

**Minutes of a Council Meeting of the  
NATIONAL ASSOCIATION OF BOAT OWNERS  
Held by tele conference at 10.15am  
on Saturday 10<sup>th</sup> October 2020**

The meeting was held by teleconference because of the lockdown for the Corona virus.

**Present:** Mike Rodd, Mark Tizard, Peter Fellows, Ken Hylins, Helen Hutt, Phil Goulding, David Fletcher. Members John Devonald, Anne Husar, Peter Braybrook.

**Apologies** Alison Tuck

Visiting members are welcomed by the Chair

**1. Minutes of the last meeting**

- i. Minutes of last council meeting, 5 September 2020 were agreed. (David will send recent minutes to John, Anne and Peter).
- ii. Matters arising.
  - a. RBOA have not responded to our correspondence. Chair has been in touch with them, and they are consumed with their future plans and expansion into coastal waters. Nothing is currently expected.
  - b. No other items not on agenda.

**2. Policy discussions: matters requiring agreement and action from this meeting**

- i. Proposed changes to Terms and Conditions. There was a general discussion on the content of the proposals and the work we had done in 2015.
  - a. Requirement for boats with a home mooring to cruise. Mark has been talking to Matthew Aymes. Main issues are legality vs 1995 act. Why are they making minor changes, proportionality of changes, introduction of new terms (e.g. what is a “genuine cruise” and how/why is it different from 2015), nominal use, lack of explanation of intention as to how to deal with cruising patterns. We will ask Matthew Symonds again about proportionality and application and then review with legal team.
  - b. Insurance. We do not object to the general requirement to declare insurance. We suggest the option to send insurance information by email. Concerned that CRT confidentiality of information is not limited and the main issue is what can they reasonably release. We also object to the possibility of them selling information to commercial parties.
  - c. Termination. Concern about the stated 14 day ‘best endeavour’ by CRT - this is just lazy and probable not as the law which will require this period. Also CRT taking powers over repeated breaches. E.g. termination without notice, licence etc. Good item for the legal team to look at. Just because breaches are repeated, it does not mean that the Acts don’t apply.
  - d. Refunds. Concern about the wording that avoids the responsibility to provide waterways capable of navigation. We don’t buy a licence to moor in a pond! Unreasonable wording and potential impact on boaters. We have no expectation about a change to policy as refunds are generally not given.
  - e. BSS agree the principle, but there is an issue about CRT having access to boats, which might well exceed general powers of police without a warrant. Any additional safety examination should be by the BSS examiner.

- f. Wide boats. Agree in principle. Should CRT define shape with tumblehome and air draft? F4 is nonsense re use of fenders. Claiming powers on who can go where, and subject to change at their discretion. Does this not conflict with the protections in the right of navigation provisions of the 1968 Act. Does F4 apply to all boats?
- g. Change of ownership. Agree in principle. Should be able to notify by email. Are CRT setting up themselves as the 'register of ownership'?
- h. False declaration. What is the outcome if not put right? Can a boater lose a licence? Does this attempt a bypass on the rights of acts? Is this clause sufficient to cover the 'home mooring' issue – ie if a home mooring is declared, but never used?
- i. Behaviour. Subjective wording, open to interpretation. One sided. Are the consequences of this that you will lose your licence? Taking powers that are already covered by existing bylaws. No right of appeal or independent review.
- j. In general, is the wording attempting to exceed the powers in the Acts, is it one sided, is it proportional.
- k. Agreed chair to seek legal advice, also referring to our submission to CRT on previous changes in 2015.
- ii. Red diesel our response. Our robust response has gone into the Treasury and we await the outcome.
- iii. Addition Council support. We have had a few responses in addition to those present today. Chair follow these up.
- iv. AGM 14 November. We conclude to hold this by phone in. AGM will start at 10.15, and then go on to Council. Written reports to be provided before the meeting. We will provide notice via the bulletin, asking members to tell us they are calling in and then providing those members with joining details. David will ask Alison whether she intends to stand for Council again.

### 3. Reports

- i. NNUF and EA. The Chair reports. This a major meeting twice per year. It covers all the EA waterways. The recent one was very poor; a dog and pony show on how well EA had done in lockdown. Tech provision was poor, and interaction was non-existent. They have delayed response on the 2109 consultation on the future of service and registrations. They can be assumed to go for hiked registration fees. The Thames is a key income centre. The user's groups have complained. On the Thames, there is a meeting upcoming of the Thames Navigations User Forum (TNUF) and we and other user groups will force a discussion on the management of visitor moorings. EA have awarded the contract to District Enforcement, a car parking enforcement company with a very poor reputation. They had a trial in 2018/19 but it was very unpopular as they used their car park technology and made many errors. A parallel trial was run by a new company set up by boat users and that proved to be well-accepted by users. There is a good deal of bad blood on this. We also need to watch this as CRT may try and adopt this method and policy. Chair will mention to Matthew Symonds.
- ii. NAG. There was a general meeting in September. British Canoe reported that membership currently stands at around 60,000. 25,000 new members have joined since May 2020. The team continue to work on strong stream warnings. The web systems are reported on the key areas of the Severn, and the commercial rivers are often unreliable because data from sensors is inoperable (EA), or is not manually updated. Biffa have lost the waste contract. The new provider will take over in October, but we don't know who it is. Look out for problems in the transition period. Great things are promised for the new

people. Congestion in London was raised. No magic answers. CRT are thinking about the politics before their next move. On summer lock failures the concern is acknowledged. The asset team are looking at pattern to see what can be learnt. CRT are active getting the mowing maps ready for rebid next year. There are very simple rules, cut before and after navigational hazards, cut on bends for line of site, cut 10% where there is a fringe. It is really important for boaters to complain.

- iii. BSS. There have been no TC or AC meetings in September. The next meetings are planned for November. David has been in touch with the office several times. They continue to work on ECPs and training material, driving this to completion so that examiner retraining can start in the new year. The requirement for retraining is expected to result in a number of examiners giving us their registration. The new gas training continues without problems. The new testing procedures are working well, and the manometer and bubble tester tests are proving to be fully equivalent. The office has engaged a new technical manager and an additional examination auditor. These are now in place and we will see a benefit in few months. There remain many boats with expired certificates following the lockdown. CRT have started discussion with EA about the future of the BSS. We think this is to force EA to contribute, and also to provide legal protection for the Trust.
- iv. Winter stoppages. Phil missed the last meeting; it was a sweep up session looking at the summer stoppages. Worcester locks were not done as insufficient consultation had been done and will now happen in February.
- v. Web and IT matters. The web site is running on the latest software in all categories and backups have been done. The software checking site integrity is reporting clean every week. The software for sending bulletins has been updated and changed. There will be some teething issues until I get to understand it more.
- vi. Membership matters No report.
- vii. Regional reports. NW is very quiet due to lock down. EM is quiet. WM has been busy, green algae on the Wyrley and Essington and quiet. Walsall flight was drained and had to be filled. Birmingham centre was busy. Braunston is busy with many boat movements, and no casual moorings as there are many unattended boats taking advantage of the 14-day relaxation. Infrastructure failures continue to cause concern

#### 4. Finance

The Treasurer has circulated the current budget. Deficit after 6 months is as predicted.

- i. Nothing else to report
- ii. Finances are as follows:

Barclays current a/c	2,098.54
Barclays deposit a/c	4,622.895
PayPal	123.92
Redwood	15,407.73
TOTAL	22,253.08

#### 5. NABO News

The next issue will be after the AGM.

**6. AOB**

No other items

Meeting closed on time at 12.40.

**7. Next meeting**

AGM 10.15 am Saturday 14<sup>th</sup> November October by teleconference

**Minutes approved by Chair 14 November 2020**

*Mike Rodd*