2,300
Barclays Current a/c	£3,500
Barclays deposit a/c	£32,000

14. MEMBERS DISCOUNTS

CS informed Council that in addition to the arrangement with RCR, she is in conversation

with Saga Boat Insurance and Enterprise Rent-a-Car regarding discounts for NABO members. Although their wheels grind exceedingly slowly, she is confident that these will happen. We then need a leaflet outlining the benefits of NABO membership to be put into the handout packs.

15. A. O. B.

i) PF presented a copy of a contract which has to be completed between BWML and any visitor to its sites, be they car parkers, an overnight visitor etc.. He feels this to be ridiculous.

He also raised ten other local issues.

ii) GR had attended the funeral of Margaret Fletcher. It was a well attended, non-religious service. Many boating representatives had attended. The chairman thanked GR for going.

iii) GR reported no change in the mooring duration's on the Shropshire Union and Llangollen Canals. There is nowhere to moor overnight for free in Llangollen. He also reported that there are new linear on-line moorings on the Trent & Mersey Canal. SS spoke about a policy statement from the IWA, in favour of small-scale moorings facilities in small basins etc., and thought NABO should support this idea.

SP: mixed-cost moorings.

This matter to be placed on the next agenda to formulate a policy.

CS

SR mentioned that he has received several enquiries from boaters wishing to set up their own mooring scheme: how do they go about it?

SS asked him if he would be prepared to do some initial work on a self-help booklet. He agreed.

SR

iv) SR informed Council that the second phase redevelopment of Paddington Basin will also include moorings.

v) Castle Mill Boatyard. SR updated Council about this. Other local sites are being looked at. He is trying to get BW to talk to the boaters concerned, which is starting to happen, in spite of bailiffs turning up to eject them from Castle Mill!


vi) TH asked that Andrew Graham (EA) receive the results of the recent fee survey. SS replied that apathy amongst Thames boaters had led to low sample returns and inconclusive results.

vii) TH wondered if we could survey members re mooring fees + facilities provided so that we can compare results and thus spot unreasonable increases.

The meeting closed at 3.30 p.m.

Date of next meeting: Saturday 15th July, 10.30 a.m.

Signed:



Date:

18/9/06
