



NATIONAL ASSOCIATION OF BOAT OWNERS

NEWSLETTER

August 1994

Editor's comment

Once again, thank you for your letters. Please forgive me, but I am just too busy to acknowledge them all personally, but this does not mean that I do not want you to keep writing.

In this issue you will find several requests for information and help - we need to hear from you, even if it is just a scribble on a postcard. Without our members help we can get nowhere.

Talking of nowhere, I note that the proposed Forum of boating interests may be called NUF. I hope not, it might lead to NUFFing!

Whilst every care is taken to ensure that the contents of the Boater are factually correct, we accept no liability for any direct or consequential loss arising from any action taken by anyone as a result of reading anything contained in this publication. The views expressed are not necessarily those of the Association.

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Published by

**National Association of
Boat Owners**

NEWSLETTER

Chairman's comment

You will no doubt have noticed that the Newsletter has become a more substantial publication over the last few months, largely as a result of Nikki's excellent job as editor. One consequence of this is that the differences between the Boater and Newsletter have become blurred, so it was decided at the last Council meeting that rather than producing a nominal Boater every 3 months, we will continue to produce a Newsletter instead. Newsletters will contain more of the technical articles which were saved up for the Boater. Members are getting more now than they were when the newsletter was just a one or perhaps two A4 sheets.

If you have been a member of NABO for any length of time you will not be surprised to see that consultation is back in the firing line in this issue. Until BW accept and implement a proper consultation procedure we will constantly be at loggerheads over the way decisions are made. The moorings matrix consultation is a case in point. After a long process of genuine consultation over development of the

moorings matrix, plans for implementing the matrix were presented to a meeting of the working group (25th July) at 1pm and acceptance requested at 4pm with no provision for discussion or submission of written comments by user groups. By the time you receive the Newsletter you may already have had notification of changes to mooring fees.

Finally, may I draw your attention to the forthcoming AGM and particularly the need for volunteers to serve on the Council. If you are willing to spend some of your time helping NABO, we would be very pleased to hear from you.

The report on Consultation starts on page 9; turn to page 11 for the moorings report.

Details of the AGM are to be found on page 6, and pages 7 & 8 are the nomination form for Council members. Please consider putting your name on this, especially if you are amongst those who think that NABO is not moving fast enough!

NEWS

View from the Council meeting held on 23rd July 1994

Your intrepid reporter Moley having successfully moved his hill has as good a view as before .

We are to thank BW for something! This must be the first (perhaps the only) time but as they have revised the refund policy for moorings as we suggested, this is something worth doing. A full refund is now available with a month's notice rather like car tax. They stuck to their policy on licence fees, but as the intention is to stop people buying 12 month licences at the cheaper rate and cancelling them after 6 months (instead of paying the higher 6 month rate) this was understandable. We felt this should be accepted as there are more important issues and probably only a small number of people would be affected.

Following a meeting with the IWA it is proposed that a boat users forum (possibly called something like Navigation Users Forum or NUF) should be set up. This would include the boating sections only of all national canal & river organisations. It would exchange information and discuss matters of boating interest. It appears that there are

instances where the information given to one organisation by BW etc is different to that given to another, and that a divide and rule policy appears to occur on occasion. The Forum will hopefully combat this and avoid differences between organisations being exploited. The idea is to be pursued, and a first meeting is proposed for early autumn.

NABO membership has increased slightly but more members are needed; please display the blue poster included with the last newsletter.

It has been decided that the newsletter is to be the standard NABO publication as it can be produced more cheaply than a Boater with its cover. The name 'The Boater' will continue but will be used on the yearbook proposed at the last AGM.

Talking of AGMs - make a note in your diary that this year's will be on November 26th. Don't know where yet (the last venue is being "developed"). When Moley digs it out he'll let you know.

Watch out for the Fibreway if you are on the Grand Union! It is

NEWS

View from the Council meeting (continued)

proposed by BW that the distance from London to Birmingham will be covered at something like 10km per week during the winter. There are lots of promises that the project will be better managed than a similar one in Scotland last year but with this speed it seems likely there will be some problems. This is especially so for those with moorings on the towpath side as it may involve moving boats. Anyone likely to be affected should contact their local waterway manager now and start making a fuss.

A major push is to be made to help with the problems in East Anglia and the Broads particularly where there are battles brewing with the environmentalists. The IWA, RYA & BMIF are apparently seeking a Judicial Review of the appointments to the Broads Authority where boating interests appear to be more or less overlooked. Anyone with contacts or interests in the Broads please contact Jon Darlington asap.

More next time. In the meantime Moley is sorting out his new hill and viewing some different canal banks.

Ever fancied being on the radio?

If you live on a boat north of Manchester, and have some interesting personal stories to tell, this is your chance for fame!

The BBC Radio 4 'Midweek' programme is looking for someone of the above description to participate in a live programme some time in October or November. If you are interested, please phone Joanna Rahim on 071-765-3647.

Marine VHF on BW Commercial waterways

Members who regularly cruise on BW Commercial waterways (Aire & Calder, Caledonian, Crinan, Gloucester & Sharpness, South Yorkshire, Trent, etc.) will know that Channel 74 is the recognized frequency for communicating with locks and bridges.

Locks on the River Severn are equipped with Marine VHF, but it appears that lock keepers are

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Marine VHF on BW Commercial waterways (continued)

instructed not to communicate with pleasure craft by this method.

NABO believes there must surely be some mistake, and has sought clarification from the Waterways Manager to clear up the confusion and to eradicate the incidence of boat owners being reprimanded for using their radios. Once the problem has been sorted out we shall let members know the outcome. In the meantime, if anyone has

experienced difficulties or benefitted from being able to speak to lock keepers, etc. please let Stephen Peters, know.

A NABO Guidance Paper on the use of Marine VHF radio on inland waterways is now available and gives useful hints and contact addresses. All inland waterways craft are entitled to use Marine VHF subject to the correct procedures. Copies are obtainable from Stephen Peters, price One Pound.

The consequences of having stones thrown at your boat

A NABO member has recently been given a Police caution after a stone-throwing incident.

Three boys threw stones at a pair of boats from the bridge above Wheaton Aston lock. The owner of the pair jumped off, caught the boys and gave them a cuff. He was subsequently chased down the canal by the father of one of the boys, and after reporting the incident to the Police himself, was arrested and charged with assault. He received much sympathy from the Police and from other boat

owners, but still received a caution. One of the boys was also cautioned for breaking a BW byelaw.

One of the lessons learned from this tale is that the Police have very few records of this type of incident, so if anything happens to you, do report it.

NABO would also like to compile a list of past incidents to show the extent of the problem - so if you have been attacked with stones, air rifles or petrol bombs, please let us know the details.

NABO BUSINESS

Registration of Ships

As owners of "ships" all NABO members are entitled to register them, either on the Small Ships Register (SSR) or on the full Part 1 Register.

The SSR number will be familiar to members who trail their craft abroad, where regulations require a document showing the country of registration.

Stephen Peters has recently prepared another NABO Guidance Paper covering all aspects of ship registration and this can be obtained from him at the price of two pounds.

Port of London information updated

Stephen Peters has recently updated the file of information relating to the tidal Thames, and now receives all notices and publications.

Any member wishing to seek advice on the PLA regulations, use of VHF by narrowboats over 20 metres in length, etc. can contact Stephen Peters for assistance.

He also maintains a library of other useful publications produced by other navigation bodies including details of charges, byelaws, etc.

The 1994 Annual General Meeting

The 1994 AGM will be held on the 26th November at 2.00 pm. The location has yet to be decided, but will almost certainly be in the Midlands.

Members wishing to stand for the Council must send in a nomination form by the 15th October. We need more Council members, so if you would like to help NABO, and can make the time to do so, please stand.

Don't be put off if you do not know any other members, or not well enough to ask them to propose or second you. If you are willing to stand, members of the Council will propose and second you. Please write a short piece about yourself which can be included in a Newsletter to give members an idea of who you are.

There are no qualifications required in order to be a Council

NABO BUSINESS

The 1994 annual general meeting (continued)

member - other than a degree of lunacy (not a degree in lunacy - though these can be obtained from any University with an economics department) to enable you to work for NABO for nothing. Seriously though, we need people to help. We need you.

You will see that we are

including a copy of the Constitution in this issue, something we have not done for some time now. One of the items on the AGM agenda will be members' resolutions. Resolutions need to be proposed and seconded and returned to the Secretary by the 15th October.

Nomination form

Proposed candidate _____

Address _____

Telephone _____

I am willing to stand for election to the NABO Council

Signed _____

Proposer _____

Address _____

Proposer's signature _____

Seconder _____

Address _____

Seconder's signature _____

P.T.O.

NABO BUSINESS

Reciprocal licencing: BW and NRA Anglian region

The letter from Mike Smith (see page 15) has raised some interesting issues. NABO will be following these up, and campaigning for the existing agreement to be improved.

Meanwhile, for anyone in doubt: *the reciprocal arrangement for 2 free weeks on the*

Nene or on BW waters is still in place.

Further, the NRA have just issued a questionnaire to those with Nene licences - if you have one, please fill it in; if not, write to the NRA with your views on reciprocal licencing and facilities on the Nene.

Nomination form: brief details of candidate

Please include a few words about yourself, your experience and why you would like to stand for the NABO Council:

REPORTS

BW Consultation procedure

As a result of NABO drafting a consultation procedure which we hoped would be used by British Waterways, BW have responded by producing their own, which has been circulated for consultation with user groups. Their procedure is as follows:

"We are committed to meeting the following criteria during the process of consultation:

a) giving user representatives adequate advance information of items for consultation;

b) user representatives being able to table items in advance and British Waterways allowing time for discussion of those items;

c) our having appropriate representation at consultative meetings;

d) dealing with enquiries (expeditiously) upon the principle of full disclosure of relevant non commercially sensitive information;

e) having ad hoc meetings with user representatives at their request."

There are three key elements included in our procedure which

the Board have for some reason left out, namely:

1. Provision for consideration of written submissions from consultees;

2. Minutes of consultation meetings being taken;

3. Reasons for deviations from consultees' advice being given.

Giving adequate provision for written submissions from consultees is, we believe, essential to:

a) prevent the dominance of the consultation process by specific individuals who naturally dominate meetings;

b) enable views to be formulated - and considered - objectively outside of a meeting;

c) give user group representatives time to discuss proposals with their respective committees, councils etc;

d) provide the Board with a structured response which can then be carefully considered.

In order for Consultees to be confident that their interests and opinions are getting full and proper consideration the Board must ensure that they adequately

REPORTS

BW Consultation procedure (continued)

record those views, which means, in a meeting, taking minutes. How else can they objectively consider and assess those views afterwards when reviewing the policy or whatever was being consulted on? Those minutes must be available to the attendees so that:

- a) they are confident the points they have made have at least been noted;
- b) it gives them an opportunity to clarify any inaccuracies.

Meetings are useful in conjunction with subsequent written responses, in that they give each participating group an understanding or at least some idea of others' points of view.

Providing reasons for deviations from consultees' advice is again essential if BW are going to convince people that they are really considering their views. We are not saying that BW have to agree with the Consultees views, only that they properly consider them and are seen to have considered them.

As the Board has stated that they are "committed to effective consultation and want to give users full confidence that they give their opinions and interests full and proper consideration" it is difficult to see why they should not wish to include these essential points in the consultation process.

Meetings with other User Groups

Members of the NABO Council have recently had two meetings with the IWA in order to strengthen relations between us. In the discussions it became clear that we would both like to see better communication between boaters' user groups. It would therefore make sense if some sort of boaters' forum could

be established for national user groups who have the same ends in mind. The idea is in its first stages of discussion, but the main purpose of such a group is likely to be to provide a means by which those with boating interests on the Inland Waterways can discuss issues of common concern and, where appropriate,

REPORTS

Meetings with other User Groups (continued)

present a united voice for boaters when dealing with Navigation Authorities and Government.

Using a bit of imagination, it is possible to see other potential benefits, perhaps in the longer term such as:

- circulating matters of concern to other members of the forum, thus providing more efficient communication.
- providing services not otherwise affordable by individual member groups, such as press scanning, parliamentary lobbying, etc.
- undertaking research in areas of mutual concern.
- coordinating/undertaking campaigns not otherwise affordable by individual member groups. For example, if we had another Bill to fight, a more coordinated response would almost certainly be more effective.

It must be stressed that these are just ideas and that nothing is certain yet. What is certain is that more cooperation between boating user groups would be beneficial to all our members, and to boaters generally.

BW Moorings Matrix

The Board have finally produced a draft of the procedure they will be using when they introduce the moorings matrix in January 1995. Moorers, we have been assured, will be given a copy of the procedure. Key elements of it are:

1. Moorers will be individually contacted as part of the consultation process if a price rise greater than inflation is being proposed.

2. Once a mooring has been established within the price table its place will be publicised and will not move up more than 1 step per year in terms of its location factor. Any changes, re location factors or facilities will be subject to consultation.

3. If as a result of putting an existing site on the table, there is to be a significant move upwards and consequent price increase, the increase will be phased in for existing users. For 1995, therefore, the site will be placed in the box with the appropriate facility score that is the nearest above the fee charged in 1994. It will then be moved upwards yearly by one box until it reaches its correct level. New moorers will

REPORTS

BW Moorings Matrix (continued)

pay the "correct" level from the outset. The "correct" level will be the advertised rate.

4. If as a result of putting an existing site on the table, the price decreases, the new rate will be effective from the first renewal of the permit after 1 Jan 1995.

5. The effect of the new system is such that overall the total income from all moorers will be no more than in 1994 (plus inflation.) It does mean though, that some people will pay more and some will pay less.

6. The price table is applicable to BW sites that have

houseboats.

7. Moorers will be reminded that the complaints mechanism is there should they feel aggrieved by the way the changes have been handled.

If you are moored on BW managed moorings (i.e. you have a moorings permit) and find that the Board are not keeping to these procedures, then please let us know. We would also like to know if the new price is more than 7.5% above the old one.

BW have refused point blank to let user groups know the proposed new rates for each site.

Proposed 12 month prices for BW moorings 1995, £/m/yr, inc VAT

Facility score	81 - 100	61 - 80	41 - 60	21 - 40	1 - 20
BOLLARDS	5	4	3	2	1
Location - hi A	£80.60	£75.60	£70.60	£65.60	£60.60
B	£75.60	£70.60	£65.60	£60.60	£55.60
C	£70.60	£65.60	£60.60	£55.60	£50.60
D	£65.60	£60.60	£55.60	£50.60	£45.60
E	£60.60	£55.60	£50.60	£45.60	£40.60
F	£55.60	£50.60	£45.60	£40.60	£35.60
G	£50.60	£45.60	£40.60	£35.60	£30.60
H	£45.60	£40.60	£35.60	£30.60	£25.60
I	£40.60	£35.60	£30.60	£25.60	£20.60
Location - lo J	£35.60	£30.60	£25.60	£20.60	£15.60

LETTERS

More response to V K Wyles' letter (May): 1 - from a boater

I have just read the May issue of the newsletter and the letter from V K Wyles causes me some concern.

48 and 72 hour moorings are fine in the right place, to enable boaters to make use of amenities and look at interesting and popular places. But some of us do not just cruise one/two/three weeks a year, racing round the system. I live on my boat and cruise most of the time. And of course I like to stay sometimes for a week or so at one spot. And why not if I am not in anybody else's way. What I should like to know is what there is of such interest that anyone would want to stay longer than 48 hours on the Tring summit, or are BW using these restrictions for other reasons?

What annoys me is the long term moorings in popular stopping places, such as those at Nantwich and Great Haywood, there are many more.

People have been living on boats long before any of us were born and when it became "Against the Law" as V K Wyles puts it I am not sure. Certainly BW and their predecessors

turned a blind eye to it while whole communities built up on our canal sides. I am sure many people living on boats today did not know it was against the law when they started. Many did not register under the Moratorium because they were frightened they were going to have their HOMES taken away from them. Would V K Wyles trust BW with his home?

As far as ill-maintained boats are concerned BW have set in motion policies via C of C and insurance which will eliminate most of these, and rightly so. As far as the scruffy boats, it is no concern of any of us if somebody wants a scruffy boat. I have travelled over 5,000 miles in my boat over the last four years and have only had one person shout at me for going too fast, and I probably was. So many boaters think that cutting the engine revs slows the boat, it doesn't, not for a minute or two.

There should be more tolerance on the waterways but it is still the sanest place to be in this mad world and trying to get on with other canal users will keep it so.

LETTERS

1 - from a boater (cont)

NABO is on the right track even if it is not going as fast as some would like.

Les Bertram, Guildford

2 - from a boat

I am probably one of those boats described as scruffy by V K Wyles. Perhaps he is one of the owners of the mass-produced floating coffins that pass me every day, although I wouldn't be so rude as to say it out loud. I was once a beautiful gleaming vision of steel etc, but sadly, like my owners, am getting on in years.

They have been on the canal forty years, quietly supporting the canals and tolerating everyone, unlike a lot of new boaters who will probably give up once it becomes unfashionable to own a boat. Perhaps you should give up the canals as well as this society sir, as you obviously haven't grasped that it is not a matter of who has the best boat or position in life but just that we all love the canal - so come on, show a bit of respect for age and individuals.

Nb Bliss, Coventry canal

Another favourite target

Isn't it time that BW laid down the rules for fishermen properly instead of suggesting to them politely in a pathetic little pamphlet that they try to fish 15m away from a boat? Have you ever tried asking them to do this? How about, DO NOT fish within 15m of an already moored boat. DO NOT fish within 25m of a lock. (Many the time I have had to use threatening behaviour so that I can use the moorings being fished on at a lock. Even some competitions are pegged right up to the lock gate.) In a proper rule book, a copy of which could be used as a reference when telling these people to move.

I only have to moor up a day too long somewhere and I get a letter from the local waterway manager. Even at Christmas when I was stuck on the moorings at Gunthorpe because of the floods, the moorings officer kept coming down to ask when I was going to move, when anyone in their right senses could see that it was far too dangerous, but it seems that fishermen can get away with anything they like and no-one says a word.

Robert K Bush, nb Forester

LETTERS

Reciprocal licencing

The letter from Luce Green in the July "Newsletter" calling for NABO to campaign for reciprocal licencing between navigation authorities prompts me to comment on the current reciprocal arrangement between BW and NRA Anglian region. The agreement gives 14 days access to the Nene for BW licencees and a similar period to Nene licencees to the GUC from Leighton Buzzard to Market Harborough. We are normally moored on the Middle Level but licence our boat with the NRA partly to use the reciprocal arrangement.

In March 1993 all boat owners licenced by the NRA Anglian region to navigate the Nene were told by a notice included in their invitation to renew their licences that NRA were arbitrarily to cease the agreement on 1 April 1994. The feeble excuse for this was that some Nene wide beam owners who were unable to take advantage of the agreement objected to BW licencees using Nene club facilities.

After corresponding in late 1992 and early 1993 with the BW manager who was negotiating

with NRA Anglian we learned that BW were offering 28 days access to all of their system including across the Wash via Boston to the Trent for wide beam Nene registered craft in exchange for access by BW registered boats to the Nene and the wide open spaces of the Middle Level. As far as we know no recent progress has been made on this negotiation.

Although we received a written assurance in early March from Mr Davis, NRA Anglian Region General Manager, that the current arrangement will remain in force until something better can replace it, the notice about its unilateral abrogation by NRA on 1 April 1994 has not been withdrawn.

It would be a great pity to lose the existing arrangement without replacing it with something like BW's proposals, and as well as supporting Luce Green's call for NABO to campaign for more reciprocal arrangements, how about starting by campaigning for negotiations to be restarted and thus for this agreement to be improved?

Mike Smith, Colchester

NABO CONSTITUTION & RULES

July 1994

1. The Association shall be known as the National Association of Boat Owners.

2. The objects of the Association shall be as follows:

a) to provide effective representation for owners of vessels on Britain's Inland waterways on any subject or matter which is relevant to the owners of such vessels.

b) to organise events, demonstrations, rallies or other activities which in the opinion of the Council will further the object in clause a) above, but not to organise or actively engage in any event which would in the opinion of the Council bring the Association into disrepute.

3. In furtherance of the above objects, the Association shall have the following powers:

a) to assist financially or otherwise any appropriate bodies whether official or otherwise;

b) to promote by visits, meetings, publications, exhibitions or lectures, any of the above objects;

c) to secure publicity for the promotion of the objects of the Association;

d) to purchase or take on lease or in exchange, hire or otherwise acquire in any manner any real or other property;

e) to do all other such things as will further the attainment of the above objects.

4. All persons supporting the above objects of the Association as defined in clause 2, and owning a vessel capable of use on the Inland Waterways shall be eligible for membership subject to:

a) the persons not being corporate bodies or being representatives of such businesses or organisations whose aims may be, in the opinion of the Council, incompatible with the objects of the Association.

b) being admitted by the Council as members. The Council shall have power to refuse any membership application, and no reason need necessarily be given, unless a formal request for a reason is made.

c) agreeing to be bound by this constitution.

d) paying the subscription fee.

5. The Council shall have power to elect to membership any other person they consider suitable for membership, subject to s4 (c), or to co-opt to membership of the Council such additional members as are considered necessary. Such co-opted members shall be eligible to vote.

NABO CONSTITUTION & RULES

6. The Association shall:

- a) provide membership application forms,
- b) provide a copy of this constitution on request to any new member or anyone seeking membership.
- c) levy and collect membership subscriptions as they fall due.

7. Membership of the Association shall lapse two months after failure of a member to renew his or her subscription.

8. The management of the association shall be carried out by a Council herein after referred to as "the Council".

a) The Council shall consist of not less than four and not more than sixteen Association members.

b) The Council shall elect the Association's Officers who shall comprise a Chairman, Vice Chairman, Secretary and Treasurer. An Officer's title, e.g. "Chairman", describes the job, not the sex of the holder.

c) Members of the Council shall be elected at the AGM and shall retire every year, but may offer themselves for re-election.

d) Those seeking election or re-election to the Council shall be nominated by a proposer and seconder who shall be fully paid up members. The person nominated shall endorse their willingness to

stand for election. Nomination forms must be received by the Secretary not less than forty two days before the AGM.

e) In the event of a contested election a ballot of those present shall be held and two tellers appointed to collect and count the votes.

f) Any member seeking election to the Council who is, or has been in the last 12 months prior to appointment to the Council, a member of any management committee, or board of directors or has held any position of influence during that time in any organisation which represents any user group connected with the inland waterways, or any organisation which obtains income from the inland waterways or from activities connected with the inland waterways, shall declare their interest at the time of being nominated for the Council. In the event that no such declaration of interest has been made and such an interest is subsequently found to exist, then that person will be debarred from continuing to serve on the Council.

9. The Annual General Meeting shall be held each year to:

- a) Receive the Chairman's report,
- b) Receive audited financial statements for the previous financial year ending on 31st March.
- c) Determine the annual subscription

NABO CONSTITUTION & RULES

rates.

d) Elect the Council members.

e) Appoint an auditor. The auditor shall be a member of a professional body recognised by the Companies Act 1985 as Auditors, but need not be currently registered as an Auditor. The auditor must not be an Officer of the Association or a member of the Council.

f) Consider any proposed alterations to the Constitution

g) Deal with business brought forward by the Council or members' resolutions. Such resolutions duly proposed and seconded must be received by the Secretary not less than forty two days beforehand, and shall be circulated to all members before the meeting.

9A. Members joining the Association less than 42 days before the AGM shall not be entitled to vote at that AGM.

10. A notice convening the AGM shall be sent to all members, together with an agenda no less than twenty one days before the date of the meeting.

11. A Special General Meeting may be called by sending to the Council a resolution or resolutions signed by at least twenty five members to be held within eight weeks of receiving such a resolution or resolutions.

a) Notice convening this meeting shall be circulated to all members not less than fourteen days before the

date of the meeting.

b) The meeting shall consider the resolution or resolutions referred to above but shall conduct no other business.

12. Only fully paid up members over the age of eighteen years may vote at any General Meeting.

13. The Chairman shall call a meeting of the Council as required but not less than once every three months.

a) A special meeting of the Council may be called on the written application of at least three of the Council members.

b) Any member of the Council absenting himself or herself for three consecutive meetings without reason acceptable to the Council shall be deemed to have resigned from the Council.

c) The quorum at a meeting of the Council shall be one third of the number of the Council members holding office at that time, but shall never be less than three, and shall include one of the Association's Officers.

d) Vacancies on the Council may be filled by the Council and any Association member thus co-opted holds office until the next AGM.

e) The Council may make rules of procedure not at variance with this Constitution.

f) The Council is authorised to

NABO CONSTITUTION & RULES

prepare a news sheet and other matter for members' benefit.

g) The Council may exclude from membership any member if there is evidence that the actions of the member are in opposition to the objects of the Association, or are likely to bring the Association into disrepute, providing that a resolution is passed by a two thirds majority of the Council. Prior to exclusion the member shall be informed of the intention to exclude, and shall be given the opportunity to state his or her case at the next meeting of the Council.

h) Minutes of all the Council meetings shall be taken and shall be endorsed as a true representation at the following meeting of the Council. All minutes shall be available for inspection by any member of the Council and by any member of the Association except for minutes involving personal matters relating to individual members which shall remain confidential.

i) Notice shall be given to every member of the Council, and should be at least 14 days in advance of all meetings of the Council. In special circumstances shorter notice may be necessary but shall never be less than 48 hours. Where less than 14 days notice has been given, the reasons for the short notice shall be recorded in the minutes of the meeting.

14. Alterations to this Constitution

can only be made at the AGM or at a Special General Meeting, notice of which must specify any proposed changes. Any alteration to the Constitution must have a two thirds majority of those present voting in favour of the resolution, provided that no alteration is made to this clause, clause 2 or clause 18.

15. The Treasurer shall have charge of the funds of the Association. Accounts shall be paid on the signature of any two of the Officers of the Association.

16. The Association shall not accept donations or any other forms of benefit where such donations or benefits are given subject to conditions which would restrict the activities of the Association or where the donor may obtain influence over the Association in consequence of giving the donations or benefits.

17. The Association may have a President who shall be invited by the Council to hold office for the following year.

18. If on the winding up or dissolution of the Association there remains after the settling of all liabilities any property whatsoever, this shall not be paid to or distributed among the members of the Association, but shall be given to such a registered charity or charities established for similar charitable purposes as the Association shall decide.

NABO REPRESENTATIVES

Council members contact addresses

Penny Barber

Christopher Barnacle
(E Anglian & Broads Rep)

Phil Bland

Jon Darlington
(Chairman)

Melanie Darlington
(Treasurer)

Roger Hancock
(Secretary),

Neil Hutchinson
(Navigation Officer/NW Rep)

Peter Lea
(Vice Chairman/SE Rep)

Colin Paillin
(Midlands Rep)

Stephen Peters
(River Users Co-ordinator)

Christine Potter
(Membership Secretary)

Peter Sterry
(NERep/Publicity)

Nikki Timbrell
(Boater/N'letter Editor)

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THE BRITISH WATERWAYS BILL

REPORT OF THE COMMITTEE

At long last the House of Commons Committee looking at the British Waterways Bill announced their decision regarding the Bill on 18th July.

The Committee unanimously accepted the case for the Bill but had reservations about some aspects of it and therefore require a number of undertakings and amendments from BW.

On the question of entry onto 3rd Party land for maintenance purposes, the Committee's only requirement was that environmental rather than financial considerations should have priority when determining whether to carry out non emergency maintenance by land or by water access.

Of more interest to boaters are the comments of the Committee regarding part III of the Bill which forms the bulk of their comments by far. They took a particular interest in the Board's new powers over control of mooring. They considered that there is no need for criminal sanctions for contravention of clauses 17 & 18. Clause 17, you may remember, is the one which requires a boater to comply with a request by an officer of the Board regarding the means by which, and the precise location in which, a vessel is moored. The wording has also been changed so that instead of reading "a direction may be given in any reasonable manner", it will now read, "a direction shall be given in a reasonable manner". Clause 18 is the one which prevents anyone mooring a vessel in contravention of a notice prohibiting the mooring of vessels, such a notice being for the purpose of securing safety or preventing congestion. The effect is that whilst it will be unlawful to fail to comply with the requirements of these clauses, there will be no penalty for not doing so. It is unlikely that the Board would be happy with this position.

Probably the biggest bombshell to the Board is the requirement of the Committee that the Board should give an undertaking that no boat which is on the Board's waterways before the date of Royal Assent will be refused a licence solely on the grounds that it does not have a permanent mooring. This was expected to be a major weapon the Board would have used to get rid of boats that are in their opinion residential and which they would probably like to consider as houseboats.

Another interesting requirement of the Committee which we argued for is that the Board should not require boats to move from existing moorings without providing alternative moorings at a comparable location and cost. The Board have always refused to do this, despite the obvious unfairness of not doing so. The Committee state quite categorically that not to do so would "not be a reasonable way for the Board to act". They go on to say that any dispute over entitlement to, or suitability of, alternative moorings would be settled by arbitration. Arbitration has until now not featured in the Board's thinking; their argument is that there is a complaints mechanism which means justice will be done in the end. However appealing this argument may be to the Board, the complaints mechanism should not be seen as a substitute for a procedure for ensuring they get things right in the first place.

Another of our perpetual arguments was in connection with standards of construction where the Board would consult with organisations which appear to the Board to represent a substantial number of owners or operators of vessels affected by the standards. The Committee have deleted "appearing to the Board" so that they have to consult with organisations which represent a substantial number of owners or operators. The question is thus one of fact rather than one of opinion, though without a definition of "substantial", it will come down to opinion in the end.

Yet another of our arguments has been addressed regarding the length of notice required for moving a boat for routine maintenance. The board wanted 7 days, we asked for 28 days and finally both settled at 14 days. The Committee now require the Board to give 28 days notice.

The decision of the Committee gives details of the amendments the committee wishes to see before the Bill becomes an Act. According to the twentieth edition of "Parliamentary Practice" by Erskine May, the amendments required by the Committee must be made by the Board, alternatively the Board can choose to abandon the Bill as a whole. There is no right for abandonment of the parts of the Bill which might not now please the Board, if there be any, though they may do so if the Committee agrees to it. There have been, at various times, rumours that the Board would abandon the Bill if any more amendments were made to it. Will the Committees amendments be too much for them? We can only wait and see.